

THE THIRD WAY CULTURE PROGRAM



**The Impending Crime Wave:
Four Dangerous New Trends and How to Stop Them**

A Third Way Report

by

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Introduction and Summary

It now seems a distant memory, but the issue of crime once dominated the national debate. Cities burned in the 1970s, the drug wars raged in the 1980s, and political leaders vowed to return “law and order” to the streets. Then, in the 1990s, all of that began to change. Leaders at every level, including the federal government, mounted a huge and often stunningly successful attack on crime, and the crime rate began to fall. Over the next 14 years, reliably falling crime rates ensured that an issue that once tore at the fabric of American life slowly receded from the national consciousness.

But now, four new and dangerous sociological trends are converging to disturb the peace and are threatening a crisis in crime, if not addressed. And, although Americans are reawakening to the issue of crime, the once strong federal tide of investment and commitment to fighting local crime is now at a dangerously low level.

These trends include: a massive and unprecedented population of prisoners reentering society and returning to their often troubled neighborhoods, a burgeoning population of illegal immigrants that attracts a new set of criminals and creates a unique and difficult crime challenge, a technology revolution that has put kids at risk, and a demographic surge that is responsible for a million new teenagers and young adults, who are statistically far more prone to commit crimes than the general population.

Though the American public may not yet be fully aware of the coming crises, they sense that the perils of crime are returning. In a new poll, we found that 57% view crime as a “very serious problem,” and another 37% see it as “fairly serious.” By a five-to-one margin, Americans say that crime in our country is getting worse. Sixty-nine percent believe that crime is a bigger threat to their personal safety than terrorism. And 78% think children are more vulnerable to crime today than they were 10 years ago.¹

Gravely alarmed by these portents of a coming crime wave, and by the federal government’s extensive and dangerous disengagement from local law enforcement in the face of these threats, a group of Governors and their think tank, The Center for Innovative Policy, have joined with Third Way to sound the alarm.

In this paper, we provide an analysis of these four powerful societal forces that are building a coming crime wave. We offer over 100 specific state, federal, and local policy options that can be tailored to create a 21st century crime-fighting

agenda that promotes accountability, personal responsibility, and achieves results in combating this wave.

The report sections can be summarized as follows:

I. The Reentry Explosion

America is in the midst of a massive and unprecedented influx of prisoners returning to their communities. In the 1980s, 2.5 million prisoners reentered society. In this decade, it will reach nearly 7 million.² Twenty years ago, fewer than 700,000 people constituted the populations of the entire state and federal prison systems. Next year, 700,000 people will be *released* from prison.³

Based on past projections, nearly two-thirds of ex-prisoners will be rearrested within 3 years of their release,⁴ and this group of individuals alone will be responsible for 9.5 million new crimes by 2013.⁵ The predominant approach to reentry has led to an ineffectual and perpetual cycle of incarceration and release.

Our proposed solutions to the reentry explosion fall into three broad categories: 1) replacing idleness with personal responsibility and self-improvement during each prisoner's incarceration; 2) creating an effective transition from prison to a productive civilian life; and 3) rethinking parole in ways to get results that promote public safety and save taxpayer dollars.

II. The Lengthening Shadow of Illegal Immigration

In 1997 there were 5.75 million illegal immigrants in America. Today there are more than 12 million.⁶ The overwhelming majority of illegal immigrants are law-abiding residents beyond their immigration status, but the size of the illegal immigration population has created a "shadow economy" of crime.

A small but violent minority of illegal immigrants have been able to enter the country and elude law enforcement. A shadow economy that both serves and exploits illegal immigrants has grown and includes such crimes as car theft (in border regions), identity theft, drug smuggling, money laundering, falsifying papers, and human trafficking. And a new type of opportunistic criminal has emerged who preys upon illegal immigrants because they are afraid to report crimes to authorities.

Our proposed solutions are aimed at: 1) closing the escape hatch that has allowed certain violent illegal immigrant offenders to commit crimes and disappear; 2) taking down the illegal enterprises that enable the commerce of illegal immigration; and 3) going after the predators who exploit illegal immigrants.

III. The Sprawling Parentless Neighborhood of the Internet

Because of new technology, children have never been more vulnerable to sexual predators and strangers. Parents once knew with whom their children were speaking; now, many have no idea. Sexual predators once lurked in nighttime shadows; now they surf the world in safe anonymity. And coarse influences like hard-core pornography, once relegated to shabby adult book stores, are now abundant and free to anyone on the internet, regardless of age.

The combination of sexual predation with the explosion of teenagers on social networking sites and the pervasiveness of internet pornography accessible to children has radically changed the hazards of growing up. As recently as last year, 29,000 registered sex offenders had MySpace accounts.⁷

Our proposed solutions are aimed at inserting a responsible adult presence in the vast, parentless, new neighborhood of the internet by: 1) offering new protections for social networking sites, such as restricting the ability of adults to pose as children on the web; 2) cracking down on pornographers who give access to children online; and 3) enacting measures to go after child pornographers.

IV. The Surging Youth Population

Young people commit far more crimes than the general population and the number of teenagers and young adults will grow by one million over the next five years. By the year 2012, if the rate of youth criminal behavior remains static, this age group will account for an additional 2.5 million crimes.⁸

Today's high-crime, juvenile population is beset by serious problems that are major factors in their behavior: mental illness, family dissolution, learning disabilities, early onset of violent behavior, and substance abuse. These problems do not excuse their crimes, but they provide insights into ways to prevent them.

Young people are also the most receptive to prevention efforts. America's crime rate reductions between 1993 and 2002 were led by an even more dramatic decrease in the rate of teen crime.

Our proposed solutions call for a continuum of attention that include: 1) supporting vulnerable youth before they commit a crime; 2) delivering the most effective services to youth once in the juvenile justice system; and 3) putting them on a responsible path to successful reentry after they leave the justice system.

V. Cross-Cutting State and Local Solutions

In this section, we identify a series of promising state and local solutions that cut across each of these new crime trends. These solutions represent modern and effective avenues to help law enforcement do more with less through new

technology, coordination of resources, and identifying strategies to effectively deal with the toughest neighborhoods and most difficult individuals.

VI. Federal Disengagement

The last section dissects the extraordinary and ill-timed federal retreat from local crime fighting. During this decade, federal criminal justice aid to states dropped by 56%. The number of FBI agents devoted to crime and drug cases fell from 2,426 to 1,938.⁹ And the number of FBI criminal investigations sent to federal prosecutors fell by one-third, from 31,000 to 20,000.¹⁰ At a time when the sociological trends demand a sustained and heightened federal presence, the opposite has occurred.

We outline a series of solutions that call on the federal government to respond to the four identified growing waves of crime and also to reengage in America's crime problem more generally in funding, effort, and leadership. We also call on the federal government to reestablish their partnership with states and cities to fight crime in America.

I. The Reentry Explosion

America is in the midst of a stunning and unprecedented influx of prisoners returning to their communities. Twenty years ago, fewer than 700,000 people populated the entire state and federal prison system. Next year, 700,000 people will be released from prison and 3.5 million will be released over the next five years.¹¹ Compared to the 1980s, the U.S. will see almost three times the number of prisoners released from state and federal prison this decade—a growth from 2.5 million to nearly 7 million.¹²

For most prisoners, their incarcerations are marked by being idle and learning only the skills required to commit more crime when they get out. We suggest an approach that requires a new level of personal responsibility among prisoners in order to protect the communities to which they return.

This approach, pioneered by states such as Kansas and Michigan, includes: 1) Replacing idleness with self-improvement during each prisoner's incarceration; 2) Creating an effective transition from prison to a productive civilian life; and 3) Rethinking parole in ways to maximize public safety and taxpayer interests.

Recidivism has always been a problem, but never has America experienced such a huge influx of returning prisoners. Between 1990 and 2005, the reentry population from state and federal prison grew by 65%.¹³ In 2005, nearly 5 million individuals were on probation or parole—double the number in 1987 and up a million from 1997.¹⁴

The rising numbers of returning prisoners, one of the results of mandatory sentencing laws, means states are confronted with a critical, make-or-break issue: how do they ensure that this returning population is productive rather than a hazard to communities? In this section, we argue that a new and aggressive set of policies can reduce the risk that these returning individuals will commit new violent crimes, abuse drugs, harm neighborhoods, and put a drain on taxpayers, while increasing the likelihood that they become self-sufficient and productive.

This approach is based on the realization that 19 out of every 20 prisoners will eventually reenter free society and that this reentry should be the focus of their entire incarceration. It is also grounded in the reality that once they leave prison, ex-offenders face hurdles—many of their own making, but some thrust upon them—to success and productivity that must be addressed, not ignored. And finally, the price of failure—including the cost of crime to individuals and communities and the cost of incarceration to the taxpayer—is enormous and worth at least some additional resources to avoid.

For example, spending on corrections in Arizona has doubled over the past 10 years to over \$800 million and prison expenses represent 9% of the state's budget—the largest in the nation.¹⁵ The state of Illinois recently estimated that they would need to spend up to \$3 billion on new prisons and corrections operations to handle the growing prisoner population.¹⁶ In May 2007, California passed a \$7.9 billion plan to construct new prisons with 53,000 beds.¹⁷ Kansas is on course to spend another \$500 million on prison construction and operations.¹⁸ And the state of Washington is slated to build two new prisons at a cost of \$500 million by 2020.¹⁹

However, states have a reality to confront. A 2002 Bureau of Justice Statistics study found that nearly two-thirds of reentering prisoners from 1994 were rearrested within three years of their release and over half returned to prison over the same time frame.²¹ Assuming those percentages remain constant, that means that over the next five years, 2.5 million ex-offenders will be rearrested and 1.8 million will be returned to prison. This group of individuals alone will be responsible for 9.5 million new crimes, including 1.3 million violent crimes by 2013, according to projections.²² But as the Reentry Policy Council notes, “when a person is incarcerated, a tremendous opportunity exists” to improve his or her prospects for success.²³

Today, for the most part, that opportunity is lost. Rather than improvement, the typical prisoner spends most of his or her time in a “high level of idleness,” according to Jeremy Travis, a former director of the National Institute of Justice.²⁴ The combination of a troubled population coupled with an often unproductive prison term, a jarring return home, and a parole system which often treats these returning prisoners with a one-size-fits-all approach explains why the majority return to prison within a short time.

The rest of this section is split into two parts: The first looks at the current profile and situation for prisoners beginning with incarceration and through release. The second offers a series of reforms to reduce risks to communities and

“Ex-prisoners who fail generate new victims, reduce public safety, and create enormous costs to process and punish their new crimes and technical violations. They also diminish their own lives and damage the lives of their families and loved ones. Everyone loses. Ex-prisoners who succeed spare the rest of us those costs but also contribute to their communities, support themselves and their families, and improve their own lives. Everyone wins.”²⁰

Peggy Burke and Michael Tonry,
A Call to Action for Parole

increase the likelihood of a productive reentry—productive for the individual, family, community, and taxpayer.

Defining the Problem: The Reentry Explosion

1. Today's Prison Population—Bleak and Failing

The prison population is overwhelmingly uneducated, riddled with drug abuse, often illiterate, with weak and troubled job histories, strained family ties, likely to suffer from mental illness, and lacking the basic skills to succeed. Their incarcerations come at a huge price for states and localities. The cost of housing a prisoner is typically between \$25,000 and \$30,000 per year—the equivalent of the amount of state and local taxes paid by 4 typical households.²⁵ That does not include the cost to the community and to individuals who are victims of crime.

- **Uneducated:** 68% of state prisoners lack a high school diploma.²⁶
- **Illiterate:** Roughly half are functionally illiterate.²⁷
- **Drug Abusers:** 53% of state prisoners are dependent on drugs.²⁸
- **Poor Employment Prospects:** The work histories and skills of prisoners are well below those of the general population, and only one in five prisoners has a job lined up at the time of release.²⁹
- **Broken Family Life:** Roughly 700,000 state and federal prisoners are parents to more than 1.5 million children under the age of 18.³⁰
- **Mentally Ill:** One-third of state prisoners had “major depression or mania symptoms” and another one-eighth had psychotic disorders.³¹

2. The Life of a Prisoner—Idleness and Stagnation

But despite these huge deficits, most of these prisoners' time while incarcerated is marked by idleness. Most will have done very little to improve their prospects of success while in custody. Thus, the prison system, in part because of the burdens of overcrowding, will have done very little to decrease the risk they pose to society once they return.

- Only 52% of state prisoners reported taking any education courses at all.³²
- Only 48% of able state prisoners held work assignments.³³
- Only one-third participate in any vocational education programs at any time during their confinement.³⁴
- Only one in three state prisoners who were diagnosed with a mental health problem received any treatment at all while incarcerated.³⁵
- Only four in ten state prisoners with drug addiction problems received substance abuse treatment during their incarceration—most of it informal.³⁶

- More than half of all parent prisoners will never see their children during their incarceration.³⁷

3. After Release—Back Through the Turnstile

Once released, returning prisoners face barriers to success and productivity—many of their own making. They also face a system that is often more interested in uncovering and punishing minor acts of failure rather than seeking out and rewarding acts of success. For the most part they are on their own and less

equipped to succeed than the time before they initially went to prison. It should come as no shock that after release, most won't have a job, or continue with drug treatment, or deal with mental health problems, or have a successful relationship with their families, or integrate successfully within their communities in any meaningful way. And it should come as no surprise that over half who leave prison come back through the turnstiles and return to prison within three years.

- Many prisons do nothing to refer mentally ill reentering prisoners to community mental health centers.³⁹
- Typically, more than half of ex-offenders are unemployed during all or most of their first year out of prison.⁴⁰
- Ex-offenders face barriers to employment that make landing many jobs next to impossible.⁴¹
- The typical parole officer has a caseload of 106 ex-prisoners to watch over;⁴² the optimal caseload is about 35.⁴³
- In 2005, close to 200,000 people, or about one-third of all those admitted to prison, were admitted for parole violations.⁴⁴
- The number of people admitted to prison in 2005 for parole violations equaled the number of people sent to prison for any reason in 1980.⁴⁵
- One-fourth of parole violators returning to prison committed a technical violation.^{46*}

“[F]ocusing on the sentence alone does not give our state all of the protection it deserves. The sentence is a finite period of time, and then it’s over. And when it’s over, they come home. The question we should ask is: How do we want them? You don’t just want them not committing new crimes. You want them civil and productive.”³⁸

Dora Schriro, Director of the Arizona Department of Corrections

At a cost of more than \$25,000 per year to incarcerate one prisoner, the return of parolees in just one year cost taxpayers at least \$5 billion. A new approach that is

* Other estimates put the number of technical violations closer to 50%.

true to taxpayer interests, and focuses on public safety and risk reduction is urgently needed.

21st Century Solutions: Punishment and Productivity

In this section, we describe model practices in the states and best ideas from academia and think tanks to reduce the risk returning prisoners pose to communities and increase their likelihood of success and productivity. States such as Kansas and Michigan, under the leadership of Governors Kathleen Sebelius and Jennifer Granholm, have helped pioneer these new approaches, with demonstrated success. In Kansas, the percentage of individuals who commit new crimes while on supervised release dropped by 56% between 2002 and 2007, while in Michigan, the recidivism rate of parolees dropped 21% between 2006 and 2007.⁴⁷

With the right strategy and implementation, we can make communities safe by identifying the most dangerous returning prisoners and preventing them from sparking a new crime wave while helping other returning prisoners make a productive transition back into the community. We also see an opportunity for bipartisanship and salute such Republican leaders as former Virginia Attorney General Mark Earley, Kansas Senator Sam Brownback, and others who have blazed a trail among conservatives for support for prisoners—95% of whom will return to civilian society.⁴⁸

Our solutions fall into three broad categories: 1) Replacing idleness with improvement during each prisoner's incarceration; 2) Creating a better transition from prison to a productive civilian life, especially during the final year of each prisoner's sentence; and 3) Rethinking parole from a culture of "gotcha" to one of case management across state agencies and risk assessment and reduction for the community.

1. From Idleness to Improvement—Preparing Every Day to Return Home

The typical prisoner has enormous educational, mental health, substance abuse, family, and social deficits. Instead of addressing those deficits aggressively, prisoners are by and large idle during their incarceration. Instead of sitting on beds marking time, they should be required to be productive because nearly all of them return to civilian life.

We recommend that an individualized curriculum be developed for each prisoner, and they should be expected to fulfill that curriculum during their stay—day-by-day, week-by-week. Prisoners should be rewarded for participating in activities that are designed to help them become better and more productive citizens. And they should forfeit privileges if they do not.

Under Governor Martin O'Malley, Maryland is one of several states to aggressively assess prisoner needs and create a specific curriculum. After an initial assessment, prisoners are given a Case Management Plan and a series of sanctions and rewards are provided to prisoners who adhere to it. In Maryland, any prisoner without a high school diploma is required to take 120 days of education courses per year, and they receive a small stipend for attendance. "School" attendance exceeds 95%. And in 2006, the Maryland Department of Corrections conferred 734 high school diplomas to prisoners.⁴⁹

The following are some model ideas focused on the stay in prison:

- **Assess early:** The preparation to return home begins with the first day in prison. New prisoners should be assessed on aptitude, education, skill levels, work history, mental health, drug abuse, anger management, family situation, physical health, and nature of their criminal past upon entry into prison. A mental health and substance abuse assessment would determine whether the primary focus of a prisoner's early activities would center on mental health and drug counseling, or other activities. For instance, in Kansas, the "3R Commission," established in 2004, found that "substance abuse and mental illness among parolees and probationers—and the absence of accessible, effective treatment—contributed to the state's high failure rates for people released from prison."⁵⁰ Unless drugs and mental illness are addressed first, all other improvement programs are destined to fail. A Washington State study on costs and benefits of particular crime prevention programs noted that drug treatment programs in prison provided a net benefit to local taxpayers of \$2,702 per prisoner.⁵¹
- **Create a roadmap to improvement:** Based on their assessment and the length of their sentence, a curriculum should be developed for each prisoner to address barriers to success and gain new skills that help them succeed and cope once they return home. The curriculum should include any or all of the following elements:
 - Literacy Education
 - Acquiring a GED (Prisoners lacking a high school degree should be required to take classes unless mentally or physically unfit.)
 - Vocational Training English as a Second Language
 - Earning a two-year or College Degree
 - Mental Health Counseling
 - Substance Abuse Treatment and Counseling
 - Religious Services and Activities
 - Work (with at least part of that work designed to increase marketable skills on the outside)
 - Family Counseling and Parenthood Training

Both prisoners and taxpayers reap benefits from the availability of the programs listed above. The Reentry Policy Council at the Council of State Governments' Justice Center reports that, "a number of recent studies have found that participation in prison education, job training, and placement programs is associated with improved outcomes, including reduced recidivism."⁵² More specifically, the Washington State study referenced above found that vocational education provided a net benefit of \$5,624 per prisoner to local taxpayers.⁵³

- **Require a 40-hour 'work week':** Ideally, prisoners should spend as much time on their curriculum as civilians do at work—40 hours a week. The type of 'work week' we describe is one that requires prisoners to occupy 40 hours a week with self-improvement activities, such as those listed in our curriculum. We realize that this may be unrealistic for all prisoners and within each prison system there needs to be flexibility. We do recommend, however, that prisoners be held accountable for fulfilling the requirements of their curriculum. In addition, rewards should be utilized to help promote and encourage a culture of self-improvement among prisoners. Such rewards could include security reclassification—several states regularly reassess the security classification of prisoners based on their behavior; additional visitation rights; additional phone calls; and modest financial rewards. As noted above, Maryland prisoners receive a small stipend for attending class. A full work week for prisoners has been shown to work. In 1994, the voters of Oregon passed a ballot referendum requiring that all state prisoners perform a 40-hour work week. Since passage, this initiative is one reason three-year recidivism rates dropped by 8.1%, two-year recidivism rates dropped by 9.9%, one-year recidivism rates fell by 15.4%,⁵⁴ and the violent crime rate fell an astounding 46.4% in Oregon, compared to 30.8% for the rest of the nation.⁵⁵

2. Making the Transition to Civilian Life—Reconnecting with the Community

Beginning within 12 to 18 months of release, we recommend a series of measures to initiate a successful and productive return home. It begins with reconnecting the prisoner to the community in order to reduce the risk they pose upon leaving and increase the likelihood that they become productive members of the community. The first 90 days are critical as many prisoners leave prison jobless, homeless, without money or ID, estranged from family, and removed from support services like mental health and drug counseling.

Through such ideas as the Going Home Initiative, the entire criminal justice leadership in Kansas has bought into a new approach that changed the culture of prison reform. They found that 68% of the prison population was incarcerated for a parole violation. When they assessed the skills and needs of those leaving prison,

they found enormous needs in the areas of mental health, substance abuse, education and debt.

Through a series of reforms aimed at “risk containment and risk reduction,” they have refocused the entire prison stay on the eventual return home and have reformed parole from one of “gotcha” to one of case management. Since beginning these reforms in 2004 and 2006, parole revocations are down 50%.⁵⁶

- **Establish prison savings accounts:** Leaving prison, many individuals reenter society with little, if any, money to their name. Ten percent of all earnings from prison should be set aside into an account that is available to the prisoner upon release. This proposal, used in Connecticut, seeks to build a nest egg of up to \$1,000 for prisoners when they return home.⁵⁷
- **Create employment certificates:** Prisoners should be provided with a resume of their prison work and education progress, including recommendations, to give to prospective employers. The Wisconsin Department of Corrections, which works with outside agencies to provide their prisoners vocational training, offers 23 programs certified by the Wisconsin Technical College System.⁵⁸
- **Line up employment:** Prisoners should be connected to state and local employment offices to help them line up jobs upon release. The Texas Project Re-Integration of Offenders (RIO) is operated through Texas’s Workforce Commission and works with individuals both in and out of prison. The project provides job training while in prison and connects prisoners with employment opportunities upon reentry. An evaluation of Project RIO found program participants were more likely than their counterparts to obtain employment, 69% vs. 36%, and program participants were also less likely to recidivate, 23% vs. 38%.⁵⁹
- **Provide state ID cards:** Prisoners should be issued a state picture identification card good for the first year after release to help them integrate back into society and apply for eligible benefits. Currently, many returning prisoners lack forms of identification needed to obtain a driver’s license and other trappings of civil society. As a solution to this barrier, in Montana prisoners can exchange their prison identification card for a state ID for no charge.⁶⁰
- **Help reunify prisoners with family:** Working with state and local social services, prisoners and families (with prior consent from families) should be brought together for reunification and counseling. Examples of family reunification programs include Long Distance Dads, a parenting program which operates in 23 states;⁶¹ Family and Fatherhood program, a parent counseling program promoting positive relationships used in Washington;⁶² and video conferencing to connect parents and children, used by states such as New Jersey and Pennsylvania.

3. Post-Release—Tearing Down Silos and Managing Cases to Reduce Community Risk

Every prisoner that reenters civilian life poses a different set of risks, as well as a different set of hopes. We recommend reforming the parole system to be one of case management, graduated sanctions and rewards, and risk assessment and reduction. We make this recommendation in the context of keeping communities safe and protecting the interests of taxpayers. But we also caution that reentry cannot be the sole responsibility of law enforcement and the corrections institutions, there must be a multi-agency approach that helps returning prisoners cope and succeed on the outside.

When Illinois Governor Blagojevich realized that the state needed to spend \$3 billion to construct new prisons, he knew he needed a new approach. The state re-imagined parole through Operation Spotlight, a program that puts intensive focus on ex-offenders, but also uses a series of graduated sanctions and rewards to redirect their lifestyle. The plan called for hiring more parole officers in order to reduce caseloads and treating technical parole violations for most ex-offenders as a tool to get them back on the right track. In a forthcoming report, Illinois will show that their plan not only reduced the number of parole violators sent back to prison, but also contributed to a decrease in crimes committed by parolees.⁶³

With prison costing taxpayers typically \$25,000 to \$30,000 per prisoner, it makes little sense to return low-risk individuals to prison for a technical parole violation. California announced in December 2007 that it was considering shifting over 20,000 low-risk offenders into “summary” parole status, in which they would not be returned to prison for a technical violation. This plan would save the state an estimated \$329 million through 2009-10.⁶⁴

Conversely, it is destructive to public safety to give a high-risk violent offender a long leash.

States must maximize their resources and focus intensively on the high-risk population to assure swift sanctions for transgressions, while encouraging success among the low-risk population by making appropriate services available, but otherwise streamlining their return to the community.

- **Create a coordinated Reentry Council:** As New Jersey Governor Jon Corzine noted, “Successful reentry requires collaboration and coordination between multiple state agencies, levels of government and private partners, to meet the education, treatment, housing, employment, and healthcare needs of those being released.”⁶⁵ A multi-agency reentry council, housed in the Attorney General’s office, could oversee the state’s reentry issue and involve multiple state departments.⁶⁶

- **Consolidate existing support programs into a one-stop reentry center:** One-stop reentry centers serve as central locations where returning prisoners can access services critical to overcoming post-release barriers. States should ensure that communities receiving a disproportionately high percentage of returning prisoners have a reentry center to smooth the transition. Philadelphia, PA, opened its first Ex-offender Reentry One-Stop Centers in 2007. These centers, located in targeted communities within the city, link previously incarcerated city residents with a comprehensive range of transitional services on-site, such as housing assistance, mental health and substance abuse treatment, parenting and life skills development, and job and vocational training. Philadelphia's Reentry One-Stop Centers also work closely with other city agencies to provide referrals for more intensive services when needed.⁶⁷
- **Conduct individual assessments:** As they are nearing release, a variety of assessment tools should be employed to help develop a plan for each reentering prisoner.
 - **Risk assessment:** Based on their behavior in prison, history of violence and abuse, and a battery of assessment tools, each prisoner should be assessed for their potential to commit violent crimes upon their release. For example, 22% of all homicide arrests in Philadelphia in 2006 were of adults on probation or parole. "But they were needles in the haystack of the 52,000 people assigned to the 285 adult probation and parole officers," said Criminologist Lawrence Sherman. "New statistical techniques can identify the highest-risk offenders under community supervision."⁶⁸ A computer analysis designed by Professor Richard Berk identified probationers who were 42 times as likely to be charged with homicide or attempted homicide than other probationers.⁶⁹
 - **Needs assessment:** A separate assessment should also determine their needs in the areas of mental health, substance abuse, physical health, and family counseling. Determining reentering prisoners' needs will help to ascertain the services that will help in their transition home.
 - **Line up services:** Before their release, prisoners should be put together with state and local programs that can help them ease their return home, including counseling services, health care, faith-based programs, and other services. In California, a program that was able to connect returning prisoners to SSI benefits eased the transition home and lowered the recidivism rate dramatically.⁷⁰ Thus, spending several hundred dollars a month on federal SSI benefits saved thousands of dollars in state incarceration costs.
- **Establish drug courts:** As an alternative to a solely punitive response for offenders with a drug addiction, drug courts work to combat crime through a combination of treatment, supervision, judicial monitoring, and immediate sanctions. A review conducted by the Government Accountability Office (GAO) of nearly two dozen drug court programs around the nation found

among offenders treated through drug courts, rates of recidivism were lower than a similar population of offenders who went through a more traditional court.⁷¹ A separate 2005 evaluation found that 70% of drug court participants graduate from the program and subsequently reoffend at a rate of 17%, while drug offenders who serve time in prison have an overall recidivism rate of 66%.⁷² A 2007 study of one of the oldest drug courts in the nation, located in Portland, OR, concluded that, after controlling for a number of variables, the drug court “significantly reduced the incidence and frequency of criminal recidivism for participants compared to offenders who did not participate.”⁷³ The study also concluded that the drug court saved taxpayers approximately \$9 million over the 10-year period it had been operational.

- **Establish mental health courts:** These courts, modeled after drug courts, focus on treatment for the mentally ill rather than expensive, and often counterproductive, incarceration. Judges, defense attorneys, prosecutors, probation officers, parole officers, and mental health professionals collaborate to discuss treatment options and monitor the progress of defendants. Santa Barbara County, CA, operates two Mental Health Treatment Courts. It includes training on how to recognize and work with mentally ill offenders, increasing participation in treatment programs, and hands on monitoring of client progress. The County has credited reduced recidivism rates with this approach.
- **Re-imagine parole:** Success should not be measured by the number of parole revocations, but by successful reentry into civilian life. Intensive case management should be employed for the first 90-days after release—the period in which former prisoners are most likely to fall into bad habits.⁷⁴ In particular, a study in Ohio found that among mentally ill prisoners, the period immediately following release posed the highest risk of relapse.⁷⁵ The parole system should also be linked into other state agencies that can help the returning prisoner succeed, including job placement and counseling services. Hiring of additional parole agents will assist in ensuring that caseloads are a manageable size.⁷⁶
- **Employ graduated sanctions for parolees:** Between 2003 and 2004, Kansas found that 68% of its prison population was made up of parole and probation violators, and that many of the violations were either technical in nature or non-violent.⁷⁷ Kansas is not unique, and a series of graduated sanctions and rewards should be provided to parolees commensurate with the violation or with progress.

A risk assessment should be used to determine those parolees with the highest risk of violence and sexual predation, where their cases should be managed with a short leash. Mandatory treatment should be employed for non-violent violations having to do with drugs and mental illness for low- and medium-risk parolees. In Illinois, for example, a positive drug test means mandatory treatment. Failure to attend counseling will lead to additional

sanctions, including a short period of detention and treatment before parole is revoked.

Technical parole violations by low- and medium-risk offenders should be used to increase case management before resorting to a return to prison. Once again, in Illinois, parole officers now look at violations as a chance to intervene and change lifestyle choices, rather than return them to prison.

- **Promote employment:** It is extraordinarily difficult for former prisoners to land jobs, but a successfully employed former prisoner is far more likely to stay out of prison and lead a productive life than an unemployed one.

To encourage the hiring of former prisoners, employers should be educated on the federal benefits available when hiring former prisoners, including the Work Opportunity Tax Credit and the federal bonding program that limits employer liability. Where appropriate, states should create a modest tax break for employers who hire those who recently served time.

States should also reexamine laws that bar former prisoners from certain professions (like obtaining a barbers' license, for example). Hamilton County, OH is one of several jurisdictions that are creating a "certificate of rehabilitation" to help former prisoners who have met certain criteria obtain a credential that shows that they are job-ready and have turned over a new leaf.⁷⁸

II. The Lengthening Shadow of Illegal Immigration

The principal mission of state and local law enforcement is to enforce the state's criminal laws and to protect the people and communities that they serve. Illegal entry and visa violations are neither the providence of state law nor are they ongoing criminal violations. And the overwhelming majority of illegal immigrants are law-abiding residents beyond their immigration status. But the sheer number of illegal immigrants and the failure to address the issue comprehensively at the federal level has created a difficult environment for law enforcement.

1) A small number of violent illegal immigrants have been able to commit many crimes in the United States and escape the system and avoid detection and proper punishment. 2) There is a burgeoning criminal enterprise that traffics in human beings and creates false documentation that is often associated with drug and gang activity that permeates and destroys communities. And 3) an opportunistic set of violent criminals are destabilizing communities by seeking out undocumented workers as crime targets because they know that undocumented individuals will not report them for fear of deportation.

In this section, we offer a set of model solutions used in states and localities designed to shine a light in areas where the hidden nature of illegal immigration poses a distinct threat to public safety. That includes putting a spotlight on the most dangerous elements of the illegal immigrant population, the shadowy world of trafficking, and on those who prey on illegal immigrants. Our proposed solutions are aimed at: 1) Closing the escape hatch that has allowed violent illegal immigrant offenders to commit crimes and disappear; 2) Taking down the illegal enterprises that enable the commerce of illegal immigration; and 3) Going after the predators who exploit illegal immigrants.

For every governor, illegal immigration is a problem not of their making. In 1997 there were 5.75 million illegal immigrants in America and they were mostly located in a handful of states. Today there are over 12 million and they are dispersed throughout the country.⁷⁹

Roughly 5 million illegal immigrants have arrived since 2000—a period that coincided with a dramatic reduction of enforcement and border protection under the Bush Administration. Apprehensions at the southwest border and inside the U.S. have decreased by more than 25% since the Clinton Administration.⁸⁰ According to the GAO, in 2006 alone, 20,000 criminals with drugs and weapons violations successfully entered the United States because of staffing shortages at airports and other border entry points.⁸¹ And in 2004, a person was more likely to

die from a lightning strike than to be prosecuted by the federal government for knowingly hiring undocumented labor.⁸²

The Southwest remains the home to the largest population of illegal immigrants, but the states with the greatest percentage increase of illegal immigrants between 2000 and 2005 were mostly concentrated in non-border states in the South and the Northern Plains—Mississippi, (149%), Tennessee (140%), Georgia (102%), Wyoming (100%), South Dakota (80%), South Carolina (79%), Delaware (78%), Alaska (72%), New Mexico (65%), North Carolina (58%), and Maryland (51%).⁸³

The failure of Congress to pass comprehensive immigration reform combined with spotty enforcement at the federal level, means that illegal immigration has largely become a local law enforcement problem—one that is severely draining local crime fighters of resources to fight traditional crime.

States are also suffering from a growing “shadow economy” that revolves around the illegal immigrant population and the corresponding increase in crime it brings. A new and dangerous criminal element is multiplying around this population that includes crimes such as car theft (in border regions), identity theft, drug smuggling, money laundering, falsifying papers, and human trafficking. Arizona estimates that 50% of the “serious crime” in the state is connected to illegal immigration.⁸⁴

This is not simply a border problem. The Newark, NJ schoolyard executions in August 2007—committed by an illegal immigrant with a documented history of crime—showed that our criminal justice system is often ill-equipped to deal with violent criminals who have no fixed identity. In addition, because illegal immigrants have cause to be afraid to contact government authorities, criminals and extortionists know they can prey upon this population with impunity. Thus, a cottage industry of crime has sprung up around illegal immigrants—some designed to help them and some to hurt them.

Defining the Problem: Crimes in the Shadows

1. The Escape Hatch

Are illegal immigrants more likely to commit crimes than others in America?

No. A study by the Immigration Policy Center found that among the prison population, there are far fewer legal and illegal immigrants than one would expect to find based on their sheer numbers. The incarceration rate of U.S. born men between the ages of 18 and 39 was five times the rate of their immigrant counterparts, according to the study.⁸⁵

Although they commit relatively fewer crimes, a GAO report prepared for Republican House member Steve King from Iowa and former Representatives Melissa Hart from Pennsylvania and John Hostettler from Indiana “identified a population of 55,322 aliens that the U.S. Immigration and Customs Enforcement (ICE) in the Department of Homeland Security determined, based upon information in its immigration databases, had entered the country illegally and were still illegally in the country at the time of their incarceration in federal or state or local jail during fiscal year 2003.”⁸⁶

According to the GAO report, these 55,322 illegal immigrants were arrested for a total of 691,980 criminal offenses.⁸⁷ The report found that 21% of the offenses (roughly 144,000 crimes) were immigration offenses. But 24% were drug offenses, 12% for murder, robbery, assault, and sexually related crimes, 15% were property-related offenses such as burglary, larceny-theft, motor vehicle theft, and property damage, and the remaining 28% were for other offenses ranging from traffic violations (including DUI), forged documents, and weapons violations.⁸⁸

Of greatest concern is what we call “the escape hatch” as exemplified by the 25,507 incarcerated illegal immigrants responsible for 521,321 offenses—an average of 20 offenses per person.⁸⁹ While illegal immigrants commit fewer criminal offenses than the general population, it is clear that there is a small, but significant minority who commits a large number of crimes and are too easily able to evade apprehension and monitoring. And in situations like the Newark murders, it is clear that a criminal justice system that should be more strict for illegal immigrants is easily gamed and often more permissive.

In the case of the Newark murders, an illegal immigrant who had been arrested repeatedly for serious violent and sexual offenses escaped the criminal justice system entirely. Bail was set at low levels for previous crimes, no check was made of his immigration status, and therefore there was no attempt to hold or deport him. He was able to easily walk the streets and commit a triple homicide.

In another way to game the system, Illinois county prosecutors had to battle the feds over Jose Vallego, a Mexican national accused of sexually assaulting a 4-year old girl. In this case, Vallego sought to escape up to 30 years in state prison by posting bail and having himself deported to Mexico.⁹⁰ It was only due to alert Illinois County prosecutors that Vallego’s plan was foiled.

But even if Vallego had succeeded in self-deportation, that is no guarantee that he would not return. “If deported, [criminal aliens] frequently use new names to reenter the United States and establish residence in different cities,” according to Jim Kouri of the National Association of Chiefs of Police.⁹¹ Using records from the Department of Homeland Security, Kouri found that 30% of defendants charged with an immigration offense had been convicted of at least one prior felony in the United States.⁹²

In addition, violent transnational gangs like MS-13, Vatos Locos, and the Latin Kings operate brazenly in scores of cities in the United States and often have members who are undocumented. If they are deported, they, too, often come back.

But it is not clear that even if the immigration status of people like Jose Carranza of Newark or Jose Vallego of Chicago were determined whether there would have been any different outcome. That is because the federal government misses many opportunities to deport violent criminals in its possession. In fiscal year 2003, the United States deported a mere *total* of 1,901 fugitives (defined as an illegal immigrant who has been given a legal order to deport). This includes criminal and non-criminal aliens. Immigration officials are on pace to deport more than 20,000 this year, but fewer than half will be criminals.⁹³

According to ICE, the “primary mission of the [National Fugitive Operations Program] is to identify, locate, apprehend, process, and remove fugitive aliens from the United States with the highest priority placed on those fugitives who have been convicted of crimes.”⁹⁴ In June 2004, all fugitive apprehension teams under ICE were told to set a goal so that 75% of apprehensions were to be of criminal aliens. By January 2006, the fugitive apprehension goal was changed again but it still placed public safety at the top of the list:⁹⁵

1. Fugitives posing a threat to the nation—such as terrorists
2. Fugitives posing a threat to the community—such as gang members
3. Fugitives with a violent criminal history
4. Criminal fugitives
5. Non-criminal fugitives

But as recently as 2006, only 4,158 criminal fugitives were apprehended—a decline from 2004 and 2005.⁹⁶ Between 2003 and 2006, more than half of all fugitive apprehensions were non-criminal.⁹⁷ And between September 2001 and August 2006, the Department of Homeland Security reported that the fugitive alien backlog had nearly doubled.⁹⁸

The reasons most often cited for this poor record of results are inadequate staffing levels, a paucity of beds to detain fugitive aliens, and according to a Fugitive Operations Team supervisor within ICE, a database that has “been neglected for the past 25 years.”⁹⁹ As criminologist and professor Tom O’Connor of North Carolina Wesleyan College wrote, “the first thing to understand is that the United States does not yet have an integrated, coordinated law enforcement response to immigration control.”¹⁰⁰

The Justice Department seems to agree. “When you consider the other high-priority laws that the department is charged with enforcing, such as drug trafficking, firearms offenses, violent crime, national security, child pornography

and corporate fraud, the department is achieving a balance of immigration enforcement with other areas," said Justice Department spokesperson Dean Boyd in 2007.¹⁰¹

The result, however, is a system in which the very worst of illegal immigrants often escape detection, punishment, and deportation.

2. The Criminal Enterprise

In Arizona, the average cost of a "three-pack"—a fraudulent driver's license, Social Security card, and a Permanent Resident Card—is \$160. The average time from order to delivery is one hour. The typical manufacturer makes an average of 7,000 fraudulent documents a year and nets close \$600,000.¹⁰² This is one of the many criminal industries that have sprung up around illegal immigration.

The overwhelming number of illegal immigrants is law-abiding save for their immigration status. But the illegal immigration trade has sprouted criminal enterprises around them. Some of this enterprise is meant to help illegal immigrants, such as human smuggling, the creation of false identification, and employers who purposely turn a blind eye to the law. The human smuggling business alone is estimated to generate \$10 billion in revenue per year world-wide.¹⁰³

Some of this enterprise is meant to hurt illegal immigrants, such as human trafficking and slavery, rip-off schemes, and employers who promise, but refuse to pay wages for work.

But the sheer number of illegal immigrants, combined with their needs to obtain fraudulent documents and work, has led to burgeoning criminal enterprises. According to the Arizona Criminal Investigations Division, "50% of the serious crime committed in [Arizona] is related to illegal immigration, apart from illegal immigration itself, such as murder, sexual assault, aggravated assault, fraud, hit and run collisions, kidnapping, felony, flight, DUI, and identity theft."¹⁰⁴ The CID also reports that, "extremely violent gangs from Mexico and Latin America ... are acting as enforcers for drug and human smuggling organizations."¹⁰⁵

The Phoenix police department estimates that between 1,000 and 1,500 "coyotes" operate in the city, smuggle and hide thousands of illegal immigrants, and provide them with false documents and transport throughout the country.¹⁰⁶ Identities of "U.S. citizens are being stolen or hijacked by criminal organizations and sold to illegal aliens in order to gain unlawful employment in this country," according to Julie Myers, the head of ICE.¹⁰⁷

In April 2005, raids in Florida, Michigan, and Maryland led to more than 50 arrests and the recovery of over 2,000 phony drivers' licenses intended for illegal immigrants.¹⁰⁸ In May 2005, two Mississippi men pled guilty to selling fake

documents to Filipino terrorists.¹⁰⁹ In February 2006, 50 members of a Mexican organized crime syndicate were prosecuted in Denver for running smuggling and counterfeit operations.¹¹⁰ In March 2006, seven counterfeit-document labs were raided in Los Angeles. And in June 2006, five Massachusetts homes were caught in a sweep in which false documents were being produced for illegal immigrants.¹¹¹

A 2007 investigation found that six travel agencies were essentially smuggling operations, providing one-way airfares from Latin American countries to Las Vegas for at least 6,800 illegal immigrants since August 2005. Smugglers charged between \$2,000 and \$10,000 above and beyond the cost of the plane ticket.¹¹²

And it is not uncommon for smuggling operations to be lethal. In 2004, 110 illegal immigrants were chained inside a house in Los Angeles while smugglers demanded more money. The house was only 1,100 square feet.¹¹³ In 2005, Arizona Governor Janet Napolitano and New Mexico Governor Bill Richardson declared a state of emergency along their borders with Mexico to help law enforcement combat drug traffickers and human smugglers at the border.¹¹⁴ Said Gov. Napolitano, "The federal government has failed to secure our border, and the health and safety of all Arizonans is threatened daily by violent gangs, coyotes and other dangerous criminals."¹¹⁵

Through August of 2007, 177 illegal immigrants died during their border crossing in Pima County, AZ alone. It is rare that any smugglers are held responsible for these deaths.¹¹⁶

In the past, much of the smuggling and trafficking was done by small operations. But the potential profit is now so high that organized crime syndicates have taken over in many areas. "Triads have taken over the smuggling of [Chinese] illegal immigrants from smaller 'mom and pop' organizations as an increasingly attractive alternative to drug trafficking because it promises multibillion dollar profits without the same severe penalties if caught," according to a State Department communiqué on China's human smuggling trade.¹¹⁷

The national controversy over illegal immigration in the past few years and the resultant crackdown on the border have led to some unintended consequences. According to Alonzo Pena, Special Agent in charge of ICE in Arizona, "It's harder for the smugglers to get their commodity—whether drugs or aliens—across. The value of that commodity goes up, as does the level of protection, usually through violence."¹¹⁸

This is but a thumbnail sketch of the vibrant, profitable, violent and illegal shadow economy that has developed to serve and exploit the illegal immigrant population. While some of the most sophisticated operations are located along the border, these organizations are now spread throughout the nation.

3. The Predators

The August 2007 schoolyard shootings in which an illegal immigrant brutally murdered several Newark, NJ residents received national attention. The sadistic murder of an illegal immigrant and the torture of his pregnant wife in an Arizona “drop house” did not.¹¹⁹ Fearing little from the law because illegal immigrants are afraid to contact police, a new crime trend has emerged where gangs, smugglers, extortionists, and street criminals target illegal immigrants for crimes ranging from rape and murder to kidnapping and theft.

Human trafficking, which often involves slavery and the sex trade, has now surpassed the drug trade as the largest illegal enterprise in the world, according to some security experts.¹²⁰ The State Department estimates that between 14,500 and 17,500 individuals are trafficked into the United States, usually for purposes of sexual exploitation or forced labor.¹²¹

“Illegal immigrants are the victims of unreported crimes,” notes criminologist Tom O’Connor. “A wide range of predators victimize them, including guides, escorts, and organizers who rob, rape, and kill them; abandon them in the desert, toss them overboard at sea or out of speeding cars while under hot pursuit; force them to work in sweatshops or prostitution rings to pay off the cost of the trip. Employers cheat them of earnings. Hate groups terrorize them. Inner-city, organized gangs exploit or blackmail them. There’s a whole black market for smuggling illegal immigrants that is operated by organized crime.”¹²³

“...[if] people who are here illegally stop reporting crime or [are] afraid to serve as witnesses... That only puts that population at greater risk for greater harm.”¹²²

Chuck Wexler, executive director of the Police Executive Research Forum

In Arizona, police officials investigated more than 100 kidnapping cases of illegal immigrants. “Kidnappings have long been an issue among illegal immigrants, where predators know victims are less likely to turn to law enforcement. But authorities say the rate of such crime has reached a new high,” according to a recent story in *The Arizona Republic*.¹²⁴

In 2006, there were 215 weapons-related robberies of illegal immigrants in Yuma County, AZ, compared to 30 in 2005. In 2006, there were 199 assaults against illegal immigrants, compared with 22 in 2005 in Yuma County.¹²⁵ In Prince William County, VA, attacks of illegal immigrants are occurring so frequently that they have created a task force and specialized unit to combat the

problem. Roving bands of thugs are attacking illegal immigrants because they often get paid in cash and they are afraid to report crimes for fear of deportation.

“Like alligators waiting for the gazelle to cross the river,” said Assistant Virginia Commonwealth’s Attorney John Arledge after one assailant was sentenced. The attacks have become so commonplace that perpetrators termed the assaults “amigo shopping.”¹²⁶ Robberies against Hispanics in Prince William County doubled in 2005 even as the overall crime rate dipped to its lowest level in five years.¹²⁷

In Farmingville, a suburban town on Long Island outside of New York City, police have noted a surge in violent crimes and robberies directed against Hispanics. Day laborers who work for cash and often get into cars driven by total strangers promising work are a frequent target. One typical victim had \$350 in his pocket from several days of work, accepted an offer of five hours of work for \$100 from a man in a car, entered the car, and was driven to a secluded location where he was robbed at gunpoint.¹²⁸

Between 1993 and 1998, crimes against Hispanics in North Carolina jumped 500 percent, according to a report.¹²⁹ The report cited “fears of police and immigration officials” as reasons why many crimes went unreported.¹³⁰ “Asian youth gangs almost always target Asian families for home invasions because these families are less likely to report such crimes to the police. This is because many recent Asian immigrants come from countries where the police were seen either as completely corrupt, woefully ineffective, or even working in conjunction with gangs. Such publicity would also bring ‘shame’ to their community, which goes against the families’ social conditioning,” according to a report on Asian American gangs.¹³¹

Even in small, rural counties, there has been a rise in unreported crimes against Hispanics. Tiny Colquitt County in rural Georgia reports that there has been a significant problem of Hispanics not reporting crimes against them.¹³²

21st Century Solutions: Shining a Light to Restore the Rule of Law

Our proposed solutions are culled from the best practices from states, localities, and academia. In particular, many of our solutions are based on the efforts of Arizona, under the leadership of Governor Janet Napolitano. These solutions are designed to adhere to the primary mission of state and local law enforcement, which is to enforce local laws and to protect the people and the communities they serve.

These solutions are aimed at 1) The “bad fish”—the smaller universe of dangerous and violent illegal immigrants, 2) The “big fish”—the enablers and profiteers of illegal immigration, and 3) The “sharks”—those who take advantage of illegal immigrants because they don’t fear any reprisals from law enforcement.

1. The Bad Fish—Closing the Escape Hatch

These solutions close the escape hatch for the small, but dangerous group of illegal immigrants who commit crimes that have nothing to do with their immigration status. Because there is no uniform state or national policy regarding suspected illegal immigrants who commit crimes, many violent criminals are released only to commit more crimes when they could have been held or deported on immigration charges.

- **Encourage state and local officers to participate in the federal 287(g) program to identify and apprehend illegal immigrants responsible for violent crimes:** This federal program trains and deputizes state and local law enforcement officials to investigate and enforce immigration offenses and improves their ability to access information compiled by federal authorities at ICE. It also provides state and local law enforcement with an important mechanism to ensure that violent individuals do not disappear down the escape hatch. For example, the Los Angeles County Sheriff's Department and the Massachusetts Department of Corrections are using their authority via 287(g) to screen inmates in their states' correctional systems. As of late 2007, 34 local law enforcement agencies were participating in the 287(g) program, while another 77 jurisdictions had applied to participate.¹³³ Because of 287(g) agreements in Arizona, approximately 93% of all criminal aliens are issued ICE detainers the same day they are admitted to the Arizona Department of Corrections. In addition, 1,444 eligible non-violent criminal aliens have been transferred to ICE for removal to their home country after one half of their sentence is served yielding a saving of 310,690 bed days equal to a cost savings of \$19,150,690. And as a result of their training, the Arizona police have raided 13 drop houses and arrested 54 human smugglers for charges including kidnapping, extortion, assault, human smuggling, and conspiracy.¹³⁴
- **Check the immigration status of gang members who are arrested in crimes and notify federal authorities for deportation:** San Diego's Regional Gang Task Force identifies gang members and then determines whether they can crack down on them based on whether they may be violating parole, for example, or if they are undocumented. They refer undocumented gang members to ICE for detention and deportation.¹³⁵ Similar efforts are underfoot in other jurisdictions.
- **Establish a joint fugitive alien task force with ICE's National Fugitive Operations Program that brings local, state, and federal resources together:** Prioritize the operation of the joint fugitive alien task force to focus on fugitive aliens who pose a threat to the nation and to the community—including those with violent criminal histories. These fugitive aliens are the top priority for the feds and should be the top priority for localities.¹³⁶

2. The Big Fish—Taking Down Illegal “Illegal” Enterprises

There is a growing and lucrative number of organizations that owe their existence and profits from the smuggling, trafficking, and enabling of illegal immigration. Many of these operations are hidden from view, and it will take a coordinated and concerted effort to root out, dismantle, and prosecute these enterprises.

- **Create an illegal immigration strike force aimed at the big fish:** Establish an illegal immigration strike force to crack down on the enablers of illegal immigration, including those who create false identification, facilitate human trafficking, and provide phony immigration legal services.
- **Establish a Financial Crime-Fighting Task Force:** A financial crime-fighting task force can target and dismantle criminal organizations that enable illegal immigration by disrupting their cash flow, seizing their assets, and arresting the participants of criminal syndicates. The Arizona Financial Crimes Task Force, for example, analyzes banking data using Currency Transfer Reports. The data revealed a large number of financial corridors in which far greater sums of money were flowing out of Arizona and into foreign accounts than vice versa. This led to so-called “damming warrants” which blocked the transfer of funds.¹³⁷ As an unexpected corollary, the Task Force identified and shut down suspicious travel agencies that were facilitating human smuggling and drug trafficking.¹³⁸
- **Create a Fraudulent Identification Task Force:** Based on the Arizona model, a fraudulent identification task force can identify and disband the makers of state, federal, and foreign fraudulent IDs. Arizona Governor Janet Napolitano named the Director of the state’s Department of Liquor Licenses and Control to head their fraudulent identity task force because the liquor department knows phony IDs better than anyone. In two years, the task force apprehended 221 defendants, filed 1,696 felony charges, seized \$1.5 million in cash, turned 139 people to federal immigration authorities, and seized 38 weapons and 2,201 fraudulent documents.¹³⁹
- **Enact a human smuggling law:** A human smuggling law enables states to go after the conduits of illegal immigration, such as travel agencies that knowingly smuggle illegal immigrants by air to American destinations and drop-houses that act as transfer points for the illegal immigration trade. Arizona’s human smuggling law has led to major felony indictments.
- **Ensure that human trafficking is a state felony:** Make certain human trafficking is a state felony. Unlike human smuggling, traffickers often hold people against their will and force them into servitude or prostitution.¹⁴⁰
- **Enhance penalties for those in the illegal immigration business:** Enhance penalties for smugglers and fraudulent ID makers, as they know that in most states penalties are fairly small.

- **Deny state contracts for non –compliant businesses:** Deny state contracts to businesses that repeatedly flaunt immigration laws.

3. The Sharks—Going after Predators

Just as there are criminal enterprises that have sprung up around the transport and employment of illegal immigrants, there is a new type of criminal that seeks to exploit a population that is fearful of authorities. These ideas are designed to build trust between police and immigrant communities to promote public safety for all and protect a vulnerable population.

- **Pass a law to make it illegal to destroy or threaten to destroy immigration papers or work documents:** Make it illegal to threaten to turn over illegal immigrants to law enforcement in order to force an undocumented person into servitude, prostitution, or to perform labor or services that violate health, safety, and wage laws. Colorado and Virginia have passed model laws.¹⁴¹
- **Form partnerships between local law enforcement and leaders of the immigrant communities in cities and towns:** Local partnerships between local law enforcement and immigrant community leaders have engaged in cooperative efforts to combat crimes targeting undocumented immigrants. Some of these local partnerships allow victims and witnesses of crimes to come forward and report crimes to police without any questions being asked about their immigration status. Former New York Mayor Rudy Giuliani credits this policy as part of the reason that New York is one of the safest cities in America.¹⁴² This policy is also being used effectively in rural areas, like in Colquitt County, GA, where they have teamed up with University of Georgia’s Archway Project to reach out to a Hispanic community that is largely comprised of illegal immigrants. “A bridge is being built in this regard. I think we are gaining their trust,” said Moultrie Police Chief Frank Lang of Colquitt County.¹⁴³
- **Increase patrols and outreach in immigrant communities:** In suburban Prince William County, VA, police have responded to increasing crimes against Hispanics by staking out areas like check cashing stores in Latino neighborhoods as they wait for mugging attempts. A three-week crackdown netted 74 arrests, 18 firearms, and \$40,000 in cash.¹⁴⁴

III. The Sprawling Parentless Neighborhood of the Internet

Growing up has never been easy, but today, it has never been so hard. Because of new technologies, places once considered absolutely safe, like the home, can now be extremely dangerous.

Parents once knew who their children were speaking with; now, many have no idea. Sexual predators once were limited to cruising neighborhoods in cars; now they surf the world online. And coarse influences like extreme hard core pornography, once relegated to shabby adult book stores on the edges of towns are now abundant, free, and pervasive to anyone on the internet regardless of age.

We are at the dawn of a new era for kids and safety, because the internet is a vast, parentless neighborhood. In this section, we call for a series of steps to protect young people from the new threats of the online world. We offer ideas designed to insert a responsible adult presence by 1) Making social networking sites safer for kids; 2) Cracking down on online porn sites that give unfettered access to children; and 3) Apprehending the makers and consumers of child pornography.

Traditionally, parents have worried about the physical location and safety of their children—the hazards of crossing the street, passing through unsafe neighborhoods at unsafe times, and strangers offering kids a ride. Today, the rules have changed and parents aren't sure how to adapt. Parents today seem more involved than ever in planning their kids' activities. Yet, even with a heightened level of involvement, they often don't know what their children are doing in cyberspace, who their friends are, or what they are subject to. Ninety-three percent of American teens use the internet and 55% have an online social networking profile,¹⁴⁵ and parents can no longer rely on age-old adages to ensure safety in this new online neighborhood.

A 2006 Insight Research Group poll found that parents simultaneously worry about their kids' online activity, while recognizing that the internet is an essential part of their children's lives.¹⁴⁶ Parents were especially worried about: "sexual predators" (80%), "having their kids exposed to values they don't agree with" (72%), and "experimentation with pornography or explicit content" (55%).¹⁴⁷ In a recent poll conducted for Third Way, 78% of Americans say children "are more vulnerable to the dangers of crime today than 10 years ago."¹⁴⁸

In the following section, we explore the new parentless neighborhood of the internet. One neighborhood, comprised of social networking sites, appears benign

but is fraught with hidden dangers. It is simultaneously an intimate and anonymous setting. It is populated by a largely innocent and curious group of young people, as well as adult strangers who prey on the naïve and insecure. The other neighborhood, comprised of pornography sites (most legal but some illegal), is for adults only but children are allowed in.

In the solution section, we offer ways to put a responsible adult presence and barrier between children and those who seek to harm them.

Defining the Problem: The New Parentless Neighborhood of the Internet

1. The Neighborhood of Online Social Networking

Social networking websites allow users to create a personal profile and connect to other users through a network of friends and contacts. The sites enable members to post personal information and update their own profiles, communicate with other members of the site, and keep abreast of the profile information and updates of those in their network.¹⁴⁹

The process to register with social networking sites is easy and straightforward. The two largest social networking sites, MySpace and Facebook, allow anyone over the age of 14 with a valid email address to join their sites.¹⁵⁰

The growth and popularity of social networking sites has been staggering:

- Five years ago, there were zero profiles on either MySpace or Facebook. Now, there are an estimated 150 million users worldwide;¹⁵²
- Both MySpace and Facebook are among the ten most visited sites for U.S. internet users.¹⁵³

Social networking sites are particularly popular with youth. The Pew Internet and American Life Project studied the internet habits of American youth and found that approximately 55% of those between the ages of 12 and 17 years old had a profile at social networking sites such as MySpace or Facebook.¹⁵⁴ Seventy percent of girls aged 15-17 in the Pew survey reported using social networking sites.¹⁵⁵

“Older socializing technologies, such as Internet discussion boards and chat rooms, allow users to converse about favorite topics...with a minimum of personal information exchanged. But social-networking sites have greatly increased Internet users' ability to discover other users' full personal information. For instance, newer social-networking sites utilize a personal profile — usually with photos and detailed descriptions of the person's likes and dislikes — as well as the names of friends with whom the person e-mails or instant messages.”¹⁵¹

Marcia Clemmitt,
CQ Researcher

Approximately half of teens who use social networking sites visit at least once a day.¹⁵⁶ The number of 12-17 year old users of Facebook grew 149% between May 2006 and May 2007.¹⁵⁷

Pew found that teens volunteered the following information in their online profiles:¹⁵⁸

- 82% included their first name in their profiles;
- 79% included personal photos;
- 66% included photos of their friends;
- 61% included the name of their city or town; and
- 49% included the name of their school.

“In the future, it may be unheard-of for a teenage girl from a loving family to disappear into her room every night for two hours of unsupervised e-chatting and instant messaging and MySpacing. Then again, it may be even more common than it is today. All we know for sure is that our children are living in the midst of a technological revolution, and that they’re drawn to it like moths to a flame.”¹⁵⁹

Caitlin Flanagan,
Atlantic Monthly

The Walt Disney Corporation’s recent purchase of Club Penguin, a social networking and interactive site for children, shows that the social networking phenomenon is sure to include younger audiences in the future.¹⁶⁰ The research firm eMarketer estimates that 20 million children will belong to a virtual world by 2011.¹⁶¹

Pew notes that “in order to reap the benefits of socializing and making new friends, teens often disclose information about themselves that would normally be part of a gradual ‘getting-to-know-you’ process offline (name, school, personal interests, etc.). On social network sites, this kind of information is now posted online—sometimes in full public view.”¹⁶²

Experts at the Crimes against Children Research Center at the University of New Hampshire speculate that “adolescents may be especially drawn to online relationships because of their intense interest in forming relationships, and because the expansiveness of cyberspace frees them from some of the constraints of adolescence by giving them easy access to a world beyond that of their families, schools and communities.”¹⁶³

Threats and Solicitations

This is not Mr. Rogers’ Neighborhood.

A report from the Office of the North Carolina Attorney General Roy Cooper found more than 29,000 registered sex offenders on MySpace. “That number includes just the predators who signed up using their real names, and not the ones

who failed to register or used fake names, or who haven't been convicted."¹⁶⁴ Cooper's office also conducted a review of media reports through the first six months of 2007 and found over "100 criminal incidents involving adults who used MySpace, the largest social networking site, to prey or attempt to prey on children. That's double the number of such incidents reported in the media in 2006. That's only one website, and doesn't include incidents that went unreported."¹⁶⁵

The National Center for Missing and Exploited Children and the Crimes Against Children Research Center found that seven percent of online girls reported "aggressive solicitations, in which solicitors made or attempted to make offline contact."¹⁶⁷ The report also found that 4% of youth internet users said that online solicitors "asked them for nude or sexually explicit photographs of themselves."¹⁶⁸

This study also documented the rise of more subtle and pervasive instances of online threats in the form of online harassment and bullying. Nine percent of youth reported being harassed online and an additional 9% reported using "the Internet to harass or embarrass someone."¹⁶⁹ The online harassment issue rose to the forefront of national consciousness in November 2007, during the aftermath of a 13-year old Missouri girl's suicide. It turned out that a rival girl's mother helped to trigger the tragedy after impersonating a teenage boy and engaging in online harassment of the girl.¹⁷⁰

Though social networking sites provide "privacy settings" which allow the user to choose what information is available to friends versus the public, "you're only as safe as your friends are," according to Michelle Collins of the National Center for Missing and Exploited Children.¹⁷¹ As Collins explains, one teenage user may not name her school on MySpace, "but if she has four friends who all reveal the name of their school, then anyone who reads their pages can surmise [it]."¹⁷² Amanda Lenhart of the Pew Internet and American Life Project stated that "the tension is between trying to be findable for the people who you want to find you and not findable for everybody else."¹⁷³

"It's a predator's dream come true. Not only can you see them, but you can see their friends. You can find out where they go to middle school and high school."¹⁶⁶

Middletown, CT Police Sergeant Bill McKenna, after seven CT teenagers were assaulted through connections made on MySpace.

2. The Adults Only (Kids Allowed) Neighborhood

A Google search of the word "porn" elicits 228 million pages of content. Typing "XXX" uncovers 296 million pages. And the word "sex" finds 791 million pages. Pornography is an immense and lucrative industry, generating earnings of more

than \$13 billion in the U.S. alone in 2006 — roughly equal to the combined annual revenue of ABC, NBC, and CBS.¹⁷⁴

It is against the law to distribute pornography to minors under the age of 18. The Supreme Court has ruled that the First Amendment “does not protect obscene materials.”¹⁷⁵ Federal law also prohibits a person from providing “obscene materials to someone the person knows is under 16 years of age,”¹⁷⁶ and “knowingly using an interactive computer service to display obscenity or child pornography in a manner that makes it available to a person under 18.”¹⁷⁷

But the Internet Filter Review finds that as many as 20% of all porn web visits are by those under the age of 18.¹⁷⁸ A recent study found that 42% of online youth had been exposed to online pornography in the past year, of whom, 66% reported only unwanted encounters with pornography while online.¹⁷⁹

In some cases, exposure to pornography occurred through sites that came up in response to searches or misspelled web addresses or through links within websites, pop-up advertisements, and spam email. A Florida man made over \$1 million, in part by purposefully misspelling “Teletubbies,” “Disneyland,” and other popular children’s search terms to direct internet searchers to pornography websites.¹⁸⁰

That partly explains why children and teens encounter pornography with alarming regularity while online. But a far more central reason is due to something known as “the porn standard.”

The Porn Standard

The porn standard is an honor system age verification mechanism that is used by nearly all explicit websites and is a standard that we would not accept in any other area where youths are prohibited—alcohol, tobacco, firearms, voting, and driving. Under the porn standard, the thin veil separating a child from viewing hardcore pornography is answering truthfully to an anonymous online question, “Are you 18 years of age or older?”¹⁸¹

Additionally, the online porn industry works primarily through free “teaser” sites that display hardcore pornographic images on their homepages or affiliate sites, even before children would have to say whether they are of legal age. It is a volume business where affiliates put up millions of pages of free pornography through an agreement with porn sellers to link up eventually to pay sites. “Just about every one of our [customers] initially came through an affiliate,” said Josh Seims, a co-founder of the adult site videobox.com which has more than 70,000 paid subscribers.¹⁸²

Existing content filters and blocking technology play a role in internet safety. These devices work by “filtering out the sending or receipt of messages, text, or images containing certain language or terms” or by “blocking access to a list of

unacceptable sites."¹⁸³ However, only approximately half of parents report owning such technology¹⁸⁴ and it is very simple for kids to turn off and turn on blocking filters.

Child Pornography

Most disturbing is the prevalence of child pornography online. As the National Center for Missing and Exploited Children states, "the Internet has become a child pornography superhighway, turning children into a commodity for sale or trade."¹⁸⁵ Analysts at that organization have located nearly 10 million images and videos of child pornography on the internet since 2002."¹⁸⁶

The below statistics illustrate the scope of child pornography:

- Over 20,000 images of child pornography are posted online every week;¹⁸⁷
- 100,000 websites worldwide offer illegal child pornography;¹⁸⁸ and
- Child pornography is a \$3 billion annual industry.¹⁸⁹

Before the advent of the internet, pedophiles traded a relatively static set of recycled pornographic images; now, the rapid growth of child pornography online and the competition for profits between internet sites has fed an insatiable demand for new images.¹⁹⁰

21st Century Solutions: A Responsible Adult Presence

In this section, we recommend a series of best practices and new ideas to help make the internet a safer place for children. In some cases, the predator seeks to physically harm young people. In other cases, the predator is simply out to make money through pornography and young viewers are one of the avenues. In all cases, we need to ensure that there is a greater adult presence online that better protects children.

1. Making Social Networking Sites Safer for Kids

The phenomenon of social networking sites has grown so rapidly that most states and most parents are far behind the curve. To their credit, the major social networking sites, MySpace and Facebook, are not resistant to working with governors and Attorneys General to protect kids and identify bad actors. But there are still gaps in the law that need to be filled to protect kids as best as possible against predators in this parentless neighborhood.

- **Provide a toolkit educating parents about online safety:** States such as Connecticut, Kansas, and North Carolina have taken steps to help parents keep their children safe online. For instance, both Kansas Attorney General Steven N. Six and Connecticut Attorney General Richard Blumenthal have on their websites a toolkit recommending several methods of parental

- involvement on social networking sites, including registering their own profile to monitor their children's activity directly and installing free software that will block access to social networking sites. This is one of several ideas that states have developed to help parents monitor their children's computer use to keep them safe. Other states with model programs include Arizona, Maryland, and New Jersey. We suggest following these states' examples and place online safety information in easily-accessible sections of the state website, such as the sites for the Governor, Attorney General, and state police.
- **Make it illegal for an adult to impersonate a minor online with intent to solicit, intimidate, harass, or engage in illegal behavior:** To provide prosecutors with an additional tool to crack down on online solicitation of children, we suggest a new criminal penalty for adults impersonating a minor while online. While a number of states have existing "criminal impersonation" statutes, these laws mostly relate to impersonating a specific individual.
 - **Strengthen existing laws prohibiting online solicitation of a minor for sex:** In 2006, Kansas and Oklahoma established the crime of "electronic solicitation" as a felony offense.¹⁹¹ These developments followed on the heels of similar legislation passed in 2005 in Hawaii, Kentucky, Louisiana, and Texas that prohibited the solicitation of a minor through the internet. California raised the age of its child "luring" statute from age 12 to age 14. New Mexico increased the criminal penalty of computer-aided solicitation of a minor, raising the offense from a fourth degree felony to a second degree felony.¹⁹²
 - **Establish a state law against cyberstalking a minor:** As Pepperdine Law Professor Naomi Harlin Goodno has written, existing laws do not always address harassment from someone who is not geographically close to their victim or who remains mostly anonymous. Goodno suggests a "reasonable person standard" for cyberstalking cases, which would make it a criminal offense to repeatedly harass someone via electronic means in a manner that would cause a "reasonable person to suffer substantial emotional distress, or a parent to fear for the well-being of their underage child."¹⁹³ Six states, Illinois, Louisiana, Mississippi, North Carolina, Rhode Island, and Washington, have laws specifically dealing with cyberstalking, while four others, Delaware, Florida, Nevada, and Virginia, have amended existing laws to incorporate new online stalking components.¹⁹⁴
 - **Require sex offenders to register their emails with the state and establish linkages between social networking sites and state sex offender databases:** Currently, 10 states have passed laws requiring sex offenders to register their email addresses with their state's sex offender registry.¹⁹⁵ Social networking sites, state-based sex offender databases, and state and local law enforcement must share information to ensure that those with past criminal histories of inappropriate contact with children do not have access to youth profiles and information online.

- **Restrict certain internet access of registered sex offenders:** New Jersey has passed a new law that makes it illegal for registered sex offenders to enter certain websites that could facilitate adult-children contact. It also gives law enforcement the ability to occasionally examine the computer history of registered sex offenders.¹⁹⁶
- **Form partnerships between social networking sites and law enforcement:** A consortium of 50 state Attorneys General, led by Connecticut Attorney General Richard Blumenthal and North Carolina Attorney General Roy Cooper, have initiated efforts to ensure that, even in the absence of new statutes, social networking sites cooperate with state and local law enforcement and continue to try and expand features for parents.¹⁹⁷ Partnerships between online sites and state law enforcement already have proven their value. Subpoenas sent by the State of New Jersey to MySpace in August 2007 uncovered “269 registered New Jersey sex offenders with MySpace profiles. Among that group, State Parole Board and State Probation officials identified 109 individuals who are on probation or parole. The State Parole Board charged one individual who appeared on the list of MySpace users with a parole violation related to Internet use.”¹⁹⁸

In January 2008, MySpace announced an agreement with 49 state Attorneys General about new tools to strengthen youth safety while on that site.¹⁹⁹ The tools include a provision forcing adult users to prove that they know youth users before contact is allowed; a mechanism for parents to submit their child’s email address to the site to prevent those users from creating profiles; new site default settings that automatically make the profiles of under-18 users “private” and not viewable to the public; and the hiring of a contractor to find and eliminate pornographic images from MySpace profiles.²⁰⁰

- **Give parents the tools to monitor social networking sites:** Parents have limited tools and resources that allow them to ensure that their child has safe and appropriate experiences on social networking sites. Though MySpace unveiled a number of parent-focused safety tools as part of their January 2008 agreement with state Attorneys General, lower-profile social networking sites have yet to follow suit.²⁰¹
- **Require children under 16 to obtain parental consent before joining social networking sites:** North Carolina has proposed requiring parental consent as a prerequisite for minors to join social networking sites. In response, sites such as Facebook say that “requiring parents to verify the ages of their children wouldn’t work, because there isn’t any way to determine the individual is in fact the parent.”²⁰² However, North Carolina Attorney General Roy Cooper suggests that follow-up correspondence with the parent and linking verification directly to public information databases can help ensure that parents have provided consent.²⁰³ States also can establish their own laws guiding adult-to-minor online contact. For example, in 2006, Colorado passed a law prohibiting a non-relative from using a computer network to

“communicate with a child under age 15 without consent of the child's parent if the person is at least four years older.”²⁰⁴

2. Cracking Down on Online Porn Sites that Give Unfettered Access to Children

States, cities, and towns have successfully enacted laws that keep kids away from pornography in its physical form—zoning laws for adult bookstores and clubs, packaging laws to cover adult magazines in stores, and physical barrier laws that separate kids from pornography in video stores. Laws restricting access to online pornography have been much more difficult to enact due to First Amendment issues. We offer the following recommendations, but we caution that they fall into a gray area that has not been constitutionally tested. These ideas hold promise for significant change, but may also be challenged on constitutional grounds.

- **Sue operators of pornographic websites who allow children unrestricted viewing of hardcore images and videos:** We would never accept the explanation from a liquor store that they sold beer to a 12-year old because he said he was an adult. Yet that is the standard that is set on the internet for pornography. Sites could use real age verification standards if they chose to. Instead, the onus is on parents to purchase blocking software that is easily disabled. Just as Attorneys General have sued tobacco companies, firearms manufacturers, and power producers in order to change their behavior, we believe that lawsuits against the porn industry would change its behavior.
- **Enact legislation that requires pornographic websites to verify the age of users who enter:** Legislation could be modeled on a bill introduced by Senator Blanche Lincoln of Arkansas and Representative Jim Matheson of Utah that would require pornographic websites to verify the age of users who enter on a national level. Age verification can be easily accomplished through a variety of means, including the use of credit card numbers, government identification (like a Social Security number), or a code number that adults key in when they log on.

3. Apprehending the Makers and Consumers of Child Pornography

These solutions aim to reduce the volume of child pornography online, make it more difficult and risky to access such material, and identify and arrest purveyors and consumers of child pornography.²⁰⁵

- **Enact legislation to require computer technicians to report child pornography:** States should establish laws to require I.T. professionals to report any child pornography that they come across during the scope of their professional work. Reports should be made to the Cyber Tip Line at the National Center for Missing and Exploited Children and/or state and local

law enforcement. Five states, Arkansas, Missouri, Oklahoma, South Carolina, and South Dakota, have passed similar laws, while Michigan has enacted a statute that provides for the confidentiality and civil liability immunity for those technicians who report child pornography.²⁰⁶ These laws do not require that these computer technicians or ISPs search for the material, just that they report the material if they find it.

- **Encourage state involvement with task forces designed to eradicate child pornography and exploitation:** Efforts such as the National Center for Missing and Exploited Children's "Financial Coalition Against Child Pornography" task force involves a coalition of leading banks, credit card merchants, and internet providers and seeks to identify illegal child pornography sites and link those sites with related credit card information and merchant bank information.²⁰⁷ Additionally, many smaller local police forces must be involved with statewide efforts to effectively investigate child sex crimes. As the Center for Problem-Oriented Policing states, "it would be a mistake to underestimate the importance of local police in detecting and preventing Internet child pornography offenses. One study found that 56 percent of arrests for Internet child pornography crimes originated from non-specialized law enforcement agencies."²⁰⁸

IV. The Surging Youth Population

For the past 25 years, teens and young adults have been the drivers of America's crime rates. They have led the crime rate up, down, and trending back up again.

Relative to their size, young people commit more crimes than the rest of the population. Nearly half of those arrested for a violent crime in 2006 were under the age of 25. And over the next five years, the number of teenagers and young adults in America will increase by one million. This youth population surge will increase the number of crimes in America by over two million if they simply behave like the national average.

Young adults and teenagers may be the most likely to commit crimes, but they are also the most receptive to prevention efforts. America's crime rate reductions between 1993 and 2002 were led by an even more dramatic decrease in the rate of teen crime despite an increase in teens' proportion of the population. This coincided with intense governmental prevention programs aimed at teenagers.

Today's high crime juvenile population is beset by serious problems that are undoubtedly major factors in their behavior—mental illness, family dysfunction, learning disabilities, early onset of violent behavior, and substance abuse. These problems do not excuse their crimes, but they provide insights into ways to prevent them.

Our recommended solutions call for a continuum of attention that still holds youth offenders accountable, but 1) Supports vulnerable youth before they commit a crime; 2) Delivers the most effective services to youth once in the juvenile justice system; and 3) Puts them on a path to successful reentry into society after they leave the justice system.

In 2006, the FBI found that the 15-24 age group comprised 14% of the U.S. population, yet was arrested for 40% of all crimes. And over 45% of violent crime arrests were of individuals under age 25. As the Urban Institute concludes in its report on youth crime, "criminal behavior has always been more prevalent among young people."²⁰⁹

According to the Census Bureau, by 2012, the 15 to 24 age cohort will grow by one million.²¹⁰ Simply put, if youth and juvenile crime rates stay the same, population changes alone could lead to 500,000 more arrests by the year 2012. And since only one in five crimes result in an arrest, this age group, if not addressed, could likely *commit* an additional 2.5 million crimes by the end of 2012.²¹¹

A Police Executive Research Forum (PERF) summit on violent crime found that 74% of police officials considered juvenile and youth crime to be a major contributing factor to violent crime in their area.²¹² Minneapolis's Mayor R.T. Rybak stated during the 2007 Violent Crime Summit, "One of the main drivers [of crime]—certainly in our case, *the* main driver— was the increase in violence committed by juveniles."²¹³

If this is the most dangerous population, it is also the most malleable. "Most experts conclude that rehabilitation works better for juveniles than for adult offenders," according to Peter Ash, a professor at Emory University and a member of the American Psychiatric Association's Judicial Board.²¹⁴

The fact is that the historic reduction in crime that America experienced in the 1990s was led by an even steeper reduction of teen crime. Between 1993 and 2002, the violent crime rate among those under the age of 18 fell by 43.6% even after adjusting for population changes.²¹⁵ This was after a ten-year period leading up to 1993 in which teen crime surged by 70% and the number of teens arrested for homicides tripled.²¹⁶ Comparatively, the violent crime rate for those between 18 and 39 fell by a much more modest 18.5% between 1993 and 2002.²¹⁷

Today, the recent increase in the crime rate is primarily due to young people committing more crime. Between 2002 and 2006, the violent crime rate among those under the age of 18 jumped 5.9%, while the rate for the adult population actually fell, albeit by a scant 0.6%.²¹⁸

During this period, federal spending towards juvenile justice programs dropped by more than 25%, from \$508 million in 2003 to \$375 million in 2007.²¹⁹ Federal juvenile justice grants to states also fell by one-third.²²⁰ As a result, some previously successful programs have fallen by the wayside, and new approaches to the problem are applied on an *ad hoc*, not a systematic basis.

Preventing teen crime has a unique long-term benefit. Early violent crime is the gatekeeper for later violent crime. Those who commit a violent crime at a young age are likely to commit six serious violent acts during their teen years.²²¹ According to the Surgeon General's report on youth crime, "85% of people who become involved in serious violence by age 27 report that their first act occurred between age 12 and 20."²²² Additionally, a 2003 study that tracked Oregon juvenile offenders found that over half became adult offenders by their 25th birthday.²²³ Young offenders are also more likely to be recidivists—a 2002 BJS study found that, among those released from state prison in 1994, 75% of those younger than 25 were rearrested within three years, compared to 45% for those 45 and older.²²⁴ If efforts to reduce violent behavior among teens are successful, it will have a lifelong impact.

In the following sections we seek to give an accurate portrait of the risk factors often apparent in the young people most likely to commit crime. We find that many young offenders come from impoverished backgrounds, crime-ridden neighborhoods, and dysfunctional families—this should come as no surprise. But independent of these factors, a large number are also developmentally stunted relative to their peers—behind emotionally, developmentally, and intellectually. Many have extremely poor coping skills that lead them to react far more violently and irrationally to certain situations than others of their age group. Still others have serious mental health problems that remain unaddressed. These disorders and shortcomings should be, but usually are not, seen as red flags and a possible precursor to crime and drug abuse and acted upon accordingly.

In our solution sections, we call for a continuum of attention aimed at school-age teens and pre-teens. As we stated above, compared to the adult population, teens are the most malleable and susceptible to intervention. The 24% decrease in drug use among school-age teens from 2001-2007 helps underscore this point.²²⁵ Although it is too soon to declare victory, the drop in youth drug use is a good indicator of success in previous campaigns reaching out to youth during their more formative years. We group our solutions into three categories—school-based, community-based, and justice-based. And we apply these approaches before, during, and after youth involvement with the justice system.

Defining the Problem: Diagnosing the Youthful Offender

Youth who end up in the juvenile justice system are most often those who have been left behind—developmentally, emotionally, and socially—as well as those who reside in high crime neighborhoods and have repeated exposure to crime.

This is not meant to excuse youth crime, but many in this population have unaddressed needs that make them far more likely to commit crimes than the rest of the population.

1. The Risk Factors Often Associated with Teen Crime

Why youth commit crime is a question experts continue to debate. There are multiple arguments for what leads to delinquency—from early child abuse and neglect to the influences of youths' peers. Scans of the adolescent brain find that compared to adults, 16 and 17 year olds are more impulsive, aggressive, emotionally volatile, likely to take risks, reactive to stress, vulnerable to peer pressure, prone to focus upon short-term payoffs over long-term costs, and likely to overlook alternative courses of action.²²⁶ "It doesn't mean adolescents can't make a rational decision or appreciate the difference between right and wrong. It does mean they are more likely to act impulsively, on instinct, without fully

understanding or analyzing the consequences of their actions,” according to Dr. David Fassler of the University of Vermont College of Medicine.²²⁷

But experts also generally agree that certain risk factors make it more likely (though not certain) that a youth will commit a crime.²²⁸

- **Early onset of violent behavior or aggression:** Six studies found that “between 20% and 45% of boys who are serious violent offenders by age 16 or 17 initiated their violence in childhood.”²²⁹ “The youths who commit most of the violent acts, who commit the most serious violent acts, and who continue their violent behavior beyond adolescence begin during childhood,” according to former Surgeon General David Satcher.²³⁰
- **Weak social ties:** For children between the ages of 12 and 14, there is no greater predictor of future violent behavior than weak social ties and anti-social behavior.²³¹ This isolation from peers and the community often leads to anti-social behavior, gang membership, substance abuse, and crime.
- **Substance abuse:**²³⁴ Substance abuse is “a central feature of a violent lifestyle” among youths.²³⁵ And especially among pre-teens, substance abuse [including alcohol, tobacco, as well as drugs] is one of the lead predictors of future violent behavior.²³⁶ Based on 2000 data, the National Center on Addiction and Substance Abuse at Columbia University found that 78.4% of youth in the juvenile justice system were under the influence of drugs or alcohol while

Why Do We View Youth Offenders Differently From Adult Offenders?

Groundbreaking studies in the past decade have found that the brain is still maturing during a youth’s teen years and that reasoning and judgment are still developing into the early to mid-twenties. Juveniles are more likely than adults to be impulsive, aggressive, emotionally volatile, vulnerable to peer pressure, and risk-takers—and their brain development appears to contribute to these behaviors. Psychology professor Dr. Laurence Steinberg of Temple University uses as a metaphor for the teenage brain a car with a working accelerator, but a weak brake—where the parts of a juvenile’s brain that elicit emotion and react to peer pressure and rewards—are the gas pedal, and the parts that control impulses and exercises long-term thinking are the developing brake.²³²

This is why experts such as Shay Bilchik, Director for Georgetown’s Center for Juvenile Justice Reform and former administer of the Office of Juvenile Justice and Delinquency Prevention, recommended in his in his testimony before the U.S. Senate Judiciary Committee: “... treating youth as developmentally different from adults, and viewing young people as being inherently malleable and subject to positive change in a rehabilitative setting.” It is also why this report suggests many interventions that provide treatment and services for youth offenders and those at-risk.²³³

committing their crime, tested positive for drugs, were arrested for committing an alcohol or drug offense, admitted to having substance abuse or addiction problems, or had some combination of the above characteristics.²³⁷

- **Mental illness:** A 2006 Justice Department report found that 71% of youth in juvenile facilities reported more than one type of emotional problem, 81% reported an anger management problem, and 61% expressed anxiety.²³⁸ A recent report published in *The American Journal of Psychiatry* found, “that youths with delinquencies often have mental disorders, and youths with mental disorders are at greater risk of delinquencies.”²³⁹
- **Depression:** 59% of youths in the state juvenile justice system reported depression, 27% had suicidal feelings or ideas, and 21% had made at least one suicide attempt in their lives.²⁴⁰ “Adolescent depression is increasing at an alarming rate,” the National Mental Health Association (NMHA) reports. “As many as one in five teens suffer from clinical depression.”²⁴¹ According to the NMHA, “[Depressed] teens may express their depression through hostile, aggressive, risk-taking behavior,... [and] may experiment with drugs or alcohol ... to avoid feelings of depression.”²⁴²
- **Low educational aspirations, commitment, and performance:**²⁴³ Only 12% of formerly incarcerated youth had a high school diploma or GED by young adulthood.²⁴⁴ Only 30% of formerly incarcerated youth were either in school or had a job one year after their release,²⁴⁵ and juvenile offenders are 7 times more likely to have history of unemployment and welfare dependence as an adult.²⁴⁶
- **Significant learning disabilities:**²⁴⁷ Teenagers with reading problems are more likely to experience anxiety and depression, and use drugs as they get older.²⁴⁸ The Urban Institute has found that at least 30% of youth in the juvenile justice system have some form of learning disability.²⁴⁹
- **Parental abuse:**²⁵⁰ Multiple studies have found that youth exposed to violence are at an increased risk of becoming involved in violent crime themselves.²⁵¹ The National Center on Addiction and Substance Abuse at Columbia University’s report, *Criminal Neglect: Substance Abuse, Juvenile Justice, and the Children Left Behind*, found that compared to youth from non-violent families, youth exposed to at least one form of family violence, which includes partner violence, a hostile family environment, or child abuse, are more likely to be involved in violent youth crime- 60% vs. 38%.²⁵²
- **Lack of parental support:**²⁵³ Criminologist Travis Hirschi found that the absence of parental supervision is related to an increase in the likelihood of that child involving themselves in at-risk or criminal behavior.²⁵⁴ Researchers have also found that when children do not have close interaction with their parents, they are more likely to become involved in delinquent behavior.²⁵⁵
- **Poverty:**²⁵⁶ Numerous studies have named poverty as a factor in predicting at-risk behavior among youths.²⁵⁷ As reported by the Surgeon General,

poverty also contributes to other risk factors including child abuse, family breakup, and lack of parental supervision.²⁵⁸

Study after study shows that no one factor is a predictor of crime. There are plenty of emotionally troubled, underachieving, depressed teenagers who never commit a violent act. Nonetheless, when children and teens display several of these factors, their likelihood to commit violent crimes in the future increases dramatically.

21st Century Solutions: A Continuum of Attention to Individuals and Neighborhoods

In this section, we identify many of the best new and established strategies to reduce youth and teen crime. Our solutions are aimed primarily at teens and fall into the *before, during, and after* categories. “Before” refers to prevention and intervention efforts designed to reach pre-teens and teens before they come into contact with the criminal justice system. “During” refers to innovative strategies to improve the likelihood that juveniles in detention gain the treatment and skills necessary to turn away from crime. “After” refers to efforts to lead reentering juveniles into becoming accountable, productive, law-abiding adults. The ultimate success is contingent on this continuum of services that spans these three phases. Each of these sections offers a combination of juvenile justice, community, and school-based approaches that deliver sufficient personalized and individual attention to make a difference.

Teen Solutions: Before, During, and After:

BEFORE: Reducing Teen Crime Before It Occurs Through School and Community-based Strategies

Even among chronically violent youth offenders, their first contact with law enforcement often comes well after they have begun committing violent acts. But according to several studies cited by the Surgeon General’s report on youth crime, “at least half of chronic violent offenders can be identified as being at risk in childhood.”²⁵⁹

The following initiatives address many of the risk factors associated with youth crime and have shown a demonstrated effect on changing teen and pre-teen behavior. We are aware that there are hundreds of local initiatives throughout the country designed to reduce crime, and we regret that we are certain to miss some important programs. The programs listed below fulfill specific requirements that we believe are essential to an effective initiative. They have all been objectively evaluated. Many are school-based because that is the most effective way to reach young people.²⁶⁰ Most involve training of teachers and many involve teaching of

parents. Most reach students at a very young age when they are most conducive to change. Most teach children coping skills that help them with emotional problems, anti-social behavior, and anger management. And many provide hope and opportunity to a population that feels hopeless and left out.

School-based Solutions: Institute Comprehensive Prevention Programs with Proven Track Records

There are many school-based programs around the country that strive to steer youths away from drugs and crime. Some, however, are beginning to stand out based on their proven track records. Many start as early as elementary school. Below we highlight just a few (of the many) we have found that deserve the spotlight.

- **CASASTART (Striving Together to Achieve Rewarding Tomorrows):** CASASTART targets high-risk, mostly urban youth, between 8 and 13 years of age, and works to reduce their exposure to drugs and criminal activity. The program seeks to decrease individual, peer group, family, and neighborhood risk factors through case management services, after-school and summer activities, and increased police involvement. Children participating in the program must be poor and show a multitude of behavioral traits that demonstrate a high degree of likelihood of future trouble. The Urban Institute found that CASASTART graduates were less likely to be involved with drugs, reported lower levels of violent offenses, and were more likely to be promoted to the next school grade.²⁶¹ A separate evaluation deemed the program “proven” and found significant and lasting reductions among participants in drug use (both hard drugs and gateway drugs), drug dealing, and violent behavior.²⁶² CASASTART has been implemented in 17 cities including Austin, TX; Bridgeport, CT; Memphis, TN; and Seattle, WA.
- **Second Step (a violence prevention curriculum):** Second Step is a program aimed at elementary and middle school children and is designed to teach essential life skills, such as problem solving, anger management, impulse control, and empathy. It was deemed exemplary in objective evaluations.²⁶³ It has been recognized by the Department of Education, the Department of Health and Human Services, and the Substance Abuse and Mental Health Services Administration (SAMHSA) as a model program. Second Step includes a curriculum that is taught in the schools by teachers for different age groups. It has been used successfully in such diverse settings as a kindergarten classroom in Maryville, WA to a juvenile center in Dunbar, WV.²⁶⁴
- **Seattle Social Development Project:** This is a multi-year, elementary school-based program that seeks to bond parents, teachers, and students to their schools. Teachers are trained to better manage the classroom and employ interactive and cooperative learning. Students are provided with direct

instruction in interpersonal problem-solving skills as well as refusal skills to avoid problem behaviors. Parents are offered courses in child behavior management skills, academic support skills, and skills to reduce their children's risk of drug use. The program has been active since 1981, and evaluations showed that even 15 years after completion, participants fared better in graduation rates (91% to 81%), and experienced fewer incidents of depression and thoughts of suicide, fewer incidents of drug dealing, and fewer court charges over their young lifetime.²⁶⁵ In a cost-benefit analysis of the program, which included cost savings to taxpayers, the Community Prevention Task Force found that for every dollar invested in this program, there was a benefit of \$3.14.²⁶⁶

- **Indiana's 21st Century Scholars Program:** Developed by Governor Evan Bayh in 1990, the 21st Century Scholars program was not created specifically to reduce crime and has never been evaluated as a youth crime-fighting program. But it includes many of the elements in youth anti-crime programs, including providing hope and opportunity to a population that often feels hopeless, bringing parents, students, and teachers together, making young people accountable, and offering rewards for positive behavior and achievement. Under the initiative, low-income eighth grade students are encouraged to sign and keep a pledge to stay in school, graduate, keep off drugs, and avoid arrest. In return, the state will pay for full college tuition for four years at an Indiana public college or university. Since 1990, Indiana went from 40th to 9th in the nation in the percentage of children who go on to higher education. Similar programs are now in place in Iowa, Wisconsin, and Minnesota.²⁶⁷ The Indiana program costs \$19 million per year, according to the program's website.

Community-Based Solutions: Make the Community the Solution, Not the Problem

The community can play a vital role in giving youth the support they need to opt for the path of hope and opportunity over the path of crime. Below are some examples of such programs that can make a difference in preventing youth involvement in crime.

- **Boston's Ten-Point Coalition:** In response to Boston's escalating violence in 1992, driven in particular by gangs and youth, the Boston Police Department and several of Boston's most influential clergy in high-crime minority communities formed the "Boston Ten-Point Coalition." These two historically hostile and distrusting institutions worked together to reduce youth crime and violence. Boston police and clergy agreed that the majority of youthful offenders could be saved from a life of violence without incarceration if they were nurtured through church, community, school, and parent organizations. They also agreed that some youthful offenders needed to be in police custody. Through the coalition, clergy members entered crack houses and gang-infested areas to reach out to the youth in their neighborhoods. The impact of the Ten-Point Coalition was stunning. The number of homicides in Boston plummeted from 152 in 1990 to 31

- homicides by 1999—the largest percentage drop in the country for a major city.²⁶⁸ From 1996 to 1998, there were only four youth homicides.²⁶⁹ The “Boston Miracle” approach has been replicated across the country in cities including Chester, PA; Gary, IN; Los Angeles, CA; Louisville, KY; Plainfield, NJ; and Tampa, FL.²⁷⁰
- **Big Brothers/Big Sisters:** Targeting youth ages 6 to 18 from single-parent homes, the Big Brothers Big Sisters of America (BBBSA) finds volunteers to interact regularly with youths in a one-to-one mentor relationship. Agencies use a case management approach, following through on each case from initial inquiry through closure. The case manager screens applicants, makes and supervises the matches, and closes the matches when eligibility requirements are no longer met or either party decides they can no longer participate fully in the relationship. It was found that children who were a part of BBBSA in comparison to a control group of their peers were 46% less likely to use drugs, 27% less likely to use alcohol, performed better academically, and had higher quality relationships.²⁷¹
 - **Montana Meth Project:** In September 2005, Montana was ranked number five in the nation for methamphetamine abuse.²⁷² The Montana Meth Project, which formed in reaction to the state’s ranking, incorporates a large-scale public ad campaign on the dangers of methamphetamine use, along with additional educational prevention efforts. The 2007 Montana Youth Risk Behavior Survey (YRBS) found that in 2005, 8.3% of high school students reported trying or using methamphetamines, and in 2007, the number dropped to 4.6%.²⁷³
 - **The Illinois Fatherhood Initiative (IFI):** IFI, the country’s first statewide non-profit volunteer fatherhood organization, works to bring fathers and their children together by increasing fathers’ personal responsibility and helping prepare them to be a better role model. IFI identifies existing resources for fathers and develops targeted programs to assist in parenting skills. A few of the programs, services, and materials from the initiative include “Boot Camp for New Dads”, a hospital-based program for expectant and new dads to prepare them to be actively involved fathers; a “Father-Friendly Self-Assessment” survey kit for Illinois employers; brochures reviewing fathering tips and ideas; and a “*Me and My Dad Essay Booklet*,” containing fatherhood essays and a six-part curriculum to help the readers reflect on fathering.²⁷⁴ Over the past year, the IFI’s Boot Camp for New Dads had more than 1,000 participants.²⁷⁵
 - **One-stop youth career centers:** New Jersey is establishing One-stop Career Centers, where youth will have the ability to receive mentoring and training year-round, in addition to a summer job placement component. Training will provide youth with a minimum of eight hours of skill development, career preparation, and work readiness training.²⁷⁶

DURING: Breaking the Cycle of Crime During Their Time in the Juvenile Justice System

In response to the spike in youth crime during the 1980s and early 1990s, the prevailing wisdom was that the most effective long-term strategies were punishment-oriented. The idea was to punish youth for their crime in an effort to scare or discipline the criminal inclinations out of kids through boot camps, “scared straight” programs, or sending youth to adult courts. The results were disappointing at best.

The Centers for Disease Control and Prevention wrote in November 2007 that youths sent to adult prisons commit more crimes, many of which are violent, than youths who are sent to or remain in the juvenile justice system.²⁷⁷ This finding echoed results of a 2004 report by the National Institutes of Health, which concluded “get tough” programs, such as group detention homes and boot camps, were not only ineffective, but potentially worsened existing problems among youth in the juvenile justice system.²⁷⁸

This is not to imply that youths should not be punished for their crimes. But it points out what parents have known and experts have recently proven—the teenage brain is different and evolving. Someone who is violent at 16, with the right guidance, may not be violent at age 22.

The most successful juvenile justice programs carefully balance punishment with nourishment. “Often what distinguishes those who succeed after leaving the juvenile justice system is acquiring a set of skills and, equally important, developing the maturity to use those skills effectively,”²⁷⁹ according to report from Network on Transitions to Adulthood, an organization comprised primarily of professors from the University of Pennsylvania. They and others have concluded that the juvenile justice system must be responsive to the problems youth offenders face—such as learning disabilities, substance abuse, family issues, and emotional troubles .

Juvenile Justice-based Solutions: Create Youth-Specialized Courts

In many instances, specialized youth courts within the juvenile justice system are an appropriate alternative that can achieve the most productive results through their expertise. These courts can play a role both during and also after detention in helping to keep youth on track. Below are some examples of different types of existing youth courts.

- **Juvenile mental health courts:** In 2001, Santa Clara County, CA opened the nation’s first juvenile mental health court, the Court for the Individualized Treatment of Adolescents (CITA). CITA provides mentally ill juvenile offenders with individualized treatment plans, comprehensive mental health services, and for those who qualify—the ability to receive treatment while

staying in their homes, schools, and communities.²⁸⁰ In its first year, the Santa Clara Juvenile Court reported far lower recidivism rates with program participants—7% compared to the 25% recidivism rate for the general juvenile population.²⁸¹ By 2006, only 11 juvenile mental health courts were in operation in the U.S.²⁸²

- **Youth courts for non-violent offenders:** Youth courts, also known as teen courts, provide youth who have committed a non-violent offense an alternative to juvenile courts and gives them the chance to avoid a juvenile court record. This alternative sentencing doles out sanctions that are more than purely punitive by also attempting to encourage the offenders to pay back damages imposed on the victim or community. For instance, common sanctions include community service; victim apologies; written essays; teen court jury duty; and attending drug and alcohol classes, decision making skills classes, and victim awareness classes.²⁸³ Today there are 1,255 youth courts across the U.S.²⁸⁴ An Urban Institute evaluation of four youth court programs in Alaska, Maryland, Arizona, and Missouri found the six-month recidivism figures among program participants ranged from 6% to 9%.²⁸⁵

Juvenile Justice-based Solutions: Assess and Treat Mental Health and Substance Problems From Detention Through Reentry

Despite evidence of overwhelming mental illness among juvenile offenders, only 53% of juvenile facilities have in-house mental health professionals evaluate all youth to determine their mental health condition.²⁸⁶

- **The Massachusetts Youth Screening Instrument Version 2 (MAYSI-2):** In 2000, Pennsylvania was the first state to introduce MAYSI-2, a validated screening tool to identify youth in detention with mental health needs. As of 2005, Pennsylvania is using MAYSI-2 in 20 of the state's 23 detention facilities, screening most youth between the first 24 to 48 hours of their admission to the facility.²⁸⁷
- **New York City's Adolescent Portable Therapy (APT):** Developed by the Vera Institute of Justice, APT provides treatment for youth identified as substance abusers while in the juvenile system and continues treatment with the youth after release. This continuity of treatment allows the youth's therapist to continue on with treatment and work with both the youth and his or her family for three months post release. Under APT, 70% of youth stay in the treatment process long enough to end their substance abuse,²⁸⁸ had reduced reports of depression and traumatic stress, and had lower rates of alcohol and marijuana use in comparison to youth in a control group.²⁸⁹
- **Oregon's Project SUPPORT:** Project SUPPORT provides individualized services to incarcerated youths with a mental health disorder and/or learning disability. It is comprised of facility treatment, education staff, vocational counselors, community-based agencies, and a transition specialist that helps each youth from incarceration through reentry. A 2003 assessment found that 68% of Project SUPPORT participants were in school

or had a job 6 months after release, versus 47% of youth not in the program; and recidivism for SUPPORT participants was 17% compared to 29% of their youth counterparts.²⁹⁰

Juvenile Justice-based Solutions: Find Alternatives to Traditional Juvenile Detention Centers

Several alternatives to traditional juvenile detention centers have proven track records. These vary from smaller-scale homes that locate youth closer to their families and provide extremely individualized programs to programs that find alternative placement for low-risk youth.

- **Missouri's small-scale juvenile detention centers:** In 1983, Missouri closed its only large juvenile detention center, transitioning from an incarceration model to a treatment model. Youth now go to one of 30 regional, small-scale corrections centers, where they live in dormitories instead of cells, or they go to one of many non-residential programs. In Missouri's model, youth throughout the state live in groups no larger than 12, and are placed as close to their families as possible. Missouri places youth in more specialized programs according to their real needs, provides more individual attention, and treats youth as part of their communities and families. For instance, the curriculum is filled with school, therapy, peer counseling, and intensive behavioral sessions. In addition to classes and treatment, youth activities in the various centers include planting trees, performing plays, reading poetry, caring for pets, baking, and family counseling.²⁹¹ Missouri reports a recommitment rate of 7.3%.²⁹²
- **Multidimensional Treatment Foster Care (MTFC):** MTFC places some teenage offenders with severe mental health problems with trained community families who provide intensive treatment and supervision in lieu of incarceration. Evaluations of MTFC found program alumni to have fewer subsequent arrests, less hard drug use, and better school attendance and homework completion.²⁹³ The cost per youth in MTFC averages approximately \$3,900 per month, in comparison with the cost of a detention facility bed at approximately \$6,000 a month.²⁹⁴ MTFC has been implemented in 34 cities in 12 states, including Auburn, NY; Tacoma, WA; and Portland, OR.²⁹⁵
- **The Juvenile Detention Alternatives Initiative (JDAI):** Developed by the Annie E. Casey Foundation in 1992, JDAI seeks to separate the most dangerous youth in detention from less violent youth offenders by finding alternatives to incarceration, such as home supervision and electronic monitoring.²⁹⁶ JDAI holds youth accountable for their actions, but also ensures that they obtain needed services, including mental health, education, and job skills. Evaluation of Santa Cruz County, CA's JDAI model saw the average daily population in the Santa Cruz County's juvenile hall fall by 65% between 1997 and 2005; juvenile felony arrests decrease 47% from 1997 to 2004; and the redeployment of more than \$7 million in detention expenses to

community alternatives since 1998.²⁹⁷ In Multnomah County, OR, the JDAI model decreased the daily detention population by 65%, lowered juvenile felony arrests by 45% between 1994 and 2000, reduced the disproportionate confinement of minority youth, and redeployed over \$12 million in detention expenses to other needed services.²⁹⁸ JDAI has been replicated across the U.S. in more than 80 jurisdictions in 20 states.

Community-based Solutions: Link Youth Offenders to Area Skill-Builders and Service Providers

Ultimately, reentering youth offenders cannot move forward productively without a set of new and relevant skills to use upon reentry and the know-how to link with community-based service providers.

- **Youth Opportunity (YO) Boston:** YO Boston provides transitional passes to youth within juvenile detention facilities, allowing them to attend professional and life skills training or internships three to four days a week. In addition to intensive case management, mentoring, skills development, and counseling, YO Boston helps youth earn a GED or high school diploma, teaches them basic computer skills, and helps them obtain documentation for work and driving permits. Results of YO Boston include zero runaways from the program and a 50% drop in re-offending when compared to a control group.²⁹⁹
- **Redeploy Illinois:** Redeploy Illinois offers a financial incentive to counties that provide community-based services to nonviolent juvenile offenders between the ages of 13 and 18. Counties are able to connect youth, based on an individualized needs assessment, to services such as case management, court advocacy, educational assistance, counseling, and crisis intervention. In the first two years of implementation, the Redeploy Illinois pilot sites, on average, reduced commitments to the Illinois Department of Juvenile Justice (IDJJ) by 44% within their communities, equating to an \$11 million dollar 2-year cost savings to IDJJ.³⁰⁰
- **Multisystemic Therapy (MST):** MST serves adolescents who are chronic, violent, or substance abusing juvenile offenders. MST works with adolescents and their families, preferably in home or neighborhood settings and uses intensive family- and community-based treatment to address and change extreme anti-social behavior. One year after MST participation, 42% of MST participants had been re-arrested compared to 62% of the control group. Two and a half years after participation, re-arrest rates were 61% compared to 80% for the control group.³⁰¹ The Washington State Public Policy Group rated MST high on cost-effectiveness, writing that “overall, taxpayers gain approximately \$31,661 in subsequent criminal justice cost savings for each program participant.”³⁰² MST has programs in 30 states.

AFTER: Moving from Troubled Youth to Productive Adult

Approximately 100,000 juveniles leave incarceration each year and the transition back into society is a difficult one.³⁰³ OJJDP's report on juvenile offenders explains: "[S]ubstantial proportions of the juvenile reentry population are likely to need extensive supervision and support services when they return to the community... Nearly three quarters of these youth expressed multiple types of emotional problems and could benefit from mental health services upon their return. In addition, many of these youths are or will be parents themselves and could benefit from programs that teach parenting skills. Reentry programs need to address these and other factors that affect youth's ability to succeed and become productive citizens."³⁰⁴ Supervision and support services should provide not only the assistance youth need when reentering their communities, but should also ensure youth who are more dangerous and at-risk for recidivism are kept under close watch. Tough and smart sanctions, as well as rewards, should be delivered dependent upon behavior.

School-based Solutions: Smooth the Transition Back to School

- **Kentucky's Bridge Coordinator:** Kentucky created a "bridge coordinator" position in each school district, whose specific responsibility is to screen each returning student and design an "educational passport" that provides the destination school with a summary of relevant information, needs, and placement recommendations.³⁰⁵ In 2004, New York City changed its laws regarding reenrollment to include the concept of "dual enrollment." Instead of removing students who leave for state facilities from school district attendance rolls, schools now maintain a separate list of incarcerated students, allowing for better integration of information between school and facility as well as a streamlined return process back to school.³⁰⁶

Law Enforcement and Juvenile Justice-based Solutions: Provide Services to Low-risk Offenders and Closely Supervise High-risk Offenders

- **The Allen County (Indiana) Juvenile Reentry Program:** The Allen County, IN Juvenile Reentry Program provides a continuum of services for youth from detention through reentry. The program begins with case management and development of aftercare goals and objectives while youth are in custody, and follows through with monitoring of progress on goals through release. It regularly monitors and reevaluates the progress of the youth's reentry. An evaluation of the program found a 6.8% recommitment rate to Department of Corrections in comparison to Indiana's average of 17%. The program, between 2002 and 2004, saved the county \$1,427,758 in annual costs associated with the Department of Corrections.³⁰⁷
- **West Virginia's comprehensive reentry contract:** West Virginia passed a law that requires the incarcerating facility to create a comprehensive reentry plan dealing with educational and mental health needs at least 45 days

before a young person's release.³⁰⁸ The law requires that copies of the plan go to the parent/guardians, school principal, probation officer, legal counsel, and community mental health workers, each of whom has opportunity to comment and react to the plan. If there are any specific objections, the juvenile court is required to hold a hearing involving the relevant stakeholders.³⁰⁹

Community-based Solutions: Make sure Community-based Services Target Reentering Youth

- **Community Intensive Supervision Program (CISP):** Allegheny County, PA is a trendsetter in aftercare efforts to assist reentering youth in their transition back home. The County uses the Community Intensive Supervision Program (CISP), an after-school and weekend program that enables teens to complete community service work ordered by judges. The program entails close supervision, daily attendance at a program site seven days a week, electronic monitoring, daily school attendance, regular home visits, weekly drug testing, part-time employment, and family involvement. CISP also provides jobs for youth through the Workbridge program; offers classes such as Maleness to Manhood, Victim Awareness, Thinking Errors, and Self-Assessment; and provides a drug and alcohol program.³¹⁰ The County also helps coordinate transitions back to school by having staff in the incarceration facility assist youth with their necessary documentation, transportation challenges, and class schedules. In 2004, of the 187 youth discharged from CISP, 76% successfully completed the program and performed a total of 9,050 hours of community service³¹¹ and in 2003, the most recent year with available recidivism rates, Allegheny County reported their recidivism rate to be a low 11%.³¹²
- **Tattoo removal programs:** For youth attempting to reenter their community, gang-affiliated tattoos pose a threat to safety, employability, and ability to leave previous gang affiliations behind. Homeboy Industries in Los Angeles, founded by Jesuit priest Father Greg Boyle, offers a free tattoo removal program that currently has a waiting list of over 1,500 individuals.³¹³ San Francisco's Central American Resource Center's (CARECEN) Second Chance Tattoo Removal Program links the free removal to a larger individualized service plan of intensive case management and requires that for each tattoo removed, the individual perform at least 50 hours of community service.³¹⁴ Similar gang tattoo removal programs have sprung up in locations throughout the country, including Arizona, Illinois, New Jersey, New York, Texas, Utah, and Virginia.³¹⁵

V. Cross-Cutting State and Local Solutions

In this section, we outline a series of state-based solutions that are cross-cutting and help address more than one and sometimes all four of these areas of escalating crime. Through a modern approach to policing, these ideas mostly seek to do more with less through technology, better resource allocation, and coordination of information and efforts. We took pains not to repeat ideas in previous sections that cross into this category of solutions. Many of these ideas work in consortium with other ideas in this and other sections.

1. Resource Allocation—Targeting Dangerous Areas and Dangerous People

Boston’s dramatic decrease in crime focused foremost on a community-based approach outlined in the Surging Youth Population section. New York’s equally miraculous crime drop focused foremost on an efficient and business-like resource allocation approach. New York and other cities identified high-crime areas and/or persistent, dangerous offenders and employed innovative strategies to keep communities safe. The following is a sampling of programs that help law enforcement use their manpower resources in the most effective manner.

- **Identify hot spots:** The first set of solutions is aimed at identifying hot spots and the strategies most effective in reducing crime with finite resources. Hot spot areas may receive increased patrols, more concerted community policing, community strategies, video surveillance, and other means to reduce crime.
 - **New York City’s Operation Impact:** Police Commissioner Raymond Kelly recently cited “Operation Impact” as the single most important reason that the city’s homicide rate reached its lowest level in 45 years in 2007.³¹⁶ The program sends rookie police officers to designated hot spot areas throughout the city. Its success has prompted Kelly to direct each member of the most recent police academy class to join the initiative. The Police Executive Research Forum (PERF) found that, at a recent summit of police officials about violent crime, nearly two-thirds of attendees reported experimenting with hot spot policing but a concerted strategy was not as widespread as it could be.³¹⁷
 - **Washington, DC’s hot spot initiative:** In Washington, DC, police have identified 14 hot spot areas through crime mapping data and analysis of past crimes.³¹⁸ As a result, police have assigned additional patrols to these areas, deployed specialized drug and gang units, and adopted a

problem-solving focus. In the first 11 months of this approach, violent crime in hot spot areas dropped by 34% and property crime decreased by 12%.³¹⁹

- **Boston’s Text a Tip:** The Boston Police Department recently launched a new and inexpensive community-based strategy targeted towards young individuals in high crime areas. Text a Tip allows witnesses of crimes to anonymously text a message to police. In less than a week following the launch, the department received tips from 50 witnesses on crimes ranging from drug dealing to homicide, collecting the information while blocking the tipster’s cell phone number to ensure anonymity.³²⁰
- **COMPSTAT:** COMPSTAT is a computer analysis program and strategy that police use to “collect, analyze, and map crime data and other essential police performance measures on a regular basis, and hold police managers accountable for their performance as measured by these data.”³²¹ Initially used by New York City in the 1990s and credited with making its community policing program extraordinarily effective, COMPSTAT uses crime reports, gunshot detector data, and other indicators of crime to determine the exact locations of high crime areas within jurisdictions and allocates resources to combat crime in those areas and measure the results. COMPSTAT has been used effectively in Baltimore (CITISTAT) and Maryland (STATESTAT), by then-Mayor, now Governor Martin O’Malley, as well as other localities. Research has found that, “...focused police actions can prevent crime and disorder in crime hot spots,”³²² and that the benefits of a hot spot approach included some residual deterrent effects even when law enforcement was not in the immediate vicinity.³²³
- **Identify the hot list:** This very new approach is designed around the idea that, as criminologist Lawrence Sherman states, “The risk of serious crime is concentrated highly among a few offenders.”³²⁴ Law enforcement in several jurisdictions are using computer programming to identify high-risk individuals, taking into account both the number of arrests and severity of offense. The most effective strategies communicate that information with relevant law enforcement personnel to make them aware of who is on this list, where they live, and what they do. To maximize the hot list’s effectiveness, we suggest supplementing this approach with improved information sharing between jurisdictions, targeted task force approaches involving multiple jurisdictions, and community-based approaches.
 - **The Cincinnati Initiative to Reduce Violence (CIRV):** CIRV combines a targeted approach with a community-based partnership between law enforcement, social service organizations, and neighborhood leaders.³²⁵ Modeled after Boston’s collaborative approach of the early 1990s, CIRV has developed a database of specific violent offenders with ties to location-specific gangs and other violent groups in the city in a belief

that disagreements and retribution among small groups of chronic offenders drives much of the city's street violence.³²⁶ CIRV has shared the information in the database with all local, state, and federal law enforcement agencies, as well as relevant parole and social service providers.³²⁷ Law enforcement and community-based groups then reach out directly to these violent groups and lay out the specific consequences of continued violence, as well as the range of public sector and community-based service providers that are available for assistance. In the first six months of 2007, homicides fell 21% compared to the same period of 2006.³²⁸

- **Atlanta's hot list:** In Atlanta, GA, of the 2 million individuals in the state's criminal database, 500 made the hot list consisting of those who, according to a computer analysis, posed the greatest risk to public safety in the city of Atlanta.³²⁹ The individuals on the hot list had been arrested an average of 14 times for crimes like homicide, rape, and assaulting a police officer. As a result of this approach, each Atlanta precinct zone has a team of officers who specifically monitor repeat offenders. Additionally, this approach allows parole officers and prosecutors an increased ability to coordinate efforts with law enforcement to focus on the "worst of the worst" criminals.³³⁰ After implementing a hot list approach for the first time in 2002, Atlanta reported a 40% drop in firearms-related homicides and a 23% reduction in overall homicides during the next year.³³¹
- **Philadelphia's hot list:** Philadelphia is experimenting with a different version of a hot list. In an attempt to change the fact that 4 out of 10 murders in the city involve an existing parolee or probationer as the perpetrator or victim, the parole department, city police, and statisticians at the University of Pennsylvania have coordinated to identify the small number of offenders most likely to be involved in a homicide.³³² To ensure that these individuals receive extra oversight and attention, each member of Philadelphia's hot list is placed with a parole or probation officer whose caseload does not exceed 15 individuals (other Philadelphia officers have 185-person caseloads).
- **St. Louis's Crime Suppression Unit:** The St. Louis strategy combines the hot spot and hot list approach by focusing special attention on high crime areas and chronic criminals. To help identify hot spot locations, the city also has debuted a new crime mapping system to hone in on specific geographic areas and plans to install gunshot detection equipment to aid in ongoing analysis of firearm activity. The 50-person Crime Suppression Unit made 1,625 arrests, seized 257 weapons, and recovered 359 stolen vehicles in 2007, according to Police Chief Joseph Mokwa. Nearly all categories of violent crime fell significantly between 2006 and 2007.³³³

2. Coordination—Connecting Dots to Solve Crimes

Coordination, information sharing, and cross-jurisdictional cooperation are chronic problems for law enforcement. This set of solutions is designed to use information and data more effectively as crime tools, as well as to coordinate the myriad law enforcement agencies into a cohesive strategy.

- **Establish a Coordinated Anti-Crime Initiative (CACI) office:** We recommend states establish an office within the Office of the Governor or the State Attorney General's Office that acts as a central strategic planning arm to coordinate with existing criminal justice agencies and local stakeholders throughout the state. CACI Offices would meet with mayors, police chiefs, sheriffs, federal law enforcement and state agencies to discuss high-profile crimes, share information, and coordinate strategies and critical information. A study from the National Institute of Justice found that, "interjurisdictional collaboration appears to have promoted better problem solving and intelligence sharing, as well as improved officer safety."³³⁴
 - In Maryland, Governor O'Malley's Office of Crime Control and Prevention has moved in this direction. Though the Office has existed since 1995, Executive Orders in 2005 and 2007 expanded its mission to include a more active role in developing collaborative anti-crime strategies and leveraging the range of the state's criminal justice resources.³³⁵
 - In New Jersey, as part of Governor Corzine's high-profile anti-crime strategy, the state will appoint a statewide anti-crime coordinator of gang, gun, and overall violent crime activities.³³⁶
- **Initiate targeted task forces aimed at specific multi-jurisdictional types of nagging crimes:** One area in which the task force is necessary is gun crime. In 90% of gun crimes, the user of the gun is not the person who bought it. And roughly one-third of all crime guns were trafficked over state lines before being used in a violent crime.³³⁷ That indicates a massive web of gun trafficking operations that cross state lines and funnel firearms to criminals. In previous sections we recommended several model task forces aimed at aspects of the illegal immigration trade and gangs. The following are some examples of effective task force models in the area of guns and gun trafficking. These anti-gun trafficking efforts have been launched in states that traditionally favor gun restrictions (New York and Illinois) and gun rights (Indiana and Mississippi).
 - **New York's anti-gun trafficking campaign:** Most guns recovered in New York City crimes originated from out-of-state. New York has the most aggressive and effective anti-gun trafficking effort in the country. They aggregate all of the thousands of guns recovered in crimes over several years, and working either with federal law enforcement or with their own police, conduct sting operations on potentially corrupt gun stores and straw purchasers. New York was home to more than thrice the number of federal gun trafficking prosecutions as any other state in the

country. New York credits their gun trafficking efforts, in part, to their lowest-ever homicide rate.

- **Illinois, Mississippi, and Indiana joint gun trafficking task force:** Like New York, Illinois is inundated with out-of-state crime guns, with Mississippi and Indiana being the leading suppliers. In 2005, Illinois Governor Rod Blagojevich joined with federal ATF agents and state law enforcement leaders from Indiana and Mississippi to combat illegal gun trafficking. Among other tools, law enforcement used firearms trace data to determine the origins of firearms later recovered in crime. In February 2007, 19 individuals from Mississippi and Chicago were charged in a gun trafficking operation involving over 100 firearms.³³⁸ Maryland and the District of Columbia have also recently embarked on a joint gun trafficking effort.
- **Detroit's Operation TIDE:** TIDE, which stands for Tactical Intelligence-Driven Enforcement, represented a systematic attack on gun crimes and related violence in a persistently high crime section of the city. Using federal grant money and the information and resources of 10 law enforcement agencies from the state and city, the effort tasked existing gang enforcement units to gather information on gun and drug houses, referred cases for federal prosecution for gun crimes rather than state prosecution to ensure the certainty of punishment, and relied on state police to supplement visible patrols. The PERF 2007 report found that "in the targeted Northwestern District, homicides decreased 43 percent since Operation TIDE's inception—17 homicides in first 5 months of 2007, compared to 30 in same period of 2006."³³⁹
- **New Jersey's E-Trace:** The New Jersey State Police signed an agreement in 2007 with ATF to make it easier to trace crime guns and to share trace information between jurisdictions. Police will no longer need to call ATF to submit a trace, instead they can directly access the computer database. And the state may now aggregate that data within and outside New Jersey law enforcement jurisdictions to crack open gun trafficking patterns and operations."³⁴⁰
- **A coordinated gun crime strategy:** We recommend that states employ a coordinated crime gun strategy in which they trace every gun recovered in a crime (this cost is borne by the federal government), check every crime gun against the National Stolen Firearms Registry, and aggregate all crime gun trace data in the state to uncover trafficking patterns. States can easily work with other states and the federal government to find patterns and go after the illicit trade in firearms that fuels crime.
- **Enhance fusion centers to assist traditional law enforcement in crimes beyond terrorism:** There are currently 41 fusion centers planned or in operation in the United States. These centers, established by DHS, collect, analyze, and disseminate regional information related to terrorism. However, several fusion centers also have expanded their mission to an "all-crimes"

focus.³⁴¹ The Congressional Research Service noted that fusion centers have particular applicability to large-scale criminal activity, focused on such topics as drug trafficking and organized crime.³⁴² We recommend that fusion centers adopt an “all crimes” strategy to enable improved coordination between those who monitor and gather state and regional information and intelligence and those responsible for on-the-ground operations.³⁴³

- **Tennessee’s all crimes Fusion Center:** Tennessee Governor Phil Bredeson opened an “all crimes” fusion center in 2007 to improve the state’s capacity to coordinate law enforcement activities and information throughout the state. Mark Gwyn, the Director of the Tennessee Bureau of Investigation, asserted that the fusion center is “going to revolutionize law enforcement in this state” by ensuring that all state law enforcement personnel have access to a centralized database comprised of up-to-date records and information.³⁴⁴ Gwyn predicted that the fusion center “will allow Memphis Police Department to assist Maryville Police Department in solving crimes and vice versa.”³⁴⁵
- **New Jersey’s Regional Operations Intelligence Center (ROIC):** The ROIC is a fusion center that houses personnel from federal, regional, state, county, and local agencies. Though the center has capability to act as a command center during a crisis, it also provides key day-to-day support to law enforcement throughout the state. For example, it handles nearly 70% of the state’s 911 calls and provides a central depot for shared intelligence, analysis, and communication between the many jurisdictions represented.³⁴⁶
- **Improve communication and information sharing between law enforcement agencies:** Rapid communications and information sharing between law enforcement agencies leads to better processing and analysis of data, improved “actionable” information, and faster response and deployment times. But this has been a long-term problem for police. “The interoperability issues that the nation faces today did not arise overnight and they will not be successfully addressed overnight,” according to the GAO.³⁴⁷ Effective information sharing includes cross-referencing databases to link separate sources of existing data and providing crime fighters a centralized information depot that multiple law enforcement agencies and jurisdictions can access.
 - **Maryland’s integrated security database:** Governor Martin O’Malley has initiated a transformative effort to blend law enforcement databases. “We’re now pushing out motor vehicle photos to local law enforcement so they can positively identify people that they stop,” says Governor O’Malley. “Removing the anonymity under which these criminals operate is half the battle. We’re sharing live arrest data with Washington, D.C. so that our officials receive immediate notification when a parolee or probationer is arrested there—and vice versa. We had a single state trooper going by hand through the criminal records of 15,000

probationers to determine who owed DNA, a task that would've taken 26 years to complete. Now that we're blending the State Police database with the Parole and Probation database, we can complete this identification in six days and go out to collect the sample. We're also building a statewide criminal justice information system that will enable criminal justice professionals to track offenders from arrest on, without having to use 25 different passwords for 25 different state computer systems."³⁴⁸

- **Montana’s “Catch and No Release” initiative:** In Yellowstone County, MT, the “Catch and No Release” initiative combines a zero-tolerance policy on repeat and violent offenders with coordinated information sharing between local, state, and federal agencies using a central database of gun offenders and arrests. The program has yielded increased gun prosecution in both state and federal court by allowing ATF, state and local law enforcement, and probation and parole officers to increase their collaboration and information sharing. This increased flow of information helps improve the potential to identify specific gun crime and drug violators, track these individuals both on the street and through the criminal justice system, and locate potential co-defendants.³⁴⁹
- **Ohio’s Local Law Enforcement Information Sharing Network (OLLEISN):** OLLEISN connects 700 police departments, sheriff’s offices, and highway patrol agencies, comprising 85% of Ohio’s total law enforcement population and is accessed over 25,000 times each day.³⁵⁰
- **New York City’s Real Time Crime Center:** The Real Time Crime Center allows police to easily and quickly search various state and national databases on a wide range of important investigatory information. The data warehouse includes over 5 million state criminal records and parole and probation files; over 20 million New York City criminal complaints and calls to police; and more than 33 billion public records.³⁵¹

3. Technology—Creating a Police Presence

In this section, we identify some of the most promising technologies that allow law enforcement to cost effectively reduce crime and create a police presence with minimal or no human presence. Many solutions in this and other sections have a technology component, but for these solutions—the technology is the solution.

- **Video surveillance cameras:** These “eyes in the sky” provide an efficient investigative tool for law enforcement after a crime has been committed and also can act as a major deterrent on crime. Yet, only one-third of the participants in the recent summit of police officials hosted by PERF reported using surveillance cameras in targeted locations for crime control and prevention purposes in their jurisdictions.³⁵²

- **Chicago’s widespread strategy:** Chicago has the most advanced and widespread camera system in the U.S., totaling nearly 600 in locations throughout the city.³⁵³ As of September 2007, Chicago police report using camera footage in 1,407 arrests, including at least five murders, since February 2006.³⁵⁴ Due to the volume of cameras in the city and the potential to prevent crime from occurring in the first place, Chicago is one of the few locations in which officers watch the feeds in real time, rather than only relying on the surveillance cameras after a crime has occurred.³⁵⁵ Most locations using cameras only monitor footage after a crime has occurred.
- **San Francisco’s and New York City’s hot spot strategy:** San Francisco has set up 70 unmonitored security cameras in approximately 25 locations throughout the city since 2005 and reported a “noteworthy” reduction in crime in about 20 of these locations, according to Chief Heather Fong.³⁵⁶ And the NYPD reports that, after installing 15 cameras in high-crime locations at housing projects throughout the city, crime dropped an average of 36% in the next year.³⁵⁷
- **San Diego’s overt strategy:** In an effort to deter crime, San Diego primarily places their security cameras in plain view to the public. San Diego Assistant Chief Bill Maheu stated, “almost all of our cameras have been overt—we want people to know they are there.”³⁵⁸ San Diego’s cameras have had particular success in cracking down on prostitution in the area.
- **License plate scanners:** License plate recognition software and scanners allow police to instantaneously cross-reference plates with state DMV databases of stolen cars. Installed in police cruisers, the device lets out a “ping,” when there is a match. This technology allows an officer to check up to 12,000 license plates in a single shift, compared to several dozen manual checks.³⁵⁹ The impact extends beyond the crime of car theft, as criminal syndicates and career criminals often rely on stolen automobiles. For example, Arizona reports that cars stolen in their state are often involved in smuggling activities and drug trafficking.³⁶⁰
 - In Arizona, the scanners read 30,000 plates over a three-week period of simply cruising through Phoenix neighborhoods and parking lots. It turned up 113 stolen vehicles worth \$900,000, and resulting in 90 arrests.³⁶¹ Lt. Giles Tipword, head of auto theft and document crimes for the Phoenix Police Department, said Phoenix would eventually be prepared to use this technology to respond to Amber Alerts issued in kidnappings and other violent crimes. “All we have to do is download the data,” adding “they are the best thing since sliced bread.”³⁶²
 - In Los Angeles, cruisers equipped with the system nabbed stolen car thieves at a rate ten times greater than non-equipped cruisers.³⁶³

- The Ohio State Highway Patrol increased auto theft recoveries by 50% within four months of use on the Ohio Turnpike.³⁶⁴
- **Gunshot detectors:** They are relatively inexpensive and use sound and global positioning technology to identify the location of a gunshot and the direction it was fired within several yards.
 - In Rochester, NY, gunshot detectors allowed police to find and save a gunshot victim despite there being no 911 call.³⁶⁵
 - In Minneapolis, Police Chief Tim Dolan said, “You get a call about ‘shots fired on 36th and Broadway.’ Well, you knew that could be anywhere within a half mile of 36th and Broadway. [Now] these calls are accurate within a house address of where the shots are being fired. And it can tell them the direction of travel of the person firing those shots.”³⁶⁶

VI. Federal Disengagement

The greatest decrease in crime in modern American history coincided with the greatest federal investment in combating local crime in government history.

In the 1990s, the federal government embarked on a major push to reduce the crime rate. Through landmark legislation, billions of dollars were sent to states and localities to hire new police officers, build new prisons, and promote new technologies and strategies to fight crime. The Justice Department actively sought out best practices for community policing, use of technology, firearms tracing, and innovations in sentencing—and spread those ideas throughout the country. And the federal government made enormous new investments in prevention programs aimed at keeping kids off the streets.

If the 1990s were about federal engagement, the 2000s have been about disengagement. State and local crime-fighting grants were consolidated and then cut by more than half, including a slash of 67% to Byrne Justice Assistance Grants in the past year. The essence of the COPS program that put nearly 100,000 police on neighborhood streets no longer exists. Even the information that police receive from a crime gun trace has been redacted.

In this section, we offer general ideas for how the federal government can reengage in state and local crime fighting, as well as issue-specific recommendations for federal involvement in the four trend topic areas discussed earlier in this report. We also urge the federal government to take a much more active and permanent role in defining the national strategy on crime, investing in evaluations of best practices, and developing and testing new technologies that can revolutionize crime fighting.

On July 26, 2008, federal engagement in local crime fighting will celebrate the 100th anniversary of President Theodore Roosevelt’s creation of what would one day be called the FBI. Sixty years later, the first grants to help states, cities, and towns combat crime were enacted with passage of the 1968 Omnibus Crime Control and Safe Streets Act.³⁶⁷

But it wasn’t until 1994 that such a major investment was made in local crime fighting in the form of the Omnibus Crime Bill—a \$30 billion package designed to blunt and reverse a several-decades long trend of steeply rising crime rates.* It was, indeed, controversial. The bill put nearly 100,000 new police on neighborhood streets, built new prisons, demanded stricter sentencing, re-established the federal

* The official title of the bill is the Violent Crime Control and Law Enforcement Act of 1994.

death penalty, invested in new prevention programs aimed at teenagers, and banned assault weapons (one year after requiring background checks for firearms sales at federally licensed gun stores through the Brady Law).

“We were critical of virtually every provision of the bill,” said Stephen Moore of the CATO Institute in testimony before Congress the following year.³⁶⁸ The conservative National Center for Policy Analysis wrote that “the bill might actually increase the amount of crime” in calling for its defeat.³⁶⁹

But the bill passed—barely. In the months that followed, a new Republican Congress sought to repeal much of the crime bill but was unable to do so.

While no one factor deserves credit for the dramatic and historic reduction in crime through the 1990s, it is incontrovertible that it coincided with this massive infusion of funds and energy. Between 1994 and 2001, the violent crime rate plunged 26% and the murder rate 34%.³⁷⁰ Experts ranging from the non-partisan Government Accountability Office to the Brookings Institution highlighted the importance of the innovative federal approach and support for local crime fighting as components of the crime decline of the 1990s.³⁷¹

As Laurie Robinson, the former Assistant Attorney General for the Office of Justice Programs at DOJ, stated: “[E]ven those who questioned the value of federal subsidies of local police salaries have acknowledged that the COPS Office has helped dramatically to spread the concept of community policing and has reinvented the way a federal grant agency can relate to its constituents.”³⁷²

A University of Maryland study found that one of the signature 1994 programs, Community Oriented Policing Services (COPS) had an immediate effect. A COPS hiring grant “reduced burglaries by 2.2 percent, auto thefts by 3.3 percent, robbery by 5 percent, murders by 3.2 percent, and assaults by 3.6 percent,”³⁷³ the report stated. Economist Steven Levitt found that the number of police officers per capita increased by 14 percent in the 1990s which he estimates accounted for between 10 to 20% of the overall decline in crime.³⁷⁴

With the election of President Bush in 2000, the old attempts to refashion and shrink the federal commitment to local crime fighting began to take hold. Nearly every major anti-crime program has been reduced or eliminated. At the same time, law enforcement has had its mission expanded to handle such diverse problems as homeland security and an exploding illegal immigrant population. Meanwhile, for the first time in 15 years, crime rates have started to creep higher.

In this section, we highlight three areas of federal disengagement and their effect on communities: 1) Fewer police and fewer resources, 2) A diminished leadership role in combating crime, and 3) The expanded mission of local law enforcement.

We then conclude with a series of recommended approaches that states can adopt to fill the void that the federal government has left behind.

Defining the Problem: The Federal Pullback

1. Fewer Police and Resources for Communities

The Bush Administration has cut the major Department of Justice grant programs by 56% from FY 2001 to the present.³⁷⁵

- Byrne/Justice Assistance Grants:** The Byrne Grants were first established in the 1980s and have been described by the National Governors Association as the “most essential crime fighting program over the years.”³⁷⁶ During the 1990s, Byrne Grants included both Byrne Formula grants (distributed to states based on population) and Byrne Discretionary grants (distributed directly to local users).³⁷⁷ The Local Law

In the past year alone, the Byrne/JAG state and local crime fighting federal grant money was cut 67%.

Enforcement Block Grant (LLEBG), established in 1996, gave funds directly to local law enforcement agencies based on a formula looking at their share of violent crimes reported to the FBI.³⁷⁸ LLEBG encouraged “communities to craft their own responses to local crime and drug problems.”³⁷⁹

In FY 2001, states received \$1.099 billion in combined federal aid from Byrne Formula, Byrne Discretionary, and the LLEBG grant initiatives. However, beginning in FY 2005, the Byrne Formula grant and LLEBG grant were combined into a new, consolidated grant program called, the Byrne Justice Assistance Grants (“Byrne/JAG”). By FY 2007, total funding for Byrne/JAG and Byrne Discretionary grants fell to \$712 million. In FY 2008, the combined funding was slashed to \$357 million, including a 67% cut in Byrne/JAG funding.³⁸⁰ Specifically, Byrne/JAG received \$520 million in FY 2007 and only \$170 million in FY 2008. In addition to the funding cuts, the National Criminal Justice Association (NCJA) has criticized the consolidated Byrne/JAG program for the limited opportunity it affords states to develop a coordinated, statewide strategy. Under the current Byrne/JAG stipulations, states exert little influence over the direction of grants to local law enforcement over \$10,000 in size. NCJA believes that effectiveness “could be increased if states resumed a more meaningful coordination role by assuming oversight over a greater portion of the BJA direct grants.”³⁸¹

- COPS Grants:** The COPS program resulted in 36,000 technology grants to help law enforcement agencies procure advanced technologies (such as in-car computers and cameras, computer-aided dispatch systems, and laptop computers).³⁸² Overall funding went from \$1.037 billion in FY 2001 to \$587

million in FY 2008—roughly half. The COPS component, devoted to hiring 100,000 police officers for local cities and towns, was entirely de-funded by FY 2006.³⁸³

As a result, the number of law enforcement employees across the nation fell by 3.4% since the start of the decade. Among cities with populations of 250,000 or greater, there has been a 7.4% decline in full-time law enforcement personnel per capita since 2000.³⁸⁴ Not coincidentally, the increase in the crime rate was led by a spike in crime in these large cities.

2. Diminished Leadership in Research, Evaluation, and Technology

Even conservative organizations, like the Heritage Foundation,³⁸⁵ and conservative criminologists, such as James Q. Wilson, agree that the federal government has a major role to play in crime-fighting research and evaluation. Wilson wrote that the federal government's key role "ought to be to do the one thing local authorities cannot and will not do on their own. That is to design and test new crime-control strategies."³⁸⁶ Former Assistant Attorney General for the Office of Justice Programs Laurie Robinson highlighted the importance of federal research in her 2007 testimony before the Judiciary Committee: "[P]articularly at a time of tight budgets, we need to be investing in evidence-based approaches that can actually help reduce crime and we need to stop funding programs that don't work."³⁸⁷

In the 1990s, the National Institute of Justice invested in research that led them to understand the efficacy of community policing, drug courts, and alternative sanctions and sentencing within the corrections system—all areas that grew into important new approaches in confronting the crime problem of that decade.³⁸⁸ The Justice Department promoted a new strategy to tackle illegal gun trafficking by studying the National Firearms Trace database for gun running patterns.

Yet, federal funding for public safety research to identify the best approaches for crime fighting today is shrinking. Congress only funded the National Institute of Justice at \$37 million for FY 2008, down from \$70 million in FY 2001.³⁸⁹ Some research strategies have been completely halted. The crime gun trace data provided to local law enforcement is redacted compared to the 1990s. Aggregate information on the origin, age, make, and model of firearms recovered in crime are no longer compiled and published.

As Howard Silver of the Consortium of Social Science Associations stated, "the cost of crime to victims and to society is far out of proportion to the budget for the collection and analysis of data that are essential to understanding how to effect change."³⁹⁰

Research into new technologies also is a critical federal role. As the GAO has found, "To enhance public safety and bring criminals to justice, it is important for

law enforcement officials to benefit from the latest advances in science and technology."³⁹¹ The federal government's investment in developing new technologies has yielded consequential past advances, including breakthroughs on DNA technology developed by the National Institute of Justice."³⁹²

Current federal technology investment, however, does not meet the scope of our current challenges. Although federal funding for the Office of Science and Technology (OST), the department within the National Institute of Justice responsible for researching and developing more effective technology, has increased through the years, a high percentage of its budget is earmarked for specific projects and less than 20% of funding is for technology R&D.³⁹³ The RAND Corporation has found that technology assistance and training designed to fight crime provides high returns on initial investments,³⁹⁴ but that a better effort was needed "to get technology onto the streets...to provide modern crime-fighting technologies to the nation's local law enforcement agencies."³⁹⁵

3. The Expanded Mission of Local Law Enforcement: Terrorism, Immigration, and a Less Interested Federal Presence

- **Immigration:** As federal resources to states and localities have dwindled, the mission of local law enforcement has increased. Today, there are roughly 5 million more illegal immigrants in the country than in 2000, putting added pressure on local law enforcement simply because the federal government failed to do its job. Many law enforcement agencies have been asked to train personnel in immigration enforcement—a heretofore uniquely federal role.

As Arizona Governor Janet Napolitano said, "nature abhors a vacuum, and the current federal law is not enforceable and is not being enforced, so states and local governments are jumping into the fray."³⁹⁶ In Missouri, state and local law enforcement officers made over 5,000 inquiries with the Law Enforcement Support Center at U.S. Immigration and Customs Enforcement (ICE) in the 12 months ended in September 2007—approximately double the 2006 figure.³⁹⁷ In Kansas, state and local law enforcement inquiries to ICE increased to 3,315 from 2,656 in 2006.³⁹⁸ And according to the National Conference of State Legislatures, states introduced over 1500 proposed bills and enacted 244 immigration-related laws in 2007.³⁹⁹

- **Terrorism:** The Council of State Governments (CSG) wrote that state police agencies "are struggling with incorporating new terrorism-related demands into the existing crime-fighting framework. To this end, two views or approaches are embraced—dedicating personnel for terrorism-related duties, or fully integrating terrorism into other crime prevention duties, the 'all crimes' approach."⁴⁰⁰ Either approach requires an infusion of resources, or a decision to choose between terrorism and fighting crime. In a 50-state survey, CSG found that over 10% of state law enforcement agencies

reported allocating fewer resources for traditional criminal investigation and drug enforcement given their new terrorism responsibilities.⁴⁰¹

The Bush Administration's terrorism assistance to local law enforcement has not made up for DOJ cutbacks. Within DHS, the Law Enforcement Terrorism Prevention Program (LETPP) was established as the prime mechanism to provide local law enforcement with resources to aid in terrorism prevention, while also to help with local crime fighting. However, LETPP was zeroed out in the FY 2008 budget. "[E]fforts to reallocate programs and funds to homeland security in lieu of the on-going criminal and juvenile justice challenges have effectively reduced the ability of state, local and tribal agencies to improve, upgrade or change operations in support of preventing violence regardless of its nation of origin," according to the National Criminal Justice Association.⁴⁰²

- **Federal Priorities:** A report from Senator Joseph Biden's office found that the "number of FBI agents for crime and drug cases was reduced by 20%—2,426 agents to 1,938 agents since 9/11. Referrals from the FBI during the same time for drug cases, white collar crime, and violent crime matters all decreased by 39%, 23%, and 10% respectively."⁴⁰³ A series by the *Seattle Pilot-Intelligencer* found that "the number of criminal cases investigated by the FBI nationally has steadily declined. In 2005, the bureau brought slightly more than 20,000 cases to federal prosecutors, compared with about 31,000 in 2000—a 34 percent drop."⁴⁰⁴

A *Washington Post* investigative piece concluded that because of terrorism, DOJ was "far less focused on the mob bosses, drug kingpins and bank robbers who have dominated much of its history, even as new FBI studies show a substantial rise in homicides and other violent crimes over the past two years."⁴⁰⁵ They found that from 2000 to 2006, defendants related to bankruptcy fraud were down 46%, defendants involved in organized crime were down 38%, money-laundering prosecutions related to drugs had declined nearly 25%, defendants charged with bank robbery were down 18%, environmental offense defendants were down 12%, and overall white collar crime defendants had declined 10%.⁴⁰⁶

"Law enforcement continue to assume more duties to protect communities against terrorist threats, continue to fight against drugs and domestic crime, and endure pressing state budget constraints," says Thomas Nee, the President of the National Association of Police Organizations.⁴⁰⁷

21st Century Federal Solutions: A Call for Federal Reengagement

1. General Recommendations for Federal Reengagement

- **Restore COPS funding:** We urge funding of COPS restored to a level of \$1.15 billion per year, as called for in the recent 2007 Biden Crime Control and Prevention Act.

- **Restore funding of the Byrne/JAG grants:** We urge funding of the Byrne/JAG grants at its previously authorized level of \$1.1 billion per year, as recommended by organizations such as the International Association of Chiefs of Police.⁴⁰⁸ Additionally, we suggest adopting the National Criminal Justice Association’s recommendation about reforming the structure of the JAG program so that states have an increased role in grants between \$10,000 and \$100,000 and are better able to coordinate the strategic direction of crime fighting in their state.⁴⁰⁹
- **Restore Law Enforcement Terrorism Prevention Program (LETPP) funding:** We urge restoring LETPP funding to the FY 2004 level of \$500 million.
- **Restore the FBI’s capacity to fight many forms of traditional crime by providing funding to hire additional agents:** The 2007 Biden Crime Control and Prevention Act would authorize \$160 million to add 1,000 FBI agents, helping to fill the void highlighted earlier in this chapter.
- **Boost research and evaluation capabilities by dedicating an additional \$30 million to the National Institute of Justice:** Howard Silver, the Executive Director of the Consortium of Social Science Associations stated in recent House testimony: “[W]ith the current diverse pattern of crime—significant increases in some areas, continued declines in others—it seems imperative that enhanced support for research and data collection is necessary to determine what is going on.”⁴¹⁰
- **Spread successful ideas and innovations to the rest of the country:** As Laurie Robinson called for, the Office of Justice Programs should have a “What Works Clearinghouse” that “summarizes—in brief, layperson’s language—what is known from research about evidence-based approaches to addressing crime. Although it’s hard to believe, no such resource now exists.”⁴¹¹ The 2007 Biden Crime Control and Prevention Act proposes a “National Commission on Crime Intervention and Prevention Strategies,” which would provide accessible information on what works.⁴¹²
- **Reestablish the partnership with states and cities to fight crime:** We urge a renewed partnership, potentially in the form of a new crime commission, to restore the communication and collaboration between the federal government, states, and cities in fighting crime.

2. Federal Recommendations for the Reentry Explosion

- **Pass the Second Chance Act:** This bipartisan legislation would provide resources to states to help them implement programs to help prisoners have a productive return to civilian life.
- **Expand the Earned Income Tax Credit:** Make work pay for the high risk population of young males by expanding the Earned Income Tax Credit for single males without children. The maximum EITC benefit for a single person without children is approximately \$400 per year. It is over \$4,000 for a single person with two children. This gap needs to be narrowed to

encourage single males to enter the workplace and choose a productive, rather than destructive path.

3. Federal Recommendations for the Lengthening Shadow of Illegal Immigration

- **Pass a tough, fair, and practical immigration reform law:** Our nation must shut down the border and create a reasonable path to legality for those already here.
- **Create enough beds so that all priority illegal immigrants who are apprehended can be punished or deported:** Priority illegal immigrants are those who are a threat to the country, community, and those who have committed criminal violations (the priorities established by the federal government). No illegal immigrant who is arrested for a felony crime should be able to escape deportation proceedings because there wasn't space to house him.
- **Create a system whereby federal immigration judges are notified if a person undergoing a deportation proceeding is informed of pending state criminal charges:** This will prevent violent criminals from avoiding prison time by self-deporting back to their home countries.
- **Call on the federal government to fully reimburse states for the cost of enforcing immigration laws, including increasing support for the State Criminal Alien Assistance Program (SCAAP) program:** In FY02, the federal government provided \$543 million to states to help cover the cost of incarcerating illegal immigration. By FY06, funding declined to \$376 million despite a large increase in the illegal immigrant population.
- **Increase federal penalties for smuggling and human trafficking:** Increased federal penalties for smuggling and human trafficking will reduce illegal immigration and better enable law enforcement to crack down on those who prey on the illegal immigrant population.

4. Federal Recommendations for the Sprawling Parentless Neighborhood of the Internet

- **Deny children access to online pornography:** This could be done through passage of the Lincoln-Matheson bill, "The Internet Safety and Child Protection Act." This bill would force the porn industry to use a real age verification standard that would make it difficult to impossible for children to gain access.
- **Establish a special counsel for child exploitation at the Department of Justice:** As called for in the 2007 Biden Anti-Crime Bill and the "PROTECT our Children Act of 2007," this office would oversee prevention and prosecution efforts related to child exploitation and would be responsible for collaborating with federal, state, and local law enforcement agencies and the technology

industry to strengthen safety regulations and tools online.⁴¹³ Additionally, this office would create a National Internet Crimes Against Children Data Network Center. This data center could be accessed by federal, state, and local investigators in efforts related to child exploitation.⁴¹⁴

- **Safeguard social networking sites:** The federal government should work with the major social networking sites to develop better safeguards and protocols that protect children, involve parents, and identify predators. While a federal statute may be ideal, it may be possible to accomplish the same goals through a voluntary agreement.

5. Federal Recommendations for the Surging Youth Population

- **Restore juvenile justice funding to 2000 levels:** Restore federal funding to juvenile justice appropriations such as the Juvenile Accountability Block Grant and Title V Incentive Grants for Local Delinquency Prevention Programs to help states bolster, reinstate, and create programs dedicated to youthful offenders.
- **Host a National Youth Crime Summit to disseminate best practices:** Convene a National Youth Crime Summit early in the next Administration, gathering federal, state and local government agencies; academics; nonprofit organizations; and state and local officials- those who are the leaders, movers, and key players in the field of juvenile justice. The summit, similar in nature to past National Crime Prevention Council efforts, would provide a forum to disseminate best practices and allow state and local officials to take back home an arsenal of tried and true ways in which to best prevent and address youth crime.

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