Civil Remedies and Crime Prevention

by Lorraine G. Mazerolle and Jan Roehl (eds)

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Reviewed by James D. Calder

The editors of *Civil Remedies* are participants in a movement to empower civilian organisations to serve more effectively as agents in the total context of public-private initiatives against crime. 'Civil remedies', say the editors, refer to 'procedures and sanctions, specified by civil statutes and regulations, used to prevent or reduce criminal problems and incivilities' (p. 1). Remedies are viewed as adjuncts to criminal justice actions. They are intended primarily to focus on discrete offences and punishments, and they are aimed at enjoining the bad guys (eg drug dealers, gang bangers, spouse abusers, and other miscreants) from gaining and holding a stronghold in communities. Correspondingly, they serve to educate the good guys on positive civil actions against criminal opportunities (eg 'third-party policing', youth curfew ordinances, nuisance abatement and enforcement strategies, and improvement of community organisations).

This volume is part of the Crime Prevention Series under the series editorship of Professor Ronald V. Clarke at Rutgers University. Space limits prohibit full description of the 15 selections included. However, brief acknowledgement is in order. The editors introduce the concept of civil remedies, including a matrix of circumstances reflecting consideration of people and places on the vertical axis and suspected offenders, potential offenders, and non-offending third parties on the horizontal axis. Part I contains five articles addressing civil sanctions, legal and constitutional issues, regulation of opportunities, third-party policing, and a critique of coercive crime prevention. Part II considers control of drug problems, management of rental properties, the Cook County Nuisance Abatement Unit, and cost-effectiveness in drug control interventions. Part III incorporates community perspectives of community organisations, co-production of code enforcement, and landlords and drug abatement laws. The final part considers civil remedies in public housing in connection with eviction decisions and landlords and local police. The collection lacks a chapter to integrate many important but disparate concepts, thus leaving readers to connect the lines and generate the implications. A general index and a codified collection of references would have strengthened the volume's use.

There is one disturbing feature. The collection fails to consider contributions of private security organisations in the context of civil remedies. An opportunity for this consideration was presented in Michael Buerger's article, 'The Politics of Third-Party Policing'. Applying Buerger's definition of third-party police, '... the involvement of non-offending third parties (usually place managers) in the control of criminal activity and disorderly behavior, [is] creating a de facto new element of public duty.' The notion that public officials, including police, can find ways to impose a duty to act affirmatively against crime threats has been encountered in the private security realm. It is one thing to encourage private involvement in crime prevention, but it is quite another thing to coerce involvement. Co-operation is the key factor in the relationship. When private parties hire security companies to serve as surrogate place managers

(or to perform place-security duties), security providers generally do not assume any legal obligation to perform police or public regulatory functions. It would be useful to investigate further, however, how police privatisation initiatives may introduce the possibility of bringing private security within range of the legal impositions of third-party policing.

Civil Remedies is unquestionably a cutting-edge book. Its probable small readership will be largely comprised of serious scholars who wrestle with the tricky ground between public and private responsibility for environmental factors linked to crime. A copy should be purchased by every research library.

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