

1 Introduction

Focused deterrence, sometimes called “pulling levers” policing, represents an important turning point in criminology and crime prevention practice. As will be detailed in this Element, the approach builds on theoretical insights on the proper application of deterrence principles to modify the behavior of individual and groups of high-rate offenders (Kennedy, 1997, 2008). It also draws upon new theoretical perspectives on the salience of police legitimacy and community engagement when implementing police-led crime control strategies (Braga, 2012; Kennedy, 2011). The existing empirical evidence suggests that “person focused” policing interventions associated with the standard model of policing, such as programs designed to arrest and prosecute repeat offenders, have not been effective in controlling crime (Skogan & Frydl, 2004). In contrast, a growing number of rigorous program evaluations suggest that focused deterrence strategies, designed to change offender behavior through a blended law enforcement, social service and opportunity provision, and community-based action approach, are effective in controlling crime (Weisburd & Majmundar, 2018; Braga, Weisburd, & Turchan, 2018). Anecdotal evidence along with some formal research suggest that these approaches can help improve police-community relationships in disadvantaged minority communities and reduce our reliance on arrests and mass incarceration as means to address violent crime (Brunson, 2015; Meares, 2009; Engel, Corsaro, & Ozer, 2017).

Focused deterrence follows an action research model that tailors the strategy to specific crime problems and builds upon local operational capacities to deliver sanctions and mobilize support to control high-rate offenders driving targeted problems (Braga, Kennedy, & Tita, 2002). A general theoretical reframing of deterrence has been developed (Kennedy, 1997, 2008; Kennedy, Kleiman, & Braga, 2017; Kleiman, 2009). Consistent with the problem-solving approach, three main operational variations of focused deterrence have developed: *group violence intervention* (GVI) has been applied to control violent behavior by gangs and other criminally active groups (Braga et al., 2001; McGarrell et al., 2006; Papachristos & Kirk, 2015), *drug market intervention* (DMI) has been implemented to address violence and disorder generated by overt drug markets (Kennedy, 2009a; Kennedy & Wong, 2009; Corsaro et al., 2012), and *individual offender strategies* have sought to control serious violent behavior by individual chronic offenders (Papachristos, Meares, & Fagan, 2007). Focused deterrence has been applied to a wider range of problems, such as intimate partner violence (Kennedy, 2004, 2012; Sechrist & Weil, 2014), serious violence in maximum security prisons

(Warner, 2014), and covert opioid markets (Kennedy, 2016), with some very promising crime reduction impacts (National Network for Safe Communities, 2015, 2016; MacQuarrie, 2015). However, relative to the three core strategies, there is much less practical experience and empirical evidence to consider in these other applications.

Given the strong evaluation evidence showing crime reduction benefits and promising results indicating improved police-community relations, it is not surprising that focused deterrence has become a very popular way to address recurring crime problems. The U.S. Department of Justice has promoted its use through federally sponsored violence prevention programs such as the Strategic Approaches to Community Safety Initiative and Project Safe Neighborhoods (PSN) (Dalton, 2002). The National Network for Safe Communities (NNSC), an organization that supports the adoption of focused deterrence strategies, reports that it is currently active with some 42 cities across the United States. Experiences in Glasgow, Scotland; Malmo, Sweden; and Pelotas, Brazil suggest that the approach may be beneficial in addressing serious violence problems in other western countries (Deuchar, 2013; The Local, 2019; Borges, Rojido, & Cano, 2019). Police executives and other public officials in Middle Eastern and South American countries, such as Turkey, Israel, and Brazil, have also explored the possibility of implementing focused deterrence strategies to control gang and group-related violence in their cities (NNSC, 2013).

This Element begins with a brief discussion of the key steps in focused deterrence operations and its basic principles. Readers will soon note that the term focused deterrence is somewhat of a misnomer. The approach could also be referred to as strategies of fairness and focus, given the attention the work pays to enhancing police legitimacy through its highly economical use of criminal justice resources, transparency, respectful treatment of offenders, provision of social services, and community engagement (Kennedy, Kleiman, & Braga, 2017). The Element then reviews the available program evaluation evidence showing robust crime prevention impacts. The broader theoretical perspectives supporting the crime control efficacy of the approach – optimizing deterrence, promoting legitimacy and procedural justice, mobilizing informal social control, and reducing opportunities through situational crime prevention – are then considered. Avoiding well-known implementation obstacles by creating networks of capacity, developing accountability structures and sustainability plans, and conducting upfront and ongoing problem analysis is discussed in the next to last section. The Element concludes with a summary of the key theoretical and practical contributions of the approach to fair and effective crime control and prevention.

1.1 What Is Focused Deterrence?

Focused deterrence strategies are often framed as problem-oriented exercises in which specific recurring crime problems are analyzed, and responses are highly customized to local conditions and operational capacities (Kennedy, 2008). These strategies seek to change offender behavior by understanding underlying violence-producing dynamics and conditions that sustain recurring violence problems, and implementing a blended set of law enforcement, informal social control, and social service actions. In practice, these are frequently enhanced by attention to a broad range of associated situational factors (Braga & Kennedy, 2012). As described by Kennedy (2006: 156–7), focused deterrence operations have tended to follow this basic framework:

- Selecting a particular crime problem, such as serious gun violence.
- Pulling together an interagency enforcement group, typically including police, probation, parole, state and federal prosecutors, and sometimes federal enforcement agencies.
- Conducting research, usually relying heavily on the field experience of front-line police officers, to identify key offenders – and frequently groups of offenders, such as street gangs, drug crews, and the like – and the context of their behavior.
- Framing a special enforcement operation directed at those offenders and groups of offenders, and designed to substantially influence that context, for example by using any and all legal tools (or levers) to sanction groups such as drug-selling crews whose members commit serious violence.
- Matching those enforcement operations with parallel efforts to direct services and the moral voices of affected communities to those same offenders and groups.
- Communicating directly and repeatedly with offenders and groups to let them know that they are under particular scrutiny, what acts (such as shootings) will get special attention, when that has in fact happened to particular offenders and groups, and what they can do to avoid enforcement action; to emphasize community norms; and to specify the availability of supportive services.

This list provides a clear sense for the steps involved in a particular focused deterrence operation. For instance, putting together a working group of representatives from relevant criminal justice, social service, and community-based organizations who can bring varied incentives and disincentives to influence targeted offender behavior is a key early operational step.

However, the backbone of the basic philosophy and applied work of focused deterrence has emerged as a set of basic principles rather than a series of steps. Not all focused deterrence programs embrace each of these principles. Nevertheless,

most programs go beyond either simple or unalloyed deterrence thinking and action. This set of principles is briefly described here.

1.1.1 Most Serious Crime Is Driven by a Small Number of Offenders

Serious crime concentrates among individuals, and a small number of chronic offenders generate a disparate share of the crime problem. In their classic study of nearly 10,000 boys in Philadelphia, Wolfgang, Figlio, and Sellin (1972) revealed that the most active 6 percent of delinquent boys were responsible for more than 50 percent of all delinquent acts committed. Laub and Sampson's (2003) close examination of a small set of persistent violent offenders revealed that these men were arrested on average 40 times over the course of their criminal career (the most active offender had been arrested 106 times) and spent an inordinate amount of time in prisons and jails. Over their full life course, these men were incarcerated on average seventy-five days each year. Similarly, the RAND Corporation's survey of jail and prison inmates in California, Michigan, and Texas revealed that, in all three states, the most recidivist 10 percent of active offenders committed some 50 percent of all crimes and 80 percent of crimes were committed by only 20 percent of the criminals (Chaiken & Chaiken, 1982). Moreover, the worst 1 percent of offenders committed crimes at an extremely high rate – more than fifty serious offenses per year (Rolph et al., 1981).

A recent systematic review of seventy-three studies examining the concentration of offending found that 10 percent of the most criminally active people from populations that included offenders and nonoffenders accounted for around 66 percent of crime (Martinez et al., 2017). The review also found that the most active 10 percent of offenders accounted for around 41 percent of crime committed by all offenders (Martinez et al., 2017). This skewed distribution is evident for many specific crime types. For example, overt community drug markets are typically driven by not more than a few score low-level dealers, and often much smaller numbers (Saunders et al., 2016); careful identification of the most dangerous domestic violence offenders in a town of just over 100,000 population found, at any given time, only about twenty (High Point Police Department, 2014); the core heroin supply and distribution network in a small American city was again only twenty or so dealers (NNSC, 2016). A recent review of research in more than twenty cities found that in the aggregate about 0.6 percent of the population was in groups associated with half of all gun violence (Lurie, 2019). A study of college students found that of 1882, 120 – about 6 percent – had committed rape. Seventy-six repeat rapists – 4 percent of the sample – averaged nearly six rapes apiece and collectively represented nearly 91 percent of all rapes (Lisak & Miller, 2002).

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1.1.2 Chronicity, Range, and Victimization

Highly active violent offenders often commit a wide range of crimes (Spelman, 1990). For instance, the criminal careers of most Boston homicide offenders were characterized by a wide range of offense types including armed and unarmed violent offenses, illegal gun possession offenses, property offenses, drug offenses, and disorder offenses (Kennedy, Piehl, & Braga, 1996; Braga, Hureau, & Winship, 2008). The 120 rapists in Lisak and Miller's study admitted to 1,225 other violent acts, including "battery, physical abuse and/or sexual abuse of children, and sexual assault short of rape or attempted rape"; the 76 repeat rapists accounted for 85 percent of these acts (Lisak & Miller, 2002). Langford et al. (2000: 55) examined intimate partner homicide offenders in Massachusetts and found that 74 percent had a previous criminal record; 71 percent of those had records including previous violent offenses.

More generally, there is a robust literature on the wide range of offending and other risky behaviors amongst chronic and serious violent offenders. Research has consistently suggested a strong association between subcultural norms, exposure to neighborhood violence, and participation in offending and experiencing victimization (Jennings, Piquero, & Reingle, 2012). Studies have found the concentration and co-occurrence of violent offending, violent victimization, other crimes, drug and alcohol use, traffic offenses, and the like (Turanovic, Reisig, & Pratt, 2015; Osgood et al., 1988). The gang literature finds such "cafeteria style offending" a central aspect of gangs and gang dynamics (Klein, 1995). The Boston Gun Project examined victims and offenders associated with 155 youth gun and knife fatalities (Kennedy, Braga, & Piehl, 2001: 20):

Prior to their murders, 75 percent of victims had been arraigned for at least one offense in Massachusetts courts, 19 percent had been committed to an adult or youth correctional facility, 42 percent had been on probation at some time before their murder, and 14 percent were on probation at the time of their murder. Of the 125 offenders known to be associated with those homicides, 77 percent had been arraigned for at least one offense in Massachusetts courts, 26 percent had been committed to a facility, 54 percent had been on probation, and 26 percent were on probation at the time they committed the murder. For the 117 homicide victims with at least one arraignment, the average number of arraignments was 9.5, and 44 percent had 10 or more arraignments. For the 96 offenders with at least one arraignment, the average number of arraignments was 9.7, and 41 percent had 10 or more arraignments. For both victims and offenders, arraignments for property offenses, armed violent offenses, and disorder offenses outnumbered drug offenses. For offenders, unarmed violent offenses also outnumbered drug offenses. Even within this high-rate population, offending was skewed, with the worst 5 percent and worst 10 percent of the 125 offenders responsible for 20 percent

and 36 percent of 1,009 total arraignments, respectively. The worst 5 percent and worst 10 percent of the 155 victims were responsible for 17 percent and 33 percent of 1,277 total arraignments, respectively.

While this is a perspective usually associated with a focus on offenders and offending, it is frequently associated with, and in certain circumstances is most usefully understood as driven by, extremely high levels of victimization, risk, and trauma. It was not as easy to examine victimization in the Boston research as it was offending, but a simple calculation of gang member mortality versus the Boston gang population showed roughly a one-in-seven chance of dying, almost entirely by gunshot, over a hypothetical ten-year gang membership spell (Kennedy, Piehl, & Braga, 1996). The gang literature is replete with findings that gang membership is driven by a desire for self-protection and objective risk from other gangs, and that gang members do not like gangs and the gang life and are under unwelcome pressure from both their enemies and their friends (Vigil, 1988; Padilla, 1992; Pitts, 2007). The “risky behavior” literature describes a milieu saturated in drug and alcohol abuse, intimate partner and sexual victimization, other assaults, disease and illness, traffic and other accidents, and repeated contact with police and the criminal justice system, with inevitable associated trauma (see, e.g., Donovan & Jessor, 1985; Leigh, 1999; Collins, Snodgrass, & Wheelless, 1999). Operational or research exposure to these issues reveals an “offending” population that is overwhelmingly poor; desperate; afraid; saturated in direct and vicarious violent victimization, both at home and in the community; frequently nearly or actually homeless; afraid for their friends and families; and afraid of the police and other authorities. Despite the common legal and popular separation of offender and offending, and victim and victimization, in practice they are very frequently essentially inseparable.

1.1.3 The Salience of Group and Collective Dynamics

When considering the problem of repeat offenders, an important dimension to consider is co-offending, or the commission of crimes by groups of offenders. In his analyses of victimization data in the United States for 2000 through 2005, Cook (2009) notes that nearly half of all robberies were committed by groups of offenders and the chances of a successful robbery directly correlated with the presence of accomplices. Youth, in particular, commit crimes, as they live their lives, in groups (Zimring, 1981). This observation is particularly important because youth offenders account for a disproportionate share of the most serious crimes. In his review of juvenile self-report survey data studies, Warr (2002) reports that most studies find between 50 and 75 percent of juvenile crimes are committed in the company of others. Youth gun violence is usually concentrated

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among groups of serious offenders, and conflicts between youth street gangs have long been noted to fuel much of the serious street violence in major cities (Miller, 1975; Braga, 2004; Howell & Griffiths, 2016). City-level studies have found gang-related motives in more than one-third of homicides in Chicago (Block & Block, 1993), 50 percent of the homicides in Los Angeles' Boyle Heights area (Tita et al., 2004), and 75 percent of homicides in Lowell, Massachusetts (Braga et al., 2006).

Recent research has further shown that the greatest concentration of gun homicide and nonfatal shooting occurs among individuals who are usually well-known to the criminal justice system (Cook, Ludwig, & Braga, 2005) and often involved in gangs and other high-risk co-offending networks (Papachristos, Braga, & Hureau, 2012). The rates of nonfatal and fatal shootings *within* such co-offending networks are considerably higher than both city-level rates as well as the rates within high-crime communities in those cities. In Chicago, for example, one study found that 70 percent of all fatal and nonfatal gunshot injuries occurred in identifiable networks composed of individuals arrested in previous years that comprised less than 6 percent of the city's total population; the rate of gun homicide in the network was more than nine times higher than the city as a whole (Papachristos, Wildeman, & Roberto, 2015). Much of the violence driven by high-risk gangs and criminally active groups in these networks is expressive in nature and often involves ongoing cycles of retaliation (Decker, 1996).

Such collective dynamics fundamentally change the nature of violent offending and victimization, and our understanding of what drives it. A long-standing vendetta between two groups, for example, is less about the individuals in the groups at any given time than it is about the collective transmittal of and adherence to norms and narratives around brotherhood, respect, risk, and desert. A criminal justice response that, for example, "clears" each of the last two shootings by incapacitating the last shooter from each group will have little or no impact on subsequent violence, which inheres in the groups as such and their standing conflict. It is even possible for all individuals involved in such dynamics to individually reject them while committing to sustained violent offending, for example through the "pluralistic ignorance" by which individuals adhere to perceived, but inaccurate, group norms (Matza, 1964)

1.1.4 Creating Certainty and Swiftess

Focused deterrence programs attempt to create a more certain and swift sanction environment through the creative application of existing enforcement capacity and legal authority (Kennedy, Kleiman, & Braga, 2017). The approach does so by separating the application of legal sanctions from the formal case processing

activities of the criminal justice system, and separating the larger notion of deterrence from a reliance on the criminal justice system alone. The first separation involves discretionary application of existing legal authority in ways not formally connected to the underlying act. A person known to have committed a homicide, when that homicide cannot be prosecuted, can be subjected to legal attention for, for example, drug trafficking, a separate assault, receiving stolen property, and so on. Each member of a violent group not legally open to a collective legal response under conspiracy statutes can be subjected to individualized drug dealing or other charges. Such actions are of course not unheard of in criminal justice: the famously violent American gangster Al Capone was imprisoned by federal authorities on tax evasion charges. Focused deterrence had given that old insight theoretical foundation and practical systematization.

The second separation involves bringing to bear consequences entirely outside the criminal justice system. A violent offender living in rental housing can be evicted by their landlord under the provisions of the civil law. A drug group operating in the public street can be disrupted by redirecting traffic flow; if they are separated from customers, they will lose money. In Philadelphia, authorities discovered that gang members frequently lived in homes where they were stealing electric power and cable television services through illegal “pirate” connections; in the wake of violence, authorities mobilized providers to remove the illegal connections (Roman, Forney, et al., 2019). Even more than the creative use of legal authority, the use of such other measures serves to return deterrence to its fundamental insight that actions that come with costs will tend to be carried out less frequently.

This forms the basis of the “pulling levers” exercise within the focused deterrence framework. The traditional criminal justice response to a gang homicide is typically neither swift nor certain as action can be extraordinarily difficult and sometimes not possible (Wellford & Cronin, 1999; Braga, Turchan, & Barao, 2019). Authorities often know what happened but can’t assemble the evidence and witnesses required to produce arrests and convictions. They may also know what happened in a way that cannot even in principle support legal action: that, for example, a particular gang is responsible for a homicide, without knowing what particular gang member. However, when the focus is on responding to the most violent gang in a particular jurisdiction, authorities can act through means such as warrant service, review and follow-up on open investigations, drug market disruption, civil code and traffic enforcement, closely monitoring and perhaps enhancing probation and parole conditions, more vigilant prosecutorial attention to existing legal liabilities, revisiting old offenses for new investigations, and so forth. In one instance involving a group

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of violent juveniles – who because of their status were open to essentially no legal sanctions – authorities disrupted the area of a public park they had established as their turf by trimming trees and shrubs and installing lighting to expose their activities to public view, cut off the public power outlets they were using to power their phones and video games, and had a local business password-protect the wireless router they had been using to upload provocative social media. Deterrence is produced when the targeted group and other groups watching the operations unfold understand what triggered the response and that similar actions will produce similar enforcement operations in the future – essentially, drawing “cause and effect” in the minds of offenders and prospective offenders alike (Kennedy, 1997, 2008).

Careful collection and analysis of intelligence and crime data provides the interagency working group with a clear understanding of who is doing what and aids the process of communicating appropriately focused sanction prospects. There are obvious and important due process, accountability, and justice concerns in launching such as strategy (Stuntz, 2011). However, the partnership structure, visibility, and transparency included in focused deterrence strategies can be protective assets that can manage these concerns (Thacher, 2016). It is also important to note that focused deterrence deliberately sacrifices the severity of sanctions in preference for the swift and certain application of sanctions. Economizing on punishment reduces harm to the offender. The working group charged with implementing the strategy searches for the “minimum effective dose” of a sanction that is needed to create compliance (Kennedy, Kleiman, & Braga, 2017). In theory and practice, group-focused deterrence is based on the premise that it is not the severity of individual sanctions that produces violence reductions, but the knowledge on the part of group members that violence will produce some, often relatively low-level, cost to a critical mass of group members, which then drives changes in group dynamics.

1.1.5 Launching Effective Communications

Deterrence essentially strives to reduce crime by changing potential offenders’ *perceptions* of official action and associated risk of sanctions (Cook, 1980; Nagin, 2013). As such, an effective deterrence schema necessarily involves both *advertising* and *persuasion* (Zimring & Hawkins, 1973). Potential offenders need to know the punishment risks they face and need to believe that these risks are real. While this is theoretically obvious, deliberate communication with potential offenders has been neglected in practice (Kennedy, 2008). Focused deterrence places a premium on effective communication with potential offenders to produce crime control and prevention impacts.

Communicating credible warnings about enforcement actions serves two important goals. First, effective messages reduce the amount of sanction needed to change offender behavior. Second, warnings create legitimacy by supporting the perception that sanctions, when needed, will be applied in a fair manner after appropriate notice to targeted persons. Research shows clearly that offenders and potential offenders frequently do not know their legal risks (Kleck et al., 2005). There is no way they can know their legal risks when, for example, the law changes without publicity, or authorities make a discretionary decision to change their enforcement practices and priorities. In each case, what is not known cannot deter and the application of authority may be regarded as illegitimate and unfair.

Communication sessions with offenders can be used to convey not only enforcement risks but also “moral voice” and “outreach and support” messages. These encounters can model procedural justice and legitimacy, and foster new perceptions and relationships about and between criminal justice agencies, community members, and potential offenders (Papachristos, Meares, & Fagan, 2007; Trinkner, 2019). Two key communication mechanisms tend to be used in focused deterrence programs (Kennedy & Friedrich, 2014). *Call-ins* are carefully staged events that bring the operational partners into contact with groups of potential offenders at a set time in a predetermined location. They generally involve from twenty to forty group members (or in the case of individual-focused intervention, high-risk or repeat potential offenders; law enforcement officials, community members, and service providers; and sometime other participants and observers. In the classic GVI call-in, the purpose is to identify group members and to use the call-in to convey key messages through them back to their groups: the call-in is largely about the larger universe of groups and group members, and less about those group members actually present. *Custom notifications* involve more immediate, pressing, and discretionary communications to high-risk individuals who are likely to commit violence in the near term. Authorities seek out such risky people and convey core messages to them in person: the potentially violent situation is known and being monitored, the community disapproves of such violence, violence will bring unwanted consequences, and help is available.

1.1.6 Providing Outreach and Support

Focused deterrence programs provide outreach and support – social services and various kinds of facilitative interventions – to the identified high-risk populations. The role of outreach and support in focused deterrence is complex (Kennedy, Kleiman, & Braga, 2017). There is hope that support services can