

The Four Pillars: A Blueprint for Prosecutors and Police to Reduce Homicides in America

Thomas Hogan

Adjunct Fellow
Manhattan Institute

Introduction

History drives prosecutors and police. It may be time for prosecutors and police to drive history. There are four pillars of violent crime prevention that criminal justice actors can rely on to halt the current spike in homicides in America.

Prosecutors and police are shaped by their times. After the discipline imposed by fighting in World War II and the orderliness of the 1950s, the American criminal justice system became less punitive in the 1960s, fueled by notions of flower power and the opinions of the Warren Supreme Court.¹ A great American crime wave followed, cresting with the extreme violence of the crack epidemic in the 1980s and early 1990s. American prosecutors, police, and politicians responded by pulling every lever available to them, desperate to restore order to increasingly dangerous cities. Prosecutors sought strict sentences. More police officers were deployed to the streets. Sophisticated computer programs were used to track crime. Mandatory minimum sentences and sentencing guidelines were imposed to constrain the discretion of judges. The strategies eventually worked—although nobody is sure exactly which responses worked and to what extent—leading to what became known as the great American crime decline. Crime rates fell for decades and even once-violent cities like New York became relatively safe, accompanied by persistent arguments that the U.S. incarcerated too many people to ensure this safety.

In reaction to the illusion of a permanent victory over violent crime and the perception of overincarceration, a new breed of prosecutors arrived on the American political scene in the 2010s, elected in liberal-leaning big cities. Called “progressive prosecutors,” these law-enforcement officials began to pull every lever in the opposite direction from that of their 1990s colleagues. They refused to prosecute entire categories of crimes, sought lesser sentences even for violent offenders, and viewed the police with open suspicion. Other elected officials, from mayors to senators, rode the same populist wave about crime and deterrence. At the same time and in

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the subsequent years, police were demonized in the popular press, with a “defund” or “abolish the police” campaign gaining some traction.² Wide latitude was returned to judges, with the weakening of mandatory minimum sentences and loosening of sentencing guidelines.

Not surprisingly, violent crime began to rise again. The U.S. saw almost a 30% rise in homicides across the nation in 2020, a record for a one-year increase.³ In 2021, homicides continued to climb, and many cities experienced the largest number of homicides in their history.⁴ And even after courts reopened following the Covid era, cities as different as Portland, Milwaukee, and Albuquerque set new homicide records in 2022.

There are vigorous debates about what caused this spike in homicides. Progressive prosecutors, de-policing, the Covid-19 pandemic, increased gun sales, violent protests, weakened pretrial detention and sentencing, and numerous other theories have been proposed by academics and law-enforcement professionals.⁵

Whatever the cause, the most pressing current issue regarding crime in the U.S. is how cities can reduce violent crime, particularly homicides, without disrupting civil liberties. What if, rather than oscillating between overly punitive and overly lenient regimes, police and prosecutors had the ability to take a middle road, incapacitating violent criminals without broadscale incarceration? Fortunately, there are well-established actions that police and prosecutors can take to reduce the number of homicides and overall violent crime rates in America. Because the nation faced a similar homicide spike in the early 1990s, both scholars and law-enforcement officials had the opportunity to study and practice effective strategies to cut homicides. Importantly, America can reach this goal without becoming a draconian police state. Four key components form the basic blueprint for reducing the rates of homicides and nonfatal shootings in American cities while maintaining the balance of a free society. For the purposes of this article, those key theories and tactics are called the “four pillars”:

1. The first pillar is crime concentration: crime is extraordinarily concentrated across people, places, and times.
2. The second pillar is that drug-trafficking and firearms prosecutions provide the intelligence information that allows violent crimes to be solved, as well as incapacitating violent offenders before they commit homicides.
3. The third, and least recognized, pillar is “vertical prosecution.” Vertical prosecution is a process that pairs prosecutors with the police from the moment a major crime happens through conviction, a coordinated effort that is necessary in solving complex crimes and preserving the integrity of prosecutions.
4. The fourth pillar is precision policing and prosecution: combining the first three pillars, the police and prosecutors focus their resources on the most violent offenders in the most vulnerable locations during the highest-crime periods.

Each of the four pillars is battle-tested and well documented in theory and practice. Each pillar allows prosecutors and police to reduce violent crime within the framework of established law and America’s sense of justice. However, scholars and practitioners seldom discuss the interrelated nature of the four components. The four pillars work only if each pillar is used in an integrated fashion. For instance, the police can use the pillars of crime concentration, drug and firearms investigations, and precision policing, but if vertical prosecution is ignored and prosecutors are not aligned with police, the entire effort will fail.



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The modest subject of this paper is the four pillars. It examines each of the four pillars, discussing both theory and practical applications. The paper then describes the implementation of the four pillars in an urban environment and reviews the results. Before concluding, it considers who is in the best position to implement the four pillars.

First Pillar: Crime Concentration

The first key to reducing violent crime in America relies on the theory of crime concentration. Violent incidents are highly concentrated among a relatively small number of people, specific locations in a city, and particular times of the week and year.

In any given city across the world, approximately 5% of offenders are responsible for 50% of the violent crimes.⁶ In fact, one study found that over 60% of violent crimes in a city were committed by just 1% of the offenders.⁷ Importantly, it is not 5% of the total population of a city that is driving the majority of violent crime, but 5% of the criminals, a subset of a subset. Incapacitating this small cohort of high-frequency offenders—often called the “power few”⁸—can substantially reduce violent crime rates throughout an entire city.

For homicides, this concentration is even more intense because of the tremendous overlap between potential homicide offenders and homicide victims. Known as the victim–offender overlap, research has shown that the cohort of probable homicide offenders is a robust match for the cohort of probable homicide victims.⁹ Simply put, the group of people most likely to commit murder is the same group of people most likely to be murdered. Thus, the police can effectively double their investigative resources by concentrating on this narrow but overlapping group.

Imagine living in a town of a few thousand people in the Dark Ages. Perhaps 100 people in the town engage in criminal activity, from stealing food to brawling. But out of the 100 offenders, there would be five individuals engaging in murder, rapes, and robberies (the concentrated 5% of serious offenders). The reaction of the townspeople almost certainly would be to banish, incarcerate, or otherwise rid themselves of these five violent criminals. This is a simple illustration of the concentration of crime in people and the historical reaction.

In addition to the concentration of violent crime in a relatively few offenders, crime is heavily concentrated in relatively few locations. Less than 5% of the addresses in a city generate over 50% of the violent crimes.¹⁰ This fact of crime concentration is not merely focused on general areas of a city but instead on specific locations, such as a drug house, gang residence, or problem bar. Homicides are particularly concentrated into very specific locations in cities.¹¹ This is the theory of crime “hot spots.”¹²

Violent crime is also predictably concentrated by time. Shootings and homicides peak during hot months, between 10:00 p.m. and 3:00 a.m., and on weekends.¹³ These are the times when potential offenders and victims have the greatest chance to interact, with predictably violent results.

It is not just academic studies that have validated the idea of crime concentration. Go to any police officer who works a regular beat in a big city and ask three questions: (1) Who are the most likely people in the area to kill or be killed? (2) Where are your problem locations? (3) When do most violent crimes happen? Every cop will be able to come up with a list of names and a set of addresses and invite you for a ride-along on a steamy Saturday night in July.

Understanding this pillar of crime concentration is the first step toward creating a coherent strategy for reducing violent crime in American cities.



Second Pillar: Drug-Trafficking and Firearms Investigations

The second pillar for reducing homicides is the use of drug-trafficking and firearms investigations for intelligence gathering and incapacitating violent offenders. Felons in possession of firearms are an obvious category of people likely to commit violent crime. Drug dealing itself is linked to homicides through territorial disputes, rip-offs, and the usual violent competition associated with black-market economies, a pattern that recurs around the world.¹⁴ Looking at the link between drugs and homicides both prospectively and retrospectively, drug offenders later advance to violent crime, and homicide defendants often have a criminal history related to drug dealing.¹⁵ For instance, in one year analyzed by the Baltimore Police Department, approximately 70% of homicide suspects had prior arrests related to drug crimes.¹⁶

Despite the clear potential to leverage drug-trafficking investigations to control violent crime, such investigations have gone out of style, a victim of the war on the war on drugs. These investigations are one of the most misunderstood and criticized law-enforcement tools. Separate from the overall arguments about drug and firearms policies and rights, the general public and researchers need to understand the role of drug-trafficking and firearms prosecutions in controlling violent crime.

As an initial matter, prosecutions for drug trafficking and illegal possession of firearms incapacitate a significant number of potential homicide defendants and victims. Felons carrying firearms and dealing drugs are two of the strongest correlates for murder, both as killers and victims.¹⁷ In other words, if you are a drug-dealing, gun-toting felon, you are much more likely to kill or be killed than a normal citizen. Thus, drug-trafficking and firearms prosecutions can act as a proxy for locking up potential killers and victims, incapacitating them before they commit a homicide or are killed.

An additional salient feature of drug-trafficking investigations is the fact that such investigations are a principal source of gathering intelligence about homicides (and many other violent crimes). Excluding domestic homicides, a large share of homicides in the U.S. have some connection to the drug trade, a trend that has been noted for decades.¹⁸ Often, homicides are the result of drug-trafficking gangs violently interacting. Other homicides may be armed robberies of drug dealers gone wrong. Most street-level homicides happen in drug-trafficking areas of the city, which means that the potential witnesses are drug dealers and drug users.¹⁹ Moreover, drug dealers are constantly gathering information as they interact with their suppliers, other crew members, and drug users.

Drug trafficking as organized crime linked to violence is ubiquitous in virtually every urban area in the United States. To the extent that criminal networks are organized around other types of criminal activities in different jurisdictions around the world, that type of crime could be substituted for drug trafficking in the four pillars. For instance, if human trafficking in Libya, car-theft rings in Rome, or open-water piracy in Somalia are the major organized crimes linked to violence in those jurisdictions, then such crimes would become part of the four pillars approach. In the Prohibition-era U.S. of the 1920s, this pillar would have been built around the bootlegging and smuggling of alcohol. In the current U.S., drug trafficking is the crime most likely to yield information about violent crimes in the majority of jurisdictions.



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Drug-trafficking investigations supply information about violent crimes in a straightforward fashion. Confidential informants who are working with police in violent neighborhoods are able to gather a certain amount of information about who shot whom from word-of-mouth communications. Moreover, drug traffickers are arrested, face significant sentences, and provide actionable intelligence about homicides. Such information can include homicides and other violent crimes that the dealers witnessed, heard about, or even were involved in. Any investigator who debriefs a battle-hardened 20-year-old drug-dealing gang member will discover that it is not unusual for the defendant to have directly witnessed or participated in several murders and nonfatal shootings, while also having accurate information about other killings and violent crimes. Without the leverage of a potentially stiff sentence for drug trafficking, such a defendant would never provide crime information to law enforcement. Drug trafficking is simply the latest iteration of organized crime in the U.S.; the Mafia was destroyed as a violent organization by flipping made members of the organization to provide information against its leaders. The same tactic applies to violent drug-trafficking organizations. This investigative technique is a favorite for federal prosecutors and agents when they are investigating any type of organized crime.

Once again, commonsense street-level policing can be used to validate the value of such drug-trafficking information. If detectives want to identify potential suspects in the homicide of a gang member, the detectives will call in drug-unit investigators to see which other gangs were involved in a “beef” with the victim, which drug dealers and drug users were likely to be on the street when the murder took place, and what information about the murder is available from confidential informants and other drug-related intelligence sources. As many seasoned detectives have noted to this author, for violent crime, drug investigations are like the Internet: ask your question, get an answer, but you still have to verify the quality of the information.

Think about a member of a drug-trafficking gang, an individual who goes by the street name “Gotti” (still a remarkably popular alias). Gotti has prior convictions for drug dealing, aggravated assault, and weapons possession, including both juvenile and adult offenses. Gotti plans on ambushing and killing a rival gang member. However, before Gotti can commit the murder, police execute a search warrant on Gotti’s residence, locate drugs and guns, and arrest and incarcerate him. The police prevented Gotti’s planned homicide of the rival gang member. Now, facing substantial criminal penalties and seeking a lighter sentence, Gotti provides prosecutors and police with information about several other murders and shootings that he witnessed, allowing the arrest and prosecution of other violent criminals, all of whom are in the violent 5% of offenders who cause most of the violent crime in any city, and all of whom can now be arrested and incapacitated. Gotti’s solitary arrest prevented or solved an entire series of murders.

Another point about drug-trafficking and firearms prosecutions is underexplored: the popular media and some prosecutors classify such drug dealing and felons carrying firearms as “nonviolent offenses” because nobody is injured during the commission of the offense. This is a mistake. Rather than classifying offenses strictly into the categories of “violent” or “nonviolent,” law enforcement and researchers should recognize a category of “violence-related” offenses. Violent offenses are crimes such as homicide, nonfatal shootings, aggravated assaults, rapes, and other crimes where physical harm clearly is caused or attempted. Nonviolent offenses consist of forgery, theft, simple possession of drugs, traffic violations, and other crimes where physical harm is very unlikely. Violence-related offenses are crimes where physical violence is part and parcel of the offense, conceptually adjacent to the commission of the crime. Drug trafficking and possession of firearms by felons are crimes that constantly are just moments away from shifting into full-scale violent offenses like homicides and nonfatal shootings. Recognition of a category of violence-related offenses stresses the important role of addressing such crimes to deter the actual violent offenses.



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Thus, the second pillar of constructing a response to rising homicide counts in the U.S. is the active use of drug investigations and firearms prosecutions. Such investigations provide the raw intelligence and leverage necessary to solve many murders, as well as incapacitating potential murderers (and victims).

Third Pillar: Vertical Prosecution

The least-discussed key to ending the spike in homicides in American cities is called vertical prosecution. There are two main models of prosecution: horizontal prosecution and vertical prosecution.

In horizontal prosecutions, police do the investigation without any input from prosecutors, and then hand the file off to prosecutors for trials/pleas. For example, a home is burglarized. The local police department does the investigation, tracks down the offender, and arrests him. The first time the prosecutor hears about the case is when the file shows up in court for a preliminary hearing. The prosecutor is in charge of producing discovery to the defense and making a plea offer, with the vast majority of cases resolved via plea agreements.²⁰ Outside of a brief conversation about the potential plea, the prosecutor and investigating police officer have little interaction. Horizontal prosecutions are an assembly-line model of criminal justice. Given a huge volume of cases, local prosecutors generally follow the horizontal prosecution model.²¹

In vertical prosecutions, law enforcement and prosecutors work together from the inception of the case through trial. The prosecutors and police discuss strategy for the investigation, timing of arrests, legal issues such as when giving Miranda warnings to a suspect is necessary or whether a search warrant is required, potential cooperation issues, the order of witnesses at trial, trial themes, and even jury selection. This process is resource- and time-intensive but serves several purposes. First, it makes for a better-quality investigation and prosecution, as all leads are investigated and legal errors are minimized. Second, it ensures the full and coordinated investment of both prosecutors and law enforcement in the case; there is no blaming each other for a poor investigation or bad trial strategy, because everybody participates in all aspects of the case. If horizontal prosecutions are an assembly-line model, vertical prosecutions are custom-made prosecutions. With much smaller caseloads, federal prosecutors and agents usually follow the vertical prosecution model.²²

Consider the burglary example used above to describe horizontal prosecutions, instead applying the vertical prosecution model. If the police officer and prosecutor immediately worked together on the case, they would have realized that most burglars commit several offenses before they are caught and do so in various jurisdictions. The police and prosecutors could have queried neighboring jurisdictions for similar crimes, coordinated evidence-gathering like fingerprints and DNA, interviewed people connected to the defendant who might live in yet another jurisdiction about his activities, pulled tracking information from the defendant's car and phone via search warrants and court orders, and discovered stolen merchandise at pawnshops in the area. Now, instead of one burglary case with adequate evidence, police and prosecutors might be clearing 30 burglary cases with overwhelming evidence. That is the power of the vertical prosecution model in even a simple case.

Vertical prosecutions are one key to solving and deterring more homicides and nonfatal shootings. Prosecutors should be called out to homicide scenes, along with the detectives who will investigate the murder. They can confer on issues such as scene processing and documentation, who should be interviewed, and other immediate concerns. The prosecutors can view the scene in real time, which often provides vital information relevant to the investigation and later trial.²³ The



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prosecutors and police can both access data on potential offenders, cooperators, and leverage points, information that is often kept separately by police and prosecutors. Prosecutors can help the police with obtaining court-approved search warrants and electronic surveillance orders immediately because the prosecutors are dedicated to the case, rather than forcing the police to go through a random on-call prosecutor.

The coordination continues right from the homicide scene through the overall investigation and trial. Prosecutors who know and have interacted with the potential witnesses in the case are much better at working with those witnesses at trial. During the trial, experienced law-enforcement officers are extremely good at reading potential jurors during jury selection and providing an invaluable extra set of eyes to the prosecutors, as well as monitoring the courtroom for potential witness intimidation from the gallery. When several homicides or shootings are related to one another—a common issue with retaliatory violence—having the same prosecutors and detectives work on all the related cases provides a vastly larger store of collective institutional knowledge that may become important in the investigation and trial. If the police and prosecutors know the same gangs, individuals, and history involved with a crime hot spot, they are more likely to be able to answer the age-old question, “Who shot John?”

The final important aspect of the vertical prosecution model in homicide and shooting investigations is that it aligns the interests of the police with those of the prosecutors. In today’s world, where a cohort of chief prosecutors is at odds with the police, the lack of prosecutor buy-in for an investigation will doom the prosecution. For instance, in Baltimore, the lack of coordination between the police and the prosecutor’s office was cited in 2002 as leading to unsuccessful prosecutions as well as increases in violent crime, and that situation existed before the more-recent antagonism between the Baltimore Police Department and Baltimore’s chief prosecutor.²⁴ Alignment of the police and prosecutors not only results in a better investigation and prosecution; it ensures that the two interdependent organizations are working toward the same goal. Without prosecutor-police alignment, the police could do a perfect homicide investigation and still have the prosecution fail.

In addition to the use of vertical prosecutions in homicides, it is important to note that vertical prosecutions are necessary for the effective use of the first two pillars: crime concentration and drug-trafficking/firearms investigations. Police and prosecutors have different but interlocking tools to gather information about the concentration of crime. Police may be using patrol functions and computer mapping of crimes. Prosecutors can add in grand jury investigations, information from previous trials and sentencing proceedings, and even psychological evaluations of defendants that were used in previous court proceedings. Drug-trafficking investigations are intrinsically driven by a combination of police and prosecutor activity. Police and prosecutors must work together in order to execute search warrants, engage in wiretaps, charge drug-trafficking conspiracies, debrief informants and cooperators (often with defense counsel present), and engage in countless other activities necessary to prosecute drug-trafficking offenders and organizations. If the police are deprived of prosecutor support in drug-trafficking investigations, the police will be limited to arresting street-level dealers, never managing to target the drug-trafficking gangs and crews that actually drive violence.

The advantages of the vertical prosecution pillar in homicide investigations are extensive. Homicides are serious enough and rare enough to justify the resources needed for the vertical prosecution model. Vertical prosecutions for homicides have been used before in American cities and are part of the current solution in solving homicides.²⁵ For instance, Los Angeles used a vertical prosecution model to attack gang-related homicides in the 1970s, significantly improving prosecution rates.²⁶ Some modern local prosecutors already are adopting vertical prosecution, particularly where the local prosecutor previously worked as a federal prosecutor and thus already has been exposed to the model.²⁷ However, there is a serious caveat: the current



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philosophical clashes between police and progressive prosecutors would make implementation of vertical prosecution in those jurisdictions difficult. The third pillar of vertical prosecution is an underutilized linchpin in beginning to reduce homicides in the United States.

Fourth Pillar: Precision Policing and Prosecution

Under the pillar of crime concentration, police and prosecutors can identify the people/places/times associated with violent crime. Relying on the pillar of drug-trafficking and weapons prosecutions, law-enforcement agencies can incapacitate violent offenders before they kill, as well as gathering information about open homicides. Vertical prosecution, the third pillar, links the efforts of the police and prosecutors to ensure an efficient and in-depth investigation. The fourth pillar builds on the first three, utilizing these tools and procedures to operationalize a violent crime reduction plan. The fourth pillar is known as precision policing and prosecution.

The action steps in the fourth pillar must be customized to each jurisdiction. One city may have a national gang problem, while another deals with local crews. One city may have a six-month season of high temperatures, while another city deals with only two months of extreme heat. However, in applying this fourth pillar, certain fundamental procedures apply in every location:

1. Identify the law-enforcement officers and prosecutors who will work together in a specific area to investigate violent crimes, especially homicides.
2. Begin drug investigations to start harvesting intelligence and producing cooperators.
3. Create lists of violent offenders/victims and crime hot spots based on verified intelligence.
4. Enhance patrol functions during the hot summer months and from 10:00 p.m. to 3:00 a.m. on weekend nights.
5. Have the team of prosecutors and police meet at least once a week to update intelligence, plan search warrants, coordinate investigations, and discuss arrests.
6. When a homicide or nonfatal shooting happens in the identified target area, call in team members of police and prosecutors immediately to start working the investigation.
7. Use interlocking investigative tools to gather information.
8. When offenders on the list of most likely violent offenders/victims are arrested for any offense, especially gun or drug offenses, incapacitate them for lengthy periods of time or at least through the hot summer months.
9. Apply all these resources to wrap up open retaliatory violence cases or, in a better world, make quick arrests when violent crimes happen in order to send a strong signal to the streets about the certainty, swiftness, and severity of sanctions for violent behavior.

As can be inferred from even this general outline, precision policing and prosecution require extensive planning and coordination. The chief prosecutor and the commanders of relevant law-enforcement agencies must create an entire operations plan, and then monitor results to ensure that the plan is being executed.



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One example of this precision prosecution and policing model has been applied and studied in New York City. From 2011 to 2016, prosecutors and police engaged in a series of “gang takedowns,” where members of criminal gangs were arrested in highly coordinated raids around public housing units and then prosecuted by special teams on conspiracy charges. Researchers discovered that gun violence dropped by almost a third in those neighborhoods in the year after a gang takedown, and such tactics were associated with nearly a quarter of the decline in gun violence in the public housing communities over several years.²⁸ Other examples exist. In Boston in the 1990s, Operation Ceasefire targeted drug gangs and was credited with reducing violent crime substantially.²⁹ In Richmond, Virginia, also during the 1990s, another version of the four pillars, called “Project Exile,” was used to target felons in possession of firearms, with a corresponding decrease in the homicide rate.³⁰ Thus, there is evidence-based support for the use of the precision policing and prosecution model.

From a broader perspective, careful application of the four pillars should cause us to rethink the models used to classify prosecutors and police. Too often, they are categorized merely as either warriors or social justice champions. In the warrior model, police and prosecutors are avenging angels for crime victims. In the social justice model, prosecutors are caretakers for the rights of defendants, and the police are viewed with distrust. It is better to think of the police and prosecutors as farmers. For a farm to run efficiently, the farmer needs to protect the crops and herd from weeds, pests, and predators. This requires constant and balanced efforts, year in and year out. If the herbicides or pesticides are too strong, the farmer risks killing his own crops and animals. If the farmer stops pulling weeds and driving off the wolves, his crops will wither in the field and his sheep will disappear in the night. In this view, the role of police and prosecutors is neither simple nor glamorous, but instead is the steadfast and stolid balance of a farmer keeping everything running while adjusting to ever-shifting challenges.

Operation Silent Night: A Case Study Applying the Four Pillars

Because the U.S. has experienced periods of violent crime in the past, some aspects of the principles of the four pillars have been applied to control urban crime. In order to understand the detailed application of the four pillars, we focus on a more recent application of this integrated violence-reduction strategy, as used in Coatesville, Pennsylvania, from 2012 to 2020.³¹ The policy intervention was christened “Operation Silent Night.”

Coatesville is an aging steel-mill town, where the primary employer, Lukens Steel, was acquired by successively larger corporations, resulting in severely reduced operations and corresponding unemployment. For the past decade, the city has had a stable population of approximately 13,000 people. It is densely populated with row homes, including federal low-income housing. The city is diverse, with 55% of the population nonwhite. The poverty rate is 22.7%, almost double the national average. Coatesville is perhaps best known for producing outstanding college and professional basketball players. It is an island of poverty and crime in Chester County, the wealthiest county in Pennsylvania. Local crews, gangs from Philadelphia, and other drug-trafficking organizations traditionally vied to control the drug trade in Coatesville.³²

In 2012, Coatesville had a serious violent crime problem. The Coatesville Police Department was in trouble, cycling through numerous chiefs and having trouble retaining experienced police officers. The Chester County District Attorney’s Office (DAO), with jurisdiction over Coatesville, also had been through a decade of problems, with leadership and personnel issues. All this culminated in 2012 with a homicide rate in the city of more than 45 homicides per



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100,000 people, at a time when the national homicide rate hovered around five homicides per 100,000 people.³³ Many of the homicides were drug-related and retaliatory in nature. During 2012, a new Coatesville police chief (a veteran of the state police) and a new Chester County district attorney (the author of this paper and a former federal prosecutor) created Operation Silent Night in an attempt to quell the violence.

The extensive planning for Operation Silent Night utilized the four pillars model. The first step was to assign personnel and establish a vertical prosecution model, integrating the activities of the police and prosecutors. The DAO dedicated a team of prosecutors to work with the police specifically on Operation Silent Night. Coatesville PD designated a detective as the point person from the police department, and the entire Coatesville detective division was integrated into the plan. The DAO, with its own detective division, assigned a Chester County detective to be co-located at Coatesville PD, and Coatesville PD assigned a Coatesville detective to be co-located in the DAO, assuring seamless communication. Weekly and monthly meetings were established to coordinate activities, with both the district attorney and the police chief regularly attending. With these structural issues in place, alignment between the police and prosecutors was engineered into the operation.

With the personnel assigned to create vertical prosecutions, the initiative began by identifying crime concentration in Coatesville, utilizing another of the four pillars. An important initial step was identifying the 5% of offenders who cause more than 50% of violent crime, the Coatesville “power few.” Coatesville PD generated a list of potential offenders who were most likely to kill or be killed, in the experience of the police. This list was reviewed by prosecutors for criminal history, leadership positions in criminal organizations, propensity for violence, and other risk factors. From this evaluation, a “Top 10” list of likely shooters was created and constantly updated as people were arrested, killed, or relocated away from the area. Every prosecutor in the DAO was instructed to alert a supervisor from Operation Silent Night if anybody from the Top 10 list showed up as a defendant in a criminal case, with special emphasis placed on incapacitating such offenders.

Next, the police and DAO identified “hot spots” in Coatesville, which consisted of drug houses and problem bars (e.g., Fifth Avenue and Olive Street; Seventh Avenue and Chestnut Street; Seventh Avenue and Diamond Alley; the Bongo Club). Surveillance (both video and in-person) was established at these locations. Finally, to address the peak times for violent crime, the police and DAO created a plan to flood the problem areas in Coatesville with extra police officers from May through August during late-night hours on the weekends, utilizing overtime budgeting and other law-enforcement agencies, as necessary. The Coatesville police chief and the Chester County district attorney occasionally would walk together through the hot spots, sending a message that law-enforcement leadership was invested in the operation. The crime concentration pillar was covered for people, places, and times.

The next step in Operation Silent Night was to operationalize the drug and firearms investigation pillar of the plan. Drug detectives from the DAO and Coatesville PD worked together with prosecutors to establish confidential informants and make drug buys from crime hot spots in Coatesville. There was a thriving drug trade, and it was not difficult to engage in numerous drug buys from locations in the city, including purchases of cocaine, methamphetamine, heroin, and prescription drugs. These drug buys then turned into drug-trafficking charges, allowing the team of police and prosecutors to develop more confidential informants. The drug buys also allowed Operation Silent Night to execute search warrants at problem locations in the city. Beginning with warmer weather in the spring of every year, the DAO utilized the county SWAT team to execute drug search warrants on a weekly basis in Coatesville. The search warrants often yielded stashes of drugs and weapons, as most drug dealers keep access to firearms in what is an inherently violent illicit business. The SWAT team created a uniform and highly disciplined approach to executing the search warrants, resulting in no injuries to officers or civilians, with



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the added benefit of drug traffickers receiving a strong signal that they were being targeted with overwhelming force. After the execution of a SWAT search warrant and several arrests at Coatesville hot spots, criminal activity usually abated at the location for at least two weeks, and sometimes permanently. The neighboring residents were always grateful to be relieved of the threat of violent crime.

When defendants who were on the Top 10 list were arrested for drug trafficking, firearms offenses, or violent crimes, they were targeted for long prison terms. At sentencings, prosecutors informed judges about the violence risk factors associated with these defendants, gathered through prior intelligence. Strong sentences incapacitated individuals in the “likely to kill or be killed” cohort, potentially preventing other homicides. In addition, the combined police and prosecutor team focused on getting the Top 10 potential shooters off the streets during the hot summer months, which sometimes meant ensuring that a parole violation resulted in at least a short jail sentence.

During the course of Operation Silent Night, if a homicide or nonfatal shooting took place, extensive resources were expended to solve the crimes. The DAO major crimes unit and Coatesville detectives, including forensics experts, all would respond to the scene and the prosecutors would join the investigators immediately. Drug detectives and prosecutors would query confidential informants to gather intelligence about the shooting. The police and prosecutors almost inevitably already knew the victim’s background. Identifying the killer and building a case became a team effort for the investigators and attorneys, utilizing all the intelligence that they already had been gathering during Operation Silent Night. Where people were reluctant to cooperate, confidential grand jury investigations were used both to compel testimony and to keep witnesses safe. In addition, Coatesville PD and the DAO detectives made extensive use of videotaped statements from witnesses, in order to lock in testimony from people who might become reluctant or “go south” when called to testify. If they were willing to provide information, most defendants and witnesses were interviewed about potential other crimes. Arrests in homicides or nonfatal shootings were often made quickly because of the accumulated resources, but some investigations took years to complete. Solving open homicide investigations is critical to preventing retaliatory violence and maintaining order.³⁴ During Operation Silent Night, the Chester County DAO and Coatesville PD engaged in a series of complex homicide prosecutions related to a string of retaliatory homicides and nonfatal shootings between two drug crews in Coatesville, signaling that defendants would not get away with homicides.³⁵

Initially, the DAO and Coatesville PD kept Operation Silent Night a confidential initiative. However, after the first year, the sheer volume of coordinated police and prosecutor activity made it obvious that there was a substantial law-enforcement effort under way in Coatesville, and the initiative was announced publicly. Even the criminals in Coatesville were able to identify Operation Silent Night in interviews. The DAO and Coatesville PD then periodically announced arrests related to Operation Silent Night, continuing to broadcast a strong message of deterrence to potential criminals.³⁶

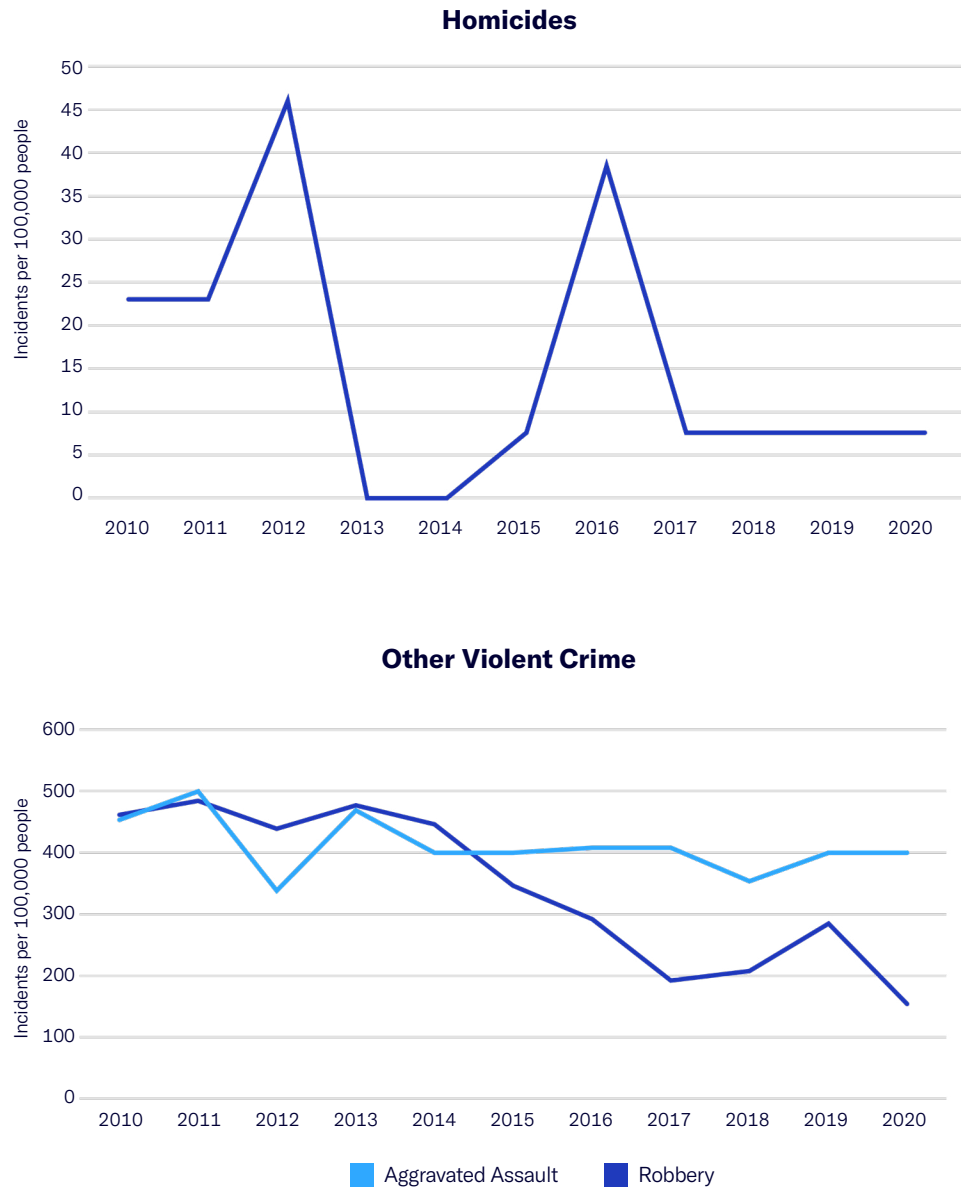
Operation Silent Night was applied full throttle from the end of 2012 through 2014. It was discontinued in 2015, a victim of its own success and the fact that an election year for the district attorney was a distraction. However, Operation Silent Night was reengaged in 2016 and ran every year through the beginning of 2020, always stressing the four pillars. The initiative was focused on reducing homicides but also targeted aggravated assaults and robberies as being often related to homicides. For 2010–20, the statistics for the relevant crimes in Coatesville are described in **Figure 1**.



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Figure 1

Coatesville Violent Crime Rates, 2010–20



Source: Coatesville Police Department

Note: The graphs show the rates of homicides, aggravated assaults, and robberies in Coatesville, calculated at crimes per 100,000 people.

The statistical trends captured for 2010–20 in Coatesville are both obvious and subtle. For two years after Operation Silent Night started in 2012, there were no homicides in Coatesville. When law enforcement discontinued the initiative in 2015, homicides immediately rebounded. However, when Operation Silent Night was restarted, homicides and nonfatal shootings again were substantially reduced and continued to remain low through 2020. The lesson here is that violent crime appears to be sensitive to both strong and weak law-enforcement efforts, and only the sustained implementation of the four pillars had a long-lasting impact.³⁷



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The statistical measures of robberies and aggravated assaults during Operation Silent Night were interesting as well. During the initiative, robberies declined by over 65%. With local drug trafficking interdicted, there were simply fewer robbery targets in Coatesville: fewer suburbanites with money coming in to pick up drugs, fewer vulnerable drug users, and fewer drug houses and drug dealers with large amounts of cash on hand. Aggravated assaults declined only modestly. This can be partially explained by the fact that domestic assaults were not targeted by Operation Silent Night, but it also raises the question of how the homicide rate was reduced substantially if severe assaults still were taking place in an impoverished and violent city. A logical explanation is offered by considering a rational risk assessment by potential offenders. With Coatesville PD and the DAO targeting felons in possession of firearms for arrest and stiff sentences, the marginal cost for a felon to carry a gun in Coatesville became prohibitively high. Therefore, even though there may have been assaults, they were assaults without guns, instead involving knives or weapons of convenience. If the potential imprisonment cost of carrying a firearm is high enough, even felons stop carrying guns, and homicides can be reduced. Moreover, with quick arrests for homicides, the chance of retaliatory shootings was reduced.

Operation Silent Night resulted in some predictable crime displacement, with drug dealers relocating out of Coatesville to neighboring municipalities. The DAO, alert to that possibility and with jurisdiction over the neighboring locations, used a county-led drug team to pick off those drug traffickers in their new locations. Eventually, this led most of the Coatesville drug dealers and their crews to relocate outside Chester County, some to as far away as western Pennsylvania (a district attorney in Altoona called to ask why so many Coatesville criminals had suddenly moved to that city). The local politicians in Coatesville came to support Operation Silent Night, including recognizing the efforts of Coatesville PD at a city council meeting.³⁸

Two examples of how Operation Silent Night was used to solve homicides are illustrative of the efficacy of the four pillars.

First, in 2017, a mid-level Coatesville drug dealer (with prior felony convictions) threw a birthday party for himself in the city, attended by members of his crew and other acquaintances. During the party, two attendees squared off for a fistfight. One combatant instead drew a firearm and killed the other person, who was unarmed. The partygoers scattered, and they all told the police that they had seen nothing. Intelligence information gathered through Operation Silent Night reported that the killer was a specific member of the drug dealer's crew and that the murder was witnessed by the dealer himself and other people. The law-enforcement response was to arrange several drug purchases from the drug dealer; execute a search warrant on his residence, where drugs and firearms were found; and arrest him. The drug dealer was then presented with a choice: cooperate in the murder prosecution or face several decades in prison. He cooperated and identified the killer, who was the same person initially identified through intelligence reports. The drug dealer's cooperation led to other witnesses coming forward and the development of further corroborating evidence. The killer, Dominic "Buddha" Poulson, was arrested and convicted.³⁹ The murderer was a member of a gang called "Cut Throat Family," with distinctive tattoos on his forehead and throat.⁴⁰ Without the drug-trafficking investigation pillar of Operation Silent Night, that murder still would be unsolved.

As a second example, Operation Silent Night included a late-summer arrest sweep of 40 criminal defendants. The defendants were charged with crimes including drug trafficking, felons in possession of firearms, firearms trafficking, robbery, aggravated assault, and other felonies. Among those arrested were two men who had engaged in the shooting of a teenager, and the two defendants were subsequently charged with murder.⁴¹ Part of the information used to charge the two defendants was the result of intelligence gathered during Operation Silent Night. Once again, the four pillars worked together to incapacitate the narrow cohort of potential killers and victims, while helping to clear an open homicide.



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A significant aspect of Operation Silent Night is the tactics *not* used by police and prosecutors. Because the four pillars model was a targeted operation relying on the concentration of crime, the police did not have to deploy a broadscale stop-and-frisk regime. With persistent intelligence gathering and active police patrol, it was not necessary to use a wide-ranging wiretap operation to intercept communications between criminals. Occasional consensual recordings by confidential informants communicating with criminal targets were utilized, but no hardwire intercepts were necessary. There were no issues of prosecutorial misconduct, as the office used an open-file discovery practice and the prosecutors had access to all the information maintained by the police. Since Operation Silent Night was focused on the relatively small cohort of the most violent criminals in Coatesville, there was no need to incarcerate a large number of individuals to reduce violent crime. In fact, during Operation Silent Night (2012–20, preceding the pandemic), Chester County Prison saw its inmate population drop from approximately 107% of maximum capacity to 85% of capacity.⁴² In other words, the county saw both a drop in violent crime and a reduction in the number of people incarcerated.

Coatesville Police Chief Jack Laufer was one of the main architects of Operation Silent Night. He commented on the initiative in 2019: “Reducing violence requires long-term planning and coordination of agencies. The Coatesville Police Department is glad to be at the forefront of crime-reduction strategies like Operation Silent Night.... Every dollar and hour that we invest in programs like these pays long-term dividends for the safety of our community.”⁴³

Operation Silent Night demonstrated clear patterns in using the four pillars. First, the program saw a reduction in homicides, the main goal of the initiative, while also observing other violent crimes declining. Second, the program is scalable. Instead of thinking about whether an initiative like Operation Silent Night could be used in an entire city as large as Chicago or Philadelphia, it is useful to consider Coatesville to be the equivalent of a small segment in a much larger city. The same tactics could be applied to a 10-square-block area on the South Side of Chicago or in North Philadelphia. Third, the resources and tactics used in Operation Silent Night are available to any prosecutor’s office and police department. There were no completely new procedures or futuristic technology used in Operation Silent Night, but only the integration of the four pillars. A version of Operation Silent Night could be used in any major American city currently facing spikes in violent crime.

A final caveat: Operation Silent Night worked only because the four pillars were fully integrated. Without the emphasis on crime concentration, the initiative would have been required to rely on large-scale incarceration to have a similar reduction in violent crime. Without drug-trafficking and firearm arrests, Operation Silent Night would have lacked critical intelligence, leverage over witnesses, and the ability to incapacitate potential murderers and victims before homicides took place. Coatesville PD and the Chester County DAO worked in close coordination. If the police would have been unwilling to engage in active patrols, the DAO’s efforts would have been futile. If the DAO was not a trusted partner, all the efforts of Coatesville PD would have resulted in a revolving door of defendants being released. The four pillars model relies upon and requires each pillar to be used to achieve success.



Leadership to Implement the Four Pillars

The next logical question is: Which law-enforcement agency is best suited to implement the four pillars in large cities across the U.S., creating a coordinated strategy to break the current cycle of deadly violence? Traditionally, the U.S. Department of Justice has been the best candidate to implement such a program.

DOJ coordinated and led Operation Ceasefire in Boston and Project Exile in Richmond, working with local agencies. Federal prosecutors have jurisdiction over drug and gun crimes across the U.S. and have a much smaller caseload than local prosecutors, as well as broad investigative powers. Federal agencies such as the Federal Bureau of Investigation, Drug Enforcement Administration, and the Bureau of Alcohol, Tobacco, Firearms and Explosives have nationwide jurisdiction, sufficient personnel, and outstanding technology. The U.S. Attorney's Offices and federal law-enforcement agencies are essentially franchises of DOJ, allowing for a centrally coordinated initiative—a nationwide version of Operation Silent Night. However, federal prosecutors do not have primary jurisdiction over most homicides. In addition, federal prosecutions have been declining steeply in the last 10 years, and the current administration does not appear to be focused on deploying DOJ to fight violent crime in urban America.⁴⁴ Underscoring this point, during Operation Silent Night in Coatesville, the U.S. Attorney's Office for the Eastern District of Pennsylvania (under both Democratic and Republican appointees) had virtually no involvement in the initiative, despite repeated invitations to engage.

If DOJ chooses not to take the point position, there is nothing preventing local prosecutors and police departments from implementing the four pillars in their own cities. The Chester County DAO and Coatesville PD had no unique advantages over other potential pairings of law-enforcement agencies and prosecutors' offices. In fact, prosecutors and police in Jacksonville, Atlanta, and Dallas currently are attempting modified versions of the four pillars, with some success.⁴⁵ State attorneys general also are potential leaders in establishing a four pillars approach, although they may be subject to jurisdictional limitations (for instance, the Pennsylvania attorney general has jurisdiction over a homicide only if the case is referred by a local district attorney). Regardless of whether a particular chief prosecutor is considered a progressive, moderate, or traditional, and whether the prosecutor was elected as a Republican or Democrat, the four pillars provide the mechanisms to protect any community. With a clear understanding of how the four pillars fit together, any competent combination of prosecutors and police can implement a comprehensive plan to blunt the spike in murders in their jurisdiction.

Conclusion

The four pillars model makes sense from the standpoint of violence reduction, economics, and overall justice. This model concentrates on the offenders and locations generating the most violent crime. Like a doctor excising a tumor with a laser, destroying cancerous cells while protecting the healthy tissue around it, prosecutors and police can focus on the people actually causing the violence without inadvertently sweeping up low-level offenders. From an economic perspective, it is more cost-effective to deter violent crime than mindlessly dealing with it after the fact. Applying the four pillars proactively might cost a couple of million dollars a year in a big city, while ideally cutting violent crime. But every successful homicide investigation and



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prosecution costs approximately \$8 million,⁴⁶ making application of the four pillars an economic bargain by comparison,⁴⁷ especially in cities like Chicago and Philadelphia, where hundreds of homicides occur annually. Such cities can spend roughly \$2 million a year to implement this evidence-based program to stop homicides, or spend hundreds of millions of dollars every year trying to solve and prosecute homicides that already have happened. Integrating the efforts of police and prosecutors to solve violent crimes also minimizes errors, something that everyone in the criminal justice system can support. Finally, the operational policies and procedures of the four pillars are standard law-enforcement and prosecutorial techniques, not requiring any unique resources, and all firmly based in well-accepted constitutional principles.

This paper does not discuss additional potential tools such as violence interrupters, restorative justice programs, replacing the police with mental health workers, and other recent proposals. These tools may have benefits, but they have not yet been rigorously tested. More important, they might be interesting additions to the core functions of solving and preventing violent crime, but they are not replacements. If the criminal justice system is a car, then the four pillars are the engine, body, tires, and gas/electricity. The other proposals are the cup holders, heated seats, sound system, and moon roof. If you want to get from violent crime to restoring order in American cities, better to ensure that the car is solid and running smoothly, rather than relying on the cup holders to complete your journey.

American cities are suffering through a historical surge in homicides and nonfatal shootings. The four pillars offer an evidence-based, constitutional, and scalable solution for law enforcement and prosecutors to reduce violent crime in any big city across the United States.



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