HARM-FOCUSED POLICING

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Introduction

Many of modern policing's accountability mechanisms and performance criteria remain rooted in a narrow mandate of combating violence and property crime. Police chiefs across the country are discovering however that a focus on crime and disorder is too limiting for policing in the 21st century. While crime has decreased significantly over the last 20 years, the workload of police departments continues unabated, with growing areas of concern such as behavioral health and harmful community conditions dominating the work of departments. There is also an increasing recognition that some traditional police tactics, such as stop-and-frisk and other approaches to enforcement, come with a price in terms of community support and police legitimacy. This Ideas in American Policing paper examines how a refocus towards community harm can help police departments integrate more of their actual workload into measures of harmful places and harmful offenders. For example, drug overdoses and traffic accidents are community problems that can be tackled within a cohesive harm framework rather than addressed independent of the crime and disorder problem. This can improve targeting of police resources and choices about places and suspects who should be the object of crime reduction services. The approach can also be integrated with metrics that help police departments weigh the impact of proactive enforcement strategies against any crime control benefits.

The Shifting Police Role

The breadth of the role of the modern police in Western democracies has always been a subject of debate and a tension as to whether the police "should be restricted to the prevention and detection of crime, or whether it should have the rather more amorphous role of engaging in the delivery of security" (Innes, 2004: 151). In establishing the foundations of modern policing, the first Commissioners of Police of the Metropolis issued their new officers 'General Instructions'. These instructions were grounded in a number of principles (sometimes referred to as the Peelian Principles[1]) that emphasized the limited role of the police in the prevention of crime and disorder; not surprising, given the tumultuous political environment in which the 'new' police force for London was created (Reith, 1952). This limited focus on offenders and victims served the police well for over a century: "The policeman's lot was to deter the one and reassure the other. If that lot was not always a happy one it nevertheless had the great merit of clarity" (Flood & Gaspar, 2009: 48).

Dr Jerry Ratcliffe is shown with officers during the Philadelphia Foot Patrol Experiment. Officers frequently discovered that they were dealing with harmful behaviors in their beats rather than crime problems (see Wood et al, 2014, 2015).

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That simple clarity started to evaporate in the 1960s. The community policing movement grew out of the political and social turmoil of domestic responses to the Vietnam War and the civil rights movement, and a realization of the need to emphasize citizen involvement, problem solving and decentralization (Kelling & Moore, 1988; Skogan, 2006). Community policing increasingly expanded the police role beyond crime and disorder (Weisburd & Braga, 2006). Problem-oriented policing absorbed this reality by avoided such labels. As Goldstein (1979: 245) noted, even "decriminalization does not relieve the police of responsibility. The public expects drunks to be picked up if only because they find their presence on the street annoying."

For all this progress, many of modern policing's organizational mechanisms and performance criteria remain rooted in the narrow mandate of crime and disorder. I've attended Compstat-type meetings in a number of countries, after which police commanders frequently lament the lack of recognition for improvements they make in community issues that are not the primary focus of the meeting, yet still a significant neighborhood harm. In many departments the chief's eye has to remain singularly focused on reducing violent crime[2]; yet serious violent crime often represents no more than about one percent of the work of an urban department. Reductions in burglaries or vehicle theft may get fleeting recognition, but little attention is paid to any other harms.

> **"Where police can often see only crime and disorder, community experiences are more nuanced and diverse."**

The community experience is quite different. Attend a community meeting in a high crime, inner-city neighborhood and you quickly learn the surfeit of harms these communities suffer relentlessly and hope the police will remedy. These have long extended beyond the crime-fighting police mandate. As Reiss notes, low income and inner city residents "in particular, call upon the police to perform a variety of services. They depend upon police assistance in times of trouble, crises, and indecision" (Reiss, 1971: 63). The range

of community anxieties is often heartbreaking, ranging from the day-to-day incivilities that sap community cohesion, to concerns about root causes of crime, drugs, speeding traffic, environmental conditions, community dissolution and the harms associated with gang recruitment of young children. It is not uncommon to hear concerns about the lack of police attention to a neighborhood in the same meeting as complaints about the detrimental impacts of excessive and unfocused police attention on the wrong people. While there are correlations between increased police activity and lower neighborhood violence (see for example Koper & Mayo-Wilson, 2006; Ratcliffe, Taniguchi, Groff, & Wood, 2011), the negative consequences of repeated police contacts are now being more widely understood (Geller, Fagan, Tyler, & Link, 2014).

The police function has always been fluid and influenced by societal trends. As an example, consider the deinstitutionalization of people with mental illnesses. From 1965 to 1980, the population of state mental health hospitals plummeted from more than half a million to less than 100,000, and with fragmented and underfunded behavioral health services, the police became the first line in mental health response (Slate, Buffington-Vollum, & Johnson, 2013). From 1986 to 2009, the proportion of mental health spending on inpatient and residential care dropped from 63 percent to just 35 percent, while the use of retail prescription drugs ballooned from 6 percent of the budget to absorbing a quarter of all behavioral health spending (SAMHSA, 2013). This represents a significant shift in supervision of people with behavioral health issues away from trained professionals in appropriate settings to the community, the police and the criminal justice system.

The point is this. Where police can often see only crime and disorder, community experiences are more nuanced and diverse. At a fundamental level, while crime and disorder are central to the mission of the police, they are not its entirety. The power that police wield can be brought to bear as part of a "vital civic role … in sustaining conditions that enable people to pursue their life projects and in ensuring equal access to the basic good of social order" (Loader, 2014: 8). What is required is a mechanism to put these wider harms and experiences in context, and quantify them in such a way

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1. These nine principles have been attributed to Robert Peel; however, there is no evidence to support this or that they were even written by the first Commissioners of Police of the Metropolis (Charles Rowan and Richard Mayne). The first list of principles appears in Charles Reith's 1952 book 'The Blind Eye of History'. For a thorough treatise on the subject see Lentz, S. A., & Chaires, R. H. (2007). The invention of Peel's principles: A study of policing 'textbook' history. Journal of Criminal Justice, 35(1), 69-79.

2. An unchecked increase in violence is one way for a police chief to rapidly lose his or her job.

that they can be incorporated within the police performance and managerial framework. A shift from crime to a broader harm mandate might better assimilate community concerns and demonstrate the connections between police work and a variety of positive neighborhood outcomes. It might be a link that quantifies and allows stakeholders in the community to understand the myriad benefits that stem from the social order work that often absorbs the majority of police time. But what is harm, and what is harm-focused policing?

What is harm-focused policing?

Harm is an amorphous term that is easily understood in the abstract but vague in a policy context. Neither academics nor the policing polity have made significant attempts to define harm, and rarely has any attempt been made to employ harm as a mechanism by which to distinguish the consequences of one crime from another (Greenfield & Paoli, 2013). The notion of harm has crept around the periphery of criminology and policing, occasionally peeking from a darkened corner but never fully emerging into the light of mainstream thinking. Attempts were made in the 1970s and 1980s to assess crime severity (for example Figlio, 1976; Gottfredson, Young, & Laufer, 1980; Walker, 1978), but these efforts were limited to selected participants and a few specific crime examples.

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In the current context, harm is conceptualized much more broadly than crime. Harm is sometimes discussed with specific reference to the impact of drug abuse in a public health context (Maher & Dixon, 1999), and within the criminal intelligence community, harm refers to the negative consequence from an adverse event, frequently in reference to organized crime (Tusikov & Fahlman, 2009). While many readers may seek a definition of harm, there is much to commend the view of Sparrow (2008: 11) who appreciates the term for "its freshness and for its generality, and for the fact that scholars have not so far prescribed narrow ways to interpret it".

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Attempts have been made to distinguish the harms of different crime events based on a financial assessment of societal impact. While these assessments have produced concrete figures (see for example Cohen & Bowles, 2010; Heaton, 2010) the crime categories have proved too generalized for realistic operationalization, especially at the local policing level (Ratcliffe, 2015). A decade ago, Jim Sheptycki and I argued for the need "to establish priorities for strategic criminal intelligence gathering and subsequent analysis based on notions of the social harm caused by different sorts of criminal activity" (Sheptycki & Ratcliffe, 2004: 204). We proposed an index of harm that wasn't monetary in nature. Some critical criminologists have expanded the concept of social harm beyond the limits as usually defined by criminal law to include harms inflicted on people by the state and/or those in power (Hillyard, Pantazis, Tombs, & Gordon, 2008; Hillyard & Tombs, 2007) and much farther than intended by the current paper; however, the broad contention of harms existing beyond a narrow legal constraint does raise the possibility of a wider range of detrimental effects that might be suffered by a community.

Policing, refocused towards harm, would place greater emphasis on the individual and community impacts of negative events. Harm-focused policing aims to inform policing priorities by weighing the harms of criminality together with data from beyond crime and disorder, in order to focus police resources in furtherance of both crime and harm reduction. With this definition, my aim here is not to de-emphasize crime, but instead to include with it a wide range of other issues that are concerns of the community. This would produce a more holistic investigation to aid in the determination of who and where should be the focus of government attention and community services.

Quantifying harm

How should we weigh incidents and events appropriately to permit an estimation of overall harm? This can be done for places and for offenders. For example, known crime hotspots may experience robberies and aggravated assaults, but they might also be havens for vehicle theft, drug sales, drunkenness and traffic accidents. Police departments may want to prioritize investigative resources on a few serious, repeat offenders, but target selection might benefit from expanding beyond just the violent crime that individuals commit to include an accounting of their property and drug crime – ways in which they are often harmful to a far greater number of people in the community.

Harmful places

There are many ways to identify harmful places. Sherman (2011, 2013) has proposed a crime harm index based on sentencing guidelines for the number of days in prison for a first offender convicted of that offense. The median number of prison days for that offense could be assigned as a weight to each crime event. He argues that sentencing guidelines have a strong democratic foundation that are reflective of public debate and substantial community scrutiny, and 'far closer to the will of the people than any theoretical or even empirical system of weighting that academics might develop' (Sherman, 2013: 47). Ratcliffe (2015) demonstrated the value of this approach with examples of crime and disorder in two Philadelphia police districts. He then went further by including weights for harms from different types of traffic accidents and, more controversially, police investigative work (including pedestrian and traffic stops).

The former is easy to justify. Traffic accidents are the leading cause of death for young people aged 5 to 34, and the third leading cause of death overall (Cambridge Systematics, 2011). Police departments have a clear public safety mandate which includes road safety, and many large police departments have dedicated traffic policing units. There may be a diffusion-of-benefits advantage to the inclusion of traffic accidents. With the growing interest in hot spots policing, increasing police attention to a small geographical area might not only reduce violence, but also have the ancillary benefit of a reduction in traffic accidents. This could be the result of people driving more carefully because they see more police in the area, or because drivers are less willing to drink and drive due to a perceived increased risk of being stopped.

The inclusion of field investigations such as pedestrian stops or investigative traffic stops in a measure of community harm may seem controversial, given the likely police audience for this article! The crime reduction benefits of increased pedestrian investigations (sometimes referred to in general as 'stop, question and frisk' [SQF]) remain a matter of some dispute (Rosenfeld & Fornango, 2014), and the tactic itself remains highly controversial with the public concerned about both the disproportionate impact on minority communities and potential reduction in police legitimacy. Even Braga and Weisburd, two of the strongest advocates of hot spots policing, accept that 'It seems likely that overly aggressive and indiscriminate police crackdowns would produce some undesirable effects' (2010: 188).

Given the potential for harm stemming from unrestrained used of SQF, inclusion of a weighting for each pedestrian or vehicle investigative stop has a number of benefits. First, it acts as a constraint against unfocused and unrestricted use of SQF by over-eager police commanders desperate to reduce crime in a location. The right weighting[3] would still sanction use of the tactic, but ideally encourage a focused and targeted application because each stop would count against the area's harm index. In this way a calculation of cost-benefit ratio would determine if the anticipated crime and harm reduction benefits sufficiently offset any potential loss of police legitimacy and community support. Second, this would send a signal that the police are cognizant of the potential for pedestrian and vehicle investigative stops to impact police-community relations and that they are aware that some police tactics come with an associated cost. Third, having a price associated with investigative stops may generate improved data collection of stops, which will have a corollary benefit, allowing departments to better assess their vulnerability to accusations of racial profiling.

In early 2015, the Police Foundation was sought out by the State of Delaware to conduct the work of the Wilmington Public Safety Strategies Commission. My team assisted

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3. Just for demonstration purposes, Ratcliffe (2015) assigned a relatively high weighting for an investigative stop, but recognized the arbitrary nature of the choice. Police departments should experiment with this weight.

4. The weighting was calculated by matching police incident UCR codes to offense classifications, and then applying the median number of months for a first offense based on the Offense Gravity Score assigned by the Pennsylvania Commission on Sentencing. Wilmington is in the State of Delaware, which does have a 'Benchbook' set of guidelines; however, the guidelines from the Pennsylvania Commission on Sentencing were found to be more easily applied to the Wilmington Police database.
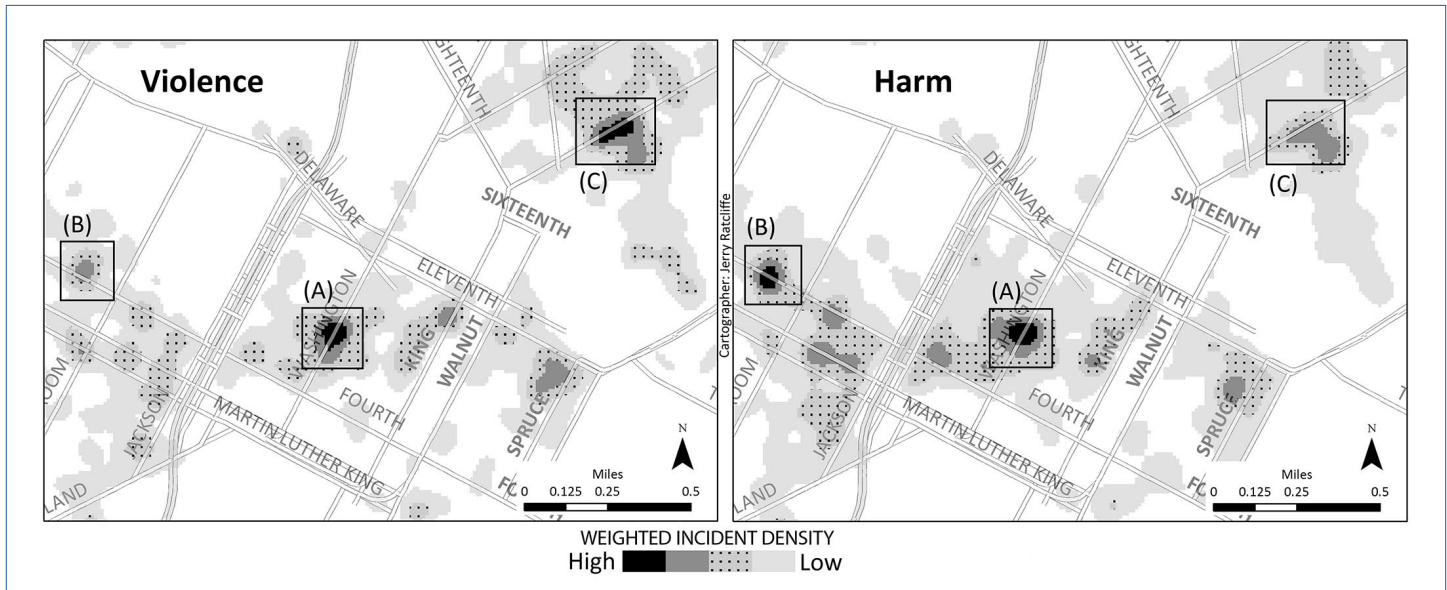
the Police Foundation with that effort, and included in our analysis a map showing the harmful places in the City of Wilmington, DE. The spatial impact of harm as a weighted measure rather than crime is demonstrated in the two maps shown here, adapted from the Wilmington analysis. The map on the left shows a 'heat' map of violent crime density, while the on the right we have a map of harm based on a weighting applied to all Part I crime[4]. While the two maps are very similar and Area A remains a significant hotspot on both maps, when examining overall harm Area B increases in significance, while Area C decreases in significance. Area B is indicative of a place that experiences significant harm from crime, yet may not have received attention had the focus remained solely on violence. Harmful places are not just areas where violence occurs, but where a plethora of detrimental behaviors damage community life.

Harmful offenders

Choosing which offenders on whom to focus attention is not an exact science. While actuarial methods are better at predicting future risks from individuals than clinical methods (Sherman & Neyroud, 2012), most of the robust work has been done using probation and parole data (Berk, Sherman, Barnes, Kurtz, & Ahlman, 2009; Neyroud, 2015). Within the range of data easily available to police, simply counting the number of violent offenses by an offender is a common approach. Administrative data such as modus operandi information can be used to link offenders to crimes (Ewart, Oatley, & Burn, 2005), and a potential line of future inquiry is the use of offender self-selection, whereby offenders bring

themselves to the notice of police based on minor infractions (Chenery, Henshaw, & Pease, 1999; Wellsmith & Guille, 2005); however, these approaches are still, at best, rudimentary.

More often than not, targeting has relied on the experience of police and probation officers (Kennedy, Braga, & Piehl, 1997) or intelligence officers (Townsley & Pease, 2002). The criteria which officers draw upon can include whether an offender has been a gang leader, involved in a recent crime, is a drug dealer, or is believed to be a gang enforcer or trying to gain control of an area (Lavery, 2013; NJSP, 2007). Many of these measures are vulnerable to the subjective expertise of officers, or involve criteria that are difficult to assess across a range of offenders. One or two are also on the verge of being assessments of perceived characteristics rather than demonstrated behaviors—which could lead into murky ethical territory. Using the same process proposed by Sherman (2013) and operationalized by Ratcliffe (2015) it is possible instead to assign offense gravity scores to the crimes for which offenders are arrested, and then assess the relative harm caused by each offender based on the overall harm index of their criminal histories.

In Philadelphia, a team comprising academics, analysts and patrol officers independently assessed the link between criminal offenses and crimes as reported to police, and then worked together to resolve a final index value for each UCR crime category. This enabled the police to assign a harm value to each offense committed by an offender. The aggregate harm of each offender who lived in, and committed crime in, one Philadelphia police district is shown in this graph. Each
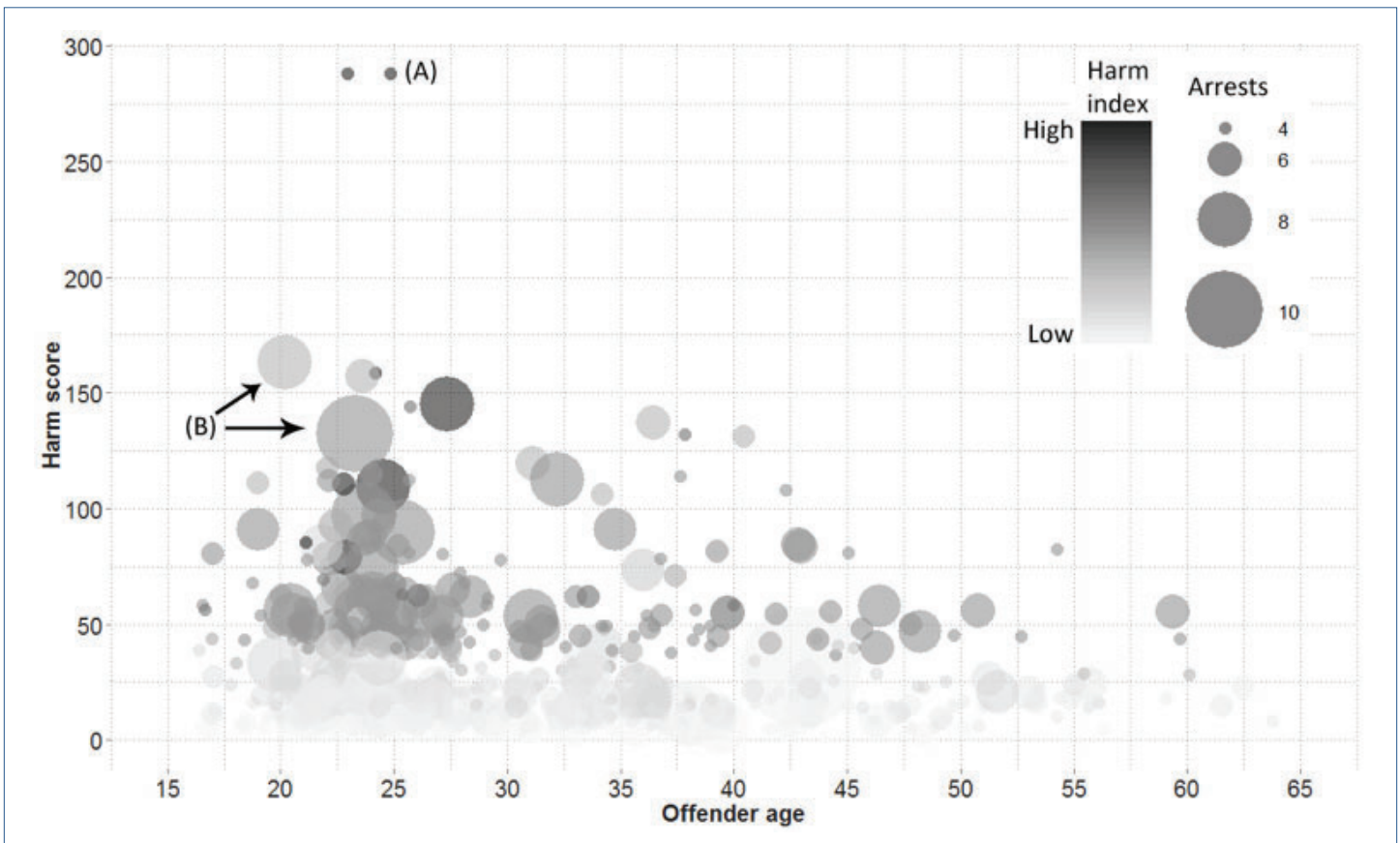
circle size represents the total number of arrests for each offender over a five-year period (people arrested fewer than four times are not shown), with offender age (at the end of the five-year period) on the horizontal axis, and their total harm on the vertical axis. The shade of each circle shows the harm index score of the most serious offense for which they were arrested (a darker circle means one of their offenses was a serious one with a high harm value).

The bottom part of the chart shows a large number of offenders arrested, sometimes numerous times, for less serious crimes. At (A) there are two offenders in their early 20s who were arrested four times. At least one of those times was for a serious offense (indicated by the dark color) but the high total harm score suggests their other offenses were also serious and violent. Of note are the offenders with paler circles indicated around the area marked with (B). These offenders have higher total harm scores than some offenders who were arrested for more serious crimes. In other words, their accumulated harm is more destructive to the community than offenders who might be targeted just from a singular focus on violent crime.

"Public surveys of perception of disorder and community harm are rarely funded, to the detriment of good planning."

Extending the concept of harm

If it is true that the "police are not simply agents of order maintenance and crime control but inescapably conduct their ordering work in ways which are deeply entangled with the shape and practice of democratic life" (Loader, 2014: 2), then the concept of harm-focused policing could in future be extended to include a broader range of ills. For example, it is well known that drug markets can be violent locations, and especially when drug market participants are not locals (Johnson, in press); however, many cities have more public drug markets than the police have resources to address. The inclusion of drug overdoses to a measure of harmful places could help triage police attention based on an inclusion of personal injury risk (Hibdon & Groff, 2014). A harm focus

that also includes measures such as counts of abandoned buildings and cars, vacant lots, damaged street lights and attendance at youth recreation facilities would be a way to manage the contributions of other city and non-profit services in the aid of community harm reduction.

> *"The police are in reality harm-fighters, not just crime-fighters, seeking to bring good order to the neighborhood."*

Furthermore, it might be possible to use harm to focus not just on harmful places and harmful offenders, but also harmful groups. In recent work with the FBI, I have been conducting focus groups examining the harms associated with violent street gangs. A general propensity to violence and drug dealing permeates discussion of these gangs. Beyond these universal criteria, the local officers and federal agents assigned to the Violent Gang Safe Streets Task Forces across the country were also concerned about gangs with a proclivity to retaliation and intimidation, the corruption of young people, causing harm in schools, and gangs that commit flagrant acts that substantially increase fear in the general public beyond traditional gang areas. These qualitative indicators suggest potential value in the exploration of future harm indicators that police could use, but that are not currently collected by the criminal justice system. Other data sources, such as city service requests (often called 311 data) could augment crime and disorder data with measures of physical deprivation and community risk (such as from exposed utility facilities or sinkholes). And public surveys of perception of disorder and community harm are rarely funded, to the detriment of good planning.

On the development of harm-focused policing

A harm-focused approach would significantly expand the number of indicators that are used to assess the success of policing in reducing community harm. This does not herald an expansion of the police role, but more realistically reflects the work that already absorbs so much police time. After all, the police are in reality harm-fighters, not just crime-fighters, seeking to bring good order to the neighborhood. Robert Peel noted that "the absence of crime will be considered the best proof of the complete efficiency of the police. In a division where this security and good order has been effected, the officers and men belonging to it may feel assured that such good conduct will be noticed by rewards and promotion" (quoted in Reith, 1952: 166). A harm-focused ethos would better merge community aspirations with the criteria by which police commanders are noticed and rewarded.

A more holistic measure of community harm would have benefits to crime prevention practitioners and researchers. Many studies examine the impact of police operations on a partial list of violent and property crimes. Expanding the number of outcomes can have negative statistical implications, therefore researchers tend to use a limited number of measures. But the mechanisms of crime displacement or a diffusion of benefits are not yet well understood (Clarke & Weisburd, 1994; Guerette & Bowers, 2009; Ratcliffe & Makkai, 2004). A harm measure would better incorporate a measure of unknown processes whereby offenders are displaced to unexpected offending or deterred from unexpected criminal activity.

Expanding the number of quantitative indicators by which we measure community harm does not reduce the risks associated with quantitative measures. There are as yet no ways to measure in a routine manner the quality of police interactions with the community, and as Campbell (1979: 85) notes, "the more any quantitative social indicator is used for social decision-making, the more subject it will be to corruption pressures and the more apt it will be to distort and corrupt the social processes it is intended to monitor." These pressures are endemic in policing, but may be ameliorated by expanding the currently narrow band of performance measures that bear little resemblance to the lived experiences of people in crime-ridden and exhausted communities. And by using a measure of offense gravity as determined by an organization external to the police, the police cannot be accused of setting the metrics by which they would like to be assessed.

Critics will argue that when identifying harmful offenders for additional attention, the use of police arrest data is not necessarily reflective of the final charging decision by the prosecutor, or even of conviction. That is a valid critique. But the arrest information does have the advantage of being timely and reflective of the best information available to police at the time when they most need it. Conviction data will always be months if not years out of date, and remain subject to the whims of prosecutorial screening decisions, plea-bargaining, victim willingness and

availability to testify, and the vagaries of judicial decision-making. All of these have been found to be influenced by factors unrelated to actual guilt (Albonetti, 1986; Franklin, 2010; Pyrooz, Wolfe, & Spohn, 2011).

A uniform set of harm values would enable benchmarking across cities and across jurisdictions; but some communities might wish to set their own harm scores. While policing has always professed in public a staunch adherence to the principles of law and the equal application of justice, in private it has long been recognized that communities are policed differently and local tactics adjust to local conditions (Herbert, 1997; Klinger, 1997). A harm index determined alongside local communities may generate policing priorities that achieve greater public support. Combining harm with a place-based approach may generate greater legal and community consensual support than a solely offender focus tactic (Weisburd, 2008). It may also be more effective than broken-windows policing, which targets lower-level disorder in the expectation that it might prevent greater harms in the future. The broken-windows approach subverts normal community understanding about which activities are worth police attention (Harcourt, 2001; Taylor, 2006), whereas harm-focused policing centers on the most harmful places and offenders directly.

> ### "The future of policing is HIPE: Harm-focused, Intelligence-led, Problem-oriented, and Evidence-based."

Believe the HIPE

There are already a number of policing models that are recognized as having an evidential basis that merits inclusion in a police commander's toolbox. Established approaches include a focus on serious, repeat offenders (intelligence-led policing) and a focus on addressing underlying community problems (problem-oriented policing) with a core of tactics that have been proven to be effective (evidence-based policing). Is there a need to add a focus on harm? I would argue so.

The police role in society is vital, and it extends beyond the control of crime and disorder: they have a capacity to "strengthen urban life" (Moore & Poethig, 1999: 153). Many police officers recognize their role as harm-fighters, embracing the broad role they play in the community. Without a harm focus, it is possible that a narrow preoccupation with crime and disorder will dominate the immediate future, especially given fiscal constraints, and police command will lose touch with the needs of the community in these rapidly changing times. And while police officers are not trained social workers, sociologists, or mental health professionals, they already work in these areas. There is no mission creep here, but just a reminder that contributions in this area are probably as important to the community as disorder reduction. As such, it is to be hoped that the future of policing is HIPE: Harm-focused, Intelligence-led, Problem-oriented, and Evidence-based.

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The Police Foundation is a national non-profit bipartisan organization that, consistent with its commitment to improve policing, has been on the cutting edge of police innovation for over 40 years. The Police Foundation's work is informed by available evidence and aims to increase public safety and strengthen communities. The professional staff at the Police Foundation works closely with law enforcement, judges, prosecutors, defense attorneys, and victim advocates, community-based organizations in order to develop research, comprehensive reports, policy briefs, model policies, and innovative programs that will continue to support the work of law enforcement (police & sheriffs) personnel as it relates to increasing strong community-police partnerships. The Police Foundation conducts innovative research and provides on-the-ground technical assistance to police and sheriffs, as well as engaging practitioners from multiple systems (corrections, mental health, housing, etc.), and local, state, and federal jurisdictions on topics related to police research, policy, and practice.