

Summary Considerations for Anti-Poverty Initiative Safe Neighborhoods Working Group

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The problems of poverty and crime, particularly violent crime, are often found together in the same places and at the same times. Criminologists have attempted to explain the links between these problems and have considered whether poverty causes crime, or crime causes poverty, or whether both are true. There are many questions about the nature of the relationship between crime and poverty, including considerations of the impact of the criminal justice system itself on both crime and poverty. In this paper, we attempt to summarize key areas of this complex discussion about the intersection of crime, law enforcement, and poverty. We hope these considerations will help inform the recommendations of the Safe Neighborhoods Working Group of the Rochester/ Monroe Anti-Poverty Initiative.

Nothing is Linear

The correlation between poverty and crime is so well-known that it is often taken for granted. Since the early days of modern criminology, social scientists have studied the interplay between individual poverty, neighborhood poverty, and crime. Criminological and sociological theories and research have attempted to discern whether poverty causes crime, or if crime causes poverty. The correlation between crime and poverty is strong, yet, it is only a correlation. Correlations may say nothing about causation, and, instead, other factors, such as unemployment or low educational attainment, may cause both. Or, in fact, these factors may be so interwoven that their interaction may exert causal influence on the broad combination of conditions found in high poverty, high crime neighborhoods. The consensus among social scientists, as is often the case, is that the relationship between crime and poverty is complex. Crime and poverty affect one another reciprocally; poverty increases the likelihood that crime will occur, and crime also increases the chance that a neighborhood will experience poverty. There are most certainly other factors at play that affect both crime and poverty rates.

Levels of Analysis

In all of this, a key issue to consider is the level of analysis at which poverty and crime are considered. A common problem is to confuse these issues. Individuals may commit crimes and may have poverty-level incomes. That, however, is very different from identifying groups of people or geographic areas such as neighborhoods as having high crime or poverty levels. While census data can provide information on local poverty levels, crime levels are more

complex. It is clear that even in high crime neighborhoods, only a small number of residents are involved in crime, and that number falls as we consider more serious crime.

At each level of analysis, there are many separate factors that must be considered to understand the relationship between crime and poverty. At the individual level, personality traits such as impulsivity put a person at higher risk of both committing crime and experiencing poverty. Research has also shown that experiencing stressful situations and chronic stress associated with poverty also decreases one's impulse control. At the neighborhood level, factors such as educational attainment of residents, economic opportunity, race, and family structures are all likely to affect both crime and poverty separately. As such, any intervention attempting to affect crime and poverty likely has to address both topics and the many factors that affect them.

It is also important to consider that, at the family level, both crime and poverty can be "transmitted" generationally. If your parents were poor, you are more likely to be poor. If your parents were involved in the criminal justice system, you are more likely to commit crimes. Additionally, individuals who have experienced poverty in the past will be more likely to persist in poverty; those who commit or were victims of crimes in the past will be more likely to commit or experience crimes in the future. Without even knowing the reasons why this occurs (and there are many theories), these facts should help identify those most in need of interventions.

Other Ways to Talk About Poverty

Poverty can also be measured in multiple ways. For example, the concentration of poverty, or the density of poverty within a given area, has been studied for its relation to crime. Though studies are mixed, the overarching sense is that high concentrations of poverty tend to be associated with more frequent and more serious crime.

Related concepts such as inequality and disadvantage are also relevant when discussing poverty. Some studies have shown that poverty correlates with crime most strongly when there is a high degree of inequality among residents in an area or a high degree of inequality among adjacent neighborhoods. Similarly, social disadvantage, or the degree to which opportunities are more or less likely given your race, age, gender, or neighborhood, has been correlated with poverty. Some theories state that when some people do not have legal opportunities to achieve societally-valued goals such as financial independence, they are more likely to commit crime to achieve those goals compared to people who have legitimate ways to achieve those goals. If

such disadvantage is concentrated in small areas, those areas will be more likely to experience both crime and poverty. That said, there are also studies disproving these correlations, saying that inequality and disadvantage do not seem to be related in a reliable way to crime.

Policing of Poor or Disadvantaged Neighborhoods

Research has shown that people in urban, suburban, and rural areas commit some types of crime at approximately equal rates. This is particularly true of “less serious” crimes such as drug possession, juvenile delinquency, and driving while intoxicated. Crime rates are generally derived from police data; if crime rates are higher in an area, it can either be because crime is actually more frequent in that area or because crimes are more likely to come to the attention of police in that area. As such, disproportionate policing of poor and disadvantaged neighborhoods can increase the rates of *known* crime, as well as the rates of arrest, conviction, and incarceration, while the underlying rates of criminal activity may not be much different from other areas.

Serious Crime, Violence, and Effective Communities

That being said, it is clear that in many cases, concentrated policing in poor and disadvantaged neighborhoods is associated with higher levels of serious crime. Serious violence such as homicide, serious assaults, and shootings are more common in poor neighborhoods than in wealthier areas. The reason for this can also be more complicated than it initially appears. Impoverished neighborhoods may lack the social infrastructure to self-police; for instance, there are more children per adult as compared to suburbs. (Part of the reason for this is that many primarily male adults are removed from these communities through incarceration.) Those in poverty also tend to spend more time in commute or transportation, and shifts for low-skill workers tend to be longer and more strenuous. Also, largely due to affordable housing availability, these same neighborhoods tend to have high concentrations of people under criminal justice supervision (on probation or parole). All of these factors decrease the amount of supervision adults can provide to children, decrease the amount of time adults have for civic and community engagement, and increase the chances of crime; in short, they erode the community’s efficacy. Research has consistently shown that the most significant element in reducing levels of serious crime or violence is having an effective community, one in which there are high levels of social cohesion and trust and a willingness among residents to intervene if problems occur.

The Crime Cliff: People are Rational

In discussions of poverty, the “benefits cliff” refers to the fact that at a certain income level, an increase in employment income will cause a significant decrease in a family’s total income because welfare benefits decrease or are removed entirely at certain income thresholds. Similarly, there may be a “crime cliff.” Some criminological theories assume that people are rational, even when they commit crimes. That is, people usually weigh the costs and benefits of committing crimes before committing them. They consider alternatives to achieving their goal. This decision-making process is strongly influenced by the individual’s circumstances, as well as the opportunities he or she believes he or she has ready access to. If an individual has few choices or believes he or she has few choices, and if the stress is strong enough (as in the case of extreme poverty or drug addiction), the person may be more likely to commit crimes.

The criminal justice system usually attempts to make crime more “costly” by increasing the severity of the consequences of crime; however, there are likely to be other ways to affect this cost/benefit decision-making by working with disadvantaged communities and individuals on finding alternatives to achieving goals. At a certain point in weighing the advantages and disadvantages of crime, crime becomes less likely.

This theoretical perspective is important for intervention. For many of those who commit crime, the risk of getting caught is low, the chance of benefiting from the crime is high, the chances of finding a legitimate job are low, finding a job is very slow and laborious, and low-skill jobs are not generally valued or helpful. Therefore, crime “pays” for some. Having actual access to good jobs, services, housing, and schools may decrease the likelihood that someone will engage in crime, but access to quality services alone will certainly not decrease crime and poverty a significant amount. (Consider, again, impulsive personality traits and learned behaviors from family and peers.)

Most interventions that try to decrease recidivism rates focus on a Risk-Needs-Responsivity (RNR) model in which service providers and law enforcement measure a person’s risk of committing another crime, assess their needs and responsiveness to treatment, and provide interventions aimed specifically to reduce the risk factors that are most closely related to criminal involvement. A competing framework, called the Good Lives Model, puts a more positive lens on intervention. It recognizes that it is not employment per se, but rather having a “good job” (enough money to make ends meet, reasonable shift lengths, being valued by the

employer, personal investment in the work, etc.), that decreases the chance of committing crime. The model focuses on individuals' strengths, rather than their risk factors, to help the person achieve his or her self-identified goals (as opposed to simply focusing on reducing the risk of crime). This model, though, has not been tested nearly as much and therefore does not have the same level of empirical support as the RNR model. They do, however, consider many of the same factors; they simply reframe the conversation. Both the risk-based and strengths-based models should be considered in any intervention aimed to reduce poverty and crime.

Life after Conviction

Research has shown that once someone is convicted of a crime, they often face significant barriers to employment. If that person was already in poverty, their struggles can magnify. It is important to note that much of the research and community conversation centers around what happens to people after prison incarceration. Many "re-entry" efforts focus solely on the state and federal prison population. Also, re-entry usually refers to a short period of time after state prison incarceration, such as the first six months or year after a person leaves prison.

Viewing re-entry in this way is very limited. It ignores both the jail inmate population and the population of people who are convicted but who were never incarcerated (those who serve probation sentences, conditional discharge sentences, or pay fines). Anyone who has committed a crime – no matter their sentence – must somehow be reintegrated into a law-abiding life in the community. The National Employment Law Project (NELP) estimates that one in four American adults has an arrest record which may appear on background checks. Rates of conviction are lower, but rates in urban areas and among racial minority groups are much higher than the national average. Therefore, discussions of re-entry and reintegration have to consider all of those who have been convicted of crimes. Further, re-entry is a gradual process that occurs over many years. Considering only the first few months post-incarceration ignores the longer-term effects a criminal record has on poverty. Finally, it is important to remember that even short-term, non-sentenced incarcerations (such as spending a week in jail awaiting trial) can have serious detrimental effects on a person, even if not convicted. In that week, the person's family has to accommodate their absence, the person may lose his or her job, and housing may be threatened. Re-entry should, then, also refer to those who were not sentenced but who spent enough time in jail to disrupt his or her life in ways that exacerbate poverty.

In New York, criminal records are permanent. There is no expungement (erasing) or sealing (hiding) of any criminal record, no matter how long ago the person was convicted or how minor the crime was. Therefore, criminal records follow people for life in New York, affecting their job prospects less over time but still significantly.

Consider that most employers simply ask whether an applicant has been convicted of a crime. Before Rochester's Opportunity to Compete/Ban the Box legislation, for example, a person convicted of aggravated assault in 2010 and a person convicted for shoplifting in 1972 would appear identical to the employer; both applicants simply check "yes" that they have been convicted. While employers are supposed to consider the type of crime, its relevancy to the job, and the age of the crime, most employers fear liability for hiring anyone with any criminal record, or they assume that having a criminal record is a sign of poor character and unreliability. As such, having any convictions has been shown to decrease the chances of getting a job.

A significant study on this topic (Devah Pager, "The Mark of a Criminal Record," 2004) found that compared to a white male with no criminal record (who was called back for 34% of job applications), a white man with identical qualifications but who had a felony drug conviction was half as likely to be called back for a job (17%). Black men, even without a criminal record, were called back for the job slightly less often (14%) than the white man with a conviction, and black men with the same conviction were only called back for 5% of job applications.

All research has not supported the extreme effects noted above, and more research is needed to understand the relationship between conviction and employment prospects. Other factors such as education, personality traits, demeanor, and skills are very likely to affect the chance of being qualified, and those with criminal records may be more likely to be underqualified. It may be that there are other reasons, besides the criminal record, the employer does not hire someone. Nonetheless, in today's job market, in which many people apply for each job and employers use quick screening methods such as not considering any felons, those with criminal convictions have to apply to significantly more jobs than those without to get the same number of offers.

Expungement, Sealing, and Certificates of Relief

New York does not have any process by which criminal records are removed from public knowledge. The State does offer Certificates of Relief and Certificates of Good Conduct that

remove automatic legal bars to employment and licensure for people with criminal records. Former justice-involved individuals have to wait a certain amount of time to be eligible, compile an application (including their achievements and how the relief will help them), and get approved by a judge or New York State committee to receive these certificates. Once granted, former justice-involved individuals become eligible for state licensure and employment in nearly one hundred professions, such as health care, working with children, and barbering, assuming the conviction is not directly related to the job. Employers, though, can still see the criminal conviction on background checks and can decide not to hire the person if they believe the conviction is directly related to the job. Research is needed as to the actual effect of Certificates of Relief and Good Conduct on employment prospects of people with criminal records.

It is logical that expunging or sealing a criminal conviction will increase the likelihood of employment, but research is needed. Many other states offer ways to expunge and seal certain criminal records, often excluding violent crimes from eligibility. Most jurisdictions require those applying for expungement or sealing to have spent many years crime-free before being eligible, and they often charge a fee. Some states, though, automatically seal or expunge non-violent misdemeanor convictions after a certain amount of time. While no research shows how this affects individuals' employment prospects or crime rates, research does show that people who have committed a crime become just as unlikely as any other person to commit a crime after a certain amount of time. People with more severe or more frequent crimes in their past will tend to take longer to reach the "baseline" risk level for committing crimes that the average citizen has. Allowing expungement and/or sealing of criminal records after, say, ten years of completing one's sentence may increase the chances of employment and decrease the chances of poverty for that individual.

Moreover, many young adults who have been convicted of a crime assume that they have very little chance of legitimate employment – for the rest of their lives. They often state that they continue to commit crimes because they see no other possible lifestyle, and they know all too well that their criminal records do not go away with time and that "no one hires felons." It is very possible, then, that offering sealing or expungement can offer hope even to those who are not yet eligible. It may stimulate motivation for engaging in training, school, or work.

Life after Conviction: Other than Employment

Having a criminal record affects other areas of life besides employment, which are also strongly related to poverty. The American Bar Association has compiled a database of the collateral consequences of having a criminal record – the legal implications one faces based on conviction in addition to a criminal sentence. (See www.abacollateralconsequences.org for nearly 1,300 collateral consequences specific to New York State.) In broad summary, having a criminal record makes it harder to find housing because landlords often run background checks, and people convicted of certain crimes are barred from public housing. A criminal conviction can also affect education, as many colleges and universities inquire about criminal convictions and, while not quite disqualifying people from admission, make it more difficult to get admitted. Many community members also believe that having a drug-related conviction disqualifies a person from receiving federal student financial aid. This was somewhat true in the past (requiring the person to submit a special application), but it has been weakened recently. Now, only those convicted of drug-related crimes *while receiving* federal financial aid are barred from receiving more federal financial aid. Other sources of financial aid, such as state government grants, may still consider criminal convictions in their eligibility requirements.

This alienation and lack of opportunity for justice-involved individuals can exacerbate poverty. When many individuals in a neighborhood face these conditions, the neighborhood is more likely to experience deeply-entrenched poverty. The poverty becomes deeply entrenched in part because these barriers affect the perceptions of individuals and in turn the community culture, but it is important to realize that many of these consequences of criminal conviction are policy and legal decisions that can be changed.

Costs of Criminal Justice System

The criminal justice system is costly to governments and to individuals. Despite the cost, most traditional criminal justice strategies, such as imprisonment, have not been effective at reducing crime. For local municipalities, public safety budgets often increase while other services face cutbacks. While these costs are warranted and supported by the public, it is unarguable that these expenses cause the most strain on impoverished neighborhoods, towns, and cities. Alternatives, though, can sometimes be more costly up-front than our current strategies, even if they are more effective in the long-term.

For individuals and families, the criminal justice system can feel like a for-profit business. Defendants face many “hidden charges,” such as court fees and fines, paperwork charges, and lost employment hours, even if the charges are dismissed. The recent reports about Ferguson, Missouri’s police department highlight the use of the civil courts to impose fines on the most impoverished and disadvantaged – and the least capable of paying. These costs – even if applied for good reason – have detrimental impacts on individuals and families who are already struggling and also strongly affect police-community relations. Civil and judicial fines have been a longstanding issue in criminal justice and community-police relations.

A final consideration in this area is the cost of incarceration for inmates and their families. While the FCC recently cracked down on extreme costs for inmate phone calls, being in jail or prison is very costly. Support from family and friends has been shown to decrease recidivism for most people, yet high costs for inmate communication and commodities can erode the ability of inmates to maintain inmates’ support networks.

Costs of Crime Victimization

Many of the fines and fees imposed on those convicted of crimes are for restitution to crime victims. If the offender is unable to pay restitution, however, crime victims can struggle to return to “normal” after a crime. There are victim assistance services in New York, but there is an undeniable impact on one’s finances after being a victim of a crime. Costs of victimization include replacement of goods after theft, lost work hours to deal with the legal system, and the costs of medical and psychological care.

Economic Impact of Crime

Because crime impacts many community systems, it is hard to estimate the “cost of crime.” Mother Jones (2015) compiled a helpful report on the costs of gun violence in America (www.motherjones.com/politics/2015/04/true-cost-of-gun-violence-in-america) By their estimates, the total cost of gun violence is more than \$700 per American per year. This includes the costs of health care, police, courts, incarceration, victim services, and lost wages. For this and other crimes, crime is more costly to communities than simply considering the direct costs of policing, courts, and jails. When one considers the lost revenue of businesses that leave an area or decide not to open a business in an area due to high crime rates, these costs are even higher.

Interventions to Affect both Crime and Poverty

Many interventions and programs have acknowledged the correlation between crime and poverty and attempted to break the cycle. Such programs include workforce development for justice-involved individuals, comprehensive re-entry services, and reducing legal barriers to employment. Some interventions are successful, but many programs operate in isolation from other systems and with limited resources. As such, they are limited in their effect. For example, a program that places people in employment after prison also must prepare participants for employment, addressing common needs for stable housing, reliable transportation, social skills, computer literacy, and financial literacy. The plethora of needs often overwhelms programs, making them less likely to have a measurable impact and be deemed “effective.” As another example, programs that provide incentives to hire justice-involved individuals know all too well that the employees often lose their jobs after the stipend expires. Also, free in-demand job training is beneficial, but people often struggle to engage in such programs without an income.

Many of these programs are justified by studies that find that those who are employed are less likely to commit crimes. These results, though, should be taken with caution. These studies often do not have effective control groups. Therefore, it may be that those individuals who are most likely to receive and stay in a job may also be those least likely to commit crimes. Nonetheless, employment does seem to have some effect on decreasing recidivism.

To decrease the community and individual-level costs of incarceration, Rochester and many other jurisdictions attempt to provide less costly alternatives to incarceration. These can include intensive probation supervision, community-based housing or reporting centers, and alternative courts such as drug court that allow people to remain in the community while complying with treatment services. Many of these strategies have been proven effective and less costly than jail. Programs struggle, though, because the need overwhelms the resources available, and jail is simply easier than coordinating broad intervention programs across multiple agencies. There is probably not a single “perfect” program out there to address crime and poverty, but any effective program will likely be holistic, long-term, and well-funded.

Community-Based Crime Prevention

Communities usually rely heavily on police services to address conflicts. Suburban residents take for granted the community infrastructure and cohesion that allows them to rely less

on police services to resolve minor conflicts such as school misbehavior. In urban areas affected by extreme poverty, residential mobility, high percentages of renter-occupied housing, high unemployment, more time spent away from home, few businesses, and poor schools, the ability of communities to “police themselves” is eroded. As such, residents rely more on police services.

Any program addressing crime and poverty should consider providing resources to agencies and services outside of the criminal justice system. Law enforcement should of course play a role in community-based efforts to combat crime, but overreliance on police and judicial systems alone can further entrench communities in the cycle of crime, incarceration, and poverty.

Data and Evaluation

We have attempted to convey the main topics that relate to crime and poverty while considering the research about effective interventions. It will be crucial to measure the work done in Rochester to reduce poverty and crime. Any intervention that receives funding but then does not document its work adequately and evaluate the measurable outcomes is bound to be defunded or unsustainable. Even more importantly, attempting an intervention without trying to answer the question “What works?” does economic and general harm to communities. Taxes are spent on these interventions, and the public deserves to be spending money on strategies that are effective or at least bring us closer to knowing what is effective and what it not.

Outcome evaluations should be supplemented by intensive process evaluations to understand why the outcomes occurred and to make sound recommendations. Any intervention to reduce poverty and crime should have stable funding for a long enough time to actually show results and to allow for refinement. Interventions should be expected to change and improve over time based on the results of evaluations. All too often, programs are piloted, documented poorly, shown ineffective, and abandoned, preventing the community from building knowledge and stable programs. Social interventions are notoriously difficult to implement, measure, and evaluate due to the large number of factors that affect the community. This all the more justifies a well-planned, well-documented, long-term, and intensive evaluation of the interventions.

Conclusion

This review is not intended to provide answers for how to solve crime and poverty. It is meant to stimulate thought and conversation on the range of complex topics that relate to the

interplay of neighborhood safety and poverty. Each topic presented here has extensive research addressing it, and knowledge is constantly growing. Progress on alleviating deeply-entrenched poverty and high crime rates in Rochester will only come with careful consideration, planning, time, and constant critique and redevelopment. We encourage the Rochester Anti-Poverty Initiative members and community members to use objectivity, personal experiences, community leadership, and scientific methodology to tackle these important issues in a way that has the most chance of being effective at reducing poverty and crime in Rochester.

Recommendations

1. The Rochester community should support an organization outside of law enforcement to organize community efforts to reduce crime and violence, advocating for the use of evidence-based interventions, best practices, and evaluation. The organization would coordinate, implement, and evaluate interventions and coordinate training. Communities that have made significant strides in violence reduction have embraced such a model. This group would address public safety concerns that impact poverty, as high crime levels have an extremely negative influence on economic development and impede efforts to mitigate poverty.
2. Rochester should seriously consider developing community courts, such as the Bronx Community Solutions and Red Hook Community Justice Center (www.courtinnovation.org). These courts provide infrastructure for communities to handle low-level crimes and quality of life issues in a restorative, community-oriented way. They are able to handle issues that deeply concern residents but that traditional courts cannot give the time and attention to handle appropriately. These courts decrease unnecessary criminal justice involvement and allow communities to take quality of life concerns and low-level offenses more seriously.
3. The Rochester community should support a program that addresses employment for criminal-justice-involved individuals, particularly with a pay-for-success model (in which the service provider is reimbursed if and when better outcomes are achieved.) Roca, a program in the greater Boston area, has a strong, evidence-based model. (See www.rocainc.org.)
4. The Rochester community should consider efforts to more aggressively assist crime victims.
5. New York should provide mechanisms by which criminal records can be sealed or expunged.
6. The use of jails for short-term incarceration should be examined for its impact on poverty and on individuals with mental illness and substance abuse disorders.