

The Topic

"Crime/Justice" refers to relationships among criminal activity, the police, the courts and community I

The Context

The decline in the NYC crime rate may be the greatest story of the decade. But in the wake of the po

The Reporter

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The Archives

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Most New Yorkers probably think that government learned a great deal from September 11 about protecting the city, its symbols, landmarks, and people. The attack's immediate aftermath saw a barrage of reassuring official actions that were military-like in their precision -- securing vital areas, shutting down ground access to the city, and patrolling New York's perimeter from the skies and seas. In the months since, the official presence has withdrawn from the skies and the streets, but most New Yorkers assume hopefully that this retreat masks ongoing work behind the scenes. Citizens have no way of knowing for sure, since all anti-terror operations are secret. For those who agree with the former city official who told Richard Cohen of the Daily News that the September 11 attack meant that "the government let us down," the secrecy is yet another barrier to evaluating government actions.

Most New Yorkers -- 72 percent -- believe another terrorist attack is very or somewhat likely, according to a poll conducted by Blum & Weprin for the Daily News. A plurality of 28 percent speculate that it will probably involve smaller-scale car bombs or suicide-bombers, while 20 percent anticipate the use of biological weapons and 16 percent expect chemical weapons. Still, 72 percent say they feel safer or as safe in the city as anywhere else in the country. Are they right?

THE NYPD PROJECTS COMPETENCE

September 11 badly damaged public confidence in the federal security agencies -- the FBI and the CIA -- but enhanced confidence in the NYPD, which immediately went onto Omega Alert, its highest state of readiness. Through what Police Commissioner Raymond Kelly calls "target hardening" it has since been able to reduce the number of officers assigned to Omega posts -- not an insignificant matter since some violent crime, including rape, seems to be heading back up.

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by {ga=jvitullomartin}

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Nonetheless the New York Police Department has been refocusing the problem-solving strategy that helped reduce violent crime from local crime to terrorism. The strategy's specific elements, according to policing expert George Kelling, are accurate and timely intelligence, rapid deployment, effective tactics, and relentless follow-up and assessment. The media have contained many accounts of both historic and recent federal stone-walling of the NYPD on intelligence, the greatest federal failing, of course, on September 11. All parties now insist publicly that this is a problem of the past.

Perhaps it is. The NYPD is led by a police commissioner, Raymond Kelly, who has far stronger federal security credentials than any previous commissioner. His federal experience helps him in the many instances in which the NYPD tangles with the FBI and the federal Department of Justice over jurisdiction. As Cooper Union historian Fred Siegel says, "In a time in which the distinction between war and crime has narrowed, Kelly has already worked in positions in which he had to deal with this reality. Given that we're a target in New York, it's a huge asset that he's in a good position to make a difference."

Kelly has been aggressive, assigning NYPD personnel to areas that were once exclusively federal -- training some cops abroad, sending brass to the Naval War College, expanding the intelligence office to include foreign terrorism, and setting up a medical office to coordinate with federal agencies and the city's Department of Health on biological weaponry.

He has brought in high-level people with federal experience. He hired Ret. Marine Corps Lt. Gen. Frank Libutti as Deputy Commissioner for Counterterrorism to head a new division on counterterrorism and to direct the department's work with the FBI/NYPD Joint Terrorist Task Force. The idea is to ensure cooperation and flow of information between the agencies -- not a strength in the past. Libutti oversees the new Terrorism Security and Analysis Section, which conducts comprehensive security assessments of terrorist threats in the city. An Incident Response Team has been set up to respond to requests for assistance at suspected terrorist events. Kelly also hired a former top CIA operative, David Cohen, as the new Deputy Commissioner for Intelligence. Both deputies report directly to Kelly, who also established a new position of medical adviser to coordinate with the Department of Health.

How effective are these measures? We're unlikely to know unless -- probably until -- there is another attack. Over the last decade, the city has been the target of at least three other known terrorist plots: the 1993 truck bombing of the World Trade Center; the 1993 plot to bomb the United Nations and the Holland and Lincoln tunnels; and the 1997 plan to bomb the subways. New York remains the symbol of capitalism and Western culture, and a target.

SECURITY MEASURES AGAINST THE THUG AND THE TERRORIST

Even before September 11 New Yorkers had become accustomed to security measures deterring the common thug: metal detectors, photo IDs, bag searches, checks of electronic equipment. The devices are often primitive and the training of the personnel poor, but routine security checks have prevented at least some crime and perhaps some terrorism. The future, however, lies with high-tech solutions that are independent of human judgment, such as new sensing machines that can detect biologic agents, explosives, suspicious voids in truck cargo, or weapons hidden on someone a distance away. Private companies tend to be way ahead of government in spending the millions of dollars these machines cost.

The other set of measures are what the security trade calls Israeli tactics -- traffic-stopping checkpoints, street closings, intrusive questioning, random identification checks, intimate searches, and racial profiling. These are ostensibly meant to deter crime, but they are also meant to remind the public often and aggressively of the presence of terrorists and to get the public to accept the authority of the police and military. The inconvenience that accompanies these tactics is deliberate.

Giuliani's NYPD actually introduced a few of these ideas, such as the traffic-stopping checkpoints that were ostensibly for drunk-driving or seat-belt use. His 1998 pedestrian-controlling concrete barriers are another Israeli tactic, a re-engineering to encourage people to go only where they are directed and to accustom the public to accepting restrictions on their movements.

Street closings, immensely disruptive to the city's business and psyche, are increasingly being insisted on by powerful interests, including the federal government. The main federal building in Lower Manhattan, 26 Federal Plaza, has always had security problems. It houses the FBI field office that has investigated many terror plots. It houses the Immigration and Nationalization Service. Lines of anxious immigrants with federal applications snake around the building during peak periods. In late 2000, the General Service Administration installed barriers and posts and hired additional guards. Some federal officials are now urging the closing-off of Broadway (the main artery downtown), Centre Street (which leads to the Brooklyn Bridge), and Worth Street.

The public has very limited access now to most government buildings in New York. The new

federal courthouse, for example, is blocked by a huge hydraulic truck barrier. Police headquarters, never really accessible since it was built during the Lindsay administration, has a 24-hour guard out front. Visitors must go through three checkpoints, carrying a government-issued photo I.D.

One bright spot on this glum governmental scene, however, is City Hall, which Mayor Bloomberg has re-opened to political events, press conferences and peaceful gatherings. They are again allowed on the steps of City Hall, as they had been from the early 19th century until the Giuliani administration.

And it's not just public buildings that have internal checkpoints and external barriers. Ugly concrete bolsters are being installed in front of otherwise handsome new buildings, like the Jewish Community Center on the West Side. The elegant glass, iron, and greystone building would be a beauty, if its exterior were not marred by white and yellow blocks of junky concrete, looking as if a sloppy contractor forgot to take them home.

NEW YORK IS NOT AN ISLAND

Much as it will seek to protect itself, New York will only be safe insofar as others protect it as well. The plane that flew into the World Trade Center took off from Logan Airport in Boston, an airport that the Federal Aviation Administration has repeatedly cited for safety violations. Everyone wants whatever went wrong at Logan Airport in Boston fixed. But what was it that failed? And will the FAA's new proposals and restrictions on passengers work? Are tactics like the FAA's ban on steak knives in first class or the abolition of curbside checking effective? Certainly neither would have prevented the hijackings.

Mary Schiavo, former inspector general for the U.S. Department of Transportation, argues that aviation security is a law enforcement function, and belongs with a law enforcement agency, not the FAA. Law enforcement officials would be far less ready to listen to concerns about the weight of new cockpit doors (additional weight would affect the cost of every flight), or the extra costs of sky marshals or deputized pilots.

New York has an acute interest in these issues, and in all matters having to do with its air space. In May the FAA announced that its ban on flights by small planes and helicopters over

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key American cities had been lifted. Planes could return to flying under visual flight rules without asking permission to enter a city's airspace, or identifying themselves to FAA regional or local controllers.

Even before the terrorist attacks on the World Trade Center, local officials had often been at odds with the FAA, which maintains that all small aircraft should be able to fly low, with no restrictions, over major cities and national monuments. This is in part because the FAA's role is to promote the aviation industry – not police or regulate it beyond preventing collisions. They argue that flying freely anywhere in the country is a basic American right and expectation. As an FAA representative said at a community meeting in Manhattan, the same rules that apply over Kansas wheat fields apply to flying over New York City.

There is little doubt but that Al Qaeda intends to use small planes to attack more targets. Plans to pack a corporate jet with explosives were found in a German apartment rented by suspected Al Qaeda terrorists. Cell members in the U.S. trained at flight schools, obtained small-plane pilot licenses, and sought to rent crop dusters. The FBI renewed its warning about air attacks in early July.

Even the FAA concedes that some landmarks may be vulnerable. Deferring to its sister federal agency, the National Park Service, the FAA in late June banned flights near the Statue of Liberty, Mount Rushmore, and the St. Louis Gateway Arch during the July 4 holidays. The Statue of Liberty ban will continue through September 30, and forbids any plane from flying below 1,500 feet within a 6,000-foot radius of the statue.

These bans may be comforting to some, but they are not significant security measures because the FAA has no air police to stop a plane violating its rules. It can only suspend the pilot's license and levy a fine. The NYPD, though it has an aviation unit and some older helicopters, has no official enforcement role or authority in the air over the city.

Anyone with a license can rent a plane at many of the approximately 2000 general aviation airfields within a short flight of New York. Few of these have more than the most minimal security. Pilot licenses, which are easily forged and carry no photos, are seldom verified. Planes, which can fly into these fields from almost anywhere in the US, are not inspected before departure. Helicopters do not even need an airport for departure – and in any case can stop anywhere to pick up anything.

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So long as New York's skies are open, the city is undefended. An attacker boarding an airplane at LaGuardia faces far more government inspection than one flying a plane at 700 feet across 42nd Street.

Sites For Beginners:

- [New York Police Department](#) - Hokey design but good substance, particularly the feature that allows you to check out your own [neighborhood](#). The department has begun posting crime figures for each of the city's 76 police precincts on both its own and City Hall's [official websites](#). Precinct maps show where crimes have recently been committed. One drawback: the only official you can email is the commissioner. Still, that's better than nothing--if the commissioner reads and answers his email. Let us know what happens when you try.
- [Federal Bureau of Investigation, Unit for Crime Reports](#) - The FBI's uniform crime reports are the nation's most useful tracking system for both violent crimes (murder and non-negligent manslaughter, forcible rape, robbery, and aggravated assault) and property crimes (burglary, larceny and theft, car theft, and arson.)
- [Vera Institute of Justice](#) - Vera is a nonprofit organization, founded in 1961, that works collaboratively with government officials to develop innovative approaches to problems and to improve the quality of urban life both here and abroad. It is currently working with both the New York City and New York State police departments to strengthen police accountability through civilian complaint review, community policing, and computerized management systems.