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# Policing the 'progressive' city: The racialized geography of drug law enforcement

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## Abstract

This article explores selective drug law enforcement practices in a single municipality, San Francisco, where racial disproportionality in drug arrest rates is among the highest in the United States. We situate this work in the vein of recent case-study examinations done in Seattle, Cleveland, and New York to help build a more nuanced picture of how the local geography of policing drugs produces racialized outcomes. Within this, we examine how historically embedded local politics shape the varied styles and structures of policing that result in racially discriminatory enforcement patterns. Our goal is to begin sketching out a robust framework of 'place' as an orientation for examining discretionary local policing practices, especially as they impact marginalized groups and communities of color.

## Keywords

drugs war, geo-history, policing, race, racialization, urban space

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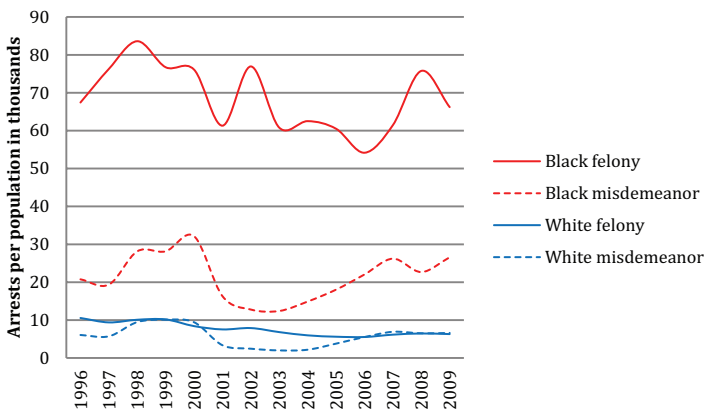
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## Introduction

San Francisco can justly be characterized as the premiere progressive US city, at least since the mid-20th century (Bell, 2010). Dubbed the ‘Left Coast City’ by one scholar (DeLeon, 1992), it has been at the forefront of such social justice movements as sexual and gender rights, racial and economic equality, and organized labor rights (Bell, 2010; Issel, 1991). Yet San Francisco’s local political history is punctuated by heavy-handed, even oppressive policies against poor, homeless, and otherwise disenfranchised citizens (Johnston, 2011; Robinson, 1995).

The city’s dual persona is also evidenced in a sustained pattern of racialized drug law enforcement. Official statistics indicate that San Francisco Black–White drug arrest disparities are among the greatest nationally for mid-sized cities, and San Francisco has the highest overall mid-sized city Black drug arrest rate in the nation (Beckett et al., 2006). The disparity in arrest rates has persisted for years, as illustrated in Figure 1. Moreover, state prison admissions data indicate that San Francisco has had the highest per capita rate of prison admissions for Black drug defendants among the largest 198 counties in the nation (Beatty et al., 2007; Fleury-Steiner and Smith, 2011). Blacks convicted of drug felonies in San Francisco were 28 times more likely than Whites to be sent to prison for their offense (Beatty et al., 2007).

This article examines San Francisco’s selective drug law enforcement practices in order to theorize the role of place in the racialized ‘war on drugs’. By virtue of its political and demographic constitutions, San Francisco would not be expected to rank among the top cities in racially disparate drug law enforcement. It has a small and shrinking Black population, and is characterized by progressive local politics, both of which would seem to predict less, not more, racial disparity in policing. In order to make sense of this seeming contradiction, we take an ideographic and historically contextualized approach to our examination of San Francisco’s drug law policing. We situate this work in the vein of recent case-study examinations of several US cities to help build a more nuanced



**Figure 1.** Drug arrests in San Francisco by race, 1997–2009.

Note: Felony arrests include narcotics, marijuana, dangerous drugs, and driving under the influence. Misdemeanor arrests include marijuana, other drugs, drunk in public, liquor law violations, and driving under the influence. Data obtained from the SFPD and US Census Bureau.

picture of selective drug law enforcement in the USA. In particular, we aim to extend theorizations of the geography of drug policing by sketching out a robust framework of 'place' as an orientation for examining policing practices, and for examining its intersections with race.<sup>1</sup>

We focus on drug law enforcement because it is substantially proactive, and explicitly reflects institutional policies and practices with respect to resource deployment, more so than most law enforcement efforts (Lynch, 2012). The escalation of the US 'war on drugs' has also directly contributed to skyrocketing rates of arrests, and incarceration, impacting Black Americans in particular (e.g. Alexander, 2010; Tonry, 1996, 2011; Tonry and Melewski, 2008). Between 1980 and 2000, the US drug arrest rate for Blacks increased from 6.5 to 29.1 per 1000 persons while the rate for Whites increased much more modestly, from 3.5 to 4.6 (Beckett et al., 2006). Thus, over those two decades, thousands of autonomous local law enforcement agencies collectively and significantly ramped up overall enforcement of drug offenses and did so in a manner that disproportionately impacted suspected drug offenders who were Black.

Additionally, the drug war has catalyzed particularly aggressive forms of policing. Local police agencies have inflicted a range of intrusions, indignities, and harms disproportionately on poorer communities of color that touch many more than just those who are formally arrested and charged (Fagan et al., 2010). Police now routinely use invasive, coercive tactics against those residing in officially defined 'problem' areas, all in furtherance of the war on drugs (Alexander, 2010; Capers, 2009). These practices, together with the direct impact of formal criminal prosecution and punishment of huge numbers of suspected drug offenders, have transformed community life in selected neighborhoods of many US cities (Capers, 2009; Hagan and Coleman, 2001).

## **Drug law enforcement, race and the specificities of place**

Macro-sociological theory that aims to explain 'late modern' transformations in criminal justice practices, including the racialized war on drugs, has been relatively imprecise on the question of place. A number of scholars have referred to changes in the crime control field as emanating from the global West (i.e. Garland, 2001) or as the product of US hegemony (i.e. Wacquant, 2009) with little consideration for the variability within those geographic spaces. Consequently, theoretical assertions that attempt to explain localized law enforcement practices as part of a global neo-liberal project, or as an effort to prop up the 'myth of a sovereign state' (Garland, 2001: 109) necessarily oversimplify, but in the process lose explanatory power (Lynch, 2012). The predominant criminological explanations of racially disparate drug law enforcement also tend not to account adequately for the specificities of place. For example, criminologists have tested the 'racial threat' hypothesis to explain drug arrest patterns, but rely upon data that are aggregated and standardized across very distinct legal and socio-cultural jurisdictions (for example, see Parker and Maggard, 2005).<sup>2</sup> Even though such studies are more sensitive to contextual and structural factors that shape policing than individual level explanations, they assume a degree of homogeneity across varied geopolitical locations that may not be warranted (Lynch, 2011b).

The unique and historically contingent features of a given locale are central to the ways that 'race' is understood and acted upon, but they are not reduceable to universal variables (Inwood and Yarbrough, 2010). Historic and contemporary race relations, political norms and structures (including relations between mayors' offices and police organizations), land use and economic policies, and even physical geographic features of a given municipality often qualitatively differ in ways elided by a quantitative approach that amalgamates data across locales, but may well play an important role in arrest policies and practices. As Gilmore (2002: 22) suggests, 'the territoriality of power is a key to understanding racism', which necessarily calls for a close examination of local, historically embedded specificities, even when attempting to understand global phenomena.

Single jurisdictional case studies can account for idiosyncratic local organizational and political norms, as well as more universal structural factors. They can also reveal differential deployment of proactive law enforcement by block, street, neighborhood, and/or police 'beat', and can add precision to measures of key variables. Several policing studies have done this effectively, including those on the racialized use of coercive tactics (Fagan et al., 2010; Parmar, 2011; Sun et al., 2008) and racial profiling in traffic stops (Bowling and Phillips, 2007; Novak and Chamlin, 2012; Roh and Robinson, 2009). Indeed, the racial profiling literature has been at the forefront of considering how the context of micro-locales shapes traffic stops, including how 'racial mismatch' between driver and neighborhood composition prompts intervention (Capers, 2009; Meehan and Ponder, 2002).

Equally important, single jurisdiction case studies allow for rich accounts of the conditions under which selective drug law enforcement occurs, thereby generating contextualized, ground-up theorization. In particular, qualitative ideographic approaches can move beyond the limits posed by variable-specification requirements in quantitative models, while still allowing for a multi-level framework for understanding racialized institutional outcomes (Phillips, 2011). Indeed, to the extent that they highlight the local political, economic, and cultural realms in which contemporary policing practices operate and from which they have emerged, such studies contribute to an understanding of the historically and culturally embedded processes that give rise to racially disparate arrest outcomes. A recent special issue of *Policing and Society* on the globalized use of 'stop and search' policing attests to the value of examining 'socially, geographically and historically situated locations' (Weber and Bowling, 2011: 353) even when interrogating global phenomena. By focusing in on single cases and considering those idiosyncratic cases in relation to each other, scholars can develop a fuller account of the 'political geography of race' and policing (Gilmore, 2002: 22) through ground-up conceptualizations that highlight variations in forms over time and across place, as well as universality of racialized harms.

Here we limit ourselves to drug law policing in US urban settings, and situate this project in the context of recent single-city case studies conducted in Seattle, New York, and Cleveland. In Seattle, Beckett and her colleagues (2005, 2006) used multiple data sources to document the range of both illicit drug use and sales in the city and the racial diversity among users and dealers. They compared these findings with police arrest data to document the gap between actual drug offending and police arrest patterns for drug possession and sales. They found that Whites were largely underrepresented in arrest

data, relative to their actual offending, while Blacks and Latinos were overrepresented. It appeared that police disproportionately focused on crack cocaine, and in the context of drug sales, targeted crack cocaine markets, where they disproportionately arrested Black dealers. Overall, more arrests were made in racially diverse neighborhoods than in predominantly White neighborhoods with comparable outdoor drug markets. Thus, racial disparities in arrests were the product of a combination of differential targeting of drug types, suspected offenders, and geographic locale within the city, thereby producing the greatest Black–White racial disparity in arrest rates among comparably sized cities in the nation.

Geller and Fagan's (2010; see also Fagan et al., 2010) work on policing low-level marijuana offenses in New York similarly documents the interplay of race and place in discretionary drug law enforcement. Since the mid-1990s, the NYPD has deployed an aggressive 'stop, question, and frisk' policy that focuses on marijuana possession, which is justified as a tactic to find those possessing illegal weapons. The policy has led to numerous low-level marijuana possession arrests, but that has done little to achieve the primary goal of eradicating illegal weapons (see also Harcourt and Ludwig, 2007). The brunt of this policing strategy has fallen upon minority neighborhoods, and particularly young Black men in those neighborhoods, in a pattern not predicted by policy-relevant indicators of weapons crime. Moreover, the arrests are only one part of a more pervasive pattern of racialized policing. Residents in neighborhoods subject to the 'order maintenance' policing regime are regularly and very intrusively stopped, searched, and questioned with no basis for any arrest in 96% of the stops (Fagan et al., 2010; Geller and Fagan, 2010).

Recent research conducted in Cleveland, Ohio, which has a quite different socio-political and demographic history than either Seattle or New York, further illustrates the intricacies by which race and geography intersect in local drug law enforcement (Lynch, 2011a). In Cleveland, police engaged in a long-standing practice of charging those in possession of used crack pipes with felony drug possession, a departure from common practice in every other jurisdiction in the county and state. Police proactively targeted those in the poorest, predominantly Black Eastside neighborhoods in the city, despite evidence of similar low-level drug offending in other neighborhoods. A complex interplay of politics involving the mayor's office, the police union, and the county district attorney gave rise to this racialized arrest policy that persisted for nearly 25 years, in part due to a process of dehumanizing and devaluing those residing in the targeted neighborhoods.

Together, these studies highlight the importance of intra-jurisdictional variations in the deployment of drug law policing, and how they are shaped by local political factors. They also suggest a need for a more comprehensive theorization that considers differences between locales, similarities across locales, and variations within locales, and that situates police action not only within its organizational context, but also within local economic and political contexts.

## Theorizing urban space

Keith Hayward (2012: 1) has pointedly argued that mainstream spatial criminology proceeds 'with an implicit notion of spatiality that approaches the environment simply as a

geographic site and not as product of power relations, cultural and social dynamics, or everyday values and meanings'. He suggests a set of alternative conceptions that consider how social and political life shapes conceptions of crime and community, and he turns to cultural geography for insights about space/place that are relevant to criminology. Following Hayward (2012), we draw upon scholarship from geography and urban studies to conceptualize the spatialized social, political, and cultural complexities of drug law policing.

First, we consider 'cities' as an analytic category. Cities have long been typologized by urban scholars along several key social and economic dimensions (Bruce and Witt, 1971; Hadden and Borgotta, 1965). Typically, cities are categorized by growth patterns (expanding, stable, or declining); population density and other socio-geographic factors; economic health and industry characteristics; consumerist and other amenities; and residential demographic profiles, including various measures of heterogeneity. Although US cities collectively declined in the 1970s, losing residents, industry, and amenities in the wake of deindustrialization, individual paths of urban locales have since diverged on the dimensions described above.

Indeed, cities are increasingly stratified by their relative desirability as social, economic, and consumerist spaces. Some are now defined as 'declining cities', while others are resurgent 'consumer cities' (Follain, 2010; Glaeser and Gottlieb, 2006; Glaeser et al., 2001). The prototypical US 'declining city' was hardest hit by the disappearance of manufacturing and related industries, which caused residents and businesses to flee in large numbers (Follain, 2010). The iconic declining cities are in the Rustbelt—Detroit, Cleveland, and Buffalo—although formerly high-growth, low-density Sunbelt cities such as Phoenix and Fresno are now said to be declining as a result of the housing market collapse (Hollander, 2011). Conversely, there are a number of rising 'consumer cities' of wealth (Glaeser and Gottlieb, 2006, Glaeser et al., 2001), such as Boston, Chicago, New York, Seattle, and San Francisco. They are experiencing a 'renaissance as places of consumption, not production' (Glaeser and Gottlieb, 2006: 1276), and have high population density, high housing costs, creative and/or knowledge based enterprises, and substantial lifestyle amenities.

Local policing should vary considerably by city type. The bustling consumer city needs to maintain itself as an 'entertainment machine' (Clark, 2004), so policing may particularly focus on strategies to exclude those who detract from its consumerist appeal (O'Malley, 1993). This suggests highly differentiated policing strategies—as a function of micro-locales and potential targets of law enforcement—such that the petty offenses of resourced consumers may be ignored, while the poor and marginalized may be subject to order-maintenance policing of even minor infractions when in consumer zones.<sup>3</sup> Indeed, Beckett and Herbert (2008: 8) draw a direct line between the maintenance of the new consumption-oriented urban 'playgrounds' and such policing. They argue that the pressures of these playground economies encourage police to develop innovative strategies to contain and exclude those 'problem' populations which ironically grew more visible in the wake of neo-liberal retrenchment of social welfare (Beckett and Herbert, 2008, 2010). In her work on Toronto, Kern (2010) highlights both the raced and gendered nature of this process, in that revanchist redevelopment projects narrate a vision of the (middle class) white woman consumer/city dweller as



one who needs protection from those ‘scary’ populations in order to partake in the excitement of the urban playground.

Second, within cities, ‘problem areas’ have been differentiated in theoretically important ways. Specifically, Huey and Kemple (2007) distinguish ‘skid row’ from the ‘ghetto’ in how each is understood. Both are stigmatized places of ‘enforced containment’ (Huey and Kemple, 2007: 2312) but the ghetto is ‘a racially and ethnically based segregated space’ that evokes stereotyped images of pervasive and persistent criminality and violence, where the space itself is seen as criminogenic (Huey, 2007: 4).<sup>4</sup> Skid row, in contrast, is an ethnically diverse, segregative place infused ‘with morally freighted images’ of its occupants as weak-willed addicts who fall there as the last stop in a debased social standing (Huey, 2007: 4). Skid row suggests a sense of transience, both as to its occupants, and because it avails itself to social services and intervention efforts as first steps to recovery (Herbert and Beckett, 2010; Stuart, 2012). Conversely, the contemporary ghetto is understood in mainstream culture as a forlorn space, entrapping its occupants in a permanent state of marginalization and isolation due to its ‘pathological’ subculture (Dillon, 2011; Wacquant, 2001, 2009).

Ethnographic research by both Stuart (2012) in Los Angeles, and Huey (2007) in Vancouver, San Francisco, and Edinburgh, indicates that police in skid row evince a mix of ideologies about the constituent populations, and about their role in mitigating policed residents’ risk to themselves and the broader community. Police utilize something of a ‘tough love’ strategy, where officers wield significant coercive power, but make genuine claims about their desire to incentivize derelicts and petty criminals to take advantage of intervention services and transition from skid row to a better life. As such, police engage in a ‘coercively inclusive’ as much as an exclusionary project (Huey, 2007: 95). The ghetto, however, is subject to a much more purely antagonistic and even violent form of policing that especially targets young minority men (Goffman, 2009). Rather than offering social services, officers in these encounters are more likely to initiate searches, and use handcuffing and other physical restraint, verbal humiliation, arrests, and, ultimately, stints of custody (Goffman, 2009; Rios, 2011). Thus, not only is city type important for understanding how urban space is policed, but law enforcement practices in ‘problematic’ areas within the city suggest a place for theorizing about distinct features of micro-locals. Policing manifests in different forms, and the deployment of police power takes qualitatively different shape (in addition to its differential intensity), as a function of how a given neighborhood is categorized and understood.

## Contextualizing San Francisco

Given San Francisco’s population density and geographic boundedness, issues around housing policies, gentrification, land use, and development have long been contested, particularly as property values skyrocketed in recent decades (Gin and Taylor, 2010; Murphy, 2009). Beginning in the 1950s, business leaders urged city officials to redevelop San Francisco as a West Coast Manhattan, which would involve pushing out the poor and communities of color (Robinson, 1995). In subsequent decades, both by plan and due to post-industrialism, San Francisco adopted this model, adding skyscrapers, office complexes, retail and service amenities, and



upscale housing in neighborhoods across the city, while forcibly relocating and displacing thousands of poor residents (Baranski, 2007; Hartman, 2002).

San Francisco now stands as an iconic resurgent, consumer city (Glaeser et al., 2001). Consequently, poorer, transient, minority, and immigrant neighborhoods in San Francisco face ever-increasing pressures of gentrification (Hartman, 2002; Robinson, 1995). Once-vibrant Black communities have been especially impacted, as Black residents are steadily pushed out. Their share of the population decreased from a high of 13.4% in 1970 to 6.1% in 2010 (US Census, 2010). The Fillmore district was an early site of forced 'urban renewal', as the city uprooted much of the Black community there beginning in the 1950s (Hartman, 2002). Later, neighborhoods such as Hayes Valley, Western Addition, South of Market (SOMA) and the Mission also underwent significant gentrification. Poor residents in San Francisco are now relegated to just a small handful of neighborhoods, including Bayview-Hunters Point and the Tenderloin, which, as we describe in subsequent sections, are sites of intense drug law policing.

The tensions around liberal politics, land use economics, and gentrification have directly shaped San Francisco policing as well. Agee (2005) depicts post-war San Francisco as walking a tightrope between forward-looking liberalism and mainstream conformity, suggesting that post-war San Francisco liberals 'celebrated colorblind liberalism', yet were uncomfortable with emerging race consciousness and other social movements that took shape in the 1950s and 1960s. Police were charged with managing problem populations when they crossed lines of visibility: gay bars in the central city, vice in North Beach—particularly when interracial or involving minorities—and young Black 'hoodlums' who ventured down the hill from Hunters Point were each targeted with concentrated suppression efforts between the 1950s and late 1960s, partly in cooperation with the mayor's office. These efforts were undergirded by an economic logic as well. San Francisco's projected image allowed for a degree of the bohemian, gay-friendly, racially and culturally diverse and rights-respecting persona, but too much might mark the city as a problematic space in which to spend money and do business (Agee, 2005).

In the 1990s, after a period of increased tolerance for counter-culturalism, business interests, the mayor's office and the police (re-)coalesced around the management of poor and problem populations. Under Mayor (and former Police Chief) Frank Jordan's leadership, San Francisco adopted the 'order maintenance' policing that revolutionized policing in New York, including aggressive enforcement of low-level drug offenses, public inebriation, and pan-handling by the homeless (Goetz and Mitchell, 2006). In a collision of institutional practices and liberal ethos, these efforts generated considerable opposition from other political, institutional, and activist constituencies within the city who viewed them as wars against the poor and people of color (Baranski, 2007; Goetz and Mitchell, 2006; Murphy, 2009; Robinson, 1995).

## Contemporary policing and race in San Francisco

The problem of racialized law enforcement by the San Francisco Police Department (SFPD) emerged quite publicly in May 2002 in the context of vehicle stops. The major local paper, the *San Francisco Chronicle*, reported on the findings of a Police Commission study that Blacks were disproportionately likely to be stopped, searched (among those

stopped), and issued a non-moving violation ticket, the most discretionary kind of citation (Weiss and Grumet-Morris, 2006). Later that year, the American Civil Liberties Union (ACLU) of Northern California released a more comprehensive study that also found significant racial disparities in SFPD enforcement (Schlosberg, 2002). The report concluded that, 'despite the Department's stated commitment to ending the practice, racial profiling is a significant problem within the Department' (Schlosberg, 2002: 3). At the urging of community advocates, the Police Commission soon after adopted General Order 5.17, prohibiting 'biased policing' and laying out specific policy by which to achieve this.

Nonetheless, the SFPD continued to amass a record of racially biased policing. In 2006, *San Francisco Chronicle* reporter Susan Sward wrote an investigative series highlighting racial disparities in felony arrest rates, including drug arrests.<sup>5</sup> Sward's (2006b) first report indicated that Blacks in San Francisco were arrested at rates two to four times higher than in comparably large California cities, having grown its disproportionately large Black felony arrest rate over 20 years, while comparable cities had significantly reduced their Black arrest rates. Sward (2006c) also noted that the police continued to obfuscate on the question of race and ethnicity: although the city's Latino population stood at 14%, San Francisco was the only California county not to report Latino arrest rates because the SFPD refused to identify Latinos as a distinct demographic category, thus making it impossible to even explore whether racially disproportionate policing extended to Latinos.

The *Chronicle* articles prompted the San Francisco-based Center on Juvenile and Criminal Justice (CJJC, 2006) to draft a more detailed report about racial disparities in felony arrests. This analysis pinpointed felony drug arrests as driving the problem, and provided evidence of a demographic gap between actual drug use and arrest statistics. The controversy also prompted the mayor and Police Commission to appoint a criminologist from Florida to analyze arrest and traffic stop data. Her 2007 report largely confirmed the racial disparities reported by the *Chronicle*, the ACLU, and CJJC. Tellingly, though, the report did not characterize the data as evidence of biased policing; rather, it encouraged city leaders not to focus on numbers and instead have the police department develop 'state-of-the-art practices geared toward producing fully fair and impartial policing' (Fridell, 2007: 13).

Racialized policing was not new in San Francisco, but the concentration, scope, and publicity of these practices as they emerged in the 2000s forced the Mayor's office, Police Commission, and the SFPD to officially respond. The responses expose the tensions around race that seem especially exacerbated in politically progressive locales like San Francisco. As Bonilla-Silva (2003: 29) suggests, those implicated in public accusations of institutional racial bias often counter by 'minimizing racism'. This framing defines racism as an individual level, often-motivational characteristic, expressed as prejudice and bigotry held by Whites against minorities. Racism is thus characterized as aberrational in an otherwise evolved, 'colorblind' society, so remediation involves eradicating those 'bad apples' who hold racist views, rather than addressing institutions and social structures that produce racialized outcomes.

Various city government actors in San Francisco articulated such frames. As one SFPD officer told Sward (2006a: A-1), 'Color means nothing to us ... we are prejudiced

against dealers.’ Moreover, both the mayor’s office and the SFPD maintained that the police force was no longer racist because it now includes minorities and women. While research suggests that diversifying criminal justice workforces can mitigate bias (Ward et al., 2009), it is not an antidote that neutralizes otherwise problematic institutions. In any case, diversification here misses the point: city actors assumed that officers who are *not* heterosexual White men are incapable of participating in racialized policing. For example, police officers’ union president Gary Delagnes rejected the possibility that officers engaged in specifically racialized misconduct, asserting this logic:

We have 65 percent of police officers who are gay, female or officers of color. Over 30 percent of officers who work in the Bayview area are African American ... What, do we have a racist police department where African Americans are beating African Americans? This is absurd.

(Bulwa, 2006: A-11)

Fridell’s report also over-relied on an individualistic, albeit more empirically sound, conceptualization of racism, suggesting that well-meaning officers, ‘*because they are human*, might engage in biased policing’ (Fridell, 2007: 3, emphasis in original). Consequently, her recommendations for remediation primarily advocated for the promotion of ‘fair and impartial’ policing through training, education about ‘implicit bias’, and racial attitude screening in hiring, overseen by expert consultants and an advisory board. These recommendations, even if fully implemented, would have limited remedial impact. While implicit stereotyping is a component of institutional racism, the realization of racial harms requires a behavioral component, and is produced by group processes (Haney López, 2000). As such, remediation cannot end with efforts to change individual officers’ cognitions—it must also intervene at the point of action, and address group and institutional-level practices.

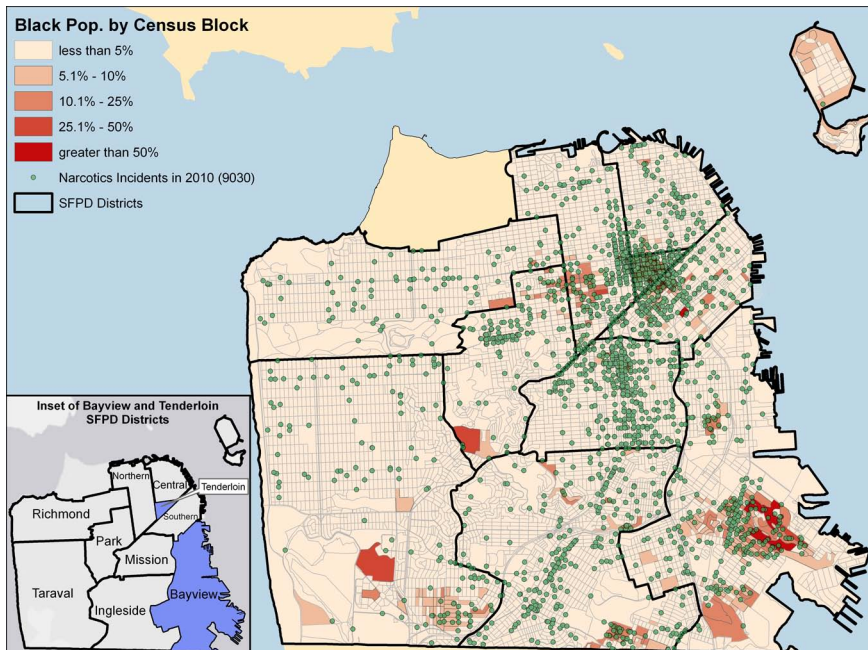
This more comprehensive model was intuited by advocates in San Francisco. ACLU’s Schlosberg (2002), for instance, made a series of recommendations dictating intervention at the point of racialized action in the discretionary deployment of police power. He recommended reining in police discretion by banning pretext stops and ‘consent’ searches completely, and eliminating ‘race’ as a stop criterion at all, outside of when a specific suspect is sought. San Francisco Public Defender Jeff Adachi also recognized the interplay between cognitive processes and institutional action (Sward, 2006b). He critiqued San Francisco’s ‘hot spots’ policing policies on the grounds that they contributed to institutional racism in a cyclical manner. Minority neighborhoods may initially be defined as ‘problems’ due to a stereotypical association between racial composition and crime, particularly since the emergence of crack in the 1980s, then because of that heightened enforcement, not only are arrest rates of minorities increased, but those arrests justify the continued geographically (thus racially) targeted enforcement efforts (Sward, 2006b).

## The geography of drug law policing in San Francisco

Data from the SFPD and the Criminal Justice Statistics Center indicate that drug-related ‘incidents’<sup>6</sup> (in which police make official contact with suspected drug

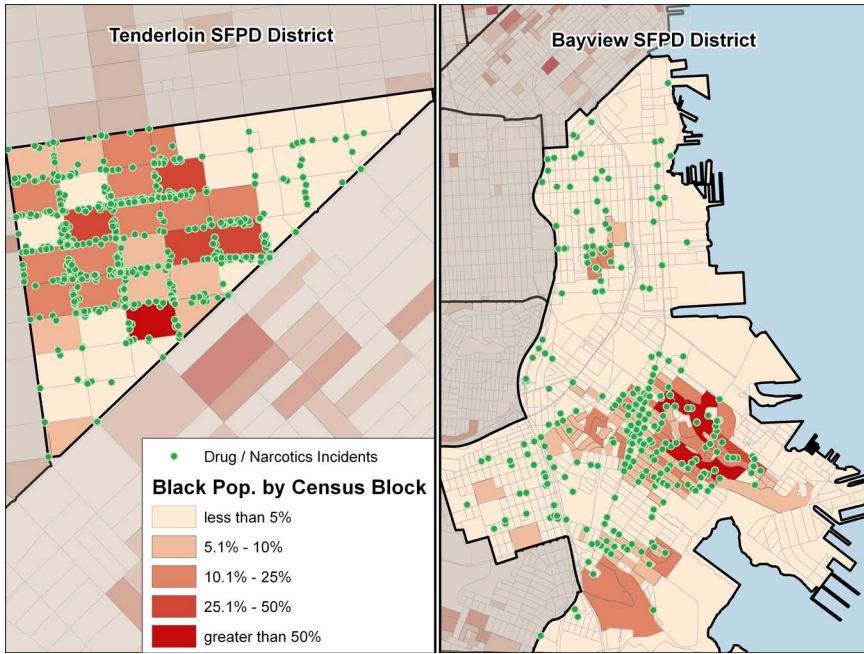
offenders) are most concentrated in neighborhoods with the highest percentage of Blacks, specifically the Tenderloin police district, followed by the Southern, Mission, and Bayview police districts.<sup>7</sup> The neighborhoods subject to the most intense drug law enforcement tend also to have been gentrification battlegrounds in recent years, including South-of-Market, now a mix of high end residential, retail, and entertainment sprinkled with extremely poor and transient residents; the Mission, where post-college, predominantly young White professionals continue to squeeze out long-standing Latino communities; Bayview-Hunters Point, home to the largest remaining Black community in the city; and the Tenderloin, San Francisco's 'skid row' (see Figure 2).

The rhetorical constructions of drug problems in San Francisco by police and city leaders also reveal how micro-locale shapes official response. We focus in on the Bayview-Hunters Point and Tenderloin neighborhoods to illustrate the divergent underlying logics and practices of policing in the context of the community. Specifically, Hunters Point is constructed as, and policed as, the city's 'ghetto' (Bowser, 1988; Dillon, 2011) whereas the Tenderloin functions as a quintessential 'skid row' (Huey, 2007) (see Figure 3).



**Figure 2.** Narcotics incidents and density of Black population by police district, 2010

Note: Data for Figures 2 and 3 were obtained from DataSF website ([www.datasf.org](http://www.datasf.org)), a clearinghouse for spatial data sets for San Francisco



**Figure 3.** Narcotics incidents and density of Black population in the Tenderloin and Bayview Police District, 2010

### *Bayview-Hunters Point*

The geographically large and isolated Bayview district became an industrial dumping ground post-Second World War, populated by junkyards, manufacturing and recycling plants, power generation facilities, and the massive Hunters Point Naval Shipyard (Rechtschaffen, 2008). The federal government built emergency temporary housing to accommodate workers at the shipyard and in related defense industries, and the burgeoning residential area became the most racially integrated neighborhood in the city. As industry began to disappear, Bayview's population became increasingly Black (Broussard, 1993; Rechtschaffen, 2008). Hunters Point, a neighborhood within the Bayview, became a concentrated site of the city's public housing in the 1960s, and as redevelopment forced residents out of other neighborhoods, the city 'funneled the displaced black public housing residents into Hunters Point' through an explicit racial and geographic segregative policy (Agee, 2005: 284). By 1967, 97% of Hunters Point residents were Black, and the area was the most impoverished in San Francisco (Agee, 2005).

The SFPD used its powers to maintain such segregation. Hippler (1970) describes how in the 1950s and 1960s, city police essentially managed Black residents in San Francisco either through arrest or banishment back to Hunters Point. Police subjected residents to a contradictory blend of neglect and coercive, even violent intervention (Hippler, 1970). City law enforcement tended not to patrol within the Bayview district,



leaving the management of petty crime and disorder to Housing Authority police. When police did intervene, it was often with force. Police action of this nature sparked and inflamed several race riots in the 1960s, including a riot after the fatal police shooting of a Black youth in Hunters Point (Broussard, 1993; Perez et al., 2003). This dynamic resulted in extreme distrust of police among Blacks throughout the city (Perez et al., 2003), which continues through to the contemporary era (Nafici, 2006).

Land use in Bayview is comprised of more than segregated public housing projects, however. While some industrial land in the district remains abandoned and environmentally contaminated, residential areas are a mix of highly concentrated pockets of public housing (especially on the Hunters Point hill); older, owner-occupied homes in the flats; and recently built 'mixed-use' developments that combine affordable owner-occupied housing, market-rate housing, and residential amenities. The Bayview faces huge gentrification pressures from both the city and private interests, as it is the least dense developable area in the city, but resident groups have actively resisted top-down redevelopment in an effort to ensure that their needs are considered in city planning. Well-organized, grassroots community groups have become advocates for housing rights in Bayview-Hunters Point, and have worked to expand residents' legal rights, which the city itself has failed to do (Baranski, 2007; Joe et al., 2009). Yet these efforts have not fully stemmed the economic and political forces of gentrification; low income housing is being razed and replaced by upscale residential and commercial building, and an exodus of long-standing Black community members is underway (McCormick, 2008). The district is now 32% Black, and proportionately shrinking each year.

Policing of Bayview-Hunters Point remains contested, as some residents view it as an extension of the city's gentrification efforts that are destroying San Francisco's Black community (Nafici, 2006). In 2005, dozens of officers assigned to the Bayview station were discovered to have mocked community members in a series of overtly racist, sexist and homophobic videos. While city officials and police administrators expressed public condemnation, the involved officers received only minor discipline. The message received by Bayview's Reverend Arelious Walker was that 'racism is alive in the San Francisco Police Department, the government, in social programs. [The] video is only the tip of the iceberg' (Garofoli et al., 2005: A1).

Police concentrate drug law enforcement in Bayview, particularly in the poorer, Black-majority Hunters Point. The construction of drug problems in this district is tightly tied to 'ghetto' imagery of violent, 'gangster' minority young men. For instance, in response to the 2006 newspaper reports about racially disparate policing, several officers suggested that young Black drug criminals from neighborhoods like 'the Bayview' resorted to violence compared to dealers in White parts of town, necessitating a strategy of 'try[ing] to get those kids on some charge if we can't get them on a homicide' (Sward, 2006b: A-1). Much like New York's 'order maintenance' policing, SFPD strategy has been to swarm the district with law enforcement focused on low level offenses to dragnet for more serious felons. Thus, in the wake of a 2004 Bayview officer slaying, the city called in the state highway patrol (CHP) to saturate the streets of Bayview and stop all drivers for even minor violations 'on the theory that such stops could yield people packing guns or drugs' (Rubinstein, 2004: B-3). During the controversial three-day

effort, the CHP issued 423 tickets and made 54 arrests, of which only one was for a drug felony, and none was for weapons. According to one neighborhood activist, the effort terrorized the residents rather than solved community problems, and was 'more of the same' racial profiling by law enforcement (Rubinstein, 2004: B-3). More recently, police have responded to episodes of gang and other violence in the Bayview by 'flooding' the streets with undercover officers to make drug arrests (Van Derbeken, 2008: B-2). This strategy began in 2005 when police initiated an aggressive buy-bust sting operation that Mayor Newsom and other officials suggested would 'lead to arrests and prosecutions in some of the city's unresolved murder cases' (Hetter, 2004: B-4).

Although Bayview-Hunters Point does suffer from high rates of violence, its direct connection to drugs is tenuous. So while police and city leaders characterize the Bayview district as particularly problematic with respect to drug-related problems (Public Safety Strategies Group, 2008; Sward, 2006a), a recent community survey found that residents were *more* likely to have witnessed, and felt unsafe about, drug-related violence in six other of the 11 police districts (San Francisco Safety Network, 2006). Indeed, many residents view the heavy-handed drug enforcement strategy as an impediment to addressing the root causes of community violence, including high unemployment and lack of positive outlets for youth, which drive gang involvement. Moreover, residents sense that the city would rather push out the entire existing community to redevelop the area than work with them to solve social and economic problems (Knight, 2008). Consequently, the SFPD's drug law enforcement practices in the Bayview deepen the police-community divide, reinforce the residents' sense that they are devalued by the city, and detract from public safety.

### *The Tenderloin*

The Tenderloin is, by all measures, the most disproportionately targeted area for drug law enforcement in the city. Located in the heart of San Francisco, it is the city's most densely populated neighborhood, characterized by high rates of poverty, homelessness, and racial and ethnic diversity. The Tenderloin is San Francisco's 'skid row' (Huey, 2007), where its residents predominantly live in single room occupancy (SRO) hotels, homeless shelters, and other relatively transient forms of housing. It remains one of the few areas where San Francisco's downtown poor can afford to live (Robinson, 1995); it is also where the city concentrates many of its resources for the homeless and other marginalized citizens (Murphy, 2009), which ensures its continued status as a skid row. Although city officials and business leaders have long targeted the Tenderloin for redevelopment, a powerful coalition of tenants' rights organizations has protected the neighborhood from bulldozing (Robinson, 1995). Activists learned the lessons from past redevelopment controversies in the city, including those that razed and rebuilt the Fillmore and ghettoized Hunters Point, so have worked to pass ballot measures that protect SRO tenants and other marginalized populations from getting pushed out and/or priced out of the city (Robinson, 1995).

The Tenderloin is also San Francisco's foremost 'containment zone' (Hayward, 2012) into which problem populations such as the homeless, drug addicts, petty criminals, and



sex workers are swept and kept (Bulwa, 2007). Geographically, it borders the prosperous Union Square retail district and the financial district to the east, retail/tourist corridors to the south-east, and the residential wealth of Nob Hill and Pacific Heights to the north and north-west, so pressures imposed by abutting business districts and residential communities to prevent vice-related spillovers across its borders ensure heightened police vigilance in containment efforts. The SFPD practices intensive 'quality of life' policing in the Tenderloin (Murphy, 2009), and prosecutors and the courts expend significant resources managing those caught in the dragnet. In 1991, the SFPD overlaid the 'Tenderloin Task Force' across several police districts to saturate the Tenderloin with officers. As part of its 'quality of life' policing efforts, the Task Force conducted frequent drug, prostitution, and other vice-related sweeps.

A distinct Tenderloin police station opened in 2000, but the Task Force continues to operate out of this station, emphasizing proactive policing, especially around drug offenses. In 2009, then-newly appointed Police Chief (now District Attorney) George Gascon heightened drug law enforcement in the Tenderloin. In what some characterized as a publicity stunt, Gascon launched a three-week drug buy-bust 'sweep' that resulted in about 300 low-level drug arrests in the Tenderloin, comprised disproportionately of people of color (Klement, 2009). Under Gascon's watch, officers also engaged in a widespread pattern of illegal, nonconsensual searches of Tenderloin SRO rooms, resulting in 120 drug cases that have thus far been dismissed in court due to their illegality (Van Derbeken, 2011).

The level of official interest in the Tenderloin's drug crime has yielded dramatically higher drug 'incidents' numbers in the Tenderloin than any other neighborhood in the city. Nearly 22% of all police contacts in the Tenderloin were drug-related in 2010, a rate two-and-one-half times greater than the next highest district. Over 30% of all drug-related police contact made by the SFPD in 2010 occurred in the Tenderloin, although it is home to only 3% of the city's population. The Tenderloin is also exceptional in terms of how police respond to drug-related incidents. Officers have several different options when responding to incidents. Most commonly, they take no action, but they may also arrest and cite, or arrest and formally book suspects. Tenderloin incidents have the highest proportion of arrest in the city: in 2010, the SFPD arrested and booked drug suspects nearly 60% of the time, whereas other districts averaged 30%.

City officials tolerate and encourage aggressive drug law policing in the Tenderloin through a different logic than in the Bayview. While both efforts disproportionately impact Blacks, the Tenderloin drug offender is constructed *either* as an addict requiring coercion to seek treatment *or* as an outsider dealer enabling Tenderloin addicts. The lowly addict is managed as a subject in need of rehabilitation, accomplished through arrest and intervention, especially as embodied by a new Community Justice Court regime which extends coercively inclusive strategies to case adjudication. But police and city officials also construct another type of Tenderloin drug offender—the weapons-toting dealer who comes from 'out of town' (from Oakland or from other city neighborhoods, such as the Bayview) to ply his wares (Buntin, 2010; Klement, 2009; Sward, 2006b). These dual constructions help explain the quality and racial disproportionality of policing in the Tenderloin.

## Conclusion: drug law policing and place(s)

The San Francisco case provides insights into the intersections of race, place, and drug law enforcement at both the city level and at the neighborhood level. As the geography of official 'drug incidents' indicates, drug enforcement is not evenly distributed; rather police especially intervene in contested spaces, where the city's political and economic interests rely upon police power to advance their ends. The Bayview (especially Hunters Point) was historically isolated and ignored, after city-enforced urban planning regimes transformed the area into a segregative space for Black residents relocated from other parts of the city. Police have employed an uneven pattern of enforcement there—inadequately addressing the community's day-to-day crime and violence concerns, while launching periodic heavy-handed enforcement campaigns indiscriminately targeting Bayview residents. The 2000s buy-bust campaigns and dragnets to uncover drugs and weapons, encouraged by the Mayor's office, illustrate the continuity of this pattern over time. Moreover, the characterization of Bayview youth as the root of the neighborhood's (and even the broader city's) criminal problems signals how racial stereotypes of the 'ghetto' remain vibrant.

The current economic pressures have shifted in the Bayview, however, threatening to complete the gentrification process and remake the community in total. City leaders are pressured to 'do something' about the neighborhood problems so that the massive redevelopment projects underway will succeed. Dillon (2011: 23) suggests that city leaders, mainstream local media, and the primary contracted developer, Lennar, Inc., all portray the Bayview redevelopment as a project to 'integrate' Bayview into the city, while residents predominantly view it as an orchestrated eviction of the remaining low-income Black community. City neglect of the public housing has rendered many units unfit for habitation, and tenants falling behind on their rent are now targeted with eviction. Meanwhile, condemned units are bulldozed and rebuilt as less-affordable housing, pricing out the prior residents (Dillon, 2011; McCormick, 2008). This has generated increased police attention in the Bayview, but without a strategy to comprehensively address residents' aspirations for a safe and vibrant community.

Drug law enforcement in the Tenderloin exemplifies a more intense 'containment zone' project, as spillover of the area's criminal problems has immediate and well-publicized impacts on thriving economic interests in the city. Those residents who transgress the Tenderloin's boundaries are subject to arrest through 'order maintenance' policing aimed at panhandling, sleeping in public, and open drug use (Murphy, 2009). But, consistent with San Francisco's liberal ethos, the 'containment zone' also positions police as 'coercively inclusive resource officers' who wield their power benevolently to arrest addicts into treatment (Huey, 2007: 190, 194). The transience of the Tenderloin's population is made evident through the constructions of the two kinds of offenders. Lowly addicts and the homeless fall to the Tenderloin due to both the availability of services *and* the availability of illicit drugs while more serious drug offenders are described as traveling into the Tenderloin to exploit its occupants.

What can the San Francisco story tell us about drug law enforcement in other settings? First, defining social space by aggregate indicators obscures the subtleties of how policing is deployed as a function of race, locale, and dynamic economic and political forces. San Francisco's profile does not fit well within prevailing models of contemporary US racism,

but—like Seattle and New York—makes more sense when examined as a post-industrial, consumerist, playground city. Moreover, it reveals the importance of qualitative differences between micro-locales within the city. While drug regulation in most areas of the city is rather libertarian, contested areas become defined as ‘problem’ spaces in which officials must act aggressively to preserve economic interests. Thus, in many ways, it appears that high-density, high-value ‘consumer cities’ like San Francisco, Seattle, and New York are especially prone to aggressive, racialized policing that enforces internal spatial segregation to further the interests of commerce.

This case, taken together with the others, also suggests that different types of cities, and their constituent neighborhoods, may produce vastly different law enforcement practices, the variety of which may be obscured by studies that only look at arrest outcome data across multiple jurisdictions. Traditionally ‘declining’ cities, particularly ones with majority–minority populations like Cleveland and Detroit, may be more broadly subject to the kind of policing strategies observed in the Bayview, resulting in strained citywide police–community relations and public cynicism about local governance. Lynch (2011a) found that drug law policing in Cleveland’s poorest neighborhoods served to further enmesh low-level offenders in the criminal justice system, while antagonizing and disillusioning the community. Yet the dynamic in Cleveland had little to do with private capital interests pushing for police response. Rather, police officers themselves reaped financial and other benefits through easy arrests of poor, minority drug users. Thus, the differences between places like Cleveland and San Francisco suggest that theories privileging neoliberalism as a primary explanation of contemporary criminal justice practices may be incomplete.

Closely examining the historical and contemporary conditions of drug law enforcement in single jurisdictions may reveal differently racialized strategies in additional city archetypes beyond those discussed here, so there is room for further exploration along these lines. This would help flesh out a comprehensive picture of the US drug war, and it may suggest different forms of remedies to mitigate its racialized harms. As Beckett and Herbert (2008) remind us, *local* legal actors have generated the tactics used in the post-industrial urban policing project, but the specificities of their deployment vary as the local conditions, prerogatives, and possibilities vary. We call for a more robust body of research that ideographically examines a wide range of cities and neighborhoods, including additional inquiries into despairing urban centers, the geographically important but criminologically under-theorized high growth, low density metropolises in the US Sunbelt, which may also provide insights into the intersections between drug law enforcement and immigration ‘profiling’ (Provine and Sanchez, 2011) and examinations of towns and cities in regions that often escape close empirical scrutiny, including the rural Midwest and South.

## Notes

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1. We recognize and appreciate the global ubiquity of racialized discretionary policing, and the role played by dissolving sovereign borders in its proliferation (Amar, 2010; Weber and Bowling, 2011) and its expansion to non-domestic domains. In particular, there is a large and

important body of work on police 'stop and search' in the UK, following the Lawrence inquiry (see Bowling and Phillips, 2007 for a review). Nonetheless, we constrain this examination to local policing in the US drug war for conceptual and empirical parsimony.

2. This is not to say such studies do not contribute to our understanding of race and policing. See Eitle and Monahan (2009) for a very useful quantitative test of racial threat and drug law enforcement using aggregated data from cities across the USA. Their analysis specifies how the degree of organizational complexity and 'control' over officer discretion moderate the relationship between racial characteristics of communities and drug arrest rates. They found that organizational factors matter: high levels of organizational formalization (in the form of explicit rules and policies) mitigated the role of racial threat in drug arrest rates, whereas increased police force size (per capita) exacerbated it.
3. On the other hand, declining cities are more likely to have large swaths of urban space characterized by economic isolation and desolation, widespread poverty, illicit economic markets, and problems with violence, where aggressive policing is a norm and police–community tensions run high.
4. It should be noted that the 'ghetto' is a fairly contested concept in social science. See, for instance, the symposium dedicated to the Ghetto in *City & Community* (2008) 7(4): 347–398.
5. Within this series was also investigative reporting on racialized use of force by the SFPD, and the lack of sanctions for offending officers (Sward, 2006a).
6. 'Incidents', as defined by the SFPD, are any contacts for suspected drug crimes, including possession, possession for sale, transportation, and under the influence of illicit drugs, including marijuana.
7. In particular, the Southern district, which directly abuts the Tenderloin in a commercial retail area, has been vigilant in maintaining the Tenderloin boundary through arrests of homeless and other marginalized people.

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