

MYTHBUSTER

**WARNING, YOU
MAY FIND THE
FOLLOWING
MESSAGE
DISTURBING...**

...but you continued reading, didn't you? The same happens in many crime prevention initiatives warning people about the potential consequences of their behaviour, whether as an offender or a victim. Indeed, fear-based tactics are commonplace within crime prevention and raising awareness of the potential risks and harms is assumed to deter people from that particular behaviour.¹ However, this is not always the case. In fact, it may even be counter-productive. Scary, right?



SCARING PEOPLE INTO THE RIGHT BEHAVIOUR

They come in many different shapes and forms, ranging from confrontational prison visits, to more educational and fact-based approaches to programmes using modern-day technology to re-enact the experience of being arrested or punished, yet the idea is the same: confront people with the worst possible outcome if they were to commit crimes and the fear will prompt them to be law-abiding. However, threatening people with such consequences can backfire, as we will argue here, and in turn produce the very behaviour it aims to prevent.

Take 'Scared Straight' for example, perhaps the most infamous crime prevention initiative out there. Originally designed by US inmates serving life sentences who wished to give something back to the community, it takes young people on a field trip to a prison. The aim is to let them experience what their future might look like if they choose a life of crime. While guided around by verbally and even physically aggressive inmates *and* guards, the hope is that these kids are scared into the desired behaviour: scared straight.²

The problem with this train of thought? It does not work. While it might work at face value and give the impression that these kids are being taught a much-needed lesson, the original Scared Straight and its more recent and friendlier incarnations have been shown to be ineffective and even more harmful than actually doing nothing.³ A waste of valuable resources that could have been put to better use.⁴

Unfortunately, sowing fear continues to be a popular prevention mechanism throughout the European Union,



RAISING AWARENESS

Awareness-raising campaigns are common in crime prevention initiatives. The idea is simple and easy to produce, but there is little to show for it. Scare tactics are often used in combination with efforts to raise awareness. Increasing understanding on a specific problem and the potential risks is assumed to prompt people towards the desired behaviour. This appears to be a solution for various crime problems. However, simply being aware of the risks is not effective as a solution.

Interested in how to prevent crime effectively by raising awareness? Take a look at these publications and make it part of a larger, integrated approach.

> **Toolbox** 'Preventing the Victimization of Minors in the Digital Age: Awareness-Raising and Behavioural Change' <https://eucpn.org/toolbox15-victimisation>

> **Mythbuster** 'Awareness raising never hurts, does it?' <https://eucpn.org/mythbuster-awarenessraising>

in different guises and in other fields such as preventing drug use.⁵ Despite clear evidence to the contrary, it is a widely held belief that the threat of serious punishment will scare people off committing a crime. If it doesn't effectively prevent crime, why does it still have continued support? We can only guess, with possibilities ranging from the need to act tough on crime, the need to show that something is being done or even because some actors have simply invested too much political and/or economical capital for it to fail.⁶

The ethical thing to do here would be to evaluate these initiatives on their impact, to ensure that public resources are put to good use. If the results are positive, great! If they turn out to be negative, and an educated guess tells us that is the case, then the right conclusions should be drawn: phase out the project. Any other course of action is simply dangerous and unethical: these are *de facto* uncontrolled and potentially harmful experiments with children.⁷

BUT WHY DOESN'T IT WORK?: DETERRENCE REVISITED

Arguing that something does not work is one thing, explaining why helps us move forward and towards effective approaches. As such, we look at the core mechanism of how these approaches focus on the severity of a potential punishment and on showing children the worst that could happen if they commit a crime: deterrence.⁸

As one of the oldest crime prevention mechanisms - the idea goes back to Enlightenment philosophers Beccaria and Bentham - deterrence works through the threat of punishment.⁹ Deterrence is arguably the most important preventive function of the criminal justice system¹⁰, but the threat of a sanction could also come from informal sources such as parents, peers or a community.¹¹

In order for deterrence to work, it needs to shift the cost-benefit ratio in favour of the desired behaviour, i.e. the behaviour that does not break the law. There are three conditions in this regard: the punishment needs to be severe enough, yet still proportionate; it needs to follow the crime fast enough; and there needs to be certainty that this sanction will follow. These three conditions are mutually reinforcing, meaning that a heavy sentence will have little deterrent effect if it is rarely applied.¹²

This was exactly the target of the Enlightenment philosophers' criticism. They argued that the 'get tough on crime' approach was essentially flawed, as heavier sentences did not lead to a preventive effect.¹³ Recent research corroborates these early arguments and confirms that the certainty that a punishment will follow is the most effective element for crime prevention. Moreover, when we look at how this certainty of punishment actually works and is perceived, we see that it is conditioned by the chances of being apprehended. In other words, the immediate risk of being caught seems to be most relevant for crime prevention.¹⁴

So why do Scared Straight and other fear-based approaches not work?

What is particularly relevant here is that we are dealing with young people. They are naturally more susceptible to risk-taking. Neurobiological research has shown that they process risk in a different way to rational adults. Moreover, individual choices are not as important for young people as are social and emotional stimuli. At their age, they seek immediate group and peer affirmation. If these peers have a negative influence on their behaviour, any rational message about them jeopardising their future will not hit home.¹⁵ That is why these programmes can backfire.¹⁶ It may seem cool to go against the parents' message or even worse, make it seem as if it were normal behaviour for those peers. Likewise, drug prevention campaigns in particular have been shown to have detrimental effects, as showing that apparently 'everybody does it' can actually increase the perception that in order to fit in, young people should use drugs.¹⁷



SCARED STRAIGHT AND THE COUNTER-ARGUMENTS

“It works here”

Context matters, but so does good governance. The evaluations might be predominantly Anglo-Saxon in focus, but these findings do provide sufficient reasons to be cautious. Any European actor thinking of implementing a similar approach should at least provide positive results to counter these arguments. Any other approach is simply dangerous and irresponsible. The authors of the systematic review succinctly cautioned: “Would you permit a doctor to use a medical treatment on your child with a similar track record of results?”¹⁸ In addition, brains evolve in the same way across the Atlantic. Risk-seeking behaviour is typical for any young person, anywhere.

“Our programme is more educational and less confrontational”

There are some variants of Scared Straight, for example in the form of educational tours, without the often aggressive confrontation with inmates, or with a cool-down session to put the information into perspective. These innovations fail to address the problem with these practices, as they continue to focus on increasing awareness about the severity of the consequences and still prompt the opposite responses in young people. The original systematic review also included these less confrontational programmes, but they produced the same effects: none.¹⁹

“The kids and parents like it”

Several programmes - not only Scared Straight approaches - claim to be effective based on the satisfaction of their target group or staff.²⁰ However, this says little about its effectiveness. Only robust impact evaluations can make such claims.²¹

“The programme has already been implemented in many locations”

An argument similar to the previous one, only here the effectiveness is assumed on the basis of its widespread implementation.²² Again, this proves nothing about the actual impact.

The context might be different, the method of delivery might be different, the kids might like it,... as innovative as it might be, the mechanism at work (*or not*) stays the same. The aim is to influence behaviour by deterring people by showing the possible negative consequences of committing a crime.

Another aspect is how the potentially negative consequences are communicated to and perceived by the target group. The source of the message has to be taken into consideration, as it would need to be a trusted source in order to be successful.²³ Arguably, prisoners are not the best examples for teaching good behaviour. Besides untrustworthy and moralising sources, young people are confronted with the worst possible outcomes, or an exaggeration of those consequences, i.e. the severity of punishment. As discussed above, rather than the severity, it is the certainty of punishment that deters people. Not all crimes and criminal procedures will land them in prison or life sentences for that matter. In other words, if the scary message is perceived as unlikely and exaggerated, it will not resonate with the target group.²⁴

The reasons why Scared Straight and similar approaches fail should not be taken as reverse recommendations on what the correct approach should be. Making sure every young criminal receives a life sentence is neither desirable nor feasible. What these findings do tell us, however, is that scaring children with a severe punishment is ineffective at best, and harmful at worst.²⁵ Despite the good intentions, deterrence does not work in this way, nor for this target group. Research does, however, suggest a couple of deterrence-based approaches that do work.

WHEN DOES DETERRENCE WORK?

The effects of deterrence are not the same for everyone and will not work in the same way for the entire population.²⁶ Deterrence will only affect those who are already predisposed or tempted to commit a crime. Most people abide by the law regardless of its deterrent powers. As such, it could be argued that deterrence is only an effective approach within secondary or tertiary prevention.²⁷

In other words, it is more likely to have an effect when the approach is targeted. Combining this targeted approach with the understanding that deterrence predominantly works through the certainty of punishment and more specifically the certainty of apprehension, we can see that prisons and prisoners are not the right messengers. Key actors in effective deterrence approaches are the police and policing strategies that result in a large and visible shift in apprehension risk.²⁸

Before continuing with this argument, it is important to distinguish between deterrence and incapacitation. The latter is also a function of the criminal justice system and policing specifically, and prevents a criminal from committing a crime *again* by restricting their capacity to do so. Simply put, the main difference between deterrence and incapacitation is therefore that deterrence works to prevent crime by influencing the perceived risk of being caught prior to the event, while incapacitation restricts the criminal from continuing their activities or committing new crimes after being caught. Incapacitation will have crime prevention effects, but will require higher arrest and imprisonment rates and take up significant resources to sustain the effect.²⁹

Preventing crime through deterrence, hotspot policing is a prime example of how this works in a targeted approach. Police resources are focused on so-called 'crime hotspots': small geographical areas with a high crime rate.³⁰ Reviewing 65 studies, Braga et al. (2019) concluded that this approach has small but meaningful effects on crime. Additionally, not only are there small signs of displacement, the effects are even more likely to extend beyond the targeted area. By

focusing their efforts and patrols, the police raise the risk of apprehension in the area and effectively deter drug offences, disorder offences, property crimes and violent crimes.³¹

As we can see here, the effects are mentioned for specific crimes. In addition to the target group or the geographical location, the type of crime is also an important factor for deterrence to work. Some crimes are influenced by deterrence to a lesser extent than others. Emotional crimes, such as for example a *crime passionnel*, are unlikely to be affected, while deterrence focused on more deliberate crimes, say property crime, has a higher chance of success.³²



Another policing strategy that works through a targeted approach while increasing the likelihood of being caught is called 'focused deterrence', also known as 'pulling levers policing'.³³ This has been credited with positive effects, especially when targeted at gang-related violence, but also on repeat offenders and open-air drug markets. The key feature consists of directly interacting with the target group, making sure they know the consequences of persistent offending and providing viable alternatives through social services.³⁴ Community or family members are also brought into the wider approach, by enhancing the collective efficacy and informal control of that community, while also taking away some of the justifications offenders might use to minimise their personal responsibility. The attentive reader might notice that 'raising awareness' is indeed part of this approach. On its own, raising awareness has little effect. Yet targeted, as it is here, embedded in a holistic approach, it proves its merit.³⁵



OPERATION CEASEFIRE AND PROBLEM-ORIENTED POLICING

An important factor in the success of focused deterrence is how it links to problem-oriented policing. This way of working places the main emphasis on properly assessing the needs and problems within an area, in order to customise the response to the local reality.³⁶

A prime example of this approach is the Boston Ceasefire operation, to reduce gang-related gun violence.³⁷ Together with targeted enforcement on weapons traffickers, the police made sure the gang members knew what the consequences were if they continued their violence.³⁸ The sanctions were communicated and collaboration between the local prosecutor's office made sure prosecutions were followed through. As most of them already had criminal charges against them, these were put on hold and potentially dropped, provided that everyone kept to the agreed rules. If one individual were to cross the line, the charges would be re-opened for all group members. This of course created peer pressure within the gangs to avoid taking part in violent crime. Only well-designed, tailored and researched messages can achieve this, with the right supportive network. Taking one for the team no longer worked, the mixed-method approach of focused deterrence did: youth homicide rates dropped by a staggering 63%, and gun assaults by 25%.³⁹

CONCLUSION

Deterrence clearly has its worth, but only if used in the right way. Scared Straight and other fear-based approaches focus on the severity of punishment and on showing children the worst that could happen if they commit crimes. These approaches face criticism on ethical concerns alone,⁴⁰ yet also fail to show any positive effect whatsoever. Any crime prevention actor should be aware of the potentially negative effects of this type of programme, and draw their conclusions.⁴¹

In contrast, effective deterrence approaches do exist when focused in terms of crime, target group or geographic setting and when aimed at elevating the certainty of punishment. Policing strategies with this kind of focus and with visible effects on the risk of being caught have positive effects, according to robust scientific evidence.

Endnotes

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