

## Zero-tolerance policing: Policing incivility, low level crime and minor offences

By Bruno Isohi Shioso, OGW



*Boda bodas plying their trade*

Two uproars have been witnessed in the last one week. In the first one, Kenyans of all walks of lives and persuasion, including the global community united in unison to condemn an ugly incident where a young, upward and promising lady was accosted by *boda boda* riders within the city as she drove along Limuru road. Her only sin was to have been involved in a road traffic accident with another road user.

Being law-abiding, she stopped at the scene of accident as the law demands. And as a good diplomat, working with the UN family, she promptly called to inform her employer. This is a standard procedure the UN demands of its employees involved in any situation requiring police action, or simply in conflict with the law.

By then, *bodas* had already encircled her car. Her action was construed as being rude. So, they bayed for her raw blood. Fearing for her safety, she attempted to escape from the mob. This further enraged the riders who pursued her catching up with her in the heavy traffic. She was mobbed, and her dignity, decency and personal space violated, and assaulted in the process. Further, she was robbed off her valuables. It was a devastating scene.

Luckily, officers were nearby and rushed to her rescue. The rest, as they say, makes part of our dark history.

There was an instantaneous outburst of public disbelief and rage the moment an amateur video surfaced and went viral. The heat was turned on the riders, popularly known as *boda bodas*. The public demanded for long overdue sectoral reforms for the sub-sector.

The government too didn't disappoint. A crackdown was swiftly called by the president. Police, like bees, swarmed all over *bodas*. Majority of Kenyans were supportive, including some

within the industry. But being an electioneering period, others saw an opportunity, which birthed an anti-law enforcement outcry. “Knee-jerk reaction!” “Harassment!” “Go only for the villains and leave alone the good guys!” came in the flurry of admonishments.

By then, government had changed gears to introduce sustainable sectoral reforms. The cabinet secretary interior put together a multisectoral committee comprising of ministry officials, NPS, NTSA, *boda boda* industry leadership amongst others to work on a program of work to entrench longstanding reforms. Enriching the process are two years old recommendations obtaining from a Taskforce on *boda bodas*.

To fully understand and appreciate police crackdown on *bodas*, or any other largescale police operation such as those targeting unroadworthy vehicles, illegal brewers, prostitution, street begging, drunkenness, etc., one must walk down the crime prevention knowledge lane. And, to well understand the crime reality, one must get to know how crime occurs in the first instance. We don't just wake up to a high incident of robberies, for example, or thefts turnover in one territorial cluster (what criminologists commonly refer to as hotspots) in a given day. Crime incident is a result of a correlation and combination of various but aggregated insignificant acts that usually take place within our perception, yet we simply wish them away as insignificant, or choose to live with them in denial. With time, one plus one gets to two and multiply into a big marauding impunity. This clear understanding is called the *causality of crime* - the root cause analysis of crime understanding that is the 101 class in a criminology class.

Burying our heads in the sand when deviance starts to manifest in families and communities is what later causes an impunity of a hotspot of a crime reality. It's simply that nuisance or irritation of lawlessness or disorder which morphs with time into the ugly rowdiness that we experience daily on our roads. It initially starts off innocently, as bad habits, but with time balloons into significance. This is the tipping point that calls for a zero-tolerance law enforcement policy and practice attention.

Zero-tolerance policing is a powerful crime prevention strategy. It targets situations where the 'broken windows thesis' applies. This thesis or theory refers to a rot in families and neighborhoods, making people fearful, and the quality of life compromised. It is a situation where you may not pinpoint criminality upfront, yet you have this uncanny feeling that public space is not only invaded but has been taken over by a sense of criminality or lawlessness.

This hopelessness is what is called the *fear of crime*.

At this critical juncture, police must therefore move in, perform some general law enforcement activities to mop out gangs and equally send out a strong message to denounce criminal usurpation of people's rights to quality of life, and then reclaim back public space for the citizens enjoyment. Unfortunately, it's never easy, even for the police, as there is always some kind of pushback from the gangs, politicians and activists. And that is where the war on crime is lost.

In the 90s, American urban life, especially New York City was totally broken down – a mess. Simply put, the window of the Big Apple was broken. The city had been taken hostage by beggars, panhandlers, and other petty criminals. People were fearful and kept indoors or moved out to the suburbs and other cities. Rudy Giuliani, campaigning for the mayorship of NY coined the term 'zero-tolerance on crime' as his campaign mantra to refix the 'broken' window of the

city. In UK, Tony Blair also borrowed leaf and campaigned on the same platform of “being tough on crime; being tough on causes of crime” to fix runaway crime in London and other major UK cities. And during the *mungiki* menace in Kenya, late minister John Michuki was very clear, “If you rattle a snake, be prepared to be bitten!”

Fighting crime is not about swat teams engaging tactical combat with toughened criminal gangs like seen in Mexico and other parts of the Narco world. By then, the criminal enterprise would have already won over law enforcement. Instead, a good proactive approach of keeping our communities safe is by keeping a sharp eye on the low hanging fruits of criminality: those behaviors that create a sense of insecurity (not crime per se) including a climate of fear in public spaces, such as roads, parks, streets, and which ultimately undermine the quality of life.

The only role for the public, including politicians and other opinion leaders is therefore to offer their utmost goodwill and unequivocal support to the police to keep our communities safe by “*being tough on crime; being tough on the causes of crime.*”

***(Bruno Isohi Shioso, OGW, is the NPS director of corporate communication and police spokesperson).***