

**Toronto Public Policing For Hire: The Effects of Commodification of Policing
Services in the Downtown Yonge Business Improvement Area**

By: Michael J. Gavendo (Hon. B.A.)

**A thesis submitted to the Faculty of Graduate Studies and Research in partial
fulfillment of the requirements for the degree of**

Master of Arts

**Department of Law
Carleton University
Ottawa, Ontario
April 21st, 2006 ©**



Library and
Archives Canada

Bibliothèque et
Archives Canada

Published Heritage
Branch

Direction du
Patrimoine de l'édition

395 Wellington Street
Ottawa ON K1A 0N4
Canada

395, rue Wellington
Ottawa ON K1A 0N4
Canada

Your file *Votre référence*
ISBN: 978-0-494-16424-2
Our file *Notre référence*
ISBN: 978-0-494-16424-2

NOTICE:

The author has granted a non-exclusive license allowing Library and Archives Canada to reproduce, publish, archive, preserve, conserve, communicate to the public by telecommunication or on the Internet, loan, distribute and sell theses worldwide, for commercial or non-commercial purposes, in microform, paper, electronic and/or any other formats.

The author retains copyright ownership and moral rights in this thesis. Neither the thesis nor substantial extracts from it may be printed or otherwise reproduced without the author's permission.

AVIS:

L'auteur a accordé une licence non exclusive permettant à la Bibliothèque et Archives Canada de reproduire, publier, archiver, sauvegarder, conserver, transmettre au public par télécommunication ou par l'Internet, prêter, distribuer et vendre des thèses partout dans le monde, à des fins commerciales ou autres, sur support microforme, papier, électronique et/ou autres formats.

L'auteur conserve la propriété du droit d'auteur et des droits moraux qui protègent cette thèse. Ni la thèse ni des extraits substantiels de celle-ci ne doivent être imprimés ou autrement reproduits sans son autorisation.

In compliance with the Canadian Privacy Act some supporting forms may have been removed from this thesis.

Conformément à la loi canadienne sur la protection de la vie privée, quelques formulaires secondaires ont été enlevés de cette thèse.

While these forms may be included in the document page count, their removal does not represent any loss of content from the thesis.

Bien que ces formulaires aient inclus dans la pagination, il n'y aura aucun contenu manquant.


Canada

Abstract

The promise of Neo-liberal governance has shifted policing priorities from complaint, response, and punishment to preventative patrols and a stronger police presence. As a response to private security's dominance in policing communal spaces, public policing service providers are tailoring their services to fulfill demands made by organizations willing to pay large sums of money for premium police services.

This paper presents results from a representative Merchant Security Satisfaction Survey (n= 147) of downtown Yonge store owners and managers, over twenty interviews with members of the Toronto Police Service, and ethnographical research. Increased police visibility via privately funded foot patrols reduces the opportunity for individuals to engage in disorder, while simultaneously reducing fear of crime. The constables on patrol fill out reporting formats designed to help manage risk, and submit these products not to their policing superiors but rather to the Downtown Yonge Business Improvement Area administration. New working partnerships between merchants and police are thus emerging, as private organizations are increasingly directing police work. Through the commodification of public policing services, the Toronto Police Service has rediscovered an innovative way to compete with private security for the responsibility of policing communal spaces reminiscent of historical policing.

Table of Contents		Pg
	Foreward	1
	Index of Tables	2
Chapter 1	Introduction	3
	Review of Concepts	7
	Methods	14
	Merchant Security Satisfaction Survey (MSSS)	15
	Interviews	18
	Ethnography	21
Chapter 2	Theorizing Commodified Public Policing	26
	Good Order and the History of Commodified Public Policing	27
	Governmentality and Surveillance	33
	Risk Management and Communication	35
	The Commodification of Risk-Based Policing	37
	Risk in Crime Prevention	42
	Surveillance and 'Producing' Security	48
	Panoptics	53
	Communal Spaces and Public Police Services	58
	Business Improvement Areas: A New Form of Governance	61
Chapter 3	Merchant Fear in the DYBIA	66
	Security Awareness and Involvement	66
	Demands for Increased Police Services	68
	The Role of Private Security	71
	Demands for Police Funding and Private Security	74
	Governing Boundaries and Adequate Police Response	79
	Perceptions of Safety in the DYBIA	83
	The Promise of Foot Patrol	86
Chapter 4	Observing Commodified Public Policing	91
	Foot Patrol	94
	The 208 as Risk Communication	102
	Formatting Security Knowledge: The Patrol Activity Sheet (PAS)	105
	Resisting Commodified Public Policing	112
Chapter 5	Conclusions	120

	Future Research	120
	Social and Political Implications of Commodified Public Policing	121
Appendices	Downtown Yonge Business Improvement Area Map	A
	Merchant Security Satisfaction Survey	B
	The TPS Police Managers Interview Schedule	C
	The DYBIA Foot Patrol Interview Schedule	D
	The Ottawa Alliance on Impaired Driving Commodified Ride Program	E
	The 208 Investigative Card	F
Sourcing	Bibliography	126

Acknowledgments

Private security and commodified public policing are proliferating in Canada. As the nation grows, the demand will rise for new and innovative ways to deal with crime and disorder in our cities. Canadians refuse to bid adieu to vibrant downtown city centres that can be a place for all to work, rest and play in safety and security. New partnerships have been created in an attempt to bring life back into places where only rush hour traffic and disorder once existed. These new partnerships have explicit ramifications on the way communities are policed. The danger of creating gated communities and two-tiered policing must be taken seriously by security committees who plan and implement commodified public policing initiatives. I would like to take this opportunity to thank all those who facilitated my research including the Toronto Police Service, James Robinson, Megan Winkler and other staff from the Downtown Yonge Business Improvement Area, the Downtown Yonge Safe Streets Committee, as well as merchants who took time out of their busy schedules to make this project happen. I would especially like to thank Dr. George Rigakos for his invaluable guidance as well as Dr. Logan Atkinson, Dr. Ron Saunders and Dr. Kevin Haggerty for participating on my thesis defense panel. I hope that my work may serve as a basis for future research in Canada's most beautiful city. My home. Toronto.

Index of Figures

<u>Figure and Title</u>	<u>Page #</u>
Figure 2.1 - Trespass to Property Act Authorization Form	29A
Figure 2.2 - Evolution of Reporting Formats	38A
Figure 2.3 - DYBIA Patrol Activity Sheet (PAS)	38B
Figure 3.1 - Website Visitation Frequency	68
Figure 3.2 - Are Foot Patrols Beneficial?	68
Figure 3.3 - TPA Authorization Form Usage	69
Figure 3.4 - Reasons for not filling out a TPA Authorization Form	70
Figure 3.5 - Merchant Demands for Security (Coded Qualitative Data)	71
Figure 3.6 - Reasons for Employing Private Security	73
Figure 3.7 - Is Private Security More Effective than the DYBIA Foot Patrols	73
Figure 3.8 - Percentage of Operating Budget to be Allocated Toward Policing	75
Figure 3.9 - Perception of Crime	75
Figure 3.10 - Police Performance Across Various Categories	82
Figure 3.11 - Fear Levels During Daily Routines	85
Figure 3.12 - Perception of Various Behaviour Over the Past 6 Months	86
Figure 3.13 - Policing Patrol Method Preference	87
Figure 3.14 - Police Visibility/Visitation	88
Figure 5.1 – PAS Resistance	117A

Chapter 1: Introduction

Safety and security have come to the forefront of city planning in Toronto. In light of recent trends including increases in population and perceived crime and decreases in the perception of available resources to fund public policing by officers, the Downtown Yonge Business Improvement Area (DYBIA) has sought ways to address violent crime and enhance security in the Toronto downtown core in ways that may have nationwide interest. DYBIA Foot Patrol officers hired on ‘callback’ are required to complete reports originally formatted and collected by the DYBIA. These reporting formats bear close resemblance to those completed by the private security guards. Effectively, the Toronto Police Service must complete detailed documentation on a regular basis in exchange for remuneration. Accordingly, I would suggest that the commodification process has widened its scope beyond private security, and can now be argued to include public police as participants in the security market. This thesis utilizes close observation of a breakthrough in the delivery of commodified public policing and security. Through interviews, ethnography and the dissemination of a Merchant Security Satisfaction Survey (MSSS), data was collected on the enhanced use of supplemental police patrols in the downtown Yonge area. These patrols were intended to reduce crime and make the area cleaner, safer and more inviting. As opposed to what have by economic necessity become the most common public policing methods – “chasing the radio” and reactively speeding from call to call, police involved in the DYBIA Foot Patrol program were required to complete

patrols to prevent and enhance safety. Observational data was also collected during the officers' shifts concerning foot patrol as a policing strategy and commodified public policing in general. Wide ranging feedback was generated from police and merchants on their views of this initiative. As this paper is a report on what is believed to be the first comprehensive study of commodified public policing in Canada, it may set a baseline for future research on the effects of commodified policing and security in the DYBIA (and elsewhere).

The term 'privatization' is used to express "the change (an industry or business, for example) from state or public ownership or control to private enterprise."¹ Feeley suggests privatization has "created vast numbers of government-franchised social control centers."² These centers include private contractors who expand, not contract the government's capacity to effect social control.³ He argues that as a result of privatization, the state has assumed an increased responsibility for regulating these forms of social control. Although the state may support the form of social control to be analyzed in this paper, active governance and the direction of policy is achieved by the Toronto Police Service in cooperation with the Downtown Yonge Business Improvement Area (a non-profit organization with a mandate and budget to contract the services of the Toronto Police Service). The commodification of public policing includes the process by which security strategies – more traditionally characteristic of private security providers – are now being undertaken by public police. Commodified

¹ The American Heritage Dictionary of the English Language, Fourth Edition Copyright © 2000 by Houghton Mifflin Company. Published by Houghton Mifflin Company.

² Feeley, Malcolm. (2002) *Entrepreneurs of Punishment: The Legacy of Privatization.* London: Sage, at pg. 322.

³ *ibid*, at pg. 322

public policing includes, but is not limited to, deployment practices prioritizing risk-based models, harm minimization, prevention and deterrence. For the purpose of this examination, I will be concerned with services that are: (i) privately funded; (ii) provided by a public police force, and (iii) that require service providers to engage in activities and law enforcement methods more characteristic of contemporary private security companies. In this sense, public police are increasingly pressured to ‘sell’ their services, reconfiguring state-citizen relations to service – client relations under neo-liberalism. By studying the commodification of public policing services, inferences can be drawn about the relationship between employees, the production of security services and the effect of exchanging these services in the open market. Moreover, the process of commodification reflects rationalities and strategic apparatus deployed by the re-emergence of forms of governance that, until recently, remained buried in historical studies of Continental European and British state formation.

New demands for alliances between the private and public sector can be viewed as an efficient way for corporate entities to implement their agenda and govern their members, sponsors and populations within the community. More specifically, police are increasingly used to collect extensive data with respect to targeted populations within targeted areas. Privatization and commodification are distinct and overlapping processes.⁴ The commodification process may therefore be understood as:

the incessant expansion of capital and, by extension,
the transformation of aspects of human existence

⁴ P. Ewick, (1993) “*Corporate Cures: The Commodification of Social Control*”. *Studies in Law, Politics, and Society* 13: 137-157

into a commodified form. In other words, it explains how people come to measure tangible and intangible human activities and products not by their use value but rather by their exchange value.⁵

Accountability and the need to know that one is 'getting her money's worth' are imperative in the context of exchange. Absent some knowledge of what is being done in exchange for money, organizations and institutions may question whether or not anything is being done at all. Although certain policing agencies may be providing adequate coverage and assistance, without the production of some tangible product or economic incentive, businesses become skeptical about the effectiveness of policing initiatives. As opposed to response, reaction and criminal sanction, the commodified public police tend to focus even more on preventative policing initiatives through foot patrols and through their involvement on safe streets committees made up of community members with particular interests. Loss prevention, economic rationalities and ubiquitous surveillance help commodified agents of social control develop deep roots within the community and especially with those who govern and dictate public policy. As the relationship between the public and private sphere blurs, it has become increasingly difficult to differentiate between them. Although they will be taken up in greater detail throughout the thesis, in the remainder of the introduction, I offer key concepts that influence my analysis of commodified public policing in Toronto. However, each of these concepts will be developed further in chapter two when a theoretical framework for the thesis is offered.

⁵ Rigakos, G.S. The New Parapolice: Risk Markets and Commodified Social Control. Toronto: University of Toronto Press, 2002, at pg. 24 also see Marx, Karl "The Fetishism of the Commodity and Its Secret" [extract from Capital Vol.I] in Martyn J. Lee (ed.) *The Consumer Society Reader* Blackwell: Oxford, 2000, pp 10-18.

Review of Concepts:

The creation of the mall and mass privatization of public space since the 1970's was examined by Shearing and Stenning with specific reference to the growth of private security.⁶ They have argued that it is essential to ensure that individual liberties remain protected even in privately owned and operated public access spaces and have alluded to the danger of laws and regulations geared to the protection of property owners in these publicly accessible areas. They expertly draw close attention to the concept of land ownership, and the power dynamic resulting from attempts to enforce laws in privately owned public access space. However, they reduce the enforcement capacity to private policing organizations and do not account for a proliferating state role in regulating behaviour on private property. For example, after a private business has filled out the proper documentation, public police officers have the right to enforce the Trespass to Property Act on private property in the same manner as private police. Commodification of public policing agents, who remain active in enforcing laws in privately owned and operated communal spaces will be the main focus of the mass private property discussion in this thesis. Implications of "mass private property" for the DYBIA are discussed in Chapter two of this thesis.

Broken Windows: Historical developments in policing both in Continental and British contexts serve to provide important warnings for the provision of commodified public police services. With the rise of industrialization in the mid

⁶ Clifford D. Shearing; Phillip C. Stenning. (1981) "*Modern private Security: It's Growth and Implications*" in Crime and Justice, University of Chicago Press, at pg. 238

19th century, economic rationalities of crime prevention and policing were valorized once before by state theorists. Public policing is again extolled to change. New aggressive styles of policing, targeting populations disrupting public order, are contemporaneously rooted in a Broken Windows Policing Philosophy.⁷ ‘Broken Windows’ holds that the apprehension and detention of offenders who are guilty of lesser offences, will lead to the discovery that they are often guilty of other more serious offences.⁸ It is assumed that these people may carry illegal weapons or may be wanted for the violation of bail, parole or have outstanding warrants.⁹ ‘Zero tolerance’ philosophy was generated by a demand to address the issues contributing to the decay of urban infrastructure in the United States and it has been suggested as a significant contributor to the reduction of New York crime rates in 1995 in all categories of up to and over 40 percent. Indeed, homicides were down 56 percent.¹⁰ Rather than driving around in cruisers at high speeds (‘chasing the radio’), Broken Windows has police “walking the beat” and “going to and from duty stations on public transportation and while on the bus or subway car, enforcing rules about smoking, drinking, disorderly conduct and the like.”¹¹

The key is to identify neighborhoods at the tipping point – where the public order is deteriorating but not un-reclaimable, where streets are used frequently but by apprehensive people, where a

⁷ Wilson, J.Q., & Kelling, G.L. (1982). “*Broken Windows: The police and neighbourhood safety.*” Atlantic Monthly, March.

⁸ McLeod, Ross. (2002) Parapolice: A Revolution in the Business of Law Enforcement. Toronto: Boheme Press, at pg. 95

⁹ *ibid*, at pg. 95

¹⁰ Manning, P.K. (2001). “*Theorizing Policing: The drama and myth of crime control in the NYPD.*” *Theoretical Criminology*, 5(3), at pg. 325

¹¹ *supra* note 7 at pg. 38

window is likely to be broken at any time, and must quickly be fixed if all are not to be shattered.¹²

As a result of this philosophy, resident's organizations can hire off-duty police officers for patrol work in their buildings,¹³ and other non-profit organizations such as the DYBIA have begun hiring these same officers to fulfill a policing role that, until recently, has been performed by private security. Kelling, in one of his more recent works, argues that disorder in a community creates fearful citizens.¹⁴ He criticizes the creators of public policy for failing to acknowledge the important relationship between order maintenance and fear. Fear, of course, has been used as a motivating catalyst for a wide range of punitive policing and criminal justice reforms.¹⁵ It is therefore, empirically relevant for this thesis to gauge this level of fear, through a Merchant Security Satisfaction Survey of the Downtown Yonge Business Improvement Area.

Governmentality: In this examination, commodified public policing is identified as a trend toward an alliance of public policing institutions with privately administered sponsors resulting in their acquiescence or arguably even usurpation of the market and agenda of private security. Associations such as the DYBIA are an exemplar of governing organizations with many democratic practices (although, elsewhere, there has been discussion about undemocratic structures of

¹² *ibid*, at pg. 38

¹³ *ibid*, at pg. 38

¹⁴ Coles, C, and Kelling, G. Fixing Broken Windows : Restoring Order And Reducing Crime In Our Communities. Touchstone, N.Y. N.Y., 1996. at pg. 3

¹⁵ Cohen, S, Visions of social control. Polity Press, Oxford, 1985.

Business Improvement Districts).¹⁶ Business improvement districts will be discussed in more detail in chapter two.

In the view of ‘governmentality’ theorists inspired by the work of Michel Foucault¹⁷, government does not have its locus of power centred in the state, but is an “ensemble formed by the institutions, procedures, analyses and reflections, the calculations and tactics, that allow the exercise of this very specific albeit complex form of power.”¹⁸ Foucauldian theories surrounding the shift from top-down mechanisms of government to more decentralized approaches are useful in understanding the rise of the “New Parapolice”¹⁹ and the commodification of the public police. Governmentality emphasizes mentalities of rule and reveals how it is possible for governing/ordering institutions to exist outside the traditional legislative bodies.

Risk Management in the Risk Society: Policing, with risk management at its forefront, invariably changes the way police do their jobs. ‘Risk society’ is considered to be a relatively new phenomenon. Linked with the process and changes that take place within modernity, we might ask: What changes have occurred to produce these new risks? According to some scholars (Giddens, Beck), risks appear pandemic and uncontrollable. How have private and public institutions managed these risks? Having satisfied our basic needs, do we now

¹⁶ David J. Kennedy. (1996) “*Restraining the Power of Business Improvement Districts: The Case of the Grand Central Partnership*”, 15 Yale L. & Pol’y Rev. 294-299

¹⁷ Foucault, M. (1991). “*Governmentality*”. In G. Burchell & C. Gordon & P. Miller (Eds.), The Foucault Effect: Studies in Governmentality. Chicago: University of Chicago Press.

¹⁸ Miller, P & Rose, N. (1990). “*Governing economic life*”. *Economy and Society* 19(1): at pg. 2.

¹⁹ Rigakos, G.S. The New Parapolice: Risk Markets and Commodified Social Control. Toronto: University of Toronto Press, 2002

have enough time on our hands to take certain risks more seriously than before? What are the productive forces that foster and define the scope of the risks we must now learn how to confront? Society is attempting to come to terms with the social implications of risk management as a tool applied by governing institutions 'at a distance', to buffer individuals from the uncertainty and instability associated with capitalism and the demands of said institutions.²⁰ Pre-emption and preventative crime prevention are key considerations in attempts to strengthen the longevity of policing initiatives. For example, police may receive a call requiring them to respond to a poorly lit location to ensure that nobody is in danger. In the process of their vehicular patrol, these officers detain, arrest and charge several individuals for the public consumption of alcohol. What risk management seeks to do is prevent this original call from occurring. Whether it be as simple as lighting the alley, or increasing the frequency of patrols, opportunity for anti-social behaviour becomes increasingly addressed through new and innovative or simply more intensive risk-based policing strategies. Minimizing the risk posed to individuals, as well as systematically eliminating the probability of undesirable events are at the forefront of designing neo-liberal crime prevention strategies. A central organizing concept around policing, broadly defined, is risk and its management.

Neo-Liberal Crime Prevention: Demands from the merchants, corporations and other governing institutions to reduce instances of vandalism, graffiti, loitering,

²⁰ Lowi, T. (1990). "Risks and rights in the history of American governments". *Daedalus*, 119, at pg. 32

vagrancy and other public nuisance offences from communities have produced “innovative” ways of dealing with these behaviours. These methods are fueled by the need to valorize neo-liberal economic rationalities and address demands from businesses to prevent loss before the loss is sustained – which have been identified as key mentalities behind the rationalization of crime prevention initiatives.²¹ Neo-liberalism seeks to divert the state from directly and fiscally supporting social order. Instead, local non-state entities are called upon to pick up the slack both financially and legally. The state does an even better job by doing less, by ‘responsibilizing’ communities. As the state shrinks, its webs of surveillance broaden.

Under neo-liberal/‘advanced’ liberalism economic concerns (and thus loss prevention) are pre-eminent, part of which includes an emphasis on altering physical environments to reduce opportunities for crime by increasing lighting, moving paths, “target hardening”, and changing structures.²² Crime prevention in the context of promoting ways in which the individual can better govern him/herself is a key goal of governance in advanced liberal democracies. The analysis of crime prevention included in this thesis is designed to provide insight into how organizations govern individuals in large urban areas. Advocates for Crime Prevention Through Environmental Design (CPTED) suggest that people will always take the shortest route from A to B unless physical or psychological

²¹ O’Malley, Pat (1994) “*Neo-Liberal Crime Control. Political Agendas and the Future of Crime Prevention in Australia*”, in Duncan Chappell and Paul Wilson (eds) *The Australian Criminal Justice System. The Mid 1990s* (4th edition), pp. 283–98. Sydney: Butterworth.

²² Geason, Susan & Wilson, Paul R. (1989), “*Designing Out Crime: Crime Prevention Through Environmental Design*”, Australian Institute of Criminology, Canberra, at pg. 1

barriers prevent them from doing so.²³ Signaling the commodification of public policing services, the Toronto Police Service now provide expert knowledge about the ways in which communities can design-out crime. Strategies deployed by commodified policing service providers are also clearly neo-liberal techniques of governance. The proliferation of private security services (both publicly and privately funded) have been discussed in detail elsewhere.²⁴ Criminologists, with few exceptions²⁵ have generally underemphasized the shift toward the commodification of public police forces, concentrating on the proliferation of privatized policing and aggressive private security²⁶ such as the ‘New Parapolice’.²⁷ Both public and private commodified policing service providers, of course, cite *prevention*, as their main policing strategy.

²³ *ibid*, at pg. 1

²⁴ Rigakos, G.S. The New Parapolice: Risk Markets and Commodified Social Control. Toronto: University of Toronto Press, 2002, Shearing, C.D. & Stenning, P.C. (1983) *Private Security and Private Justice: The Challenge of the 80's*. Montreal: The Institute for Research on Public Policy. Shearing, C. D., & Stenning, P. C. (1983). *Private security: Implications for social control*. *Social Problems*, 30(5). Sanders, T. (2005) *Rise of the Rent-a-Cop: Private Security in Canada, 1991-2001*, *Canadian Journal of Criminology and Criminal Justice*, Jan. 2005, Ericson, R. and K. Haggerty. (1997), Policing the Risk Society. Toronto: University of Toronto Press. McLeod, Ross. (2002) Parapolice: A Revolution in the Business of Law Enforcement. Toronto: Boheme Press, Wilson, J.Q., & Kelling, G.L. (1982). *Broken Windows: The police and neighbourhood safety*. *Atlantic Monthly*, March,

²⁵ Kelling, George, A. Pate, D. Dieckman and C. Brown et al. (1974) *The Kansas City Preventative Patrol Experiment*. Washington, DC: Police Foundation. See also: Trojanowicz, R. and Banas, Dennis, (1985) *Perceptions of Safety: A Comparison of Foot Patrol Versus Motor Patrol Officers*, Grabosky, P.N. (1995) *Fear of Crime and Fear Reduction Strategies*

²⁶ Private security refers to, “the process whereby individuals and agencies (be they governments, corporations or proprietorships) make use of the age-old prerogative of self-help to protect their belongings and persons.” See: Shearing, C.D. & Stenning, P.C. (1983) Private Security and Private Justice: The Challenge of the 80's. Montreal: The Institute for Research on Public Policy, at pg. 3.

²⁷ *Supra* note 19, at pg. 10. Parapolicing denotes a specific type of aggressive policing activity focusing on controlling, deterring and the systematic prevention of criminal behaviour. The Broken Windows Philosophy of Policing and Crime Prevention Through Environmental Design (CPTED) philosophy of controlling crime are examples of approaches employed by the New Parapolice and related agencies such as the Downtown Yonge Business Improvement Area (DYBIA) respectively.

Given the conceptual lexicon I have laid out, *how does the commodification of public policing services in mass public property change the way police do their jobs?* More precisely, how will reporting formats change the way commodified public policing agents perform their duties in the DYBIA? To what extent will they resist the completion of these formats? How do public police feel about performing duties more frequently ascribed to private security? What types of surveillance methods will the public police deploy while on foot patrol within the DYBIA? How do merchants feel about police being required to visit businesses? How do police feel about Broken Windows? These questions and others provide the framework for measuring the merchant response to commodified public policing. This line of inquiry also assists in determining the type of information elicited and recorded while conducting interviews with the foot patrol officers and their police managers, as well as my observations of police interaction with members of the community.

Methods

Four data sources inform the analysis in this thesis: (i) a Merchant Security Satisfaction Survey (MSSS); (ii) interviews; (iii) a review of the Patrol Activity Sheet and other files; (iv) field observations. Findings generated first through the MSSS and second through ethnographic research supplemented by interviews revealed the most cogent data for describing developments in commodified public policing. The next section outlines my methodological approach. There was a low risk associated with the interviews, surveys and

ethnography on the part of all participants, in part because steps were taken to ensure that none of the information provided by police officers, merchants, or the Downtown Yonge Business Improvement Area was traceable to any one individual. There were four main components in my study of the DYBIA use of public police callback patrols. All components were completed in full and all evidence collected has been retained and documented. Digitally recorded interviews were transcribed, and written interviews were transposed via an electronic word processor and stored in a confidential database. All completed MSSS and Patrol Activity Sheets were analyzed and entered into an SPSS (Statistical Package for the Social Sciences) database coded by myself and the thesis supervisor.

Merchant Security Satisfaction Survey

The primary method deployed during the research was a representative survey of merchants in the foot patrol zone of the DYBIA, (see Appendix A)²⁸ at the 95 percent confidence interval plus or minus five percent. One-hundred and nine MSSS were completed with the total number of merchants calculated at 147 (see Appendix B).²⁹ The total number of merchants was originally estimated by the DYBIA to be 196. Field visits revealed that as a result of several business rental spaces becoming vacant, this original number was significantly inflated. Another reason accounting for the significant reduction in the total number of potential participants stemmed from the need to reduce the number of businesses

²⁸ Map highlighting the DYBIA foot patrol zone as it existed during the time of research

²⁹ The Merchant Security Satisfaction Survey (MSSS).

participating in certain densely concentrated retail allotments within the general survey area because allowing all merchants in such areas to fill out the MSSS would have created an over-representation and skewed the results. This occurred in the case of three large jewelry outlets who had approximately 16-20 vendors operating booths on the premises. One survey was given to the property manager of the outlets and he/she was instructed to complete the survey in consultation with other contracting merchants on the premises. Surveys were completed by either the property owner, merchant manager, or an appointed representative. The MSSS was designed to poll merchants and property owners on their perceptions of safety within the general vicinity of their business(es). A secondary objective of the survey was to canvas merchants on the effectiveness of the Toronto Police Service foot patrol program, along with opinions relating to budgetary allocations for security and desired policing methods. This survey helped generate feedback as to how merchants and business owners felt about having an increased police presence in their neighbourhood. A tertiary objective of the survey was to evaluate whether the goals for policing the DYBIA foot patrol area (as put forth by the administrators), match the crime concerns of the merchants. The MSSS was also useful in accumulating data on the overall levels of police visibility and the time of day when merchants and property owners perceive crime to be at its highest. General information was also collected on issues such as whether merchants were aware of the foot patrol initiative, the cost of the initiative, the availability of documentation allowing police officers to enforce the Trespass to Property Act without a complaint, and an open-ended section for merchants to

suggest steps that the community can take in order to make them and their customers feel safer. There were also situational questions, which allowed merchants to provide feedback in reference to behaviours that concerned them the most. The MSSS was distributed to 137 merchants on Yonge Street in between Richmond Street and Grosvenor and was both close-ended and open ended to allow for flexibility in responses. The survey, in many cases, was difficult to retrieve (as merchants were often quite busy). However, daily collection visits to the businesses were made over two weeks and a satisfactory confidence level was obtained.

The MSSS was administered in order to gauge several important issues concerning commodified public police service provision.³⁰ Survey questions were designed to poll merchants within the patrol area on their perception of crime. Some questions asked merchants to comment on police performance, while others attempted to discover whether or not merchants were even aware of the existence of the patrols. Relationships between police presence, lighting, CCTV, other crime prevention strategies and fear of crime was queried. Some results were surprising, while others were expected. Merchants were very cooperative throughout the data collection process and, in many cases, wished to be more involved in the direction and administration of DYBIA security. For this reason, the DYBIA maintains an active role as an advocate for business, security and safety in downtown Toronto.

³⁰ This data may also be used as a base-line for measuring the success of planned policing initiatives by the DYBIA.

On the whole, merchants were receptive to the MSSS and were enthusiastic to participate in the study. Care was taken to avoid delivering the survey to entry level employees which resulted in considerable time being spent waiting for managers or supervisors or returning to the business as needed. Two businesses refused to participate in the survey. The reason given for refusing to participate was the belief that nothing could help and that nothing works. Attempts were made to convince these potential participants that the survey would provide a basis upon which security in the area may be improved but their previous experiences had apparently resulted in their current apathy. Several merchants were unaware of the existence of a BIA, let alone a commodified public policing patrol. Indicating that this research was being completed with the full cooperation of the Toronto Police Service reassured several participants that their recommendations would not fall on deaf ears.

Interviews

The second method deployed during the research process was a set of interviews with various members of, what I have identified as, the commodified policing initiative in the DYBIA. Both formal and informal in nature, the interviews revealed some of the most important attitudes that affect security and policing priorities. Police managers and constables were interviewed in an attempt to uncover their views in reference to prevention, security and commodified policing strategies. Statements were recorded and all participation was voluntary. High-ranking officials from the DYBIA, property owners,

merchants, and supervising employees were also allowed to contribute to the interview process through informal comments made on the record. One on one interviews revealed some surprising attitudes. These attitudes may be helpful in guiding recommendations and conclusions that may arise from this thesis.

Structured interviews were conducted with three police managers (see Appendix C)³¹ and twenty police constables on patrol during the DYBIA callback. Informal interviews were conducted with DYBIA administrators and merchants during the survey distribution process. The interviews help foster a better understanding of the relationship between the Toronto Police Service and the DYBIA. The interview questions encompassed: How effective is foot patrol as a policing strategy? How has the Patrol Activity Sheet (PAS) affected the ways police perform their duties? How effective has the foot patrol been in relation to private security? What are the advantages or disadvantages of employing the Toronto Police Service to complete foot patrols when compared to private security officers? (See Appendix D)

The Toronto Police Service should be applauded for how cooperative they were throughout the entire interview process. Initially, police constables on patrol for the DYBIA were slightly apprehensive. However, after about day three the word spread, and I was provided with candid interviews and the opportunity to collect information rarely accessible absent a sustained research presence.³²

Thanks to the cooperation of senior police managers and the DYBIA coordinators, access was provided to a wide range of lower level officials, some

³¹ The Toronto Police Service Police Manager Interview Schedule

³² supra note 19, also see W. Westley (1970), *Violence and the Police*, Cambridge: MIT Press and J. Skolnick (1966), *Justice Without Trial*, New York: Wiley and Sons

of whom relayed the most valuable operational information for research purposes. Interviews were conducted during dinner, at coffee shops, at pubs, in parkettes, in hotels, in the police station, and at a variety of other locations at the convenience of foot patrol officers. Several formal interview questions were designed to gather information on police officer's perception of foot patrol as a policing strategy.³³ (see Appendix D) Information was collected on police reaction to the PAS as a reporting format and how they characterized the type of police work that they were engaged in as a result of this new report format. Other interview questions included: Do police officers think it is valuable to visit merchants? Does policing via reduction of disorder through arrest, investigation and the establishment of community contacts present itself as an effective policing strategy? How often do police engage in this type of police work on their normal shift-work when funded directly by the City of Toronto? The responses to these and other questions have provided data for analysis of some pressing and substantial concerns relating to the duty and obligations of policing service providers and their proliferating relationship with the private sector. Police manager interviews were conducted inside the Police Station and lasted anywhere from thirty minutes to one and a half hours in length.

The Patrol Activity Sheet (PAS) and Review of Institutional Files: The PAS is a reporting format designed by the DYBIA administration intended to inform paid duty patrol officers of their obligations on shift, while simultaneously serving the function of collecting information on their patrol activities. From 1600hrs-

³³ The Downtown Yonge BIA Foot Patrol Policing Interview Schedule

2200hrs, Wednesday to Sunday, officers are required to complete foot patrol of commercial and retail areas, concentrating on crime prevention and the reduction of disorderly behaviour through arrest, investigation and community contacts.

The PAS requires constables to collect information on all tickets or arrests made; it requires constables to visit at least three merchants on their tour of duty and the report must be completed in order for the police officer to get paid. The patrol teams are composed of two officers per shift and each officer must complete a PAS. There were a total of 159 forms collected from October 1st 2004 until July 3rd, 2005 and a set of frequencies and other statistical data were analyzed through the use of SPSS. The database was constructed to calculate averages and systematically gather police comments in relation to both the store visited, and general remarks while on duty.

Ethnography

Ethnography was chosen as a useful investigative tool to aid in research in the field. After being granted access to the DYBIA foot patrol officers, I was afforded the opportunity to observe the various policing methods deployed by officers while on patrol. Surveys and interviews are important, but some views may be reflective of the participants representations and could have been interpreted differently by another researcher. The opportunity to follow and observe police while on foot patrol provided for very interesting results. These experiences or 'ethnoclips' will be revealed and placed into theoretical context in chapter five of this thesis.

The ethnographical component of this project comprised ‘shadowing’ DYBIA foot patrol officers in the performance of their tour of duty. Foot patrol officers were accompanied for a period of approximately three weeks and observed for their strategies, whom they targeted, the ways in which they interacted with merchants, and the effect their presence had on the flow of commercial traffic. Officers were met at the Police Station at the beginning of each shift and were followed throughout their patrol within the boundaries of the BIA. For safety reasons, when police ‘engaged’ a subject, the researcher would observe the exchange from a safe location. If an arrest was made, the researcher would rendez-vous with officers back at the police station. Unless the police officers were specifically addressing me, I would walk approximately 5 metres behind them to ensure that their duties were affected as little as possible by my presence. Officers would volunteer commentary on a variety of issues and provided insight into policing psychology rarely recorded in policing texts or mainstream media interviews.³⁴ The advantage of observational research is that it allows for the detailed account of police activity in the field. Interviews and questionnaires are effective in capturing a reflective perspective, however, the observation of occurrences in ‘real-time’ and the added ability to ask for comment on exchanges while the interaction is fresh in the officer’s mind, increases the accuracy and cogency of information collected.

Merchant visits, on average, lasted approximately ten minutes and officers approached these visits differently. The way in which an officer conducted a merchant visit was relevant to my analysis of their role as agents of both the

³⁴ supra note 32

public and the DYBIA. Observations detailing police-merchant interaction during the foot patrol will be described in chapters four and five, providing insight into the priorities of these officers while under the direction of the DYBIA. When visiting a merchant, I would stand in a neutral location so as not to disrupt the interactions between police and merchants. Merchants would often recognize me as the researcher distributing the MSSS, and in some cases requested another survey realizing that the research was larger in scope than they had previously believed. In some cases, police would conduct visits not required by the PAS. All visits official or unofficial were recorded and documented. During this portion of the research, I accumulated sixty-four typed pages of notes (after transcription). I observed forty-one total merchant visits from the 1st of May 2005, until the 23rd of May 2005.

The Toronto Transit Commission (TTC) also helped facilitate portions of the observational research. An incident that occurred while on patrol required me to follow officers into the Toronto Subway system. Foot patrol officers left the DYBIA patrol area and visitation route to respond to an individual 'stuck under a subway train'. Access granted by the coroner, fire department, and ambulance crews provided me with the unique opportunity to observe the interaction between a variety of emergency crews in a rescue attempt. Although this event occurred during the foot patrol, it was not directly relevant to the research at hand. Nevertheless, I observed, first-hand, the dual role served by public police officers (while balancing their private 'for hire' duties with their overriding public responsibilities). If there were any doubts, the commodified public police were of

course able to temporarily suspend their regular callback policing duties to respond to a public emergency. Cooperation from the DYBIA administration, the Toronto Police Service, merchants, private security officers, TTC officials and a host of others who aided in facilitating this research was impressive and opened the door for future research on commodified public policing in the Toronto city core.

Obstacles and External Cooperation: An important obstacle that had to be overcome during the observational foot patrol research was answering questions by merchants regarding my involvement in the foot patrol. On occasion, merchants would wonder what my role was following and watching the movement of police. It would be explained that I was a researcher from Carleton University, conducting a Master's thesis on the effect of the foot patrol initiative. In other situations, when police were dealing with a subject in the field, from time to time they would take notice of my taking notes and observing the exchange. In order to minimize the effect of my presence, I would attempt to stand in an inconspicuous manner and/or location where interactions could still be recorded while not interfering with police-subject communications. In some circumstances, I was afforded the opportunity of observing the conduct of parapolice officers working in cooperation with the foot patrol. Observational research afforded the unique opportunity of allowing me to compare and contrast the activities of police and security during cooperative efforts. Similarities in

private and public policing priorities within the auspices of the DYBIA were striking, and will be touched upon in chapter five.

In light of the tragic events that occurred in the new year of 2006, I am cognizant that this thesis may aid in preventing such catastrophes. Prevention may be the key to unlocking new ways of making what many believe to be inevitable, improbable.

Chapter 2: Theorizing Commodified Public Policing

Attempts have been made to study, evaluate, record, compare and contrast law enforcement methods for hundreds of years. Parallels have been drawn between commodified public policing and historical approaches to the maintenance of order and security. This chapter will analyze the historical context of policing as a generic activity in both public and private realms. The historical analysis will cover some of the most primitive preventative practices such as the emergence of the ‘Bow Street Runners’ and the ‘Thames River Police’ in Britain. This historiography will also include the practices of the ‘Polizei’ of the 17th century. When examining preventative policing practices deployed by governing authorities throughout history, parallels to the commodified public policing studied in this thesis are evident.

Surveillance and Governmentality have become increasingly popular themes within crime prevention and the policing literature for the last decade. Michel Foucault and theorists such as Rigakos³⁵, Rose³⁶, Shearing and Stenning³⁷, Ericson and Haggerty³⁸, have looked at the ways in which governing authorities use surveillance to rule and order populations. Researchers have also examined the many ways institutions form and are in turn reformed to govern from a distance through the use of innovative technology. Governmentality and the

³⁵ supra note 19

³⁶ Rose, N (2000) “*Government and Control.*” British Journal of Criminology, 40:3, Oxford University Press.

³⁷ Shearing C D, Stenning P C, 1985, “*From the panopticon to Disney World: the development of discipline*”, in *Perspectives in Criminal Law*. Eds A Doob, E Greenspan (Canada Law Books, Toronto) pp 335 - 349

³⁸ Ericson, R. and K. Haggerty. (1997), *Policing the Risk Society*. Toronto: University of Toronto Press

notion of power not residing solely in the hands of the state has aided in the realization of new centers of control. Non-profit organizations such as the DYBIA are examples of these new centres that govern within specific geographical areas. Governmentality seeks to reveal modes of governance and allows research to acknowledge and examine the effects of local and state power. This thesis will attempt to relate the principles of Governmentality to the DYBIA foot patrol security apparatus.

Risk-based policing has become a popular tool of organizations' attempting to prevent negative behaviours before they occur. This chapter will discuss and expand upon Ericson and Haggerty's examination of "Policing the Risk Society."³⁹ The rise of Business Improvement Associations (BIAs) and the development of outdoor public access tracts of privatized public space, is a fascinating development as it relates to commodified public policing. Crime prevention through various methods such as Closed Circuit Television (CCTV), Broken Windows, Crime Prevention Through Environmental Design (CPTED) and a host of other neo-liberal techniques of preventing unwanted behaviours will be examined in the context of the commodification of public police services as an aid to understanding the securing of spaces designed as international urban sites of consumption.

Good Order and the History of Commodified Public Policing

What police regulate, or try to regulate, or purport to regulate, is everything which.... goes

³⁹ *ibid*

unregulated....the science of police is all about: a great labour of formation of the social body, or rather a labour whose principal result is what today we call society or the social body and what the eighteenth century called the good order of a population.⁴⁰

This assertion by Pasquale Pasquino, alludes to the integral role played by the forces of social control in the formation of the very body it attempts to regulate. The redefinition of the term community can be linked with the concept of “Polizei”, which, in the 17th century did not concern itself with individuals per se, but with the establishment of right and peace in areas of the common good in the form of governmental rule.⁴¹ Engagement with the concept of “Polizei” is helpful in understanding the goal of commodified public policing. “Polizei comprehends a law whose object is the establishment and/or maintenance of good order in the community”...and “freemen shall comply with this order or any other burger lichen policey.”⁴² It is the re-establishment of order in the community, and more notably the discouragement of disorder, that are still largely relevant when observing contemporary public policing. Unlike the 17th century, however, response and detection play a more significant role in order maintenance, and prevention becomes an ancillary objective.

The protection of the general welfare (or re-establishment of order in the community) is, on the other hand, a priority for modern public police forces that choose to sell their services. The focus of this ‘commodified’ public policing for hire, is on eliminating the occurrence of general welfare offences threatening

⁴⁰ Pasquino, Pasquale (1991), “*Theatrum politicum: The genealogy of capital – police and the state of prosperity*”. In in Graham Burchell, Colin Gordon and Peter Miller (eds.), at pg. 169.

⁴¹ *ibid*, at pg. 172

⁴² *ibid*, at pg. 176

community institutions and, in particular, specific order maintenance problems put forth by the client. Policing service providers are taking a more active role in preventing and eliminating general welfare offences than even security guards. Will the proliferation of commodified public policing signify the creation of a policing culture progressively erasing divisions between police and state? This question may eventually be answered by observing the checks and balances implemented by the state for the regulation of paid duty, callback, or commodified public policing. It will be interesting to observe whether or not municipal and provincial governments develop clear distinctions between acceptable and unacceptable police contracting of their services lest they become subordinated by private or community authorities of the 'general internal administration' (i.e. *Polizei*). It is this increased likelihood of subordination to governing bodies such as the DYBIA that makes the current evolution of police work most intriguing. As shown in Figure 2.1, public police are streamlining the process by which businesses and other private organizations may allow them to become "agents of private property" and thus partake in certain aspects of their general internal administration.⁴³ In the case of the DYBIA, one senior police manager indicated that the need for close cooperation between the police and the DYBIA is inherent in the constitution of the Association (Interview PM1). This assertion reveals how important it is in the mind of police for local governing authorities to cooperate closely with them. As the state allows organizations such as the DYBIA to wield significant political and representative power over any given urban tract, public-private partnerships must inevitably follow. The degree

⁴³ Refer to Figure 2.1 – Trespass to Property Act Authorization Form

Figure 2.1

TPS 653, 2000/03



Authorization Pursuant to the Trespass to Property Act RSO 1990, c. T.21

Julian Fantino, Chief of Police
Toronto Police Service
40 College Street
Toronto, Ontario, M5G 2J3

Date: _____
(YYYYMMDD)

Attention: Superintendent P. Gottschalk, 52 Division
Name of Unit Commander and Division
255 Dundas St West, Toronto, ON, M5T 2W5
Address

Dear Sir/Madam:

This letter hereby authorizes all officers of the Toronto Police Service to enter the properties of

List Official Company Name(s) or Property Owners' Name

located at _____
Provide Full Address of Each Property Located in the Above Noted Division

to act as an agent for the purpose of enforcing the provisions of the *Trespass to Property Act RSO 1990, c. T.21*, and in particular, section 2(1)(b), which gives the occupier the authority to extend authorization for persons other than the occupier to direct persons to leave a premises.

This authorization commences on _____ and shall remain enforceable until revoked.
(YYYYMMDD)

Should it be necessary for a member of our staff to attend court in any judicial proceeding relative to this authorization, please contact _____
Name, Telephone No. and Address of Company Official/Authorized Person

I understand that this authorization may be revoked at any time upon written notice sent by Registered Mail, to the above noted Division.

I further agree that if I am no longer the owner or occupier of the said premises, that I will notify the above noted Division immediately, in writing and by Registered Mail.

Authorized Person: _____
PRINT Name Telephone No. Signature
Owner: _____
PRINT Name Telephone No. Mailing Address

06/29/2004 06:36 51 DIVISION + 94163970233

NO. 775



Authorization Pursuant to the Trespass to Property Act RSO 1990, c. T.21

Julian Fantino, Chief of Police
Toronto Police Service
40 College Street
Toronto, Ontario, M5G 2J3

Date: _____
(YYYYMMDD)

Attention: Superintendent Randal Munro, 51 Division
Name of Unit Commander and Division
51 Parliament St., Toronto, Ontario, M5A 2Y6 (416 808-5100)
Address

Dear Sir/Madam:

This letter hereby authorizes all officers of the Toronto Police Service to enter the properties of

List Official Company Name(s) or Property Owners' Name

located at _____
Provide Full Address of Each Property Located in the Above Noted Division

to act as an agent for the purpose of enforcing the provisions of the *Trespass to Property Act RSO 1990, c. T.21*, and in particular, section 2(1)(b), which gives the occupier the authority to extend authorization for persons other than the occupier to direct persons to leave a premises.

This authorization commences on _____ and shall remain enforceable until revoked.
(YYYYMMDD)

Should it be necessary for a member of our staff to attend court in any judicial proceeding relative to this authorization, please contact _____
Name, Telephone No. and Address of Company Official/Authorized Person

I understand that this authorization may be revoked at any time upon written notice sent by Registered Mail, to the above noted Division.

I further agree that if I am no longer the owner or occupier of the said premises, that I will notify the above noted Division immediately, in writing and by Registered Mail.

Authorized Person: _____
PRINT Name Telephone No. Signature
Owner: _____
PRINT Name Telephone No. Mailing Address

to which police allow themselves to be directed by these organizations, will dictate whether or not any substantive differentiation between public and private policing remains possible.

Post-feudal policing and ordering of the European Continent differs markedly from the early British models of policing. One goal of early British policing models, “was to make a territory and its inhabitants transparent to knowledge, that is, known and documented.”⁴⁴ With the urban sprawl and uneven development in the 19th century during the end of feudalism, there had to be a way for society to monitor the performance and behaviour of wage labourers. The mechanisms by which this knowledge was obtained had to be, “absorbed into a set of state techniques”⁴⁵ and arguably these techniques had to be justified by the submission of citizens in the form of “collective, local, informal and voluntaristic reactions to disorder and law breaking.”⁴⁶ This required the dissolution of community watch and the creation of surveillance and coercion regulated by the state. Coercion in its most effective form was not developed initially by the state, “but within communities and local corporations small enough to make surveillance reciprocal, ubiquitous and comprehensive.”⁴⁷ The covert nature of self-regulation was only effective up to the point where communities existed as ‘safety-self’. As a result of urban sprawl, the influx of ‘sturdy vagabonds’, and the visible signs of pre-modern organized crime, the limitations of communal pastoral police practices became evident. The poor

⁴⁴ McMullan, J.L. (1998). “*Social surveillance and the rise of the ‘police machine’*”. *Theoretical Criminology* 2(1), at pg. 94

⁴⁵ *ibid*, at pg. 94

⁴⁶ *ibid*, at pg. 95

⁴⁷ *ibid*, at pg. 96

were viewed as menacing, undisciplined and “willfully sucked the sweat from the true labourer’s brow.”⁴⁸ Despite the fact that “labourers” were poor as well, the ‘poorer’ became framed as the problem. Hence, populations submitted to a redeployment of social power that magnified the role of the state in controlling this outsider population.⁴⁹ New technologies of power made these “poorest” more noticeable, only to be marked, separated and regimented.⁵⁰ Increases in deputization exhibited that communities yearned for more “hands off” methods of dealing with civil disobedience and the poorest. Demands for new innovative methods of policing, such as, the creation of informants and covert facilitation resulted in a majority “repositioned into the permanently watched, without a right or an ability to change places with their surveillers.”⁵¹ These same methods of surveillance proliferate under a system requiring cost-benefit analyses for knowledge and information gathering procedures.

Patrick Colquhoun set the stage for a watchful police who kept “constant vigilance and attention.”⁵² This philosophy is reminiscent of *Polizei* and the requirement for police to maintain order and prevent criminal behaviour. Initiatives taken by police at this time required them to problematize the poor and prevent the loss of capital. Colquhoun created a basis for modern methods of surveillance (with an inadvertent goal), the implementation of “an administrative infrastructure to provide security for the operation of capitalist social relations.”⁵³

⁴⁸ *ibid*, at pg. 97

⁴⁹ *ibid*, at pg. 98

⁵⁰ *ibid*, at pg. 98

⁵¹ *ibid*, at pg. 101

⁵² *ibid*, at pg. 105

⁵³ *ibid*, at pg. 107

With the contemporary proliferation of neo-liberal philosophy, it will be interesting to observe how police forces will respond to demand for increased commodification of their services. Private security has certainly proven to be client oriented - after all, the client pays the bill. How will commodified policing evolve to ensure that checks and balances to safeguard against the problematization of the poor does not result in profiling and oppressive police practices at the behest of private interests?

Organizations most closely resembling the structure of 21st century commodified police service providers were probably the Bow Street Runners and the Thames River Police. In 1750, Henry Fielding established the Bow Street Runners - composed of former criminals tasked with tracking down offenders and recovering stolen goods.⁵⁴ Although these so called private investigators often impressed the public with their ability to apprehend criminals, their services were expensive and exceeded the means of the average citizen.⁵⁵ After the success of the Runners and the increasing threat of syndicates organized on the River Thames,⁵⁶ in 1798, the Thames River Police was created to take action against criminals operating on the river. Combinations of armed patrols were assembled to cruise the river and supervise the movement of ships' cargoes. The result was entirely successful: Crime no longer became possible or profitable on the Thames.

⁵⁴ Smith, R. (1985). "*Policing Victorian London*". Weston & Wells, *Criminal investigation: basic perspectives* 5 (2d ed. 1974). In B. L. Ingram & T. P. Mauriello (Eds.). Police investigations handbook. (Chap. 5, p. 6). NY: Mathew Bender at pg. 242

⁵⁵ *ibid* at pg. 242. The Downtown Yonge Business Improvement Area pays the Toronto Police Service \$55 per hour plus a 15% administration fee. In exchange, the Toronto Police Service provides the opportunity for officers to work for remuneration on Yonge Street running south from Grosvenor to Richmond.

⁵⁶ Critchley, T.A. (1967). A History of Police in England and Wales. London: Constable. In the last few years of that century, it was estimated that about 10,000 people "working" on the river were part of an organized syndicate involved in robbery, piracy, prostitution and theft.

Direct action worked largely because the task was to drive criminals out of a specific area (the Thames), which, although a large one, was relatively easy to both patrol and oversee.⁵⁷

I have not attempted to suggest that the commodification of policing services leads inevitably to a police state, nor have I questioned the legitimacy or importance of public-private partnerships. It is important, however, for the reader to understand the link between contemporary forms of service provision – both public and private – and their antecedent manifestation in 18th century London. Public and private forms continue to overlap in territorial and legislative contexts.

Governmentality and Surveillance

A holistic appreciation of the scope of government power must not only include all forms of state power, but state power itself must also be recognized as constituting merely one of many forms of government. Security companies are more often than not, hired by private governing organizations such as an apartment building management corporation or a community housing complex. Likewise, these same security companies may also be employed by state agencies to carry out community crime prevention.⁵⁸ Hence, power does not reside exclusively in any particular dominant class or form of government. Foucault, in his essay on Governmentality explores the concept of the ruler and the ruled. One of his central conceptualizations is that government does not only manage

⁵⁷ Walsh, Dermot. “*The Obsolescence of Crime Forms*”, in *Crime Prevention Studies*, Volume 2 Edited by Ronald V. Clarke. Criminal Justice Press, Monsey, New York, U.S.A. 1994. at pg. 151.

⁵⁸ Shearing, C. D., & Stenning, P. C. (1983). “*Private security: Implications for social control*”. *Social Problems*, 30(5), at pg. 497

territory but also regulates the relations and the ordering of populations.⁵⁹ These relations are not relative exclusively to concepts of power and hierarchy but have as an overarching theme, the manipulation of the economy and the integral role economy plays in the correct management of individuals⁶⁰.

The DYBIA, of course, has a vested interest in maintaining order within its territory. To establish and maintain this order, the DYBIA engages in projects that require the physical and environmental restructuring of the area. Benches, payphones, overhangs, and other physical structures that disrupt the human flow of traffic have been minimized.⁶¹ Similarly, parkettes have been re-designed to enhance visibility thereby allowing private and public policing agents working within the area to more easily spot problematic behaviour. A survey participant outlined the disruption payphones have caused for his business (as a result of alleged organized crime)⁶² and had been lobbying the DYBIA to remove them. One constable explained how the trees in College Park have been cut down and trimmed to allow for better surveillance. (Respondent C22) These are only a few of the measures taken by governing organizations such as the DYBIA who seek to maintain order and prevent criminal behaviour. The most effective governing tool deployed by the DYBIA is considered by them to be the foot patrol. The partnership with the Toronto Police Service has strengthened the DYBIA's ability

⁵⁹ supra note 17 at pg. 100.

⁶⁰ ibid at pg. 92

⁶¹ This information was provided by an MSSS participant who was sitting on the board of directors of the DYBIA

⁶² According to this merchant, organized crime syndicates had operated and poorly maintained payphones allowing them to become de-faced and in some cases de-funct. According to him they represent an eyesore and have facilitated incoming and outgoing calls for the purpose of trafficking narcotics.

to govern and has ensured that the DYBIA contributes to maintaining direction over police patrols and the identification of problematic behaviour.

Risk Management and Communication

There is a duality involved within the bodies that police populations. On the one hand there exist responses to individual demands for policing services, such as preventative policing patrols, and the systematization and classification systems associated with 'crime fighting'. On the other hand policing organizations (both private and public) must also satisfy institutional demands for gathering and developing knowledge about risk. Understanding the significance of the police role as data collectors is integral to a full appreciation of the ways in which police can be understood as risk communicators.⁶³ Trends suggesting that police officers are becoming increasingly engaged in systematic data collection are important and are suggestive of significant changes in the ways in which policing service providers do their jobs.⁶⁴

"The modern institutional response to risk relies heavily on the production of knowledge about dangerous populations."⁶⁵ Furthermore, "actuarial practices come to define both internal and external risk categorizations for both organizational staff and the populations being policed."⁶⁶ First, it is important to explore the idea of actuarial justice and its role in the creation of systems designed to manage populations. Increased instances of incapacitation, preventative

⁶³ supra note 38 at pg. 19-20

⁶⁴ supra note 19, at pg. 18 and supra note 38, at pg. 36

⁶⁵ ibid, at pg. 24

⁶⁶ ibid, at pg. 24

detention and profiling have been identified as consequences of actuarial justice. Actuarial justice attempts to significantly reduce the aggregate effects of crime by categorizing, managing and warehousing individuals, ostensibly trumping former crime control initiatives that sought to rehabilitate or punish.⁶⁷ Actuarial justice is premised by the effective systematization and processing of certain correlates of criminal behaviour, that one may be able to produce risk predictors pointing to an increased likelihood of criminal behaviour. This resonates with both Crime Prevention Through Environmental Design (CPTED) and Broken Windows. CPTED attempts to alter physical environments to prevent crime. Similarly, Broken Windows requires officers to engage in a risk-based policing model designed to target certain groups of individuals on the basis of a general probability calculation. For example, drug dealers, gangs, vagrants, loiterers and graffiti artists become targets of police officers by identifying these specific populations as dangerous or undesirable because they are known to detract from the consumption aesthetics of the DYBIA and because Broken Windows argues these lesser offences will lead to the commission of more grievous crimes⁶⁸. Guided by merchant and consumer perceptions of fear, commodified public police are directed to increase their patrols in various areas that are considered

⁶⁷ Feeley, M., & Simon, J. (1994) in D. Nelken (Ed.), *The Futures of Criminology*. Thousand Oaks: Sage, at pg. 173

⁶⁸ The Downtown Yonge Safe Streets Committee, "*The Downtown Yonge B.I.A. Safety Assessment Report 2004 and The Downtown Yonge B.I.A. Safety Assessment Report 2005*". www.downtownyonge.com. Published 2004 & 2005 respectively. See DYBIA Safety Assessment Report and compare locations for selected behaviours. These behaviours are deemed likely to occur in these areas based on qualitative assessment. The reason why these locations are chosen has to do with repeated merchant complaints and through data gathered on 'walk-about' of the area. These 'walk-about' are conducted by the DYBIA administration in cooperation with the Toronto Police and members of the DYBIA. The locations selected do not necessarily reflect official crime statistics, nor do some of the behaviours selected even constitute criminal offences under the Criminal Code of Canada.

'high risk'. The police attempt to manipulate perception and ultimately reduce the risk of harm in these areas. Studies such as the Newark Foot Patrol Experiment found that police foot patrols have a significant impact on the fear of crime in any given area.⁶⁹ Within the DYBIA, it was also important to note the effects of police foot patrol on the perception of fear and crime. This experiment required governing institutions to re-think foot patrol as a viable policing strategy in attempts to manipulate public perception of fear. Effects and perceptions of foot patrol as a viable policing strategy will be elaborated in chapter five.

The Commodification of Risk-Based Policing

The circulation of capital is instrumental for sustaining the current mode of production. It is therefore useful to examine how security providers must also commodify their services in order to at least symbolically produce surplus value. As previously mentioned, policing officials dramatically change the way in which they provide services to the public as a result of the tendency to commodify their services.⁷⁰ The client now requires reports to help direct patrols, and documentation in order to be satisfied that the police are completing their assigned tasks. Policies requiring that police officers complete accountability checks such as statistical forms and occurrence reports are necessary in order to minimize liability for the institution, record information for insurance purposes and most relevant here, to legitimize their functions within the community.

⁶⁹ Kelling, et.al. (1981) "*The Newark Foot Patrol Experiment*". See www.policefoundation.org/docs/newark.html.

⁷⁰ Ian Loader (1999), "*Consumer Culture and the Commodification of Policing and Security*," *Sociology* (3)3. 373-392.

Although policing agencies may be providing adequate coverage and assistance, without the production of some tangible product, clients may become skeptical about the effectiveness of policing initiatives.

As governing bodies have increased demand for various institutions to produce knowledge about risk to ensure accountability, changes can be noted in the ways police document occurrences. Open-ended reporting formats and closed-ended 'questionnaire-like' documents are examples of different reporting formats.⁷¹ The DYBIA has selected a semi-structured, open-ended document for the commodified foot patrols to complete. As will become apparent in this thesis, these new reporting formats are likely to change the way in which Toronto police officers secure the population within the DYBIA. These reports represent a marked change from stringent closed-ended risk-based formats employed by the police while on regular shifts for the City of Toronto (See chapters four and five). Police administrators have worked diligently to restrict the narrative capacity of police officers.⁷² Figure 2.2⁷³ (borrowed from Ericson and Haggerty) exemplifies the evolution of reporting formats from a narrative with an open ended style, to a closed option risk-based format allowing officers little room for narrative or interpretation.⁷⁴ The structure of the Patrol Activity Sheet (PAS)⁷⁵ for the DYBIA foot patrol as shown in Figure 2.3 provides far more latitude compared to the police occurrence report (compare figures 2.2 and 2.3) for officer narration. The disadvantage of open ended formats is that officers may be likely to forget

⁷¹ *supra* note 38, at pages 370-371.

⁷² *ibid*, at pg. 370.

⁷³ Figure 2.2 – Evolution of Reporting Formats, see *ibid*, at pages 372-374

⁷⁴ *supra* note 38, at pages 372-374.

⁷⁵ Figure 2.3 – Patrol Activity Sheet (PAS)

Figure 2.2

Occurrence Report

Case No. _____

1 Committed
 2 Attempted
 3 Conspiracy

How Received	<input type="checkbox"/> R Radio <input type="checkbox"/> S Station <input type="checkbox"/> V On View	Date & Time Reported to Invest.	Date & Time Report Submitted by Invest.
Type of Offense	Damage Value	For Data Entry Use Only	
Place of Occurrence	Zone	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 10	
Victim(s)	LEGAL NAME		
Business Address	Phone	Postal Code	WEAPONS USED IN ATTACK
Home Address	Phone	Postal Code	
Description of Victim	Sex	Age or Date of Birth	Race: W/C Occupation Marital Status Drunk Injured Sober
Reported by	Address	Phone	
Type of Premise or Location	Exact Location at Premise	How Attacked	
Means of Attack (No/Weapon)	Object of Attack	Trademark/Type of Drug	
<input type="checkbox"/> C Crime Vehicle <input type="checkbox"/> S Stolen Vehicle <input type="checkbox"/> L Lost (for license plates and vehicle tags)			
Type	<input type="checkbox"/> 01 Auto <input type="checkbox"/> 02 Bus <input type="checkbox"/> 03 Truck <input type="checkbox"/> 04 Motorcycle <input type="checkbox"/> 05 Snowmobile <input type="checkbox"/> 06 Aircraft <input type="checkbox"/> 07 Watercraft <input type="checkbox"/> 08 Motorized Recreation <input type="checkbox"/> 09 Trailer Recreation <input type="checkbox"/> 10 Trailer Utility <input type="checkbox"/> 11 Other <input type="checkbox"/> 12 Lic. Plate <input type="checkbox"/> 13 Val. tag <input type="checkbox"/> 14 Motor <input type="checkbox"/> 15 Transmission <input type="checkbox"/> 16 Vn. plate		
Year	Make	Model	Style
Color	License #	Source	Lic. Year
Value	Distinguishing Interior Features		
Interior	Exterior		
Insurance Co.	Policy #		
<input type="checkbox"/> C Charged <input type="checkbox"/> S Suspected <input type="checkbox"/> M Missing <input type="checkbox"/> C Charged <input type="checkbox"/> S Suspected <input type="checkbox"/> M Missing <input type="checkbox"/> C Charged <input type="checkbox"/> S Suspected <input type="checkbox"/> M Missing			
Name # 1	Name # 2	Name # 3	
Address	Address	Address	
Postal Code	Phone	Postal Code	Phone
Sex	DOB	Ht.	Wt.
Race W/C	Sex	DOB	Ht.
Wt.	Sex	DOB	Ht.
Race W/C	Sex	DOB	Ht.
Eye	Hair	Occupation	Eye
Hair	Occupation	Eye	Hair
Occupation	Eye	Hair	Occupation
Marks, Physical Peculiarities, Clothing			
Marks, Physical Peculiarities, Clothing			
Marks, Physical Peculiarities, Clothing			
Alias or Nickname			
Alias or Nickname			
Alias or Nickname			
Photo #	F.P.S. #	Photo #	F.P.S. #
Photo #	F.P.S. #	Photo #	F.P.S. #
Photo #	F.P.S. #	Photo #	F.P.S. #
Charges	Charges	Charges	Charges
Relation to Victim	Fingerprint Date	Relation to Victim	Fingerprint Date
Relation to Victim	Fingerprint Date	Relation to Victim	Fingerprint Date
Relation to Victim	Fingerprint Date	Relation to Victim	Fingerprint Date
App. Notice #	Appearance Date	App. Notice #	Appearance Date
App. Notice #	Appearance Date	App. Notice #	Appearance Date
App. Notice #	Appearance Date	App. Notice #	Appearance Date
Warrant Applied For <input type="checkbox"/> Summons <input type="checkbox"/> Arrested <input type="checkbox"/> Warrant Applied For <input type="checkbox"/> Summons <input type="checkbox"/> Arrested <input type="checkbox"/> Warrant Applied For <input type="checkbox"/> Summons <input type="checkbox"/> Arrested <input type="checkbox"/>			
Report by	Reg. No.	Accompanied by Reg. No.	Zone
IDENT. SECTION	Reg. No.		
Case	<input type="checkbox"/> U Unfounded <input type="checkbox"/> C Cleared by Charge <input type="checkbox"/> O Cleared Otherwise		
Declared	<input type="checkbox"/> I Inactive <input type="checkbox"/> A Investigation Continuing <input type="checkbox"/> C.P.I.C.		
DO YOU WISH TO SERVE THE CIVILIAN SUBPOENAS: <input type="checkbox"/>			
Victim Services Card Issued <input type="checkbox"/>	Assigned to Zone	No approval unless all facts embodied. Approving Officer will be held Responsible.	

OFFENCE REPORT

CASE NO. _____

1. OFFENCE		2. DIVISION		3. DATE AND TIME OF THIS REPORT	
4. PLACE OF OCCURRENCE				PATROL AREA	
5. TIME OF OCCURRENCE				RELIEF	
6. VICTIM (IF FIRM, NAME AND TYPE OF BUSINESS)		7. HOME ADDRESS		8. HOME PHONE	
9. BUSINESS ADDRESS				10. BUS. PHONE	
11. DESCRIPTION OF VICTIM		OCCUPATION		MARITAL STATUS	
12. REPORTED BY (NAME AND RELATIONSHIP TO VICTIM)				PHONE	
13. TYPE OF PREMISES (PREMISES USED FOR)			14. HOW ATTACKED (HOW COMMITTED—ENTRANCE GAINED)		
15. MEANS OF ATTACK (WEAPONS—TOOLS USED)			16. OBJECT OF ATTACK (MOTIVE—TYPE OF PROPERTY STOLEN)		
17. SAFE ATTACKED		EXPLOSIVES		TORCH	
YES <input type="checkbox"/> NO <input type="checkbox"/>		PUNCH		PEEL	
WORKED COMB		CARRIED AWAY		OTHER (DESCRIBE)	
18. TRADE MARKS					
19. DESC. OF VEHICLE USED		YEAR		MAKE	
MODEL		COLOR		LICENSE UNUSUAL FEATURES	
20. DETAILS AND WITNESSES:					
21. REPORT BY		22. ACCOMPANIED BY		23. C.I.B. PERSONNEL IN ATTENDANCE	
24. HOW RECEIVED		RADIO		STATION	
DATE AND TIME REPORTED		CITIZEN		ON VIEW	
APPROVED BY		DECLARED		UNFOUNDED	
SIGNATURE		CLRD BY ARREST		CLRD OTHERWISE	
INVESTGN. CONT.		CANCELLED		IN-ACTIVE NOT CLRD	
TYPED BY		BULLETIN NO.		CANCELLED	
		CIRCULAR NO.		CANCELLED	
		TABULATED			

Figure 2.3

DOWNTOWN YONGE B.I.A. PATROL ACTIVITY SHEET	
PAID DUTIES	
Officer: <u>DAVE CORREA</u> Badge: <u>664</u>	Day of Week <u>Thursday</u> Date <u>NOVEMBER 4, 2004</u>
Enforcement Statistics:	Location: Both sides of Yonge Street between Grosvenor/Alexander in the north and Richmond Street in the south.
208's: <u>2</u> POT's: <u>2</u>	Time: 1600 - 2200 HOURS
By-law Charges: <u>0</u> LLA Charges: <u>1</u>	Type: Foot patrol of commercial and retail areas, concentrating on crime prevention and disorderly reduction through arrest, investigation and community contacts.
Safe Street Act Charges: <u>1</u> TOTAL TICKETS <u>4</u>	Problem Description:
Trespass to Property Notices: <u>0</u>	<ul style="list-style-type: none"> • Drug activity on streets. • Panhandlers. • Disorderlies
No. Of Arrests: <u>0</u> No. of charges: <u>0</u>	Desired Outcome:
Businesses visited: (name and address) MUST VISIT THESE THREE BUSINESSES DURING TOUR OF DUTY.	<ul style="list-style-type: none"> • Reduce crime and disorderly conduct
1. STARBUCKS COFFEE 226 YONGE ST CONTACT: JESSIE BYERS ALL OK, CONCERNED RE NEW YEARS 1750 <u>GEFF VALENZUELA</u>	Long Term Goals:
2. ADEN CAMERA 348 YONGE CONTACT: BILL CHEUNG Very happy to service. 25 years on Yonge St. 1815 hrs 2000 hrs } 2 VISITS	<ul style="list-style-type: none"> • Establish working partnerships with business owners • Make it unattractive to drug user/dealers. • Reduce Panhandling. • Increase business, tourism and recreational opportunities. • Improve perception of safety
3. ALDO SHOES 332 YONGE ST CONTACT: GEORGE LEMVASSIS <u>OLGA FALENKO 1810 hrs</u>	Short Term Goals:
4. TELETIME 367 YONGE ST. <u>ALAN YOUNG</u> T.V. AUDIO so far, so good. Appreciates 1830 hrs police presence.	<ul style="list-style-type: none"> • Establish communication with business owners • High uniform presence to deter crime and disorderly conduct. • Improve traffic flow
5. DELTA CHELSEA <u>KIRBY CAMPBELL 1930 hrs</u> NOT HAPPY WITH ONGOING THEFT FROM AUTO PROBLEMS	Officer Signature: <u>DAVE CORREA</u>
Comments: (Business input or feedback, officer remarks. Use back if more space required) <u>WET AND RAINY WEATHER REDUCED NORMAL "DISORDERLY PROBLEMS". BUSINESS OWNERS VERY COMMUNICATIVE WITH OFFICERS.</u>	Booking Sergeant Signature: <u>[Signature]</u>
<ul style="list-style-type: none"> • Must be completed by EACH OFFICER ON THIS PAID DUTY. • IN ORDER TO BE PAID THIS SHEET MUST BE COMPLETED. • Original must be forwarded to John BILLS Paid Duty Co-ordinator 	

6. A.D.V. 375 YONGE ST. JASON HORVATH
 IMPRESSED WITH POLICE PRESENCE DURING DAY, COULD BE BETTER IN THE EVENING. OVERALL HAPPY, ~~OVERALL~~ OVERALL HAPPY.

7. 362 YONGE ST. PAULA PEREIRA
 SWISS CHALET.
 OVERALL VERY HAPPY WITH POLICE. WOULD LIKE TO SEE RESPONSE TIME TO "VAGRANT" CALLS RE A BIT QUICKER

information and more importantly, may prevent officers from being “brief, concise and to the point.”⁷⁶ Moreover, in the case of public police at trial, it allows greater room for defense counsel to contradict the veracity of police testimony – a litigation risk. As explained later in chapter five, the use of a ‘208 investigative card’ on the other hand leaves little room for police narrative, and is designed to document the details of police encounters. This closed ended risk management tool – a data collection device – collects specific information on Toronto police contacts with the public.

Ericson and Haggerty have suggested that increasing demand for risk management has signaled a shift in the methods of institutions to control harms.⁷⁷ Risk refers to danger or harm and the probabilistic calculations used to control such occurrences or their consequences. According to Nicolas Rose, Oscar Newman⁷⁸, and others, ‘risk based models’ of crime control such as, CPTED⁷⁹ attempt to reconfigure space in the name of security and create “‘contractual’ communities that assume – or are forced to assume – responsibility for their own

⁷⁶ supra note 38, at pg. 375.

⁷⁷ ibid, at pg. 25.

⁷⁸ Newman, Oscar. (1972) “*Defensible Spaces: Crime Prevention Through Urban Design*”. National Institute of Justice. New York.

⁷⁹ Crime prevention through environmental design found at <http://www.cpted-watch.com/> will be briefly examined as an order maintenance trend of the future and has been identified as one of the main crime reduction strategies of the DYBIA. The Ottawa Crime Free Multi-Housing Program administered by the Ottawa Police Service in cooperation with Landlord and Tenants Employs CPTED as a “proven approach in private and public housing”. The tenant meetings are similar to the prototype of the Trespass Interdiction Program created by Intelligarde (a private policing organization). Also see O’Malley, P. *Risk, Uncertainty and Government*. Cavendish Publishing: Oregon, 2004 for writings on situational crime control. Also see Geason, S. *Preventing Graffiti and Vandalism* (1989), Homel, R. et. al *Risk and Resilience: Crime and Violence Prevention in Aboriginal Communities* (1999), O’Malley, P *Risk, power and crime prevention* (1992), O’Malley, P *Legal Networks and Domestic Security* (1991), Clarke, Ronald and Wesburd, David *Diffusion of Crime Control Benefits: Observations on the Reverse of Displacement*, (1994), Visher, Christy and Wesburd, David *Identifying what works: Recent trends in crime prevention strategies*.

risk management.”⁸⁰ The risks associated with CPTED, for example, are derived from risk analyses of events occurring in the absence of intervention to the landscape. As previously mentioned, the DYBIA has recently begun an intensive reassessment of the environment in the downtown core. Via natural surveillance, territorial reinforcement, natural access control and target hardening, the DYBIA is attempting to eliminate problem areas such as, badly lit parking lots, dark alleys and dimly lit public telephones in dark corners.

Risk-based models have as indicators, certain behaviours that do not derive solely from common sense notions of what may or may not increase crime or opportunities for crime, but have grounding in actuarial and probabilistic calculations that are increasingly ubiquitous.⁸¹ Patterns are created, characteristics and tendencies are used to form conclusions about the inevitability of an event occurring. This event is then entered into a database and other individuals are cross referenced against these prevailing characteristics and tendencies. Individuality no longer matters and variation in human behaviour is disregarded.⁸² Furthermore, much like insurance, various elements of economic and social reality are combined according to a specific set of objectives that do not attempt to intervene directly or react to the behaviour that is defined as criminal.⁸³

⁸⁰ Rose, N (2000) “*Government and Control*.” *British Journal of Criminology*, 40:3, Oxford University Press at pg. 328-329.

⁸¹ *supra* note 38 at pg. 321

⁸² *ibid* at pg. 321

⁸³ Ewald, Francois (1991) “*Insurance and risk*”, in G. Burchell, C. Gordon and P. Miller (eds) *The Foucault effect: Studies in governmentality*, pp. 197–210. Chicago, IL: University of Chicago Press at pg. 197

The spread of risk-based power marks a shift in the increasing need for institutions to move away from disciplinary regimes.⁸⁴ This marked shift has also taken place in the criminal justice system from normalizing behaviour through correction and discipline, to actuarial or insurance based techniques that no longer concentrate on disciplining the individual. Instead, this new thinking focuses on crime as a manifestation of opportunities rather than attempting to assess psychological or ‘root’ causes of criminal behaviour.⁸⁵ Risk-based techniques for managing human behaviour construct individuals as new subjects, capable of governing themselves through self-actualization and self-fulfillment.⁸⁶ Situational crime prevention strategies assume a rational actor and require a reduction in opportunities to be effective in deterring individuals who may have otherwise engaged in antisocial behaviour.

Risk-based crime prevention must beware that persons defined as ‘dangerous’ or ‘risky’, may of course not be rational in every circumstance. This is most notable when examining CCTV, where the watched may not actually be aware that cameras are present. Although CCTV may be a way of managing risk, individuals may not be afforded an opportunity to become a rational actor with the ability to calculate the risk of being apprehended. Another example would be in the case of ‘Megan’s’ or ‘Christopher’s laws’, the criminal becomes categorized on the basis of past conduct and may be the subject of future

⁸⁴ O’Malley, P. (1992) “*Risk, Power and Crime Prevention*”, *Economy and Society* 21(3): 252–75, at pg. 253

⁸⁵ *ibid*, at pg. 253

⁸⁶ Rose, Nikolas (1996) “*Governing “Advanced” Liberal Democracies*”, pp. 37–64 in Andrew Barry, Thomas Osborne and Nikolas Rose (eds) *Foucault and Political Reason*. London: UCL Press, at pg. 41

interventions without reasonable opportunity to foresee the consequences of his/her actions. With the deployment of police foot patrols in communities, a cost-benefit analysis on the part of a potential criminal, becomes probable. Fair notice through increased police visibility is essential in increasing the perceived likelihood of being apprehended above the risk tolerance threshold at which point commission of criminal acts may no longer be acceptable. This has always been the case, however, increased police visibility in communities provide a potential criminal with an increased risk of apprehension.

Risk in Crime Prevention

Risk, in the context of crime prevention, has been used by institutions to prevent future harm by managing and re-arranging situational factors correlated with criminal or unwanted behaviour. Instead of changing the offender's character or discovering and correcting a deeper social motivation for committing an 'offence', institutions attempt to prevent future harm. Telecom Australia for example spends close to 18 million dollars annually repairing telephone vandalism and requires new ways of addressing this problem which has been insufficiently controlled by police.⁸⁷ Melbourne's urban rail system spends approximately 5 million dollars annually on graffiti clean-ups.⁸⁸ In these instances, the public telephone and rail industries have lobbied for restrictions on spray-paints and markers, designed telephone booths with material resistant to scratching and marking, and have committed time and resources into creating

⁸⁷ supra note 22, at pg. 2

⁸⁸ ibid, at pg. 2

categories of vandalism (attaching each category with a psychological profile and specific definitions).⁸⁹

Risk management in crime prevention also attempts to identify circumstances that warrant intervention based on empirical research. For example, lighting a dark alley to reduce the probability of individuals hiding or becoming trapped may be common sense to most, however, by lighting the alley, that alley has become a research project for criminologists seeking to evaluate the effect of lighting on criminal activity. Although statistical data may be available showing some risk of criminal activity occurring, a reduction in criminal behaviour must be documented in order to prove that lighting the alley did, in fact, decrease the risk of criminal behaviour in the alleyway. As in the case of insurance logic, individuals who enter the said alley in the future are exposed to the same risk, but this will not mean that everyone causes or suffers the same degrees of risk.⁹⁰ A child may be at a higher degree of risk in a lighted alley, similar to a terminally ill patient posing more of a risk or liability to the insurance institution. Risks are therefore highly categorical in practice.

In the 1970's under the social welfarist regimes, incivility was seen as a matter for health or other welfare authorities.⁹¹ The history of advanced liberal democracies, however, has shown us that police should play a significant role in ordering crowds and targeting behaviour that has been correlated with decreases

⁸⁹ *ibid*, at pg. 2

⁹⁰ *supra* note 83, at pg. 203

⁹¹ Grabosky, P.N. (1995) "*Fear of Crime and Fear Reduction Strategies*" Australian Institute of Criminology, at pg.4

in perceived safety.⁹² Reducing incivility and disorder, through targeted street policing of welfare offences, and the improvement of police community-relations are just a couple of the techniques associated with a reduction in the perception of crime. Some have argued that these approaches result in an actual *statistical* decrease in crime.⁹³ In New York City, during the ‘zero tolerance’ phase in the late 1990’s, it was reported that although statistical crime increased initially, in the long term it had decreased significantly.⁹⁴ Most important to advocates of fear reduction strategies, public perceptions of ‘crime’ and ‘disorder’ were on the decline.⁹⁵

The DYBIA in Toronto has mapped their police patrolled territory according to certain offences and have characterized these areas as contributing to a perceived lack of safety.⁹⁶ By requiring police to engage in the systematic attempt to eliminate certain activities such as panhandling, loitering, sleeping, drug dealing and gang activity, police presence in these areas is said to contribute to an overall increase in the perception of safety and a decrease in these behaviours. Hence, by increasing visibility in the areas selected as high risk, fear of crime can effectively be managed and reduced. For the purpose of some safety assessments - for areas requiring increased police visibility, data was collected on

⁹² Wilson, J.Q., & Kelling, G.L. (1982). “*Broken Windows: The police and neighbourhood safety*”. Atlantic Monthly, March. Also see Kelling, George, and Catherine Coles. 1996. “*Fixing Broken Windows: Restoring Order and Reducing Crime in Our Communities*”. New York: Free Press; Silverman E. B. (1999) “*NYPD Battles Crime: Innovative Strategies in Policing*”. Boston, MA: Northeastern University Press; Bratton, William and Peter Knobler. (1998). “*Turnaround: How America’s Top Cop Reversed the Crime Epidemic*”. New York: Random House; and others.

⁹³ *ibid*

⁹⁴ Manning, Peter K. 2001. “*Theorizing policing: The drama and myth of crime control in the NYPD*”. Theoretical Criminology, 5:315-44, at pg. 321

⁹⁵ *ibid*, at pg. 321. Also see supra 92, Kelling and Coles

⁹⁶ *ibid*, at pg. 322

assaults and other behaviours commonly associated with homelessness such as, sleeping, loitering, public urination, etc.⁹⁷

As a result of concerns by criminologists about the displacement of crime from crime prevention strategies, Ronald Clarke and David Weisburd have encouraged situational crime prevention advocates to re-think target hardening and other practices that may make it more difficult to penetrate one area, but are suggested to encourage and spur creativity and innovation on the part of 'criminals' pushing them to relocate their activities. Clarke and Weisburd believe that the displacement of risk may have been minimized in hindsight, had criminological theories afforded more importance to situational and choice factors in crime prevention.⁹⁸

In the case of strategies attempting to defuse benefits of crime by prioritizing situational and rational choice principles, risk levels are contingent on an offender's determination as to whether or not he/she will be apprehended. Potential criminals partake in a cost-benefit analysis to decide whether or not to engage in various activities that may be considered criminal. When confronted by crime prevention strategies, the rational actors re-think their approach if dealing with secondary targets based on their experience with primary targets. The risk level is determined by an individual's choice in relation to targets that may have not been intentionally protected by the designer of the crime prevention strategy - requiring the offender to become 'prudent'.

⁹⁷ supra note 68 at pg. 6-12

⁹⁸ Clarke, R. and D. Weisburd (1994). "*Diffusion of Crime Control Benefits: Observations on the Reverse of Displacement*". In R. Clarke (Ed.), *Crime Prevention Studies Vol. 2*. (Monsey, New York: Criminal Justice Press), pp. 165-184, at pg. 167

According to Clarke and Weisburd, “diffusion of benefits” refers to the movement or spread of beneficial influence on an intervention or crime prevention initiative beyond the primary target from which it was originally designed.⁹⁹ The authors describe it as a sort of collateral damage with ‘positive’ effects. For example, Closed Circuit Television camera technology (CCTV) was installed in particular London Underground stations. It was found by Mayhew et al. (1979) that ‘crime’ was reduced not only in the monitored stations, but also in nearby stations as well.¹⁰⁰ It was suggested that criminals were forced to re-evaluate the risk of being apprehended based on their past experience with CCTV versus the risk of being apprehended in stations that did not employ CCTV technology. Muller and Boos present a typology of different uses of CCTV systems, namely, access control, conduct control, registering evidence, flow control and the planning of deployment.¹⁰¹ Although these priorities of the Zurich train system may be based on models of pure behaviourism, there are several functions intended for this system of surveillance. First, these cameras are placed in “high-risk environments”.¹⁰² Thus, although there may be statistics and other data compiled to show the proliferation of platform activity defined as criminal, it does not appear as though any definite system of probability exists that would allow one to classify CCTV when utilized by the Zurich Transit authorities as ‘risk-based’ according to O’Malley. Regardless of this stringent definition of

⁹⁹ *ibid*, at pg. 169

¹⁰⁰ *ibid*, at pg. 169

¹⁰¹ Müller, C. and D. Boos (2004) “*Zurich Main Railway Station: A Typology of Public CCTV Systems*”, *Surveillance & Society* 2(2/3): 161-176. Also see [http://www.surveillance-and-society.org/articles2\(2\)/typology.pdf](http://www.surveillance-and-society.org/articles2(2)/typology.pdf), at pg. 161

¹⁰² *ibid*, at pg. 165

'risk-based' apparatus of governance, CCTV is certainly a risk management tool. The authors suggest that, "Successful social order prevention, resulting in reductions in risks of unexpected behaviour, may lead to a general feeling of being in a safe environment."¹⁰³ Hence, from the perspective of surveillance and situational crime prevention, benefits may 'defuse' from one crime prevention initiative to another and produce a general improvement in public safety.

In examining rationalities of crime prevention, it is important to address the arguments of those who suggest that the cultural nature of scientific prediction and cultural perspectives in general have been undervalued such that claims made by 'ordinary people' "are systematically deleted from recognition, and alternative collective idioms of identity and order thus pre-empted."¹⁰⁴ For example, the DYBIA managers chair meetings with members from the 'safe streets committee', and deploy a certain degree of lay knowledge within the auspices of the commodified public policing initiative. It is impossible to know for certain what risk an intoxicated vagrant or group of youths will pose to the community. Nonetheless, the police are mandated with the task of displacing or preventing nuisances that may arise from the conduct of these populations in order to preserve a type of urban aesthetic and guarantee street level civility.

The priority of policing certain problem behaviours categorized as detrimental to business interests, along with obstructions to the flow of human traffic have become increasingly important to merchants. The DYBIA is

¹⁰³ *ibid*, at pg. 168

¹⁰⁴ Wynne B. 1996. "May the sheep safely graze? A reflexive view of the expert-lay knowledge divide". In *Risk, Environment and Modernity*, ed. S Lash, B Szczyński, B Wynne, pp. 44–83. London: Sage at pg. 52

comprised of over 1484 businesses and property owners who have specific concerns and economic priorities. A certain number of merchants are canvassed regularly by the police as required by the DYBIA administration, and initiatives are informed on that basis. The Intelligence Led-Policing Initiative (ILP) created by the Toronto Police Service is one example of a program directed by the complaints of lay people (see chapter five). Although canvassing merchant concerns for directing new initiatives may not be what Wynne had envisioned for recognizing “the potentialities for new forms of political, moral and epistemic order – ones enjoying greater public identification, and reinvigorated democratic grounding,”¹⁰⁵ lay knowledge is nonetheless playing an integral role in directing law enforcement initiatives in downtown Toronto accompanied by the compilation of data by an expert system.

Surveillance and ‘Producing’ Security

In an ethnographical study by Rigakos, the “deister” system was explored as a method by which Intelligarde International fabricates a commodity out of information gathering and surveillance. Although, there is perhaps no tangible commodity in a strictly Marxist economic sense, printouts are produced by security management detailing the locations and times that deister hits on private policing patrols occurred.¹⁰⁶ Hence, some tangible product is provided to the client serving both a surveillance function internally and marketing externally. Internally, by allowing Intelligarde management to be aware of where their

¹⁰⁵ *ibid*, at pg. 73

¹⁰⁶ *supra* note 19, at pg. 109

security officers are located. Externally, by affording the client an opportunity to realize value for their dollar. The process by which officers are made transparent serves to make the organization more accountable to clients. The deister system alters the way in which the 'New Parapolice' perform their duties. Deister hits must be completed as some parapolice officers complain, at the expense of good 'police work'.¹⁰⁷ Resistance to the deister system will be outlined in Chapter five. The Toronto Police Service has yet to implement a direct electronic method of surveillance to keep their constables in check, however, the use of Investigative Cards (208's) and Intelligence Led Policing (ILPs) have proven to be an invaluable resource in the gathering, processing, and reporting of information on populations and ensuring that officers are active in policing targeted areas.

Similar to the Deister system, the PAS was created as a response to institutional demands for knowledge not only about risk, but in order for the DYBIA to remain accountable to property owners and merchants. The police must remain accountable to the DYBIA, the DYBIA must remain accountable to their members, the members must remain accountable to the public, and the public accountable to their communities. Throughout this process, the public police services have an obligation to ostensibly remain accountable to all members of society equally. It will be interesting to observe the results of increased dialog between private and public policing service providers (as their prerogatives continue to expand in scope and as they compete for their share of the security market).

¹⁰⁷ *ibid*, at pg. 109

The public police are now engaging in activities more commonly performed in recent history by private security firms. This may have been initiated as a response to the trend identifying a monopoly in corporate policing by private security firms (especially in the context of community policing).¹⁰⁸ Public police officers performing paid duty and callback functions “undertake routine tasks on behalf of private risk institutions, such as licensing and certifying security technologies and operatives and endorsing particular insurance products.”¹⁰⁹

While Intelligarde’s commodification process may be characteristic of private security organizations, the public police are also beginning to tailor their services to include opportunities for businesses associations. The ‘Ottawa Alliance on Impaired Driving’,¹¹⁰ in conjunction with the Ottawa Police Service have established a corporate Reduce Impaired Driving Everywhere (RIDE) program. Several organizations make donations of \$1,000 per RIDE checkpoint to subsidize the police in random alcohol testing campaigns.¹¹¹ In exchange for their donations, members have their logos posted on signage, on the alliance website and flyers, and sponsors are provided with a plaque in appreciation for

¹⁰⁸ supra note 26

¹⁰⁹ supra note 19, at pg. 30

¹¹⁰ <http://drivesoberottawa.ca/AboutUsPage.html>. Twelve Ottawa agencies and organizations formed the Alliance Against Impaired Driving in 2002. Each was dedicated to reducing the number of deaths and injuries caused by impaired driving in Canada's capital. The mission of the Ottawa Alliance on Impaired Driving is to stop impaired driving and support safe driving practices through community partnerships, programming and public education. The Alliance has committed to increasing the number of R.I.D.E. checks in Ottawa through establishing a mechanism for corporate sponsorship of these additional sobriety checks. Alliance members include, The Academy of Medicine Ottawa, Action Antidrogue Vanier, CAA North & East Ontario, Centre for Addiction and Mental Health, MADD Ottawa Chapter, Ontario Ministry of Transportation, Ontario Provincial Police, Ontario Students Against Impaired Driving, Ottawa Police Services, Ottawa Safety Council, People Services Department, City of Ottawa, Royal Canadian Mounted Police.

¹¹¹ Wade, Chantal. Contact through Ottawa Alliance: Email: Chantal_Wade@camh.net

their 'donation'.(see Appendix E)¹¹² Corporate sponsors receive information on the quantity of people stopped/arrested/ticketed on shift and a host of other items infused with a symbolic exchange value. By informing communities that these companies are associated with supporting a worthy cause, consumers may acquire a greater affinity for these commodities.¹¹³ The police are thus selling advertising space and guaranteeing a captive audience. The Police have commodified their services to supply a public policing initiative augmented via private sources.

The trends documented by those studying private security¹¹⁴, have been unidirectional in their focus by omitting an analysis of the commodification of the public police. Commodification of publicly administered state agents not only alters the techniques used to police populations, but the source of service provision. Prevention and deterrence through surveillance, the collection of knowledge and producing documentation still comprise the main framework for private policing and commodified public police work. The only change is the degree to which public police officers are not solely crime fighters involved in response, detention, punishment and control (working as the 'back-up' for parapolice officers), but also implicated in the marketing of risk and crime prevention generated through demands made by private organizations for an expansion of services available to the public.

¹¹² Obtained via email correspondence from the Ottawa Alliance.

¹¹³ Lefebvre, Henri "*The Bureaucratic Society of Controlled Consumption*" in *Everyday Life in the Modern World* (trans. Sacha Rabinovitch) Allen Lane, London, 1971, at pg. 86

¹¹⁴ See Clifford D. Shearing; Phillip C. Stenning. (1981) "*Modern private Security: It's Growth and Implications*" in *Crime and Justice*, University of Chicago Press Jones and Newburn (1999) "*Urban Change and Policing: Mass Private Property Reconsidered*". *European Journal on Criminal Policy and Research*, 7, 2: 225-244

Commission sales work also provides a good example of governing at a distance.¹¹⁵ Similar to the Deister system, corporations set the benchmark for total control and have been designing ways to shape employee conduct into one efficient system of checks and balances. One prominent Canadian furniture/electronics/appliance retail outlet provides examples of corporate capability to promote self-governance through incentive and internal competitiveness. All computer transactions are monitored and individualized. Salespeople are divided into 3 groups; furniture, electronics and appliances, and mattresses. Within these groups are various sub-groupings awarded incentives for the marketing of warranties, security systems and accessories. Every morning before the shift commences, a “trigger talk” occurs, where management sets certain goals and awards prizes to individuals who have achieved ‘entrepreneurial excellence’ (what Foucault terms ‘closing the gap’). All employees are required to attend these meetings and witness the crowing of kings and queens in the spirit of capitalism and competition. Salespeople within the store operate on commission and do not receive a base salary. It would appear as though workers are afforded almost full control over their place of work and environment with no real job security. Freedom to succeed, freedom to fail.

Despite the bonding and cohesion that results from competition, rules and regulations have been instituted to ensure that workers do not discourage their colleagues. For example, sales people may only engage one customer at a time. The sales people often spend more time watching each other and monitoring for infractions than they do marketing their products. If a salesperson fails to sell a

¹¹⁵ Miller, P & Rose, N. (1990). “*Governing economic life*”. *Economy and Society* 19(1): at pg. 2.

warranty or market an 'add-on', they will be mocked by their colleagues and on occasion reported to managers. Once the salesperson has successfully completed a transaction, a swipe card must be used by a manager in order to approve the sale. Although salespeople may be given agency and responsibility, their freedom to ultimately capitalize on their exchanges is limited. Only 4 percent on average of the final sale amount (after manager approval) is given to the salesperson.

Central to the argument of this thesis is a recognition of the existence of multiple loci of government, and the dispersal of apparatuses of security by the state and governing institutions within a capitalist mode of production. An integral component of decentralized governance requires the individual to be provided with mechanisms by which they may govern themselves or appear as though they are governing themselves. This refers to the need for governing bodies to develop ways of regulating behaviour without appearing as though they are actively governing. By allowing individuals to maintain their autonomous character, they can be mobilized to achieve political objectives in alignment with the priorities of economic growth, successful enterprise and optimum personal happiness.¹¹⁶

Panoptics

More relevant to the new age of security and surveillance, society must be reminded of one of the most traditional and purportedly effective modes of monitoring human behaviour whereby,

¹¹⁶ supra note 19, at pg. 28

each individual...securely confined to a cell which he is seen from the front by a supervisor...but the side walls prevent him from coming into contact with his companions. He is seen but he does not see; he is the object of information, never a subject in communication... The arrangement of his room, opposite the central tower, imposes on him an axial visibility; but the divisions of the ring, those separated cells, imply a lateral invisibility.¹¹⁷

This is a picture of “a collection of separated individualities,”¹¹⁸ and reflects a dystopic view of a society “penetrated through and through with disciplinary mechanisms.”¹¹⁹ Foucault argues that discipline is essential in its capacity to “increase the skill of each individual, coordinate these skills, and accelerate movements...”¹²⁰ Foucault identified that Bentham thought *inter alia*, that Panoptics would be the great innovation for the easy and effective exercise of power.¹²¹ Bentham was not ignorant about how this innovation would serve to sustain capitalism, and most notably individualize and fragment communities. Visibility organized around a dominating overseeing gaze, may be effective for those who hold power, but can arguably disempower individual freedom and privacy.

One of the most interesting features of panopticism, is that it allows the ‘few’ to observe the ‘many’ often without the ‘many’ even knowing when or where they are being watched, creating “an apparatus of total and circulating

¹¹⁷ Foucault, M. (1977). Discipline and Punish (A. Sheridan, Trans.). New York: Vintage Books, at pg. 200

¹¹⁸ *ibid*, at pg. 201

¹¹⁹ *ibid*, at pg. 209

¹²⁰ *ibid* at pg. 210

¹²¹ Foucault, M. (1980) Power/Knowledge: Selected interviews and other writings 1972-1977 (edited by Colin Gordon). New York: Pantheon Books, at pg. 148

mistrust, because there is no absolute point.”¹²² When panopticism works, everyone has the constant feeling that they are being watched by someone else. This was alluded to by Bentham and critically analyzed by Foucault as a practical and cost efficient way to allow people to govern themselves. Hence, individuals would have their actions mediated by the gaze, and any self-governance that came about would merely be an illusion afforded by the dichotomy of agency and freedom.

William Bogard develops the idea of Panopticism further to include a discussion of contemporary techniques of surveillance, and the ways in which society is governed by a ‘Superpanopticon’ allowing surveillance operators to obtain information in “real-time”, even beyond the swipe cards, scanners, codes and cameras.¹²³ This brings us into the age of predictions based on risk management and data collection designed to pre-empt disasters suggested to be immanent and minimize risk to the governing institution. Bogard alludes to a phenomenon, which Thomas Mathiesen explains in detail, namely, the application of the Panopticon in ‘overcoming’ vision. As a result, the Panoptic model prevails as an important tool used by governing organizations, to develop new ways for ‘the few’ to observe ‘the many’. Conversely, when ‘the many’ observe ‘the few’ we call this technical apparatus the ‘Synopticon’; the media is Mathiesen’s prime example. He argues that, “television has produced television personalities who themselves, from the screen, function as opinion leaders and links between the media message and people – well known, dear to us, and on the

¹²² *ibid*, at pg. 158

¹²³ Bogard, W. (1996). The Simulation of Surveillance: Hypercontrol in Telematic Societies. Cambridge: Cambridge University Press, at pg. 71.

face of it, close to us.”¹²⁴ The role of the mass media in shaping public opinion is an interesting and controversial discussion, however, it remains beyond the scope of this examination.

The Synopticon allows us to get our just desserts in a world which always seems to be watching. After being handed a medium through which we - as a mass population - can scrutinize a handful of people, would it not make us hypocrites to criticize those who watch us. Mathiesen suggests that this situation clearly ‘calls’ for political resistance, however, he suggests that this resistance may be silenced “by the very Panopticon and Synopticon which we wish to counteract.”¹²⁵

Practical application of Panoptic models in the new millennium are proliferating. Historically, Panoptics were seen as a strategic apparatus of government that provided a way to,

draw up differences among patients...without the proximity of beds...Among school children, it makes it possible to observe performances, to map attitudes, to assess characters...To distinguish laziness from stubbornness...Among workers, it makes it possible to note the aptitudes of each worker, compare the time he takes to perform a task, and if they are paid by the day, to calculate their wages.¹²⁶

In 2005, the most apparent example of this apparatus is in the form of CCTV.

Private security organizations use various surveillance mechanisms allowing

¹²⁴ Mathiesen, T. (1997). “*The viewer society: Michael Foucault’s ‘Panopticon’ revisited*”. *Theoretical Criminology*, 1(2), at pg. 227.

¹²⁵ *ibid*, at pg. 231.

¹²⁶ *supra* note 121, at page 203.

populations to retain their ‘autonomous’ character and create a panoptic¹²⁷ environment where it is difficult to escape the gaze of the camera. There are some organizations and institutions that can track the movement of individuals within their entire complex.

The proliferation of CCTV technology has raised questions about its effectiveness. In a study by Ditton on the effects of CCTV in the city of Glasgow, it was concluded that CCTV did not make people feel safer¹²⁸ and more interestingly, recorded crime increased.¹²⁹ ‘Fear’ it is suggested by Ditton (citing J. Bannister), “is not necessarily a bad experience, rather it is associated with the emotional stimulus and provocation necessary if we are to avoid, both individually and socially, stagnation and stasis.”¹³⁰ In other words, fear is useful. And the peril of proliferating internal and external CCTV technologies, require societal institutions to rely more on technologies, rather than on people; “We run the risk of worsening, let alone failing to improve the situation,”¹³¹ resulting in increased fragmentation, leading to alienation and individualized segregation.

In Chicago Illinois, cameras have the ability to “recognize the sound of a gunshot within a two-block radius, pinpoint the source, turn a surveillance camera toward the shooter and place a 911 call.”¹³² A chief executive of the manufacturer Bryan Baker indicated that this advancement in CCTV technology provides the advantage of both sight and sound as opposed to the more traditional

¹²⁷supra note 19, at pg. 71.

¹²⁸ Ditton, J. (2000). “*Crime and the city: Public attitudes towards open-street CCTV in Glasgow*”. *British Journal of Criminology* 40, at pg. 706

¹²⁹ *ibid*, at pg. 692

¹³⁰ *ibid*, at pg. 706

¹³¹ *ibid*, at pg. 707

¹³² <http://www.cnn.com> – July 5th, 2005 article submitted by the Associated Press, “*Cameras put police ears to the ground.*” At pg. 1

cameras which monitor visible activities on the field level.¹³³ Coincidental or not, CNN reports that 30 such cameras have been installed in Chicago's 'high crime' neighbourhoods and have been partially responsible for the lowest homicide rate since 1965.¹³⁴ Los Angeles, Philadelphia, Pennsylvania, San Francisco, New Orleans and Atlanta are included in a host of other cities nationwide that are looking into the promises and perils of a system allowing agents to monitor human behaviour in some of their most frequently traveled public spaces.¹³⁵ With a reported 24.6 percent of merchants in the DYBIA foot patrol area supporting the implementation of some degree of public CCTV in the DYBIA, it becomes ever more important for research to generate conclusive results on the effectiveness of this panoptic trend.

Communal Spaces and Public Police Services

"Mass Private Property, as initially conceived, refers to expanses of privately owned space concentrated in the hands of relatively few corporate interests, which are nevertheless generally open for the public to visit."¹³⁶ Shearing and Stenning identified an internal contradiction in laws governing property ownership and intended usage for privatized land tracts.¹³⁷ For example, although the Eaton Centre in Toronto may legally own a good portion of the outdoor sidewalk and indoor shopping environment, the public has a reasonable

¹³³ *ibid*, at pg. 1

¹³⁴ *ibid*, at pg. 1

¹³⁵ *ibid*, at pg. 2

¹³⁶ Kempa et. al. (2004) "*Policing Communal Spaces: A Reconfiguration of the Mass Private Property Hypothesis*". *British Journal of Criminology*, 44, 562-581 at pg. 566

¹³⁷ *ibid*, at pg. 566

expectation of access to these areas. As tracts of privately governed property expand, individuals are faced with the prospect of being ejected and banned from an increasing portion of land. Kempa argues that “with the growth of such ‘privately’ owned ‘public’ space, the traditional sphere of activity for the public police has been reduced: rights of private ownership...expanding the ability of non-state entities to set and maintain rules based upon private standards.”¹³⁸ This argument needs to be expanded, as it has become clear through research in the DYBIA, that state agents albeit acting in a quasi-private capacity, are being encouraged by merchants to enforce the trespass to property act on their behalf. Public police services through the commodification of their services, are becoming agents of private interests and pre-empting the proliferation of private security in some areas.

There have been several other notable criticisms of the Mass Private Property hypothesis. First, Jones and Newburn argue that the expansion of private policing pre-dates the creation of the mall and mass privatization.¹³⁹ Second, they argue that the development of mass private property has not been as dominant outside of North America.¹⁴⁰ Third, the authors point to the fact that a reversal in government policy attempting to revitalize town centers are slowly eclipsing the proliferation of mass private property.¹⁴¹ Revitalizing town centers and the proliferation of Business Improvement Areas accessing commodified

¹³⁸ *ibid*, at pg. 567

¹³⁹ Jones and Newburn, (1999) “*Urban Change and Policing: Mass Private Property Reconsidered*”. *European Journal on Criminal Policy and Research*, 7, 2: 225-244 at pg. 233

¹⁴⁰ *ibid*, at pg. 233

¹⁴¹ *ibid*, at pg. 234

public policing services is a key observation made through research in the DYBIA.

In the 21st century, it becomes increasingly apparent that the concept of the mall re-emerges in a different form. As important as it may have been in the past to differentiate between public property and privately owned public access space, publicly owned public property is becoming increasingly administered by non-profit private agencies such as the DYBIA. In essence, the mall is moving onto the sidewalk through the proliferation of agencies administering and directing public agents of social control. Publicly owned space is not becoming privatized per se, but is more frequently being administered by private interests with specific agendas. Now, there are important differences between malls and public BIA areas. A BIA cannot restrict access, control protests & traffic, levy rents and evict merchants in the same way as a mall manager. The city acts as a rate collector and licensor of the BIA and the BIA is beholden to its merchants in a qualitatively different way than mall managers. The logic of policing, however, namely the need for regulating bodies for the purpose of enhancing consumption is almost identical. The implications for the community are yet to be fully understood, however, many merchants would like to see the police more actively engage in their community. Hence, whereas private security changed the dynamic of social control in privately owned and operated public spaces, the public police through organizations such as the DYBIA are altering the dynamic of social order in publicly owned, privately administered environments. Business Improvement Areas, Business Improvement Districts, and Block Improvement

Districts are recent developments in the organization of mass *public* property with distinct links to 17th and 18th century modes of policing. Kempa et. al. in their revisiting of the mass private property hypothesis expand their scope of interest to include what they call “communal spaces”. Instead of looking solely at ownership and public access contradictions, the authors have created “an umbrella concept...of property forms that are, to a greater or lesser degree, open to the public and under state and/or non-state control.”¹⁴² Although the idea of communal spaces would include areas such as the DYBIA, there is still an over-emphasis on the role of private non-state agents in the provision of security for these areas. With the proliferation of commodified public policing operating these communal spaces, it will be difficult for future research to deny the increasing complicity of the public police, competing with private security organizations for the responsibility of policing communal spaces.

Business Improvement Areas: A New Form of Governance

In the words of Robert Ellickson, a key advocate for the formation of Block Improvement districts:

Unlike a voluntary-membership tenants association of the sort the NYPD has been pushing, in the usual instance a BLID would be a mandatory-membership association of property owners. A BLID would levy assessments on its members in order to finance services supplementary to those ordinarily provided by local governments. Partly because I propose authorizing the owners of a supermajority of property to compel dissenting property owners to join a BLID, this innovation would require passage of a state enabling act to govern the formation,

¹⁴² supra note 123, at pg. 570.

structure, and powers of these institutions. Legislative drafters could pattern these statutes after the ones that many states have enacted during the past decade to authorize the establishment of mandatory-membership Business Improvement Districts (BID).¹⁴³

Reaction of merchants to mandatory-membership initiatives such as those deployed by BIDs, BLIDs and the DYBIA has varied. Some merchants are thrilled, while others believe that these business improvement areas are illegitimate, undemocratic, and a waste of money, “run by a bunch of cronies”.¹⁴⁴ Merchants in the DYBIA are mandatory members who, along with city council, must renew the tenure of the BIA every five years. The property owners sit on the review board, while merchants pay increased rent adjusted by the property owner to account for the property tax levees.

The DYBIA was formed on June 26, 2001. As a result of the efforts of the then Yonge Street Business & Residents Association, the DYBIA was comprised of local business and property owners who shared a common goal; the improvement of the Downtown Yonge area by making it safer, cleaner and more inviting.¹⁴⁵ Following the example of Business Improvement Districts (BIDs) in the United States, the DYBIA is now in the position to employ or lobby for

¹⁴³ Ellickson, Robert. “*New Institutions for Old Neighbourhoods*” Duke L.J. Vol 48, No.1 (Oct.1998), at pg. 77-78. Also see generally Richard Briffault, *A Government for Our Time? The Business Improvement District and Urban Governance* (Dec. 4, 1997) (unpublished manuscript, on file with author) [hereinafter Briffault, *A Government for Our Time*] (offering a comprehensive account of the legal and policy issues surrounding BIDs); Richard Briffault, “*The Rise of Sub-local Structures in Urban Governance*”, 82 Minn. L. Rev. 503, 517-521 (1997); Mark S. Davies, “*Business Improvement Districts*”, 52 Wash. U.J. Urb. & Contemp. L. 187 (1997) (providing a generally favourable assessment of BIDs); David J. Kennedy, “*Restraining the Power of Business Improvement Districts: The Case of the Grand Central Partnership*”, 15 Yale L. & Pol’y Rev. 283, 294-299 (1996) (criticizing the undemocratic nature of BIDs in New York).

¹⁴⁴ This comment was made by a merchant who categorically refused to complete the MSSS

¹⁴⁵ <http://www.downtownyonge.com/index.asp?navid=8>

security services on behalf of merchants and other ‘constituents’ of the DYBIA including through complaints that may be filed with the DYBIA by residents.¹⁴⁶ Shortly after its inception, the DYBIA began a ‘paid duty’¹⁴⁷ policing initiative. Members of the Toronto Police Service were hired to conduct foot patrols within the boundaries of the DYBIA and act as a deterrent against crime and disorderly conduct. These police officers were not initially required to submit documentation accounting for their actions while on duty other than reporting on the frequency of any tickets written or charges laid. In order to make police patrols more transparent and increase accountability, the DYBIA Patrol Activity Sheet (PAS) was created and implemented in October, 2004 (see Figure 2.3).

A senior police manager in Toronto, identifies the duties of, what I am referring to as, ‘callback’ services (Interview PM1). There may be good political reason to differentiate between the terms ‘paid duty’ and ‘callback’, nonetheless, they are both ways in which the public police sell their services. Rarely have police been required to commodify their services by way of communication

¹⁴⁶ Most BIDs with budgets in excess of \$750,000 have created their own security force with the objective of improving public safety within their boundaries. Depending on their resources and size, they employ between 2 and 60 guards (small BIDs usually contract out their security services). See Vindevogel Franck, (2005) “*Private Security and Urban Crime Migration: A bid for BIDs*”, Sage: London Jour. C.J. Vol 5(3) 233-255 at pg. 237

¹⁴⁷ In the words of a senior police manager, “I was called up by the media on another matter and they were somewhat hostile to the view, how come the BIA has paid duties but you won’t go to other places and are denying other services. These are not paid duties per se. A paid duty is when you hire a police officer to act as a police officer on *your* property. He will stop traffic to let your customers in and out, acting within the laws in direct relationship to your property. These are not paid duties but are callbacks and I call them that for a specific reason. From an officer’s perspective it is the same, they are off duty, have been given premium pay, are not working for a specific business, but out working for the community, it is entirely different. Because they are working for the community, the BIA can come down and say “we want you to do these things”, but it works for everyone. The BIA is enhancing the benefit for all. I want to make it clear that this is not private policing, I don’t believe it is, it comes from funds generated from businesses, *but this is augmenting a service which we can’t give them the way they want it*. Residents are not included, but be mindful that callback officers are not just looking out for businesses on Yonge street, they’re looking after residents as well. There is a big difference between private policing and what’s happening here.

formats while on duty. In my research, I was unable to find a public police force in Canada that administers a callback requiring the completion of reports for a private organization. Insurance companies may require information that has made its way into police documentation, but this data is also used internally by the police.¹⁴⁸ The PAS is a client-driven report, above and beyond that which police officers are required to complete.

The theory outlined in the preceding chapter has been key in delving into the constitution of commodified public policing. Historical policing and surveillance methods inform the creation of modern tools used to maintain order in the community. The totalitarian regimes developing from oppressive police practices and vice-versa provide clear evidence that a definite separation must exist between police and state. Similarly, private governing organizations must have the necessary checks implemented by the state ensuring that police forces do not fall victim to agenda usurpation. Neo-liberal governance through preventative foot patrols has been established in theory as an active policing strategy utilized by police services patrolling communal spaces. Order maintenance through Broken Windows may posit policing requirements that appear to be common sense, however, individuals may become regular targets, profiled and punished for systemic inequalities resulting from poverty and homelessness.

Officer interviews and empirical data designed to gather expert knowledge on the effectiveness of foot patrol as a policing strategy will be addressed

¹⁴⁸ Richard V. Ericson and Aaron Doyle (2004), Uncertain Business: Risk, Insurance and the Limits of Knowledge. Toronto: University of Toronto Press.

throughout the remainder of this thesis. The effect of the PAS and resistance to such documents will also be explored. The theme of Surveillance will also be revisited in practical application through an examination of strategic policing and the use of '208 investigative cards' by police. Approaches to the policing of communal spaces will be examined in the context of their practical application by comparing two policing initiatives; the Trespass Interdiction Program (TIP) and the Yonge Street Detail (YSD). Valuable officer commentary and intimate observations derived from officer interviews and ethnographical research will also be linked to previously outlined theoretical concepts.

The next chapter will review the results of the Merchant Security Satisfaction Survey. Results of the survey, with particular reference to foot patrol and increased involvement of police in the community, will relate the extent to which fear of crime affects demands for increased police visibility. These findings may be useful for organizations looking to improve policing services on the basis of (i) an increased police presence; (ii) more effective CCTV technology; (iii) ILPs; (iv) behaviour disdained by merchants.

Chapter 3: Merchant Fear in the DYBIA

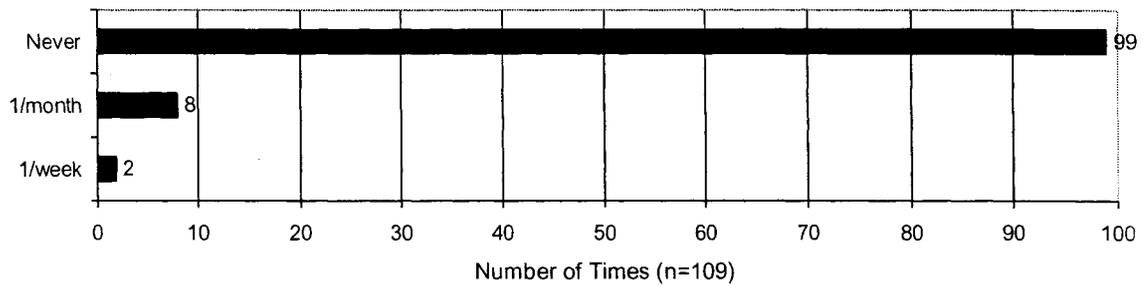
Accurately measuring fear of crime is an important tool for planning, and reform of policing and security initiatives. The MSSS, as explained in Chapter one; acted as a useful device for measuring perceptions of safety. This chapter seeks to explore statistical data accumulated during the survey research phase. This was the first survey of this magnitude completed in cooperation with the DYBIA and Toronto Police Service. The survey contained a representative sample of the commodified police patrol area with a 95 percent confidence plus or minus five percent. As previously mentioned, fear of crime is viewed as a key indicator when attempting to measure the effectiveness of police foot patrol (See Appendix B). For the purposes of this chapter, commentary and statistical revelations will stem directly from answers to questions included in the MSSS. Merchant feedback was the most effective way to gauge the level fear in the DYBIA. Data produced as a result of the MSSS may also be useful in compiling and directing new policing initiatives. Throughout this process merchants were able to compliment police and DYBIA policy as well as vent frustrations held in reference to security shortfalls.

Security Awareness and Involvement

Merchants in the DYBIA appear to have exhibited a propensity for apathy with reference to their security. The following three examples from the MSSS, speak to general attitudes about security and safety on the part of merchants.

First, as shown in Figure 3.1, 90.8 percent of merchants responding to the MSSS have never visited the DYBIA website on improving safety. All merchants have been issued documentation on several occasions with information on accessing special member based services on the DYBIA's website. Some property owners, however, may not have been properly informing tenants of their right to access the 'member's section' of the DYBIA website. If this is the case, it is not at all surprising that a clear majority of merchants have never visited the DYBIA website on improving safety. Second, over 20 percent of all MSSS participants did not fill in any comments or recommendations in the relevant section of the MSSS. Whether or not these individuals just did not have the time, or failed to complete the open-ended portion of the survey for some other reason, it would appear as though some merchants feel as though they have more pressing business elsewhere. Although this is not uncommon during routine data collection, it still deserves to be acknowledged. Third, over 30 percent of merchants who believe that crime is 'higher than it should be' or 'very high', failed to complete the open ended comment section at the end of the MSSS. Some of these merchants may have believed that filling out this survey would accomplish nothing, and writing comments would be a mere waste of time. Independent of this assumption, it is suggested that these findings are indicative of small, yet significant levels of security apathy within the DYBIA.

Figure 3.1 - Website Visitation Frequency



Demands for Increased Police Services

Merchants want the public police to become increasingly involved in patrolling the DYBIA businesses. As Figure 3.2 indicates, 97.8 percent of those answering believe that foot patrol visits are beneficial. As Figure 3.3 displays, out of the 76.1 percent of merchants who have not yet filled out a Trespass to Property Act Authorization Form (TPAF), 77.6 percent (at the time the survey was taken) felt that they would like to fill one out now.

Figure 3.2 - Are Foot Patrol Visits Beneficial?

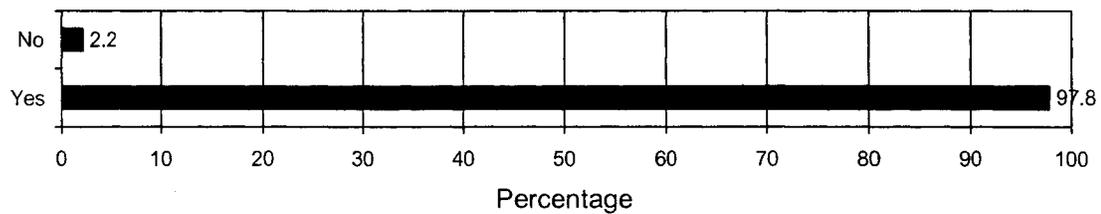


Figure 3.3 - TPA Authorization Form Usage

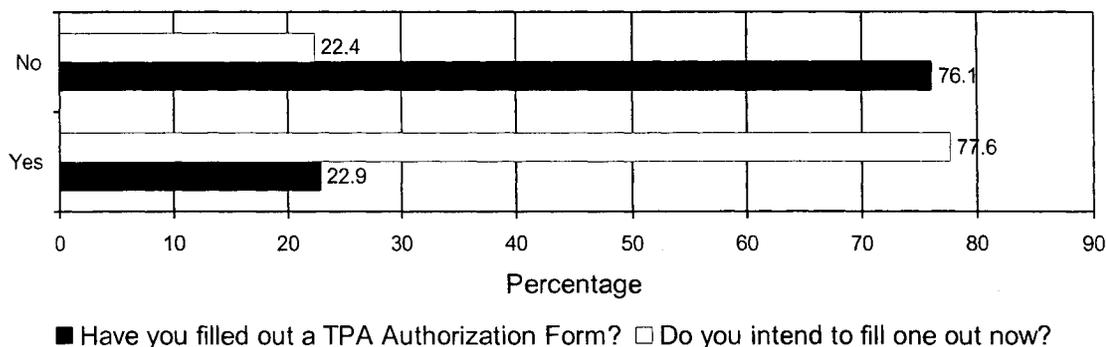
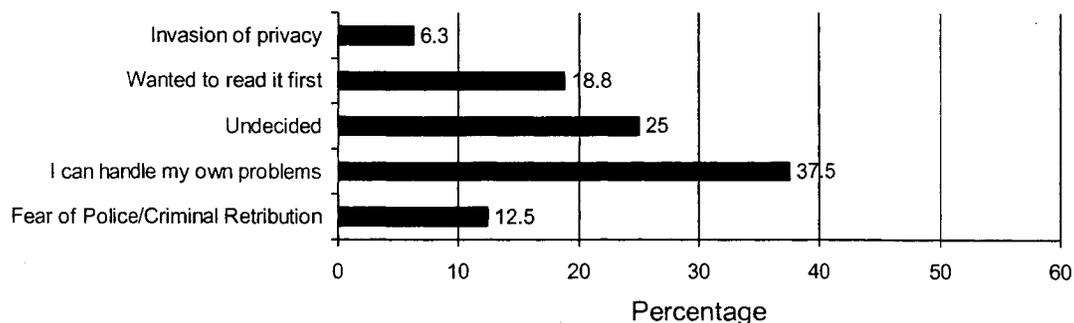


Figure 3.4 shows reasons why some merchants have not filled out the TPAF. The TPAF allows merchants to authorize police to eject and/or ban certain individuals from private property without the filing of a formal complaint. Normally, police would need to receive a call from a merchant complaining about a vagrant or undesirable person who the merchant needed help removing from their property. Depending on the current workload and call capacity, constables would then be dispatched to the location of the complaint. By signing the TPAF, the merchant no longer needs to call police in order to trigger a police response. With the signed TPAF in hand, police can now immediately respond in a preventative capacity because they are legally designated as agents of the property owner. Due to the large percentage of merchants who indicated a desire to complete this form, it is clear that businesses would like police to become increasingly involved in the provision of security on private property. This finding has concrete implications for any discussion surrounding mass private property. Increased desire on the part of merchants to have their private property patrolled by public authorities alters the entire concept of private property as originally conceived at the end of

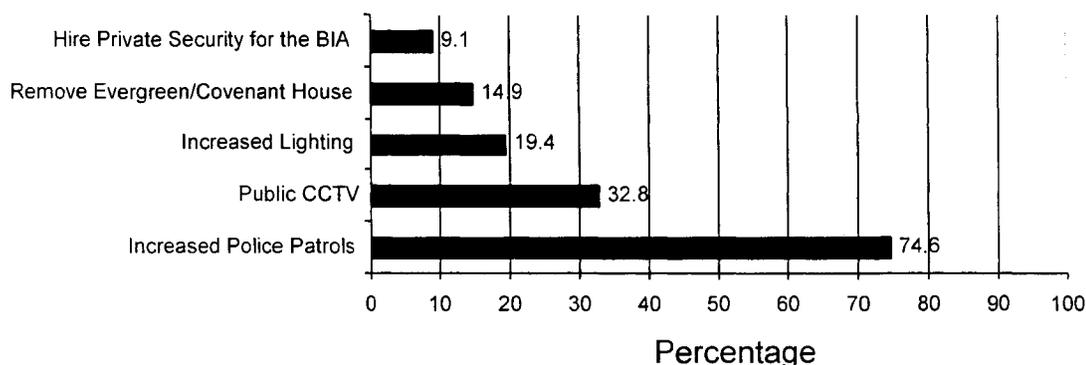
feudalism. Furthermore, the implications of police patrolling private property speaks to merchants desire for assistance in preventing loss and unwanted behaviour under the auspices of neo-liberal governance. As Figure 3.5 illustrates, 61.1 percent of merchants completing the MSSS were of the opinion police patrols must be increased, while 9.1 percent wanted private security operating for the DYBIA.¹⁴⁹ Overall, a majority of merchants were interested in the police playing a more active role in the community and this was reflective of a community that has acute and articulated security interests.

Figure 3.4 - Reasons for not filling out a TPA Authorization Form
(Coded Qualitative Data)



¹⁴⁹ There were no statistical frequencies associated with these percentages. They were a calculated combination of qualitatively codified responses provided by merchants on the open ended portion of the MSSS (This portion was completed by just under 80 percent of total respondents).

Figure 3.5 - Merchant Demands for Security (Qualitatively Codified)



The Role of Private Security

Throughout this study, I had been given several opportunities to study the behaviour of private security. Out of the 109 total participants in the MSSS, 20 had reported employing their own private security. As shown in Figure 3.6 – out of these participants, 63.2% reported that they use private security for extra safety/prevention. While another 5.3% hired security due to the perception that police are unable to address business concerns, and 10.5% believe private security is necessary to provide a much needed increased policing presence. One merchant was quoted as saying:

Both Covenant House and Evergreen are the Cancer of the area. They have killed business traffic as they are solely responsible for drug trafficking, assault (both physical and verbal), extensive drug use, LOITERING [sic], property damage, youth gangs, etc. Since 1994, I have done everything from taking photographs of these individuals and passed them on to police, to working with the police and other businesses in the area on how to solve the problem, however, nothing has worked... Therefore, the only other solution is not just foot patrol, but rather full time police presence at Yonge and Gerrard.

A full time police presence may not be practical when taking into account other police duties while on shift work. He concludes,

Perhaps business owners will recognize their safety with private security available...Perhaps a test of trial and error can ultimately give us the answer. It is finally time to locate full time policing here to oversee these individuals in this most precious area.

Private security may be an interesting addition to the Downtown Yonge community in light of merchant feedback on the effectiveness of the DYBIA foot patrol when compared to private security as Figure 3.7 illustrates. Namely, 55.6% of merchants who employ private security believe that their quality of policing is better than the commodified services of the Toronto Police. This statistic may speak to the desire for overarching individualized forms of security and policing demanded by businesses in general.

Figure 3.6 - Reasons for Employing Private Security

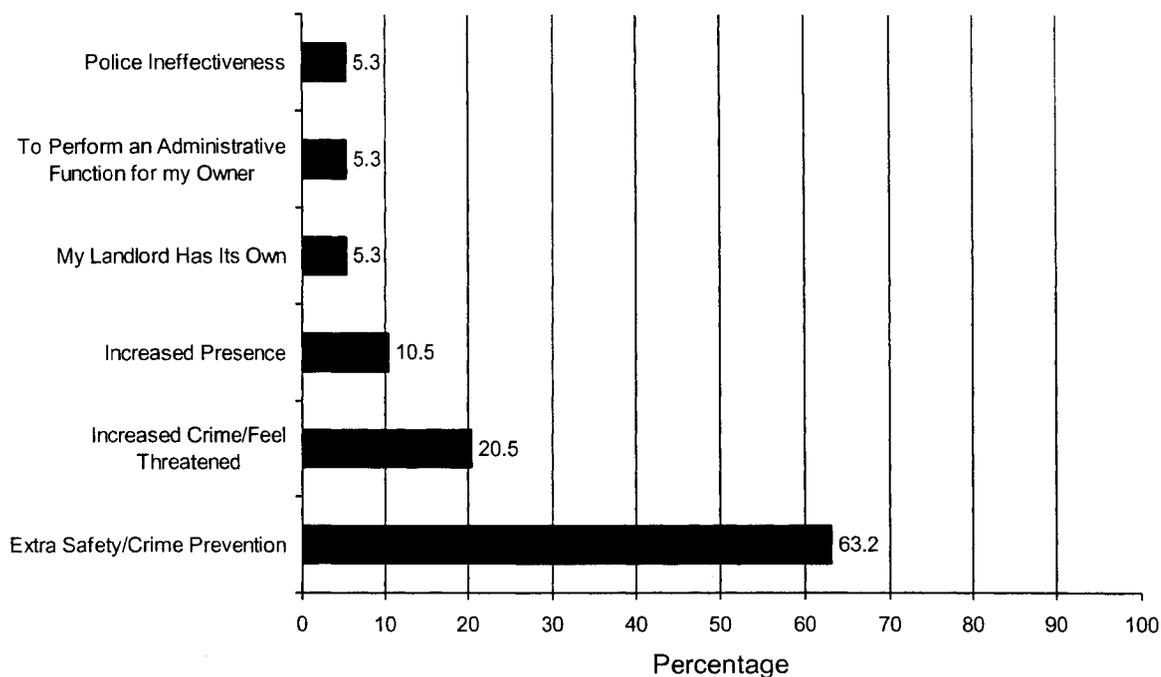
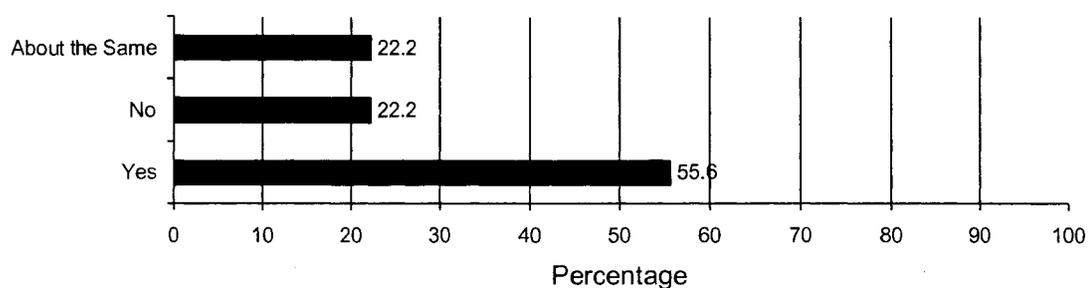


Figure 3.7 - Is Private Security More Effective than the DYBIA Foot Patrols



55.6% of merchants who employ private security, believe that their private security is more effective than the patrols performed by the public police. From aiding in the rebuilding of neighbourhoods at Jane and Finch to maintaining order in Regent Park, private security firms have increasingly shown their ability to adapt and change the ways in which they render their services. This finding may

require police to further investigate why merchants feel this way. Police may also become increasingly willing to alter services available to their clients to increase their legitimacy and effectiveness in providing security.

Demands for Police Funding and Private Security

Currently, the DYBIA allocates 13.9% of its annual operating budget to the DYBIA police patrol.¹⁵⁰ This dollar figure is approximately \$194,000. According to merchants, this is an insufficient amount. When merchants were asked what percentage of the total operating budget ought to be allocated toward policing, the average answer was 20.5%. The dollar amount on this figure would be approximately \$287,000 constituting or a \$93,000 annual increase. Figure 3.8 indicates responses to this question ranged from one percent to one hundred percent. It is not surprising to find merchants wanting to spend more on policing given that (as indicated in Figure 3.9), over 90% felt that crime has been the same or increasing over the past six months (from October 1st 2004 until July 3rd, 2005). Whether or not the DYBIA wishes to hire more police or research a private security pilot project, increased visibility may be a viable solution to reducing this overwhelmingly negative perception of crime. During a safe streets committee meeting on October 4th, 2005, one participant inquired as to the effect of the media on perceptions of criminal behaviour.¹⁵¹ This lies beyond the scope of this examination, however, future research could include questions to measure the

¹⁵⁰ This figure was provided by the Operations Coordinator of the DYBIA and was based on a total \$1,400,000 annual operating budget

¹⁵¹ DYBIA Safe Streets Committee, Downtown Marriott, October 4th, 2005 from 11:00am-1:00pm

effect of a participant's exposure to the media upon the formation of opinions concerning fear of crime.

Figure 4.8 - Percentage of Operating Budget to be Allocated Toward Policing

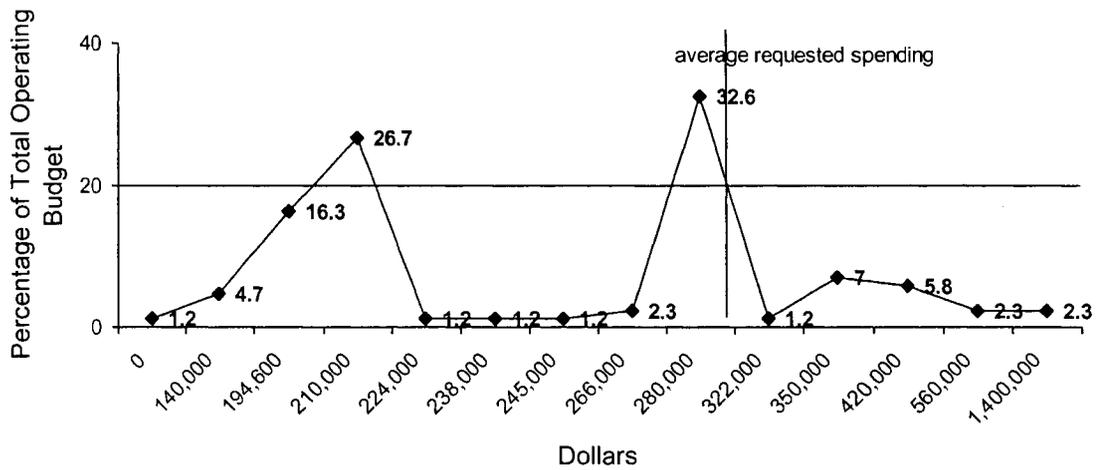
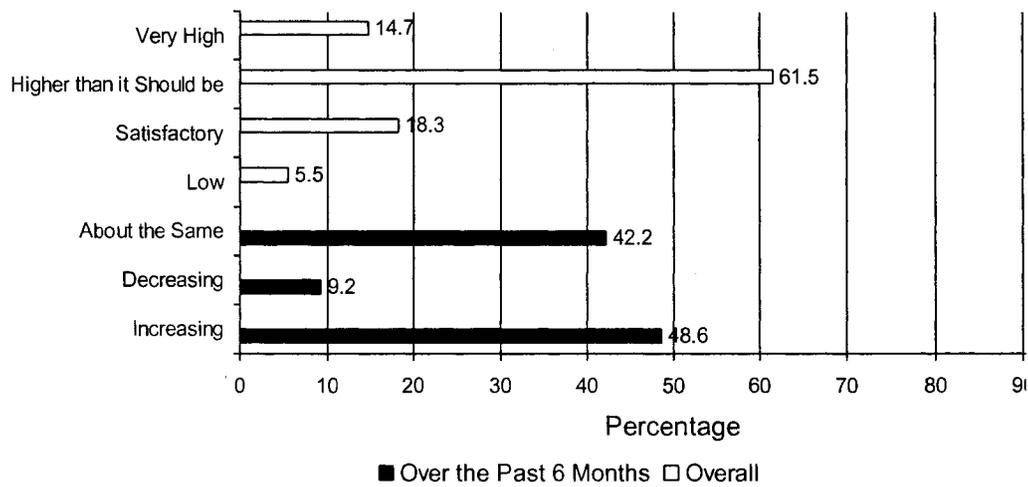


Table 4.9 - Perception of Crime



Parapolicing denotes a specific type of aggressive policing activity focusing on controlling and deterring criminal behaviour.¹⁵² The Broken Windows logic of controlling crime is an example of a popular approach employed by the new parapolice. Examining the role of the private policing in Canada is increasingly important as the sheer numbers of licensed security officers would indicate - ranging from 84,000 to 109,900 as of 2002.^{153 154} This begs the question, why has there been such a proliferation of private security officers? Why are there more than twice as many private uniformed security guards as there are public uniformed police officers in Canada?¹⁵⁵ It has been suggested that private security is predominantly a corporate phenomenon that marks a shift away from the need for traditional public police control, and a corresponding move toward assumption of elements of the criminal justice system by private entities.¹⁵⁶ Private companies and governmental institutions, operating independently of the State, are taking advantage of relatively inexpensive security labour allowing them to better supervise their employees, satisfy internal demands for the management of risk and maintain stability within their organization. From confronting vagrancy on private property, to the production of knowledge designed to strengthen investment opportunities, to the monitoring and regulation of employee conduct, the New Parapolice play a critical role within various forms of corporate management seeking to maximize the flow of information through

¹⁵² supra note 19, at pg. 10

¹⁵³ *ibid*, at pg. 10.

¹⁵⁴ <http://www.statcan.ca/Daily/English/040810/d040810b.htm>

¹⁵⁵ supra note 19, at pg. 10.

¹⁵⁶ *ibid*, at pg. 5.

technology and to “align economic, social and personal conduct with socio-political objectives”.¹⁵⁷

When asked about a role for private security in the DYBIA, one police manager replied, “Private security is good to a certain extent in any given area, but if you are looking for policing that’s what we do. Security could make things better if you’re looking for security.”(Interview PM2) As previously mentioned, over 61 percent of merchants in the DYBIA when asked what they would like their community to do to make them or their customers feel safer recommended increased police patrols. It would appear that merchants want more uniformed police officers.

The Trespass Interdiction Program (TIP) employed by Intelligarde International is designed to “clean out the drug trade and prostitution from buildings.”¹⁵⁸ Program advocates have suggested that these activities not only compromise the quality of life for residents living in these buildings, but also serve(d) to ‘provoke’ other infractions such as muggings, car break-ins, thefts and vandalism.¹⁵⁹ The New Parapolice enter buildings and attempt to seek out community groups who may be able through the establishment of informal controls, to oppose the presence of these ‘intruders’.¹⁶⁰ Employing an ‘evangelical’ approach, the president of Intelligarde organizes a community meeting and reveals all of the past, present and future policing initiatives that have, are, and will take place. This meeting not only allows members to visually

¹⁵⁷ supra note 38, at pg. 2.

¹⁵⁸ supra note 8, at pg. 90

¹⁵⁹ ibid, at pg. 90

¹⁶⁰ ibid, at pg. 90

connect with each other, but promotes a sense of solidarity. Residents ‘rally’ around the parapolice and begin to form bonds pledging cooperation with future initiatives. Tenants express their concerns, air their frustrations and can once again be recognized as a community. They may indeed be reconstituted as a community through policing. The TIP can have the effect of re-building communities through the identification of an enemy and the force that will defeat it.

The public policing initiative was deployed by the Toronto Police service and was called the ‘Yonge Street detail’. Here are the specifics as recounted by a senior police manager:

The Yonge street detail. 10 officers. I gave them a box of business cards, a cellphone and a pager. They were not allowed to drive or ride a bike - all they were to do is walk. They were asked to walk, to go door to door, to go into laneways, go into bars, I wanted them in there to present a card and the message was, if you have an emergency and need the police right away call 911. If you have a problem that can wait a day, call me. Me or one of my colleagues will come over and fix the problem. Staff sergeants were outraged wondering how they were going to answer the radio calls. The interesting thing was, when I put them out there, the radio calls went down, and the people on Yonge Street loved it. Merchants would be thrilled about how many business cards they had, having 10 different names that he could call in order to solve a problem. You could have a call 10 times to the same address, take 1 officer to go there and stay until the problem is fixed, that's 10 calls gone. If the officers were really doing what they were supposed to be doing, giving out business cards and fixing problems, things would be different (Interview PM1).

It is interesting to note the comparable saturation/community-oriented response deployed by both policing approaches. Whether it be visiting tenants, or visiting merchants, private and public policing service providers are dealing one on one with their clients and projecting high levels of accountability. Another common element of these two initiatives was foot patrol. As the New Parapolice patrol by

foot down the hallways and alleys of apartment complexes or shopping malls, the public police patrol by foot door to door and serve the property owner/managers of small and large businesses alike. The last key element deployed by both approaches, is the creation of a solidarity between authority figures and the public. Whether it be the tenant services committee/board or the DYBIA, both private and public bodies govern through agencies with similar goals and crime problems. Security concerns provide cause for communities to come together and cooperate. The need for security can be argued to exist in every circumstance, however, the degree to which the community participates depends on the degree to which policing service providers are able to appeal to the communities' interests.

Governing Boundaries and Adequate Police Response

The current boundaries of the DYBIA foot patrol extend about one-half of a kilometer down Yonge Street (both sides) from Grosvenor to Richmond Streets. Division of territory can have implications for the way in which jurisdictional policing operates. Crime rates recorded and compared inside and outside of BIDs in the United States are indicative of the important effect of boundaries.¹⁶¹ In the DYBIA, division of territory must be done in such a way, so as not to create policing voids. One officer working the DYBIA callback noted,

In between Grosvenor and Bloor (just north of the DYBIA boundary) we have a deadman's zone (Respondent 26).

¹⁶¹ supra note 146 at pg. 239

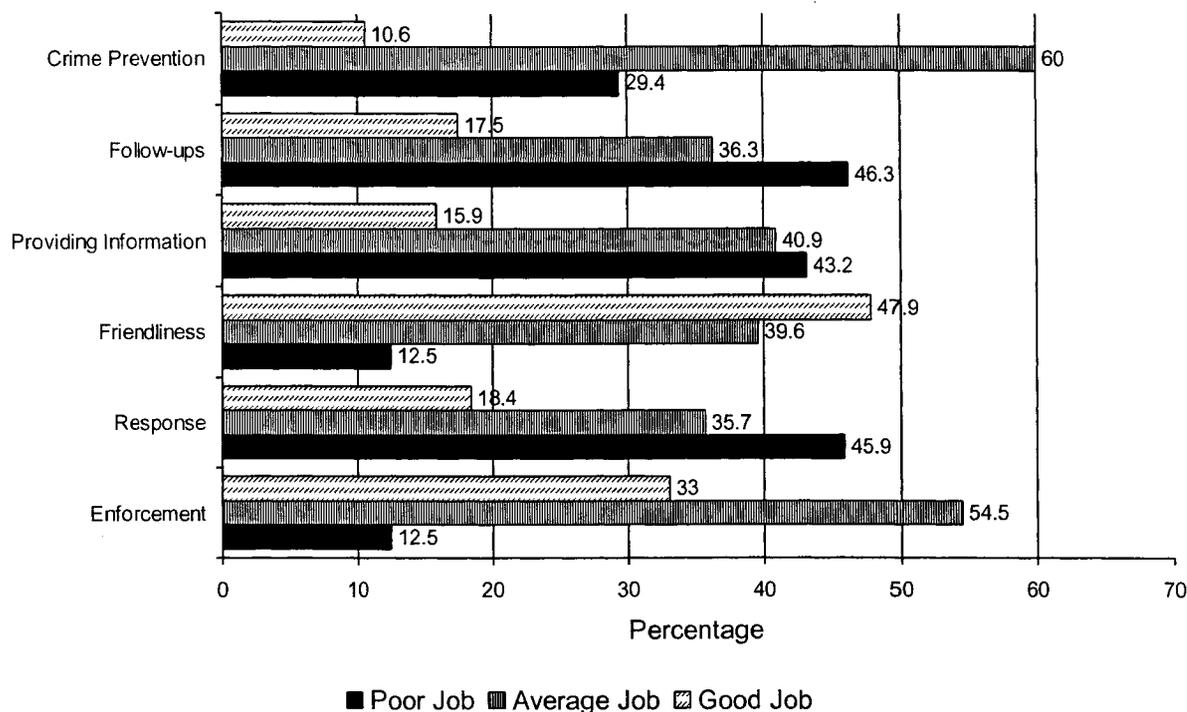
This was the first real sense of the ‘gating effect’ emerging as a result of directed patrols within a given boundary. This ‘gating effect’ flows from the nature of dividing territory, leading to some areas becoming neglected, which may allow disorder to proliferate. A simple answer to this problem would be for the DYBIA to work in cooperation with the Bloor-Yorkville BIA to ensure that merchants in this current policing void get the attention they require.

Aside from merchants outside the community receiving a different level of policing than those within the DYBIA, concerns were voiced about the boundaries between policing divisions within the city proper. The DYBIA police foot patrol rotates between 51 and 52 Divisions of the Toronto Police Service. Due to the fact that Yonge Street is the boundary between these two divisions, several problems became apparent. The most pressing issue is the facilitation of communication between the two divisions while on callback for the DYBIA. In theory, an event could be taking place on one side of the street and the foot patrol for the opposite division may never receive word of it. This may place the officer’s safety in danger, and may also hamper community response efforts. While a car from 51 Division may have been dispatched to respond, the DYBIA foot patrol from 52 Division may already be standing right in front of the event location. The police must ensure that the communicators working in the radio room have the ability to dispatch the foot patrol to a location if they happen to be in proximity to the source of the complaint. This is necessary in order to address response times. According to Figure 3.10, only 18.4 percent of merchants believe that the police are doing a good job responding to complaints. 45.9 percent

believe that police are doing a poor job and 35.7 percent believe that they are doing an average job responding to incidents. Follow-ups run along a similar pattern with 46.3 percent of merchants believing that the police are doing a poor job, with only 17.5 percent believing the police are doing a good job. As several police constables noted, their ability to stay and solve merchant difficulties is hampered by the need to 'chase the radio' or move on to the next line of business. If the DYBIA foot patrol (who are not actively responding to radio calls), were given certain responsibilities to address calls relating to DYBIA constituents, the car that was dispatched from the other division (or their own division for that matter) would be able to move on to address other more pressing and substantial concerns in the neighbourhood.

During the observational research, it became clear that foot patrol officers are very much aware of the boundary limitations. As they reach Richmond Street (at the most southern tip of the DYBIA boundary) one officer reminds his partner, "Whoa!! We ran outta room."(Respondent 22) Fifty-two Division (of which these officers are members) continues several more blocks south to the harbour, however, this patrol is cut off at Richmond Street at the behest of their corporate sponsors.

Figure 3.10 - Police Performance Across Various Categories



The 'outta room' philosophy is of course common parlance for the New Parapolice and private security providers in general. With the exception of jurisdictional boundaries, however, public police generally do not 'run out of room'. Even during routine patrol, calls are re-routed across different divisional boundaries. One constable informed me that on several shifts he has spent more time responding to calls in different divisions than he had in his own.

Anywhere from 2-6 times a shift... I was in 14 division for like a week, I guess someone must have been in court, or maybe at class, or maybe taking a call from a parent who wanted an officer to put their kids to bed (Respondent 14).

Several police officers feel as if their resources are stretched to the limits, which may be a reason for longer response times and a perception of higher crime on the part of merchants.

According to one constable, former police chief Fantino downsized the force to the point where only 6-10 people within some divisions are physically working the street. (Respondent 8) Officers are thus required to attend court and courses on their dayshifts thereby pulling valuable resources off the street.

According to two constables, some officers are becoming increasingly averse to completing any duties or investigations that may result in court time.

(Respondents 6 and 8) Does the reluctance to engage in time-consuming policing activities speak to the role of police as risk reducing officers? One constable notes, “A need to increase productivity has depleted the police force”

(Respondent 14). Becoming overwhelmed by external demands for knowledge about risk may exacerbate police perception of officer availability and may contribute to the public perception that police are not doing their jobs due to a lack of visibility (especially within the DYBIA where merchants on average see police in the area of their business 3-4 times in an entire week).

Perceptions of Safety in the DYBIA

Based on the results of the MSSS, a majority of merchants within the foot patrol boundaries feel reasonably safe, when performing various activities within the DYBIA in or around the area of their business(es). Additionally, a majority of merchants within the foot patrol boundaries, believe that the Toronto Police service are doing a good or average job when rated on crime prevention, response, follow-ups, providing information and friendliness. There is, however, a significant minority who have also identified shortcomings in police actions.

As shown in Figure 3.11, over 40% of respondents feel unsafe or very unsafe walking alone, walking to a vehicle, waiting for TTC, walking past strangers alone and being at their store alone after dark. Moreover, Figure 4.12 reveals that over 70% of respondents believe that theft, drinking/drug use, loitering, panhandling, drug dealing, and groups of teenagers have become an increasing problem or have not improved over the past 6 months. These perceptions may largely arise as a result of ‘general maintenance issues’, or what Broken Windows may refer to as ‘public nuisance offences’, wherein most of these activities do not even constitute offences punishable under the law. For example, although over 35 percent of respondents believe that panhandling, loitering and theft have become more of a problem over the past 6 months, panhandling and loitering are not offences. The panhandling must be aggressive, and the loitering must be occurring on private property where a merchant wishes to either delegate an agent or themselves enforce the Trespass to Property Act. This is a “Catch-22” for governing bodies such as the DYBIA due to the fact that these ‘public welfare offences’ are often responsible for an increasing perception of crime and disorder.

Figure 3.11 - Fear Levels During Daily Routines

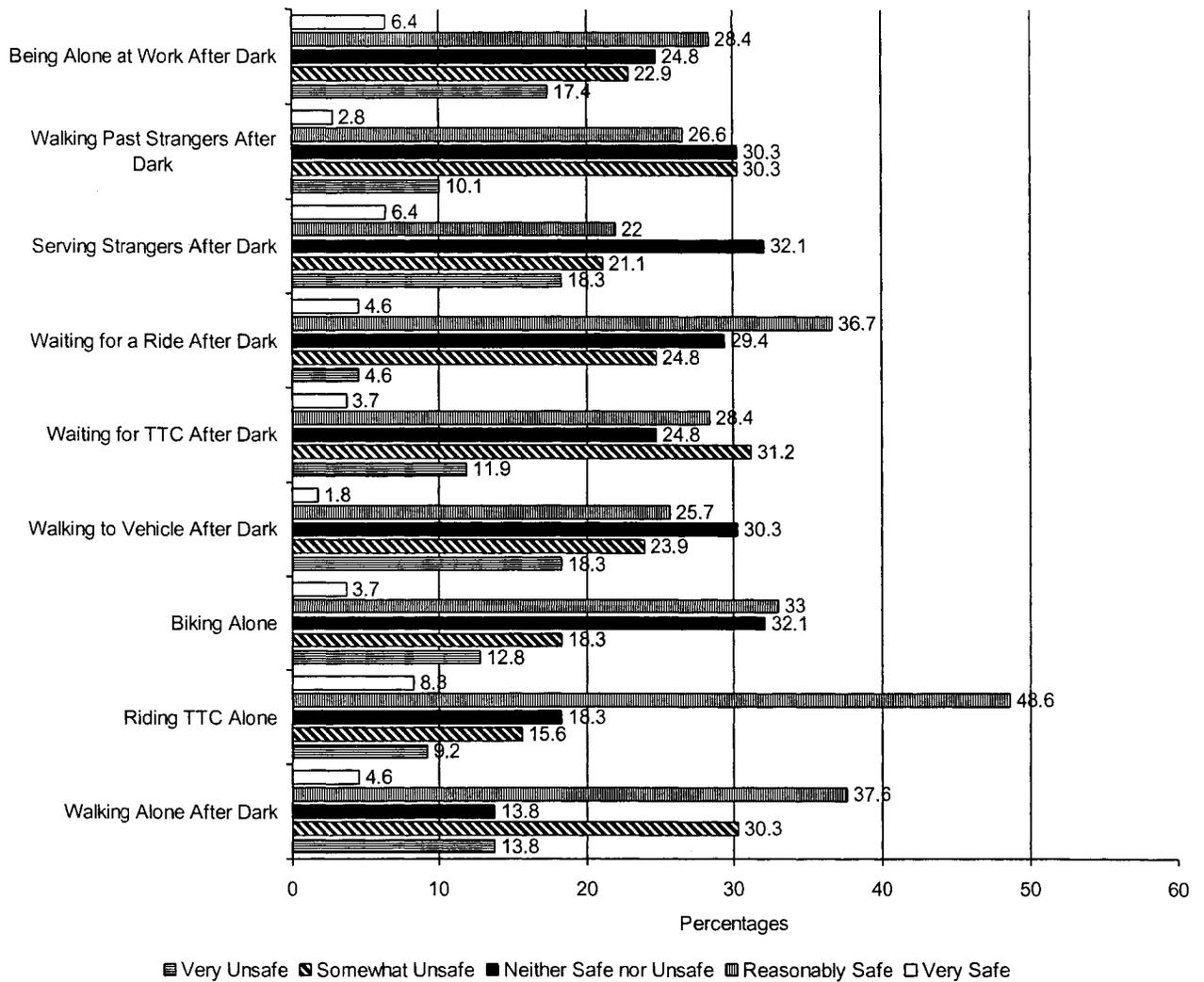
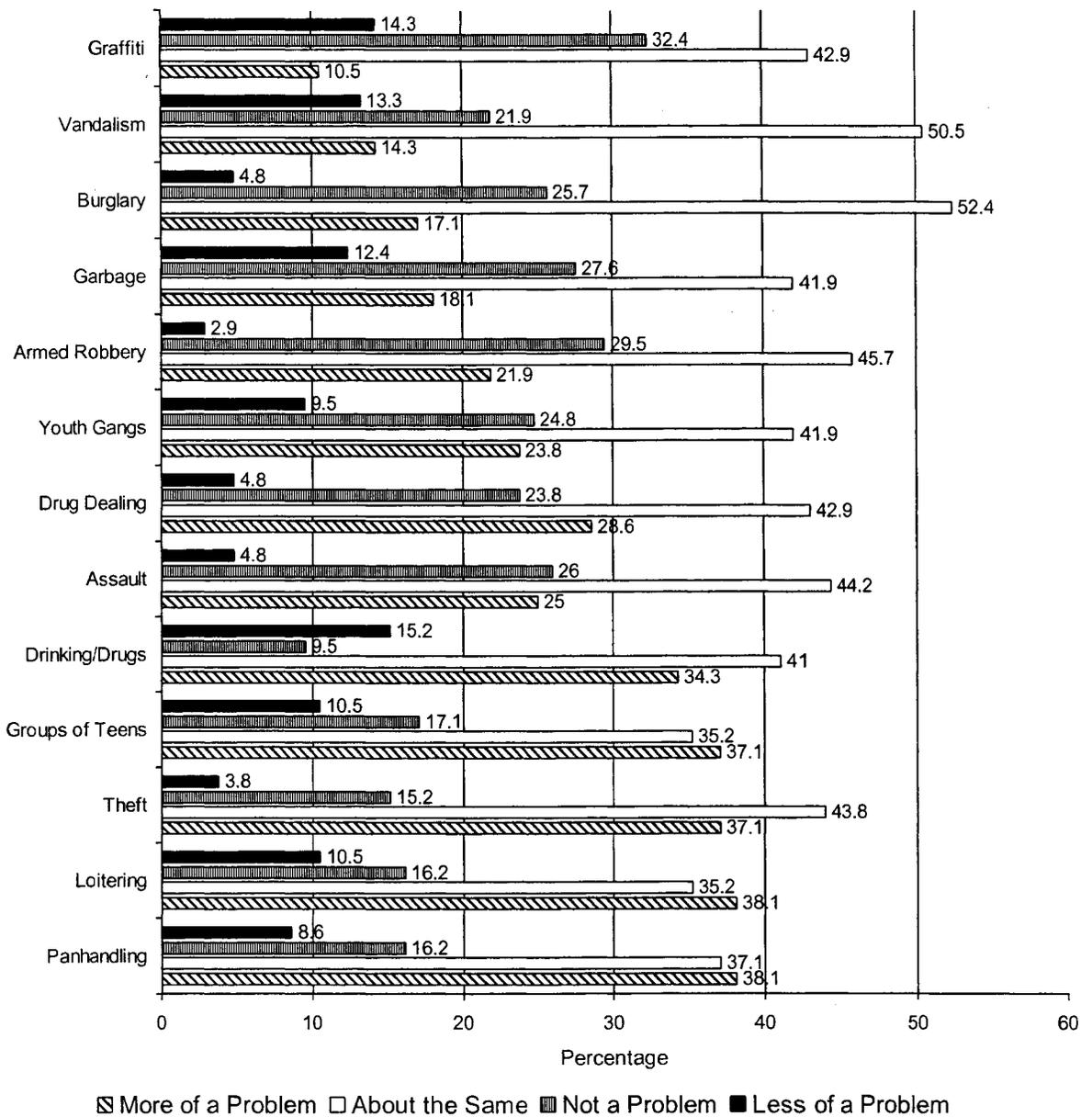


Figure 3.12 - Perception of Various Behaviour Over the Past 6 Months

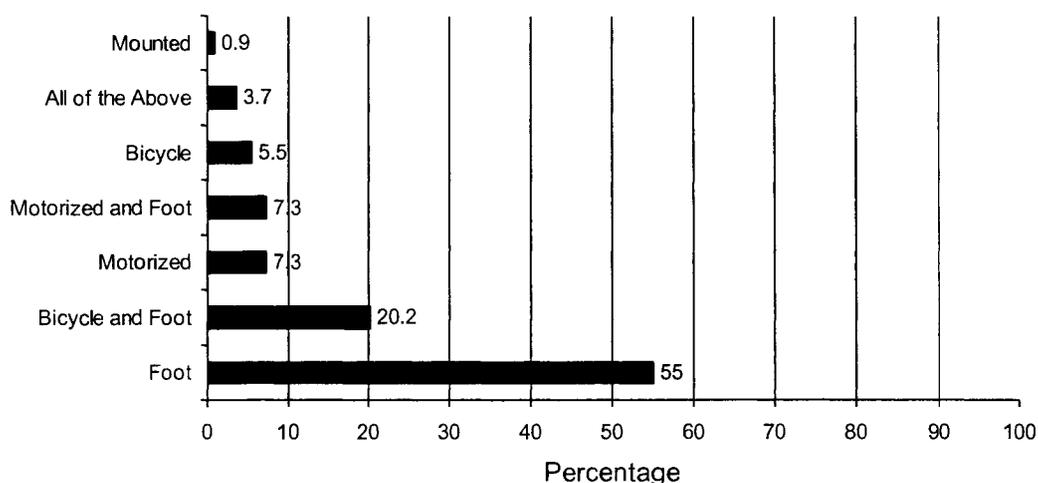


The Promise of Foot Patrol

The promise of foot patrol was discussed in chapter two and input gathered from officers on foot patrol as a general policing strategy will be

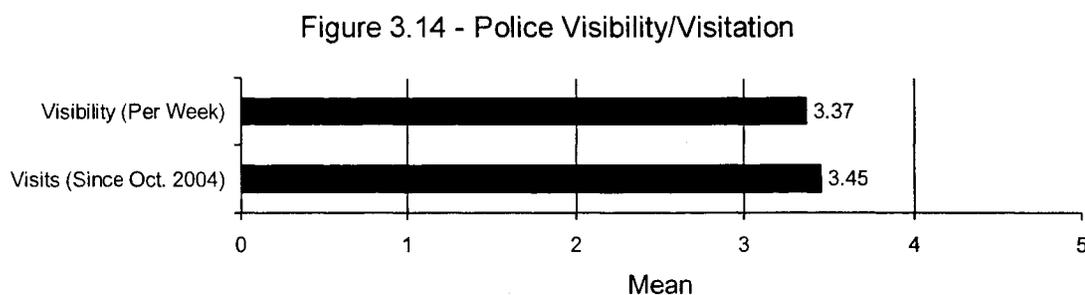
discussed further in chapter five. According to Figure 3.13, 55 percent of merchants chose foot patrol as their preferred mode of policing. An additional 20.2 percent of participants believed that a combination of foot and bicycle patrol was key to policing the DYBIA while 7.3 percent suggested that a combination of motorized and foot patrol were the best way to police the area. In total, over 82 percent of merchants want to see the police out conducting some foot patrol while on duty in the DYBIA. When police were asked about foot patrol as a policing strategy, responses varied, however, a clear majority of officers believe that foot patrol allows them to develop a different relationship with the community and provides a more effective way of controlling disorder.

Figure 3.13 - Policing Patrol Method Preference



The DYBIA foot patrol is a significant contributor to the general policing presence in the area. As shown in Figure 3.14, MSSS participants have indicated that, on average, police are seen in the vicinity of their business three times per week. However, 44 out of 109 participants as of June 6, 2005 report they have

yet to be visited by the public police since the patrols commenced in 2003-2004. Some visits may have occurred without the knowledge of the survey participant (as the patrols occur in the evening). All participants were asked to consult co-workers, colleagues and other staff in order to mitigate the effect of this variable. It is also possible that this number may be lower as a result of visits occurring after the completion of the survey. Nonetheless, ten respondents had never seen the police in or around the area of their business. One business received 84 visits by police since the implementation of the PAS, when it was only required to be visited five times. This business, ironically enough, was a local coffee shop. Some businesses such as this local coffee shop may have more appeal to the foot patrol, or police may have already established contacts within the business. This finding confirms the statement of the constable in chapter five indicating that several businesses have been visited even though they were not listed on the PAS.



When visitation was grouped into 3 categories of zero visits, one to five visits, or six or more visits, police visitation was found to be statistically significant for reducing merchant feelings of un-safety for serving customers they didn't know after dark ($\chi^2 = 13.096$, $df = 4$, $p < .01$), walking past people they

didn't know, while alone after dark ($\chi^2 = 13.381$, $df = 4$, $p < .01$), and being alone in their business after dark ($\chi^2 = 9.907$, $df = 4$, $p < .05$) These results were obtained after safety responses were re-coded into 3 groups: (i) very safe or reasonably safe; (ii) neither safe nor unsafe; (iii) somewhat safe and very unsafe. It is important to note, however, that there were no significant effects on perceptions of safety for walking alone after dark, riding or waiting for any form of transit after dark, riding a bicycle alone after dark, or walking to their car in a parking lot alone after dark. Moreover, visitation had a statistically significant effect on the merchant perception of changes in crime over the past six months ($\chi^2 = 15.510$, $df = 4$, $p < .01$). Only 6.8% of respondents with zero visits felt that crime was decreasing, whereas 33.3% of respondents with six or more visits by the DYBIA foot patrol felt crime was decreasing. When sightings of police were also grouped into three categories of zero sightings, one to five sightings and six or more, there were no significant effects on any feelings of safety measures. It would seem that simple patrol without contact had no effect comparable to in-store visits.

Foot patrol has been identified as the most preferred method of police patrol. Furthermore, merchants have identified situations they would like to see targeted by police such as, loitering, panhandling, groups of teens and drug trafficking. Levels of safety vary from situation to situation, however, the overall perception of crime is high and increasing. Police performance has been criticized on the grounds of response, follow-ups and information provision. On the whole, survey participants have indicated that they would like the police to be more involved in enforcing the Trespass to Property Act on their property.

Participants would also like to see the police more involved in the community based on the consensus that police patrols must be increased coupled with more visits which were almost unanimously declared to be beneficial.

The MSSS has provided for important data revealing perceptions of crime as well as evaluating areas of policing shortfalls. A more comprehensive survey of this nature needs to be conducted to include all members of the DYBIA. A separate tool may also be useful when distributed to other members of the public such as residents or shoppers. In hindsight, it may have been useful for this research instrument to gather more information on the participants such as ethnicity, age, gender, etc. to help in addressing stereotypes relating to said categories. The results of this survey released in this thesis must be provided to merchants, property owners and other research participants in order to inform them of issues relating to security in the downtown core.

Chapter 4 – Observing Commodified Public Policing

Observational research yielded some interesting results about surveillance methods utilized by a public police force that commodifies its services. By agreeing to engage in merchant visits directed by the DYBIA, the Toronto Police Service (TPS) have developed new relationships with businesses, some of which may enhance their police work on regular shift. Several observations were made while police were involved in controlling and reducing disorder. The implications of controlling and reducing disorder may be an important mandate of the DYBIA, however, it may invariably change the way police interact with individuals in the community. The commodification of public policing services has allowed constables to engage in the policing of activities that may otherwise go un-policed during routine police shifts. Officers spend a significant proportion of their time answering radio calls and completing the paperwork associated with response calls. Commodified public policing service providers on callback for the DYBIA possess greater latitude to respond to certain events as and when they see fit. This freedom afforded to the police by commodified public police patrols did not go unnoticed by officers. They expressed a desire to import this greater response flexibility into their regular shift-work. DYBIA callback police officers have greater flexibility to engage public maintenance offences such as jay-walking, illegally stopped vehicles, panhandling, loitering, gang activity and generally to communicate with lawbreakers in a more territorial and comprehensive manner. One constable makes it clear,

I am the King Lion and evil people do not eat without my permission – without the police presence, the evil lions will have their snacks (Respondent 38).

This chapter will discuss some of the relationships formed by for-hire police while on duty in the DYBIA's territory with a specific mandate. Officer commentary and events recorded on shift during the field research conducted with the DYBIA foot patrol will be discussed. Events will be linked to some of the major theoretical principles discussed earlier such as, Broken Windows, surveillance (and the idea of placing individuals into the permanently watched), the effect of communication formats on police methods, and responses by the public, police, and security during attempts to police communal spaces. One police officer had even discussed the idea of Broken Windows at length during patrol – another patrol officer revealed the importance of discovering strategic locations for monitoring groups. The following is a glimpse into a realm of policing rarely uncovered by criminological research and will provide a deep intimate look into the life of the DYBIA foot patrol.

More basic than the high-tech concept of achieving total control through the use of electronic surveillance techniques such as advanced CCTV and Deister technology, access to DYBIA foot patrols revealed that the power of the application of the five human senses plays a key role in community policing. Constables often revealed strategic locations from where they conducted surveillance unbeknownst as the watched never realize the gaze is upon them.

On a hazy, humid summer evening at 6:30pm, the two foot patrol officers enter the College Park Mall and ascend to the upper level complex to peer out of a window in a

secluded area where they will have a bird's eye view of the parkette. In the parkette, there are approximately 25 youths arranged in groupings of five or six scattered across the grounds. The police stand and watch as the youth listen to music, smoke cigarettes and take advantage of one of the many communal spaces in the DYBIA. Two security officers contracted by the facility join the foot patrol and recount tales of drinking and disorder they have heard from tenants in the new apartment complexes overseeing College Park. One constable informs them that, "kids in this area deal drugs and commit the odd sex assault." (Respondent 26) The security officers do not appear surprised, when all of a sudden one of the members of the foot patrol cocks his head and says, "that doesn't look like pop." (Respondent 28) Two youths with alcohol containers consume their drinks in plain view and are approached by the two constables on patrol accompanied by one of the security personnel. One constable pulls out a 208 and begins to take the subjects' information. The security officer mimics the officer and pulls out her memo book writing over the constable's shoulder. The subject is told to hand the liquor to the security officer. She takes the bottle with a big smile on her face and places it inside a garbage bin. The other security guard (slightly apprehensive) approaches watching the action. Several members of the youth groups have now dispersed, with only four remaining (two of which are being detained by police and security). One constable turns to his partner and says, "those other kids will think twice before they come back here to smoke their dope." (Respondent 26)

Cooperation between public and private agents of social control was a common theme during this project. Similar to their private counterparts, the commodified public police patrols required constables to engage individuals involved in disorderly conduct on private property. Although the College Park Mall has its own private security force, the public police while on callback for the DYBIA compliment these private patrols and aid in curbing disorder. The main similarity between these agents of social control is their common mode of patrol, namely, foot patrol and bordering areas of jurisdiction.

Foot Patrol

The popularity of policing via foot patrol can be explained with reference to Broken Windows. Although management may view techniques employed by commodified public policing service providers as reasonable responses in deterring and preventing future crime, this type of policing must nevertheless be undertaken with caution. It was interesting to observe how police officers viewed this policing approach. “Don’t let the red light fool ya!” (Respondent 18) While the couple look over and flout a guilty smile at the police officer. Comical policing expressions were commonplace; expressed by several officers on patrol. It is not often, as one officer indicated, that police have time to deal with minor disorder offences such as jay walking anymore (Respondent 18). Another officer stated boldly that, “Broken Windows is the way to go...it just makes sense.”(Respondent 22) Another constable viewed the DYBIA callback as an

extension of the Yonge St. detail (Respondent 30). The Yonge St. detail required police to visit and collect information about Yonge St. merchants during their regular shifts for the city of Toronto. Police were instructed to deliver the message, “that if you have a problem that can wait a day, call me.” (Respondent PM1) Police were very receptive to Broken Windows and it was clear from observing the performance of their duties on callback, most officers targeted minor forms of disorder and less serious criminal offences. Information was unavailable as to whether or not some of the minor detentions produced warrants or knowledge of other more serious offences as Broken Windows would predict. One must always be mindful that expelling certain individuals from the doorsteps of businesses and collecting information on vagrants, may deter, displace or even provoke.

Broken Windows argues that as a consequence of increasing foot patrols/police visibility, the public may be more willing to become risk-takers and use streets that they may have previously avoided. Instead of gating communities, people will be more inclined to tear down the walls and walk the streets freely. It was important to observe how business owners, the public, and the ‘risky’ populations responded to the DYBIA foot patrol in their community.

Criminological literature draws important conclusions about the use of foot patrol in the disintegration of disorder. Ellickson argues that a “conscientious foot patrol officer strives to develop relationships with street

people, partly to protect them from crime.”¹⁶² This argument was confirmed by the behaviour of the DYBIA foot patrol.

On a cool and rainy summer day, the officers begin their patrol down Yonge St., when they notice a man lying on the ground with two or three individuals gathered around him picking at the coins in his Tim Horton's coffee cup he had used for panhandling. The officers tell the other individuals taking money from the cup to 'scram' and assume based on the disposition of the individual and the topless Listerine and cologne bottles beside him, that he may be suffering from some degree of intoxication. As the police call EMS in the pouring rain, I seek shelter underneath the awning of the Eaton centre and observe from a distance. The officers help the intoxicated male to his feet and ask him how his day has been. The intoxicated male is then helped into the ambulance by the officers and has now found shelter. The benefits of police having the time to help out struggling people, and preventing the loss of money from the panhandler's coffee cup, as one officer explains, "may enable this guy to eat dinner when he gets out of the hospital" (Respondent 32).

Police protection for street people delivered by the DYBIA foot patrol does not end here. In this next encounter, police are in the position of comforting a woman who had recently been diagnosed with HIV contracted from a man who

¹⁶² Ellickson, Robert. "Controlling Chronic Misconduct in City Spaces: Of Panhandlers, Skid Rows, and Public-Space Zoning", *The Yale Law Journal*, Vol. 105, No.5 (Mar., 1996), at pg. 1200-1201.

had also recently contracted HIV from a woman who is allegedly intentionally spreading the virus.

On a beautiful hot summer day, the foot patrol is on duty in the Quad by the Church outside the Eaton Centre. They approach two disheveled men sitting on a bench and engage in a 208 investigation. After collecting information on the men, police are informed that there is a woman moving about the area infecting men with HIV (sexually transmitted). All of a sudden a shriek can be heard coming from around the corner. The constables move quickly to the source and find a woman lying on the ground crying. The police approach cautiously and find that she has just been told that she has contracted HIV from a man who was infected by the infamous woman who is spreading the virus through unprotected sex. The police begin their investigation and assure this woman that they will do their best to find the perpetrator. A woman from the disaster relief committee of Toronto attends the scene and comforts HIV's newest victim. One constable says to his partner, "we need to keep our eyes peeled for this lady spreading HIV" (Respondent 26). His partner looks at me and says, "we need 20-30 officers on bikes, foot and mounted on callback to look for these types of people (referring to the lady spreading HIV)" (Respondent 28). The woman looks up at the officers and says, "thank-you for caring about me."¹⁶³

¹⁶³ This comment was overheard while observing the commodified police on patrol

The protective capacity afforded by commodified public policing foot patrol for street people is re-confirmed in the infamous O’Keefe laneway. This laneway has been identified by one officer as “a haven for drugs and criminal activity” (Respondent 34). The O’Keefe laneway is also a location that had recently been added to the Intelligence Led Policing (ILP) form for police when on regular shift. This location also signaled the first contribution made by the TPS to the location selection database used by the DYBIA to direct patrols on their PAS. O’Keefe lane was the first ‘hit’ added to the PAS by police, as normally the DYBIA directs all patrols while the police are working the DYBIA callback.

While on patrol in the laneway, police stumble upon a man sleeping inside an abandoned garage. One constable confronts the man and says, “I’m sorry for coming into your home like this, but we just wanted to know, has anyone been bothering you lately? (Respondent 34)” This struck me as an odd question, but I guess it was just an example of my ignorance of the fact that this street person was well known to police and thus received a higher level of protection from police than otherwise expected. Despite public perception of police engaging in the harassment of the homeless, this gentleman was actually receiving the police protection alluded to by Ellickson.¹⁶⁴

¹⁶⁴ supra note 162

Not all confrontations between the homeless and the police are perceived by the public as just or fair. While police were questioning a panhandler at the corner of Yonge and Jarvis and completing a 208 investigative card, a couple strolls by and under their breath mutter, “why do they always harass the homeless?”¹⁶⁵ When asked for a comment, one constable replies,

What the public doesn't see is that we are here to protect them (the homeless). By collecting this information (on the 208), we are able to know that they are not aggressive and can make sure that they are not treated like criminals. To some of them, we are the only friends they have – other people try to steal their money, we like to make sure that nobody has been bothering them (Respondent 22 and 24).

The panhandler was left to continue his business, but instructed to move around the corner. His home address was a local shelter called the Seaton House. There was no evidence to substantiate the couple's claim that police were engaging in arbitrary harassment during these information collection exercises. But the police were definitely accumulating data in order to ensure that the subject remains 'known', risk assessed and by extension protected in his environment.

The key function of foot patrol and increased police visibility identified in the criminology literature deals with the important function of curbing public fear. As Kelling et. al. had identified, motorized patrol had no statistically significant

¹⁶⁵ This comment was overheard while observing the commodified police on patrol

impact on the levels of crime, however, foot patrols and increased visibility reassured people about their safety.¹⁶⁶

. . . the Newark, New Jersey and Flint, Michigan, foot patrol experiments found that increased foot patrols reduced citizen's fear of crime. In the Flint experiment, 70 per cent of the citizens interviewed said that they felt safer as a result of the foot patrols, especially when the foot patrol officer was well known and highly visible.¹⁶⁷

As explained in Chapter 4, merchants want to see the police patrolling on foot in preference to other methods of patrol. Observations made while on patrol may reveal a useful 'human dynamic' in the relationship between the police and disorder. This begs the ultimate question of whether foot patrol can prevent harm. An event occurred on shift evidencing that foot patrol affords the police with opportunities to pre-empt dangerous situations.

On a cool mid-summers evening at 7:25pm. As the scalpers yell and cheer, "tickets, tickets, buyin', sellin', who's got tickets", the DYBIA foot patrol officers stop at the corner of Yonge and Shuter for a breath of fresh air. All of a sudden, a truck screeches around the corner beside a cyclist. Both the motorist and cyclist turn down the O'Keefe laneway. The driver and passenger exit the vehicle and begin to pursue the cyclist on foot. One constable on the foot patrol shouts to his partner, "you go around the other way" (Respondent 32). The partner asks me, "what's going on?"

¹⁶⁶ Bahn, Charles (1974) "The Reassurance Factor in Police Patrols", *Criminology* 12(3) at pg. 157. See also Supra note 2, Kelling et. al.. Washington, DC: Police Foundation and Police Foundation (1981) "The Newark Foot Patrol Experiment". Washington, DC: Police Foundation.

¹⁶⁷ Silverman, Eli and Jo Della-Giustina (2001) "Urban Policing and the Fear of Crime", *Urban Studies* 38(5-6) at pg. 948.

(Respondent 30) " As the other constable pursues the men down the laneway, I reply, "it would appear as though a cyclist is being pursued by two men down that alley. "¹⁶⁸ The partner runs around the other side of the block and cuts up through a parkette. When I arrive on scene, both men who exited the vehicle are under arrest and EMS was being called to treat injuries to the cyclist sustained when he was chased off his bike. Slightly disoriented and with a bloody knee, the cyclist looks over to the police and says, "thank goodness you boys were here. "¹⁶⁹

The incident was apparently an example of driver road rage. The cyclist had accidentally tapped the mirror on the truck. When reprimanded by the motorist, the cyclist gave the gentlemen in the vehicle the middle finger, sparking the driver and passenger into a state of rage. The presence and availability of police on foot ensured a quick response and prevented further harm from coming to the cyclist. It is unclear whether a police cruiser or bike officer might have prevented or even detected this event. However, in areas such as this, populated by large crowds of people, regulating human traffic becomes problematic. The utility of 208 investigative data (which will be expounded later in this chapter) in this situation was obvious. After conducting a check with dispatch, the police informed the motorist and passenger that they had been warned once before for aggressive behaviour (despite a plea from the driver that "nothing like this had ever

¹⁶⁸ A comment made by myself in response to a police question

¹⁶⁹ This comment was overheard while observing the commodified police on patrol

happened before”). Accordingly, the men were arrested, but no charges were laid. One constable, when asked to comment about the use of 208s in this situation said, “A lot of people think today and not tomorrow and not about the past...they catch themselves in lies.” (Respondent 30) When asked to comment about foot patrol in this situation, one officer said, “if we were riding, I don’t know if we would have seen them” (Respondent 30) ‘Walking the beat’ dates back to the most primitive forms of watch-style policing.

The 208 as Risk Communication

The 208 (See Appendix F)¹⁷⁰ has evolved over time. As one senior police manager explains,

When I came on the job in the early 70’s, it was called an R-41. It was rather larger than the one we have today, maybe 4 by 3 inches. It was a contact sheet, you talked to someone out on the street for whatever reason and you filled it out. You filled out as much information as you could. This is a contentious issue right now, because it is assumed an individual is stopped because they did something or posed some sort of risk to the community. Three in the morning, it’s a back alleyway, we’ve had break and enters here before, I’m gonna find out who this guy is and the courts have recognized this as articulable cause for questioning, so I am going to legally detain and find out why that person is there. If I am talking to someone and I want to know who they are because it may be germane to my duties, that’s a contact. At this point you don’t really need justify the contact. The R-41 turned into the 172, now the 208, in the 172 and 208 there is a line requiring a reason for the stop (Respondent PM1).

A clerk places the information gathered from each 208 into an internal police database. It is then possible for officers in patrol cars, or officers at the station house to conduct a unified search for various criteria collected on the card. The information collected on the 208 is not available for public

¹⁷⁰ The 208 Investigative Card. Image has been enlarged 150%. The normal dimensions of the 208 investigative card are 5 inches by 4 inches.

consumption, neither is it possible for individuals to find out how many ‘hits’ they have on their name/birth date. This information may be of great utility for placing individuals at specific locations and reducing risks to the officer and liability for the institution.

A key function of the 208 is to not only make certain populations known to police, but to allow officers an opportunity to be known by the general population. There is a great deal of pressure on police to properly document interactions with the public. Other than during community policing days or at a routine roadside stop, it may often be difficult for police to implement Her Majesty’s Inspector of Constabulary’s (HMIC) three directives, namely, visibility, accessibility and familiarity.

This emphasis upon visibility is evident in Povey’s (2001) HMIC report, where he defines reassurance as being the product of three constitutive components – visibility, accessibility and familiarity...officers must be visible, accessible, and they must be known by local people...However, as evidence from the Chicago Alternative Policing Strategy experiments has identified, the issue is not simply the quantity of police patrols, but the quality of the police-public interaction from patrols that counts.¹⁷¹

Povey’s ingredients are not specifically included in the current mandate of public policing in the City of Toronto, however, with the increased use of foot patrols, it may be worthy of a future policy recommendation. As one constable indicated, “the 208’s show them (the DYBIA) that we’re talking to people” (Respondent 8).

¹⁷¹ Innes, Martin. (2004) “*Reinventing Tradition? Reassurance neighborhood security and policing*”, Sage: Criminal Justice Vol 4(2) at pg. 161. See also Povey, Keith (2001) *Open All Hours*. London: HMIC and, Skogan, Wesley and Catherine Hartnett (1997) “*Community Policing, Chicago*” Style. New York: Oxford University Press.

Whether or not there is a better way for police to prove that they are talking to people is debatable, however, 208 investigative cards allow the public to realize that someone is watching.

208 investigations also allow officers to reduce personal risk by knowing who they are dealing with ahead of time. With the use of a police radio or cellular telephone, police can access risk information to assist in responding to contacts based on information collected on previous encounters, such as identifying marks, clothing, hair style, height, weight, skin tone, birth place, weapons, etc. As one senior police manager adds, “a 208 may tell us if this person carries weapons, or has been warned without arrest in the past; Our warnings need to mean something, if we say “you do this again and you’re coming in”, we have to mean it” (Respondent PM1). Similarly, 208 cards may also be useful as a way of actuarializing and justifying tickets or arrests based on previous anti-social behaviour (Respondent 30).

In addition to the collection of 208 contact data, commodified public police service providers have other tools at their disposal. Reactive charges such as citations under the Safe Streets Act or Liquor Licensing Act can be used as tools to suppress disorder. Parking tags, traffic tickets and any other power of arrest can be exercised at any time. These tools help to further differentiate the role of commodified public and private policing authorities. Private security is generally unauthorized to enforce provincial legislation used to curb disorder. If private security is not allowed to use these provisions, which defer the rights of individuals in an intrusive way, we must ask why? Furthermore, if commodified

public police patrols are allowed to use these provincial statutes to curb disorder, should limitations be set on their use?

The 208 investigative card raises several important questions. First, who warrants investigation? What situations need to be investigated? Does the knowledge of prior 208 investigations on any one individual bias the judgment of officers, or perhaps increase the likelihood of that individual being arrested or detained for longer periods of time? Is the 208 too intrusive? Is the action of stopping individuals in a cloud of suspicion and as a result accumulating private information on these individuals, rationally connected to the objective of identifying and preventing behaviour and/or disorder? Should the public be privy to their own prior contacts? Why is the database classified? These and other questions may need to be answered in the future, however, what is clear is that the gaze of surveillance through contract and confluence has significantly blurred the operational lines between public and private.

Formatting Security Knowledge: The Patrol Activity Sheet (PAS)

The TPS deploy both open-ended reporting formats and closed-ended documents that leave little room for police error or comment. The DYBIA has selected a semi-structured report for foot patrol officers to complete, and it was interesting to analyze the quality of information collected. This new reporting format has changed the way in which police officers ‘police’ the population within the DYBIA and presents a marked deviation from the stringent risk-based

formats utilized by police while on regular shift for the City of Toronto. As one senior police manager explains when asked about the PAS,

It didn't come from within the Toronto Police Service and I'm OK with that. It was created and passed down by the BIA. With the lack of statistics of what people were doing on duty, we began to ask, how can we measure the effects of a directed patrol like this and how do we manage these types of things? The BIA; they're more oriented toward business, and they need to see results. Often with policing, there is nothing really tangible other than you see the officer standing at the corner and responding as required. The presence of the police officer may have actually stopped something from happening, but the BIA wanted something more tangible, they wanted to measure things. What doesn't get measured, doesn't get done! The BIA needed to be able to answer to its constituents. In reality, a police officer could visit 20 businesses, but they want to see that 5 are done and they want accountability on the part of the officers. The BIA wanted to know that they were getting the bang for their buck (Respondent PM1).

The PAS was created by the DYBIA administrators primarily to document whether police officers were completing merchant visits. It is extremely rare for police to adopt a reporting format created by an outside organization employing their services. As one police manager reveals, “It [The PAS] is a measurement tool in the age of accountability. This sheet is unique in that it provides instructions for officers” (Respondent PM2). This lower ranking police manager appeared slightly disconcerted by the presence of an external reporting format suggesting that, “They know where the problems are without an activity sheet” (Respondent PM2). This opinion, if mirrored by patrolling constables performing the DYBIA callback, could explain resistance to completing the PAS.

Completion of the PAS was required in addition to the reporting procedures employed by the Toronto Police Service during callback shifts. Although five merchant visits are required by the DYBIA, officers completing the

patrols may not be able to visit all selected businesses. Sometimes business would be closed, or an incident would arise preventing visitation (Respondent 22). DYBIA administrators had also created a database to systematically assign merchant visits for each DYBIA foot patrol shift. For the purpose of research, as previously mentioned in Chapter 1, PAS forms were analyzed through SPSS on the basis of frequencies, qualitatively codified comments made by officers and quantitative data on the number of citations issued. Each business was entered and every visit recorded. Since the implementation of the PAS in October 2004 until the 3rd of July, 2005, 546 merchant visits have been completed by the DYBIA foot patrol.¹⁷² 131 different constables have been sent out on patrol and 129 different businesses on Yonge St. have been attended by police for special merchant visits as directed by the DYBIA.¹⁷³ This means that 88 percent of businesses within the patrol perimeter have received at least one visit from police. This begs the question “what about the other 12 percent?” Why have 18 businesses not received a visit from police? When asked about the importance of visiting all merchants on the Patrol Activity Sheet, one DYBIA foot patrol constable indicated that, “we visit many more businesses than they could ever fill on these sheets” (Respondent 30). Another constable indicated that, “this sheet is only a guideline, we don’t actually have to visit all of these businesses...plus this stuff on here is what I would be doing anyway” (Respondent 12). A further source of confusion is the failure of the DYBIA administration to include on the

¹⁷² PAS SPSS Database Analysis. These statistics were generated based on frequencies associated with the Patrol Activity Sheet Data submitted by the DYBIA for processing.

¹⁷³ PAS SPSS Database Analysis. These statistics were generated based on frequencies associated with the Patrol Activity Sheet Data submitted by the DYBIA for processing.

PAS all member merchants within the patrol perimeter for the period under review by this study. When asked to comment on these omissions, one of the DYBIA managers indicated three possible reasons.¹⁷⁴ First, businesses are continually opening and closing within the patrol perimeter and it is a goal of the DYBIA to maintain its database and schedule patrols accordingly. Second, it is possible that the businesses' hours of operation do not coincide with the patrol time of 1600hrs-2200hrs Wednesday to Sunday. Third, it is possible that since the July 3rd cut-off for this research, some or all neglected businesses had since received a police foot patrol visit. Notwithstanding these explanations, it is interesting to notice the emerging dilemma of ensuring that all merchants are benefiting 'equally' from commodified police patrols. As in the case of differential police attention for those that can afford it through commodified policing, one might wonder whether larger clients enjoy the same advantages internally to the DYBIA. The bigger wallet, the bigger voice? Much like private security patrols, the client is looking to reap the benefits of commodified social control, however, according to some merchants, these benefits have yet to be articulated and measured adequately and equitably.

Whether it be used as a roadmap, a guide, a reference sheet, or a mandate, constables had a variety of responses to the PAS reporting format. When asked whether they believe that the PAS changes the way they do their jobs, the responses varied. One officer replied, "Yes, of course it does, how else can you prove you're doing anything anymore" (Respondent 18). Several constables

¹⁷⁴ DYBIA Manager Interview Aug. 18, 2005. This interview was conducted over the phone and was done to obtain responses to why some merchants were not included on the PAS for a scheduled foot patrol visit.

wondered if this sheet had been created because of doubts about police presence, one officer stating that, “most people don’t even know the DYBIA exists, I guess someone thought we weren’t doing our jobs” (Respondent 18). Another officer touched on an important conflict that can emerge when private enterprise and police priorities are intermingled saying that, “a sheet telling me that our policing is supposed to increase tourism makes me feel a bit like an instrument for commercial enterprise” (Respondent 12).¹⁷⁵ Another constable believes that the PAS is just another piece of paper used to justify to their members the money the DYBIA is spending, noting that “a good crime analyst should get these reports” (Respondent 26). Several officers suggested that all of the key ingredients exist in the reporting format, however, more space for comments and a positive contact tally should also be established (Respondent 38). This concern was most accurately reflected in the comments of one officer when he stated that, “The PAS should not be a barometer...The 208’s section may indicate that we are talking to people, but this sheet doesn’t record our positive contacts” (Respondent 38). Another senior constable simply said, “numbers will always be found, but sometimes numbers is not what we need” (Respondent 20). An officer who had experience in the field of private security, believes that “this is a community policing sheet, for \$55/hr there is no excuse for not filling it out... Make a section for officers to record why visits are missed – this is a check box and event number space” (Respondent 40). While acknowledging several benefits to completing the PAS, there was no shortage of concern on the part of officers in relation to generating more paperwork to document their activities while on shift.

¹⁷⁵ This comment refers to the section on the PAS stating the goals of the DYBIA

The paper burden is explained in detail by Ericson and Haggerty as a critical element of policing culture. What the PAS clearly symbolizes therefore, is “knowledge work in all its forms”.¹⁷⁶ One of the callback shifts I attended was over half an hour after it started as a result of an arrest made at 4:30pm. This means that the officers were completing paperwork for a minor charge for over five and a half hours. Officers see the Intelligence Led Policing reports, the PAS, and other new additions to the paper trail as a ‘burden’. Furthermore, it serves as no surprise why several DYBIA officers indicated, where possible, they try to merely “show the flag and not take the quick pinch” (Respondent 38) while performing the DYBIA callback. As one constable indicated, “we have to look at it from a business perspective, today is a whole different perspective, we ask ourselves [when dealing with a situation], is that the best way to meet the priorities of the BIA? (Respondent 38)” Although this rationality does not directly reflect the need to complete written or external documentation, the police are fully aware of a different burden. Perhaps this burden could be termed the quality control or even the “commodification burden”, that is, the burden of satisfying an agenda dictated by the organization who supplies the funding. This begs the question, who do the officer’s believe they are working for while performing duties on callback for the DYBIA?

According to a senior police manager, the DYBIA callback and private policing are two different forms of security provision. When asked who they are working for, 9 out of 10 officers identified the DYBIA. One officer indicated that as a result his priorities have changed so that he is “not keen on grabbing a big

¹⁷⁶ supra note 38 at pg. 296

arrest; trying not to get tied up on shit; we need to be friendly and stop into stores” (Respondent 34). Another officer said, “we are there to direct traffic for the DYBIA. I am not just doing my job and getting inundated with shitty calls” (Respondent 36). It became clear from the responses, police change the way in which they police while on callback. Whether or not the DYBIA are engaged in ‘private policing’ may be technically answered by considering the source of funding; however, because money is generated through municipal taxation and administered by the city through municipal legislation, it would not be incorrect for senior police management to suggest that the DYBIA foot patrol is not private policing. But by their own admission, the DYBIA foot patrol officers use a different level of discretion than while on regular duty and this is conditioned by their ‘clients’ needs (and their own need) not to compromise productivity.

With respect to the discussion in chapter 2 of this paper concerning mass private property and communal spaces, it may be argued that the DYBIA foot patrol provides a mantle of legitimacy to the DYBIA administration for effectively assuming governance of a public space. Assuming the DYBIA is a communal space with directed police patrols and further assuming that the police remain accountable to the administration of the DYBIA, a partial private monopoly over the use of force may be emerging. As it stands, the TPS appear to be operating with the DYBIA’s interests in mind - yet still bound by their responsibility to public priorities. Callbacks such as these would need to be observed on an ongoing basis to determine how members of the public are affected over time by directed enforcement within these public yet bounded

spaces. Although most officers appeared to be comfortable with the effects of commodifying their services, some are finding ways to resist or circumvent various mechanisms of control established by the DYBIA.

Resisting Commodified Public Policing

Even those directly engaged in industrial production are more likely to be immediately associated with a complex work process, than with an identifiable product.¹⁷⁷ To the extent that the localization of production becomes worn and frayed, information becomes the central means that enables the connection and coherence of that production unit. Thus it becomes a key question who gets what information, by what means, and in what order, about whom and what, and for what purposes.¹⁷⁸

If the commodification of policing services requires a tangible commodity to be produced with exchange value, new reporting formats will likely follow as a consequence. It would appear that the primary work product at least symbolically infused with exchange value that the police have to offer to the DYBIA, is their reporting.

A prime example of resistance in policing requires us to return to the domain of private security. Intelligarde, as previously mentioned, has developed a deister system allowing officers to generate documentation for clients proving that they completed various patrols. This system “demands constant reporting through the swiping of either coded checkpoints or occurrence strips; yet these closed-ended and automating duties can actually free up security officers for

¹⁷⁷ Miller, Daniel, (1987) “*The Study of Consumption*” in *Material Culture and Mass Consumption* Basil Blackwell: Oxford, at pg. 133

¹⁷⁸ Beck, U. (1992b) *Risk Society - Towards a New Modernity*. London: Sage, at pg. 218

‘non-revenue’ actions.”¹⁷⁹ The system is easily fooled by the technique referred to by Rigakos and his security officer respondents as “Ghosting”¹⁸⁰. Security officers can swipe one deister strip without completing proper patrols of the area, and use this patrolling time to socialize with other security officers. So long as they return within fifteen minutes or so (depending on the site) to strike the next deister, security readouts will indicate that they were present on that site the entire time. Despite the development of this technologically advanced locating system, management will be ignorant to an officer’s true whereabouts at various times during the shift. Hence, resistance to technological forms of governance is abundant in the workforce, particularly in light of the extensive client demands for knowledge production, performance quotas and lengthy shift-work.

Service sector businesses attempt to devise ways to produce tangible goods from the fruits of their labour. However, within the policing process, this ‘infusion of exchange value’ becomes increasingly problematic. While performing paid or callback duties, police may feel as though any attempt by the corporation to seek a tangible commodity may speak toward a lack of trust on behalf of the institution. More specifically, the TPS, did not initially want to complete the PAS, however, when given the ultimatum by the governing organization, they were left with two choices - either cancel the foot patrol or do as instructed.

Although it is beyond the scope of this paper to consider whether and to what extent the public police are being colonized by private organizations, it is

¹⁷⁹ supra note 19, at pg. 120

¹⁸⁰ ibid, at pg. 121

important to understand that the process by which policing services become commodified will never encompass the degree of community reliance and trust embodied in practices such as the Frankpledge or other primitive community oriented policing models. Furthermore, new methods of resistance will manifest themselves within the day-to-day routines of the commodified policing service providers.

Confirmation that a job is being done is difficult to achieve without written or computerized documentation allowing supervisors to see where, when, why and how a task was performed. From the implementation of reporting formats, such as the PAS to more ubiquitous devices like the Deister system, accountability to governing authorities is a business reality. Tangible commodities must be produced and institutions benefiting from risk communications must be provided with ways to increase profit and foster stability and certainty within their organizations. With the exception of sensationalized events independently witnessed, videotaped, and publicized, it can be argued that the public police are relatively immune to public scrutiny. One constable on patrol for the DYBIA reminds us of all the review boards. “There is the SIU, the IA, Professional Standards, Citizen complaint, Complaints internal, other special interest boards and most important, the Criminal Code of Canada” (Respondent 6 and Respondent 8). It would be difficult to question the paper accountability of the Toronto Police Service, especially with the creation of Intelligence Led Policing (ILP’s). When asked about the ILP and any relationship it may have to the PAS, a senior police manager had this to say:

The ILP is a complaint/strategy oriented form to make sure we have control over what the officers are doing. There have been times when I haven't been sure whether or not they were doing certain things, now I can direct an officer to a corner to investigate a group of disorderlies, "I want you to find who they are and respond to the people." The BIA's motivation for the PAS was entirely different, but when you look at the two forms, they do kind of meld together. The BIA's form's main weakness is that there is not a lot of information there that helps us address complaints. The PAS and the ILP are interchanged, but the BIA's form does not help us address complaints, we have to do that ourselves. The BIA doesn't give us problems, they say go out and this is what we want you to do, our ILP identifies our problems, from our very constituents including those in the BIA (Respondent PM1).

As Innes has identified, the ILP programs have one major element in common with broken window or zero-tolerance policing, namely, the early detection and prevention of crime through increasing police visibility in select areas.¹⁸¹ To put it another way, the common element is arranging the social matrix of policing to set up programs and initiatives that provide police with enhanced opportunities to pre-empt, control and re-direct behaviour on the ground.

Officer responses varied when asked about the ILP program. Some officers believed that the program was not worthwhile because it required the "over-focusing of resources in one area for too long". (Respondent 30) Other officers believed that the ILP program facilitates a degree of continuity and communication from shift to shift in that, "there needs to be a way for all of us to tell each other what's going on." (Respondent 32) Yet other officers believed that the program fosters accountability and may contribute to a perception that the police are responding to complaints. The administration of the program requires a

¹⁸¹ Innes, Martin. (2004) "Reinventing Tradition? Reassurance neighborhood security and policing", Sage: Criminal Justice Vol 4(2) at pg 161

systematic approach for identifying when a particular ILP 'hit' should be removed from the regular policing patrol detail.

A more overt example of police exercising resistance involves the usage and implementation of the Patrol Activity Sheet. Figure 4.1 represents one of the PAS forms provided to me by the DYBIA for statistical calculation. The boldface warnings: 'This sheet needs to be completed in order for the officer to get paid' may be written on the document but nowhere does the PAS demand officers need do anything more than write down their names and badge numbers. During one of the callback shifts, one constable looks to his partner and asks, "did you bring the paper? (Respondent 30)" At this point I was curious as to what paper he was referring to. His partner replies, "What paper?(Respondent 32)", to which the first constable replies, "The BIA thing" (Respondent 30), "We'll fill it in when we get back" (Respondent 32). Whereas the expectation is that the form be used as a guide for patrol. These officers would have to visit certain businesses as required by the patrol sheet, and since they were not equipped with this documentation, they would have had to 'doctor' the PAS in the station at the end of their shift (in order to get paid). In a process requiring the completion of an abundance of statistical forms, various forms of resistance will manifest itself in multiple ways.

Police attitudes regarding the need to produce quantitative data may have an important impact on the way in which a community is policed. Similar to the effects of reporting formats, external pressures "result in enclosure and certainty

in police thinking, resistance and reflexivity in police actions, and a scientization of police work.”¹⁸²

Cultural resistance to the burden of paperwork is evident for one constable in the DYBIA foot patrol,

When we are forced to produce numbers, we don't produce good quality police work. You get these eager fucking beavers, mostly young guys writing 20-30 parking or traffic tags a shift because they feel a pressure to do it, instead of patrolling and profiling real criminal behaviour, the types of behaviours that the public really wants to see dealt with (Respondent 26).

Another officer remarks, “time and time again we were criticized for our performance on callbacks in the recreational district because we weren’t producing any numbers” (Respondent 18). The burden of commodification continues. How many and what type of “numbers” are necessary in order to justify an adequate policing presence? Why do police find themselves in the situation of having to find and produce “numbers”? There is an assumption by the organizations and institutions responsible for holding police forces accountable, that there are “numbers” out there that need to be found. This runs contrary to neo-liberalism’s trend suggesting that post-modern security is being achieved by governing through prevention and increased visibility. This requirement to produce numbers may inhibit commodified public policing service providers from acting in a preventative capacity during callback shifts. If officers need to be monitored by superiors or produce tangible security commodities in the form of reports to establish their productivity that is understandable from a ‘quality control’ perspective, however, criticism on the basis that they are ‘failing to produce numbers’ may need to be re-thought. In theory, if prevention or

¹⁸² supra note 38 at pg. 382

Figure 5d

DOWNTOWN YONGE B.I.A. PATROL ACTIVITY SHEET	
PAID DUTIES	
<p>Officer:  Badge: </p> <p>Enforcement Statistics:</p> <p>ZOB's: _____ POT's: _____</p> <p>By-law Charges: _____ LLA Charges: _____</p> <p>Safe Street Act Charges: _____</p> <p>Trespass to Property Notices: _____</p> <p>No. Of Arrests: _____ No. of charges: _____</p> <p>Businesses visited: (name and address) MUST VISIT THESE FOUR BUSINESSES DURING TOUR OF DUTY</p> <ol style="list-style-type: none"> 1. STYLE EXCHANGE 181 YONGE ST CONTACT: PHILIP SILVA 2. SUBWAY 45 CARLTON ST CONTACT: MANAGER 3. SUPER SELLER'S LINGERIE 474 YONGE ST CONTACT : DANY BRIGMAN 4. THE BIG SLICE 385 YONGE ST CONTACT: JOE MAZZASERRO 5. _____ <p>Comments: (Business input or feedback, officer remarks. Use back if more space required)</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>Day of Week <u>Friday</u> Date <u>JANUARY 21, 2005</u></p> <p>Location: Both sides of Yonge Street between Grosvenor/Alexander in the north and Richmond Street in the south.</p> <p>Time: 1630-2130 HOURS</p> <p>Type: Foot patrol of commercial and retail areas, concentrating on crime prevention and disorderly reduction through arrest, investigation and community contacts.</p> <p>Problem Description:</p> <ul style="list-style-type: none"> • Drug activity on streets. • Panhandlers. • Disorderlies <p>Desired Outcome:</p> <ul style="list-style-type: none"> • Reduce crime and disorderly conduct <p>Long Term Goals:</p> <ul style="list-style-type: none"> • Establish working partnerships with business owners • Make it unattractive to drug user/dealers. • Reduce Panhandling. • Increase business, tourism and recreational opportunities. • Improve perception of safety <p>Short Term Goals:</p> <ul style="list-style-type: none"> • Establish communication with business owners • High uniform presence to deter crime and disorderly conduct. • Improve traffic flow <p>Officer Signature </p> <p>Booking Sergeant Signature:  2107</p>
<ul style="list-style-type: none"> • Must be completed by EACH OFFICER ON THIS PAID DUTY. • IN ORDER TO BE PAID THIS SHEET MUST BE COMPLETED. • Original must be forwarded to John BILLS Paid Duty Co-ordinator 	

Reproduced with permission of the copyright owner. Further reproduction prohibited without permission.

policing presence deters the occurrence of criminal behaviour, there will as a consequence be fewer 'numbers' to find, and thus, police may easily be doing an effective job without producing arrest or charge 'numbers'. On the other hand, of course, the resilience of risk systems is such that quantitative affirmation of a security job well done may be surmised through a variety of sources including citizen contacts, merchant satisfaction, counts of prostitutes, 'disorderlies' and the like. But this process of consistently legitimizing and accounting for security may produce its own efficiency. If supervisors are curious about why police are not producing numbers, they may want to follow the patrol officers in the field and observe where many of the so called numbers are being lost. As one officer reminds us, "even with computers, we're using more paper than we ever have before...So much for our paperless society" (Respondent 18). When asked for an opinion on how he feels about justifying his presence with documentation, he sarcastically comments, "how else can you prove that you're doing anything! (Respondent 18)"

Considerations of commodity exchange, risk management and policing techniques alter policing priorities. The rise of new governing organizations and the regulation of human behaviour through more decentered approaches, has allowed private corporations to govern effectively from a distance. By allowing police officers to retain some relative autonomy and maintain their peace officer status, the DYBIA foot patrol initiative has been able to avoid the representation that they are merely serving capitalist masters. This commodified form of policing still provides agency and discretion for officers with fewer operational

restrictions on their activities. Through the provision of agency and the development of mechanisms for self-regulation within the policing hierarchy, officers hit their deisters, fill out their PAS (or in some cases don't), and push their paper believing that they are serving an important public function.

Chapter 5: Conclusions

In this final chapter, I wish to recap the major concepts and themes that underlie the mechanics behind commodified public policing. This thesis has argued that the modern organization of policing and its commodified nature must be understood in the historical context of its information. Moreover, we cannot make sense of the commodification of policing in downtown Toronto absent an appreciation for: (i) risk and its management in all forms, (ii) Broken Windows approaches to maintaining order, (iii) the importance of reporting formats and the influence of these formats on the direction of policing initiatives (iv) and the utility of foot patrol as a policing strategy.

Future Research

It is a cliché for a reason that more research needs to be completed on the effect of commodified public policing and commodified social control. Perceptions of safety can often make the difference between apprehensive and confident clients. This is not to say that policing service providers need only manipulate fear levels to make people feel safer, however, increased police visibility has been proven to increase perception of safety. Businesses that receive more visits from police, feel more comfortable in certain situations. When shoppers walk the streets of downtown Toronto, they enjoy stopping to converse with police. Other individuals feel less apprehensive when police are present in the area. The data accumulated through the MSSS has set a baseline

for future research to be completed in the DYBIA. The effect of new policing programs, private security pilot projects, environmental re-design, and CCTV, can be assessed to measure how they affect perceptions of fear. Merchants can be re-polled, and dynamic results can be achieved. MSSS results could have been improved by gathering participant information on gender, age and other indicators that have been argued by some to be variables in assessing individual/group risk levels. Although a 95% confidence level was achieved through the MSSS, the total 'n' could be expanded to include merchants and property owners outside of the DYBIA patrol area. In light of recent local crime tragedies and a new federal government's pledge to address crime in downtown Toronto, research on policing and security will become increasingly important. Future research must observe new methods of maintaining order, such as commodified public policing foot patrols, and these methods must remain ethical, effective and open to research. The generous access provided by both the Toronto Police and the DYBIA in the completion of this research project can provide the academic community with optimism after years of a chilly police research climate. Police management, the City of Toronto, and the DYBIA have acknowledged the need to improve. These organizations have, and must continue to take direction from the public, while protecting the integrity of their institutions.

Social and Political Implications of Commodified Public Policing

Important warnings naturally arise during the commodification of any public service. First, the source of the funding must be carefully examined for

their priorities and agenda. Many private organizations have stated goals that may affect the way in which services are directed. Public police patrols have to a significant degree been affected by the DYBIA's stated goals and police management must be aware how officers are being influenced to alter the services they render. Second, police have been required to monitor and collect information on specific populations coupled with behaviours that may not necessarily be criminal. For example, panhandling and youth groups congregating in a park are not offences. Hence, police must ensure that although they may be selling services, *laws* must be enforced or not enforced despite pressure from private organizations to maintain order through Broken Windows style policing. Third, through commodified foot patrols, police have been afforded the freedom to police where they want, when they want, affecting the overall quality of policing some businesses receive. Equal distribution of services will need to be monitored closely by the public and police management. Fourth, boundaries have led to the creation of policing voids. Although this shortfall of commodified policing has recently been addressed by the DYBIA by increasing patrols north, south, east and west of the boundaries established during the purvue of this study, informal 'gated' communities are a reality in a metropolis, and organizations in cooperation with the city and police service providers must work together to avoid the creation of these demarcated policing zones and their associated gaps or voids. Fifth, displacement of criminal behaviour must also be addressed through innovative solutions and cooperation with social service institutions. Commodified policing has a tendency to move undesirable activity

to locations where it will ultimately be someone else's problem. If solutions can be obtained on a case by case basis through effective policing, these behaviours will not spill into other jurisdictions. Last, communication and officer safety must be a key priority for policing service providers who sell their services. As a result of wearing the uniform, police (public and private) are subjected to significant degrees of risk. Effective methods of communication should be implemented in order to allow callback officers to remain informed on incidents occurring in and around the area they are responsible for patrolling. Privatization can be dangerous and every effort must be made to ensure that public police remain accountable to public interests alongside the priority of serving and protecting the community.

Many benefits are possible from the successful completion and reporting of this study. First, the DYBIA has been provided with an objective basis on which to improve their Patrol Activity Sheet (PAS). Second, the DYBIA has more information on the effects and perceptions of their foot patrol initiative from merchants, the foot patrol and police managers. Third, local member merchants were given an opportunity to participate in the direction of their own security and were able to provide feedback on the effectiveness of policing and security strategies employed within the DYBIA. Fourth, police officers were given an opportunity to provide insight into crime problems and have allowed researchers to gain further insight into commodified public policing and the mechanics behind preventative foot patrol policing strategies. Fifth, information collected from policing managers has revealed some of the institutional priorities of police

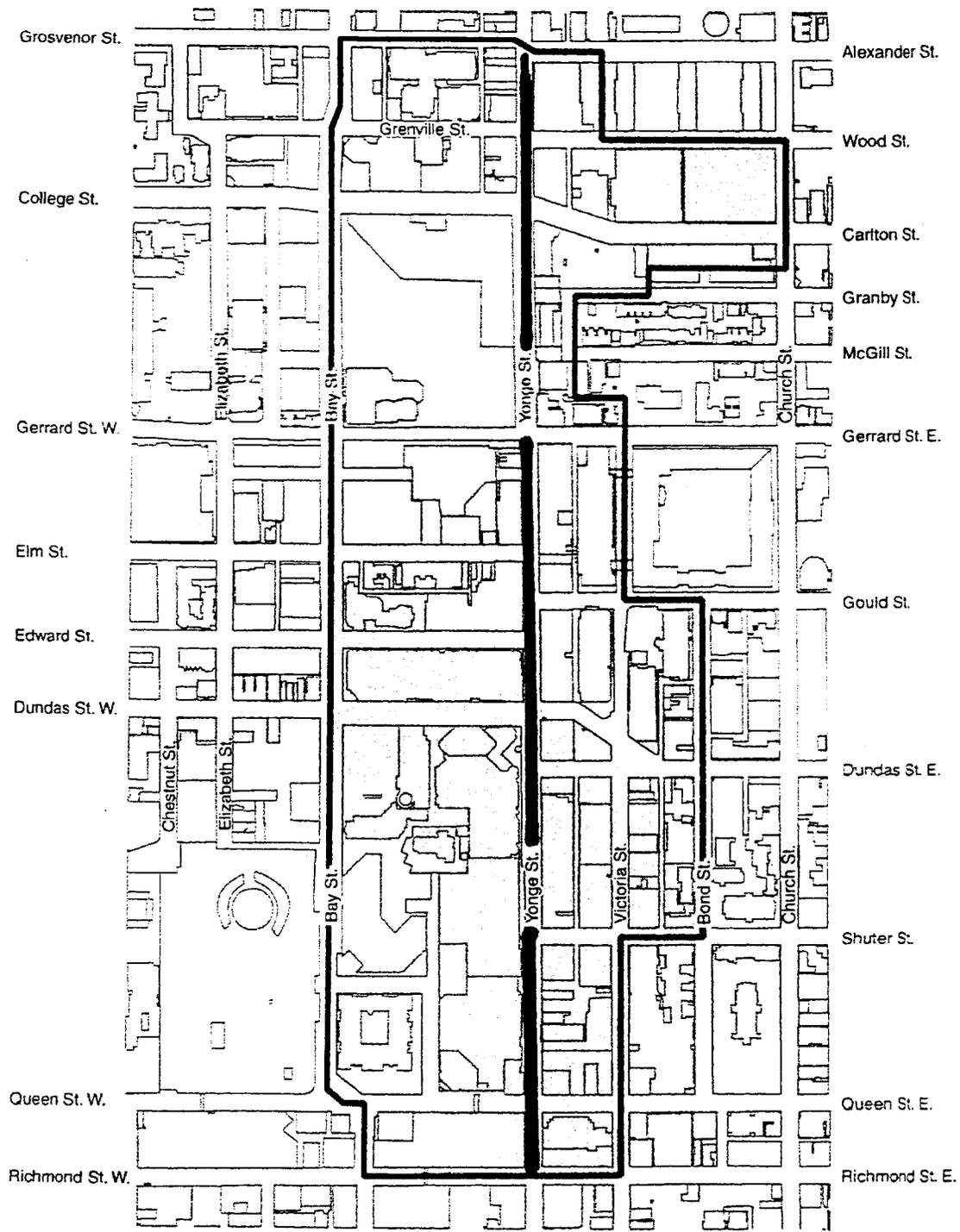
services that commodify their services and has revealed ways in which this commodified policing initiative may shape police work in the City of Toronto in the future. Last, the conducting of an ethnography has allowed for the candid observation of field level activities during commodified policing shift-work. These types of observations allow police to see what they are doing through an objective lens, and how their actions are perceived by an impartial third party.

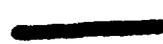
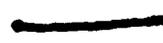
Theories dissecting the theoretical and social implications of policing communal spaces must be expanded to include the public police for-hire active in policing these areas. Examinations of public or privately owned public access spaces must go beyond private security organizations. Public police services, as observed throughout this research, have been shown to be willing to assume certain roles at the behest of private sponsors. Despite the commodification of their services, the Toronto Police have largely retained an important degree of autonomy for now.

Ubiquitous mechanisms of surveillance are important to governing organizations looking to prevent and control behaviour from a distance. This gaze will continue to proliferate under neo-liberal strategies used to regulate behaviour. Public police forces willing to sell their services will be able to offer clients state of the art surveillance and crime fighting expertise in a competitive risk market. An ability to require individuals to produce identification for 208 checks alongside the prerogative to arrest and charge for provincial infractions, public police have the power to bring over new tools for commodified policing. Measures that will likely serve to further conflate the policing of private and

publicly owned public-access space. Reporting formats such as the PAS will be developed by clients and completed by police to not only provide proof that a job was done, but perhaps even to lend evidence to crown attorneys who prosecute offenders. There is ample overlap between the theories of early police intellectuals and the contemporary push to secure BIAs. Mechanisms of patrol, the conflation of public and private, the relevance of identifying and making transparent 'risky' populations still resonate with rate payers.

Downtown Yonge B.I.A.



 Feet Patrol Area
 DYBIA Boundary

Property Owner/Merchant Security Satisfaction Survey

Contact Information:

Michael Gavendo (613) 762-0923 Dr. George Rigakos (613) 520-2600 ext. 3683 Megan Winkler (416) 597-0255

The Downtown Yonge Business Improvement Area in conjunction with Dr. George Rigakos & Michael Gavendo at Carleton University in Ottawa, Ontario is conducting an evaluation of the Foot Patrol Initiative. As merchants, property owners and representatives of the business community, your input is essential and your cooperation is appreciated. Please take some time to respond to the following questions. Please complete and submit this questionnaire to _____ no later than _____, 2005

Please Circle the Best Answer or Fill in the Blank

1. Please tell us how many times since October, 2004 you have been voluntarily visited by a Toronto Police Officer on patrol for the B.I.A.? _____ time(s)
2. How often per week do you see the Toronto Police Service on Foot in the area of your business?
_____ /week Other _____
3. Currently, the BIA budget allocates 13.9% of its total budget of \$1,400,000 to policing. What percentage do you believe is necessary in order to provide for proper policing of the community?
_____ %
4. In the last 6 months, how would you best describe crime in the area of your business?
 - a) Increasing
 - b) Decreasing
 - c) About the Same
5. Would you say that crime in the area of your business overall is,
 - a) Very high
 - b) Higher than it should be
 - c) At a satisfactory level
 - d) Low

Please Check as many as applicable

6. On which of the following would you like to see the Toronto Police Service Foot Patrol concentrate its efforts?
 - a) Getting to know merchants, employees and business owners in the area _____
 - b) Dealing with loiterers _____
 - c) Dealing with drug dealers _____
 - d) Dealing with drug users _____
 - e) Dealing with panhandlers _____
 - f) Dealing with people drinking alcohol _____
 - g) _____

Please answer the following questions by circling the most reflective answer

7. Do you currently employ private security?
 - a) Yes
 - b) No

If you answered no to question 7, please skip to question 14

8. Why do you use private security?

9. How effective do you believe your private security is in relation to the Toronto Police Foot Patrol?

10. What is your annual private security budget? \$ _____

11. What is your annual alarm monitoring cost? \$ _____

12. What is your average annual cost associated with crime/theft? \$ _____

13. How long have you been employing private security?

- a) More than 5 years
- b) 3-5 years
- c) 1-3 years
- d) Less than a year

14. Do you think that regular visits from the Toronto Police Service Foot Patrol would be beneficial to the prevention and/or detection of crime in the area?

- a) Yes
- b) No
- c) Not sure

15. Have you completed the Trespass to Property Act (TPA) Authorization Form which allows the Police to arrest and eject certain individuals from your Business without you having to be there?

- a) Yes
- b) No

16. If you did not know about this TPA form, will you fill one out now?

- a) Yes
- b) No

i. If no, why not?

17. How often do you visit the B.I.A. website's section on improving safety?

- a) 1/Week
- b) 2/Week
- c) 1/Month
- d) Never

18. What type of policing method do you most prefer?

- a) Motorized (policing driving the streets and responding to incidents)
- b) Foot (police walking the sidewalks and visiting merchants)
- c) Bicycle
- d) Mounted
- e) Other, please elaborate below:

19. At what times during the day do feel that your business is at the highest risk for crime? Please fill in as many as applicable

From _____ : _____ am _____ pm _____ to _____ : _____ am _____ pm _____

From _____ : _____ am _____ pm _____ to _____ : _____ am _____ pm _____

From _____ : _____ am _____ pm _____ to _____ : _____ am _____ pm _____

For each of the following situations, please tell us if you think that the Toronto Police Service does a good job, an average job, or a poor job. Please choose the most reflective answer.

	<i>Good Job</i>	<i>Average Job</i>	<i>Poor Job</i>	<i>Don't Know</i>
a. Enforcing the laws	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. Quickly responding to calls	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. Easy to talk to	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. Giving information to the public on ways to reduce crime	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. Following up on complaints/incidents	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. Preventing crime	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please fill in the circle that most strongly describes your feeling in the following situations within the area of your business

	Very Safe	Reasonably Safe	Neither Safe nor Unsafe	Somewhat Unsafe	Very Unsafe
a. walking alone after dark	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. riding a bus alone after dark	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. riding a bicycle alone after dark	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. walking alone to your car in a parking lot after dark	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. waiting for public transportation alone after dark	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. waiting for a friend, family member, or co-worker to drive you home after dark	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
g. serving customers you don't know, while alone after dark	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
h. walking past people you don't know, while alone after dark	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
i. being alone in your business after dark	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

What types of criminal or other behaviour do you fear the most? Please check as many as applicable

- a. Vandalism _____
- b. People drinking alcohol and using drugs (e.g., marijuana, cocaine, crack, heroin) in public places _____
- c. Groups of teenagers hanging around public places _____
- d. Youth gangs _____
- e. Graffiti (people writing on walls) _____
- f. Garbage on the streets and sidewalks _____
- g. Drug dealing _____
- h. Armed robbery _____
- i. Burglary _____
- j. Violent assault _____
- k. Panhandling _____
- l. Loitering _____
- m. Theft _____
- n. _____

Please fill in the circle that best describes any changes in these crimes over the past 6 months

	<i>More of a problem</i>	<i>Less of a problem</i>	<i>About the same</i>	<i>Not a problem</i>
a. Vandalism	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b. People drinking alcohol and using drugs (e.g., marijuana, cocaine, crack, heroin) in public places	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c. Groups of teenagers hanging around public places	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d. Youth gangs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e. Graffiti (people writing on walls)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f. Garbage on the streets and sidewalks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
g. Drug dealing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
h. Armed robbery	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
i. Burglary	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
j. Violent assault	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
k. Panhandling	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
l. Loitering	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
m. Theft	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please answer the following questions by filling in the blanks

20. What precautions does your business take after dark to help increase safety and security?

21. Is there anything that you would like your neighbours or your community to do to make you, your business, or your customers feel safer?

Thank-you for completing this survey. We would like to remind you that everything you have told us will remain **STRICTLY CONFIDENTIAL**. If you would like to make some more comments, please write them in the space below.

Your Position/Job Title _____

The Toronto Police Service Police Managers Interview Schedule

This element of the research project will involve a meeting between myself and the Coordinator from the Toronto Police Service who is in charge of this paid duty initiative.

1. What circumstances or occurrences were responsible for the start of the Toronto Police Service's relationship with the Downtown Yonge BIA?
2. How would you describe the relationship that the Toronto Police has with the BIA?
3. Would you consider the Toronto Police Service as private agents working for the BIA?
4. Would you consider the BIA to be a client of the Toronto Police Service?
 - a. If not a client, how would you describe this relationship?
5. Do you think that the relationship between the BIA and the TPS may alter the role or perception of the Public Police service in Toronto?
6. Do you believe that private security companies could augment, supplement or enhance this detail?
 - a. If no, what are the distinguishing factors that enable the Toronto Police Service to be more successful?
7. I'm curious about what led up to the new reporting format created by the Downtown Yonge BIA in October?
8. Do you think that this new activity sheet changes or will change the way you do your job?
 - a. If yes, how?
9. How do you feel about officers meeting merchants?
10. How does payment work?
 - a. What does this have to do with reports?
 - b. Does payment work the same elsewhere? Where else do you fill in these types of reports?
 - i. Are these reports a good thing? Why?...etc.
11. How will the Foot Patrol help members of the public-who are not merchants?
12. What are the top priorities of the Foot Patrol while on duty in the Downtown Yonge BIA?
13. What are the top crime concerns within the Downtown Yonge BIA?
14. Are you able to use the information you obtain from merchants on Foot Patrol, to direct or in anyway influence your police work while on duty for the City of Toronto?
15. Will you be able to use the intelligence collected in the BIA, to help your police work while on duty for the City of Toronto?
16. What could be added to this reporting format to make it more effective?

The Downtown Yonge BIA Foot Patrol Interview Schedule

The following questions will be asked to both Foot Patrol officers prior to the commencement of the shift, or at various periods during the shift. I will need to record the answers on my Dictaphone, so I can take in all the information and transcribe it at a later time and so as to prevent me from wasting valuable patrol time.

1. How many times have you performed this detail?
2. What do you like, or what do you think you will like about this detail?
3. What do you dislike, or what do you think you will dislike about this detail?
4. What are your main objectives on this detail?
5. Do you believe that what you are doing is "real" police work?
 - a. If yes, what characteristics of this detail constitute police work?
 - b. If no, why is this not "real" police work?
6. Do you believe that private security companies could assist or compliment this detail?
 - a. If no, why not?
 - b. If yes, what would their role be?
7. Have you ever filled out the Patrol Activity Sheet on any of your previous shifts?
8. Do you believe that this reporting format changes or will change the way you do your job?
 - a. If yes, how?
9. Do you think it is valuable to visit merchants?
 - a. If yes, why?
 - b. If no, why not?
10. Are you able to use the information you obtain from merchants on Foot Patrol, to direct or in anyway influence your police work while on regular duty for the City of Toronto?
11. Will you be able to use any of the other information collected in the new reporting format, to direct or influence your police work while on regular duty for the City of Toronto?
12. What could be added to this reporting format to make it more effective?
13. While on official duty for the City of Toronto, do you voluntarily stop in and speak to merchants about their crime concerns?
 - a. If yes, how often per week
 - b. If no, why not?
14. What are the top crime concerns in the Downtown Yonge BIA (from your experience)?
15. Has your experience on Foot Patrol for the BIA helped you better become aware of crime issues in commercial districts?
 - a. If yes, what kind of things have you learned?
 - b. If no, what could be done to the Foot Patrol initiative to help you better learn about these crime issues in commercial districts?
16. How would you best describe the kind of police work you are about to do, or are doing today?
17. How effective do you believe this type of policing will be on crime in the Downtown Yonge BIA?
 - a. If effective, why?
 - b. If ineffective, why?
18. In your opinion, what is the most effective way to reduce disorder in the Downtown Yonge BIA?
19. What do you know about the relationship between yourselves and the Downtown Yonge BIA management?
 - a. Do you have a good relationship with the BIA?
20. What is your relationship with the officer who coordinates this initiative from your end?
21. Do you find the merchants helpful?

Thank-you for completing this survey. I would like to remind you that everything you have told me will remain STRICTLY CONFIDENTIAL. If you would like to make some more comments throughout this shift please feel free, I will continue to record them on my Dictaphone, so I can transcribe them at a later time.

Ottawa Alliance
on Impaired Driving



Alliance d'Ottawa
pour la sobriété au volant

OUR BACKGROUND

In Canada, impaired driving is the single largest criminal cause of death and injury. Every six hours a Canadian is killed in an alcohol-related crash. Impaired driving causes crashes not "accidents". They are preventable.

In an effort to reduce impaired driving, the Ottawa Alliance on Impaired Driving was created in the year 2000. Founded by the Centre for Addiction and Mental Health, the group consists of 11 agencies representing a diverse range of recognized, local, community-focused organizations.

The Alliance is committed to increasing safe driving practices by expanding effective programming and education. It is also striving to increase the visibility of various initiatives related to impaired driving in Ottawa, such as the Corporate R.I.D.E. (Reduce Impaired Driving Everywhere) Program.

Partnering Organizations

Members

Academy of Medicine Ottawa	Dawna L. Feely
Action Antidroque Vanier	Grant Toole
CAA North & East Ontario	Doug Mayhew
Centre for Addiction and Mental Health	Chantal Wade
MADD Ottawa Chapter	Colleen MacKenzie
Ontario Ministry of Transportation	Paul Allore
Ontario Provincial Police	Eric Booth
Ontario Students Against Impaired Driving	Angela Buffone
Ottawa Police Service	Winston Forth Rick Lavigne
People Services Department, City of Ottawa	Nancy Langdon
Royal Canadian Mounted Police	Pierre Couture

Our mission is to STOP impaired driving and SUPPORT safe driving practices through community partnerships, programming, and public education.

**Ottawa Alliance
on Impaired Driving**



**Alliance d'Ottawa
pour la sobriété au volant**

Corporate RIDE Reduced Impaired Driving Everywhere

Research shows impaired driving is deterred by frequent & highly visible sobriety spot checks.

With your support, the Alliance will contract police services to conduct additional sobriety spot checks.

Sponsorship Opportunity

**\$1000.00* for a 4 hour
Sobriety Spot Check**

**Your logo & company name
On RIDE Signage
Along with the police logo**

Additional Benefits...

- ✚ Include photograph showing Recognition Signage with police representative for use in your company's materials
- ✚ Include your company's name in media releases
 - ✚ Presentation of a thank you plaque
- ✚ Recognize your company in our Alliance events and presentations
 - ✚ Recognize your company on our Website
 - ✚ Include messages for your workplace
 - ✚ Offer employee awareness session

Bibliography

- Bahn, Charles "*The Reassurance Factor in Police Patrols*", Criminology12(3).1974.
- Beck, U. Risk Society - Towards a New Modernity. London: Sage.1992.
- Bogard, W. The Simulation of Surveillance: Hypercontrol in Telematic Societies. Cambridge: Cambridge University Press. 1996.
- Bratton, William & Peter Knobler. Turnaround: How America's Top Cop Reversed the Crime Epidemic. New York: Random House. 1998.
- Briffault, R. "*The Rise of Sub-local Structures in Urban Governance*", 82 Minn. L. Rev. 503, 1997.
- Briffault, R. A Government for Our Time? The Business Improvement District and Urban Governance (Dec. 4, 1997) unpublished manuscript, on file with author.
- Clarke, R. and D. Weisburd "*Diffusion of Crime Control Benefits: Observations on the Reverse of Displacement*". In R. Clarke (Ed.), Crime Prevention Studies Vol. 2. (Monsey, New York: Criminal Justice Press). 1994.
- Cohen, S, Visions of social control. Polity Press, Oxford. 1985.
- Coles, C, and Kelling, G. Fixing Broken Windows : Restoring Order And Reducing Crime In Our Communities. Touchstone, N.Y. N.Y. 1996.
- Critchley. T.A. A History of Police in England and Wales. London: Constable. 1967.
- Davies, Mark. "*Business Improvement Districts*", 52 Wash. U.J. Urb. & Contemp. L. 187. 1997.
- Ditton, J. "*Crime and the city: Public attitudes towards open-street CCTV in Glasgow*". British Journal of Criminology 40. 2000.
- Ellickson, Robert. "*Controlling Chronic Misconduct in City Spaces: Of Panhandlers, Skid Rows, and Public-Space Zoning*", The Yale Law Journal, Vol. 105, No.5. 1996.
- Ellickson, Robert. "*New Institutions for Old Neighbourhoods*" Duke L.J. Vol 48, No.1. 1998.

- Ericson, R. and K. Haggerty. Policing the Risk Society. Toronto: University of Toronto Press. 1997.
- Ericson, R.V. & Doyle, A, Uncertain Business: Risk, Insurance and the Limits of Knowledge. Toronto: University of Toronto Press. 2004.
- Ewald, Francois. “*Insurance and risk*”, in G. Burchell, C. Gordon and P. Miller (eds) The Foucault effect: Studies in governmentality, pp. 197–210. Chicago, IL: University of Chicago Press. 1991.
- Ewick, P. “*Corporate Cures: The Commodification of Social Control*”. Studies in Law, Politics, and Society 13: 137-157. 1993.
- Feeley, M., & Simon, J. in D. Nelken (Ed.), The Futures of Criminology. Thousand Oaks: Sage. 1994.
- Feeley, Malcolm. Entrepreneurs of Punishment: The Legacy of Privatization. London: Sage. 2002.
- Foucault, M. Discipline and Punish (A. Sheridan, Trans.). New York: Vintage Books. 1977
- Foucault, M. Power/Knowledge: Selected interviews and other writings 1972-1977 (edited by Colin Gordon). New York: Pantheon Books. 1980.
- Foucault, M. “*Governmentality*”. In G. Burchell & C. Gordon & P. Miller (Eds.), The Foucault Effect: Studies in Governmentality. Chicago: University of Chicago Press. 1991.
- Geason, Susan & Wilson, Paul R. “*Designing Out Crime: Crime Prevention Through Environmental Design*”, Australian Institute of Criminology, Canberra. 1989.
- Grabosky, P.N. “*Fear of Crime and Fear Reduction Strategies*” Australian Institute of Criminology. 1995.
- Hartnett Catherine. Community Policing, Chicago Style. New York: Oxford University Press. 1997.
- Innes, Martin. “*Reinventing Tradition? Reassurance neighborhood security and policing*”, Sage: Criminal Justice Vol 4(2). 2004.
- Jones and Newburn “*Urban Change and Policing: Mass Private Property Reconsidered*”. European Journal on Criminal Policy and Research, 7, 2: 225-244. 1999.

- Kelling et. al. "*The Newark Foot Patrol Experiment*". Washington, DC: Police Foundation. 1981.
- Kelling, George, A. Pate, D. Dieckman and C. Brown et al. "*The Kansas City Preventative Patrol Experiment*". Washington, DC: Police Foundation. 1974.
- Kelling, George, and Catherine Coles. Fixing Broken Windows: Restoring Order and Reducing Crime in Our Communities. New York: Free Press. 1996.
- Kempa et. al. "*Policing Communal Spaces: A Reconfiguration of the Mass Private Property Hypothesis*". British Journal of Criminology, 44, 562-581. 2004.
- Kennedy, David. "*Restraining the Power of Business Improvement Districts: The Case of the Grand Central Partnership*", 15 Yale L. & Pol'y Rev. 294-299. 1996.
- Lefebvre, Henri "*The Bureaucratic Society of Controlled Consumption*" in Everyday Life in the Modern World (trans. Sacha Rabinovitch) Allen Lane, London, 1971.
- Loader, Ian. "*Consumer Culture and the Commodification of Policing and Security*," Sociology (3)3. 373-392. 1999.
- Lowi, T. "*Risks and rights in the history of American governments*". Daedulus, 119. 1990.
- Manning, P.K. "*Theorizing Policing: The drama and myth of crime control in the NYPD*." Theoretical Criminology, 5(3). 2001.
- Marx, Karl "*The Fetishism of the Commodity and Its Secret*" [extract from Capital Vol.I] in Martyn J. Lee (ed.) *The Consumer Society Reader* Blackwell: Oxford. pp 10-18. 2001.
- Mathiesen, T. "*The viewer society: Michael Foucault's 'Panopticon' revisited*". Theoretical Criminology, 1(2). 1997.
- McLeod, Ross. Parapolice: A Revolution in the Business of Law Enforcement. Toronto: Boheme Press. 2002.
- McMullan, J.L. "*Social surveillance and the rise of the 'police machine'*". Theoretical Criminology 2(1). 1998.
- Miller, Daniel, "*The Study of Consumption*" in Material Culture and Mass Consumption Basil Blackwell: Oxford. 1987.
- Miller, P & Rose, N. "*Governing economic life*". Economy and Society 19(1). 1990.

Müller, C. and D. Boos “Zurich Main Railway Station: A Typology of Public CCTV Systems”, Surveillance & Society 2(2/3): 161-176. 2004.

Newman, Oscar. “Defensible Spaces: Crime Prevention Through Urban Design”. National Institute of Justice. New York. 1972.

O’Malley, P. “Risk, Power and Crime Prevention”, Economy and Society 21(3): 252–75. 1992.

O’Malley, Pat. “Neo-Liberal Crime Control. Political Agendas and the Future of Crime Prevention in Australia”, in Duncan Chappell and Paul Wilson (eds) The Australian Criminal Justice System. The Mid 1990s (4th edition), pp. 283–98. Sydney: Butterworth. 1994.

Pasquino, Pasquale. “Theatrum politicum: The genealogy of capital – police and the state of prosperity”. Graham Burchell, Colin Gordon and Peter Miller (eds.). 1991.

Rigakos, G.S. The New Parapolice: Risk Markets and Commodified Social Control. Toronto: University of Toronto Press, 2002.

Rose, N “Government and Control.” British Journal of Criminology, 40:3, Oxford University Press.

Rose, Nikolas “Governing “Advanced” Liberal Democracies”, pp. 37–64 in Andrew Barry, Thomas Osborne and Nikolas Rose (eds) Foucault and Political Reason. London: UCL Press. 1996.

Sanders, T. “Rise of the Rent-a-Cop: Private Security in Canada, 1991-2001”, Canadian Journal of Criminology and Criminal Justice, Jan. 2005. 2005.

Shearing C D, Stenning P C. “From the panopticon to Disney World: the development of discipline”, in Perspectives in Criminal Law. Eds A Doob, E Greenspan (Canada Law Books, Toronto) pp 335 - 349. 1985.

Shearing, C. & Stenning, P. “Modern private Security: It’s Growth and Implications” in Crime and Justice, University of Chicago Press. 1981.

Shearing, C. D., & Stenning, P. C. “Private security: Implications for social control”. Social Problems, 30(5). 1983.

Shearing, C.D. & Stenning, P.C. “Private Security and Private Justice: The Challenge of the 80’s”. Montreal: The Institute for Research on Public Policy. 1983.

Silverman E. B. "NYPD Battles Crime: Innovative Strategies in Policing". Boston, MA: Northeastern University Press. 1999.

Silverman, Eli and Jo Della-Giustina *"Urban Policing and the Fear of Crime"*, Urban Studies 38(5–6). 2001.

Skolnick, J. Justice Without Trial, New York: Wiley and Sons. 1966

Smith, R. *"Policing Victorian London"*. Weston & Wells, *Criminal investigation: basic perspectives* 5 (2d ed. 1974). In B. L. Ingram & T. P. Mauriello (Eds.). Police investigations handbook. (Chap. 5, p. 6). NY: Mathew Bender. 1985.

The American Heritage Dictionary of the English Language, Fourth Edition by Houghton Mifflin Company. Published by Houghton Mifflin Company. 2000

Vindevogel Franck, *"Private Security and Urban Crime Migration: A bid for BIDs"*, Sage: London Jour. C.J. Vol 5(3) 233-255. 2005.

Walsh, Dermot. *"The Obsolescence of Crime Forms"*, in Crime Prevention Studies, Volume 2 Edited by Ronald V. Clarke. Criminal Justice Press, Monsey, New York, U.S.A. 1994.

Westley, W. Violence and the Police, Cambridge: MIT Press. 1970.

Wilson, J.Q., & Kelling, G.L. *"Broken Windows: The police and neighbourhood safety."* Atlantic Monthly, March. 1982.

Wynne B. *"May the sheep safely graze? A reflexive view of the expert-lay knowledge divide"*. In Risk, Environment and Modernity, ed. S Lash, B Szczyński, B Wynne, pp. 44–83. London: Sage. 1996.

Internet Sourcing:

The Downtown Yonge Safe Streets Committee, *"The Downtown Yonge B.I.A. Safety Assessment Report 2004 and The Downtown Yonge B.I.A. Safety Assessment Report 2005"*. www.downtownyonge.com. Published 2004 & 2005 respectively.

<http://drivesoberottawa.ca/AboutUsPage.html>. Contact: Wade, Chantal, through Ottawa Alliance: Email: Chantal_Wade@camh.net

<http://www.cnn.com> – July 5th, 2005 article submitted by the Associated Press, *"Cameras put police ears to the ground."* At pg. 1

<http://www.cpted-watch.com/>

<http://www.statcan.ca/Daily/English/040810/d040810b.htm>

Meetings and Other Sources:

DYBIA Safe Streets Committee, Downtown Marriott, October 4th, 2005 from
11:00am-1:00pm

PAS SPSS Database Analysis

MSSS SPSS Database Analysis