

Considering our already though gun laws, an approach like this would reduce the gun violence in our major cities.

Bill Schoner
West Suffield, CT

William Bratton: The Real Cures for Gun Violence

William Bratton, the once (and possibly future) New York police commissioner, on the president's gun-control plans and the need for 'certainty of punishment.'

By [DAVID FEITH](#)

New York

The last time America had a gun-control debate was the early 1990s, and it was followed by the great two-decade-long decline in American crime. The irony is that gun control had very little to do with that decline.

William Bratton did. Serving as New York City's top cop for 27 months from 1994 to 1996, he helped turn around a violent, crime-ridden city with policies that later were adopted nationwide and across the globe. The 65-year-old now runs a consulting business and a tech firm that focus on law enforcement, and in a recent chat he puts the gun debate in the context of policies that really have made America safer.

As announced Wednesday, President Obama wants more federal and state information-sharing, more data collection and better training for local law enforcement. But the heart of his proposals, and the most controversial, are his requests that Congress reinstate the ban on "assault weapons" that lapsed in 2004, outlaw ammunition clips holding 10 or more rounds, and extend mandatory background checks to almost all gun sales.

Mr. Bratton likes what he calls the "symbolism" of this agenda, but he's unsure if its enactment would make a substantive difference. "Its importance is that it is a motivator to keep people aware, concerned and involved," he says as we sit amid the police helmets, miniature squad cars and framed magazine covers of his midtown Manhattan corner office. "The good news is at least the issue is once again being discussed and being discussed seriously. As to what the ultimate outcome will be, it's anyone's guess."





Ken Fallin

The problem with the gun and ammo bans, he offers, "is that that's going forward." They do nothing about the 350 million firearms, including assault weapons, and hundreds of thousands of extended clips already in circulation. "You can't deal with that retroactively." As for the practical effect of gun control, he notes that "all the studies that were done about assault weapons after the ban ended after 10 years were pretty much inconclusive."

He says he'd support "anything that reduces the number of rounds in a clip." In an attack like the one in Newtown, Conn., Mr. Bratton says, the faster a deranged killer can shoot, the more damage he can do—and the less time is allowed for the police to arrive. "Oftentimes it is in the changing of a clip that the opportunity presents itself for stopping. What's the right number—seven, 10, 15? Who knows? The right number is no bullets in the clip, but that's not going to happen."

Mr. Bratton predicts that "the most successful focus is going to be on the licensing and background checks. Because that's the heart of the problem—who gets access to the guns?" he says. "Clearly a large number of people who shouldn't have firearms actually apply through the process and obtain firearms." He also argues that Congress ought to confirm a permanent director of the Bureau of Alcohol, Tobacco and Firearms for the first time since 2006.

But the gun reform that truly gets Mr. Bratton fired up is one you don't hear much about these days. It is what he calls "certainty of punishment," or stricter gun-crime sentences.

"People are out on the streets who should be in jail. Jail is appropriate for anyone who uses a gun in the commission of an act of violence. Some cities have a deplorable lack of attention to this issue," he says, citing Philadelphia.

In Chicago, where the murder rate rose 16% last year, "to try to put someone in jail for gun-related activity you really have to go the extra mile," he says. "If there's one crime for which there has to be a certainty of punishment, it is gun violence." He ticks off other places where help is needed: "Oakland, Chicago, D.C., Baltimore—all have gangs whose members have no capacity for caring about life and respect for life. Someone like that? Put 'em in jail. Get 'em off the streets. Keep people safe."

Mr. Bratton has some experience with jailing bad guys, making them stay off the streets and watching the crime rate drop. His efforts in New York brought him to national prominence, but he has been collaring criminals for decades. After serving in the military police during the Vietnam War, he returned to his native Boston and worked his way up in that city's law-enforcement organizations.

He moved to New York in 1990 to take over the transit police (which was then separate from the city force). Quickly crime dropped across the subway system. In late 1993, after a brief return stint in Boston, Mr. Bratton was appointed commissioner of the New York City Police Department by Mayor-elect Rudy Giuliani. Consciously echoing Churchill, he declared at his first news conference that, "We will fight for every house in the city. We will fight for every street. We will fight for every borough. And we will win."

It took a lot of fighting. More than 2,200 New Yorkers had been murdered the year before. Daily commuting meant being confronted by prostitution, drug use, public urination, theft—urban life run amok. Mr. Bratton publicly promised to cut crime by 10% in his first year and 15% in his second. Privately he told Mr. Giuliani that crime would drop 40% in three years.

And down it went. In two years, murders fell 39%, robbery 31%, burglary 25% and car theft 36%. By 1998, two years after he left the job but with his programs firmly in place, murders had fallen 70%, robbery 55%, burglary 53% and car theft 61%.

One of his first challenges was to change a helpless, can't-do mentality. From the 1960s through most of the 1980s, the FBI's "Uniform Crime Reports" included this note: "Criminal homicide is largely a societal problem which is beyond the control of the police." That pretty well described the thinking in many urban battlegrounds.

Mr. Bratton rejected it. He led the NYPD according to the principle that, as he wrote in 1999, "No place is unpoliceable; no crime is immune to better enforcement efforts." The key was giving the police the novel goal of preventing crime, not just responding to it. To achieve that goal, they mostly needed new strategies for policing, not new legislation.

For starters, they wouldn't ignore minor crimes such as prostitution, aggressive panhandling, excessive noise and underage drinking. It was an application of what would become famous as the "broken windows" theory, which held that even small signs of disorder would, if left untended, breed further disorder, crime and fear.

"Stop the behavior when it's small, stop the cancer when it's small," Mr. Bratton says, an approach he says is as useful today as it was then. It turns out that those who committed minor offenses often also committed major ones. When police started arresting subway turnstile-jumpers, one in seven had an outstanding warrant and one in 25 carried a gun. Another innovation was the almost obsessive use of timely crime data to drive tactics and accountability. Police began questioning every person arrested with a gun about

where, when and how it was obtained. Detectives were instructed to investigate all shootings as if they were murders.

All of this went on under a legal architecture that had existed for years, including a 1974 state gun-control law considered the strictest in the nation. The tide turned so dramatically only in 1994, says Mr. Bratton, because finally the police enforced the law "fairly, compassionately and consistently" across all neighborhoods.

Another part of the anti-violence solution was the 1968 Supreme Court ruling *Terry v. Ohio*, which held that a police officer is allowed to stop, question and frisk a person on the street if the officer has "reasonable suspicion" that the person has committed, is committing, or is about to commit a crime. "Stop-and-frisk" became a central feature of policing—and now, in a transformed New York two decades later, it has become a matter of controversy. Liberals want it banned.

Critics of stop-and-frisk argue that it discriminates against blacks and Hispanics, who are the subjects of a majority of stops. Proponents say this simply reflects the demographic realities of crime. Although blacks make up only 23% of New York's population, for example, they accounted for more than 60% of all murder victims in 2011 and committed some 80% of all shootings. The issue is now in the federal courts, where for the first time a judge last week ruled a part of the program unconstitutional. "Stop-and-frisk is not something that you can stop. It is an absolutely basic tool of American policing," Mr. Bratton says. "It would be like asking a doctor to give an examination to you without using his stethoscope." Critics, he complains, "always leave out the middle term—stop, question and frisk. About 60 to 70 percent of the stops don't result in a frisk in New York." As for Judge Shira Scheindlin's recent ruling, he predicts a reversal "when it goes to the Supreme Court."

If stop-and-frisk makes it to the highest court in the land, the ruling might be more than a matter of academic interest for Mr. Bratton. He has been out of the police-chief game since 2009, when he retired after a successful seven-year stint in Los Angeles. But he has been speaking with more than one of the candidates who are positioning themselves for New York's mayoral election this November. Asked whether he might return for a second stint as the city's top cop, he offers praise for current Commissioner Ray Kelly and says little more than "I'll keep my options open."

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