

Note - This is a 2010 update of two consultation pieces submitted to Oakland law enforcement authorities in 2000, 2002 and slightly updated on 2010. JBG



Oakland, California is a potential urban gem, sited next to the San Francisco Bay, with its own working harbor and a high end residential district in the Oakland hills.

Regrettably, it has suffered from chronic misgovernance over the last decades (allowing for an aborted renaissance when Jerry Brown was mayor).

All Oakland's problems were made more challenging by an embedded sub-population of under-supervised prison parolees and their high crime cohorts.

Tragically, Oakland has never quite achieved the police population density of, say, New York under the Giuliani administration, let alone the enhanced police presence required by 3,000 parolees and 4,000 homeboys.

Mayor Brown chose well when he selected a former US Marine, Mike Nisperos, to be his criminal justice liaison. As I result I enjoyed a few moments of “face time” with the Mayor and left with the impression that unlike his predecessor and successor, he was willing to take law and order issues with the seriousness that they required.

76 dead bodies let the Big Parade, with 110 victims right behind. There were rows and rows of the finest...

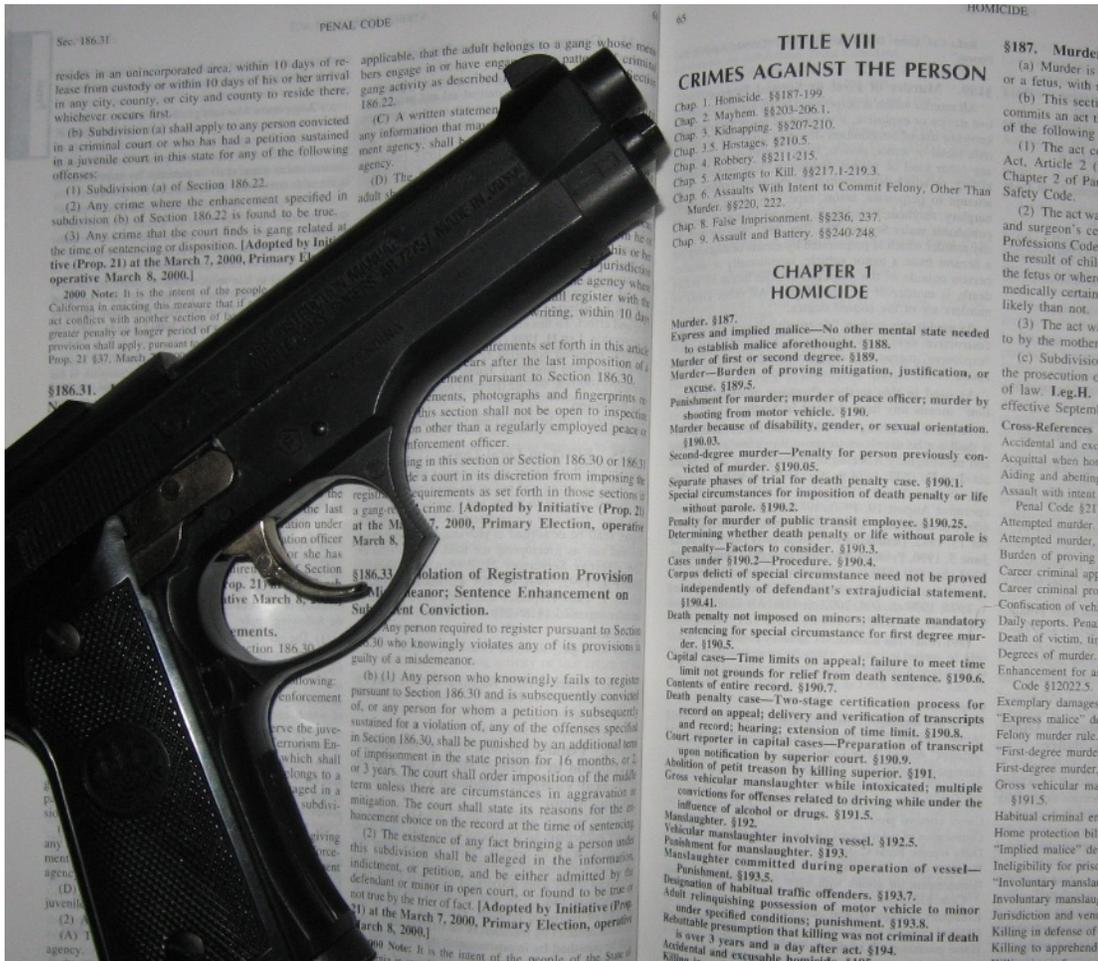
OAKLAND HOMICIDE VICTIMS



As I write this, Oakland is careening into disaster, with a demoralized police department, savaged by layoffs and cuts, let by a strong police chief who is impossibly hobbled by a grave staffing

shortage.

The following documents reflect my early efforts to “support local law enforcement.”



2002
TURNING AROUND CRIME PATTERNS, I and II

By
Jay B. Gaskill

Introduction

As the recently retired Public Defender for Alameda County, I met in 2000 with the Mayor, Mike Nisperos, and other law and justice officials to discuss issues of mutual concern. "Turning Around Crime Patterns" was written from a public safety perspective using some of the practical, political, and theoretical insights I'd gleaned from my years in criminal justice. I left the report with Mayor Jerry Brown and others for further discussions, having met with the mayor.

In light of OPD's experiences in the last two years, highlights from the 2000 version (Part I) are below, followed immediately by this discussion piece (Part II)

Highlights From 2000 Submission to the City of Oakland
[For full text, see the Appendix]

"While the reported crime statistics in many offense categories and jurisdictions show a decline in criminal activity over the last four years, this is [only] temporary good news. The numbers mask an underlying public safety crisis, shadowed by an even deeper crisis. There are three time bombs ticking away.

1. "Juveniles incarcerated in the last five years represent some of the coldest, most sociopathic criminals in memory, and they are beginning to graduate into the adult system, just as the crime-prone cohort, males between 12 and 30, pushes its way through, like a snake's undigested meal.
2. "Most of the adults incarcerated in the last ten years have release dates. They will be back among us, and most of them have been pumping iron. They have not been rehabilitated.
3. "The third time bomb is the slow, but accelerating, collapse of the underpinnings of social control." [This the] "collapse of the moral infrastructure." [By this I mean that weakened social control can be traced to the general decline of religious belief, the media driven hype concerning acquisition of expensive consumer goods, the decline of public education, disruption of the family unit, the growth of gang and drug cultures, and generally to the decline in so called "old fashioned values," like accountability and consequences. This last is especially a problem among the well-to-do elites who tend to drive public policy.] "In effect," [our kids are growing up] "in a regime characterized by the replacement of the rule/consequences model with the far weaker consensus/mediation model." [This trend is important to law enforcement on several practical levels because the attitudes I've outlined lead to political ambivalence about three strikes, the death penalty, and police funding.]

RECOMMENDATIONS 2000

"Criminal patterns of behavior in a community can be substantially reduced by a coordinated and sustained effort enlisting law and justice personnel and key

community leaders.” [If we can marshal the needed resources, two programs] “will produce a major reduction in the overall crime rate.”

1. “Substantially increasing the visible, consistent police presence in a sufficiently large area for a sufficiently continuous period will cause the crime rate in that area to fall dramatically. There are a number of examples of this phenomenon, among them the four day period following the Loma Prieta earthquake of 1989.” [OPD’s efforts to expand visible police presence were hampered by funding limitations. Community policing means adding staff. The outbreak of violence in the high drug, high gang sectors temporarily overmatched resources.]
2. “Aggressively and credibly targeting known repeat offenders letting them know that they are targeted, will cause the crime rate of this sub-group to fall dramatically, even if no cases reach the criminal justice system.”

[Given severe resource limitations, OPD has done an outstanding job in each area. What needs to happen now is to find ways to multiply the effect of existing resources by thinking outside the box.]

“Ultimately, the problem of reducing the overall crime rate is a psychological one, and the most effective solutions do involve additional police resources – when these are available. That said, positive measurable results can be obtained by the clever re-deployment of existing police resources coupled with energized community engagement.”

“Police demoralization cripples existing efforts while police re-moralization enhances and extends existing resources.” [Obviously, the “Riders” controversy¹ couldn’t have come at a worse time. Improving morale is a priority. But note the following from 2000.]

“The City of Oakland presents a unique opportunity because of the stature and visibility of its Mayor who, as the top leader in this effort, could make periodic personal appearances at the jurisdiction’s largest police department. This is a rarely utilized opportunity for civilian leadership to address gathered officers.” [If sustained, his could be an important morale booster.]

“A sub-group of chronic repeat offenders accounts for the majority of all rapes, burglaries and robberies [and I might add, murders]. Many of these individuals are career offenders. Unless they are individually targeted by a highly credible apprehension threat of which they have individually been made aware, [most] are only weakly deterred by the prospect of ultimate severe punishment, e.g., “three strikes.” Many more can be deterred if targeted individually, a labor intensive

¹ The “Riders” scandal related to over-aggressive police practices by a cadre of street cops that ultimately weakened the Oakland Police Department. See these reports: < http://articles.sfgate.com/2007-03-20/bay-area/17237329_1_consent-decree-west-oakland-oakland-police-officers-association >, < <http://articles.latimes.com/2000/dec/11/news/mn-64091> >, and < <http://www.oaklandcityattorney.org/PDFS/Riders/JR's%20remarks.pdf> >.

approach that would tax current resources. Note: About seven years ago, a great many three strikes defendants took “one strike plea bargains” (mandatory prison at double term, but not life). A number of these prisoners are just now being released back into Oakland.

“Most offenses deterred or prevented simply never occur. It is not as if a given criminally prone individual is somehow destined to commit some lifetime quota of offenses, and makes up for the fact that he was deterred last month by doubling his crime rate this month.”

Suggestions 2000

“Establish and staff several neighborhood police mini-sub-stations, staffed 24/7. A number of facilities could be converted for this purpose, including City of Oakland property not otherwise utilized and former crack houses seized under nuisance abatement procedures.” Yes, this idea is expensive, but would be a very effective projection of authority if the site is well chosen and staffed with highly motivated officers. I will expand on this in Part II. OPD should seriously and carefully explore whether there are ways to accomplish at least one sub-station in the highest crime area within existing budgetary constraints.

“Establish, staff and organize a 911 by-pass channel for specific civilian agencies, neighborhood representatives, and designated individuals. A group of response teams, on call, would include a Deputy D.A., with badge level police personnel tasked to make all routing and priority decisions.”

“Link personnel deployment, the big picture mission, and the community. There are several problem areas. Traditional sector cruising is still over-emphasized at the expense of a proactive ongoing neighborhood presence. This is a mistake on three levels: it is poor mission execution, a poor political move, and the ineffective use of resources. Recommendation: Change patrol radically, building in a community interface. The key: officer assignment and geographic continuity, and community accountability.”

“Link all law enforcement resources. Modern predators have great geographic mobility. A tendency to over-compartmentalization, inadequate crime pattern tracking, poor cross-division coordination and cross-department focus plays into their hands.”

“Add a new centralized investigation/ response service. An intelligent, pro-active, non-compartmentalized investigation response team, cross linked to dispatch, patrol, CBO’s, and a community hotline should be designed to carry out follow up against repeat offenders, roving predators, and cancerous hot spots. The command structure should be set up to direct additional resources as appropriate.” This is the basis of a new recommendation in Part II, targeted to homicides and gun violence.

TURNING AROUND CRIME PATTERNS II

Overview

Anyone who has run a large organization becomes painfully aware of the obstacles to institutional change. Old practices develop interest groups with an investment in their continuation. Mere words, memos, and rules don't change ingrained behaviors. The culture of an organization can matter more than resources, yet is the most difficult thing of all to bring around. That said, I think the circumstances in OPD are optimum for change, given bright line goals, given visible action in the same direction, and a show of strong support from the City and community.

In summary, the approach is to make thematic and organizational changes around three ideas:

- Proactive intelligence
- Projection of authority
- Predator deterrence

The problem of resources remains. But there are some possible work-arounds to be explored.

The following outline is intended as a discussion guide.

DISCUSSION OUTLINE

A. PROGRAM CHANGES:

1. Create, Staff, and Task Supplementary Violence Response Teams:

(a) Staff

- Cross train all detectives for homicide investigation or backup.
- Exploit overtime as an explicit team benefit.
- Recruit gang, vice and other neighborhood experienced officers to be on call.
- Add other supplementary investigators as needed-
Part time un-benefited positions,
Contract positions.

(b) Mission

- Everything OPD is now doing, plus –
 - Include all deadly force incidents
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- Immediate, intense canvas in all cases
- Goal - 36 hour clearance in all cases
- Goal - daily community follow up in all cases.
- Pressure, Presence, Persistence, Praise.

2. Address Hot spots 24/7:

(a) Aggressively Utilize Field Technology:

- Video surveillance with audio (open and covert)
Key streets,
Fire and all public facilities,
Neighborhoods on request.
- Blackberry // cell brigade:
Dedicated e mail,
Dedicated hot lines,
Recruit non criminal informants:
Parents, Teachers,
Govt. retirees.

(b) Establish Presence in Hot Neighborhoods

- First stage – “stationary sweeps”- van w/com equipment;
- Second stage – dual use public building intermittently staffed;
- Third stage – 24/7 substation with facilities:
Full Communication- phones, radio, internet, word processing,
copying, etc.
Witness interrogation rooms,
Community meeting rooms,
Patrol parking & other direct officer support.

(c) Follow Through with community allies:

- Support follows Presence.
- Stable, Motivated Presence makes four things happen:
Projects authority,
Cultivates contacts,
Firms up and protects local support,
Reduces officer down time.

3. Consolidate and expand intelligence:

- (a) OPD homicide interrogation produces consistent results. Expand the practice to a much larger segment of arrestees.
 - (b) Initiate proactive measures.
 - (c) Keep common data base keyed to predator deterrence.
 - (d) Link command authority so that intelligence and violence response teams are on the same operational page.
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B. RESOURCE MULTIPLIERS

1. Reallocation Strategies

- (a) Accelerate the trend to move all badge officers into actual crime enforcement functions, backfilling with non-badge personnel.
- (b) Cut back on traffic enforcement whenever necessary.
- (c) Cross-train, cross-train, cross-train.
- (d) Flex staff rapidly from function to function as needed.
- (e) Utilize surplus public safety time:
 - Create and execute strict down time protocols for all officers in the field, including check lists for active neighborhood follow up. Establish performance criteria, reward any officer working smart with high motivation.
 - Cross-utilize firefighters in station for certain not-in-field functions that can be performed with phones, computers, and fax. [Yes, I know what a culture shock that would be. See the live-in idea below for another shocker.]

2. Growth Strategies

- (a) Create surplus public safety time.
 - Recruit interns to assist field officers and detectives.
 - Reduce patrol areas incorporating video surveillance and using van-based stay-points with support communications. [These could mutate into substations.]
- (b) Utilize temporary badge staff-
 - Offer six-month in-service urban training services for other departments and agencies;
 - The same for post-Academy volunteers;
 - Both groups would perform actual work under varying supervision while not being paid by Oakland.
 - Allow subsidized live-in by providing room and board billets for the temporary badge staff at fire stations.

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APPENDIX

Analysis and proposals presented to Oakland Mayor Jerry Brown & Staff in 2000

TURNING AROUND CRIME

Altering Community Crime Patterns

By
Jay B. Gaskill

Former Alameda County Public Defender

Introduction and Early Recommendations

Criminal patterns of behavior in a community can be substantially reduced by a coordinated and sustained effort enlisting law and justice personnel and key community leaders. There are two parallel efforts which, when implemented with sufficient resources, will produce a major reduction in the overall crime rate:

1. Substantially increasing the visible, consistent police presence in a sufficiently large area for a sufficiently continuous period will cause the crime rate in that area to fall dramatically. There are a number of examples of this phenomenon, among them the four day period following the Loma Prieta earthquake of 1989.
2. Aggressively and credibly targeting known repeat offenders letting them know that they are targeted, will cause the crime rate of this sub-group to fall dramatically, even if no cases reach the criminal justice system.

Both kinds of measures are resource-intensive and both are primarily aimed at prevention. Ultimately, the problem of reducing the overall crime rate is a psychological one, and the most effective solutions do involve additional police resources – when these are available. That said, positive measurable results can be obtained by the clever re-deployment of existing police resources coupled with energized community engagement.

Two organizational principles are at work here:

- *Police demoralization cripples existing efforts while police re-moralization enhances and extends existing resources.*
 - *Active community support of this effort, integrated with the law enforcement effort, becomes a force multiplier.*
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The key to success of any effort to turn the crime problem is applying the lessons derived from four insights into criminal behavior and the typical organizational responses to it:

- (1) There is a hidden, unconscious, institutional bias in law enforcement bureaucracies against “wasting” scarce resources on so called prevention activities, because the results can’t easily be verified and funding authorities eventually punish success by cutting staff. At some level, success is perceived as a threat to funding.
- (2) With the exception of so called career criminals, such as professional burglars, at least 80% of the street crime that the general public perceives to be the “crime problem” (as opposed to “non-street” crime, i.e., fraud and white-collar crime) is **impulse** driven. This is true even for car burglars carrying crime tools. When and even whether a particular crime target is selected is not actually planned, but is the result of a very short-term impulse. **These impulses are strongly deterred by the presence of visible authority, and only marginally deterred by the more remote prospect of eventual severe punishment.**
- (3) A sub-group of chronic repeat offenders accounts for the majority of all rapes, burglaries and robberies. Many of these individuals are so called career offenders. These individuals, unless they are individually targeted by a highly credible apprehension threat of which they have individually been made aware, are only weakly deterred by the prospect of ultimate severe punishment, e.g., “three strikes.” All, however, are efficiently prevented from continuing criminal conduct by long term incarceration. For example, a typical residential burglar may commit forty burglaries a month. Each extra year of incarceration saves some community somewhere about 480 offenses. **The deterrent effect of “three strikes” laws has been exaggerated but the incarceration effect is real.**
- (4) Most offenses deterred or prevented simply never occur. It is not as if a given criminally prone individual is somehow destined to commit some lifetime quota of offenses, and makes up for the fact that he was deterred last month by doubling his crime rate this month. This fundamental idea should not be confused with the so-called balloon theory for certain vice offenses. Squeezing prostitutes out of one geographical area usually displaces the activity into another – like squeezing a balloon.

RECOMMENDATIONS

Take Four Dramatic leadership Steps

Some general strategies are recommended. But there are four specific, concrete, leadership steps that can immediately be taken at the highest level.

The City of Oakland presents a unique opportunity because of the stature and visibility of its Mayor who, as the top leader in this effort, could:

- Make periodic personal appearances at the jurisdiction's largest police department. Most departments have a muster at the beginning of each watch. This is a rarely utilized opportunity for civilian leadership to address gathered officers. A resolute show of appreciation and support, and a prayer for safe return at the end of the shift, delivered with without fanfare by the top political leadership will have an electric effect on police morale is direct proportion to its sincerity.
- Establish and announce more audacious goals, e.g.- *This community is safe when its most vulnerable members can walk any neighborhood, at any time in reasonable safety and security. We cannot rest until that has been achieved.*
- Demonstrate renewed public confidence in public safety and in the power of active community involvement by staging marches through some of the highest crime areas, gathering top political leadership, police officials, and clergy.
- Declare to all law enforcement and community members that excellent law enforcement services are the most fundamental of all **entitlements**, regardless of poverty or neighborhood, and that the new law enforcement paradigm is **customer service**. Establish direct citizen lines of communication about crime and police services.

Initiate Two Highly Effective Law Enforcement Programs

- **Establish and staff several neighborhood police mini-sub-stations, staffed 24/7. A number of facilities could be converted for this purpose, including City of Oakland property not otherwise utilized and former crack houses seized under nuisance abatement procedures.**
 - **Establish, staff and organize a 911 by-pass channel for specific civilian agencies, neighborhood representatives, and designated individuals. A group of response teams, on call, would include a Deputy D.A., with badge level police personnel tasked to make all routing and priority decisions.**
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THE PROBLEM OF CRIME

Discussion Outline for Law Enforcement and Political Leaders

The Nature and Scope of the Problem

While the reported crime statistics in many offense categories and jurisdictions show a decline in criminal activity over the last four years, this is temporary good news. The numbers mask an underlying public safety crisis, shadowed by an even deeper crisis. There are three time bombs ticking away. Already known to most professionals in the field, they are:

4. Juveniles incarcerated in the last five years represent some of the coldest, most sociopathic criminals in memory, and they are beginning to graduate into the adult system, just as the crime-prone cohort, males between 12 and 30, pushes its way through, like a snake's undigested meal.
5. Most of the adults incarcerated in the last ten years have release dates. They will be back among us, and most of them have been pumping iron. They have not been rehabilitated.
6. The third time bomb is the slow, but accelerating, collapse of the underpinnings of social control. This is by far the most serious and will be spelled out as this discussion proceeds. This is the deeper crisis. Consider the following observations.

A century ago, almost all criminals believed in the difference between evil and good, and in the possibility of Divine retribution in hell. Fifty years ago, there was still a pervasive social consensus about this, and most criminals were still believers, although the notion that "social conditions" might excuse criminal behavior was gaining ground. Twenty-five years ago, this picture began to change rapidly. More and more of the intelligentsia claimed that the rules of conduct embodied in the law were outmoded and that a new age of free individual choice would replace all traditional morality. **At the end of the 20th century, few of the educated elite in this community and very few of run-of-the-mill criminals now believe in the authority or existence of objective moral rules or principles.**

In the current culture, we're in a leaky boat far from shore. As we congratulate ourselves for our recent progress in bailing out the boat, we should not forget the fact that the hull is weakening. Cultural support for a sustained attack on the crime problem has never been more problematic. Addressing a problem of this magnitude requires a clear headed and fresh look at reality.

Outline Of The Cultural Problem

There are several statements and ideas that we hear increasingly echoed in this culture. Some explicitly, some implicitly reveal the moral hollowness around us.

Getting beats earning.

Truth depends on who finds out.

Heroes are fools.

The long-term future is irrelevant.

Anything that does not affect my immediate future is long term.

Nothing can be done.

Shit happens.

Achievement is suspect.

There are more, of course. And, although no one person is likely to subscribe to all of this pathology, statements like these come close to defining how life appears to a growing segment of our population. If these statements did represent the sentiments of a single person, in all likelihood he or she has a rap sheet. This is a picture of narcissistic materialism, depression, and moral hollowness. A sorry state like this doesn't come about overnight. This has been growing in the culture for decades.

Five observations about criminals and the crime problem set the stage for any realistic discussion:

- (1) Most criminal conduct is a natural extension of what is commonly referred to as "asshole behavior." This reflects, not only the general loss of civility in urban and youth culture, it reflects the general societal tolerance for impulsivity.
- (2) Gangs are to crime as metastasis is to malignancy.
- (3) Irresponsibility leads to impulse crime, leads to habitual crime, leads to major crime.
- (4) The single largest social problem in the 90's: a sense of entitlement so seductive and pervasive that it provides psychological justification for theft and other crime. This is the primacy of victim entitlement. It goes like this: Entitlement creates a justification for breaking the moral code. Victim status creates entitlement. Being held accountable for bad conduct creates victim status. This scam still pervades elements of the criminal justice system.
- (5) The most neglected value in this culture is *earning*.

The Keys to Recovery

The political and cultural leadership must recover focus, morale, and moral authority. This requires a recognition that crime is a morally aberrant, volitional act; economic deprivation has less to do with crime than cultural deprivation; attacking this problem requires a general societal consensus on core moral norms; and solving the problem requires a return to high standards of leadership. One idea summarizes the goal and defines the mission: accountability

1. Returning to the view that crime is a morally aberrant, volitional act.

- a. This should not be a controversial statement. But it is a controversial statement among too many leaders and policy makers, for whom crime is either a form of illness, or an act of social rebellion against intolerable conditions, and that is a measure of the problem.
- b. Anyone who thinks that people who commit crime cannot help themselves are ignoring the experience of thousands of people who are exposed to wretched conditions yet manage to lead good lives. Note that, if a criminal act is really not volitional, then the problem is not crime as such, but the related one of the social control of mentally aberrant conduct. In other words, this discussion is not about the topic of what to do about the ambulatory schizophrenics, unmedicated and unconfined, babbling to them selves on the streets, and occasionally violently acting out bizarre paranoid delusions. This discussion is about crime as a voluntary act that can properly be condemned as anti-moral. And ninety percent of what the public complains about as crime is, in fact, crime as defined here.²

2. Recognizing that criminal conduct is less about economic deprivation than cultural deprivation.

- a. In the core urban wasteland, as well in the suburbs, an entire sub-generation has and is being raised without moral values or rules as those terms have commonly been understood for the last three thousand years.
- b. It is the responsibility of each generation to act as a cultural transmission belt, moving the values, rules and expectations, the accumulated centuries of human wisdom and knowledge, into the minds and hearts of each new child. This legacy is far more precious than money. And in thousands and thousands of cases, this vital transmission belt has been closed down.

² Powerful, addictive drugs destroy or weaken accountability and profoundly weaken the social compact, especially when a critical mass of drug use in a particular community has been reached. *Unlawful drug-induced behavior is crime.*

- c. We are risk of raising a second culturally deprived generation, for which morality does not exist, *except as a strategy of convenience*.

3. Achieving a fundamental, multi-level societal consensus on core moral norms. This is not intellectually difficult. It requires that political and law enforcement leaders overcome political correctness. At least three norms, *honesty, accountability, and non-aggression, form the basis of any such societal consensus.*

- a. Honesty, accountability, and non-aggression, constitute the hard core moral principles which define the difference between good and bad behavior in every civilization worthy of the name. These three norms form the root principles for all common law and moral prohibitions against perjury, theft, fraud, trespass, vandalism, kidnap, robbery, rape, homicide and all other assaults. Every faith-based ethical system in the world for all historical time recognizes these three cardinal moral principles. They need to be articulated and re-articulated at every level by every public leader.
- b. The focus on core criminal norms does not by any means constitute articulation of the complete moral system necessary to sustain civilization. Obviously, additional norms are required for social and economic interchange in a civil society, allowing society to function as a civilization instead of a battlefield. The promise-fidelity rule derives from accountability. Keeping promises or being held accountable for breaking them is essential to the continued existence of any civilized community.³ Adherence to reason is required for normal civil interchange. The rule of reason is essential. Reason is the coinage of all civil discourse. You can't reason with a genuinely crazy person, or even a sane person in a crazy moment. To function at all, a society, at all times, must have a critical mass of the reasonably sane.⁴ The reciprocity principle, or golden rule, which appears in one or more variations in all the world's religions, is essential for normal civil interchange because it defines fairness.

A concise Analysis of the Causes of the Current Situation

1. Collapse of the moral infrastructure:



- (a) Philosophical.** We cannot escape philosophy.

³ This is even recognized on the street. In fact, the breach of the non-aggression rule is often a violent attempt at self help by some loosely wrapped character with a grievance from a broken promise.

⁴ Which makes the single most powerful argument against the wholesale legalization of addictive, mind altering drugs, a topic covered in a separate paper.

- (i) The cancer of diminished accountability flows from moral relativism and from social causation theories that destroy belief in the reality of personal volition and undermine personal accountability. The roots of this run deep into the 19th century, where philosophers deliberately began attacking the structures of belief and faith that had sustained civilization for four thousand years. Like a computer virus or mental acid, these ideas, which can be linked generally under the headline, “truth does not exist,” have done some good (for example they led to the downfall of church-state monarchies), but also have done immense harm. Ironically, just as some philosophers, religious and secular thinkers are leading a recovery, the damage continues unabated among the criminal class in high and low places.
- (ii) This has produced a crisis of moral confidence among contemporary leaders. In my parent’s generation, in World War II small town America, their leaders, however flawed, spoke out on the core moral issues with unmistakable confidence. A lack of moral confidence in leadership leads to moral erosion and eventually moral collapse right down the line. Just as a dog can smell fear, criminals can smell the moral uncertainty of our leaders.

(b) Institutional.

- (i) Our educational institutions have suffered a secularist moral lobotomy. The great moral truths have been thrown out off the curriculum along with any serious attempt at religious education. In our efforts to protect the delicate sensibilities of the non-religious, we have effectively forbidden our educational institutions from the teaching of moral law, as that has been commonly understood for centuries.
- (ii) In effect, we are living in a regime characterized by the replacement of the rule/consequences model with the far weaker consensus/mediation model. Try that model on a typical rapist.

(c) Societal.

- (i) In the last three decades, we have suffered the gradual tribalization of ethical rules. The point of recognizing objective moral rules and principles is that it forces us to acknowledge that no one ethnic, racial or religious group
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invented or made up the rules against aggression and dishonesty, and in favor of accountability. This situation has been exacerbated by the development that many have lost the capacity to think and act in terms of principles. Whatever your perspective, whatever the source of your moral knowledge and insight, if you believe that moral principles have objective authority, then you are entitled to the confidence that they are given truths in exactly the same sense that we accept the basic rules of nature, like “all actions have consequences.”

- (ii) This sad, but reversible trend has been seriously exacerbated by the elite / non-elite moral disconnect, e.g.:
 - (1) the elite legitimization of drug use, and
 - (2) the elite legitimization of social irresponsibility.

2. Reversed public priorities

- a. Entitlement to various forms of “aid” gets erroneous priority over entitlement to law enforcement services.
 - (i) This flows from a false law & order / social welfare conflict,
 - (ii) the persistent myth that relative economic deprivation justifies or causes crime, and
 - (iii) the failure to recognize law enforcement services as the most fundamental of all entitlements.
 - b. Long term legal sanctions are given priority at the expense of adequate, immediate enforcement services.
 - (i) The crime prone population suffers from radically short-term time perception. Actually grasping and paying attention to the risk of eventual major legal consequences is outside this time frame.
 - (ii) The over-reliance on long term legal sanctions at the expense of vigorous immediate enforcement leads to a pervasive misdemeanor / felony polarization – i.e., “misdemeanants skate, felons rot.” But aggressive intervention on so called minor crimes is effective in controlling incipient criminal behavior; there must be an early, attention-getting sting, and accountability must be enforced with teeth.
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- c. Chronically inadequate funding for law enforcement.
- 3. Law enforcement's reactive, defensive trap.** Elements of an anti-functional bureaucratic expectation in any law enforcement organization include:
- a. There is no funding for success.
 - b. A burning-building is an isolated case.
 - c. It is more profitable to chase numbers than individual crooks.
 - d. Elements of *reactive* public safety organizational priorities:
 - (i) Sector cruising emphasized at the expense of ongoing neighborhood presence.
 - (ii) A mission of containment instead of eradication leading to a tendency to cede difficult/dangerous areas to the predators.
 - (iii) Unequal distribution of the protection function.
 - (iv) Slowness to adapt to the fact of predator geographic mobility resulting from over-compartmentalization, inadequate pattern tracking, poor cross division coordination and cross department focus.
 - (v) Slowness to adapt to the fact of predator victim and crime category mobility resulting from over-compartmentalization, inadequate pattern tracking, poor cross division coordination and cross department focus.
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Strategic Outline

- 1. Short term, mid term, and long term steps must be sorted out at the beginning.
 - 2. The dominant purpose of the short term strategy must be to achieve results that buy time and build credibility for the mid and long term effort.
 - a. Therefore, the key to the short-term is a simple truth: visible authority deters impulsivity, and most street crime is impulse driven.
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- b. This requires an open, effective, integrated pro-active presence by *all* law enforcement, crossing all functional, organizational, and jurisdictional boundaries.
 - c. This requires the confidence that comes from occupying the moral ground, and from operating according to a clear strategy.
3. Any mid term strategy necessarily includes the consolidation of short-term gains, and preparation for the long term.
- a. Government and community leaders must be collected and allied around the hard core values and the leadership principles.
 - b. The mission must be extended to include more and more community/government layers.
 - c. All institutional contacts must become webs, and all webs must become links.
 - d. Law enforcement budgeting, organization, recruitment, and training is brought into alignment with the strategy.
4. The long term strategy must begin and end with the overall task of re-integration of the basic law and the hard-core moral code. It bears repeating that such a code must be generally accepted as having objective authoritative force. This integration must regularly be expressed as part of the societal infrastructure, such that all key public and private institutions continuously and relentlessly reinforce honesty, integrity, accountability, promise-fidelity, and non-aggression at every level. This effort begins with the local educational system. The “on-the-ground” law enforcement apparatus must be seen as consistently carrying out these core values.
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PLAN FOR REVERSING BUREAUCRATIC DIRECTION

- [1] *Aggressively take on and change “the no funding for success” syndrome.* Assume a police agency does a particularly good job. Real crime numbers fall 40%. What is the next step in the traditional model? *Downsizing.* Yet the continued law enforcement effort is the key to continued public safety. Cultivate the art of getting funding for change without tying money to overall crime numbers, then consolidating change by linking funding to popular programs. Here are seven concrete suggestions:
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- Develop and publicize measurements of perceived community safety, *neighborhood by neighborhood*.
- Seek and get credit for improvements, issuing reminders of ongoing vigilance.
- Nurture grass roots support systems tied to the law enforcement record of improvement.
- Forge CBO links.
- See that all dangerous specific repeat offender patterns are addressed, recorded and *advertised*.
- Openly share credit with political leaders, but *withhold it when appropriate*.
- Link law enforcement funding requests to broad program areas with a *specific community impact*.

[2] *Reverse the “burning-building is an isolated case” syndrome. The fire department knows better.* Fire fighting professionals are training treat every fire as a threat to the surrounding buildings. They contain, eradicate, and don’t leave the scene until they have cleaned up the area, wetted it down and set up some fire prevention measures. Any pattern of widespread criminal activity, especially gang activity, is like a fire. It is also like a metastatic tumor. A mission of containment instead of eradication is ultimately a losing strategy, like a doctor buying a few months of comfort for a dying patient.

[3] *Discard the “it is more profitable to emphasize aggregate crime numbers than attack centers of criminal activity” syndrome.* This is bureaucratic thinking at its most dangerous. Remember that the mission and building the support for the mission must be central. Chasing overall numbers leads to a tendency to cede difficult/dangerous areas to the predators. Any tendency to drift toward the unequal distribution of the public protection function, supports the view that law enforcement is more like a golf course garden service than the rigorous enforcement of morally based legal rules of conduct. This leads to less funding, crippled resources, crisis chasing. *Failure.*

[4] *Link personnel deployment, the big picture mission, and the community. There are several problem areas.* Traditional sector cruising is still over-emphasized at the expense of a proactive ongoing neighborhood presence. This is a mistake on three levels: it is poor mission execution, a poor political move, and the ineffective use of resources. Recommendation: Change patrol radically, building in a community interface. The key: officer assignment and geographic continuity, and community accountability. A key idea: **Fully staffed mini-substations with 24 hour personnel temporarily living in the area.** This presence becomes a noticed, appreciated, and effective community resource.

- [5] *Link all law enforcement resources.* Modern predators have great geographic mobility. A tendency to over-compartmentalization, inadequate crime pattern tracking, poor cross-division coordination and cross-department focus plays into their hands. Predators can only be brought down by super-predators. It is said that a single human runner, in good shape, can chase any horse to exhaustion. The process takes time, maybe two or three days. The human competitor's advantage is that discipline and determination beats speed and strength. In law enforcement, intelligence, discipline, focus and determination can bring down any lawbreaker. Even the idiot predators have great victim and crime-category mobility. Various forms of vice, theft, assault, sex offenses, even fraud cluster in small, tightly linked groups. Again, too much organizational compartmentalization, too little pattern tracking, poor cross-division coordination and cross-department focus are letting too many of them slip away too many times. Some points to consider:
- [a] The centralization of specialized expertise, whether forensic technical, in depth criminal intelligence, or even special tactical forces, is useless unless widely available. This implies two sides of an equation – offering the resource and *requesting* the resource. This is too slow on both sides.
 - [b] The goal is the adoption of a new organizational hierarchy in which community contact, surveillance, and display of police presence are dispersed, while all support services are consolidated with strong access channels.
 - [c] Subject matter compartments that have grown up in larger departments, like vice, should be disbanded folding most of these functions in a reorganized patrol section.
 - [d] Add a new centralized investigation/ response service. An intelligent, pro-active, non-compartmentalized investigation response team, cross linked to dispatch, patrol, CBO's, and a community hotline should be designed to carry out follow up against repeat offenders, roving predators, and cancerous hot spots. The command structure should be set up to direct additional resources as appropriate.

IMMEDIATE ACTION IS NEEDED AND POSSIBLE

Some but, not all of these issues, flow from funding restrictions, but others are a result of a combination of institutional demoralization, and slowness to adapt and change. Of *course*, there are inherent bureaucratic constraints, issues with police and other unions, and the problem of elected and un-elected officials with authority over

law enforcement. This is why, as part of a short, mid, and long term strategy, the task of recruiting and building alliances is critical. Internal leadership must be educated and brought on board; moral leadership and allied CBO's must be enlisted, and finally – to the extent not included in the forgoing – ALL political leadership must be educated and brought on board.

The process of change should look something like this:

- [1] Decide which measures can be implemented earliest and within existing resources.
- [2] Sort these measures according to the prospect of favorable community impact, moving to implement those which have the most promise.
- [3] Recruit the logical allies.
- [4] Prepare top managers, and charge ahead.

When undertaking the inevitable battles, it is well to remember that crime and criminals fail to obey department, political, and jurisdictional divisions, and that the community is inherently on your side. In these times ordinary honesty looks like nobility and normal integrity looks like sainthood.

In this corrupt and confused environment, your integrity, honor and courage will be like the sound of an emergency announcement breaking in on a condom commercial. Also remember that when dealing with the morally and character confused, you will have two powerful weapons – you are operating from a secure moral base, and you are carrying out a well thought out strategy.

Finally it is imperative to recall that this effort is, at heart, a psychological war. Bureaucracies and communities do not move by themselves. At every official level, leaders must nurture integrity, courage, honor, and practice relentless persistence. Accountability is an ally because accountability precedes renewal. And a hard look at reality precedes optimism.

The power of objective moral principles to forge links among unlikely allies cannot be underestimated. The open recognition and support of just acts educates the uncertain and strengthens the just.

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