

## Law Enforcement News, John Jay College [March 31, 1989]

### **Noise annoys, but it also masks crime and incites violence**

*By Arline L. Bronzaft and Carmine Santa Maria*

A household from which neighbors hear frequent screams or loud thuds may be a home where a man is battering his wife or a child is being abused by a parent. Such noises should not be discarded as resulting from mere domestic spats or child scolding. The Steinberg-Nussbaum family, which received much local and national press this past year when the little girl in that household died of child abuse, had earlier provided clues to neighbors that this family was in dire need of professional assistance. If social welfare agency representatives and the police had recognized that the many noises emanating from that household reflected an unstable family life, perhaps young Lisa Steinberg might still be alive today.

The riots in New York's Tompkins Square Park last summer pitted the New York City police against a combative community group, with the police being accused of using undue force in trying to restore the peace. In searching out those factors which initiated the confrontation between the police and citizens, noise was identified as the primary one.

We do not know how many times the neighbors of Joel Steinberg and Hedda Nussbaum phoned 911 to ask for police intervention in what appeared to be a case of wife battering and child abuse. Such information could be ascertained from examining New York City police logs. Similarly, data on noise complaints from neighbors in the Tompkins Square Park incident could also be obtained. However, these two situations do suggest the need to develop programs to educate police on the relationship between noise and family violence and community disturbances.

### **Leading the Anti-Noise Drive**

In 1986, the New York City Police Department's patrol cars responded to approximately 10,000 noise complaints. Some summonses for horn-blowing and loud mufflers were handed out as a result. However, we don't know how many calls were made to noisy homes to settle family disputes that didn't result in the issuance of summonses but which later may have led to incidents of family violence. The above data, obtained after many calls to the New York City Police Department, were not presented in a form that permitted further analyses. The New York City Department of Environmental Protection says it received about 3,000 noise complaints in 1986. While the number of noise complaints that New York police officers responded to in 1986 may not seem high when compared to the total number of calls received by them, they did, however, answer more than did the agency primarily charged with monitoring noise pollution in the city.

The New York City Police Department may place noise complaints low on its list of calls demanding attention, but the city's police are involved in noise abatement and should be aware of their roles. The police officer is often the first line of defense in the war against

noise pollution. If logs were carefully examined, we would find that many times police officers were called to a household where a party was going on past midnight or were asked to intervene on behalf of someone being attacked because he or she played the stereo too loudly. In fact, as this article was being written, a noisy automobile alarm was keeping the neighbors on an Upper East Side street awake and angry. A call to 911 brought a very quick response and after a 10-minute struggle with the alarm, the police officers successfully silenced it. A round of applause and loads of thanks from residents greeted this action.

### **More than Just Annoying**

Noise coming from problematic households and those precipitating explosive fights should provide enough justification for police to become sensitive to the noise issues. However, the fact that noises are not merely annoying or irritating but can be dangerous to one's health is still another reason that police officers must be enlisted in the battle against noise. Sirens, horn-honking on congested streets, roaring subway cars, stereos blasting through open house and car windows, and drilling and hammering around construction sites are just some of the sounds urban dwellers are subjected to daily. These noises may create health problems for millions living in urban centers.

While we know that continuous exposure to extremely loud sounds, such as may be found in a shooting range, may result in some hearing loss, many of us are less aware of the health hazards of lower-level sounds. It is the unwanted, uncontrollable and intrusive sounds around us that can be psychologically upsetting and physically damaging. Noise, if persistent, can cause stress to the body that may lead to cardiovascular and circulatory problems, to name just two ailments. Noise can lead to tension and irritability, and there are studies demonstrating increased admissions to mental hospitals among residents living near noisy airports. Laboratory studies have reported a relationship between aggression and noise, and field studies have found people to be less helpful in noisy environments. That noise can lead to aggression should come as no surprise to police officers who have seen numerous fights erupting over noisy radios, stereos and parties.

### **Children at Risk**

Children attending schools or day-care centers near highways, airports, and elevated train tracks have been found to have lower reading scores and impaired cognitive ability or psychomotor performance. While noise cannot be the major factor for poor academic performance and resultant school dropout rates, any contributing factor to such a situation should be contained. In the large urban centers, the youngsters who don't complete high school are frequently the ones who cannot find employment and in turn are tempted to commit criminal acts. Efforts to elevate the academic achievement of our students – and this means creating a less noisy school setting – should result in a citizenry less likely to turn to crime to satisfy basic needs.

Noise is not just a large city problem. In small towns, teenagers speeding along on noisy motorcycles or practicing in a band in one's home may make some neighborhoods very noisy disturbing the peace and quiet of their inhabitants.

Police might now ask about their authority in combating noise and maintaining the peace. Forty-four states have laws which prohibit unnecessary or excessive noise, but the vagueness of the terms makes it difficult to enforce these anti-noise regulations. Few states are actively involved in combating noise pollution. In 1978, the Quiet Communities Act provided Federal funding to localities to educate police about the dangers of noise so that they can help in abating noise in their communities, but these funds were limited and have been expended. Some small towns and villages have enacted their own anti-noise ordinances and have equipped their police departments with sound-level meters to help enforce these laws. Yet too few local areas have actively become engaged in noise abatement, and police can assume leadership roles in quieting their communities.

### **The Best Laws – on Paper**

It is generally agreed that New York City has one of the best noise-control codes in the country. Articles III and IV of the city's code give the police wide authority, including the power to turn off auto alarms, a common disturbance.

Yet despite the most stringent noise code in the country, and an Environmental Control Board to enforce the code, New York City is becoming noisier with each passing year. Why hasn't the code made for a quieter city? It is generally the failure to enforce the code strictly that has allowed many noises to continue unabated. Part of the confusion stems from the inability of the Department of Environmental Protection and the Police Department to carefully define and agree on the areas each oversees with respect to noise control. The environmental agency is not geared to respond quickly, and so the precinct is expected to respond to calls that require immediate action – but there is a difference between immediate response and having the authority to act in that circumstance. Secondly, where the police do have the authority – as in quieting a noisy musician in the park or a loud entertainment establishment – the officers don't give noise control the highest priority. There is also the general feeling that a musician in a city park using an electronic amplifier and a public official blaring his message from a sound truck are not really harming anyone. With the city already so noisy, how can one justify penalizing the musician or the politician for campaigning?

### **Foster Disregard for Law**

Yet the violations of the noise code create an atmosphere that condones the breaking of the law, and breaking one law – even one not that important in the bigger picture of law enforcement – encourages disobedience toward other laws. Secondly, the city, by not demanding compliance with anti-noise laws, has become a partner in promoting an unhealthy environment for its citizens. New York cannot expect its limited police force to respond to every noise complaint, but New Yorkers must feel that the force is willing to maintain a quiet environment. Such a belief might serve to caution people about engaging in noisy behavior.

Even more important, however, police must understand the possible significance of calls reporting the loud spat of a couple or the continuous crying of an elderly parent.

Responding early to a call that a couple is continuously arguing may protect a person from a later assault. Questioning a loud, argumentative and drunken parent may save a child from being tossed out a window at a later date. Police actions may save lives and provide care for abused individuals.

Police should also recognize that a very noisy city drowns out screams for help and excessive horn-honking creates a situation where people no longer consider the horn a signal of a nearby danger. Did you ever stop to think that noisy elevated trains may make it easier for a robber to go about his act of crime undetected? A noisy city makes for more crime and greater burdens are placed on an already overworked police force.

New York's police officers, as with officers of other large cities, function in a very noisy climate, and while there are no data to indicate the toll this takes on their health, police officers would be better served by somewhat quieter cities. There are some data, moreover, indicating the rejection of some fine New York City police recruits because of hearing deficiencies. This should have been expected in a group of young people reared on very loud music in a very loud city.

### **Awareness is the First Step**

Understanding the relationship between noise and crime should encourage police actions to arrest noise, especially where there are laws supporting such action. We would urge law enforcement agencies to provide their officers with printed materials discussing the harmful effects of noise, to familiarize them with the existing laws that protect people's rights to quiet, and to educate them on the technology that exists to lower sounds. In addition, these agencies can develop programs on how to conduct appropriate inquiries when neighbors complain that the sounds coming from the next apartment may be indicative of serious family problems.

At one time the U.S. Environmental Protection Agency's Office of Noise Abatement and Control printed excellent pamphlets on noise, but large quantities of these materials are not now available. For readers of this article, we do suggest contacting the Council on the Environment of New York City for their brochures on noise. Requesting further information on the dangers of noise is the first step in committing oneself to promoting a quieter and healthier environment for our nation's people.

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