Measuring Community Policing Implementation


WHY WAS THE STUDY DONE?

The basic philosophy of community oriented policing (COP) is that increasing both the quantity and quality of contacts between the citizens and the police in an effort to resolve community concerns can enhance community quality of life. Considerable resources in the form of public expenditures, effort, and scholarship are focused on community policing, yet little attention has been given to the measurement of its implementation. Given the lack of a precise definition for “community policing,” however, it is not surprising that measuring its implementation has been challenging. Past research has provided valuable insight into ways to improve the measurement, but current measurement methods have limitations that curtail their usefulness. This study explores the utility of measurement models to estimate COP implementation. A measurement model is useful in that it can offer a way to derive an empirical estimate of an abstract construct, such as COP. The study discusses the basic elements of COP, how scholars have attempted to gauge its implementation, and why measurement of COP is such an important issue. It then describes the construction, estimation, and assessment of an alternative way, the measurement model, to estimate COP implementation.

WHAT DID THE STUDY FIND?

This research constructed and assessed a measurement model of COP on one set of data, and then reassessed the model on a second set of data. The “take home” message of the study is that this measurement model, given data limitations, appears to be a reasonable gauge of COP implementation, thereby having significant practical implications. The measure of COP implementation tested in this research held up in two samples of data, suggesting that the model is consistent with multiple sets of data, and therefore may prove to be a better tool than those used in the past. This model appears to provide a good mechanism for examining changes in and comparisons of COP implementation.

Although the analytical model underlying the COP measure in this report is fairly technical, its ultimate application is fairly straightforward. At the most basic level, the model uses variables that can be directly measured to estimate a value for the abstract concept of COP implementation. Through this approach, decisionmakers and police practitioners can obtain actual estimates of the progress made in implementing COP. This could be in the form of change an agency experiences over time or in comparison to other agencies. The model can help scholars compare multiple organizations at one point in time and longitudinally. It also permits a better assessment of the facilitators and impediments of COP implementation as well as the impact of COP implementation on outcomes such as fear and public safety.
Methodology. This research seeks to construct and assess a measurement model of COP on one set of data, and then reassess the model on a second set of data. The “large” municipal police agencies from the 1997 and 1999 Law Enforcement Management and Administrative Statistics (LEMAS) Surveys comprise the unit of analysis for the present study. In all, 462 police organizations provided the requested information in 1997, and 497 did so in 1999. Five COP-related activities comprise the measures of COP implementation: training, written plan, fixed geographic assignment, problem solving, and citizen interaction. In addition, two of these activities, training and citizen interaction, had multiple measures as well. To estimate and assess the measurement model and its latent constructs, confirmatory factor analysis consistent with the procedures described by Bollen (1989) was used. These procedures entail specification, determining the implied covariance matrix of the model, identification, estimation, assessment, and respecification of each model. Once the best fitting, most theoretically appropriate model was determined using the 1997 LEMAS data, the final specification was retested simultaneously on the 1997 and 1999 waves of the LEMAS survey in a panel analysis.

**Impact of Advertising and Sentence Enhancements on Felon Gun Possession**


**Why was the study done?**

According to the Department of Justice, 15,000 people are murdered each year in the United States, mostly by armed criminals. For every homicide there are roughly 3 nonfatal shootings. Within this violent nation, Kansas City (Missouri) is among the most violent cities. In March 2001, a crime prevention initiative, Project Felon, was launched in Kansas City. It relied heavily on public service announcements (PSAs) to convey a deterrence message, in effect advertising the policy to the general public. Rather than sentencing enhancements for all gun violence, however, Project Felon included sentence enhancements only for felons who were caught in possession of firearms. The purpose was to deliver a message of punishment certainty and severity to felons living in the community.

Advertisements were also placed on public transportation, billboards, posters, and bumper stickers. Additionally, local police officers were given business cards outlining the “felons with guns do time” theme to hand out to people. These media used variations of the base message, such as “one will get you five” (i.e., one gun results in five years in prison). Each had the project logo, and each provided a local phone number to obtain more information or to provide information anonymously about felons in possession of firearms. The television and radio blitz lasted 40 days, but the print media lingered somewhat longer.

To determine whether the PSA campaign was effective, a survey was administered to convicted felons under supervision in the community. The survey was an attempt to assess the extent to which offenders were aware of the ad campaign, whether it affected their behavior, and whether they believed it affected the behavior of others on community supervision. It was also an attempt to assess whether there were any noticeable effects among the offender population that could be measured.

**What did the study find?**

Overall, 59% of the sample reported having specifically heard of Project Felon. When asked whether they had seen a Project Felon ad campaign of some type, 53% responded that they had. Recognition went up sharply when respondents were asked whether they had seen the Johnny Cochran ad; over 74% stated they had seen such an ad.

When taking all indicators of exposure into account (recognition of the logo specifically, having seen a Project Felon ad, and/or having seen a Johnny Cochran ad), it was determined that 80% of the offenders...
The primary message of the ad campaign was that felons caught with a gun will receive five years in federal prison. Of those who had been exposed to Project Felon in some way, 91% said they were aware of the penalty for carrying a gun. Forty-seven percent reported that it had affected the likelihood that they personally would carry a gun. Slightly less, 43%, reported that Project Felon had affected those they know regarding the likelihood that they would carry a gun.

Various analyses of the survey results support the finding that a deterrence-based message aimed at a specific target population has an effect on the beliefs and knowledge of the target population. While the results are not definitive, they do support the effectiveness of an ad campaign (a deterrence and educational advertisement) coupled with sentence enhancements in federal court for felons in possession. As such, the results may hold implications for the future planning and use of public service advertisements.

Methodology. A sample of probationers and parolees was selected from zip code areas in Kansas City that had a disproportionately high amount of violent gun crime that occurred within their borders, a disproportionate amount of crime in general, and a high concentration of probationers and parolees most at risk for receiving mandatory minimum sentence enhancements (e.g., individuals with felonies in their criminal histories). Two populations of offenders were sampled—offenders under probationary supervision and offenders under parole supervision. A total of 371 offenders who reported to the Missouri Probation and Parole Board were surveyed. One office of the Missouri Probation and Parole Board in Kansas City was the site of the data collection effort. Data collection occurred at three points in week-long increments during January, June, and December of 2002. Participation in the survey effort was voluntary.

### Disparities in Departures from the Federal Sentencing Guidelines


### Why Was the Study Done?

The Federal Sentencing Reform Act of 1984 attempted to eliminate disparities in criminal sentences by requiring the development of sentencing guidelines. Now two decades after the creation of the Federal Sentencing Guidelines, policymakers and researchers still struggle with disparities resulting from judicial discretion within federal and state guidelines systems. Women continue to receive more lenient sentences than men, in large part because they have disproportionately benefited from downward departure processes built into most guideline systems that lessen their sentence. The defendant’s race also seems to affect sentencing outcomes under guidelines, in that nonwhite defendants receive longer sentences than white defendants.

The Federal Sentencing Guidelines outline the terms for over 300 types of downward departures, many of which are rarely used. The legal basis for downward departures ranges from circumstances such as a defendant’s family responsibilities or their rehabilitation to a willingness to provide substantial assistance to the government. Because the departures are not distributed evenly across all categories, this study grouped departures into two separate categories, prosecutor-motivated and judge-motivated.

This study considers two main issues. First, it examines whether women receive particular types of downward departures more often than men. It also looks at whether the departures were prompted by judges or by prosecutors in order to understand where in the guidelines structure the disparities arise. Second, the study examines whether racial differences among female defendants have an effect on whether they receive a departure motivated by a judge or a prosecutor.

### What Did the Study Find?

In the study sample of federal drug trafficking offenders, women received “breaks” in sentencing disproportionately to men. Both prosecutors and judges...
disproportionately granted departures to female defendants, a possible remnant of the “leniency toward women” attitude that existed prior to the adoption of the Guidelines. Though more research is necessary, the study suggests that gender continues to have a strong effect on a defendant’s ability to reduce the sentence via the departure process.

The second conclusion drawn from this research is that not all women are treated equally under the application of the Guidelines. The effect of race on a defendant’s ability to receive a departure changes depending on the legal actors (prosecutors/judges) making the departure decision. Discretion does not disappear under sentencing guidelines; rather it shifts around among legal actors.

Finally, differences in departure outcomes across judicial circuits illustrate how attitudes and practices among both judges and prosecutors in recommending and granting departures may affect the Guidelines’ goal of uniformity in sentences for both male and female defendants. This finding is particularly important since the majority of public concern about discretionary decisions related to departures focuses on judges. This study suggests that judicial departure decisions are more uniform than prosecutor-motivated departure decisions, where both race and gender disparities are most pronounced.

Methodology. The Monitoring of Federal Criminal Sentencing data from 1996–1997 were used to supply the study sample. These data are provided annually by the U.S. Sentencing Commission and track the sentencing outcomes for all criminal defendants sentenced under the Federal Sentencing Guidelines. The particular data set includes all cases received by the U.S. Sentencing Commission between October 1, 1996, and September 30, 1997. The sample was limited to the 18,536 offenders charged with drug trafficking. Drug trafficking was chosen primarily because these sentences contained a sufficient distribution of male and female defendants receiving either a prosecutor-motivated or judge-motivated departure. Racial categories were broken into three groups: white, black, and Hispanic. To test the study’s two main hypotheses, a set of independent variables that potentially affected the likelihood of receiving a downward departure was selected. The ability of a defendant to receive a downward departure was the dependent variable. The departure variable was broken down into three categories: 1) any type of downward departure; 2) substantial assistance departures (prosecutor-motivated); and 3) traditional mitigating departures.

Examining Civil Trial Litigation in State Courts


WHY WAS THE STUDY DONE?

The civil justice process focuses on disputes between private parties involving personal injuries, contractual disputes, and property litigation. Civil lawsuits may end in a jury or bench trial when at least one party refuses to settle. Although both jury and bench trials are relatively rare, they can have a substantial impact on civil cases that settle or are resolved through other means. Outcomes and award amounts, moreover, can influence others to pursue civil litigation.

Trials are considered an important component of the civil justice system, and they have received increasing attention as part of wider tort reform initiatives. The Bureau of Justice Statistics (BJS) began studies on civil trials in order to address several key issues about the contours of civil trial litigation in state courts. Some of the primary issues addressed in the BJS civil justice data collections include the types of cases that are litigated at trial, the characteristics of trial litigants, trial winners, damage awards, and trends in jury and bench trial litigation in state courts. The BJS data collection effort, moreover, has the advantage of examining case-specific, as opposed to aggregate level, civil lawsuit trial data. The most recent civil trial survey conducted by BJS tracked nearly 12,000 general civil (that is, tort, contract, and real property) cases concluded by jury or bench trial in a sample of the nation’s 75 most populous counties during the year 2001. This research note describes these case-level data and assesses many of the issues currently being raised about civil trials in state courts.

WHAT DID THE STUDY FIND?

Key findings in four areas are described:

- Types of general civil cases that proceed to trial. Civil cases most frequently disposed of by trial were automobile accident cases (36%); premises liability cases (11%); seller plaintiff cases (10%); and medical malpractice cases (10%).
• **Differences between civil cases adjudicated by judges and juries.** About three fourths of all civil trials in 2001 were adjudicated by a jury; however, a majority of business-related contractual cases were disposed of by judges. Plaintiffs won more often in bench compared to jury trials; however, the median damage award for plaintiff winners in jury trials ($37,000) was somewhat higher than the median damage award in bench trials ($28,000).

• **Plaintiff win rates.** The rate of plaintiff success varied significantly by case type. Plaintiffs won in about half of all general civil trials; however, they prevailed in contract cases to a greater extent than in either tort or real property disputes.

• **Damage awards received by prevailing plaintiffs.** The median award for all plaintiff winners was $33,000. The damages awarded to plaintiff winners in tort trials varied considerably by case type. Automobile and premises liability cases, for example, which together accounted for three fourths of all tort trials with a plaintiff winner, had median awards of $16,000 and $59,000, respectively. On the other hand, half of the plaintiff winners in product liability cases were awarded damages of $450,000 or more. In medical malpractice trials, the median awards ($422,000) were nearly 16 times greater than the overall median award in tort trials. Punitive damages were awarded in 6% of the civil trial cases in which the plaintiff prevailed, with a median award of $50,000.

• **Trends in general civil cases.** The number of general civil trials in the nation's 75 largest counties decreased by 47% from 1992 to 2001 (from 22,451 to 11,908). Overall median awards in jury trials declined from $65,000 in 1992 to $37,000 in 2001, largely caused by a drop in automobile tort awards, which made up a sizeable portion of all civil jury trials. In product liability trials, however, median awards were at least three times higher in 2001 ($543,000) than they were in 1992 ($140,000). Median awards in medical malpractice jury trials also nearly doubled from $253,000 to $431,000 during the 1992 to 2001 period.

**Methodology.** The Bureau of Justice Statistics conducted a civil trial survey that tracked nearly 12,000 general civil jury and bench trials disposed of in a sample of the nation's 75 most populous counties during the year 2001. This 2001 Civil Justice Survey of State Courts focuses on only those jury and bench trials that involved a general civil claim of tort, contract, or real property. These cases accounted for nearly half (45%) of civil cases filed in state courts of general jurisdiction. Only those jury and bench trials that took place in state courts of general jurisdiction were examined.