



# **Street-Level Drug Enforcement: Examining the Issues**

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# Foreword

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No single agency can fulfill, through its own efforts, the public's justifiable demand that we rid our communities of drug abuse and the crime and violence it fosters. Interagency cooperation at all levels of government is an essential ingredient of successful drug law-enforcement strategies.

One such strategy — intensive street-level drug enforcement — attracts widespread interest among police and sheriffs departments. Crackdowns are a favored tactic frequently called for by political leaders and concerned citizens and community groups. To determine the effects of such crackdowns on users and dealers who transform city streets into drug bazaars, research reported in this publication analyzed data from areas that had carried out intensive enforcement of drug laws.

As this report indicates, there is compelling evidence that, under some circumstances, street-level drug enforcement can rid city streets of drug dealers and users. Other kinds of predatory crime that the public fears also may be reduced in the crackdown area. Yet, analysis of some crime data from areas that intensify street-level enforcement shows that taking dealers and users off the streets of one area is not enough. Without cooperation between neighboring areas, the drug market may not be destroyed but merely displaced to another neighborhood.

Other research by the National Institute of Justice shows that reducing supply *and* demand for drugs is best accomplished by a cooperative effort among criminal justice, education, health practitioners, and youth leaders. Similarly, a concerted effort is required among local, State and Federal law enforcement agencies. And within each jurisdiction, drug involved offenders can best be managed by close coordination among police, prosecutors, and correctional officers.

Given the analyses of street-level drug enforcement presented in this report, criminal justice agencies will find the lessons in planning and cooperation it presents a useful guide for action. The research strongly suggests that criminal justice agencies that are willing to work together will find they *can* rid their streets of drug users and dealers alike and make inroads against other predatory crime at the same time.

James K. Stewart,  
Director  
National Institute of Justice

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## Chapter 1

# **STREET-LEVEL DRUG ENFORCEMENT: INTRODUCTION TO THE ISSUES**

Marcia R. Chaiken

Mounting national concern over illicit drug use—and the impact of open drug markets on the neighborhoods in which they operate—has spurred renewed interest in street-level drug enforcement. The effectiveness of crackdowns as a law enforcement tactic, however, remains a subject of debate. This report examines the debated issues. It is one of a series of publications that provide reviews of research on drug-involved offenders and strategies for dealing with them. I have had the pleasure of editing this series.

This volume presents a study that advocates street-level crackdowns on heroin markets and suggests they may reduce non-drug crime as well; it also includes three critical reviews of the study and the recommended policy. Together, the paper and reviews address the concerns of criminal justice practitioners who are currently implementing this form of policing, those considering instituting such a practice, and those who are opposed. Legislators and citizens who want to know more about specific forms of law enforcement efforts for controlling the sales of illicit drugs will also find these materials informative.

None of the authors view crack-downs as a panacea. Nor do any of them suggest that street-level drug enforcement by itself can eliminate the use of illicit drugs. Rather, the focal question addressed by this set of papers is: What effects reasonably can be expected from street level drug enforcement?

These papers present four different perspectives on the answer to that question. The primary paper, authored by Mark Kleiman, a policy analyst at the Kennedy School of Government, Harvard University, presents a theory

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on the potential benefits and costs of street-level drug enforcement. His central hypothesis asserts that crackdowns on street-level heroin dealers and buyers increase the non-money costs of drug use (the risk of arrest and the time required to find new sources of drugs) and reduce consumption. He argues that the combination of increased risk and time drives some users to desist; he also suggests that those who continue to use drugs can “score” less frequently. Additionally, he contends that, since offenders who commit robbery and burglary often do so to get money for drugs, crackdowns—by reducing drug consumption without increasing the drug price—can also reduce the numbers of street crimes. Based on analysis of data collected in several areas which have experienced crackdowns on street drug markets, Kleiman concludes that “street-level heroin crackdowns, under some circumstances, produce great benefits at modest costs.” He challenges practitioners to “try it and see.”

The reviews are written by Professor Arnold Barnett, the Sloan School of Management, Massachusetts Institute of Technology; Anthony Bouza, Chief of Police in Minneapolis; and Kevin Burke, District Attorney in Essex County, Massachusetts. Each, drawing on his own rich basis of experience and expertise, reacts to Kleiman’s paper and policy recommendations in a different way.

District Attorney Burke strongly endorses the policy, but he takes issue with some of Kleiman’s reservations. Mr. Burke’s primary goal in instituting street-level drug enforcement in his district was to improve the quality of life in areas dominated by dealers and addicts. Because these people left the target areas following crackdowns, he heartily endorses the practice.

The two other reviewers are less optimistic than Kleiman about the results of crackdowns. Chief Bouza has seen street-level drug enforcement merely shift the locale of dealing. He has watched arrested dealers quickly shunted back on the streets because of overcrowded courts and prisons. He deplores the waste of resources and concludes that, although a crackdown temporarily provides good publicity, “The only problem is that it doesn’t work.”

Professor Barnett reviews the analysis that led to Kleiman’s conclusion that under some circumstances crackdowns help reduce street crime. In non-technical terms, he shows how the numbers used by Kleiman to demonstrate success can be misleading. He is more pessimistic than Kleiman about the negative and positive consequences of crackdowns. However he agrees with the Kleiman conclusion to “try it and see.” “Only through an extensive process of trial and error,” he suggests, “can we learn the circumstances under which crackdowns produce more beneficial than harmful effects.” It is in this spirit of learning that the National Institute of Justice presents these papers.

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## Chapter 2

# CRACKDOWNS: THE EFFECTS OF INTENSIVE ENFORCEMENT ON RETAIL HEROIN DEALING

Mark A.R. Kleiman

### Introduction

In 1985, more than 800,000 citizens were arrested for drug law violations. The Anti-Drug Abuse Act of 1986 [P.L. 99-570] provided \$230 million to state and local enforcement agencies for enhanced drug enforcement activities. Yet the value of such police enforcement has long been debated.

Part of this debate concerns the purposes and justifications for such efforts. Some argue that the enforcement activity is justified simply because laws against drug use exist, and it is the clear obligation of the State to enforce the laws. Others see the laws and improved enforcement as justified by their impact on levels of illicit drug use.<sup>1</sup> Still others see drug enforcement as a potentially useful approach to controlling “street crimes” such as robbery and burglary.<sup>2</sup>

The debate also concerns the practical effect of enforcement efforts on these objectives. There are conflicting theories about the causal mechanisms that link local drug enforcement efforts to the objectives of controlling drug use and street crime. And there is only a limited amount of empirical evidence to test our theories or evaluate the results of local enforcement.<sup>4</sup>

Recent evidence and reasoning about one form of local drug enforcement—crackdowns on retail heroin markets—suggest that such crackdowns may be one way to use local drug enforcement efforts to produce valuable results.

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# The Lynn Drug Task Force

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## The Program

In early 1983, the Massachusetts State police narcotics unit had decentralized. Its agents were dispersed into county drug task forces under the direction of the elected District Attorneys. The District Attorney for Essex County, Kevin Burke, found himself with six narcotics officers at his disposal.

Burke decided that spreading six drug officers over a county with a population of 750,000 was unlikely to produce substantial results. Chronic complaints from residents and merchants in Lynn, Massachusetts, about open heroin dealing in the High Rock neighborhood, just four blocks from the central business district, suggested a target for more concentrated efforts. Lynn had the second highest crime rate of all Massachusetts cities and a police department whose sworn strength had fallen by about one-third (from 180 to 120) due to fiscal pressures. Burke elected to concentrate his entire Task Force on street-level heroin dealing in Lynn to, as he described it, "improve the quality of life."

The Lynn Drug Task Force began operations in September 1983 with six State troopers and one detective from the Lynn Police Department. Over the first 10 months of its existence, the task force averaged 6 full-time-equivalent police plus 1 part-time civilian clerk. This represented about 5 percent of the total sworn police forces available in Lynn, and cost approximately \$20,000 per month, or 25 cents a month per resident. Subsequently, the State troopers were slowly shifted away from Lynn and toward the larger market in Lawrence, at the other end of the county, but the Lynn Police Department added more of its own officers to the Task Force. Current strength (four years later) varies from four to six sworn officers.<sup>6</sup>

The strategy of the Task Force was to make it difficult for dealers to make sales and for heroin buyers to "score" in the streets of Lynn. Its officers watched known dealing locations and questioned suspected buyers and sellers, made arrests for possession after observing suspected transactions, used informants to make small-scale purchases, and executed search warrants on premises used for dealing. Two officers spent several weeks in one conventional undercover operation. A "Hot Line" for anonymous tips was established, maintained, and heavily publicized; information from Hot Line calls contributed to many arrests and searches.

In its first 10 months, the Lynn Drug Task Force made 140 arrests; these represented between 5 percent and 10 percent of the Lynn Police Department's arrest activity over that period. Eleven arrests were for possession of heroin with intent to distribute. Sixty more were for other heroin-related charges: simple possession or possession of injection equipment. There were 20 arrests for possession of cocaine with intent to distribute and 12 for simple possession of cocaine. Other arrestees were charged with a

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miscellany of drug and non-drug offenses or taken on outstanding arrest and fugitive warrants. Ninety-six defendants were convicted or pleaded guilty, including 10 on felony heroin charges. Nominal minimum sentences on all charges totaled 110 years. Arrests have continued since, but at a much lower rate.

## **The Results**

Burke's goal for the program—"to improve the quality of life in Lynn"—was a broad one. At a minimum, it meant halting the open dealing of heroin and stilling the complaints of citizens offended and frightened by the open heroin market. More ambitiously, it meant reducing the level of heroin use in Lynn (and perhaps elsewhere if Lynn drug dealing was supporting consumption in other areas) by making it difficult for experimental drug users to have access to heroin and by giving current users incentives to abandon their use. Even more ambitiously, it meant reducing street crimes such as robbery and burglary in Lynn—either by incapacitating heroin-using offenders through incarceration, or by reducing their predatory activity as a side-effect of reducing their heroin consumption. The results were unexpectedly gratifying.

### *Disorder Reduction and Quality of Life*

The preliminary results of the operation included a marked decrease in the volume and flagrancy of the Lynn heroin market. A visitor walking through the High Rock area on a summer afternoon sees a placid, rather suburban neighborhood, not the drug bazaar that reportedly used to exist. Interviewed nine months after the inception of the Task Force, High Rock residents, their elected representatives, and merchants in the nearby business district, described themselves as pleased with the changes. More surprisingly, others in the City appeared to notice and appreciate the effects of the Task Force: 37 percent of the respondents in a city-wide survey conducted in the summer of 1984 thought that police and prosecutors were doing a better job in enforcing the drug laws than a year previously; only 12 percent thought that they were doing a worse job.<sup>7</sup>

### *Heroin Consumption*

Of all the effects of drug enforcement, the impact on drug consumption is among the hardest to measure. Most of the evidence available, however, suggests that heroin consumption in Lynn declined substantially after the inception of the Task Force.

Drug treatment workers in Lynn believe that the easy availability of heroin in the early 1980's had resulted in the re-addiction of many heroin users who had been abstinent during the late 1970's. They report that, as a result of the Task Force, heroin users in Lynn found it harder to buy drugs and were worried about being arrested for possession of narcotics if they did succeed in buying. As a result, some of them went into drug treatment.<sup>8</sup>

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Interviews with drug users in treatment confirmed this account.<sup>9</sup> Of course, users in treatment do not constitute an unbiased sample of all users.

The impression that increased enforcement pressure tended to decrease heroin use is confirmed by the pattern of demand for drug treatment services in Lynn. Unlike treatment facilities elsewhere in Massachusetts, the program in Lynn experienced more than an 85 percent increase in demand for service over the 10 months starting in September of 1983. By that point, waiting lists had started to develop and further changes in treatment demand became hard to measure.<sup>10</sup>

Lynn-area heroin users whose consumption of heroin decreased or ceased as a result of the task force may well have increased their consumption of other drugs, particularly other depressants including synthetic opiates and opioids, barbiturates, and alcohol. These may act as substitutes—in both the psychological and economic senses of that term—for heroin. The extent of that effect was not measured.

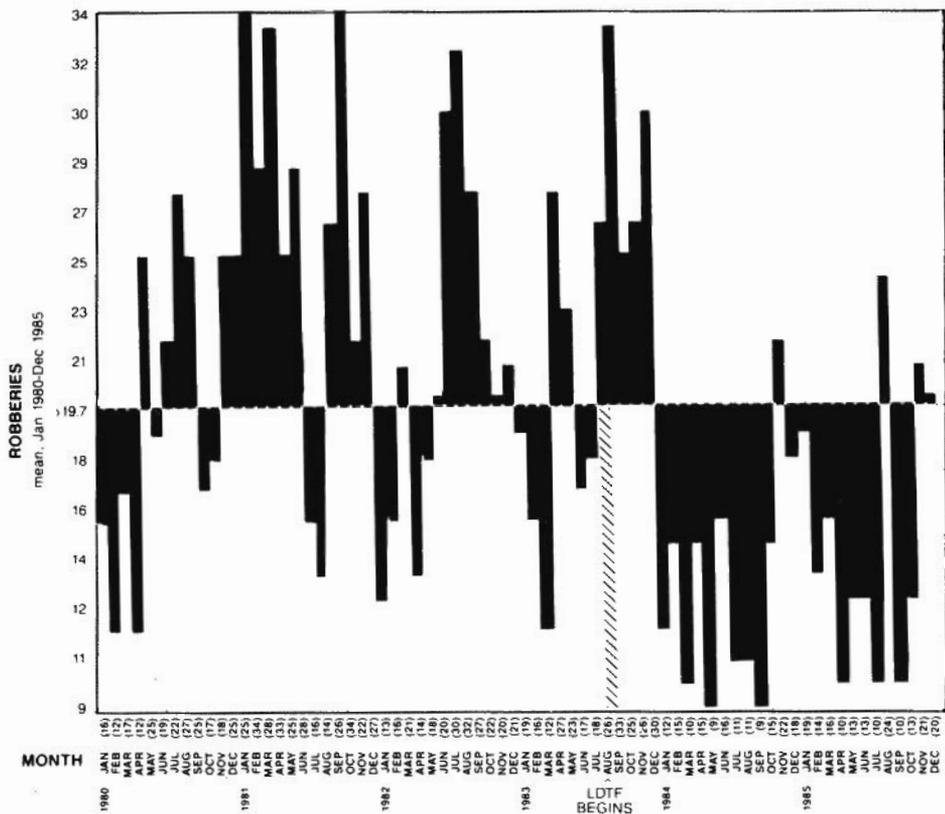
### *Property and Violent Crime*

Perhaps the most surprising result of the Lynn Drug Task Force was its impact on street crimes: specifically, robbery, burglary, and crimes against the person (homicide, forcible rape, and aggravated assault). Comparing the 12 months starting September, 1983, with the previous 12 months, reported robberies were down 18.5 percent, reported burglaries were down 37.5 percent, and reported crimes against the person were down a full 66 percent.<sup>11</sup>

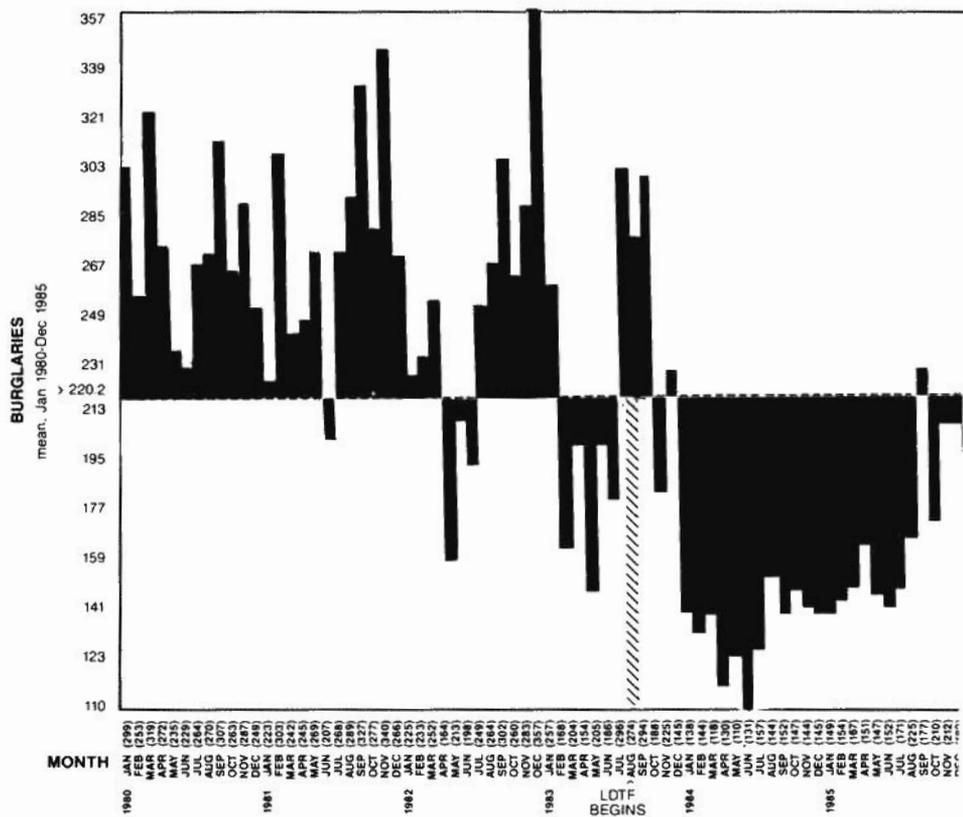
In the following 12 months, the reported burglaries remained at their new, lower level, and reported robberies declined still further, to a level 30 percent below the base year (see Figures 1, 2, and 3 for a graphical representation of these changes; see the section, “Possible Explanations for Decreases in Crime,” below, for a statistical analysis). This apparent decrease in crime, if valid (as well as statistically significant) represents a large, and largely unexpected, benefit of the program. Indeed, it makes it seem that cracking down on street-level heroin dealing might be a cost-effective approach to crime control as well as an instrument of drug abuse control policy.

Before deciding that this kind of program would be useful across the country, however, it is necessary to place this experience in a broader context: to identify the full range of effects relevant to the evaluation of street-level drug enforcement programs, to supplement the results from Lynn with reports of less well-documented efforts elsewhere, to consider how some of the effects of such programs come about, and to consider what environmental features of a given site affect the prospects of success. Much of this paper is guided by inferences from general principles as well as by direct evidence. The aim is therefore not to establish definitively what is true but to improve our understanding of the probability, conditions, and mechanisms of successful retail heroin crackdowns.

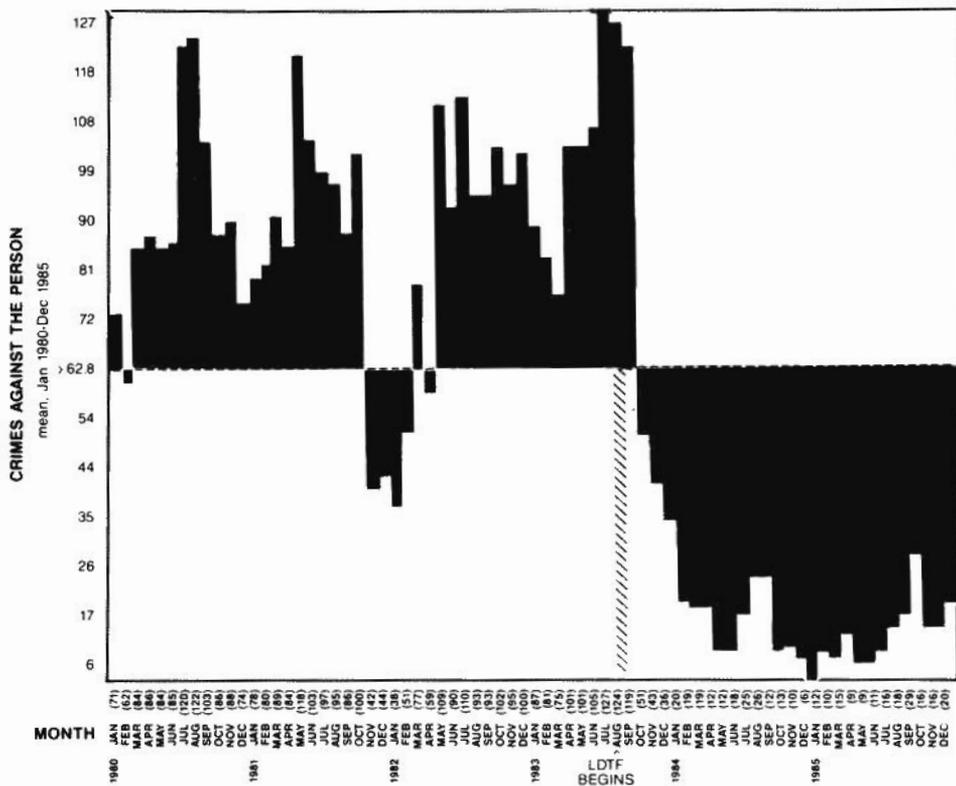
FIGURE 1  
 Robberies in Lynn: 1980-1985



**FIGURE 2**  
**Burglaries in Lynn: 1980-1985**



**FIGURE 3**  
**Crimes Against the Person in Lynn: 1980-1985**



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# Evaluating Street-Level Heroin Enforcement Efforts

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The above account of the Lynn program suggests the wide range of effects—beneficial and otherwise—such activities may have. This section offers a more systematic catalogue of benefits and costs to provide a structure for the evaluation of past efforts and for deciding whether future ones are likely to be justified. We begin with benefits that are directly and immediately produced, proceed to benefits that are more remote, and then address the issue of costs incurred in street-level heroin enforcement.

## Benefits

### *Neighborhood Conditions*

Open drug dealing is bad for the neighborhoods within which it occurs.<sup>12</sup> In addition to the problems of traffic and noise that accompany any street-corner commercial activity, drug dealing poses two special threats: that some neighborhood residents, particularly children, may become users; and that the behavior of buyers and sellers will be disruptive or worse. In poor neighborhoods, the opportunity for quick money offered by the illicit market may compete with entry-level licit jobs and divert labor-market entrants from legitimate careers.<sup>13</sup> When the drug sold is heroin, residents are likely to be bothered by users “nodding” in doorways and heroin-using prostitutes soliciting, and even carrying on, business in ways that disturb neighbors and passers-by.

Reducing the volume, or at least the flagrancy, of street heroin dealing should therefore be counted as a benefit separate from the reduction in heroin consumption. This benefit can be detected by simple inspection of the area, before and after; by formal or informal surveys of residents; or indirectly through such measures as real estate values.

### *Controlling Heroin Use*

The laws against the possession and sale of heroin reflect a social judgment that the use of the drug is pernicious. The ethnographic literature on heroin addicts provides ample support for that view, which appears to be shared by many, if not most, heroin users themselves.<sup>14</sup>

In thinking about the effects of street-level enforcement on heroin consumption, it is useful to distinguish the effects on people who are already drug-dependent from the effects on those who are beginning to experiment or thinking about experimenting. The effects, and the mechanisms that produce the effects, will be quite different on the two classes of users, because experienced users are likely to have both more “connections” (sources) and more resourcefulness and determination about “scoring.” Even for some ex-

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perienced users, however, street-level enforcement is likely to reduce consumption. The effect will occur through several mechanisms.

First, in the course of a crackdown, many experienced heroin users will be arrested for sale or possession. Their arrest, and the disposition of their cases, will tend to reduce their consumption through the familiar mechanisms of specific deterrence, incapacitation, and rehabilitation. Such effects are likely to be particularly strong when the crackdowns are accompanied by urine testing at the time of arrest, and mandated urine screening as a condition of bail, probation, or parole.<sup>15</sup>

Second, an experienced user who is not arrested may, in the face of increased pressure on the streets, decide that now is a useful time to reduce or abandon heroin use. He may be deterred by the prospect of arrest. He may be inconvenienced by the arrest of his regular "connection" and the difficulty (increased by enforcement) of finding a new one. Or, more likely, the increased daily inconvenience and anxiety of "copping" will cumulate to the extent that "drying out" will appear relatively attractive. The likelihood of addicts' making this choice can be increased, if treatment services are readily available to those heroin users who want it.

The impact of street-level heroin enforcement on new users is potentially larger, and over the long run, more significant. It is larger because experimental users are much less committed to using heroin than established addicts, and much less resourceful in "copping." They are also harder for street sellers to distinguish for undercover narcotics officers, and are thus likely to encounter particularly great difficulties when "the heat is on."<sup>16</sup>

If street-level enforcement raises the average time required to "score" from 5 minutes to 2 hours and forces dealing either indoors or to more dangerous parts of town, novice users will be more likely than experienced addicts to go without heroin. The same is probably true of the fear of arrest for possession.<sup>17</sup> Effects on the initiation of heroin use or the progress from initiation to regular use are particularly worth achieving, because the result is the elimination of an entire addict career rather than simply shortening one.

With respect to adolescents, parents have the primary responsibility for preventing heroin initiation. Street-level enforcement can help restore their capacity to accomplish that task. All parents, regardless of economic level or ethnicity, are eager to protect their children from the effects of heroin use. As long as the streets are open drug markets, very high levels of parental supervision may be needed to be effective. On the other hand, if the streets are relatively safe or clear of drug dealing, then parental admonitions against drug use are less likely to be ignored.

Another potential benefit of street-level heroin crackdowns is its potential contribution to the broader, higher-level effort to minimize the supply of drugs through the immobilization of trafficking organizations. Street-level enforcement contributes to this effort whenever it turns up a piece of intelligence that can be used in an ongoing federal investigation or a defen-

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dant who would be willing to become an informant. Street-level heroin enforcement may also uncover trafficking organizations and networks that were previously unknown to the higher-level investigators. Because street-level enforcement efforts are not guided by intelligence information but attack what is right in front of them, they may serve as “early warning networks” for the growth of new trafficking organizations. One should not expect these discoveries often. But when such discoveries do occur, they will be extremely important contributions to the overall effectiveness of supply reduction efforts.

### *Reducing “Street Crimes”*

A third potential benefit of street-level heroin crackdowns is the prevention of property and violent crimes. The impact on these crimes is important in evaluating street-level heroin enforcement for several reasons. First, it is possible that these crimes will increase as a result of street-level drug enforcement, and thus must be counted as a cost of street-level enforcement rather than a benefit. If street-level enforcement increases the price of heroin but fails to decrease consumption, addicts will have to steal more. Thus, the old saw, “the drug squad makes work for the burglary squad.” If that anticipated effect does not occur, then one potential cost of street-level enforcement will be eliminated.

Second, the intrinsic importance of these crimes—particularly in poor communities—makes any effect on them very important. Small increases (several percent) in levels of robbery and burglary would be sufficiently important to cancel out benefits measured in terms of the elimination of drug markets or the encouragement of drug users to seek treatment. On the other hand, small reductions in levels of robbery and burglary would constitute an important justification for street-level enforcement even if it produced no other benefits.

Third, controlling robbery and burglary is central to the mission of criminal justice agencies. If these crimes increased as a result of heroin crackdowns, police and prosecuting organizations would not be enthusiastic about them even if there were substantial benefits gained in the community’s sense of order and reduction in drug use.

Fourth, the fact that these effects are relatively easy to measure makes them inexpensive indicators of whether a program is “working.” With all their well-known foibles, counts of crimes reported to the police are at least collected month-by-month, and can therefore be manipulated statistically, while other benefit measures are far harder to quantify. Thus, effects on street crimes are an inevitable and important dimension to be used in evaluating street-level enforcement efforts.

### **Costs**

The costs of street-level enforcement register in three areas: 1) the direct financial cost of mounting the operations; 2) the value of police resources

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committed to street-level enforcement in alternative uses; and 3) the potential threat to civil liberties associated with more extensive and aggressive street-level enforcement. Moreover, it is important to recognize that these costs register across the criminal justice system—not simply within the police organizations that initiate the operations.

### *Financial Costs of Street-Level Heroin Crackdowns*

The direct payroll costs of police employed in heroin crackdowns are not the only financial costs to be considered in evaluating such programs. Benefit packages (including retirement) need to be taken into account. So do “overhead” costs: buildings, vehicles, administration, supervision. At least in the case of Operation Pressure Point I in New York, concerns about the potential for corruption and other misconduct led to a heavier-than-normal ratio of supervisors to patrol officers and line detectives.<sup>18</sup>

The other major cost implicit in the establishment of such operations is the need to maintain them over time. This need may be more political than operational, but it is nonetheless real. New York Police Commissioner Benjamin Ward reports that Pressure Point I and other street-level anti-narcotics activities generated so much neighborhood support that any attempt to phase them down after once flagrant dealing had declined met with vigorous local resistance.<sup>19</sup> Thus a decision to start a crackdown may involve a long-term resource commitment.

### *Alternative Uses of Enforcement Resources*

Police observing heroin sales are not answering calls for service or decoying robbers. Prosecutors trying street sale cases are not trying burglary or prostitution cases. A prison bed filled by a heroin dealer might hold an auto thief instead. Detectives assigned to a task force directed at retail heroin dealing are not tapping cocaine wholesalers' telephones.

Urban law enforcement is not a world of slack resources. Benefits would have been obtained from the work of the people involved with a retail heroin crackdown, had they been assigned to do something else instead. These “lost” benefits should be counted as a cost of the crackdown.

Determining in detail the results of “one more” arrest, conviction, or month of incarceration in various uses is largely beyond the stretch of the available law enforcement literature. The “opportunity cost” of the resources employed in crackdowns cannot, therefore, be measured with any precision. The alternative would be to add resources to the system to carry out crackdowns, and then measure the benefits of the crackdowns against the dollar costs of the new resources. In practice, however, new dollars may not be available.

### *Effects on Other Agency Operations*

Crackdowns can have a variety of effects on the other operations of the agencies involved beyond the sheer use of resources.

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They can be more or less professionally rewarding and interesting for the personnel involved than alternative assignments, and thus improve or worsen morale. No formal study has been done, but it appears that only a minority of police find retail heroin enforcement a professionally stimulating activity. Their boredom needs to be counted on the cost side of the ledger. Prosecutors' lack of interest in such cases may be even more marked.

Crackdowns can strengthen or weaken police knowledge of, and relations with, neighborhoods and their citizens. The direction and magnitude of such effects will vary with circumstances and tactics. Prior consultation with local leaders, public relations efforts, and the like may make a difference.

Finally, corruption, corruption scandals, and corruption-control measures need to be considered. These can be enormously expensive in terms of the ability of police forces to execute any of their duties. None of the street-level efforts discussed here has run into corruption problems, and it is difficult in the abstract to judge whether crackdowns are more or less likely to breed corruption than other police activities. Retail crackdowns involve far less long-term undercover work than investigations of high-level dealers. It is such long-term undercover work that has spawned many of the spectacular corruption cases of the past.

### *Enforcement Intrusiveness and Abuse of Authority*

In drug cases, as in other cases involving consensual crimes, the absence of complainants complicates enforcement efforts. Drug investigations involve deceit by the police, the extensive use of criminal informants, and close questions about search and seizure. Street enforcement may involve the stopping and questioning of many citizens without any basis for arrest. The difficulty of making narcotics cases that will stand up in court has even driven some narcotics officers to manufacture evidence and to perjure themselves.

There are two separate questions here: the intrusiveness of lawful tactics used in crackdowns into citizens' affairs and the strain they may put on the tolerance of the community for distasteful police tactics, and the temptation they create for unlawful behavior by police. Both must be reckoned as costs of street-level enforcement.

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## Other Street-Level Crackdowns

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The Lynn Task Force was the first street-level drug crackdown to receive a formal evaluation, but other areas have mounted street-level enforcement efforts. Their experience is instructive.

### **Manhattan, Lower East Side (Operation Pressure Point I)**

If the heroin trade in Lynn in 1983 represented one extreme among drug markets—small, concentrated, isolated—the trade in Manhattan’s “Alphabet City” on the Lower East Side represented the other: big, cosmopolitan, and in a city with thriving drug markets in several other neighborhoods. The Lower East Side was also the site of a major crackdown, an apparent success in terms of its effects on local street dealing, drug use, and crime.

As of January 1984, the area around 2nd Street and Avenue B was a center of well-organized retail drug dealing. Drug buyers crowded around sellers; at some locations, they waited in orderly double lines.<sup>20</sup> Many stores and apartment buildings in the area were abandoned; drug dealing appeared to have replaced virtually every other economic activity. Among the area’s attractions for drug sellers was its division among three police precincts (5th, 7th, and 9th). The three were not even within the same patrol zone. As a result, it was almost impossible to focus enforcement attention on the drug market without creating an organizational unit which could span existing boundaries.

Benjamin Ward, sworn in as Police Commissioner on January 1, 1984, gave priority to an immediate crackdown on drug dealing. Pressure Point I was initially conceived as a 60-day crash project. It began January 19, 1984, and two years later was still running at very close to its original resource levels. The costs of Pressure Point I, in salary alone, were approximately \$12 million per year for its first two years of operations.<sup>21</sup>

This is about 25 times the cost of the Lynn Task Force. New York City as a whole has about 100 times the population of Lynn; the Pressure Point target area housed only a tiny fraction of that, but its customers came from all over the city and northern New Jersey.

In the beginning, Pressure Point I relied on massive numbers of arrests. For the first four weeks, it averaged some 65 arrests per day, of which more than one-third were on felony narcotics charges. Then, as market participants became more wary, the number of arrests fell to fewer than 20 per day, and felony drug charges became rarer.<sup>22</sup> Some of the tactics employed in this program were: “observation sales”; undercover buys; raids on dealing locations; use of an anonymous “Hot Line”; arrests for a wide range of misdemeanors and violations, such as disorderly conduct and loitering; and aggressive traffic and parking enforcement, including towing. Cases where dealers were using juveniles as runners were handled by taking the kids back to their parents and warning that another arrest of the child for drug

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dealing would result in charges of abuse and neglect against the parents. Vehicles used to transport drugs, including cars driven by drug buyers, were seized and forfeited under Federal drug laws.

Pressure Point I, like the Lynn Task Force, had dramatic effects on drug markets, crime, and neighborhood welfare. Although dealing has not been eliminated, Alphabet City has seen a substantial reduction in heroin street activity, so much so that police officials have been criticized for contributing to the “gentrification” of a previously low-rent area. Lower East Side drug treatment programs, already crowded due to funding cutbacks and increasing fear of AIDS among heroin users, have seen a new influx of clients due to Pressure Point.

Reported crime of many kinds has been drastically reduced in the Pressure Point “Target Area,” hardly a surprising result given the sheer volume of police presence in a limited area. In the target area (composed of parts of three precincts), between 1983 and 1984, robberies fell 47 percent, burglaries 37 percent, grand larcenies 32 percent, and homicides 62 percent (13 compared to 34). The parts of the three precincts outside the target area also showed decreases in crime; crime in the adjacent precincts was unchanged.<sup>23</sup>

One possible result of a local drug crackdown is to create a new market just outside the area of heavy enforcement, “displacing” the market from one street corner to another. No such market arose near the Pressure Point I target area. There were, however, reports of dealers and users relocating to other, already established drug markets within the city; there are several in Manhattan and in nearby parts of Brooklyn. Whether the displaced activity was a large fraction of the previous Lower East Side trade is unknown.

By the same token, the fact that street crime did not rise in the areas around Pressure Point does not conclusively demonstrate that it was not displaced elsewhere in the city. A serious investigation of this question would require a careful study of individual-level criminal-history files; otherwise, it is virtually impossible to tell whether some persons who had been committing crimes in the Pressure Point area before the crackdown began committing them elsewhere later. There were no obvious crime “bulges” in other areas, but there is no way to know what crime rates would have been in other drug-dealing areas in the absence of the Pressure Point operation.

Pressure Point I, then, clearly improved local conditions, but its effects elsewhere, both in terms of displacing drug use and crime and in terms of crowding out other police and court activity, are open to question.

## **Lawrence, Massachusetts**

The Lynn experience demonstrates the possible success of street-level drug enforcement in controlling other crimes. Lawrence demonstrates its possible failure. After the first nine months of the Lynn operation, the state police assigned to Lynn were moved slowly to Lawrence. The Lawrence Task Force

appeared to succeed in suppressing heroin dealing in the one housing project where it had been most flagrant, and drug users interviewed reported finding heroin somewhat harder to buy in Lawrence after the crackdown started.<sup>24</sup> However, overall traffic did not seem to shrink nearly as much in Lawrence as it had in Lynn or on the Lower East Side. In addition, the city of Lowell, a few miles away but across the county line, remained largely wide open for heroin dealing, thus giving Lawrence heroin users an alternate source of supply.

The results in terms of personal and property crimes were discouraging. While crime against the person in the 28 months after the inception of the task force were down 37 percent compared to previous rates, robberies, burglaries, and larcenies all increased noticeably (albeit not to a statistically significant degree) (See Table 1).

Table 1:

**Comparison of Monthly Crimes Before and After Intervention in Lawrence for Lawrence**

<u>Crime</u>	<u>Before Intervention</u>			<u>After Intervention</u>			<u>Difference Significant at p = .01</u>
	<u>Mean</u>	<u>St. Dev.</u>	<u>Months</u>	<u>Mean</u>	<u>St. Dev.</u>	<u>Months</u>	
Against The Person	26.6	12.8	56	16.5	5.4	28	YES
Robbery	12.9	6.3	56	18.8	5.2	28	NO
Burglary	125.7	29.7	56	163.0	65.3	28	NO
Larceny	142.7	73.0	56	198.4	58.2	28	NO

Police involved with both the Lynn and Lawrence operations cited several differences to explain the apparent failure of the Lawrence Task Force to reduce property crimes: a larger and more geographically dispersed heroin market; less vigorous support from citizens, community institutions, and local police; diversion of police attention to Lawrence's flourishing wholesale cocaine trade; tactical decisions that put less emphasis on observation sale arrests and more emphasis on search warrants; and the presence of the Lowell markets.<sup>25</sup>

**Other Instances**

Norfolk (Virginia), Seattle (Washington), and Sydney (Australia) have reportedly succeeded in reducing drug dealing and other crime by cracking down on concentrated areas of street level drug dealing. On the other hand, Philadelphia's "Operation Cold Turkey" was, by all accounts, a disaster. Instead of concentrating resources on one or a few areas with major dealing

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problems, Cold Turkey chose two “drug corners” from each of the city’s 23 police precincts. Of the 1,000 persons stopped and searched by Cold Turkey’s 450 officers over four days, only 80 were arrested on narcotics charges, and 150 more for disorderly conduct. Public protest and a lawsuit brought the operation to an end after four days, with no measurable result except for citizen hostility. Washington (D.C.) has substantially increased its efforts against retail drug-dealing (not just heroin dealing) in a variety of forms, apparently without effect on common crimes. Miami (Florida) has also reportedly mounted a program of enhanced street-level drug enforcement; its effects on crime are unknown. In addition, six cities have received discretionary funds from the Bureau of Justice Assistance for street-level drug enforcement; their programs are still too new to evaluate.<sup>26</sup>

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# Possible Explanations for Decreases in Crime

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No elaborate theory is required to explain the observation that enhanced street-level drug enforcement makes drugs harder to buy, reduces disorder, and improves conditions for residents and merchants in its immediate area. It takes a little more sophistication to analyze and measure the effects on levels of drug use. But the hardest results to understand from both Lynn and Pressure Point are the dramatic decreases in reported non-drug crimes. This section will review several mechanisms that might link crime decreases with street-level drug crackdowns—some implying real social benefits and some not—and examine the evidence from Lynn and elsewhere that might help distinguish valid explanations from invalid ones.

## Statistical Artifact

The simplest way to explain the Lynn results is to deny that any real effect occurred. Measurement might have been flawed, or a real decrease might be attributable to something other than the program. Any intervention that starts after a period of more-than-usual problems starts with a favorable basis for comparison; if conditions simply return to normal on their own, the intervention will appear to be effective. This phenomenon—“regression to the mean”—is a familiar trap for evaluators.

Table 2 is a comparison of mean monthly reported crimes in Lynn before and after the inception of the Task Force. Robberies declined by 28 percent, burglaries by 36 percent, and crimes against the person by 75 percent. Figures 1, 2, and 3 display the same information graphically; the black horizontal lines through the middle of the graphs represent the means for the entire period (pre- and post-intervention); the vertical slashed lines represent the start of the Task Force operations.

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Table 2:

### Comparison of Monthly Crimes Before and After Intervention in Lynn for Lynn

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Crime	Before Intervention			After Intervention			Difference Significant at $p = .01$
	Mean	St. Dev.	Months	Mean	St. Dev.	Months	
Against The Person	88.6	21.1	44	22.2	21.7	28	YES
Robbery	21.8	6.1	44	16.4	6.5	28	YES
Burglary	255.6	45.7	44	164.6	39.0	28	YES
Larceny	215.7	54.2	44	207.1	26.8	28	NO

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A time-series analysis designed to detect both seasonal effects and regression toward the mean confirmed that the intervention was significant (the null hypothesis, that the post-intervention model was the same as the pre-intervention model was rejected at the .01 level) for all three crime categories.

To control statistically for the effects of broader social and economic changes affecting Massachusetts communities generally, Lynn crimes in each category were computed as a percentage of all crimes in that category for Massachusetts cities of comparable size. For burglary, the Lynn-to-Massachusetts ratio fell by 13 percent after the inception of the Task Force. The ratio for robbery fell 25.1 percent. The ratio for crimes against the person fell by 77 percent. All three changes were statistically significant at the .01 level (See Table 3).<sup>27</sup>

Table 3:

**Crimes in Lynn as a Proportion of Crimes in All Massachusetts Cities: Before and After the Intervention**

Crime	Before Intervention			After Intervention			Percent Difference	Difference Significant at p = .01
	Mean	St. Dev.	Months	Mean	St. Dev.	Months		
Against The Person	.2227	.0415	44	.0501	.0392	28	-77.5%	YES
Robbery	.1724	.0537	44	.1291	.0422	28	-25.1%	YES
Burglary	.1671	.0281	44	.1454	.0294	28	-13.0%	YES

Thus the rate of burglaries, robberies, and crimes against the person fell by larger amounts than can be explained by chance, by seasonality, by regression toward the mean, or by variations elsewhere. The effect of the Lynn Task Force on reported crimes in Lynn appears to be real.

**Displacement**

The drop in crime rates in Lynn was not a result of crime moving out of Lynn and into the surrounding area. Mean monthly reports of crimes against the person in surrounding cities went up slightly but insignificantly after street-level enforcement began. Mean monthly reports of robberies and burglaries in surrounding cities actually declined significantly, though not nearly as precipitously as in Lynn. Mean monthly reports of larcenies declined, but not significantly (See Table 4).

Table 4:

### Comparison of Monthly Crimes Before and After Intervention in Lynn for Neighboring Towns

Crime	Before Intervention			After Intervention			Difference Significant at $p = .01$
	Mean	St. Dev.	Months	Mean	St. Dev.	Months	
Against The Person	31.5	13.0	44	34.0	11.9	28	NO
Robbery	16.0	4.3	44	12.4	4.0	28	YES
Burglary	236.9	34.6	44	207.4	35.9	28	YES
Larceny	338.9	74.9	44	308.1	43.1	26	NO

### Decreased Crime Due to Decreased Heroin Consumption

To unsophisticated eyes, the Lynn crime results are utterly unsurprising. After all, "everybody knows" that drug use causes crime. What could be more natural than the finding that enforcement designed to decrease drug use decreases property and violent crime as well?

On reflection, however, the second proposition does not appear to immediately follow from the first. That heroin users are over-represented among offenders,<sup>28</sup> that heroin-using offenders tend to have higher offense rates than other offenders<sup>29</sup> and that heroin-using offenders' crimes are concentrated into periods also characterized by heavy heroin use<sup>30</sup>—all of this does not directly imply that interventions in the heroin market will suppress common crime. Indeed, insofar as the heroin crime-link is forged by heroin users' need for money to buy drugs<sup>31</sup> and insofar as enforcement, by imposing costs on heroin dealers, tends to increase the price of the drug, enforcement could plausibly lead to increases in property crime.

To illustrate this point, consider a hypothetical example. A heroin user who injects 10 milligrams (pure) per day, about 2 street bags, and pays the national average retail price of \$2.50 per pure milligram, spends \$25 per day on heroin. If improved enforcement caused a price increase to \$3 per pure milligram, which might take the form of a decrease in purity from 5 percent to 4 percent, and if that user maintained a 10-milligram-per-day consumption level, the result would be an increase in daily heroin spending from \$25 to \$30, an increase that might be reflected in increased property-crime activity.

Of course, not all users would maintain previous consumption levels in the face of a price increase. Some would cut back on their heroin consumption; some might quit altogether. Depending on users' responses, a price increase for heroin might lead to an increase or a decrease in money spent on the drug. The one empirical study addressing this question suggests that increasing heroin prices tend to generate increases in property crime, but the question is far from settled.<sup>32</sup>

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But money price fails to tell the whole story. Buying heroin is not like buying cigarettes. Finding a willing and reliable seller may be a substantial problem for a would-be heroin buyer, requiring not only cash but also connections, skill, and time. It is as if there were two distinct prices to be paid for heroin, one in money and the other in time, risk, and aggravation.<sup>33</sup>

Enforcement can increase both kinds of price. Either having to spend more money or having to endure more hassle in order to acquire heroin may cause some users to reduce their drug consumption. The relative effectiveness of longer search time versus higher money price in discouraging heroin use is a matter of conjecture.

The money-price of heroin depends largely on the risks faced by high-level drug dealers. If enforcement can increase those risks, the price will rise and some users will refuse to pay it. The non-money price of heroin depends on how many street dealers there are, who they are, where they are, and how aggressively they look for new customers. If street-level enforcement can shrink their numbers, restrict their location, and make them more cautious, it can influence drug consumption even if the money price of heroin remains unchanged.

Street-level drug enforcement does not have as its primary effect an increase in heroin prices. Indeed, it may not increase the cost of a bag of heroin at all.<sup>34</sup> Rather, it may increase the time, inconvenience, and risk involved in making retail heroin purchases, and do so in a way with an unambiguously beneficial effect on crime rates. If consumption falls as a result, while money price does not rise, the total number of dollars spent on heroin must decrease.

This analysis helps make sense of the Lynn and Pressure Point results. If street-level heroin enforcement can increase the difficulty of buying heroin at retail, we should expect it to decrease the number of income-producing crimes.

## **Incapacitation of High-Rate Offenders**

Heroin dealers and heroin users include many very active property offenders. Their arrest and incarceration as a result of street-level drug enforcement will thus have a direct effect on property crime. For this purpose, the precise nature of the relation between drug use and crime is irrelevant; the simple correlation between heroin use and heroin dealing on the one hand and property and violent offenses on the other means that drug enforcement arrestees are likely to be worth incapacitating from the viewpoint of property crime control. The value of locking them up will be the same whether they are arrested on drug charges or picked up on outstanding warrants due to the concentration of police in drug-buying areas.

Given the extremely high crime rates characteristic of some heroin users, the incarceration of relatively small numbers of them might be responsible for substantial changes in crime rates in a city such as Lynn. A detailed

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analysis of individual-level criminal histories might help illuminate the extent to which this effect was at work in Lynn and the Lower East Side.

### **Disruption of Stolen-Goods Markets**

Some drug dealers also act as fences, bartering heroin for stolen property. Police believe this to have been the case in Lynn.<sup>35</sup> Where dealers are also fences, drug enforcement can help disrupt the stolen goods markets as well as the drug markets. It seems plausible that making stolen goods harder to sell might make theft less attractive, but there is little empirical work about any such effect.

### **Dispersal of Concentrations of Predators and Victims**

Both the decrease in heroin expenditures and the disruption of stolen goods markets help to explain the decreases in income-producing crimes. But how should we understand the apparent effectiveness of crackdowns in Lynn, Lower Manhattan, and Lawrence in reducing the frequency of homicides, rapes, and aggravated assaults? A plausible explanation would be that street drug markets involve concentrations of both likely aggressors and attractive victims: attractive both because they have money and drugs worth stealing and because they are less likely than average to complain to the police. In addition, business disputes among drug dealers and between drug dealers and drug customers may result in violence rather than litigation.

Breaking up the drug market disperses potential victims and offenders, making it less likely that they will come into contact with one another. Reducing the frequency of drug transactions reduces the frequency of disputes about them that may lead to violence.

### **Perceived Police Presence**

If property criminals tend to steal less when they think that risks from police are high, and if they tend to spend much of their time in drug-dealing areas, then the concentration of police in those areas for street-level drug enforcement may have a useful “advertising” effect. An increase in police presence where property criminals hang out may persuade some of them to cut back on their property crime activity by giving them the (probably incorrect) impression that the risks of arrest for theft have gone up. While it seems reasonable to expect that any such effect would be temporary, very little is known about how criminals evaluate risks.

### **Reduced Tolerance of Disorder**

The “Broken Windows” hypothesis<sup>36</sup> asserts that tolerance by the police and citizens of low-level lawbreaking in a given area gives a signal to potential criminals that the areas are open to the commission of more serious crimes. When there are clear signs that such tolerance has come to an end, it can

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be expected that the new perception of order will spread to affect other, more serious types of crime. Open street drug dealing may create such a “Broken Windows” effect; if so, breaking up such markets will reduce the frequency of serious crimes nearby.

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## Crackdowns vs. the Overall Intensity of Retail Enforcement

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While it makes sense that street-level enforcement should tend to reduce the frequency of property crimes, there is no reason to believe that small increases or decreases in such enforcement have large effects on crime rates. Nor has anyone demonstrated statistically a consistent relationship between, for example, narcotics arrests and reported burglary rates. Therefore, the mere fact of street-level arrests and prosecutions is not sufficient to explain the Lynn results. Moreover, the difference between the effects of increased street-level enforcement in Lynn and its effects in Lawrence are inconsistent with the idea that a little street-level enforcement is good for reducing burglaries, and a little more is a little better. Something seems to have happened in Lynn that simply did not happen in Lawrence.

It is possible to frame a theory to account both for the dramatic success of the Lynn effort and the failure in Lawrence, though careful evaluations of many more cases would be required to define how closely the theory fits the facts. The basic idea is that concentration (geographically and by drug type) and persistence of street-level drug enforcement efforts can create results fundamentally different from those achieved by more sporadic and unfocused efforts.<sup>37</sup>

It seems plausible that the risk of apprehension for any one drug buyer or drug seller should increase with the number of officers assigned to drug enforcement and decrease with the number of other buyers and sellers, simply because police can't pay attention to everybody at once. When buyers and sellers congregate in large numbers, they tend to "screen" each other by "swamping" police attention.

A small increase in street-level enforcement activity will have little effect on the number of buyers or sellers. But a large increase may have a substantial effect. Some will be in jail. Others, facing charges, will worry about the consequences of rearrest while on bail. Still others will want to lie low until street conditions return to "normal."

If conditions do return to the previous norm at the end of a short burst of increased enforcement activity, buyers and sellers will return to the market and things will be much as they were before. However, if a level of enforcement activity great enough to cause the market to shrink temporarily is maintained, then the arithmetic of cops and robbers has moved in a way unfavorable to the continued operation of the market. If increased enforcement shrinks the market, each remaining market participant will face two sources of increased risk: more police, and fewer drug buyers and sellers. The risk of apprehension will increase again as the number of dealers decreases, leaving more police per transaction.

Thus an enforcement effort large enough to start a general shrinkage of the market may, if it is maintained, start to feed on its own success; by starting

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a trend towards greater and greater risk and effort per transaction. If this account is correct, then a concentrated, persistent street-level crackdown represents a different strategy from the business-as-usual of local drug enforcement.

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# The Cost Side: System Impacts and Civil Liberties

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## Resources and System Impacts

The successful crackdown efforts we have discussed here all involved re-allocations of law enforcement resources from other programs. Crackdowns make inroads into the prosecutors, court time, jail space, and police forces available for a community's other law enforcement needs.<sup>38</sup>

Furthermore, once a crackdown gets started, it may be politically hard to stop. As in the case of Operation Pressure Point, it is likely that neighborhood demand will place considerable political pressure on local officials to continue a program at full strength, well beyond the persistence required to make a crackdown work.

This may be considered a compliment to the local effectiveness of such programs, and an important aspect of good public relations. However, it may also present a resource allocation problem, when resources used for the crackdown are taken away from other parts of the law enforcement system, and a morale problem, when officers assigned to arrest street-level drug dealers find that there are fewer and fewer such persons to arrest.

The flood of narcotics cases arising out of Operation Pressure Point clearly tended to "crowd out" other narcotics cases in Manhattan; the overall number of narcotics felony convictions borough-wide in Pressure Point's first year was virtually unchanged from the year before. The cases foregone need to be counted as costs of the program; the same is true for impacts on jails and prisons. A comprehensive evaluation of drug crackdowns would require not only a measurement of their effects, but an estimate of the effects of the other activities displaced by them.

## Intrusiveness and Abuses of Authority

The Philadelphia experience shows that street-level enforcement efforts can be designed and executed in ways that create unnecessary intrusion into citizens' rights to go about their lawful business. Some of the tactics used in Operation Pressure Point I, in particular the large number of "Disorderly Conduct" arrests, may be close to the line.

The history of retail-level drug enforcement in New York in the late 1960's, and in particular the notorious "dropsy" cases (where some police apparently routinely perjured themselves to conceal their equally routine use of unwarranted personal searches of drug dealers) illustrates the risk that retail-level drug enforcement can lead to abuses of authority. The potential for financial corruption needs no comment.

The absence of any corruption or abuse scandals arising out of the Lynn, Lawrence, and Pressure Point I operations is reassuring to some extent.

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However, it should be noted both that the efforts are still relatively new, and that the Pressure Point staffing plan called for very heavy use of sergeants and lieutenants specifically to minimize the possibility of misconduct.

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# Open Questions

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## **Key Ratios and How They Vary Across Circumstances**

If concentration and persistence make the difference between low-impact routine heroin enforcement operations and high-impact crackdowns, the most important question facing a local decision-maker becomes: how much is enough? Given the characteristics of a drug market, how many officers, working for how long, will be required to make it collapse?

That may depend on many factors: number of users, number of dealers, number of transactions, whether current transactions are indoor or outdoor, the geographic area, ethnic diversity, climate, the level of neighborhood cooperation, and the performance of prosecutors, courts, and probation, parole, and corrections agencies. One, necessarily crude, way to think about the problem is to imagine that there is some baseline critical ratio of police to the number of users a market supports above which the market will start to contract. The actual critical ratio in a real situation may be higher or lower than the baseline, depending on geography, ethnicity, and other similar factors. That would vary with the other factors cited. The Lynn and Pressure Point operations appear to have involved about one officer for every 75 users; Lawrence, allowing for the police time spent on cocaine wholesaling operations, had about one officer for each 150 users. It is too early to say that the difference in ratios was the difference between success and failure.

## **Displacement Within Big Cities**

As noted above, there is no evidence that the Lynn project displaced significant amounts of either drug dealing or crime, but the evidence about Pressure Point I is far less clear. The value of heroin-market crackdowns as crime control in big cities is therefore still to be shown. That showing would require a city-wide crackdown somewhere, probably involving the diversion of officers from patrol functions into street-level drug enforcement.

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# Conclusion

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It is possible to say with confidence, based upon the Lynn results, that street-level heroin crackdowns, under some circumstances, produce great benefits at modest costs. It is even possible to give an account of why that should be true. It is not yet possible to measure all of the costs of such activities in the form of other criminal-justice activities not undertaken, morale, intrusiveness, abuse, and corruption (though it is reasonably clear that in Lynn even a full cost accounting would still leave a healthy surplus of benefits). More seriously, it is not yet possible to define under what circumstances retail heroin crackdowns will prove to be such low-cost, high-benefit ventures.

But an argument can be made for trying a crackdown wherever a large retail heroin market exists. The Lynn and Manhattan results suggest that the traditional ascription of a large fraction of violent and property crime to heroin can, under some circumstances, be translated into effective action. Moreover, the risks involved are limited by two factors. First, if a crackdown fails to decrease property and violent crime, the failure may not distinguish this police tactic from other possible police activities. The criminal-justice evaluation literature includes many examples of law enforcement strategies that failed.<sup>39</sup> Second, drug crackdowns are not long-term investments; the anti-crime effects of the two successful programs studied so far—Lynn and Pressure Point I—became apparent within a few months. Where the potential gains are large and the risks limited, “try it and see” may be a more useful guide to action than any elaborate calculation.

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# Notes

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1. See Mark H. Moore, "Limiting Supplies of Drugs to Illicit Markets," *Journal of Drug Issues*, Volume 9, (Spring 1979) p. 291; Mark H. Moore, *Buy and Bust: The Effective Regulation of an Illicit Market in Heroin* (Lexington, MA: D.C. Heath & Co., 1976), p. 248.
2. James A. Inciardi, "Exploring the Drugs/Crime Connection," unpublished paper, Division of Criminal Justice, University of Delaware, 1987.
3. Mark Kleiman and Christopher Putala, "State and Local Drug Law Enforcement: Issues and Practices," Working Paper, no. 87-01-06, Program in Criminal Justice Policy and Management, John F. Kennedy School of Government, Harvard University, Cambridge, MA, 1987; Robert L. Dupont and Mark H. Greene, "The Dynamics of a Heroin Addiction Epidemic," *Science*, Volume 181, (August, 1973): p. 715.
4. John Kaplan, *The Hardest Drug: Heroin and Public Policy* (Chicago, IL: The University of Chicago Press, 1983).
5. Kevin Burke interview, August 1984.
6. Mark Kleiman, William Holland, and Christopher Hayes, "Report to the District Attorney of Essex County: Evaluation of the Lynn Drug Task Force," Working Paper, no. 87-01-03, Program in Criminal Justice Policy and Management, John F. Kennedy School of Government, Harvard University, Cambridge, MA, 1987, p. 5.
7. *Ibid.*, p. 11. Three years later, the same survey instrument was administered to residents of Lynn and Lawrence, which at the time was the focus of a drug crackdown concentrated on "indoor" dealing, and in a "control" city which had experienced no extraordinary drug enforcement activity. In each case, respondents were about equally divided between "better" and "worse."
8. Treatment professionals' views: Interviews conducted by William E. Holland with treatment workers at Project COPE, Lynn, MA, August, 1984.
9. Interviews conducted by Christopher Putala with heroin addicts, September 1986 through August 1987. Reports on those interviews will be included in a report to be submitted to the National Institute of Justice by the District Attorney under a grant to evaluate the Lynn and Lawrence efforts.
10. Kleiman, Holland, and Hayes, p. 8 and Figure 1. The comparison is between the Project COPE unit in Lynn and units of the same organization elsewhere in the state. Treatment-demand figures for Massachusetts as a whole do not appear to be available.
11. *Ibid.*, p. 8, Table 2, and Figures 2 and 3. See also David Cavanagh, "Effects of Drug Task Forces in Lynn and Lawrence on Common Crimes Reported to the Police," (Providence, RI: Applied Social Research, 1987). "Crimes against the person" were lumped together because homicides and rapes were too infrequent to make monthly measurements meaningful.
12. Two reports by Peter Kerr in the *New York Times* ("A Portrait of Washington Square Park: Inside a Drug Bazaar," January 12, 1987, B1:2, and "Crushing the Drug Dealers of Washington Square," 9 November 1987, A1:3) give an account of the impact of open marijuana and cocaine dealing on the neighborhood around Washington Square Park in

- Lower Manhattan, and of the effectiveness of concentrated enforcement in dispersing the market and improving neighborhood conditions. Apparently, neither the possible effect of the market on drug use by residents nor its connection with property and violent crime was a salient issue for the neighbors; they seemed to regard the market as a neighborhood disamenity, like a garbage dump or a noisy bar.
13. Ronald Ferguson, "The Drug Problem in Black Communities," Working Paper no. 87-01-01, Program in Criminal Justice Policy and Management, John F. Kennedy School of Government, Harvard University, Cambridge, MA, 1987, p. 9.
  14. Philip Baridon, *Addiction, Crime, and Social Policy* (Lexington, MA: Lexington Books, 1976); See also Bruce D. Johnson *et al*, *Taking Care of Business: The Economics of Crime by Heroin Abusers* (Lexington, MA: Lexington Books, 1985).
  15. "Reducing the Risk Through Testing," *NIJ Reports* (Washington, DC: National Institute of Justice, September/October 1986). Carver discusses a program in Washington, D.C. set up to test the hypothesis that close monitoring of a defendant's drug use coupled with quick sanctions for violators would deter drug use and reduce criminal activity; Eric Wish, Mary Toborg and John Bellasai, "Identifying Drug Users and Monitoring Them During Conditional Release," National Institute of Justice and Narcotic and Drug Research, Inc., and Toborg Associates, December 1987.
  16. Mark H. Moore, "Policies to Achieve Discrimination in the Effective Price of Heroin," *American Economic Review*, Volume 63 (May 1973): p. 926.
  17. For a discussion of arrests for use offenses as deterrents, see John Kaplan, *The Hardest Drug: Heroin and Public Policy* (Chicago, IL: The University of Chicago Press, 1983), chapter 5.
  18. Interview with New York City Assistant Chief Arthur J. McNevin, conducted by Mark Kleiman, September 15, 1986.
  19. Interview with New York City Police Commissioner Benjamin Ward, September 12, 1987.
  20. New York Police Department video tape: Interview with Lieutenant Phillip McGuire, New York City Police Department, September 15, 1986.
  21. New York Police Department internal documents; interview with McGuire, September 15, 1986.
  22. Authur J. McNevin, "Status Report - 6 Weeks" (internal New York Police Department memorandum), March 1, 1984 (PBMS #0010-9); McNevin, "1984 Status Report" (internal New York Police Department memorandum), January 4, 1988 (PBMS #0010-28).
  23. Pressure Point Area Figures from McNevin, "1984 Status Report"; other figures from New York City Police Department Crime Analysis Unit, "Complaints and Arrests," monthly statistical report, 1985. There is a somewhat more detailed description of Pressure Point I in Kleiman, "Bringing Back Street-Level Heroin Enforcement," Working Papers Series, no. 86-01-08, Program in Criminal Justice Policy and Management, John F. Kennedy School of Government, Harvard University; See also the discussion of Pressure Point operations and results in L. Zimmer, "Operation Pressure Point: The Disruption of Street-Level Drug Trade on New York's Lower East Side," Occasional Papers from The Center for Research in Crime and Justice, New York

- University School of Law, New York, 1987.
24. Interviews with addicts, conducted by Christopher Putala, September 1986 through August 1987.
  25. Interviews with Lawrence Police, conducted by Christopher Putala.
  26. Norfolk: reported verbally by William Spelman, Police Executive Research Forum; Sydney: reported verbally by Inspector Christine Nixon, N.S.W. Police; Seattle: reported verbally by Ricardo Martinez, Special Deputy Prosecuting Attorney, King County; Philadelphia: newspaper accounts, not-for-attribution verbal reports of a ranking Philadelphia P.D. official; Washington DC: unpublished reports by the Rand Corporation. As of this writing, no published evaluations exist of any of these efforts.
  27. This analysis is recounted in detail in David Cavanagh, "Effects of Drug Task Forces in Lynn and Lawrence on Common Crimes Reported to the Police," (Providence, RI: Applied Social Research, 1987).
  28. Eric Wish, Elizabeth Brady, and Mary Cuadrado, "Drug Use and Crime in Arrestees in Manhattan," a paper presented to a meeting of The Committee on Problems of Drug Dependence, June 1985.
  29. Jan Chaiken and Marcia Chaiken *Varieties of Criminal Behavior* (Santa Monica, CA: Rand Corporation, 1982).
  30. M. Douglas Anglin and George Steckert, "Narcotics use and Crime: a Multi-Sample Multi-Method Analysis," *Criminology* Spring 1988; See also George Steckert and M. Douglas Anglin, "Narcotics Use and Crime: A Causal Modeling Approach," *Journal of Quantitative Criminology* 2 (1986): 3-28; See also J.C. Ball, L. Rosen, J.A. Flueck, and D.N. Nurco, "The Criminality of Heroin Addicts: When Addicted and When off Opiates," in J.A. Inciardi, ed., *The Drug Crime Connection* (Beverly Hills, CA: Sage, 1981), pp. 39-65.
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  37. Reuter and Kleiman, "Risks and Prices," p. 330.
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## Chapter 3

# DRUG CRACKDOWNS AND CRIME RATES: A COMMENT ON THE KLEIMAN PAPER

Arnold Barnett

I greatly enjoyed reading Professor Kleiman's paper (and the backup statistical analysis by Cavanagh [1987]). The paper was lucid, honest, painstaking, and thoughtful. Professor Kleiman did not simply dwell on favorable findings: He made clear that the crime reductions witnessed in Lynn were not really replicated in Lawrence, any more than a similar success in New York was replicated in Philadelphia or Washington. And he recognized the need to consider potential reasons that the apparent achievements in Lynn could be the result of a statistical artifact. Clearly, this is not someone who would scream "Eureka!" at the very first shred of encouraging evidence.

But despite his caution (or perhaps because of it), Professor Kleiman is highly enthusiastic about the outcome of the Lynn heroin crackdown. "It is possible to say with confidence," he asserts, that circumstances exist in which street-level heroin enforcement can "produce great benefits at modest costs." Future experiments can assume the efficacy of the policy and go on to investigate the conditions in which the benefit/cost ratio reaches its peak.

My own assessment of the evidence, unfortunately, is somewhat less optimistic than Professor Kleiman's. This is partially because of certain patterns in the data, and partially because of the strong limits I see on any inferences drawn from aggregate statistics. Let me devote the remainder of this piece to explaining my comparatively-subdued reaction.

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## Lawrence

Professor Kleiman focuses on two heroin crackdowns in Massachusetts, one that started in September 1983 in Lynn and another that began in Lawrence one year later. The “experimental conditions” were apparently different in the two cities, as were the observed changes in crime levels after the crackdowns. In Lynn, crimes against the person fell drastically, robbery and burglary dropped significantly, and larceny was essentially unchanged. In Lawrence, crimes against the person dropped considerably—although not nearly so steeply as in Lynn—while robbery, burglary, and larceny all increased “albeit not to a statistically significant degree.” The reader thus gets the impression that, in terms of crime reduction, the two Massachusetts experiments produced one win and one draw.

One could plausibly contend, however, that the outcome in Lawrence was closer to a loss than a draw. As Table 1 reminds us, the post-intervention growth in Lawrence’s robberies, burglaries, and larcenies was quite sizable, especially in relation to concurrent declines in these crimes in comparable Massachusetts cities.

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Table 1:  
**Changes in Average Monthly Frequencies of Three Income-Producing Crimes After a Drug Crackdown in Lawrence, Massachusetts**

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Offense	MONTHLY AVERAGE			Percentage Change Compared to Similar Mass. Cities
	Before Crackdown	After Crackdown	Percentage Change	
Robbery	12.9	18.8	+45.7%	+52.3%
Burglary	125.7	163.0	+29.7%	+71.5%
Larceny	142.7	198.4	+39.0%	+55.1%

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Note: This table arises from data in Tables 4 and 6 of Cavanagh (1987), which compare a pre-intervention period 1/80-8/84 with the post-intervention period 9/84-12/86

As we will discuss, assessing the statistical significance of such changes is trickier than it might at first seem. But as Table 2 illustrates for the crime robbery, it would be hard to argue that Lynn’s drop was significant while Lawrence’s increase was not. In absolute terms, in percentage terms, and in relation to the statewide trend, the robbery growth in Lawrence was *greater* than the decline in Lynn. And there are no technical reasons (e.g., a shorter observation period) for treating the Lawrence numbers as less reliable than their Lynn counterparts. (Analyses for the crimes burglary and larceny yield similar conclusions.)

Table 2:

**Average Monthly Robbery Levels in Two Massachusetts Cities, Before and After Heroin Crackdowns**

	BEFORE	AFTER	PERCENTAGE CHANGE	
			Actual	Compared to Similar Mass. Cities
Lynn	21.8	16.4	-24.8%	-21.4%
Lawrence	12.9	18.8	+45.7%	+52.3%
Two-City Total	34.7	35.2	+1.4%	+4.5%

Note: These data arise from Tables 1, 4, and 6 of Cavanagh (1987). The "before" period was 1/80-8/83 in Lynn and 1/80-8/84 in Lawrence; the "after" periods in Lynn and Lawrence were, respectively, 9/83-12/85 and 9/84-12/86. The data for comparable Massachusetts cities pertains to 9/84-12/85, the 16 months for which the post-intervention periods of the two cities overlap.

The bottom line of the table reveals that the net outcome of the two experiments was a modest *increase* in robbery. One could make the case, therefore, that the bad news from Lawrence about this offense more than cancelled the good news from Lynn.

Professor Kleiman provided a theoretical explanation of how a drug crackdown could cause an increase in income-producing crimes. Although he does not say so, the adverse pattern observed in Lawrence could reflect the realization of this possibility. Certainly, the result underscores an important point: the range of possible effects of a drug crackdown is not merely from success to ineffectuality, but from lessened risk to the citizenry to a perceptible increase in danger.

## Lynn

Actually, not all crimes declined in Lynn in the aftermath of its heroin crackdown. Burglary and larceny—the two nonviolent crimes in the Kleiman/Cavanagh analysis—were essentially constant in 9/83-12/85 relative to the Massachusetts trend. (Burglaries fell 12% in comparison with similar Massachusetts cities, while the about-equally-numerous larcenies rose 12%.) But, as Table 3 makes clear, violence was far lower in Lynn during 1984-85 than during 1980-82.

As Professor Kleiman acknowledges, however, Table 3 does not prove that the program was beneficial. Possible explanations for the observed drop include some kind of statistical fluctuation or the geographic "export" of crimes from Lynn as opposed to their prevention. But Professor Kleiman argues that such perverse explanations are not credible.

Table 3:

**Reported Violent Crimes in Lynn in the Years 1980-1985**

<b>CRIME</b>	<b>1980</b>	<b>1981</b>	<b>1982</b>	<b>1984</b>	<b>1985</b>
Murder	2	4	5	1	4
Rape	9	14	34	6	27
Robbery	235	312	254	163	183
Aggravated Assault	1054	998	978	192	150

Note: 1983 is excluded from this table because part of that year preceded the crackdown and part followed it. These data generally came from the annual UNIFORM CRIME REPORTS. In certain years, Lynn's crime statistics did not appear in the UCR's; the Crime Analysis Bureau of the Commonwealth of Massachusetts was kind enough to supply the missing numbers.

Kleiman and Cavanagh offer serious evidence that Lynn's success in reducing violence was real. But some further issues are worth bearing in mind. One was indirectly raised by Professor Kleiman's statement that "given the extremely high crime rates of some heroin users, the incarceration of small numbers of them might be responsible for substantial changes in crime rates in a city such as Lynn." The more general point here is that, if a city's crime problem is largely the work of a few individuals, a very small number of arrivals or departures can abruptly change the prevailing level of offenses. There is a danger that such sudden shifts can cause standard formulas to describe as statistically significant changes in crime rates that are not at all so.

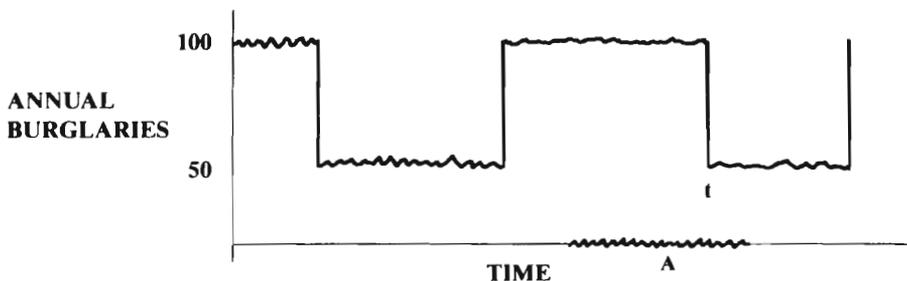
A contrived example makes the point clearer. Consider a small community in which:

- (i) All burglaries are committed by chronic offenders who always avoid arrest.
- (ii) The number of such burglars oscillates infrequently between one and two.
- (iii) Each active burglar commits an average of one crime per week.

In this unrealistic setting, the community's annual burglary level will vary as depicted in Figure 1. Someone who analyzed with usual methods the data from period A would attach great statistical significance to the decline at  $t$ . But given the abrupt ups and downs that are part of the existing pattern, any conclusion that the pattern had dramatically changed would be unwarranted.

Figure 1:

**Burglary Levels in a Small Community with One or Two Burglars**



Having said this, I would not suggest that Lynn's reduction in crime—which so closely corresponded with the start of its heroin crackdown—was solely the result of chance. What I would suggest is that we be cautious in interpreting both the magnitude of the drop and its apparent durability. That point is reinforced by Table 4, which presents data about Lynn violence for the two years after those that Kleiman and Cavanagh analyzed. (For ease of comparison, we also present data for 1985, the last year in the Kleiman/Cavanagh study period.)

Table 4:

**Reported Violent Crimes in Lynn in Three Successive Years**

CRIME	1985	1986	1987
Murder	4	1	7
Rape	27	23	40
Aggravated Assault	150	185	346
Robbery	183	252	315

Note: The 1985 and 1986 data come from the *Uniform Crime Reports*; those for 1987 were kindly provided by the Lynn Police Department.

Table 4 reveals an upward tendency in the last two years that was especially pronounced in 1987. And further perspective is provided by Table 5, which compares average crime rates for 1980-82—the three full years in the pre-intervention period—with those for 1986-87. As we see, murder, rape, and robbery were higher in the latter period than in the years right before the crackdown. (Indeed, the 1987 levels of murder and robbery were the highest of this decade, while the rape level was the second highest.) The only visi-

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ble enduring consequence of the crackdown was a sharp decline in aggravated assaults; given the near-doubling of this crime in 1987, however, even that achievement could prove short-lived.

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Table 5:  
**Average Annual Levels of Violence in Lynn in Two Different Periods in the 1980's**

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<b>CRIME</b>	<b>1980-82</b>	<b>1986-87</b>
Murder	3.67	4.0
Rape	19.00	31.5
Aggravated Assault	1010.00	265.5
Robbery	267.00	283.5

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Looking back from 1988, therefore, Lynn's long-term crime reduction associated with its crackdown seems rather limited. It is conceivable, of course, that the crackdown was virtually abandoned by 1986. But Professor Kleiman has not prepared us to expect such a development: he recounted the popularity of the measures in Lynn and told us that "once a crackdown gets started, it may be politically hard to stop" because "neighborhood demands will place considerable political pressure on local officials to continue the program at full strength." At a minimum, the jarring Lynn data from 1987 would seem to require an explanation.

## **Displacement**

As Professor Kleiman noted, crimes might diminish in a city after a crackdown not because they have been averted, but rather because they have been shifted elsewhere. Such displacement could not be excluded after the "Pressure Point" crackdown in Manhattan that dramatically cut local crime rates. Drug dealers and users may simply have relocated their transactions (and accompanying crimes) to other drug markets in Brooklyn and Manhattan.

Professor Kleiman seems confident, however, that such displacement did not attenuate the observed improvements in Lynn. The primary reason for his optimism is that crime did not grow in the post-crackdown years in communities adjacent to Lynn. Secondly, he points to growing enrollments in Lynn's drug-treatment programs after the measures took effect.

These last observations are not irrelevant, but I question the premise of the Kleiman/Cavanagh search for displacement effects. The assumption seems to be that no addicts would actually move out of Lynn, and thus that any crimes displaced from the city would reappear in its immediate surroundings. But if buying heroin in Lynn got both riskier and more inconvenient, might not some users decide to take up residence in Lowell or Boston or

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(for that matter) New York? Heroin addicts, after all, might not have especially strong community ties; in any case, Lynn is no further from Boston than midtown Manhattan from Brooklyn.

As the search for displaced crimes gets wider, though, it becomes increasingly futile. The activities of Lynn's transplants would scarcely seem visible in the crime statistics of New York or Boston. A more promising detection method (mentioned by Professor Kleiman in another context) would involve an all-points search for post-crackdown arrests among offenders with long previous records in Lynn. Such a search could obviously run into problems (e.g., aliases) but, in an era of precise physical tests and ubiquitous computers, such troubles might not be insurmountable.

As of now, though, we can't really be sure that the forces that cut Lynn's crime in 1984-85 didn't lead to increases elsewhere. And unanswered questions about displacement have unnerving policy implications. Conceivably, displacement reflects the presence of a "safety valve" through which addicts escape crackdowns and reach unfettered drug markets. But if many communities imposed simultaneous crackdowns, such addicts might find they have nowhere to run, and their attempts to finance much costlier drug purchases could lead to an upsurge in crime. Measures that might appear successful in isolation, therefore, could be terribly counterproductive were they to proliferate.

## Summary

The main points of this review are:

- (1) In the aftermath of its drug crackdown, Lawrence experienced a rise in robbery, burglary, and larceny that was both substantial and larger than the corresponding decline in Lynn. Thus, the Lawrence outcome was in some respects as troubling as the Lynn results were encouraging.
- (2) The crime reductions in Lynn after its crackdown were largely transient. There was no meaningful decline in nonviolent property crime, and only temporary drops in murder, rape, and robbery. Aggravated assaults did fall enormously, but even they increased by 90 percent from 1986 to 1987.
- (3) The Kleiman-Cavanagh analysis did not (and, with aggregate statistics, largely could not) verify that crimes absent from Lynn shortly after its crackdown did not reappear beyond its immediate surroundings.

Under the circumstances, I am more pessimistic than Professor Kleiman about what happened in Lawrence, and more tentative in describing what happened in Lynn as a success.

I strongly agree with Professor Kleiman, however, that the experiments performed thus far were of very high caliber and justify many more endeavors. Only by an extensive process of trial-and-error can we hope to understand when crackdowns clearly engender more good than harm.

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## Acknowledgements

I am grateful to the Police Department of Lynn, Massachusetts for providing me the city's 1987 crime statistics, and to the Crime Analysis Bureau, Commonwealth of Massachusetts, for providing me Lynn's crime data for several years in the early 1980's when they were not included in the *Uniform Crime Reports*.

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## Chapter 4

# EVALUATING STREET-LEVEL DRUG ENFORCEMENT

Anthony V. Bouza

Does street level drug enforcement by the cops reduce crime and drug abuse? That is the question addressed by Mark A. R. Kleiman in "Crack-down: The Effects of Intensive Enforcement on Retail Heroin Dealing." He reviews police saturation efforts in Lynn and Lawrence, Massachusetts, as well as "Operation Pressure Point I," in Manhattan, and "Operation Cold Turkey" in Philadelphia. These operations narrowly focused on interrupting the connection between seller and user—arguably the lowest rung in the grower-importer-distributor-wholesaler-cutter-seller drug trade organizational ladder.

Other recent studies have demonstrated in dramatic fashion the unsuspected connection between drugs and serious crime. Two thirds, or more, of suspects arrested for robberies or other serious street crimes have drugs in their system when they're picked up by the cops. There is a connection between drug use and being part of the small population of offenders who repeatedly commit many and varied street crimes. The connection is strong. But the reasons for the connection are not as clear as its existence or as easy to see as its effects.

Street conditions—peddling in neighborhoods and near schools; huddled knots of users and hurried dealing; occasional violence; radiating burglaries; a general sense of decay—these are what the public sees, feels, and resents. Such conditions convey an "anything goes, nothing is barred" atmosphere that saps a neighborhood's energy and drains its morale. The people find it hard to understand why the cops don't "do something about it, and fast." After all, if they can see it, why can't the cops?

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Most practitioners know the answer. To a large degree a free society must police itself. Community crime prevention efforts, neighborhood patrols, and other cooperative programs are part of the social glue that keeps our society safe. It is the anomic sense that no one cares, that no one will help, that keeps everyone's eyes averted when bad things happen on crowded streets in New York.

One of the major functions of the cops is to support a society's will to police itself—to insure cohesion and peace. As government representatives it is important for us to preserve the social fabric by providing a sense of structure, maintaining standards and discipline, and attending to other quality of life issues. Cosmetics can be important. Signs of decay—graffiti, broken window, and huddled knots of drug users—suggest a dissolution of values and increase social breakdown. But is street level enforcement a good solution? Can it justify reversing the tide of technological advancements we've made? Should we scrap rapid response to victims of violent crimes and put the cop back on the beat?

Street level enforcement is sexy, visible, and popular—but is it effective? Mr. Kleiman's studies appear to suggest yes ... with sensible caveats. But, from my perspective, the answer is closer to no. As a responsible official, I must explain some harsh truths.

### **Street-level enforcement has few good effects**

First let's look at the good effects Kleiman says street-level drug enforcement can have. Much, for example, is made of the reduction in homicides under operation Pressure Point I. But did it actually reduce murders? Pressure Point I started in January 1984. The numbers of murders all over New York City started dropping years before; 1800 murders in '81, 1700 in '82, 1600 in '83, 1500 in '84, 1400 in '85, (and back up to 1600 in '86).

Kleiman also says that Pressure Point I reduced robberies and burglaries in the target area. But the operation took place during the same time that robberies and burglaries stopped increasing all over the city. What can we conclude from those trends? It appears that it was not Pressure Point I that had a noticeable impact on other crimes.

Now let's look at drug arrests. Was consumption or dealing reduced? Did availability of drugs decline and did their price rise? The answer is, probably no.

Short circuiting the connections between drug buyer and seller, through police saturations and concentrated street enforcement, can only serve as a temporary palliative. The addict is not, after all, a customer with many options and choices. He's hooked. He has to find a source and, judging by the admitted availability and price stability of drugs, he does.

I am reminded of a cynical practice the NYPD used to employ to confuse corrupt plainclothes cops in the vice units. The entire organization would,

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one surprising day, be shipped out—"back to the bag" (returned to uniform duty)—and a new bunch—probably unsullied newer troops from uniformed assignments—popped in.

The corrupt connections were not interrupted or confused for long. What man had invented, canny man circumvented. Soon all was restored as before and the pads and scores flowed uninterruptedly—or at least until the temporary dislocation of the next massive shifts.

Putting a cop on the street in front of your house will certainly result temporarily in a more peaceful and better ordered nearby environment—but is this the best use of the resource? The facts are that this is good publicity, but other virtues are hard to see.

### **Street-level enforcement has many bad effects**

For the professional who has been pushed time and time again by a spooked public to resort to procrustean simple and simplistic solutions, the disabilities of street-level enforcement are obvious. Such focused, concentrated efforts as those in Lynn, Lawrence, Philadelphia, and Manhattan, bear the characteristics of sweeps and indiscriminate round-ups that have been discredited. They use limited energy against the lowest-level operators. They result in many arrests that flood, overwhelm, and defeat a system already under severe strain. Instead of more going to jail, fewer do. As the agencies try to decongest, they are unable to distinguish between bigger fish and minnows. All get through the necessarily stretched net.

The criminal justice system has finite resources with which to deal with the tremendous problems of violence and crime. There were 800,000 drug arrests in 1985 and just about 500,000 persons in our overcrowded prisons. The conclusion is obvious. There ain't room at the inn.

When Governor Rockefeller and the New York Legislature mandated the jailing of drug pushers in the early seventies, this pandering to the public's fears proved popular. No one dared vote against and few had the courage to counsel sense. The prisons soon filled with dealers, leaving no room for murderers, rapists, robbers, or burglars, for whom there were no mandated sentences. In the end the effort had to be abandoned.

Given enough prison space, maybe incapacitation could reduce crime. But, with about two thirds of the states under court orders to decongest prisons (prisons crowded during the hysteria-over-crime-in-the-streets of the seventies and early eighties) dangerous criminals are now pouring out of, not into our penal institutions.

Complex public issues tend to have this jack-in-the-box characteristic—popping up in unexpected places, when someone presses down on a problem somewhere else. Street drug operations indisputably "clean up" the area of focus, but what will pop up elsewhere?

When street enforcement results in more arrests, fewer prosecutions are successful. And we have all seen that pressures to produce "good cases" have

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resulted in flaking, dropsy, perjury, entrapment, and framing, by cops anxious to please demanding superiors. There should be pressures to perform and produce, but these must be accompanied by a sensible sense of priorities and a sensitivity to becoming counterproductive.

Street operations also are seductive. They develop a constituency that makes shifts difficult when police managers most need flexibility. The police need to be flexible to attack other very real and serious problems. They should not have restrictive assignments to Potemkin Villages built to dazzle uninformed citizens.

Street-level operations also distract us from meaningful assaults on drug abuse. When we consider the most effective way of reducing the availability of illegal drugs we ought to think of the Tylenol analogy. When pills suspected of being poisoned had to be rounded up quickly, it became obvious that the most promising sources of large batches were warehouses, not individual medicine cabinets. Not that the latter could be ignored but the program had to be guided by a sense of priority.

And, while we're about it, why focus on supply alone? What became of demand? Why do we have, as a nation, such an appetite for drugs? Has the 30-second TV commercial turned us into a druggy culture?

## **What should we do?**

There is some evidence that the current passion for educating us to the horrors of illicit drugs is taking hold. White, educated America seems to be consuming less. They appear to have received the message. Where does this leave the excluded, desperate, frequently black and almost always poor ghetto dweller? Hooked. His trip has to consist of a fix or a cheap bottle of wine. Arresting him is not enough.

The question of critical ancillary issues such as the availability of treatment programs deserves more consideration. Drug addiction and criminality have their roots in joblessness, hopelessness, illiteracy, teenage pregnancy, and the infirmities of poverty.

Human behavior can be changed through positive and negative consequences, with emphasis on consequences. Round ups allow all to slip through a net that can't contain them all. Arrests are not enough—there has to be follow through, positive and negative. What we need are effective responses to the problem—not politically motivated actions.

Public officials have an obligation to educate people and teach them the differences between being well served and being pleased or pandered to. We need to tell them what we know—and what we don't know.

We do not know enough about drug use, drug dealing, or the most effective ways of combatting the problem. We are beginning to get data and this is enlightening, as well as surprising.

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Street-level drug enforcement may get headlines, please the neighbors, and bring peace to the area, but its displacement effects, waste of resources, burdenings of the system, inflexibility, potential for abuse, and dysfunctional aspects all argue powerfully for skepticism as to its efficacy.

Kleiman's study is useful for the light it casts on the issue and for the discussion it inspires. It is not, in my view, the way to go. We, the soup school graduates who run the country's police agencies, desperately need the return of the scholars, to guide our efforts through their analyses and experiments. This is where the federal funds and local efforts should be concentrated.

## Summary

Focused, saturation street enforcement will clean up an area, but it is costly and inefficient. It robs other areas of their fair share of scarce resources and it does not eliminate the intractable problem of drug dealing, but merely displaces it. It also focuses, inefficiently, on the lowest level of the criminal chain and is sure to lead to abuses and repression, with sweeps and round-ups.

Once installed, such operations are politically difficult to remove. By producing large numbers of arrests they create stresses on a frequently overloaded criminal justice system which then finds it more difficult to discriminate between the menaces that ought to be incapacitated and the casual dealer or user; usually they all go free.

"Buy and bust" operations, observation arrests and enforcement by uniformed officers is inherently primitive and inefficient. It creates pressures to perform that produce a disproportionate risk of flaking, drop-sy, entrapment, or perjury. These, of course, exist in all police operations, but they exist at varying levels of risk.

Interdicting drugs requires sophisticated enforcement, aimed at the higher-level dealer, and educational programs about the dangers of drug use. Stabilizing a neighborhood requires a strategy that creates community cohesion; a strategy which can be extended, with limited resources, city wide.

Street-level enforcement is popular, sexy, and produces wonderful publicity. The only real problem is that it doesn't work.

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## Chapter 5

# COMMENTS ON STREET-LEVEL DRUG ENFORCEMENT

Kevin M. Burke

I am the person directly responsible for the establishment and direction of the Lynn Drug Task Force and the Lawrence Drug Task Force described by Mark Kleiman in his paper on crackdowns. Mr. Kleiman clearly and accurately outlines the operations of these efforts. However, he concludes that the efforts in Lynn were successful while those in Lawrence were not. I believe it is necessary to judge the effects of the intensive street-level enforcement in comparison with other enforcement methods. I would argue that when compared to previous attempts to control the open drug market, operations in both Lynn and Lawrence produced remarkably successful results.

It was less calculation of the possible benefits of street-level enforcement and more my sense of frustration with the types of drug enforcement used previously in Lynn and Lawrence that led to the formation of the Task Forces. As the District Attorney in Essex County, it is my responsibility to combat drug abuse. Because of its detrimental effect on users and its effect of increasing street crimes, drugs had been the target of every traditional enforcement method. These methods had little or no visible results.

From 1979 until 1983, I tried undercover operations aimed at both street-level enforcement and the heads of relatively sophisticated drug conspiracies. In separate operations in Lynn and Lawrence, I used undercover State Police officers to make drug “buys” from as many people as possible. As a result of these undercover operations—some lasting as long as six months—we simultaneously arrested as many as 80 people. Additionally, to target heads of drug distribution groups, I used electronic surveillance (telephone taps, etc.) of drug distributors and raids timed to coincide with the receipt of shipments of large quantities of drugs. As a result, we occasionally seized drugs worth millions of dollars on the street. These drugs

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were destined for the markets in Lynn and Lawrence.

Yet, after several efforts of these types, there was no discernible effect on the targeted communities. The open drug marketplaces returned to the pre-raid level of business within a month of the enforcement effort. The upper-level traffickers who were arrested were usually replaced by others, or operations were continued by the same group with a small shake-up in personnel. Although I was using the investigative resources available to me for combatting drug trafficking, the market still appeared to be unaffected.

By contrast, both Drug Task Forces that Kleiman describes operating in Lynn and Lawrence produced observable changes in the quality of life in the targeted neighborhoods. And that was the primary goal of the program. In Lawrence, State Police concentrated enforcement in the area of a housing project that had become infamous for its open heroin market. After this effort began, conditions visibly improved. Life within the project has become less disrupted by heroin addicts and the junkie-dealer is much less likely to be a visible model for neighborhood children.

Placing highly visible police officers on the streets and intensively enforcing drug laws has had other positive effects in both communities. A comparison of addresses on car registrations before and after the task forces went into operation clearly showed that task forces reduced the numbers of nonresident people who drove to Lynn and Lawrence to buy heroin. The number of new heroin users also was reduced in both areas. And the information about drug distribution gathered on the streets of Lawrence has been utilized by law enforcement officials in several states. These street data have been more useful than information gathered through undercover investigation because they are constantly being updated and refined.

The efforts in both Lawrence and Lynn resulted in numerous particular improvements. Both successfully improved the overall quality of life in the targetted areas. However, Mr. Kleiman calls Lynn a success and Lawrence a failure because "street crimes" such as robbery and burglary declined in Lynn but not in Lawrence. I believe that since Lawrence is similar to Lynn in all measurable effects but one, the overall judgment of the Lawrence effort also should be "success."

Moreover, the failure of the Lawrence Drug Task Force to reduce street crime as Mr. Kleiman indicates, may be explained by the presence of drug marketplaces near to Lawrence. Heroin, available in neighboring Haverhill, Lowell, and southern New Hampshire, allows the junkie to fulfill this need without concern for price or availability. Therefore, the need to steal still exists because of the availability of heroin close to Lawrence. If one were to expand the street enforcement efforts to drug marketplaces adjacent to Lawrence, it is fair to speculate that the street crime would be reduced due to the lack of availability of heroin.

In any case, when conducting a comparative benefit analysis of drug fighting efforts, it is my strong opinion that intensive street-level enforcement produces the best results and the Lawrence project does not disprove this point.

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Mr. Kleiman not only discusses the benefits of the Lynn and Lawrence Drug Task Force, but additionally analyzes the cost. However, I am not sure that I totally agree with Mr. Kleiman's cost analysis.

The administrative costs of mounting a Task Force operation definitely are measurable. They include rental cost of offices, cars, and office machinery, as well as the cost of hiring clerical help. Additionally, as Mr. Kleiman points out, officers working on a Task Force operation generate more overtime expense than officers on general assignment.

I would, however, argue with Mr. Kleiman's contentions that officers used for Drug Task Force work are diverted from fighting other crimes, and therefore, "alternative use" of these police becomes a cost of street-level enforcement. This contention suggests that specially assigned drug officers do not become cognizant of other crimes. To the contrary, it is my observation that street-level drug officers know more about every category of crime than any other type of police officer. Because a large number of offenders who commit "street crimes" are also drug offenders, drug officers often can provide more hard information and evidence on burglary and vice crime than police assigned to task forces specializing in these areas. The formal assignment of a cop to drugs is virtually the same as an informal assignment to larceny, burglary, and murder investigations.

I would also argue that the intrusiveness of the enforcement effort as a cost must be measured against the intrusiveness of drug dealing on your door step. It is not clear just what weight Mr. Kleiman would assign the latter cost. However, it seems to me that when balanced against the environment of an open drug market, a visible, active police presence is not a tremendous intrusion and therefore not a significant cost of a street-level operation.

If there is one critical thesis upon which this paper turns, and with which I would agree completely, it is the idea that intensive street-level heroin enforcement can result in a reduction in street crime. The reasoning Mr. Kleiman advances for this conclusion is backed by his analysis of the data from the Lynn Drug Task Force program and the New York City Operation Pressure Point; it is not disproven by the Lawrence project.

Mr. Kleiman reasons that the drug user must pay two distinct prices for heroin. First, there is, of course, the retail price established by the pusher. The market price rises with the risk imposed by law enforcement efforts. However, it is not the retail price alone, as Mr. Kleiman indicates, which might lead a junkie to abstain from heroin use and stop stealing to pay for drugs. In fact, as the paper points out, other studies have shown that increases in retail drug prices can lead to more crime. Kleiman contends that it is the non-monetary "second price," on which street-level enforcement efforts have the greatest effect. By increasing the time, inconvenience, and risk of arrest involved in making heroin purchases, street-level enforcement drives some junkies to abstain from heroin.

Therefore, Mr. Kleiman argues the components of an effective street-level enforcement effort are "concentration" (geographically and by drug type)

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and “persistence.” The validity of this argument was borne out in Lynn and Operation Pressure Point, where concentration on heroin sales in specific neighborhoods over a relatively long period of time led to greater abstinence and less crime. It also explains the comparative “failure” in Lawrence, since Lawrence has a drug market which stretches beyond the jurisdiction of the police and has too few police officers to meet the demands of even a limited jurisdiction.

Mr. Kleiman’s conclusion that the potential gains of street-level enforcement “are large and the risks limited,” is supported in this paper and his cautious call to “try it and see” is justified.

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