

The Cost of Getting Tough on Crime: Isn't Prevention the Policy Answer?

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Abstract: The need to keep Canadians safe with “get tough on crime” policies is not supported by statistical information on crime rates, which shows that crime has been declining over the past decade, or by Canadians’ perceptions of well-being and safety. This article provides an overview of crime statistics and discusses the difficulty of measuring the effectiveness of the criminal justice system on crime rates. The political considerations that dominate the Harper government’s spending priorities to tackle crime invest only a small proportion in crime prevention strategies. The author proposes that instead of a policy of “tackling crime,” Canada needs to strengthen its policies for “preventing crime,” with corresponding funding to build healthier and safer communities.

Background

Generally speaking, Canada is a safe country and most Canadians enjoy safe neighbourhoods. Rates for homicide, the most violent type of crime, were rising between 1961 and 1975, peaking in 1975 at 3.03 homicides per 100,000 Canadians. Since that time, homicide rates have fluctuated but have been declining overall. In 2006, the rate was 1.9 homicides per 100,000 Canadians, which was less than half that of the United States (i.e., 5.69 victims per 100,000) (Canada, Human Resources and Skills Development Canada 2009).

Decline in the Crime Rate

According to the Police-Reported Crime Severity Index (PRCSI), the police-reported crime in Canada in 2007 was of a less serious nature overall than that reported ten years earlier. (“Crime severity” is expressed as an index for which 2006 was the base year at 100.) In 2007, the index for overall crime was 94.6, down from 119.1 in 1998. This means that crime severity fell by about twenty per cent during the decade, largely driven by a drop of forty per cent in break-ins (Statistics Canada 2009b). The PRCSI differs from the national police-reported crime rate (which measures volume) in that it assigns a weight derived from actual sentences handed down by courts (i.e., the less serious the crime, the lower the severity weight; the more serious the crime, the higher the weight). Even when using the police-reported crime rate to measure the volume of crime, however, we find a drop between 1998 and 2007, although to a lesser degree than that cited in the PRCSI. The volume of police-reported crime fell by fifteen per cent compared to the twenty-one per cent decline reported in the severity of crime (Statistics Canada 2009b). Among violent crimes, robberies (including attempted robberies) were most likely to be reported to police (forty-three per cent), followed by physical assaults (thirty-four per cent) (Statistics Canada 2010a).

The claim that violent crime is increasing – but that we just do not know about it because it is not being reported to police – is also not supported by statistics. Through its annual polls of crime victims and self-reporting, Statistics Canada’s General Social Survey captures incidents that were not reported to the police. For the 2009 survey on victimization, twenty-seven per cent

of respondents aged fifteen and older reported that they had been a victim of a criminal incident in the last twelve months, this proportion of respondents being unchanged from 2004 (Statistics Canada 2010a). For violent crimes, twenty-nine per cent of incidents were reported to police in 2009, essentially the same rate as in 2004 (Statistics Canada 2010a).

Increase in Police Strength

The addition of police officers does not in itself reduce crime. Rather, the presence of more police leads to better reporting of crime and is assumed to more likely result in the solving of cases (Statistics Canada 2009a). When comparing police strength in the nine largest metropolitan areas in Canada, the highest rate was found in Montreal and Winnipeg. In Toronto, where crimes were among the lowest in the country, the rate of police strength was above average; only Quebec City, with the lowest rates of crimes, had the lowest rate of police strength (Statistics Canada 2009b). Police strength in Canada has increased since the 1990s; however, the volume and severity of police-reported crime has decreased (Statistics Canada 2010b). At 203 officers per 100,000 residents, the 2010 number of police officers per capita was at its highest point since 1981 and just slightly below the peak of 206 officers per 100,000 residents in 1975 (Statistics Canada 2010b). Paul Brantingham and Stephen Easton note that there was evidence from the United States that an increase of one police officer reduced the number of crime “events” per year by eight to ten and suggest that the incidence of crime can be reduced by adding to the police complement (1998: 33). What the authors do not discuss, however, is whether the addition of police officers affects the crime rate through suppression, prevention or other policing strategies.

Perceptions of Safety

If both the crime rate and the severity of crimes have fallen, do Canadians *feel* generally safer or less safe? Human Resources and Skills Development Canada conducted research about Canadians’ sense of well-being and safety and identified indicators of well-being that included individual and community perceptions of crime and safety from crime. Accordingly, rates of violent (e.g., homicide) and property-related crime (e.g., theft of wallets, credit cards or jewellery) and changes in those rates over time are a basic reflection of a sense of security and safety in Canadian society. The total rate of both violent and property-related crime reached its lowest level in almost thirty years in 2006. The study suggests that these lower crime rates correspond to an overall sense of well-being. The two additional indicators of well-being used to measure this are

- perceptions of security, which include an overall “sense of satisfaction” with personal safety; and
- perceptions of the effectiveness of local police in ensuring safety.

In 2004, the majority of Canadians (sixty-one per cent) believed that their local police were doing a good job of ensuring the safety of residents, while only twenty-eight per cent felt that they were doing an average job ensuring safety, and only five per cent felt the police were doing a poor job (Canada, Human Resources and Skills Development 2009).

The same study reported that “a majority of Canadians indicated in 2004 that they felt

somewhat or very satisfied with their overall personal safety from crime.” For example, ninety per cent of Canadians reported feeling safe while walking in their neighbourhoods alone after dark; eighty per cent were not worried about being home alone in the evenings; and 57 who used public transportation after dark were not worried about their safety (Canada, Human Resources and Skills 2009).

So, what has caused a shift in stronger law-and-order policy? The issue of gang violence did not attract much public attention until the “year of the gun” in Toronto, which culminated in the 26 December 2005 shooting death of Jane Creba, who while shopping on Yonge Street was caught in the crossfire of a gang dispute. Malcolm Gladwell, author of a *New Yorker* article entitled “The tipping point” (1996), identifies this as the moment of critical mass, when a community is galvanized into action over gang violence. The timing of this crime occurred during an election campaign, when Canadians, who were subjected to increased sensationalist and manipulative headlines, became crime-scared.

The Harper government was first elected in 2006, in part because of the increased public anxiety about the issue of gang violence and the Conservative party’s response with a “get tough on crime” policy. Shortly thereafter, the government created the web site Tacklingcrime.ca, under the management of Public Safety Canada, which escalates the sense of crisis with such claims as “Canadian streets and communities are increasingly threatened by gun, gang and drug violence.” This web site serves primarily to promote the government’s spending initiatives in five key areas: emergency management, national security, law enforcement, corrections, and crime prevention.

Attempts to Measure the Cost of Crime

It is generally difficult to measure the “cost of crime” because it spans the complex, multi-faceted network of the independent but procedurally connected jurisdictions of police, prosecutors, courts, correctional agencies, and parole boards. The cost of justice policy is complex and difficult to quantify. Brantingham and Easton attempted to measure the costs of crime in 1998, when the crime rate was much higher than it is today. Considering a number of factors (e.g., direct costs of victimization, policing and private security, court and legal costs, corrections costs), they estimated then that the total estimated cost of crime was between 2.2 percent and 5.3 percent of gross domestic product (GDP), about the same percentage of GDP that was spent on public schools in Canada, which service five million children. On average, this amounted to between \$586 and \$1,420 per year for every man, woman, and child in the country; a family of four would pay between \$2,343 and \$5,680 per year” (1998: 35).

The authors also note that the costs of security are shared by individual families, who were also then spending about \$195 million on security devices and security systems (35). According to the Auditor General’s 2002 report, spending by the criminal justice system at all governments levels was estimated to be at least \$10 billion a year. The actual cost of crime – including the costs of private security, insurance and impacts on victims – is much more difficult to estimate. In 2002, however, the federal government estimated that the cost of crime to Canadians may have been as high as \$46 billion a year, “when the impacts on victims and society are considered” (Canada, Office of the Auditor General 2002: 3).

Owen Lippert, who went on to become an adviser to Stephen Harper, asks “[I]f a policy change is the ‘correct’ action to take,” we must also ask what difference its cost makes because “[a]ccurate costing may actually engender opposition to a ‘correct’ policy” (2001: 14). He observes that although there are three different methods for measuring costs – aggregate costing, average costing and marginal costing – when selecting from policy alternatives on how to reduce crime, marginal costing is the dominant economic method used to predict an outcome. Marginal costing is “the cost of achieving one *more* unit of what is desired, for example, the cost of deterring one *more* auto theft” (2001: 14, emphasis in the original). Moreover, “policy-makers are better able to predict which of the four outcomes a new policy will produce (i.e., higher benefits and higher costs; lower benefits and higher costs; higher benefits and lower costs; and lower benefits and lower costs) (14). This is perhaps what the Auditor General meant when she noted in her 2002 report that federal initiatives are often developed and funded in response to pressing issues rather than on an integrated and sustained basis (Canada, Office of the Auditor General 2002: 1).

The demands for accountability in the justice system focus on effectiveness, and the questions that need to be addressed are whether the Harper government’s tough-on-crime policies are indeed making Canada safer (high benefits) and whether these costs are justified. The government has been reluctant to evaluate its spending; instead, Mr. Harper has been steadfast in his political ideologies. While an evaluation of the effectiveness of the government’s spending in this area is beyond the scope of this article, suffice it to note that there is research that shows that tougher laws and more police action do not deter gang violence and criminal activity (e.g., involving drugs and guns). There is increasing evidence that shows that investing in crime prevention strategies to address both individual and social environment factors that contribute to crime and victimization and that include mobilizing communities, for example, are more effective than higher incarceration rates.

Spending on “Tackling Crime”

The three major pillars – each with its required public spending – of the federal Tackling Crime agenda are 1) increased police presence, 2) strengthened sentencing laws, and 3) prevention of youth drug and gang involvement. With the enactment in May 2008 of the omnibus law-and-order legislation, the Tackling Violent Crime Act, which was intended to strengthen the Criminal Code, two stages were implemented. In effect immediately in the first stage were

- tougher mandatory prison sentences for serious gun crimes;
- bail reverse-onus provisions, so that those accused of serious gun crimes must show why they should not be kept in jail while awaiting trial; and
- better protection for young persons from adult sexual predators.

Following shortly thereafter in the second stage, on 2 July 2008, two additional sections of the *act* came into force and provided for

- new ways to detect and investigate drug- and alcohol-impaired driving and stronger penalties for impaired driving; and

- more effective sentencing and monitoring to prevent dangerous, high-risk offenders from re-offending (Canada, Department of Justice 2008).

Tacklingcrime.ca reports a spending strategy of \$726.8 million (mostly over two years) in seven areas (i.e., the National Anti-Drug Strategy, RCMP federal policing, the Correctional Service Canada, youth crime prevention, the National DNA Data Bank, victims of crime, and securing Canada's borders) to support the implementation of the *Tackling Violent Crime Act*.¹

- \$63.8 million over two years to prevent illegal drug-use in young people, treat drug addictions, and fight illegal drug crime;
- \$161 million for an additional 1,000 RCMP officers and federal prosecutors to focus on such law enforcement priorities as drugs, corruption and border security (including gun smuggling);
- \$37 million for the RCMP to expand its National Training Academy;
- \$20 million in communities to prevent youth crime, with a focus on guns, gangs and drugs;
- \$15 million over two years on the National DNA Data Bank to increase the ability of the RCMP to populate the data bank with DNA samples from a greater range of convicted offenders;
- \$26 million for victims of crime, so that they have access to services such as travel to appear at parole hearings;
- \$101 million to arm border officers and eliminate “work-alone” posts;
- \$303 million to implement a border strategy that promotes the movement of low-risk trade and travellers within North America¹
- funding to expand Canada's correctional facilities for the expected increase in inmates as a result of changes in sentencing rules;

Less than three per cent (\$20 million) of the Tackling Crime budget, however, was earmarked for prevention strategies for youth; drug prevention in youth is lumped with other drug-related enforcement strategies, at just under nine per cent (\$63.8 million).

The Department of Public Safety's total annual spending for 2008—09 was \$391.8 million (slightly more than half of the \$726.8 million planned spending reported by the Tacklingcrime.ca web site). Federal law enforcement and crime prevention spending both fall under the department's “implementing strategies to tackle crime and make communities safer” strategic priority. A total annual spending on federal law enforcement activities was 29.2 per cent (\$114.6 million) of the total budget, compared to only 8.5 per cent (\$33.4 million) spent on crime prevention, which was down from eleven per cent of the department's total annual spending for 2007—08 (Canada, Department of Public Safety 2009: 24—31).

Key Considerations

Gun and gang violence and compensation for victims of crimes are hot-button political issues that come with high price tags. Until the election of the Harper government, Canada had little enthusiasm for tough-on-crime policies. How is it then that statistics no longer convince the general public and elected officials that we do not need tougher justice policies akin to our neighbours to the south? The *2007 National Justice Survey* to determine the public's confidence

in the criminal justice system found that the strongest predictor of public confidence is one's perception of the accuracy of official justice statistics (Latimer and Desjardins 2007: 5). The study, prepared for the Department of Justice, pointed out that those individuals who do not trust government statistics and believe that crime is actually on the rise will generally have lower confidence in the justice system. Furthermore, the seriousness of the crime often influences how the public will respond to particular criminal justice policies (4—5).

Is it a political response to public perceptions or good policy to enact tougher laws, increase the numbers of police, and incarcerate more people for longer periods of time to lower the crime rate? Criminologists and researchers have analysed the reasons why the crime rate fell during the 1990s in the U.S., and, generally, there is no single explanation. Richard Rosenfeld noted that the increase in incarceration rates may have some impact on reducing crime in the short term but that, in the long run, may actually increase crime rates “by breaking up families, driving up unemployment rates, and otherwise depleting the social capital of those communities hardest hit by both crime and imprisonment” (2004: 88). Tough measures and punishment do not tackle the root causes of crime; these are societal and community issues that need to be addressed through prevention and suppression policies at all levels of government.

Strategies to Reduce the Crime Rate

Different explanations have been offered to explain the decline in crime rates: policing strategies and increased numbers of police officers, aging population or even tougher gun laws. If the crime rate is in decline in both the U.S. and in Canada, was it achieved through policing initiatives? In a 1982 article for *The Atlantic Monthly*, James Wilson and George Kelling proposed that trivial problems (such as when a broken window in a building or in a car are left unattended) can become tipping points for other more serious crimes. The “broken window” theory is based on the work of Philip Zimbardo, a Stanford University psychologist, who in 1969 conducted an experiment to prove that disorder invites more disorder. He parked one car on a street in Palo Alto, where it sat untouched for a week, and a second car in a comparable neighbourhood in the Bronx but with the license plates removed and the hood propped open. The second car was stripped within a day. When Zimbardo smashed the windows of the first car, it too was destroyed within a few hours (see Chettleburgh 2007: 141—42; Gladwell 1996: 5—6).

“Broken windows” policing is an approach to crime prevention and suppression that focuses on stricter law enforcement policies (e.g., stern punishment for marginal offences, more police on the streets, “stop-and-frisk” policing, and zero tolerance for vagrancy, public intoxication, public urination), with the goal of promoting safer communities (Chettleburgh 2007:143). The approach has been lauded for reducing crime in New York City, but critics point out that the crime rate was already in decline and that other cities employed other strategies that were equally or more effective (144—46).

Economist and co- author of *Freakonomics*, Stephen D. Levitt, has an unorthodox explanation of why crime rates in the U.S. started to decline in the 1990s and it has nothing to do with innovative policing strategies (e.g., “broken windows” policing), an increased number of police officers, an aging population or even tougher gun laws. He links lower crimes rates to the legalization of abortion in 1973. He attributes the lower crime rate to the absence of all the

babies who were never born. Had they been born, he argues, they would have likely been born into a situation that would not have been conducive to the raising a healthy and productive child because their mothers would likely have been unmarried, poor, uneducated, or suffering from alcohol or drug addictions – all strong predictors that a child will have a criminal future. Levitt concludes, “What the link between abortion and crime does say is this: when the government gives a woman the opportunity to make her own decision about abortion, she generally does a good job of figuring out if she is in a position to raise the baby well” (Levitt and Dubner 2006:105—32). Levitt’s theory can be supported by a growing body of theoretical and applied research that shows the linkages between risk factors and crime (see Jamieson and Hart 2003: 4). Although tougher sentencing feeds the public’s increasingly punitive appetite, good social policy includes crime prevention policies that aim at reducing, avoiding and eliminating victimization by crime or violence and that are largely predicated on identifying and addressing risk factors and minimizing opportunities associated with crime and victimization.

If we put aside Levitt’s explanation and attribute the drop of the crime rate to the more commonly acceptable causality explanations (e.g., the “broken windows” theory, increased number of police, aging population, tougher gun laws), we must query how tackling crime with tough legislation will make our communities and Canada any safer in the long term. In *Young Thugs: Inside the Dangerous World of Canadian Street Gangs*, author Michael Chettleburgh makes the case that Canada can avoid a street-gang epidemic like the one in the U.S. by implementing a three-tiered strategies – prevention, intervention and suppression – tailored to the activity level of the gang member (2007: 207).

Crime Prevention

The Caledon Institute of Social Policy recognizes the success of the social development approach to crime prevention, which attempts to address the root causes of crime in society, recognizing that crime stems from a variety of critical experiences in people’s lives: family violence; poor parenting; negative school experiences; poor housing; a lack of recreational, health and environmental facilities; inadequate social support; peer pressure; unemployment; and lack of opportunity and poverty (Jamieson and Hart 2003: 3). The crime prevention social development theory emphasizes investing in individuals, families and communities by providing social, recreational, educational and economic interventions and support programs for those individuals, mainly young people, who are most at risk of becoming involved in crime before they come into conflict with the law. It also includes investing in rehabilitative interventions for people who are already in conflict with the criminal justice system.

Canada’s National Crime Prevention Strategy (NCPS) is a federal initiative that was shared between the Department of Justice Canada and the then-solicitor general, with the support of police, other criminal justice agencies and communities across Canada. The NCPS adopted the crime prevention social development approach to crime prevention and uses the evidence-based approach – relying on, for example, evidence that a strategy or practice has been effective in preventing crime – to determine “what has worked” and, consequently, which projects to fund. The evidence-based approach is becoming increasingly popular, and various countries around the world have helped advance scientific knowledge on effective crime prevention practices (Welsh 2007: 4). The NCPS was implemented in two phases, beginning in 1994. In the first phase,

information was collected for use in developing best practices and approaches to crime prevention. In 1998, the second phase of the strategy comprised three major program elements: the creation of the National Crime Prevention Centre to oversee and implement the strategy; the Safer Communities Initiative; and the Promotion and Public Education Program. “The Strategy aimed at developing community-based responses to crime, with a priority emphasis on children, youth, Aboriginal people and the personal security of women and girls. The Strategy invested in activities that addressed risk factors in people’s lives, such as abuse, violence, poor parenting, and drug and alcohol abuse” (Jamieson and Hart 2003: 6).

The Institute for the Prevention of Crime at the University of Ottawa has reviewed authoritative studies to conclude that there is little evidence to show that increasing the number of police officers to conduct standard policing activities will reduce crime; instead, community policing strategies are most effective. The institute coordinates the “Municipal Network on Crime Prevention” and works with municipalities, such as Toronto and its TAVIS strategy, because they are the level of government closest to the services that can tackle the factors leading to crime (e.g., housing, social services, recreation, police and zoning).²

Although not part of the Canadian federal government’s strategy, the Toronto Anti-Violence Intervention Strategy (TAVIS) is provided here as an example of a locally based “broken windows” policing strategy that balances enforcement with prevention and includes community mobilization. TAVIS was created by the provincial government and the Toronto Police Service in response to the “year of the gun.” Its aim is to cut crime in high-risk communities across Toronto by focusing on tough enforcement and community-building events. The three components of the strategy include 1) intensifying police resources in targeted communities to reduce crime; 2) a maintenance level of enforcement once a neighbourhood is deemed safe; and 3) normalizing police levels with support to the community. All three components work to engage the community in dealing with the root causes of crime. Success is measured on the reduction in crime, enhancement of public trust and confidence, and the building of relationships within the communities.³

Conclusion

The Institute for the Prevention of Crime cited that the major hindrance for reducing crime rates through crime prevention strategies was a lack of capacity and recommended in 2003 action at all levels of government, “including developing the human, research and data capacity.” In 2008—09, the federal government provided time-limited funding to community-based projects designed to reduce offences among targeted groups, particularly at-risk children and youth, high-risk offenders and aboriginal people, and it increased funding of the National Crime Prevention Strategy from \$30 million to \$63 million (Canada, Department of Public Safety 2009: 32). The Institute for the Prevention of Crime states that the provinces have yet to match the investment.

Crime prevention activities require long-term investments before results in the reduction of crime and victimization are visible, but governments are impatient to show their responsiveness to tragic situations and must be seen to be taking action and, in the case of the Harper government, acting on election promises to keep Canadians safe. Tough-on-crime policies are not, in themselves, effective at reducing the crime rate; they do serve, however, to

feed off the public's anxiety and mood for more punitive measures. The real costs of getting tough on crime extend beyond government spending to impacts on individuals, families and communities. Long-term results need longer-term solutions to prevent crime and victimization. Instead of a policy of "tackling crime," Canada needs a strong, integrated "preventing crime" policy, with the corresponding funding to build healthier and safer communities for all.

Notes

1 See the Tackling Crime web site at <http://www.tacklingcrime.gc.ca/ocom/hig/index-eng.aspx/>.

2 See the Institute for the Prevention of Crime at the University of Ottawa web site at http://www.socialsciences.uottawa.ca/ipc/eng/role_of_police.asp.

3 See the Toronto Police Service's Toronto Anti-Violence Intervention Strategy (TAVIS) web site at <http://www.torontopolice.on.ca/tavis/>.

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