

The Police & Crime

Chapter 9

The Police & Crime

□ Crime Control Strategies

- Proactive vs. Reactive
 - Proactive: Anticrime strategies initiated by the police, not citizens requesting service
 - Reactive: Anticrime strategies used by police when responding to a civilian's request for service
- General versus Specific
 - Directed at the community at large vs. directed at particular crimes, places, offenders, or victims
- Particular crimes
 - Drunk driving/drugs/robberies
- Specific places
 - "Hot spots"
- Specific offenders
- Specific victims

Crime Control Assumptions

- Citizens are co-producers of police services
- Police & other social institutions are interdependent
 - 1) Communities
 - 2) Families
 - 3) Schools
 - 4) Labor markets
 - 5) Places (specific locales)
 - 6) The Police
 - 7) Other criminal justice programs
- Measuring effectiveness requires meaningful definitions & reliable data

Preventing Crime

- Primary crime prevention activity - Routine patrol
 - Deterrence
- Specialized crime prevention units
 - Account for ~3% of all officers
 - Meet with citizens to discuss crime prevention options
 - Work alongside neighborhood groups
 - Educating youth about crime, drugs, & gangs
- Crime prevention is a basic element of COP & POP
 - Both reject the professional model of policing

Apprehending Criminals

- 2nd major crime-fighting responsibility of police officers
 - 1) Police must 1st learn a crime has been committed
 - 2) Officially record crime
 - 3) Attempt to ID & arrest suspect

Apprehending Criminals (cont.)

- Police learn about crimes through:
 - 1) Citizen reports (reactive)
 - 2) Police observations (reactive)
 - 3) Police-initiated investigations (proactive)
- Citizen Reporting of Crime (most common)
 - Citizens act as real "gatekeepers" of the criminal justice system
 - Patrol officers rarely discover crimes in progress
 - Some victims do not report crimes
 - Don't think the crime is important
- How can the police be held accountable for crimes they don't know about?

Apprehending Criminals (cont.)

- Reasons for not reporting:
 - Private or personal matter 20.7%
 - Object recovered; offender unsuccessful 17.3%
 - Reported to another official 13.0%
 - Fear of reprisal 7.3%
 - Police would not want to be bothered 6.3%
 - Not important enough 6.2%
 - Too inconvenient or time consuming 4.7%
 - Police inefficient, ineffective, or biased 4.6%
 - Lack of proof 3.4%
 - Not aware crime occurred until later 0.4%
 - Unable to recover property; no ID number 0.1%
 - Other reasons 15.7%

Reporting & Unfounding Crimes

- “Unfounding” a Crime:
 - Occurs when police don’t complete an official crime report when a citizen reports a crime
- Officers more likely to complete a report when:
 - Involves a serious crime
 - Complaint expressed preference for a report
 - Crimes committed by strangers
 - Complainant was deferential to officer
- Reasons for Unfounding a Crime
 - Citizens do not understand the criminal law
 - Insufficient evidence
 - Abuse of officer’s discretion
- Crime reports can also be altered later (unfounded or changed)

Criminal Investigation

- Myths About Detective Work
 - Work is exciting & dangerous
 - Detectives are heroic, courageous, & skillful
 - Can solve any crime
- Problems
 - Create unreasonable public expectations about the ability of police to control crime
 - Lead officers to believe detectives is *real* police work; devalues patrol

Criminal Investigation (cont.)

- The Organization of Detective Work
 - Located in separate unit of department
 - Considered a high-status assignment to be a detective
 - Homicide
 - Robbery
 - Sexual Assault
 - Burglary
 - Offers great opportunity to control one’s work & exercise initiative
 - Offer clearly defined measures of work
 - Clearance rates

Investigation Process

- Preliminary investigation
 - ID & arrest any suspects
 - Render aid to victims
 - Secure crime scene/prevent loss of evidence
 - Collect relevant evidence
 - Prepare preliminary report
- Arrest discretion based on:
 - 1) Strength of evidence
 - 2) Seriousness of the crime
 - 3) Victim request of arrest
 - 4) Victim & suspect are strangers
 - 5) Suspect is hostile

Investigation Process (cont.)

- Follow-Up Investigations
 - Interview witnesses
 - Canvass crime scene/area
 - Discuss case with patrol officers
 - Interview suspects
 - Check records/NCIC/III
- Realities of detective work
 - Not glamorous or exciting
 - Often superficial, routine, & non-productive

Investigation Process (cont.)

- Case screening
 - Based on seriousness of the crime & existence of evidence
 - Formal process based on “case solvability factors”
 - Case workloads
 - Nominal – all cases assigned
 - Workable – case that have sufficient leads & are worth attempting to solve
 - Actual – cases that are actually worked

Measuring the Effectiveness of Criminal Investigations

- The Clearance Rate
 - Traditional measure of success in a criminal investigation
 - Only 21% of all reported index crimes are cleared nationally
- Unreliable performance measure because:
 - Based on reported crimes (only ~39% are reported)
 - Actual clearance rate much lower than the official rate
 - Dept.s do not use the same criteria for clearing cases
 - Data can be manipulated

Measuring the Effectiveness of Criminal Investigations (cont.)

- Defining an arrest is also problematic
 - **Legally arrested:** deprived of rights by legal authority
 - **Behaviorally arrested:** asked by police officer to stop, told they are under arrest, or physically restrained by officer
 - **Subjectively arrested:** when an individual believes he/she is not free to go
 - **Officially arrested:** when officer makes an official report of arrest

Success & Failure in Solving Crimes

- Three main case solvability factors:
 - 1) Case Structural Factors (related to the crime committed)
 - Single most important factor is whether a suspect's name or description is immediately obtained
 - 2) Organizational Factors
 - Lack of resources does not keep clearance rates low
 - Triaging cases according to strength of evidence helps
 - 3) Environmental Factors (characteristics of the community the police work in)
 - Size of community (Most important factor; smaller seems to be better)
 - Types of crimes committed in community
 - Economic structure of community
 - Characteristics of residents in community

Success & Failure in Solving Crimes (cont.)

- Officer Productivity
 - Some detectives make more arrests than others
 - Quality of arrests differs as well
 - Many arrests do not lead to a conviction
- The Problem of Case Attrition
 - Only ½ of felony arrests result in conviction
 - Poor police work or other factors?
 - Detectives & officers typically express little interest in why this happens & how to fix it

The Use of Eyewitness ID, Criminalistics, & DNA in Investigations

- Eyewitness Identification
 - Typically unreliable due to problems with human perception & memory
- Criminalistics
 - Technical specialists in crime lab analyze evidence, etc.
 - Fingerprints – rarely a factor in solving crimes
- DNA
 - All DNA samples forwarded to the FBI & put into the National DNA Indexing System (NDIS)
 - Stores forensic data & convicted offender index data

Improving Criminal Investigations

- Changes in community policing
 - Structural changes
 - Headquarters changed to beats & precincts
 - Assigning investigators to particular areas
 - Procedural changes
 - Greater intergovernmental communication
 - Assistance from other criminal justice orgs.
 - Functional changes
 - Role & responsibility changes for investigators

Special Investigative Techniques - Issues

- Undercover Police Work
 - Deliberate deception that may promote a habit of lying
 - Befriending criminals
 - “Gone native”
 - May erode the standards of policing
 - Less supervision
 - Some agencies have instituted control measures
 - Written procedures

Special Investigative Techniques – Issues (cont.)

- Informants
 - Used especially in victimless crimes
 - Criminals who possess special knowledge
 - Types
 - 1) Hammered informants
 - 2) Mercenary informants
 - 3) Vengeful informants
 - 4) Police buffs
 - Potential problems because police must give something in return for access to that info

Policing Drugs

- Drug Enforcement Strategies
 - Supply reduction strategy
 - Buy & bust
 - “Trading up”
 - Long-term undercover work
 - Drug crackdown: intensive enforcement effort
 - Demand reduction strategy
 - Drug education programs
- Minorities & the War on Drugs
 - African Americans arrested more frequently than whites, although usage is about the same
- Demand Reduction: The D.A.R.E Program
 - Operating in 70 percent of all public school systems

Policing Gangs & Gang-Related Crime

- Gang presence
 - 1987 – 27% of cities with pop.s of 100k or more
 - Today – 86%
- Gang Suppression
 - The police gang unit: specialized unit
 - Has at least one sworn officer whose job it is to engage in gang control effort
- Gang Prevention: Gang Resistance Education & Training (GREAT) Program
 - Operates in all 50 states
 - Study findings - not very effective at preventing students from joining gangs

Policing Career Criminals

- Career Criminals: People believed to be committing a high rate of offenses
- Repeat Offender Programs
 - Targeting suspected high-rate offenders for surveillance & arrest
 - Targeting those with outstanding warrants
 - Case-enhancement programs to provide information about offender histories

Policing Guns & Gun Crimes

- Victims are most likely to be African American, American Indian & Hispanic
- Men are twice as likely to be victims compared to women
- Gun Suppression
 - Kansas City Gun Experiment
 - Targeted a high-crime precinct with problem-oriented policing & directed patrol
 - As a result, gun crimes fell 49%
 - Project Safe Neighborhood (PSN)
 - Gun buy back programs

Policing Hate Crime (Bias-Motivated Crimes)

- The Scope & Nature of Hate Crime
 - 50.8% - racial bias
 - 18.4% - religious bias
 - 16.6% - sexual orientation bias
 - 13.2% - ethnic/national origin bias
 - Five main characteristics of Hate Crimes
 - 1) Higher level of assaults against persons than crimes generally
 - 2) More violent
 - 3) Attacks preceded by series of confrontations that escalate in severity
 - 4) More likely to be committed by group perpetrators
 - 5) Likely to be committed by someone the victim knows
- Police Response to Hate Crime
 - Creation of specialized bias crime units

Policing Terrorism

- The Scope & Nature of Terrorism
 - Terrorism:
 - "The unlawful use of force or violence against persons or property;
 - to intimidate or coerce a government, the civilian population, or any segment thereof;
 - in furtherance of political or social objectives." (FBI)
- Domestic Terrorism
 - Planned & carried out by Americans on American soil
- Foreign Terrorism
 - Terrorist activities coordinated & perpetrated by foreign persons or countries against the U.S.

Responding to Terrorism

- In the wake of September 11
 - Department of Homeland Security (DHS) created
 - Increasing number of U.S. Coast Guard (USCG), & Customs/Border Protection (CBP) personnel
 - FBI Office of Intelligence
 - FBI Counterterrorism Watch
 - Local police first to respond in a terrorist event
 - But issues between federal law enforcement agencies & local police arise due to refusal to share critical information

Questions?



Additional Material

Rand Corp Study of Criminal Investigation Process 1973-1975

□ Objectives:

- To describe, on a national scale, current investigative organization & practice;
- To assess the contribution of police investigation to the achievement of criminal justice goals;
- To ascertain the effectiveness of new technology & systems that are being adopted to enhance investigative performance;
- To determine how investigative effectiveness is related to difference in organizational form, staffing, procedure, & so forth

Design of the Study

- Research conducted with the participation & oversight of police officials
- Info collected from many police departments
- Info obtained through on-site interviews & observations
- 153 departments studied
- All departments had either:
 - More than 150 full-time employees or;
 - Served a jurisdiction exceeding 100,000 pop. (1970 census)

Design of the Study (cont.)

□ Focused on FBI UCR Part I crimes*

- Criminal homicide
- Forcible rape
- Robbery
- Aggravated assault
- Burglary
- Larceny
- Auto theft

*Includes attempts

Findings – Arrest & Clearance Rates

- Previous studies had shown that *department-wide clearance & arrest statistics are not suitable measures of the effectiveness of investigative operations* due to “administrative discretion”
 - Clearances based on modus operandi only
 - Auto theft – recovery vs. arrest
 - Classifying reported crimes as “unfounded”

Findings – Arrest & Clearance Rates (cont.)

- Arrest & clearance rates reflect activities of patrol officers & the public more than they reflect activities of investigators
 - ~30% of all clearances are the result of pickup arrests by patrol officers responding to the scene of the crime
 - ~50% of cleared crimes (less for homicide & auto theft), the perpetrator is known when the report is first taken
- Thus, the main tasks for the investigators are to locate the perpetrator, take him or her into custody, & assemble the facts needed to present charges in court

Findings – Arrest & Clearance Rates (cont.)

- Only around 20% of cleared cases could possibly be attributed to investigative work
- *However*, the study showed that most of these were solved by:
 - Officers or members of the public who spontaneously provided further information, or;
 - By routine investigative practices that could have also been followed up by clerical personnel

Findings – Arrest & Clearance Rates (cont.)

- ❑ Study estimated that no more than 2.7% of all Part I crime clearances can be attributed to special techniques used by investigators
- ❑ The other 97.3% of cleared cases will be cleared no matter what the investigators do, so long as the obvious routine follow-up steps are done
- ❑ The study refers to the 2.7% as “special action cases” (High profile homicides, commercial burglaries, etc.)

Findings – Arrest & Clearance Rates: The Bottom Line

- ❑ Only in cases of homicide, robbery, & commercial theft did the study find that the quality of investigative effort could affect the clearance rate to any substantial extent
- ❑ The contribution of victims, witnesses, & patrol officers is most important to the identification & apprehension of criminal offenders

Variations with Departmental Characteristics

- ❑ 3 most important determinants of a department’s arrest & clearance rate:
 - Size
 - Region of the country
 - Crime workload

Variations with Departmental Characteristics - Size

- ❑ Large departments claim more clearances per arrest in all crime categories than smaller departments
- ❑ However, the arrest rates of large & small departments do not differ

Variations with Departmental Characteristics - Region

- ❑ Clearance rates:
 - South Central – Highest
 - North Central
 - South Atlantic
 - Northeast
 - West – Lowest
- ❑ However, arrest rates vary in almost the exact opposite order
- ❑ Differences reflect administrative practices or patterns of crime commission rather than effectiveness

Variations with Departmental Characteristics - Workload

- ❑ Departments having a large number of reported crime per police officer had lower arrest rates than other departments
 - Annual number of arrest per officer rises almost in direct proportion to the number of reported crimes per police officer until certain thresholds
 - Thresholds are:
 - ❑ ~35 Part I crimes per officer per year
 - ❑ ~3.5 crimes against persons per officer per year
 - Only 20% of dept.s exceed these thresholds

Variations with Departmental Characteristics – Workload (cont.)

- Departments with high crime workloads tend to claim more clearances per arrest than cities with low crime workloads
 - Clearance rates are less sensitive to workload than arrest rates
- Clearance rates for every crime type were found to decrease with increasing workload, but decreases were not found to be significant for some types of crimes

Variations with Departmental Characteristics – Workload (cont.)

- Workload relationships apply to all police personnel
 - If the total number of officers is kept the same, switching officers in or out of investigative units does not seem to have a substantial affect on clearance or arrest rates

Variations with Departmental Characteristics – Other Findings

- Departments that assign a major investigative role to patrol officers have lower clearance rates, but not lower arrest rates
- Departments with specialized units had lower arrest rates, but not lower clearance rates
- Departments in which investigators work in pairs had lower numbers of arrests than single investigators

How The Investigator's Time is Spent

- Although a large proportion of reported crimes are assigned to an investigator, many of these receive no more attention than the reading of the initial report
- Overall, less than half of all reported crimes receive any serious attention by an investigator
 - Great majority of cases receive less than one day's attention
- Net result – The average detective does not actually work on a large number of cases each month, even though he may be assigned hundreds or thousands of cases

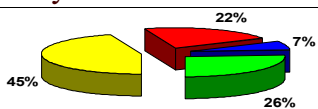
How The Investigator's Time is Spent (cont.)

- Most of an investigator's time is consumed in:
 - Reading reports
 - Documenting files
 - Attempting to locate & interview victims
- For cases that are solved, an investigator spends more time in post-clearance processing than in identifying the perpetrator

How The Investigator's Time is Spent: Kansas City

- 45% is spent on activities not attributable to individual cases
 - Administrative assignments
 - Traveling
 - Reading teletypes
 - General surveillance or location visits (pawnshops)
- Remaining 55% is spent on casework

How The Investigator's Time is Spent: Kansas City



- Activities not attributable to individual cases
- Investigating crimes that are never solved
- Investigating crimes that are eventually solved
- Cleared cases after they have been solved

Thus, about 93% of an investigator's time is spent on tasks that do not lead directly to solving previously reported crimes

How The Investigator's Time is Spent

- So, how useful are their efforts?
 - Time spent on cases after they have been cleared serves the important purpose in preparing cases for court
 - Time spent on non-casework activities serves a general support function for casework & may be useful in ways that are difficult to quantify
 - Time spent on crimes that are never solved can only be judged on public relations value & possible deterrent value

How The Investigator's Time is Spent

- Police administrators must ask themselves whether the efforts devoted to investigating crimes that are initially unsolved are justified by either the small number of solutions they produce or the associated public relations benefits

Collecting & Processing Physical Evidence

- Study looked at their role in contributing to the *solution* of crimes, vice their value in proving guilt once the crime is solved
- Departments can achieve a relatively high rate of latent print recovery by:
 - Investing sufficiently in evidence technicians
 - Deploying these technicians to felony scenes

Collecting & Processing Physical Evidence (cont.)

- However, the rate at which prints are recovered is essentially unrelated to the rate at which perpetrators are identified
 - 1-2% of burglary cases are cleared by identifications from latent prints
 - Reason: Departments' abilities to search fingerprint databases limits identification
 - Improved fingerprint *identification* methods would be more productive than more intensive fingerprint *collection* efforts

Preparing Case for Trial

- Police investigations are the principle means by which all relevant evidence is gathered & presented in court so that a criminal prosecution can be made
- Thus, police investigators serve a support function for prosecution

Preparing Case for Trial (cont.)

- ❑ Prosecutors often claim that a high rate of case dismissal, excessive plea bargaining, & overly lenient sentences are commonly the result of inadequate police investigation
- ❑ Police argue that even when they conduct thorough investigations, case dispositions are not significantly affected

Preparing Case for Trial (cont.)

- ❑ The study developed a data form containing 39 questions that a prosecutor might want the police to address in conducting a robbery investigation
- ❑ The forms were then used to evaluate the completeness of robbery investigations in two California prosecutor's offices
- ❑ Study found that the departments covered 45% (Dept. A) & 26% (Dept. B) of the necessary info

Comparison Between Jurisdictions A & B of Disposition by Pleas of Guilty

Disposition	% in A	% in B
Plea of guilty to original charges	61.1	31.8
Plea of guilty to original charges but w/special allegations stricken or not considered	27.7	22.7
Plea of guilty to 2d degree robbery reduced from 1 st degree robbery	5.5	18.1
Plea of guilty to other lesser offense	5.5	4.5
Case dismissed	---	22.7

Preparing Case for Trial (cont.)

- ❑ There are many variables in prosecuting cases & one cannot conclude that only the quality of documentation of the police investigation accounted for the difference
- ❑ However, it does suggest that failure to document a case thoroughly *may* contribute to a higher case dismissal rate & a weakening of a prosecutor's plea bargaining position

Relations Between Victim & Police

- ❑ Study observations:
 - That most police merely respond to the crime scene & file a cursory report;
 - Rarely do they subsequently contact the victim about the progress of a case
 - While it seems reasonable that it might help build the public's confidence in the police by notifying the victim when a perpetrator is identified, such a policy of routine feedback might be self-defeating

Relations Between Victim & Police (cont.)

- ❑ The study conducted a telephone survey of burglary & robbery victims about how much info to give victims & when to give it
- ❑ Study indicated that there is a desire for feedback by victims
- ❑ But, also indicated that some victims, if given unfavorable info, will develop a undesirable attitudes towards the police
 - ~1/3 of victims stated that they would react negatively to unfavorable feedback (suspension of investigation, ID, but no charges, etc.)

Proactive Investigation Methods

- Special teams that generate their own investigations
- Primary objective is to reduce the incidence of the target crime
 - Containment
 - Deterrence through publicity
- Effects usually measured through:
 - Arrest rates
 - Changes in the rate of incidence

Proactive Investigation Methods (cont.)

- Problem: Difficult to isolate proactive efforts from:
 - The other activities of the police department
 - External factors affecting arrest/crime rates
- Study conclusion:
 - Proactive techniques can be productive (especially for burglary & fencing)
 - Units must be staffed with motivated & innovative individuals

Policy Implications – Preparing Cases for Prosecution

- Post-arrest investigative activity can perhaps be done in a less costly or more effective manner
- Current coordination (or lack thereof) between police & prosecutors does not support a healthy relationship
 - Often police are satisfied to document the justification for an arrest (probable cause);
 - Whereas the prosecutor desires documentation sufficient for a conviction (beyond a reasonable doubt)

Policy Implications – Preparing Cases for Prosecution

- Solutions:
 - Make explicit the types of information that the prosecutor & police agree are appropriate to collect & document based on the crime committed
 - Place nearly all post-arrest investigative efforts under the authority of the prosecutor
 - Assign police officers to the staff, or;
 - Making investigators part of the staff

Policy Implications – Routine Investigative Actions

- For crimes w/o initial identification of a suspect, many are solved by routine investigative actions
- Any steps that a police department can take to convert investigative tasks into routine actions will increase clearance rates
- It may not be necessary for *investigators*, who are usually paid more than patrol officers or clerks, to perform functions that lead to routine clearances

Policy Implications – Investigating Crimes Without Suspects

- Two basic objectives are served by taking more than routine investigative action when the suspect is unknown
 - Solve the crime
 - Demonstrate that the police care about the crime & the victim
- Departments must realize that efforts to solve a crime are rarely commensurate with results
 - Explicit decisions must be made as to whether the crime warrants a full follow-up investigation

Policy Implications – Investigating Crimes Without Suspects

- Serious crimes warrant special investigative efforts
- These are best carried out by a Major Offenses Unit manned by investigators who have:
 - Special skills & training
 - Knowledge of citywide crime patterns & developments
- A Major Offenses Unit would focus on a few *unsolved* serious felony crimes

Policy Implications – Proactive Investigations

- They can be relatively productive if manned by motivated & innovative personnel
- The gain in employing them becomes illusory when mere quantity of arrests is emphasized
 - Efforts tend to be diverted into making arrests that are not the result of unique capabilities
- Relative advantage of such units will not persist over long periods of time
 - Departments must accustom themselves to creating/ disbanding such units as circumstances dictate

Policy Implications – Role of the Public

- Departments should initiate programs designed to enhance the victim's desire to cooperate with the police
 - Could increase apprehension rates
 - Could improve quality of prosecution
- Departments should announce the contribution of the public when major cases are solved
 - A realistic picture of how crime are solved will help eliminate the public's distorted image of detectives & will impress on them the importance of cooperating with police

Policy Implications – Reallocation of Investigative Resources

- Study did not support a substantial shift of police resources from investigative to other units
- However, it did suggest:
 - Assign more initial investigations to patrol officers
 - Have clerical personnel perform routine processing of cases
 - Increase use of information systems
 - Enhance capabilities for processing physical evidence
 - Increase number of proactive units
 - Assign investigators to prosecutor offices
 - Establish Major Offenses Units
 - Would require less than half of current number of investigators
 - Case screening
 - Team Policing