



MEASURE

RES-0508

RECOMMENDATIONS TO THE CITY OF PFLUGERVILLE

10 April 2018

Contributors: Paulette Blanc, Eric Byrd, Malick Djiba, Chris Harris, Natasha Madison, Yasmine Smith, Meme Styles

WHAT IS ‘MEASURE’?

MEASURE[®] is an Austin-based, not-for-profit, public education and research organization which seeks to improve community agency functionality and ability to address community needs through groundbreaking research and advocacy. Founded in 2015 by President, Jameila “Meme” Styles, we’ve established a data driven culture embedded with our motto “Numbers You Can Trust.” Our mission is to bridge divisions through research and public education in active partnership with local communities to address complex social problems.

HOW MEASURE DEFINES COMMUNITY POLICING

MEASURE[®] recognizes Community Policing as a necessary component to facilitate public safety, improve community relations and increase police trust and legitimacy. MEASURE defines community policing as it relates to the local context, while incorporating the frameworks and understandings of research development at the state and national levels - for MEASURE, community policing is, “the public’s means to mitigate crime and build relationships with its stakeholders and residents: whereby the police become a stakeholder in the community, as opposed to simply an enforcer of law.” Going beyond enforcement, community policing is a police system based in partnership between the public and the police as mutual stakeholders in maintaining a safe and functional community.

**Measure's Community
Policing Model**



MEASURE'S POSITION ON RES-0508:

- *Discuss and consider action to approve a resolution encouraging the courts to sentence criminals convicted of drugs or violent acts to the maximum punishment allowed by law.*

Based on data and research available, MEASURE opposes the proposed resolution of the Pflugerville City Council which seeks to impose the maximum punishment allowed by law upon *people convicted of drugs or violent acts*. *Historical data proves* that the criminal justice system perpetuates deep and troubling racial disparities. Consequently, MEASURE supports efforts to reduce overcriminalization, including the rate and length of incarceration through mandatory maximum sentencing, as proposed by Pflugerville City Council.

Evidence must inform the decision making process of all civil and judicial entities. Lacking documentation about any cost/benefit analysis that may have been produced by this resolution's sponsors, MEASURE recommends that compiling this data be the first step taken in determining the usefulness of such a resolution. These - and other missing data components - jeopardize trust in this quorum and may have a negative impact on the success of Pflugerville residents as productive citizens.

Without having done its due diligence in investigating, analyzing and articulating the reasons and consequences of its position, this type of



legislation is most likely to prove harmful and will certainly prove divisive. MEASURE asks that the City Council members halt continued progress on this resolution until evidence is added to its decision making process.

(C) COMMUNITY

It is no secret that we live in tumultuous times, where mistrust is high between law enforcement and people of color. Overcriminalization tactics, such as the failed “Stop and Frisk” policy, reveal not only the faultiness of methods that exaggerate the role of law enforcement, but the propensity for law enforcement practitioners to disproportionately arrest individuals of African and Hispanic descent. Longer sentences do not have positive outcomes and would only serve to add further strain to a tense climate.

MEASURE believes, instead, that effort should be put forth to reduce overcriminalization and increase the practice of community policing. In contrast to “Stop and frisk”, the “Stop and Shake” movement was birthed in the city of Yonkers, N.Y. – a community policing initiative with the goal to “end misunderstandings between citizens and police, as well as each other” (StopandShake). Novel and innovative methods such as these can be a better framework for crime prevention in a brave and bold new Pflugerville.

Instead of aggressive drug laws, efforts should be made to use effective programs that address public health concerns. A large body of research shows that overcriminalization of drug use are detrimental to public health efforts that seek to treat drug addictions (American Public Health Association, 2013). In addition, drug use rates do not appear to have a correlation with severity of criminal penalties (Drug Policy Alliance, 2017). Aggressive drug laws create stigmas and marginalize people who use drugs, making it difficult for them to seek treatment. Available evidence also suggests that using the criminal justice system, as a means to get people into treatment, is not effective for the majority of those who have a drug use problem (Levy, 2014).

(A) ADVOCACY

The proposed resolution focuses on an outmoded “tough on crime” philosophy that makes use of a combination of strict sentencing guidelines and a punitive philosophy of corrections all of which have proved to be much less likely to rehabilitate offenders, and has, in turn, caused the United States to have the largest prison population in the world with the second-highest per capita rate.

In 2012, the United States’ Congress joined the ranks of critics of mass



incarceration. In doing so, Congress ordered federal judges not only impose sentences “sufficient, but not greater than necessary, to comply with” protecting the community at large, but to also recognize that imprisonment is not an appropriate means of promoting correction and rehabilitation. 18 U.S.C §§ 3552, 3582.

(R) RESILIENCE

Strategies for *Community Resilience* include social, physical and economic factors. Prevention/Awareness/Recovery are fiscally sound methods that acknowledge public health and human rights. Addiction is a disease requiring treatment – not a crime requiring punishment.

WHEREAS, the City Council finds that approval of this Resolution is in the public interest promotes economic development and furthers the best interests of the City of Pflugerville, Texas;

The resolution is a systematic disinvestment in the community, negatively impacts economic development and neglects underlying causes.

Viable alternative options that yield positive impact:

- Address Long term unemployment/underemployment, limited opportunity
- Improve Quality of the Built Environment & Public Places
- Address Adequate Multi-Modal Transportation Options

WHEREAS, the National Institute of Health’s research and the Department of Justice statistics show that one-quarter of individuals arrested for drugs in the United States return to prison within three years of being released;

Important statistics to consider impacting priorities and recidivism:

- 29% of the prison population have suffered childhood abuse
- 46% experienced or witnessed violence in childhood
- 15% were homeless immediately prior to incarceration
- 90% show signs of a mental health problem and 70% have two or more disorders.

(E) EVIDENCE-BASED

- **Evidence-Based Rebuttal Of Proposed Resolution**



WHEREAS, the City Council recognizes that drug use and violent crimes are on the rise;

The FBI's annual report on crime data in the U.S. for the year 2016 included an overall decline in crime for the 15th year in a row, a decline in property crime for the 14th consecutive year, but an increase in the violent crime rate nationally for the second straight year. Despite the uptick in violent crime since 2014, we are still in the midst of a remarkable long-term decline in both violent and property crime at the national level.

*WHEREAS, the National Institute of Health and the National Institute on Drug Abuse estimate that the total economic cost in the United States for drug abuse in the United States is \$193 billion dollars; and
WHEREAS, the National Institute of Health and the National Institute on Drug Abuse estimate that the total economic cost in the United States for opioid abuse is \$78.5 billion dollars; and*

The Drug Policy Alliance estimates that over \$50 billion is spent annually on the war on drugs (Drug Policy Alliance, 2017). According to the AP, by 2010, 40 years of the war on drugs had cost the US over \$1 trillion and had failed to achieve any of its goals. One prominent feature of the failed war on drugs is harsh mandatory minimums for drug crimes that have been repeatedly proven to not only be ineffective at addressing either drug supply or demand, but to be demonstrably racist in their execution. 57 percent of people incarcerated for a drug offense in state prison are Black or Latino, although these groups use and sell drugs at similar rates as whites.

*WHEREAS, the National Institute of Health's research and the Department of Justice statistics
show that one-quarter of individuals arrested for drugs in the United States return to prison
within three years of being released; and*

As far back as 2004, the vast benefits of drug treatment over incarceration, including on recidivism rates, have been realized and highlighted. As the Justice Policy Institute reported, "Though the time behind bars spent is limited, the impact of a felony conviction may last a lifetime, and even a short period of incarceration has been shown to affect people's earnings and ability to get a job, to be parents, and to become productive parts of their communities."

*WHEREAS, the Federal Bureau of Investigation's data shows that violent crime is on the rise
and increasing year after year in the United States; and*



Preliminary statistics show declines in the number of both violent crimes and property crimes reported for the first half of 2017 when compared with the first half of 2016, according to the FBI's Preliminary Semiannual Uniform Crime Report, January - June 2017, released in January 2018.

RECOMMENDED MEASURES

MEASURE[®] seeks to add and incorporate additional crucial measures to tell a more accurate and useful story of the crime and criminal justice as it relates to the decrease of overcriminalization. As such, *MEASURE*[®] recommends adding these as performance measurement variables to assess the desired public safety outcomes:

1. Percent decrease/increase of drug related incidents in Pflugerville
2. Percent increase in public health funding addressing drug problems in Pflugerville
3. Percent decrease/increase in violent crimes in Pflugerville
4. Resident satisfaction through consistent annual survey protocol (disaggregated by neighborhood and demographic characteristics);
 - a. By Race/Ethnicity;
 - b. By Gender;
 - c. By Socioeconomic Status;
 - d. By Nationality Status (Citizen or Undocumented);
 - e. By Residence (Zip Code)

CONCLUSION

MEASURE[®] understands the complexities of Public Safety. However, by incorporating the aforementioned performance measures, the City of Pflugerville, and subsequently, its respective administrative agencies, can be better prepared, serve with greater efficacy and engage more effective public service than it does at present.

MEASURE[®] also offers its services as a research and public education organization in order to meet the needs of City Council, its respective agencies, and the citizens and residents that it serves as it pertains to the subject matter presented here.



Resources & Works Cited:

American Public Health Association. (2013, November 5). Defining and Implementing a Public Health Response to Drug Use and Misuse. Retrieved April 10, 2018, from <https://www.apha.org/policies-and-advocacy/public-health-policy-statements/policy-database/2014/07/08/08/04/defining-and-implementing-a-public-health-response-to-drug-use-and-misuse>

Drug Policy Alliance. (2017, July). It's Time for the U.S. to Decriminalize Drug Use and Possession. Retrieved April 09, 2018, from http://www.drugpolicy.org/sites/default/files/documents/Drug_Policy_Alliance_Time_to_Decriminalize_Report_July_2017.pdf

Lloyd, Charlie. "Sinning and Sinned Against: The Stigmatisation of Problem Drug Users." York: University of York. 2010: 53. Livingston, James D et al. "The Effectiveness of Interventions for Reducing Stigma Related to Substance Use Disorders: A Systematic Review." *Addiction*, 107. No. 1 (2012) 40. 43

Levy, Jay. "The Harms of Drug Use: Criminalisation, Misinformation, and Stigma." Youth Rise, International Network of People Who Use Drugs. 2014. http://www.inpud.net/The_Harms_of_Drug_Use_JayLevy2014_INPUD_YouthRISE.pdf.

Rahman, F. (2016, November 13). PolitiFact: Texas spends more per inmate than per student. Retrieved April 10, 2018, from <https://www.mystatesman.com/news/local-education/politifact-texas-spends-more-per-inmate-than-per-student/sYfkw0PLnzAFaIwv4TowGM/>

StopandShake. (n.d.). OUR STORY. Retrieved April 10, 2018, from <http://www.stopandshake.org/the-stop-and-shake-story/>

Texas Public Policy Foundation. (n.d.). Corrections Budget and Prison Operations. Retrieved from [https://www.texaspolicy.com/library/doclib/Corrections Budget and Prison Operations.pdf](https://www.texaspolicy.com/library/doclib/Corrections_Budget_and_Prison_Operations.pdf)

FBI. (2017, September 25). "Latest Crime Statistics Released." <https://www.fbi.gov/news/stories/2016-crime-statistics-released>

FBI. (2018, January 23). "2017 Preliminary Semiannual Crime Statistics Released."



<https://www.fbi.gov/news/stories/2017-preliminary-semiannual-crime-stats-released>

Statista. "Reported violent crime rate in the United States from 1990 to 2016."

<https://www.statista.com/statistics/191219/reported-violent-crime-rate-in-the-usa-since-1990/>

Statista. "Number of reported cases of property crime in the United States from 1990 to 2016."

<https://www.statista.com/statistics/191208/reported-cases-of-property-crime-in-the-us-since-1990/>

Associated Press. (2010, May 13). "After 40 years, \$1 trillion, US War on Drugs has failed to meet any of its goals."

<http://www.foxnews.com/world/2010/05/13/ap-impact-years-trillion-war-drugs-failed-meet-goals.html>

Drug Policy Alliance. "Drug War Statistics."

<http://www.drugpolicy.org/issues/drug-war-statistics>

Justice Policy Institute. (2004, January) "Treatment or Incarceration?:

National and State Findings on the Efficacy and Cost Savings of Drug Treatment Versus Imprisonment"

http://www.justicepolicy.org/uploads/justicepolicy/documents/04-01_rep_mdtreatmentorincarceration_ac-dp.pdf