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THE EFFECT OF SOCIAL CHANGE ON CRIME AND LAW ENFORCEMENT

*Lloyd E. Ohlin**

I. Introduction

Americans have come to take for granted that constant changes in the social, economic, and cultural conditions of life are inevitable and on the whole desirable. Our major institutions are expected to increase steadily in productivity and effectiveness. Yet we regard with concern and accept with resignation a corresponding growth in the size of many of these institutions and the complexity of their interrelationships. Furthermore, only in recent years are we beginning to appreciate fully that the same social forces that fuel this growth also create major social problems equally large and difficult to understand. The central purpose of this symposium is to inquire how such problems arise and how they can be dealt with more successfully. Since the focus is on urban contemporary problems, there is implicit the assumption that the simple homespun solutions that guided economic, social, and moral decisions about these problems in a rural society may no longer be adequate.

It is becoming increasingly difficult to arrive at a balanced assessment of the crime problem — an assessment that takes adequate account of the many other costs and benefits of the profound social changes that have also made crime a prominent national problem. Public alarm about crime has been rising steadily. The President's Commission on Law Enforcement and Administration of Justice, commonly referred to as the National Crime Commission, reported last year that opinion polls in recent years have shown a steady increase in the percent of persons concerned about their personal safety against street crimes.¹ Furthermore, most people questioned thought the situation was getting worse.² Under such conditions pressures mount rapidly for quick and decisive solutions accompanied by a growing impatience with analyses or solutions that seek to take account of the intractability and complexity of the problem. It is all the more important, therefore, that symposiums such as this be employed for realistic and frank discussion of the actual dimensions of the problem of crime and law enforcement.

II. Explaining Crime Trends

Virtually everywhere throughout the country, in big cities, suburbs, towns, and rural areas, the crime statistics show a sharp increase in all types of crime since 1960. The number of violent crimes against persons including willful homicide, forcible rape, aggravated assault, and robbery that were reported

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1 THE CHALLENGE OF CRIME IN A FREE SOCIETY, A REPORT BY THE PRESIDENT'S COMMISSION ON LAW ENFORCEMENT AND ADMINISTRATION OF JUSTICE 50 (1967) [hereinafter cited as CRIME REPORT].

2 *Id.*

by police to the FBI in 1966 were 49 percent more than the number reported in 1960.³ The crime rate for these offenses per hundred thousand persons in the population was 37 percent higher in 1966 as compared to 1960.⁴ Crimes against property increased even more drastically. Reports of burglaries, larcenies over \$50, and auto thefts were 64 percent more numerous in 1966, and the rate of these offenses per hundred thousand persons was up 50 percent.⁵

Furthermore, the most recent figures released by the Uniform Crime Reports Section of the FBI show an accelerating trend in crime reports. In the first nine months of 1967, as contrasted with the same period in 1966, the number of reports for all seven crimes listed above, which form the Crime Index used by the FBI, was up 16 percent.⁶ The number of increased reports for some crimes are fantastic — willful homicide up 16 percent, forcible rape up 7 percent, aggravated assault up 9 percent, burglary up 16 percent, larceny up 15 percent, and auto theft up 17 percent.⁷ The most striking change of all was an increase in reported robberies of 27 percent.⁸

Confronted with such figures, it is hardly surprising that public alarm about crime is increasingly more openly expressed. This is to be expected when each year quarterly reports, in addition to a very detailed annual report, which are backed by the authoritative prestige of the FBI, constantly reiterate the message. The Uniform Crime Reports Section is careful to break the figures down by individual crimes as well as providing totals for all crimes. However, the mass media are frequently less detailed in their reporting. Headlines will often simply quote the FBI report of a large percentage increase in "serious crimes," which is the phrase commonly used to describe those offenses included in the Crime Index. Since the average citizen is likely to regard physical assaults by strangers as the most serious type of crime, there is undoubtedly a natural inclination to assume that this is what the report is about. Actually, of course, the three property crimes, burglary, larceny over \$50, and auto theft, make up over 87 percent of the crimes covered by the Index. Thus, not only the soaring figures but the way these figures are reported in the mass media will exert a strong influence on the public perception of the crime problem. Given this situation, persons who have never been victimized by crime could still justifiably manifest a growing concern. Since these figures on crime trends may have such an important effect on public attitudes about crime, it is worthwhile to inquire how reliable they may be and how they may be affected by other social changes occurring in our society at the same time.

A. Changes Affecting the Reporting of Crime

A great number of illustrations could be offered to demonstrate the way

3 FEDERAL BUREAU OF INVESTIGATION, DEP'T OF JUSTICE, UNIFORM CRIME REPORTS FOR THE UNITED STATES — 1966, at 3 (1967).

4 *Id.*

5 *Id.*

6 FEDERAL BUREAU OF INVESTIGATION, DEP'T OF JUSTICE, UNIFORM CRIME REPORTS — QUARTERLY REPORT — SEPTEMBER 1967, at 1 (1967).

7 *Id.*

8 *Id.*

changes in police reporting practices affect the figures on volume and trend of crime. Especially dramatic are the changes in the Chicago and New York crime reports brought about by the establishment of a central reporting unit through which all citizen complaints are routed. In the early fifties, during the first year of operation of the new central unit in New York, reported burglary offenses increased 1300 percent and robberies 400 percent.⁹ Chicago had a similar experience following the installation of a central complaint and dispatching system in 1959.¹⁰ The way crimes are handled and classified by the police can also make a great difference. For example, in recent years the professionalization of the police and an increased tendency to make formal records of complaints, particularly against juveniles, may have contributed to the sharp increases reported in juvenile crimes. There is also a large element of discretion in whether the forcible appropriation of a boy's bicycle by another youth should be classified as a misdemeanor, a petty or grand larceny, or a robbery. According to a recent report, the revised reporting system that was initiated in New York City in March, 1966 tends to upgrade the classification of such offenses to a more serious level.¹¹

On the other hand, there are several reasons why one might expect the police to be reluctant to report as much crime as they find. Probably most important is that the effectiveness of their performance will ordinarily be judged by whether the crime rate goes up or down. In most other situations in our society, when we wish to reach a reliable evaluation of achievement on the part of a person or organization, we search for or construct objective measures not subject to the control of those being assessed. Yet our judgment of police effectiveness depends in large part on the crime statistics they are urged to supply voluntarily. I cannot imagine a situation with more pressures and opportunities for subterfuge and management control over the results reported. The history of crime statistics is replete with repeated exposures of fabrication of reports. In fact, given this control over reporting by the police, the pertinent question is why the reported volume and rates of crime have increased so greatly throughout the country in the last two years.

I believe we are now getting fuller and more accurate reporting by the police than we have ever had before. The pressures on the police not to report more crime have been substantially reduced and in many large jurisdictions reversed. One factor in this situation has been a series of Supreme Court decisions widely regarded by law enforcement officials and influential groups of citizens as constituting a severe handicap to effective crime control. I do not wish to get into the very complex questions involved in that debate. However, it should be noted that a "handcuffed" police force cannot be held as fully responsible for sharp increases in crime as one that is not.

A second factor is that increasing public concern about the safety of the streets has generated vigorous demands for more police protection and a growing public recognition of the limited capacity of many police agencies to mount

9 CRIME REPORT 26.

10 *Id.*

11 N.Y. Times, Feb. 4, 1968, at 58, col. 1.

an effective program of crime control and prevention. Crime seems to be getting out of hand, engulfing new neighborhoods and erupting in riotous assault, looting, and arson in the central slum areas of the big cities. A statistical report that did not show more crime under such conditions would seem puzzling indeed to the ordinary citizen. A cyclical pattern has been set in motion where the increasing public readiness to accept an accurate portrayal of the full dimensions of the crime problem meets an increased willingness to supply it. As the iceberg of crime rises to the surface of public visibility the need to bring new and more sophisticated resources to bear on the law enforcement task will become increasingly evident.

The evidence for these observations rests largely on attitude surveys and interviews with police and samples of citizens conducted under the auspices of the President's Commission on Law Enforcement and Administration of Justice and also on the continuing reports from the major opinion poll organizations. They are also supported by the impressions I have received in contacts with law enforcement officials. However, there is an additional factor that must be taken into account—the reservoir of crime not reported to the police. A national survey of 10,000 households was conducted for the President's Commission to discover the experiences of the general public as victims of crime.¹² This survey showed, for example, that “forcible rapes were more than 3½ times the reported rate, burglaries three times, aggravated assaults and larcenies of \$50 and over more than double, and robbery 50 percent greater than the reported rate.”¹³ Other surveys in high crime rate districts of large cities revealed greater discrepancies. In Washington, D.C. the number of offenses reported to the survey proved to be three to ten times more, depending on the type of offense, than the number of police reports.¹⁴ Among the most frequently mentioned reasons for not reporting were that the victim felt it was a private matter, he did not want to harm the offender, the police could not be effective, or he would not want to be bothered.

Though these surveys of individual citizens and households reveal a substantial amount of crimes not brought to police attention, they represent only a part of the reservoir of unreported crime. Commercial establishments, building industries, trucking firms, warehouses, business offices, and a number of other economic enterprises suffer robberies, burglaries, and thefts that are not reported. Similarly the thefts from and damages to schools, government installations, public utilities, and community service institutions often do not get recorded. There are of course many forms of fraud, embezzlement, tax evasion, and other white collar crimes that are not reported to the police and are not reflected in crime statistics. However, I am primarily concerned here with the common crimes that now arouse the public.

The main point is that there exists a large pool of unreported crime that can be tapped in a number of ways to swell the totals of reported crime. Sig-

12 NATIONAL OPINION RESEARCH CENTER, CRIMINAL VICTIMIZATION IN THE UNITED STATES: A REPORT OF A NATIONAL SURVEY, reprinted in FIELD SURVEYS II, THE PRESIDENT'S COMMISSION ON LAW ENFORCEMENT AND ADMINISTRATION OF JUSTICE (1967).

13 CRIME REPORT 21.

14 *Id.*

nificant increases in police manpower and efficiency will result in more crimes being discovered. Greater confidence by citizens in the possibility of effective police action would inspire more citizens to report to the police. But how is one to know whether an increase in reported crime represents merely a deeper drain on the reservoir of unreported crime or an actual increase in the volume and rate of criminal acts in the society? Our crime reporting system has no objective base line against which to measure the success of improvements in crime control and prevention.

The police are victimized by this situation as much as anybody. If they increase the efficiency and effectiveness of their operations, they will produce an increase in the rates of complaints, arrests, and convictions. However, as matters now stand these figures are also used to show that crime conditions are getting worse. Only if it could be shown that the rates of victimization of individuals, households, and organizations were going down at the same time would the police clearly get credit for doing a better job. They would also then have some objective means of testing the relative effectiveness of different crime control measures. Though there are still many limitations in the survey approach to the establishment of an objective rate of criminal victimization, concentrated work on such devices could take law enforcement out of the "numbers game" and provide some of the tools for a rational development of policies and programs of crime control.

B. Social Changes Affecting the Volume and Trends of Crime

It should not be inferred from these observations that recent increases in the volume and trend of reported crimes are wholly attributable to changes in reporting practices. Clearly such changes can have a significant impact, but there are very good reasons for expecting large increases even if reporting practices stayed the same. One of the most important grounds for such a prediction is in the changing age distribution. Most major crimes are committed by young men under the age of twenty-five.¹⁵ The highest arrest rates are for the 15 to 17 year-old age group and the next highest for those age 18 to 20.¹⁶ For example, teenagers from 11 to 17 years of age account for approximately half of the burglaries, motor vehicle thefts, and larcenies over \$50, and offenders arrested for the crimes of forcible rape and robbery are concentrated most heavily in the 18 to 24 year-old group.¹⁷ It should also be noted that since "1961 nearly 1 million more youths have reached the ages of maximum risk each year than did so in the prior year."¹⁸ The sharp rise in property crimes already experienced will be followed by significant increases in crimes against persons as these youth become 18 to 24 years of age, which they are already doing in large numbers. Our jails as well as our colleges are bulging at the seams. The President's Commission concluded that 40 to 50 percent of the total increase in reported arrests between 1960 and 1965, assuming no change in the rate

¹⁵ *Id.* at 56.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.* at 28.

of arrests in that period, "could have been expected as the result of increases in population and changes in the age composition of the population."¹⁹

Another important social trend is the massive migration of rural dwellers to the cities, which for many years have had much higher crime rates than the rural areas. The average rate for every Index crime except burglary is at least twice as great in cities over a million in population than in suburbs or rural areas.²⁰ Estimates prepared by the President's Commission concluded that the movement of population between metropolitan, small city, and rural areas accounted for about 7 to 8 percent of the increase in Index crimes between 1960 and 1965.²¹ Clearly much more of the increase could be predicted if data were available to take account of the complex interactive effects of age composition, urbanization, sex, race, income levels, and the number of slum dwellers. However, the incompatibility between crime data and demographic data and the lack of detail prohibit such studies, regardless of how useful they might be in predicting the dimensions of the crime problem in future years.

There are other changes in our society that are probably having a significant effect on the number and rate of crimes, but they are hard to measure. Greatly increased material prosperity means there are more goods around to be stolen. Affluence may also breed careless attitudes toward the safeguarding of property. Cars with keys inside or unlocked ignitions account for more than 40 percent of the auto thefts.²² Theft of accessories or goods from cars represents 40 percent of all reported larcenies.²³ We tolerate increasing rates of branch-bank robberies, shoplifting, and employee theft because the various types of cost associated with adequate protection may exceed the current losses from these crimes. We do not know to what extent the increasing sale of comprehensive homeowner insurance policies, including protection against crime losses, invites indifference about protecting goods and locking doors. Yet we do know that burglaries are increasing rapidly in the suburban areas. The FBI reported a 17 percent increase in suburban burglaries in the first nine months of 1967 as compared to a similar period in 1966.²⁴ Even more startling is the increase in robberies in the same period, for example, business houses—38 percent, chain stores—39 percent, and banks—60 percent.²⁵ The failure to take adequate security precautions to reduce the attractiveness of these opportunities to increasingly mobile offenders may be part of the explanation.

In marked contrast to this rising affluence is the relative deprivation of the urban slum communities. Big cities have always offered such contrasts. The difference, today, appears to lie in the rising expectations of the poor for a share in this affluence. They are impatient to lay claim to this share and resent the limited opportunities to do so, especially when the barriers to these opportunities are reinforced by racial discrimination. The depth of this anger and frustration has been made abundantly clear in the ghetto riots and in the

19 *Id.*

20 *Id.*

21 *Id.*

22 *Id.* at 29.

23 *Id.* at 30.

24 UNIFORM CRIME REPORTS, *supra* note 6, at 1.

25 *Id.*

violent encounters between police and residents of the ghetto areas. The riots release people from the normal constraints of everyday life and create a Roman holiday atmosphere where widespread involvement in looting gains crowd support. I cannot help believing that these same social pressures also greatly reduce the restraining influence of conventional morality or law for many individuals outside riot situations. The New York Police Department recently reported that in 1963 there were 2621 assaults on police and in 1967 there were 4409.²⁶ In such a climate of hostility to law enforcement, it would seem reasonable to expect higher rates of individual as well as collective law violation.

The changes taking place in the relationships between police and residents of slum neighborhoods, especially in Negro areas, are not solely toward greater conflict. Changes are taking place in several directions at once. Surveys of police-community relations in ghetto areas reveal conflicting attitudes about police and law enforcement. On the one hand the residents of these communities are more critical of the police than are other citizens for what they regard as improper, undignified, brutal, or discriminatory treatment. At the same time they are more insistent than the residents of other areas concerning more and better police protection and are willing to support the police in their demands for more resources, better training, and more adequate salaries.²⁷ Yet this apparent ambivalence is not hard to understand when it is recognized that the residents of ghetto communities also bear the heaviest burden as victims of crime.²⁸

In the opinion of police experts, the residents of these areas are not only demanding more protection but getting more than they used to. Prior to World War II the police were called on to preserve order in the urban ghettos, to settle serious domestic disputes, to break up street fights or tavern brawls, and to keep crimes of vice within the limits of community tolerance. Laws were enforced only when the residents demanded it and were ready to appear as complainants.

Now expectations have changed. Residents in the ghetto communities demand their right to protection by the police and the law, equal to that accorded other areas of the city. They want active law enforcement in these communities, not just maintenance of the peace, and they want it performed with the same regard for the dignity and rights of citizens that would be shown in other areas. Furthermore, police officials say that they are getting law enforcement comparable to that accorded other areas more than they ever have before. In fact, studies of the most developed professional police departments show that great care is taken to provide "color-blind" law enforcement.²⁹ It seems inevitable that this change will produce higher rates of reported crimes where at one time those same crimes were ignored by the official reports. In addition, if the police show a greater willingness to take action in behalf of victims of crime, this will

26 N.Y. Times, Feb. 4, 1968, at 58, col. 3.

27 THE PRESIDENT'S COMMISSION ON LAW ENFORCEMENT AND ADMINISTRATION OF JUSTICE, TASK FORCE REPORT: CRIME AND ITS IMPACT—AN ASSESSMENT 91-93 (1967) [hereinafter cited as TFR ON CRIME ASSESSMENT].

28 *Id.* at 92.

29 Wilson, *The Police and the Delinquent in Two Cities*, in *CONTROLLING DELINQUENTS* 13-14 (S. Wheeler ed. 1968).

in turn produce a greater readiness to appeal to the police for help and to appear as complainants. Under such circumstances there may not be any more crimes committed in these neighborhoods than there were twenty years ago, but now they will be officially recorded and will boost the total amount and rate of reported crimes.

One further social change that undoubtedly exerts a powerful influence on the higher crime rates for individual cities should be noted. With the growth of the large metropolis, middle-income groups that once lived in the city now live in the suburbs. The pressures of urban redevelopment and the need of the ever growing mass of low-income urban migrants for housing has caused invasion and displacement of populations from areas that formerly housed upper and middle-income families. High crime rates have constantly been associated with high density and low-income areas of residence. As the low-income groups come to occupy a greater proportion of the available housing within the city boundaries, the amount and rate of crime for the city can be expected to increase. Thus, when we compare the crime rate of a city with the rate of crime it had 10, 20 or 30 years ago, it is much like comparing a high crime district with the city as a whole. The President's Commission compared the 1940 robbery rates in several cities to those in 1965 within the city and within the metropolitan area. Allowing for improvements in police reporting today, the rates of the cities in 1940 and the metropolitan areas in 1965 were roughly comparable, while city rates in 1965 varied from 70 percent to 400 percent higher than in 1940.³⁰

C. Evaluation of Crime Trends

There is no doubt that there are more crimes committed today than there were 10 or 20 years ago. Simply on the basis of population increase, urbanization, and disproportionate growth of the youth population, one could safely make this statement. It is also undoubtedly true that many areas within the boundaries of large cities threaten much greater risk of victimization by serious crimes than they did in years past. However, no one can prove on the basis of the information we now have that people today have a greater propensity to commit crime than they did formerly. In fact it would be equally difficult to prove that the crime rate is really increasing as fast as the reported figures suggest. If proper allowance could be made for the effects of the various social changes described above, the increase might be very little or none at all. In other words, if we had better data we might conclude that crime rates were not of epidemic proportions but within predictable limits.

III. The Control of Crime

The foregoing discussion should not be taken to mean that we do not have a serious problem with crime today. Instead it highlights how much of the problem would have been predictable if we had had better data. In fact, the dis-

30 TFR ON CRIME ASSESSMENT, table 17, at 37.

cussion of unreported crime suggests that we are probably worse off than current figures show and have been for some time without realizing it. Public fear of crime is unquestionably widespread and increasing. Some of the possible reasons for this fear have already been mentioned, but two more reasons should be taken into account.

Repeatedly the complaint is heard that parks, passageways, and street corners in the city which once were safe are now dangerous. As I have already indicated this may at least partly be attributed to the fact that traditionally high crime producing, low-income groups are spreading throughout the city and increasing population density in formerly thinly populated areas. Thus it is undoubtedly true that serious crimes now occur in city areas where once they were rare.

The second point is that public fear of violent crime has undoubtedly been greatly aggravated by the ghetto riots of the last few summers. Fear of crime in the streets has to a considerable extent become merged with a pervasive fear of the often strident and violent demands of Negroes for greater equality of access to the economic, political, social, and cultural opportunities of the American way of life. Fear of crime serves as an easily justified camouflage for a more pervasive fear of racial integration, which is much harder to debate publicly. In fact, fear of crime is so often associated with fear of Negro violence and competition that it is impossible to tell where one leaves off and the other begins. It must also be admitted that these assertions are frankly speculative. The evidence on which they rest is more impressionistic and intuitive than factual. Nevertheless, I do believe that we would be able to do a far better job if we could clearly separate the race relations problem from the crime problem. The fact that Negroes form the vast majority of the new urban poor and appear in such disproportionate numbers in our police lockups, courts, and prisons makes this separation difficult to achieve, despite the fact that the urban poor have always been disproportionately represented in the criminal dockets whether they were of German, Irish, Polish, or Italian extraction.

Nevertheless, the public fear of crime is a fact that must be met by action. Where these fears are unrealistically inflated, there is a public obligation to provide accurate accounts of what the dangers really are so that people can judge for themselves what precautions they wish to take or what risks they will run. Where these fears are realistically grounded in the increasing threat of violent crime, effective crime control and prevention programs must be developed. It is not possible at this time to review all that might or ought to be done to achieve better control of the crime problem. The President's Commission presented 205 recommendations for action.³¹ Many of them were designed to convert a creaking and outmoded system of criminal justice, better suited to a rural frontier society, into a system adapted to the problems of modern urban living. I should like instead to comment on several strategic problems and proposals.

31 CRIME REPORT 293-301.

A. Effectiveness of Aggressive Law Enforcement Practices.

One of the most commonly encountered proposals is that the police should get tougher and engage in more aggressive patrol and law enforcement in the urban Negro ghettos and other high crime rate areas. Such proposals have a beguiling, logical simplicity. If criminals are running amuck, fight them with a vastly superior repressive force. However, the relative cost and effectiveness of such an approach in comparison to alternative or supplementary forms of crime prevention and control must be taken into account.

Police on patrol provide citizens with a sense of security. They observe crime and make arrests in great numbers to preserve the public order. However, forty-five percent of all arrests involve "crimes without victims," such as drunkenness, gambling, prostitution, vagrancy, disorderly conduct, and liquor law violations.³² Police patrols are also available for radio dispatch when complaints are received at the control center. However, very few of the arrests for major felonies are a result of police discovering a crime in process and catching the criminal "red-handed." Virtually all major felony arrests occur as a result of citizen complaints and identifications of suspects. A study conducted by the President's Commission in Los Angeles found that a total of 1905 crimes studied from the records resulted in arrests or other clearances in 25 percent of the cases.³³ The patrol force made 90 percent of the arrests, over half of which occurred in the first eight hours.³⁴ But the most significant factor in arrest was whether or not a suspect was named by the victim or by others at the scene of the crime. The clearance rate in cases with named suspects was 88 percent and for cases with unnamed suspects 12 percent.³⁵ In addition, the speed of the police response to a complaint made a difference. The faster the response the more likely an arrest could be made.³⁶

Most of the crimes of violence occur between relatives, friends, or acquaintances. According to several different studies, about 70 percent of the willful homicides, almost two-thirds of the aggravated assaults, and a sizeable majority of forcible rapes are committed by persons previously known to the victim.³⁷ Such offenses are virtually impossible to prevent by patrol since they occur mainly in bedrooms, kitchens, and bars. Also most crimes of burglary, larceny, and auto theft are crimes of stealth undertaken with a view to evading police observation or anyone else's for that matter.

In an effort to increase the deterrent effect of police patrols and the number of observations of crimes in process, police departments are employing saturation methods. This technique consists in putting an extra large number of policemen in high crime rate areas on a randomized schedule. Sometimes tactical patrols composed of selected, highly trained men are switched from one area to another to catch offenders off guard. Another aggressive patrol tactic is stopping, question-

32 *Id.* at 20.

33 *Id.* at 247-48.

34 *Id.* at 248.

35 *Id.*

36 *Id.*

37 *Id.* at 18.

ing and sometimes frisking persons in situations that appear in any way unusual. In New York City, rowdiness, robbery, and assault on the subways led to assignment of uniformed transit patrolmen to every train during the late night hours. This led to a 36 percent decline in the number of crimes committed in the subways.³⁸

Police report that these tactics work in the areas they are used. There are unfortunately no studies to show whether or not crime stopped in one place pops out at another like the flow of air in a squeezed balloon. The use of aggressive patrol tactics may also soon raise constitutional questions relating to arrest, search and seizure, and questioning of suspected persons in field situations that have not yet confronted the Supreme Court in relation to the protection of individual rights. Such aggressive tactics are also viewed with great hostility by residents of ghetto areas in large cities and may cost more in unfavorable police-community relations than they are worth in arrests unassisted by complainants. Clearly these aggressive types of patrol practices have an impact on the crime problem, but it is still not clear what costs and benefits are derived from their use.

B. Science and Technology.

Many suggestions were offered by the President's Commission's Task Force on Science and Technology for improving the effectiveness of the criminal justice system. They included such proposals as the development of early warning systems by which citizens could mobilize the police, new types of police communications to increase police mobility, nonlethal weapons, devices to make autos and other objects more difficult to steal, computerized systems for information storage, retrieval and analysis, and more experimental programs of operational research.

Unquestionably these technological aids can be helpful in facilitating criminal justice procedures. However, as with aggressive law enforcement practices, their ultimate usefulness in crime control depends on the cooperation citizens are prepared to give in reducing the lure of criminal opportunities and in informing and assisting the police. The public wants police protection but good police-community relations are essential to secure the public's active cooperation.

C. The Criminal Repeater.

The hard core of the crime problem is the offender who develops crime into a way of life. Such offenders learn how to make crime pay despite occasional arrests and imprisonments. The costs are not only in the injuries they inflict or the property they steal, but in the example they offer to younger men of a set of attitudes toward life that leads inevitably to a criminal career. Most of these careers start early. The President's Commission concluded that

Studies made of the careers of adult offenders regularly show the

38 *Id.* at 95.

importance of juvenile delinquency as a forerunner of adult crime. They support the conclusions that the earlier a juvenile is arrested or brought to court for an offense, the more likely he is to carry on criminal activity into adult life; that the more serious the first offense for which a juvenile is arrested, the more likely he is to continue to commit serious crimes, especially in the case of major crimes against property; and that the more frequently and extensively a juvenile is processed by the police, court, and correctional system the more likely he is to be arrested, charged, convicted, and imprisoned as an adult. These studies also show that the most frequent pattern among adult offenders is one that starts with petty stealing and progresses to much more serious property offenses.³⁹

The greatest failure of our system of crime control is our inability to induce known offenders to undertake a law-abiding course of life. Considering the way initial acts of delinquency escalate into careers of serious crime, it appears undeniable that the most strategic focus of crime prevention and control would be to devise effective means for terminating criminal careers at the earliest possible stage. If we were successful in this, a major share of the grave losses we now suffer from serious crimes could be averted. A study of the probation records of 932 felons convicted during the years 1964 and 1965 in Washington, D.C. showed that 80 percent had adult criminal records.⁴⁰ In addition, more than half (52 percent) had six or more prior arrests, and 65 percent of them had previously been confined in a juvenile or adult institution.⁴¹

To release offenders with such histories of crime is to run a high risk of further offenses. Yet such men cannot be confined permanently. Neither law, humanity nor economic cost would permit it. The only answer is the development of intensive processes for rehabilitation and reintegration of these men into constructive and satisfying patterns of everyday living. This would require a much higher correctional cost per man than we now are expending. It would also require a greater readiness on the part of the law-abiding community to provide to these men a measure of acceptance and opportunity that is not now available. We must come to learn that to pay this kind of cost and take this kind of risk is in the end much the easier and safer path. The idea that criminals can be persuaded by ill treatment and stiff sentences to acquire a respect for and obedience to the law is simply a middle-class delusion. If anything it works precisely the opposite. The implementation of the law should be firm and just, but the treatment it accords its convicted offenders should be designed to restore them to a constructive role in society. This cannot be done for persons of low status in this complex bureaucratic world by trying to instill fear of further punishment. It can only be accomplished by helping the offender to find a new, law-abiding place for himself and encouraging him until he settles into it. I know of no better protection against crime than a truly effective system of correctional treatment for convicted offenders. I also do not know of any existing system today that is "truly effective." Research evaluation studies are just now beginning to sort out the programs that work best. I am confident,

39 TFR ON CRIME ASSESSMENT 79-80.

40 *Id.* at 79.

41 *Id.*

however, that such a system can be developed if the financial resources, freedom to experiment, and community backing can be secured.

D. Crime Prevention.

The character of the crime problem would also change greatly if the broad programs to rebuild the cities, to erase the slums, to transform the patterns of race relations, and to raise the general level of economic, political and cultural achievement of our poorest people were ever able to get under way. The violent crimes have always occurred most frequently among the lowest socio-economic groups in our large urban centers. As these groups have moved up and become socialized to a middle-class way of life, their crimes have changed to the white-collar variety of economic crimes. The war on poverty may not change the total crime rate, but it may serve to make the crime burden more tolerable.

In the short run, strict law enforcement and strong crime suppression strategies may make an impression on the crime problem. In an emergency, such as a full-scale riot, no other alternative exists. But in the long run, the only hope for curtailing the various forms of individual and collective violence we are now experiencing is to develop a system of open opportunities that will give each citizen a chance to stake out a claim to a successful, satisfying, and law-abiding way of life.