

Reducing crime through prevention not incarceration

William J. Bratton

Chairman of Kroll, an Altegrity Company

This policy essay by William J. Bratton, former Commissioner of the NYPD and Chief of LAPD, provides a useful overview of the key issues involved in determining how to address crime and provides an interesting research agenda for exploring the potential impact of options that favor policing and reduce reliance on incarceration. Changing the current focus from one that presumes that increased incarceration results in crime reduction to one that works to prevent crime requires a paradigm shift of major proportions. It is worthy of consideration.

The cost of incarceration has become a significant concern of governments that are facing expanding fiscal deficits. Beyond the fiscal impact of prison expenditures—which threaten to bankrupt several state governments—serious questions have been raised about the effectiveness of prison sentences as a means of reducing crime.

It is a fact that prisons are expensive to operate. They are far more expensive than alternative measures that may have the same or better effect on preventing crime. Once in prison, many inmates are exposed to others who have become hardcore criminals and work to lead the less experienced into a more organized life of crime. Prisons also have become breeding grounds for gang activity and, in some cases, terrorist recruitment.

There has been a tendency for political leaders, responding to public concerns about crime, to push for increased prison sentences when crime starts to increase. The “three strikes” approach used in several states has political appeal for dealing with repeat offenders. But as experience often shows, these approaches have given false hope—evidence has shown limited impact on crime levels and recidivism.

Direct correspondence to William J. Bratton, 570 Lexington Avenue, 7th Floor, NY, NY 10022.

Prison as a Crimogenic Factor

It has been assumed that when sentenced to prison, people will learn a lesson and avoid being involved in future criminal acts. But the overwhelming evidence shows otherwise. Those who have been to prison find that when released they cannot find employment or housing because of their prison record. Without a means of support, they are left to support themselves by other means, often by returning to crime. In some cases, former offenders capitalize on associations they made in prison when they cannot reenter the job market and return to the underground economy to meet their needs. For others, stints in prison enhance offenders' reputation and solidify their place in the world of crime. In these ways, prison has the unintended consequences of preparing some for involvement in more serious crime and solidifying their stature as outlaws.

The authors also note that the effect of increasing already lengthy prison sentences is marginal, at best. The authors effectively make the case that imprisonment does not only not decrease nor deter crime, but also significantly increases state expenditures necessary to expand prison capacity. In short, in and of itself, the American approach to imprisonment may in fact be crimogenic.

Shifting the Focus Back to Policing

The authors propose that by shifting focus to policing, increasing the visibility of the police by hiring more officers, or allocating additional officers in ways that heighten the perceived risk of apprehension, crime and imprisonment can be reduced simultaneously. This approach, they argue, may have substantial deterrent effects. The authors leave undefined, as a matter to be addressed in their proposed research agenda, what the most effective policing strategies would be.

It is a valid and increasingly pressing question today to ask whether there is an alternative to increased and prolonged incarceration as a crime reduction strategy. Increased policing might be an option but only if that increased law enforcement activity is more sophisticated than it is in most communities today. Simply adding police resources may well result in greater arrests and, thus, greater numbers of people being sent to prison. There are far better options to be considered.

Police are fairly effective in solving crimes that capture the public attention but are far less effective in solving the majority of crime that creates fear and disorder in our communities. The clearance rates for crimes are far less than 50% for Part 1 crimes: those crimes that are most likely to be reported to police and reported yearly by the Federal Bureau of Investigation (FBI) as national crime statistics (FBI, 2009). This low clearance rate in urban communities often results from people's unwillingness to cooperate with police in protest of policing policies that do not distinguish between people who pose a threat and people who must live in neighborhoods characterized as crime "hot spots."

Lessons for the Future

One thing we know for sure from lessons learned at the end of the 20th century: in the 21st century, we cannot arrest our way out of America's crime problem. Arrests are not effective in reducing communities' fears. For people living in urban communities, fear is less the result of major crime than the cumulative, corrosive impacts of persistent, less serious crime to which people are exposed, or at risk of experiencing, daily. Speeding cars, disorderly groups, noise, and petty larceny have a far greater impact on how people feel about safety in their neighborhoods than some serious crimes.

My experience shows that cops count—not necessarily in solving crimes but in preventing future occurrences. We call this approach “predictive policing.” It is the ability to predict where the next crime will occur and the ability to take action to prevent its occurrence. In Los Angeles, where we began implementation of this policing approach, we attained sustained reduction in crime levels across 7 years. Police were shown to have a major impact on the level of crime—where increased and more severe prison sentences had failed to make a dent (Beck et al., 2009).

This approach is not accepted in many police agencies; it is a strategy that must become a part of the basic fabric of the police organization. The origins of the approach come from New York City, where public perception of crime in the city being out of control was widespread. The level of homicide was enormous. But more important, in many of the city's neighborhoods, minor crime was widespread. Residents were fearful of walking the streets. Disorder was endemic in many neighborhoods.

We started by a fairly simple construct: know where crime is happening, analyze those events, and then place police officers at the locations showing the greatest amount of criminal activity. This approach became known as “cops on the dots.” It had a major effect on reducing the level of crime in New York City to historic lows (Bratton and Andrews, 1999).

Other aspects of the strategy were equally important, such as creating accountability among police commanders for taking crime seriously and having strategies to address crime patterns effectively at key locations. Together the actions of the NYPD changed the nature of the New York City environment. Surely, we increased the probability that if you violated the law, you would be caught and sent to prison. But more important, the public began to see that normal life in the city need not be one of fear and disorder (Kelling and Bratton, 1988). Because of the police effort to control minor crimes and offenses, and by increasing the certainty that major offenses would be solved and the offenders arrested, crime dramatically decreased during the initial 2-year period and has continued to decrease since. The prison population in the City's Riker's Island facility declined dramatically as a direct result of those police activities. In the late 1990s, the inmate population hovered around the 20,000 mark (Roberts, 2010). Today, it stands around 13,000. In addition, the New York State prison population has dropped as well. This goes to reinforce the premise that police can control behavior to such an extent that they can change it.

The culture of what was the “norm” for behavior dramatically changed throughout the city, as well. For example, if you were found to be carrying a weapon, you would be prosecuted to the fullest extent of the law and serve time. The certainty of what would happen reinforced the sense that one should not carry a firearm on the streets of New York City, resulting in a direct impact on homicide rates.

In Los Angeles, having far fewer resources, the strategy we adopted went further than in New York City. Recognizing the relationship of trust with the community played an important part in getting the public to lower their tolerance level for crime, major emphasis was put on changing the perception of police throughout the community. The same systems were put in place to track crime and assign police resources to areas that showed patterns of criminal activity. But a stronger emphasis was placed on analysis and on predicting where the next crime would occur. From that analysis—done in real time—preventive actions could be undertaken.

The result was that police were often in the areas with the greatest probability of crime occurrence. Such predictive analysis often prevented the next criminal act. With no criminal act, there was no arrest, no conviction, and no incarceration of perpetrators.

Both cities based much of the problem-solving strategies on the work of James Q. Wilson and George Kelling set forth in their seminal article “Broken Windows” (Kelling and Wilson, 1982). It has served as the basis for many of the effective crime reduction initiatives undertaken across the country.

Experience shows that these approaches work. But they are not the only approaches that can reduce crime and lower prisoner populations. The key in developing effective crime-reduction strategies for police is to understand the nature of the crimes that are occurring, the characteristics of those who engage in these criminal acts, and the actions that will reduce the probability that these acts will occur.

There are numerous examples of effective strategies developed from such analysis. David Kennedy at the John Jay College of Criminal Justice has developed comprehensive strategies that reduce drug markets while limiting the number of persons arrested. Compelling members of the community to participate in partnerships to maintain drug-free environments has had dramatic effects in locations such as High Point, North Carolina, and Cincinnati, Ohio.

The key has been that the severity of the punishment has been matched with the certainty of its occurrence: After arrests of drug market king pins, community members and lower low-level, younger drug offenders and their parents were warned that they would be arrested for such activity. The immediate reduction in drug sales and related violence was striking—and better yet, replicable in a number of different settings with variations and considerable success. Again, the police initiative was carefully planned to focus more on deterrence than on incarceration.

Other examples of strategic thinking in addressing a low-level disorder without arrest has been demonstrated in Boston, where Transit Police arrested numerous young people

in transit hubs after school for engaging in disorder. With guidance from founders of a Cambridge nonprofit “Strategies for Youth” transit police, parents, schoolteachers, principles, and youth advocates formed teams that were present at the hubs before and after school (MBTA Transit Police, 2005). The teams made reducing anonymity and developing positive interactions with youth their goal. The arrest level of juveniles dramatically decreased without concomitant increases in crime: no arrests, no jail time. The success of this effort has been sustained for 8 years.

These examples reinforced the argument that cops count, providing they adopt carefully developed strategies that will predict criminal occurrences and provide approaches that involve communities in finding solutions to their problems. Inevitably, arrest of major criminals will lead to incarceration. But today prisons are filled with lower level violators for whom prison has limited impact on their future criminal activities and, all too often, enhances the likelihood that they will increase their involvement in crime.

The research agenda set forth by Steven N. Durlauf and Daniel S. Nagin (2011, this issue) is ambitious but provides a good outline of the research that is needed if the current, unsustainable equation is to be altered. There has been discussion of the need for a National Commission on Crime and Policing that could bring greatly increased knowledge of the options and their impact (U.S. Senate, 2010).

Durlauf and Nagin’s (2011) research agenda needs to be clarified and organized sequentially, with the National Institute of Justice developing a research agenda for the next few years that will begin to explore the impact of different options. For police, evaluation of the current strategies for predictive policing will be important to provide guidance to agencies in adopting the approach.

In the meantime, police agencies need to consider approaches carefully that will reduce the incidence of crime through carefully developed strategies that value deterrence as much as arrest.

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William J. Bratton is the Chairman of Kroll, the world's leading risk consulting company. Mr. Bratton joined Altegrity in November 2009, after serving as Chief of the Los Angeles Police Department (LAPD). He is known as one of America's premier police chiefs, the only person to have led the two largest police departments in the United States, the New York City Police Department and the LAPD. As Chief of the New York City Transit Police, Boston Police Commissioner, New York City Police Commissioner, and Chief of the LAPD, Mr. Bratton revitalized police morale and cut crime significantly in all four posts. In New York, he led the development and deployment of CompStat, which has revolutionized policing all over the world. In Los Angeles, he is also credited with improving relationships with the city's many diverse communities. A frequent lecturer, writer, and commentator in the fields of security, counterterrorism, law enforcement, and rule of law justice systems, Mr. Bratton is a member of the Homeland Security Advisory Council, whose members provide advice and recommendations on a variety of homeland security issues to the Secretary of the U.S. Department of Homeland Security. He has also been the recipient of many honors throughout his career including being recognized in 2009 by Her Majesty Queen Elizabeth II with the honorary title of Commander of the Most Excellent Order of the British Empire (CBE). He holds a Bachelor of Science degree from Boston State College, is a graduate of the FBI National Executive Institute, and the Senior Executive Fellows Program at Harvard's John F. Kennedy School of Government. His critically acclaimed autobiography *Turnaround* was published in 1998.