



Problem-Oriented Guides for Police Series

*No. 13*

# Panhandling

by  
Michael S. Scott







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Guide No. 13

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Michael S. Scott

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## *About the Guide Series*

The *Problem-Oriented Guides for Police* summarize knowledge about how police can reduce the harm caused by specific crime and disorder problems. They are guides to prevention and to improving the overall response to incidents, not to investigating offenses or handling specific incidents. The guides are written for police—of whatever rank or assignment—who must address the specific problem the guides cover. The guides will be most useful to officers who

- Understand basic problem-oriented policing principles and methods. The guides are not primers in problem-oriented policing. They deal only briefly with the initial decision to focus on a particular problem, methods to analyze the problem, and means to assess the results of a problem-oriented policing project. They are designed to help police decide how best to analyze and address a problem they have already identified. (An assessment guide has been produced as a companion to this series and the COPS Office has also published an introductory guide to problem analysis. For those who want to learn more about the principles and methods of problem-oriented policing, the assessment and analysis guides, along with other recommended readings, are listed at the back of this guide.)
  - Can look at a problem in depth. Depending on the complexity of the problem, you should be prepared to spend perhaps weeks, or even months, analyzing and responding to it. Carefully studying a problem before responding helps you design the right strategy, one that is most likely to work in your community. You should not blindly adopt the responses others have used; you must decide whether they are appropriate to your local situation. What is true in one place may not be true elsewhere; what works in one place may not work everywhere.
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- Are willing to consider new ways of doing police business. The guides describe responses that other police departments have used or that researchers have tested. While not all of these responses will be appropriate to your particular problem, they should help give a broader view of the kinds of things you could do. You may think you cannot implement some of these responses in your jurisdiction, but perhaps you can. In many places, when police have discovered a more effective response, they have succeeded in having laws and policies changed, improving the response to the problem.
  - Understand the value and the limits of research knowledge. For some types of problems, a lot of useful research is available to the police; for other problems, little is available. Accordingly, some guides in this series summarize existing research whereas other guides illustrate the need for more research on that particular problem. Regardless, research has not provided definitive answers to all the questions you might have about the problem. The research may help get you started in designing your own responses, but it cannot tell you exactly what to do. This will depend greatly on the particular nature of your local problem. In the interest of keeping the guides readable, not every piece of relevant research has been cited, nor has every point been attributed to its sources. To have done so would have overwhelmed and distracted the reader. The references listed at the end of each guide are those drawn on most heavily; they are not a complete bibliography of research on the subject.
  - Are willing to work with other community agencies to find effective solutions to the problem. The police alone cannot implement many of the responses discussed in the guides. They must frequently implement them in partnership with other responsible private and public entities. An effective problem-solver must know how to forge genuine
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partnerships with others and be prepared to invest considerable effort in making these partnerships work.

These guides have drawn on research findings and police practices in the United States, the United Kingdom, Canada, Australia, New Zealand, the Netherlands, and Scandinavia. Even though laws, customs and police practices vary from country to country, it is apparent that the police everywhere experience common problems. In a world that is becoming increasingly interconnected, it is important that police be aware of research and successful practices beyond the borders of their own countries.

The COPS Office and the authors encourage you to provide feedback on this guide and to report on your own agency's experiences dealing with a similar problem. Your agency may have effectively addressed a problem using responses not considered in these guides and your experiences and knowledge could benefit others. This information will be used to update the guides. If you wish to provide feedback and share your experiences it should be sent via e-mail to **[cops\\_pubs@usdoj.gov](mailto:cops_pubs@usdoj.gov)**.

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## *Acknowledgments*

The *Problem-Oriented Guides for Police* series is very much a collaborative effort. While each guide has a primary author, other project team members, COPS Office staff and anonymous peer reviewers contributed to each guide by proposing text, recommending research and offering suggestions on matters of format and style.

The principal project team developing the guide series comprised Herman Goldstein, professor emeritus, University of Wisconsin Law School; Ronald V. Clarke, professor of criminal justice, Rutgers University; John E. Eck, associate professor of criminal justice, University of Cincinnati; Michael S. Scott, police consultant, Savannah, Ga.; Rana Sampson, police consultant, San Diego; and Deborah Lamm Weisel, director of police research, North Carolina State University.

Karin Schmerler, Rita Varano and Nancy Leach oversaw the project for the COPS Office. Megan Tate Murphy coordinated the peer reviews for the COPS Office. Suzanne Fregly edited the guides. Research for the guides was conducted at the Criminal Justice Library at Rutgers University under the direction of Phyllis Schultze by Gisela Bichler-Robertson, Rob Guerette and Laura Wyckoff.

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## *The Problem of Panhandling*

This guide addresses the problem of panhandling.<sup>†</sup> It also covers nearly equivalent conduct in which, in exchange for donations, people perform nominal labor such as squeegeeing (cleaning) the windshields of cars stopped in traffic, holding car doors open, saving parking spaces, guarding parked cars, buying subway tokens, and carrying luggage or groceries.

The guide begins by describing the panhandling problem and reviewing factors that contribute to it. It then identifies a series of questions that might help you in analyzing your local problem. Finally, it reviews responses to the problem, and what is known about those responses from evaluative research and police practice.

Generally, there are two types of panhandling: passive and aggressive. Passive panhandling is soliciting without threat or menace, often without any words exchanged at all—just a cup or a hand held out. Aggressive panhandling is soliciting coercively, with actual or implied threats, or menacing actions. If a panhandler uses physical force or extremely aggressive actions, the panhandling may constitute robbery.

Isolated incidents of passive panhandling are usually a low police priority.<sup>1</sup> In many jurisdictions, panhandling is not even illegal. Even where it is illegal, police usually tolerate passive panhandling, for both legal and practical reasons.<sup>2</sup> Courts in some jurisdictions have ruled that passive panhandling is constitutionally protected activity. Police can reasonably conclude that, absent citizen complaints, their time is better spent addressing more serious problems. Whether panhandling and other forms of street disorder cause or contribute to more serious crime—the broken windows

<sup>†</sup> "Panhandling," a common term in the United States, is more often referred to as "begging" elsewhere, or occasionally, as "cadging." "Panhandlers" are variously referred to as "beggars," "vagrants," "vagabonds," "mendicants," or "cadgers." The term "panhandling" derives either from the impression created by someone holding out his or her hand (as a pan's handle sticks out from the pan) or from the image of someone using a pan to collect money (as gold miners in the American West used pans to sift for gold).



† Business owners who work on site are most likely to call police. Employees, especially younger employees, are less likely to do so because they have less at stake if panhandling disrupts business (Goldstein 1993).

†† In one study, 50 percent of panhandlers claimed to have been mugged within the past year (Goldstein 1993).

thesis—is hotly debated, but the debate is as yet unsettled.<sup>3</sup> Panhandling becomes a higher police priority when it becomes aggressive or so pervasive that its cumulative effect, even when done passively, is to make passersby apprehensive.<sup>4</sup> Panhandling is of greater concern to merchants who worry that their customers will be discouraged from patronizing their business. Merchants are most likely to call police when panhandling disrupts their commerce.<sup>5,†</sup>

Police must also be concerned with the welfare of panhandlers who are vulnerable to physical and verbal assault by other panhandlers, street robbers<sup>††</sup> or passersby who react violently to being panhandled.<sup>6</sup> Panhandlers often claim certain spots as their own territory, and disputes and fights over territory are not uncommon.<sup>7</sup>

Broadly speaking, public policy perspectives on panhandling are of two types—the sympathetic view and the unsympathetic view. The sympathetic view, commonly but not unanimously held by civil libertarians and homeless advocates, is that panhandling is essential to destitute people's survival, and should not be regulated by police.<sup>8</sup> Some even view panhandling as a poignant expression of the plight of the needy, and an opportunity for the more fortunate to help.<sup>9</sup> The unsympathetic view is that panhandling is a blight that contributes to further community disorder and crime, as well as to panhandlers' degradation and deterioration as their underlying problems go unaddressed.<sup>10</sup> Those holding this view believe panhandling should be heavily regulated by police.

People's opinions about panhandling are rooted in deeply held beliefs about individual liberty, public order and social

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responsibility. Their opinions are also shaped by their actual exposure to panhandling—the more people are panhandled, the less sympathetic they are toward panhandlers.<sup>11</sup> While begging is discouraged on most philosophical grounds and by most major religions, many people feel torn about whether to give money to panhandlers.<sup>12</sup> Some people tolerate all sorts of street disorder, while others are genuinely frightened by it. This tension between opposing viewpoints will undoubtedly always exist. This guide takes a more neutral stance: without passing judgment on the degree of sympathy owed to panhandlers, it recognizes that police will always be under some pressure to control panhandling, and that there are effective and fair ways to do so.

### *Related Problems*

Panhandling and its variants are only one form of disorderly street conduct and street crime about which police are concerned. Other forms—not directly addressed in this guide—include:

- disorderly conduct of day laborers;
  - disorderly conduct of public inebriates (e.g., public intoxication, public drinking, public urination and defecation, harassment, intimidation, and passing out in public places);
  - disorderly conduct of transients/homeless (e.g., public camping, public urination and defecation, and sleeping on sidewalks and benches, and in public libraries);
  - disorderly youth in public places;
  - harassment (usually sexual) of female pedestrians;
  - pickpocketing;
  - purse snatching;
  - robbery at automated teller machines (ATMs);
  - trash picking (for food or to salvage aluminum cans and bottles);
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† In some instances, there is a fine distinction between panhandlers who use brief entertainment as part of their solicitation and more-accomplished street musicians, jugglers, mimes, and other skilled entertainers.

- unlicensed street entertainment;† and
- unlicensed street vending (also referred to as illegal peddling).

Some of these other forms of disorderly street conduct may also be attributable to panhandlers, but this is not necessarily so. These problems overlap in various ways, and a local analysis of them will be necessary to understand how they do.

### *Factors Contributing to Panhandling*

Understanding the factors that contribute to your panhandling problem will help you frame your own local analysis questions, determine good effectiveness measures, recognize key intervention points, and select appropriate responses.

### *Whether Panhandling Intimidates Passersby*

Panhandling intimidates some people, even causing some to avoid areas where they believe they will be panhandled.<sup>13</sup> One-third of San Franciscans surveyed said they gave money to panhandlers because they felt pressured, and avoided certain areas because of panhandling; nearly 40 percent expressed concern for their safety around panhandlers.<sup>14</sup> But most studies conclude that intentional aggressive panhandling is rare, largely because panhandlers realize that using aggression reduces their income, and is more likely to get them arrested or otherwise draw police attention to them.<sup>15</sup>

Whether panhandling intimidates passersby depends, of course, on how aggressive or menacing the panhandler is, but it also depends on the context in which panhandling occurs. In other words, an act of panhandling in one context might

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not be intimidating, but the same behavior in a different context might.<sup>16</sup> Among the contextual factors that influence how intimidating panhandling is are:

- the time of day (nighttime panhandling is usually more intimidating than daytime panhandling);
- the ease with which people can avoid panhandlers (panhandling is more likely to intimidate motorists stuck in traffic than it is those who can drive away);
- the degree to which people feel especially vulnerable (for example, being panhandled near an ATM makes some people feel more vulnerable to being robbed);
- the presence of other passersby (most people feel safer when there are other people around);
- the physical appearance of the panhandler (panhandlers who appear to be mentally ill, intoxicated or otherwise disoriented are most likely to frighten passersby because their conduct seems particularly unpredictable);<sup>17</sup>
- the reputation of the panhandler (panhandlers known to be aggressive or erratic are more intimidating than those not known to be so);
- the characteristics of the person being solicited (the elderly tend to be more intimidated by panhandlers because they are less sure of their ability to defend themselves from attack);
- the number of panhandlers (multiple panhandlers working together are more intimidating than a lone panhandler); and
- the volume of panhandling (the more panhandlers present in an area, the more intimidating and bothersome panhandling will seem).

### *Who the Panhandlers Are*

Typically, relatively few panhandlers account for most complaints to police about panhandling.<sup>18</sup> The typical profile of a panhandler that emerges from a number of studies is that of an unemployed, unmarried male in his 30s or 40s, with substance abuse problems, few family ties, a high school

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† In many less-developed countries, children commonly beg to support themselves and their families, a phenomenon less common in the United States and other more highly developed countries.

†† Definitions of homelessness vary, but at a minimum, most studies have found that few panhandlers routinely sleep outdoors at night. See, however, Burke (1998) for evidence that a high percentage of the panhandlers in Leicester, England, have been homeless.

education, and laborer's skills.<sup>19</sup> Some observers have noted that younger people—many of whom are runaways or otherwise transient—are turning to panhandling.<sup>20,†</sup> A high percentage of panhandlers in U.S. urban areas are African-American.<sup>21</sup> Some panhandlers suffer from mental illness, but most do not.<sup>22</sup> Many panhandlers have criminal records, but panhandlers are nearly as likely to have been crime victims as offenders.<sup>23</sup> Some are transient, but most have been in their community for a long time.<sup>24</sup>

Contrary to common belief, panhandlers and homeless people are not necessarily one and the same. Many studies have found that only a small percentage of homeless people panhandle, and only a small percentage of panhandlers are homeless.<sup>26,††</sup>

Most studies conclude that panhandlers make rational economic choices—that is, they look to make money in the most efficient way possible.<sup>27</sup> Panhandlers develop their "sales pitches," and sometimes compete with one another for the rights to a particular sales pitch.<sup>28</sup> Their sales pitches are usually, though not always, fraudulent in some respect. Some panhandlers will admit to passersby that they want money to buy alcohol (hoping candor will win them favor), though few will admit they intend to buy illegal drugs.<sup>29</sup> Many panhandlers make it a habit to always be polite and appreciative, even when they are refused. Given the frequent hostility they experience, maintaining their composure can be a remarkable psychological feat.<sup>30</sup> Panhandlers usually give some consideration to their physical appearance: they must balance looking needy against looking too offensive or threatening.<sup>31</sup>

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*Kip Kellogg*



Some panhandlers hope that candor will increase donations. Here, a panhandler's donation box reveals that the money will be spent on beer as well as on food.

† Ninety percent of San Franciscans surveyed reported having been panhandled within the past year (Kelling and Coles 1996).

Most panhandlers are not interested in regular employment, particularly not minimum-wage labor, which many believe would scarcely be more profitable than panhandling.<sup>32</sup> Some panhandlers' refusal to look for regular employment is better explained by their unwillingness or inability to commit to regular work hours, often because of substance abuse problems. Some panhandlers buy food with the money they receive, because they dislike the food served in shelters and soup kitchens.<sup>33</sup>

### *Who Gets Panhandled and Who Gives Money to Panhandlers*

In some communities, nearly everyone who routinely uses public places has been panhandled.† Many who get panhandled are themselves people of modest means. Wealthy citizens can more readily avoid public places where panhandling occurs, whether consciously, to avoid the nuisances of the street, or



merely because their lifestyles do not expose them to public places. Estimates of the percentage of people who report that they give money to panhandlers range from 10 to 60 percent.<sup>34</sup> The percentage of college students who do so (between 50 and 60 percent) tends to be higher than that of the general population. There is some evidence that women and minorities tend to give more freely to panhandlers.<sup>35</sup> Male-female couples are attractive targets for panhandlers because the male is likely to want to appear compassionate in front of the female.<sup>36</sup> Panhandlers more commonly target women than men,<sup>37</sup> but some find that lone women are not suitable targets because they are more likely to fear having their purses snatched should they open them to get change.<sup>38</sup> Conventioneers and tourists are good targets for panhandlers because they are already psychologically prepared to spend money.<sup>39</sup> Diners and grocery shoppers are good targets because dining and grocery shopping remind them of the contrast between their relative wealth and panhandlers' apparent poverty. Regular panhandlers try to cultivate regular donors; some even become acquaintances, if not friends.

### *Where and When Panhandling Commonly Occurs*

Panhandlers need to go where the money is. In other words, they need to panhandle in communities and specific locations where the opportunities to collect money are best—where there are a lot of pedestrians or motorists, especially those who are most likely to have money and to give it.<sup>40</sup>

Panhandling is more common in communities that provide a high level of social services to the needy, because the same citizens who support social services are also likely to give money directly to panhandlers; panhandlers are drawn to communities where both free social services and generous passersby are plentiful.<sup>41</sup> With respect to specific locations, panhandlers prefer to panhandle where passersby cannot

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readily avoid them, although doing so can make passersby feel more intimidated.<sup>42</sup>

Among the more common, specific panhandling locations are the following:

- near ATMs, parking meters and telephone booths (because ATM users, motorists and callers are less likely to say they do not have any money to give);
  - near building entrances/exits and public restrooms with a lot of pedestrian traffic;
  - on or near college campuses (because students tend to be more sympathetic toward panhandlers);
  - near subway, train and bus station entrances/exits (because of high pedestrian traffic, and because public transportation users are likely to be carrying cash to buy tickets or tokens);
  - on buses and subway trains (because riders are a "captive audience");
  - near places that provide panhandlers with shade and shelter from bad weather (such as doorways, alcoves and alleys in commercial districts);
  - in front of convenience stores, restaurants and grocery stores (because panhandlers' claims to be buying food or necessities for them or their children seem more plausible, and because shoppers and diners often feel especially fortunate and generous);
  - at gas stations (because panhandlers' claims that they need money for gas or to repair their vehicle seem more plausible);
  - at freeway exits/entrances (because motorists will be stopped or traveling slowly enough to be able to give money);
  - on crowded sidewalks (because it is easier for panhandlers to blend in with the crowd should the police appear);
  - at intersections with traffic signals (because motorists will be stopped); and
  - near liquor stores and drug markets (so the panhandlers do not have to travel far to buy alcohol or drugs).<sup>43</sup>
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There are typically daily, weekly, monthly, and seasonal patterns to panhandling; that is, panhandling levels often follow fairly predictable cycles, which vary from community to community. For example, panhandling may increase during winter months in warm-climate communities as transients migrate there from cold-weather regions. Panhandling levels often drop around the dates government benefits are distributed, because those panhandlers who receive benefits have the money they need. Once that money runs out, they resume panhandling.<sup>44</sup> Panhandling on or near college campuses often follows the cycles of students' going to and coming from classes.<sup>45</sup> There are usually daily lulls in panhandling when those panhandlers who are chronic inebriates or drug addicts go off to drink or take drugs. Regular panhandlers keep fairly routine schedules, typically panhandling for four to six hours a day.<sup>46</sup>

### *Economics of Panhandling*

Most evidence confirms that panhandling is not lucrative, although some panhandlers clearly are able to subsist on a combination of panhandling money, government benefits, private charity, and money from odd jobs such as selling scavenged materials or plasma.<sup>47</sup> How much money a panhandler can make varies depending on his or her skill and personal appeal, as well as on the area in which he or she solicits. Estimates vary from a couple of dollars (U.S.) a day on the low end, to \$20 to \$50 a day in the mid-range, to about \$300 a day on the high end.<sup>48</sup> Women—especially those who have children with them—and panhandlers who appear to be disabled tend to receive more money.<sup>49</sup> For this reason, some panhandlers pretend to be disabled and/or war veterans. Others use pets as a means of evoking sympathy from passersby. Panhandlers' regular donors can account for up to half their receipts.<sup>50</sup>

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Panhandlers spend much of their money on alcohol, drugs and tobacco, although some money does go toward food, transportation and toiletries.<sup>51</sup> Panhandlers rarely save any money, partly because they risk having it stolen, and partly because their primary purpose is to immediately buy alcohol or drugs.<sup>52</sup>

### *Economic, Social and Legal Factors That Influence Panhandling Levels*

Broad economic, social and legal factors influence the overall level of panhandling, as well as community tolerance of it.<sup>53</sup> Tolerance levels appear to have declined significantly during the 1990s, at least in the United States, leading to increased pressure on police to control panhandling.

The state of the economy, at the local, regional and even national level, affects how much panhandling occurs. As the economy declines, panhandling increases. As government benefit programs become more restrictive, panhandling increases.<sup>54</sup> At least as important as economic factors, if not more so, are social factors. The stronger the social bonds and social network on which indigent people can rely for emotional and financial support, the less likely they are to panhandle.<sup>55</sup> Thus, the weakening of social bonds throughout society affects the indigent most negatively. As substance abuse levels rise in society, as, for example, during the crack epidemic, so too do panhandling levels. As the skid rows in urban centers are redeveloped, the indigent people who live there move to areas where their panhandling is less tolerated. As people with mental illnesses are increasingly released into the community, often without adequate follow-up care, panhandling also increases. Where there are inadequate detoxification and substance-abuse treatment facilities, panhandling is high.<sup>56</sup> As courts strike down laws that

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authorize police to regulate public disorder, and as police are less inclined to enforce such laws, panhandling flourishes.<sup>57</sup> Arrest and incarceration rates may also affect panhandling levels: convicted offenders often have difficulty getting jobs after release, and some inevitably turn to panhandling.<sup>58</sup>



## *Understanding Your Local Problem*

The information provided above is only a generalized description of panhandling. You must combine the basic facts with a more specific understanding of your local problem. Analyzing the local problem carefully will help you design a more effective response strategy.

### *Asking the Right Questions*

The following are some critical questions you should ask in analyzing your particular panhandling problem, even if the answers are not always readily available. Your answers to these and other questions will help you choose the most appropriate set of responses later on.

### *Complainants and Donors*

(Surveys of citizens and beat police officers will likely be necessary to gather information about complaints and complainants, as well as about donors. Most complaints about panhandling are not formally registered with police.)

- To what extent does panhandling bother or intimidate others? How many complaints do police receive?<sup>†</sup> Do a few people account for many complaints, or do many people complain? Are complaints filed with other organizations (business/neighborhood associations)?
- Who are the complainants? Merchants? Shoppers? Workers? Students?
- Does panhandling alter people's behavior and routines (e.g., do people avoid certain areas or stores)?
- What are the particular complaints? That panhandlers act aggressively, or that all panhandling is bothersome?
- What do complainants suggest should be done to control panhandling?

<sup>†</sup> Analyzing calls for service related to panhandling is important, but it can be time-consuming because, in many police agencies, such calls are classified under broad categories such as "disturbance" or "suspicious person," categories that encompass a wide range of behavior. It might be worthwhile to develop more-specific call categories, so future problem analysis will be easier.



- What percentage of passersby give money to panhandlers?
- Why do people say they give money to panhandlers? What do they believe the panhandlers use the money for?

### *Panhandlers*

(Surveys of suspected panhandlers, data from agencies that serve the needy, and discussions with beat police officers can help you answer the following questions. This information can help you determine whether there are clusters of panhandlers with similar characteristics. Different responses might be warranted for different types of panhandlers.)

- How many panhandlers are in the area? How many are regulars? How many are occasional?
- What is known about the regular panhandlers? What is their age, race, gender, family status, employment status, and employment history? Are they substance abusers? Do they suffer from mental illness? Do they have criminal records or a history of criminal victimization? Where do they live (in shelters, private homes, on the streets)?
- How many of the panhandlers are transient? How many are new to the area? How many are longtime residents?
- Do the panhandlers know about and use social services in the area (e.g., shelters, soup kitchens, job training, substance abuse treatment)?

### *Location/Time*

- Where does panhandling commonly occur? In parks, plazas and squares? On sidewalks? Near ATMs? Near public transportation stops and stations?
  - What, specifically, makes certain locations especially attractive or unattractive to panhandlers?
  - When is panhandling most prevalent? Are there daily, weekly, monthly, or seasonal cycles to it?
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### *Current Response*

- How has the panhandling problem previously been handled in your jurisdiction? How is it currently handled? Is the current response adequate and appropriate?
- What laws currently regulate panhandling? Are those laws adequate and/or constitutional?
- Do the police arrest panhandlers? If so, on what charges? How are the charges processed? Are panhandlers prosecuted? If so, what is the typical sentence?
- How do other criminal justice officials (prosecutors, judges, probation officers) view the panhandling problem?

### *Measuring Your Effectiveness*

Measurement allows you to determine to what degree your efforts have succeeded, and suggests how you might modify your responses if they are not producing the intended results. You should take measures of your problem *before* you implement responses, to determine how serious the problem is, and *after* you implement them, to determine whether they have been effective. All measures should be taken in both the target area and the surrounding area. (For more detailed guidance on measuring effectiveness, see the companion guide to this series, *Assessing Responses to Problems: An Introductory Guide for Police Problem-Solvers*.)

The following are potentially useful measures of the effectiveness of responses to panhandling:

- number of complaints filed with police about panhandling;
  - number of complaints filed with other organizations or people (e.g., neighborhood/business associations, elected officials) about panhandling;
  - levels of concern expressed about panhandling (from surveys);
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† Lankenau (1999) asserts that most panhandlers will likely turn to other illegitimate ways to make money, rather than find regular employment or enter treatment programs. Duneier (1999) states that some panhandlers see crime as one of the few viable alternatives to panhandling.

- number of known chronic panhandlers (based on complaints, contacts and arrests);
  - costs of police response to panhandling complaints;
  - evidence that panhandling has been displaced to other areas, or is resulting in an increase in other forms of nuisance behavior or crime (e.g., trash scavenging, shoplifting, theft from autos, purse snatching, prostitution, drug dealing);<sup>†</sup> and
  - indicators of the economic health of the area beset with panhandling (e.g., property vacancy rates, shoppers' presence, commerce levels, tax receipts, private-security expenditures).
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## *Responses to the Problem of Panhandling*

Your analysis of your local problem should give you a better understanding of the factors contributing to it. Once you have analyzed your local problem and established a baseline for measuring effectiveness, you should consider possible responses to address the problem.

The following response strategies provide a foundation of ideas for addressing your particular problem. These strategies are drawn from a variety of research studies and police reports. Several of these strategies may apply to your community's problem. It is critical that you tailor responses to local circumstances, and that you can justify each response based on reliable analysis. In most cases, an effective strategy will involve implementing several different responses. Law enforcement responses alone are seldom effective in reducing or solving the problem. Do not limit yourself to considering what police can do: give careful consideration to who else in your community shares responsibility for the problem and can help police better respond to it.

### *General Considerations for an Effective Response Strategy*

Most researchers and practitioners seem to agree that the enforcement of laws prohibiting panhandling plays only a part in controlling the problem.<sup>59</sup> Public education to discourage people from giving money to panhandlers, informal social control and adequate social services (especially alcohol and drug treatment) for panhandlers are the other essential components of an effective and comprehensive response.

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† Goldstein's (1993) study of panhandling in New Haven, Conn., provides an excellent example of how panhandling is controlled through informal means. Duneier's (1999) study of New York City street vendors, scavengers and panhandlers also provides an exceptional example of informal social control on the street.

Panhandling, like many other forms of street disorder, is controlled more through informal means than through formal enforcement.<sup>†</sup> Panhandlers, merchants, passersby, social workers, and police beat officers form an intricate social network of mutual support and regulation. They all have something to gain by cooperating with one another (and, consequently, to lose by not cooperating with one another). Panhandlers obviously gain money, food and some social interaction from their activity; they risk losing them if they act too disorderly. Merchants will usually tolerate some panhandling, though seldom directly in front of their businesses. Some merchants even give panhandlers food or hire them to do odd jobs such as wash store windows. Passersby gain freedom from the harassment and intimidation of persistent and menacing panhandlers, along with the positive feelings they experience from truly voluntary charity. Social workers are more likely to be able to help those street people who are not frequently arrested for panhandling. Police beat officers can cultivate panhandlers as informants, helping the officers stay current with what is happening on the street.

### *Enforcement Responses*

Whether or not you emphasize enforcement of laws that regulate panhandling, it is important that the laws be able to survive legal challenge. Police should have valid enforcement authority to bolster other responses they use, including issuing warnings to panhandlers.<sup>60</sup> Laws that prohibit aggressive panhandling or panhandling in specified areas are more likely to survive legal challenge than those that prohibit all panhandling. If enforcement of panhandling laws will be a key component of your strategy, and if you think the

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panhandling laws you rely on are vulnerable to legal challenge (or if you want to draft a new panhandling law), you should consult legal counsel to help you draft and propose new legislation. There are a number of model panhandling ordinances<sup>61</sup> and legal commentaries on the constitutionality of panhandling laws<sup>62</sup> in the literature. See Appendix B for a list and brief summary of some of the leading cases on the constitutionality of panhandling and laws that regulate it.

† Goldstein (1993) estimated that police made arrests for panhandling in only about 1 percent of all police-panhandler encounters.

Warning panhandlers and ordering them to "move along" are perhaps the most common police responses to panhandling.<sup>63</sup> Many police beat officers develop working relationships with regular panhandlers; they use a mix of formal and informal approaches to keeping panhandling under control.<sup>64</sup> Most officers do not view panhandling as a serious matter, and are reluctant to devote the time necessary to arrest and book offenders.<sup>65</sup> Moreover, even when they have the authority to issue citations and release the offenders, most officers realize that panhandlers are unlikely to either appear in court or pay a fine.<sup>66</sup> Prosecutors are equally unlikely to prosecute panhandling cases, typically viewing them as an unwise use of scarce prosecutorial resources.<sup>67</sup>

Panhandler arrests are rare,<sup>68,†</sup> but when they occur, this is the typical scenario: An officer issues a panhandler a summons or citation that sets a court date or specifies a fine. The panhandler fails to appear in court or fails to pay the fine. A warrant is issued for the panhandler's arrest. The police later arrest the panhandler after running a warrant check during a subsequent encounter. The panhandler is incarcerated for no more than a couple of days, sentenced to time already served by the court, and released.<sup>69</sup>



† British antisocial behavior orders are similar in some respects to American restraining and nuisance abatement orders.

†† Among the jurisdictions to have enacted aggressive-panhandling laws are the states of Hawaii and California, and the cities of San Francisco; Seattle; Minneapolis; Albuquerque, N.M.; Atlanta; Baltimore; Cincinnati; Dallas; Tulsa, Okla.; and Washington, D.C.

Because prosecutors and judges are unlikely to view isolated panhandling cases as serious matters, it is advisable to prepare and present to the court some background information on panhandling's overall impact on the community. A problem-impact statement can help prosecutors and judges understand the overall negative effect the seemingly minor offense of panhandling is having on the community.<sup>70</sup> In the United Kingdom, police can apply to the courts for an "antisocial behavior order" against individuals or groups as one means of controlling their persistent low-level offending.<sup>71</sup> Violations of the orders can result in relatively severe jail sentences.<sup>†</sup> It is unknown how effective the orders have been in controlling panhandling.

**1. Prohibiting aggressive panhandling.** Laws that prohibit *aggressive* panhandling are more likely to survive legal challenge than laws that prohibit *all* panhandling, and are therefore to be encouraged.<sup>72</sup> A growing number of jurisdictions have enacted aggressive-panhandling laws, most within the past 10 years.<sup>††</sup> Enforcing aggressive-panhandling laws can be difficult, partly because few panhandlers behave aggressively, and partly because many victims of aggressive panhandling do not report the offense to police or are unwilling to file a complaint. Police can use proactive enforcement methods such as having officers serve as decoys, giving panhandlers the opportunity to panhandle them aggressively.<sup>73</sup> Some agencies have provided officers with special legal training before enforcing aggressive-panhandling laws.<sup>74</sup> Enforcing other laws panhandlers commonly violate—those regarding drinking in public, trespassing, disorderly conduct, etc.—can help control some aspects of the panhandling problem.



Police need not heavily enforce aggressive-panhandling laws in order to control panhandling; the informal norms among most panhandlers discourage aggressive panhandling anyway.<sup>75</sup> Panhandlers exercise some influence over one another's behavior, to minimize complaints and keep police from intervening.<sup>76</sup> Enforcing aggressive-panhandling laws can serve to reinforce the informal norms because aggressive panhandling by the few makes panhandling less profitable for others.<sup>77</sup>

Aggressive-panhandling laws typically include the following specific prohibitions:

- confronting someone in a way that would cause a reasonable person to fear bodily harm;
- touching someone without his or her consent;
- continuing to panhandle or follow someone after he or she has refused to give money;
- intentionally blocking or interfering with the safe passage of a person or vehicle;
- using obscene or abusive language toward someone while attempting to panhandle him or her; and
- acting with intent to intimidate someone into giving money.<sup>78</sup>

**2. Prohibiting panhandling in specified areas.** Many courts have held that laws can restrict where panhandling occurs. Panhandlers are increasingly being prohibited from panhandling:

- near ATMs;
  - on public transportation vehicles and near stations and stops;
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- near business entrances/exits;
- on private property, if posted by the owner; and
- on public beaches and boardwalks.<sup>79</sup>

One legal commentator has proposed a novel approach to regulating panhandling: zoning laws that would strictly prohibit panhandling in some areas, allow limited panhandling in other areas, and allow almost all panhandling in yet other areas.<sup>80</sup> The literature does not report any jurisdiction that has adopted this approach as a matter of law, though clearly, police officers informally vary their enforcement depending on community tolerance levels in different parts of their jurisdiction.

*Kip Kellogg*



Some communities prohibit panhandling in specified areas.

### **3. Prohibiting interference with pedestrians or vehicles.**

Some jurisdictions have enacted laws that specifically prohibit impeding pedestrians' ability to walk either by standing or by lying down in the way. Enforcement can be difficult where such laws require police to establish the panhandler's intent to



obstruct others. The city of Seattle drafted a law that eliminated the need to establish intent, and that law survived a legal challenge.<sup>81</sup> Where panhandling occurs on roads, as car window-washing usually does, enforcing laws that prohibit interfering with motor vehicle traffic can help control the problem.<sup>82</sup>

**4. Banning panhandlers from certain areas as a condition of probation.** Because panhandling's viability depends so heavily on good locations, banning troublesome panhandlers from those locations as a condition of probation, at least temporarily, might serve to discourage them from panhandling and, perhaps, compel them to consider legitimate employment or substance abuse treatment.<sup>83</sup> Convicted panhandlers might also be temporarily banned from publicly funded shelters.<sup>84</sup> Alternatively, courts could use civil injunctions and restraining orders to control chronic panhandlers' conduct, although actual use of this approach does not appear in the literature.<sup>85</sup> Obviously, police will require prosecutors' endorsements and judicial approval to advance these sorts of responses.

**5. Sentencing convicted panhandlers to appropriate community service.** Some jurisdictions have made wide use of community service sentences tailored to the particular offender and offense.<sup>86</sup> For example, officers in St. Louis asked courts to sentence chronic panhandlers to community service cleaning the streets, sidewalks and alleys in the area where they panhandled.<sup>87</sup>

**6. Requiring panhandlers to obtain solicitation permits.** Some cities, including Wilmington, Del., and New Orleans, have at some time required panhandlers and window washers to obtain solicitation permits, just as permits are required from street vendors and others who solicit money in public.<sup>88,†</sup>

† Licensing schemes for beggars reportedly have existed in England as far back as 1530 (Teir 1993). The Criminal Justice Legal Foundation (1994) has published guidance on drafting laws enabling permit systems, though the language seems designed to inhibit panhandling, rather than allow it.



Little is known about the effectiveness of such permit schemes.

### *Public Education Responses*

**7. Discouraging people from giving money to panhandlers, and encouraging them to give to charities that serve the needy.** In all likelihood, if people stopped giving money to panhandlers, panhandling would cease.<sup>89</sup> Public education campaigns are intended to discourage people from giving money to panhandlers. They typically offer three main arguments: 1) panhandlers usually use the money to buy alcohol and drugs, rather than goods and services that will improve their condition; 2) giving panhandlers small amounts of money is insufficient to address the underlying circumstances that cause them to panhandle; and 3) social services are available to meet panhandlers' food, clothing, shelter, health care, and employment needs. Some people do not understand the relationship between panhandling and substance abuse, or are unaware of available social services, however obvious these factors may seem to police.<sup>90</sup> Public education messages have been conveyed via posters, pamphlets, movie trailers, and charity collection points.<sup>91</sup> A poster campaign was an important element of the New York City Transit Authority's effort to control subway panhandling.<sup>92</sup> In Nashville and Memphis, Tenn., special parking meters were used as collection points for charities that serve the needy.<sup>93</sup> Some police officers have invested a lot of their own time making personal appeals to discourage people from giving money to panhandlers.<sup>94</sup> Some cities, such as Evanston, Ill., have hired trained civilians to make such appeals.<sup>95</sup> Not everyone will be persuaded by the appeals; some will undoubtedly perceive them as uncaring.

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Signs and flyers, such as this one from Madison, Wis., have been used effectively to discourage people from giving money to panhandlers.

**8. Using civilian patrols to monitor and discourage panhandling.** In Baltimore, a business improvement district group hired police-trained, uniformed, unarmed civilian public-safety guides to intervene in low-level disorder incidents, and to radio police if their warnings were not heeded.<sup>96</sup> Portland, Ore., developed a similar program,<sup>97</sup> as did Evanston.<sup>98</sup>



† The earliest reported program was in Los Angeles. Other cities where voucher programs have been instituted include Berkeley, Santa Cruz and San Francisco, Calif.; Nashville; Memphis; New Haven; Portland, Ore.; Chicago; Seattle; Boulder, Colo.; New York; and Edmonton, Alberta (Ellickson 1996; *New York Times* 1993; *Wall Street Journal* 1993). Some communities have considered and rejected voucher programs (Evanston Police Department 1995).

**9. Encouraging people to buy and give panhandlers vouchers, instead of money.** Some communities have instituted programs whereby people can buy and give panhandlers vouchers redeemable for food, shelter, transportation, or other necessities, but not for alcohol or tobacco.<sup>†</sup> Typically, a private nonprofit organization prints and sells the vouchers and serves as the broker between buyers and merchants. Some vouchers are printed in a way that makes them difficult to counterfeit. Vouchers are often accompanied with printed information about where they can be redeemed and what social services are available to the needy. Window signs and flyers are commonly used to advertise voucher programs. There is some risk, however, that panhandlers will exchange the vouchers for money through a black market,<sup>99</sup> or that few people will buy the vouchers, as has been reported in some jurisdictions.<sup>100</sup>

### *Situational Responses*

**10. Modifying the physical environment to discourage panhandlers from congregating in the area.** Among the environmental features conducive to or facilitating panhandling are the following: access to water (for drinking, bathing and filling buckets for window washing); restrooms; unsecured garbage dumpsters (for scavenging food and sellable materials); and places to sit or lie down, protected from the elements. These physical features can be modified to discourage panhandling.<sup>101</sup> Police in Santa Ana, Calif., as part of a larger effort to control aggressive panhandling, persuaded business owners to modify many physical features of their property, to make it less attractive to panhandlers, without inconveniencing customers.<sup>102</sup> A number of police efforts to address broader problems related to transient encampments—problems that included panhandling—entailed

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removing the transients from the encampments and referring them to social service agencies.<sup>103</sup>

**11. Regulating alcohol sales to chronic inebriates who panhandle in the area.** Because many panhandlers are chronic inebriates, and because they spend so much of their panhandling money on alcohol, enforcing laws that prohibit alcohol sales to intoxicated people or chronic inebriates is one means of discouraging panhandling in the area. Several police agencies have reported using this approach in their efforts to control panhandling and other problems related to chronic inebriates.<sup>104</sup> Alternatively, merchants might be persuaded to change their sales practices to discourage panhandlers from shopping at their stores (e.g., by eliminating such products as fortified wine or not selling single containers of beer).

**12. Controlling window-washing materials.** Several police agencies have reported on ways to control how squeegee men/panhandlers acquire, store and use window-washing materials. Santa Ana police asked nearby businesses to remove an outdoor water fountain that squeegee men were using to fill their buckets.<sup>105</sup> Vancouver, British Columbia, police discovered where squeegee men stored their buckets and squeegees, and had property owners secure the storage places. They also had gas station owners engrave their squeegee equipment with identifying marks to deter theft by panhandlers.<sup>106</sup>

**13. Promoting legitimate uses of public places to displace panhandlers.** Police in Staffordshire, England, encouraged the municipal authority to promote street musicians in public places where panhandlers abounded, as one means to discourage panhandlers from begging in the area.<sup>107</sup> The underlying logic was that passersby would likely notice the distinction between those who solicit money in

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exchange for something pleasant, and those who panhandle but offer nothing in return. Passersby would theoretically be less inclined to give money to panhandlers, thereby discouraging panhandling. Similarly, the New York/New Jersey Port Authority promoted new and attractive businesses in the Manhattan bus terminal as part of a larger strategy to reduce crime and disorder, including panhandling. Complaints about panhandling in the terminal declined by one-third over a four-year period.<sup>108</sup>

### *Social Services/Treatment Response*

**14. Providing adequate social services and substance abuse treatment to reduce panhandlers' need to panhandle.** To address some of the underlying problems of many panhandlers (e.g., substance abuse, lack of marketable skills, mental illness, inadequate housing), police may need to advocate new social services, or help coordinate existing services.<sup>109</sup> Police can be and have long been instrumental in advocating and coordinating social services for panhandlers, and in referring people to those services.<sup>110</sup> Fontana, Calif., police coordinated a highly successful program that provided panhandlers and other transients with a wide range of health care, food, job training, and housing placement services. They offered treatment as an alternative to enforcement; they enforced laws regulating street disorder, including panhandling, and transported those willing to accept treatment to the social service center.<sup>111</sup> New York/New Jersey Port Authority police did likewise in helping to control panhandling and other forms of crime and disorder in the Port Authority bus terminal in New York City.<sup>112</sup>

Short-term substance-abuse treatment programs, however, are not likely to be effective for most panhandlers—their addictions are too strong—and most who participate in short-

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term programs quickly revert to their old habits.<sup>113</sup> Unfortunately, long-term programs cost more than most communities are willing to spend. Police could advocate the most chronic offenders' being given priority for long-term treatment programs, or the courts could mandate such programs.<sup>114</sup> Some social service outreach efforts target those people identified as causing the most problems for the community.<sup>115</sup> In Madison, Wis., detoxification workers even took to the streets to proactively monitor the conduct of their most difficult clients. Some panhandlers will, of course, refuse social service and treatment offers because they are unwilling to make the lifestyle changes usually required to stay in the programs.<sup>116</sup>

† See Teir (1993) for a discussion of the long history of laws prohibiting and regulating begging.

### *Response With Limited Effectiveness*

**15. Enforcing laws that prohibit all panhandling.** Many laws that prohibit all panhandling were written long ago and are vaguely and broadly worded: consequently, they are unlikely to survive a legal challenge.<sup>†</sup> About half of the states and over a third of major cities in America have laws that prohibit all or some forms of panhandling.<sup>117</sup>





## ***Appendix A: Summary of Responses to Panhandling***

The table below summarizes the responses to panhandling, the mechanism by which they are intended to work, the conditions under which they ought to work best, and some factors you should consider before implementing a particular response. It is critical that you tailor responses to local circumstances, and that you can justify each response based on reliable analysis. In most cases, an effective strategy will involve implementing several different responses. Law enforcement responses alone are seldom effective in reducing or solving the problem.

<b>Response No.</b>	<b>Page No.</b>	<b>Response</b>	<b>How It Works</b>	<b>Works Best If...</b>	<b>Considerations</b>
<i>Enforcement Responses</i>					
1.	20	Prohibiting aggressive panhandling	Subjects the most offensive panhandlers to criminal penalties; reinforces informal rules of conduct among panhandlers	...the law can survive legal challenge, and panhandlers are clearly informed of what constitutes legal vs. illegal conduct	Enforcement is difficult because few panhandlers are intentionally aggressive; officers should be properly trained to make aggressive-panhandling charges
2.	21	Prohibiting panhandling in specified areas	Restricts panhandling in areas where it is most likely to disrupt commerce and be intimidating	...the law can survive legal challenge, panhandlers are clearly informed of where they cannot panhandle, and enforcement is consistent	Costs associated with properly posting areas where panhandling is prohibited



<b>Response No.</b>	<b>Page No.</b>	<b>Response</b>	<b>How It Works</b>	<b>Works Best If...</b>	<b>Considerations</b>
3.	22	Prohibiting interference with pedestrians or vehicles	Restricts conduct that commonly disrupts commerce and intimidates pedestrians; deals directly with window washing by denying window washers access to motorists	...the law can survive legal challenge, and enforcement is consistent	Proving intent to interfere with pedestrians can be difficult
4.	23	Banning panhandlers from certain areas as a condition of probation	Denies panhandlers access to areas where panhandling is profitable	...panhandlers are clearly informed of where they cannot go, and police officers are informed of which panhandlers are banned from the area	Requires the cooperation of prosecutors, judges and probation officials
5.	23	Sentencing convicted panhandlers to appropriate community service	Tailors the punishment to the offense; makes the offender consider the impact panhandling has on the community	...the community service is meaningful and properly supervised	Requires the cooperation of prosecutors, judges and corrections officials
6.	23	Requiring panhandlers to obtain solicitation permits	Discourages panhandling through procedural requirements that many panhandlers are unlikely to follow; allows for easier enforcement (no witnesses are required)	...police officers are informed of the permit requirement and consistently enforce it	May be viewed as unfair by the public; little is known about how effective this approach is



<b>Response No.</b>	<b>Page No.</b>	<b>Response</b>	<b>How It Works</b>	<b>Works Best If...</b>	<b>Considerations</b>
<i>Public Education Responses</i>					
7.	24	Discouraging people from giving money to panhandlers, and encouraging them to give to charities that serve the needy	Decreases the supply of money to panhandlers and, consequently, lowers the level of panhandling	...the message that adequate social services are available is credible, and the message is heavily promoted	May require new investments in social services to make the message credible; advertising and promoting the message incurs costs
8.	25	Using civilian patrols to monitor and discourage panhandling	Increases the level of official monitoring and intervention	...civilian patrollers are properly trained and supported by police	Salary, training and equipment costs
9.	26	Encouraging people to buy and give panhandlers vouchers, instead of money	Restricts panhandlers' ability to buy alcohol and drugs	...supported by merchants and the community	Start-up and administrative costs for the program; a black market may allow panhandlers to convert vouchers to cash, undermining the program; people may not buy vouchers
<i>Situational Responses</i>					
10.	26	Modifying the physical environment to discourage panhandlers from congregating in the area	Discourages panhandlers from soliciting in an area by making it less comfortable to do so	...private (and public) property owners understand how the environment can contribute to panhandling	Requires property owners' cooperation; costs of making environmental changes; some risk that changes will also make the area less attractive for legitimate users
11.	27	Regulating alcohol sales to chronic inebriates who panhandle in the area	Forces panhandlers to travel farther to buy alcohol, thereby potentially displacing them from the area	...liquor license holders understand the rationale for liquor law enforcement, and enforcement is consistent	Will not address panhandlers who are not chronic inebriates, including drug addicts



<b>Response No.</b>	<b>Page No.</b>	<b>Response</b>	<b>How It Works</b>	<b>Works Best If...</b>	<b>Considerations</b>
12.	27	Controlling window-washing materials	Makes window washing (squeegeeing) more difficult	...property owners cooperate in efforts to control the use of the materials	Costs (usually modest) of modifying the environment or securing the materials
13.	27	Promoting legitimate uses of public places to displace panhandlers	Discourages people from giving money to panhandlers by encouraging them to give to legitimate street solicitors	...passersby approve of and support legitimate street solicitors	May attract more people to an area, making it more attractive to panhandlers
<i>Social Services/Treatment Response</i>					
14.	28	Providing adequate social services and substance abuse treatment to reduce panhandlers' need to panhandle	Removes panhandlers' excuses for panhandling; undermines the rationale for giving money to panhandlers; addresses the underlying problems that cause some people to panhandle	...there are outreach efforts to identify and serve panhandlers who will benefit from social services, especially the most chronic offenders; substance-abuse treatment programs are sufficiently long-term to be effective; panhandling enforcement is consistent, to motivate panhandlers to seek legitimate aid; and social services and police efforts are coordinated	May require substantial new investments in social services if the community is lacking them
<i>Response With Limited Effectiveness</i>					
15.	29	Enforcing laws that prohibit all panhandling			Unlikely to survive legal challenge



## ***Appendix B: Selected Court Cases on Panhandling***

The following are some notable U.S. court cases addressing the constitutionality of panhandling and laws that regulate it. You should consult local legal counsel to determine the state of the law in your jurisdiction.

*Berkeley Community Health Project v. Berkeley*, 902 F. Supp. 1084 (N.D. Cal. 1995) and 966 F. Supp. 941 (N.D. Cal. 1997). Struck down an ordinance that, among other restrictions, banned begging at night. The city subsequently deleted that provision from the ordinance, leaving only an ATM restriction intact.

*Blair v. Shanahan*, 775 F. Supp. 1315 (N.D. Cal. 1991). Struck down a ban on accosting people to beg. The decision was subsequently vacated, 919 F. Supp. 1361 (N.D. Cal. 1996).

*C.C.B. v. State*, 458 So. 2d 47 (Fla. Dist. Ct. App. 1984). Struck down a total ban on begging in public.

*Carreras v. City of Anaheim*, 768 F. 2d 1039, 1046 (9th Cir. 1985). Held that the California Constitution is broader than the U.S. Constitution in protecting speech; struck down begging ordinances.

*Chad v. Fort Lauderdale*, 861 F. Supp. 1057 (S.D. Fla. 1994). Upheld a ban on begging on the beach and boardwalk.

*City of Seattle v. Webster*, 802 P. 2d 1333 (Wash. 1990), cert. denied, 111 S. Ct. 1690 (1991). Upheld an ordinance banning sidewalk obstruction.



*Doucette v. Santa Monica*, 995 F. Supp. 1192 (C.D. Cal. 1996). Upheld time, place and manner restrictions on begging.

*Greater Cincinnati Coalition for the Homeless v. City of Cincinnati*, 56 F. 3d 710, 714 (6th Cir. 1995). Cites evidence that the enforcement of an anti-begging ordinance reduced the incidence of begging.

*Loper v. New York City Police Department*, 999 F. 2d 699 (2d Cir. 1993). Struck down a ban on loitering for the purposes of begging on city streets.

*Los Angeles Alliance for Survival v. City of Los Angeles*, 157 F. 3d 1162 (9th Cir. 1998). Struck down an aggressive-begging ordinance. The California Supreme Court subsequently overturned the lower court's ruling on the constitutionality of the ordinance, sending the case back to the federal district court.

*State ex rel. Williams v. City Court of Tucson*, 520 P. 2d 1166 (Ariz. Ct. App. 1974). Upheld a loitering-for-the-purposes-of-begging ordinance.

*Ulmer v. Municipal Court for Oakland-Piedmont Judicial District*, 55 Cal. App. 3d 263, 127 Cal. Rpt. 445 (1976). Upheld a ban on begging that was later struck down by the Blair court.

*Young v. New York City Transit Authority*, 903 F. 2d 146 (2d Cir. 1990). Upheld a ban on begging in the subway.

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## *Endnotes*

- <sup>1</sup> Cosgrove and Grant (1997).
  - <sup>2</sup> Burke (2000).
  - <sup>3</sup> Kelling and Coles (1996, 1994); Kozlowski (1999); Leoussis (1995); Harcourt (1998); Skogan (1990).
  - <sup>4</sup> Kelling and Coles (1996, 1994); Ellickson (1996); Vancouver Police Department (1999); Fontana Police Department (1998).
  - <sup>5</sup> Cosgrove and Grant (1997); Lankenau (1999); Goldstein (1993); Fontana Police Department (1998); Manning (2000).
  - <sup>6</sup> Burke (1998); Goldstein (1993); Teir (1993); Lankenau (1999); St. Petersburg Police Department (1997); Manning (2000).
  - <sup>7</sup> Goldstein (1993); Vancouver Police Department (1999).
  - <sup>8</sup> See Ammann (2000); Barta (1999); Burns (1992); Hershkoff position in Hershkoff and Conner (1993); Lankenau (1999); Munzer (1997); Harcourt (1998).
  - <sup>9</sup> Munzer (1997).
  - <sup>10</sup> See Kelling and Coles (1996); Ellickson (1996); Burke (2000); Teir (1998, 1993); Conner position in Hershkoff and Conner (1993); Criminal Justice Legal Foundation (1994).
  - <sup>11</sup> Wilson (1991).
  - <sup>12</sup> Ellickson (1996).
  - <sup>13</sup> Kelling and Coles (1996); Ellickson (1996).
  - <sup>14</sup> Kelling and Coles (1996).
  - <sup>15</sup> Burke (2000); Lankenau (1999).
  - <sup>16</sup> Kelling and Coles (1996, 1994); Kelling (1999).
  - <sup>17</sup> Goldstein (1993).
  - <sup>18</sup> Ellickson (1996); Goldstein (1993); University of Wisconsin-Madison Department of Police and Security (1997); St. Petersburg Police Department (1997); Alexandria Police Department (1995); Evanston Police Department (1995); Sampson and Scott (2000) (Fort Pierce, Fla., case study); Higdon and Huber (1987) (Dundalk project); Manning (2000).
  - <sup>19</sup> Burke (1998); Stark (1992); Lankenau (1999); Luckenbach and Acosta (1993); Evanston Police Department (1995, n.d.); Goldstein (1993); Santa Ana Police Department (1993); *Chicago Tribune* (1994); Manning (2000).
  - <sup>20</sup> Burke (1998).
  - <sup>21</sup> Lankenau (1999); Goldstein (1993); Luckenbach and Acosta (1993); Evanston Police Department (1995); Duneier (1999).
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- <sup>22</sup> Goldstein (1993); Cosgrove and Grant (1997); Ellickson (1996); Burke (1998); Luckenbach and Acosta (1993).
- <sup>23</sup> Goldstein (1993); Luckenbach and Acosta (1993); New York City Police Department (1994); St. Petersburg Police Department (1997); *Chicago Tribune* (1994); Evanston Police Department (n.d.); Higdon and Huber (1987) (Dundalk project); Manning (2000).
- <sup>24</sup> Goldstein (1993); St. Petersburg Police Department (1997); University of Wisconsin-Madison Department of Police and Security (1997).
- <sup>25</sup> Ellickson (1996); Stark (1992); Goldstein (1993).
- <sup>26</sup> Ellickson (1996); Teir (1998); Goldstein (1993); Fontana Police Department (1998); *Chicago Tribune* (1994); Manning (2000).
- <sup>27</sup> Stark (1992).
- <sup>28</sup> Burke (1998); Lankenau (1999).
- <sup>29</sup> Stark (1992).
- <sup>30</sup> Lankenau (1999); Goldstein (1993).
- <sup>31</sup> Lankenau (1999); Goldstein (1993).
- <sup>32</sup> Goldstein (1993); Ellickson (1996).
- <sup>33</sup> Goldstein (1993); Luckenbach and Acosta (1993).
- <sup>34</sup> Ellickson (1996); Kelling and Coles (1996); Butterfield (1988).
- <sup>35</sup> Burns (1992).
- <sup>36</sup> Stark (1992).
- <sup>37</sup> Wilson (1991).
- <sup>38</sup> Stark (1992).
- <sup>39</sup> Stark (1992); St. Petersburg Police Department (1997).
- <sup>40</sup> Ellickson (1996); Burke (1998); Stark (1992); Lankenau (1999); Goldstein (1993); Duneier (1999).
- <sup>41</sup> Ellickson (1996); Fontana Police Department (1998); University of Wisconsin-Madison Department of Police and Security (1997); Santa Ana Police Department (1993).
- <sup>42</sup> Leoussis (1995).
- <sup>43</sup> Stark (1992); Seattle Police Department (2000); Sampson and Scott (2000) (Fort Pierce case study).
- <sup>44</sup> Goldstein (1993).
- <sup>45</sup> University of Wisconsin-Madison Department of Police and Security (1997).
- <sup>46</sup> Goldstein (1993).
- <sup>47</sup> Goldstein (1993); Burke (1998); Luckenbach and Acosta (1993); Evanston Police Department (n.d.); Ellickson (1996); Stark (1992); Duneier (1999).
- <sup>48</sup> Ellickson (1996); Mabry (1994); Goldstein (1993); Luckenbach and Acosta (1993); Manning (2000); Duneier (1999).
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- <sup>49</sup> Burns (1992).
- <sup>50</sup> Lankenau (1999); Goldstein (1993).
- <sup>51</sup> Burke (1998); Lankenau (1999); Goldstein (1993); Luckenbach and Acosta (1993).
- <sup>52</sup> Stark (1992); Goldstein (1993).
- <sup>53</sup> Burke (1998); Ellickson (1996).
- <sup>54</sup> Burke (1998).
- <sup>55</sup> Ellickson (1996).
- <sup>56</sup> Stark (1992).
- <sup>57</sup> Kelling and Coles (1996, 1994); Teir (1993).
- <sup>58</sup> Ellickson (1996).
- <sup>59</sup> Goldstein (1993); Cosgrove and Grant (1997); Ellickson (1996); Evanston Police Department (1995).
- <sup>60</sup> Ellickson (1996); Goldstein (1993).
- <sup>61</sup> Teir (1993); Center for the Community Interest (1996); Criminal Justice Legal Foundation (1994).
- <sup>62</sup> Kelling and Coles (1996); Barta (1999); Ellickson (1996); Delmonico (1996); Kozlowski (1999); Leoussis (1995); Mabry (1994); Mitchell (1994); Nichols (1997); Teir (1998, 1993); Walston (1999); Hershkoff and Conner (1993); Munzer (1997).
- <sup>63</sup> Leoussis (1995).
- <sup>64</sup> Kelling and Coles (1996); Ellickson (1996).
- <sup>65</sup> Goldstein (1993).
- <sup>66</sup> Santa Ana Police Department (1993); Little (1992).
- <sup>67</sup> Cosgrove and Grant (1997); Goldstein (1993).
- <sup>68</sup> New York City Police Department (1994); Cosgrove and Grant (1997); Ellickson (1996); Burke (1998); Leoussis (1995); Teir (1993); Goldstein (1993).
- <sup>69</sup> Ammann (2000).
- <sup>70</sup> St. Petersburg Police Department (1997); Vancouver Police Department (1999); Higdon and Huber (1987) (Dundalk project); Savannah Police Department (1995).
- <sup>71</sup> Bland and Read (2000).
- <sup>72</sup> Kelling and Coles (1996); Kelling (1999).
- <sup>73</sup> Savannah Police Department (1995).
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- <sup>74</sup> Kelling and Coles (1996) (discussing Seattle's response to panhandling); Santa Ana Police Department (1993); Felson et al. (1996).
- <sup>75</sup> Ellickson (1996); Lankenau (1999); Goldstein (1993).
- <sup>76</sup> Goldstein (1993).
- <sup>77</sup> Burke (2000); Delmonico (1996).
- <sup>78</sup> Kelling and Coles (1996).
- <sup>79</sup> Kelling and Coles (1996); Cosgrove and Grant (1997); Ellickson (1996); Mabry (1994); Teir (1998); Kozlowski (1999) (citing a Fort Lauderdale law).
- <sup>80</sup> Ellickson (1996); see Munzer (1997) for a critique of Ellickson's zoning proposal.
- <sup>81</sup> Kelling and Coles (1996) (citing a Seattle law).
- <sup>82</sup> Vancouver Police Department (1999); New York City Police Department (1994).
- <sup>83</sup> University of Wisconsin-Madison Department of Police and Security (1997).
- <sup>84</sup> Teir (1993).
- <sup>85</sup> Ellickson (1996).
- <sup>86</sup> Ammann (2000); Harcourt (1998).
- <sup>87</sup> Heimberger (1992).
- <sup>88</sup> Cosgrove and Grant (1997); Ellickson (1996); Mabry (1994); Ybarra (1996); Santa Ana Police Department (1993).
- <sup>89</sup> Ellickson (1996).
- <sup>90</sup> Manning (2000).
- <sup>91</sup> Ellickson (1996); Luckenbach and Acosta (1993); Santa Ana Police Department (1993); Vancouver Police Department (1999); Evanston Police Department (1995); Higdon and Huber (1987); Manning (2000); Cosgrove and Grant (1997).
- <sup>92</sup> Barta (1999); Harcourt (1998).
- <sup>93</sup> Ellickson (1996).
- <sup>94</sup> University of Wisconsin-Madison Department of Police and Security (1997); Sampson and Scott (2000) (Fort Pierce case study).
- <sup>95</sup> Evanston Police Department (1995).
- <sup>96</sup> Kelling and Coles (1996).
- <sup>97</sup> Nkrumah (1998); Egan (1993).
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- <sup>98</sup> Evanston Police Department (1995).
- <sup>99</sup> Goldstein (1993).
- <sup>100</sup> Egan (1993).
- <sup>101</sup> Burns (1992); Green Bay Police Department (1999); Vancouver Police Department (1999); Sampson and Scott (2000) (Fort Pierce case study); Felson et al. (1996); Duneier (1999).
- <sup>102</sup> Santa Ana Police Department (1993).
- <sup>103</sup> Sampson and Scott (2000) (Fort Pierce and San Diego case studies); Santa Ana Police Department (1993); Kelling and Coles (1996) (discussion of San Francisco's Operation Matrix).
- <sup>104</sup> Seattle Police Department (2000); Alexandria Police Department (1995); Green Bay Police Department (1999); Higdon and Huber (1987) (Dundalk project).
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- <sup>106</sup> Vancouver Police Department (1999).
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- <sup>110</sup> Bittner (1967); Kelling and Coles (1994); Burke (1998); Goldstein (1993); Little (1992); Sampson and Scott (2000) (Fort Pierce case study); Fontana Police Department (1998); Higdon and Huber (1987) (Dundalk project); Manning (2000); Felson et al. (1996).
- <sup>111</sup> Fontana Police Department (1998).
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- <sup>115</sup> University of Wisconsin-Madison Department of Police and Security (1997); Manning (2000).
- <sup>116</sup> Manning (2000); Goldstein (1993); Stark (1992); Kelling and Coles (1994); Evanston Police Department (1995).
- <sup>117</sup> Leoussis (1995); Teir (1998, 1993).
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## *About the Author*

### *Michael S. Scott*

Michael S. Scott is an independent police consultant based in Savannah, Ga. He was formerly chief of police in Lauderhill, Fla.; served in various civilian administrative positions in the St. Louis Metropolitan, Ft. Pierce, Fla., and New York City police departments; and was a police officer in the Madison, Wis., Police Department. Scott developed training programs in problem-oriented policing at the Police Executive Research Forum (PERF), and is a judge for PERF's Herman Goldstein Award for Excellence in Problem-Oriented Policing. He is the author of *Problem-Oriented Policing: Reflections on the First 20 Years*, and coauthor (with Rana Sampson) of *Tackling Crime and Other Public-Safety Problems: Case Studies in Problem-Solving*. Scott holds a law degree from Harvard Law School and a bachelor's degree from the University of Wisconsin-Madison.

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## *Recommended Readings*

- *A Police Guide to Surveying Citizens and Their Environments*, Bureau of Justice Assistance, 1993. This guide offers a practical introduction for police practitioners to two types of surveys that police find useful: surveying public opinion and surveying the physical environment. It provides guidance on whether and how to conduct cost-effective surveys.
- *Assessing Responses to Problems: An Introductory Guide for Police Problem-Solvers*, by John E. Eck (U.S. Department of Justice, Office of Community Oriented Policing Services, 2001). This guide is a companion to the *Problem-Oriented Guides for Police* series. It provides basic guidance to measuring and assessing problem-oriented policing efforts.
- *Conducting Community Surveys*, by Deborah Weisel (Bureau of Justice Statistics and Office of Community Oriented Policing Services, 1999). This guide, along with accompanying computer software, provides practical, basic pointers for police in conducting community surveys. The document is also available at [www.ojp.usdoj.gov/bjs](http://www.ojp.usdoj.gov/bjs).
- *Crime Prevention Studies*, edited by Ronald V. Clarke (Criminal Justice Press, 1993, et seq.). This is a series of volumes of applied and theoretical research on reducing opportunities for crime. Many chapters are evaluations of initiatives to reduce specific crime and disorder problems.



- ***Excellence in Problem-Oriented Policing: The 1999 Herman Goldstein Award Winners.*** This document produced by the National Institute of Justice in collaboration with the Office of Community Oriented Policing Services and the Police Executive Research Forum provides detailed reports of the best submissions to the annual award program that recognizes exemplary problem-oriented responses to various community problems. A similar publication is available for the award winners from subsequent years. The documents are also available at [www.ojp.usdoj.gov/nij](http://www.ojp.usdoj.gov/nij).
  - ***Not Rocket Science? Problem-Solving and Crime Reduction,*** by Tim Read and Nick Tilley (Home Office Crime Reduction Research Series, 2000). Identifies and describes the factors that make problem-solving effective or ineffective as it is being practiced in police forces in England and Wales.
  - ***Opportunity Makes the Thief: Practical Theory for Crime Prevention,*** by Marcus Felson and Ronald V. Clarke (Home Office Police Research Series, Paper No. 98, 1998). Explains how crime theories such as routine activity theory, rational choice theory and crime pattern theory have practical implications for the police in their efforts to prevent crime.
  - ***Problem-Oriented Policing,*** by Herman Goldstein (McGraw-Hill, 1990, and Temple University Press, 1990). Explains the principles and methods of problem-oriented policing, provides examples of it in practice, and discusses how a police agency can implement the concept.
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- ***Problem-Oriented Policing: Reflections on the First 20 Years***, by Michael S. Scott (U.S. Department of Justice, Office of Community Oriented Policing Services, 2000). Describes how the most critical elements of Herman Goldstein's problem-oriented policing model have developed in practice over its 20-year history, and proposes future directions for problem-oriented policing. The report is also available at [www.cops.usdoj.gov](http://www.cops.usdoj.gov).
  - ***Problem-Solving: Problem-Oriented Policing in Newport News***, by John E. Eck and William Spelman (Police Executive Research Forum, 1987). Explains the rationale behind problem-oriented policing and the problem-solving process, and provides examples of effective problem-solving in one agency.
  - ***Problem-Solving Tips: A Guide to Reducing Crime and Disorder Through Problem-Solving Partnerships*** by Karin Schmerler, Matt Perkins, Scott Phillips, Tammy Rinehart and Meg Townsend. (U.S. Department of Justice, Office of Community Oriented Policing Services, 1998) (also available at [www.cops.usdoj.gov](http://www.cops.usdoj.gov)). Provides a brief introduction to problem-solving, basic information on the SARA model and detailed suggestions about the problem-solving process.
  - ***Situational Crime Prevention: Successful Case Studies***, Second Edition, edited by Ronald V. Clarke (Harrow and Heston, 1997). Explains the principles and methods of situational crime prevention, and presents over 20 case studies of effective crime prevention initiatives.
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- ***Tackling Crime and Other Public-Safety Problems: Case Studies in Problem-Solving***, by Rana Sampson and Michael S. Scott (U.S. Department of Justice, Office of Community Oriented Policing Services, 2000) (also available at [www.cops.usdoj.gov](http://www.cops.usdoj.gov)). Presents case studies of effective police problem-solving on 18 types of crime and disorder problems.
  - ***Using Analysis for Problem-Solving: A Guidebook for Law Enforcement***, by Timothy S. Bynum (U.S. Department of Justice, Office of Community Oriented Policing Services, 2001). Provides an introduction for police to analyzing problems within the context of problem-oriented policing.
  - ***Using Research: A Primer for Law Enforcement Managers***, Second Edition, by John E. Eck and Nancy G. LaVigne (Police Executive Research Forum, 1994). Explains many of the basics of research as it applies to police management and problem-solving.
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- **Problem-Solving Tips: A Guide to Reducing Crime and Disorder Through Problem-Solving Partnerships.** Karin Schmerler, Matt Perkins, Scott Phillips, Tammy Rinehart and Meg Townsend. 1998.

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