



No. 11

Analyzing and Responding to Repeat Offending

Nick Tilley



Problem-Oriented Guides for Police Problem-Solving Tools Series No. 11

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This project was supported by cooperative agreement #2010-CK-WX-K005 awarded by the Office of Community Oriented Policing Services, U.S. Department of Justice. The opinions contained herein are those of the author(s) and do not necessarily represent the official position or policies of the U.S. Department of Justice. References to specific agencies, companies, products, or services should not be considered an endorsement of the product by the author(s) or the U.S. Department of Justice. Rather, the references are illustrations to supplement discussion of the issues.

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ISBN: 978-1-932582-74-1

April 2013



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About the Problem-Solving Tools Series

Problem-Solving Tools is one of three in the series of the Problem-Oriented Guides for Police. The other two are the Problem-Specific Guides and Response Guides.

The *Problem-Oriented Guides for Police* summarize knowledge about how police can reduce the harm caused by specific crime and disorder problems. They are guides to preventing problems and improving overall incident response, not to investigating offenses or handling specific incidents. Neither do they cover all of the technical details about how to implement specific responses. The guides are written for police—of whatever rank or assignment—who must address the specific problems the guides cover. The guides will be most useful to officers who:

- Understand basic problem-oriented policing principles and methods
- · Can look at problems in depth
- Are willing to consider new ways of doing police business
- · Understand the value and the limits of research knowledge
- · Are willing to work with other community agencies to find effective solutions to problems

The *Problem-Solving Tools* summarize knowledge about information gathering and analysis techniques that might assist police at any of the four main stages of a problem-oriented project: scanning, analysis, response, and assessment. Each guide:

- · Describes the kind of information produced by each technique
- · Discusses how the information could be useful in problem solving
- · Gives examples of previous uses of the technique
- · Provides practical guidance about adapting the technique to specific problems
- Provides templates of data collection instruments (where appropriate)
- · Suggests how to analyze data gathered by using the technique
- · Shows how to interpret the information correctly and present it effectively
- · Warns about any ethical problems in using the technique
- Discusses the limitations of the technique when used by police in a problemoriented project
- Provides reference sources of more detailed information about the technique
- · Indicates when police should seek expert help in using the technique



Extensive technical and scientific literature covers each technique addressed in the *Problem-Solving Tools*. The guides aim to provide only enough information about each technique to enable police and others to use it in the course of problem solving. In most cases, the information gathered during a problem-solving project does not have to withstand rigorous scientific scrutiny. When police need greater confidence in the data, they might need expert help in effectively using the technique. This can often be found in local university departments of sociology, psychology, and criminal justice.

The information needs for any single project can be quite diverse, and it will often be necessary to use a variety of data collection techniques to meet those needs. Similarly, a variety of different analytic techniques may be needed to analyze the data. Police and crime analysts may be unfamiliar with some of the techniques, but the effort invested in learning to use them can make all the difference to the success of a project.

The COPS Office defines community policing as "a philosophy that promotes organizational strategies, which support the systematic use of partnerships and problemsolving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime." These guides emphasize problem-solving and police-community partnerships in the context of addressing specific public safety problems. For the most part, the organizational strategies that can facilitate problem-solving and police-community partnerships vary considerably and discussion of them is beyond the scope of these guides.

These guides have drawn on research findings and police practices in the United States, the United Kingdom, Canada, Australia, New Zealand, the Netherlands, and Scandinavia. Even though laws, customs, and police practices vary from country to country, it is apparent that the police everywhere experience common problems. In a world that is becoming increasingly interconnected, it is important that police be aware of research and successful practices beyond the borders of their own countries.

Each guide is informed by a thorough review of the research literature and reported police practice, and each guide is anonymously peer-reviewed by a line police officer, a police executive, and a researcher prior to publication. The review process is independently managed by the COPS Office, which solicits the reviews.



For more information about problem-oriented policing, visit the Center for Problem-Oriented Policing online at www.popcenter.org. This website offers free online access to:

- The Problem-Specific Guides series
- The companion Response Guides and Problem-Solving Tools series
- Special publications on crime analysis and on policing terrorism
- · Instructional information about problem-oriented policing and related topics
- An interactive problem-oriented policing training exercise
- An interactive Problem Analysis Module
- · Online access to important police research and practices
- · Information about problem-oriented policing conferences and award programs



Acknowledgments

The *Problem-Oriented Guides for Police* are produced by the Center for Problem-Oriented Policing, whose officers are Michael S. Scott (Director), Ronald V. Clarke (Associate Director), and Graeme R. Newman (Associate Director). While each guide has a primary author, other project team members, COPS Office staff, and anonymous peer reviewers contributed to each guide by proposing text, recommending research, and offering suggestions on matters of format and style.

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Members of the San Diego; National City, California; and Savannah, Georgia, police departments provided feedback on the guides' format and style in the early stages of the project.

Kimberly Nath oversaw the project for the COPS Office. Phyllis Schultze conducted research for the guide at Rutgers University's Criminal Justice Library. Nancy Leach coordinated the Center for Problem-Oriented Policing's production process. Katharine Willis edited this guide.



The Problem of Repeat Offending

A wide range of research converges on the following findings about criminal offenders:

- Some level of participation in criminal activity is normal, especially during
 adolescence and among males.¹ Almost all citizens act dishonestly, commit crimes,
 and behave in antisocial ways at some point in their lives.[†] Most will have committed
 more than one crime.²
- Most people offend infrequently and soon age out of committing crime. Involvement in criminal behavior peaks in adolescence (ages 14–17) and then generally fades rapidly.³
- A much smaller number of persistent and prolific offenders are responsible for a
 substantial proportion of all crime.⁴ Roughly half the crimes committed can be
 attributed to those identified as prolific offenders. Males commit far more offenses than
 females do, but even among female offenders, a small percentage commits a hugely
 disproportionate number of the offenses.

That a small fraction of offenders commits a large fraction of crime may come as no surprise to most police officers. The breadth of low-levels of offending and the proportion of crime attributable to those involved in it may not be so widely understood.[‡]

There are two general theories of repeat offending patterns. One theory is that some people are highly disposed to behave criminally, and this leads them to sustained criminal careers in which they offend frequently. These "lifetime persistent" offenders begin offending early and have long crime careers. They are distinguished from "adolescent limited" offenders, who start later and finish earlier, as the name suggests. Another theory suggests that one criminal act begets another. That is, involvement in one crime increases the probability of further offending. For example, someone convicted of a crime finds it more difficult to resume a law-abiding life, either because they have fewer job opportunities or because they are shunned by normally law-abiding members of the community. Therefore, they persist in criminal behavior and associate with others who are in a similar position. It might also be that the rewards of successfully committing crime reinforce the criminal behavior and make persistent offending more likely.

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[†] A 1947 study in New York found, for example, that 99 percent of adults, none of whom had a criminal record, admitted to at least one crime from a list of 49 different offenses.

[‡] For a thorough review of these patterns, see Blumstein et al. (1986). They summarize findings as follows: "The median offender commits only a handful of crimes per year, while a small percentage commit more than 100 crimes per year." (p. 4)



Both theories play a part in producing repeat offending patterns. Much has been written on efforts to identify and deal more effectively with individuals who have strong dispositions to commit crime and to avoid inadvertently precipitating high-rate offending among those who might otherwise not be drawn into criminal careers. The main focus of this guide, however, is how to identify *problems* that call for special police attention to prolific offenders and how to devise, implement, and evaluate effective strategies to deal with them.

If police can identify prolific offenders early enough and implement effective measures to reduce their rate of offending, crime levels can be reduced in most instances.

There is a risk that multiple contacts with the criminal justice system unintentionally provide "stepping stones" toward further criminal involvement, especially among the poor.⁶ Exclusionary processes can reduce opportunities to follow a law-abiding life. Labeling can alter an individual's identity. These processes can interlink, as in the following sequence:

- 1. An individual is disadvantaged, with few life chances.
- 2. He commits crimes, as is very common among adolescent males.
- 3. The police arrest him.
- 4. He does not have friends and family capable of credibly speaking on his behalf.
- 5. He is prosecuted and convicted.
- 6. His education is disrupted.
- 7. He is also stigmatized, resulting in fewer employment opportunities and a smaller network of contacts that might help him find work.
- 8. His criminal record and lack of employment inhibit him from associating with people who might have a positive influence on him.
- As his opportunities for a law-abiding life diminish and his integration with lawabiding members of the community atrophies, he spends more time with other offenders.
- 10. He identifies as a criminal and absorbs a rhetoric from other offenders that legitimizes his criminal behavior.

Although common, this pathway is far from universal: circumstances (or turning points) that provide branches pointing in different directions often arise (or are created). Therefore, when devising strategies to deal with repeat offending problems, you need to consider whether your agency inadvertently contributed to their production, and explore partnering with others who are better placed to help offenders become law-abiding citizens by either exerting informal control over them, providing them with legitimate opportunities, and/or creating turning points away from crime.



The Relationship of Repeat Offending to Repeat Victimization and Repeat Locations and Targets

Crime is disproportionately concentrated not only on a small subset of offenders but also small subsets of victims, targets, and places. Patterns of repeat victimization—whereby experiencing one crime increases the probability of experiencing another—have been found across diverse crime types and in diverse places.† Likewise, crime is concentrated on hotpots,‡ and, in the case of theft, on so-called "hot products."§

Concentrated repeat offending occurs in some disadvantaged neighborhoods due to the following process:⁸

- 1. Inner-city neighborhoods, historically populated by a large black underclass, continue to draw in more young, poor black people while the better-off residents migrate to the suburbs.
- 2. This departure means the remaining residents lose contacts to help them find work.
- 3. Changes in the economy shrink the supply of unskilled manual jobs for men.
- 4. Joblessness as a way of life sets in, and work-related norms wither.
- 5. Teachers become frustrated by the lack of interest in education, so fail to teach children.
- 6. There are few men fit to marry so vulnerable families are headed by single mothers.
- 7. Good, employed male role models are scarce.
- 8. Segregated, ghettoized public-housing projects emerge, with little reciprocal guardianship or control, thereby creating vulnerable residents.
- 9. In these neighborhoods, relatively uncontrolled prolific offenders meet relatively unprotected targets. Repeat offending, repeat victimization, and hot spots are therefore concentrated.

The police are clearly in no position to control the wider social structural processes associated with such dynamics. They are mentioned here only as background to be considered and to indicate likely limits to what the police can do.

[†] See Problem-Solving Tool Guide No. 4, Analyzing Repeat Victimization, for further information.

[‡] See Problem-Solving Tool Guide No. 6, Understanding Risky Facilities, for further information.

[§] See Problem-Solving Tool Guide No. 12, Understanding Theft of 'Hot Products' for further information.



The police are more likely to be able to address *specific* problems in *specific* places where repeat offending may constitute part of the problem and reducing it part of the solution. For some problems there are specific links between hotspots, repeat victims, and prolific offenders. In regard to domestic burglary, for example, high-crime areas experience high rates of crime due in part to the concentration of repeat victims there. Repeat offenders are often responsible for those who are repeatedly burglarized, and those offenders tend to be prolific. The same pattern has been found for bank robbery and bank robbers. A more obvious fact is that domestic violence tends to be a problem of repeat offenders and repeat victims, generally in the same location. Feuds between gangs or neighbors also tend to be problems where the same offenders, victims, and locations are repeated.

For other specific problems, there may be a difference in the populations of repeat offenders, repeat victims or targets, and repeat locations, especially in locations such as shopping malls, which provide rich targets for criminals.† There do appear, nevertheless, to be good reasons to expect that repeat offenders will return to the same or similar targets and places because of their familiarity with the risks and rewards they will face and the successful methods they used in the offenses they committed previously. 12

Predicting Repeat Offending

In an attempt to predict who is liable to become a persistent and prolific repeat offender, many risk factors have been identified.¹³

- Family-related risk factors include poor supervision and discipline, family conflict, family
 history of problem behavior, parental involvement in and attitudes condoning problem
 behavior, and low income and poor housing.
- School-related risk factors include low achievement beginning in elementary school; aggressive behavior, including bullying; lack of commitment, including truancy; and school disorganization.
- Community-related risk factors include a disadvantaged neighborhood, community disorganization and neglect, availability of drugs, high population turnover, lack of neighborhood attachment, and low collective efficacy (social cohesion and informal social control).¹⁴

[†] See Brantingham and Brantingham (1995), who distinguish between a) crime attractors, which are places that attract offenders (some of whom may return repeatedly) because of the rich pickings and b) crime generators, which are also rich in opportunities but have a changing population there primarily for reasons other than to commit crimes, some of whom might be tempted to offend. Shopping malls likely function as both crime attractors and generators.



Individual and peer-related risk factors include alienation and lack of social
commitment, attitudes that condone criminal behavior, early involvement in criminal
behavior, having friends involved in problem behavior, low intelligence, anxiety, and
social awkwardness.

Risk factors have proved imprecise in predicting who will eventually become a prolific offender. Data from what is perhaps the most thorough study of males to date indicate that a third of those who turned out be to persistent offenders showed no evidence of any risk factors at ages 8 and 9. These comprise false negative predictions. Moreover, half of those males with the maximum number of risk factors considered did not turn out to be persistent offenders. They comprise false positive predictions. ¹⁵ In addition, other research suggests that particular events and experiences, such as moving home, changing schools, joining the military, or falling in love, may serve as turning points that divert individuals toward or away from careers as repeat offenders. ¹⁶ At a population level, risk factors may be useful in identifying sub-groups whose members are more likely to become repeat offenders. However, at the individual level, these factors have been less successful in pinpointing—at an early age—those who can be expected to later commit many crimes.

Once criminal careers are established and offenders are processed by the criminal justice system, recidivism rates become very high: up to two-thirds of those who are incarcerated will reoffend within a few years. ¹⁷



Measuring Repeat Offending

Mounting a sophisticated, longitudinal research study to analyze your local repeat offending problem will take too long and be too costly. If you suspect that repeat offending contributes significantly to the problem you are addressing and that it can be reduced, you may wish to make a "good enough" estimate of the contribution made by repeat offenders. For this you will have to depend on readily available sources. The most obvious sources relate to offenders who have been officially processed, either through convictions or through arrests.

Reoffending rates measured through re-conviction are, of course, likely to underestimate real reoffending rates. Steep attrition patterns, going from the number of offenses down to the number for which there is a conviction, mean that the vast majority of offenses do not lead to convictions. They are unreported, undetected, or, for various reasons, not prosecuted or unsuccessfully prosecuted. In the United States in 2009, the clearance rates for reported crime (crimes cleared by arrest or 'exceptional means,' for example where the suspect dies or the victim refuses to cooperate) varied from 45 percent for violent crime, down to 12 percent for burglary and 11 percent for motor vehicle theft. 18 Sanction detection rates (where the offender receives a formal sanction) for reported crime in England and Wales are likewise higher for violent crime (44 percent in 2010– 11) than for property crime where there is usually no direct contact between offender and victim (for example, 13 percent for burglary, 9 percent for theft from a motor vehicle).¹⁹ If there were a consistent detection rate of 20 percent, for instance, then the chance of two successive offenses being detected would be 4 percent $(0.2 \times 0.2 = 0.04)$. The chance that a third would also be detected is less than 1 percent. Simply put, many of the offenses committed by repeat offenders do not feature in official police statistics.

There are two ways in which one conviction may influence the likelihood of another. The first is that police pay special attention to those who are arrested, thereby increasing their risk of apprehension. The second is that as offenders commit more crime, they gain more experience and expertise and learn how better to evade the police. So, oddly enough, offenders may become both more and less likely to get caught over time. The best evidence is that most offenders seem to get better at avoiding capture rather than police getting better at catching them, at least in the absence of special efforts to target prolific offenders.²⁰



Thus, any local analysis using your own police data on arrests or convictions is more likely to underestimate rather than overestimate the contribution of repeat offending to your problem, although this may not be the case in specific places and for specific offenses. Your data on repeat offenders/arrestees' contribution to the total number of offenses detected, or for which arrests are made, will give a rough idea of the contribution of repeat offending to your problem, but you need to consider the findings cautiously and with an eye to local knowledge and prevailing policing practices.

Table 1 on page 14 shows the form of a simple repeat offending analysis you could undertake for your target crime. It shows that 10 offenders were arrested for the crime. They were arrested for 30 offenses in all, 20 of which were related to the local problem being addressed. They were each arrested for an average of two target offenses, although two were arrested for four target offenses. The table shows that of the 10 who were arrested at least once for the target offense, half went on to commit at least two offenses. Of that five, three (60 percent) went on to commit at least three offenses and of these three, two (67 percent) went on to commit four. Therefore, the chances of rearrest increase with the number of previous arrests. The table also shows that only two of the offenders were arrested for only one offense in all, and one-third of the total arrests for the target offenses were for other offenses. The final column shows each arrestee's current age. A majority are under 20-years-old and all but one is younger than 30. The youngest and oldest are infrequent offenders. Those in the middle age range appear to account for the more prolific offenders, but the numbers are too small to say anything about this with confidence.



Offender Arrests all crimes Arrests target crimes Age Α В C D Е F G Н 2. Ι 2.8 TOTAL

Table 1: Offenders and their repeat offenses

More complex analysis of a data set of these offenses and their known offenders could go on to look at the spatial and temporal proximity of repeat offenses: were they committed in quick succession and were they committed close to one another? You can use the free-to-download Near Repeat Calculator to carry out analysis of this sort. ²¹ Gradually you can build a picture of the known repeat offending patterns, always acknowledging that most offenses of most types remain undetected. It may well be that the 20 target offenses shown in Table 1 represent only 15 percent of all reported target crimes. It might be reasonable to suppose that their apparent contribution to the total number of target crimes is underestimated and that targeting repeat offenders successfully could produce a larger impact than the figures suggest. Moreover, if the measures put in place to deal with prolific offenders for the target crime succeed in inhibiting their criminal behavior in general, this would lead to a reduction in a broader array of offenses.

In all cases, you need to be clear about the problem fueling your interest in repeat offending and the sorts of intervention that could realistically reduce it (which will be covered below). You also need to distinguish varying reoffender types relevant to your problem and for whom you need different strategies. For example, if your problem relates to serious offenses committed by professional criminals, you won't be interested in, for example, street people who commit a lot of petty offenses, but are unlikely to receive special police attention among a group of more serious offenders. On the other hand, if your problem is nuisance offending, you will be uninterested in career organized offenders. Both of these problems will differ from those of solitary, serial sex offenders, as an example.



Another category might be repeat mental health-service consumers, individuals whose aberrant behavior is caused by mental illness and who might have frequent contact with the police, but who end up being referred for mental-health treatment more often than to the criminal courts. Ex-prisoners may comprise another source of your local problem of repeat offending, as may substance abusers, who are liable to be generalist reoffenders. Repeat traffic-offense violators might comprise yet another category. Not only should the responses to these types of offenders vary, but so too should the eligibility criteria for special attention. Tailor your analysis to the problem at hand. You would need to add further columns capturing relevant attributes to Table 1 to reflect the particular attributes of the problem.

You can often usefully complement the statistical analysis of repeat offending relevant to your problem through qualitative information gleaned from interviewing known offenders and by drawing on intelligence gathered from the community, informants, and local service providers. In all cases, however, it is important to be mindful of "confirmation biases," which often lead us to attach undue significance to information that reinforces our existing views and to ignore information that contradicts them.



Approaches to Reducing Repeat Offending

Given a problem where reoffending plays a major part, how can you then reduce it? You should consider the following approaches, each of which has succeeded in some contexts. None, however, provides a perfect solution, and you may decide on others in view of your problem analysis.

Incapacitation: Making It More Difficult to Reoffend

Incarceration is the most common method to incapacitate offenders, despite its risk of producing crime in prisons. There is evidence that selective incapacitation can be effective with individuals who you strongly believe will continue to commit crime and have resisted other approaches to reduce their criminal behavior.²² In the Netherlands, relatively long prison sentences imposed on prolific, drug-dependent offenders who are resistant to treatment have had a substantial effect on overall crime levels.²³ There is also evidence that well-implemented Repeat Offender Programs can reduce crime through incapacitation.²⁴

Notwithstanding these successes, broad incapacitation strategies for crime reduction have been found to face three significant difficulties.

The first is that imprisonment often occurs too late to have a significant incapacitation effect, and, for many inmates, extends far beyond the expected end of their criminal careers. Reviewing the evidence, one American scholar concludes that "(O)ur prisons are filled with people who would otherwise be retired—or at least semi-retired—offenders."

The second is that of identifying individuals who would be prolific offenders if they were not imprisoned (hence, individuals on whom to focus intense police attention). Here, systematically collecting reliable intelligence and carefully analyzing repeat offending patterns should help you decide who to target.[†]

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[†] You can then evaluate your efforts by tracking for each day the number of your nominated prolific offenders who are at liberty alongside the number of relevant reported offenses to find out if crime drops when those you deem repeat offenders are in custody.



In practice, for the following reasons police nomination of prolific offenders has not consistently delivered expected crime prevention benefits:

- · It is difficult to identify active prolific offenders
- · Individual offenders' high rates of offending fluctuate
- Co-offending means removal of a particular prolific offender but does not lead to the prevention of offenses that would otherwise happen
- Schemes have often been implemented poorly.²⁶

The third difficulty is that heavy sentences may make it more difficult for ex-prisoners to lead law-abiding lives on release (for example, the stigma of imprisonment lowers paid employment opportunities and immersion in prison life supports criminal propensities and opportunities); hence the high recidivism levels observed. In regard to this, in the first instance it is up to the courts to consider the possible effects of incarceration when imposing sentences. Ultimately, however, you do have an interest as you will be faced with any increases in criminal activity resulting from inmates' experiences and whether efforts to deal with your problem by targeting police work on repeat offenders will produce long-term net benefits.

Deterrence: Making It (Appear) More Risky to Reoffend

General deterrence refers to people's unwillingness to commit crime because they fear being punished if they are caught. Specific deterrence refers to current offenders' reluctance to commit future crimes because they fear being caught and punished again.

If general deterrence worked perfectly we could have few punishments, each severe enough that only very small numbers of offenders would commit crime, and we would be relatively crime-free. This assumes a knowledgeable and risk-averse population of future-oriented, cost-benefit calculating offenders. In practice, however, many are unaware of the sanctions associated with different offenses. Moreover, those likely to offend tend not to be risk-averse. They are "present-oriented, reckless and overconfident." The perceived possibility of future sanctions, even if severe, appears insufficient to deter many from crime. For those with short time horizons, speed and certainty of punishment would be needed, and speed and certainty are in some tension with severity. The heavier a penalty, the greater the effort to make sure it is warranted through protracted proceedings, making the punishment less certain and delaying its infliction.



In regard to specific deterrence, in the United States one study found that among inmates known to have committed burglaries the chance of being arrested for any one of them was around one in 30, for robbery one in 15, and for assault one in 10,²⁸ and their risk of conviction and punishment, of course, even less. In England and Wales the chances of an offense leading to a sanction detection (taking account of those not reported) was less than one in 10 for burglary (9 percent), less than one in five for violence (18 percent), and one in 10 for robbery.²⁹ These risk levels are clearly unlikely to deter those already immersed in criminal behavior.

There is some evidence that more prevention can be derived from deterrence than is conventionally achieved. Punishments must be known about in advance in order to deter the targeted behaviors. Research finds that publicity that is specific in terms of focus, crime, and geographical area is more effective than generic publicity.[†]

In summary, known repeat offenders may be deterred from committing further crime if they believe the risk of receiving prompt sanctions is high. If prolific offenders deem the risk of detection low and punishment uncertain, they are unlikely to be deterred from committing further crime. Therefore, if you are trying to address a problem by deterring prolific offenders, you need to work out how to persuade them that if they commit a crime they face an unacceptably high risk of a credible penalty that they will soon suffer.

The police in Dyfed Powys (covering part of Wales) traditionally have been able to claim a very high detection rate for household burglary (more than 50 percent). They believed the crimes were committed largely by repeat offenders, many of whom were traveling from Cardiff, in an adjacent police force area. The police painted on the ceilings of the holding cells large messages alerting those held to the risks they faced from offending. Those in the cells knew they had been caught and were already suffering an adverse consequence; the message was designed to prevent them from assigning this to bad luck and to be the take-home lesson they would learn and pass on to their associates. In addition, the Dyfed Powys police advertised prospective offenders' risks in the areas around Cardiff where they were believed to live. The outcome effectiveness of these measures is unknown. They comprise, however, one example of an imaginative, targeted effort to deter suspected repeat offenders by persuading them that they faced unacceptable risks of speedy adverse consequences from committing the crimes of interest.

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[†] See Response Guide No. 5, *Crime Prevention Publicity Campaigns* for further information, as well as Mazerolle (2003) and Bowers and Johnson (2005).



The well-known Boston Gun Project and its successors have used these same general principles; however, they adopted other complementary methods as well. In Boston, the problem was fatal use of guns by young gang members. Deterrence was targeted, and publicity was directed at the gangs. The short-term penalty was a concerted enforcement crackdown on all gang members that would follow immediately after a relevant offence and adversely affect their way of life. In an early incident, a gang member was sentenced to 19 years and 7 months in a federal prison without parole simply for carrying one handgun bullet. Police used this gang member's situation to enhance the credibility of their deterrence messages, featuring him on a poster.³⁰

Police addressed the problem of "squeegee men" in New York—aggressive beggars extorting money from drivers waiting at traffic lights in Manhattan—by making a full custodial arrest of anyone they saw engaging in it (rather than issuing a Desk Appearance Ticket that was usually largely ignored). The arrest involved a range of immediate adverse experiences: being handcuffed, taken to a lockup, and spending at least a night in jail. Moreover, the policy was publicized extensively. As it turned out, there were fewer than a 100 of these squeegee men, and the activity fell away soon after the policy was in place.³¹

These three examples have common threads: concentration on a specific problem, high levels of targeted publicity, and a focus on short-term experiences. They show that carefully directed, well-designed deterrence strategies can be a promising way of addressing persistent, repeat offending. Each has focused on substantially increasing the perceived chances of detection and the speed of sanction in relation to specific offenses and specific offender populations.³²

Informal Social Control: Making It More Shameful or Less Excusable to Offend

Informal social control, by parents, partners, landlords, shop assistants, teachers, colleagues, friends, and religious leaders, is ubiquitous. It works by giving approval or disapproval, positive or negative sanctions, and cues such as smiles or scowls as a result of someone's actions. It is most effective when applied by those we care for or who can make life easier or more difficult for us. It is most easily used when a person's behavior is clearly visible to others. Police must decide when and how it is possible to ethically and effectively mobilize informal control over those immersed in criminal and antisocial behavior.



The following are some examples of activating informal social control to address particular problem behaviors and those involved in them:³³

- · Parents controlling their children's reckless driving
- · Apartment managers exercising control over disruptive tenants
- Contractors controlling the disorderly behavior of their workers
- · University officials and alumni controlling fraternity and sorority members
- Individuals controlling the driving of their intoxicated friends

Part of the Boston Gun Project's successful strategy to prevent gang-related killings was to activate informal social control internally within gangs to stop firearms-related actions on the grounds they would provoke the wide-ranging attention of enforcement agencies.³⁴ Here, control mechanisms that presumably already operated routinely within gangs (and which likely produced a range of criminal behavior within them) were cleverly channelled into inhibiting the gun-toting behavior that was targeted in the scheme.

Another method for activating informal social control over known offenders is restorative conferences, during which offenders meet their victims and hear first-hand about the harm they inflicted. The track record of this method in reducing reoffending is mixed. As one extensive review of the quite voluminous literature concluded, "Studies that compare the effects of restorative justice with other interventions show that restorative justice may reduce crime, may have no effect or may increase offending."³⁵ That said, there do appear to be cases where restorative justice can reduce reoffending, such as when offenders are remorseful and when the conference concludes with an agreement for follow-up actions. Of course, restorative conferencing is an option only if all parties (including the offender and the victim) agree to participate.

When deciding to mobilize informal social control as a means of reducing repeat offending, you need to consider some ethical issues. First, the action taken by those applying informal social control may be excessive and counterproductive, especially if it involves violence such as the notorious knee-capping (shooting the knees) and beatings that were inflicted on those suspected of car theft during the troubles in Northern Ireland. Second, if families are asked to take informal action in dealing with one of its members, he or she may experience a breach in their privacy. Third, if informal controls are triggered on the basis of suspicion rather than proven criminal behavior individuals may be treated unjustly. You need, therefore, to think not only about the potential efficacy of activating informal social controls but also about its proportionality to the repeat offending problem and the risks of any unintended harms that might result.





NOTIFICATION SELECTION COMMITTEE PROCESS

The purpose of the Notification Selection Committee is to identify the repeat violent offenders to be called-in for a Notification meeting. The Special Investigations Unit will identify a pool of candidates who meet the repeat violent offender criteria based upon their criminal behavior and history and who are currently under state or federal supervision. The pool of eligible candidates will be presented to the committee for review and then filtered down to a smaller number (10 or fewer at this stage in order to effectively manage case loads) who will be identified as the offenders to be notified. The remaining offenders in the pool who are not selected for notification at this time will remain eligible for future committee review and notification selection.

The Notification Selection Committee will consist of a representative(s) from:

- The United States Attorney's Office
- The Dane County District Attorney's Office
- The State Department of Corrections
- The U.S. Probation and Pretrial Services
- Bureau of Alcohol, Tobacco, Firearms and Explosives
- The Community Against Violence
- The Madison Police Department

The Committee will meet on a quarterly basis two weeks prior to the scheduled Notification dates. During the selection review meetings, the SIU will present the viable candidates to the committee using an assigned numbering system in order to not divulge the offender's name, race, or age. Each offender will be assigned a number and the SIU will provide criminal history information on the offenders and field any questions from the committee on the offenders.

The offender's selected to be called-in will be informed of the required Notification meeting date/time/location by the supervising agents and with assistance from the SIU Detectives.

The Notification Selection Committee Process memo, shown above, and (offender) Notification Letter, shown on page 23, are examples of the targeted enforcement strategies that have been employed by numerous police agencies to deal with repeat violent offenders. *Source: Madison (Wisconsin) Police Department.*





Appendix D

SPECIAL INVESTIGATIONS UNIT NOTIFICATION LETTER

To:	(Name & DOB)	
From:	Chief Noble Wray, Madison Police Department	
Date:		

You have been identified as a target of the Special Investigations Unit (SIU). This unit implements a planned and coordinated approach to investigate the most violent and prolific offenders who are responsible for a disproportionate amount of crime in our community.

The purpose of this letter is to advise you that the Special Investigations Unit has information that you are engaged in on-going criminal activity. SIU utilizes two distinctive approaches - both of which are designed to end your criminal behavior.

Approach #1 –Community Resources Assistance

The Special Investigations Unit will assist you by providing referrals to resources in order to assist you with quality of life issues. These resources include: Education, Housing assistance, Substance Abuse resources, Domestic Abuse Intervention Services, Employment resources, Parenting Skills assistance, Mental Health, Disabilities and Social Service agencies, Driver's License, etc.

Approach #2 - Law Enforcement Investigative Resources

If your criminal behavior continues you will receive a collaborative and focused Law Enforcement response in order to stop your illegal activities. The SIU will utilize all available local, state and federal resources to ensure an aggressive and successful prosecution and conviction.

SIU Investigators encourage you to contact the Unit directly to discuss this matter further.



Treatment: Reducing the Disposition to Reoffend

Police do not generally deliver treatment to offenders, so the next two sections (on treatment in general and treatment for drug-dependency) are brief.

In the 1970s, reviews of research on offender education and rehabilitation came to the rather depressing conclusion that "nothing works." The notion stuck, in spite of later qualifications to the initial findings³⁷ and new treatment methods that appear to be effective. According to reviews of the research, cognitive-behavioral treatment programs for offenders, in particular, can be beneficial. Targeting the ways offenders think, cognitive-behavioral programs look at and aim to correct defective thinking, such as misinterpretation of social cues, unwarranted attachment of blame to others, and failure to think before acting. Well-implemented, high-dosage programs for repeat offenders that involve anger management and interpersonal problem solving appear to be particularly effective. Also, attention to turning points, at which individuals may become vulnerable to pro-crime influences or open to counter-crime influences, may provide opportunities to influence conditions that are liable to create or maintain involvement in criminality. Most obviously, upon an offender's release from prison, there is plenty that could steer him toward continued criminality but there is also an opportunity to mobilize more pro-social influences.

Although the police do not deliver treatment programs, they may have a role in supporting them. In particular, when repeat offenders are reluctant to accept treatment, the police may be able to help by leveraging them into doing so through frequent contact, as we shall see in the next section. They may also be able to mobilize treatment services when their absence leads to repeat problem behavior.

Drugs: Reducing the Need to Reoffend

Some repeat offending is a function of drug dependency, notably where the pharmacological effect precipitates violence or where money is needed to pay for the drug habit. There is some evidence that sustained treatment programs tailored to the specific needs of groups of offenders, who have different economic, social, and medical problems and different levels of dependence, can lead to reductions in repeat offending. 40



Detoxification, followed by maintenance (e.g., with a substitute for the drug[†]), dose reduction, and relapse prevention support (e.g., using cognitive-behavioral therapy) is often required. One difficulty with such treatment programs is the high dropout rate. Treatment must be sustained to prevent those receiving it from reverting to drug-taking and associated crime habits.⁴¹

Coercion and compulsion have been found to contribute to continued participation in treatment. ⁴² In The Tower POP Project in Blackpool, Lancashire, for example, police gave persistent offenders a choice: to access services that would enable them to live a crimeand drug-free life, or to be targeted proactively by the police if they refused these services and there was intelligence they were committing crime. ⁴³ Efforts were made to identify persistent offenders both in the community and in prison in the lead-up to release. Those identified were offered one-stop-shop drug and allied treatment services. The scheme was followed by a substantial drop in all crime (17 percent), with large reductions in burglary (45 percent) and theft from vehicles (34 percent). Attendance at drug treatment sessions exceeded 90 percent.

Overall, the evidence relating to commonly used types of interventions and to large-scale programs to address repeat offending finds that none has been consistently successful. No panacea has been found (and none likely will be). Equally, among suitable target populations there is evidence that positive outcomes have resulted, most especially when well-implemented and targeted on specific problems.

Mixed Strategies

Repeat offending may be associated, as it often is, with other forms of crime concentration: by location, victim, or target. Here, mixed strategies may be developed. See *Mixed Strategies Including Reduction of Repeat Offending* on page 26 for examples where attention to repeat offending has been one element of a wider approach.

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[†] A Campbell collaboration review of drug substitution tactics concluded that "Heroin maintenance has been found to significantly reduce criminal involvement among treated subjects, and it is more effective in crime reduction than methadone maintenance. Methadone maintenance greatly reduces criminal involvement, but apparently not significantly more so than other interventions." (Egli et al. 2009) Hence there are crime reduction benefits in this as part of the longer-term treatment of prolific drug-dependent offenders.



Mixed Strategies Including Reduction of Repeat Offending

Organized shoplifting (Goldstein 03/09: Pikes Peak Retail Security, Colorado Springs)
Loosely organized shop thieves (repeat offenders) target merchants (repeat victims) in a shopping mall (hot spot), stealing readily accessible products that can be resold (hot products).

The police mobilized improved preventive merchant activity (including situational measures), partly by creating an E-groups Internet site through which merchants could communicate information about active offenders operating in the mall to one another and to the police. The police were also able to use the information provided to identify and target organized crime groups to disrupt their activity, notably by arresting key members (incapacitation).

Prostitution (Goldstein 01/08, Buffalo, NY)

Drug-abusing prostitutes (high repeat offenders and also repeat victims of violence) are active in an area of Buffalo (the hot spot). Here, residents feel threatened (repeat victims) and businesses lose trade (repeat victims) by johns (low repeat offenders), who often conclude their transactions in very specific locations (hot dots).

A mixed strategy targeted a) the johns, who were open to the prospect of informal social control through shaming (sent to a john school for treatment on first arrest as a condition for non-prosecution, where they paid a fee to cover costs and contribute to services for prostitutes); b) the prostitutes, who were offered social services to help them exit prostitution and cease drug habits (treatment), but were incarcerated for significant periods if they persistently solicited (incapacitation); c) the hot dots, where Crime Prevention Through Environmental Design (CPTED) principles were used to make them less suitable for offenses; and d) the drug houses, which attracted the prostitutes to the neighborhood.

Burglary (Goldstein 08/03, District 14, Boston)

A high proportion of burglaries were repeat incidents (repeat victimization) in particular parts of a student neighborhood (hot spots), which were associated with student movement patterns (producing hot times) and mostly committed by 12 career criminals (repeat offenders).

Police used a mixed strategy that involved efforts to mobilize landlords to better target harden their properties (using the Inspection Services Department to remind them of their statutory responsibilities), to provide security tips to residents, to target patrol at hot times and at hot spots, and to control the repeat offenders (drawing on a seldom-used commonwealth statute that allowed known offenders to be qualified as "common and notorious thieves," which carried a possible prison term of 20 years and was used to try to deter the habitual offenders).

Domestic abuse (Goldstein 02/09; Charlotte-Mecklenburg Baker One Domestic Violence)

Domestic abuse is a classic repeat offender/repeat victim problem where the offenses often occur at the same address. Incidents can grow in severity and sometimes result in homicide. The incidents that come to police attention are not all directly related to domestic violence but signify a history of relationship problems. In Baker One, officers took cases where three calls to an address had been made and then looked in detail at as many of the previous calls related to the offender and victim as they could. This often meant looking at incidents across a wide geographical area. Case-by-case decisions were made on responses. Measures on the response menu included a) treatment to improve an abusive relationship; b) help to move on from an abusive relationship; c) intensified surveillance to ensure offenders know they are being watched and thereby deter them; d) checks on the victims' welfare, and e) zero tolerance for repeat offenders, often using leverage available on those who already had a criminal record.



Assessing the Effectiveness of Strategies to Reduce Repeat Offending

It is important to assess the impact of measures you implement to reduce repeat offending to determine if your responses have been effective or need improvement. You should consider assessing your responses from the outset, not just after you've initiated them. Measurements should be made before you put responses in place, to determine the extent and seriousness of the repeat offending problem, and after you implement them, to measure their effectiveness. To do this, you need to focus both on process measures and outcome measures.† Putting in place an effective strategy to reduce repeat offending is tricky, and it is important to track your activity throughout. Particular matters to focus on are determined, of course, by the specific problem, your understanding of it, and the measures you have taken to reduce it. In general, however, you need to consider the following questions in the process element of your assessment:

- 1. How were the repeat offenders identified, and how were any replacements identified?
- 2. How was it decided that a repeat offender no longer warranted continued attention?
- 3. What was implemented, and where and when?
- 4. What partner agencies were involved in the implementation? Did they deliver the agreed-to measures as planned?
- 5. What adjustments were needed to make the initiative run smoothly?
- 6. What other changes took place that might have affected the particular problem (for example, unplanned publicity)?

When measuring outcomes, you must be wary of the various ways in which you might be tempted to draw misleading conclusions. These include the following:

- 1. **Regression to the mean:** focusing on offenders when they are committing crime at their highest rate. Crime is likely to fall back to a more normal rate without intervention, but you may mistakenly conclude that it follows from your efforts.
- External factors: Causes that are unrelated to your initiative may affect the rate of
 offending more generally; for example, a change in the law or the introduction of new
 services independently of the specific problem-solving efforts or the introduction of
 crackdowns following political pressure.

[†] See Problem-Solving Tools Guide No. 1, Assessing Responses to Problems: An Introductory Guide for Police Problem-Solvers for further information. Also see Tilley (2009) and Knutsson and Tilley (2009).



- General trends: There may be underlying trends in repeat offending patterns that
 mean any observed changes would have happened regardless of any problem-solving
 intervention.
- 4. **Selection effects:** Those subject to treatment may be especially open to change and may not be representative of all repeat offenders. Indeed, they may even change without any particular measures being applied to them.
- 5. Methods of recording data: These may alter in ways that create the appearance of change where there is none. Methods of counting crimes change. Policies on arrest may change. Data recording practices may be altered. Any of these may affect counts of offenses and offenders that could influence outcome assessment findings independently of any change in underlying crime patterns.
- 6. **Methods of identifying offending:** Discretion may be used in processing offenders in ways that affect counts; for example, treatment is being given which may mean more reoffending comes to light or there is a temptation to overlook offenders' lapses in the interests of maintaining client participation.

To assess outcomes, you need to work out the expected pattern of effects and check whether they are occurring. For example, if your project is attempting to incapacitate known or suspected repeat offenders, you need to track who is and who is not at liberty in the community to offend each day, to determine whether rates of the reported crimes being targeted are affected by the availability of the suspected repeat offenders. On the other hand, if you are trying to bring into treatment those deemed liable to be prolific offenders, you should look at before and after rates of reported relevant crime, controlling for the supply of those being targeted. If your project focuses on a rash of offenses attributed to one offender, then a dramatic fall in the crime rate would be expected once that offender is taken into custody or effectively deterred. If the project targets those leaving prison, then before and after rates of re-arrest for the population of those released may provide a suitable measure of impact.



When conducting your evaluation, look for positive and negative side effects as well as whether the intended outcomes occurred. It is difficult to anticipate unintended consequences, but they can be important. Displacement (the substitution of some alternative offending for that which is prevented) and diffusion of benefits (the extension of crime prevention effects beyond the direct application of measures) are frequently considered side effects of problem-solving measures. You should consider where these might be most expected and implement efforts to capture them. For example, if you incarcerate prolific drug dealers in an effort to incapacitate them, it is important to determine whether they are replaced by other drug dealers. Likewise, if members of high-crime families are targeted, consider an assessment focusing on whether the criminal activity of other non-targeted members is also reduced.

† See Problem-Solving Tools Guide No. 10, Analyzing Crime Displacement and Diffusion, for further information.



Key Questions in Addressing Repeat Offending

There are six major questions to address before deciding whether and how to focus on repeat offending as a response to your problem.

1. Are repeat offenders a major source of the problem?

Specific local problems may result from the behavior of many different people rather than a small number of repeat offenders. Are you confident your problem results substantially from prolific offenders?

A strategy that focuses on repeat offending will be ineffective if the problem being addressed is largely the result of isolated criminal acts by different individuals. Therefore, it is important that you try to estimate the relative contribution of occasional and persistent offenders, even if the data available are imperfect. One method is to insert the best numbers available into a table such as the one below (Table 2), to roughly estimate the contribution of repeat offenders to your problem. Your analysis will depend on data availability, and you will need to decide whether to draw on arrests, charges, convictions, or intelligence, and what classes of offense to include in relation to the problem at hand and over what period of time. In all cases you will need to look at the data critically, with due account of their limitations: intelligence can be flawed; many offenses do not lead to arrests, charges, or convictions; and many offenses are not reported or recorded by the police.

Table 2: The contribution of known repeat offenders to known detected offenses

Number of offenses an offender commits	Number of offenders	Number of offenses
1	100	100
2	90	180
3	80	240
4	70	280
5	60	300
6	50	300
7	40	280
8	30	240
9	20	180
10+	10	150



2. Who will continue to commit the repeat offenses comprising your problem?

Predicting who will offend repeatedly is challenging. Are you confident you know who the current offenders are and who are most likely to continue engaging in the problem behavior?

You can draw on offenders' past records, but you risk focusing on those who are toward the end of their offending careers. You can also draw on intelligence about who is currently involved in the offending behavior. Other attributes of an active prolific offender include habitual use of expensive (and especially multiple) drugs, a lifestyle more lavish than any legitimate employment would provide, sustained unemployment, commission of multiple types of offenses, selection of easy crime targets, solitary offending, and criminal activity in multiple jurisdictions, as well as intelligence on them gleaned from the street (from informants, local patrol officers, or community members), information from arrestees, and interviews by probation officers.

Early involvement in crime is a well-established predictor of repeat offending. To identify young people who may be at risk of becoming repeat offenders and target efforts to head off their later criminality, one problem-oriented policing project developed a system for recording juveniles' contacts with police for alleged misbehavior. This prevented selecting people for close attention based on suspicions of what they might do. Interventions were low key to start, beginning with letters to parents or guardians about why the young person's behavior caught police attention and progressing to school involvement and case conferences drawing in relevant agencies. These steps aimed initially to activate informal social control. Formal action would follow if an individual persisted in his antisocial behavior. If an individual did not come to police attention again within six months of his initial encounter, his name would be removed. The need to ratchet up interventions was rare.



3. Are there special sources of repeat offending for your problem?

As emphasized earlier in this guide, repeat offending can occur among different groups and for different reasons. Have you identified any specific attributes of the repeat offender populations producing your particular problem?

Repeat offending may, for example, be associated with mental disturbance, drug or alcohol dependency, or gang membership. Understanding the reasons for repeat offending in relation to a specific problem is important in determining what might be done about it. For example, the following repeat offenses all have different attributes that suggest different possible interventions: gang-feud crime, domestic violence, drug-dependence-driven crime, fraud offenses, mentally disturbed crime, racist harassment and bullying, prostitution in a given neighborhood, receipt of stolen property, drug dealing, and neighbor boundary disputes. More detailed analysis of the specific circumstances producing the problem may suggest possible responses. In one case relating to vehicle crime in parking lots, the initial effort with some apparent success was to identify and target the most active repeat offenders. The problem soon re-emerged. However, at this point, a different approach was taken: working with Planning Codes and Compliance Departments to devise parking lot regulations that met minimum security standards to reduce those opportunities for thieves that lead to repeat offenses. 46 The most sustainable approach did not appear to lie in focusing exclusively on the currently active crop of repeat offenders but rather the situation in which successive individuals repeatedly offend.

4. Are measures available to deal with your repeat offenders' behavior?

It can be difficult to change the behavior of those heavily involved in repeat offending. Are effective means available to alter the actions of the repeat offenders you want to target?

A large volume of research indicates that changing the disposition to offend is difficult and time-consuming. This is not to say that it is impossible. In an early problem-oriented policing project related to offensive behavior by mentally disturbed people in Madison, Wisconsin, analysis found that, notwithstanding news reports referring to as many as 1,000 individuals, most of the actions were attributable to only 20 who were failing to take their prescribed medication. Focused attention on them by the local mental health service and provision for the identification and referral of new patients evidently substantially reduced the problem.⁴⁷



5. Is the focus on repeat offenders ethical?

Just-desserts advocates have questioned whether it is ethical to use predictions of what people might do rather than what they have already done as a basis for focusing on them and giving them special treatment within the criminal justice system.⁴⁸ Are you confident you are justified in targeting and attempting to supplement the punishment of those you think might offend in the future, even though they might not do so?

There is an issue of proportionality here. Are there strong grounds for believing that a particular offender or group of offenders causing local problems will continue to offend unless you take measures to prevent them from doing so? In some cases it may be reasonable to conclude that it does and to inform those who are deemed liable to offend repeatedly that if they continue to do so the consequences will be more-than-usual police attention and more-than-usual efforts to secure speedy conviction and long sentences. This principle was used in the Boston Gun Project.

If the repeat offenders draw attention to themselves through processes of self-selection then the criminal justice response springs from their behavior. ⁴⁹ This is preferable to what may seem to be discriminatory harassment based on some estimate of the probability that members of any group are likely to reoffend repeatedly. Many repeat offenders tend to behave antisocially in diverse ways. Even if their more serious criminality is difficult to detect because of their capacity to cover their tracks or to intimidate potential witnesses, they may be detected through other criminal or otherwise deviant behavior where they are more careless. Al Capone is the classic example: convicted of tax-related offenses rather than mob-related crime. In Durham, U.K., a strong focus on persistent organized-crime families is reducing the problems they cause by openly and explicitly attending to members' every rule-infraction as an effort to deter them from their criminal lifestyle. In letters to family members, the police chief has made clear his strategy and commended his officers for systematically focusing on them, indicating that this attention will come to an end only when they abandon their criminal lifestyles.



6. Does a new focus on repeat offenders add value to current responses?

Focusing on those believed to be repeat offenders is quite widespread in policing. What has been done already in relation to your problem and with what success in reducing or removing the problem? Were there any unwanted side effects?

As it is in planning any other problem-oriented policing initiative, it is important to review current activities. What has already been done locally to identify and address problems caused by repeat offenders and with what evidence of success or failure? Given that the problem persists and attention to repeat offending is being considered, it is helpful to know whether repeat offending has so far been overlooked, or, if it has already been addressed, in what ways are current methods of dealing with it inadequate, insufficient, or in need of revision.

Finally, to check whether your work to target repeat offending is producing its expected results, you should try to assess its outcomes honestly and rigorously. Because efforts to reduce reoffending often involve new practices and coalitions with those in other organizations, it is important to track start-up problems in implementing the planned measures. To assess outcomes you should be clear in advance about where, when, and among whom specific changes in behavior are expected, and how this will most easily be evidenced so the required data can be collected. You also need to watch out for unintended outcomes such as displacement and diffusion of benefits.

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Endnotes

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- 6. Bernburg and Krohn (2003); Sampson and Laub (1995).
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About the Author

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Nick Tilley is a professor in the Department of Security and Crime Science at University College London, where he directs the Security Science Doctoral Research Training Centre. He has published widely on crime prevention, problem-oriented policing, and evaluation methodology. Recent books include *Crime Prevention* (2009) *Situational Prevention of Organised Crime* (2010), edited with Karen Bullock and Ronald Clarke, and *Problem-oriented Policing and Partnerships* (2006), with Karen Bullock and Rosie Erol. Tilley was awarded an OBE for Services to Policing and Crime Reduction in the 2005 Queen's Birthday Honours and elected to the Academy of the Social Sciences in 2009.



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