

Summary of Proceedings CNA SMART Justice Symposium

March 10, 2010

Introduction

Over the past two decades, the nation has witnessed major declines in the number of serious crimes as reported by the FBI's Uniform Crime Reports (UCR). The most recent UCR report shows that the nation's crime rate is now at the same level it was some 40 years ago in 1970. While these gains have been impressive, they have produced significant justice system impact and costs. For instance, in 1970 the nation's prison population was only 200,000 versus the current prison population of 1.7 million.

The prison population is not the only correctional population that has grown – probation, parole, and jail populations have also increased dramatically. Whereas in 1980 fewer than two million people were under the control of the correctional system, today the number is approaching 8 million and the total cost has accelerated to more than \$200 billion per year. Obviously these population increases and costs are not sustainable, especially under current economic conditions.

Why the crime rate has dropped is the subject of considerable debate among



practitioners and criminologists. The possible reasons include larger numbers of people incarcerated, a smaller at-risk population, a changing drug culture, and more effective and efficient police practices.

Perhaps a more important question is how best the gains in the dramatic crime drop can be maintained or even improved upon during a time period when additional resources for law enforcement will not be forthcoming. In fact, it is more likely that criminal justice agencies will receive fewer resources in the next few years as local and state governments deal with mounting deficits.

The SMART Justice Public Policy Symposium

In response to questions raised by these trends, CNA sponsored a Public Policy symposium titled SMART Justice on March 9, 2010. SMART (Strategically Managed Analysis and Research-driven, Technology-based) policing uses technology, research, and analysis to support the strategic

management of police activities. Symposium attendees included officials from state and local law enforcement agencies and the Department of Justice. Participants reviewed how police initiatives can reduce crime while also reducing the

size and costs of the correctional system (prison, probation, parole, and jails).

CNA is a not-for-profit research and analysis organization with a long-standing history of assisting policy makers in analyzing and seeking solutions to some of our nation's most complex problems. The Symposium specifically addressed the following research questions:

1. What aspects of SMART policing seem to have the greatest effects on crime rates?
2. What other forms of technology hold a promise for effective policing *with fewer staff*?
3. Can "SMART policing" have a significant impact on jail, prison, parole, and probation populations while still lowering crime rates?

The symposium highlighted two very different jurisdictions – New York City and Lancaster, Pennsylvania. These two locations were chosen for two important reasons. It is well known that New York City has seen its crime rates (especially murders) plummet since 1990. Yet it is not well known that the decline in crime rates also had a dramatic impact on lowering the size of the jail, prison, parole, and probation populations. This result suggests that efforts to reduce state and local correctional populations may be better accomplished by implementing police initiatives that would serve to lower crime and the need for the most expensive form of corrections – prisons and jails.

Lancaster, Pennsylvania, has also seen its crime rates drop, but it has increasingly relied upon the use of closed-circuit cameras that are manned by civilians, to enhance its Neighborhood Watch program. It thus represents a jurisdiction that is enhancing its crime prevention capabilities without adding more expensive law enforcement personnel.

To review the experiences of these two very different jurisdictions, three speakers made detailed presentations at the Symposium.

Michael Farrell, the Deputy Commissioner of Police for Strategic Initiatives with the NYPD, gave an historic overview of the reforms that led to the crime drop in NYC. Beginning in 1990, as in other major cities, the number of serious crimes reported to police began to dramatically decline. But the declines in NYC were especially dramatic. In 1990, the number of UCR Index crimes was 711,558. By 2008, it was only 198,419 – a remarkable 72 percent reduction. In particular, the number of homicides has dropped from a peak of more than 2,200 in 1990 to about 500 in 2008.



Among the initiatives that were credited with the drop in crime were the following:

1. The advent of Compstat (up-to-date monitoring and actions by policy based on emerging crime trends in specific locations and communities).
2. Increased use of "quality of life" arrests that are associated with the "broken windows" thesis (police engaging in frequent contacts with high-risk groups and aggressive actions including Stop and Frisk in targeted geographic locations. It is assumed that strict enforcement of minor quality of life crimes reduces incidence of more serious crime).

3. The larger presence of police (25 percent increase in the number of deployed police officers).

Although other factors are believed to accelerate the crime rate reduction, NYPD believes its internal reforms, which were implemented over a number years in the 1990s, were the major reasons for the rapid decline. At the end of his presentation, Deputy Commissioner Farrell noted that due to budget reductions and the drying up of the federal stimulus funds, it is likely that the number of deployed police will be reduced over the next few years. He is worried that many of the gains made in crime reduction may be lost if the force is significantly reduced.

James Austin, President of the JFA Institute, presented data that showed how the changes in NYPD arrest practices have resulted in significant reductions in the New York City jail population (from 21,000 to 13,000). What is particularly interesting is that the total number of arrests increased as NYPD placed more emphasis on narrowly defined locations and shifted away from felony to misdemeanor quality of life crimes. The higher number of overall arrests increased, and the number of people being admitted to the NYC jail system has also increased. But because the NYPD is arresting more people for misdemeanor crimes, their period of time in the jail system is much shorter and thus reduces the jail population.

Further, the shift from felony-level arrests to misdemeanor-level arrests has significantly reduced the number of people being sentenced to prison and probation and being released on parole. The net result is that the New York prison population has declined from 72,000 to below 60,000, the probation population has declined from 137,000 to 122,000, and the parole population has declined from 51,000 to 42,000. Almost all of these reductions are due to fewer people being arrested for felony crimes in NYC.

The last speaker was Keith Sadler, the Chief of Police for Lancaster, Pennsylvania, a small town of 55,000 located just outside of Philadelphia. When Chief Sadler was faced with a lack of resources, he decided to turn to another source to increase surveillance in historic Lancaster City. Today there are some 165 closed-circuit TV cameras that provide live, round-the-clock coverage of many of the town's streets, parks, and other public spaces. That's more outdoor cameras than are used by many major cities, including San Francisco and Boston.



In contrast to NYPD, Lancaster is using technology (cameras) as a surrogate for assigning more police, which is especially instructive in today's economic climate. Lancaster outsources the surveillance to a private, nonprofit group that uses private citizens and volunteers to monitor, tilt, pan, and zoom the cameras — and to call police if they spot suspicious activity. No government agency is directly involved.

Although the impact of this initiative has yet to be evaluated, Chief Sadler reported that crime rates are declining and he believes this reduction is in part due to the closed-circuit camera system. Further, without the use of private citizens, he would not have sufficient staff to maintain his surveillance operation. Hundreds of municipalities from around the nation — including Los Angeles and at least 36 other California cities — have built or expanded camera networks since the attacks of Sept. 11, 2001. In most cases, Department of Homeland Security grants have helped cover the cost.

Lessons Learned

The New York City experience suggests that correctional populations and costs can be significantly reduced by focusing on crime prevention strategies that ultimately will reduce the number of persons being arrested, jailed, prosecuted, and sentenced to prison or probation.

The Justice Reinvestment Strategy to date has largely focused on working with state officials and state correctional agencies to reform state policies and laws. Although these “back-end” reforms are badly needed, they are unlikely to produce the results seen in NYC because they do not include crime prevention and law enforcement innovation as part of their strategy.

Rather, it would seem that placing more emphasis on crime prevention strategies *with the goal of enhanced community safety, and reducing correctional population and costs* is a preferred objective. Shifts in policing and prosecutorial practices were able to simultaneously reduce crime in NYC without reliance on expensive and expanded uses of incarceration. These policies and practices over time have resulted in a “down sizing” of the New York City justice system producing safer communities, smaller felony caseloads, and fewer people in jails, in prisons, and on probation and parole. If similar policies and practices can be applied nationwide with similar results, then the impact on public safety and its associated costs could be substantial. The following would be the key features of such an approach:

1. Proactive (SMART) policing strategies focused around “hot spots” and

involving aggressive enforcement, including public order and nuisance crimes.

2. Community engagement including increased contact and coordination with community stakeholders by the law enforcement and justice communities.
3. Police /prosecution charge decisions, especially as they pertain to drug offenses resulting in a shift of most drug charges from felonies to misdemeanors.
4. Widespread use of alternative courts and greater coordination in service delivery for both pre-trial and sentenced populations. Better identification, supervision, and service delivery for high-risk offenders released from state prison systems or placed on probation/parole supervision.

The Lancaster story tells us that enhancing crime prevention capabilities need not require additional police officers. Rather, the emerging technology of closed circuit cameras operated by the very people who reside in high crime rate neighborhoods is just one example of improving crime reduction efforts without hiring police officers. In New York, the premise that more police making more contacts and arrests serves to prevent crime. But in today’s economic climate, the costs may be unsustainable. New strategies enabled by technology that does not require more police officers may also be necessary.