

How Our Towns Fight Crime

By AMITAI ETZIONI

While Washington sweats out the crime bill, communities from coast to coast are experimenting successfully with various antiviolence measures. Unfortunately, the American Civil Liberties Union is successfully slowing them down.

Examples of effective grass-roots efforts to combat crime abound. In New Jersey, the cities of Newark and Orange have introduced curfews prohibiting minors from being on the streets between 10 p.m. and 6 a.m. Exceptions are made for those passing through town, or on the way to or from a political or religious event. The law fosters parental responsibility by fining parents rather than arresting the children found roaming the streets after hours. Curfews keep minors out of harm's way and deprive drug dealers of their runners and lookouts during peak "business" hours.

Many neighborhoods have recently erected a variety of roadblocks. Oakland, Calif., set up 17 on roads leading to nearby Lake Merritt when residents complained of incessant cruising, public drunkenness and rude behavior. In a public housing project in Chicago, drive-by shootings and about half of the drug traffic were stopped when a fence was erected around the project. In Inkster, Mich., an open-air drug market was closed overnight when a local sheriff set up a roadblock and demanded to see a driver's license and proof of car ownership (documents drivers are required to carry by law).

Mere shaming also works. A neighborhood in Long Island was flooded with cruising men, who—looking for prostitutes—solicited passersby, even women working in their gardens. A community association wrote down their license plate numbers and sent letters to their homes. It proved a surprisingly effective deterrent.

Antidrug Patrols

Numerous communities across the country have formed crime watches—groups of citizens who agree to guard one another's property. When residents see suspicious movements in a neighbor's yard, they notify the authorities. A large number of neighborhoods have set up antidrug patrols. In Washington, D.C., multiracial Orange Hat patrols chase drug dealers out of their communities, by noting their license plate numbers and filming them with hand-held video recorders. In Washington's North Michigan Park, such a patrol helped snare corrupt cops who were protecting drug dealers. Another group in Washington recaptured the Meridian Hill Park from drug traffickers.

While these efforts basically reflect the work of volunteers or the initiative of local sheriffs, states also have been taking new steps. For instance, Washington state has passed a law requiring the continued detention of sex offenders, until medical authorities rule that they are "safe to be at large." And from New York City to Los Angeles, Community Policing programs are getting cops out of their cars, to walk the beats, to know closely the area they are patrolling, and to develop closer relations with the locals.

None of these measures eliminates vio-

lent crime. There is no single measure or even group of measures that can ensure public safety 100%. But these measures do save lives, and if used more widely they could reduce both violence and the sense of being constantly menaced. Restoring basic civility, more and more social scientists agree, requires a return to basics: a reconstruction of the family; values education in schools; stronger neighborhood bonds; and possibly some kind of spiritual or religious revival.

Enter the civil libertarians.

A major reason anticrime measures such as these are not applied in more communities is that the ACLU and its army of lawyers hobbles them in courts and sours the public's reception to them. To prevail in the courts of law and of public opinion, one must understand the arguments the ACLU advances.

Typically, the ACLU's opening volley is that the suggested anticrime steps are not

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cost-effective. Building jails is too expensive; drug rehabilitation is said to be cheaper. Keeping sex offenders in jail until they are safe to be released is a "waste of money." The ACLU does not buttress its points with specific statistics based on valid samples, data comparing a program to a control group, or other such social science evidence. It relies on anecdotes, newspaper clippings and select quotations from favored experts. Indeed, the fact that this line of argument is merely a smoke screen becomes evident once one presents data that the grass-roots anticrime approaches at issue are effective. The ACLU then immediately retreats to its main line of attack: It does not matter if the suggested measures are efficient—they are unconstitutional.

A common claim is that these new anticrime techniques are racist. When the police set up roadblocks in the Lake Merritt area, the San Francisco chapter of the ACLU argued that roadblocks are discriminatory, because more young people are stopped than old ones and more blacks than whites. The police countered that officers asked for IDs from everyone, and only barred nonresidents. The police did "admit" that once they became acquainted with some of the residents, officers simply waved them through.

The same argument is raised against crime databanks, which police across the country are finding a rich resource. The Colorado ACLU attacked Denver's police roster of gang members because more than half of those listed are black, while blacks constituted only 5% of the popula-

tion, and Hispanics constituted about a third of the list, while they are only 12% of the city's population. The fact that most gang members in Denver are not white did not impress the ACLU, nor did the fact that a person who has no "contact" with the police is dropped from the roster after a specified period.

The ACLU views all roadblocks, screening gates (which are familiar to airline passengers but also increasingly serve schools, courthouses and legislatures), drug testing, examination of lockers in public schools, sobriety checkpoints and the like as violations of the Fourth Amendment's search and seizure protection. What the ACLU specifically objects to in all these situations is that people are being "searched" without there being a specific suspicion that they committed a crime; these are said to constitute searches of the innocent.

Note that the ACLU misstates the Fourth Amendment. It reads: "the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated." What is reasonable is open to debate, but the courts have ruled again and again that at issue is a balance between individual rights to privacy and the public's interest in elementary safety.

Surely, no one wishes to intrude wantonly on people's privacy. But when planes full of Americans were being hijacked in the 1970s, the nation embraced screening gates and stopped the terrorists cold. The ACLU's warning that these gates would "condition Americans to a police state" has not proved any more true than its many other predictions about the dire results of improvements in public safety.

Subjecting Liberties to Order

The ACLU's gravest mistake is its assumption that the best way to protect liberties is by blocking moves that seek to enhance the role of public authorities. But the greatest threat to a free society is that if liberties cannot be subject to some order, there will be none. When people's most elementary needs—for protection of their lives and those of their loved ones—are not met, they are susceptible to appeals by demagogues. In desperation, they listen to suggestions, such as those of Chicago's former police superintendent Leroy Martin, to shoot drug dealers on sight without trial, and those of fellow citizens who wrote in desperation seeking "to suspend the Constitution until the war against drugs is won."

There is a faint hope that people will come to understand that protecting public order is not antithetical to civil liberties but, on the contrary, a major precondition of a free society. People must learn to oppose the rigid and narrow interpretation of the Constitution advanced by the ACLU. Communities should be able to advance anticrime measures without the incessant threat of lawsuits.

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