

# Comparative Reflections on American Crime Declines

David T. Johnson<sup>†</sup>

**“The more than 80% drop in most safety crime [in New York City] is as close to the miracle of the loaves and the fishes as criminology has come in the past half-century.”**

**Franklin E. Zimring, *The City That Became Safe* (2012, p.153)**

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*Friend:* How's your wife?

*Henny Youngman:* Compared to what?<sup>1</sup>

Frank Zimring is my favorite criminologist. He is also, in my view, the most interesting and important criminologist in the world. Over the past half-century, he has made major contributions to the study of capital punishment, killings by police, the scale and effects of imprisonment, criminal sentencing, adolescent crime, juvenile justice, lethal violence and its instrumentalities, gun control, drug policy, and crime trends and causation. Although Zimring has called himself a “recent convert” to transnational comparative study, many of his thirty-some books employ comparison skillfully,<sup>2</sup> and he has even become something

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<sup>1</sup> Mervyn Rothstein, *Henny Youngman, King of the One-Liners, Is Dead at 91 after 6 Decades of Laughter*, N.Y. TIMES (February 25, 1998), <https://www.nytimes.com/1998/02/25/arts/henny-youngman-king-of-the-one-liners-is-dead-at-91-after-6-decades-of-laughter.html>.

<sup>2</sup> See, e.g., Franklin E. Zimring, *The Necessity and Value of Transnational Comparative Study: Some Preaching from a Recent Convert*, 4 CRIMINOLOGY & PUB.

of an evangelist for comparative research:

Comparisons not only tell us about crime and justice in other places but also about the extent to which U.S. patterns are different or not different and what that means for understanding the causes of U.S. phenomena. If Canada had a crime drop 75 percent, as big as the United States, in the 1990s but did not increase its imprisonment or hire more police, then what does that suggest about the causal role of imprisonment and police in the U.S. decline? Criminologists should do much more comparative work and should also be eager consumers of the data that flow from other nations into statistical and scholarly channels.<sup>3</sup>

This essay focuses on “data that flow from other nations” in order to engage some of the arguments about America in two of Zimring’s most recent books: *The Great American Crime Decline* (Oxford, 2007),<sup>4</sup> and *The City That Became Safe: New York’s Lessons for Urban Crime and Its Control* (Oxford, 2012).<sup>5</sup> Both are seminal studies that aim to explain how and why crime in the United States has declined in recent years. I focus on these works for two reasons: to illustrate the value of transnational comparison for illuminating some of the longest and largest crime drops in American history, and to challenge some interpretations of them. Is New York a safe city? With respect to street crime, it is probably safer than it has ever been, but in some comparative perspectives it is still not safe. In this twofold sense, a more apt title for Zimring’s New York book might be *The City That Became Safer*.

My point is more than semantic, for focusing on crime patterns in other countries also raises questions about Zimring’s conclusions on crime causation – particularly his claim that “the most important lesson” from “the great American crime decline” is that “major changes in rates of crime can happen without major changes in the social fabric.”<sup>6</sup> Later in

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POL’Y, 615, 615 (2006).

<sup>3</sup> Franklin E. Zimring, *Criminology and Its Discontents: The American Society of Criminology 2007 Sutherland Address*, 46 CRIMINOLOGY, 255, 264 (2008).

<sup>4</sup> FRANKLIN E. ZIMRING, *THE GREAT AMERICAN CRIME DECLINE* (2007).

<sup>5</sup> FRANKLIN E. ZIMRING, *THE CITY THAT BECAME SAFE: NEW YORK’S LESSONS FOR URBAN CRIME AND ITS CONTROL* (Oxford Univ. Press, 2012) (a summary of the book can be found at *How New York City Beat Crime*, SCIENTIFIC AMERICAN (June 13, 2012), <https://blog.oup.com/2012/06/zimring-scientific-american-nyc-beat-crime/>).

<sup>6</sup> ZIMRING, *supra* note 4, at 206; *see also* ZIMRING, *supra* note 5, at 215-217.

this article I will summarize evidence that major social changes have occurred in the United States. Moreover, making New York and other American cities safer still require additional changes in “the social fabric” of the kind that Zimring deemphasized in both of these books. In fact, winning the war on violence in a manner that does not rely on disinvestment in low-income communities and large investments in policing and criminal justice would seem to require “durable” policies of intervention and investment that are implemented on a scale that “makes it possible to transform the lives of families and their communities.”<sup>7</sup> Zimring has shown that “very high rates of violent crime are not hard-wired into the populations, cultures, and institutions” of large American cities.<sup>8</sup> I would like to suggest that violent crime is more connected to large social facts than he seems to suppose.

### How Safe is New York City?

A single answer to this question is impossible because one’s response depends on the point of comparison.<sup>9</sup> This section examines crime in New York from three points of view. I first compare official crime rates for New York City with those in three other cities of the West and four cities in Asia. Then I use the International Crime Victimization Survey to compare rates of crime victimization for New York and the United States to those for Hong Kong and Japan. Lastly, I focus on white-collar crime, which Zimring did not discuss in his crime decline books. The view from all of these vantage points suggests that NYC is not as safe as some suppose.

#### *Official Crime Rates*

Table 1 presents rates for five crimes in eight cities in 2007. The crime rates for New York, Toronto, London, Sydney, and Tokyo are taken from *The City That Became Safe*,<sup>10</sup> while the other crime rates come from statistics provided by police in Seoul, Hong Kong, and Singapore. The available evidence suggests that while New York was a much safer city in 2007 than it was two decades earlier, in comparison to other major

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<sup>7</sup> See PATRICK SHARKEY, *UNEASY PEACE: THE GREAT CRIME DECLINE, THE RENEWAL OF CITY LIFE, AND THE NEXT WAR ON VIOLENCE* 180-85 (W.W. Norton & Co., Inc., 2018).

<sup>8</sup> ZIMRING, *supra* note 5, at xi.

<sup>9</sup> See SHARKEY, *supra* note 7, at 12.

<sup>10</sup> ZIMRING, *supra* note 5, at 44-45.

cities in North America, Europe, the Pacific, and Asia, it was still not very safe, as the following three contrasts show.

**Table 1.** Crime Rates (per 100,000 population) and Comparisons for 8 Cities in 2007

	<u>Homicide</u>	<u>Rape</u>	<u>Robbery</u>	<u>Burglary</u>	<u>Auto Theft</u>
<u>CRIME RATES</u>					
New York City	6.0	10.6	265.0	254.0	161.0
Toronto	2.0	n/a	113.0	362.0	279.0
London	2.2	30.7	610.0	1290.0	501.0
Sydney	1.5	51.4	159.0	1008.0	461.0
Seoul	2.1	20.0	10.3	287.5	n/a
Hong Kong	0.3	1.6	17.6	65.2	20.2
Singapore	0.4	1.6	22.3	20.1	n/a
Tokyo	0.5	1.8	4.7	137.0	12.0
<u>CITY COMPARISONS</u>					
Toronto as % of NYC	33%	n/a	43%	143%	173%
London as % of NYC	37%	290%	230%	508%	311%
Sydney as % of NYC	25%	485%	60%	397%	286%
Seoul as % of NYC	35%	189%	4%	113%	n/a
Hong Kong as % of NYC	5%	15%	7%	26%	13%
Singapore as % of NYC	7%	15%	8%	8%	n/a
Tokyo as % of NYC	8%	17%	2%	54%	7%
Tokyo as % of Toronto	25%	n/a	4%	38%	4%
Tokyo as % of London	23%	6%	1%	11%	2%
Tokyo as % of Sydney	33%	4%	3%	14%	3%
Tokyo as % of Seoul	24%	9%	46%	48%	n/a
Tokyo as % of Hong Kong	167%	113%	27%	210%	59%
Tokyo as % of Singapore	125%	113%	21%	682%	n/a
<u>REGIONAL COMPARISONS</u>					
Asia 4 as % of NYC	13%	59%	5%	50%	10%
Asia 4 as % of West 4	28%	20%	5%	18%	5%
Asia 4 as % of West 3 (no NY)	42%	15%	2%	17%	4%

*Sources:* Zimring, 2012, pp.44-45 (Sydney figures are for 2006); Hong Kong Police Force ([www.police.gov.hk](http://www.police.gov.hk)); Singapore Police Force ([www.spf.gov.sg](http://www.spf.gov.sg)); Korean National Police Agency ([www.police.go.kr/KNPA/main.jsp](http://www.police.go.kr/KNPA/main.jsp)).

First, New York has far more homicide than all of the other cities in Table 1. The other seven cities have only five percent (Hong Kong) to thirty-seven percent (London) as much homicide as the city that purportedly became safe. Zimring acknowledged that “even with its huge declines the city of New York has much higher [homicide] rates than other big Western cities,”<sup>11</sup> but does it make sense to call a city “safe” when the risk of being murdered is 3 to 4 times higher than in comparable metropolitan areas of the West or when it is 3 to 20 times higher than in cities such as Seoul, Tokyo, Singapore, and Hong Kong?

Years before New York was declared safe, Zimring and Gordon Hawkins, his brilliant collaborator on many books and monographs, argued that, “What sets the United States apart from other developed nations is a thin layer of life-threatening violence that probably accounts for less than 1 percent of American crime and less than 10 percent of American violence.”<sup>12</sup> Table 1 suggests this view is too sanguine.<sup>13</sup> Actually, what sets New York apart from the Asian cities in Table 1 are large contrasts in every crime category. The “Asia 4” (Tokyo, Singapore, Hong Kong, and Seoul) have, on average: 13 percent as much homicide as New York City, 59 percent as much rape, 5 percent as much robbery, 50 percent as much burglary, and 10 percent as much auto theft. In only two of the eighteen crime comparisons for which evidence is available does New York look “safer” than one of the four Asian cities: burglary, of which New York has a little less than Seoul; and (reported) rape, of which New York has about half as much as Seoul. In the other 16 New York-Asian city comparisons, New York is not as safe as Tokyo, Singapore, Hong Kong, or Seoul – and it is not even close. The levels of crime in New York City not only “tower” over those in Tokyo.<sup>14</sup> They tower over those in other Asian cities as well.

The third comparison of official statistics contrasts crime in the four Asian cities with crime in the four Western cities of Table 1. The main finding from this regional comparison echoes the previous one: for

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<sup>11</sup> *Id.* at 46.

<sup>12</sup> FRANKLIN E. ZIMRING & GORDON HAWKINS, *CRIME IS NOT THE PROBLEM: LETHAL VIOLENCE IN AMERICA* 50 (Oxford Univ. Press, 1997).

<sup>13</sup> For another critique of Zimring’s and Hawkins’ claim that “crime is not the problem,” see Richard Rosenfeld, *Crime Is the Problem: Homicide, Acquisitive Crime, and Economic Conditions*, 25 J. OF QUANTITATIVE CRIMINOLOGY 287, 298 (2009) (finding a strong relationship between the trend in an index for four property crimes and the trend in homicide in the United States from 1970 to 2006).

<sup>14</sup> ZIMRING, *supra* note 5, at 46.

each of the five crimes, the average of the Asian cities is significantly lower than the average of the Western cities, with the “Asia 4 as a percentage of the West 4” ranging from 5 to 28 percent. Even for the crime rate in the West that is closest to the crime rate in Asia (homicide), the Western cities are nearly 4 times more dangerous than the Asian cities, and for robbery and auto theft the ratio is 20 to 1.

In sum, when it comes to street crime in some of the world’s most prominent *cities*, there appears to be an Asian difference. New York did become a substantially safer city between 1990 and 2010, as did many other American cities – and many cities in Europe as well.<sup>15</sup> But in Asian perspective, New York did not become especially safe. Crime comparisons between *countries* make much of the same point. Table 2 presents homicide and robbery rates in nine nations for 2004 and 2014. In the latter year, Japan had, per capita, 8 percent as much homicide as the United States and 2.5 percent as much robbery. For both crimes, the difference between the US and South Korea is almost as large. The homicide rate gap between the US and Japan or the US and Singapore is even greater than the gap between the US and the Philippines, which is the most homicidal country in Southeast Asia.<sup>16</sup> There are, to be sure, problems in the use of official statistics to conduct cross-national crime comparisons,<sup>17</sup> but as the next section shows, evidence from victimization surveys leads to similar conclusions.

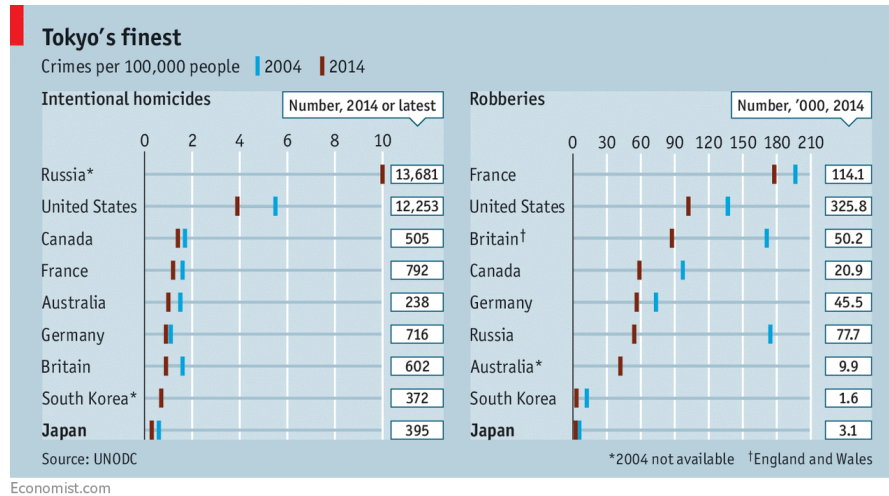
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<sup>15</sup> See the eight chapters in *CRIME AND JUSTICE: A REVIEW OF RESEARCH: WHY CRIME RATES FALL AND WHY THEY DON’T* (Michael Tonry ed., University of Chicago Press, 2014).

<sup>16</sup> ELLIOTT CURRIE, *THE ROOTS OF DANGER: VIOLENT CRIME IN GLOBAL PERSPECTIVE* 21 (Oxford Univ. Press, 2015).

<sup>17</sup> There are three main problems in using official statistics to make cross-nation crime comparisons, for crime definitions, victim reporting (and cultural thresholds of tolerance for crime), and police recording all vary from country to country. See Tonry, 2014, *supra* note 15, at 6.

**Table 2.** Homicide and Robbery Rates per 100,000 population in 9 Nations, 2004 and 2014



Source: *The Economist*, “As Crime Dries Up, Japan’s Police Hunt For Things to Do,” May 18, 2017, at <https://www.economist.com/news/asia/21722216-there-was-just-one-fatal-shooting-whole-2015-crime-dries-up-japans-police-hunt>.

#### *Crime Victimization Rates*

In the United States, approximately half of all criminal victimizations are never reported to police,<sup>18</sup> and non-reporting is common in other countries, too.<sup>19</sup> Victimization surveys aim to address this problem of underreporting in official statistics. As shown in Table 3, evidence from the International Crime Victim Survey for 2004-05 reinforces the impression that New York is not a very safe city.<sup>20</sup> Overall, residents of New York had the 7<sup>th</sup> highest rate of victimization among the 26 developed cities in the International Crime Victim Survey (ICVS) (London had the highest rate), while Hong Kong – the only Asian city in

<sup>18</sup> LYNN LANGTON ET AL., U.S. DEPT. OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE STATISTICS, SPECIAL REPORT: NATIONAL CRIME VICTIMIZATION SURVEY: VICTIMIZATIONS NOT REPORTED TO THE POLICE, 2006-2010 6 (2012).

<sup>19</sup> DANE ARCHER AND ROSEMARY GARTNER, VIOLENCE AND CRIME IN CROSS-NATIONAL PERSPECTIVE (Yale University Press, 1984), pp. 30-45.

<sup>20</sup> There have been six waves of the International Crime Victim Survey (1989, 1992, 1996, 2000, 2004-05, and 2010), and the most recent wave for which detailed results have been published is 2004-05. See JAN VAN DIJK ET AL., CRIMINAL VICTIMISATION IN INTERNATIONAL PERSPECTIVE: KEY FINDINGS FROM THE 2004-2005 ICVS AND EU ICS (2007).



the survey – had the lowest.<sup>21</sup> Of the 30 countries surveyed in this wave of the ICVS, the US had the 12<sup>th</sup> highest rate of victimization (just above Canada), while Japan (the only Asian country in the survey) had the second lowest (just above Spain).<sup>22</sup>

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<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

**Table 3.** Crime Victimization Rankings and Percentages for 12 Crimes in 3 Countries and 3 Cities, from the International Crime Victim Survey for 2004-05

<u>CRIME</u>	<u>USA</u>	<u>Canada</u>	<u>Japan</u>	<u>NYC</u>	<u>London</u>	<u>Hong Kong</u>
<u>VICTIMIZATION BY VEHICLE-RELATED CRIME</u>						
Theft of car	9/30 (1.1)	15/30 (0.8)	29/30 (0.1)	9/27 (1.6)	10/27 (1.3)	27/27 (0.0)
Theft from car	5/30 (5.2)	8/30 (4.8)	30/30 (1.1)	4/26 (6.6)	1/26 (8.5)	26/26 (0.5)
Motorcycle theft	10/30 (0.3)	16/30 (0.2)	3/30 (0.7)	25/25 (0.0)	5/25 (0.5)	17/25 (0.1)
Bicycle theft	13/30 (2.9)	14/30 (2.7)	4/30 (5.1)	13/26 (3.0)	6/26 (4.7)	19/26 (1.7)
<u>VICTIMIZATION BY BURGLARY &amp; OTHER THEFT</u>						
Burglary	8/30 (2.5)	11/30 (2.0)	27/30 (0.9)	17/26 (1.9)	2/26 (4.5)	26/26 (0.6)
Theft pers. prop.	9/30 (4.8)	12/30 (4.0)	30/30 (0.3)	4/26 (7.7)	1/26 (10.2)	21/26 (3.6)
Pickpocketing	22/30 (1.2)	27/30 (0.7)	30/30 (0.1)	7/25 (3.3)	2/25 (5.2)	12/25 (2.9)
<u>VICTIMIZATION BY CONTACT CRIME</u>						
Robbery	24/30 (0.6)	19/30 (0.8)	30/30 (0.2)	6/26 (2.3)	3/26 (2.6)	26/26 (0.4)
Sexual offenses	1/29 (1.4)	10/29 (0.8)	8/29 (0.8)	1/24 (1.5)	6/24 (0.9)	10/24 (0.7)
Assaults & threats	7/30 (4.3)	14/30 (3.0)	30/30 (0.6)	5/25 (5.1)	2/25 (8.6)	24/25 (1.2)
<u>VICTIMIZATION BY ANY COMMON CRIME</u>						
Total, 10 crimes	12/30 (17)	13/30 (17)	29/30 (10)	7/26 (23)	1/26 (32)	26/26 (7)
<u>VICTIMIZATION BY NON-CONVENTIONAL CRIME</u>						
Consumer fraud	9/30 (12.5)	23/30 (7.4)	30/30 (1.9)	11/25 (12.9)	10/25 (12.9)	5/25 (21.7)
Bribe-seeking	13/30 (0.5)	11/30 (0.4)	25/30 (0.2)	19/25 (0.4)	11/25 (0.7)	25/25 (0.0)

*Note:* Each country and city is ranked in comparison to the other countries and cities for which evidence is available. For example, for theft of car, the USA ranked 9<sup>th</sup> out of 30 countries. Below each ranking is the corresponding percentage of ICVS respondents who said they experienced crime victimization in one year.

*Source:* International Crime Victim Survey, as reported in “Criminal Victimization in International Perspective” (2007), [http://www.unicri.it/services/library\\_documentation/publications/icvs/publications/ICVS2004\\_05report.pdf](http://www.unicri.it/services/library_documentation/publications/icvs/publications/ICVS2004_05report.pdf).

Crime-specific findings from the ICVS also show that there is a significant safety gap between New York City and the two parts of Asia (Japan and Hong Kong) for which victimization data are available. Of the 10 “common crimes” and 2 “non-conventional crimes” in the 2004-05 ICVS, New York City had a low rate for only one of them (motorcycle/moped theft) while it had high rates for all three “contact crimes”: sexual offenses (ranking 1<sup>st</sup> out of 24 cities), assaults and threats (5/25), and robbery (6/26). In contrast, Japan had the lowest victimization rate for 6 of the 12 crimes covered by the ICVS (theft from car, theft of personal property, pickpocketing, robbery, assaults & threats, and consumer fraud), and almost the lowest victimization rate for 2 more (theft of car and burglary). Japan did have high victimization rates for motorcycle/moped theft and bicycle theft, probably because the country’s high rate of two-wheeler ownership creates more opportunity for theft.<sup>23</sup> For sexual offenses, Japan’s victimization rate ranked 8<sup>th</sup> out of 29 countries in the ICVS, perhaps because of widespread sexual molestation on its crowded commuter trains.<sup>24</sup> As for being-asked-for-a-bribe-by-a-public-official, Japan’s rate of victimization was much lower, placing it 25<sup>th</sup> out of 30 countries, which was well below the victimization rates for the United States (13/30) and Canada (11/30).

What about Hong Kong? Among all developed cities in the 2004-05 ICVS, this city of 7 million had the lowest rate of crime victimization for 5 of the 12 crimes (theft of car, theft from car, burglary, robbery, and being-asked-for-a-bribe-by-a-public-official), and the second lowest rate for 1 more (assaults & threats). The only crime for which Hong Kong had a high rate of victimization was consumer fraud, where it ranked 5<sup>th</sup> out of 25 cities.

In sum, the evidence on crime victimization reinforces the impression that New York is far less safe than Hong Kong and the city of Japan, where almost 80 percent of that country’s population lives.<sup>25</sup> From these perspectives, “the great American crime decline” may seem less impressive than that title seems to suggest.

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<sup>23</sup> *Id.* at 63.

<sup>24</sup> See, e.g., Annette Ekin, *Sexual Assault in Japan: ‘Every Girl Was a Victim’*, AL JAZEERA (March 7, 2017), <https://www.aljazeera.com/indepth/features/2017/03/sexual-assault-japan-girl-victim-170307101413024.html>.

<sup>25</sup> See Jeffrey Hays, *Urban and Rural Life in Japan*, FACTS AND DETAILS (Nov. 9, 2018, 3:30PM), <http://factsanddetails.com/japan/cat19/sub122/item646.html>.

*White-Collar Crime*

A book needs a focus, and the focus of *The City That Became Safe* is street crime. But in this book there is a striking silence about a subject – white-collar crime – that is closely related to public safety. It is a silence shared by many students of crime.

The media do not treat white-collar crime as seriously as street crime,<sup>26</sup> and neither do scholars and editors.<sup>27</sup> From 2001 to 2010, only 6.3 percent of all journal articles (n=4878) in the top 15 criminology and criminal justice journals (by impact factor and prestige) focused on white-collar crime. For the top ten journals the figure was 3.4 percent, and for the top three (*Criminology*, *Justice Quarterly*, and *Journal of Research in Crime and Delinquency*) it was 1.8 percent.<sup>28</sup> In an earlier study, the percentage of journal articles focusing on white-collar crime was 3.6 percent.<sup>29</sup> Teachers marginalize white-collar crime, too. An analysis of 13 of the best-selling criminology and criminal justice textbooks found that less than 6 percent of pages covered white-collar crime,<sup>30</sup> and an analysis of the 38 American universities that offer doctoral programs in criminology and criminal justice found that 22 (nearly 60%) did not offer a single course on white-collar crime.<sup>31</sup>

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<sup>26</sup> GILBERT GEIS, *WHITE-COLLAR AND CORPORATE CRIME* (2015).

<sup>27</sup> STEPHEN M. ROSOFF, HENRY N. PONTELL, AND ROBERT TILLMAN, *PROFIT WITHOUT HONOR: WHITE COLLAR CRIME AND THE LOOTING OF AMERICA* (6th ed. 2013).

<sup>28</sup> Danielle McGurrin, Melissa Jarrell, Amber Jahn & Brandy Cochrane, *White Collar Crime Representation in the Criminological Literature Revisited, 2001-2010*, 14 W. CRIM. REV. 10 (2013).

<sup>29</sup> Michael J. Lynch, Danielle McGurrin, and Melissa Fenwick, *Disappearing Act: The Representation of Corporate Crime Research in Criminological Literature*, 32 J. OF CRIM. JUST. 389, 398 (2004).

<sup>30</sup> MCGURRIN, *supra* note 28, at 11.

<sup>31</sup> *Id.* White-collar crimes are also neglected in the government production of crime statistics. Most notably, no white-collar crime is included in the nation's most commonly used crime index – the FBI's Uniform Crime Reporting Summary Reporting Statistics (which includes eight crimes: murder and non-negligent homicide, rape, robbery, aggravated assault, burglary, arson, larceny-theft, and motor-vehicle theft). See <https://ucr.fbi.gov/ucr>. Moreover, when a committee organized by the National Academy of Sciences made recommendations for improving the collection of American crime statistics, its discussion of white-collar crimes focused mainly on improvements that would capture more information about offenses in which businesses and organizations are victims, not offenders. See JANET L. LAURITSEN & DANIEL L. CORK, *MODERNIZING CRIME STATISTICS: REPORT 2: NEW SYSTEMS FOR MEASURING CRIME* (2018); Ted Gest, *Overhaul of Crime Stats Should Include Data Theft, Toxic Spills: Expert Panel*, THE CRIME REPORT (2018).

Zimring's two books on the crime declines in the United States ignore white-collar crime, and both books lack entries in the index for this concept.<sup>32</sup> This is noteworthy because while "the largest crime decline on record" was occurring in New York with respect to street offenses such as homicide, robbery, and burglary,<sup>33</sup> offenders on Wall Street were driving the American economy towards a disaster that would harm millions of people in the United States and hundreds of millions more in other countries.<sup>34</sup> A decade later, the negative effects are still being felt.<sup>35</sup>

The financial crisis of 2008 was precipitated by white-collar crime on a large scale.<sup>36</sup> As a result, U.S. households lost, on average, nearly \$5,800 in income, while the combined peak loss from declining stock and home values averaged nearly \$100,000 per household. The cost of interventions by the federal government to mitigate the financial crisis amounted to \$2,500 per household – tax dollars that could not be used for other purposes.<sup>37</sup> Nearly 400,000 additional American families fell into poverty after the 2008 crash, and many people experienced illness or death as a result of the crisis, including an estimated 10,000 additional deaths from suicide in the United States and Europe, and up to 500,000 additional deaths from cancer worldwide because patients were locked

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<sup>32</sup> A related omission is cybercrime, which has increased greatly in recent years. See PETER GRABOSKY, *ELECTRONIC CRIME* (2007), and MARC GOODMAN, *FUTURE CRIMES: INSIDE THE DIGITAL UNDERGROUND AND THE BATTLE FOR OUR CONNECTED WORLD* (2015).

<sup>33</sup> ZIMRING, *supra* note 5, at inside flap of book cover.

<sup>34</sup> See GREG BARAK, *THEFT OF A NATION: WALL STREET LOOTING AND FEDERAL REGULATORY COLLUDING* (2012). For a symposium on this book and a response by Barak, see the *Journal of the Western Society of Criminology* special issue on white-collar crime. *Special Issue: White Collar Crime*, 14 W. CRIM. REV. ISSUE 2, 20, 70 (2013).

<sup>35</sup> As David Leonhardt observed in 2018, "The financial crisis remains the most influential event of the 21st century. . . Look around, and you can see the lingering effects of the financial crisis just about everywhere." See David Leonhardt, *We're Measuring the Economy All Wrong*, N.Y. TIMES (Sept. 14, 2018), <https://www.nytimes.com/2018/09/14/opinion/columnists/great-recession-economy-gdp.html>; see also Todd Heisler, *From Trump to Trade, the Financial Crisis Still Resonates 10 Years Later*, N.Y. TIMES (Sept. 10, 2018), <https://www.nytimes.com/2018/09/10/business/dealbook/financial-crisis-trump.html>; Matt Giles, *Ten Years Ago, Lehman Brothers Collapsed: What We Lost, What We Learned* (Sept. 15, 2018), <https://www.nytimes.com/2018/09/15/insider/reporting-on-the-financial-crisis.html>.

<sup>36</sup> ROBERT H. TILLMAN, HENRY N. PONTELL, & WILLIAM K. BLACK, *FINANCIAL CRIME AND CRISES IN THE ERA OF FALSE PROFITS* (2017).

<sup>37</sup> Phillip Swagel, *The Cost of the Financial Crisis: The Impact of the September 2008 Economic Collapse*, PEW ECON. POL'Y GROUP, 1, 18 (2010).

out of treatment due to unemployment and cuts in health care.<sup>38</sup> Despite these catastrophic consequences – and despite widespread white-collar crime that helped cause them<sup>39</sup> – no top bankers from the large financial firms on Wall Street were prosecuted for their malfeasance. Many of their organizations received large federal bailouts.<sup>40</sup> The prosecutors who failed to charge them can be considered members of what former U.S. Attorney (and former FBI director) James Comey has called “the chickenshit club.”<sup>41</sup> All the largest banks in New York escaped indictment. The only bank to be charged in relation to the 2008 financial collapse (along with 19 of its employees) was the Abacus Federal Savings Bank, a family-run firm in New York City’s Chinatown which served a largely immigrant population and which was the 2651st largest American bank at the time of its trial. After Abacus was charged, its former loan supervisor and its former chief credit officer were acquitted by a New York jury in 2015. The charges against all of the remaining defendants were dismissed for lack of evidence.<sup>42</sup>

Whether measured in terms of financial loss, death and injury, or damage to the social fabric, white-collar crime may well be “the greatest crime problem of our age.”<sup>43</sup> But the “carnival mirror” of the criminal law and class biases in law enforcement distort public perceptions of the harms that it causes.<sup>44</sup> So do class biases in media and academic coverage of crime. The most consequential wave of white-collar crime in recent American history was perpetrated in part by executives and organizations on the most famous street in the city that ostensibly became safe. This point should not be overstated, for white-collar crime was not the sole cause of the financial crash, and not all white-collar crime occurred in New York. But neither should it be understated, for white-collar crime was a major contributing cause of the financial crash and of other policy

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<sup>38</sup> Agence-France Presse, *Financial Crisis Caused 500,000 Extra Cancer Deaths, According to Lancet Study*, THE TELEGRAPH, (May 26, 2016), <https://www.telegraph.co.uk/news/2016/05/25/financial-crisis-caused-500000-extra-cancer-death-according-to-l/>.

<sup>39</sup> COLLEEN P. EREN, *BERNIE MADOFF AND THE CRISIS: THE PUBLIC TRIAL OF CAPITALISM* (2017); DAVID DAYEN, *CHAIN OF TITLE: HOW THREE ORDINARY AMERICANS UNCOVERED WALL STREET’S GREAT FORECLOSURE FRAUD* (2016).

<sup>40</sup> JESSE EISINGER, *THE CHICKENSHIT CLUB: WHY THE JUSTICE DEPARTMENT FAILS TO PROSECUTE EXECUTIVES* (Simon & Schuster, 2017), p.185.

<sup>41</sup> EISINGER, 2017, p.xiv. *See also* BRANDON L. GARRETT, *TOO BIG TO JAIL: HOW PROSECUTORS COMPROMISE WITH CORPORATIONS* (2016).

<sup>42</sup> *See Abacus: Small Enough to Jail* (PBS Frontline broadcast on Sept. 12, 2017).

<sup>43</sup> JAMES WILLIAM COLEMAN, *THE CRIMINAL ELITE: UNDERSTANDING WHITE-COLLAR CRIME IX* (6th ed. 2006).

<sup>44</sup> JEFFREY REIMAN, *THE RICH GET RICHER AND THE POOR GET PRISON* 60 (2001).

changes.<sup>45</sup> Perhaps one day Zimring will focus his formidable talents on writing a sequel to his seminal account of street crime decline in New York. He could call it *The City That Became Safe for White-Collar Crime*.<sup>46</sup>

In sum, New York has become a substantially safer city than it used to be, but in some comparative perspectives, and with respect to white collar crime, it is still not very safe. Similar conclusions hold true for the United States generally. I stress these points in order to suggest that what you see depends on where you stand and what you are focused on, and also because even the most astute analysts sometimes overstate the American achievements. In a recent essay on American crime declines, for example, Adam Gopnik made several curious statements.<sup>47</sup> He referred to the “still puzzling disappearance from our big-city streets of violent crime” (has it disappeared?), and he suggested that violent crime has somehow “ended” in parts of the United States.<sup>48</sup> These assertions must sound especially strange to residents of Singapore, Japan, South Korea, and other cities and societies with rates of crime far lower than those in the United States.

### Thinking about Causes

Zimring’s conclusions about the causes of the crime drops in New York City and America are both cautious and comparative. *The Great American Crime Decline* is a “book without a bottom line” because he found “no single cause or even an evident leading cause for the nine years of declining crime at the national level.”<sup>49</sup> But Zimring did find striking

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<sup>45</sup> For example, but for the financial crash of 2008, poverty policy in the United States might have taken a more progressive turn. Shortly after he was elected president, Barack Obama committed to a goal of cutting American poverty in half in the next ten years, but due to the cascading problems produced by the economic crisis, his administration focused on damage control rather than a proactive anti-poverty program. See generally SASHA ABRAMSKY, *THE AMERICAN WAY OF POVERTY: HOW THE OTHER HALF STILL LIVES* 196 (2013).

<sup>46</sup> If Zimring does undertake such a study, his analysis could follow the form of his trenchant study of the savings and loan crisis of the 1980s, which showed that explanations for savings and loan crime tended to stress structural and environmental causes – precisely the kind of explanation that neoconservatives attack as explanations of street crime. See Franklin E. Zimring & Gordon Hawkins, *Crime, Justice, and the Savings and Loan Crisis*, 18 *CRIME AND JUSTICE: BEYOND THE LAW: CRIME IN COMPLEX ORGANIZATIONS* 247 (Albert J. Reiss & Michael Tonry eds., 1993).

<sup>47</sup> Adam Gopnik, *The Great Crime Decline: Drawing the Right Lessons from the Fall in Urban Violence*, *THE NEW YORKER* (Feb. 12, 2018), <https://www.newyorker.com/magazine/2018/02/12/the-great-crime-decline>.

<sup>48</sup> *Id.*

<sup>49</sup> ZIMRING, *supra* note 4, at 195.

parallels between the United States and Canada in crime trajectories in recent years, and he believes “it will not be possible to comprehend what caused declining crime in the United States until more is known about the parallel crime decline” in our neighbor to the north.<sup>50</sup> The Canadian comparison is especially puzzling and important because while crime rates in Canada changed largely in parallel to rates in the United States, its economic circumstances and crime policies differed markedly from those in America.<sup>51</sup> In Zimring’s view, this suggests “the possibility that large portions of the two-nation crime drop do not have discrete policy or economic causes.”<sup>52</sup> Instead of clearly identifiable causes that work on both sides of the border, Zimring raises “the mysterious prospect of crime cycles”<sup>53</sup> that are presently “beyond the ability of social science to explain.”<sup>54</sup>

Similarly, in *The City That Became Safe*, Zimring starts with the observation that the crime drop in New York City was longer and deeper than the crime drops in other American cities, and then he attempts to explain this “New York difference” by using comparative methods and a “process of elimination.”<sup>55</sup> But he finds that “over half” of the crime drop in New York “has no clearly established cause.”<sup>56</sup> Nevertheless, there are still lessons to learn from the New York story, foremost of which is “the new credibility of police as agents of crime prevention.”<sup>57</sup> This is a noteworthy conclusion because not long ago scholars of policing regularly claimed that “[t]he police do not prevent crime.”<sup>58</sup> In analyzing what policing innovations worked in New York City, Zimring also displays the conceptual brilliance that has characterized his research for half a century. His distinctions between (1) *proven successes*, such as hot-spot policing and the targeting of public drug markets, (2) *probable successes*, such as Compstat and police efforts to get guns off the street, and (3) *open questions* about the efficacy of aggressive stop-and-frisk and “broken windows” policing, elegantly capture the confidence and the uncertainty that the available evidence demands.<sup>59</sup>

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<sup>50</sup> *Id.* at 199.

<sup>51</sup> ZIMRING, 2007, p.120.

<sup>52</sup> ZIMRING, 2007, p.133.

<sup>53</sup> *Id.* at 131.

<sup>54</sup> *Id.* at 133.

<sup>55</sup> *Id.* at 132.

<sup>56</sup> ZIMRING, *supra* note 5, at 173.

<sup>57</sup> *Id.* at 193.

<sup>58</sup> See David H. BAYLEY, POLICE FOR THE FUTURE 3 (1994).

<sup>59</sup> ZIMRING, *supra* note 5, at 141-47. Since publication of Zimring’s New York book in 2012, evidence has emerged to answer in the negative his “open question” about the effects of aggressive stop-and-frisk policing on crime in that city. See Richard Rosenfeld



When one of the world's preeminent criminologists spends several years engaging questions of causation for the recent crime declines in the United States, and when his two path-breaking books on the subject emphasize various versions of the admission that *he does not know*, the rest of us should ask what this kind of caution means. What it means to me is that Zimring has the soul of a scientist even though he is engaged in the study of human and social practices that are not well suited to being studied with scientific methods. He pays attention to facts, he tries hard to gather facts that are relevant to his research questions, and he tailors his views to fit the facts instead of squeezing or stretching facts to fit his views. Zimring's admissions of ignorance about causes also suggest that with respect to the study of recent crime trends in the United States, there were few shoulders of giants for him to stand on.<sup>60</sup>

While I have learned a lot by studying Zimring's works on crime causation, I find his explanations wanting in two ways. First, he believes there has been no "major change in the social fabric" that can explain the great American crime decline<sup>61</sup> or the crime drop in New York City,<sup>62</sup> but his analysis seems to overlook some "major structural and cultural changes" that have helped drive crime rates down.<sup>63</sup> In many American places, urban ecology has evolved considerably over the last two decades.<sup>64</sup> The housing stock for low-income families has "greatly

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& Robert Fornango, *The Relationship between Crime and Stop, Question, and Frisk Rates in New York City Neighborhoods*, 34 JUST. Q. 931 (2017); see also Kyle Smith, *We Were Wrong About Stop-and-Frisk*, NAT. REV. (Jan. 1, 2018), <https://www.nationalreview.com/2018/01/new-york-city-stop-and-frisk-crime-decline-conservatives-wrong/>.

<sup>60</sup> Richard Rosenfeld observes that even though change "is the very nature of crime," there has been little growth in or advocacy for "the study of changing crime rates." See Richard Rosenfeld, *Studying Crime Trends: Normal Science and Exogenous Shocks: The 2017 Sutherland Address*, 56 CRIMINOLOGY 5, 6, 23 (2018). Similarly, Manuel Eisner counsels caution and humility about our current state of knowledge of cross-national crime trends. In his view, it is a "scientific embarrassment for criminology that we still barely understand why homicide rates [and other crime rates] have declined consistently across the Western world over the past 20 years." See Manuel Eisner, *From Swords to Words: Does Macro-Level Change in Self-Control Predict Long-Term Variation in Levels of Homicide?*, in 43 CRIME AND JUSTICE: A REVIEW RESEARCH: WHY CRIME RATES FALL, AND WHY THEY DON'T 125 (Michael Tonry, ed., 2014).

<sup>61</sup> Zimring, *supra* note 4, at 206.

<sup>62</sup> Zimring, *supra* note 5, at 217.

<sup>63</sup> See Vanessa Barker, *Explaining the Great American Crime Decline: A Review of Blumstein and Wallman, Goldberger and Rosenfeld, and Zimring*, 35 L. & SOC. INQUIRY 491 (2010); see also Matthew R. Lee, Book Review, 87 SOC. FORCES 1143 (2008) (stressing the importance of culture and immigration as causes of that decline).

<sup>64</sup> Some analysts believe that a "stunning degree of gentrification," caused in part by new and more aggressive methods of policing, helps explain the especially deep crime drop

improved” in New York City and elsewhere.<sup>65</sup> Youth culture has become more risk averse in its orientation to drugs and alcohol.<sup>66</sup> Smartphones have made youth “less rebellious” by radically changing “every aspect” of their lives,” from the nature of their social interactions to how they spend their time.<sup>67</sup> As technology has become the architect of human intimacy, people experience more solitude and expect less from each other.<sup>68</sup> “During the crime decline of the 1990s, the number of immigrants increased by more than 50 percent across the United States and by 90 percent in some regions.”<sup>69</sup> Immigration matters because in the United States, “the foreign-born population has a much lower crime rate than the native-born, even among young men.”<sup>70</sup> Recent technological developments, from surveillance cameras and house alarms to electronic immobilizers and LoJack systems, have also played a part in transforming urban environments and decreasing crime.<sup>71</sup> In the 300 largest American cities, increases in the density of community-oriented non-profit organizations – especially those addressing neighborhood and youth development – contributed to significant reductions in violent and

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in New York City. In the neighborhoods of Bedford-Stuyvesant, Bushwick, and Central Harlem, for example, the number of white residents rose 1,235 percent, 610 percent, and 846 percent, respectively, over the last 15 years. See Heather MacDonald, *Don't Take the Wrong Lessons from NYC's Murder Drop*, NAT. REV. (Dec. 28, 2017), <https://www.nationalreview.com/2017/12/new-york-city-homicide-rate-drop-lessons-proactive-policing/>. The relationship between gentrification and crime is not well researched in New York City or other American cities, but some studies suggest that “gentrification often leads to increases in crime,” not decreases. See Lance Freeman, *Five Myths about Gentrification*, WASH. POST (Jun. 3, 2016), [https://www.washingtonpost.com/opinions/five-myths-about-gentrification/2016/06/03/b6c80e56-1ba5-11e6-8c7b-6931e66333e7\\_story.html?utm\\_term=.1416629b4054](https://www.washingtonpost.com/opinions/five-myths-about-gentrification/2016/06/03/b6c80e56-1ba5-11e6-8c7b-6931e66333e7_story.html?utm_term=.1416629b4054); See also Mischa-von Derek Aikman, *Gentrification's Effect on Crime Rates*, Urban Economics (2015), <https://sites.duke.edu/urbaneconomics/?p=1092>.

<sup>65</sup> See Barker, *supra* note 63, at 505.

<sup>66</sup> See *id.* at 507.

<sup>67</sup> Jean M. Twenge, *Has the Smartphone Destroyed a Generation?*, THE ATLANTIC 58-65 (Sep. 2017), <https://www.theatlantic.com/magazine/archive/2017/09/has-the-smartphone-destroyed-a-generation/534198/>. See generally JEAN M. TWENGE, IGEN: WHY TODAY'S SUPER-CONNECTED KIDS ARE GROWING UP LESS REBELLIOUS, MORE TOLERANT, LESS HAPPY – AND COMPLETELY UNPREPARED FOR ADULTHOOD – AND WHAT THAT MEANS FOR THE REST OF US (2017).

<sup>68</sup> SHERRY TURKLE, ALONE TOGETHER: WHY WE EXPECT MORE FROM TECHNOLOGY AND LESS FROM EACH OTHER (2011).

<sup>69</sup> Barker, *supra* note 63, at 508.

<sup>70</sup> *Id.*

<sup>71</sup> Graham Farrell et al., *Why the Crime Drop?*, in 43 CRIME AND JUSTICE: A REVIEW RESEARCH: WHY CRIME RATES FALL, AND WHY THEY DON'T 458 (Michael Tonry ed., 2014).

property crime rates, including murder.<sup>72</sup> Indeed, local organizing through community groups and neighborhood associations is one key and commonly overlooked cause of the crime decline in America.<sup>73</sup> Their activities “changed the nature of public and private spaces” in America.<sup>74</sup> If this “transformation of urban space”<sup>75</sup> does not qualify as a deep change in the social fabric, I do not know what would.<sup>76</sup>

It would be remarkable – it would be an accomplishment that stretches crime control credulity as much as the miracle of the loaves and fishes stretched convictions about Jesus of Nazareth – if New York City and other American places reduced crime dramatically without also undergoing significant social change. Zimring’s claim of crime decline without social change is not only inconsistent with much available evidence, it also seems too incredible to be true.

My second concern about Zimring’s causal analysis arises from the observation that crime rates have moved largely in parallel in the English-speaking countries and Western Europe since the 1960s. This suggests that causal analysis should explore the possibility that “deep social forces affect people’s offending proclivities in all developed Western countries in much the same way”<sup>77</sup> – as Zimring’s comparison of Canada and the United States seems to suggest.<sup>78</sup> The extent of the evidence for significant and prolonged crime drops in many industrialized nations means that “the likelihood that crime drops in different countries are a coincidence is vanishingly small.”<sup>79</sup> Though there is not much sound scholarship on this subject, the best causal explanations for the common drops are “broad-based theories of social control and self-control.”<sup>80</sup>

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<sup>72</sup> Patrick Sharkey et al., *Community and the Crime Decline: The Causal Effects of Local Nonprofits on Violent Crime*, 82 AM. SOC. REV. 1214 (2017).

<sup>73</sup> SHARKEY, *supra* note 7, at 50.

<sup>74</sup> *Id.* at 44.

<sup>75</sup> *Id.* at 39.

<sup>76</sup> For appreciative reviews of Sharkey’s research, see Emily Badger, *The Unsung Role That Ordinary Citizens Played in the Great Crime Decline*, N.Y. TIMES (Nov. 9, 2017), <https://www.nytimes.com/2017/11/09/upshot/the-unsung-role-that-ordinary-citizens-played-in-the-great-crime-decline.html>; Gopnik, *supra* note 47.

<sup>77</sup> Michael Tonry, *Why Crime Rates are Falling Throughout the Western World*, in 43 CRIME AND JUSTICE: A REVIEW RESEARCH: WHY CRIME RATES FALL, AND WHY THEY DON’T VIII (Michael Tonry ed., 2014).

<sup>78</sup> ZIMRING, *supra* note 4, at 219.

<sup>79</sup> Farrell, *supra* note 71, at 436.

<sup>80</sup> Tonry, *supra* note 77, at 53. Theories of self-control are also emphasized in Manuel Eisner’s analysis of changes in European homicide rates from 1200 to the present. See Manuel Eisner, *From Swords to Words: Does Macro-Level Change in Self-Control Predict Long-Term Variation in Levels of Homicide?*, in 43 CRIME AND JUSTICE: A

These theories stress the fundamental social forces of norm creation, internalization, and enforcement, not the “relatively superficial” causes<sup>81</sup> or the causes that can be found in “relatively superficial environmental conditions”<sup>82</sup> that Zimring emphasizes in his crime decline studies. The importance of fundamental social facts is also evident in a cross-sectional analysis of homicide rates in 235 countries that confirmed “the interdependence of lethal violence with socioeconomic and political factors” such as the rule of law, the quality and integrity of governance, the level of democracy, and social and economic equality.<sup>83</sup>

Unless one’s approach is broadly comparative (as the studies cited in the preceding paragraph are), it is easy to “exaggerate American crime control achievements.”<sup>84</sup> It is also easy to overstate the importance of certain criminal justice strategies – such as those employed by the police – and to understate the role of social and cultural factors that may be more important. As one of Zimring’s former colleagues has argued, “we do see some common forces at work across societies in all corners of the world. Understanding these common forces takes us a long way toward unraveling the question of why some societies are more dangerous than others.”<sup>85</sup>

### Conclusion

There is not one “right way” to think comparatively about crime rates – or about any criminological subject. As David Garland observed in a different context:

“There are multiple vantage points, multiple perspectives, and multiple interpretations, each of which is more or less useful, more or less appropriate, more or less persuasive. The choice of perspective depends on the stakes and the

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REVIEW RESEARCH: WHY CRIME RATES FALL, AND WHY THEY DON’T 65, 134 (Michael Tonry ed., 2014).

<sup>81</sup> ZIMRING, *supra* note 4, at 207.

<sup>82</sup> *Id.*

<sup>83</sup> Tapio Lappi-Seppala and Martti Lehti, *Cross-Comparative Perspectives on Global Homicide Trends*, in 43 CRIME AND JUSTICE: A REVIEW RESEARCH: WHY CRIME RATES FALL, AND WHY THEY DON’T 135 (Michael Tonry ed., 2014).

<sup>84</sup> Elliott Currie, *Reflections on Crime and Criminology at the Millennium*, 2 W. CRIMINOLOGY REV. 1, 1-14 (1999).

<sup>85</sup> Elliott Currie, THE ROOTS OF DANGER: VIOLENT CRIME IN GLOBAL PERSPECTIVE 45 (2016) (where Currie discusses four explanations for cross-national differences in violent crime that do not work – genes, leniency, diversity and prosperity – and six that do – inequality, marginal work, weak social supports, strained families, harsh and ineffective justice systems, and the easy availability of firearms).

purposes involved. How we think about [a subject] depends on how we contextualize it. Significance depends on context; comparison depends on the choice of comparison group.”<sup>86</sup>

The global production of criminological knowledge is “grossly skewed to the northern Anglophobe world.”<sup>87</sup> By comparing New York City and the United States to a few Asian places, I have tried to complicate our understanding of where America stands on different crime scales, suggesting that New York City and other American places are parts of a larger cross-national pattern that requires explanation. Of course, Zimring knows that Tokyo is a safer city than New York,<sup>88</sup> and he realizes that “parochialism” has hampered criminology’s effort to understand why crime rates change.<sup>89</sup> To the extent that I have written this essay for him, I may be preaching to the choir director. I also realize that I am merely nibbling at the margins of his magnificent body of work. The 500 pages of his two crime decline books account for perhaps 5 percent of all the pages he has written in some three dozen problem-defining, nonsense-squashing, and agenda-setting volumes. Melville observed that “To produce a mighty book, you must choose a mighty theme.”<sup>90</sup> For the last half-century, Zimring has been producing mighty books on the biggest themes in criminology. I am glad he is not done yet.

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<sup>86</sup> David Garland, *The Peculiar Forms of American Capital Punishment*, 74 SOC. RES. 435-64 (2007).

<sup>87</sup> Kerry Carrington & Russell Hogg, *Deconstructing Criminology’s Origin Stories*, 12 ASIAN J. OF CRIMINOLOGY 282-97 (2017).

<sup>88</sup> See ZIMRING, *supra* note 5, at 46 (“while levels of crime and violence in New York are low by American standards, they still tower over Japan’s largest city”).

<sup>89</sup> See ZIMRING, *supra* note 4, at 202 (discussing the failure of many researchers to consider “events outside the United States”).

<sup>90</sup> HERMAN MELVILLE, *MOBY-DICK* (1851).