# DRIVEN TO FAIL

### *Numbers-driven policing can't help but offend. What are the options?*

| LAPD Bureau | Population | Murders 2016 | Rate | Laser zones |
|---|---|---|---|---|
| Central | 842,700 | 77 | 9.1 | 10 |
| South | 640,000 | 124 | 19.4 | 15 |
| Valley | 1,426,071 | 65 | 4.6 | 5 |
| West | 840,400 | 28 | 3.3 | 10 |

*For Police Issues by Julius (Jay) Wachtel.* It's been a decade since DOJ's Bureau of Justice Assistance kicked off the "Smart Policing Initiative." Designed to help police departments devise and implement "innovative and evidence-based solutions" to crime and violence, the collaborative effort, since redubbed "Strategies for Policing Innovation" (SPI) boasts seventy-two projects in fifty-seven jurisdictions.

Eleven of these efforts have been assessed. Seven employed variants of "hot spots," "focused deterrence" and "problem-oriented policing" strategies, which fight crime and violence by using crime and offender data to target places and individuals. The results seem uniformly positive:

- Boston (2009) used specialized teams to address thirteen "chronic" crime locations. Their efforts reportedly reduced violent crime more than seventeen percent.

- Glendale, AZ (2011) targeted prolific offenders and "micro" hot spots. Its approach reduced calls for service up to twenty-seven percent.

- Kansas City (2012) applied a wide range of interventions against certain violence-prone groups (read: gangs). It reported a forty-percent drop in murder and a nineteen percent reduction in shootings.

- New Haven, CT (2011) deployed foot patrols to crime-impacted areas. Affected neighborhoods reported a reduction in violent crime of forty-one percent.

- Philadelphia (2009) also used foot patrols. In addition, it assigned intelligence officers to stay in touch with known offenders. Among the benefits: a thirty-one percent reduction in "violent street felonies."

- Savannah (2009) focused on violent offenders and hot spots with a mix of probation, parole and police. Their efforts yielded a sixteen percent reduction in violent crime.

We saved our essay's inspiration – Los Angeles – for last. It actually boasts three SPI programs. Two – one in 2009 and another in 2014 – are directed at gun violence. A third, launched in 2018, seeks to boost homicide clearances. So far, DOJ has only evaluated the 2009 program. Here is its full SPI entry:

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|---|---|---|---|
| Los Angeles, CA 2009 | The Los Angeles SPI addressed gun-related violence using Operation LASER (Los Angeles' Strategic Extraction and Restoration Program).<br><br>• Targeted violent repeat offenders and gang members who commit crimes in target areas.<br>• Used intelligence-driven location- and offender-based tactics.<br>• Implemented a Crime Intelligence Detail, composed of sworn officers and a local crime analyst, to create proactive, real-time intelligence briefs called Chronic Offender Bulletins.<br>• Directed patrol, specific missions, and enhanced surveillance. | **Research Design**<br><br>Interrupted time-series analysis, which assesses whether the interventions in target areas had an effect on crime while controlling for previous trends. (Research evaluation is ongoing.)<br><br>**Findings**<br><br>22.6% reduction in homicides per month in the target division.<br><br>5.2% reduction in gun crimes per month in each reporting district of the target division. | Gun Violence, Violence Reduction |

From a tactical perspective, the project falls squarely within the hot-spots and focused deterrence models. But its fanciful label – LASER – gave us pause. "Extracting" bad boys and girls to restore the peace and tranquility of hard-hit neighborhoods conjures up visions of the aggressive, red-blooded approach that has repeatedly gotten cops in trouble. Indeed, when LASER kicked-off in 2009 LAPD was still operating under Federal monitoring brought on by the Rodney King beating and the Rampart corruption and misconduct scandal of the nineties. That same year the Kennedy School issued a report about the agency's progress. Entitled "Policing Los Angeles Under a Consent Decree," it noted substantial improvements. Yet its authors warned that "the culture of the Department remains aggressive: we saw a lot of force displayed in what seemed to

be routine enforcement situations" (pp. 37-38). And that force seemed disproportionately directed at minorities:

> A troubling pattern in the use of force is that African Americans, and to a lesser extent Hispanics, are subjects of the use of such force out of proportion to their share of involuntary contacts with the LAPD....Black residents of Los Angeles comprised 22 percent of all individuals stopped by the LAPD between 2004 and 2008, but 31 percent of arrested suspects, 34 percent of individuals involved in a categorical use of force incident, and 43 percent of those who reported an injury in the course of a non-categorical force incident.

During the same period the Los Angeles Police Commission's Inspector General questioned the department's response to complaints that officers were selecting blacks and Latinos for especially harsh treatment. In "An Epidemic of Busted Taillights" we noted that members of L.A.'s minority communities had filed numerous grievances over marginal stops involving "no tail lights, cracked windshields, tinted front windows, no front license plate and jaywalking." Yet as the IG's second-quarter 2009 report noted, not one of 266 complaints of racial profiling made during the prior fifteen months had been sustained, "by far the greatest such disparity for any category of misconduct." (Unfortunately, the old IG reports are no longer on the web, so readers will have to trust the contents of our post. However, a May 2017 L.A. Police Commission report noted that LAPD's internal affairs unit "has never fully substantiated a [single] complaint of biased policing." See pg. 18.)

Despite concerns about aggressive policing, LASER went forward. LAPD used a two-pronged approach:

- A point system was used to create lists of "chronic offenders." Demerits were awarded for membership in a gang, being on parole or probation, having arrests for violent crimes, and being involved in "quality" police contacts. These individuals were designated for special attention, ranging from personal contacts to stops and surveillance.

- Analysts used crime maps to identify areas most severely impacted by violence and gunplay. As of December 2018 forty of these hotspots (dubbed LASER "zones") were scattered among the agency's four geographical bureaus. These areas got "high visibility" patrol. Businesses, parks and other fixed locations frequently associated with crimes – "anchor points" – were considered for remedies such as eviction, license revocation and "changes in environmental design."

South Bureau wound up with the most LASER zones. Its area – South Los Angeles – is the city's poorest region and nearly exclusively populated by minorities. As our opening table demonstrates, it's also the most severely crime-impacted, with the ten most violent neighborhoods in the city and by far the worst murder rate. When we superimpose South Bureau (yellow area) on LAPD's hotspots map, its contribution to L.A.'s crime problem is readily evident:
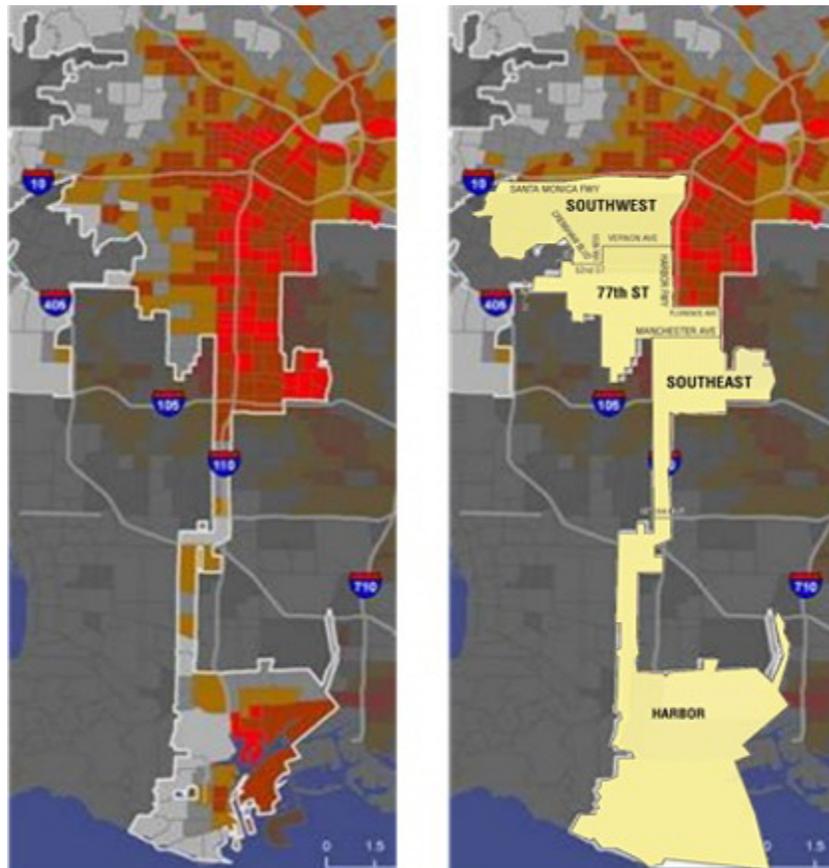


LAPD's IG issued a comprehensive review of LASER and the chronic offender program two weeks ago. Surprise! Its findings are decidedly unenthusiastic. According to the assessment, the comparatively sharp reductions in homicides and violent crime that were glowingly attributed to LASER – these included a near-23 percent monthly reduction in homicides in a geographical police division, and a five-percent-plus monthly reduction in gun crimes in each of its beats – likely reflected incorrect tallies of patrol dosage. Reviewers questioned the rationale of the "chronic offender" program, since as many as half its targets had no record for violent or gun-related crimes. Many of their stops also seemed to lack clear legal cause. (Such concerns led to the offender program's suspension in August.) While the IG didn't identify specific instances of wrongdoing, it urged that the department develop guidelines to help officers avoid "unwarranted intrusions" in the future.

Well, no harm done, right? Not exactly. At a public meeting of the Police Commission the day the IG released its report, a "shouting, overflow crowd of about 100 protesters" flaunting "LASER KILLS" signs demanded an immediate end to the LASER and chronic offender programs. A local minister protested "we are not your laboratory to test technology," while civil libertarians complained that the data behind the initiatives could be distorted by racial bias and lead to discriminatory enforcement against blacks and Latinos. And when LAPD Chief Michael Moore pointed out that his agency had long used data, an audience member replied "yeah, to kill us." He promised to return with changes.

Chief Moore's comments were perhaps awkwardly timed. In January the *Los Angeles Times* reported that officers from a specialized LAPD unit had been stopping black motorists in South Los Angeles at rates more than twice their share of the population. They turned out to be collateral damage from a different data-driven effort to tamp down violence. Faced with criticisms about disparate enforcement, Mayor Eric Garcetti promptly ordered a reset.

It's not that LAPD officers are looking in the wrong places. South Bureau, as the table and graphics suggest, is a comparatively nightmarish place, with a homicide every three days and a murder rate more than twice the runner-up, Central Bureau, and six times that of West Bureau. And while dosages varied, LAPD fielded LASER and the chronic offender program in each area. Policing, though, is an imprecise sport. Let's self-plagiarize:

> Policing is an imperfect enterprise conducted by fallible humans in unpredictable, often hostile environments. Limited resources, gaps in information, questionable tactics and the personal idiosyncrasies of cops and citizens have conspired to yield horrific outcomes.

As a series of posts have pointed out (see, for example, "Good Guy, Bad Guy, Black Guy, Part II"), stop-and-frisk campaigns and other forms of aggressive policing inevitably create an abundance of "false positives." As long as crime, poverty, race and ethnicity remain locked in their embrace, residents of our urban laboratories will disproportionately suffer the effects of even the best-intentioned "data-driven" strategies, causing phenomenal levels of offense and imperiling the relationships on which humane and, yes, effective policing ultimately rests.

What happens when citizens bite back? Our recent two-parter, "Police Slowdowns" (see links below) described how police in several cities, including L.A. and Baltimore, reacted when faced with public disapproval. A splendid piece in the *New York Times Magazine* explains what happened after the Department of Justice's 2016 slap-down of

Baltimore's beleaguered cops. Struggling in the aftermath of Freddie Gray, the city's finest slammed on the brakes. That too didn't go over well. At a recent public meeting, an inhabitant of one of the city's poor, violence-plagued neighborhoods wistfully described her recent visit to a well-off area:

> The lighting was so bright. People had scooters. They had bikes. They had babies in strollers. And I said: 'What city is this? This is not Baltimore City.' Because if you go up to Martin Luther King Boulevard we're all bolted in our homes, we're locked down. All any of us want is equal protection.

If citizens reject policing as the authorities choose to deliver it, must they then simply fend for themselves? Well, a Hobson's choice isn't how *Police Issues* prefers to leave things. Part of the solution, we think, lies buried within the same official reproach that provoked the Baltimore officers' fury. From a recent post, here's a highly condensed version of what the Feds observed:

> Many supervisors who were inculcated in the era of zero tolerance continue to focus on the raw number of officers' stops and arrests, rather than more nuanced measures of performance…Many officers believe that the path to promotions and favorable treatment, as well as the best way to avoid discipline, is to increase their number of stops and make arrests for [gun and drug] offenses.

In the brave new world of Compstat, when everything must be reduced to numbers, it may seem naïve to suggest that cops leave counting behind. Yet in the workplace of policing, what really "counts" can't always be reduced to numbers. It may be time to dust off those tape recorders and conduct some some richly illuminating interviews. (For an example, one could begin with DOJ's Baltimore report.) There may be ways to tone down the aspects of policing that cause offense and still keep both law enforcers and the public reasonably safe.

In any event, police are ultimately *not* the answer to festering social problems. Baltimore – and many, many other cities – are still waiting for that "New Deal" that someone promised a couple years ago. But we said that before.