



**TOURO UNIVERSITY**  
**JACOB D. FUCHSBERG LAW CENTER**  
*Where Knowledge and Values Meet*

**Digital Commons @ Touro Law  
Center**

---

Scholarly Works

Faculty Scholarship

---

1993

## Are Spread Out Cities Really Safer? (Or, Is Atlanta Safer Than New York?)

Michael Lewyn

*Touro Law Center*, [mlewyn@tourolaw.edu](mailto:mlewyn@tourolaw.edu)

Follow this and additional works at: <https://digitalcommons.tourolaw.edu/scholarlyworks>



Part of the [Criminal Law Commons](#)

---

### Recommended Citation

41 Clev. St. L. Rev. 279 (1993)

This Article is brought to you for free and open access by the Faculty Scholarship at Digital Commons @ Touro Law Center. It has been accepted for inclusion in Scholarly Works by an authorized administrator of Digital Commons @ Touro Law Center. For more information, please contact [lross@tourolaw.edu](mailto:lross@tourolaw.edu).

# HEINONLINE

Citation: 41 Clev. St. L. Rev. 279 1993

Content downloaded/printed from  
HeinOnline (<http://heinonline.org>)  
Mon Aug 15 15:40:05 2011

- Your use of this HeinOnline PDF indicates your acceptance of HeinOnline's Terms and Conditions of the license agreement available at <http://heinonline.org/HOL/License>
- The search text of this PDF is generated from uncorrected OCR text.

# ARE SPREAD OUT CITIES REALLY SAFER? (OR, IS ATLANTA SAFER THAN NEW YORK?)

MICHAEL E. LEWYN<sup>1</sup>

I. INTRODUCTION .....	279
II. PUBLIC PERCEPTIONS AND THEIR RELATIONSHIP TO CRIME RATES .....	280
A. <i>The Perception</i> .....	280
B. <i>The Reality</i> .....	282
III. THE RANDOM DISTRIBUTION THEORY .....	285
A. <i>Crime in the Suburbs</i> .....	285
B. <i>Race and Crime</i> .....	288
C. <i>"Stranger Crimes"</i> .....	289
1. Robberies and Burglaries .....	290
2. "Stranger Homicides" .....	291
D. <i>Summary</i> .....	292
IV. IMPLICATIONS .....	293

## I. INTRODUCTION

Many commentators believe that low-density,<sup>2</sup> car-dependent<sup>3</sup> cities are safer than older, higher-density cities.<sup>4</sup> According to a 1990 Gallup Poll, most Americans share this view. The poll showed that low-density Sunbelt cities are generally perceived as safer than they really are, and that high-density Frostbelt

---

<sup>1</sup>Assistant Visiting Professor, University of Miami Law School. Formerly Law Clerk to Judge Theodore McMillian, U.S. Court of Appeals (1990-91), and Judge Morris S. Arnold, U.S. District Court for the Western District of Arkansas (1988-90). J.D., University of Pennsylvania Law School.

<sup>2</sup>For the purposes of this article, low-density cities are those with under 4000 people per square mile. See Table 4 *infra*.

<sup>3</sup>For the purposes of this article, car-dependent cities are those in which less than 12% of city residents use public transportation to get to work. See Table 5 *infra*.

<sup>4</sup>See U.S. DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION, UNIFORM CRIME REPORTS at v (1990) [hereinafter REPORTS] (citing population density of area as one factor in crime of city or neighborhood); C. FISCHER, URBAN LIFE AND VIOLENCE: ECOLOGICAL FACTORS 8 (1988) (raising possibility that "the constant assault on the human senses of other people deranges individuals to violence"); *but see* WILLIAM H. WHYTE, CITY: REDISCOVERING THE CENTER 158 (1988) (criticizing theory); JANE JACOBS, THE DEATH AND LIFE OF GREAT AMERICAN CITIES 32 (1961) (criticizing theory).

cities are often perceived as more dangerous than they really are. The purpose of this article is to answer the following questions:

1. How closely do public perceptions<sup>5</sup> of major cities' safety correlate with actual crime rates?
2. Even if high-density cities have lower crime rates, might public perceptions be justified by the possibility that crime in such cities is more randomly distributed among races and social classes?
3. Assuming that high-density cities are safer than generally believed, what consequences flow from this fact?

## II. PUBLIC PERCEPTIONS AND THEIR RELATIONSHIP TO CRIME RATES

### A. *The Perception*

In 1990, the Gallup Organization asked a random sample of American adults, "do you consider each of [fifteen] American cities safe to live in or visit, or not?"<sup>6</sup> Table 1 below shows the results of this poll.

**Table 1**  
Is [city X] safe or unsafe?

City	Percentage responding safe	Percentage responding unsafe	Population per sq.mile <sup>7</sup>
New York	11	85	24,327
Miami	17	76	10,546
Detroit	18	68	7,559
Washington, D.C.	22	71	9,633
Chicago	26	65	12,209
Los Angeles	26	64	7,495
Philadelphia	40	40	11,659
San Francisco	44	43	15,934
Atlanta	45	39	3,008
Boston	53	29	12,484
San Diego	56	28	3,470
Dallas	55	26	3,024
Houston	55	25	2,933
Seattle	68	16	6,146
Minneapolis	66	11	6,698

<sup>5</sup>See Table 1 *infra* (describing results of Gallup poll asking respondents whether they perceived certain cities to be "safe" or "unsafe.")

<sup>6</sup>GEORGE GALLUP, JR., THE GALLUP POLL MONTHLY, Report No. 300, at 41-43 (September 1990), reprinted in U.S. DEPARTMENT OF JUSTICE, SOURCEBOOK OF CRIMINAL JUSTICE STATISTICS at 182-83 (1990).

<sup>7</sup>Population density statistics are taken from the WORLD ALMANAC AND BOOK OF FACTS 605-15 (1991).

The six cities - New York, Miami, Detroit, Washington, D.C., Chicago, and Los Angeles - which a plurality or majority of poll respondents regarded as unsafe have a great deal in common. Four of the six are in the Northeast or Midwest (all except Miami and Los Angeles), and each city has over 7400 people per square mile. By contrast, only two of the eight cities generally regarded as safe by a plurality or majority of poll respondents (Boston and San Francisco) have over 7400 people per square mile, and five of the eight are in the South or West. In addition, Table 2 shows that the cities perceived as safe tend to be somewhat more car-dependent.

Table 2  
Percentage of city residents using public transportation  
to get to work<sup>8</sup>

Cities perceived as safe		Cities perceived as unsafe	
San Francisco	38.5	New York	55.8
Boston	33.5	Washington, D.C.	37.9
Atlanta	24.4	Chicago	32.3
Minneapolis	21.7	Miami	13.7
Seattle	19.3	Detroit	11.7
Dallas	8.3	Los Angeles	10.8
Houston	4.7	Group average	27.0
San Diego	4.3		
Group average	19.3		

In the average city perceived as safe by a plurality or majority of poll respondents, only 19.3% of city residents use mass transit. In the average city perceived as unsafe by a plurality or majority of poll respondents, 27% of city residents use mass transit. Thus, it appears that most Americans expect a safe city to be spread out, located in the South or West, and fairly vehicle-dependent. When most Americans imagine a dangerous city, they think of an aging, densely-packed Frostbelt metropolis such as New York or Chicago.<sup>9</sup>

---

<sup>8</sup>See U.S. DEPARTMENT OF COMMERCE, BUREAU OF THE CENSUS, 1980 CENSUS OF POPULATION AND HOUSING: CENSUS TRACTS Table P-9 (1980) ("Social Characteristics of Persons" table included in books issued about every metropolitan area)

<sup>9</sup>I note in passing that the two Sunbelt exceptions to this rule, Miami and Los Angeles, are easily explainable. Even before the recent riot, Los Angeles probably had a reputation as a dangerous city because of its sheer size; even if a city as large as New York or Los Angeles has a relatively low crime rate, the size of such cities guarantees that enough sensational crimes will occur to generate a great deal of bad publicity. Miami's bad reputation probably has something to do with its crime rate (which is surprisingly high) and much more to do with the television program "Miami Vice". However, I cannot possibly explain the good reputations of Frostbelt cities perceived as safe, such as Boston.

### B. The Reality

Table 3 below compares crime in cities perceived as "safe" with public perceptions, and shows that many of the more car-dependent cities (such as Atlanta) are more dangerous than generally believed, while many of the more mass transit-oriented cities (such as New York) are safer than generally believed.

**Table 3**  
Perception vs. Reality

Perceived dangerousness of cities ranked by ratio of Gallup poll respondents responding safe versus those responding unsafe <sup>10</sup>		Actual danger, ranked by 1990 rates of violent crime plus burglary per 100,000 <sup>11</sup>	
1. New York	85-11 unsafe	1. Miami	8119
2. Miami	76-17 unsafe	2. Atlanta	8024
3. Detroit	68-18 unsafe	3. Dallas	5713
4. Washington, D.C.	71-22 unsafe	4. Detroit	5234
5. Chicago	65-26 unsafe	5. Chicago	4645 <sup>12</sup>
6. Los Angeles	64-26 unsafe	6. Washington	4441
7. Philadelphia	40-40 tie	7. Boston	4162
8. San Francisco	44-43 safe	8. Houston	4024
9. Atlanta	45-39 safe	9. New York	4021
10. Boston	53-29 safe	10. Minneapolis	3939
11. San Diego	56-28 safe	11. Los Angeles	3881
12. Dallas	55-26 safe	12. Seattle	3672
13. Houston	55-25 safe	13. San Francisco	3177
14. Seattle	68-16 safe	14. Philadelphia	2871
15. Minneapolis	66-11 safe	15. San Diego	2587

As one can see from Table 3, the correlation between perception and reality is good but uneven. On the one hand, cities perceived as relatively safe generally fit the perception. Of the eight cities perceived as safe by a plurality of poll respondents, only three (Atlanta, Boston and Dallas) are in the "dangerous half" (i.e., one of the seven most dangerous cities) of the fifteen-city group. Similarly, four of the six cities generally perceived as dangerous (Miami,

<sup>10</sup>GALLUP, JR., *supra* note 6, at 41-43.

<sup>11</sup>Calculated from REPORTS, *supra* note 4, at 332-57 (as to all cities but Minneapolis); Letter from Lt. Brad Johnson, Minneapolis Police Department, February 19, 1992 (as to Minneapolis) [hereinafter Letter] (on file with author). According to the FBI, "Violent crimes" are offenses of murder, forcible rape, robbery, and aggravated assault. *Id.* at 50 n.4. This definition applies to all tables in this article.

<sup>12</sup>Figures for Chicago exclude rape. As no major city has over 100-200 reported rapes per 100,000 in a year, it is unlikely that the inclusion of rape would place Chicago ahead of Detroit. See REPORTS, *supra* note 4, at 336 (for Chicago), at 332-57 (all other cities, including listed cities).

Detroit, Chicago, and Washington—all except New York and Los Angeles) are in the "dangerous half" of the group.

Nevertheless, in some cases perceptions differ sharply from reality. For example, New York, Washington, D.C., Los Angeles, and Philadelphia rank first, fourth, sixth, and seventh respectively in perceived danger, but rank ninth, sixth, tenth, and fourteenth in actual danger. By contrast, Atlanta, Dallas and Houston are ninth, twelfth and thirteenth respectively in perceived danger, but are second, fourth, and eighth respectively in actual danger. Seven cities rank higher in actual danger than perceived danger (Miami, Atlanta, Boston, Dallas, Houston, Seattle, and Minneapolis). Five of the seven are located in the South or West, and five of the seven have under 7400 people per square mile. Of the seven cities which are less dangerous than generally believed (New York, Detroit, Washington, D.C., Los Angeles, Philadelphia, San Francisco, and San Diego), four are located in the Northeast or Midwest, and only one has under 7400 people per square mile. In addition, of the nation's five largest cities (New York, Chicago, Los Angeles, Houston, and Philadelphia), only one (Houston) is more dangerous than most poll respondents believe. Thus, it appears that the general public systematically overestimates the crime levels of larger, higher-density and Northern cities, and systematically underestimates the crime levels of lower-density Sunbelt cities.

In fact, the high-density cities listed in the Gallup Poll are actually safer than the low-density cities listed. Table 4 examines the crime rates of high, low and medium-density cities:

Table 4  
Density and crime

	People per sq. mile	Burglary plus violent crime <sup>13</sup> per 100,000
High-density cities (10,000 or more people per sq.mile)		
New York	24,327	4021
San Francisco	15,934	3177
Boston	12,984	4162
Chicago	12,209	4645
Philadelphia	11,659	2871
Miami	10,546	8119
Group average		4499
Medium-density cities (4000-10,000 per sq.mile)		
Washington, D.C.	9633	4441
Detroit	7559	5234
Los Angeles	7495	3881
Minneapolis	6698	3939
Seattle	6146	3672
Group average		4233

<sup>13</sup> See REPORTS, *supra* note 11 (defining "violent crime").

	People per sq. mile	Burglary plus violent crime per 100,000
Low-density cities (under 4000 per sq.mile)		
San Diego	3470	2587
Dallas	3024	5713
Atlanta	3008	8024
Houston	2933	4024
Group average		5087

Population density is usually closely correlated with car dependency.<sup>14</sup> Table 5 below breaks down cities by the percentage of city residents commuting by public transit.

**Table 5**  
Public transit and crime  
Percentage of city residents commuting to work by public transportation

	Percentage	Violent crime plus burglary rate per 100,000
High Percentage (30+)		
New York	55	4021
San Francisco	38	3177
Washington, D.C.	37	4441
Boston	33	4162
Chicago	32	4645
Philadelphia	30	2871
Group average		3886
Medium percentage (12-30)		
Atlanta	24	8024
Minneapolis	21	3939
Seattle	19	3672
Miami	13	8119
Group average		5938
Low percentage (0-12)		
Detroit	11	5234
Los Angeles	10	3881
Dallas	8	5713
Houston	4	4024
San Diego	4	2587
Group average		4288

---

<sup>14</sup>For example, three of the four cities labeled as "low-density" in Table 4 are also among the five cities in Table 5 with the smallest percentage of mass transit users. Similarly, of the six cities labeled as "high-density" in Table 4, over 30% of city residents use mass transit in five (all except Miami).



Table 5 shows that mass transit use, like population density, does not strongly correlate with serious crime.

Given that densely populated big cities are safer than their reputation, is there any rational basis for the general public's belief to the contrary? Arguably, densely packed cities are actually more dangerous for most residents (as opposed to those who live in the most dangerous neighborhoods) because crime is more randomly distributed among races, social classes, or neighborhoods in such cities. This hypothesis is examined below.

### III. THE RANDOM DISTRIBUTION THEORY

As suggested above, it could be argued that, in a low-density<sup>15</sup> city like Atlanta or Houston, crime is concentrated in poor neighborhoods to a greater extent than in more densely packed cities such as New York or Chicago.<sup>16</sup> The random distribution theory might run as follows: if potential criminals (who presumably live in poor neighborhoods) have to drive several miles to find middle-class people to steal from, they will not bother to do so either because (1) the booty is not worth the trouble or (2) poor people are less likely to own cars. On the other hand, it could be argued that criminals (1) tend to concentrate their efforts in their own neighborhoods under any circumstances, and (2) are more likely to own cars than law-abiding people (or at least law-abiding poor people) because they can always steal them or pay for them with their ill-gotten gains. Is the "random distribution" theory correct?

Ideally, one would be able to test this thesis by comparing similar neighborhoods in various cities. Unfortunately, this technique is impossible because (1) some police departments do not publish detailed neighborhood crime statistics and (2) it is extremely difficult to compare neighborhoods in different metropolitan areas because even areas of equal wealth may differ in their distance from poor areas.

However, there are several indirect ways of measuring the distribution of crime within metro areas. I have chosen the following methods: (1) a comparison of various cities' suburbs, (2) comparing the distribution of homicides among the races, (3) comparing the number of "stranger homicides" in various cities, and (4) comparing cities' rates of the serious crimes most likely to involve strangers (robbery and burglary).

#### A. *Crime in the Suburbs*

If crime is in fact more randomly distributed among neighborhoods in densely packed cities, the suburbs of those cities would probably also contain higher crime rates than the suburbs of spread-out cities because (1) the

---

<sup>15</sup>See *supra* note 2 (defining "low-density" cities). See REPORTS, *supra* note 4, at 332-57 (listing metro areas and which countries they include).

<sup>16</sup>Cf. R. Matthews, *Despite crime numbers, Atlanta is not a battlefield*, ATLANTA JOURNAL-CONSTITUTION, May 2, 1991, at A18 ("except for a few very terrible places, Atlanta is not an especially dangerous city to live in").

boundaries between a city's "good neighborhoods" and its suburbs are usually arbitrary, and (2) the suburbs of densely packed cities are usually more accessible to public transportation.<sup>17</sup> Table 6 below compares crime rates for the suburbs (defined as "the metropolitan area minus the city")<sup>18</sup> of high, medium and low-density cities:<sup>19</sup>

Table 6

Density and crime in suburbs in various cities (crime measured as violent crime plus burglary rate per 100,000)<sup>20</sup>

High-density cities' <sup>21</sup> suburbs	Crime
New York	1096
San Francisco	1137
Boston	1314
Philadelphia	1118
Miami	4743
Chicago	1004
Group average	1735
Medium-density cities' suburbs	
Washington, D.C.	1228
Detroit	1281
Los Angeles	2559
Seattle	1278
Group average	1586

<sup>17</sup>I note in passing that the suburbs of spread-out cities such as Atlanta often have no public transportation and don't want any, precisely because they fear outsiders coming in to commit crimes. See D. Beasley, *By 2-1 Margin Voters Reject Transit System*, ATLANTA JOURNAL-CONSTITUTION, Nov. 7, 1990, at A10 (discussing refusal of Gwinnett County, Georgia voters to approve extension of Atlanta mass transit system into county).

<sup>18</sup>Not to be confused with the metropolitan area as a whole. I have decided not to list crime statistics for metro areas, because metro area boundaries tend to be even more arbitrary than city boundaries. For instance, most of New York's suburbs (such as Long Island, Northern New Jersey and Fairfield County) are separate metro areas. As a result, the New York metro area consists of New York City and a few suburban counties north of the city. By contrast, metro Atlanta includes nearly a dozen counties, including several counties that are arguably countryside. See *infra* note 20.

<sup>19</sup>I note that no 1990 statistics are available for suburban Minneapolis. See REPORTS, *supra* note 4, at 347 (listing crime statistics for central cities and metropolitan areas in alphabetical order, but not including such statistics for Minneapolis).

<sup>20</sup>Calculated from REPORTS, *supra* note 4, at 331-58. I note that where a metro area includes more than one major city (for instance, the Los Angeles-Long Beach metro area, or the Miami-Hialeah metro area) I have excluded both cities.

<sup>21</sup>High, medium, and low-density cities are those described as such in Table 4 *supra*, and violent crimes are those defined as such in note 11 *supra*.

	Crime
Low-density cities' suburbs	
San Diego	1899
Dallas	1943
Atlanta	2077
Houston	1958
Group average	1969

Table 6 illustrates that the suburbs of densely populated cities are often safer than those of low-density cities. For example, the suburbs of New York have a lower crime rate than that of San Diego. In addition, Table 7 shows that suburban use of mass transit is not heavily correlated with crime.

**Table 7**

Percentage of suburbanites commuting by mass transit (including suburb-to-suburb commutes) compared with crime rates

	Percent Using	Violent crimes plus burglaries per 100,000
High Public Transit Use (10% or more of suburbanites) <sup>22</sup>		
New York	13	1096
Boston	11	1314
Washington, D.C.	10	1228
Group average		1213
Medium Public Transit Use (5-10% of suburbanites)		
Chicago	9	1004
San Francisco	8	1137
Philadelphia	6	1118
Seattle	5	1278
Group average		1134
Low Public Transit Use (0-5% of suburbanites)		
Miami	4.7	4743
Los Angeles	4.4	2559
Atlanta	3	2077
San Diego	2	1899
Detroit	1	1281
Dallas	0.8	1943
Houston	0.7	1958
Group average		2351

In sum, it appears that the suburbs of spread-out, car-dependent cities are actually more dangerous than those of densely populated cities of similar size.

<sup>22</sup> See *supra* note 8.

It follows that in all probability, "affluent" neighborhoods in densely populated cities are also as safe or safer than analogous neighborhoods in spread-out cities.<sup>23</sup>

### B. Race and Crime

When middle-class whites claim that crime is less randomly distributed in their hometown than in some other city, they usually mean that "crime here affects only minorities and poor people, not people like me."<sup>24</sup> Although statistics by race are not available for most criminal victimizations, some FBI statistics<sup>25</sup> and some statistics supplied by state and local governments<sup>26</sup> break down homicide victims by race. Table 8 below lists homicide victimization rates for non-Hispanic whites in most of the cities discussed above.

---

<sup>23</sup>These observations are subject to a couple of qualifications. First, I am not saying that when all else is held equal, densely populated cities are safer. I am merely suggesting that in a large metropolitan area such as New York, Atlanta or Dallas, population density is either not a factor in determining crime rates or is a relatively minor one. Second, by "analogous neighborhoods", I mean not only neighborhoods of equal affluence, but also neighborhoods equally distant from "problem areas." For instance, midtown Manhattan should be compared to downtown Atlanta, rather than to Morningside (an affluent Atlanta neighborhood several miles from downtown).

<sup>24</sup>This statement is not based on any scientific study; instead, it is based on numerous conversations I have had in Atlanta, which happens to be (1) my home town, and (2) a city with a relatively high crime rate and a relatively good reputation for safety. In addition, see R. Matthews, *supra* note 16.

<sup>25</sup>See 1990 Supplementary Homicide Report (unpublished computer printout, supplied by J. Harper Wilson, Chief, Uniform Crime Reporting Program, Federal Bureau of Investigation) (on file with author). This printout lists every homicide in most major cities by the race of the offender and victim and the circumstances of the crime.

<sup>26</sup>See ATLANTA DEPARTMENT OF PUBLIC SAFETY, UNIFORM CRIME REPORTING: 1990 ANNUAL REPORT (1991); Data supplied by Damon Tyson, Student Intern, Boston Police Department (April 8, 1992); unpublished computer printout supplied by California Department of Justice, Bureau of Criminal Statistics; CHICAGO POLICE DEPARTMENT, 1990 CHICAGO POLICE MURDER ANALYSIS (1991); W. RATHBURN, DALLAS POLICE DEPARTMENT: MURDER ANALYSIS 1990 (1991); Letter (and accompanying data) from James E. Kleiner, Analysis and Planning Section, Detroit Department of Police (March 30, 1992); unpublished printout supplied by Linda Booz, Florida Department of Law Enforcement; 1990 Houston Homicide Log supplied by Rick Hartley, Houston Police Department; Letter from Lt. Brad Johnson, Minneapolis Police Department (February 19, 1992); Letter from Michael A. Markman, New York City Police Department (February 21, 1992); unpublished printout supplied by Robert P. Giblin, Bureau of Statistical Services, New York Division of Criminal Justice. All documents listed in this footnote are on file with the author.

**Table 8**  
 White homicide victimizations per 100,000 by density type<sup>27</sup>

High-density cities <sup>28</sup>	Victimization Rate
New York	7.5
San Francisco	11.8
Boston	6.4
Chicago	7.3
Philadelphia	12.1
Group average	9.0
Medium-density cities	
Washington, D.C.	12.2
Detroit	40.3
Los Angeles	8.4
Seattle	5.9
Minneapolis	4.1
Group average 14.1 (7.6 excluding Detroit)	
Low-density cities	
San Diego	5.8
Dallas	14.3
Atlanta	22.6
Houston	14.7
Group average	14.3

Contrary to conventional wisdom, it appears that murder in the most densely populated cities is actually less randomly distributed among the races (and by implication, among social classes) than in spread-out cities. For example, New York has a victimization rate of 7.5 as compared to Atlanta which maintains a rate of 22.6. Thus, if murder rates provide any guide, New York may actually be safer for middle-class people than Atlanta or Dallas.

### C. "Stranger Crimes"

Another reason bigger, high-density cities maintain reputations for danger may be that people perceive crime in such cities as involving random attacks by strangers rather than disputes between acquaintances. For example, one New York writer has expressed concern over "a frightening aspect of New York crime: attacks by strangers. The randomness of this type of crime—often associated with robberies—strikes a particular note of terror and seems to

---

<sup>27</sup>See *supra* notes 23-24.

<sup>28</sup>Miami is excluded from this table because I could find no statistics distinguishing between Hispanic and non-Hispanic whites. Other cities listed in Table 8 either have relatively small Hispanic populations or list Hispanic and non-Hispanic victimizations separately. The first group includes Washington, Seattle and Philadelphia, and the second includes all other cities listed.

epitomize the senseless cruelty of the city."<sup>29</sup> Evidently, the writer believes that New York crime is more likely to involve attacks by strangers than crime anywhere else. Is this perception correct?

There are at least two ways of measuring the percentage of crimes involving strangers: (1) ascertaining which crimes are most likely to involve strangers, and (2) ascertaining what percentage of homicides involve strangers. Each method will be used below to compare the cities listed in the Gallup Poll.

### 1. Robberies and Burglaries

Of the four types of violent crime (murder, rape, robbery, assault), offenders who do not know their victims will most likely commit robberies.<sup>30</sup> In addition, burglaries are the most serious property crime. By definition, burglaries usually involve strangers (because the victim usually does not see the offender unless an arrest is made).<sup>31</sup> Thus, one method of calculating the amount of "stranger crime" is to combine burglary and robbery rates for the cities listed above. Table 9 below does so, and divides the cities by density:

Table 9  
Burglary plus robbery per 100,000 (1990) and city density

	Burglary <sup>32</sup> Plus Robbery
High-density cities	
New York	3007
San Francisco	2440
Boston	2831
Chicago	3138
Philadelphia	2330
Miami	6046
Group average	3299
Medium-density cities	
Washington, D.C.	3196
Detroit	3801
Los Angeles	2512
Seattle	2687
Minneapolis	3439
Group average	3127

<sup>29</sup>Jonathan Greenberg, *All About Crime: Crime in New York*, NEW YORK, Sept. 3, 1990, at 21, 27.

<sup>30</sup>See U.S. DEPT OF JUSTICE, SOURCEBOOK OF CRIMINAL JUSTICE STATISTICS: 1989, at 247 (1990) (reporting about 80% of robberies involve strangers, as opposed to about 55% of assaults and less than half of rapes); REPORTS, *supra* note 4, at 13 (reporting only 14% of murders involve strangers).

<sup>31</sup>*Cf.* Tennessee v. Gamer, 471 U.S. 1, 26-27 (1984) (O'Connor, J., dissenting) (noting that where victims are present, burglary often leads to more serious crime).

<sup>32</sup>Crime statistics for burglary and robbery come from REPORTS, *supra* note 4, at 332-57; Letter, *supra* note 11.

## Burglary Plus Robbery

## Low-density cities

San Diego	1892
Dallas	4324
Atlanta	5489
Houston	3428
Group average	3783

As a rule, high-density cities have higher robbery rates (on the average, about 1105 per 100,000 as opposed to 945 for the low-density cities) and lower burglary rates (about 2194 per 100,000 as opposed to 2838 for the lowest density cities).<sup>33</sup> These factors evidently cancel each other out.

## 2. "Stranger Homicides"

Another way of determining the amount of "stranger crime" is to analyze homicides. Because homicides are more likely to be solved than other crimes,<sup>34</sup> many police departments compile statistics on the circumstances of homicides. Table 10 lists the percentage of homicides involving (a) strangers or (b) an unknown relationship between victim and offender, for the cities listed above.

**Table 10**  
Stranger homicides for high and low-density cities<sup>35</sup>

	% of homicides involving strangers	% of homicides involving unknown relationship <sup>36</sup>
High-density cities		
New York	10	72
San Francisco	25	35
Boston	6	61
Chicago	22	29
Philadelphia	12	42
Miami	22	52
Group average	16	46
Medium-density cities		
Detroit	10	49
Los Angeles	36	24
Seattle	20	44

<sup>33</sup>I calculated these statistics by averaging burglary and robbery rates for each group of city (i.e., the high, low, and medium-density cities).

<sup>34</sup>REPORTS, *supra* note 4, at 14.

<sup>35</sup>No statistics are available for Washington, D.C.

<sup>36</sup>"Unknown relationship" means that the police department does not know whether the murderer and the victim knew each other.

	% of homicides involving strangers	% of homicides involving unknown relationship
Minneapolis	15	29
Group average	20	33
Low-density cities		
San Diego	22	30
Dallas	40	25
Atlanta	13	43
Houston	28	9
Group average	25	27

As a rule, low-density cities have more homicides classified as 'stranger homicides' than high-density cities, while high-density cities have more homicides classified as 'unknown relationship' than low-density cities. Therefore, it appears that the available data is totally inconclusive.

#### D. Summary

Based on the above data, there is no reason to believe that densely populated cities have more crime than spread-out Sunbelt cities of similar size.<sup>37</sup> Moreover, there is no reason to believe that crime in high-density big cities is any more "randomly distributed" than crime in low-density big cities, whether "random distribution" is measured by the distribution of crime between city and suburb, the distribution of crime among the races, and the number of crimes involving strangers.<sup>38</sup> For example, New York is one of the most densely populated cities in America, and according to the Gallup poll cited above,<sup>39</sup> is perceived as more dangerous than any other big city. Yet New York is apparently safer than several low-density Sunbelt cities such as Dallas, Atlanta and Houston. Moreover, New York's metropolitan-area suburbs are safer than those of all but one of the major cities listed in the Gallup poll.<sup>40</sup> In the words of urban planner Jane Jacobs, "the problem of insecurity cannot be solved by spreading out people more thinly, trading the characteristics of cities for the characteristics of suburbs . . . [for example] Los Angeles cannot, any more than any other great city, evade the truth that, being a city, it is composed of strangers not all of whom are nice."<sup>41</sup>

<sup>37</sup> See *supra* notes 13-14 and accompanying text.

<sup>38</sup> See *supra* notes 15-36 and accompanying text.

<sup>39</sup> Gallup poll, *supra* note 6, at 41-43

<sup>40</sup> See Table 6, *supra*.

<sup>41</sup> J. Jacobs, *supra* note 4, at 32 (emphasis in original). Ms. Jacobs' use of Los Angeles as the classic example of a spread-out city now seems quite ironic, as most other large Sunbelt cities are more spread-out than Los Angeles, and some are more dangerous as



## IV. IMPLICATIONS

After reading the above information, the reasonable observer might ask "So what? Even if spread-out cities are more dangerous than generally believed, does this fact have any practical value for anyone?"

Clearly, such information may have value for individuals. For instance, a law student (or an experienced lawyer looking for a new job) who has decided to consider employment opportunities in unfamiliar cities instead of limiting himself/herself to his/her home town might want to consider crime as one of numerous<sup>42</sup> factors governing his choice of cities. If law students share in the biases of the general public, they probably "overinterview" in Sunbelt cities and "underinterview" in Frostbelt cities (as well as Los Angeles, the only major Sunbelt city perceived as far more dangerous than it is).

The absence of a strong correlation between city density and crime may also have implications for public policy. In many cities and suburbs, policymakers act on the assumption that they can keep out crime by keeping their neighborhoods low-density and vehicle-dependent.<sup>43</sup> Many suburbs' transportation and zoning policies reflect this assumption.<sup>44</sup>

Suburbanites in low-density cities such as Atlanta and Dallas often exclude mass transit in order to keep out "crime, noise, and vibration from [subway or commuter] trains."<sup>45</sup> For example, in 1990 the voters of Gwinnett County, Georgia, a booming suburb of Atlanta, voted to reject an attempt to bring mass transit to the county, partially because voters were "fearful of rising crime rates."<sup>46</sup> Said one Gwinnett voter, "you hate to see those bad elements come out here."<sup>47</sup> The *Atlanta Journal-Constitution* reported "many Gwinnettians perceive MARTA [Atlanta's mass transit system] as uniquely serving blacks, and . . . [that] blacks disproportionately commit crimes"<sup>48</sup>

---

well. See Table 4 *supra* (showing that Dallas, Atlanta, and Houston all have lower density and higher crime rates than Los Angeles).

<sup>42</sup>Because nearly every city has some relatively safe areas, it makes no sense to ignore other factors. For instance, this writer's last two residences have been Atlanta (which in 1990 was second among major cities in violent crime) and Miami (which was first). See U.S. DEPARTMENT OF COMMERCE, BUREAU OF THE CENSUS, STATISTICAL ABSTRACT OF THE UNITED STATES 182 (112th ed. 1992) (listing crime statistics for most cities with over 200,000 people).

<sup>43</sup>See *infra* notes 45-62.

<sup>44</sup>*Id.*

<sup>45</sup>D. Beasley, *Gwinnett is not Alone: Other Suburbs Fight Rail*, ATLANTA JOURNAL-CONSTITUTION, Oct. 15, 1990, at 10.

<sup>46</sup>See *supra* note 17.

<sup>47</sup>*Id.*

<sup>48</sup>*Shooting at MARTA*, ATLANTA JOURNAL-CONSTITUTION, Oct. 15, 1990, at A12. This view is not held solely in Gwinnett County. I grew up in the outer reaches of the city of Atlanta, and can still remember hearing racist jokes about MARTA.

In fact, suburban areas that are heavily dependent on mass transit, such as the suburbs of New York and Washington, are safer than the suburbs of Atlanta or Dallas (many of which completely lack access to mass transit).<sup>49</sup> Thus, it appears that as long as the suburbs are sufficiently tied to the big city to attract outsiders, suburbanites cannot evade city problems by lowering population density or excluding mass transit.

Suburbanites also try to preserve low density through exclusionary zoning, defined as the use of zoning power "to keep undesired development-and perhaps even undesirable people-out of the jurisdiction."<sup>50</sup> For instance, a suburban municipality might prohibit apartments, or prohibit houses smaller than those of most local homeowners.<sup>51</sup> Thus, exclusionary zoning has two effects. First, it keeps anyone who cannot afford a large house out of the neighborhood or municipality which has enacted such zoning.<sup>52</sup> Second, it restricts the overall supply of housing, thereby increasing housing prices.<sup>53</sup>

The Supreme Court of the United States has usually supported exclusionary zoning, on the basis that "a quiet place where yards are wide, people few, and motor vehicles restricted are legitimate guidelines in a land-use project . . . where family values, youth values, and the blessings of quiet seclusion and clean air make the area a sanctuary for people."<sup>54</sup> Although the Court made no explicit appeals to fear, others have stated the issue more bluntly. To quote one suburbanite fighting for exclusionary zoning: "we don't like low-cost housing because it brings in low-class people."<sup>55</sup>

If, as shown above, low population density does not create safety, it logically follows that exclusionary zoning will not create safety either (except to the extent it keeps out the truly poor, as opposed to the middle class). Thus, exclusionary zoning has less to do with "family values" than with property values; by decreasing the supply of housing, exclusionary zoning raises housing prices—a good thing for people who already own homes, but nevertheless a questionable justification in an age of housing shortages and homelessness.<sup>56</sup>

City planners have committed similar errors. In *The Death and Life of Great American Cities*, Jane Jacobs has noted that the conventional wisdom was that "the presence of many other people is, at best, a necessary evil, and good city

---

<sup>49</sup>See *supra* notes 45-48 (describing Atlanta suburbanites' hostility to mass transit).

<sup>50</sup>WILLIAM TUCKER, *THE EXCLUDED AMERICANS* 112 (1990).

<sup>51</sup>See NORMAN KARLIN, *ZONING AND OTHER LAND USE CONTROLS IN RESOLVING THE HOUSING CRISIS: GOVERNMENT POLICY, DECONTROL AND THE PUBLIC INTEREST* 35, 36 (M. Bruce Johnson ed. 1982).

<sup>52</sup>*Id.*

<sup>53</sup>*Id.*

<sup>54</sup>*Village of Belle Terrace v. Boraas*, 416 U.S. 1, 9 (1974).

<sup>55</sup>TUCKER, *supra* note 50, at 116.

<sup>56</sup>KARLIN, *supra* note 51, at 36.

planning must aim for at least an illusion of isolation and suburban privacy."<sup>57</sup> As an example of planners' bias against high-density areas, Jacobs discusses the North End of Boston. At the time of her book, the North End had "among the lowest delinquency, disease and infant mortality rates in the city."<sup>58</sup> Nevertheless, the "orthodox planning reaction"<sup>59</sup> was that "we have to rebuild it eventually. We've got to get those people off the streets."<sup>60</sup> Why? Because the North End "embodies attributes which all enlightened people know are evil because so many wise men have said they are evil."<sup>61</sup> The North End had the

highest concentration of dwelling units, on the land that is used for dwelling units, of any part of Boston, and indeed one of the highest concentrations to be found in any American city . . . In orthodox planning terms, it is a three-dimensional textbook of "megalopolis" in its last stages of depravity.<sup>62</sup>

The conventional wisdom of the past is reflected in the street plans of the present. For instance, within Atlanta's city limits exclusionary zoning is common, some neighborhoods are totally inaccessible to public transit, and most residential streets in the more affluent half of the city lack sidewalks.<sup>63</sup> If there is any city where "isolation and suburban privacy" is a dominant idea, it is Atlanta. Nevertheless, both the city and the suburbs are more dangerous than those of more densely populated urban areas such as New York, Chicago or Philadelphia.<sup>64</sup>

In sum, public policy is often based on the assumption that low-density is safe and high-density is not—an assumption which is simply incorrect.

---

<sup>57</sup>JACOBS, *supra* note 4, at 20.

<sup>58</sup>*Id.* at 10.

<sup>59</sup>*Id.* at 8.

<sup>60</sup>*Id.* at 10.

<sup>61</sup>*Id.* at 8.

<sup>62</sup>*Id.*

<sup>63</sup>For example, my parents live in a neighborhood which is within the city limits of Atlanta, but which nevertheless lacks sidewalks or public transportation. See Actor Cordell, *Kingsboro Road Humps Slowing Cars Going Through Buckhead*, ATLANTA JOURNAL-CONSTITUTION, October 19, 1991 at A13 (mentioning absence of sidewalks in city neighborhood); Frances Cawthon, *Atlanta Weekly At Home Circle of Success*, ATLANTA JOURNAL-CONSTITUTION SUNDAY MAGAZINE, February 26, 1989 at M6 (same); Doug Monroe, *Traffic Report-Suburban Family Puts Best Foot Forward, Decatur Neighborhood Encourages Residents To Take Things In Stride*, ATLANTA JOURNAL-CONSTITUTION, April 7, 1991 at C2 ("Walking in many [Atlanta-area] communities is dangerous because of the lack of sidewalks"). Exclusionary zoning is also frequent in the Atlanta area. See Frances Schwarzkopff and Phyllis Perry, *Too-Strict Zoning Rules Keep Housing Prices Up, Developers Say*, ATLANTA JOURNAL-CONSTITUTION, July 28, 1991 at D1.

<sup>64</sup>See *supra* notes 13, 20-21 and accompanying text.

