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# **CIVIL REMEDIES AND CRIME PREVENTION: AN INTRODUCTION**

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by

**Lorraine Green Mazerolle**

**University of Cincinnati**

and

**Jan Roehl**

**Justice Research Center**

Civil remedies are procedures and sanctions, specified by civil statutes and regulations, used to prevent or reduce criminal problems and incivilities. Civil remedies generally aim to persuade or coerce non-offending third parties to take responsibility and action to prevent or end criminal or nuisance behavior. Early examples of civil remedy approaches typically targeted non-offending third parties (e.g., landlords, property owners) and used nuisance and drug abatement statutes to control problems. The penalties of these abatement statutes included repair requirements, fines, padlocks/closing, and property forfeiture, and sought to make owners and landlords maintain drug- and nuisance-free properties.

In recent years, the scope of civil remedies has expanded beyond non-offending third parties to specifically and directly target offending parties such as batterers, gangs, and delinquent youths. Civil remedies that directly target offenders (e.g., restraining orders, injunctions against loitering and gang member congregations) are oftentimes intermediate steps ultimately enforced by criminal sanctions (arrest, prosecution and incarceration of offenders).

Growth in the use of civil remedies as a crime control tactic is attributable to several factors. First, increasing use of civil remedies came at a time when communities and law enforcement officials recognized that criminal remedies were neither effective nor desirable for a wide range

of problems. Second, the growth of civil remedy approaches to crime control coincided with increasing societal emphasis on prevention. Third, the accessibility of civil remedy tools provided alternative avenues to reverse the spiral of decline in many frustrated and disadvantaged communities.

These days, civil remedy solutions are the norm rather than the exception. Pressures on property owners and managers often result in the correction of health and safety violations, enforced clean-up and upkeep of blighted properties, eviction of problem tenants, and improved property management. Bans on drug paraphernalia, alcohol-related billboard advertising, spray paint, and cigarette machines in high-crime areas are used to prevent and reduce many problems. Injunctions against gangs, youth curfews and domestic violence restraining orders are used to prevent and deter potential perpetrators from engaging in criminal behavior. Many Crime Prevention Through Environmental Design (CPTED) initiatives and other prevention strategies (e.g., removing pay phones from drug market areas) are viewed as civil remedies. When useful civil statutes are absent, community forces, legislators, and policy makers often work together to enact new legislation.

This volume, *Civil Remedies and Crime Prevention*, explores the theory and practice of civil remedies. We offer a collection of papers that examine the social, legal and political issues raised by the use of civil remedies as well as a series of evaluative reports covering current civil remedy practices in the U.S., England and Australia. The contributors offer a critical snapshot of civil remedies in the mid-1990s, and point to the work to be done in the years ahead.

Our introduction has several goals: first, we explore some of the reasons behind the rapid development and acceptance of civil remedies for crime control purposes; second, we examine some of the linkages of civil remedy practices to theories underlying many other crime prevention and control initiatives; third, we outline the critical dimensions of civil remedy tactics and provide some supporting examples; and finally, we discuss the papers that are included in this volume and identify how they contribute to our understanding of civil remedies as an emerging and important area of crime control.

## **THE GROWING USE OF CIVIL REMEDIES**

The proliferation of civil remedies used to control crime problems began in the mid-1980s. Several early civil remedy cases captured the attention of the public and law enforcement community, and catapulted the use of civil remedies from relative obscurity to mainstream crime

prevention practices. One early test case involved the Westside Crime Prevention Association, a group of neighbors in New York City that in 1986 had exhausted all traditional avenues to eliminate drug activity at a local crack house. A private attorney, working pro bono on the association's behalf, filed a lawsuit against the property owner based on a 125-year-old state statute originally enacted to control "bawdy houses" (i.e., prostitution establishments). The statute defined a nuisance property as any real property used for "illegal trade, business, or manufacture," and outlined civil sanctions (up to a \$5,000 penalty) that a property owner could face if the owner "does not in good faith diligently" move to evict the tenant (Real Property Actions and Proceedings Law, Section 715). The neighborhood association won its case: the tenant was evicted, the house was sold, and the legal costs of the association were paid from the proceeds. The "bawdy house" statute is now used in similar situations by the Manhattan District Attorney's Office.

Another early pioneer in civil remedies was Portland, OR's Office of Neighborhood Associations, which helped enact a municipal drug house ordinance in 1987 enabling the city to impose civil penalties on owners of properties used for drug dealing. Within a month of the ordinance's enactment, 12 civil suits were filed against property owners (Davis and Lurigio, 1996). Rather than needing to prove beyond a reasonable doubt that a crime had been committed, the civil suits were simply predicated on evidence that a drug nuisance existed. Ironically, the case is often made that a drug nuisance problem exists by virtue of a history of vice arrests at the property.

One reason behind the rapid development and acceptance of civil remedies for crime prevention and control is the recognition that criminal remedies — arrest, prosecution and incarceration — often fail to resolve the problem, even in the short term and especially in the long-term (Moore and Kleiman, 1989; Sherman, 1990; Uchida, et al., 1990). For example, drug dealers may continue to deal while out on bail and on probation; if they are jailed, others are likely to quickly take their place. A motel that harbors drug use and prostitution with a long history of vice arrests is likely to persist unless there are changes in the management of the motel.

Unlike traditional criminal sanctions, civil remedies attempt to resolve underlying problems: the motel's poor management, the absentee owner's neglect. The use of civil remedies tends to be proactive and oriented toward prevention (Hansen, 1991), while at the same time aims at enhancing the quality of life (Rosenbaum, et al, 1992) and eliminating opportunities for problems to occur or reappear (Feldman and Trapp, 1990; National Crime Prevention Council, 1992). A number of civil

remedy approaches move beyond coercing and pressuring owners to evict, renovate, repair and clean up their properties to efforts that provide training and assistance to the owner/landlord to prevent his or her other properties from becoming crime magnets (Green, 1996; Skogan and Hartnett, 1997).

Civil remedies also offer an attractive alternative to criminal remedies since they are relatively inexpensive and easy to implement (Davis and Lurigio, 1996). A single citizen can make a difference by documenting a problem, pressuring police and prosecutors to take appropriate civil action, or spearheading a drive to establish useful local ordinances (Davis, et al., 1991). A group of neighbors can pursue a nuisance abatement action in small claims court without the assistance of police or public prosecutors (Roehl, et al., 1997). Moreover, civil laws require a lower burden of proof than criminal actions and loosen the requirements of due process, making them easier to apply yet open to concerns about fairness and equity (Cheh, 1991).

### **CIVIL REMEDIES IN A CRIME PREVENTION CONTEXT**

Civil remedies are relatively new tools for reducing and preventing crime and incivilities. As shown by the recent application of the century-old bawdy house statute, many rely on civil statutes that have been on the books for years. In form, and in the underlying principles, civil remedies are consistent with the myriad of crime prevention and control strategies implemented in the 1970s and 1980s and their underlying theoretical frameworks (e.g., see Clarke, 1992; Crowe, 1991; Jeffrey, 1977; Newman, 1972; Rosenbaum, 1988). Civil remedies are also primary tools found in many problem-solving efforts (Eck and Spelman, 1987; Goldstein, 1979, 1990).

The emerging emphasis on place (see Eck and Weisburd, 1995) — heavily influenced by rational choice theory (Cornish and Clarke, 1986) and routine activity theory (Cohen and Felson, 1979; Felson, 1986, 1994) — parallels the trend to use civil remedies to control crime and quality-of-life problems at crime-prone places. The goals underlying many civil remedy actions also have some theoretical connection to what Wilson and Kelling (1982) describe as the "broken windows" hypothesis.

Many civil remedy actions seek to reduce signs of physical (broken windows, graffiti, trash, etc.) and social (public drinking, loitering, public urination, etc.) incivilities in the hope that cleaned-up places will break the cycle of neighborhood decline and decrease victimization, fear of crime, and alienation. In fact, reducing the signs of physical disorder

and preventing their occurrence (or recurrence) is the primary purpose of many civil remedies, including code enforcement, nuisance abatement, neighborhood clean-up and beautification, and CPTED interventions. Other civil remedies focus on reducing social incivilities and preventing criminal opportunities. Youth curfews, gang injunctions, ordinances controlling public behavior and restraining orders are all civil remedy examples that seek to alter criminal opportunities and prevent crime problems from escalating. These types of civil remedies also have much in common with community policing (Skolnick and Bayley, 1986; Pate et al., 1986; Trojanowicz and Bucqueroux, 1989); cooperative partnerships among law enforcement, the community, public agencies and the private sector; and solutions aimed at resolving problems for the long-term and improving the quality of neighborhood life.

Civil remedies that seek to reduce criminal opportunities represent a pragmatic application of "opportunity reduction theory," which posits that crime can be reduced or prevented by removing opportunities for crime. Civil remedies that aim to reduce criminal opportunities tend to be directed at potential offenders (e.g., gang members congregating on street corners and youths out late at night) yet may also focus on places, an area that will be examined later. Many target-hardening strategies and CPTED approaches that have a civil basis to ensure compliance are examples of place-oriented remedies that focus on reducing criminal opportunities.

Situational crime prevention also "relies, not upon improving society or its institutions, but simply upon reducing opportunities for crime" (Clarke, 1992:3). Many situational initiatives involve changing the environment and the opportunities for crime in order to deter the illicit use of spaces and encourage beneficial territoriality, ownership and licit use. When a situational crime prevention initiative has a civil basis to coerce compliance then we would classify the initiative as a civil remedy. One example of a civil remedy tactic with a situational component is when an owner of a property that is classified as an "environmental hazard" is compelled to seal the building and, in some cases, demolish or refurbish it in order to put the property toward positive community use.

The goals of many civil remedy activities also have theoretical support from routine activities and rational choice theory. Rational choice theory posits that offenders select targets and make rational choices about committing crimes in order to benefit from their criminal behavior, and that the information and decision processes used by offenders vary dramatically depending on the type of offense contemplated (Cor-

nish and Clarke, 1996). Routine activity theory states that crime occurs when three sets of circumstances are present at the same time and place: a motivated offender, a suitable target and the absence of human controllers who are in a position to protect a target or place constraints on the offender (Felson, 1994). These theories explain how offenders, targets, various types of controllers, and physical and social environments combine or interact to hinder or encourage crime. Many civil remedies aim to change the pattern of people's routine activities, reduce the potential for a place to become a problem and lessen the opportunities for people to engage in criminal conduct. For example, gang injunctions that fine gang members if they congregate in specific areas seek to alter the underlying routine activities of gang members with the intention of blocking some of their criminal opportunities. Ordinances that define parental responsibilities for delinquent youths aim to create or improve the role of what Felson (1987) describes as "intimate handlers."

Another theoretical foundation underlying many civil remedies is deterrence theory, which contends that increasing the costs of crime at places deters the recurrence or persistence of future problems (see Clarke, 1992; Paternoster, 1987; 1989). For example, code enforcement actions that increase the costs of criminal activities at places with crime problems seek to encourage property owners to manage their properties better. Principles of deterrence theory inform many attempts to solve problems using the civil remedy approach by increasing the costs of crime, disorder or non-compliance.

## **DIMENSIONS OF CIVIL REMEDIES**

Civil remedies vary on a number of dimensions (see also Finn and Hylton, 1994), including: the purpose of the action (prevention or control); the type of user who initiates or applies civil remedies (private citizens, police departments, city prosecutors, community organizations); the immediate targets or the "burden bearers" of civil remedy action (suspected offenders, potential offenders, third parties); the focal point of the activities (people versus places); the types of problems addressed (e.g., crime, quality-of-life problems); the types of sanctions applied (e.g., fines, eviction, license restrictions); and the statutory basis of the civil remedy (e.g., municipal ordinances, town bylaws, health and safety codes). In this section we explore these dimensions of civil remedies and present a typology to organize common civil remedies.

Civil remedies have two primary purposes that are not mutually exclusive: they may aim to prevent behaviors and situations before they

become a problem, or they may aim to reduce or eliminate problems that already exist. Civil remedies used as preventive mechanisms include such tactics as: youth curfews; bans on alcohol advertising; bans on cigarette machines in high-crime areas; restrictions on bars and liquor stores; landlord training in drug-free management; drug-free zones; and CPTED applications. Civil remedies used to mitigate problems already in progress incorporate many of the preventive mechanisms but also encompass drug abatement, nuisance abatement, enforcement of health and safety codes, restraining orders, gang injunctions, and neighborhood clean-ups.

Civil remedies may be initiated by just about anybody: private citizens, grassroots neighborhood groups, community organizations, police officers, code enforcement officers, prosecutors and others. In cities and counties across the U.S., police, code enforcement officers, businesses and community groups are working together to solve neighborhood problems using civil remedies, often under community policing or problem-oriented policing umbrellas. As problems are identified by the police and community, civil sanctions are brought to bear on the problem through violations cited by local health, safety, and building officials and by public prosecutors.

Oftentimes, citizens and community organizations identify problems and problem properties, gather data on them and use this information to persuade other regulatory officials (police officers, building inspectors, city attorneys, etc.) to take action against the property owners and/or the offenders themselves. Citizens and community organizations may also take actions themselves; for example, when they sue a property owner in small claims court for knowingly maintaining a public nuisance. In all forms of civil remedies, however, the ultimate sanctions are applied by the courts, which can order the forfeiture of property or incarceration of offenders.

Many civil remedies are aimed at non-offending third parties — the property owners, business owners and place managers believed to be able to exert some control over an immediate environment and the people who frequent it (see also Buerger and Mazerolle, 1998). Many nuisance and drug abatement processes are applied against third parties, including owners of rental properties, storekeepers, and bar and liquor store owners. A large proportion of civil remedies, however, are directed against potential offenders or those people engaged in activities thought to lead to criminal activity. Civil remedies that target potential offenders typically seek to regulate and control social activity. Many of these social activities (e.g., sleeping in public) become the target of civil remedy action only under "certain circumstances." These "certain

circumstances" are, however, defined within a complex understanding of acceptable social norms that vary by beat and neighborhood. Finally, other forms of civil remedies are targeted against offenders themselves. Injunctions against gang members and domestic violence restraining orders, for example, are used to directly control the behaviors of offenders. These forms of civil remedies are typically and ultimately enforced by criminal remedies: if the civil sanctions of fines fail to eliminate behaviors, offenders may be arrested and prosecuted.

Civil remedies are applied to a wide range of problems, from serious crimes (e.g., drug trafficking, gang-related crime) to incivilities and quality-of-life issues (e.g., panhandling, cruising, blight) to legal practices that run counter to positive neighborhood life (e.g., operating hours of bars, billboard advertising). The National Crime Prevention Council (1996) presents a long list of incivilities and serious crimes that may be prevented by the application of civil laws (see also Finn and Hylton, 1994).

The sanctions of civil remedies vary greatly and include required repairs of properties, fines, forfeiture of property or forced sales to meet fines and penalties, eviction, padlocking or temporary closure (typically up to a year) of a rented residential or commercial property, license restrictions and/or suspensions, and ultimately arrest and incarceration. Oftentimes, several civil remedies may be initiated simultaneously to solve one problem. To solve a drug problem, for example, a suspected offender might be evicted and the property owner cited for building code violations and asked to attend a landlord training seminar.

The authority for civil remedies lies in a variety of civil statutory bases including municipal ordinances; local, state, and federal statutes; health and safety codes; and uniform building standards. Most states and local jurisdictions have a wide range of civil statutes currently on the books that are being rediscovered and applied to problems in new and different ways. Where civil statutes are not available, community organizations, legislators, and policymakers are passing new laws or refining old ones.

Civil remedies represent a growing area for crime prevention that has been, until now, largely unexplored in the academic literature. We suggest that future discourse on the use of civil remedies could be guided by conceptualizing civil remedies into a typology. Two dimensions appear to help organize the application of civil laws, ordinances and regulations to crime control and prevention: the focal points of the anti-social (or illegal) activity (persons or places), and the persons who bear the burden of the enforcement action (suspected offenders, poten-



tial offenders or non-offending third parties). We provide some examples of civil remedies within this conceptual framework in Figure 1.

The person/place dichotomy is an important distinction given the increased attention in recent years to controlling the anti-social behavior in "hot spots" and high-crime places (see Eck and Weisburd, 1995). In particular, community and problem-oriented policing efforts often have a "place" focus as opposed to a "person" focus. Place-oriented enforcement action still seeks to control the activities of persons at these places, yet the focus of place-control efforts are to alter the environmental landscape in ways that deter persons from frequenting these problem places. Changing the physical and routine activity patterns of a place constitutes the primary focus of civil remedies that we define as being place-oriented. Examples of place-oriented civil remedies include cleaning up graffiti and trash, padlocking crack houses, changing street configurations, removing incoming-call capacities of public pay phones in drug market locations, and enacting "cruising" laws along problem streets. In contrast, person-oriented civil remedies focus on the specific actions of individuals, regardless of where the action takes place. For example, we define youth curfew laws that are citywide as "person-oriented." While the enforcement of youth curfews often informally focuses attention on certain problem places, this type of civil remedy is designed more to concentrate on the people who are perceived as "problem youths" as opposed to what is perceived as a "problem place."

The second dimension that we present in Figure 1 distinguishes between those people who become the "bearers of the burden" of civil remedy action. We identify three groups of people who tend to bear the enforcement burden of civil remedy actions: suspected offenders, potential offenders and non-offending third parties. Suspected offenders are those people who are thought to have engaged in criminal conduct yet are not criminally charged for the transgression. Nonetheless, the activities of these "suspected offenders" are controlled through civil remedy action, either directly (person-focused remedy) or indirectly (place-focused remedy). Domestic violence restraining orders, for example, control the activities of a suspected batterer and thus we classify this remedy as a person-oriented remedy where the burden bearer is the "first person" (the batterer). A gang area ban that prohibits gang members from frequenting specified locations is an example of a civil remedy action that targets suspected offenders and is place-oriented. In San Fernando, CA, for example, the city council passed an "urgency" ordinance that provided a fine for entry of a gang member into Las Palmas Park. The ordinance used a two-step approach in which known gang members were given written notice not to re-enter the park, and were

cited for violating the ordinance and fined \$250 if they were subsequently found in the park (see National Crime Prevention Council, 1996:43). The burden-bearer in this example is the gang member, yet he or she only bears the burden when frequenting a specific place: Las Palmas Park.

We define "potential offenders" as those people who are not necessarily engaged in criminal activities (such as drug dealing, robberies, burglaries) but behave in a manner that is perceived as being troublesome (e.g., loitering, public urination, sleeping in public). In many ways, it is this type of public disorderly behavior that paved the way for increasing reliance on civil remedy actions. Criminal laws typically could not be enforced to control these types of disorderly behavior (formal social control), and informal social control mechanisms failed to control the actions of people behaving in disorderly ways. Therefore, the murky in-between concept of "civil remedies" emerged to provide a legislative basis to control potentially troublesome behavior. Youth curfews, restrictions on who can purchase spray paint and prohibition against obscene language are examples of person-oriented civil remedies that target these types of "potential offenders." Importantly, the behaviors that are the target of the civil remedy action are illegal only within a defined context. When that "defined context" becomes a place (e.g., a particular street along which cruising occurs, alcohol-free zones, a school enforcing "codes of conduct"), then we classify the civil remedy as being place-oriented (see Figure 1).

The final dimension of our civil remedy typology includes those remedies where the burden-bearer is a non-offending third party; landlords, parents, guardians, leaseholders and property owners figure prominently in this category. We define "person-oriented" civil remedies that target third parties as those that define the specific responsibilities of non-offending individuals believed (or expected) to have control over other people (e.g., parents controlling their children, leaseholders in public housing sites controlling the people living in their household). Conversely, when non-offenders are urged to remedy the general appearance or an undesirable attribute of a place (e.g., blighted properties, drug dealing from an abandoned house, repeat burglaries of a business), then we define the civil remedy as being "place-oriented." Figure 1 presents our civil remedy typology and provides examples of civil remedies identified as place and person-oriented where the burden bearers are non-offending third parties, suspected offenders or potential offenders.

**Figure 1: Typology of Civil Remedies**

	<b>Suspected Offenders</b>	<b>Potential Offenders</b>	<b>Non-Offending Third Parties</b>
<b>People</b>	Gang injunctions Domestic violence restraining orders Publishing photos of prostitution clients	Youth curfews Evictions License restrictions Loitering laws Panhandling laws Regulations on sleeping in public Prohibition of obscene/ threatening language	Parental responsibility for delinquent youths Youth curfews (parent/guardian clauses) Public housing lease restrictions Laws against cigarette sales to youths Laws against spray paint sales to youths Laws against alcohol sales to youths
<b>Places</b>	Gang area bans	Cruising Alcohol-free zones School "codes of conduct"	Restricted hours of alcohol-serving establishments Restricted locations of liquor stores Code enforcement (building, fire, health, safety) Public pay phone restrictions on incoming calls Property forfeiture Property improvement Padlocking Repair of property Cigarette machine placement Nuisance abatement Mandated graffiti removal Insurance requirements on properties in high crime neighborhoods Restrictions on billboard advertising CPTED interventions (e.g., lighting, traffic controls)

## THIS VOLUME

Our book brings together researchers and practitioners with an interest in the proliferation of civil remedies both as a crime control and crime prevention tool. We explore some of the social, legal and political issues that surround the use of civil remedies, as well as examine the effectiveness of various civil remedy approaches. As such, we believe that the collection of papers assembled in this volume provide cutting-edge, thoughtful, provocative and well-researched analyses of the theory and practice of civil remedies.

Part I explores some of the social, legal, political and theoretical issues that are raised in using civil remedies for crime control and preventive purposes. In this section, we asked authors to tease out some of the critical issues that underpin the use of civil remedies in controlling crime problems. The first and third papers (by Sharyn L. Roach Anleu and Martha Smith, respectively) examine some of the theoretical dimensions of civil remedies within a crime prevention context. Roach Anleu tracks the theoretical dimensions of the proliferation of civil remedies within a long history of social control mechanisms. She examines a general worldwide trend toward using alternative means to control crime and social behavior, pointing to the use of insurance within the context of an actuarial model of social control. From a pragmatic perspective, Smith offers an interesting analysis of the way that civil remedies can be used to regulate and control crime opportunities. She suggests that civil remedies play a direct role in bringing about "situational controls" and an indirect role in influencing the decisions of those who control crime opportunities. Using a script analytic model, Smith examines the utility of civil remedies to prevent crime.

Mary M. Cheh draws from her earlier research on the "blurring" of the criminal and civil laws to provide a legal analysis of the different types of civil laws that are used for crime control, summarizing their legal foundations and constitutional challenges to date. Beginning with the limitations and inadequacies of criminal procedures and sanctions, Cheh outlines the reasons why civil remedies have become attractive alternatives and complements to the use of criminal law for preventing or punishing criminal behavior. For the two most widely used civil tools — asset forfeiture and injunctive relief — she outlines the civil laws, legal procedures and substantive rules of application, highlighting the relative ease of their use and seriousness of their penalties. Cheh also presents a layperson's analysis of constitutional challenges to these two civil remedies based on U.S. Supreme Court rulings, concluding that the court has confirmed a "relatively permissive approach to new uses of civil remedies to fight crime."

The final two papers in this section examine some of the political issues concerning the use of civil remedies in crime prevention. Michael E. Buerger examines the elements of the political process that led to the recruitment of third parties to engage in crime management. Buerger points out that the police unilaterally created new forms of public duty using civil remedies as their primary tool to coerce third parties to engage in crime management. Buerger then explores the individual and collective forms of resistance to the use of civil remedies in policing through third parties.

The final contribution in this section is from Robert White, who critiques the use of civil remedies in efforts to control the activities of young people. White focuses especially on the use of curfews, special police operations and the variety of legislation enacted to enforce controls over the behavior of youths.

Part II focuses on civil remedy programs that are designed to control drug problems. Lorraine Green Mazerolle and her colleagues report results from a randomized field trial in which the Oakland (CA) Police Department's drug abatement program (Beat Health) and traditional police patrols were randomly assigned to 100 street blocks with drug problems. Using on-site observations before and after the intervention period, Mazerolle et al. found significant declines in disorder and drug dealing in the Beat Health-targeted blocks compared to the patrol-target blocks. Their research points to the effectiveness of the use of civil remedies to control drug problems, particularly when compared to traditional policing efforts that are targeted at drug dealing places.

The San Diego (CA) Police Department's Drug Abatement Response Team, similar in many ways to Oakland's Beat Health program, is the subject of John E. Eck and Julie Wartell's paper. Using a randomized evaluation design, Eck and Wartell found decreases in drug problems when the police and code enforcement officials met with property owners following traditional drug enforcement action. The results reported by Eck and Wartell support Eck's (1995) theory of the geography of retail drug dealing in that poor place management tends to increase the chances of drug dealing.

The community-based narcotics nuisance abatement program operated by the Cook County (Chicago) State's Attorney Office is similar to others in a number of U.S. cities. Arthur J. Lurigio and his associates present the results of a study of the procedures and outcomes of this large and well-established abatement program. The initiative relies on citizens and police to identify properties involving narcotics sales, and uses three primary strategies — voluntary abatement, prosecutorial abatement and community outreach — to ameliorate such problems.

The study provides evidence of the program's effectiveness in eliminating or reducing drug dealing at abated buildings, although its findings on resident perceptions are mixed.

Overall, the evaluation studies included in this section point to the positive benefits of using civil remedies to control drug problems. Yet, we do not know whether civil remedies are more or less costly to implement than other types of drug control programs. Therefore, we asked Jonathon P. Caulkins to write a paper about the cost-effectiveness of traditional drug control strategies compared to the civil remedy approach. While Caulkins laments the dearth of information on the cost of civil remedy programs, he lays out a conceptual model for assessing the cost-effectiveness of civil remedies, and points out the difficulties that arise in assessing what rules or policies would encourage the right kinds (both cost-effective and fair) of civil interventions.

Part III offers a collection of papers that explore the roles that citizens and community organizations have taken in implementing civil remedies to prevent and resolve neighborhood crime and disorder problems, both alone and in concert with law enforcement, prosecutors and other agencies. Jan Roehl presents the results of a national survey of community organizations, looking at the role of organizations and citizens, the types and prevalence of the civil remedies they use, and the obstacles and outcomes they have encountered. While the central roles of citizens' groups remain rather traditional, focused on serving as "eyes and ears" for the police and other enforcement agencies and pressuring government agencies to take action, they are also able to do many things official entities cannot do. The use of civil remedies has enabled these groups to take preventive and proactive measures that promise permanent, positive changes for neighborhood empowerment and improvement.

Anne Blumenberg and her colleagues describe the work of a number of Baltimore, MD communities in reducing crime and grime through code enforcement and nuisance abatement. This "co-production model" requires the coordinated efforts of residents and government agencies, each having specific authority and responsibility for its success. The co-production model is based on a body of civil legal remedies developed by the Community Law Center, including common law nuisances, abatement procedures, vacant house receivership and a Community Bill of Rights. The co-production model is applied to varied community problems, oftentimes requiring a different combination of responses from the community and local government. Blumenberg, et al. summarize how the model works, and discuss its potential for both abuse and improving the quality of life in low-income communities.

The last paper in this section draws from two studies of drug abatement programs. Barbara E. Smith and Robert C. Davis present survey results related to the responses of property owners, the consequences they suffer and their perceptions of the fairness of abatement actions. While the landlords surveyed admit that abatement actions resulted in reductions in drug and disorder problems at their properties, the vast majority believe the abatement remedies were unfair. Smith and Davis suggest ways for abatement procedures to be more fairly and positively applied, as their success ultimately rests on the cooperation of property owners.

Part IV addresses the special case of civil remedies in public housing settings. We include two papers in this section. In the first, Justin Ready and his associates examine the factors that influence public housing evictions. They find that administrative complaints are an important and direct tool used by public housing managers to control the activities of residents. They conclude that the administrative complaint and policy violation options provide managers with a systematic mechanism for targeting criminally active residents who pay their rent on time and avoid arrest. In light of the "one-strike-and-you're-out" public housing policy that was recently passed at the national level, we believe that this article is both current and topical. In the second paper, Sheridan Morris draws from his research to assess the impact of civil remedy approaches when the U.K. local housing authority partners with the police.

These papers represent a cross-section of current thinking in the area of civil remedies. Much of the research to date seems to indicate that such remedies are effective in abating crime (particularly drug) problems. Yet as many of the papers in this volume suggest, there is still much work to be done. We suggest that there are four primary areas that need further research in the area of civil remedies: first, tracking the effectiveness of civil remedy programs (the problems that can be abated, whether some problems are more amenable to civil remedy action than others, and the issues of displacement and diffusion of benefits); second, understanding more about the theoretical bases of civil remedies; third, systematically examining the legal and fairness issues that some authors are raising as red flags; and finally, developing measures that could be used in a cost-effectiveness analysis of civil remedy actions.



*Address correspondence to:* Lorraine Green Mazerolle, Director, Center for Criminal Justice Research, and Assistant Professor, Division of Criminal Justice, University of Cincinnati, P.O. Box 210389, Cincinnati, OH 45221.

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