

**The Role of Integrated Federal Early Intervention, Policing, and
Correctional Policies in Reducing Homicide and Violent Crime
Risks in U.S. Urban Communities:
*Katrina Impact on Crime and the Criminal Justice System in
New Orleans***

Written Testimony Presented to
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I. Introduction and Credentials

The witness, Dr. Peter Scharf was recently appointed Research Professor of Criminal Justice and Executive Director of the *Center for Society, Law and Justice* at Texas State University. Prior to coming to Texas State University he was for 13 years Executive Director and Founder of the *Center for Society, Law and Justice* at the University of New Orleans at the University of New Orleans and is currently involved with a national FBI project to introduce intelligence led policing ideas to New Orleans area and other jurisdictions.

Prior to joining UNO in 1995 he served as the *Director of Technology and Technical Assistance* at the Police Foundation in Washington D.C. where he helped found the *BJA Community Policing Consortium*, developed the *Risk Assessment Management System* and served as a primary consultant to the *Governor's Report on the Crown Heights Civil Disorder*.

Dr. Scharf received his doctoral degree from Harvard University (Lawrence Kohlberg dissertation advisor-"Moral Atmosphere in the Prison") and is the author of eight published books and numerous other publications, including *Badge and the Bullet*, *Towards a Just Correctional System*, etc.

The *Center for Society, Law and Justice (CSLJ)* has managed over 8 million dollars in projects funded by the Department of Justice including *Managing Criminal Justice Technologies*, *Art of Performance Measures*, *Gunshot Detection*, *PSN Assessment of the EDLA*, *Managing Law Enforcement Integrity* and a study of PREA prison rape risk factors.

Dr. Scharf has been the subject of major media coverage related to New Orleans including PBS, NPR, BBC, NBC, ABC Nightline, NY TIMES, WA POST, Gambit Weekly, Times Picayune, CBS, Danish, German, Italian TV, TIME, etc. He is currently conducting research related to the New Orleans Crime Migration and another project related to new technologies with the potential of reducing homicide risks.

A resume follows in **Appendix A**.

II. Executive Summary

This is formal testimony to be presented orally to the Crime Sub-Committee on April 10, 2007 at 10:00 am in New Orleans Louisiana. The focus of the witness statement will be on national and New Orleans homicide patterns and violent crime trends. It is the thesis of this testimony that an integrated evidence-based strategy to reduce violent crime can in cities such as New Orleans help incrementally reduce the human life, economic and social costs that follow acts of murder and violence. In this effort it is essential to integrate early intervention, law enforcement, and correctional resources in a comprehensive effort to reduce homicide and violent crime. While, evidence as to which specific programs work to reduce violent crime is limited, it is clear that murder in New Orleans (and other high murder rate cities) represents a solvable problem. It is however a coordinated effort of expansion of our knowledge base related to murder, our resources, as well as local accountability, coordination and discipline.

What are the causes of ascending murder rates in New Orleans and other urban areas and how might crime control policy address these disturbing trends? While, the subject has been a public one since the publication of *Challenge of Crime in a Free Society* almost forty years ago (and its focus upon poverty, poor education and racial conflict as the sources of violence in our society), the causes of violence (especially in a city such as New Orleans) remain elusive. As Professor Sherman of the University of Pennsylvania has noted intuition and science may diverge as he notes, “(many believe that) the more police we have, the less crime there will be. While citizens and public officials often espouse that view, social scientists often claim the opposite extreme: that police make only minimal contributions to crime prevention in the context of far more powerful social institutions, like the family and labor markets.” Where lays the truth? In attempt to respond to these questions with a particular focus upon New Orleans the following issues guide this witness’s testimony.

- Why is murder in the U.S. increasing?
- Why does New Orleans have an extremely high homicide rate relative to the late 1990’s and compared to other cities?
- Which factors are most important in helping interpret New Orleans violent crime and homicide trends?

- How might integrated early intervention, policing, and correctional federal initiatives respond to needs evident in New Orleans and other high violent crime cities?
- How might these new policies, strategies, and programs in New Orleans and other high risk cities be most effectively implemented?

As of the end of March, 2007 the City of New Orleans which Census experts believe has 223,000 residents has had 154 murders in 9 months or an extrapolated 12 month murder rate of over 90/100,000 population (15 times that of New York), a rate unprecedented among even the most violent U.S. cities. Law enforcement realities and values reflect a “tale of two cities” in this regard. While U.S. cities as a whole have experienced down-turns since the 1990’s, there are:

- 1) Approximately 15 cities with high murder rates (averaging homicide rates of 30/100,000 persons or higher over a five year period);
- 2) These cities have homicide rates averaging approximately 7 times higher than other comparable size cities; and
- 3) Account for approximately 2% of the population of the United States and 15% of its homicides.

Despite the recent surge in murder in these cities in the United States, exemplified by New Orleans there is little agreement about what works to control violent crime especially murder, there is a pressing need to define strategies, tactics and policies useful in abating this trend.

Homicide trends in U.S. cities (and New Orleans) peaked in the late 1980’s and early 1990’s (New Orleans homicide total in 1994 was 424 (or 84/100,000 persons) and then declined in many large cities in the late 1990’s only to rise in the last several years. New Orleans for example decreased its homicide total from 424 in 1994 to 162 homicides in 1999 following implementation of a strategic plan adopted by the city. Since 1999 the murder rate, controlling for population, has more than doubled.

How might we understand and respond to these trends?

III. Summary of Opinions

Testimony presented for the Crime Sub-Committee of the House Judiciary Subcommittee on Crime, Terrorism and Homeland Security consideration is summarized below:

1. Murder rates in the U.S. have started to increase following declines over the previous decade. The latest Uniform Crime Report (UCR) suggests homicides, assaults and other violent offenses surged by nearly 4 percent in the first six months of 2006 compared with the same time period in 2005 (Department of Justice, 2006). This pattern suggests to experts in the field “an early warning system” related to a resurgence of violent crime and murder risks;
2. Federal policies and strategies have been attributed to reductions in homicide by some researchers. However research to establish these links is needed to reach a firm conclusion. Peaks in federal funding (both law enforcement and educational and social services) in the late 1990’s closely correspond to lows in homicide rates in many but not all cities. The rise in homicides in New Orleans followed declines in Federal COPS, Educational, Social Services and BJA support;
3. Cities which have achieved major reductions in homicide appear to share some common elements in their strategies including a city-wide focus, use of new tools and technologies, *counter to conventional wisdom* strategies- e.g. NYC reduced jail cells and homicides and a strong executive value commitment to reducing violence.

Many of the cities which have reduced homicide risks involved their strategy all major components of government including education, health, emergency services, housing and social welfare to reduce violent crime and homicide risks.

There is a need, however, to define with some precision programs that have demonstrated success in reducing violent crime and homicide. Many of the specific strategies which claim success have not been evaluated using evidence based criteria. The assumptions that police interventions (Community Policing, COMPSTAT, MDT’s in patrol cars, etc.) for example, helped produce the declines in New York City and similar programs in Chicago and Boston have been challenged by some researchers. The ability to develop responsive policies designed to reduce homicide risks may be limited given the need to validate particular seemingly successful homicide reduction strategies;

4. It appears that there are emerging almost two very different criminal justice “cultures” related to the management of urban homicide. In many communities according to the most recent Uniform Crime Report (UCR) figures, homicide is a very rare and often reflects personal and idiopathic (unique) patterns emerging out of relationships, anger or jealousy

(Department of Justice, 2006). In a very few U.S. cities (New Orleans being an extreme example) children walking to school become used to walking around violent crime scenes and are communities which “trauma pants” are a routine, if not every day, part of urban life. It may be that these different criminal justice cultures require quite different policy responses, varying with their different circumstances;

5. New Orleans rate of homicide per capital has increased in the past 7 years from a rate of approximately 34 homicides per 100,000 persons to one that approaches 90 per 100,000 persons annualized over the past nine months. During 2006 homicide totals increased from 17 in the first quarter of the year to 53 and 52 in the last two quarters and 50 in the first quarter of 2007. The rate of increase is startling given continued declines among other high homicide rate cities.

The homicide rate in New Orleans over the past year exceeds any U.S. city with a rate 15 times that of NYC, 7 times Boston and higher than other cities with comparable risks. Largely African-American cities such as Cleveland with poverty and educational patterns have homicide rates that are 3-5 times lower than New Orleans. There are few cities over the past two decades with sustained homicide rates as high as New Orleans;

6. Theories about the characteristics associated with the murder rate in New Orleans includes concepts related to the highest risk population, the effects of Hurricane Katrina and weakness in the local criminal justice system, including police, district attorney and court systems. Specific theories which have been tendered as to why the New Orleans murder rate is so high and why it is increasing include:
 - Hard core underclass which has persisted for decades;
 - Long-term educational, parenting, vocational and other deficits;
 - A crimogenic (criminal thinking) culture pervasive in a small sub-segment of the community;
 - De-stabilization of drug trade following Katrina due to new competitors and changes in drug supply chain;
 - Loss of capacity within New Orleans Police Department (NOPD), New Orleans District Attorney (NODA) and the courts exacerbated by Hurricane Katrina;
 - Ineffective policing strategies and tactics;
 - Community cultures which have stigmatized cooperating with police and witnessing in criminal cases;
 - Ineffective prosecution by NODA; and

- Ill advised arrest strategy clogging courts and resulting in “Section 701” (mandatory 60-day limit to file charges) releases.
7. The homicide pattern and the perception of risk have affected many areas of life in New Orleans including economic investment, perceptions of well being, tourism, etc. Assuming a public cost of \$1,000,000 per homicide (prison expenses, lost income, family support) and \$2,000,000 for life long costs resulting from a shooting, the total direct costs from a homicide and disabling may exceed a half billion dollars for 2006. Young African–American males in high risk neighborhoods have been observed to have mortality and morbidity rates from gunfire approaching those incurred by combat troops in the Vietnam and Iraq wars. Also, indirect costs incurred from the high murder rate such as losses in investment, tourism and skilled workforce may dwarf these direct costs. Given these costs the argument for a reasonable return on a Department of Justice investment in new programming targeted at reducing homicide is an obvious one to make;
 8. A number of local proposed solutions to New Orleans murder trends have not to date been reflected in a substantial reduction in the homicide rate, including: the use of National Guard, and State Police support, vows of cooperation between District Attorney and New Orleans Police, check points, use of Orleans Parish Sheriff’s Office deputies and recently, increase of federal agents and task forces and movement of drug and gun related violent crime cases to the U.S. Attorney’s Office;
 9. Key in this witness’s opinion as to how federal support could help reverse the troubling increase of homicide risk in the city (and other cities facing similar realities) identify evidence based strategies, programs and technologies which have been documented as effective in other cities with high homicide risks and support their use in high homicide risks cities. These include early intervention programs targeted at youth at the margins of violent crime activities, new policing and correctional strategies supported with strong accountability performance measures, as suggested below:

Table 1: Suggested Reducing Homicide in Urban Communities Policy Framework

<u>Component</u>	<u>Objective</u>	<u>Performance Measure</u>
<i>Early Intervention</i>	Identify and divert from violent crime	Reduction in progression of highest risk individuals
<i>Law Enforcement/DA</i>	Proactive community patrol and investigation (and prosecute known offenses)	Increase community presence and effective response to violent crime incidents
<i>Corrections</i>	Re-educate and enhance employability of offenders	Increases in re-entry outcomes

It should be noted that a substantial increase in the amount of Federal criminal justice support may be essential for this initiative to be successful in reducing homicide risks in the highest risk cities;

10. An integrated city wide solution including evidence-based early intervention, (substance abuse, relapse prevention, anger management, cognitive life skills, character education, etc.) law enforcement and correctional strategies may be needed to reverse the troubling homicide trends observed in New Orleans and other communities at risk in terms of violent crime. Targeting these resources at youth most at risk of becoming involved in violent crime activities for this approach to be effective. In New Orleans there may be fewer than 3,000 youth at risk of becoming a victim or perpetrator of a gun related crime and an equal number at the margins of these activities;
11. It is important to have federal policies which consider violent crime risks as regional rather than local. The migration of criminals from New Orleans to Texas and back suggests complex and interdependent migration which needs to be more completely understood. The rise in homicide rates in Jefferson Parish and other I-10 communities suggests the need for policies which consider the implications of crime displacement and the need for regional information sharing.
12. Major national policy goals to reduce violent crime should include supporting highest risk cities with coherent action plans which should support city efforts to:
 - Develop community level anti-violent crime enterprise plans involving different units of government responsible for management of violent crime risks;
 - Improve capacity of community to respond to violent crime risks;
 - Increase both general and specific deterrence to levels commensurate with the crime risk threat; and
 - Create and implement programs responsive to requirements of deterring highest risk groups from violent crime.

New ideas are essential to dealing with the complex violent crime and homicide trends faced by New Orleans and other communities, for example:

- Strong educational, health and vocational opportunities;
- Innovative gang and drug risk reduction initiatives;
- New “early intervention” treatment models appropriate to the highest risk in terms of violent crime groups-cognitive substance abuse, anger management, moral development, cognitive life-skills models need to be

explored; and broader vocational, educational, civic, drug prevention models for young people at the margins of the highest risk groups;

- Improved regional information sharing;
- Intelligence led policing focused upon regional crime problems;
- New integrated sensor public safety “solutions”;
- Tests and (if justified) extensions of programs such as CEASEFIRE;
- Homicide investigation improvement and technologies;
- Effective correctional triage, transition to community

In considering these approaches it is essential that *performance measures* be established to identify outcomes from these investments and that *evidence-based research* strategies be implemented to identifying the most promising approaches to the reduction of violent crime risks.

IV. Evidence Based Foundation to Testimony: National Perspective

Murder Trends and Patterns

Murder is one of the most complex and yet corrosive of crime trends affecting society. What explains city and national changes in murder rates and patterns? What are the specific Federal models which have suggested promise in reducing violent crime and murder risks? What are the realities of murder and violent crime in highest risk cities and in other communities less affected by murder and violent crime?

Since the mid 1970's there has been a pattern of cyclic change among U.S. cities with steep rises in the late 1980's and then declines in the 1990's. In the late 1980's there were strong increases in urban homicide trends in which guns appeared to be increasingly preferred as the means of homicide, regardless of whether the homicide rate in a city was increasing or decreasing.

In the mid 1990's the impact of the increase in federal funding (social service and law enforcement) and other trends were coincidental with decreases in many cities of homicide reductions. Police tactics, funding, policy changes, and correctional incapacitation as well as other factors such as reductions within highest risk birth cohorts have been credited with these decreases.

The situation we now face is not encouraging. The FBI's latest Uniform Crime Report in 2006 suggests homicides, assaults and other violent offenses surged by nearly 4 percent in the first six months of 2006 compared with the same time period in 2005 following an increase during the previous year represents the largest increase in violent crime risk in 15 years (Department of Justice, 2006).

The Tale of Two Law Enforcement Cultures

There is broad variation among cities in terms of homicide. Among cities with the highest homicide rates are the following cities: see **Table 1** on the following page:

Table 2: Homicide in Major US Cities

Rank	City	Homicide Rate					
		2005	2004	2003	2002	2001	2000
1	New Orleans, LA	73.6*(8 months)	54.8	56.8	53.3	43.8	42.4
2	Compton, CA	67.1	41.7	46.0	55.6	49.2	48.1
3	Gary, IN	58.0	52.6	66.2	58.4	79.8	65.2
4	Birmingham, AL	44.3	24.3	35.0	26.8	30.1	32.5
5	Youngstown, OH	43.7	28.0	23.2	40.2	41.5	39.0
6	Richmond, VA	43.0	47.7	48.2	39.5	35.9	36.9
7	Baltimore, MD	42.0	43.4	42.3	38.3	38.7	40.1
8	Camden, NJ	41.2	61.2	51.0	41.3	31.3	30.0
9	Flint, MI	40.1	38.4	31.2	24.0	32.8	28.8
10	Detroit, MI	39.3	40.5	38.5	42.3	41.5	41.6
11	Richmond CA	38.8	35.3	38.3	29.2	18.1	29.2
12	St. Louis, Mo.	37.9	32.5	21.0	31.9	42.5	35.6
13	Trenton, NJ	36.2	21.1	15.2	22.2	15.2	16.4
14	Washington, DC	35.4	35.7	44.7	46.4	40.3	41.8
15	Newark, NJ	34.5	30.7	29.6	23.8	32.9	21.2

Among the largest cities in the U.S., New Orleans ranks first in 2005 with New York City having a per capita homicide risk approximately 11 times lower than New Orleans.

Table 3: Homicide in Large U.S. Cities

<u>City</u>	<u>2005/6* Homicides</u>	<u>Population</u>	<u>Per Capita Homicide Rate</u>	<u>National Ranking</u>
New York, NY	539	8,115,690	6.6	above 100
Los Angeles, CA	489	3,871,077	12.6	74
Chicago, IL	448	2,873,441	15.6	49
Philadelphia, PA	377	1,472,915	25.6	19
Detroit, MI	354	900,932	39.3	10
Houston, TX	334	2,045,732	16.3	47
Baltimore, MD	269	641,097	42.0	7
Phoenix, AR	220	1,466,296	15.0	50
Dallas, TX	202	1,230,303	16.4	46
Wash, DC	195	550,521	35.4	14
New Orleans, LA*	161	223,000	72.9	1

**The Control of Urban Murder and Violent Crime Patterns:
What is Presumed to Work?**

There is great controversy as to the best methods for reducing murder risks and the question of whether public policy can affect these risks. Community psychologists such as Toch (1988), Goldstein (1989), Scharf (1987), Fabiano, etc. have focused upon reasoning processes as a causal link to violent behavior. Programs that have implemented these approaches report modest gains in the small populations where these approaches have been attempted. In the 1970's-1980's federally sponsored law enforcement approaches such as targeted intervention, VICAP and SHOCAP focused upon identifying the highest risk and most dangerous offenders-building upon the theories of Wolfgang (1973) and others emphasizing the unique characteristics of repeatedly violent offenders. Community Policing, "Broken Windows," approaches in the 1990's tended to target neighborhoods and community norms as an approach to control violent crime. The most recent Project Safe Neighborhoods (PSN) initiatives designed to

manage violent crime risks focused upon cooperative relationships between homicide investigators and district attorney efforts to respond to violent crime. Andrews et al (1990) meta-analysis approach has identified potentially effective correctional treatment and risk identification models targeted at high risk for violence offenders.

Of great interest to policy makers are the observed policy related reductions in violent crime in many larger cities achieved in the late 1990's. What is it that characterizes cities that have been able to achieve sustainable reductions in homicide risks over time? Cities such as New York (went from 2274 in 1990 to 539 homicides in 2005); Boston (191-67) and Chicago (900-430) provide examples of cities which have reduced their homicide risks substantially over a fifteen year period.

There is, however, controversy regarding the most effective specific prevention, law enforcement and strategies to manage homicide threats in high homicide rate cities. Solutions tendered by practitioners range from enhancing the ability to efficiently investigate, solve and clear homicide cases, and to enforcing urban gun control policies for example:

- improving homicide investigative strategies;
- saturation of crime hot-spots stemming from crime analysis data;
- proactive focus on street drug traffic and gang activity;
- implementation of community policing/broken windows policing strategy;
- specialized programs such as CEASEFIRE-Boston, High Point/NJ both using David Kennedy's model (John Jay-CUNY);
- New technologies-gunshot detection, video safety networks, etc.;
- Information sharing/data integration technology such as New York Police Department's Real Time System.

In thinking about the reductions in violent crime in the 1990's it is important to note differences as well as similarities among cities as well as the specific methodologies used. The strategies in New York, Newark, Boston and Chicago differed along with personalities and circumstances.

Research related to specific strategies may be instructive in guiding public policy related to the control of violent crime. Rosenfeld, Fornango, and Baumer (2005) conducted an analysis on the CEASEFIRE program of Boston, and the COMPSTAT

program of New York and other cities, and then a vertical prosecution incapacitation strategy to see if these programs affected the drop in homicide rates experienced in the 1990's.

The impact of CEASEFIRE was found to be statistically indeterminate given the small number of youth firearm homicides in Boston. Rosenfeld, Fornango, and Baumer (2005) found that the decline in homicide rates compared to other large cities was not atypical. Similar declines in homicide rates were found in other large cities without a program similar to COMPSTAT, such as San Francisco, Houston, San Diego, and Los Angeles with gains reported for some of the incapacitation programs

Caveats on the Control of Violent Crime in the 1990's

In considering the lessons learned from the declines in the 1990's, it is important to recall that Blumstein (1995) and other criminologists predicted a rise in crime rates for the mid to late 1990's; however, the U.S. led a decline in crime rates for that time period. The Northeast experienced the largest crime drop, while the Midwest experienced the lowest (Levitt, 2004). For persons less than 25-years-old, homicide rates fell 24.2%; for persons 25-years-old and older, homicide rates fell 18% (Blumstein & Rosenfeld, 1998).

Beyond the impact of policing strategies researchers cite several broad factors that are deemed responsible for the decline: improvements in educational opportunity and job markets, declining crack-cocaine markets, aging of the population, tougher gun control laws, economy increases, increases in the amount of police, and increased use of incarceration.

Levitt (2004) proposes several factors that contributed the most to the decline in crime rates were increases in number of police, increasing prison population, and decreasing drug market. The amount of police officers increased by 14% in the 1990's, which can explain between one-fifth and one-tenth of the decline in crime (Levitt, 2004). The 1990's saw the birth of the "three-strike you're out" laws, which gave life sentences for persons convicted of their third felony. By imprisoning offenders, they are removed from the streets, thus unable to commit more crimes.

Homicide rates mirrored the rise and fall of the crack-cocaine market; “As crack ebbed from 1991 to 2001, young black males experienced a homicide decline of 48%, compared with 30% for older black males, 42% for young white males and 30% for older white males” (Levitt, 2004, 181). Also, Blumstein (2002) cautions that seemingly broad changes in the homicide rate may attributed to changes in behavior (crack and gun related) among a small percentage of African American youth should not go un-noticed. These trends should be viewed within the highly emotional debate involving differential sentencing of crack and white powder cocaine defendants.

Blumstein and Rosenfeld (1998) cited economic expansion as a prominent factor in the decline of homicide rates. In the 1990’s, America experienced a drop in unemployment rates that had not been seen since the 1970’s. Also what is the importance of factors in reducing homicides such as unemployment rate, homicide investigative capacity, number of officers, clearance rates for homicide, conviction rates for homicide, proportion of homicides drug and gang patterns, violent crime rate, gun control policy, etc.

The evidence from the decline in murder in the 1990’s suggests more promise than certainty to policy makers concerned with policy solutions rather than an easy to replicate policy template. As one leading law enforcement executive (Dr. Lee Colwell) in reading a draft of this document, commented,” while it is obvious that all the efforts of major cities had an impact upon violent crime, it is far less certain as to which components of change exerted the greatest impact.”

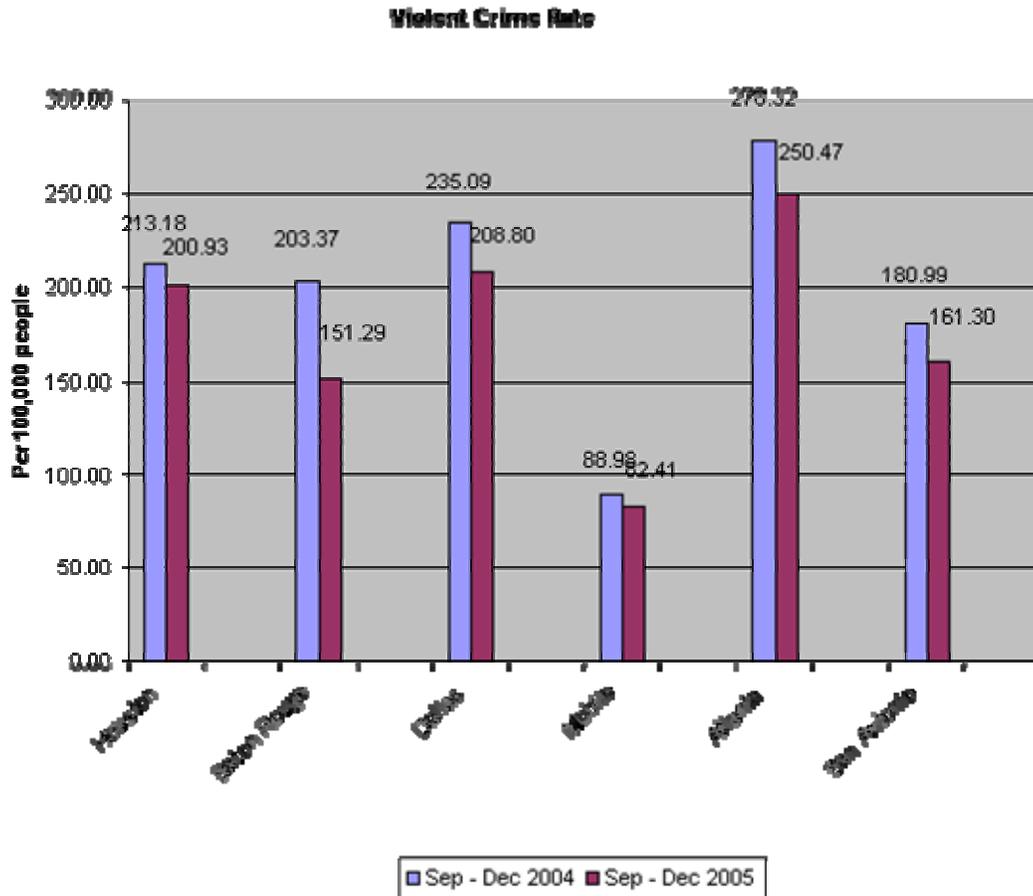
V. Foundation of Testimony: The New Orleans Murder Characteristics

New Orleans has had a chronically high murder pattern for the past two decades. Murder rates rose through the late 1980's and early 1990's peaking with an astronomical 424 murders in 1994. Beginning in 1996 a city-wide campaign targeted at violent crime, supported by a strong strategic plan, strong consultants, a tight COMPSTAT process and supported by COPS (COPS Universal Hiring and COPS MORE) resources, the city reduced its murder count by more than 60% to 162 murders in 1999-a rate of roughly 34/100,000 persons. From 1999-2005 the murder rate using an estimate of 223,000 persons increased by more than 80%. Following Hurricane Katrina, New Orleans has experienced an epidemic in violence with murder rates approximating 93/100K since July 1, 2006. New Orleans stands alone in terms of risks of homicide among U.S. cities.

Hurricane Katrina and Murder Trends in New Orleans

Hurricane Katrina in late August, 2005 resulted in the forced evacuation of the New Orleans population to many cities around the country, causing great concern in media and law enforcement circles. A January, 2006, article in the *Houston Chronicle* titled "New Orleans Gang Wars Spill into Houston Area," New Orleanians are held responsible for several homicides as well as increases in other violent crime. For example, a criminal such as Ivory "B-Stupid" Harris, who had been arrested over 19 times (including 2 murder charges) in New Orleans prior to the hurricane, was wanted in Houston for his involvement in several murders in November after the hurricane (Bryant and Khanna, 2006). The rate of homicide in Houston went from 2.53 per 100,000 in the fourth quarter of 2004 to 3.19 per 100,000 in 2005 suggesting a small increase in crime risk in evacuation cities, a pattern much overblown by the media.

Figure 1: Violent Crime Rate



Re-Migration to New Orleans

Since Mid 2006, the return to New Orleans of the highest risk evacuees has been not without consequence as well. In April, 2006, there was great community shock when thirteen homicides were recorded in the city with about 200,000 people, which was thought to have reduced crime following the storm. In June a quintuple murder of teenagers occurred, victims of what appears to be a resurgence of violence; a violence that has intensified as the highest risk individuals have returned to New Orleans where new drug groups (Asian and Hispanic) are operating in the city and public and social services, which might mitigate the effects of this re-migration, have been reduced. By years end (2006) the overall 2006 murder rate (assuming the Census estimate of about 223, 000 persons) was over 72/100K persons-highest in U.S. but disturbingly 93/100K for the months from July, 2006-March 2007. Theories as to why the Re-Migration to New Orleans increased crime risks-a reality which seemed to come as a surprise of the

leadership in the city- includes: new drug distribution patterns, changes in drug group competition, changes in familial and neighborhood support as well as declines in criminal justice capacity are a few of the factors which have been offered to explain the changes in the migration and need to be confirmed through careful research.

A City in Crisis: Murder Realities in New Orleans as of April 10, 2007

The following are Homicide totals for New Orleans from 2000 through March 2007.

Table 4: Homicide Totals for New Orleans 2000 – 2007								
	2000	2001	2002	2003	2004	2005	2006	2007
January	10	13	15	25	18	19	4	18
February	20	16	14	18	21	23	6	12
March	21	12	17	26	16	23	7	20
1st Q Total	51	41	46	69	55	65	17	
April	16	17	16	30	24	21	12	
May	26	23	21	24	23	23	13	
June	24	28	29	23	23	25	14	
2nd Q Total	66	68	66	77	70	69	39	
July	20	29	18	20	32	35	22	
August	11	15	33	20	20	38	10	
September	19	19	19	25	24	2	21	
3rd Q Total	50	63	70	65	76	75	53	
October	10	11	19	23	22	6	16	
November	11	13	28	18	23	1	17	
December	17	16	29	23	19	2	19	
4th Q Total	38	40	76	64	64	3	52	
Totals	205	212	258	275	265	207* 8 months	161	

As indicated in the **Table 4** murder risks have increased substantially during the present decade. The rate of murder in 2007 with a population base of 223,000 people suggests the following trends:

- The murder rate has since the beginning of 2006 through each quarter and levels out at a very high total in first quarter 2007;
- The comparison of first quarter 2006 to first quarter 2007 is as follows:

Table 5: First Quarter 2006 to First Quarter 2007

<u>Year/Month</u>	<u>January</u>	<u>February</u>	<u>March</u>
2006	4	7	6
2007	18	12	20

- The murder rate from 2003-2005 (8 month extrapolation) places the city the highest among U.S. cities;
- Since July 1, 2006 the city is at least more than 20% above in terms of homicide rate, any other U.S. city.

In interpreting the trends observed in New Orleans, observers have disagreed on the role of the criminal justice system. During 2006 there were 161 murders and but one conviction with many cases not filed following “Section 701” (60 day mandatory release in the absence of charges) releases even in first degree murder cases. Gaps between murders (161) and clearances (68) and charges (17) were also troubling. The total of 2 trials and 1 conviction is troubling as are the handful of convictions for murders which occurred from 2004 on-ward. The roles of the police and courts have also been linked to the high murder rate in New Orleans. Police attrition due to activity during the storm, retirements, tactics, lack of facilities, crowded court dockets and the clogging of the judicial system with low priority arrests have all been linked to the high murder rate. Social factors, changes in the drug trade and loss of insulating factors as varied as housing, family support and neighborhoods need to be considered as well in terms of the high rate of violence in the city.

Public perceptions of why this increase in homicide occurred diverge. One school of thought explains the high murder rates in terms of the characteristics of the community including poverty, educational, parenting and social factors. Others interpret the breakdown in terms of gaps in criminal justice system capacity including the low rates of conviction, courtroom delays and ineffective policing tactics as the major factor to be considered in the New Orleans murder wave. Still others attribute the murder rate to the Katrina aftermath with criminal justice attrition, de-stabilization of drug groups and loss of community and family stability.

No matter why the risks of murder in the city have increased are the astronomic economic (capital costs, out-migration, tourism loss and the costs related to the deaths, imprisonment and maiming of number of people), social (fear, reservations about travel to New Orleans) and moral (human life) costs to a city in which the reality of murder has impeded if not stopped the attempts at rebuilding the city. Estimates of the direct cost to society of a murder at \$1,000,000.00 and the cost of a person crippled for life through gun-shots (\$2,000,000.00) (including jail, court, prison, loss of support, and social security calculated for both victim and perpetrator) yields a best guess of the direct cost for 161 murders and an equal number of life long injuries at close to ½ of 1 billion dollars-a cost the city cannot afford. Nor can it afford the tourism, human capital and investment losses to the city, almost impossible to calculate in terms of economic consequence.

What to Do?

The alternatives to control the murder epidemic in New Orleans have been broad including a Mayoral program, Federal Initiatives and specifically:

- National Guard presence-since June, 2006
- LA State Police support-ongoing
- Cooperation vows and definition of procedures between District Attorney and New Orleans Police-ongoing
- Partial Curfew-January, 2007
- Check Point Program-January, 2007

- Use of Orleans Parish Sheriff's Office Deputy to support NOPD patrol-January, 2007
- Increase of Federal Agents (FBI, DEA, ATF, etc.) and task forces-February, 2007-a promising development with results yet uncertain
- Movement of cases to Federal Jurisdiction, February, 2007 (gun and drug cases and a major intervention with strong conceptual promise to reduce homicide rates)

As of the date of this testimony sadly it might be observed that:

- 1). There has been no indication of the reversal of the lethal murder trends in the city;
- 2). Solutions have been spasmodically introduced and later abandoned; and
- 3). City wide leadership has been widely perceived as ineffective.

The depth of the city and its solutions requires a fundamental change in the criminal justice system, if the complexities of its murder risks are to be reduced. A comprehensive weaving of early intervention, law enforcement and correctional strategies is also essential in this effort.

VI. Witness's Recommendations

The following are this witness's major recommendations to the Counsel House Judiciary Subcommittee on Crime, Terrorism and Homeland Security based upon the analytic foundation and research presented above:

Recommendation One: Increase funding for a new program targeted at violent crime and murder in cities with high murder and violent crime indicators: There is a need to for special funding based on evidence based research to help State and Local law enforcement respond to national Murder and violent crime trends. Examples of areas to be considered include early intervention strategies targeted at individuals at the margins of violent crime activities, new policing styles and effective correctional triage and treatment approaches.

Table 6: Suggested Reducing Homicide in Urban Communities Policy Framework

<u>Component</u>	<u>Objectives</u>	<u>Performance Measure</u>
Early Intervention: programs that target the most at risk young people in terms of violent crime	Identify and divert from violent crime	Reduction in progression of highest risk individuals
	Use EVB research interventions to manage risk group	
Law Enforcement/DA: community policing, investigation and prosecution	Proactive community patrol	Increase community presence and effective response to violent crime incidents
	Target risk groups Investigate (and prosecute known offenses)	
Corrections: local, state both institutional and community corrections	Assure safe treatment of offenders	Increases in positive re-entry outcomes
	Re-educate and enhance employability of offenders	

Both in many large cities and New Orleans it is observed that violent crime rates began to ascend as Federal support for officers, technology and special programs declined after FY 2000. More than 2 billion dollars in Federal criminal justice support “evaporated” from the Federal Budget in subsequent years at the same time as risks related to violence increased. New ideas, funding and support may be essential to help State and local law enforcement in communities faced with ascending homicide and violent crime risks. Given the costs of violent crime in terms of direct (human life) and economic, out-migration and related costs, this funding should be presented in terms of an investment strategy with high accountability and research base. Funding is identify and implement evidence based prevention, policing and correctional strategies, programs and technologies which have been documented as effective in other cities with high homicide risks and support their use in high homicide risks cities.

Recommendation Two: Actively support integrated and collaborative planning, evidence based research and performance measures related to the management violent crime reduction efforts:

- 1) Integrated system approach to weave early intervention, policing and correctional components into a coordinated crime fighting effort
- 2) Basis in evidence based research including early intervention, policing and correctional efforts
- 3) Assess integrated efforts in terms of objective performance measures

The proposed approach by this witness should support cities with high murder and violent crime risks (perhaps the forty or more cities with homicide rates of 12 per 100,000 population):

- Support the development community level anti-violent crime enterprise plans involving different units of government which:
- Increase system capacity within law enforcement, district attorney, community corrections and court entities with the goal of increasing both general and specific deterrence to levels commensurate with the crime risk threat; and
- Create and implement evidence-based early intervention programs responsive to requirements of deterring highest risk groups from violent crime. These might include NPO, religious or local programs that seek to avert crimes through effective substance abuse, cognitive life skills, anger management, educational and vocational programs.

New ideas are essential to dealing with the complex violent crime and homicide trends faced by New Orleans and other communities, for example:

- Improved Educational and Vocational training;
- Innovative gang and drug risk reduction initiatives: BJA and PSN initiative models;
- New “early intervention” treatment models appropriate to the highest risk in terms of violent crime groups: new cognitive substance abuse, anger management, moral and ethical development, relapse prevention, cognitive life-skills models need to be explored and expanded if effective; and broader vocational, civics, drug prevention models for young people at the margins of the highest risk violent crime groups: this should include realistic work, value-based, substance abuse, parenting and educational acceleration programs with strong research support;
- Improved regional information sharing: technology, fusion strategies, specialized analytic training;
- Intelligence led policing strategies focused upon regional crime problems: multi-city linkages, analytic meetings, virtual sharing;
- New “real time” analytic violent crime technologies: NYC, Chicago, Tucson, San Diego, Boston have adopted new and effective technology models useful in the response to violent crime;
- New integrated sensor solutions: visual surveillance, gunshot and fear technologies are now under evaluation by NIJ and broadly adopted;
- Tests and (if justified) extensions of programs such as CEASEFIRE, which has shown promise in multi-site assessments;
- Strategic programs proven successful in the reduction of violent crime: pieces of COMPSTAT, Community Policing, PSN in need of assessment as to impact related to violent crime;
- Homicide investigation improvement and technologies: case management, regional networks, DNA integration, etc.;
- Introduce new correctional, triage, treatment, educational offerings and re-integration support;
- Improved community substance abuse, anger management, vocational and anger management support for offenders.
- Improved supervision in community following re-entry

In tentatively adopting these programs it is important that each program be justified through a regional violent crime reduction plan, be based upon best possible evidence based research, document progress through performance measures and be subject to rigorous analysis. While a city wide effort may work in the aggregate, it is important to understand the contribution of particular programs to reducing violent crime.

Recommendation Three: Support efforts to reduce violent crime with support for criminal justice improvement, restructuring and integration:

It is important to note that many of the cities with the highest violent crime and murder rates may require strengthening of capacity if their efforts to reduce violent crime are to be effective. Improvements in leadership and organizational effectiveness may be essential if reductions in violent crime are to occur. Also there is a need to integrate early intervention, policing and correctional components into a coherent, effective system. Technical Assistance monies through local or national university or other public entities should be made available to accomplish the following:

- 1) Assessment of criminal justice organizational capacity and capabilities;
- 2) Conduct a baseline organizational assessment including intelligence, investigative operational capacity;
- 3) Develop a strategic plan with milestones to control violent crime trends;
- 4) Develop an in-house performance measures center for monitoring, tracking and feedback on daily actions for alignment to the violent crime control strategic plan; and
- 5) Conduct organization “booster shots” to assess and align efforts related to the strategic plan.

Recommendation Four: Increase funding for criminal justice migratory violent crime patterns:

It is important to have Federal policies which consider violent crime risks as regional rather than local. The focus on migratory violent crime patterns from and back to New Orleans related to increases homicide rates in Jefferson Parish, Houston and other communities suggests the need for policies which consider displacement and the need

for regional information sharing. The migration of criminals from New Orleans to Texas and back suggests complex and interdependent migration which needs to be more completely understood. Tools such as N DEX, new intelligence policing approaches, Regional Fusion Centers, Integrated information sharing, Pegasus network linking different jurisdictions all suggest the importance of sharing information across different jurisdictions. Multi-jurisdictional task force equipped with new tools and mission could be valuable in this area. Research related to crime migration patterns and the drug trade needs to inform practices adopted by multi-jurisdictional task forces targeted with addressing migratory crime;

Recommendation Five: Increase funding to New Orleans to restore its criminal justice capacity, while insisting on the use of evidence-based remedies and strict performance measures.

The losses to New Orleans in terms of infrastructure have been enormous given the aftermath of Hurricane Katrina. Crime Lab resources, technology, facilities are absolutely essential if the city is to restore a reasonable level of safety to its citizens. To be optimally effective programs the effort in New Orleans should build upon local initiatives including those involving the US Attorney, FBI office and the Crime Summit in:

- 1) Build upon strong New Orleans idea base and public support;
- 2) Use models defined as evidence based in cities with sustained crime reductions;
- 3) Create a city wide comprehensive strategic plan similar in scope to the Pennington Plan successful in the 1990's;
- 4) Consider effort as a coherent system effort at change, not tied to particular agencies;
- 5) Integrate other neighboring Parishes into effort;
- 6) Development of evidence-based strategies and tactics, using models proposed by the New Orleans Crime Summit task forces;
- 7) Make public outcomes for all elements of system on a regular basis;
- 8) Monitor and improve efforts on quarterly basis;
- 9) Build and assess clearly defined performance metrics as well as fiscal controls; and
- 10) Murder reduction rate milestones and outcomes.

**Written Testimony Respectfully Submitted to the Subcommittee on
Crime, Terrorism, and Homeland Security of the Committee on the
Judiciary, U.S. House of Representatives**

Dated

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Appendix A

Brief Resume of Dr. Peter Scharf

Dr. Peter Scharf is a nationally recognized leader in criminal justice training, technology and education. He recently assumed the position of Research Professor of Criminal Justice and Executive Director of the Center for Society, Law and Justice at Texas State University, where he is conducting research related to the evidence based management of prison rape and working with Texas law enforcement and homeland security personnel to improve capacity related to information sharing and its uses.

Dr. Scharf founded the Center for Society, Law and Justice (“CSLJ” or “the Center”) at the University of New Orleans in 1995. As the Founding Director of the Center for Society, Law and Justice (CSLJ), he spearheaded the creation of one of the highest quality criminal justice technology training, research and implementation entities in the US. Additionally, Dr. Scharf played an integral role in attracting several multi-million dollar grants to the Center. He currently is working on developing an analytic intelligence project with local and national FBI intelligence (IC), operational (LA) and training units (Quantico).

The Center has managed several national BJA Cooperative Agreements to assist national law enforcement in implementing computer technologies. The Center has provided workshops across the US and offers technical assistance through grant funding. The Center was selected as one of four criminal justice entities to provide assistance to the Department of Justice in facilitating its “integrating technology” initiative.

The Center has conducted other major cooperative agreements with DOJ, including: a national “Integrity Management” project; a project promoting technology integration; a project supporting forensic digital investigations; a project which introduces performance measures related to integrated technologies; a project focused upon research related to new criminal justice technologies; and, a project which focuses upon research related to the targeting of guns in high crime neighborhoods.

The celebrated staff at the Center, under Dr. Scharf's direction, has authored several nationally recognized publications and has trained police officers in most of the 50 states. The Center's innovative programming for law enforcement and correctional professionals continues to win national recognition through its statewide and regional training in relationship to community policing and management of the use of force and technology. Additionally, the Center has coordinated degree programs and offered research and management courses for police officers, supervisors and executive management.

Prior to founding the Center, Dr. Scharf served as Director of Training and Technical Assistance for the Police Foundation in Washington, DC. He assumed responsibility for the funding and management of a celebrated technology, training and technical assistance unit that was dedicated to improve law enforcement practices in civil disorders, diversity training, ethics, the use of force, community policing and effective management practices.

Dr. Scharf is the author of several books, including *Readings in Moral Education* (1978), *Growing Up Moral* (1979), *Towards a Just Correctional System* (1980), *The Badge and the Bullet* (1983), *A Guide to Computer-Age Parenting* (1984), *Understanding the Computer-Age* (1988), *Assessing Law Enforcement Ethics* (1996), and the *Handbook of Forensic and Criminal Justice Technologies* (2007), each of which have had a strong impact on educational and criminal justice practice.