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# *A Strategic Approach to the War on Crime*

"What impact would a systemic approach have on the reduction of crime in Los Angeles County by the year 2004?"

TECHNICAL REPORT

BY  
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## NIJ ABSTRACT

A Strategic Approach to the War on Crime: What impact would a systemic approach have on the reduction of crime in Los Angeles County by the year 2004?

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This study examined the impact of a systemic approach on the reduction of crime in Los Angeles County, California by the year 2004. It focuses upon a holistic approach in reducing crime by examining the relationships between the functions and agencies which comprise the criminal justice system and the infrastructure of laws and values which support it. The study assessed the impact of removing disparities in the criminal justice system as well as providing a strategic focus to orient the efforts of a variety of systems in removing institutionalized sanctuaries, providing restitution for victims, revamping the juvenile laws and holding criminals responsible for the reasonable consequence of their actions. Futures related research developed emerging trends and provided a basis for the development of policy alternatives and a strategic plan to refocus crime fighting efforts. The paper concludes that a more focused approach in fighting crime is not only necessary but would have broader results and more durable rewards than more "conventional" methods. Extensive end noting, bibliography and illustrations of forecasting techniques are included.

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***A Strategic Approach  
to the War on Crime***  
(Journal Article)

**“What impact would a systemic approach  
have on the reduction of crime in Los Angeles County by  
the year 2004?”**

Independent Study Project  
Command College Class #19  
Sid Heal

**This Command College Independent Study Project is a FUTURES study of a particular emerging issue in law enforcement. Its purpose is NOT to predict the future, but rather to project a number of possible scenarios for strategic planning consideration.**

**Defining the future differs from analyzing the past because the future has not yet happened. In this project, useful alternatives have been formulated systematically so that the planner can respond to a range of possible future environments.**

**Managing the future means influencing the future--creating it, constraining it, adapting to it. A futures study points the way.**

**The views and conclusions expressed in the Command College project are those of the author and are not necessarily those of the Commission on Peace Officer Standards and Training (POST).**

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## Introduction

In the last decade, violent crime in the United States has increased 41% — with 1.9 million offenses reported in 1992 alone.<sup>1</sup> Nationwide, approximately 20 million people will become victims of personal crimes such as theft and crimes of violence each year.<sup>2</sup> The latest figures available show that every year one in every four households in America is victimized by crime. Almost one in five has experienced a completed or attempted theft and one of every twenty has at least one member age 12 or older who was the victim of a violent crime.<sup>3</sup> On average, an American child is shot to death every two hours. Murder is now the third leading cause of death among U.S. children age 5 to 14.<sup>4</sup>

Even the most conservative estimates put the cost of crime to individuals at 19 billion dollars and an even more staggering 128 billion to American businesses.<sup>5</sup> Additionally, the estimate has doubled since 1980 and continues to grow. Some cost estimates for violent crimes alone range from a low of 135 billion to as much as 425 billion dollars each year!<sup>6</sup> A recent report in *U.S. News & World Report*<sup>7</sup> places the cost for all crimes nationwide at \$674 billion each year!<sup>8</sup> No matter what the precise figure, this huge drag on the nation's productivity equates to not less than 2.3 percent of the gross domestic product and impedes competition with less crime ridden societies. Lester Thurow of the Massachusetts Institute of Technology states, "*It means our goods are going to cost more than Japanese goods, even if we produce them as efficiently.*"<sup>9</sup>

California mirrors the problem where crime has increased almost 2 1/2 times from what it was only 30 years ago.<sup>10</sup> In just two years, over 803,000

jobs have been lost.<sup>11</sup> While crime is certainly not the only factor which contributed to this situation, its effects can not be ignored. Quality of life environment and related security costs or loss of employee time due to criminal activity are major factors in business decisions to locate in California or elsewhere. The effect it has on the economy can hardly be overestimated. California now spends almost 13 billion dollars a year for criminal justice. This is greater than the entire retail trade of seventeen states!<sup>12</sup> Virtually the entire cost of crime is passed on to consumers in the form of higher prices or insurance costs. This results in a "crime tax" of at least \$1,376.00 for every household.<sup>13</sup>

Since 1993, Florida's tourist industry has suffered tremendously after a series of violent crimes against tourists in that state while, on the other side of the country, California's life insurance and private security industries<sup>14</sup> have made record gains since the 1992 riots. The closer and longer one looks at the systems which comprise the American society, the more obvious it becomes that the justice system's success or failure is inextricably related and interdependent with other public and private systems. For better or worse, what affects one system is almost immediately reflected in another. The criminal justice system is no exception.

The disparities between the systems which comprise this society coupled with the inconsistencies within the criminal justice system have nurtured an unwinnable conflict. The situation has become so grossly unbalanced that success is no longer measured by reducing the crime rate but in slowing its advance! The problem is now so bad that a person living in Los Angeles has a greater chance of dying from a bullet than a traffic

accident. One California state legislator demanded and received a police bodyguard before she would visit her district!

Currently, there are many disparities between the various systems which comprise the American society as well as within the criminal justice system itself. In California, for example, there is a greater latitude for arrest and a potentially heavier penalty for carrying a "billy club" than a loaded and concealed handgun.<sup>15</sup> Parking or blocking a space reserved for the handicapped carries a much heavier fine than for smoking marijuana. Furthermore, a traffic violation will remain on a person's record for five years but a conviction for smoking or possession of less than one ounce of marijuana is required to be purged after two years.<sup>16</sup> Killing a fetus which weighs 400 grams and is 30 centimeters long is murder, unless it is done by a doctor. If it is killed by a doctor it is an abortion and not punishable.<sup>17</sup> Ingesting illegal drugs is against the law but possession and sales of the requisite paraphernalia is not. Speeding is unlawful but sales and possession of radar detectors is not. The list is seemingly endless.

The incongruities between the various systems and the criminal justice system, coupled with those within the criminal justice system itself, tremendously complicates the problem of reducing crime. The war on crime has been proceeding unabated for thirty years. Larger law enforcement agencies, longer prison terms and greater expenditures have not served to turn back the tide of crime. This war, like all wars, needs to be fought with all the resources available. It would seem logical that systems which depend upon each other need to work together for the common good. Furthermore, the incongruities found within the criminal justice system need to be brought

in harmony to allow an intensely focused effort. It is time for a new strategy and to look elsewhere for answers.

The focus of this study was to determine what impact a systemic approach would have on the "war on crime." This requires a new perspective on the problem; one which views the society as a whole rather than individual functions, systems and agencies. When examining the entire national criminal justice system, the task becomes overwhelming. Even the state system is overpowering and far beyond the time and scope which limit this study. Therefore the County of Los Angeles was selected as a microcosm of the much larger arena. Virtually all of the component parts of the state and national system are present to a lesser degree in Los Angeles County.

The focus was to determine:

**What impact would a systemic approach have on the reduction of crime in Los Angeles County by the year 2004?**

A "systemic" approach implies a fundamental underlying strategy which influences an entire system or structure. In this instance, it describes the composition and relationships of the myriad of systems which make up the American society. In comparison, a "system" describes a group of interacting, interrelated, or interdependent elements forming or regarded as forming a collective entity. The system on which this project focuses is the criminal justice system in Los Angeles County.

Some related subissues are:

- What methods will be used to integrate a number of the systems and/or agencies in municipal governments to achieve a greater effect on reducing crime?
- How will agencies collaborate to have a greater impact on the reduction of crime in Los Angeles County?



- How will public agencies and private enterprise join in a collaborative effort for the purpose of fighting crime?
- What structuring of the criminal justice system will be required to allow a more precisely focused endeavor in crime fighting efforts?

By examining the issue and subissues as they relate to Los Angeles County, extrapolations can be drawn toward the larger segments of the American society. This research project attempted to determine the feasibility and methodology of an approach to fighting crime which involves not only the criminal justice system but an aggregate of the systems which comprise the society.

### **Research Overview**

This analysis began with an intensive literature review in which periodicals, books and newspapers were examined for historical data related to the issue. Interviews were also conducted with persons who had expertise in the field. This yielded a wealth of information and provided a background from which to examine the issue. Next, a nominal group technique (NGT) was used to study the emerging issues and subissues as well as identify and forecast significant related events and trends. An NGT is a procedure in which a small group with knowledge in the field studies a single question by a process that alternates between private work and open discussion.

This process yielded 25 events and 44 trends likely to have an impact on the issue. From these, ten events and five trends were identified as the most descriptive of the issue. Five additional trends had been previously identified by the researcher as essential to the study of the issue. An "event" is defined as a discrete, one-time incident which would come as a surprise if it

occurred, while a "trend" is defined as a series of events which can be measured over time.

Because no event can occur in total isolation, it follows that one event would likely have an impact on another. In fact, one event could cause another to be more or less likely to occur and, if it occurred, increase or diminish the impact on the issue. This required an examination of the relationships and dynamics of the various events and was accomplished using an analysis which examined a combination of the estimation of the likelihood of occurrence coupled with the impact on another event. The findings were then recorded as data and, using a computer, probabilities of occurrence were forecast.

Given a time frame of ten years, the computer yielded an array of possibilities which were examined and collated for similarity. When each "family" of events was examined, a scenario of a possible future was revealed. Strategies were then identified and analyzed to determine the best course of action to bring about a desirable future or to prevent an undesirable one from occurring.

After a desirable future is identified, it becomes necessary to devise a plan to achieve it. This was accomplished by first examining the strengths and weaknesses of the Los Angeles County criminal justice system and the environment in which it exists. Following this, it was essential to identify the persons or groups who would impact or be impacted by the plan. When these "stakeholders" are identified, assumptions can be made drawn regarding their impact on the issue and incorporated into the plan. Further, some stakeholders are so crucial to the issue that the plan can not succeed

without their support. Therefore, this "critical mass" was also determined and methods devised to ensure their assistance.

After examining the system and the environment coupled with the stakeholders and their assumptions, a number of plans could be contrived to achieve the desired results. From these plans, one strategy was identified and developed as having the best chance of success.

In order to implement the plan, a management structure was devised. This structure is designed to define roles and affix responsibility as well as create a nourishing environment for change to occur. Finally, an implementation plan was authored. This plan is intended to bring about the desired change as efficiently and smoothly as possible.

### **Strategic Remedies**

When identifying and forecasting the affect some events would have on the issue, two became conspicuous for their relative ease of implementation and anticipated dramatic effect on the reduction of crime. The first of these was the removal of "hidden sanctuaries" for fugitives. Currently, a person sought for a criminal arrest warrant can obtain services from virtually any of society's systems, public or private, without fear of detection or apprehension. With relative ease, such a person can obtain loans, public housing, unemployment compensation, welfare, disability payments or state licenses without fear of being detected or apprehended. Even drug addicts and persons incarcerated can obtain benefits. A recent report released by Senator Bill Cohen of Maine revealed that in 1993, the U.S. government had paid \$1.4 billion in benefits to 250,000 addicts, many who then bought drugs and alcohol.<sup>18</sup> These procedures (or lack of them) have, in effect, created

institutionalized havens within the society for the very segment which prey upon it.

One of the suggested remedies was to remove these sanctuaries by creating changes in the laws and regulations directing such agencies and systems as the delivery of social services, public housing, loans, insurance and state licensing to identify fugitives. Persons sought for criminal warrants would be vulnerable to detection and capture when applying for any of the services provided by the government within Los Angeles County as well as some private enterprises in which risk is an important part of the venture. The private sector would benefit by becoming aware of liabilities before capital and goods were at risk. The public sector would benefit by broadening avenues of detection and apprehension. This could be achieved by providing record checks or even opening up those segments of criminal justice data bases which identify fugitives. Further, it was felt that the assurance of detection, apprehension and prosecution was a greater deterrent than punishment and that an increase in apprehension would result in a reduction in crime.

The second event was one which required restitution as a condition of every sentence. It was felt that the single greatest contributing factor to the allure of crime was that it was rewarding. The rewards were manifested in either the acquisition of personal property, gain of recognition or release of emotional tension. A new strategy, far more reaching in scope and application than the federal RICO statutes, would require restitution a condition of probation or parole and mandated convicted felons to forfeit private property not only to repay law enforcement and court costs but reimburse victims for losses, direct and incidental, resulting from their crime.

This remedy is particularly poignant when comparing the current criminal and civil systems. Both of these systems are designed to allow redress between two opposing interests. Each party presents their argument to a tribunal and a disposition is reached. It is at the disposition phase where the two systems diverge. In the criminal system a victim's reparation is dependent upon factors such as the guilty party's ability to pay. In the civil system, the victim's reparation is decided regardless and, personal goods are sold, liens placed on real estate, wages garnished as well as a myriad of other alternatives. Indeed, reparation is assured beyond the grave since even a person's estate may be attached. In a recent speech, U.S. Supreme Court Justice, Clarence Thomas, commented that an effective criminal justice system is one that holds people accountable for harmful conduct.<sup>19</sup>

The research also revealed a number of trends which, when examined, present a clear picture of some of the dynamics involved regarding the issue. Among the most interesting was a comparison of the arrest rate with criminal justice expenditures. The historical data revealed that since 1989 criminal justice expenditures have increased 40.5%<sup>20</sup> while, overall, arrests have declined 17.2%.<sup>21</sup> Members of the nominal group also believed that, barring other factors, the increase in expenditures and the decrease in arrests would continue through the next decade.

Although not as dramatic, the same phenomenon can be demonstrated when comparing the number of peace officers with the arrest rate. Conversely, when comparing the rate of violent crime with criminal justice expenditures or the number of peace officers, all variables show increases. The comparisons are valid and if the forecasts can assumed to be, one must quite logically draw a conclusion that simply hiring more police officers or

spending more money on the crime problem will not necessarily increase the amount of arrests nor reduce the amount of crime.

In attempting to determine the amount of satisfaction or dissatisfaction with the criminal justice system, the rate of citizen complaints was examined. Since the amount of community support which can be expected is likely to be associated with the amount of satisfaction, this trend provides an additional indicator for this factor. Historical data indicated that in the last five years, citizen's complaints have increased 21%.<sup>22</sup> Panel members of the NGT felt that, barring other factors, this trend would also continue. This trend reveals a growing dissatisfaction with the criminal justice system in general and law enforcement in particular. It is also an indicator that change is desired.

### **Scenario**

Based upon a data based series of forecasts, a coherent scenario of what the future could look like was developed. This scenario is designed to provide a view of the future by describing events and trends as if they had already occurred. It allows a reader to easily grasp and hypothesize what the future would look like based on computer predictions and relevant to the researcher's knowledge of the issue. The scenario is written from the perspective of an historian in the year 2004 describing the "past" ten years. The use of the past tense allows a reader to visualize the future as if it had already happened.

The first serious attempt at using a systemic approach in stemming the rise of crime occurred in April of 1994. One after another, a series of laws were enacted which radically and fundamentally modified the application of

criminal penalties for violations of criminal statutes. The revolutionary concept attempted to remove the profits from crime. Far broader in scope and application than the RICO statutes which preceded them, these laws placed the financial responsibility on the convicted criminal. Personal property could be ordered forfeited to pay for reparation to victims and recover court and incarceration costs. Restitution to victims was a mandatory condition for completion of a sentence, including probation and parole.

The same month, all laws relating to the family were codified into a single volume entitled the "Family Code." For the first time, all laws relating to a family were clearly and precisely defined. Concerns such as child custody, divorce, spousal abuse and rape, child neglect and abuse and the rights and responsibilities of parents were identified and explained. Many of the difficulties resulting from juvenile offenders were recognized as family matters and parents were held responsible for the conduct of their minor children.

The rejuvenation of the criminal justice system became even more invigorated in February of 1995 when the policies for penal institutions were revised. These revisions followed the same course as the preceding statutes and applied the concepts of personal responsibility to penal facilities. The "rights," which in the past had been accorded to prisoners, were now deemed privileges. This transformation required inmates to work for their subsistence. It also declared activities such as watching television, recreational exercise, board games and reading as luxuries to be earned.

By May of 1997, the largest and most comprehensive database of its kind went on-line. Unlike any previous database, this one allowed instant access by virtually any law enforcement agency. Previously protected areas such as welfare and bank fraud were opened to bonafide peace officers. Criminals could no longer move across political jurisdictions with impunity or obtain public assistance, educational, personal or business loans without fear of being identified and caught. Later the same year, juvenile laws underwent a complete redefinition and the seriousness of the violation was required to be considered more than the age of the offender.

By far the most significant factor in the new approach occurred in 1997, when the traditional standard for measuring the success of a law enforcement agency changed from arresting criminals and recovering property to preventing crime. By rewarding a reduction or absence of crime, law enforcement agencies refocused their efforts on prevention.

Three years ago, after years of hard fought battles with adversaries of gun control, a series of laws were passed which made it very difficult for criminals to obtain or possess firearms. Because of the number of weapons already in the hands of criminals the results were not immediately felt and greatly added to the controversy, However, as the years have passed a dramatic reduction in gun related homicides have been noted.

The turmoil and chaos observed in the early 1990's became the catalyst for change. Recognizing that the burden for public safety is better shared by the many systems which make up a community, a systemic approach was implemented. The first years were laden with frustration at the ostensible failure. The meager gains of the next several years only slightly diminished



the criticism. The approach was heckled by skeptics and detractors for more than four years but, by 1999, even the most cynical were converted. The year 2004, marked the ninth straight reduction in the crime rate. Although the initial gains were small, the aggregate reduction has now exceeded 40% when compared with the rate at the beginning of 1994. It is with great excitement and enthusiasm that we now look forward to the future as every indication suggests the community will become even safer.

### **Strategic Plan**

The criminal justice system in Los Angeles County is a microcosm of the larger state and federal systems with virtually every component present in a smaller form. In addition to the various state and federal agencies, the Los Angeles County government is divided into 38 departments, employs 85,654 employees and serves more than 9 million people. There are 47 police departments serving 88 cities. The police departments employ a combined total of approximately 20,000 full time peace officers and range in size from 15 to more than 8,100 sworn members.

When examining the issue in the context of the environment in which it must function, it becomes apparent that it is too complex for a simple solution. Indeed, if a simple solution would suffice, it would most likely have been discovered centuries ago. Because of this, a plan was designed which incorporated key components from a variety of the alternative strategies identified during the study.

The strategy identified entails four phases. Each phase is designed to achieve a specific, clearly defined objective. All are focused on the ultimate objective of reducing crime. Each phase utilizes two or more of the five

systems identified as comprising the criminal justice system and is focused on changes in the structure of the criminal justice system, redirecting efforts of existing systems or a cooperative community effort. Because the ultimate plan is extremely bold in concept and design, it is employed in phases to lessen controversy.

### **Phase 1 — Parental Duty**

This phase provides the ability to have an immediate impact on juvenile crime and has two components. First, it makes parents responsible for the conduct of their minor children. Parents who are held responsible for the misconduct of their children have a vested interest in taking a more proactive role in supervising them. Second, it holds that educational requirements must be changed to compel a minimum standard *not* a minimum age. Consequently, just keeping the seat warm until one is old enough to quit school will not be acceptable. Juveniles will no longer be allowed to enter society without the requisite skills necessary to survive in it.

### **Phase 2 — Personal Accountability**

This phase follows the fundamental precept of law which holds a person responsible for the reasonable consequence of his actions. Although legislative changes would be required, they would reflect those basic values necessary for a harmonious society. For example, restitution would become a requirement for completion of any sentence. Inmates would no longer be awarded "good time" as time off while incarcerated since this behavior is required both in a custodial setting and in community experience. Work time would be awarded, possibly even at an accelerated rate, but crime victims would receive the benefits until fully compensated. Community service would become a standard requirement for delinquent parents, insubordinate

children and recalcitrant defendants and could be enhancements to previously imposed sentences for failing to meet the sentencing requirements.

### **Phase 3 — Changes in the Criminal Justice System**

This phase attempts to reform the criminal justice system so that it becomes swifter and more effective. Bail reductions without judicial review would be prohibited. The use of plea bargains would be greatly restricted. Appeals which lack clear and convincing evidence of a person's innocence would be curtailed. Sentencing would be determinate but firm. Enhancements could be added for the use or possession of certain weapons, viciousness of the crime, failure to provide restitution or prior convictions. Activities for inmates such as television, movies, sports and other extracurricular activities would be privileges to be earned and not rights.

### **Phase 4 — Social Responsibility**

This phase is likely to be the most controversial part of the entire plan. It is based upon the principle that the needs of society outweigh the needs of the individual.

A government which is vulnerable to those which seek to exploit it must protect itself lest it become in danger of extinction. Nowhere is this manifested more than when the failed attempt of a criminal to profit illegally results in his being eligible to lawfully profit from an imperfection in the same system.

Many members of the research group felt that the recent proliferation of civil litigation is a result of a combination of a failure to obtain swift and realistic remedies from the criminal justice system coupled with an

opportunity to capitalize on a system which, in its imperfections, could make one rich.

This would be eliminated by instituting a principle which holds that a person who defies the law loses his right of redress by it. Thus, a criminal injured (even indirectly) as a result of his disregard for criminal law will not be allowed compensation in the civil courts, regardless of the circumstances.

The second component of this phase would encourage the various systems in society to work together to reduce crime. This would be done by a combination of easing restrictions which currently prevent them from working together and creating regulations which would require it. By focusing more effort and resources on reducing crime, many of the inconsistencies and vulnerable imperfections in the society which are currently being exploited by the criminal element would be eliminated.

When implemented this component would manifest success when criminals were identified and denied welfare and disability, merchants and retailers were prevented from selling items such as radar detectors or drug paraphernalia, a "good Samaritan" law would protect citizens who attempt to stop a crime, convicted criminals would not receive social security, welfare, disability or workmen's compensation benefits while incarcerated, persons with warrants for their arrest would be unable to apply for driver's and other state licenses, and so forth.

#### **Future of the issue**

The research revealed that the underlying causes of crime were felt to be intrinsic in American society. Moreover, success would require the consistent efforts of more than one system. The strategies necessary to root

out the sources of destructive behavior must not only be bold and decisive but given time to work. No short term solutions were identified and even the most optimistic scenario estimated at least two years before the effects were felt. It was not for six years that a *sustained* decrease in violent crime was felt likely.

During the period of the study, a number of crime issues gained nation and world-wide attention. Among these were the roadside murder of the father of professional basketball's star player Michael Jordan and the nation's accompanying shock and outrage of another random and senseless murder; the Polly Klaas incident accompanied with a demand for better exchange of information within law enforcement; the Michael Fay caning incident in Singapore accompanied with a focus on corporal punishment; the Menendez brothers' murder trial and the focus on child-abuse; as well as the O.J. Simpson murder trial which focused on the entire criminal justice system. Indeed, the O.J. Simpson trial has gained such notoriety that it has been broadcast live, pre-empted local television, been the subject of books, newspaper and magazine articles as well as countless news commentaries. It has raised the public's consciousness and stirred such interest in court and law enforcement proceedings that it has been described as "the largest civics class in the history of America." These incidents, and others like them, have not only increased the public's awareness and knowledge of the problem but served to instill a desire for change.

The optimism expressed by members of the research group was largely because the situation in Los Angeles County has grown so bad that it has become a force for change. America now leads the industrialized world in rates of rape, murder and violent crime. Violent crime has increased more

than 500% in the last three decades and nearly three out of every four convicted criminals are not incarcerated while fewer than one in 10 serious crimes result in imprisonment!<sup>23</sup> Ninety-four percent of Americans now believe crime is worse in comparison with the time when they were growing up.<sup>24</sup> This has created a desire for change which is beginning to be manifested in the legislative and electoral processes. Nationally, this was exhibited when 95 of the 100 U.S. Senators voted in November of 1993 to provide 8.9 billion dollars for crime control<sup>25</sup> and in April 1994, when the House passed a \$28 billion crime bill.<sup>26</sup> Locally, it was expressed when California voters decided to extend a 1/2 cent sales tax to be used exclusively for public safety. The current Mayor of Los Angeles, Richard Riordon, rode a wave of support in his successful campaign for his promise of 3,000 new Los Angeles police officers. As the research revealed, the problem is so bad that many of the obstacles which have prevented reform in the past are no longer as formidable.

Unfortunately, all of these programs are simply a rehash of former ones. The research clearly revealed that more money, more police, more prisons or stiffer sentences have not, in and of themselves, resulted in less crime. This was also confirmed by a survey of eight of the largest cities in the United States which revealed that more police did not necessarily reduce crime.<sup>27</sup>

Members of the research group felt that many, if not most, of the beneficial events and trends likely to have an impact on the issue would be brought about by members of the community, mostly through the political process. The remedies would likely result from a combination of new legislation and programs coupled with newly elected "champions" who would

oversee the effort. It was believed that if a solution could be readily achieved by incumbent legislators and executives, it would have already occurred.

The research revealed that collaboration between the public and private sectors and between agencies within the criminal justice system is not as difficult as it would appear. Many of the solutions would require *no* additional legislation or changes in existing laws since they involved only better coordination between systems and agencies. For example, requiring restitution as a condition of sentencing already exists but is not rigidly enforced. Having the court system disperse court overtime for peace officers requires only a change in allocation of funds at the local level and provides incentives for making the court system swifter and more effective. It would be relatively easy to exploit the growing popularity of electronic bulletin boards and computer networks to exchange information between the public and private sectors as well as exchanging information among law enforcement agencies. Furthermore, immense data bases in the private sector already exist for the prevention of fraud with checks, credit cards, telephones, insurance, arson and others. Other solutions encouraged public participation by enacting legislation such as a "good Samaritan" law to protect citizens from civil liability who become involved in crime prevention efforts or the apprehension of criminals.

Despite the fact that panel members expressed the belief that many of the proposed remedies were so deep-rooted as to strike at the very foundations of American society, all but a few of the events and trends likely to have a positive impact on the issue were quite practical. Some of the events which could be influenced, and henceforth made more likely to happen, included:<sup>28</sup>

- a "user friendly" system of personal litigation which would allow a speedy remedy to personal disagreements before they escalate to conflict
- allowing certain segments of society, such as schools, to use corporal punishment to enforce discipline among juveniles
- defining and codifying the rights and responsibilities of parents and requiring them to be responsible for the conduct of their minor children
- changing the focus of law enforcement from arrest of criminals to conflict resolution<sup>29</sup>

One of the more interesting observations was that each of these events had previously existed in some form. Many of the events had changed so recently as to be in the memory of the panel members.

One unmistakable conclusion which can be drawn from this analysis is that the solution remains within our grasp. The problem is not so out of control that it must be left to run its course but is within our power to resolve. In attempting to allow more personal freedom, the community at large may suffer. The complex society in which we live requires daily interaction between many other people. In order to avoid anarchy and chaos it becomes necessary to have rules to govern some personal activities. No one can live in such a total state of freedom that he impinges on his neighbors. Consequently, *some* "rights" must be bridled for the good of the society as a whole.

A dilemma develops in attempting to define which and to what extent an individual's rights ought to be curtailed for the good of the community as a



whole. Virtually *any* policy or strategy which accomplishes this will be successful. The scenario describes what could happen should this occur.

Another conclusion which may be drawn is that many of the problems which have allowed this situation to develop lie within the criminal justice system. Eight of the events identified by the NGT as having the greatest impact on the issue deal directly with the criminal justice system. The current movement to curtail the availability of assault weapons and hand guns; the elimination of weight training for inmates in jails and prisons; the movement to try under-age serious offenders as adults; the "truth in sentencing" laws advocated by the State Attorney General and a "Family Code" to be enacted in 1995 serve as examples of events identified during the research which are now beginning to become reality. The alliance between businesses and the law enforcement and education systems manifested in drug prevention programs such as SANE and DARE, provide examples of the benefits of collaboration. Private enterprise is joining the fight with tamper-proof packaging; the incorporation of crime prevention designs into buildings, airports and parks; actively supporting programs such as drug prevention and the exchange of guns for tickets to sporting events and other entertainment.

Lastly, is the irrefutable conclusion that doing nothing will result in more crime. The historical data over the past five years clearly demonstrates an increase in violent crime, an increase in expenditures for criminal justice, an increase in the size of law enforcement agencies, an increase in citizen dissatisfaction and a *decrease* in arrests. Without intervention of *some* sort, the crime problem will continue unabated.

The Editor-in-Chief of the magazine, U.S. News & World Report, summarizes the need for a new effort in an editorial published in a recent issue. He states, "*Nothing less than . . . a real war on crime will satisfy the millions of decent Americans who are mad as hell and won't put up with it anymore. There is no substitute for victory in this war.*"<sup>30</sup>

## Endnotes

<sup>1</sup>Phillips, Leslie, "As crime bloodies more U.S. streets, Congress tackles bill," USA Today, October 19, 1993

<sup>2</sup>BJS Data Report, 1989 Bureau of Justice Statistics Bulletin, U.S. Department of Justice, Bureau of Justice Statistics, December 1990, p17

<sup>3</sup>Rand, Michael R. Crime and the Nation's Households, 1990, Bureau of Justice Statistics Bulletin, U.S. Department of Justice, Bureau of Justice Statistics, p1

<sup>4</sup>Manning, Anita, "Gunshot kills one U.S. child every two hours," USA Today, January 21-23, 1993, pA1

<sup>5</sup>Thompson, Terri, Hage, David and Black, Robert F., "Crime and the Bottom Line," U.S. News and World Report, April 13, 1992, p55

<sup>6</sup>Sharn, Lori, "Shootings, killings cost the USA untold billions," USA Today, December 29, 1993, p4A

<sup>7</sup>Zuckerman, Mortimer B., "War on Crime, By the Numbers," U.S. News & World Report, January 17, 1994, editorial page

<sup>8</sup>Researcher's Note: If this figure is accurate it would be almost 4 times the gross federal deficit (as reported in USA Today, August 24, 1994, USA Snapshots, p1B, Col 1 and p9a, Col 1

<sup>9</sup>Thompson, Terri, Hage, David and Black, Robert F., "Crime and the Bottom Line," U.S. News and World Report, April 13, 1992, p56

<sup>10</sup>"Attorney General's Message," Crime and Delinquency in California, California Department of Justice, Division of Law Enforcement, Law Enforcement Information Center, 1991, piv

<sup>11</sup>Governor's Budget Summary, 1993-1994, Pete Wilson, Governor, State of California to the California Legislature, 1993-94 Regular Session, p13

<sup>12</sup>California Statistical Abstract, State of California, Sacramento, California, Issued November, 1992, table P-41

<sup>13</sup>Thompson, Terri, Hage, David and Black, Robert F., "Crime and the Bottom Line," U.S. News and World Report, April 13, 1992, p55

<sup>14</sup>Researcher's Note: Nationwide, the private security industry is now estimated to be three times larger than public law enforcement. Zuckerman, Mortimer, B., "War on Crime, By the Numbers," U.S. News & World Report, January 17, 1994, editorial page

<sup>15</sup>California Penal Code §12020 and §12031.

<sup>16</sup>California Vehicle Code §22507.8, Los Angeles County Parking Bail Schedule and Health & Safety Code §11357.

<sup>17</sup>taken from interview with Los Angeles Sheriff's Department Homicide Detective Johnny Brown, Los Angeles County Coroner's Investigator Lentz, September 15, 1993 and Los Angeles County Coroner's Office "Fetal Development Chart." and Dolan, Maura, "Assault Causing Miscarriage Can be Murder Case," Los Angeles Times, May 17, 1994 pA1, col. 5

<sup>18</sup>"Crime/Disability", USA Today, February 11, 1994

<sup>19</sup>"Justice Thomas on Crime," USA Today, May 17, 1994

<sup>20</sup>Crime and Delinquency in California, California Department of Justice, Division of Law Enforcement, Law Enforcement Information Center, 1991, p97 (Authors note: This figure is in "constant dollars." Without adjusting for inflation the figure jumps to 69.7%)

<sup>21</sup>Uniform Crime Reports for the United States, Federal Bureau of Investigation, U.S. Department of Justice, Washington D.C. and Crime and Delinquency in California, California Department of Justice, Division of Law Enforcement, Law Enforcement Information Center

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<sup>22</sup>This information is captured yearly in a publication entitled, Crime and Delinquency in California, California Department of Justice, Division of Law Enforcement, Law Enforcement Information Center

<sup>23</sup>Bennett, William J., "Raising Cain on Values," Newsweek Magazine, April 18, 1994, p23

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<sup>25</sup>Hernandez, Roger, "Coming together on crime," San Gabriel Valley Tribune, November 27, 1993

<sup>26</sup>Thomma, Steven, "House OKs record crime crackdown," Sacramento Bee, April 22, 1994, pA1

<sup>27</sup>"Violence in America," U.S. News & World Report, January 17, 1994, p25

<sup>28</sup>Researcher's note: These are events which were identified during the research but *not* described in the scenarios.

<sup>29</sup>Researcher's Note: During the research an interesting analogy was presented in which "grading" law enforcement by the number of arrests was as useless as grading military success in Vietnam by the "body count."

<sup>30</sup>Zuckerman, Mortimer B., "War on Crime, By the Numbers," U.S. News & World Report, January 17, 1994, editorial page

**This Command College Independent Study Project is a FUTURES study of a particular emerging issue in law enforcement. Its purpose is NOT to predict the future, but rather to project a number of possible scenarios for strategic planning consideration.**

**Defining the future differs from analyzing the past because the future has not yet happened. In this project, useful alternatives have been formulated systematically so that the planner can respond to a range of possible future environments.**

**Managing the future means influencing the future--creating it, constraining it, adapting to it. A futures study points the way.**

**The views and conclusions expressed in the Command College project are those of the author and are not necessarily those of the Commission on Peace Officer Standards and Training (POST).**

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California Commission on Peace Officer  
Standards and Training**

Dedicated to  
*Col. Timothy G. Anderson*

A loyal friend in peacetime,  
faithful comrade in war,  
teacher, mentor, guide and leader,  
in the finest sense of the words:  
Semper Fidelis

*"As iron sharpens iron,  
so one man sharpens another."*  
Proverbs 27:17

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## Introduction

On September 14, 1993, a man by the name of Gary Colley was shot in the neck and killed during a robbery attempt. This tragedy was similar in almost all respects to the more than 60 murders and 1,800 robberies<sup>1</sup> which would occur throughout the United States that day. However, there were some significant differences.

Colley was "on holiday" from the United Kingdom and was only one of the more than a million tourists from that country who visit Florida each year. He was also the ninth to be murdered there in less than a year.<sup>2</sup> Just a few days before, another tourist, this time from Germany, had also been brutally murdered during a robbery attempt.

Colley's killing reinforced the image of a nation where the possession of guns and level of crime are out of control. Tourist cancellations in Florida rose 20% and the state suspended all national and international tourist advertising. At a cost of \$24,000 a day, the governor ordered 540 agricultural inspectors and marine officers armed and assigned to join in patrolling the roads and protecting 76 highway rest stops. By September 27, 1993, private guards were hired to permanently replace them at a cost of at least 8 million dollars a year. The governor then asked for 4 million dollars in federal aid and set up a toll-free number for tourists to call for safety tips and offered a \$10,000 reward for information about the killings.<sup>3</sup>

The failure of the criminal justice system had jeopardized Florida's 31 billion dollar a year tourist industry. Rental car agencies removed advertising and other distinctive markings from their vehicles. Restaurants catering to tourists reported

a drop in business as much as 40%. Popular tourist attraction managers expressed concern about attendance. In October 1993, Disney began opening its theme parks an hour later because of a decline in visitors.<sup>4</sup> By 1994, reports of violent crimes had scared away so many tourists that attendance on trolley tours in Miami had dropped from 500,000 to only 40,000, forcing its closure.<sup>5</sup> In describing the state's dollar loss, Florida State Commerce Secretary Greg Farmer stated, "*It's going to be just catastrophic, it could be in billions.*"<sup>6</sup>

Slightly more than a year earlier and on the other side of the country, just the opposite happened. April 29, 1992 marked the first day of what was to become the largest and deadliest riot in the nation's history. Afterwards, the private protection industry reported dramatic increases in sales.<sup>7</sup> Sales of Mace™, the leading self-defense spray, jumped 36% in 1992. One company, Quorum International, which makes high-tech devices like hand-held screamers to drive away assailants, reported an increase in sales from \$10 million in 1991 to over \$100 million in 1992!<sup>8</sup> Life insurance salesmen reported "fantastic" sales selling door to door in the city's most crime-plagued neighborhoods.<sup>9</sup> Gun dealers also profited. More than 450,000 handguns have been sold legally in Los Angeles County during the past five years — 1 for every 19 residents — and legal gun sales jumped dramatically after the riots.<sup>10</sup> During the first six months of 1994 alone, crime weary Californians had purchased 332,088 firearms.<sup>11</sup>

Unlike the events in Florida this year, the shortcomings of the criminal justice system in Los Angeles had been exploited to create new business or increase profits in existing ones. The closer and longer one looks at the systems which make up the American society, the more obvious it becomes that the justice system's

success or failure is inextricably related and interdependent with other public and private systems. For better or worse, what affects one system is almost immediately reflected in another. The criminal justice system is no exception.

Not as apparent, but every bit as disrupting, are the disparities within the criminal justice system itself. For example, there is a greater latitude for arrest and a potentially heavier penalty for carrying a "billy club" than a loaded handgun.<sup>2</sup> Parking or blocking a space reserved for the handicapped carries a much heavier fine than for smoking marijuana. Furthermore, a traffic violation will remain on a person's record for five years but a conviction for smoking or possession of less than one ounce of marijuana is required to be purged after two years.<sup>3</sup> Killing a fetus which weighs 400 grams and is 30 centimeters long is murder, unless it is done by a doctor. If it is killed by a doctor it is an abortion and not punishable.<sup>4</sup> Ingesting illegal drugs is against the law but possession and sales of the requisite paraphernalia is not. Speeding is unlawful but sales and possession of radar detectors is not. The list is seemingly endless.

The incongruities between the various systems and the criminal justice system, coupled with those within the criminal justice system itself, tremendously complicates the problem of reducing crime. Indeed, crime has been a part of every society. This has never been at issue. What is not as well known is the sheer magnitude of the problem today. This can be measured in two ways, monetary expenditures and the cost in human lives and suffering.

The monetary expense of crime is staggering. The cost of crimes committed against individuals and households each year is more than 19 billion dollars!<sup>5</sup> But this pales in comparison with the cost to American businesses where a *conservative*

estimate puts the cost at 128 billion dollars in direct losses, litigation expenses and security outlays.<sup>15</sup> Additionally, the estimate has doubled since 1980 and continues to grow. Some cost estimates for violent crimes alone range from a low of 135 billion to as much as 425 billion dollars each year!<sup>17</sup> A recent report in *U.S. News & World Report*<sup>18</sup> places the cost for all crimes nationwide at \$674 billion each year!<sup>19</sup> No matter what the precise figure, this huge drag on the nation's productivity equates to not less than 2.3 percent of the gross domestic product and impedes competition with less crime ridden societies. Lester Thurow of the Massachusetts Institute of Technology states, *"It means our goods are going to cost more than Japanese goods, even if we produce them as efficiently."*<sup>20</sup>

Virtually the entire cost of crime is passed on to consumers in the form of higher prices or insurance costs. This results in a "crime tax" of \$1,376.00 for every American household.<sup>21</sup> In California, where crime has increased almost 2 1/2 times from what it was only 30 years ago,<sup>22</sup> over 803,000 jobs have been lost.<sup>23</sup> While crime is certainly not the only factor which contributed to this situation, its effects can not be ignored. Quality of life environment and related security costs or loss of employee time due to criminal activity is a major factor in a business decision to locate in California or elsewhere. The effect it has on the economy can hardly be overestimated.

If the monetary expense of crime is staggering, its cost in human suffering is positively devastating. The latest figures available show that every year one in every four households in America is victimized by crime. Almost one in five has experienced a completed or attempted theft. One of every twenty has at least one member age 12 or older who was the victim of a violent crime.<sup>24</sup> Nationwide,

approximately 20 million people will become victims of personal crimes such as theft and crimes of violence each year.<sup>25</sup> Indeed, it has been estimated that eight of every ten Americans will become the victim of a crime at least once in their lifetime.<sup>26</sup>

In 1993, 22 cities set murder-rate records in the United States.<sup>27</sup> Murder is now the third leading cause of death in the United States among children age 5 to 14 and, on average, one child dies from a gunshot every two hours each day.<sup>28</sup>

In 1991, California had more than two million murders, rapes, robberies, aggravated assaults, burglaries and motor vehicle thefts.<sup>29</sup> Last year, the Los Angeles County coroner's office reported more than 7,000 people wounded and 1,554 people slain by gunfire.<sup>30</sup> In 1991, the same office reported an average of 6.6 corpses a day with bullet holes, knife wounds, shattered skulls or some other signature of homicide. Twenty-eight people were killed in one weekend alone!<sup>31</sup> In 1992, the average rose to 7.1 with 517 murders in just the months of July and August!<sup>32</sup>

The tally of gang-related homicides in Los Angeles County broke another record in 1992, when it reached 800 for the first time. This number has been steadily increasing for the last five years and officials are now predicting that an annual total of 1,000 gang killings could be reached as soon as this year!<sup>33</sup> A report by the Los Angeles District Attorney estimated that there were 1,000 gangs in Los Angeles County with at least 150,000 gang members.<sup>34</sup> That people live in fear should come as no surprise. One California state legislator demanded and received a police bodyguard before she would visit her district.<sup>35</sup> The situation is now so bad that a person living in Los Angeles has a greater chance of dying from a bullet than a traffic accident.<sup>36</sup>

Public order is the first concern of government. Indeed, the very existence of government is derived from the need for people to live in harmony. As President Lyndon Johnson stated, ". . . *government has a special duty to exert every means to insure for all our people safety of the home and safety of the streets. A society can be neither great nor just as long as crime rates swell.*"<sup>27</sup> But in fact, the federal government has a dismal record in reducing crime. On no less than three occasions, the federal government has attempted to retard the escalating crime rate and make the streets and workplaces safer.

The first attempt was in 1964, during the Johnson administration. This program consisted of grants to communities and states to improve police, courts and corrections. It provided for research into crime control and loans to criminal justice employees for higher education. Of the three, this program is the best known and added the expression "the war on crime" to the social and political vocabulary. Although it spent several billion dollars it lasted only six years and succumbed almost without anyone noticing.<sup>28</sup>

The second attempt occurred in 1968 and was the first comprehensive national anti-crime legislation. The "Omnibus Crime Control and Safe Streets Act of 1968" was the first real attempt by the federal government to participate in local crime control. Where the "war on crime" had largely been a creation of the executive branch, and subsequently subject to be canceled when a new president took office, the "Safe Streets Act" was enacted by the Congress. Besides providing money, it altered laws to allow wiretapping and some gun control as well as modifying criminal procedures to make voluntary confessions admissible regardless



of delays in arraignments or a failure to inform a suspect of certain constitutional rights.<sup>3</sup>

The most recent attempt occurred in 1984 when the "Comprehensive Crime Control Act" was passed. This was the most far reaching of the three programs. It overhauled the federal sentencing procedures to reduce disparity in punishments, shifted the burden of insanity to the defense, permitted the pretrial detention of dangerous defendants, and created an Office of Justice Programs to improve criminal justice systems and administer federal grants. By far the most controversial change, however, was to allow the seizure of business and personal assets as profits of organized crime and drug traffickers.<sup>4</sup>

By the 1980's the expression "the war on crime" had become synonymous with any of the abundant governmental programs which attempted to curb crime. Each effort was seen as merely a different campaign in the same "war." Despite the best of intentions and billions of dollars spent, the crime rates have continued to rise and the nation's streets are more dangerous than ever.

A civil war can be defined as a struggle for supremacy between two factions of the same government. That the American society is involved in such a war is indisputable. The war on crime is a struggle between two factions within the same society. The members of one faction seek only to serve themselves by preying on members of the other. The other seeks law and order and jealously guards the rights of all, including those of the members from the other faction.

By *any* definition, war is actively hostile. It is a conflict or struggle for supremacy. If order and harmony constitute the first duty of government then

crime must be seen as the antithesis. An adversary relationship exists. Indeed! The very existence of government as known in the American democratic form, requires that the "war on crime" be won; that the right to liberty, justice and the pursuit of a safe society take precedence over violence and fear.

The staggering number of dollars expended coupled with the cost in human lives and suffering is as great as any war in history. When General Douglas MacArthur addressed the Republican National Convention in 1952 he stated, "*It is fatal to enter any war without the will to win it.*"<sup>4</sup> These words are as prophetic to the war on crime as they were to the war in Korea or Vietnam.

Unfortunate, even tragic, is the haphazard and lackluster approach taken in winning this war. The disparities seen between the systems, and the inconsistencies within the criminal justice system itself, results in an uncoordinated attempt and prevents any truly meaningful effort. Expecting the criminal justice system alone to prevent, even reduce crime, is just as pointless as expecting the educational system to instill values and morals. It requires the efforts of all concerned. In addressing the Congress in 1967, President Johnson stated, "*To speak of controlling crime only in terms of the work of the police, the courts and the correctional apparatus alone, is to refuse to face the fact that widespread crime implies a widespread failure by society as a whole.*"<sup>5</sup>

Government's traditional answer to this problem has always involved huge amounts of revenue. Perhaps the single factor uniting politicians and bureaucrats has been a commonly held belief that enough money will solve the crime problem. In fact, the reasoning seems to perpetuate this belief since the worse the problem gets, the more essential it appears to increase the size of law enforcement agencies

or provide more parole officers or build more prisons, ad infinitum. Each of the three "campaigns" on the war on crime involved expenditures to support the criminal justice system. Administrators in the criminal justice system ask politicians for money and politicians ask the taxpayers for increased revenues.

In 1991, the Federal criminal justice budget was 13.8 billion dollars. By 1995, that figure is expected to increase to 16.5 billion dollars, a 16% increase in only four years.<sup>3</sup> Yet nationwide, crime has been increasing for over thirty years.<sup>4</sup>

If simply spending more money could win the war on crime, it becomes obvious that an increase in expenditures should result in a decrease in the crime rate, yet just the opposite has occurred. The crime rate has continued to increase right along with the increase in expenditures. In the last five years, as violent crime in California rose 17.3%,<sup>5</sup> arrests overall *declined* 17.2%.<sup>6</sup>

As violent crimes in California increased 17.3% between 1986 and 1991, there was an accompanying 40.5% increase in criminal justice expenditures.<sup>7</sup> California now spends almost 13 billion dollars a year for criminal justice. This is greater than the entire retail trade of seventeen states!<sup>8</sup> Indeed, a person is 2-1/2 times more likely to be a victim of a serious crime today than when the "war on crime" started.<sup>9</sup> It becomes apparent that it is not how much money we spend; but how we spend our money.

The closer and longer one looks at the systems which make up the American society, the more obvious it becomes that the justice system's success or failure is inextricably related and interdependent with other public and private systems. For

better or worse, what affects one system is almost immediately reflected in another. The criminal justice system is no exception.

The disparities between the systems which comprise this society coupled with the inconsistencies within the criminal justice system has nurtured an unwinnable conflict. The situation has become so grossly unbalanced that success is no longer measured by reducing the crime rate but in slowing its advance!

The war on crime has been proceeding unabated for almost thirty years. Larger law enforcement agencies, longer prison terms and greater expenditures have not served to turn back the tide of crime. This war, like all wars, needs to be fought with all the resources available. Systems which depend upon each other need to unite for the common good. Furthermore, the incongruities found within the criminal justice system need to be brought in harmony to allow an intensely focused effort. It is time for a new strategy and to look elsewhere for answers.

The beginning of a new era is on the horizon. As the 21<sup>st</sup> century draws ever closer, questions must be considered such as, what impact would a systemic approach have on the "war on crime?". What will be required to integrate a number of systems and/or agencies to achieve a greater effect on reducing crime? How will agencies collaborate to have a greater impact on the "war on crime? What structuring of the criminal justice system will be required to allow a more precisely focused effort in crime fighting efforts?

A few years after the war on crime was enacted, President Lyndon Johnson addressed the Congress of the United States. In closing his speech, the President stated,

*"It is the interaction of the citizen and the community—their common dedication to public order—which is the most powerful deterrent of crime.*

*Thus, it is the citizen who will determine whether streets will be safe to walk, whether homes will be secure, whether property rights will be respected, whether integrity and honest dealing will govern relationships between men.*

*We can control crime if we will. We must act boldly, now, to treat ancient evils and to insure the public safety."<sup>a</sup>*

The focus of this study will be to determine what impact a systemic approach would have on the "war on crime." A "systemic" approach describes a fundamental underlying strategy which influences an entire system or structure. For the purpose of this study, the systemic approach describes the codependence, interactions, relationships and assumptions for the systems which comprise Los Angeles County.

This requires a new perspective on the problem; one which views the society as a whole rather than individual functions, systems and agencies. The concept is certainly not new since it is identified in the preamble of the U.S. Constitution when our forefathers recognized that a more perfect union was one which would establish justice, insure domestic tranquillity, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.<sup>a</sup>

It is for these reasons that this study will attempt to determine, not only the impact of a more holistic approach to the war on crime but the methods necessary to integrate systems and allow agencies to collaborate as well as the effect of alliances between the private and public sectors on reducing crime.

## Issue Defined

The purpose of this study will be to determine the impact of a systemic approach in reducing crime. When considering the entire national criminal justice system, the study becomes overwhelming. Even the state system is overpowering and far beyond the time and scope which limit this study. Therefore the County of Los Angeles was selected as a microcosm of the much larger arena. Virtually all of the component parts of the state and national system are present to a lesser degree in Los Angeles County.

The focus will be to determine:

**What impact would a systemic approach have on the reduction of crime in Los Angeles County by the year 2004?**

In this instance, it implies the composition and relationships of the myriad of systems which make up the American society in general but Los Angeles County in particular.

Some related sub-issues are:

- What methods will be used to integrate a number of the systems and/or agencies in municipal governments to achieve a greater effect on reducing crime?

This question focuses on what procedures, techniques or approaches can be used to assist the systems (and agencies within the systems) in municipal governments to cooperate in order to attain greater results in reducing crime.

- How will agencies collaborate to have a greater impact on the reduction of crime in Los Angeles County?

This question focuses on an inquiry into methods for the agencies which comprise the government of Los Angeles County to unite in an endeavor to reduce local crime.

- How will public agencies and private enterprise join in a collaborative effort for the purpose of fighting crime?

Traditionally, crime has been seen to be the responsibility of public agencies. Increasingly however, private enterprises have been shouldering some of the responsibility. The private security industry now employs close to 2 million people and is an \$18 billion dollar a year industry.<sup>2</sup> Other private enterprises also assist in fighting crime. For example, architects now incorporate crime prevention designs into building designs and contractors install more secure locks and doors. Manufacturers are utilizing tamper proof packaging and private industry actively supports drug prevention programs. This sub-issue seeks to determine ways for public agencies to enlist the support of private enterprise to achieve a reduction in crime.

- What structuring of the criminal justice system will be required to allow a more precisely focused endeavor in crime fighting efforts?

The ultimate burden for crime control ultimately falls on the criminal justice system. This sub-issue poses a question as to what the system could do better in its crime fighting efforts.

By examining the issue and sub-issues as they relate to Los Angeles County, extrapolations can be drawn toward the larger segments of the American society. This research project will attempt to determine the feasibility and methodology of an approach to fighting crime which involves not only the criminal justice system but an aggregate of the systems which comprise the society. The lessons learned in the study of Los Angeles County can then be applied to other jurisdictions.

### **Project Design**

To ensure a logical and analytical approach in examining the issue, a project design was devised. The design utilized a variety of techniques to achieve a consistent well organized strategy to explore the issue and sub-issues from a number of perspectives. (See Figure 2, "Schematic of Project Design")

The first step in the design was to identify the issue. This was done by seeking input from classmates, peers and advisors. To assist in identifying the sub-issues, a future's wheel was employed. This method graphically identifies the complex groupings and relationships as well as assisting in clarifying assumptions, identifying issues and sub-issues, highlighting interrelationships among various components and discerning potential policy options. (see Figure 1, "Futures Wheel") The sub-issues earlier identified were drawn from this process.



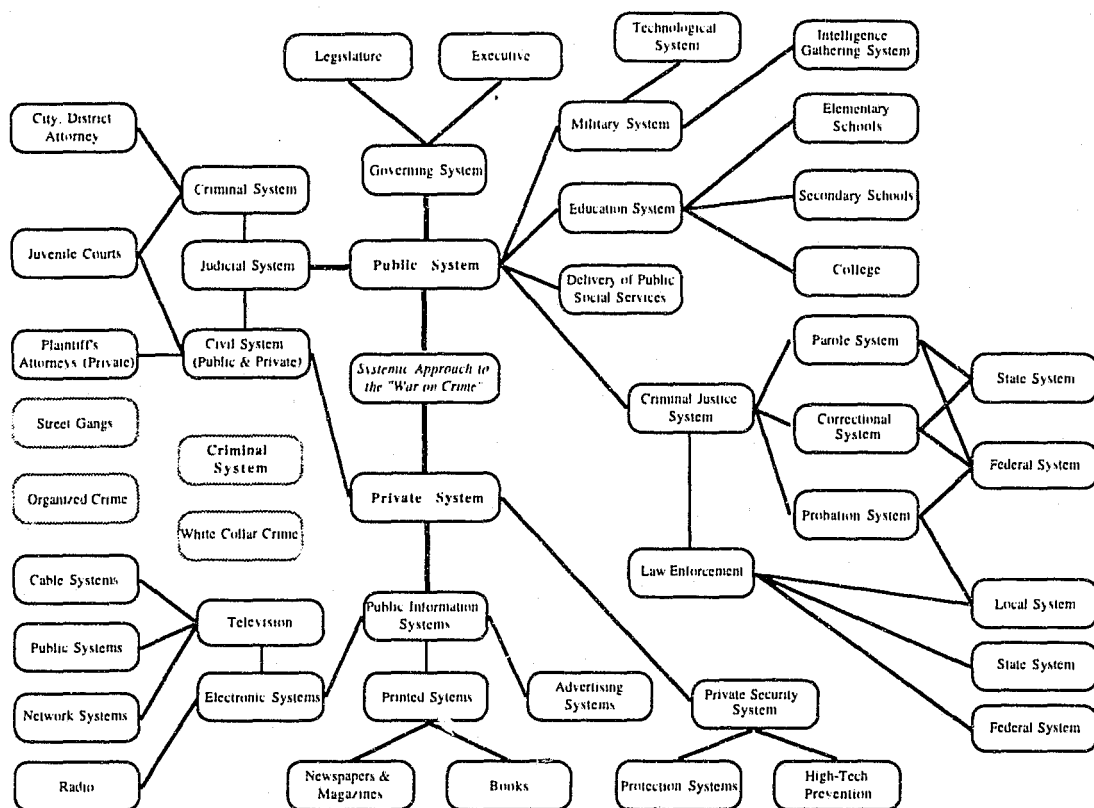


Figure 1 — Futures Wheel

When the futures wheel is examined, the reader will note that the component labeled "Criminal System" is linked with gray lines rather than black. The criminal system is as genuine and irrefutable as any of the other identified systems but exists surreptitiously and less formally. The gray lines denote this relationship and place it in the diagram where it can be examined as an integral and significant component of the entire criminal justice system while recognizing its uniqueness.

The second step entailed an intensive search for details about the issue and sub-issues. Using electronic databases and scanning related topics in literature, the research discovered a wealth of related information which provided a background to

study the issue. By placing the issue in context the impact and importance of the issue is readily discernible.

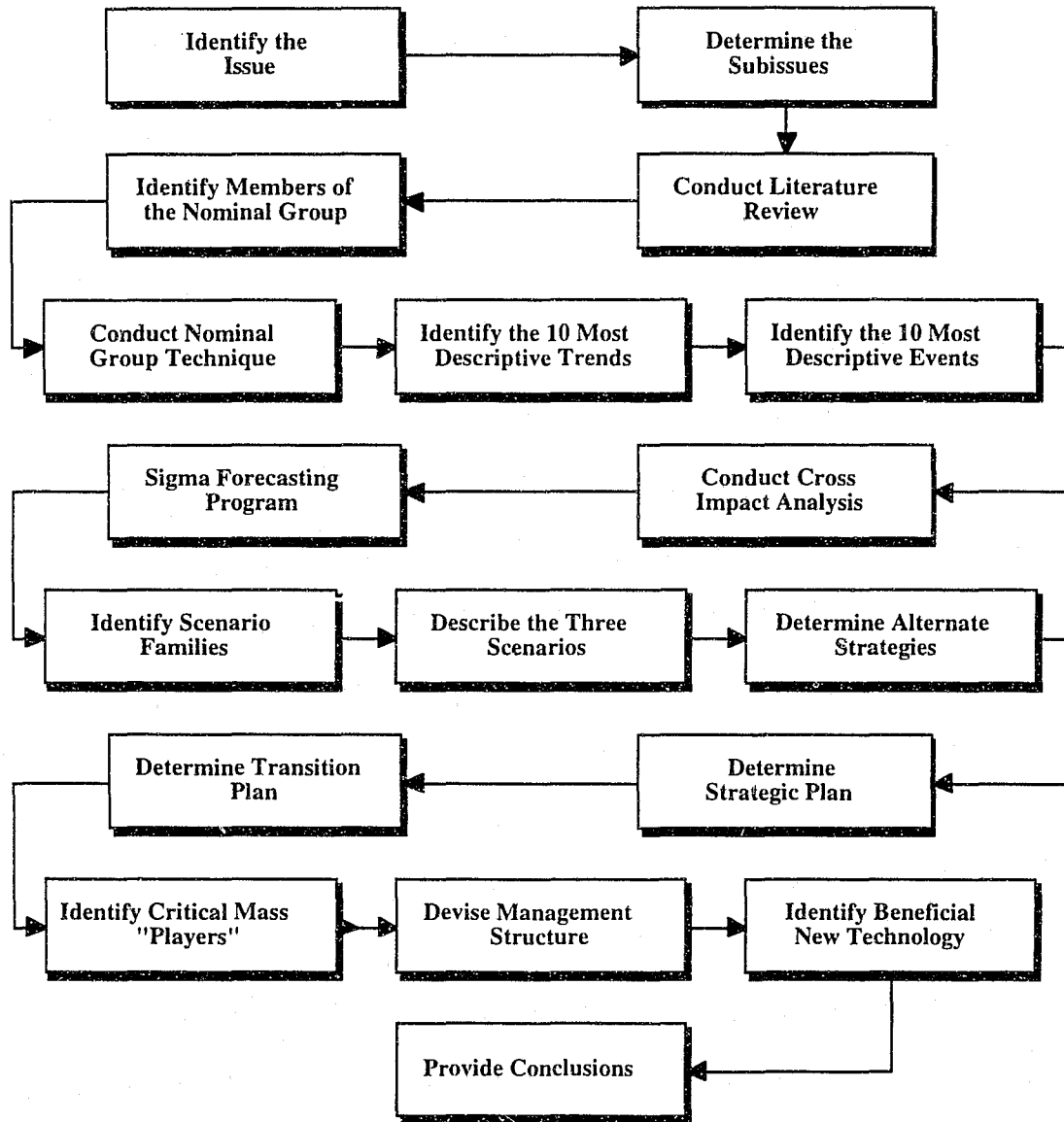


Figure 2 — Schematic of Project Design

A nominal group technique (NGT) process<sup>23</sup> was utilized to identify the emerging trends and events. A nominal group technique is a procedure in which a

small group identifies and rank orders significant issues surrounding a single question by a process that alternates between private work and open discussion. This required members of the group to be selected for having either expertise in the criminal justice system or an occupational specialty which made them particularly adept in dealing with future issues. The NGT consisted of twelve members from a variety of backgrounds.

The next step was the conduct of the NGT. A detailed schedule was drafted and forms for assisting in voting and tabulation were designed. When available, historical information was provided to assist the panel members in forecasting trends. The panel then identified forty-four trends and twenty-five events which would have an impact on the issue if they occurred.

A trend is a series of events which occur over time and set a pattern which can be measured, and therefore forecast. From the forty-four trends, the panel identified five trends<sup>51</sup> which are the most descriptive of the issue. Additionally, the researcher identified five which were so significant that the issue could not be thoroughly studied without them. Historical data was provided to allow panel members to probe what had transpired to the present. The group then forecast the direction they thought the trends would take in the future.

From the list of twenty-five events, the panel next identified and examined the ten events<sup>52</sup> which they thought would have the most significant impact on the issue by the year 2004. An event is defined as a discrete, one-time occurrence. It is simply an individual incident which can be measured at a specific time and date when it occurs. Each of the identified events would come as a surprise if it occurred and would have an impact on the issue.

Because no event can occur in total isolation, it follows that one event would likely have an affect on another. In fact, one event could cause another to be more or less likely to occur and, if it occurred, increase or diminish the impact it would have on the issue. This necessitated a cross impact analysis in which each of the events was compared with the other. This allowed a more accurate estimation of the likelihood of occurrence and assisted in identifying events which would increase or decrease the likelihood of another occurring.

After the cross impact analysis was completed, the probability that each event would occur was expressed as a percentile. The percentiles were then recorded as data for the Sigma computer program which generated scenarios from the data. The computer program, using a random number generator, identifies events that occur and those that do not occur within the given time frame (ten years). Thirty scenarios were run and similarities were noted which allowed three families of scenarios to be identified. These were the most optimistic scenario, the most pessimistic scenario and the scenario most likely to happen.

After identifying the three families of scenarios, each was examined<sup>8</sup> from the perspective of an historian reporting from the year 2004. The researcher provided relevant data based upon his knowledge and research of the issue. The scenarios were then described in the past tense which assists a reader to visualize the future as if it had already happened.

Based upon the scenario review, a series of alternative strategies was identified as having the best chance of achieving the most desirable and attainable future. Through the use of a Modified Policy Delphi process these strategies were identified and analyzed with the goal of achieving the necessary strategic

cooperation and collaboration among the various systems which comprise the criminal justice system in Los Angeles County. After examining all the strategies from this perspective, one was developed which would have the best chance of success.

After the strategic plan was identified it was necessary to examine the Los Angeles criminal justice system in more detail to determine its strengths and weaknesses and the threats and opportunities of the environment in which it must function. Included in this examination was the identification of stakeholders who would impact the plan or care about what is done.

In order to implement the plan it is essential that a management structure be devised. This structure is designed to define roles, affix responsibility and create a nourishing environment for change to occur. Part of this process includes the identification of key stakeholders, called the "critical mass," who, if actively in support of the change, ensure its success or could prevent the necessary changes to occur if not convinced of the value.

Following the description of the scenarios, the researcher presented his conclusions. The goals of the project were briefly described as well as the efforts taken to achieve them. Considerations for implementing strategies and policies to bring about a better future were identified and a set of conclusions was reported.<sup>57</sup>

## **Forecasting Process**

### **Nominal Group Technique (NGT)**

The NGT consisted of twelve persons, each of whom was carefully selected for having either expertise in the criminal justice system or an occupational specialty

which made them particularly adept in dealing with future issues. The members are described as follows:

David Peale is a civil litigation attorney. He has worked as a defense counsel and is extremely familiar with the inner workings of the criminal justice system. He has been a judge pro tempore for the Los Angeles County Superior Court. As a civil attorney, he is aware of the civil liabilities involved in attempting to enforce the law. As an added benefit, he works as a college professor teaching graduate courses in law related subjects.

Fred Hernandez is a member of the Civilian Advisory Board for the Los Angeles County Sheriff's Department. He participates as an adviser and liaison linking the community and local law enforcement.

Gary Wagner is an aerospace engineer. This individual provided the group with a very analytical, methodical approach to problem solving. He was particularly valuable in providing an orientation toward the future because of his experience in the aerospace industry.

Jim Collins is from local law enforcement and works for a city in the greater Los Angeles area. He is a graduate of the Supervisory Leadership Institute and works as a college professor teaching law enforcement courses at a local college.

John Crowe works for the Los Angeles County Probation Department and specializes in juvenile related matters. He is extremely familiar with the problems facing local law enforcement as well as the relationships between the various components of the criminal justice system.

Jon Becker is a law student who owns and manages a police equipment supply company. He works with both civilians and law enforcement personnel in supplying personal protection devices as well as sponsoring and providing training in law enforcement issues.

Ransom Link, Jr. is an expert in computers and works as an automation consultant. He routinely works with systems and recognizes the significance of how seemingly unrelated systems interact and influence one another. Because of his occupation, he is also very future oriented and provided a perspective of planning for the future and acting in the present.

Rufus Tamayo works for local law enforcement and is a graduate of the Supervisory Leadership Institute. He is a police trainer and regularly conducts classes in law enforcement tactics as well as cultural diversity and force related issues.

Harry R. Collins is from local law enforcement and a graduate of Command College. He provided a much needed expertise to the study and assisted in the research by assisting as a moderator and taking notes.

Tom Beckman is from federal law enforcement and assigned duties in the greater Los Angeles area. He provided a perspective from the federal point of view and was particularly aware of the federal government's role in the local law enforcement community.

Tom Tomka works for the Los Angeles County District Attorney's Office, Bureau of Investigation. He is intimately familiar with the prosecution function in the criminal justice system. In his career, he has worked for several law

enforcement agencies and is widely traveled. He provided a perspective of not only local law enforcement but its impact on the larger criminal justice system as a whole.

Tony Palmer is a retired peace officer who regularly works as a consultant to law enforcement agencies and municipal governments on law enforcement civil litigation issues. He is a recognized court expert in law enforcement issues throughout the United States and teaches law enforcement subjects internationally.

The panel was apprised in writing of the NGT process and provided exemplars of the forms that would be used. (See Appendix A — Trend Evaluation Form and Appendix B — Event Evaluation Form) A brief description of the issue and sub-issues served to stimulate thinking. To avoid any adverse influencing of the group, the researcher's role was to act only as a facilitator during the process.

The members of the panel were asked to individually develop ideas to forecast trends and events specifically related to the issue and sub-issues. These were then listed on large charts and discussed as a group. Using ballots and followed by discussion, the panel then determined the candidate events and trends which would have the greatest impact on the issue. Votes were taken to identify the top ten events and the top five trends. Five trends had been predetermined and researched and the values from 1989 to 1994<sup>8</sup> (for these five trends) were provided to the panel members who were then asked to forecast the level of the trend at five and ten years in the future.

The panel identified twenty-five events and forty-four trends which would impact the issue and sub-issues should they occur. (See Appendix C — List of



Events and Appendix D — List of Trends ) Because of the wide dispersion of perspectives of the panel members, the discussions were intense and stimulating. After discussion, members forecast the level of the ten events to the year 2004.

### **Discussion of Events**

An event is a discrete, one-time occurrence. It is an individual incident which can be measured at a specific time and date when it occurs. During the NGT panel's analysis, a list of twenty-five events were identified which would be surprises if they occurred and would have an impact on the issue. Listed below, in rank order, is a discussion of the events which the NGT determined would have the greatest impact on the issue should they occur. Included in the discussion is the data from the NGT panel's analysis as well as the charts derived from the data.

**Event 1. A system which removes the "profits" from crime is implemented.**

The panel felt that the single greatest contributing factor to the allure of crime was that it was rewarding. The rewards are manifested in either the acquisition of personal property and wealth, the gain of recognition or the release of emotional tension. A system which removed the rewards from crime would have the greatest impact on the reduction of crime from that point on.

A system which removes the "profits" from crime is implemented	Group Forecast	Years until probability first exceeds zero	PROBABILITY OF OCCURRING BY:	
			Year 1999	Year 2004
	High	0	100	100
	Median	2	20	33
	Low	10	0	0

Table 1 — Data for Event #1

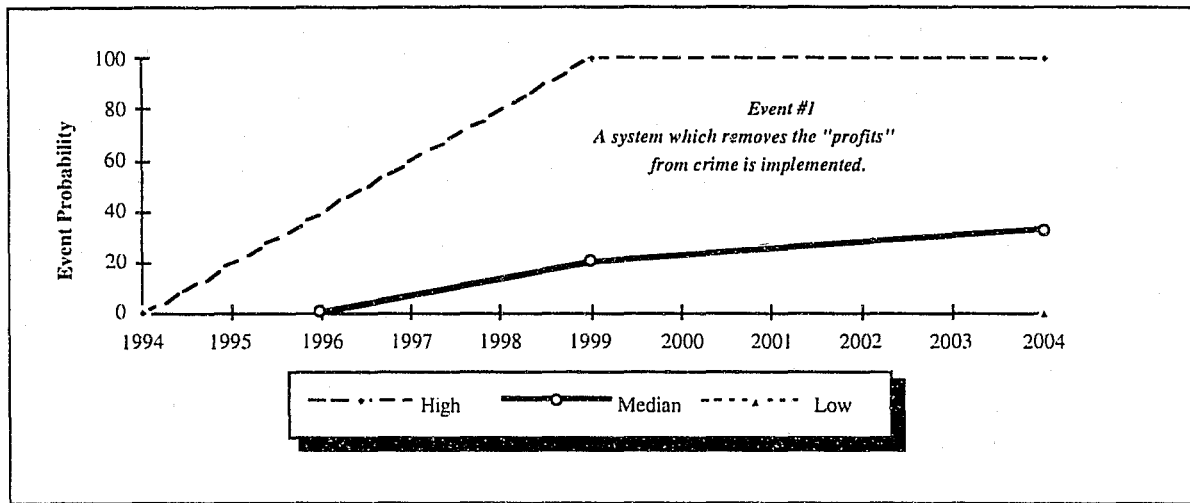


Figure 3 — Chart for Event #1

Although one member of the panel felt that such a system could be created and implemented by the year 1999, the panel's median was only a 20% chance by 1999 and rising to only 33% by the year 2004. Three members of the panel felt that there was virtually no chance of this event occurring within the next ten years.

**Event 2. Juvenile law undergoes a complete redefinition and requires the seriousness of the crime be considered more than the age of the offender.**

The panel felt that much of the crime (particularly violent crime) in society can be attributed to juveniles. Further, juvenile law in its current form does not act

as an effective deterrent in suppressing the crimes committed by persons in this group. This has not only led to an increase in juvenile crime but in more violent crimes. A belief that a juvenile's age is the most significant factor in how society deals with these delinquents, rather than the nature of the crime, allows violent young offenders to escape the otherwise serious consequences of their actions if they were older. The panel felt that crime could be reduced if juvenile laws were redefined so that violent offenders suffered more serious consequences.

<i>Juvenile law undergoes a complete redefinition and requires the seriousness of the crime be considered more than the age of the offender</i>	Group Forecast	Years until probability first exceeds zero	PROBABILITY OF OCCURRING BY:	
			Year 1999	Year 2004
	High	0	100	100
	Median	2	67.5	75
	Low	5	20	30

Table 2 — Data for Event #2

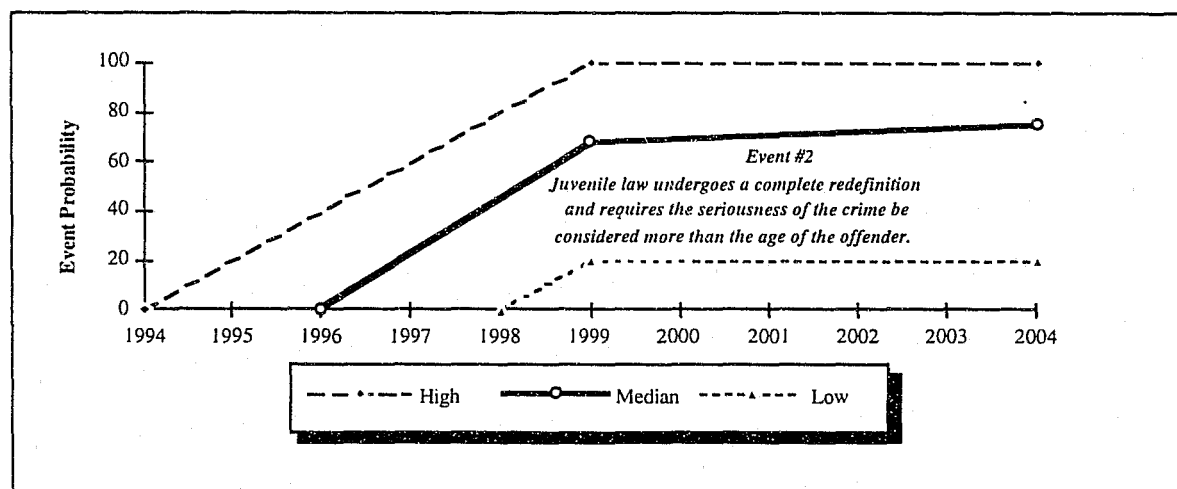


Figure 4 — Chart for Event #2

The panel forecast that this event had a 67.5% chance of occurring within the next five years and a 75% chance of occurring within ten years. As indicated by the

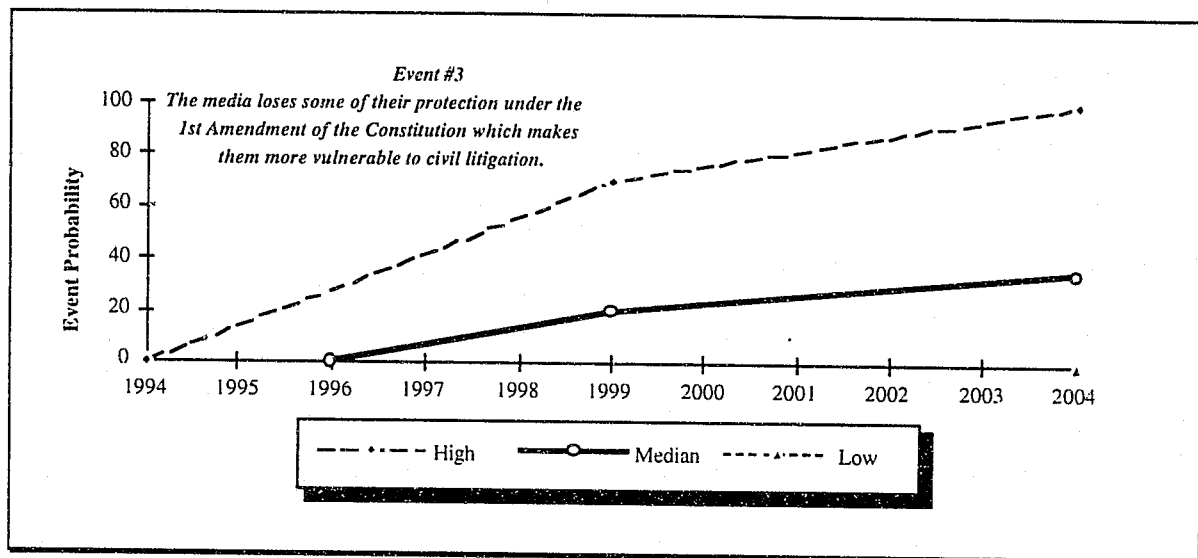
chart, the panel's median indicated that it would be at least two years before this event could possibly exceed a 0% probability.

**Event 3. The media loses some of their protection under the 1<sup>st</sup> amendment of the Constitution which makes them more vulnerable to civil litigation.**

The panel felt that the media contributed to the crime rate in two ways. The first was to provide recognition and notoriety for criminals who would otherwise remain anonymous. This provided a psychological reward which increased the likelihood that the criminal conduct would reoccur. The second was to glorify violent conduct in society and create a perception that it was acceptable if not unavoidable. Additionally, many members believed that members of the media viewed themselves as agents for social change and isolated incidents would be blown out of proportion to illustrate injustices. Panel members felt that if the media should become vulnerable to civil litigation an attenuating effect on crime would occur.

<i>The media loses some of their protection under the 1<sup>st</sup> amendment of the Constitution which makes them more vulnerable to civil litigation</i>	Group Forecast	Years until probability first exceeds zero	PROBABILITY OF OCCURRING BY:	
			Year 1999	Year 2004
	High	0	70	100
	Median	2	20	35
	Low	10	0	0

*Table 3 — Data for Event #3*



*Figure 5 — Chart for Event #3*

The panel was not at all confident that this event would occur within the next ten years. Four members of the panel gave it virtually no chance at all. The median forecast for the panel was only 20% at five years and rising to only 35% at ten years.

**Event 4. A complete revision of the penal institution policies makes incarceration a very unpleasant experience.**

The panel believed that another contributing factor to crime was the lack of sufficient negative reinforcement for an individual who is incarcerated. The policies which govern penal institutions allow opportunities, privileges and liberties which make them almost desirable. Should the policies be changed in such a manner that incarceration became very unpleasant, many repeat offenders would go to greater lengths to avoid them.

<i>A complete revision of the penal institution policies makes incarceration a very unpleasant experience</i>	Group Forecast	Years until probability first exceeds zero	PROBABILITY OF OCCURRING BY:	
			Year 1999	Year 2004
	High	0	100	100
	Median	1	42.5	72.5
Low	4	10	50	

Table 4 — Data for Event #4

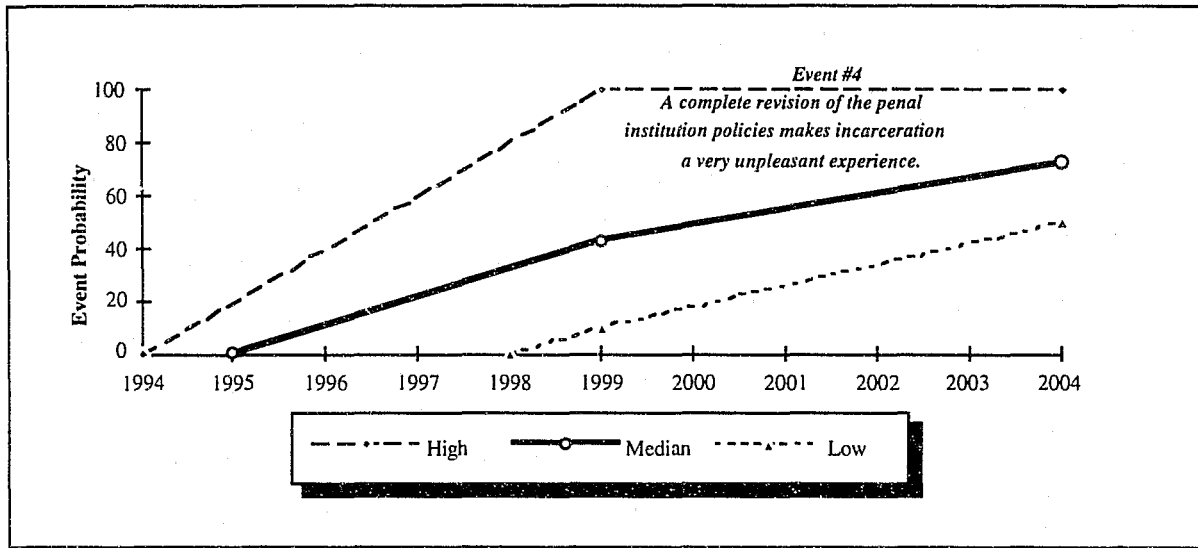


Figure 6 — Chart for Event #4

The panel forecast that this event would very likely occur to some extent within the next ten years. Almost three-quarters of the group (72.5%) felt that this event would happen in some form by the year 2004. Four members felt that it would be certain to happen by then. Virtually no one felt that it would not happen.

**Event 5. Laws are passed which codify all laws relating to the family unit.**

This event was one of the most discussed of all the candidate events. It represents a composite of three other ideas originally identified by the panel which

were so closely related that they were consolidated into this one. Panel members felt that the breakdown of the traditional family unit was one of the greatest contributing factors to crime of all those identified during the NGT process. Many of the laws relating to the family are scattered throughout many codes and interspersed between the civil and criminal justice systems. This creates confusion as to the rights and responsibilities of parents and children as well as complicating the enforcement of applicable penal statutes.

<i>Laws are passed which codify all laws relating to the family unit</i>	Group Forecast	Years until probability first exceeds zero	PROBABILITY OF OCCURRING BY:	
			Year 1999	Year 2004
	High	0	100	100
	Median	2	55	62.5
	Low	10	0	0

Table 5 — Data for Event #5

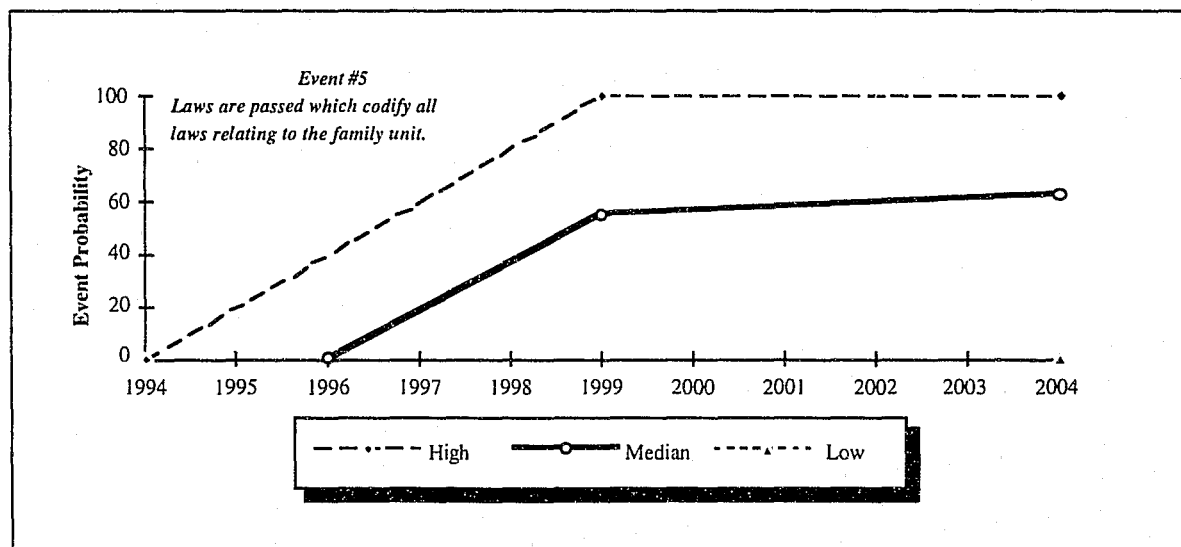


Figure 7 — Chart for Event #5

Even though the group's median score for this event was only 62.5% by the year 2004, six members of the panel believed that it had a 90% or better chance of

occurring during the same time. Three members of the group believed that it had virtually no chance of occurring whatsoever.

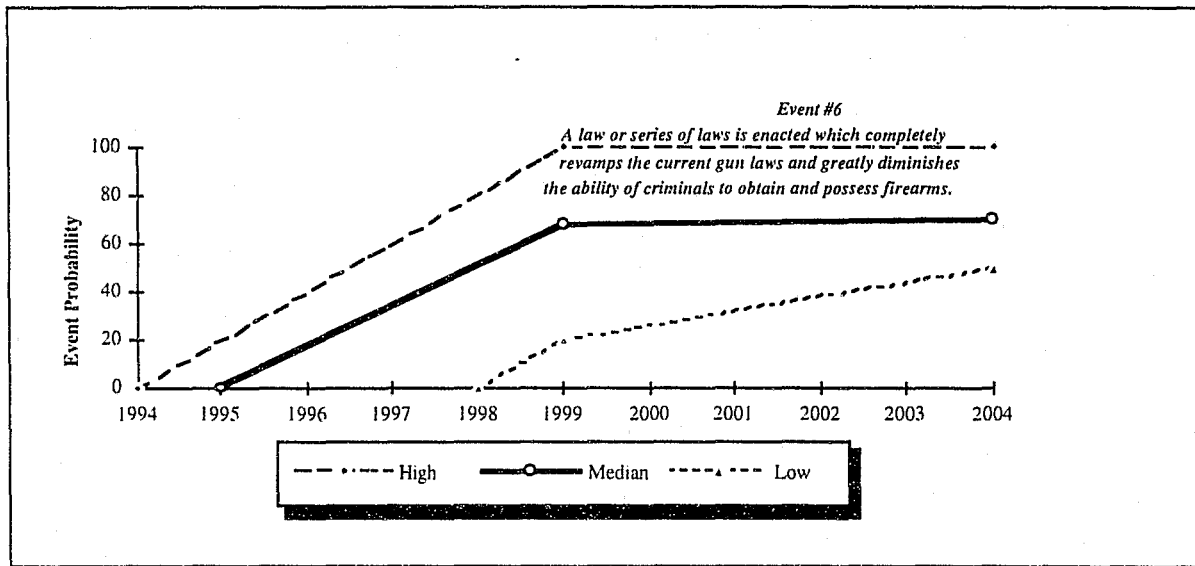
**Event 6. A law or series of laws is enacted which completely revamps the current gun laws and greatly diminishes the ability of criminals to obtain and possess firearms.**

It was the panel's belief that much of the violent crime which is occurring can be attributed to the ease of obtaining and possessing firearms. A law or series of laws which diminish a criminal's ability to obtain or possess firearms would be productive in reducing these types of crimes.

<i>A law or series of laws is enacted which completely revamps the current gun laws and greatly diminishes the ability of criminals to obtain and possess firearms</i>	Group Forecast	Years until probability first exceeds zero	PROBABILITY OF OCCURRING BY:	
			Year 1999	Year 2004
	High	0	100	100
	Median	1	67.5	70
	Low	4	20	50

*Table 6 — Data for Event #6*





*Figure 8 — Chart for Event #6*

Seven members of the panel believed that this event would occur by the year 2004. The group's median rated the probability at 67.5% within five years and 70% within ten years. No one believed that it would not occur in some form within five years and most of the group believed that it would not exceed a 0% probability of occurring before 1995.

**Event 7. A centralized data base for sharing information among law enforcement agencies becomes a reality.**

The current myriad of databases and agencies used to capture and store information make the use of it a very tedious and time consuming process. The group expressed very strong belief that the ability to capture and store information coupled with an ability of the entire law enforcement system to retrieve and share it would provide a significant enhancement to the reduction of crime.

<i>A centralized data base for sharing information among law enforcement agencies becomes a reality</i>	Group Forecast	Years until probability first exceeds zero	PROBABILITY OF OCCURRING BY:	
			Year 1999	Year 2004
			High	0
Median	2	45	80	
Low	4	20	25	

Table 7 — Data for Event #7

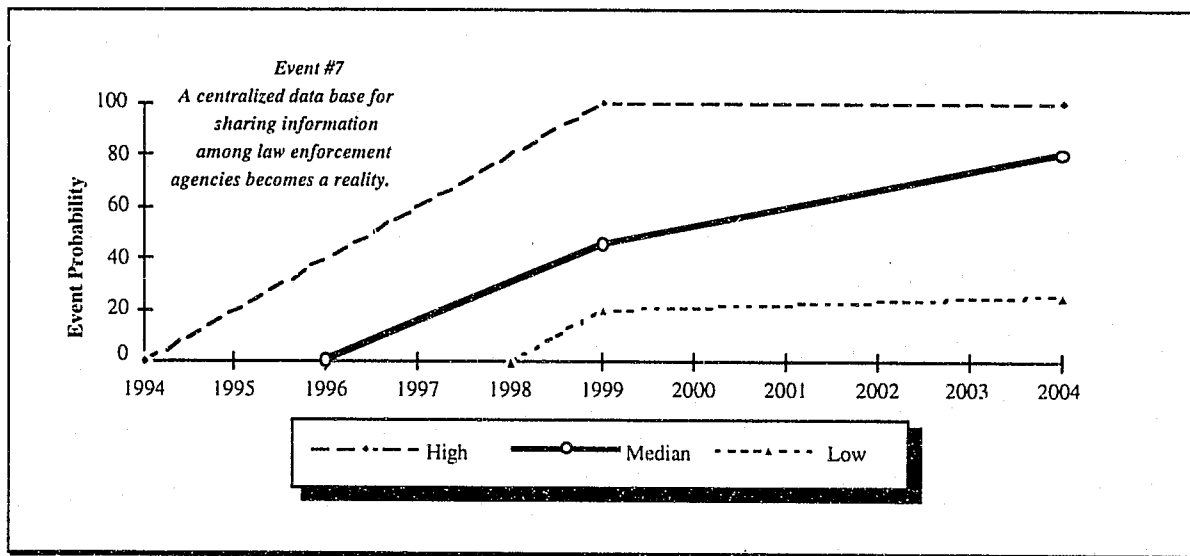


Figure 9 — Chart for Event #7

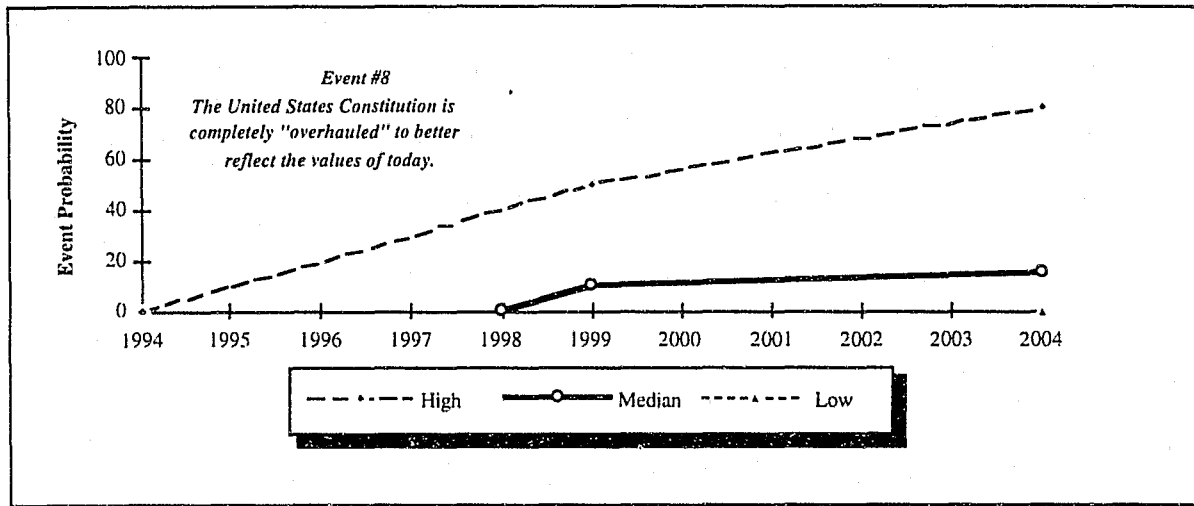
All but two members of the panel believed this event had a 75% chance or greater of happening within ten years. The median for the group was 45% at five years and rose to 80% by the year 2004. Only one person believed that there was no possibility of it happening at all. Most panel members believed that it could occur within two years.

**Event 8. The United States Constitution is completely "overhauled" to better reflect the values of today.**

Many of the group had extensive experience in the criminal justice system and had witnessed the profound changes in the application of criminal laws within the last two or three decades. They expressed a belief, albeit controversial, that the judicial interpretations which have altered the application of the Constitution could be codified into a new Constitution altogether. This would very likely eliminate much of the confusion as to the interpretation of the law and provide a set of clear guidelines with which to judge conduct. If this event were to happen, it would impact every component at every level of the criminal justice system.

<i>The United States Constitution is completely "overhauled" to better reflect the values of today</i>	Group Forecast	Years until probability first exceeds zero	PROBABILITY OF OCCURRING BY:	
			Year 1999	Year 2004
	High	0	50	80
	Median	4	10	15
	Low	90	0	0

*Table 8 — Data for Event #8*



*Figure 10 — Chart for Event #8*

The group expressed an extremely doubtful view that this event would occur. The group median revealed this doubt with only a 10% chance within five years and a 15% chance of occurring within the next ten years. Nine of the members believed that it had less than a 50% chance of occurring by the year 2004.

**Event 9. Law enforcement is “graded” on crime prevention efforts rather than the number of arrests, crimes solved or property recovered.**

The group expressed a belief that law enforcement is being graded for the wrong performance. Many of the “rewards” such as additional funding, personnel, programs, grants, etc., are as a result of a law enforcement agencies’ arrest record, number of crimes solved or amount of property recovered. From the panel’s perspective, this means that prevention efforts were secondary since the absence of crime made it more difficult to justify further or additional expenditures. By rewarding a reduction or absence of crime an agency would focus efforts on prevention.

<i>Law enforcement is "graded" on crime prevention efforts rather than the number of arrests, crimes solved or property recovered</i>	Group Forecast	Years until probability first exceeds zero	PROBABILITY OF OCCURRING BY:	
			Year 1999	Year 2004
	High	0	90	100
	Median	3	25	57.5
Low	9	0	0	

Table 9 — Data for Event #9

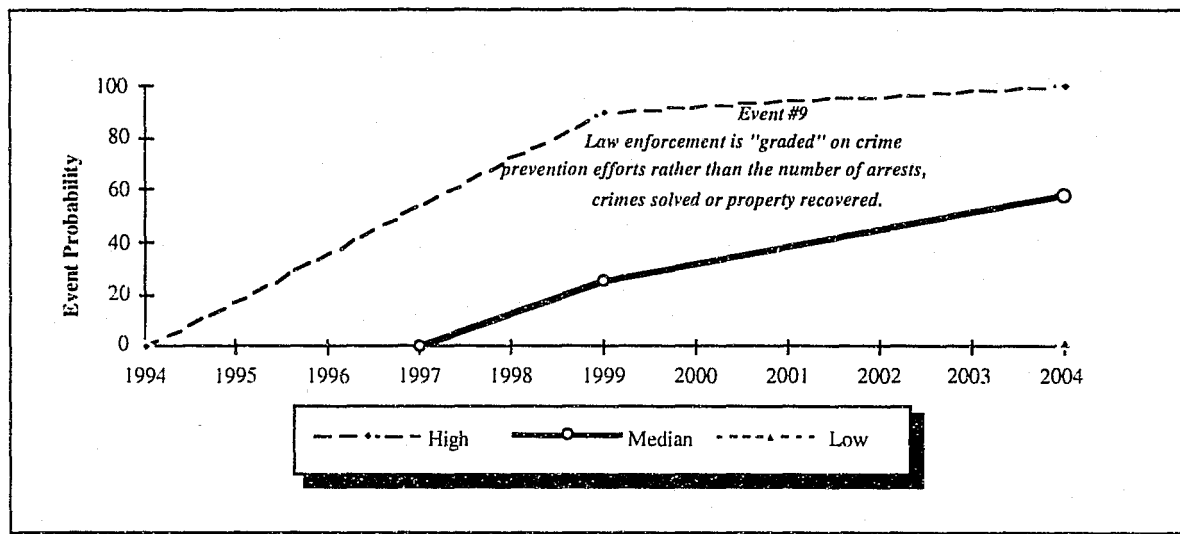


Figure 11 — Chart for Event #9

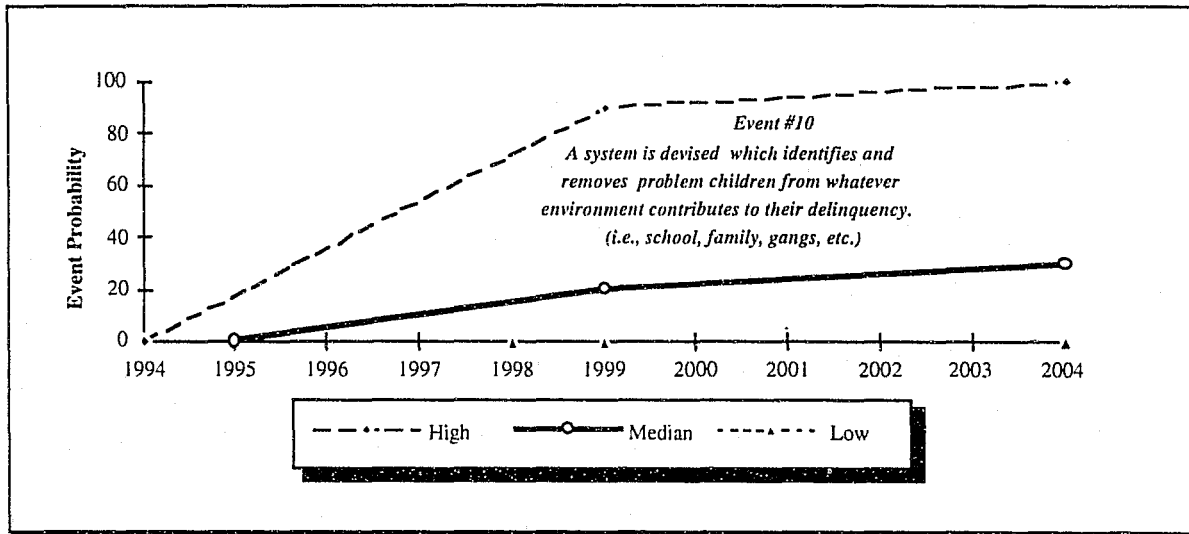
The panel expressed a very low level of confidence that this event would occur by the year 1999 and felt that it had only a slightly better chance of occurring than not by the year 2004. Two members thought it had less than a 1% chance of occurring at all.

**Event 10. A system is devised which identifies and removes problem children from whatever environment is contributing to their delinquency. (i.e., school, family, gangs, etc.)**

The group identified several trends which dealt specifically with the crimes committed by juvenile offenders. They felt that if there were some way to prevent juveniles from becoming delinquent, it would have far reaching effects on reducing crime as a whole. This event was identified because it was felt that many delinquents were not socialized to become productive members of the community. By identifying juveniles early enough to have an influence on their lives and then providing them with role models and a nurturing environment it was felt that many would avoid becoming disruptive and delinquent in later years.

<i>A system is devised which identifies and removes problem children from whatever environment is contributing to their delinquency. (i.e., school, family, gangs, etc.)</i>	Group Forecast	Years until probability first exceeds zero	PROBABILITY OF OCCURRING BY:	
			Year 1999	Year 2004
	High	0	90	100
	Median	1	20	30
Low	4	1	2	

*Table 10 — Data for Event #10*



*Figure 12 — Chart for Event #10*

The panel expressed a very low confidence that this event would occur with only a 20% chance by 1999 and rising to a 30% chance by 2004. Eight of the members indicated that it had a 50% chance or less of occurring within ten years; three of whom indicated that it would not occur at all.

## Discussion of Trends

A trend is a series of events which indicate a general direction of movement which will have an effect on an issue. A trend can be identified when a series of events occur over time, are related and can be forecast. During the NGT panel's analysis, a list of forty-four trends were identified. From these, five were identified as likely to have the most impact on the issue. Five additional trends were identified by the researcher as necessary to successfully study the issue. After the trends were identified, the panel's focus moved from identification of trends to forecasting their direction to the year 2004. Using 1994 as a datum, the panel forecast each of the five trends they had identified as likely to have the most impact on the issue back to 1989 and forward to 2004. The panel was provided historical data on the five trends identified by the researcher and forecast the direction of movement to the year 2004. (These are identified with letters so as not to be confused with those trends which the panel identified.) Upon examining the trends identified by the researcher the panel discussed them and agreed that the issue could not be adequately examined without them. The trend identification process required each member of the group to individually list trends which would be required to adequately examine the issue. This list was then discussed by the group as a whole and prioritized. The five most critical trends were carried forward for further examination.

The following is a list and discussion of each of these trends. Included in the discussion is a chart which graphically depicts the level of the trend and the original data from which the charts are derived.



## Trend A. Rate of Violent Crime

This trend was identified as significant because of the tremendous influence violent crime has on the community. Much of the fear people experience from crime stems directly from reports of shocking and heinous crimes. For purposes of the study, violent crime was defined as one in which the likelihood of serious injury to a victim was either an element of the crime or likely to occur by the nature of the act.

TREND STATEMENT	NGT Forecast	LEVEL OF TREND (1994 = 100)			
		Year 1989	Year 1994	Year 1999	Year 2004
<i>Rate of Violent Crime</i>	High			250	500
	Median	83*	100*	150	170
	Low			100	105

\* indicates data based upon documented statistics

Table 11 — Data for Trend A

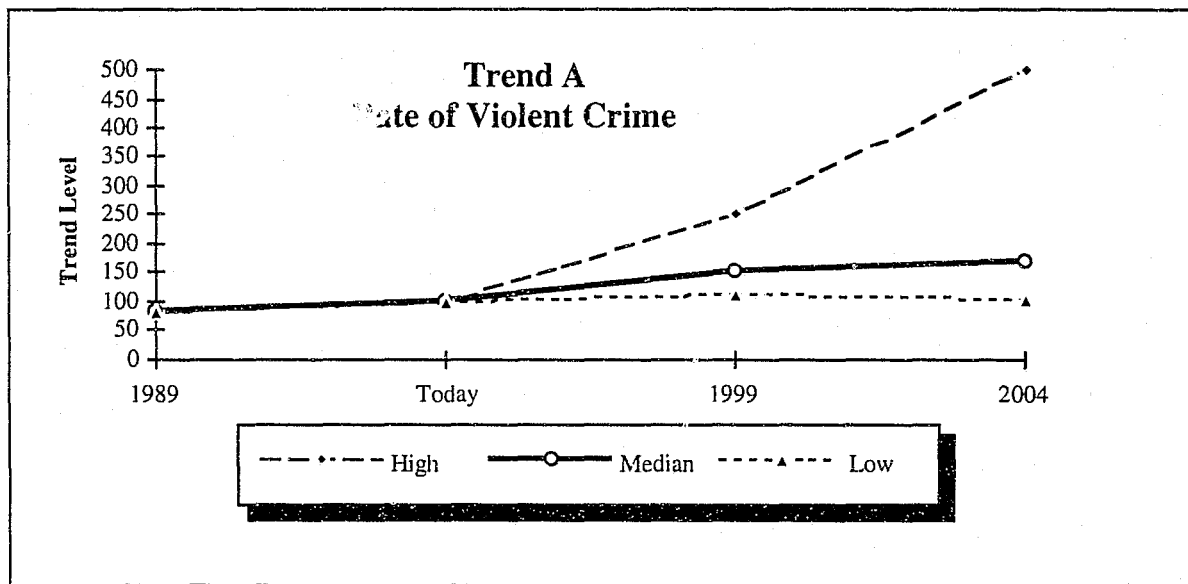


Figure 13 — Chart for Trend A

Violent crime has increased more than 17% in California during the last five years.<sup>29</sup> All members of the panel felt that the rate would continue to increase for the next ten years. One member of the panel expressed the opinion that it would

continue to increase to cataclysmic proportions (500%) by the year 2004. If this were to occur, the panel felt that not only would there be less resistance to change, but that change would be bolder and more dramatic than anything previously conceived. In fact, the greater the increase coupled with the longer the change is delayed the more likely the change would be sudden and bold, perhaps even draconian.

**Trend B. Rate of Citizen's Complaints**

Citizen's complaints<sup>m</sup> are one type of information which can provide an indicator for the amount of satisfaction or dissatisfaction with law enforcement. Since the amount of community support which can be expected is likely to be associated with the amount of satisfaction, this trend provides an additional indicator for this factor. Citizen's complaints have increased 21% in the last five years. For purposes of the study, citizen's complaints were defined as formal criticisms brought against an agency or its personnel dealing with the type, amount or quality of service.

TREND STATEMENT	NGT Forecast	LEVEL OF TREND (1994 = 100)			
		Year 1989	Year 1994	Year 1999	Year 2004
<i>Rate of Citizen's Complaints</i>	High			300	500
	Median	79*	100*	125	150
	Low			75	60

\* indicates data based upon documented statistics

*Table 12 — Data for Trend B*

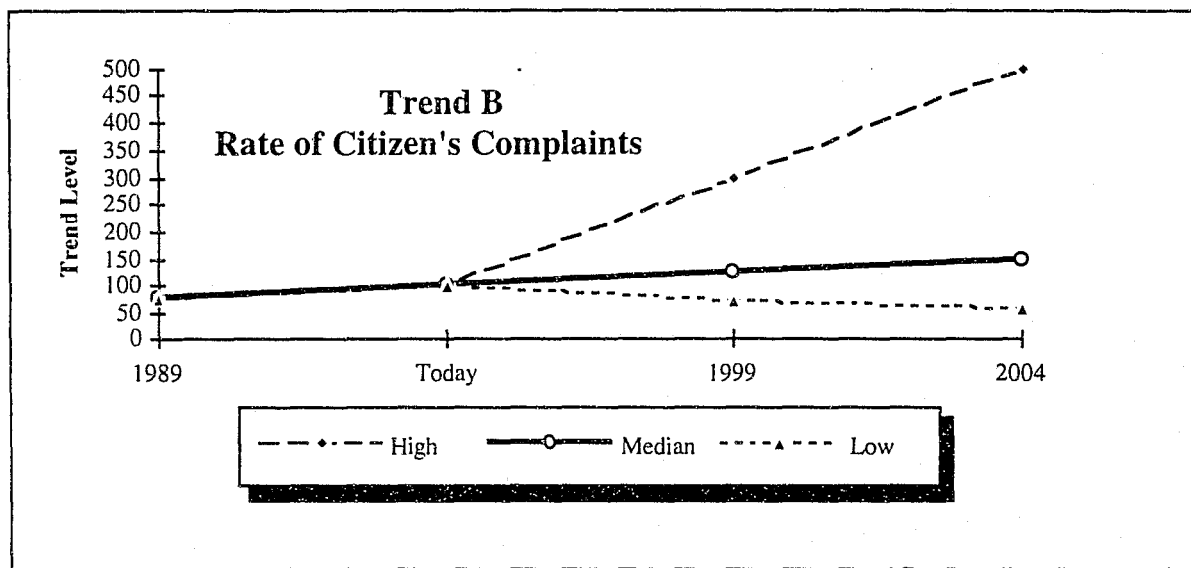


Figure 14 — Chart for Trend B

The panel felt that there would continue to be an increase in citizen's complaints at approximately the same rate as the previous five years. Two members of the panel felt that citizen's complaints would decrease as time passed and expressed the opinion that law enforcement agencies were making great strides by seeking the input community members in policy decisions. This would result in more satisfaction and less complaints. The rest of the panel disagreed however, and the median reflects a continuing increase in complaints. If the forecasted increase is correct, their resistance to change will undoubtedly be reduced.

### Trend C. Arrest Rate

The number of arrests made by law enforcement agencies has been one of the traditional methods for determining success since at least the 1930's. This may be because an absence of crime can result from many factors but the number of arrests results solely from the efforts of law enforcement. In any case, there can be little doubt that removing criminals from society *will* have an impact on the crime rate.

During the last five years, the number of arrests (for all crimes) in California has declined 17%.<sup>a</sup> Arrests were defined as the taking into custody of any person in a case and manner authorized by law.

TREND STATEMENT	NGT Forecast	LEVEL OF TREND (1994 = 100)			
		Year 1989	Year 1994	Year 1999	Year 2004
Arrest Rate	High			140	130
	Median	117*	100*	95	90
	Low			70	50

\* indicates data based upon documented statistics

Table 13 — Data for Trend C

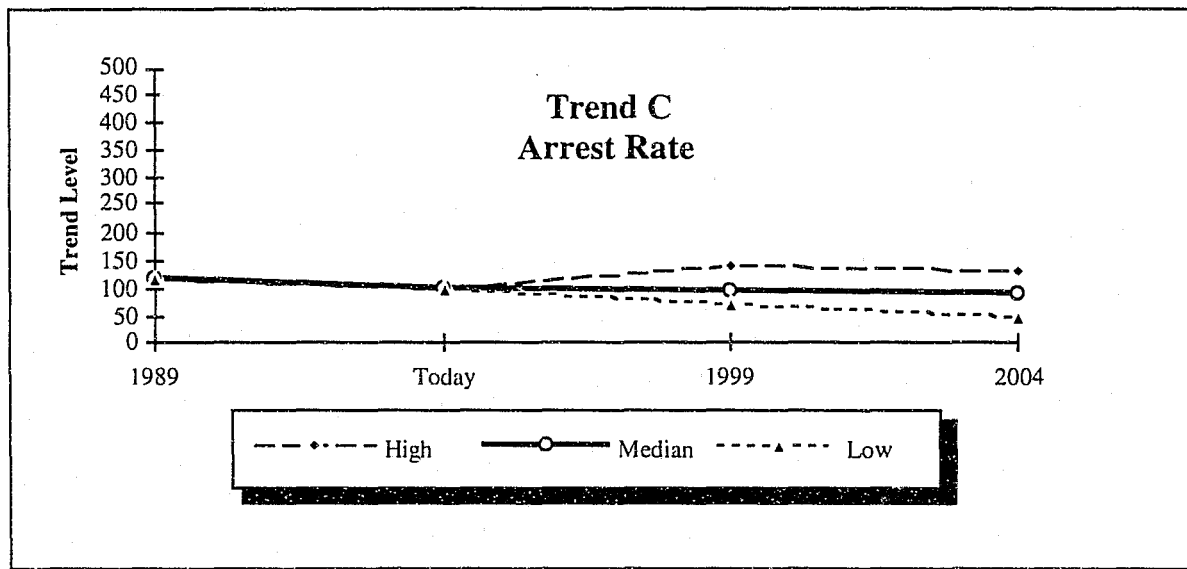


Figure 15 — Chart for Trend C

The NGT panel achieved the greatest consensus on this trend than any of the others. The median indicated that they believed the decline in arrests would continue at about the same rate until at least the year 2004. Although the panel was very close in agreement with this trend, they were almost evenly split between those who believed that the rate would continue to decline and those who believed it would improve. A number of panel members pointed out that there were several

authorities who believed the reduction in arrests were because of better focused efforts by law enforcement toward career criminals. Others felt that the new emphasis on "community oriented policing" was detracting from making arrests.

#### **Trend D. Number of Peace Officers**

This trend was chosen because of the belief that more peace officers results in less crime. Increasing the number of peace officers has been one of the traditional methods that society has used to turn the tide of crime. This belief has never been stronger than during the present administration of President Clinton and his attempts to hire an additional 100,000 more peace officers. The number of peace officers in California has increased approximately 7% during the last five years.<sup>62</sup> The term "peace officer" refers to any person meeting the requirements of §830 of the California Penal Code and includes an array of law enforcement officers ranging from the California Department of & Game, Park Police, Los Angeles County Safety Police, Metropolitan Transit Authority Police, California State University Police, as well as the more well known city police officers and county deputy sheriff's.<sup>63</sup>

TREND STATEMENT	NGT Forecast	LEVEL OF TREND (1994 = 100)			
		Year 1989	Year 1994	Year 1999	Year 2004
<i>Number of Peace Officers</i>	High			225	250
	Median	93*	100*	117.5	130
	Low			100	105

\* indicates data based upon documented statistics

*Table 14 — Data for Trend D*

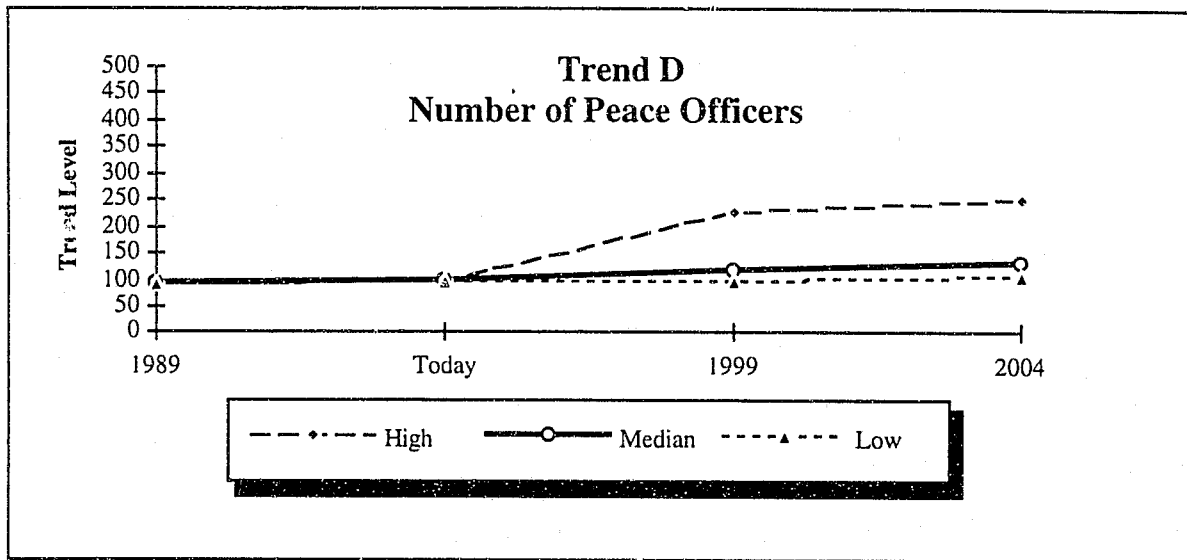


Figure 16 — Chart for Trend D

The panel was in fairly close agreement that there would be a slight increase in the number of peace officers during the next decade. In fact, all but one agreed that there would be an increase, albeit a small one. The panel believed that although the number of peace officers would have an impact on a reduction of crime it was not the most significant trend and certainly not likely to have a dramatic impact since, if this were true, a reduction in crime would have already been noted.

### Trend E. Criminal Justice System Expenditures

Another commonly held belief, and one that is clearly described in the introduction to this study, is that the rise in crime is a not as a result of a lack of funding of the criminal justice system. The recent vote by Californians to designate a 1/2% sales tax for public safety serves to illustrate this principal more than any other. During the last five years, criminal justice funding in California has increased more than 40%.

TREND STATEMENT	NGT Forecast	LEVEL OF TREND (1994 = 100)			
		Year 1989	Year 1994	Year 1999	Year 2004
<i>Criminal Justice Expenditures</i>	High			200	300
	Median	60*	100*	150	200
	Low			125	135

\* indicates data based upon documented statistics

Table 15 — Data for Trend E

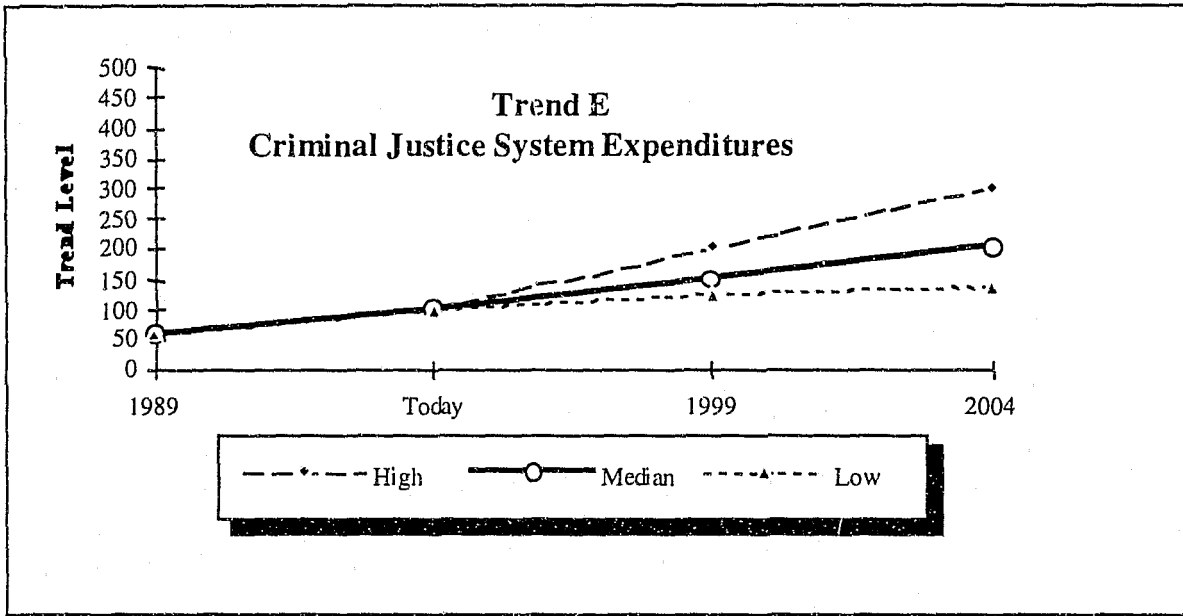


Figure 17 — Chart for Trend E

As indicated by the chart, the NGT panel believed this trend will continue and funding for the California criminal justice system will continue to increase during the next decade. In fact, not a single person believed that expenditures would not increase at least 25% by the year 2004. The median of the group indicated that the growth would be a 100% increase. The lack of a more dramatic impact on the reduction of the crime rate would seem to indicate that funding is not having a significant impact.

**Trend 1. Degree to which traditional values are replaced by “politically correct thinking”**

The NGT panel felt that of all the trends which they identified, none would have more impact on the reduction of crime than the degree to which traditional values are replaced by “politically correct thinking.” It was felt that many of the traditional values were personal and part of a person’s psyche, while those which were replacing them merely reflected those which enabled one to successfully compete in society. The panel believed that without traditional values a person became shallow and vulnerable to conduct which was inconsiderate, thoughtless or self-serving.

This trend is actually a composite of several ideas identified by the group, each of which dealt with a value which had been usurped by a more modern one. During the portion of the meeting which precisely defined the trends and events, this trend was specified as the one which best expressed their sentiments on this issue. Examples cited were the “work ethic” the acceptance of personal responsibility, the belief that to succeed one must “produce,” etc. The panel believed that the direction which this trend takes has more impact on the crime rate than any other.

TREND STATEMENT	NGT Forecast	LEVEL OF TREND (1994 = 100)			
		Year 1989	Year 1994	Year 1999	Year 2004
<i>Degree to which traditional values are replaced by “politically correct thinking</i>	<b>High</b>	<b>100</b>		<b>200</b>	<b>500</b>
	<b>Median</b>	<b>74</b>	<b>100</b>	<b>120</b>	<b>135</b>
	<b>Low</b>	<b>30</b>		<b>40</b>	<b>50</b>

*Table 16 — Data for Trend #1*



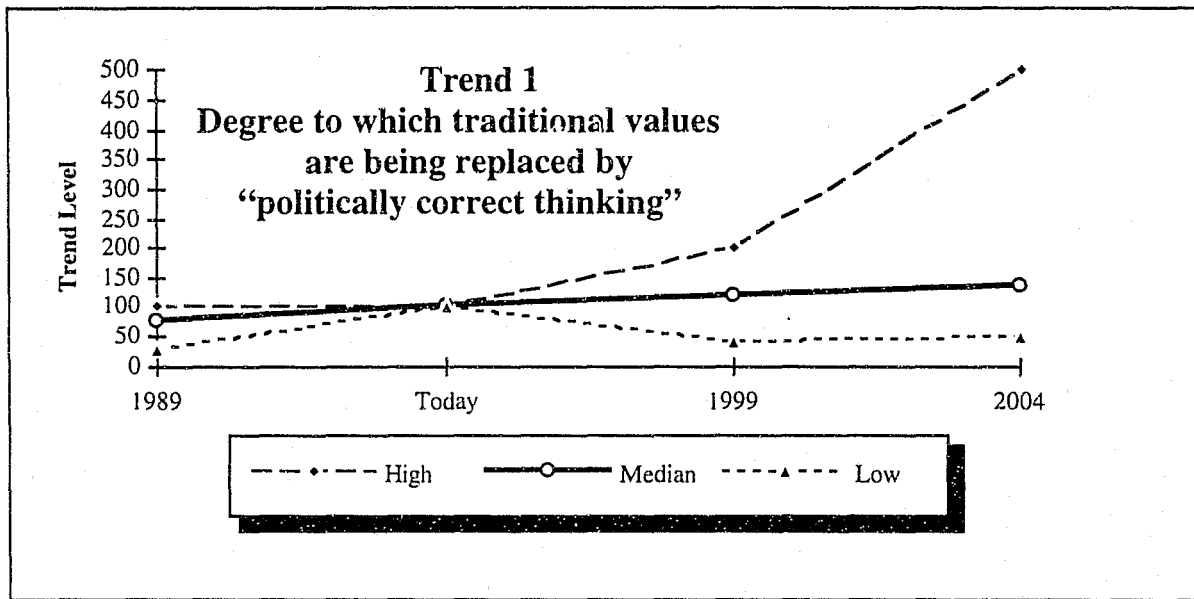


Figure 18 — Chart for Trend #1

The median for the panel indicates that the panel expects only a slight change in the degree to which these values will change. More than two-thirds of the group believed that the degree to which traditional values would be replaced would be greater in 2004 than in 1994. If the forecast is accurate, one may conclude that little hope in the reduction of crime may be expected from a return to "traditional" values since they are more than less likely to be replaced by more contemporary ones.

**Trend 2. Degree to which the fear of crime has on law enforcement agencies' focus and emphasis**

The fear of crime was determined to be more significant than the crime rate. It was felt that many citizens only experienced crimes such as drug sales, robberies, murders and burglaries vicariously. However, other crimes considered only "nuisances" by law enforcement serve to emphasize the public's concern over lack of

effective crime control measures. Examples of these crimes include vandalism, loitering, public drunkenness, disorderly conduct, etc. These crimes, coupled with extensive media coverage of the more heinous crimes create an atmosphere of fear. The panel felt that the fear of crime would have a greater influence on a community's attempts to focus the efforts of law enforcement than the amount of crime.

TREND STATEMENT	NGT Forecast	LEVEL OF TREND (1994 = 100)			
		Year 1989	Year 1994	Year 1999	Year 2004
<i>Degree to which the fear of crime has on law enforcement agencies' focus and emphasis</i>	High	100		200	500
	Median	85	100	125	150
	Low	50		100	90

Table 17 — Data for Trend #2

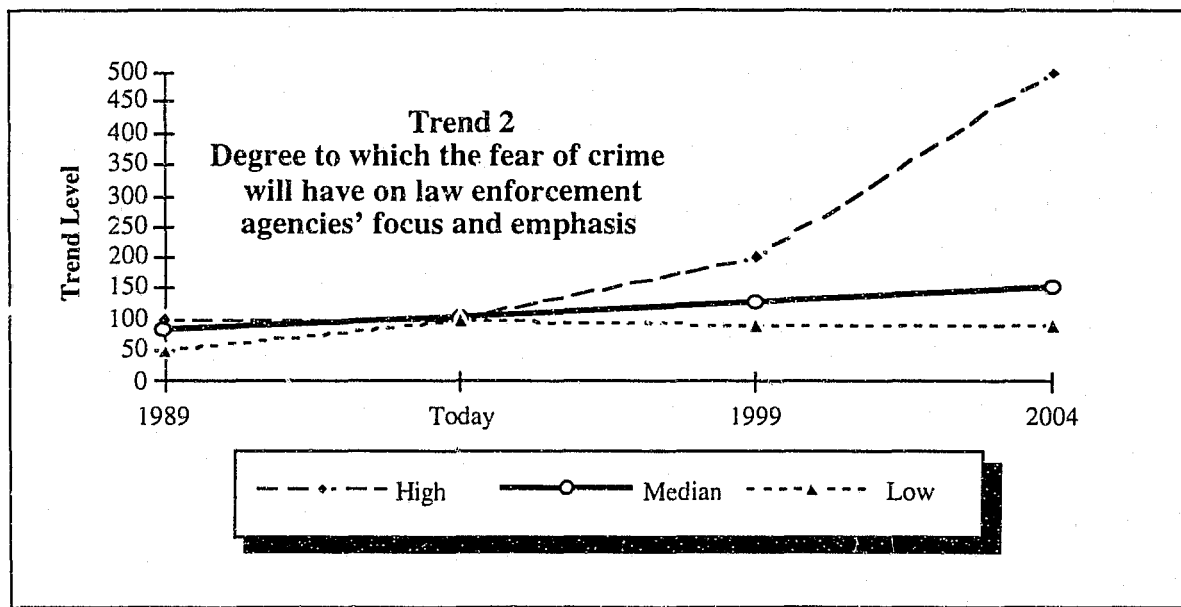


Figure 19 — Chart for Trend #2

All but one member of the panel believed that the fear of crime would have a greater effect on law enforcement in 2004 than 1994. The group as a whole, believed that the fear had less of an impact in 1989 than 1994 and that the impact

would increase with time through at least the year 2004. Although the fear of crime would be detrimental to the perception of law enforcement efforts, it was also perceived as an agent for change and thus could considerably reduce the resistance.

**Trend 3. Amount of juvenile crime**

The members of the NGT panel felt that juvenile crime has a tremendous impact on the crime rate as a whole. If any action is successful in reducing juvenile crime, the crime rate as a whole will also be reduced, possibly even dramatically.

TREND STATEMENT	NGT Forecast	LEVEL OF TREND (1994 = 100)			
		Year 1989	Year 1994	Year 1999	Year 2004
<i>Amount of Juvenile Crime</i>	High	90		225	500
	Median	77.5	100*	150	155
	Low	20		95	90

\* indicates data based upon documented statistics

Table 18 — Data for Trend #3

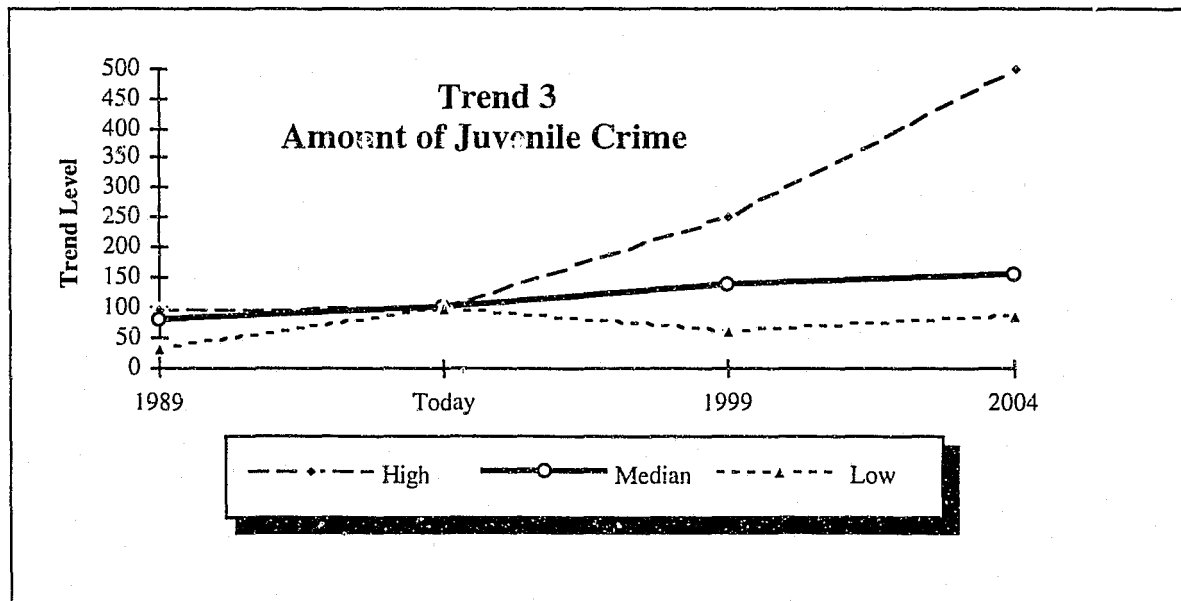


Figure 20 — Chart for Trend #3

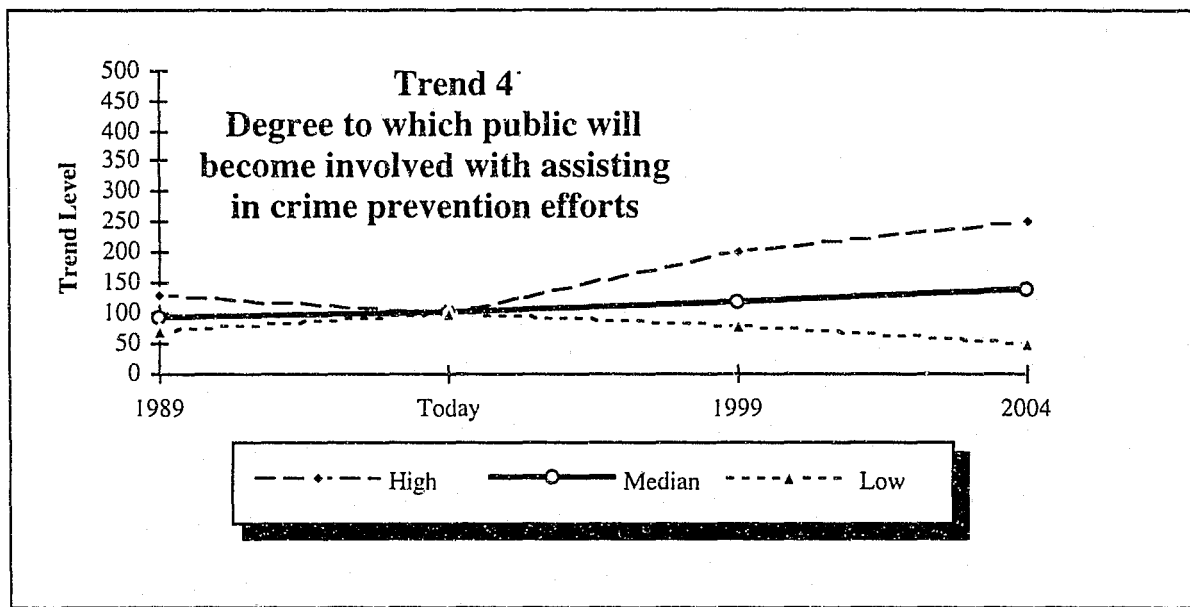
Not a single member of the panel believed that juvenile crime has not increased and only one member believed that it would decrease within the next ten years. Five of the members believed that juvenile crime will continue to increase and even double by the year 2004. If this holds true, any change which focuses on reducing juvenile offenders would gain support and reduce resistance to more innovative and venturesome programs.

**Trend 4. Degree to which public becomes involved with assisting in crime prevention efforts**

The panel expressed a belief that the criminal justice system by itself would not be effective in reducing crime. The degree which a community becomes involved in crime prevention efforts will be a strong indicator of the how successful the criminal justice system will be in reducing crime.

TREND STATEMENT	NGT Forecast	LEVEL OF TREND (1994 = 100)			
		Year 1989	Year 1994	Year 1999	Year 2004
<i>Degree to which public becomes involved with assisting in crime prevention efforts</i>	High	130		200	250
	Median	87.5	100	115	135
	Low	70		80	50

*Table 19 — Data for Trend #4*



*Figure 21 — Chart for Trend #4*

Overall, panel members expressed optimism in the degree they expect the community to become involved in assisting with crime prevention. Only two members felt that the community has become less involved during the past five years and nine members felt that they would become more involved during the next ten years. If the forecast is accurate, change would gain the support of more involved and better educated community members and, arguably, one of the most powerful allies.

**Trend 5. Impact judicial and governmental rulings has on imposing values on the family unit**

The members of the group expressed an opinion that the family unit was changing and with it, the associated values. Many of the changes resulted from judicial and governmental rulings. The group forecast that this trend would have an impact on the crime rate because most of the values which assist a person in

becoming a productive member of society are learned in a family setting. Some of the examples cited were a teenage girl's ability to have an abortion without parental consent or notification, the fear of punishment for a parent who disciplines a child, a general lack of ability for schools to control children who are disruptive, etc. It was felt that these settings were being regulated by either governmental or judicial rulings to the point that values being taught were fostered by agencies or persons other than family members.

TREND STATEMENT	NGT Forecast	LEVEL OF TREND (1994 = 100)			
		Year 1989	Year 1994	Year 1999	Year 2004
<i>Impact on judicial and governmental rulings has on imposing values on the family unit</i>	High	95		250	500
	Median	78	100	132.5	140
	Low	30		60	85

Table 20 — Data for Trend #5

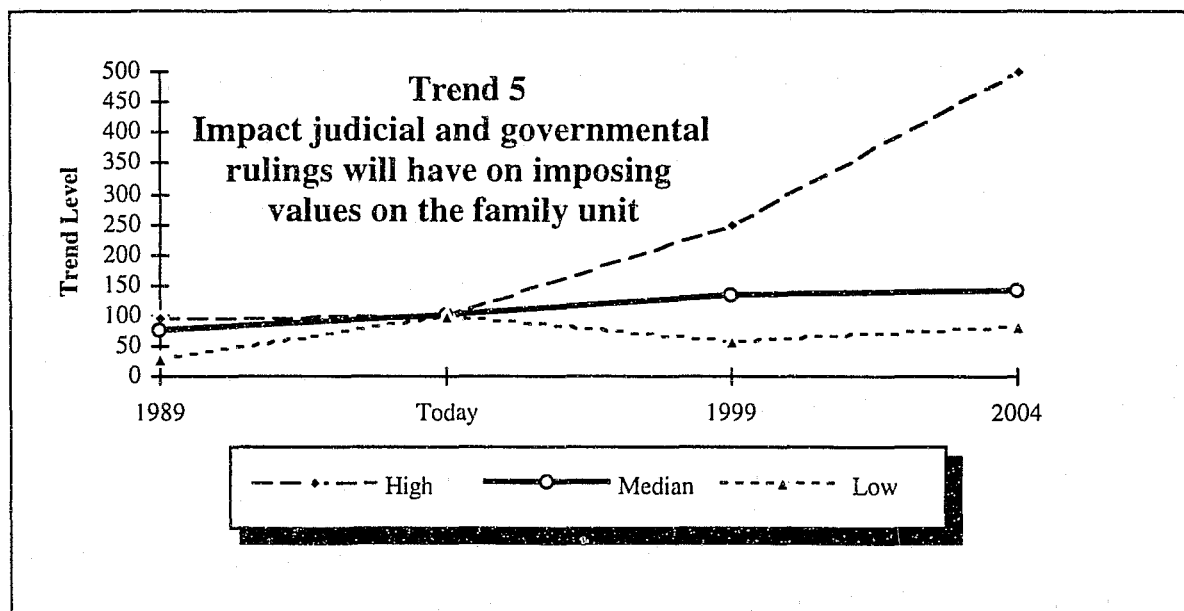


Figure 22 — Chart for Trend #5

The group was in strong agreement with this trend. Not one person believed this trend was occurring and only one believed that it would become less prevalent

in the future. Five of the members believed that the increase would be dramatic by the year 1999.

- *Additional Considerations*

**Arrest Rate vs. Criminal Justice Expenditures**

In addition to those trends already discussed, it was noted that the group members forecast that the arrest rate would continue to decline while forecasting a dramatic increase in criminal justice expenditures. Those trends were plotted using known historical data and the median of each of the groups forecasted data for each of the trends. The results are as follows:

TREND STATEMENT	NGT Forecast	LEVEL OF TREND (1994 = 100)			
		Year 1989	Year 1994	Year 1999	Year 2004
<i>Arrest Rate</i>	Median	117*	100*	95†	90†
<i>Criminal Justice Expenditures</i>	Median	60*	100*	150†	200†

\* indicates data based upon documented statistics

† indicates data based upon the median of the NGT

*Table 21 — Data for Trend Comparisons*

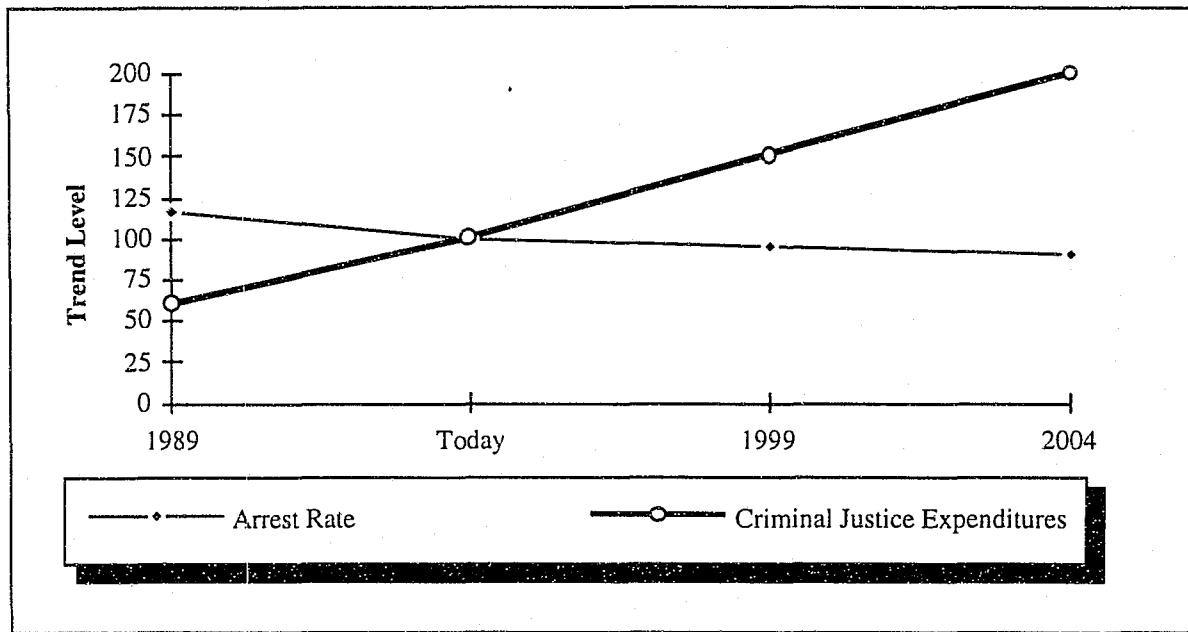


Figure 23 — Chart for Trend Comparisons

Historical data has shown that an increase in criminal justice expenditures is not necessarily accompanied by an increase in the arrest of criminals. In fact, the opposite appears to be true as expenditures have continued to increase and arrests have continued to decline. Although factors such as increased booking fees and an emphasis on violent crime arrests vs. arrests for less serious crimes may explain the disparity, the fact that more money is spent for less arrests can not be disputed. The group members believe this trend will continue and the disparity will become even greater as time passes.

Although not as dramatic, the same phenomenon can be demonstrated when comparing the number of peace officers with the arrest rate. Conversely, when comparing the rate of violent crime with criminal justice expenditures or the number of peace officers, *all* variables show increases. The comparisons are valid and if the forecasts can assumed to be, one must quite logically draw a conclusion



that simply hiring more police officers or spending more money on the crime problem will not necessarily increase the amount of arrests nor reduce the amount of crime.

### Cross Impact Analysis

A cross impact analysis is a method used to determine the impact on an event should another occur. No event can occur in complete isolation and many events are very closely, sometimes inseparably related. For example, when determining the likelihood of a person becoming President of the United States compared with the likelihood of him/her being killed in a traffic accident, it becomes apparent that if the candidate dies before becoming President, that event could not occur.

Although this comparison is "either/or," others may not be as severe. If one event occurs, it may make it easier or more difficult for another to occur. By understanding this precept, it becomes apparent that while some events may be beyond the ability to manipulate, others may be within grasp. If one is able to identify events which can be influenced, it may be possible to cause others which have beneficial outcomes to happen or prevent those which have adverse consequences from occurring.

By using a method such as a "cross impact analysis" for determining the impact these relationships may have on the likelihood of an event occurring as forecast, a more realistic forecast can be determined. The analysis begins by listing the events along the sides and top of a table. Each event can then be compared with the others. Since an event can not impact itself the intersections of identical events are blacked out. The chances that the event will occur at all (within a given time period) are then determined and placed in an adjacent column (NGT Probability).

The amount of impact each of the other events will have on the likelihood of an individual event occurring is then determined. Since events can negatively impact each other, this value can be expressed as either a positive or a negative number. By multiplying the impact value ( $\Delta$ ) by the percent of probability for each of the events, a final probability can be determined and yields a percentile value (Final Probability) indicating the chance of an event occurring as forecast in the context of other events also occurring.

The ten events identified by the NGT panel as having the most impact on the issue were selected for forecasting and assigned a probability of occurrence. The impact scores assigned were forecast by the researcher and reviewed by Russ Collins, one of the NGT panel members and who is a Command College graduate. Each of these events was then listed in a cross impact matrix to determine the impact on each other should one occur first.

Of the ten events selected for further examination, all but one were minimally affected by the other events. The single exception was Event 5. This event would codify all laws relating to the family unit. Isolated, the NGT panel forecast that this event had only a 63% chance of occurring, but when placed in the context of other events occurring, this number jumps to 93%. This ranked it first among the ten for potentially occurring within the next ten years. Three other events strongly influenced whether this event occurs or not. The first was Event 8. Event 8 would completely "overhaul" the United States Constitution. If this event occurred, it was felt that many laws which are in existence in a variety of codes, both state and federal, would be codified in revised federal statutes shortly

Event 1....A system which removes the "profits" from crime is implemented.

Event 2....Juvenile law undergoes a complete redefinition and requires the seriousness of the crime to be considered more than the age of the offender.

Event 3....The media loses some of the protection under the 1<sup>st</sup> amendment of the Constitution which makes them more vulnerable to civil litigation.

Event 4....A complete revision of the penal institution policies makes incarceration a very unpleasant experience.

Event 5....Laws are passed which codify all laws relating to the family unit.

Event 6....A law or series of laws is enacted which completely revamps the current gun laws and greatly diminishes the ability of criminals to obtain and possess firearms.

Event 7....A centralized data base for sharing information among law enforcement becomes a reality.

Event 8....The United States Constitution is completely "overhauled" to better reflect the values of today.

Event 9....Law enforcement is "graded" on crime prevention efforts rather than the number of arrests, crimes solved or property recovered.

Event 10...A system is devised which identifies and removes problem children from whatever environment is contributing to their delinquency. (i.e., school, family, gangs, etc.)

NGT Probability

	%	Event 1	Event 2	Event 3	Event 4	Event 5	Event 6	Event 7	Event 8	Event 9	Event 10	Final Probability
Event 1	33%		$\Delta= 2$	$\Delta= 10$	$\Delta= 0$	$\Delta= 0$	$\Delta= -10$	$\Delta= 0$	$\Delta= 20$	$\Delta= 10$	$\Delta= 0$	38%
			$P2 X \Delta= 2$	$P3 X \Delta= 4$	$P4 X \Delta= 0$	$P5 X \Delta= 0$	$P6 X \Delta= -7$	$P7 X \Delta= 0$	$P8 X \Delta= 2$	$P9 X \Delta= 6$	$P10 X \Delta= 0$	
Event 2	75%	$\Delta= 30$		$\Delta= 2$	$\Delta= -20$	$\Delta= -20$	$\Delta= 10$	$\Delta= 0$	$\Delta= 25$	$\Delta= -10$	$\Delta= 40$	74%
		$P1 X \Delta= 10$		$P3 X \Delta= 1$	$P4 X \Delta= -15$	$P5 X \Delta= -13$	$P6 X \Delta= 7$	$P7 X \Delta= 0$	$P8 X \Delta= 3$	$P9 X \Delta= -6$	$P10 X \Delta= 12$	
Event 3	35%	$\Delta= -50$	$\Delta= 0$		$\Delta= 0$	$\Delta= 0$	$\Delta= 5$	$\Delta= 0$	$\Delta= 60$	$\Delta= 0$	$\Delta= 0$	28%
		$P1 X \Delta= -16$	$P2 X \Delta= 0$		$P4 X \Delta= 0$	$P5 X \Delta= 0$	$P6 X \Delta= 4$	$P7 X \Delta= 0$	$P8 X \Delta= 6$	$P9 X \Delta= 0$	$P10 X \Delta= 0$	
Event 4	73%	$\Delta= -50$	$\Delta= 5$	$\Delta= 0$		$\Delta= 2$	$\Delta= 20$	$\Delta= 10$	$\Delta= 20$	$\Delta= -40$	$\Delta= 5$	64%
		$P1 X \Delta= -16$	$P2 X \Delta= 4$	$P3 X \Delta= 0$		$P5 X \Delta= 1$	$P6 X \Delta= 14$	$P7 X \Delta= 8$	$P8 X \Delta= 2$	$P9 X \Delta= -23$	$P10 X \Delta= 2$	
Event 5	63%	$\Delta= 0$	$\Delta= 0$	$\Delta= 0$	$\Delta= 0$		$\Delta= 0$	$\Delta= 0$	$\Delta= 40$	$\Delta= 30$	$\Delta= 30$	93%
		$P1 X \Delta= 0$	$P2 X \Delta= 0$	$P3 X \Delta= 0$	$P4 X \Delta= 0$		$P6 X \Delta= 0$	$P7 X \Delta= 0$	$P8 X \Delta= 4$	$P9 X \Delta= 17$	$P10 X \Delta= 9$	
Event 6	70%	$\Delta= -25$	$\Delta= -5$	$\Delta= 5$	$\Delta= 0$	$\Delta= 0$		$\Delta= 0$	$\Delta= 50$	$\Delta= 30$	$\Delta= -33$	72%
		$P1 X \Delta= -8$	$P2 X \Delta= -4$	$P3 X \Delta= 2$	$P4 X \Delta= 0$	$P5 X \Delta= 0$		$P7 X \Delta= 0$	$P8 X \Delta= 5$	$P9 X \Delta= 17$	$P10 X \Delta= -10$	
Event 7	80%	$\Delta= -80$	$\Delta= 10$	$\Delta= -40$	$\Delta= 2$	$\Delta= 0$	$\Delta= 15$		$\Delta= 5$	$\Delta= 15$	$\Delta= 10$	90%
		$P1 X \Delta= -26$	$P2 X \Delta= 8$	$P3 X \Delta= -14$	$P4 X \Delta= 20$	$P5 X \Delta= 0$	$P6 X \Delta= 11$		$P8 X \Delta= 1$	$P9 X \Delta= 9$	$P10 X \Delta= 3$	
Event 8	10%	$\Delta= -75$	$\Delta= 0$	$\Delta= -10$	$\Delta= -2$	$\Delta= -5$	$\Delta= 25$	$\Delta= 5$		$\Delta= 0$	$\Delta= 5$	2%
		$P1 X \Delta= -24$	$P2 X \Delta= 0$	$P3 X \Delta= -4$	$P4 X \Delta= 0$	$P5 X \Delta= -3$	$P6 X \Delta= 18$	$P7 X \Delta= 4$		$P9 X \Delta= 0$	$P10 X \Delta= 2$	
Event 9	58%	$\Delta= -25$	$\Delta= 5$	$\Delta= -60$	$\Delta= 10$	$\Delta= 10$	$\Delta= -50$	$\Delta= 10$	$\Delta= -33$		$\Delta= -20$	52%
		$P1 X \Delta= -8$	$P2 X \Delta= 4$	$P3 X \Delta= -21$	$P4 X \Delta= 50$	$P5 X \Delta= 6$	$P6 X \Delta= -35$	$P7 X \Delta= 8$	$P8 X \Delta= -3$		$P10 X \Delta= -6$	
Event 10	30%	$\Delta= 5$	$\Delta= -25$	$\Delta= 25$	$\Delta= 3$	$\Delta= 1$	$\Delta= -25$	$\Delta= 50$	$\Delta= 10$	$\Delta= 60$		30%
		$P1 X \Delta= 2$	$P2 X \Delta= -19$	$P3 X \Delta= 9$	$P4 X \Delta= -75$	$P5 X \Delta= 25$	$P6 X \Delta= -18$	$P7 X \Delta= 40$	$P8 X \Delta= 1$	$P9 X \Delta= 35$		

Table 22 — Cross Impact Matrix

thereafter. This would inevitably provide a strong impetus to codify laws relating to the family unit. (See Cross Impact Matrix — Table 22)

Another event which had a strong influence on codifying family laws was Event 9. Event 9 would have law enforcement be responsible for crime prevention efforts rather than the number of arrests, crimes solved or property recovered. It was felt that the change in measuring standards for law enforcement would require efforts to consolidate and simplify many laws relating to the family. Much of law enforcement's efforts are directed toward conflict resolution which frequently occur among families.

The last event which strongly influenced whether laws relating to the family were codified or not was Event 10. This event identified and removed problem children from whatever environment was contributing to their delinquency. This would include a disruptive or dysfunctional family. It was felt that if this event occurred, it would necessitate some precisely defined and clearly identified guidelines which would encourage a "single source" set of laws for direction.

The only other event whose probability changed at least ten points after the cross impact analysis was Event 7. This event projected a centralized data base for sharing information among law enforcement agencies. By far, the single greatest effect on this event occurring was if Event 1 occurred. This event, which forecasts a system for removing the profits from crime, occurs it is believed to have an impact of at least 80% in causing Event 7 *not* to occur. This is because any system which removes the profits from crime would undoubtedly make a centralized data base (Event 7) seem unnecessary.

Another event which had a substantial impact on Event 7 was Event 3, (media would lose some of their protection under the 1<sup>st</sup> amendment). It was felt that if the media lost some 1<sup>st</sup> amendment protection, something quite unimaginable in present times, it would likely be because of the public's distrust and frustration for information which had been misused. The same factors which would cause such a drastic action with the press would certainly impact a system which is designed to capture, store, collate and retrieve other types of information. However, despite the two substantial negative impacts, Event 7 gained a 10% chance of occurring when impacted by the other events.

### Scenario Review

Future scenarios are designed to provide a view of the future by describing events and trends as if they had already occurred. This method of exploring the future is much easier to grasp and allows the researcher to hypothesize how the future would look if certain events were to occur. It is intended to clarify the causes and consequences of major developments and facilitate the identification and evaluation of relevant policies or actions which could assist in ensuring, preventing or modifying the events in the scenarios. The scenarios are written from the perspective of an historian in the year 2004 describing the "past" ten years. The use of the past tense allows a reader to visualize the future as if it had already happened.

The process begins by utilizing a computer program to mathematically model different potential scenarios. The events identified by the members of the NGT were entered into a computer which generated a mathematically random sampling of what the future could look like based upon each event's probability of occurring

and number of years before each could first occur. A series of 40 printouts are then generated, examined for similarities and divided into "families."

Three families of scenarios were examined. Each was selected by examining the forecasted events and noting similarities between the various scenarios projected by the Sigma computer program. The first scenario examines events which result in a better than (optimistic scenario) extension of the past. The second scenario results in a worse than (pessimistic scenario) extension of the past. The last scenario results in a "most likely" scenario. This is simply a scenario, based on the best information available, which is most likely to happen.<sup>64</sup>

Each of the descriptions is preceded by the data generated by the Sigma computer program arranged in table format. The data is arranged in the order the computer program predicted the event would occur, when and which did not happen.

## Optimistic Scenario

Date	Event Number	Event Description
February 1994	6	<i>A law or series of laws is enacted which completely revamps the current gun laws and greatly diminishes the ability of criminals to obtain and possess firearms.</i>
July 1994	1	<i>A system which removes the "profits" from crime is implemented.</i>
October 1994	4	<i>A complete revision of the penal institution policies makes incarceration a very unpleasant experience.</i>
October 1997	7	<i>A centralized data base for sharing information among law enforcement agencies becomes a reality.</i>
October 1998	2	<i>Juvenile law undergoes a complete redefinition and requires the seriousness of the crime be considered more than the age of the offender.</i>
February 2003	5	<i>Laws are passed which codify all laws relating to the family unit.</i>
February 2003	10	<i>A system is devised which identifies and removes problem children from whatever environment is contributing to their delinquency.</i>
Did not occur	3	<i>The media loses some of their protection under the 1<sup>st</sup> amendment of the Constitution which makes them more vulnerable to civil litigation.</i>
Did not occur	5	<i>Laws are passed which codify all laws relating to the family unit.</i>
Did not occur	8	<i>The United States Constitution is completely "overhauled" to better reflect the values of today.</i>
Did not occur	9	<i>Law enforcement is "graded" on crime prevention efforts rather than the number of arrests, crimes solved or property recovered.</i>

*Table 23 — Chronological Event Table, Optimistic Scenario*

It is difficult to believe that the criminal justice system has changed so drastically in such a short time. Barely ten years ago, Los Angeles County was reporting more than 7,000 people wounded by gunfire each year. More than 1,500 were slain and the Los Angeles County Coroner's Office received more than 7 persons each day with bullet holes, knife wounds, shattered skulls and other signatures of homicide.

The streets were infested by more than 1,000 gangs and at least 150,000 gang members. In fact, the tally of gang-related homicides in Los Angeles County exceeded 800 persons each year. The situation had deteriorated to the point where at least one state legislator refused to visit her district without a police bodyguard.

Indeed, a person had a better chance of being killed from a bullet than a traffic accident!

The cost of this crime was staggering. In slightly less than two years, 803,000 jobs had left the state, many of them from the greater Los Angeles area. Eleven thousand were lost in 1992 alone, as a direct result of the riots. More than a year later, only 600 had been recovered.

By the early 1990's people had begun taking the law into their own hands. More than 450,000 handguns had been sold in Los Angeles County, 1 for every 19 residents. Armed citizens began patrolling their neighborhoods. The private security industry exploded, providing not only personal body guards but high-tech personal protection devices. Some private security companies increased their profits more than ten-fold in only one year!

By February of 1994 it had become obvious that spending more money on crime control was not reducing crime. It was then that the first signs of a need for a systemic change, in how the community's public order and protection function performed, became apparent. One after another, a series of laws were enacted which completely revamped the state's gun regulations. Although it took almost two years for these regulations to have a telling affect, by 1996 it became obvious that criminals were becoming disarmed. The rate of violent crime stopped its precipitous upward spiral and began a noticeable decline.

In July of 1994, the most profound change took place when Los Angeles County voters approved a system which removed the profits from crime. This momentous event was deemed as a new strategy on the "war on crime." More far



reaching in scope and application than the federal RICO statutes, these laws required restitution as a condition of probation or parole. It also mandated convicted felons to forfeit private property to repay law enforcement and court costs, and also reimburse victims for losses, direct and incidental, resulting from the crime. Persons incarcerated for their crimes were required to work to provide for their subsistence.

This systemic change proved so successful it became a catalyst for another change which occurred later the same year. In October of 1994, the policies for the penal institutions underwent a complete revision. Many of the amenities accorded the inmates in the 1980's and 1990's as rights, were deemed to be privileges. Recreational exercise and entertainment such as television, books, magazines, cards and board games were required to be "earned." Inmates were required to clean their cells, wash their clothing and refrain from damaging walls, floors and appliances. These fundamental changes, which had been taken for granted by persons living in other similar environments, such as college dormitories, berthing on ships and military barracks, proved beneficial in three ways. Inmates were forced to learn coping skills necessary for functioning in society, custody facilities became almost cost effective, and most importantly, incarceration became unpleasant and a condition to be avoided.

In December of 1993, an incident which focused national attention on a local problem was highlighted. Two local police officers from central California had stopped a trespasser who, unbeknownst to them, had kidnapped a young girl from her home. Having no charges to arrest the man, they released him. Later, he killed the youngster and dumped her body some distance away. Like the "Night Stalker"

before her, the Polly Klaas incident became a catalyst for a thorough and harsh look at the system which had failed her.

Many readers may remember that the "stalker" case eventually led to the then, "state of the art" Cal ID database implemented throughout the greater Los Angeles area in the late 1980's. Almost four years after Polly Klaas was murdered, a centralized database for sharing information among law enforcement agencies became a reality in October of 1997. Unlike any other database in use at the time, this database was the most extensive and far reaching system to date and could be accessed by virtually any bonafide peace officer. Criminals could no longer move freely from one political jurisdiction to another without fear of being identified and caught. Persons with arrest warrants were no longer safe from apprehension and were prohibited from obtaining public assistance, welfare, educational loans or business loans.

By October of 1998, the lessons learned in fighting adult crime were applied to the juvenile system. The juvenile law underwent a complete redefinition and required that the seriousness of the crime be considered more than the age of the offender. Previously, juveniles who committed serious crimes such as murder, robbery, rape and arson had been viewed as "victims" more than suspects. Although a heavy burden remained with the prosecution, juveniles who had committed serious crimes, and who had failed to reform, were now presumed to have rebuffed the rehabilitation offered by the juvenile system and automatically "bumped" to the more stringent adult system. Hardened juvenile offenders are now facing harsher consequences for violent crimes.

The fundamental changes of the juvenile justice system were expanded in February of last year when a preventative approach was implemented. This fundamental change identifies delinquent juveniles and removes them from whatever environment is contributing to their misbehavior, be it gangs, schools or family. The advantage of this systemic change is in the way it prevents criminal activity by identifying youthful offenders before they commit crimes serious enough to become candidates for the adult system. The preventative nature of this method provides a nurturing environment for troubled youth and enables them to develop essential social skills without the problems associated with unprincipled role models or dysfunctional social units. Although this system seems to be a valuable tool, it is still too soon to make long term predictions as to the affect it will have on the rate of violent crime. The early results appear promising, however.

Also passed in February of 2003, was the new Family Code. This code places all laws relating to the family unit in one volume. To the lay person, this might seem a small concern but to those in the criminal justice system charged with keeping the public order, many of the problems which violate public order are directly related to family matters. Matters such as child custody, divorce, spousal abuse and rape, child neglect and abuse, responsibilities and rights of parents and other family members had been scattered through an almost incomprehensible maze of civil and criminal codes. The new Family Code is a tremendous asset in the interpretation and application of all laws relating to the family.

The year 2004 marked the fourth straight year that the rate of violent crime in Los Angeles County has decreased. The fundamental and systemic changes have completely and irrevocably altered the criminal justice system. Other contemplated

changes such as evaluating law enforcement agencies by the absence of crime rather than the number of arrests and crimes solved or property recovered, are anticipated to reduce the rate still further and at a steeper rate.

**Pessimistic Scenario**

Date	Event Number	Event Description
July 1994	1	<i>A system which removes the "profits" from crime is implemented.</i>
September 1995	7	<i>A centralized data base for sharing information among law enforcement agencies becomes a reality.</i>
December 1997	4	<i>A complete revision of the penal institution policies makes incarceration a very unpleasant experience.</i>
May 1998	8	<i>The United States Constitution is completely "overhauled" to better reflect the values of today.</i>
May 1998	6	<i>A law or series of laws is enacted which completely revamps the current gun laws and greatly diminishes the ability of criminals to obtain and possess firearms.</i>
January 1999	3	<i>The media loses some of their protection under the 1<sup>st</sup> amendment of the Constitution which makes them more vulnerable to civil litigation.</i>
Did not occur	2	<i>Juvenile law undergoes a complete redefinition and requires the seriousness of the crime be considered more than the age of the offender.</i>
Did not occur	5	<i>Laws are passed which codify all laws relating to the family unit.</i>
Did not occur	9	<i>Law enforcement is "graded" on crime prevention efforts rather than the number of arrests, crimes solved or property recovered.</i>
Did not occur	10	<i>A system is devised which identifies and removes problem children from whatever environment is contributing to their delinquency.</i>

*Table 24 — Chronological Event Table, Pessimistic Scenario*

The gang wars of the early 1990's seem so trivial when compared with the lawlessness rampant in society today. As short as ten years ago, less than 1,700 people were slain each year and only 800 of these were attributed to the gangs. The Los Angeles County Coroner's Office reported only about 7 murder victims a day. The 1,000 gangs and 150,000 gang members reported in 1992, seem negligible when compared to today's numbers, which are twice what they were ten years ago.

By the mid-1990's, it was apparent that the businesses and jobs, which had moved out of California, had no intention of returning. The level of violent crime

was cited as a major reason businesses and industry refused to relocate to the Los Angeles area, despite formidable tax incentives. Vigilantism had become an almost acceptable method of controlling crime in neighborhoods. Owning and carrying a gun was considered necessary for working in some areas of the county. Perhaps the single success story to come out of that decade was the phenomenal growth of the private security industry. Weapons, alarms, guards and protective services are now offered by hundreds of private companies, many larger and employing more persons than any public law enforcement agency.

The attempt, in July of 1994, of removing the "profits" from crime was too little, too late. The approach was considered lackluster in that it was too narrowly defined and seldom implemented. Viewed by many as only a "politician's answer" to the problem with violent crime in Los Angeles County, it failed to gain the critical support of state and federal law makers. Because most of the power for local law enforcement and criminal justice agencies is derived from these legislative bodies, their backing was considered essential for the successful implementation for such a far reaching systemic program.

A little more than a year later, in September of 1995, another attempt was made to assist the beleaguered and rapidly failing criminal justice system. This time, a centralized database for sharing information among law enforcement agencies was implemented. The strategic concept was to enable any law enforcement agency to obtain essential information for persons involved in criminal activity and to prevent criminals from moving freely across political boundaries without becoming vulnerable to prosecution. In practice, however, the database was diluted to simply a collection of existing information housed in a single data

bank. Essential information such as that related to obtaining public assistance, or educational or business loans was vigorously fought and successfully exempted by banks and savings and loan institutions as well as other activist groups. The new database proved only slightly more efficient than the ones which existed in the early 1990's.

The public's dissatisfaction with the criminal justice system continued to be felt. In December of 1997, voters vented their frustration on criminals already incarcerated. It was then that a complete revision of the penal institution policies removed many of the rights enjoyed by prisoners in the earlier part of the decade. The stated intent of the initiative was to make incarceration an unpleasant experience and create an environment which was not so appealing to the criminal element. However the haphazard implementation simply removed privileges which many inmates had come to regard as rights. No attempt was made to instill basic social coping skills, and the removal of privileges simply appeared to be too punitive.

By far, the most devastating blow occurred in May of 1998. After suffering the effects of violent crime for years, 38 states called for a new United States Constitution. It was felt that the interpretations by the judicial branch of government over the past two centuries had resulted in such significant misunderstandings that only a complete "overhaul" would fulfill the original intent of the nation's founders. Activists had been calling for changes for many decades but it was not until the government's manifested inability to control crime and provide for public safety that sufficient support was obtained to reconstruct the document which defined the fundamental principles for the government of the

United States of America. Of most importance, was the inclusion of a "Victim's Bill of Rights" modeled after the one passed in California in the 1980's. This provision, and other similar ones, embodied the public's deep-seated dissatisfaction and distrust with judicial interpretations. Many people felt that the criminal justice system left victims unprotected while sheltering the rights of criminals. The news media was in a frenzy, not only criticizing the efforts of those entrusted with redrafting the Constitution but in attempting to sway opinion to their views. Although six years have passed since the adoption of the 2<sup>nd</sup> Constitution, many of the new provisions have yet to withstand a serious legal challenge and the criminal justice system has been thrown in disarray and confusion.

At the same time the U.S. Constitution was redrafted, Los Angeles County passed the most comprehensive gun legislation in history. In an attempt to prevent criminals from obtaining and possessing firearms, restrictions were enacted as to times, places and conditions of sales. Ownership required registration and fees and possession required special permits. Assault weapons were banned outright and most handguns were prohibited. Hailed as a remedy for the more than 10,000 shootings and 2,200 murders resulting from firearms in Los Angeles County last year, the new gun legislation has been challenged in local, state and federal courts. Because of the new United States Constitution, it is unclear as to the legal standing of this legislation and no date has been set for a hearing by the U.S. Supreme Court.

In January of 1999, the media lost some of their protection under the 1<sup>st</sup> Amendment of the first U.S. Constitution. The rights and privileges of a free press were among the first concerns heard by the U.S. Supreme Court in further defining the second U.S. Constitution. Instances of abuse of the press were cited. Among

them were former Constitutional protections for refusing to identify informants and revealing the names and addresses of victims and witnesses to crimes. Among the most persuading however, was the use of the press to sway public opinion without providing alternative points of view. This was deemed so dangerous to public welfare that the new Constitution removed some of the protection and made the press vulnerable to civil remedies.

The crime rate in Los Angeles County continues to spiral upward. Many areas of the County are now virtually desolate of meaningful employment. Displacing gainful employment have been entrepreneurial exploiters seeking only to line their pockets at the expense of their patrons. Protection schemes, narcotic sales and other nefarious activities have become predominant. As of this writing, it is unknown how much longer the County's infrastructure will be able to withstand this onslaught of crime and devastation.



## Most Likely Scenario

Date	Event Number	Event Description
April 1994	1	<i>A system which removes the "profits" from crime is implemented.</i>
April 1994	5	<i>Laws are passed which codify all laws relating to the family unit.</i>
February 1995	4	<i>A complete revision of the penal institution policies makes incarceration a very unpleasant experience.</i>
May 1997	7	<i>A centralized data base for sharing information among law enforcement agencies becomes a reality.</i>
December 1997	2	<i>Juvenile law undergoes a complete redefinition and requires the seriousness of the crime be considered more than the age of the offender.</i>
December 1998	9	<i>Law enforcement is "graded" on crime prevention efforts rather than the number of arrests, crimes solved or property recovered.</i>
September 2001	6	<i>A law or series of laws is enacted which completely revamps the current gun laws and greatly diminishes the ability of criminals to obtain and possess firearms.</i>
Did not occur	3	<i>The media loses some of their protection under the 1<sup>st</sup> amendment of the Constitution which makes them more vulnerable to civil litigation.</i>
Did not occur	8	<i>The United States Constitution is completely "overhauled" to better reflect the values of today.</i>
Did not occur	10	<i>A system is devised which identifies and removes problem children from whatever environment is contributing to their delinquency. (i.e., school, family, gangs, etc.)</i>

*Table 25 — Chronological Event Table, Most Likely Scenario*

It was during the late 1980's and early 1990's that the problems with the criminal justice system in Los Angeles County became conspicuous and indisputable. The rate of violent crime had been steadily rising for five years. During the same period, citizens' complaints had risen 21% and arrests had declined 17%. More than 7,000 persons were wounded by gunfire each year, of which at least 1,500 died. Each day, 7 or more homicide victims were received by the Los Angeles County Coroner's Office. More than 150,000 gang members roamed the streets and a person had a statistically greater chance of being killed by a bullet than dying in a traffic accident.

Law enforcement agencies were humiliated when officers were charged with accepting bribes, skimming drug money and even murder for hire. The Rodney

King incident in 1991 focused worldwide attention on the region when four officers were charged with excessive force. The explosion came a little more than a year later when riots erupted and law enforcement was accused of not doing enough to prevent them. The world watched as looters and arsonists were shown stealing merchandise and burning stores, seemingly without confrontation by law enforcement. During the same time, more than 800,000 jobs left the state, many from the greater Los Angeles area. 11,000 instantly vanished during the riots. 95% of them for good.

The demand for change brought probing investigations by committees such as the Christopher and Kolts Commissions. These delegations reported "*deeply disturbing evidence of excessive force and lax discipline.*" Massive amounts of revenue were directed toward the problem but the crime rate increased right along with the increase in expenditures. It was becoming evident that the criminal justice system alone could not stem the rise in crime.

The first attempt at a systemic approach to stemming the rise in crime occurred in April of 1994. One after another, a series of laws were enacted which radically and fundamentally modified the application of criminal penalties for misbehavior. The revolutionary concept attempted to remove the profits from crime. Far broader in scope and application than the RICO statutes which preceded them, these laws placed the financial responsibility on the convicted criminal. Personal property could be ordered forfeited to pay for reparation to victims and recover court and incarceration costs. Restitution to victims was a mandatory condition for probation and parole.

The same month, all laws relating to the family were codified into a single volume entitled the "Family Code." For the first time, all laws relating to a family were clearly and precisely defined. Concerns such as child custody, divorce, spousal abuse and rape, child neglect and abuse and the rights and responsibilities of parents were identified and explained. Many of the difficulties resulting from juvenile offenders were recognized as family matters and parents were held responsible for the conduct of minor children.

The rejuvenation of the criminal justice system became even more invigorated in February of 1995, when the policies of the penal institutions were revised. These revisions followed the same course as the preceding statutes and applied the concepts of personal responsibility to penal facilities. The rights, which in the past, had been accorded to prisoners were now deemed privileges. This transformation required inmates to work for their subsistence. Activities such as watching television, recreational exercise, board games and reading were required to be earned. Inmates were required to clean their cells, wash their clothing and refrain from damaging walls, floors and appliances. The year 1995 marked the end of the steep incline for the crime rate.

The next year marked the reaffirmation of the responsibilities of "posse comitatus." Latin for "power of the county," the historic law was first enacted in 1872. The original concept required members of the community to aid a peace officer in over-coming resistance or effecting an arrest. In 1996, the requirements were broadened substantially and added the responsibility to report certain criminal acts. The penalties for failure to comply were also increased. The 1996

Uniform Crime Reports for the Los Angeles County region reported a sharp reduction for violent crimes and an overall reduction in the crime rate of 4%.

A year later, in May of 1997, the largest and most comprehensive database of its kind went on-line. Unlike any previous database, this one allowed instant access by virtually any law enforcement agency, investigating any type of criminal activity. Previously protected areas such as welfare and bank fraud were opened to bonafide peace officers. Criminals could no longer move across political jurisdictions with impunity or obtain public assistance, educational, personal or business loans without fear of being identified and caught through application information and background checks.

Later the same year, the lessons learned from the previous three years with the adult criminal justice system were applied to the juvenile system. Juvenile laws underwent a complete redefinition and the seriousness of the violation was required to be considered more than the age of the offender. Juveniles who committed acts of murder, rape, arson, robbery, assaults and other violent crimes were liable to face increased penalties. Further, juveniles previously convicted of serious crimes and charged with another were automatically "bumped" to the more severe adult system. Hardened juvenile offenders are now facing stiffer penalties for violent crimes.

Six years ago the traditional standard for measuring the success of a law enforcement agency was fundamentally and irrevocably changed. Like fire fighting agencies before them, law enforcement agencies began being evaluated on the reduction of crime rather than arrest rates, property recovered or number of crimes solved. By rewarding a reduction or absence of crime, law enforcement agencies

refocused their efforts on prevention. Rewards and incentives such as additional funding, personnel, programs, equipment and grants were conditional on successful crime reduction.

Three years ago, in September of 2001, the gun laws were completely revamped. After years of hard fought battles with adversaries of gun control, a series of laws were passed which made it very difficult for criminals to obtain or possess firearms. It had long been suspected that many violent confrontations turned lethal only because of the availability of firearms. It wasn't until 2003, that the effects were discernible however. Studies indicate that this was because of the large number of firearms already in the hands of criminals. The steady and persistent joint efforts of law enforcement, law makers and community members slowly attrited the available firearms until a drastic drop in homicides and assaults involving firearms was noted last year. The year 2001 marked the beginning of the decrease in the crime rate and it has continued to this date.

The turmoil and chaos observed in the early 1990's became the catalyst for change. Recognizing that the burden for public safety is better shared by the many systems which make up a community, a systemic approach was implemented. The first years were laden with frustration at the ostensible failure. The meager gains of the next several years only slightly diminished the criticism. The approach was heckled by skeptics and detractors for more than four years but, by 1999, even the most cynical were converted. The year 2004, marked the ninth straight reduction in the crime rate. Although the initial gains were small, the aggregate reduction has now exceeded 40% when compared with the rate at the beginning of 1994. It is with

great excitement and enthusiasm that we now look forward to the future as every indication suggests the community will become even safer.

### Policy Considerations

The policing of the free, diverse and vibrant society which comprises Los Angeles County is an imposing and difficult task. Given the awesome and complex nature of the criminal justice function, it follows that designing the preparations and plans to carry it out will be equally complex.

In areas that are starved for social services, the slightest improvement will increase the demand for still more. In a 1993 report to the National Institute of Justice, Herman Goldstein, aptly described the problem when he said, "*As water seeks its own level, the vast array of problems that surface in a large urban area inevitably find their way to the (system) most willing to accept them.*"<sup>55</sup> In the case of the criminal justice system in Los Angeles County, this has resulted in a wide array of functions, bureaucracies, systems and agencies each with its own distinctive objectives.

The criminal justice system in Los Angeles County continues to grow larger not better. It is awkward and unwieldy and appears to have lost the focus for its existence; namely reducing crime. The autonomy each of the systems now enjoys compounds the problem, since any solution will need to address the needs of more than one system and must not conflict with any of the others. To do so would court open hostility and undermine the requisite support.

In attempting to provide direction, a number of considerations were identified. For instance, the changes will require some agency, committee or

authority to provide the necessary direction since none exists at present. Gradual changes will be necessary to avoid the heightened degree of risk associated with bold changes but each must be focused toward a common objective. It will require some type of management structure which will allow both the public and private sectors to work in accord with one another. Further, it should not add an additional layer to an already cumbersome existing bureaucracy. The management structure should be flexible and adaptable to the changing environment over time and have a built in review or be self-canceling to avoid becoming stagnant and outliving its usefulness.

In seeking a solution to Los Angeles County's crime problem, policy considerations include an extensive revision of laws relating to juveniles, codification of the laws relating to the family, methods of making crime less profitable, reforming the criminal justice system to make it swifter and more effective and easing restrictions which inhibit the various systems from working together.

## **Strategic Plan**

This section will attempt to identify a plan which will refocus the Los Angeles County criminal justice system, encourage strategic cooperation and collaboration among the various subsystems, instill confidence in the public and most of all, reduce crime. Using the "optimistic scenario" as a model, a strategic plan was developed to encourage a desirable future.

A strategic plan is necessary to communicate, build commitment and facilitate change. Without such a plan, the desired change will flounder aimlessly and be doomed to failure. To identify the best plan, it is essential that alternatives be identified and evaluated. This requires that a mission be clearly identified and precisely defined in order to provide a focus. Following the mission statement is an analysis of the criminal justice system in Los Angeles County and the environment in which it functions. Once the mission is specified stakeholders must be identified. Stakeholders are persons or groups who will impact the plan or care about what is done. After these are identified, assumptions can be made regarding them which will allow more precise planning and gain their support or, at worst, preclude them from obstructing it. Only when the analysis is completed is it possible to have assurance that the selected strategic plan is the best available.

## **Mission Statement**

A mission statement is an essential part of any change strategy since it defines and describes the ultimate goal for the desired endstate. It also provides the focus from which to design effective strategies and ensures that implementation plans do not stray. The mission statement for this study was developed by a



combination of literature review and discussions with persons<sup>or</sup> who have expertise in the criminal justice system. It was felt that many of the ideals regarding the criminal justice system had already been expressed in the Constitutions of California and the United States and similar documents. These were examined and portions were excerpted, paraphrased and/or amplified to provide a more precise definition and description of the goals of this project and the principles which will guide it.

The mission statement is as follows:

Recognizing that the quality of neighborhood life, its safety and welfare comes from the commitment of each of its citizens and that the power that keeps cities of people together is noble preservation of law, it becomes imperative that the systems which comprise the society must work together to meet these obligations.

In accomplishing this all important mission, we are guided by the following principles:

- The *primary* burden for ensuring the safety of the citizens of Los Angeles County lies with the criminal justice system. The criminal justice system must accept responsibility for creating an environment which nourishes cooperation and collaboration among *all* the systems which comprise the society. The focus of effort shall be a determined, combined and eternal endeavor to reduce crime.
- While focusing on external factors, it is essential to aggressively pursue the internal efficiencies and flexibility necessary to bequeath the blessings of a peaceful society.

- Recognizing the limitations inherent and imposed on public administrations, it is imperative to strive to collaborate with the systems which encompass private enterprise.
- Citizens are an integral segment of the process. Accordingly, it is crucial that they share in the plans and strategies and a relationship of honesty and candor in communications is established.
- It is the compelling interest of government that all who enjoy the blessings of a peaceful society share the obligation to ensure its success.
- In seeking these blessings, it is imperative to recognize that all people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing and protecting property and pursuing and obtaining safety, happiness and privacy.<sup>17</sup>

### **Environmental Analysis**

Los Angeles County is a large metropolitan area of more than 4,000 square miles with 21,000 miles of roads and 9,000,000 residents. Only 11% of the land is used for farming with most of the rest consisting of huge urban areas separated by densely populated suburbs. More than 40% of the residents are registered to vote, but only about half actually do.

Los Angeles County residents enjoy the highest personal income of all the counties in the state, but rank 13<sup>th</sup> after cost of living adjustments. More than 30% of the population is foreign born, more than half of these people entered the United States since 1980. Forty-two percent of the people speak a language other than English and more than half of these say they do not speak English very well.

The diversity with which Los Angeles County is often identified makes it an excellent model to study the issue question. Los Angeles County is truly a microcosm of the larger universe. Virtually every system which comprises the American society is present in some form.

The criminal justice system in Los Angeles County is a microcosm of the larger state and federal systems with virtually every component present in a smaller form. In addition to the various state and federal agencies, the Los Angeles County government is divided into 38 departments, employs 85,654 employees and serves more than 9 million people. There are 47 police departments serving 88 cities. The police departments employ a combined total of approximately 20,000 full time peace officers and range in size from 15 to more than 8,100 sworn members.

### **Situational Analysis**

Essential to the development of the strategic plan is the analysis of the system's capabilities and the impact projected future trends and events will have on it. One useful methodology is a "WOTS UP" analysis. "WOTS UP" is an acronym for **Weaknesses, Opportunities, Threats, Strengths Underlying Planning**. This procedure provides an assessment and documentation of the Los Angeles County criminal justice system's strengths and weaknesses and also provides valuable

insight into areas which might otherwise be slighted or overlooked. The WOTS-UP analysis was done by a series of discussions with persons<sup>a</sup> who have detailed knowledge of the Los Angeles County criminal justice system. These discussions were held over a period of three weeks and primarily involved persons who had participated in the nominal group or the Modified Delphi process. This method greatly amplified the scope and depth of the analysis since these individuals had been examining the problem for a longer period of time and had an opportunity to focus their thoughts and explore the issues in detail.

The analysis revealed the following conclusions:

### **Weaknesses**

While at one time, the United States' criminal justice system may have been revolutionary in concept, it has changed relatively little in the more than two centuries of its existence. The criminal justice system which serves Los Angeles County is identical in virtually every respect. Perceptions and procedures are entrenched and resistant to change. The system which was invented for people living in an agricultural age was not as well equipped for those living in the industrial age and may be failing entirely as the American society moves into an informational era. Any attempt to alter it will be frustrated when confronted with perceptions that run counter to traditional ideas.

One manifestation of this weakness is that what changes have been made to the criminal justice system have been based upon the "exception principle." This principle is a corruption of the doctrine of "stare decisis," meaning "adhering to precedent." The purpose of this tenet, which originated in eighteenth century

England, was to provide consistency and orderliness. To some extent, virtually every crime requires an interpretation of the law for the particular circumstances. The vast majority of these interpretations have been determined by previous cases which created a "precedent." Courts, especially appellate courts, try to rule consistently with these past decisions. In the case of the criminal justice system, these precedents control the conduct of governmental officials by making the case difficult, if not impossible, to prosecute when the conduct of the officials is beyond acceptable parameters. When the conduct is unacceptable, a new rule (precedent) is set which further defines the boundaries for all future like situations. Thus, it is the *exception* which makes the rule.

A separate but related problem is when the system unique to Los Angeles County is examined. One can not help but be awed by the sheer size of it. There are more than 20,000 law enforcement officers. The county jail is the largest in the world and has an average daily population of more than 20,000.<sup>6</sup> The District Attorney's Office, the largest in the United States, employs almost 2,600 persons, has a budget of \$120 million and an annual case load of 365,000.<sup>7</sup> The Public Defender's Office employs almost 900 attorneys and support staff,<sup>8</sup> has an annual budget of \$82 million and an annual case load of more than 600,000.<sup>9</sup> The Probation Department employs more than 4,200, has a budget of \$294 million and 108,000 probationers each year.<sup>10</sup> Other components are equally large.

It has been said that large operations run on their own inertia. This means that when systems or agencies reach a certain magnitude they become self-sustaining, self-motivating and self-directing. This is descriptive of the Los Angeles County criminal justice system. Each of these huge agencies provides a distinct, yet

inextricably related function in the Los Angeles County criminal justice system. Tampering with one impacts the others. With a system as large, as complex and as congested as the one in Los Angeles County, *any* change is not only formidable but risky. Thus, the weaknesses in the Los Angeles County criminal justice system stem from two inherent factors, rigid adherence to established doctrine and a size which resists significant change.

### **Strengths**

Although not perfect, the American system of justice is, by far, the most equitable on the planet. It defines and guarantees basic, inalienable rights, fairness of evidence and provides a mechanism for appeals to higher jurisdictions. It provides a system of checks and balances in the selection of judges and juries and has a constant reaffirmation of the basic tenets of justice embodied in the United States Constitution. No government in history has gone to such lengths to ensure the protection of the rights of all concerned. The criminal justice system in Los Angeles County is not only founded on the same principles; it is part of the same system. Each of the qualities which aid the American system are inherent in the Los Angeles County system.

In examining component parts of the system in Los Angeles County, one may note that the law enforcement agencies are considered among the most progressive in the nation. Historically, many national precedents have been set by innovative programs originating in Los Angeles County. The DARE program and SWAT<sup>™</sup> concept are only two examples which have been imitated nationally (and in some cases internationally) by other law enforcement agencies. The agencies benefit from training guidelines and funding from the California Commission on Peace Officer

Standards and Training and are considered among the best trained in the nation. The Mutual Aid system is considered by many to be the finest in the history of the United States. Although this may be due largely because of the number of times it has been used in recent years, Los Angeles County is now looked to as a leader in disaster management and has been a major contributor to a new statewide emergency management system to be implemented early in 1995.

### **Threats**

One of the greatest threats to changing the criminal justice system is an inability to change part of it and not all of it. Because the criminal justice system in Los Angeles County (like those of all other municipalities), derives its original authority and power from the Constitution of the United States, its ability to change is constrained by the confines delineated in this document. Article XIV of the Constitution of the United States guarantees everyone equal protection of the law. *Even the perception* of a different criterion is cause for litigation and will inevitably result in lengthy, expensive challenges. Indeed, even cases which had been previously adjudicated would be subject to the appeal process. The most diminutive modification could easily result in large components of the criminal system imploding from the immensity of the ramifications. It would take only one such encounter to dampen the enthusiasm of the most ambitious evangelists.

Another threat to change is related to the "nature of the beast." The criminal justice system is comprised of many subordinate systems. These systems are inextricably linked and interdependent. Currently, the criminal justice system is being overwhelmed by the sheer volume of cases. *Any* attempt at changing even a part of the system will have a "ripple effect" and cause it to become even more

congested. This will almost certainly generate resistance to altering the system no matter what the potential benefits. It is for this very reason that ineffective and unproductive systems have been bolstered with additional personnel, logistical support and revenue. Consequently, these systems grow larger, not better.

### **Opportunities**

The opportunity for change has never been more advantageous. It is estimated that there are more than 1,000 gangs and 150,000 gang members residing in Los Angeles County. More than 7 people are murdered there every day. In 1992, 7,000 people were wounded and more than 1,500 were killed by gunfire.

As a result of the terrible conditions, resistance to change is not as formidable as it once was. *"Outrage over violent crime was so intense in the last months of 1993 that the State Assembly Public Safety Committee passed virtually every anti-crime and sentencing enhancement bill it considered, many of which had stalled in that committee year after year."* Initiatives which guaranteed rights to victims of violent crimes have been passed as a result of grass roots efforts. Community members have formed neighborhood watch groups. Conservative as well as liberal politicians supported Proposition 172 to provide revenues for public safety. Never in history has so much dissatisfaction been expressed with the criminal justice system. People are looking for solutions.

### **Underlying Planning**

In order to be successful, a strategic plan to develop a systemic approach must consider the strengths and weaknesses noted in the criminal justice system coupled with the threats and opportunities identified in the environment in which it



functions. These become important factors to consider in planning for change. Some may work against each other. For instance, the entrenched perceptions of the traditional system of justice are countered with the public's outrage with the crime problem. Others are extremely formidable. For example, the inability to change part of the system creates a dilemma when considering the bold action which must be undertaken to fix the system since there will be a natural reluctance to take such drastic actions. Further, the criminal justice system in Los Angeles County is a component of a much larger system and bound by the constraints of that system also.

In order to be successful, any plan which advocates change in the Los Angeles County criminal justice system must address each of the issues raised in the analysis. The superficial "patches" which have been used to "repair" the system in the past have proven inadequate and issues which support the entire system must be examined and carefully thought about if a systemic approach is to be successful. Strengths and opportunities must be maximized and exploited and, whenever possible, weaknesses and threats must be minimized and avoided. The ultimate success of the project could very well hinge on how well these factors are considered and incorporated into the plan.

### **Organizational Analysis**

Despite new laws and technology and increases in personnel and revenue, the war on crime is being lost. Because the criminal justice system has the burden for the protection of society, it follows that this system must also accept the responsibility for doing it more effectively. It must also be recognized that the criminal justice system, in and of itself, is incapable of fulfilling this daunting task

alone. It therefore becomes compelling to seek the assistance of other systems which constitute the society.

The heterogeneous goals of the multitude of systems which constitute the larger criminal justice system are, understandably, designed to serve their respective systems. These goals are frequently inconsistent and, not surprisingly, may even be at odds with each other. A more harmonious approach would almost certainly be beneficial and make possible a focus of effort never before imaginable. By redirecting the efforts of each component of the criminal justice system toward a single-minded effort of reducing crime, the strife and friction characterized in the system in 1994 can be an historical anomaly in the year 2004.

### Stakeholder Analysis

A stakeholder is defined as an individual or group which will impact the plan, will be impacted by the plan or who care about what is done. The stakeholder analysis was completed with three of the members of the NGT who assisted in identifying stakeholders as well as determining what impact they would have on the issue. The following ten stakeholders were identified as having an impact on the implementation of the strategic plan.

**Stakeholder #1 — Members of the Community** — Without question, the citizens of the concerned community have a greater interest in resolving the crime problem than any other identifiable group. However, two divisions emerge as components of this group. The first are members of the community who express their feelings to the various media, municipal hearings and at the ballot box. This group is comprised of homeowner and taxpayer associations, minority and special

interest groups, labor and business organizations, professional associations (such as Kiwanis, Lions, Rotary) and any others who attempt to influence public policy. These groups wield tremendous power. The other group consists of those who remain silent on these issues and thus have little or no impact on public policy. By definition, the stakeholders are members only of the first group.

**Assumption A** — No change can occur nor any plan be implemented without at least the tacit approval of this group. Consequently, any plan which ignores this group is doomed to an early failure.

**Assumption B** — This group has indicated support for a more effective criminal justice system and thereby would be assumed willing to support further improvement in the system for their personal safety.

**Assumption C** — This group is so powerful that any plan which receives their enthusiastic support can be launched without the support of other stakeholders (with the possible exception of the judicial officials).

**Stakeholder #2 — Civil Liberties Groups** — Groups such as the American Civil Liberties Union and the Lawyer's Guild, as well as related special interest groups such as the American Indian Movement and immigration and abortion rights groups, are already involved in the application of justice and will continue to be. They take an active role in following their own particular interest and exert pressure whenever possible to achieve their goals.

**Assumption A** — These groups will likely view any bold changes to the criminal justice systems as an infringement of personal freedom and resist efforts to change.

**Assumption B** — Any strategy which results in a better, more efficient or more effective criminal justice system will win their support.

**Stakeholder #3 — Merchants and other businessmen** — This sector of society has borne the brunt of much property crime and has felt the impact on profits from high crime rates. The group consists of alliances and coalitions comprised of chambers of commerce, merchants' guilds, trade associations and business organizations which have been established or evolved into protective associations for a particular type of business or industry. There is an array of these associations from the Milk Advisory Board and Farmer's Collective to the Independent Insurance Agents Brokers Association, the Affiliates of Property Management and Latin American Trucker's Association. These groups take an active role in all aspects affecting their earnings and crime is targeted like any other adversary where it adversely affects members. They will desire input into any plan for change.

**Assumption A** — Individual rights will not be of paramount concern if a strategy proves its worth by reducing local crime.

**Assumption B** — This group will assist in financing any plan which proves its worth by reducing local crime and increases their profits.

**Stakeholder #4 — Elected Officials** — Traditionally, this group has carried the burden for initiating crime fighting programs. In Los Angeles County, this group is comprised of people who serve in such positions as the Los Angeles County Board of Supervisors, local city councils, mayors, state and federal legislators and school boards. Any future plans will necessarily require assistance from this group.

**Assumption A** — Support from this group will result in the most immediate implementation of any plan since funding and support mechanisms are already in existence.

**Assumption B** — This group will not support bold actions since failure carries a personal risk.

**Stakeholder #5 — Private Security Personnel** — This group has a vested interest in the crime rate since it is the fundamental basis upon which their industry is founded and survives. It is comprised of a myriad of personnel providing services including sophisticated electronics installation and monitoring to undercover store and hotel theft prevention and uniformed armed guards. Many of the agencies which comprise this group are larger than their public agency counterparts.

**Assumption A** — Any plan which will enhance the image and profits of this industry will gain their immediate support.

**Assumption B** — This group will enthusiastically support any plan in which they play a key role.

**Stakeholder #6 — Law enforcement personnel** — This group is the most visible component of any crime fighting effort. It also has the dubious distinction of losing funding, personnel and support with the more successful programs since their

primary rationale for achieving support has been the increase in crime. Although the group is comprised of all law enforcement personnel, a greater impact will be achieved when the focus is toward the management level and particularly so when support is gained from such organizations as the L.A. County Police Chiefs Association, San Gabriel Valley Chiefs of Police Association, Criminal Justice Association, South/East Police Chiefs Association and similar associations.

**Assumption A** — This group will be the most skeptical of any changes to “conventional” crime fighting strategy and procedures.

**Assumption B** — This group will frustrate the implementation of any plan they do not like.

**Stakeholder #7 — Criminals** — Since this group is the target of every plan to reduce crime, they will be directly impacted and must be considered a stakeholder. This stakeholder group needs to be viewed in entirety without recognized subgroups, even though they exist and can be identified. This holistic view is necessary since the focus of the project is on the reduction of crime *overall* and not the reduction of any particular type of crime or criminal.

**Assumption A** — This group will not overtly resist any efforts to reduce their impact on the community since, historically, remaining anonymous has always been their best protection.

**Assumption B** — In serving their own ends, this group will redirect their efforts around any plan which inhibits their desires. Thus, solving one problem will beget another.

**Stakeholder #8 — News media personnel** — Historically this group has been a catalyst for change by calling attention to a need. Crime news currently accounts

for as much as 70% of all news coverage and this group has the ability to inspire or inflame the community at large. Examples of influential members of this group in Los Angeles County include the Los Angeles Times, San Gabriel Valley Tribune, Pasadena Star News, La Opinión, the Sentinel and other newspapers. Influential examples of the broadcast media include news radio stations such as KFWB and KNXT, talk radio stations such as KFI Talk Radio and television news stations on all the local channels.

**Assumption A** — Any plan will profit from obtaining this group's support since they have a profound ability to increase support. (The ability to decrease support goes without saying.)

**Assumption B** — A highly successful plan will gain publicity and momentum and could have a "ripple effect" on the implementation of similar plans.

**Stakeholder #9 — Police Misconduct Attorney** — The growing practice of police misconduct law suits has provided an abundance of opportunities for this enterprise. Examples of this group are firms such as Yagman & Yagman, Burton & Norris, Greene, Broilett, Taylor & Wheeler and the law offices of Hugh Manes, Thomas E. Beck or Milton Grimes. This group has a financial interest in a dysfunctional system and any attempt at altering the current system will have an impact on their livelihood.

**Assumption A** — A plan which makes any component of the criminal justice system vulnerable to civil actions will be exploited by this group.

**Assumption B** — Pilot programs may be deemed untenable, since this group will actively frustrate imperfect plans and impede improvements by exploiting flaws to their own advantage.

**Stakeholder #10 — Judicial Officers** — This group has enjoyed Constitutional protection and separation from other governmental components. Although this group is comprised primarily of the judges of the Los Angeles County Superior and Municipal Courts it includes the court clerks and administrators as well. No plan can completely ignore the impact this group will have on the successful implementation.

**Assumption A** — Any plan which curtails the role of the judiciary in the criminal justice process will be thwarted.

**Assumption B** — This group will resist any plan which would make them more susceptible to public pressure.

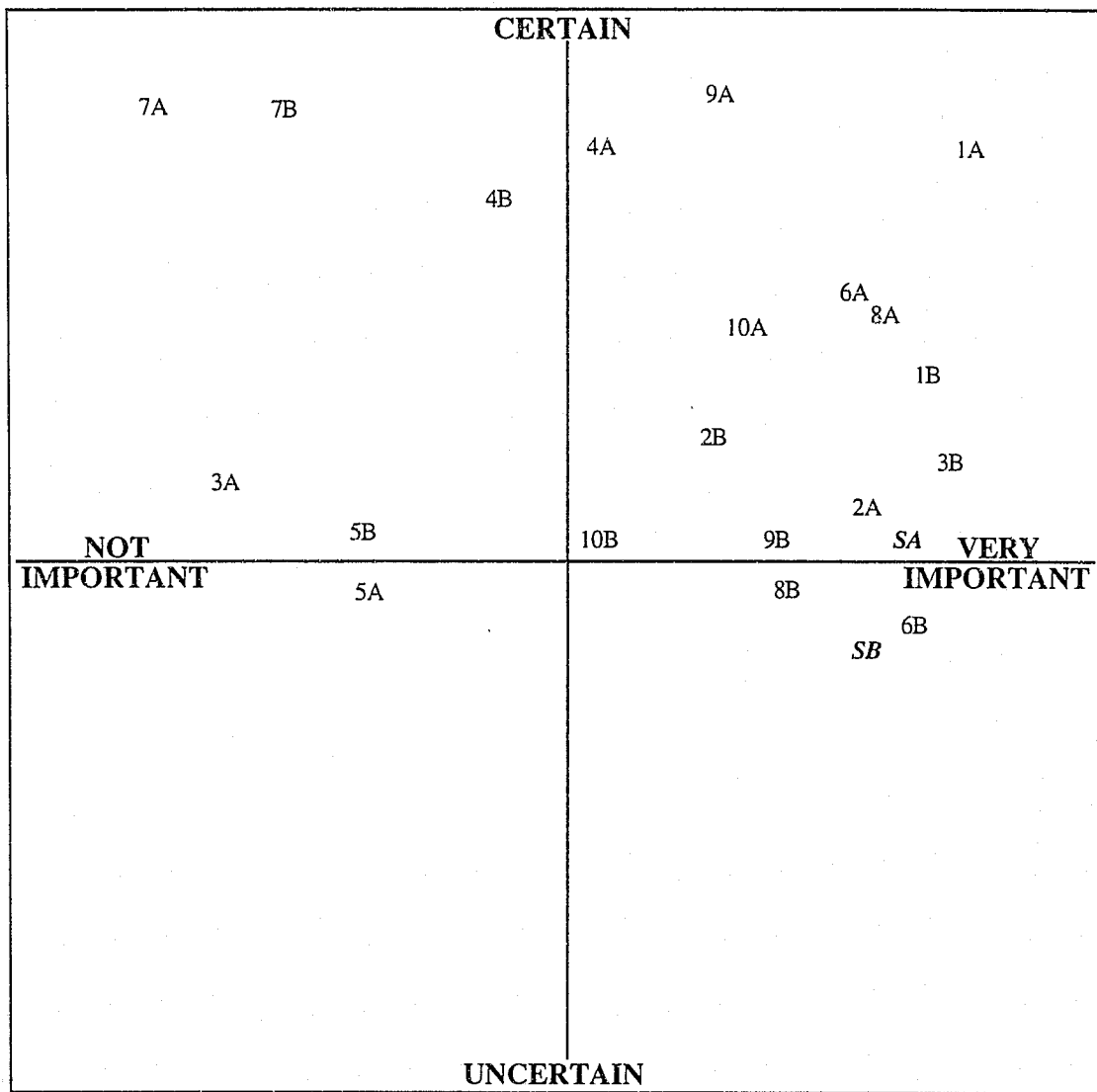
**Vigilante Group — Snaildarter** — A "Snaildarter" is described as an unanticipated stakeholder who can radically impact the strategy. Predicting the impact one would have on the strategy is, by the very nature of the definition, ambiguous and fraught with uncertainty. One must conclude that if one could be identified with assurance, it would not be a snaildarter but rather a stakeholder. In attempting to identify a snaildarter, a vigilante or vigilante group was identified. When one thinks of vigilantes, images of Charles Bronson and the "Death Wish" movies come quickly to mind. In these movies a vigilante attacks the criminal element fiercely and mercilessly. The audience feels sympathy for the vigilante and the resulting drop in the crime rate seems to vindicate the vigilante's actions. Undeniably, in real life it would be impossible to precisely forecast the affects one



would have on the strategy, which is precisely why a vigilante was chosen.

**Assumption A** — *Any* vigilante action will escalate society's desire for change. Since vigilantism gains its strength from the discontent of citizens, it becomes politically advantageous to reduce the source of irritation, namely crime. Vigilantism carried to its extreme would supplant legitimate government and anarchy would be the result. Indeed, in a worse case scenario, the government could well be in a "war" for its own survival.

**Assumption B** — If crime continues to increase, vigilantism not only becomes more likely but may become the catalyst which brings about change.



- Legend**
- |                                    |                                |
|------------------------------------|--------------------------------|
| 1. Members of the Community        | 6. Law Enforcement Personnel   |
| 2. Civil Liberties Groups          | 7. Criminals                   |
| 3. Merchants and other Businessmen | 8. News Media Personnel        |
| 4. Elected Officials               | 9. Police Misconduct Attorneys |
| 5. Private Security Personnel      | 10. Judicial Officials         |
- S Vigilantes — (Snaildarter)

*Figure 24 — Stakeholder Assumption Map*

The Stakeholder Assumption Map is based upon two criteria. First, the assumption's importance to the issue (and planning) and second, the degree of certainty attached to individual assumptions made about each. The assumption

map is divided into four quadrants. Separating each of the quadrants are lines indicating the degree of certainty that an assumption is correct and the degree to which each assumption will impact the issue. The farther each plot is from the center, the greater or lesser degree of certainty or impact on the issue.

Plots in the upper right quadrant indicate a belief that the assumption is more certain and is likely to have a great deal of impact on the issue. This is contrasted with the lower left quadrant in which neither is the assumption likely or if it occurred; it is not likely to have much impact on the issue. This map (see Figure 24 — *Stakeholder Assumption Map*) provides a graphic illustration for each assumption and a “snaildarter” for the degree of importance and certainty each will have on the issue and provides focus and analysis to any potential strategy.

### Alternative Strategies

Through the use of a Modified Delphi Process, a list of alternative strategies was identified and analyzed with the goal of achieving strategic cooperation and collaboration among the various systems which comprise the criminal justice system in Los Angeles County. (see Figure 25 — *Criminal Justice System Diagram*) The group was comprised of Sheila Sanchez, a sergeant with the Los Angeles Sheriff's Department and a student at the Supervisor's Leadership Institute, Russ Collins, a lieutenant with the Los Angeles Sheriff's Department and a Command College graduate, Rufus Tamayo, a sergeant with the Los Angeles Sheriff's Department and a graduate of the Supervisor's Leadership Institute and Jon Becker, a law student and owner/manager of a law enforcement equipment supply company. The predominate objective was to develop a scheme which would result in

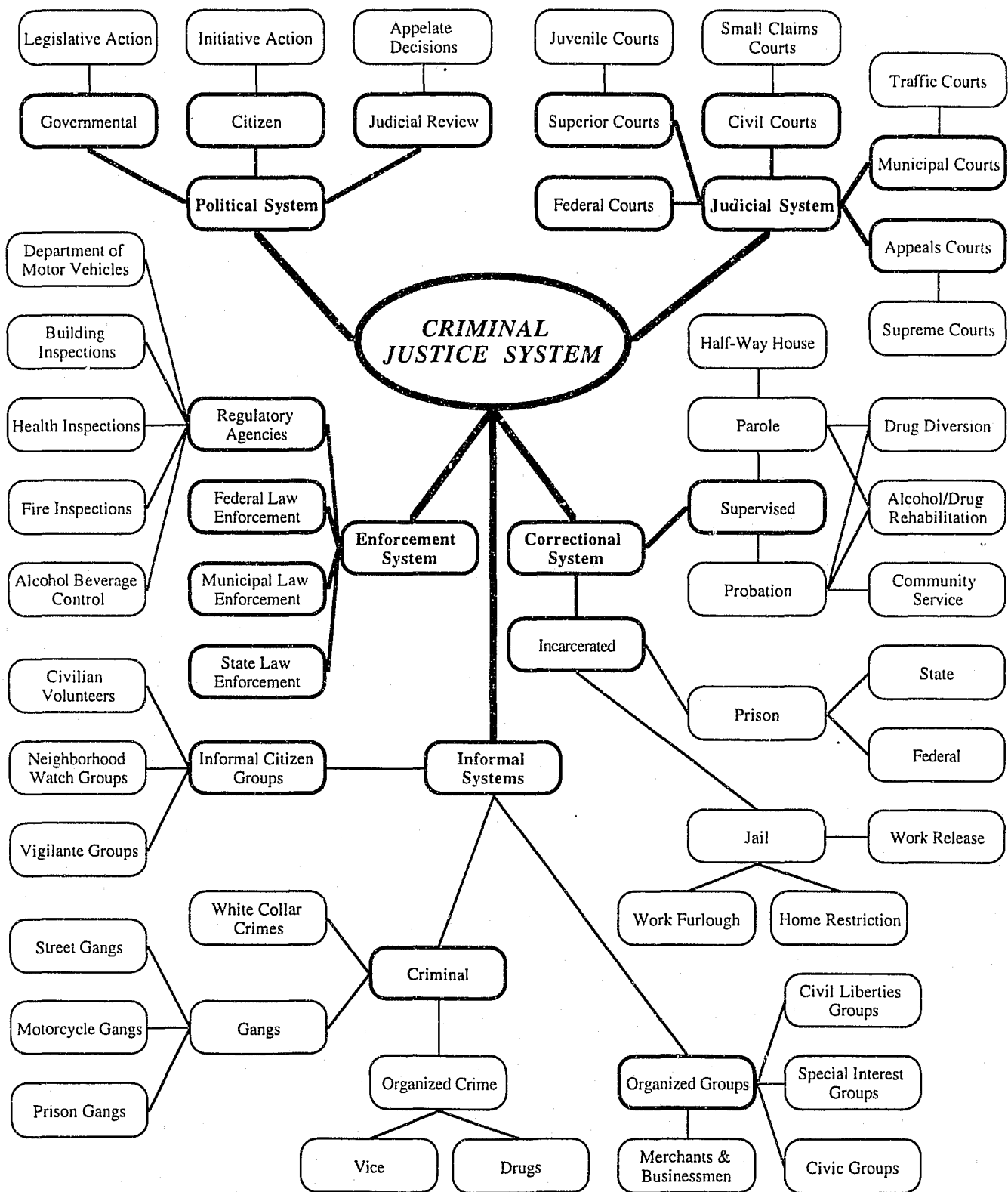


Figure 25 — Criminal Justice System Diagram

a reduction in crime. A total of ten designs were identified and analyzed by the group.

In order to satisfactorily evaluate the advantages and disadvantages of each course of action, criteria were developed. The first criterion was feasibility. A plan which is so bold in scope and concept as to be viewed as reckless or foolhardy would have little or no chance of success. The second requirement was that the plan must demonstrate some success within four years of implementation. The group felt that the problem was too complex for a simple solution and *no* program could achieve immediate success. However, because the American system of justice is founded upon law which is primarily generated by elected officials, any official who failed to achieve results during his tenure would not survive another election. Further, it was unlikely that his successor would continue with a program which resulted in the defeat of his predecessor. Third, any plan which proved mutually advantageous for each of the participants would achieve greater success and gain more commitment than one which did not. In any event, the selected plan could not impede the accomplishment of the specific goals for the individual system without the risk of making this component an adversary.

Virtually all plans must consider financial impact, for without funding any program is destined for failure. Notwithstanding, expense was not a criterion for evaluating effective strategies for this project. The literature review and forecasting process revealed that an increase in expenditures has not historically resulted in a reduction in crime nor would it in the future. Because of this, it was strongly believed that any strategy which resulted in additional expense to the taxpayer would be tainted with the failure from other programs. Further, one of the

fundamental motives for this study was to determine if a more focused, "systemic" approach would result in a reduction of crime. Given the circumstances of this study, an effective strategy would not require significant additional expenditures and any strategy which would require them was not a serious contender.

One of the highest ranked strategies identified was to completely revamp the structure of the criminal justice system with the duties of each component clearly and precisely defined. This could be accomplished with changes in local laws and policies but could include some state statutes. This strategy would allow a focus of effort which is not evident in the present system. There are two advantages for this course of action. First, it has the ability to have an immediate impact on the problem. Because this program can be implemented with legislation, the mechanism and much of the support would be in place prior to implementation. Second, it compels the collaboration sought among the systems. This would alleviate the contradictions and rivalry between the various components and contribute to a more focused effort.

This course of action is not without its disadvantages however, since by compelling the systems to collaborate, cooperation may not be as likely. Second, the action may be too bold to achieve the level of support necessary to succeed. This becomes quite apparent when the assumptions of the stakeholders are examined. For example, civil liberties groups will likely view such a daring plan with suspicion while persons in law enforcement are likely to be skeptical of even small changes. Further, because of the personal risk of failure associated with the reelection of public officials, even this group may look upon such a plan as rash and ill conceived.

The second highest ranked strategy identified was to compel parental responsibility for the conduct of their minor children. Since many of the perpetrators of crime are juveniles, the group felt that this would have a profound impact on many crimes and especially those offenses such as vandalism, disturbances of the peace and others which are most often committed by juvenile offenders. It was felt that this strategy has a high likelihood of success and with success will come an impetus for other similar programs. The strategy would be implemented with a combination of legislation and changes in the enforcement and correctional systems. Functions within these systems would be oriented toward identifying, tracking and managing youthful offenders as members of a family rather than individual defendants. Parents would be held responsible for status offenses such as possession of alcoholic beverages, truancy and curfew violations as well as being required to provide restitution for acts of vandalism or theft committed by their minor dependent children.

One advantage of this strategy is, once again, an ability to have an immediate impact on the problem. Parents who are held accountable for the misconduct of their minor children are more apt to exercise the requisite supervision to control their behavior. This is substantially more supervision that is being exercised at present where no penalties are incurred by the people most responsible for these offenders. Other advantages include, taking a burden off law enforcement, raising the quality of life in neighborhoods and utilizing this approach as a pilot to test the feasibility of other programs which require the cooperation and collaboration of multiple systems to achieve a common objective.

A disadvantage of this approach is in the difficulties in broadening a fundamental tenet of law which states that "a person is responsible for the reasonable consequence of his actions" to one which declares that a parent is also responsible for the conduct of his or her children. This will immediately raise suspicions among some groups that this is a precursor to further encroachments on individual rights and generate opposition.

Undoubtedly, the stakeholder which will be most vehemently opposed to this strategy will be the civil liberties groups since it violates the very essence for which they stand. Opposing this group however, will be businessmen and merchants who stand to make immediate gains since they suffer the brunt of juvenile crime. This course of action is also likely to gain the support of law enforcement and the majority of the members of the community since they too stand to make substantial progress in fulfilling their goals of reducing crime and enriching the quality life of the neighborhood.

One strategy was identified which is likely to have a wide diversity of support. This course of action would increase the effectiveness of the justice system by making it swifter. This would be done by a variety of methods including limiting the number of continuances and technical appeals, not allowing deviations from bail, restricting probation and parole and sentencing according to strict guidelines as well as others. Advantages of this program include an ability to tremendously decrease the time required for victims to receive compensation, criminals to be removed from the community and a reduction in attorney's fees and court related costs. A less obvious but no less important advantage will be to heighten the public's perception of the effectiveness of the criminal justice system.



Disadvantages include an increased potential for a miscarriage of justice or a tendency to focus on the swiftness of the system rather than its fairness.

If carefully implemented, this action will attract a wide variety of stakeholders and offend only the criminal element. Citizens, merchants and businessmen will be less likely to seek personal remedies if a swift legal solution is available. Private security and law enforcement personnel will benefit when criminals are quickly removed from the community and victims are able to receive compensation from restitution, probation, community service, etc. Elected officials will benefit from a successful system for which they can be seen as having been instrumental its development and implementation. Civil liberties groups may not support this plan but would not likely oppose it as long as the new system did not impinge on personal freedoms. In fact, the only stakeholders who may oppose such a plan is the criminal element and police misconduct attorneys. The criminal element's opposition hardly needs comment. The police misconduct attorneys might view such a system as injurious to their livelihood since a jury is not likely to be very sympathetic to a person who has already been convicted and sentenced for a crime in which he is seeking redress for police misconduct.

### **Implementation Plan**

The more the issue is examined, the more apparent it becomes that it is too complex for a simple solution. Indeed, if a simple solution would suffice it would most likely have been discovered centuries ago. Because of this, a plan was designed which incorporated key components from a variety of the alternative strategies identified by the Delphi panel.

A superior strategy was identified which entails four phases. Each phase is designed to achieve a specific, clearly defined objective. All are focused on the ultimate objective of reducing crime. Each phase utilizes two or more of the five systems identified as comprising the criminal justice system and is focused on changes in the structure of the criminal justice system, redirecting efforts of existing systems or a cooperative community effort. Because the ultimate plan is extremely bold in concept and design, it is employed in phases to lessen controversy. Methods of implementation are explained in detail in the following section, (Transition Management Plan).

### **Phase 1 — Parental Duty**

This phase provides the ability to have an immediate impact on juvenile crime and has two components. First, it makes parents responsible for the conduct of their minor children. Parents who are held responsible for the misconduct of their children have a vested interest in taking a more proactive role in supervising them. Second, it holds that educational requirements must be changed to compel a minimum standard *not* a minimum age. Consequently, just keeping the seat warm until one is old enough to quit school will not be acceptable. Juveniles will no longer be allowed to enter society without the requisite skills necessary to make a contribution. This phase would be implemented upon the inception of the plan and continue through its existence.

### **Phase 2 — Personal Accountability**

This phase follows the fundamental precept of law which holds a person responsible for the reasonable consequence of his actions. Although legislative changes would be required, they would reflect those basic values necessary for a

harmonious society. For example, restitution would become a requirement for completion of any sentence. Inmates would no longer be awarded "good time" as time off while incarcerated since this behavior is required both in a custodial setting and in community experience. Work time would be awarded, possibly even at an accelerated rate, but crime victims would receive the benefits until fully compensated. Community service would become a standard requirement for delinquent parents, insubordinate children and recalcitrant defendants and could be enhancements to previously imposed sentences for failing to meet the sentencing requirements. This phase would be implemented two to four years after the plans inception and continue thereafter.

### **Phase 3 — Changes in the Criminal Justice System**

This phase attempts to reform the criminal justice system so that it becomes swifter and more effective. Bail reductions without judicial review would be prohibited. The use of plea bargains would be greatly restricted. Appeals which lack clear and convincing evidence of a person's innocence would be curtailed. Sentencing would be determinate and firm. Enhancements could be added for the use or possession of certain weapons, viciousness of the crime, failure to provide restitution or prior convictions. Activities for inmates such as television, movies, sports and other extracurricular activities would be privileges to be earned and not rights. This phase would be implemented four to six years after the plan's implementation and continue thereafter.

#### **Phase 4 — Social Responsibility**

This phase is likely to be the most controversial part of the entire plan. It is based upon the principle that the needs of society outweigh the needs of the individual.

A government which is vulnerable to those which seek to exploit it must protect itself lest it become in danger of extinction. Nowhere is this manifested more than when the failed attempt of a criminal to profit illegally results in the person being eligible to lawfully profit from an imperfection in the same system.

The Modified Policy Delphi group felt that the recent proliferation of civil litigation is a result of a combination of a failure to obtain swift and realistic remedies from the criminal justice system coupled with an opportunity to capitalize on a system which, in its imperfections, could make one rich.

This would be eliminated by instituting a principle which holds that a person who defies the law loses his right of redress by it. Thus, a criminal injured (even indirectly) as a result of his disregard for criminal law will not be allowed compensation in the civil courts, regardless of the circumstances.

Although some portions of this component could be implemented in five to six years, it was felt that because of the controversy this principle would generate, it would not likely be employed until eight or more years after the plan's inception to avoid jeopardizing the implementation of the other components. It is expected that success with earlier phases will lessen the controversy of this phase.

The second component of this phase would encourage the various systems in society to work together to reduce crime. This would be done by a combination of

easing restrictions which currently prevent them from working together and creating regulations which would require it. By focusing more effort and resources on reducing crime, many of the inconsistencies and vulnerable imperfections in the society which are currently being exploited by the criminal element would be eliminated.

When implemented this component would manifest success when criminals were identified and denied welfare and disability,<sup>7</sup> merchants and retailers were prevented from selling items such as radar detectors or drug paraphernalia, a "good Samaritan" law would protect citizens who attempt to stop a crime, convicted criminals would not receive social security, welfare, disability or workmen's compensation benefits while incarcerated, persons with warrants for their arrest would be unable to apply for driver's and other state licenses, and so forth.

## Transition Management Plan

The transition management plan is designed to bring about a desired change as efficiently and smoothly as possible. Inherent in the successful implementation of a such a plan is the understanding that the period between the present and the desired future is one laden with ambiguity, confusion and disorder. This time is not just meaningless waiting and chaos however — it is a time when a necessary reorientation and redefinition takes place. An implementation plan is intended to provide a structure and organization to make this period as creative and productive as possible.

The plan for this project is comprised of a series of actions, each of which is intended to create an environment which facilitates the next action. It is believed that by taking a number of smaller steps, a bolder plan can eventually be initiated by making incremental adjustments and avoiding some of the controversy associated with daring courses of action. In fact, a carefully orchestrated transition management plan can actually foster an environment more amenable to change.

However, it is important to note that the transition management plan, itself, should be viewed *only* as an instrument for change. It is not intended to be broad enough in scope or detailed enough in content to achieve complete success in the desired change. It will inevitably require flexibility and alterations and may even be abandoned in favor of a better plan which comes to light in the clarity of time. This should not be viewed as failure but rather an important part of the change process. The plan is only a means to the desired end and should be defended only

on demonstrated merit. Rigorous and dogmatic adherence to *any* plan will be counterproductive to the desired change.

The first step in the plan will be to hold a series of community meetings. This will allow leaders the opportunity to bring the "vision" to members of the community and remove much of the mystery concerning the ultimate goals. It is important that the public hear firsthand about benefits which can be achieved as well as the necessity for change. By increasing the understanding of the populace, their support becomes more likely and their input could be invaluable. These meetings would be held county-wide throughout the duration of the program.

The second step builds upon the first by establishing a permanent, integral mechanism for feedback. It begins within six months after the commencement of the community meetings and will remain in effect throughout the duration of the program. Information gained from the initial meetings with members of the community will provide guidelines for establishing this crucial component. It may include items such as a permanent mailing address, 24 hour toll-free telephones, newsletters, press releases and computer bulletin board services. This action will allow suggestions, critiques, complaints and compliments to reach change agents without the time delay of public meetings or press releases. Furthermore, it will enhance the desired atmosphere of openness and sharing to generate more public support.

The third step will be to identify and implement a pilot project. Although the focus of this pilot project will be the same as other projects, the *primary* purpose will be to demonstrate success. In the early stages of the transition period, demonstrated success, even in a small way, will be necessary to create an

environment of trust and expectation. This environment is essential to nurture the more daring changes to follow. During the implementation of this pilot project, the community will be solicited for assistance and support. This will strengthen and increase the base of support for the overall project as well as establishing a stronger and more unified effort in achieving ultimate success. It is believed that this action must be taken within the first year of implementation and be completed within eighteen months to gain the desired confidence. Further, it is anticipated that this particular action can be repeated throughout the remainder of the program with a series of similar actions. After the first pilot project in which success is the most important aspect, future projects with a variety of objectives and durations will each test and implement different components of the strategic plan. This will allow bolder action while reducing the consequences of failure.

The fourth step is the first attempt at a more daring action. This action entails creating laws and/or regulations which require restitution as a condition for probation and sentencing. Every criminal case involves loss to someone, whether it be an identified individual or society at large. Restitution would be required for injury and damages for individual victims as well as expenses for the administration of justice to the community. Community service would become a standard method of redress and persons who have abused the benefits of living in the community would now be required to provide relief. This step begins a process of requiring personal accountability (described in the strategic plan) for actions which injure another. It could begin as early as one year after the program is implemented but might be delayed for several years and implemented when the environment for change is determined to be more likely to ensure success. As with



all the actions, it would be implemented in several steps to avoid unnecessary controversy.

The fifth step actually begins modifying the criminal justice system in Los Angeles County. This step would prohibit bail reductions without judicial review, greatly curtail plea bargaining and restrict appeals which lack clear and convincing evidence of a person's innocence. A "truth in sentencing" provision would require the precise length and conditions of incarceration to be public. For the first time in many years, the public would be aware of sentence reductions, such as "work time," "good time," work release and probation, as well as the better known sentencing enhancements.

Many of these changes, if publicly supported, could be achieved without changing state law. Among some of the methods available would be memorandums of understanding between agencies such as the Superior and Municipal Courts or the District Attorney's Office and Probation Departments or even changing the regulations within these agencies. Although portions of this step could begin within two years of the implementation of the program, much of it would require a favorable climate for change and could require four to six years.

The sixth step will attempt to increase the effectiveness of the justice system by making it swifter. This would be done by a variety of actions such as limiting the number of continuances, pre-trial hearings and technical appeals as well as sentencing according to strict guidelines. Another method would be a form of arbitration which would be established to allow swift legal remedies for problems which, if allowed to escalate, could result in violations of criminal statutes. The use of arbitration would allow quarrels between neighbors, relatives, businesses and

other parties to be resolved by peaceful means before law enforcement was forced to intervene. It is also believed that if the courts were to share more of the burden for the expenses, that it would provide an additional incentive to increase efficiency. One suggested method which might create this condition is to provide the courts with the funds law enforcement spends on court overtime and have the moneys allocated from the court budgets rather than law enforcement's. All of these actions would be initiated contemporaneous with the last two components and continue throughout the program.

The seventh step in the plan will be to remove "hidden sanctuaries" for fugitives. This will be done by creating changes in the laws and regulations directing such agencies and systems as the delivery of social services, public housing, loans, insurance and state licensing to identify fugitives. Persons sought for criminal warrants would be vulnerable to detection and capture when applying for any of the services provided by the government within Los Angeles County as well as some private enterprises in which risk is an important part of the venture. The private sector would benefit by becoming aware of liabilities before capital and goods were at risk. The public sector would benefit by broadening avenues of apprehension. This could be achieved by providing record checks or even opening up those segments of criminal justice data bases which identify fugitives. This component could begin as early as two years after implementation of the plan but would require a favorable climate for change to be effective and ensure success. It is believed that demonstrated success with previous actions would particularly enhance the implementation and effectiveness of this one.

The last step returns to the grass roots level for support of legislation which would limit "deep pocket" awards for civil damages. Like the previous action, this step is daring and will be primarily dependent upon receiving support from the community. Laws would have to be passed which limit or prohibit an individual who defies the laws of the land from profiting as a result of their imperfections. Similar to the so called "good Samaritan" laws which protect the medical profession from being sued in providing impromptu medical assistance at accident and disaster scenes, these laws would protect all citizens who come to the aid of another in preventing crime or capturing perpetrators. The ultimate goal of this step will be to gradually remove the civil awards resulting from actions from persons who are convicted of criminal violations. Thus, a person who defies one body of law (criminal statutes) will be unable to become wealthy from its imperfections by virtue of the civil system. This may also require criminal penalties for those charged with enforcing the statutes to ensure acceptable conduct.

Because of the controversy likely to be associated with this course of action, this component would not be initiated until previous actions had proven at least partially successful. Further, safeguards would have to be established to avoid having law enforcement "immunized" to the point where their actions were unable to be governed by the community. It is felt that this course of action could not be implemented before five to six years after the implementation of the plan and then, only in very small increments. It begins the implementation of the broader "social responsibility" phase of the strategic plan and is another step in removing the profits from crime.

The following table provides a graphic illustration of the implementation periods, durations and relationships of the various components of the transition management plan.

1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
<i>Community Meetings</i>									
<i>Mechanism for Feedback</i>									
<i>Pilot Project</i>		<i>Project</i>		<i>Project</i>		<i>Project</i>		<i>Project</i>	
<i>Restitution and Community Service</i>									
<i>Modifying the Criminal Justice System</i>									
<i>Increase the effectiveness of the Criminal Justice System</i>									
<i>Remove "Hidden Sanctuaries"</i>									
<i>Remove "Awards" from Criminal Actions</i>									

(Shaded portions indicate lack of a precise starting period.)

*Figure 26 — Transition Management Implementation Chart*

## Management of Transition

The purpose of this section is to define methods and procedures which will effectively implement the strategic plan. Transition management is the final crucial element in the strategic planning process. The most potent management system for the ambiguous transition state is one that creates the least tension with the current system and the most opportunity to facilitate and develop the new system. This plan will consider those activities, understandings and alliances which will be required to bring about the desired future by removing barriers and create a nourishing environment to change.

Transition, in any environment, is characterized by energy which needs to be redirected. Prior to the beginning of the transition process, it will be necessary to determine who will be charged with the responsibility to direct this energy and to create a management structure to ensure the plan's success. Key leaders must become very visible and take a proactive role providing direction and leadership while avoiding conflicts and confrontations which would be counter-productive. Of necessity, one of the first steps in any transition plan will be to identify those leaders.

The "critical mass" are those people or groups, who if actively in support of the change ensure that it will be successful. Conversely, if they are against the change, it will fail. Although the importance of other stakeholders can not be ignored, commitment by this group is *essential* to accomplish the strategic plan. Individuals from each of these groups were identified to provide the leadership and direction essential to the successful implementation of the plan. Because of the protracted time over which implementation will occur, a successor was identified

whenever possible. When this was not feasible, some considerations were provided for identifying a replacement..

In determining the level of commitment, a tool called a "commitment chart" was used. A commitment chart is a matrix which identifies each member of the critical mass in one column and the level of commitment in each of the other columns. Further, it identifies the degree of current commitment as well as the degree necessary to achieve success. (see Table 26 — *Commitment Chart*) The chart is followed by a brief summary of each player and the possible intervention strategy which could be used to gain the necessary commitment for the success of the transition plan.

<i>Critical Mass "Player"</i>	<b>Will Block Change</b>	<b>Let Change Happen</b>	<b>Help Change Happen</b>	<b>Make Change Happen</b>
<i>Members of Community</i>		X —		▶ O
<i>Civil Liberties Group</i>	X —▶	O		
<i>Elected Officials</i>			X —▶	O
<i>Law Enforcement Personnel</i>		X —▶	O	
<i>News Media Personnel</i>		XO		
<i>Police Misconduct Attorneys</i>	X —▶	O		
<i>Judicial Officials</i>		XO		
<i>Vigilantes</i>		O ◀	◀	— X

X = level of current commitment

O = level of commitment necessary to ensure change

*Table 26 — Commitment Chart*

**Members of the community** — This group wields the greatest power of any of the members of the critical mass. Indeed, one of the assumptions identified concerning this group in the stakeholder analysis is that this group is so powerful that any plan which received their enthusiastic support could be launched without the support of other stakeholders. Conversely, any change which ignored this group

was doomed from the onset. Unfortunately, this group is so broad and diverse that it is virtually impossible to mobilize and precisely focus their energy nor will it be likely to obtain more than a majority consensus. However, because of the power they wield, even this amount of commitment is formidable. Their current level of commitment is to "let change happen" while it is necessary to increase their level of commitment to "make change happen" for a successful transition.

Because of the diversity of this group, any representatives must appeal to the group as a whole. The difficulty in selecting this representative is formidable, but by no means impossible. California politics are replete with champions of "grass roots" causes. Some examples are the "tax revolt" initiatives led by Paul Gann and Howard Jarvis, the Mothers Against Drunk Driving (MADD) organization founded by Candy Lightner and the victims rights movement championed by actress Theresa Saldana. To gain commitment from members of the community, a person or group who zealously believes in the change would not only provide the leadership but be more durable than other community leaders, such as elected officials. Such a champion need not be concerned with being re-elected nor seek the support of special interest groups to remain in power since the primary motivation is simply the desire to see change occur. Because the power and influence afforded to this champion are derived from a single issue, the following is less likely to have misgivings or mistrust motives. Consequently, the appeal will be to a larger segment and a higher level of commitment may be obtained. The dedication, enthusiasm and lack of other influences, make this person an ideal candidate to be leader of the project group.

**Civil liberties groups** — These groups are already actively involved in the application of justice but have been viewed as obstructionists and antagonistic in crime reduction efforts, especially when individual rights were an issue. Nevertheless, they are a potent force which can not be ignored if the plan is to be successfully implemented. Their current level of commitment is considered to be “will block change” and would prevent the plan’s implementation if no more commitment is achieved. It is believed that their enthusiastic support would not be likely, nor necessary, to successfully implement the plan but *some* commitment would be required to prevent it from being blocked. Therefore, this group needs to allow the change to happen. In order to accomplish this, they must have a say in the plan’s implementation and as such, becomes a member of the critical mass.

An individual identified as having the ability to sway this group is the Executive Director of the Southern California Chapter of the ACLU. The ACLU is the largest and best known of the civil liberties groups and many members of other civil libertarian groups also belong to the ACLU. The Executive Director exerts great influence in the direction this group takes and would provide access to a large segment of the community that will view *any* change as suspicious. If this person supports the change, much of the resistance by civil liberties groups will be alleviated. However, even if the group as a whole does not support the change, they will be less likely to actively oppose it.

**Elected officials** — This group has the ability to immediately effect change. Because members of this group accept personal risk for failure, bold changes are not as likely as incremental ones. Since the strategic plan calls for incremental changes which are focused toward a common objective, this is acceptable. Also, because this



group reflects the attitudes of the members of the community, successful changes will likely be exploited at an ever increasing rate since it would increase personal standing with constituents. The present level of commitment was identified as "help change happen." More commitment carries more risk but is necessary to achieve success. This group was identified as crucial to obtain the maximum level of commitment.

In achieving increased support from this group, it will be beneficial to select a leader who represents a large portion of the electorate since power for this group is largely perceived by the number of voters as well as the level of commitment. Since the only officials elected from the County as a whole are specialists (Sheriff, Tax Assessor, District Attorney, etc.), the Chairperson of the Board of Supervisors was selected. Each of the five members of the Board of Supervisors are elected by district and represent 20% of the County area. Members typically remain in office for several terms and the Board is the most powerful elected body in the County and one of the most powerful in the State. They already manage the Superior, Municipal and Juvenile Courts, the Probation Department and, through the District Attorney, Defense Attorney and Sheriff, the Offices of the District and Defense Attorneys, the largest police department in the state and the largest jail in the world. Moreover, this body has been proactive in attempting to find solutions to the crime problem in the past and can be expected to be receptive to suggestions for improvement. Hence, they have a tremendous ability to have an immediate impact on the problem. As the most prominent member of the Board, the Chairperson can exert great influence to attain the necessary commitment.

**Law enforcement personnel** — Although law enforcement personnel are the most visible component of any crime fighting effort, traditionally, they have not been very proactive in seeking solutions. Of those who have, most of their efforts were directed at modifying the judicial or correctional systems. The recent trend of activism with the community oriented policing concept is encouraging and makes them more receptive to other innovations than ever before. Their present level of commitment was identified as "let change happen" and it is believed that increased commitment to "help change happen," must be achieved to ensure success of the plan. Because of strongly held beliefs from other members of the critical mass, the strongest level of "make change happen" was not desired. Groups such as the civil libertarians and police misconduct attorneys would likely be extremely skeptical of law enforcement personnel becoming "evangelists" for such a bold program as the one being offered.

The Sheriff of Los Angeles County was identified as having a major role in the influence and support from this group and would be sought out for support and commitment. The position is one which wields a great deal of delegated power as well as the perceived power derived from the electorate. Indeed, a Sheriff is the only elected law enforcement official in the county.

The Sheriff is one of the most popular elected officials in the County and has a supportive electorate larger than most other county officials, including members of the Board of Supervisors. Hence, the Sheriff's support from members of the community is extremely powerful and has a strong influence on other groups as well. The Sheriff of Los Angeles County is also the California State Mutual Aid Coordinator for Region 1, which includes all of Los Angeles and Orange Counties. The recent disasters of riots, fires, floods and the Northridge earthquake required

the cooperation and support of all law enforcement agencies and the Sheriff of Los Angeles County became recognized by executives of other police departments as instrumental, if not crucial, to the effective exchange of resources. This has brought the office into prominence and respect with police chiefs and city managers alike.

**News media personnel** — Traditionally, this group has viewed its role in change as one of a disinterested bystander. Their present level of commitment at “let change happen” reflects the prevailing attitude of most of the members employed by the news media. While more commitment would be desirable, it is not necessary to achieve success. This group was identified as a member of the critical mass because a decrease in support *would prevent* the successful implementation of the plan. Accordingly, this group needs to be included as crucial to the successful implementation of the plan even though they already possess the requisite amount of commitment. This will allow members of the project team to avoid pitfalls which would doom the project by incurring the resentment of this group resulting in “bad press” and a subsequent loss of support from other factions.

The person who hold the position of Vice President and General Counsel of the Times Mirror Company was selected as a leader for this group. The Times Mirror Company owns the largest newspaper in Los Angeles County as well as interests in broadcast and cable television and book and magazine publishing. *The Los Angeles Times* newspaper is extremely influential with the community and can provide a much greater depth of coverage than electronic media who are hampered by time constraints. The electronic media has the advantage of being able to provide “real time” news with live coverage and many updates between editions of the printed media. The Vice President and General Counsel of the Times Mirror

Company is a somewhat unique position in that, it is one of the few positions which requires knowledge of law and has access to both the electronic and printed media while exerting great influence on large numbers of news media personnel.

**Police misconduct attorneys** — This group represents a growing and thriving industry in which individual attorneys and law firms derive their primary source of income from suing law enforcement agencies. Because it is likely that this group would exploit the ambiguity and confusion inherent in every transitional period they could prevent any meaningful change from occurring. Their present commitment level is in the "will block change" category. While it is not believed that this group would intentionally prevent change, the effects of many lawsuits would have such a chilling effect that change would be prevented in any case. To ensure the success of the program, this group must be encouraged to allow change to happen.

Of all the groups which comprise the critical mass, this one presents the most difficulty in identifying a leader and encouraging acceptance of change. The dominant reason is that other members of the critical mass, primarily law enforcement, will view anyone from this group as an adversary. As a result, it will be necessary (both for the present and future) to select a person who can influence this group without antagonizing others.

Selected to represent this group was the President of the California Bar Association. The person holding this position is respected not only by attorneys but by law enforcement officials as well. Because of the diverse interests of these two groups, it is virtually certain that some mediation will become necessary to avoid change from being blocked. The person holding this position is in a unique position

to exert influence on both groups and achieve some type of a working relationship. Since some compromise is inevitable, it is more likely to be attained when the mediator is not a member of either group.

**Judicial officials** — With the possible exception of law enforcement, no group plays a more important role in the application of criminal justice than judicial officials. Most new procedures and methods will be reviewed by this group and their approval will be required to allow the change to be implemented. Their current level of commitment of "let change happen" will allow change to occur and although a greater level of commitment would be advantageous, it would not be essential. This group was identified as part of the critical mass because without at least their tacit approval, no meaningful change within the criminal justice system could take place. Persons in positions which may persuade this group include the District Attorney, the Defense Attorney, the Presiding Judge of either the Superior or Municipal Courts or persons who hold office in legal associations.

The person considered the most likely to have an immediate impact and one who would be most able to influence other members of this group was the Presiding Judge of the Los Angeles County Superior Court. Aside from being the delegated leader of the Superior Court, the person selected for this position is usually *perceived* as a leader. This distinction provides the position with great influence in the conduct and management of the Los Angeles judicial system and would be a tremendous asset to the project team to avoid pitfalls which would curtail or defeat daring ventures.

**Vigilantes** — This group was identified as a "snaildarter" during the stakeholder analysis. They were identified as part of the critical mass because they

too, have the ability to prevent change. Although this group's present level of commitment is at "make change happen," their methods are so contentious and confrontational many members of the critical mass would likely withdraw to avoid even being associated with their actions. Despite their stated intent of "making change happen" their clumsy attempts would inhibit it. This is the only group which was identified in which less commitment was desired. In order not to prevent change from occurring, this group would be encouraged to move their level of commitment from "make change happen" to "let change happen." By remaining in the background and avoiding circumstances which would enrage other members of the critical mass, they are more likely to achieve their stated ends.

By virtue of the fact that this group has been defined as a "snaildarter," a leader defies identification. Indeed, if a leader could be identified, appeals could be made to avoid creating the conditions previously described. Since this is not possible, the level of commitment desired here would be achieved by the immediate and harsh punishment for acts constituting vigilantism. Further, members of the critical mass would publicly condemn such conduct and in doing so, elicit support from other groups as well as discouraging similar actions from those contemplating them in the future.

**Responsibility Chart** — As a means of clarifying responsibilities and defining roles, a responsibility chart was utilized. This chart provides a graphic depiction of the component parts of the plan, the members of the critical mass and their individual obligations for the implementation of the plan. This chart also forces evaluation of jobs in the light of the larger process of roles played within and between the various groups. Highly specific job descriptions can be written and

serve as a basis for coordination and maintaining the focus of effort while avoiding duplications and misunderstandings.

<b>Decision</b>	<i>Community Leader</i>	<i>Executive Director of Southern California Chapter of ACLU</i>	<i>Chairman of Los Angeles County Board of Supervisors</i>	<i>Sheriff of Los Angeles County</i>	<i>Vice President and General Counsel of Times Mirror Co.</i>	<i>President of California State Bar Association</i>	<i>Presiding Judge of Los Angeles County Superior Court</i>
Community Meetings	R	—	S	S	I	—	—
Feedback Mechanism	R	—	S	S	I	—	I
Pilot Project	A	I	I	R	S	—	S
Require Restitution	I	I	S	I	—	S	R
Modify Criminal Justice System	I	I	R	S	I	I	S
Make justice swifter	I	I	S	I	I	I	R
Limit "deep pocket awards"	I	A	R	S	S	S	S
Remove criminal sanctuaries	I	A	A	R	—	S	S

**R** = Responsibility (not necessarily authority)

**A** = Approval (right to veto)

**S** = Support (put resources toward)

**I** = Inform (to be consulted)

**—** = Irrelevant (to this item)

Table 27— Responsibility Chart

The individuals selected to represent the various groups were denoted in order to more precisely define the individual roles. This allows the identification of individual responsibility.

### Management Structure

The management structure designed to promote the implementation of this plan is critical to its success. Ideally, such a structure would require both formal power as well as persuasive power to bring about necessary alliances and prevent obstructing clashes. Initially formal power will be unlikely since each of the

members of the critical mass represent different interests in both the public and private sectors. Because of this a task force approach was determined to be the most likely to succeed.

A task force is actually a temporary organization with its own resources, personnel and, most important, mission. Since each task force has a distinctive mission, a different approach can be used for each component part of the plan. Task forces often utilize resources from both private and public sectors without the encumbrances required from more formal organizations and attract leaders from a myriad of agencies, organizations, and systems. The use of a task force greatly simplifies implementation since a much lesser degree of commitment is required than for a permanent organization. It is believed that a number of task forces, each with an objective of successfully implementing a discrete action in the transition plan but goal oriented to the ultimate objective of reducing crime will be the most effective method of achieving success.

Because it is expected that a series of successful actions will create a more beneficial environment for successive ones, it will be necessary to reevaluate the circumstances and environment contemporaneous with each new action. The methods of implementation must then be modified to accommodate the current situation. Adjustments might be as minor as changing the staffing of the task force or as significant as changing the actual plan. In any event, the environment *will* change as time passes and its impact on the successful implementation of the plan can not be ignored.



## **Technologies/Techniques to Support Implementation/Change**

Most, but not all, of the success of this program will rely on the style and methods of implementation rather than any particular technology or technique. One important technology which can be exploited however, is the "information highway." The "information highway" is a generic term used to describe a multitude of technological achievements which will tremendously increase the ability to exchange information. Indeed, the possibilities are so broad that many current systems and procedures will be obsolete in a only few years. Replacing them will be a abundant array of services unimaginable even a few years ago. Interactive television, computer bulletin boards, remote and local access to large data bases, video transmissions, computerized graphics and simulations as well as instant access to all kinds of information are only a few of the emerging technologies.

Because the underpinnings of this plan rely on public trust and support, their input is not only desired but essential. The exploitation of technologies and systems which enhance this trust and support will provide opportunities unavailable without them. The information highway will provide an opportunity for exchange of information which will bypass the slower conventional methods and at a scale that defies description.

## **Summary of Transition Management Plan**

The period of transition is a crucial time for the transformation from the present state to a desired future. The critical mass must be identified and the necessary commitment obtained. A management structure must be established to provide direction, allocate resources and organize support.

One of the virtues of this plan was that it required no additional funding. Historically, an increase in funding has not resulted in a decrease in crime and the study revealed that it was not likely to at any time in the future. Once this factor was identified, any plan which required additional funding would inevitably be viewed with suspicion. One impetus for support was the fact that the change did *not* require additional funding.

This transition management plan is offered to foster the adoption of the much broader strategic plan. If appropriately applied, the management of the change will generate a minimum of controversy and will actually increase support. Indeed, the single crucial factor for both the transition management and strategic plan's success is the support and trust of the public. Any plan which increases their understanding and confidence will also increase the likelihood of a successful implementation.

### Conclusions

The goals of this research project were two-fold. The first was to determine the impact of a systemic approach in fighting the "war on crime." A "systemic" approach implies a fundamental underlying strategy which influences an entire system or structure. In this instance, it describes the composition and relationships of the myriad of systems which make up the American society. In comparison, a "system" describes a group of interacting, interrelated, or interdependent elements forming or regarded as forming a collective entity. The system which this project focuses on is the criminal justice system in Los Angeles County.

Since the war on crime is generally considered to be a national effort, the examination of an issue of this magnitude becomes overwhelming. Even at the state level, the scope is far too broad to be examined within the time and resource constraints of this research project. Consequently, the County of Los Angeles was selected as a microcosm of the much larger arena. Virtually all of the component parts of the state and national systems are present to a lesser degree in Los Angeles County.

The second objective was to explore the methods likely to produce a better future. Clearly, this objective was dependent on the proposals identified by the first. In attempting to determine the impact of a systemic approach, a number of events and trends were identified which would have an impact on the issue, should they occur. A nominal group technique was used to identify and prioritize these trends and events. The events and trends were then prioritized and the ten likely to have the greatest impact were identified. From these, a cross impact analysis was run in which their influence on each other was forecast. A series of scenarios were then written from the perspective of an historian in the year 2004. Developed from the scenarios were strategies which could bring about the desired future. Lastly, a plan was devised to implement the strategy for change.

When one examines the criminal justice system in Los Angeles County it becomes apparent that "tuning" the system into a more effective program of crime control will require an array of changes. Some are as simple as enforcing existing laws, changing policy or redistributing funding authority while others are as bold as reforming the criminal justice system. Were these changes to be implemented in Los Angeles County and proven successful one could extrapolate to a larger

program with broader applications in the criminal justice systems of California and other states as well as the federal government.

### **Future of the issue**

The research revealed that the underlying causes of crime were felt to be intrinsic in American society. Moreover, success would require the consistent efforts of more than one system. The strategies necessary to root out the sources of destructive behavior must not only be bold and decisive but given time to work. No short term solutions were identified and even the most optimistic scenario estimated at least two years before the effects were felt. It was not for six years that a *decrease* in violent crime was felt likely.

During the period of the study a number of crime issues gained nation and world-wide attention. Among these were the roadside murder of the father of professional basketball's star player Michael Jordan and the nation's accompanying shock and outrage of another random and senseless murder; the Polly Klaas incident accompanied with a demand for better exchange of information within law enforcement; the Michael Fay caning incident in Singapore accompanied with a focus on corporal punishment; the Menendez brothers' murder trial and the focus on child-abuse; as well as the O.J. Simpson murder trial which focused on the entire criminal justice system. Indeed, the O.J. Simpson trial has gained such notoriety that it has been broadcast live, pre-empted local television, been the subject of books, newspaper and magazine articles as well as countless news commentaries. It has raised the public's consciousness and stirred such interest in court and law enforcement proceedings that it has been described as "the largest civics class in the history of America." These incidents, and others like them, have not only increased

the public's awareness and knowledge of the problem but served to instill a desire for change.

The optimism expressed by members of the NGT and Modified Policy Delphi panels was largely because the situation in Los Angeles County has grown so bad that it has become a force for change. America now leads the industrialized world in rates of rape, murder and violent crime. Violent crime has increased more than 500% in the last three decades and nearly three out of every four convicted criminals are not incarcerated while fewer than one in 10 serious crimes result in imprisonment!<sup>78</sup> Ninety four percent of Americans now believe crime is worse now than in comparison with the time they were growing up.<sup>79</sup>

Nationally, this force for change has been manifested when 95 of the 100 U.S. Senators voted in November of 1993 to provide 8.9 billion dollars for crime control<sup>80</sup> and in April 1994, when the House passed a \$28 billion crime bill.<sup>81</sup> Currently, the U.S. Congress is struggling with a crime bill unprecedented in expense and ambition. Locally, it has been expressed when California voters decided to extend a 1/2 cent sales tax to be used exclusively for public safety and the current Mayor of Los Angeles, Richard Riordon, rode a wave of support in his successful campaign for his promise of 3,000 new Los Angeles police officers. As the research revealed, the problem is so bad that many of the obstacles which have prevented reform in the past are no longer as formidable.

Members of the NGT and Modified Policy Delphi panels felt that many, if not most, of the beneficial events and trends likely to have an impact on the issue would be brought about by members of the community, mostly through the political process. The remedies would likely result from a combination of new legislation and

programs coupled with "champions" who would oversee the effort. It was believed that if a solution could be readily achieved by incumbent legislators and executives, it would have already occurred.

The research revealed that collaboration between the public and private sectors and between agencies within the criminal justice system is not as difficult as it would appear. Many of the solutions would require *no* additional funding, legislation or changes in existing laws since they involved only better coordination between systems and agencies. For example, requiring restitution as a condition of sentencing already exists but is not rigidly enforced. Having the court system disperse court overtime for peace officers requires only a change in allocation of funds at the local level and provides incentives for making the court system swifter and more effective. It would be relatively easy to exploit the growing popularity of electronic bulletin boards and computer networks to exchange information between the public and private sectors as well as exchanging information among law enforcement agencies. Furthermore, immense data bases in the private sector already exist for the prevention of fraud with checks, credit cards, telephones, insurance, arson and others. Other solutions encouraged public participation by enacting legislation such as a "good Samaritan" law to protect citizens from civil liability who become involved in crime prevention efforts or the apprehension of criminals.

Despite the fact that panel members expressed the belief that many of the proposed remedies were so deep-rooted as to strike at the very foundations of American society, all but a few of the events and trends likely to have a positive

impact on the issue were quite practical. Some beneficial events which could be influenced, and henceforth made more likely to happen, included:<sup>2</sup>

- a "user friendly" system of personal litigation which would allow a speedy remedy to personal disagreements before they escalate to conflict
- allowing certain segments of society, such as schools, to use corporal punishment to enforce discipline among juveniles
- defining and codifying the rights and responsibilities of parents and requiring them to be responsible for the conduct of their minor children
- changing the focus of law enforcement from arrest of criminals to conflict resolution<sup>3</sup>

One of the more interesting observations was that each of these events had previously existed in some form. Many had changed so recently as to be in the memory of the NGT panel members.

One unmistakable conclusion which can be drawn from this analysis is that the solution remains within our grasp. The problem is not so out of control that it must be left to run its course but is within our power to resolve. In attempting to allow more personal freedom, the community at large may suffer. The complex society in which we live requires daily interaction between many other people. In order to avoid anarchy and chaos it becomes necessary to have rules to govern some personal activities. No one can live in such a total state of freedom that he impinges on his neighbors. Consequently, some "rights" must be bridled for the good of the society as a whole.

A dilemma develops in attempting to define which and to what extent an individual's rights ought to be curtailed for the good of the community as a whole. Virtually *any* policy or strategy which accomplishes this will be successful. The "optimistic" and "most likely" scenarios describe what could happen should this occur.

Another conclusion which may be drawn is that many of the problems which have allowed this situation to develop lie within the criminal justice system.<sup>81</sup> Indeed, all but two of the ten events identified by the NGT panel as having the greatest impact on the issue deal directly with the criminal justice system. The current movement to curtail the availability of assault weapons and hand guns; the elimination of weight training for inmates in jails and prisons; the movement to try under-age serious offenders as adults; the "truth in sentencing" laws advocated by the State Attorney General and a "Family Code" to be enacted in 1995 serve as examples of events identified during the research which are now beginning to become reality. The alliance between businesses and the law enforcement and education systems manifested in drug prevention programs such as SANE<sup>82</sup> and DARE provide examples of the benefits of collaboration. Private enterprise is joining the fight with tamper-proof packaging; the incorporation of crime prevention designs into buildings, airports and parks; actively supporting programs such as drug prevention and the exchange of guns for tickets to sporting events and other entertainment.

Lastly, is the irrefutable conclusion that doing nothing will result in more crime. The historical data over the past five years clearly demonstrates an increase in violent crime, an increase in expenditures for criminal justice, an increase in the



size of law enforcement agencies, an increase in citizen dissatisfaction and a decrease in arrests. Without intervention of *some* sort, the crime problem will continue unabated.

The Editor-in-Chief of the magazine, *U.S. News & World Report*, summarizes the need for a new effort in an editorial published in a recent issue. He states, "*Nothing less than . . . a real war on crime will satisfy the millions of decent Americans who are mad as hell and won't put up with it anymore. There is no substitute for victory in this war.*"<sup>85</sup>

## Endnotes

<sup>1</sup>Uniform Crime Reports for the United States, Federal Bureau of Investigation, U.S. Department of Justice, Washington D.C., 1991, p4

<sup>2</sup>Stone, Andrea, "Florida's Image Takes a Beating," USA Today, September 15, 1993 p3A, cols 2-6

<sup>3</sup>Sharp, Deborah and Stone, Andrea, "Florida Strikes Back after Killing," USA Today, September 15, 1993, pA1, cols. 5-6 also Sharp, Deborah and Puente, Maria, "Feeling Runs Deeper than Facts Merit," USA Today, September 17, 1993, p1A

<sup>4</sup>Sharp, Deborah and Puente, Maria, "Feeling Runs Deeper than Facts Merit," USA Today, September 17, 1993, p1A

<sup>5</sup>"Beached Tourists," USA Today, July 21, 1994, p3A

<sup>6</sup>Stone, Andrea, "Florida's Image Takes a Beating," USA Today, September 15, 1993, p3A, col. 5

<sup>7</sup>Researcher's Note: It has been estimated that the private security industry will grow from the current level of \$82 billion to about \$147 billion by the year 2000. This is three times the average rate of growth for the gross national product. (GNP) — as reported in Cunningham, William C., Strauchs, John J., Van Meter, Clifford, W., Private Security Trends, 1970-2000, The Hallcrest Report II, published by Hallcrest Systems, Inc. McLean, VA, 1990, p227, 228

<sup>8</sup>Reese, Jennifer, "How Crime Pays," Fortune, May 31, 1993, p15

<sup>9</sup>"Crime Pays, After All," Time, October 22, 1990, p35

<sup>10</sup>Zuckerman, Mortimer B., "Los Angeles Under the Gun," U.S. News and World Report, May 31, 1993, p82

<sup>11</sup>as reported in USA Today, July 21, 1994, p6A

<sup>12</sup>California Penal Code §12020 and §12031.

<sup>13</sup>California Vehicle Code §22507.8, Los Angeles County Parking Bail Schedule and Health & Safety Code §11357.

<sup>14</sup>taken from interview with Los Angeles Sheriff's Department Homicide Detective Johnny Brown, Los Angeles County Coroner's Investigator Lentz, September 15, 1993 and Los Angeles County Coroner's Office "Fetal Development Chart."

<sup>15</sup>"Criminal Victimization in the United States, 1990, A National Crime Victimization Survey Report, U.S. Department of Justice, Bureau of Justice Statistics, February 1992, p148

<sup>16</sup>Thompson, Terri, Hage, David and Black, Robert F., "Crime and the Bottom Line," U.S. News and World Report, April 13, 1992, p55

<sup>17</sup>Sharn, Lori, "Shootings, killings cost the USA untold billions," USA Today, December 29, 1993, p4A

<sup>18</sup>Zuckerman, Mortimer B., "War on Crime, By the Numbers," U.S. News & World Report, January 17, 1994, editorial page

<sup>19</sup>Researcher's Note: If this figure is accurate it would be almost 4 times the gross federal deficit (as reported in USA Today, August 24, 1994, USA Snapshots, p1B, Col 1 and p9a, Col 1

<sup>20</sup>Thompson, Terri, Hage, David and Black, Robert F., "Crime and the Bottom Line," U.S. News and World Report, April 13, 1992, p56

<sup>21</sup>Thompson, Terri, Hage, David and Black, Robert F., "Crime and the Bottom Line," U.S. News and World Report, April 13, 1992, p55

<sup>22</sup>"Attorney General's Message," Crime and Delinquency in California, California Department of Justice, Division of Law Enforcement, Law Enforcement Information Center, 1991, piv

<sup>23</sup>Governor's Budget Summary, 1993-1994, Pete Wilson, Governor, State of California to the California Legislature, 1993-94 Regular Session, p13

<sup>24</sup>Rand, Michael R. Crime and the Nation's Households, 1990, Bureau of Justice Statistics Bulletin, U.S. Department of Justice, Bureau of Justice Statistics, p1

<sup>25</sup>BJS Data Report, 1989 Bureau of Justice Statistics Bulletin, U.S. Department of Justice, Bureau of Justice Statistics, December 1990, p17

<sup>26</sup>Zuckerman, Mortimer, B., "War on Crime, By the Numbers," U.S. News & World Report, January 17, 1994, editorial page

- <sup>27</sup>"Guns by the numbers," USA Today, December 29, 1993, p3A
- <sup>28</sup>Manning, Anita, Gunshot kills one U.S. Child every two hours, USA Today, January 21-23, 1994, pA1
- <sup>29</sup>Uniform Crime Reports for the United States, Federal Bureau of Investigation, U.S. Department of Justice, Washington D.C., 1991, p66
- <sup>30</sup>Freed, David, "An Ordinary L.A. Weekend: 53 People Hit by Gunfire," Los Angeles Times, May 19, 1992, pA1 (Note: This figure does not include suicides or accidental shootings.)
- <sup>31</sup>"Numbed L.A. Takes Grim Note of 28 Slain in Weekend," Los Angeles Times, August 25, 1992, pA1
- <sup>32</sup>Hubler, Shawn, "Homicides in 1992 Set Record for L.A. County," Los Angeles Times, January 5, 1993, pB1
- <sup>33</sup>Katz, Jesse, "County's Yearly Gang Death Toll Reaches 800," Los Angeles Times, January 19, 1993, pA1
- <sup>34</sup>Stolbert, Sheryl, "150,000 Are in Gangs, Report by D.A. Claims," Los Angeles Times, May 22, 1992, pA1
- <sup>35</sup>Zuckerman, Mortimer B., "Los Angeles Under the Gun," U.S. News and World Report, May 31, 1993, p82
- <sup>36</sup>Zuckerman, Mortimer B., "Los Angeles Under the Gun," U.S. News and World Report, May 31, 1993, p82
- <sup>37</sup>Johnson, Lyndon Baines, statement by the President at a meeting with a group of Governors on Problems of Crime and Law Enforcement, September 29, 1966. as quoted in "Public Papers of the Presidents of the United States, Lyndon B. Johnson, 1966, p1087
- <sup>38</sup>Furstenberg, Mark H., "Lessons of 'Wars' Past," Washington Post, December 11, 1988, pC1
- <sup>39</sup>Plany, Jack C. and Greenberg, Milton, The American Political Dictionary, Holt, Rinehart and Winston, Inc., New York, 1989, p338
- <sup>40</sup>Plany, Jack C. and Greenberg, Milton, The American Political Dictionary, Holt, Rinehart and Winston, Inc., New York, 1989, p338
- <sup>41</sup>Douglas MacArthur, from a speech at the Republican National Convention, July 7, 1952
- <sup>42</sup>Johnson, Lyndon Baines, statement made as part of "Special Message to the Congress on Crime in America," February 6, 1967. as quoted in "Public Papers of the Presidents of the United States, Lyndon B. Johnson, 1967, p136
- <sup>43</sup>Sourcebook of Criminal Justice Statistics—1991, Bureau of Justice Statistics Bulletin, U.S. Department of Justice, Bureau of Justice Statistics, p1
- <sup>44</sup>"Attorney General's Message," Crime and Delinquency in California, California Department of Justice, Division of Law Enforcement, Law Enforcement Information Center, 1991, pv
- <sup>45</sup>Crime and Delinquency in California, California Department of Justice, Division of Law Enforcement, Law Enforcement Information Center, 1991, p7
- <sup>46</sup>Uniform Crime Reports for the United States, Federal Bureau of Investigation, U.S. Department of Justice, Washington D.C. and Crime and Delinquency in California, California Department of Justice, Division of Law Enforcement, Law Enforcement Information Center
- <sup>47</sup>Crime and Delinquency in California, California Department of Justice, Division of Law Enforcement, Law Enforcement Information Center, 1991, p97 (Authors note: This figure is in "constant dollars." Without adjusting for inflation the figure jumps to 69.7%)
- <sup>48</sup>California Statistical Abstract, State of California, Sacramento, California, Issued November, 1992, table P-41
- <sup>49</sup>Historical Statistics of the United States, Colonial Times to 1970, U. S. Department of Commerce, Bureau of the Census, September 1975, p413 and the Uniform Crime Reports for the United States, Federal Bureau of Investigation, U.S. Department of Justice, Washington D.C., 1991, p66
- <sup>50</sup>Johnson, Lyndon Baines, statement made as part of "Special Message to the Congress on Crime in America," February 6, 1967. as quoted in "Public Papers of the Presidents of the United States, Lyndon B. Johnson, 1967, p145
- <sup>51</sup>taken from the Preamble to the Constitution of the United States of America

<sup>52</sup>Researcher's Note: The private security industry is now estimated to be three times larger than public law enforcement. Zuckerman, Mortimer, B., "War on Crime, By the Numbers," U.S. News & World Report, January 17, 1994, editorial page

<sup>53</sup>For more information on the nominal group technique, see the section entitled "Forecasting Process."

<sup>54</sup>For a more complete discussion of the trends, see the section entitled "Discussion of Trends."

<sup>55</sup>For a more complete discussion of the trends, see the section entitled "Discussion of Events."

<sup>56</sup>For a more complete discussion of the trends, see the section entitled "Scenario Review"

<sup>57</sup>For a more complete discussion of the trends, see the section entitled "Conclusions"

<sup>58</sup>Researchers Note: Some statistical information was not available to 1994. When this occurred the most recent five year period for which data was available was substituted.

<sup>59</sup>Uniform Crime Reports for the United States, Federal Bureau of Investigation, U.S. Department of Justice, Washington D.C.

<sup>60</sup>This information is captured yearly in a publication entitled, Crime and Delinquency in California, California Department of Justice, Division of Law Enforcement, Law Enforcement Information Center

<sup>61</sup>Uniform Crime Reports for the United States, Federal Bureau of Investigation, U.S. Department of Justice, Washington D.C. and Crime and Delinquency in California, California Department of Justice, Division of Law Enforcement, Law Enforcement Information Center

<sup>62</sup>Uniform Crime Reports for the United States, Federal Bureau of Investigation, U.S. Department of Justice, Washington D.C.

<sup>63</sup> Researcher's Note: Excluded in this trend were law enforcement officers not defined under §830 of the California Penal Code. e.g. federal officers such as DEA, INS, ATF, FBI, etc. This was because of the lack of any local plan to direct their efforts or have significant impact on their actions to assist.

<sup>64</sup>All events, trends and details cited before January of 1994 for all scenarios, are actual historical data. References may be obtained from the introduction portion of this document.

<sup>65</sup>Goldstein, Herman, "The New Policing: Confronting Complexity," Research in Brief, National Institute of Justice, December 1993, p2

<sup>66</sup>Researcher's Note: The persons who contributed to this portion of the research were Russ Collins, a Command College Graduate and member of the Nominal Group Technique Panel, Rufus Tamayo, a Supervisor Leadership Institute Graduate and member of the Nominal Group Technique Panel, Sheila Sanchez, a Supervisor Leadership student and 20 year veteran of law enforcement and Jon Becker, member of the Nominal Group Technique panel, law enforcement trainer, supplier and 3<sup>rd</sup> year law student at Loyola College of Law in Los Angeles, California

<sup>67</sup>Paraphrased from Article 1 §1, Constitution of California

<sup>68</sup>Researcher's Note: The persons who contributed to this portion of the research were Russ Collins, a Command College Graduate and member of the Nominal Group Technique Panel, Rufus Tamayo, a Supervisor Leadership Institute Graduate and member of the Nominal Group Technique Panel, Sheila Sanchez, a Supervisor Leadership student and 20 year veteran of law enforcement and Jon Becker, member of the Nominal Group Technique panel, law enforcement trainer, supplier and 3<sup>rd</sup> year law student at Loyola College of Law in Los Angeles, California

<sup>69</sup> Year in Review, 1993, published by County of Los Angeles Sheriff's Department, 4700 Ramona Blvd. Monterey Park, CA 91754

<sup>70</sup> Final Report, Los Angeles County Grand Jury, 1993-1994, p125 and p127, 128

<sup>71</sup> Interview with Mr. Bob Kalunin, Bureau Chief for Los Angeles County Public Defender's Office Central Operations, October 18, 1994

<sup>72</sup> Researcher's Note: The disparity between the District Attorney's and Public Defender's Office's case load, budget and staffing does not reflect a completely accurate picture since many of the Public Defender's cases are appeals, civil, probation violations and mental health cases. Further, many defense cases are handled by private attorneys or are hired by the county as independent contractors when the Public Defender's Office experiences a conflict of interest. e.g. defending more than one client on the same case.

<sup>73</sup> Mission and Direction; Structure and Services, Los Angeles County Probation Department, Barry J. Nidorf, Chief Probation Officer, 1993, p1-3

<sup>74</sup> Researcher's Note: "DARE" is an acronym representing "Drug Abuse Resistance Education," a program designed to increase the resistance of children to drug abuse, "SWAT" is an acronym standing for "Special Weapons And Tactics," a concept which incorporates specialized operations into law enforcement tactical operations.

<sup>75</sup> Monical, Jeffrey W., ALADS Public Relations Program, ALADS Dispatcher, January 94, p21

<sup>76</sup> It should be noted that the numbers assigned to individual stakeholders are used for identification only and no inference should be drawn as to order or importance.

<sup>77</sup> Researcher's Note: In 1993, 250,000 drug addicts received as much as \$1.4 billion in benefits, many who then bought drugs and alcohol — as reported in "Crime/Disability," USA Today, February 11, 1994

<sup>78</sup> Bennett, William J., "Raising Cain on Values," Newsweek Magazine, April 18, 1994, p23

<sup>79</sup> Berke, Richard L., "Season of Fear, Politicians Feel a Crime-Induced Chill in the Air," New York Times, October 24, 1993, Section 4, p1E, col. 5

<sup>80</sup> Hernandez, Roger, "Coming together on crime," San Gabriel Valley Tribune, November 27, 1993

<sup>81</sup> Thomma, Steven, "House OKs record crime crackdown," Sacramento Bee, April 22, 1994, pA1

<sup>82</sup> Researcher's note: These are events which were identified by the panel but not described in the scenarios.

<sup>83</sup> Researcher's Note: During the research an interesting analogy was presented in which evaluating law enforcement by the number of arrests is as useless as evaluating military success in Vietnam by the "body count."

<sup>84</sup> Researcher's Note: This focus of this study was on a strategic approach to the crime problem. The study assessed the impact of removing disparities in the criminal justice system as well as providing a strategic focus to orient the efforts of a variety of systems in attempting to reduce crime in Los Angeles County. The focus was intentionally broad and, of necessity, a number of subsystems and agencies were excluded as beyond the scope of the study. Each of these subsystems present problems and opportunities in their own right and invite further study.

<sup>85</sup> Researcher's Note: SANE and DARE are acronyms for "Substance Abuse Narcotic Education" and "Drug Abuse Resistance Education." Both are programs which elicit the help of private enterprise, the public school systems and local law enforcement in presenting drug abuse education to students.

<sup>86</sup> Zuckerman, Mortimer B., "War on Crime, By the Numbers," U.S. News & World Report, January 17, 1994, editorial page

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**Event Evaluation Form**

EVENT STATEMENT	Years until probability first exceeds zero	PROBABILITY		IMPACT ON THE ISSUE AREA IF THE EVENT OCCURRED	
		Year 1999	Year 2004	Positive (0-10)	Negative (0-10)
1 A system which removes the "profits" from crime is implemented	2	20	33	7	2
2 Juvenile law undergoes a complete redefinition and requires the seriousness of the crime to be considered more than the age of the offender	2	67.5	75	7.5	3.5
3 The media loses some of the protection under the 1 <sup>st</sup> amendment of the Constitution which makes them more vulnerable to civil litigation.	2	20	35	7.5	4.5
4 A complete revision of the penal institution policies makes incarceration a very unpleasant experience.	1	42.5	72.5	8	2.5
5 Laws are passed which codify all laws relating to the family unit.	2	55	62.5	7	4.5
6 A law or series of laws is enacted which completely revamps the current gun laws and greatly diminishes the ability of criminals to obtain and possess firearms.	1	67.5	70	7	4
7 A centralized data base for sharing information among law enforcement becomes a reality.	2	45	80	8.5	2
8 The United States Constitution is completely "overhauled" to better reflect the values of today.	4	10	15	5.5	4
9 Law enforcement is "graded" on crime prevention efforts rather than the number of arrests, crimes solved or property recovered.	3	25	57.5	6	1.5
10 A system is devised which identifies and removes problem children from whatever environment is contributing to their delinquency (i.e., school, family gangs, etc.)	1	20	30	7.5	4.5

*All values reflect the median for the NGT*



## ***Event Evaluation Form***

*(rear of form)*

### **What is an event?**

An event is a discrete, one-time occurrence. It is simply an incident or happening that can have an impact on the issue. An example of an event is the Rodney King incident and the impact it will have on law enforcement for years to come.

### **What if I make a mistake?**

*There are no right or wrong answers!* Your opinion is sought based upon your education, knowledge, training, experience and perspective. It is virtually impossible for all persons to have the same answers. Differences in opinion are the norm, not the exception!

### **How does it work?**

The directions below are provided as guidelines but will be amplified by your group facilitator. Please do not be embarrassed or hesitate to ask for clarification if you do not thoroughly understand them.

- Instructions:**
1. **List a brief description of the event in the column entitled, "EVENT STATEMENT."** These will be identified during the group meeting and your group facilitator will show you how to identify them.
  2. **Determine the likelihood that the event will occur in the year 2004 and place it in the column entitled "Year 2004."** For example, if you are absolutely certain that the event will occur, you would be 100% certain. Simply place a "100" in the box. If you believe there is as much chance of it not occurring as occurring you would be 50% certain and place a "50" in the box, and so forth.
  3. **Determine the likelihood that the event will occur in the year 1999 and place it in the column entitled "year 1999."** Note that it is impossible to have a higher score in this box since the year is earlier.
  4. **Decide whether the even will have a positive and/or negative impact on the issue.** Some events can have both. For example, the Rodney King incident could be viewed from one perspective as having a tremendous negative impact on the morale of law enforcement officers and the enforcement of laws and from another as a catalyst for necessary change. Thus, it could have a value in both the negative and positive box. Decide on the amount of impact on a scale of "0 to 10" with "10" being the *most* impact and "0" being no impact at all. Place the numbers in the appropriate box.
  5. **Determine the number of years until the probability first exceeds zero.** It is impossible for some events to immediately occur. For example, if you were predicting the next President, it could not occur until the next scheduled presidential election. Therefore you would count the number of years to the first opportunity it could occur and place the number in the box. If the event could immediately happen, the answer would be "0."

## Trend Evaluation Form

TREND STATEMENT	LEVEL OF TREND (TODAY = 100)			
	Year 1989	Today	Year 1999	Year 2004
Rate of Violent Crime	83*	100*	150†	170†
Rate of Citizen's Complaints	79*	100*	125†	150†
Arrest Rate	117*	100*	95†	90†
Number of Peace Officers	93*	100*	117.5†	130†
Criminal Justice Expenditures	60*	100*	150†	200†
1 Degree to which traditional values are replaced by "politically correct" thinking	74†	100†	120†	135†
2 Degree to which the fear of crime has on law enforcement agencies' focus and emphasis	85†	100†	125†	150†
3 Amount of Juvenile Crime	77.5†	100†	150†	155†
4 Degree to which public becomes involved with assisting in crime prevention efforts	87.5†	100†	115†	135†
5 Impact judicial and governmental rulings have on imposing values on the family unit	78†	100†	132.5†	140†

\* Indicates data based upon documented statistics — † Indicates data based upon the median of the NGT

## ***Trend Evaluation Form***

*(rear of form)*

### **What is a trend?**

A trend is a series of events which occur over time and set a pattern which can be measured, and therefore predicted. An example of a trend would be the cost of living or crime rate.

### **What if I make a mistake?**

*There are no right or wrong answers!* Your opinion is sought based upon your education, knowledge, training, experience and perspective. It is virtually impossible for all persons to have the same answers. Differences in opinion are the norm, not the exception!

### **How does it work?**

The directions below are provided as guidelines but will be amplified by your group facilitator. Please do not be embarrassed or hesitate to ask for clarification if you do not thoroughly understand them.

- Instructions:**
1. **List a brief description of the trend in the column entitled, "TREND STATEMENT."** These will be identified during the group meeting and your group facilitator will show you how to identify them. Some trends may be so relevant to the issue that the issue can not be studied without them. These will appear on your form with the data for 1989 and today but you will be asked to predict what the trend will do in the future.
  2. **Determine the level of the trend in 1989 and place it in the column entitled "Year 1989."** Note that the level of "Today" has been set at "100." If the trend was less than it is today, you would choose a number less than "100," if it is more you would choose a number greater than "100." The number you choose reflects a percentile greater or lesser than the "100" set for "Today." These instructions are the same for the years 1999 and 2004.
  3. **Determine the level of the trend in 1999 and place it in the column entitled "Year 1999."**
  4. **Determine the level of the trend in 2004 and place it in the column entitled "Year 2004."**

## Appendix C

### List of Forecasted Events

Each of the following events was selected by a panel of experts using a nominal group technique as having an impact on the issue. Of the twenty-five events selected, the ten which the group felt would have the most impact on the issue were selected for forecasting. These events are bold printed for easier identification.

**Note:** The events are listed alphabetically and no inference should be drawn on their importance or likelihood of occurring from this list.

- A "crackdown" on businesses which hire illegal immigrants removes the incentive for living in America
- A "user friendly" system of personal litigation is developed which allows quick "turn key/flip switch" solutions to personal conflicts
- **A centralized data base for sharing information among law enforcement agencies becomes a reality**
- **A complete revision of the penal institution policies makes incarceration a very unpleasant experience**
- A law is passed which requires citizen's to assist law enforcement officers
- **A law or series of laws is enacted which completely revamps the current gun laws and greatly diminishes the ability of criminals to obtain and possess firearms**
- **A system is devised which identifies and removes problem children from whatever environment contributing to their delinquency. (i.e., school, family, gangs, etc.)**
- A system of criminal justice is developed which incorporates all aspects in one location. i.e., enforcement, prosecution, defense, litigation, incarceration and release
- **A system which removes the "profits" from crime is implemented**
- Automated information gathering and retrieval systems for law enforcement becomes available at a national level
- Civil liability training for law enforcement officers becomes mandatory
- Courts allow and society encourages a return of corporal punishment of unruly younger children
- Educational system becomes privatized
- Extradition between states as well as other jurisdictions becomes mandatory
- **Juvenile law undergoes a complete redefinition and requires the seriousness of the crime be considered more than the age of the offender**

- Law enforcement agencies undergo a complete re-evaluation of leadership at all levels and follow the best examples of private enterprise
- Law enforcement becomes privatized
- Law enforcement efforts are focused on conflict resolution rather than the arrest of criminals
- **Law enforcement is "graded" on crime prevention efforts rather than the number of arrests, crimes solved or property recovered**
- **Laws are passed which codify all laws relating to the family unit**
- Less than lethal technology becomes available to safely and effectively disable suspects
- Proof of how and who assassinated President Kennedy is obtained and impacts on how the public views law enforcement agencies as an extension of government
- **The media loses some of their protection under the 1<sup>st</sup> amendment of the Constitution which makes them more vulnerable to civil litigation**
- The rights of parents are defined and codified and parents are held responsible for the conduct of their minor children
- **The United States Constitution is completely "overhauled" to better reflect the values of today**

<b>Events Prioritized</b>
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The following list identifies the events in the order of importance in which the group believed would have an impact on the issue.

1. A system which removes the "profits" from crime is implemented
2. Juvenile law undergoes a complete redefinition and requires the seriousness of the crime be considered more than the age of the offender
3. The media loses some of their protection under the 1<sup>st</sup> amendment of the Constitution which makes them more vulnerable to civil litigation
4. A complete revision of the penal institution policies makes incarceration a very unpleasant experience
5. Laws are passed which codify all laws relating to the family unit
6. A law or series of laws is enacted which completely revamps the current gun laws and greatly diminishes the ability of criminals to obtain and possess firearms
7. A centralized data base for sharing information among law enforcement agencies becomes a reality
8. The United States Constitution is completely "overhauled" to better reflect the values of today

9. Law enforcement is "graded" on crime prevention efforts rather than the number of arrests, crimes solved or property recovered
10. A system is devised which identifies and removes problem children from whatever environment is contributing to their delinquency. (i.e., school, family, gangs, etc.)

## Appendix D

### List of Forecasted Trends

Each of the following trends was selected by a panel of experts using a nominal group technique as having an impact on the issue. Of the forty-four trends selected, the five which indicate a general direction of movement and would likely have the greatest impact on the issue were selected for forecasting. These events are bold printed for easier identification.

In addition to these five trends, five additional trends were identified by the researcher and historical data provided. The panel then predicted the direction of movement of these five trends to the year 2004.

**Note:** The trends are listed alphabetically and no inference should be drawn on their significance from this list.

- Ability of law enforcement to manage critical liability issues
- Amount of change in the role and definition of the family
- Amount of civil litigation against law enforcement
- Amount of cohesiveness and unity between law enforcement agencies
- Amount of consolidation of law enforcement agencies
- Amount of gang activity
- Amount of high technology criminals will obtain to assist them in committing crimes
- Amount of impatience society will manifest with long term crime solutions
- Amount of interplay and involvement of the private community with law enforcement and crime prevention efforts
- **Amount of juvenile crime**
- Amount of movement from a judicial to a political interpretation of law
- Amount of public trust of law enforcement
- Amount of vigilantism
- Degree to which a gang will replace or supplement the family unit
- Degree to which changes presently taking place in law enforcement values, leadership and decision-making will impact crime rate
- Degree to which civil and criminal litigation will continue to be lethargic, cumbersome and time consuming
- Degree to which crime is "rewarded."
- Degree to which divorce (and the subsequent influence it has on the family structure) impacting crime
- Degree to which government will become fiscally responsible and adept at managing public funds
- Degree to which immigrants will become the victims of crime

- Degree to which law enforcement agencies will be “managed by crisis”
- Degree to which law enforcement agencies will experience their self-fulfilling prophecies by living up (or down) to the expectations of the community they serve
- Degree to which law enforcement will take an adversarial role with media
- Degree to which municipal governments will stop paying punitive damages awarded against law enforcement officers
- **Degree to which public will become involved with assisting in crime prevention efforts**
- Degree to which technology will focus on violent crime
- **Degree to which the fear of crime will have on law enforcement agencies’ focus and emphasis**
- Degree to which the media will shape public perception of law enforcement
- Degree to which the role of law enforcement be redefined
- **Degree to which traditional values are being replaced by “politically correct thinking”**
- Degree to which video/electronics will be used by and against law enforcement
- Effectiveness of efforts to reduce crime by the federal government
- Extent which community oriented policing will take in the reduction of local crime
- Extent which cultural differences play as a divisive element in society
- **Impact judicial rulings will have on imposing values on the family unit**
- Impact of illegal immigration on law enforcement
- Intensity of “Whose values?” when considering the rights of individuals vs. those of the community at large
- Intensity of controversy in the application of force by law enforcement agencies
- Intensity of demand for parents to discipline their children
- Intensity with which victim’s rights vs. the rights of the accused
- Number of different law enforcement agencies serving the same communities
- Number of people who will attempt to attain personal safety by their own efforts
- Role of the educational system in the reduction of crime
- Size of the gap between the public’s perception of what law enforcement agencies are capable of versus what they can actually do



### Trends Prioritized

The following list identifies the trends which the researcher believed necessary to effectively study the issue. No inference should be drawn as to the order of listing.

- A. Rate of Violent Crime
- B. Rate of Citizen's Complaints
- C. Arrest Rate
- D. Number of Peace Officers
- E. Criminal Justice System Expenditures

The following list identifies the trends, in the order of importance, which the NGT panel believed would have an impact on the issue.

1. Degree to which traditional values are being replaced by "politically correct thinking"
2. Degree to which the fear of crime will have on law enforcement agencies' focus and emphasis
3. Amount of juvenile crime
4. Degree to which public will become involved with assisting in crime prevention efforts
5. Impact judicial and governmental rulings will have on imposing values on the family unit