

# REVISITING BROKEN WINDOWS: THE ROLE OF THE COMMUNITY AND THE POLICE IN PROMOTING COMMUNITY ENGAGEMENT

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“You cannot arrest your way out of crime”  
– Theron Bowman, Former Arlington Texas Police Chief

In *American Policing at a Crossroads*, Schulhofer, Tyler and Huq<sup>1</sup> highlight the opportunity to fundamentally alter the policies of American policing during the current era of low crime. This article argues that this change should be made through a pivot toward procedurally just policing.<sup>2</sup> This argument is supported by the results of our empirical study, which explores the relationship between New York City residents’ judgments about the police and their beliefs about, and activities within, their communities.

Our study uses this survey to test the viability of the procedurally just policing model as a strategy for helping to build vibrant communities. Our study supports the procedurally just policing model by showing that when people in the community view the police as fair and just actors, their faith in the police is promoted. That perception of efficacy both promotes community cohesion and leads to higher levels of economic, political, and social engagement by community members. In addition, the results support, in part, the idea set forth by the broken windows theory, as they indicate that reducing disorder builds cohesion and promotes desirable community behavior.<sup>3</sup> However, as a whole, between the procedur-

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1. Stephen J. Schulhofer, Tom R. Tyler & Aziz Z. Huq, *American Policing at a Crossroads: Unsustainable Policies and the Procedural Justice Alternative*, 101 J. CRIM. L. & CRIMINOLOGY 335 (2011).

2. Tom R. Tyler, Phillip Atiba Goff & Robert J. MacCoun, *The Impact of Psychological Science on Policing in the United States: Procedural Justice, Legitimacy, and Effective Law Enforcement*, 16 PSYCHOL. SCI. PUB. INT. 75 (2015).

3. The broken windows theory, outlined by George Kelling and James Q. Wilson in 1982, argues that neighborhood disorder undermines communities, encouraging undesirable behavior such as leaving the community, rather than working to make it better. See generally George Kelling & James Q. Wilson, *Broken Windows: The Police and Neighborhood Safety*, ATLANTIC MONTHLY, Mar. 1982, at 29.

ally just policing model and the broken windows theory, the former has a stronger impact.

### CHANGING THE GOALS OF POLICING

Currently, police practices focus on concentrating power and control within individual police departments. Police then create and implement policies that they believe will lower crime within local communities. Guided by the broken windows model, the police believe that by lowering crime rates they are promoting the development of those communities, or at least lessening community disintegration.<sup>4</sup> This policing approach has led to problems, including public distrust and a lack of cooperation with the police.<sup>5</sup> And, as will be detailed later, evidence is unclear about whether it has actually promoted community development, an outcome predicted by broken windows models.

A shift in the policies and practices of the police through procedurally just policing is needed to open up opportunities for greater police cooperation with the community, which in turn may lead to lower crime levels.<sup>6</sup> By treating members of the community fairly, the police build their legitimacy and receive higher levels of help from people in the community. This leads to lower levels of crime because people who believe the police are legitimate commit fewer crimes,<sup>7</sup> and it also leads to a higher rate of solving crimes because people who believe the police are legitimate are more willing to report crimes, identify criminals, testify in trials, and act as jurors.<sup>8</sup> Procedurally just policing also promotes co-policing with community members attending community meetings and otherwise playing a role in policing their communities.<sup>9</sup>

Although procedurally just policing is an important change in police practices, as it emphasizes how the police are evaluated by

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4. See generally *id.*

5. Tom R. Tyler, Jonathan Jackson, & Avital Mentovich, *The Consequences of Being an Object of Suspicion: Potential Pitfalls of Proactive Police Contact*, 12 J. EMPIRICAL LEGAL STUD., 602, 602-36 (2015); Tom Tyler, *Police Discretion in the 21st Century Surveillance State*, UNIV. OF CHI. LEGAL F. 579, 579-614 (2016) (discussing the influence of broken windows theory on strategies of policing).

6. Tyler et al., *supra* note 2, at 75.

7. Tom R. Tyler, Jeffrey Fagan & Amanda Geller, *Street Stops and Police Legitimacy: Teachable Moments in Young Urban Men's Legal Socialization*, 11 J. EMPIRICAL L. STUD. 751, 774 (2014).

8. Tom R. Tyler & Jonathan Jackson, *Popular Legitimacy and the Exercise of Legal Authority: Motivating Compliance, Cooperation and Engagement*, 20 PSYCH., PUB. POL'Y, & L. 78, 89 (2014).

9. *Id.*

the public, this approach continues to embrace the traditional role of police as limited to their role in crime control. In the last several decades, the police have viewed their primary task as harm reduction through tactics designed to lower the number and severity of the crimes that occur in their communities.<sup>10</sup> This does not mean that the police have ignored issues of community development. The broken windows model of policing argues that suppressing disorder is an important prerequisite to building strong communities.<sup>11</sup> As a consequence, the police have believed that by focusing on harm reduction through crime control they are addressing the issues that must underlie meaningful community development.<sup>12</sup>

In this article we argue for a further shift in policing that puts community well-being at the center of the discussion. This new perspective asks how communities can move forward in their social, economic, and political growth, and it considers the role of both community disorder and police procedural justice/legitimacy in facilitating this process. This effort recognizes that while traditional police policies may have been enacted in good faith, with the belief that managing crime was a key community development strategy, research has not supported that view.<sup>13</sup> In their efforts, the police have lowered crime, but they have not built trust with the community at the same time.<sup>14</sup> This is primarily a consequence of community members' viewing the police as agents who use force to compel adherence to rules, rather than as champions of community development. In order to facilitate proactive community development, it is first necessary to rethink how the police behave within the community.

#### THE GROWTH OF PROCEDURALLY JUST POLICING

In the last decade, there has been a rapid increase in support for procedurally just policing.<sup>15</sup> This support has emerged as people have come to recognize the necessity of public trust in the police.<sup>16</sup> The emergence of legitimacy as an issue in policing began with the 2004 National Academy of Sciences report on policing,<sup>17</sup>

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10. Tyler, *supra* note 5, at 580.

11. *Id.* at 593.

12. *Id.* at 594–97.

13. *Id.* at 582.

14. *Id.*

15. Tyler et al., *supra* note 2.

16. *Id.*

17. NATIONAL RESEARCH COUNCIL, FAIRNESS AND EFFECTIVENESS IN POLICING: THE EVIDENCE 8 (Wesley Skogan & Kathleen Frydl eds., 2004).

which recommended more attention by police chiefs, local political authorities, and the federal government to issues of popular legitimacy—the belief by the public that the police in their community should be trusted. This initial report culminated in the President Obama Task Force Report on 21st Century Policing that described legitimacy as the first pillar of policing.<sup>18</sup> These reports established an emphasis on legitimacy in policing, which continues to be a key influence in police practices. For example, the recent campaign for a “New Era of Public Safety”<sup>19</sup> points to the importance of popular legitimacy, framing a focus on popular legitimacy as an element of community policing. Consistent with this ongoing emphasis, detailed frameworks have emerged for changes in policing to promote procedural justice and legitimacy.<sup>20</sup>

### RESISTANCE TO PROCEDURALLY JUST POLICING

However, at the same time that policing has increasingly adopted the message of procedurally just policing, there have been critiques of this approach. In her discussion of the opinions of residents of low income neighborhoods, Monica Bell argues that the broader framework of “estrangement,” which considers the general alienation of the poor and minorities from local political and legal authorities, better captures the perception within poor communities that law operates to generally exclude them from society.<sup>21</sup> The key to change through a procedurally just policing approach is to broaden the goals of policing to think about how the legal system can also function as a tool for creating a cohesive and inclusive society.<sup>22</sup> In other words, procedurally just policing can address the issue identified by Bell as important precursors of estrangement. Building on this point, Brie McLemore argues that the way to “challenge anomie [is] by situating the marginalized as actors who affect change.”<sup>23</sup> This argument is consistent with recent research sug-

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18. OFF. OF CMTY. ORIENTED POLICING SERVS, THE PRESIDENT’S TASK FORCE ON 21ST CENTURY POLICING 1 (U.S. Dep’t of Just., 2015).

19. THE LEADERSHIP CONFERENCE EDUC. FUND, THE LEADERSHIP CONFERENCE ON CIVIL AND HUMAN RIGHTS, *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing* (2019), [https://policing.civilrights.org/report/Policing\\_Full\\_Report.pdf](https://policing.civilrights.org/report/Policing_Full_Report.pdf) [<https://perma.cc/Q9QF-T3C6>].

20. MEGAN QUATTLEBAUM, TRACEY MEARES & TOM TYLER, JUST. COLLABORATORY AT YALE L. SCH., *Principles of Procedurally Just Policing* (2018).

21. Monica C. Bell, *Police Reform and the Dismantling of Legal Estrangement*, 126 YALE L.J. 2054 (2017).

22. *Id.* at 2084.

23. Brie McLemore, *Procedural Justice, Legal Estrangement, and the Black People’s Grand Jury*, 105 VA. L. REV. 371, 395 (2019).

gesting that social connections within communities are central to the ability of those communities to develop, and these connections impact a community's economic and political vibrancy.<sup>24</sup>

#### DEFINING A NEW MODEL OF POLICING

We believe in the importance of moving beyond a police-centric view of how to address community problems and of placing communities at the center of the discussion. We need to move beyond a focus on managing crime and disorder, and towards a more holistic focus on procedurally just policing. It is of course important to manage crime; however, finding ways to do that which involve support from and partnership with the people in the community is also important.

Forming strong partnerships with people in the community focuses on social order, which is only one indicator of community well-being. In addition to social aspects, other important indicators of well-being include economic and political engagement with the community. Social elements of the community refer to the relationship among community members.<sup>25</sup> This includes their shared identification with a community, their commitment to help it solve shared problems, and the belief that neighbors can and will work together to address such problems.<sup>26</sup> Economic development refers to having robust restaurants, stores, and other engines of jobs within the community.<sup>27</sup> Finally, political well-being consists of a polity which engages with government to address community concerns, as well as organizing and voting in elections.<sup>28</sup>

These goals are important in building vibrant, flourishing, cohesive, and inclusive communities. A parallel concern is with enhancing the well-being of the people within those communities. A problem for promoting community well-being is that on their own the people in communities can lack the social and other types of

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24. ROBERT J. SAMPSON, *GREAT AMERICAN CITY: CHICAGO AND THE ENDURING NEIGHBORHOOD EFFECT* (2012).

25. Specifying the dimensions of community development has been an important topic, particularly within the international literature on development. See Katherine Scrivens & Conal Smith, *Four Interpretations of Social Capital: An Agenda for Measurement* (OECD Stat., Working Paper No. 55, 2013), <https://www.oecd-ilibrary.org/docserver/5jzbcx010wmt-en.pdf?expires=1604946155&id=ID&accname=Guest&checksum=FE686C41A61403CA3F3F5254B8D5C76B> [<https://perma.cc/EEG8-SF8L>]; see also MICHAEL TREBILCOCK & MARIANA PRADO, *ADVANCED INTRODUCTION TO LAW AND DEVELOPMENT* (Edward Elgar Publ'g 2014).

26. Scrivens & Smith, *supra* note 25; TREBILCOCK & PRADO, *supra* note 25.

27. Scrivens & Smith, *supra* note 25; TREBILCOCK & PRADO, *supra* note 25.

28. Scrivens & Smith, *supra* note 25; TREBILCOCK & PRADO, *supra* note 25.

resources to sustain social, economic, and political growth.<sup>29</sup> In those situations, focusing on the community, however desirable, is not an effective approach. The purpose of procedurally just policing is to encourage the type of attitudes and values among the people in the community which would support these forms of development.

#### CAN THE POLICE HELP TO PROMOTE COMMUNITY DEVELOPMENT?

In this section, we discuss the empirical study we conducted to test our theory arguing for a shift in policing practice towards procedural justice-based policing. The goal of this analysis is to test empirically whether police tactics can aid in efforts at social, economic, and political development in the community. The underlying assumption in this approach is that an important goal of the police is to promote the social, economic, and political growth within communities, and thus policing practices that further the realization of these goals should be preferred. Our central question is whether the police can influence social, economic, and/or political growth, and if so, what can the police do to promote communities beyond providing security by harm reduction?

This issue was addressed in the recent National Academy of Sciences report on Proactive Policing. The report considered one subset of this general question: whether policing could impact collective efficacy—the shared belief that people in the community will work together to solve local problems and have the capacity to be successful in such efforts—within communities.<sup>30</sup> Researchers particularly focused on whether policing could help communities to “invest residents with the necessary skills, resources, and sense of empowerment to mobilize against neighborhood problems.”<sup>31</sup>

The currently available evidence is largely based upon cross-sectional studies similar to the study reported here.<sup>32</sup> One exception is a study conducted in the United Kingdom, which compared

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29. STEVE HERBERT, *CITIZENS, COPS, AND POWER: RECOGNIZING THE LIMITS OF COMMUNITY* (2009).

30. NAT'L ACADS. OF SCIS., ENG'G, & MED., *PROACTIVE POLICING: EFFECTS ON CRIME AND COMMUNITIES* (David Weisburd & Malay K. Majmundar eds., 2018) [hereinafter *PROACTIVE POLICING*].

31. *PROACTIVE POLICING*, *supra* note 30, at 219.

32. These studies are presented in the National Academy of Sciences 2018 report in Chapter 6, “Community-Based Proactive Strategies: Implications for Community Perceptions and Cooperation.” *PROACTIVE POLICING*, *supra* note 30, at 211–50.

a program of community policing to communities without such programs. The study did not find any relationship between the type of policing and measures of social cohesion, trust in other members of the community, collective efficacy, or involvement in voluntary community activities.<sup>33</sup>

One concern with empirical studies is that the goal of policing is to build, improve, or sustain communities, which is something that is unlikely to occur within the short time frame considered by most studies. One study that considers impact over time is a study of Chicago.<sup>34</sup> This study found mixed effects. At this time, evidence is unclear about whether policing approaches can significantly impact people's attitudes about and behaviors within their communities in ways which promote community growth. Further, these studies did not test the use of procedural justice as a policing model, something that we believe should heighten impact.<sup>35</sup>

#### COMMUNITY DEVELOPMENT

The key to any long-term solution to crime is community growth. What factors advance and inhibit the possibilities for growth? Our central argument is that the police can facilitate community growth, but they have not optimized their ability to do so because they have adopted an incorrect "broken windows" model for the relationship between policing and the community. The dominant model suggested by the broken windows perspective is that disorder in the community influences perceptions of police effectiveness in maintaining social order.<sup>36</sup> These views about whether the police can shape social order then shape resident's

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33. RACHEL TUFFIN, JULIA MORRIS & ALEXIS POOLE, AN EVALUATION OF THE IMPACT OF THE NATIONAL REASSURANCE POLICING PROGRAMME 56–61 (Home Office Research, Development and Statistics Directorate, 2006), <http://library.college.police.uk/docs/hors/hors296.pdf> [<https://perma.cc/EC8S-NTKB>].

34. WESLEY G. SKOGAN, POLICE AND COMMUNITY IN CHICAGO: A TALE OF THREE CITIES 305–26 (2006).

35. PROACTIVE POLICING, *supra* note 30 (reviewing the literature on procedural justice in policing); Tammy Rinehart Kochel, *Can Police Legitimacy Promote Collective Efficacy?*, 29 JUST. Q. 384 (2012) (showing that legitimacy impacts on the belief that community residents will work to solve community problems); Tyler & Jackson, *supra* note 8 (showing that police legitimacy is linked to engagement in one's community); Justin Nix, Scott Wolfe, Jeff Rojek & Robert Kaminski, *Trust in the Police: The Influence of Procedural Justice and Perceived Collective Efficacy*, 61 CRIME & DELINQ. 610 (2015) (demonstrating a link between procedural justice and the belief that community residents will work to solve community problems).

36. *See generally* Wilson & Kelling, *supra* note 3.

views of the community, which in turn influences the ways in which the community can grow and flourish.<sup>37</sup>

We suggest that while the broken windows model is correct, the use of this model to develop policing strategies has led the police to think of the relationship between the police and the community in a limited way. The model is correct in emphasizing the importance of police in reassuring people in the community that crime is under control and they are safe. This stops community decline.

However, the broken windows model stops short. For communities to develop sustainably, there is a further need for people to be willing to be involved in economic activities, such as working, shopping, eating, and going to entertainment events within the community. They also need social cohesion, *i.e.*, they need to feel that they can work with and trust their neighbors. Furthermore, people need to be engaged politically—they need to vote and otherwise involve themselves in local politics to help determine how the community should be managed. We argue that procedurally just policing models can facilitate this growth, directed at building communities beyond the impact of lowering the crime rate.

#### BROKEN WINDOWS

Kelling and Wilson's classic paper outlining a theory of "broken windows" argues in favor of the centrality of police actions to community development.<sup>38</sup> The paper hypothesizes that when the public sees signs of disorder in their neighborhood they will disengage from the community, thereby undermining the social, economic, and political development of the neighborhood. Kelling and Wilson argue that the police can promote community cohesion, and by extension community development, by proactively addressing crime and disorder in the community and showing signs of effectiveness in maintaining social order. In particular, they advocate that police should be proactive in addressing signs of disorder in the community by managing deviant groups.<sup>39</sup>

The broken windows model focuses on "enhanc[ing] the ability of the community to exercise informal social controls presumed to play a central role in the nature and extent of community order and safety."<sup>40</sup> Such order is important to prevent the decline of

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37. *Id.*

38. *Id.*

39. *Id.*

40. PROACTIVE POLICING, *supra* note 30, at 224.

communities, and “reducing disorder [ ] is expected to reverse the decline of collective efficacy in communities, thereby preventing a breakdown in community social controls.”<sup>41</sup> Although this model focused on preventing decline, the reverse is equally true: building order promotes collective efficacy and promotes community development. Despite this framing of the model, most existing research has not focused upon the impact of policing on disorder and the relationship is unclear.<sup>42</sup>

The proactive policing strategy that Kelling and Wilson promote in their piece is not the only way the police or municipal agencies could be involved in facilitating community cohesion in a neighborhood that could lead to an important and positive role in community development and vitality. Nonetheless, their proactive policing model emphasizing law enforcement tactics has had a powerful impact upon subsequent policing. These tactics have sometimes been justified as leading to the promotion of community development, although they have more typically been promoted as facilitating crime reduction as an end in and of itself.<sup>43</sup>

While the broken windows paradigm has provided the police with a set of policies and practices that were theorized to facilitate community development, the focus on the police as agents of development has overshadowed the role that the community itself plays in its own development.<sup>44</sup> Fortunately, recent scholarship has emphasized that the characteristics of the community can directly influence development.<sup>45</sup> In particular, the recent literature on communities suggests that ruptures in the social bonds that connect individuals to their community undermine development.<sup>46</sup> This is the case because social cohesion in communities promotes their development. Sampson, Raudenbush and Earls, for example, argue that collective efficacy—*i.e.*, the collective willingness of

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41. *Id.* at 225.

42. David Weisburd, Michael Davis, & Charlotte Gill, *Increasing Collective Efficacy and Social Capital at Crime Hot Spots: New Crime Control Tools for Police*, 9 POLICING: J. POL'Y & PRAC., 265 (2015) (examining the influence of concentrating the police upon the strength of the connections among neighbors).

43. Tyler et al., *supra* note 2.

44. PATRICK SHARKEY, *UNEASY PEACE: THE GREAT CRIME DECLINE, THE RENEWAL OF CITY LIFE, AND THE NEXT WAR ON VIOLENCE* (2018) (arguing that an important component of community development is the vitality of community groups, distinct from what the police do).

45. *Id.*; *see also* Bell, *supra* note 21.

46. Robert J. Sampson & Dawn Jeglum Bartusch, *Legal Cynicism and (Subcultural?) Tolerance of Deviance: The Neighborhood Context of Racial Differences*, 32 L. & SOC'Y REV. 777 (1998).

neighbors to intervene for the common good—supports community development.<sup>47</sup> Herbert suggests the importance of this perceived ability to rely upon neighbors for assistance and argues that having a community with the type of social bonds that promote a shared commitment to the neighborhood is important to development.<sup>48</sup> Two aspects of the community are potentially valuable: perceptions of collective efficacy and the existence of shared commitment to the community.

The goal of this paper is to examine the intersection of these two sources of influence on social, economic and political engagement. There are several plausible models of influence. One is that community cohesion shapes development and is unaffected or even undermined by police efforts. A large literature suggests that the policies and practices of the police—zero tolerance for misdemeanors, widespread stop-question-and-frisk tactics, mass incarceration, etc . . .—have undermined the legitimacy of the police within minority communities,<sup>49</sup> increased legal cynicism,<sup>50</sup> contributed to the rate of crime,<sup>51</sup> and increased the prevalence of stress and trauma within those communities.<sup>52</sup>

An alternative view is that feelings of collective efficacy within the community are encouraged by police legitimacy,<sup>53</sup> suggesting that the police can supplement community development efforts. In particular, community efforts are faulted for being difficult to sustain and under-resourced, leading to the suggestion that govern-

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47. Robert J. Sampson, Stephen W. Raudenbush & Felton Earls, *Neighborhood and Violent Crime: A Multilevel Study of Collective Efficacy*, 277 *SCI.* 918 (1997) (discussing the role of people's beliefs about what their neighbors will do to address community problems on community well-being).

48. Herbert, *supra* note 29.

49. Jason Sunshine & Tom R. Tyler, *The Role of Procedural Justice and Legitimacy in Shaping Public Support for Policing*, 37 *L. & SOC'Y REV.* 555 (2003); Tom R. Tyler & Jeffrey Fagan, *Legitimacy and Cooperation: Why Do People Help the Police Fight Crime in Their Communities?*, 6 *OHIO ST. J. CRIM. L.* 231 (2008); TOM R. TYLER & YUEN J. HUO, *TRUST IN THE LAW* (2002).

50. Matthew Desmond et al., *Police Violence and Citizen Crime Reporting in the Black Community*, 81 *AM. SOC. REV.* 857 (2016); David S. Kirk & Andrew V. Papachristos, *Cultural Mechanisms and the Persistence of Neighborhood Violence*, 116 *AM. J. SOC.* 1190 (2011).

51. Tyler et al., *supra* note 7.

52. Amanda Geller et al. *Aggressive Policing and the Mental Health of Young Urban Men*, 104 *AM. J. PUB. HEALTH* 2321 (2014).

53. Kochel, *supra* note 35; Elise Sargeant et al., *Policing Community Problems: Exploring the Role of Formal Social Control in Shaping Collective Efficacy*, 46 *AUSTL. & N.Z. J. CRIM.* 70 (2013).

ment needs to be an important component of any development efforts in poor communities.<sup>54</sup>

If the police affect community development, there are two ways that influence can occur. First, the cohesion of the community and the legitimacy of the police can shape community development directly. Second, the legitimacy of the police can shape community development indirectly by shaping community cohesion.

This paper considers the validity of the original broken windows argument and what that model captures and misses about how the community and the police shape community development. The results of our survey of the residents of New York City support the argument that perceived disorder influences perceived police effectiveness, shapes community cohesion, and influences the extent to which residents stay within their communities and engage in them economically, socially and politically. Our findings suggest that public perceptions of police effectiveness are only secondarily about perceptions of their ability to manage perceived neighborhood disorder. Instead, perceived effectiveness is more centrally impacted by whether the police are perceived as exercising their authority fairly—i.e. by procedural justice.

The results of this study suggest that the judgments that people in the community make about police are important in two ways. First, they have a strong direct influence on perceived police effectiveness. The judgments of community members about the degree to which the police are effective in managing crime and disorder shapes community cohesion. Second, procedural justice shapes legitimacy, which also influences community cohesion. Finally, the police gain from working within more cohesive communities because such communities are more likely to view the police as legitimate and cooperate with them to address disorder.

#### PARTICIPANTS AND PROCEDURES

Our survey respondents include a diverse sampling of respondents from various age groups, races, educational backgrounds, and political ideologies. Survey data were collected by Abt SRBI via telephone using random digit-dialing of numbers in the five boroughs of New York City. Participants were offered \$10 to take a survey, and they were told the survey would last approximately 25 minutes. Upon consenting to the survey, participants were asked in which of the five boroughs they currently live; if they answered that

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54. Herbert, *supra* note 29.

they did not live in one of the five boroughs, they were thanked and told that they could not participate.

A total of 2501 people were interviewed, including 1268 females and 1233 males, ranging in age from 18 to 99, ( $M$  of age = 49.18,  $SD = 19.65$ ). Varying degrees of freedom reflect participants with missing data. Participants identified as White non-Hispanic (945, or 38%); Black or African American non-Hispanic (595 or 24%); Black Hispanic (90; 4%); White Hispanic (236; 9%); Hispanic Latino (223, or 9%); other or multiple racial groups and non-Hispanic (182, or 7%); Asian non-Hispanic (149, or 6%); and 81 (8%) “no response” or “do not know.” In terms of education, 200 people (7%) had less than a high school degree; 441 (18%) were high school graduates; 35 (1%) were technical school graduates; 542 (22%) had some college education; 702 (28%) were college graduates; and 526 (21%) had some post-college education. On a scale of political ideology, most identified as liberal or extremely liberal (941, or 37.6%); the next largest proportion identified as moderate (839, or 33.5%), and the third largest proportion identified as conservative or extremely conservative (533, or 21.3%).

#### FACTORS MEASURED

The items used in the survey are outlined in Appendix A. The goal of the study is to explain people’s economic, political, and social behavior. Our analysis identified two types of engagement: economic engagement (shopping or eating in the community) and political/social engagement (going to community meetings; getting together with friends). A separate scale measured willingness to cooperate with the police (reporting crime; being a witness or juror). One potential antecedent of behavior is cohesion. Cohesion was measured by asking respondents about their identification with the community, their social ties, and their beliefs about social cohesion.

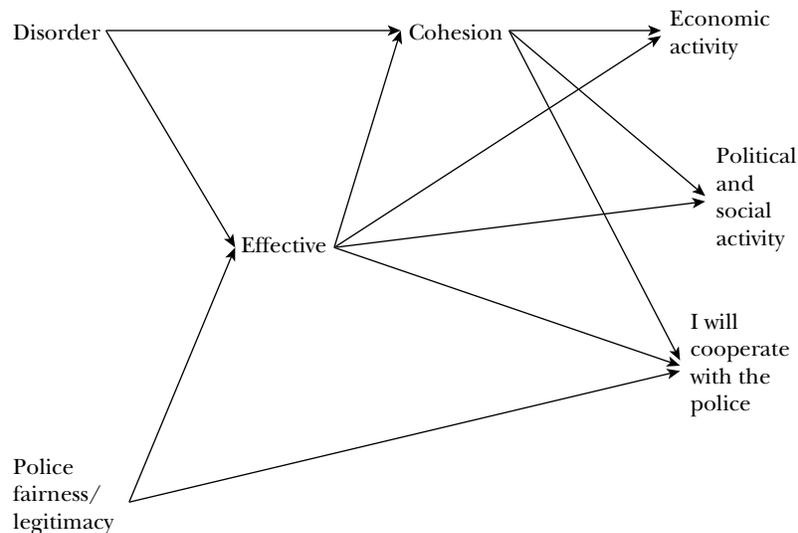
Central to the broken windows argument is that perceived police effectiveness flows from the judgment that the police are managing disorder. Thus, we included questions that measured both perceived police effectiveness and perceived degree of neighborhood disorder.

Distinct from this is the measurement of the fairness of police actions in the community, otherwise phrased as “police legitimacy.” Three aspects of police behavior were measured: (1) overall procedural fairness, (2) perceived bias, and (3) the degree of public input into police policy. In the analysis, these three aspects of policing are linked to police legitimacy: (1) obligation to obey, (2) trust and confidence, and (3) normative alignment. Prior research

suggests that procedural justice and legitimacy will be linked and that both will shape cooperative behavior.<sup>55</sup> That anticipation is supported in this study. Procedural justice and legitimacy are found to be highly correlated ( $r = 0.54$ ). Consequently, these two variables are treated as a single construct in the analysis.

### A MODEL OF COMMUNITY ENGAGEMENT

Figure 1 shows two potential paths toward the type of activities which promote the economic, political, and social development of the community. The first reflects the original broken windows model. Disorder in the community undermines the belief that the police can manage crime, which in turn shapes community cohesion. Community cohesion reflects people's willingness to stay in the community, their identification with the community, their views about the quality of their relationship with others in the community, and their beliefs about whether people in the community will work together to address neighborhood problems. These beliefs are expected to shape economic, social, and political behavioral engagement in the community. Community cohesion and engagement are positively associated with beliefs that the police can manage crime.<sup>56</sup>



55. Tyler & Jackson, *supra* note 8, at 81–82.

56. *Id.* at 89.

The second path is through police procedural justice/police legitimacy.<sup>57</sup> This model links procedural justice and legitimacy to willingness to cooperate with the police. This suggests that the police can gain community cooperation through the manner in which they police.

How do the police impact community development? One way is through being seen by the public as effectively managing disorder. Another way is through influences linked to the degree the police are viewed as acting in procedurally just ways and thereby building legitimacy.<sup>58</sup> This may also be associated with their perceived effectiveness. Finally, the police can influence community development directly because their degree of procedural justice/legitimacy influences police effectiveness and community cohesion.<sup>59</sup> Either or both of these paths could promote economic, political, and social development and/or crime management behavior on the part of community residents.

#### PERCEIVED EFFECTIVENESS, COMMUNITY COHESION, AND POLICE LEGITIMACY

We used regression analysis to address the factors that shape perceived effectiveness and community cohesion. The results are shown in Table 1. They support the argument that perceived disorder is linked to perceived police effectiveness (high disorder is linked to low perceived effectiveness; Beta = -.22) and perceived community cohesion (high disorder is linked to low cohesion; Beta = -.25). Perceived police effectiveness is also associated with perceived community cohesion (high effectiveness is linked to high cohesion; Beta = 0.38). Separately, police fairness/legitimacy is linked to higher perceived police effectiveness (high legitimacy is linked to high effectiveness; Beta = 0.63) and to higher community cohesion (high legitimacy is linked to high perceived cohesion; Beta = 0.23).

These findings suggest two paths to community cohesion: one through reducing the perception of disorder in one's community and another through improving perceived police fairness/legitimacy. Both paths are linked to perceived police effectiveness, as well as to community cohesion and police fairness/legitimacy.

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57. Schulhofer et al., *supra* note 1.

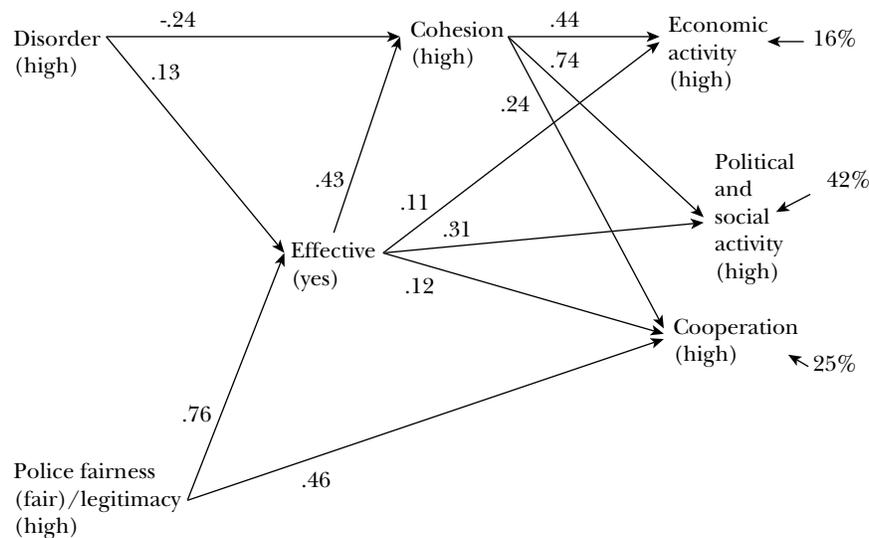
58. In a strategy of procedurally just policing, the police focus on treating community members fairly to enhance police legitimacy and motivate compliance, cooperation and engagement. See Tyler et al., *supra* note 2.

59. *Id.*

Interestingly, perceived fairness/legitimacy is more strongly connected to perceived effectiveness than is the perceived extent of disorder. We have observed through discussions with police leaders that it has been an article of faith among police leaders that reducing disorder through proactive policing leads the public to view the police as effective in managing crime. These results suggest that what matters the most as the primary antecedent of perceived effectiveness is how the police act, i.e., whether they are viewed as acting fairly when dealing with the community.

### ENGAGEMENT

Regression analysis was also used to show the connection between effectiveness, cohesion, and procedural justice/legitimacy and the economic, social, and political behaviors we have associated with community development. The results are shown in Table 2. They support the suggestion that community cohesion shapes economic, social, and political behavior. Separately, the community cohesion impacts policing because cohesion is associated with the willingness to cooperate with the police. This influence is distinct from the association of procedural justice/legitimacy with the willingness to cooperate with the police.



An overall model is presented in Figure 2. Because this data is collected at one point in time, it is important to recognize that what is being displayed are associations and not a true causal model. The

reasonableness of the causal model underlying this discussion is tested in other experimental and longitudinal studies, but not in this dataset.

The findings in this model support the conclusion that both disorder and police fairness/legitimacy are important factors that shape people's behaviors within their community. Perhaps the most striking finding is that police effectiveness is primarily a consequence of police fairness/legitimacy. As expected, perceived effectiveness then shapes perceived cohesion, which is strongly associated with economic, social, and political activity. The police can aid community development and do so primarily through the influence of their perceived fairness and legitimacy.

### DISCUSSION

These findings tell us a lot about what Kelling and Wilson's interpretation of broken windows got right and what that model missed. The data shows that when the level of perceived disorder in a neighborhood or community is lower people perceive the police to be more effective. This perceived effectiveness joins with perceptions of less disorder to heighten community cohesion. This study demonstrates that community cohesion is related to the degree to which people in different neighborhoods involve themselves in the types of community engagement behaviors that promote community development. These connections support the basic broken windows framework and point to the potential value of having the police address issues of community disorder. However, they also make clear that this is only valuable when the police take such actions in ways the community sees as reflecting procedural justice.

These findings highlight that the broken windows model missed the importance of how the police deal with the public. It is striking that the degree to which the police are viewed as effective is more strongly associated with their fairness than the perceived level of disorder in the community. By focusing upon the outcome of police actions (reducing disorder) as opposed to the manner in which the police engage the public (procedural justice), the model created a conceptual framework that led to zero tolerance and stop and frisk.

The first take-home message is that there needs to be a change away from the current command and control model in which the police use force to compel compliance, and toward procedurally just policing. The good news is that such a change not only promotes public cooperation in managing crime but also enhances the community cohesion which promotes behaviors that develop com-

munities. Thus, police should rely on reducing crime by supporting the types of behavior by community members that support community growth and development, not by increasing arrests or by sanctioning real or perceived deviants.

The second take-home message is that the community plays an important role in development in and of itself. Cohesive communities grow economically, socially, and politically. Hence, there is an important need to focus directly upon the community, independent of any actions taken by the police.

### QUESTIONNAIRE

*Perceived police effectiveness* was assessed using two items: (1) "The NYPD are good at preventing crime in this neighborhood," and (2) "The NYPD are able to maintain order on the streets of this neighborhood."

*Neighborhood disorder.* All respondents were asked: "Is gang violence a problem in the neighborhood" and "Do people in your neighborhood feel it is dangerous to go out at night." In addition, a random subsample of 247 were asked: "In your neighborhood, how much of a problem is": "litter, broken glass or trash on the sidewalks"; "drinking in public"; "people selling or using drugs"; "groups of teenagers hanging out in the neighborhood"; and "different social groups who do not get along." Both aspects of disorder were considered separately and, since results were similar, they were combined.

#### *Community Cohesion*

Respondents were asked: Do you agree or disagree that: "People in this neighborhood can be trusted" (64% agree); "People act with courtesy to each other in public spaces in this neighborhood" (79% agree); "You can see from the public space here that people take pride in the neighborhood" (72% yes); "If you sensed trouble you could get help from your neighbors" (78% agree); "If children were creating problems local people will tell them to stop" (69% agree); "You care what happens to other people in your neighborhood" (93% agree); "You feel close to others in your neighborhood" (62% agree); "There are people in your neighborhood that you think of as friends" (75% yes); "You think you can count on others in your neighborhood to help you" (74% yes); "You feel close to others in your neighborhood" (62% yes)."

#### *Police fairness*

*Procedural justice of police in neighborhood.* Participants were asked how often NYPD do the following in their neighborhood, based

upon what they had seen or heard: "Use fair procedures when making decisions about what to do"; "Treat people with courtesy and respect"; and "Treat people fairly".

*Police are biased.* Respondents were asked: "Do people of your ethnic or racial background receive higher quality of service than you deserve; the quality of service that you deserve; or less service than you deserve?"

*Police allow input into policies.* Two items were used to assess input. The items were: "How often do the NYPD consider your views and the views of people like yourself when deciding" (1) "what crimes are most important to deal with?" and (2) "how to police your neighborhood?"

*Popular legitimacy*

This analysis measures the popular legitimacy of the police using three distinct elements.<sup>60</sup> For the analysis these are combined into an overall index.

*Obligation.* The Obligation scale included the following two items: (1) "Overall, the NYPD officers in your neighborhood are legitimate authorities and people should obey the decisions they make" and (2) "You should do what the NYPD in your neighborhood tell you to do even when you disagree with their decisions."

*Trust and Confidence.* Three items were used to index trust and confidence: (1) "You have confidence that the NYPD in your neighborhood can do their job well"; (2) "You trust the NYPD in your neighborhood to make decisions that are good for everyone in the neighborhood"; and (3) "You and the NYPD in your neighborhood want the same things for your community."

*Normative alignment.* Four items were used to index normative alignment: (1) "Your own feelings about right and wrong usually agree with the laws that are enforced by the NYPD in your neighborhood"; (2) "The NYPD in your neighborhood generally have the same sense of right and wrong that you do"; (3) "The NYPD in your neighborhood stand up for values that are important to you"; and (4) "The NYPD in your neighborhood usually act in ways consistent with your own ideas about what is right and wrong."

*Community engagement*

A factor analysis of the engagement items suggested two factors: economic and political/social engagement.

*Economic engagement.* Respondents were asked: "How often do you shop in your neighborhood?" (73% frequently) and "How often do you eat out or go to a movie?" (32% frequently).

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60. Tyler & Jackson, *supra* note 8, at 79.

*Political/social engagement.* Voting is the most obvious example of political participation. Respondents were also asked: “How often do you” (1) “attend neighborhood meetings with local officials to discuss neighborhood problems” (25% sometimes or frequently); (2) “Vote in local elections” (62% sometimes or frequently); (3) “Communicate views to officials” (30% sometimes or frequently); (4) “Talk with your neighbors about problems in your neighborhood” (58% sometimes or frequently); and (5) “How often do you get together with friends from your neighborhood” (61% sometimes or frequently).

*Cooperate with the police to address crime issues.* Respondent were asked how likely they would be to: (1) “Answer questions from the police about someone suspected of a crime” (58% very likely); (2) “Report suspicious activity” (69% very likely); (3) “Volunteer to attend neighborhood meetings to discuss crime” (28% very likely); (4) “Report a crime of which [they] were a victim” (83% very likely); (5) “Report for jury duty” (65% very likely); (6) “Report a non-violent crime” (50% very likely); (7) “Report a violent crime” (82% very likely); and (8) “Report illegal drugs being sold” (53% very likely).

TABLE 1. THE ANTECEDENTS OF PERCEIVED POLICE EFFECTIVENESS

	Perceived police effectiveness	Perceived community cohesion	
Perceived police effectiveness	—	—	0.38***
Community disorder	-.22***	-.25***	—
Procedural justice/ Legitimacy of the police	0.63***	0.23***	—
African-American	0.02	-.02	0.01
Hispanic	0.01	0.04	0.05
Income	0.02	-.03	-.10***
Gender	-.05	0.00	0.04
Age	-.05	-.05	-.05*
Ideology	0.01	0.07	0.07***
Education	0.01	0.00	-.01
Citizenship	-.01	-.08	-.05*
Adjusted R-sq	48%***	13%***	18%***

The table shows the results of a multiple regression equation. The numbers are the standardized regression coefficients (Beta weights). The stars reflect levels of significance: \* $p < .05$ ; \*\* $p < .01$ ; \*\*\* $p < .001$ .

TABLE 2. THE ANTECEDENTS OF PUBLIC BEHAVIORS.

	Economic engagement		Political-social engagement		Cooperation with the police	
Police effectiveness	0.07**	—	0.01	—	0.30***	—
Community cohesion	—	0.22***	—	0.32***	—	0.14***
Procedural justice/ Legitimacy	—	0.02	—	0.05**	—	0.36***
African-American	0.02	0.02	0.05*	0.07**	0.04	0.03
Hispanic	-0.03	-0.02	-0.04	-0.01	0.03	0.01
Income	0.16***	0.15***	0.02	-0.01	-0.10***	-0.09***
Gender	-0.03	-0.02	-0.02	-0.01	0.07***	0.07***
Age	-0.05*	-0.06**	0.28***	0.26***	-0.13***	-0.12***
Ideology	-0.03	-0.01	-0.04*	-0.02	-0.04	-0.01
Education	0.08***	0.08**	0.12***	0.13***	-0.04	-0.04
Citizen	0.08**	0.07**	0.27***	0.25***	0.08***	0.08***
Adjusted R-sq.	7%***	11%***	23%***	32%***	15%***	22%***

The table shows the results of a multiple regression equation. The numbers are the standardized regression coefficients (Beta weights). The stars reflect levels of significance: \* $p < .05$ ; \*\* $p < .01$ ; \*\*\* $p < .001$ .