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Quality-of-Life Policing, Net Widening, and Crime Specialization

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ABSTRACT

As part of its get tough on crime programs of the 1990s, NYPD instituted a policy of arresting persons for less serious offenses (e.g., farebeating, smoking marijuana in public) that impinge on the city's quality-of-life (QOL). There has been concern voiced that QOL policing widened the net for arrest, especially among minorities. A counter-argument consistent with the theory of low self-control suggests that criminal offenders tend not to specialize; accordingly, widening the scope of arrestable offenses does not necessarily widen the population of arrestees. This study of New York City arrestees interviewed in 1999 found QOL and serious arrestees to be similar regarding prior arrests, participation in QOL offenses and demographic composition. Of note, blacks and Hispanics comprised close to 90% of both arrest populations. These findings suggest that QOL policing as practiced by NYPD in 1999 did not widen the net for arrest nor did it increase minority representation among arrestees.

Quality-of-Life Policing, Net Widening, and Crime Specialization

New York City experienced a renaissance in the 1990s. The streets became cleaner, the homeless were less visible, the economy was booming, real estate values surged, tourism increased, and serious crime was down, especially violent crime. Many credit the New York City Police Department's (NYPD) aggressive policing for the decline in crime and disorder (Kelling and Sousa, 2001; Silverman, 1999), especially former New York City Mayor Rudolph Guiliani and former Police Commissioner William Bratton (1998). In a comprehensive review of the evidence, Eck and Maguire (2000) conclude that there is strong evidence that numerous policing initiatives had an effect but that it was not yet possible to identify how much of the decline resulted from other factors including the end of the crack epidemic, a strong economy, demographic changes, and a decline in handgun use, particularly among youths.

Part of the NYPDs aggressive policing strategy was to arrest persons for less serious but highly-visible offenses (such as farebeating[1] or smoking marijuana in public) that detract from the quality-of-life (QOL) in the city.[2] In the past, police may have ignored these types of minor misbehaviors. Alternatively, police might have asked individuals to desist and possibly issued a desk appearance ticket requiring the offender to subsequently appear in court and typically pay a fine. Many contend that QOL policing "widened the net" of persons being pulled into the criminal justice system. Additionally, some contend that NYPD's aggressive law enforcement disproportionately targeted blacks and Hispanics (Amnesty International, 1996; Harcourt, 2001; McArdle and Erzen, 2001; Spitzer, 1999).

This study employs data from an ADAM [Arrestee Drug Abuse Monitoring program] New York City Policing Study (hereafter the Policing Study). The study was designed to examine the impact of policing initiatives at the micro level as they affect arrestees. In this manner, it sought

to better understand the process by which policing initiatives work (or not) and the possible side effects. This paper compares QOL and serious arrestees[3] to identify whether QOL policing was associated with net widening as practiced in New York City in 1999. It also compares the extent to which QOL arrestees were more or less likely than serious arrestees to be minorities. A separate analysis using the Policing Study data examines the extent to which QOL policing had an effect on individual offending (Johnson, Taylor and Golub, 2001).

THE VALUE OF QOL POLICING

Establishing which policing programs need to be refined is essential to advancing the central goal for policing of crime reduction while maintaining due process controls. QOL policing is believed to be an important crime reduction program according to the broken windows perspective (Kelling and Coles, 1996). In a widely-cited article published in *Atlantic Monthly*, Wilson and Kelling (1982) argued that physical decay and incivility can initiate a spiral of disorder and decline (also see Skogan, 1990). Public misbehavior offends the community's sensibilities, instills a fear of crime, creates a sense of disorder, leads law-abiding residents and visitors to withdraw from public spaces, sends a signal that deviant behavior is tolerated, and ultimately creates an environment conducive to crime. The findings of a controlled experiment in Jersey City strongly suggest that high crime conditions can be addressed through intensive QOL policing in conjunction with other initiatives (Braga et al., 1999).

An added benefit of QOL policing is that it can sometimes help resolve serious crimes. Advocates like to point to the case of John Royster, Jr. who in 1996 was apprehended for farebeating (Silverman, 1999). A fingerprint match placed him at the scene of a recent murder. He was subsequently linked to four other unsolved cases and eventually convicted of homicide.

QOL policing focuses on minor offenses but not necessarily on minor offenders, especially to the extent that the same people commit both QOL and more serious offenses.

ALLEGATIONS AGAINST THE NYPD OF NET WIDENING AND RACIAL DISPROPORTIONALITY

As index crimes dropped from 1993 to 1995, civilian complaints against the police doubled (Eterno, 2001). Several high profile cases (Anthony Biaz, Abner Louima, Amadou Diallo, and Patrick Dorismond) raised much attention (see McArdle and Erzen, 2001, for a review). Amnesty International (1996) declared an urgent need for the NYPD to address persistent and extensive problems of police brutality and excessive use of force, especially against African Americans and Latinos. In a study of police stops occurring in 1998 and part of 1999 (in which civilians were temporarily detained, questioned and sometimes searched), the New York State Attorney General's Office found substantial racial disproportionality (Spitzer, 1999). Whereas blacks comprised 26% of the City's population, they accounted for 51% of all stops. Hispanics comprised 24% of the population but accounted for 33% of all stops. In strong contrast, whites comprised 43% of the population yet accounted for only 13% of all stops. There was evidence of racial disproportionality even after controlling for variation in arrest rates by race using regression models. In response to the findings, the NYPD countered that comparing persons stopped to residents by race was inappropriate (Flynn, 1999; NYPD, 1999). They contend that the representation of blacks and Hispanics among those stopped of 85% was consistent with the rate at which victims of violent crimes described their perpetrators as black or Hispanic of 89%.

QOL policing, however, may not have been the major cause of complaints against the NYPD. There were several other aggressive patrol programs operating in the 1990s. Distinguishing between programs can be difficult, particularly since in some instances they were designed to overlap. The Getting Guns Off the Streets initiative aggressively pursued illegal

firearms using a variety of investigative techniques including stops (NYPD, 1994). From 1994

to 1997, the NYPD confiscated 56,081 guns (OJJDP, 1999). Spitzer (1999, p. 53) notes that

patrol officers frequently reported QOL infractions as the probable cause justifying a stop. In the

1990s, the NYPD also continued its use of Tactical Narcotics Teams (TNT) to close down drug

markets through sweeps in which a large force of officers search everyone in a neighborhood to

comprehensively remove all drug dealers and users (Belenko, 1993; Curtis 1998). New York

City also authorized and encouraged numerous Business Improvement Districts (BIDs, not

administered by NYPD) to serve as neighborhood-based chambers of commerce and quasi-

governmental coalitions (Barr, 2001). These agencies often hired their own private security

officers to maintain order.

CRIME SPECIALIZATION

Unarguably, QOL policing increased the total number of arrests by patrolling for an

expanded range of behaviors. It is less obvious, however, whether QOL policing resulted in a

wider variety of persons sustaining arrests, persons who would have otherwise been unlikely to

be sanctioned. Some of the literature on crime specialization suggests the same population of

persistent offenders engage in both serious and less serious misbehaviors. Hirschi and

Gottfredson (1994, p. 2) contend that, "[I]ndividuals [with low self-control] will tend to engage

in a wide variety of criminal and analogous behaviors [including drinking to excess, illegal drug

use, and problems with school, interpersonal relationships and employment]—that they will not

specialize in some to the exclusion of others." Interestingly, Hirschi and Gottfredson (1994,

p. 13) further argue that deterrence programs (such as QOL policing) will not work because of

the "short-term orientation of the offender." In this regard, their theory and the broken windows

perspective seem fundamentally at odds with each other.

Other theoretical arguments have been advanced to suggest that offenders might specialize, and that specialization might increase over the life course (Mazerolle et al., 2000; Smith and Smith, 1984). Cloward and Ohlin (1960) contend that different subcultures develop in response to structural strains. Some subcultures specialize in property offenses, some in violence and others still in drug use. Several developmental perspectives suggest that with experience offenders may come to limit their misbehavior to a few preferred crimes (Smith and Smith, 1984).

Prior empirical research has found some evidence of specialization, especially among adult arrestees (Blumstein et al. 1988), but even more evidence of a lack of specialization (Farrington et al., 1988; Klein, 1984; Mazerolle et al., 2000; Smith and Smith, 1984). Conceivably, this non-specialization might also apply when QOL offenses are included in the mix of crimes enforced. Thus, QOL policing might simply provide additional opportunities to arrest members of a population that engage in serious crimes, less serious crimes, and QOL misbehaviors.

METHODS

This paper compares 195 QOL and 265 serious arrestees from the Policing Study according to demographic characteristics, official New York State (NYS) criminal histories, self-reports of involvement with various QOL behaviors, and recent drug use as detected by urinalysis. The use of arrestee populations provides a particularly valid test of whether QOL policing resulted in net widening for arrest. It provides a less explicit test of crime specialization because the composition of the arrest population is also affected by police discretion. In particular, any similarity between QOL and serious arrestees could have been strongly influenced by the NYPD policy of targeting high crime areas for intensive policing (Silverman, 1999).

Identifying probable QOL arrestees was difficult (Table 1 presents the end result). QOL

policing is better characterized as a procedure than a set of statutes. Kelling and Coles (1996)

describe how New York City policing initiatives often targeted a specific behavior (e.g., sleeping

on subways) and applied whatever statute they could. In this manner, some individuals charged

with a given offense might be QOL arrestees and others might not. We chose to operationally

define QOL arrestees as those respondents with a top arrest charge of farebeating, trespassing, or

misdemeanor possession of marijuana (hereafter MJ misdemeanor). This list of QOL offenses is

by no means complete. It is far less comprehensive than the list of QOL offenses included in the

Policing Study survey (see Table 4). This extremely limited group of charges helped assure that

these arrests were the result of QOL policing, and not other policing activities. Farebeating,

trespassing, and MJ misdemeanors have been discussed in the literature on QOL policing, have

greatly increased in prevalence among ADAM-New York City arrestees, carry minimal

sanctions, result from highly visible behaviors, and create a sense of disorder. Personal use of

marijuana in private in small quantities does not carry criminal charges in New York State, it is

merely a violation. For many MJ misdemeanants, it would have been their use of marijuana in

public that led to arrest. In contrast, arrestees charged with misdemeanor possession of a

controlled substance (such as crack or heroin) were not included with QOL arrestees. These

arrests could have resulted from other narcotics law enforcement activities including TNT

sweeps. The misdemeanor severity indicates that the quantity of drugs involved was too small to

qualify as a felony.

[Table 1 about here]

We chose to operationally define serious arrestees as those charged with a drug or index

crime carrying felony status according to New York State law. This provided a clear contrast

with the QOL arrestees. The remaining 432 arrestees, whose charges were either of intermediate

seriousness or less common, were excluded from this analysis.

THE POLICING STUDY

This New York City Policing Study employed the ADAM program as a convenient and

cost-effective platform for data collection (for details see Johnson et al., 2001). Participation in

the ADAM survey is voluntary. At most sites in 1999, more than 80% of arrestees approached

agreed to participate (NIJ, 2000). The ADAM data are kept confidential and used for scientific

research purposes only. In 1999, data collection occurred in all five boroughs of New York City.[4]

The Policing Study collected an initial pilot sample in the second quarter of 1999 and additional

data in the second half of the year. Prior to the interview, potential participants gave their

informed for the project to obtain their criminal histories from New York City and State

agencies. Respondents were promised $15 after release for completing the questionnaire.

Starting in 1999, the ADAM program instituted procedures designed to obtain a

representative sample of all arrestees (NIJ, 2000). To check the representativeness, the ADAM

program compares the data to a complete census of all arrestees during the time that data

collection occurs. Starting with the ADAM-2000 data, the program added sample weights to

further assure the generalizability of estimates (Hunt and Rhodes, 2001). To facilitate

comparisons across gender, the ADAM program purposefully oversamples females, who usually

account for about 15% of New York City arrestees. For this analysis, simple weights were

employed so that females would constitute 15% of the weighted sample.

Criminal histories for all the QOL and serious arrestees were obtained from the New York

State Division of Criminal Justice Services (DCJS). Prior arrests outside of New York State, in

the federal system, or before age 16 were not obtained. In an extensive review of the self-report

literature, Thornberry and Krohn (2000) describe how official arrest records are heavily influenced by police priorities. Accordingly, this study interpreted respondents' official records in their most literal sense, as a measure of previous contact with the criminal justice system and not as a measure of criminality.

A preliminary concern of the Policing Study was whether arrestee self reports were accurate. Golub et al. (2002) examined those Policing Study variables that could be confirmed with objective data (prior criminal arrest and recent drug use) to determine how response accuracy varied across questions and individuals. They found that arrestees were highly likely to disclose less stigmatized information such as whether they had ever been arrested before and whether they had used marijuana recently. This suggests that arrestees might be highly likely to disclose whether they engaged in QOL offenses. Arrestees were exceedingly unlikely to disclose a prior index offense, especially a violent index offense. Consequently, self-reports of serious offending were excluded from this analysis as potentially highly inaccurate.

Golub et al. (2002) also found that arrestees who disclosed having a prior arrest were substantially more likely to disclose other aspects of their criminal behavior. Moreover, persons who did not disclose that they had a prior record tended not to disclose other criminal activities. In a multivariate analysis, this preliminary disclosure proved to be the strongest and most consistent predictor of disclosure on other questions—stronger than demographic characteristics, disclosure of recent drug use, and interviewer's assessment of the respondent's veracity. Accordingly, it was decided to limit the analysis of self-reported involvement in QOL offending behavior to those arrestees who had a prior record and disclosed it. This included the majority of the serious (61%, 162 of 265) and QOL (68%, 132 of 195) arrestees. The analyses involving variables other than QOL self-reports were not limited to this subsample.

The urine samples collected by the ADAM program provide a particular valid indicator of recent drug use (NIJ, 2000). The EMIT (Enzyme Multiplied Immunoassay Testing) urinalysis screen used by ADAM can usually detect cocaine (or crack) and opiates (such as heroin) within 48 to 72 hour of use. Marijuana consumption can be detected up to 7 days after last use for infrequent users and up to 30 days or longer for chronic users. The accuracy of the EMIT test depends upon the frequency of use, quantity used, potency, and the time between consumption and the ADAM interview. The EMIT screen used does not distinguish between modes of consumption (e.g., sniffing, smoking or injecting); hence, this paper refers to detected cocaine/crack use. The EMIT screen also does not distinguish between various opiates. The most common opiate used on the streets of New York City is heroin, and so this paper refers to detected heroin use.

RESULTS

QOL and serious arrestees were quite similar on most characteristics analyzed. On some characteristics, arrestees for the three individual QOL offenses (farebeating, trespassing, MJ misdemeanor) differed substantially. In particular, the average age varied substantially across arrest types. Moreover, the differences across arrest charges in various other attributes (e.g., being single) were often attributable to differences in age. Logistic regression (presented in the Appendix) was used to examine the extent to which any differences across arrest categories remained, after controlling for age. In view of the large number of comparisons presented in this section, the $\alpha=.01$ level of statistical significance was used.

DEMOGRAPHICS

QOL and serious arrestees were similar with regard to gender and race/ethnicity

composition—see Table 2. Most of the QOL and serious arrestees were male (both 88%).

Almost two-thirds of the QOL and serious arrestees was black (both 64%) and about a quarter of

each was Hispanic (26% and 25%, respectively).[5] White arrestees were uncommon among both

QOL and serious arrestees (10% and 11%). On average, farebeaters and trespassers (both mean

age of 35) tended to be significantly older than serious arrestees (mean age of 30) and

MJ misdemeanants (mean age of 26). Likewise, the modal age category for farebeaters and

trespassers was 40 and above as opposed to 30-39 for serious arrestees and 21-29 for MJ

misdemeanants.

[Table 2 about here]

PRIOR ARRESTS

Overall, QOL and serious arrestees' prior criminal histories were serious, extensive, and

remarkably similar—see Table 3. QOL and serious arrestees were comparably likely to have

been previously arrested (82% and 81%). Of central interest to this analysis, roughly the same

small percentage lacked a prior record of arrest (under 20%). Most had also been arrested in the

last six months (both 45%). On average, farebeaters had more prior arrests than serious arrestees

(17 vs. 9), though this difference was not statistically significant after controlling for age (see

Appendix).

[Table 3 about here]

A majority of QOL and serious arrestees had a prior record for an index offense (55% and

60%) and for a drug offense (69% and 64%). MJ misdemeanants were less likely than serious

arrestees to have a prior arrest for an index offense (40% vs. 60%) but this difference was

attributable to age (see Appendix). Substantially fewer QOL and serious arrestees had a prior

arrest for a violent offense (22% and 26%; murder, rape or aggravated assault) or robbery (37%

and 33%).

QOL OFFENDING

Overall, QOL and serious arrestees were about as likely to self-report engaging in QOL

behaviors in the last year—see Table 4. The greatest variation was associated with the criterion

behaviors related to farebeating, trespassing, and MJ misdemeanors. Not surprisingly,

farebeaters were significantly more likely than serious arrestees to report having engaged in

farebeating (82% vs. 41%), even after controlling for age (see Appendix). The chance that all of

the arrestees charged with farebeating had committed the behavior is quite high. The *NYPD*

QOL Enforcement Options Reference Guide (as presented in Erzen, 2001) specifies that an

officer must personally observe someone farebeating in order to take action. Accordingly, the

18% of farebeaters (based on their arrest charge) that did not report farebeating in the last year

are likely to be hiding information.

[Table 4 about here]

Trespassers were significantly more likely than serious arrestees to report having engaged in

trespassing (55% vs. 20%), even after controlling for age (see Appendix). Almost half (45%) of

the trespassers reported that they had not engaged in trespassing in the past year. This may

indicate that arrestees are unwilling to report that they commit trespassing or a difference of

opinion. Arrestees may feel that they have a right to spend time in an abandoned building,

whereas the police may define this activity as trespassing. The data do not provide sufficient

information to test this hypothesis.

MJ misdemeanants were significantly more likely than serious arrestees to report having engaged in public marijuana-related behaviors: smoked in public (71% vs. 41%), bought or carried in public (63% vs. 35%), and sold in public (32% vs. 14%). Although two of the three relationships (smoking and buying) were not statistically significant after controlling for age (see Appendix). MJ misdemeanants and trespassers were more likely to report that they sold marijuana in public than serious arrestees and farebeaters, even after controlling for age (see Appendix).

The percentages of QOL and serious arrestees that engaged in each of remaining QOL behaviors were comparable and mostly small; typically 5-20%. The most common QOL behaviors were hanging out in the street (42% and 50%), drinking alcohol in public (33% and 36%) and urinating in public (both 32%). Only one comparison was statistically significant. Farebeaters were slightly more likely than serious arrestees to have failed to pick up after their dog (12% vs. 3%), although this relationship was not statistically significant after controlling for age (see Appendix).

ANALOGOUS BEHAVIORS

QOL and serious arrestees were comparably unlikely to have gone to college, to be married, or to hold a job—see Table 5. Many QOL and serious arrestees reported having not completed a high school education (40% and 44%). MJ misdemeanants were significantly more likely to be single than serious arrestees (80% vs. 63%); however, this difference was attributable to age (see Appendix). Farebeaters (34%) and trespassers (30%) were significantly more likely than serious arrestees (16%) to report that welfare was their primary source of income. Again, however, this difference was attributable to age (see Appendix).

[Table 5 about here]

Drug use differed substantially across arrest categories—see Table 5. Not surprisingly, urinalysis identified nearly all of the MJ misdemeanants (90%) as recent marijuana users in contrast to just under half of the serious arrestees (48%). MJ misdemeanants were also significantly less likely than serious arrestees to be detected as recent cocaine/crack (16% vs. 48%) and heroin users (2% vs. 12%). Trespassers were substantially more likely than serious arrestees to be detected as cocaine/crack users (73% vs. 48%). Multivariate analyses identified that much of this variation was associated with age (see Appendix). This finding is consistent with Golub and Johnson (1999, 2001) observation that marijuana appears to be the drug-of-choice among youthful arrestees in the 1990s as opposed to crack or heroin, which were popular among previous birth cohorts. However even after controlling for age, MJ misdemeanants were still significantly more likely to be detected as recent marijuana users and less likely as cocaine/crack users.

DISCUSSION

QOL policing broadened the range of misbehaviors that can result in arrest. It was part of a number of NYPD initiatives in the 1990s that increased intensity of enforcement. This analysis strongly suggests that QOL policing did not systematically broaden the target population for arrest at least as practiced in New York City in 1999. The primary difference between QOL and serious arrestees was only their current arrest charge, and not their demographic composition, prior record, past-year participation in QOL misbehaviors, drug use, or educational, marital or employment status. Of course, this tentative conclusion derives from a single study and should be replicated to determine if the relationships observed pertain at other times and in other places.

A major concern regarding QOL policing was whether it targeted minorities. This study found that most (just under 90%) of the QOL arrestees in 1999 were black or Hispanic. However, most of the serious arrestees during this same time period were also black or Hispanic,

again just under 90%. This suggests that QOL policing did not expand the targeting of minorities for arrest, nor did it reduce it. NYPD's law enforcement generally draws minorities more than whites into the criminal justice system through arrest. This broader racial disproportionality in comparison to the general population could be the possible result of other aspects of NYPD law enforcement, disproportionate involvement in crime (if any) among minorities, potentially criminogenic conditions faced by minorities or a combination of these and other factors.

This study was not designed as a test of crime specialization. However, the findings are consistent with prior empirical studies that indicate a lack of specialization among crime types and adds to that literature a finding that the same persons who tend to commit serious crimes also tend to commit QOL offenses. The rates of various analogous behaviors for both QOL and serious arrestees were also high and comparable. QOL and serious arrestees were likely to use illegal drugs, to have not finished high school, to not be married and to not hold a job. These findings are consistent with predictions based on the theory of low self-control. However, this study did not test whether these behaviors had a common root in low self-control. These behaviors could have alternatively resulted from structural disadvantages, subcultural differences or a combination of these and other factors.

The possible effect of police discretion on the data analyzed also needs to be considered. The NYPD explicitly targeted its use of QOL policing to send a message to serious criminal offenders. The findings of this study suggest that in 1999 the NYPD successfully reached this intended population either because of the versatility of offending among criminals or through the targeted implementation of their program. Further research is needed to establish the micro-level linkages as to whether the messages from QOL policing are received (or not) and whether this leads to individual behavioral changes as well as overall crime reduction.

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Appendix

Logistic regression models were estimated to examine the association between various

arrestee characteristics (e.g., being single as dependent variable) with two independent variables:

arrest charge (coded as serious, trespassing, farebeating, MJ misdemeanor) and age (coded as

18-20, 21-29, 30-39, 40+). The Wald statistic was used to test whether the variation explained

by each independent variable was statistically significant. This provided a systematic test for

whether the variation observed across arrestee types for some characteristics could be reasonably

attributed to age differences across arrestee types. An analogous procedure using weighted least-

squares regression was employed to test the sources of variation in the number of prior arrests, a

non-binary variable. In most cases, the variation across arrest charges was not statistically

significant after controlling for variation with age—see Table 6. In the models for "did not pick

up after dog", the variation associated with both variables was not statistically significant

suggesting that the significant finding in the binary comparison might have been the result of

chance.

[Table 6 about here]

Table 1: Operational Definitions of QOL and Serious Arrestees (ADAM-NYC Policing Study)

Arrest Charge	Count[a]	Arrest Charge	Count[a]
Quality-of-life arrestees	*195*	*Serious arrestees*	*265*
Farebeating, misdemeanor	47	Drug possession, felony	42
Trespassing, misdemeanor	80	Drug sale, felony	78
Marijuana possession, misdemeanor	68	Robbery, felony	39
		Burglary, felony	14
Charges not included in this study	*432*	Grand larceny, felony	36
Drug Possession (7th deg), misdemeanor	98	Assault, felony	53
Prostitution, misdemeanor	49	Rape/sexual assault, felony	3
Assault (3rd degree), misdemeanor	43		
Petit larceny, misdemeanor	44		
All other less frequent charges	198		

[a]Unweighted.

Table 2: Variation in Demographic Characteristics between QOL and Serious Arrestees

	Individual QOL Offenses				
	Farebeating	Trespassing	MJ misdemeanor	QOL Offenses	Serious
Male %	91	83	91	88	88
Female %	9	17	9	12	12
Black %	71	63	59	64	64
Hispanic %	26	25	28	26	25
White %	3	12	12	10	11
Mean age (years)	35**	35**	26**	32	30
Age 18-20%	6	6	27	14	17
Age 21-29%	20	15	47**	29	26
Age 30-39%	26	36	15**	25	35
Age 40+%	48**	43**	10	32	21

Note: Estimates weighted to control for overrepresentation of females.

**Differs from serious at the $\alpha=.01$ level.

Table 3: Variation in New York State Official Criminal Histories between QOL and Serious Arrestees

	Individual QOL Offenses			QOL Offenses	Serious
	Farebeating	Trespassing	MJ misdemeanor		
Arrest ever %	92	87	70	82	81
Arrest 6 mo. %	42	51	39	45	45
Mean # arrests	17**	13	7	11	9
Index %	73	58	40**	55	60
Drug offense %	80	71	60	69	64
Violent index %	21	22	22	22	26
Robbery %	51	38	25	37	33

Note: Estimates weighted to control for overrepresentation of females.

**Differs from serious at the $\alpha=.01$ level.

Table 4: Variation in Past-year QOL Offending between QOL and Serious Arrestees

	Percent that engaged in behavior by arrest charge				
	Individual QOL Offenses				
	Farebeating	Trespassing	MJ misdemeanor	QOL	Serious
Unweighted sample size[a]	(43)	(55)	(34)	(132)	(162)
Engaged in farebeating	82[**]	45	44	56[**]	41
Engaged in trespassing	21	55[**]	28	36[**]	20
Smoked marijuana in public	26	39	71[**]	45	41
Bought/carried marijuana in public	28	44	63[**]	45	35
Sold marijuana in public	3	25	32[**]	20	14
Drank alcohol in public	43	32	26	33	36
Smoked in non-smoking areas	38	14	16	22	22
Urinated in public	35	42	16	32	32
Wrote graffiti	12	1	6	6	4
Littered	33	13	19	21	17
Failed to pick up after your dog	12[**]	2	1	5	3
Failed to recycle garbage	7	0	6	4	4
Engaged in disorderly conduct	24	24	25	24	26
Made loud noises in public	12	12	19	14	19
Loitered w/o cause	15	37	16	24	25
Been in a gang	9	0	3	4	4
Hung out in street	43	39	47	42	50
Aggressive panhandling	12	3	3	6	5
Did squeegee work	0	0	3	1	1
Vended w/o license	10	0	6	5	9
Sold counterfeit video/tapes	6	2	6	5	6
Gambled in public	18	13	9	13	12
Engaged in prostitution	4	2	6	4	1
Bought/sold alcohol to minors	0	2	6	3	3
Bought/sold cigarettes to minors	3	5	9	6	6
Drove while intoxicated	9	6	9	8	8
Drove w/o a license/registration	21	20	19	20	22
Ignored red lights and stop signs	9	15	12	12	8
Sped	9	8	12	10	11
Drag raced	6	5	0	4	4
Talked on cell phone while driving	6	5	3	5	3
Violated traffic laws on bicycle	24	5	16	14	11
Jaywalked	33	24	16	25	22
Failed to cooperate w/police	7	18	6	11	16

Note: Estimates weighted to control for overrepresentation of females.

[a]Calculation include only respondents with a prior record who disclosed it.

[**]Differs from serious at the $\alpha=.01$ level.

Table 5: Variation in Analogous Behaviors (Education, Marriage, Employment, and Illicit drug use) between QOL and Serious Arrestees

| | Individual QOL Offenses | | | | |
	Farebeating	Trespassing	MJ misdemeanor	QOL Offenses	Serious
< H.S.	35	44	39	40	44
H.S. grad	49	48	46	47	36
Any college	16	8	16	13	20
Single	66	67	80[**]	72	63
Married	3	10	6	7[**]	15
Sep/wid/div	14	8	1	7	10
Live w/someone	17	14	13	15	13
Full-time	19	18	36	25	32
Part-time	12	12	13	12	18
Welfare	34[**]	30[**]	13	25	16
Other legal	14	22	26	21	17
Illegal	21	19	12	17	18
Marijuana %	40	39	90[**]	58	48
Cocaine/Crack %	46	73[**]	16[**]	45	48
Heroin %	19	21	2[**]	13	12

Note: Estimates weighted to control for overrepresentation of females.

[**]Differs from serious at the α=.01 level.

Table 6: Logistic Regression Analyses of Variation in Select Demographic Factors across Arrest Charge and Age

| | Odds Ratios by Dependent Variable | | | | | | | | | | | | |
| | Arrest record[a] | | QOL Offending | | | | | | Analogous behaviors | | | | |
	# of arrests[b]	Index ever	Farebeating	Trespassing	Smoked MJ in public	Buy/carry MJ in public	Sold MJ in public	Failed to pick up after dog	Single	Welfare	Marijuana[c]	Cocaine/crack[c]	Heroin[c]
Arrest Charge													
Farebeating	--	--	5.1	1.0	--	--	0.2	--	--	--	1.1	0.6	--
Trespassing	--	--	1.3	4.3	--	--	2.3	--	--	--	0.9	2.8	--
MJ misdemeanor	--	--	1.3	2.3	--	--	2.2	--	--	--	10.5	0.3	--
Serious[d]	--	--	1.0	1.0	--	--	1.0	--	--	--	1.0	1.0	--
Age													
18-20	-9.7	0.3	--	--	5.0	3.5	--	--	15.3	0.0	11.0	0.1	0.4
21-29	-7.3	0.3	--	--	2.5	2.4	--	--	2.1	0.6	4.8	0.2	0.1
30-39[d]	1.0	1.0	--	--	1.0	1.0	--	--	1.0	1.0	1.0	1.0	1.0
40+	3.2	0.9	--	--	0.8	0.9	--	--	1.0	3.2	0.6	0.8	0.8
Base odds	12.9	3.1	0.8	0.3	0.5	0.4	0.1	0.0	0.9	0.2	0.5	3.0	0.2

Note: Estimates weighted to control for overrepresentation of females. Parameter estimates reported for variables associated with statistically significant variation at the $\alpha=.01$ level, based on Wald test.

[a]Based on NYS official arrest history.

[b]Weighted least squares analysis: constant entered in the line marked base odds; additive parameter estimates entered in the lines for odds ratios; F-test of significance used.

[c]As detected by urinalysis. [d]Reference category. -- not statistically significant.

ENDNOTES

[1] Farebeating involves entering public transportation without paying by jumping over the subway turnstile, sneaking onto a bus through the back door, or other means.

[2] The police are generally clear about the behaviors they wish to target. However, there is not always a statute prohibiting the behavior. An essential part of QOL policing involves finding an applicable statute, adapting a statute to fit the need, or passing new ordinances (Kelling and Coles, 1996).

[3] Analytic categories were defined according to top charge for the current offense and are not meant to serve as an indication of the persons routine behavior or the extent of their criminal activity.

[4] Arrestees brought to New York City's Midtown Community Court were not available to this study. This court was designed to provide *restorative justice* primarily through community service and has jurisdiction over misdemeanor offenses occurring west of Lexington Avenue between 14th and 59th street in Manhattan. Barr (2001) asserts that the Midtown Community Court widens the net for criminal justice supervision. However, she does not support her claim with the type of empirical analysis presented here.

[5] The study used the limited race/ethnicity categories recorded by the ADAM program in 1999.