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FOIA/PA Mail Referral Unit
Department of Justice
Room 115, LOC Building
Washington, DC 20530-0001

June 5, 2022

Dear Department of Justice:

This is a request under the Freedom of Information Act. In order to help determine fees, you should know that this request is through a news organization named Muckrock and the fees should be adjusted accordingly.

Background information.

This freedom of information Act records pertains to a document entitled "FOCUSED DETERRENCE OF HIGH-RISK INDIVIDUALS." The document in question has the following additional title "STRATEGIES FOR POLICING INNOVATION PROBLEM-ORIENTED GUIDES FOR POLICE RESPONSE GUIDE SERIES NO. 13" and the listed author is "MICHAEL S. SCOTT."

By way of further description, the second page denoted "page i", carries the following inscription "This project was supported by Grant No. 2013-DP-BX-K006 awarded by the Bureau of Justice Assistance, a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice & Delinquency Prevention, the Office for Victims of Crime, and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking.

The same 'page i' contains the following inscription: "The U.S. Department of Justice reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, this publication for Federal Government purposes. This publication may be freely distributed and used for noncommercial and educational purposes. www.bja.usdoj.gov" The date of publication is listed as 2017.

Request.

1. I am requesting a copy of all documents from the Department of Justice regarding and/or pertaining to this guide written by the Department of Justice prior to its publication. This request includes all Department of Justice suggested edits, modifications, additions, deletions and reviews of this document before its publication.

2. I am also requesting a copy of all documents from the Department of Justice regarding and/or pertaining to the following excerpt (quoted passage from the guide) found at pages 4 and 5 of this guide written by the Department of Justice prior to its publication. This request includes all Department of Justice suggested edits, modifications, additions, deletions and reviews of this document before its publication by the Department of Justice.

“FOCUSED-DETERRENCE THEORY The focused-deterrence—or “pulling-levers”—strategy originated in a problem-oriented policing initiative to address youth-gang gun violence in Boston in the late 1990s. Since then, dozens of jurisdictions in the United States have adopted and adapted the model. The focused-deterrence approach stems from the deterrence theory of crime, which asserts simply that people are discouraged from committing crimes if they believe they are likely to be caught and punished certainly, severely, and swiftly. These three punishment elements theoretically work best in concert: if any one of the elements is weak, the threat of punishment is diminished and the person is less deterred from committing the crime. Specific deterrence refers to instances when the individual punished is discouraged from offending again. General deterrence is when other people become aware of an individual’s punishment and are discouraged from committing similar offenses. FDIs aim primarily to deter high-risk offenders from reoffending, but if properly publicized to offenders’ associates and to the wider public, general deterrence can occur as well. The police role in deterring crime lies principally with the first element—certainty. By law, police are not intended to have much influence on the severity of punishment, at least not official punishment meted out under the criminal law: for the most part, that is left to legislatures, prosecutors, and judges to decide. Nor do police have much say in the swiftness of punishment: that lies largely in the hands of the courts. Much of traditional police work is designed to increase the likelihood that those engaged in criminal activities are caught and brought to court. Police patrols, rapid response to crimes in progress, and criminal investigations all are intended to boost the chances that criminals will be detected. **THEORY VERSUS PRACTICE** Criminal deterrence theory is sound, with the evidence most strongly supporting the certainty of punishment rather than the severity or swiftness of it. Several factors work against the effectiveness of deterrence-based strategies. For example, not all offenses are reported to police, police do not detect or apprehend many offenders, prosecutors are not able to bring formal charges against all arrestees, judges and juries do not convict all those who are tried for crimes, punishments meted out (usually fines, jail time, community service, or some form of conditional release) are not always perceived as sufficiently harsh, and the imposition of punishment sometimes occurs long after a crime has been committed. Sometimes, even when people will be punished harshly and quickly, they do not believe ahead of time that they will be. Ultimately, punishment deters only to the extent that people believe that they will be caught and that the punishment will be certain, severe, and swift. Finally, it only deters if people do not want to be caught and punished (which, odd as it sounds, is not always the case).”

3. I am requesting a copy of all documents from the Department of Justice regarding and/or pertaining to this guide written by the Department of Justice after to its publication. This request includes all Department of Justice suggested edits, modifications, additions, deletions and reviews of this document after its publication

I am requesting a fee waiver because the disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of the operations and activities of the government and is not primarily in the commercial interest of the requester. Thank you for your consideration of my request.

Sincerely,

Nicholas Clapham