



**National Network
For Safe Communities**
Saving Lives, Saving Communities

DETERRENCE AND CRIME PREVENTION

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Deterrence is real

- Even seasoned offenders don't commit crimes when in front of police
- Even seasoned offenders look both ways before they cross the street, run from police, throw drugs away while they're running, hire defense lawyers, and flip on their friends
- People don't want to get hurt, get arrested, go to jail, and go to prison

Deterrence: What matters?

- What makes deterrence effective?
 - Certainty
 - Swifttness
 - Severity

When we discipline our children, we don't say "Because [you've misbehaved], you have a 50-50 chance nine months from now of being grounded."

-James Q. Wilson, "Making Justice Swifter," 1997

Deterrence: What matters?

Research shows that variations in severity have little or no impact on deterrence.

Severity is clearly the least important element in effective deterrence.

Enforcement and stiff sentencing are not the same as deterrence

- Even heavy enforcement does not necessarily equal certainty
 - Prison risk for selling cocaine: 1:15,000
- Stiff sentences are rarely predictable – if it's not clear ahead of time, little or no deterrent value
- Any prison sentence is a horrible thing – making it even more horrible doesn't buy much

Offenders discount long sentences

- What matters is what offenders think before they're caught, convicted, and sentenced
- Survey research found that arrestees thought a five-year sentence was only twice as severe as a one-year sentence
- A twenty-year sentence was only 1.6 times as severe as a ten-year sentence

Offenders' sense of sanctions not necessarily the same as ours

- “Basically jail fun for real. Most people look at jail [as a bad place]. I look at jail as another place to lay my head at. I might be safer in jail than on the streets.”

Armed robber, quoted in Wright and Decker

- This doesn't mean consequences don't matter – just that for him, jail is not a meaningful consequence

Offenders' sense of sanctions not necessarily the same as ours

- Two-thirds of prison inmates surveyed preferred one year of prison to ten years of probation
- Half preferred a year in prison to five years probation
- Three-quarters preferred a low-end jail term to community supervision
- Nationally, many inmates prefer to serve out their terms inside rather than be released on parole

The lasting impact of conviction can permanently undercut deterrence

- “Informal” costs of conviction include loss of mainstream status, eligibility for employment, marriageability, etc.
- Felons have persistent problems with work, earnings, mainstream status, marriage
- Until you’re convicted the first time, you have all these things to lose. Afterward, they’re gone, you can’t get them back, and they are no longer costs for your next offense
- Research shows DV arrests deter for offenders with “stake in conformity,” but make DV worse for offenders without

Deterrence aimed at individuals frequently doesn't work for groups

- Most serious violent crime is committed by group members: gangs, drug sets, “factions,” etc.
- Groups representing one-half of one percent of a city generally commit 60-75% of all homicide
- When there is, for example, a group-on-group “beef,” imprisoning the last shooters on both sides has no impact on the group dynamic
- Going after shooters doesn't stop shooting if “shotcallers” are still running things

Deterrence aimed at individuals frequently doesn't work when they're easily replaced

- Drug dealers in “overt” street markets are rapidly and easily replaced
- Deterring the current crop of dealers can have little or no impact on the next wave, or on the drug market

“Informal” sanctions produced by the community are often more powerful than formal sanctions

- “Informal social control” – what your conscience, mother, father, minister, friends, girlfriend thinks and does
- “If I do this my mother will be ashamed of me.”
- “If I do this my girlfriend will break up with me.”
- Pereira, Columbia: The “Crossed Legs” strike

Sanctions seen as unfair can reduce or even reverse informal social control and deterrence

- Sanctions and their application should be seen as legitimate
- If not, their power will be reduced at both the individual and the community level
- Perceptions of illegitimacy can remove the stigma of sanction – prison becomes a right of passage – promote offending through “backlash,” and undercut compliance and cooperation with the law

In NYC, in high-crime black neighborhoods:

Young black people in troubled neighborhoods report:

- 44% had been stopped nine or more times
- Less than a third were ever told why they were stopped
- 71% had been frisked
- 64% had been searched
- 45% had been threatened
- 46% had had force used against them
- 25% had weapons displayed against them

In NYC, in high-crime black neighborhoods:

- 88% of young people say people in their neighborhood don't trust the police
- Only 40% would ask the police for help
- Only 25% would report someone who had committed a crime

People often don't know what the law is or what sanctions they're exposed to

- “Evidently, urban criminals’ perceptions of punishment risks prevailing in their areas have virtually no systematic correspondence with reality.”

Kleck et al, “The Missing Link in General Deterrence Research.”

- “Gambling counts?”

People don't know, cont.

“Existing law contains over 30 possible sentencing triads for felony offenses. The sentencing formulas are complex, inconsistent and confusing. A judge is often required to complete a worksheet which can be more complicated than an IRS form in order to calculate the proper sentence. When mathematical errors or other mistakes are made, the case is often reversed on appeal.”

California State Judiciary Committee

People frequently can't know what their risks are, because authorities are changing them

Police and prosecutors can be focusing on particular offenses or offenders, and particular offenders can be suddenly at extremely elevated risk, and there is no way that they can know it and adjust their behavior.

Freddie Cardoza – a minor state misdemeanor arrest for possession of one round of pistol ammunition turns into fifteen year federally.

Deterrence is real

But the ways in which we try to produce deterrence often don't work, and often make things worse.

Increasing sanctions is literally the least important thing that we can do – and often makes things worse.

GETTING DETERRENCE RIGHT

Focus on the small number of key offenders

- Very small numbers of people drive serious violent crime
- When they're in groups, we have to focus on the groups
 - “Pulling levers” approaches take advantage of chronic offending
 - New approaches to historical conspiracy cases

Communicate directly with key offenders

- “Call-ins”
- “Custom notifications”
- Routine parole release protocols
- Probation protocols
- Prosecutorial possibilities

Direct communication works

Evaluation showed a **26.7% reduction** in shootings for violent groups put on notice by law enforcement.

Source: Braga, et al (2014). The Spillover Effects of Focused Deterrence on Gang Violence.

Mobilize informal sanctions and social control

- Highest use of official capacity is – where possible – to facilitate community capacity
- Informal social control, collective efficacy, etc. can be purposefully enhanced and focused
- Focus sources of natural community authority on key offenders
- Powerful new ideas emerging

Create certainty

- “Next group that kills someone”
- “Most violent group in the city”
- “Banked” case
- “No matter what’s happened before, your next arrest will be different.”
- “Every violation will get a (small) sanction.

Provide clear information about risk

- “You are exposed under the federal gun laws, which are...”
- “Your record means that under state law, your next violent felony can get you...”
- “Your name has been flagged at the DA.”
- “The US attorney will accept your next case if the facts support it.”
- “If your gang doesn’t calm down, we’re coming.”

Follow through, keep promises, and communicate back to key offenders

- “We said it, we meant it, here’s what he/they did and here’s what we did.”
- “This is business – it’s not personal.”
- Don’t “woof” – never make a promise you can’t keep.

Use as little sanction as will get the job
done

Heavy sanctions slow the system down;
reduce swiftness and certainty; add little or
nothing to deterrence; undercut
legitimacy; and damage personal and
community capital.

Applications

Group Violence Intervention

Drug Market Intervention

Chicago PSN

Individual violent offenders

Swift, Certain & Fair

Domestic Violence Intervention

Prison Violence Intervention

Robbery – NYPD “JRIP”

Larceny Intervention

24/7

Prosecution notifications

Various one offs: No Mas,

“costumed notifications”

Reductions in violence, recidivism, and related crimes

Boston **Operation Ceasefire**

-63% youth homicide, -50% citywide homicide

Indianapolis **IVRP**

-34% total homicide, -70% black male homicide

Lowell **PSN**

-44% gun assaults

Stockton **Operation Peacekeeper**

-42% gun homicide

Cincinnati **CIRV**

-35% GMI homicide, -21% shootings

Los Angeles **Operation Ceasefire***

Sig. short-term reduction in violent, gun crime

High Point **DMI**

3 out of 4 neighborhoods show a 44% to 56% decrease in part I UCR crime; all 4 see a 4%-74% decrease in drug offenses

Nashville **DMI**

-56% reduction in drug offenses

Rockford **DMI**

-22% non-violent offenses

Chicago **PSN**

-37% homicide, -30% recidivism rate

Hawaii **HOPE**

-26% recidivism rate

*All outcomes are statistically significant. Los Angeles intervention was not implemented according to Group Violence Intervention model as documented in evaluations.

Source: The Campbell Collaboration 2012

Results

Recent implementation (2014 outcomes)

- Baltimore, MD: 81% reduction in GMI homicides in the Western district, 51% reduction in overall homicides the Western District
- Peoria, IL: 76% reduction in gun homicides citywide
- Kansas City, MO: 24% reduction in overall homicides, to the lowest level since 1972
- Chattanooga, TN: 10 % reduction in overall shootings, 42% reduction in GMI shooting incidents the 4th quarter
- New Haven, CT: 30% reduction in overall homicides
- New Orleans, LA: 22 % reduction in overall homicides since 2012 implementation, lowest level since 1971
- Chicago, IL: 19 % reduction in overall homicides since 2012 implementation, lowest level since 1965
- South Bend, IN: 37% reduction in GMI shooting incidents since May 2014 implementation (compared to 3 year average)



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