

# Safer, Meaner Streets

*Why does life seem more dangerous even as crime rates fall?*

NEIL BOYD

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## Canadian Policing in the 21st Century: A Frontline Officer on Challenges and Changes

Robert Christmas

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LIKE THE AUTHOR OF *Canadian Policing in the 21st Century: A Frontline Officer on Challenges and Changes*, I have been involved with the criminal justice system for most of my adult life. Unlike Robert Christmas, however, I have not endured the pressures and stresses of front-line police work, balancing the desire to arrest those who impose harm with the need to simultaneously respect their human rights. I have not seen murderers and the distributors of illegal drugs at their worst, but rather, more often, at their best, able to reflect upon what they have done, years after the crimes in question. I have spent almost 40 years studying law and criminology at something of a distance from the most awful of events, nestled in the comfortable perch of a university on top of a mountain.

These differences in perspective necessarily create different frames of observation with respect to the threats posed by various kinds of crime. For example, Christmas, a serving police officer in Winnipeg with 28 years of law enforcement experience, writes, "the street drug trade is an ever-increasing threat as well. 'Crack' (cocaine) and 'meth' (methamphetamines) can be so addictive that even a single dose can lead to addiction for some people. It is said that people, from all walks of life, often become obsessed with trying to recreate the high that they experienced the first time they used the drug."

As an academic, however, I rely upon systematically gathered quantitative data and they indicate that this is far too sweeping a generalization. Most people who experiment with crack and meth do not become hopelessly addicted to these drugs. These substances do have the potential to ruin lives and to impose extraordinary harms, but the trajectory of dependence upon crack and meth is not dramatically different from the trajectory of dependence upon alcohol or tobacco.

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But this is not the beginning of a long harangue against *Canadian Policing in the 21st Century*. Robert Christmas is a thoughtful and engaged police officer, and he has produced a manuscript that is a very useful and commendable reflection upon the many mostly positive changes that have occurred in Canadian policing during the past 30 years.

Christmas writes of changing technologies of communication; the cover of his text has a telling image of a typewriter and a Rolodex, imbedded in a smart phone. His chapter on how the tools of policing have changed allows all of us to reflect upon the ways in which new technologies have transformed our workplaces. For the police officer, a facility with a range of computer programs and an ease and comfort with email and voicemail communications have become a part of the process of crime detection. And, as Christmas notes, this has led to more effective policing, not only improving processes of crime detection, but also reducing possibilities for human errors in arrest and conviction.

When Robert Christmas writes of the introduction of the Charter of Rights and Freedoms in 1982, and the police disclosure of information mandated by the Supreme Court's decision in *Stinchcombe* in 1991, he provides a compelling portrait of the increasing demands on police officers. He writes without bitterness or particular regret, noting that while these two initiatives are quite clearly "added stressors" on police time and resources, "such transparency is necessary to ensure that people accused of crimes can mount their defence properly."

For me, the most compelling chapter in this book is "Transparency and Accountability." After

describing the balancing of the need to keep some critical information confidential when investigating crime, and ways in which police conduct can sometimes work to undermine public trust, Christmas turns his attention to police culture and the internal conflicts that are inherent in good policing.

Consider, for example, his interview of a 30-year-old man who had sexually assaulted his niece from the time she was seven years old:

It is not easy, engaging in the intimate experience of interrogation and showing compassion, while warding off disgust, knowing that a camera is rolling on the other side of the one-way mirror with a group of fellow officers watching. This discipline is a big part of police culture that officers strive to develop. You could not force a confession out of a person who has already been hardened by prison, even if torture was legal. A confession has to be extracted with finesse and with genuine compassion, respect for humanity, and a legitimate passion for finding the truth. This man eventually admitted to raping his niece dozens of times, for several years ... My motivation in that case was not to punish him but rather to protect people from him and provide closure for his victim so that she could work on her recovery and possibly start to get on with her life.

Or, earlier in the book, on a subject he returns to many times throughout his manuscript—rising crime and violence—here Christmas describes his return to front-line uniform patrol in 2010 as a staff sergeant:

I was surprised at the dramatic increase in levels of violence and gunplay that had occurred over the five-year period of my absence. Much of the violence appears to occur within and between street gangs, which is consistent with research that has attributed much street level violence to fighting over drug trade turfs ... In July 2012 Toronto saw twenty-five shootings and four killings in three days. These acts of violence were

particularly disturbing, as many occurred in public spaces such as parks, malls, and playgrounds that are normally considered safe.

Such descriptions have all the power of experience and keen observation, but one should be careful about generalizing from them. On many pages, I found myself wanting more analysis and fewer assertions from the author. Toward the end of his book Christmas writes, "while statistical reports show reductions in some classes of crime, I would challenge the validity of any analysis that reports a reduction in violence and organized crime in Canada." His cited authority for this claim follows in the next sentence: three articles, taken from the *National Post*, *Postmedia News* and the *Winnipeg Free Press*. In discussing changing technologies of policing he writes, "while the streets have become more violent and dangerous, technology has improved officer safety." In a section titled "About Crime Statistics" he writes, "I contend that, regardless of the statistical interpretation of increasing or decreasing crime trends, on the street we are seeing a higher incidence of weapon use and severe violence." He notes, additionally, that if we step away from crime statistics of the past two decades and look at the 50 years between 1962 and 2012, violent crimes are five times more common today than they were in the early 1960s.

But this is where we need more clarity and a greater analytical precision from Robert Christmas. The most significant weakness in his book is his reluctance to rely on aggregated data. His citation of newspaper articles and the anecdotal observations of various police officers too easily leads to a rejection of evidence-based crime policy. It is, unfortunately, an approach that is uncomfortably close to that taken by the current Harper government—rejecting evidence that is systematically gathered, and favouring populist prescriptions instead.

Christmas has little faith in statistics generated by police, noting that many crimes are simply not reported by those who have been victimized. He appears to prefer data from the 2005 Statistics Canada General Social Survey, a random sampling of Canadians regarding the extent to which they have recently been at the receiving end of various crimes, notably sexual assault, assault and robbery. This survey, undertaken every five years, is a helpful complement to police-generated data, allowing us to see whether rates of self-reported victimization are changing over time, and, if so, in relation to what kinds of crime.

The General Social Survey began in 1985, and the 2005 data reveal that the percentage of Canadians who are satisfied with their personal safety has actually grown over time, not declined. Furthermore, when we look to reports of specific types of victimization over time, we do not see any significant upward trends that might support Christmas's assertion that Canada's streets have become "more violent and dangerous."

How are we to explain this apparent disconnect? To give the author credit, he is quite correct in stating that levels of violent crime are much higher in the Canada of 2012 than they were in the Canada

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of 1962. The reality is that during the past 50 years we have experienced both an increase in violent crime and then a decrease; the increase occurred between 1966 and 1975, and the decrease began in the early 1990s, and has continued, in a somewhat gradual form, to the present. We have not returned to the low levels of crime that we experienced in the early 1960s, but we have improved.

More importantly, however, we cannot look at violent crime as a single category and assume that it moves up and down as such, any more than we can look at property crime as a single category and assume that all property offences have a similar trajectory over time. With violent crime, for example, incidents and rates of homicide are our most reliable index of criminal activity because this crime almost always comes to the attention of the police, even if a suspect cannot be identified. And so we can look at changing homicide rates as a barometer of our country's ability to live in peace. We have very good global data on this point; there are, for example, more than 40 homicides annually per 100,000 citizens in Honduras, El Salvador, Zambia and Venezuela—in the United States, the figure is 4.7, in the United Kingdom 1.2, and in Canada in 2012, 1.56.

But in 1977 the homicide rate in Canada was approximately three per 100,000, and it had risen from a low of about 1.2 in the early 1960s. The rate did not begin to drop significantly until the early 1990s. To put this in a more concrete context, if we had retained the murder rate in 2012 that we had in Canada in 1977, we would have experienced more

than 1,000 killings that year, rather than the 543 that actually occurred. If, however, we turn our attention to assault, or even sexual assault, police data become much less reliable. Not all of these crimes will be reported, sometimes because the event is seen as relatively trivial, and not worth the involvement of the state, sometimes because of embarrassment, and sometimes because the criminal justice system may be seen as unable to respond in an effective or timely manner.

With property crime there must be similar caveats. One of the great successes of the last 15 years in the realm of property crime is the drop in auto theft. The best explanation for this decline appears to be that of improvements in automobile technology, with alarms and changes to systems of ignition making theft much more difficult. The upshot of all of this is that if we are to talk about increases in crime, we must specify the crime. Not all violent crimes or property crimes go up or down in synchronicity. Furthermore, we must be able to attempt to explain not only the declines in crime of the past two decades, but also the reasons for the increases that we experienced in the late 1960s and early 1970s.

If we return to Christmas's assertion that there is greater violence on the street and an expansion of organized crime, it seems quite clear that those involved in organized crime today are more likely to carry handguns and other weaponry. We know, for example, that the use of handguns in homicides has increased quite markedly over the past 20 years (even though the rate of homicides with all firearms has not changed). And conversations with police officers who have worked in the criminal justice system for the past 20 to 30 years consistently reveal the claim, probably accurate, that they are more likely to come across such weaponry today than they did in the late 1970s or '80s.

If we step back, however, and look at all of the data as a whole, we might most accurately conclude that there is actually less crime—or certainly less homicide—today than there was a generation ago. But perhaps there is some weight in the observations of the author: a harder core of a small number of individuals are committed to a criminal lifestyle; they routinely carry guns, and are prepared to use them against potential competitors in broad daylight and in public settings—a most brazen form of criminal violence.

What the data may be telling us, then, is that we have fewer killings in Canada in 2012 than we did in 1977, but a subset of those that remain are arguably much more disturbing and organized than the killings of a generation ago.

Reviewing this book is a challenge for an academic like me, since Christmas and I come at this material—and these serious social concerns—not so much from different points of view as from different methodologies, both of them valuable in their own ways. My analytical critique aside, what comes shining through this work is a recognition that police on the street today have more respect for human rights than they did a generation ago, and improved technologies that can both limit harms imposed upon law breakers and increase the possibilities for the detection of crime. Perhaps most important of all, police work, as imagined and described by Robert Christmas, is honourable public service—stressful, frustrating and occasionally dangerous—but wholly deserving of our admiration and support.

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