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Problem-Oriented Guides for Police

No. 31

Drug Dealing in Open-Air Markets

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Center for
Problem-Oriented Policing

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About the Problem-Specific Guides Series

The *Problem-Specific Guides* summarize knowledge about how police can reduce the harm caused by specific crime and disorder problems. They are guides to prevention and to improving the overall response to incidents, not to investigating offenses or handling specific incidents. Neither do they cover all of the technical details about how to implement specific responses. The guides are written for police—of whatever rank or assignment—who must address the specific problem the guides cover. The guides will be most useful to officers who:

- **Understand basic problem-oriented policing principles and methods.** The guides are not primers in problem-oriented policing. They deal only briefly with the initial decision to focus on a particular problem, methods to analyze the problem, and means to assess the results of a problem-oriented policing project. They are designed to help police decide how best to analyze and address a problem they have already identified. (A companion series of *Problem-Solving Tools* guides has been produced to aid in various aspects of problem analysis and assessment.)
- **Can look at a problem in depth.** Depending on the complexity of the problem, you should be prepared to spend perhaps weeks, or even months, analyzing and responding to it. Carefully studying a problem before responding helps you design the right strategy, one that is most likely to work in your community. You should not blindly adopt the responses others have used; you must decide whether they are appropriate to your local situation. What is true in one place may not be true elsewhere; what works in one place may not work everywhere.
- **Are willing to consider new ways of doing police business.** The guides describe responses that other police departments have used or that researchers have tested. While not all of these responses will be appropriate to your particular problem, they should help give a broader view of the kinds of things you could do. You may think you cannot implement some of these responses in your jurisdiction, but perhaps you can. In many places, when police have discovered a more effective response, they have succeeded in having laws and policies changed, improving the response to the problem. (A companion series of *Response Guides* has been produced to help you understand how commonly-used police responses work on a variety of problems.)

- **Understand the value and the limits of research knowledge.** For some types of problems, a lot of useful research is available to the police; for other problems, little is available. Accordingly, some guides in this series summarize existing research whereas other guides illustrate the need for more research on that particular problem. Regardless, research has not provided definitive answers to all the questions you might have about the problem. The research may help get you started in designing your own responses, but it cannot tell you exactly what to do. This will depend greatly on the particular nature of your local problem. In the interest of keeping the guides readable, not every piece of relevant research has been cited, nor has every point been attributed to its sources. To have done so would have overwhelmed and distracted the reader. The references listed at the end of each guide are those drawn on most heavily; they are not a complete bibliography of research on the subject.
- **Are willing to work with others to find effective solutions to the problem.** The police alone cannot implement many of the responses discussed in the guides. They must frequently implement them in partnership with other responsible private and public bodies, including other government agencies, non-governmental organizations, private businesses, public utilities, community groups, and individual citizens. An effective problem-solver must know how to forge genuine partnerships with others and be prepared to invest considerable effort in making these partnerships work. Each guide identifies particular individuals or groups in the community with whom police might work to improve the overall response to that problem. Thorough analysis of problems often reveals that individuals and groups other than the police are in a stronger position to address problems and that police ought to shift some greater responsibility to them to do so. Response Guide No. 3, *Shifting and Sharing Responsibility for Public Safety Problems*, provides further discussion of this topic.

The COPS Office defines community policing as "a philosophy that promotes organizational strategies, which support the systematic use of partnerships and problem-solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime." These guides emphasize *problem-solving* and *police-community* partnerships in the context of addressing specific public safety problems. For the most part, the organizational strategies that can facilitate problem-solving and police-community partnerships vary considerably and discussion of them is beyond the scope of these guides.

These guides have drawn on research findings and police practices in the United States, the United Kingdom, Canada, Australia, New Zealand, the Netherlands, and Scandinavia. Even though laws, customs, and police practices vary from country to country, it is apparent that the police everywhere experience common problems. In a world that is becoming increasingly interconnected, it is important that police be aware of research and successful practices beyond the borders of their own countries.

Each guide is informed by a thorough review of the research literature and reported police practice, and each guide is anonymously peer-reviewed by a line police officer, a police executive, and a researcher prior to publication. The review process is independently managed by the COPS Office, which solicits the reviews.

For more information about problem-oriented policing, visit the Center for Problem-Oriented Policing online at www.popcenter.org. This website offers free online access to:

- The *Problem-Specific Guides* series
- The companion *Response Guides* and *Problem-Solving Tools* series
- Special publications on crime analysis and on policing terrorism
- Instructional information about problem-oriented policing and related topics
- An interactive problem-oriented policing training exercise
- An interactive *Problem Analysis Module*
- Online access to important police research and practices
- Information about problem-oriented policing conferences and award programs

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The Problem of Drug Dealing in Open-Air Markets

Open-air markets represent the lowest level of the drug distribution network. Low-level markets need to be tackled effectively not only because of the risks posed to market participants, but also to reduce the harms that illicit drug use can inflict on the local community. This guide begins by describing the problem and reviewing factors that increase the risks of drug dealing in open-air markets. The guide then identifies a series of questions that might assist you in analyzing your local open-air drug market problem. Finally, the guide reviews responses to the problem and what is known about these from evaluative research and police practice.

As with any other type of commodity, illicit drugs are traded in a market where buyer and seller have to locate one another in order to conduct a transaction.[1] There are two types of retail market systems: those that are person-specific, relying on social networks to communicate information about vendors, potential customers, their location and prices; and those that are place-specific.[2] Open-air drug markets operate in geographically well-defined areas at identifiable times so buyers and sellers can locate one another with ease. A variety of drugs may be sold, most commonly to include: heroin, crack, cocaine, and marijuana.

Open-air markets are also likely to be *open markets*. This means that there will be few barriers to access, and anyone who looks like a plausible buyer will be able to purchase drugs.[3] An open market has advantages for both buyers and sellers. Buyers know where to go in order to find the drugs that they want and can weigh quality against price, and sellers are able to maximize customer access.

However, the nature of open markets means that market participants are vulnerable both to police enforcement, and the dangers of buying from strangers—which may include rip-offs and robbery. Furthermore, if a buyer is dissatisfied with the transaction, there can rarely be any recompense as participants in illegal markets lack the usual means for resolving business conflicts. Especially in high value markets, this can lead to systemic violence—whereby force is the normal means by which disagreements are resolved.[4]

In response to the risks of law enforcement, open markets tend to transform into *closed markets* where sellers will only do business with buyers they know or with buyers for whom another trusted person will vouch. The degree to which markets are closed—the barriers of access put in the way of new buyers—will depend largely on the level of threat posed by the police. Intensive policing can quickly transform open markets into closed ones.[5] Mobile communication technologies such as pagers and cell phones also aid this process.[6] Although closed markets may exist alongside open markets, their method of operation is different and requires its own analysis and response, which will not be addressed in this guide.

Dealing with open-air drug markets presents a considerable challenge for the police. Simply arresting market participants will have little impact in reducing the size of the market or the amount of drugs consumed.[7] This is especially true of low-level markets where if one dealer is arrested, there are, more than likely, several others to take their place. Moreover, drug markets can be highly responsive to enforcement efforts but the form of that response is sometimes an adaptation that leads to unintended consequences, including displacement or increased revenue for dealers with fewer competitors.[8]

Drug dealing in open-air markets generates or contributes to a wide range of social disorder and drug-related crime in the surrounding community that can have a marked effect on the local residents' quality of life.[9] Residents may feel a diminished sense of public safety as drug-related activity becomes more blatant[10] and there is evidence that communal areas such as parks are often taken over by drug sellers and their customers, rendering them unusable to the local population.[11] Spin-off problems associated with drug dealing in open-air markets include:

- Traffic congestion
- Noise (from traffic and people)
- Disorderly conduct
- Begging†
- Loitering
- Vandalism
- Drug use and littering (discarded drug paraphernalia)
- Criminal damage to property
- Prostitution‡

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† See the POP Guide on *Panhandling*.

‡ The links between sex and drug markets have been well-documented. May et al. (1999) found that the majority of the sex-workers they interviewed were drug-dependent. See also the POP Guide on *Street Prostitution*.

- Robbery
- Residential and commercial burglary
- Theft from motor vehicles[†]
- Fencing stolen goods
- Weapons offenses
- Assaults and homicides[‡]

Related Problems

Drug dealing in open-air markets is only one drug-related problem that police must address. Associated problems not directly addressed in this guide include:

- Drug dealing in apartment complexes[§]
- Closed drug markets
- Mobile drug markets (i.e., markets in which buyers and sellers by phone agree to transactions and establish a location to complete the transaction)
- Street prostitution
- Burglary[¶]
- Street robbery[**]
- Clandestine drug labs[††]
- Wholesale drug production and trafficking
- Fortified drug houses
- Prescription fraud[‡‡]

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† See the POP Guide on *Thefts of and from Cars in Parking Facilities*.

‡ See the POP Guide on *Gun Violence Among Serious Young Offenders*.

§ See the POP Guide on *Drug Dealing in Privately Owned Apartment Complexes*.

¶ See the POP Guides on *Burglary of Single-Family Houses* and *Burglary of Retail Establishments*.

** See the POP Guide on *Robbery at Automated Teller Machines*.

†† See the POP Guide on *Clandestine Drug Labs*.

‡‡ See the POP Guide on *Prescription Fraud*.

Factors Contributing to Drug Dealing in Open-Air Markets

Understanding the factors that contribute to your problem will help you frame your own local analysis questions, determine good measures of effectiveness, recognize key intervention points, and select appropriate responses.

When and Where Open-Air Drug Markets Operate

The characteristics of a drug market are often dependent on the type of drug being sold. In some areas, markets for different drugs exist alongside one another although their methods of operation vary. It is probable that most illicit drug buying takes place in private or semi-public locations.[12] Given the choice, most users would rather buy from sellers they know and trust rather than run the risk of being ripped off or apprehended by the police. However, it may be that a need for regular supplies of drugs obtained in the shortest time possible locks problem users into street-based open markets. This may also be true for novice or casual users who have not yet established an alternative reliable source.

Open-air drug markets are often located in inner city or urban areas. There are four geographical features common to this type of drug market: firstly, they are likely to be located in economically depressed neighborhoods; secondly, dealers will sell from static sites so customers know where to find them; thirdly, the market will probably be located around a transport hub, or along a main arterial route where there is a level of legitimate activity and proximity to through routes to allow buyers easy access to the market area; and finally, markets that have a reputation for selling drugs can grow large in size, and the concentration of activity in a small area will be hard to hide.[13] The compulsive nature of drugs such as crack cocaine or the physical dependency which can occur from prolonged heroin use means that the market in which these drugs are sold could be open 24 hours a day, 7 days a week. The operational times of markets for other drugs including cannabis and ecstasy are probably more restricted.

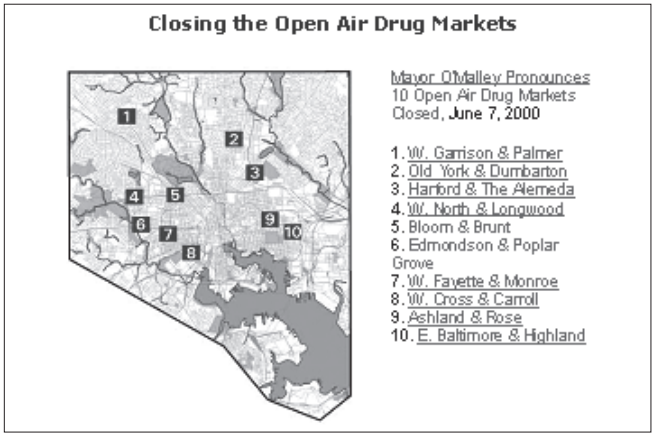
The location of an open-air drug market can also be influenced by situational factors. The local environment can facilitate drug dealing in a number of different ways. Thick or overgrown foliage offers a shield for exchanges of money or drugs. Poor street lighting may intensify residents' fear of crime and may exacerbate incidences of robbery. Street layout determines suitable places to stand so sellers can watch for the police as well as providing easy escape routes in case of enforcement activity. Road systems and parking may also influence customers driving in from other areas; and vacant buildings can serve as a discrete place to use drugs after purchase.[14]

Savannah, Georgia. Used with permission, Michael Hough.

Urban areas with poorly-maintained, high-density low-income housing are often the site of open-air drug markets.

Key figures in the function of open-air drug markets are "place managers" such as landlords, housing authorities, local business residents, and tenants associations. Those who diligently control their apartment buildings or the business premises forecourt will reduce the chance of an illicit market becoming established in their neighborhood, and drug sellers will often operate from locations where place managers do not attempt to exert any control over illicit activity.[15] Open-air drug markets are therefore more likely to become established in areas where there is a high rate of rental properties and/or public housing rather than in owner-occupied neighborhoods.

Baltimore (Maryland) Police Department



Identifying the exact locations of open-air drug markets is the first step toward targeting and subsequently eliminating them.

The Structure of Open-Air Drug Markets

In order to understand the effect of police activities on open-air drug markets, it is important to consider the structure of their social organization. Some open-air drug markets are operated by groups with clear hierarchies and well-defined job functions.[16] Other drug distribution networks consist of fragmented and fluid systems populated by small groups of opportunistic entrepreneurs from a variety of backgrounds.[17]

At least four different types of organization for open-air drug markets exist:

1. Markets dominated by "freelance" sellers, characterized by a lack of formal hierarchy and alliances conducted on an ad hoc basis.
2. Markets dominated by family-based businesses that may have evolved out of freelance markets when groups of relatives begin to dominate their local area and drive out competition.
3. Markets dominated by culture-based organizations—family-based organizations may grow into businesses with a shared common culture.
4. Market places dominated by corporations, which represent the highest level of organizational structure.[18]

It is important to try to identify which type of organization is operating in your area in order to try to predict the effect that efforts to close the market will have.[†]

Dealers operating in open markets represent the lowest level of the distribution network and often will be selling in order to finance their own use. Selling drugs provides those who are socially excluded and unemployed with a means of earning money that can be highly profitable, does not require education or training, and presents relatively low risk in terms of enforcement.[19] Those operating in this type of market are unlikely to sell a substantial quantity of drugs to one customer because firstly, they may not have a sufficient supply and secondly, they will be reluctant to carry a large quantity on them at one time for fear of arrest. However, in a busy market the number of daily transactions can be high.

† The social organization of drug markets will determine on what level displacement will occur. Research conducted by Curtis and Sviridoff (1994) found that where the market was a monopoly run by a few business owners, street-level dealing was shut down for a few months thereby displacing the market to new locations. In a second market operated by "freelancers," the market was barely displaced due to the fact that sellers felt unable to move to new territories because of their lack of support.

Within the community, sellers may attempt to buy the cooperation of local residents or employ them in various roles, for example, a mother with a baby could be a "look-out" or "holder." Other roles include the following:

- "Steerers" who refer customers to a particular dealer
- "Touts" who are employed to find customers
- "Middle-men" who transport money and drugs between buyer and seller, who do not meet[20]

Supply and Demand

Popular debate about drugs tends to take for granted that illicit drug use is supply-led, and that illicit drug use is best controlled by stopping drugs getting into the country and onto the streets. On the other hand, it has been suggested that supply follows demand and is a response to it.[21] In reality, there is a dynamic and interactive relationship between the two: if there were no supply of illicit drugs, no demand would ever evolve; and, of course, unless drugs offered users some immediate attraction, there would be no demand.[22]

A distinction is often made between supply reduction strategies and demand reduction strategies. However, this becomes hard to maintain because one will very likely affect the other. Reductions in the supply of drugs will eventually affect prices, which in turn should affect demand, especially of new and occasional users. Despite this, little is known about the impact that supply reduction has on prices, or the relationship between price and demand. Enforcement could lead to price increases in two ways. Firstly, removing drugs from the supply chain should result in limited availability and thus an increase in price. Secondly, the increased risks for market participants concomitant with enforcement should translate into higher prices.

It is difficult to untangle the effect that supply reduction strategies have on the price of drugs. In actuality, drug prices in several cities have declined in recent years[23] although without enforcement, prices may have fallen even further. However, it is also likely that supply reduction strategies have been insufficient in maintaining or increasing prices. In addition, drug markets are capable of adapting quickly to enforcement efforts and effective enforcement can sometimes bring about perverse effects.[24] According to this argument, enforcement leads to sustained or increased risks of criminal sanctions; these risks are translated into maintained or increased prices; but the net result is to attract more people into the highly lucrative—if risky—drug business.

It is also important to consider how drug prices will affect levels of consumption. If most illicit drug use is controlled, an increase in price should lead to a decrease in demand. However, problem drug users will be more inflexible in their ability to stop using than other users and are likely to simply spend more. In this case, it is important to find strategies that provide other non-financial deterrents to discourage use.

Street-Level Enforcement

A factor contributing to the emergence of open-air drug markets was the low priority given to street-level drug enforcement. Until the mid-1980s, traditional narcotics enforcement in the United States concentrated resources on wholesale drug activity. This was partly due to the Knapp Commission Report (1972), which lambasted the New York City Police Department for widespread corruption related to local drug enforcement. The consequence of this report was that street-level enforcement across the country was effectively halted; neighborhood patrol officers were replaced by reactive units whose mission was to respond to, rather than prevent crime† and open-air markets began to thrive.[25]

The emergence of crack cocaine in the early 1980s fueled already buoyant drug markets and forced the police to reexamine street-level enforcement. Police authorities responded to the idea that enforcement tactics had been targeted at the wrong level of distribution and aimed to disrupt street-level markets, making them unpredictable for both buyer and seller. A principle of this method was "inconvenience policing," which aimed to increase the drug search time or to otherwise place obstacles in the way of the buying process. The idea was that although such measures would probably not deter serious and addicted users, casual and novice users would be discouraged from buying and therefore the market would be constricted.[26] Enforcement strategies aimed at this level included: high visibility policing, test purchase operations, and reverse stings, the efficacy of which are discussed in the responses section. In addition, it became clear that police enforcement alone was ineffective at reducing drug-related activity and latterly there has been an increased focus on multi-agency cooperation to implement innovative approaches such as civil enforcement procedures.

† Zimmer (1990) noted: "Removed from daily contact with specific neighborhoods, patrol officers thus lost both the opportunity and motivation to enforce standards of conduct critical to order maintenance."

Understanding Your Local Problem

The information provided in the previous section is only a generalized description of drug dealing in open-air markets. In order to understand the potential effect that any preventative strategies will have, we recommend that you combine the basic facts with a more specific understanding of your local problem. A detailed analysis of the problem in your area will help you design a more effective response and allow you to better predict the outcome of any action taken against the drug market.

The nature of an open-air drug market makes it likely that its location will already be known. However, other key characteristics of the market should be examined. A community survey can serve to identify residents' concerns as well as trouble hot spots in the neighborhood. In addition, conducting a survey is a demonstration of police commitment and can help build relations between the police and local residents. A dedicated telephone hotline for local residents is also useful for gathering intelligence; and provided that information is acted upon promptly, can help build confidence in the community. Systematic and well-recorded observations by an officer can help define the nature of the drug market and identify some of the characteristics that allow drug-related sales to thrive in that area. Other data sources that may be useful to identify discrete drug markets include:

- Narcotics sales arrests
- Citizen observations
- Emergency calls for service[27]

Because open-air drug markets vary in terms of size, drug type, and clientele, it is important to understand the conditions of each particular market to best focus your response strategies.

It is also important to identify the reasons why drug markets exist in the area. These are likely to be a complicated mix of situational and social factors.[28] Some open-air markets—especially those that are centrally located—owe their development and their persistence to the amenities that the area offers to buyers and sellers drawn from a wide geographic catchment area. Others may serve the needs largely of local users. The balance between supply reduction strategies and demand reduction strategies is likely to vary according to such factors.

Asking the Right Questions

The following are some key questions we suggest you ask in analyzing your particular problem of drug dealing in open-air markets, even if the answers are not always readily available. Your answers to these and other questions will help you choose the most appropriate set of responses later on.

Nature of the Drug Market

- Where is the drug market situated? Are there any clear geographical boundaries? Is it located near a transport hub or arterial route? Are there any physical or environmental characteristics that could encourage drug-related activity (e.g., vacant buildings, vacant lots, overgrown foliage, pay phones)? Are there suitable places for sellers to hide their drugs?
- What are the times of operation? Are there any particular days that are noticeably busier, for example, weekends or days when people receive their welfare checks?
- What types of drugs are being sold? If several types of drug are being sold, do sellers specialize in one particular drug or is there an overlap between markets?
- Is the market well-known as somewhere that drugs can be bought easily? How is the market advertised?
- Does the market have a reputation for violence? Is the market in fact violent? (Bear in mind that not all market-related violence will be reported to police.)
- Where are drug transactions completed? On the street, in vehicles, elsewhere?
- Are there places for people to use drugs once they have purchased them?
- How many open-air drug markets are operating in your jurisdiction?
- For how long has this particular drug market been operating?

Market Participants: Buyers and Sellers

- How many sellers are operating in the area?
- Are sellers who are incarcerated or killed replaced easily and quickly by new sellers?
- Do sellers operate alone or use ancillary staff such as runners or lookouts?
- What is the structural organization of the market (e.g., is it fragmented—made up of freelance sellers with any alliance being on an ad hoc basis; or hierarchical—where organizations of sellers may dominate their local area and drive out competition)?
- What role do firearms play in the market?
- What proportion of customers is local to the area?
- If buyers travel to the market, how do they travel?
- Are buyers' mainly serious or casual users?
- How is the market advertised?

Current Responses

- Have there previously been any preventative strategies used against drug markets in the area?
- What were the consequences of any previous enforcement? How was the market disrupted? How did the market adapt to enforcement? Did police activity lead to displacement?
- Aside from enforcement, what other actions have been taken by the police or other partnership agencies to try to control the drug market?

The Effect of the Drug Market on the Local Community

- Does the local community consider the drug market to be a problem? (This could affect the level of support that can be expected from residents.)
- What activities and conditions specifically are of concern to citizens in the area (e.g., loitering, noise, traffic congestion, harassment, litter)?
- Have some areas become "no go" areas due to drug-related activity?
- Do local residents feel intimidated by drug sellers and their customers?
- Do local businesses feel that trade is being affected by drug-market activity? If so, how, specifically has it been affected? Are some local businesses profiting from the drug trade (e.g., by selling products or services necessary to support the drug market)?

Drug Treatment

- Are there any provisions for drug treatment in the community? Is there a local drug treatment agency or are there any needle exchange schemes operating in the area?
- Do the police have any contact with local drug treatment providers?

Measuring Your Effectiveness

Measurement allows you to determine to what degree your efforts have succeeded and suggests how you might modify your responses if they are not producing the intended results. We suggest you take measures of your problem *before* you implement responses to determine how serious the problem is, and *after* you implement them to determine whether they have been effective. All measures should be taken in both the target area and the surrounding area. (For more detailed guidance on measuring effectiveness, see the companion guide to this series, *Assessing Responses to Problems: An Introductory Guide for Police Problem-Solvers*.)

The following are potentially useful measures of the effectiveness of responses to drug dealing in open-air markets:

- Reduced visibility of drug-related activity in public places
- Reduced calls for service related to drug dealing and using
- Reduced calls for service related to crime and disorder
- Diminishing arrest rates for drug selling or drug possession with similar levels of enforcement
- Increased price of drugs or increased search time to purchase drugs
- Increased feeling of community safety (This may entail conducting a survey of local residents.)
- Renewed legitimate use of public spaces such as parks or recreation areas
- Reduced vehicle traffic and loitering
- Reduced evidence of drug-related paraphernalia
- Reduced levels of crimes in the vicinity of the drug market that are plausibly related to drug dealing (e.g., thefts, burglaries, robberies)

Displacement

The most frequent effect of preventative strategies against drug markets is displacement. Displacement takes place when action against a drug market causes market participants to alter their patterns of behavior, whether by moving from one place to another, changing their times of operation, changing their mode of operation, or replacing drug dealing with other forms of criminal activity. The effects of displacement are difficult to measure—especially in cases where the market is dispersed over a large area. Enforcement aimed at the Lower East Side of New York was successful at reducing drug-related activity in the local neighborhood; however, because of the size of area involved, it was difficult to ascertain whether the market was displaced to other areas of the city.[29] However, it has been argued that even if displacement occurs, it may be preferable for crime to be diffused over a wider area.[30] There is also an argument to be made for displacing open-market methods of transactions into less visible closed-market ones, if community concerns about open drug dealing are high. In summary, the fact that displacement may take place does not in itself undermine the benefits of strategies employed against the drug markets. It is essential to try to anticipate both the *form* of any displacement and its *extent*. In some circumstances displacing the market either to other geographical areas or to indoor locations may be regarded as a partial success.

Responses to the Problem of Drug Dealing in Open-Air Markets

Your analysis of your local problem should give you a better understanding of the factors contributing to it. Once you have analyzed your local problem and established a baseline for measuring effectiveness, we suggest you consider possible responses to address the problem.

When devising a strategy to tackle your local market, it is important to think not simply in terms of arresting offenders, but to also consider how best to disrupt the *mechanism* of the market. The following response strategies provide a foundation of ideas for addressing your particular problem. These strategies are drawn from a variety of research studies and police reports. Several of these strategies may apply to your community's problem. It is critical that you tailor responses to local circumstances, and that you can justify each response based on reliable analysis. In most cases, an effective strategy will involve implementing several different responses. Law enforcement alone is seldom effective in reducing or solving the problem. Do not limit yourself to considering what police can do. Give careful consideration to who else in your community shares responsibility for the problem and can help police better respond to it.

General Considerations for an Effective Strategy

Local crime managers have difficult decisions to make about containment or dispersal of open-air markets. The case is often argued that the best way of handling illicit markets where either drugs or sexual services are sold is to tolerate a low level of buying and selling in a single site, provided that this remains within limits and falls within implicit rules. The rationale for this is that dispersing a single site to several new "satellite sites" might lead to a more rapid growth of the illicit market than a strategy of single-site containment. Although popular, there is no research evidence in support of this approach. There are also ethical questions about the legitimacy of requiring one community to shoulder the burden of hosting a drug market in the long term, simply to protect other communities from similar harms.

Whichever approach you choose, it is unlikely that you will be able to eradicate the drug market completely. Preventative strategies will most likely transform open markets into closed markets. However, suppressing an open drug market could lead to a reduction in related illegal activities in the locality and is likely to improve the quality of life for residents living in the neighborhood. The most effective interventions are those that have been tailored to a specific area. There is also the growing recognition that enforcement alone will have a limited effect and that a collaborative multi-agency approach can achieve more substantial change.[31]

Drug Enforcement

Police enforcement activity, especially a crackdown or sweep, is likely to result in an increased arrest rate. It is important that police coordinate their approach with other criminal justice agencies in order to lessen the potential impact that this could have on the resources of the criminal justice system. Arrest is only a deterrent if the end result is appropriate sentencing and it has been suggested that although large enforcement operations are intended to send the message that dealing will be dealt with harshly, the reality is that in many cases, those apprehended will serve little or no time in jail.[32] In the mid-1980s, Washington Square Park in New York City was targeted by police officers and arrest rates rose dramatically—up 300 percent from 1984 to 1986. In 1985, 70 percent of the 1,490 drug-related cases that went to trial resulted in convictions. However, only 100 defendants received jail time of 15 days or more, and the drug market continued to thrive.[33]

1. **Policing the area in a highly visible fashion.** The desired effect of high visibility policing is to disrupt the drug market by increasing the risk of arrest and making it inconvenient for sellers and buyers to exchange drugs and money. Police in New York employed this tactic to destabilize a rampant drug market on the Lower East Side of Manhattan. Police officers, patrolling mostly on foot, flooded the area and established an imposing presence in the community thereby increasing the risk of arrest for buyer and seller.[34] The effect of this initiative was a reduced volume of drug traffic and decreased property crime. In South Carolina, police found that the presence of a uniformed officer—especially one who looked to be taking copious notes and detailing the scene—acted to stifle the drug market.[35] A visible police presence within the neighborhood can also serve to assuage the fear of crime for local residents. Community officers often act as a bridge between the police and the local population[36] and can help strengthen support for enforcement initiatives. Obviously, high visibility policing is expensive and therefore difficult to sustain for long periods. It can interrupt well-entrenched drug markets, giving other responses designed to change the underlying conditions of the market a greater likelihood of success.

2. **Enforcing the law intensively.** Research provides a mixed response to this type of enforcement strategy. In some cases, police crackdowns or "sweeps" have been shown to be effective in disrupting and dispersing the drug market leading to an increase in the number of arrests made, as well as a reduction in calls for service to the local area.[37,†] The effect a crackdown will have is largely dependent on the drug market that is targeted and the amount of resources available. A task force in Lynn, Massachusetts, achieved a dramatic decrease in the blatancy and volume of drug sales, and a reduction in property crime through a combination of street surveillance and intelligence gathering, which included a telephone "hotline" for local residents. In addition, there was an increase in demand for drug treatment services and no reports of displacement to surrounding neighborhoods.[38]

   However, police in Melbourne, Australia, found that although the crackdown had some success in reducing the visible aspects of drug dealing, the market quickly adapted, resulting in only a temporary improvement. Negative outcomes were also observed such as partial displacement, public health dangers, and an increase in violence.[39] It is also important to consider the response of the local community to enforcement efforts. Tactical Narcotics Teams employed in Brooklyn, New York, found that police crackdowns were not likely to achieve any lasting improvement unless the community became more involved in the process.[40] In some cases, this type of enforcement strategy may even exacerbate the situation. Minneapolis police found that an infamous crack market in the city proved resistant to police tactics. Buy-busts and executing warrants were unsuccessful and improvement only occurred after police encouraged landlords to evict those selling drugs.[41] Police crackdowns may even have a detrimental effect on police-community relations.

   Enforcement may be perceived as being disproportionately aimed at people from communities of color or to be overly aggressive and infringe on the civil liberties of the local population in general.[42]

   The success of a police crackdown will rarely be achieved or sustained in isolation and whatever enforcement strategy is employed should be followed by a revitalization initiative.[43]

† See the POP Guide on *The Benefits and Consequences of Police Crackdowns* for further information.

3. **Arresting drug sellers in "buy and bust" operations.** Buy-busts (or test purchase operations) are used to gather evidence against specific dealers leading to their arrest. Police in Oakland found that as the operation progressed and flagrant dealing diminished, it became more difficult to make buys. Sellers adapted to enforcement by changing location and stashing their drugs in nearby hideouts rather than keeping it on their person.[44] In addition, dealers began to recognize individual officers by sight. Dealers who become wary of buy-bust operations may require that unknown buyers prove their legitimacy by either showing injection marks or by using drugs while being observed.[45] Buy-busts may also be complicated by the organization of a market in which a variety of roles are performed by several people, making it difficult for the police to arrest the actual seller rather than his or her ancillary staff. Because dealers associated with open-air drug markets tend to represent the lowest level of the dealing network, it is unlikely that buy-bust operations aimed specifically at street dealers will significantly disrupt the distribution system. Sellers operating at this level are easily replaced and while buy-bust operations may result in a large number of arrests, convictions rarely lead to lengthy sentences.[46]

   If buy-busts are part of your chosen strategy for tackling drug markets, it is important to protect the identity of the officers involved—a challenge when resources are limited. In response to this concern, the Virginia State Police developed an undercover interagency exchange program allowing police agencies from around the state to link personnel, investigative techniques, and intelligence information about drug dealers.[47]

4. **Intelligence-led investigative work.** Information from drug hotlines and local residents can advance a police officer's ability to identify and analyze a problem. In addition, arrestees can prove to be a useful source of intelligence. Police in Brooklyn, New York suggest that any arrest can produce information if officers debrief the offender. For example, a drug buyer may facilitate access to a location for an undercover officer, greatly reducing the time and expense of other forms of surveillance.[48]

5. **Confiscating stashed drugs.** Without regard for arresting dealers, if police can get good intelligence from the community about the location of stashed drugs in hidden, but public, locations in and around the market, they can confiscate the drugs. A sufficient level of confiscation can create a financial hardship for dealers and may compel them to move the market, hold the drugs (and make themselves more vulnerable to arrest), or raise prices.

Monroe County Sheriff's Office at www.keysso.net

Seizing drugs that have been stashed in public places near a market can help drive out dealers and eventually close the market.

6. **Arresting drug buyers.** Arresting drug buyers in operations commonly referred to as "reverse stings" are a controversial form of enforcement and serve to impact the demand side of the market. They are most successfully employed against novice or occasional users who lack experience and tend to buy from strangers.† Police in Alabama used reverse stings to target users after a change of legislation made soliciting for the purpose of purchasing drugs a felony rather than a misdemeanor. In Miami, Florida, police found that although the penalties imposed by the courts were light, the process of being arrested, charged, and required to appear in court as well as the possibility of having a vehicle impounded, acted as a deterrent for buyers. They found that of the 1,725 people that were arrested during 18 reverse sting operations, only seven were repeat offenders. The continued use of this type of operation led to two significant changes: the first was a lower arrest rate. The second was that those getting arrested were predominantly problem users implying that the number of the casual and novice users had decreased.[49]

† Several critical legal issues arise in reverse stings. If officers sell simulated drugs, they should be clear about what offense they can charge the buyer with; if they are selling real drugs, then care must be taken to safeguard those drugs so that they don't enter the user market. The second issue is entrapment. Reverse stings have been heavily criticized by criminal lawyers in the past and entrapment can be used as a defense in court. To safeguard against this, officers should receive thorough training in the legal aspects of the operation and be advised how to react in any given situation.

7. **Warning potential buyers.** Police in Fort Lauderdale, Florida, implemented a scheme designed to discourage buyers in vehicles from entering the drug market area. Police monitored vehicles seen in the vicinity of the market, traced the registered owners of the vehicles, and mailed them a postcard warning that the vehicle had been spotted in a high-crime area. The effect of this strategy was a decrease in the number of drug-related arrests within the targeted neighborhood coupled with a decrease in overall traffic volume.[50]

Community Responses

8. **Encouraging community action.** Community-led anti-drug initiatives can be an important component in combating open-air drug markets. Where grass-roots organizations already exist, their success is often dependent upon establishing a good working relationship with the police. It is imperative that officers overcome any skepticism they may have about the efficacy of such groups and provide them with adequate support. Where no such groups exist, police can galvanize local residents by arranging meetings, posting fliers and coordinating other forms of community activity. Research shows that being taken seriously by the police and other public officials increases citizen morale and their willingness to participate and there have been many examples of successful community-led action against drug markets.[51] In Kansas City, a volunteer association known as Ad Hoc initiated anti-drug marches and drug-house "blitzes." Members of the group also coordinated with police and the district attorney to threaten landlords with civil forfeiture if they failed to evict drug-dealing tenants.[52] Police in Vancouver, British Columbia, found that local residents willingly opened their homes for officers to use as surveillance points as well as organizing a Park Watch volunteer foot patrol to collect information on drug dealers operating in the area.[53]

9. **Operating a telephone hotline.** A dedicated telephone hotline for local residents is useful for gathering intelligence and can help to build confidence in the community. Schemes that are widely advertised are likely to elicit the greatest response and might also serve to deter buyers and sellers by reminding them that local residents can report criminal or nuisance behavior easily and anonymously.

Metropolitan Nashville Police Department

Toll-free community hotlines are a good way to gather information while protecting the anonymity of the informant.

Civil Remedies

Successful responses to drug markets are invariably multi-dimensional and no single response in isolation is likely to succeed. Research suggests that the use of civil remedies can result in a decrease in drug dealing and signs of disorder.[54] Properties surrounding an area where open drug dealing occurs often support the market and may also be liable for civil action. Police in Oakland, California, worked with city agency representatives to improve the physical condition of areas used for drug dealing. Tactics included recommendations to landlords to evict troublesome tenants; inspections by housing, sewer, sidewalk, and vector control inspectors; and warnings sent to building owners informing them that action would be taken if they did not deal with drug dealing and disorder problems.[55]

10. **Encouraging place managers to be more proactive.** It is likely that open drug markets will exist in areas where place managers (including landlords, housing authorities, local business residents, and tenants associations) are inadequate or corrupted. Within targeted areas, it could be beneficial to offer assistance to those responsible for place management to help them achieve more control over their properties.[56] Levels of intervention may vary from distributing information pamphlets to providing financial aid or training for landlords and businesses.[57] Police can work with place managers to ensure that additional improvements are carried out, such as better street lighting and regular garbage collection.

11. **Applying nuisance abatement laws.** Nuisance abatement actions are an important tool in controlling drug dealing in open-air markets and can be used against properties that are shown to be fostering a drug market. These actions may include the packaging and storing of drugs, housing dealers, or providing a place for people to use.

12. **Issuing restraining orders or "stay-away" orders.** County Prosecutors in Newark, New Jersey, have begun asking judges to issue Drug Offender Restraining Orders (DOROs) against drug defendants. Similar to restraining orders in domestic violence cases, DOROs are designed to keep accused drug offenders out of specific neighborhoods or buildings and can be requested at a defendant's first court appearance. The order then lasts until the defendant has been convicted or acquitted. "Stay-away" orders can also be used in conjunction with probation to keep convicted dealers away from a specified area.

13. **Notifying mortgage holders of drug-related problems at their properties.** Police can serve as a conduit of information to entities that have a financial stake in the proper maintenance of real property. This may lead to private actions to compel improvements in property management, and ultimately a reduction in drug-related activity in and around that property.[58]

14. **Enforcing regulatory codes.** Police can instigate building and property inspections and liaise with absentee landlords about the condition of their properties and the activities taking place in them.[59] Where buildings are vacant, police can inform city officials and encourage them to take action. In St. Louis, Missouri, two officers took photographs of the exterior of a building that had been identified as problem location and submitted them to the City Building Division requesting that the buildings be inspected for code violations. In addition, they also contacted the landlord of the property to share information about the state of the building and the behavior of the tenants.[60]

15. **Seizing and forfeiting assets related to drug dealing.** Seizing a dealer's assets is likely to impede on their ability to conduct business as well as deprive them of profit accumulated through drug-related activity. In addition, seized assets provide additional revenue and resources to fund further enforcement efforts and community-based strategies against drugs. In addition to targeting dealers, civil forfeiture proceedings can be used to gain ownership of buyers' vehicles. Where transactions occurred in buyers' cars, police in Alabama were able to gain ownership of a number of vehicles.[61] Police in New York worked with the Internal Revenue Service (IRS) and passed on the registration information of cars they suspected belonged to dealers. The IRS would then run an income tax check on the owner and if no taxes had been paid or return filed, or if the income reported was disproportionate to the cost of the car, an investigation ensued, resulting in the seizure of more than 100 cars.[62]

Modifying the Physical Environment

This involves manipulating, designing or managing the physical environment with the intention of affecting the behavior of those who use it.[63] There are many physical features that may facilitate drug dealing in open-air markets including: thick or overgrown foliage, vacant buildings, poor street lighting, and access routes that can be modified to discourage drug dealing.

16. **Reclaiming public areas.** Public areas that have been abandoned by members of the local community because they fear drug-related activity are at risk of further degradation. Where parks and other public spaces are used for drug dealing, police can negotiate with the relevant authority responsible for an area and assist in implementing working solutions. Police in Sweden found that re-designing a public park to improve visibility and encourage local residents' use helped eradicate drug activity and restored public order.[64] In Vancouver, British Columbia, a significant increase in reports of drug dealing resulted in a community effort to reclaim a neighborhood park. In addition to enforcement against dealers, police coordinated with the Park Board requesting immediate action to control graffiti and litter; the landscaping in the park was altered to eliminate obstructed sightlines; and the dog pound stepped up its enforcement of unleashed dogs used by dealers to intimidate residents.[65]

17. **Installing and monitoring surveillance cameras.** There is little information about the efficacy of using surveillance cameras to disrupt open-air drug markets. The installation of surveillance cameras has been shown to reduce crime, although in some cases, criminal activity adapted to circumnavigate the increased risk of arrest.[66] A study conducted in the United Kingdom asked offenders their views about CCTV and whether they thought it could be used to combat street drug dealing. Although respondents felt that redeployable cameras would be more effective than static cameras, 78 percent of the offenders interviewed did not think CCTV would make an impact.[67] Introducing surveillance cameras in an open drug market is likely to result in displacement or the transformation of an open market into a closed one; other possible benefits include an increased feeling of safety for local residents and a fall in street crime.

18. **Altering access routes and restricting parking.** Limiting the access routes into a drug market, especially when a high number of buyers are not from the local neighborhood, may have the effect of dampening the market. Police in Charlotte, North Carolina, blocked off two main routes into the neighborhood when analysis revealed that 60 percent of those arrested for buying or selling drugs in the area did not live in local vicinity—a factor that contributed to a 42 percent drop in arrest rates during the following 12 months.† As well as discouraging buyers, blocking off streets and alleys can make it more difficult for dealers to escape in the event of enforcement activity, which may render the area less appealing as a drug market. Implementing parking restrictions may also have an effect on the market. Buyers will have to walk to and from the drug market, increasing the risk of police surveillance or street crime.

19. **Changing public pay phones.** Removing pay phones or restricting them to outgoing calls can serve to hamper communication between buyers and sellers making it less convenient for them to conduct business.

20. **Securing vacant buildings.** This can help improve the physical appearance of the neighborhood, and reduce the number of places suitable for selling or using drugs. With the support of the local community coalition, Houston police conducted a sweep of abandoned buildings in the Link Valley area to look for squatters and drug dealers. In addition, the coalition organized a clean up of the area and worked with city agencies to enforce health and housing ordinances—a combination of actions that greatly reduced the neighborhood drug trade.[68]

Demand Reduction

21. **Providing drug treatment.** Reducing the availability of drugs cannot be done by enforcement alone, and it is important to combine supply and demand reduction strategies. In some cases, enforcement will lead to an increased demand for treatment services.[69] Disrupting a drug market may provide a window of opportunity in which individuals decide to seek assistance for their use. Providing adequate resources to treat problem drug use will ensure that this opportunity is used effectively. In some cases appropriately targeted treatment has been found to destabilize retail markets by stripping them of low-level staff.[70]

† See the POP Response Guide No. 2 *Closing Streets and Alleys to Reduce Crime* for further information.

Appendix: Summary of Responses to Drug Dealing in Open-Air Markets

The table below summarizes the responses to drug dealing in open-air markets, the mechanism by which they are intended to work, the conditions under which they ought to work best, and some factors you should consider before implementing a particular response. It is critical that you tailor responses to local circumstances and that you can justify each response based on reliable analysis. In most cases, an effective strategy will involve implementing several different responses. Law enforcement responses alone are seldom effective in reducing or solving the problem.

Response No.	Page No.	Response	How It Works	Works Best If…	Considerations
General Considerations for an Effective Strategy					
Drug Enforcement					
1	22	Policing the area in a highly visible fashion	Disrupts drug-related activity and reduces the fear of crime among local residents; and helps build relationships with local residents	…efforts can be sustained over time	Officers should receive training about the characteristics of street drug markets so they can make accurate evaluations about situations as they occur
2	23	Enforcing the law intensively	Deters buyers and sellers by increasing the actual and perceived risk of apprehension	…enforcement strategies are focused on a specific geographical location	Care should be taken not to alienate the local citizens by infringing on their civil liberties; effects tend to be short term and costly to sustain. Efforts should be coordinated with prosecutors to manage the impact on criminal justice system

Response No.	Page No.	Response	How It Works	Works Best If…	Considerations
3	24	Arresting drug sellers in "buy and bust" operations	Deters drug dealers by incarceration and/or fines	…officers and vehicles are regularly substituted to avoid detection; and arrests are followed up with responses that alter the market conditions	Effects are typically short term if drug dealers are readily replaced or if court sanctions are weak; officers face considerable physical risks
4	24	Intelligence-led investigative work	Police use information from drug hotlines and police informants to target drug distribution networks	…information is processed swiftly and the appropriate action is taken	Safeguards should be put in place to ensure that sources are not able to manipulate a situation for their own gain
5	24	Confiscating stashed drugs	Raises the costs of drug dealing by loss of merchandise, which may discourage dealing in that area or raise the price of drugs which, in turn, might reduce demand	…police can get good intelligence from the community	Response depends upon timely and reliable intelligence from the community; and requires an effective and efficient procedure for confiscating and inventorying seized drugs
6	25	Arresting drug buyers	Deters buyers by increasing the actual and perceived risk of apprehension	…most buyers are novice or occasional users; arrest campaigns are widely publicized after the fact to deter potential customers	Officers should receive extensive training to avoid legal entrapment defense; officers face considerable physical risks; effects will be limited if there is a large pool of new buyers coming to the market

Response No.	Page No.	Response	How It Works	Works Best If…	Considerations
7	26	Warning potential buyers	Discourages buyers and sellers by communicating that drug dealing in and around properties will not be tolerated	…the scheme is well advertised and used in conjunction with high-visibility policing	Care should be taken not to offend or accuse innocent persons seen in the area
Community Responses					
8	26	Encouraging community action	Discourages sellers and buyers by conveying community intolerance for drug dealing; threatens buyers and sellers with loss of anonymity	…efforts are sustained over time	Communities may not always be receptive to police efforts; response may be difficult to sustain over time; citizens may be too fearful to become actively involved
9	26	Operating a telephone hotline	Increases community reporting of drug dealing, which should increase the risk that offenders will be apprehended	…information is followed up promptly and used to target drug hot spots; reporting citizen's identity is anonymous or kept confidential	Police need to respond quickly to the information they are given; response requires that the community generally has confidence in police to take action; the volume of complaints can overwhelm the police capacity to respond

Response No.	Page No.	Response	How It Works	Works Best If…	Considerations
Civil Remedies					
10	27	Encouraging place managers to be more proactive	Discourages buyers and sellers by communicating that drug dealing in and around properties will not be tolerated	…place managers have the incentives and resources to make necessary changes	Threats or actual legal sanctions may be required to incentivize reluctant property owners; some segment of community may object to compelling private property owners to change the ways they manage and maintain their properties
11	28	Applying nuisance abatement laws	Compels property owners to take actions that can discourage drug dealing	…jurisdiction has an efficient nuisance abatement process and effective sanctions for noncompliance	This response is unlikely to be a quick solution, especially if owner contests proceedings; it requires diligent follow up to ensure compliance
12	28	Issuing restraining orders or "stay-away" orders	Discourages defendants, or those convicted of drug dealing from returning to drug-dealing areas	…utilized with effective sanctions for non-compliance	Judges may be reluctant to issue an order if the defendant can prove that such an order would cause undue hardship
13	28	Notifying mortgage holders of drug-related problems at their properties	Encourages responsible management of properties that may be used in ways that support open-air drug markets	…police have an efficient means of identifying mortgage holders; mortgage holders have a sufficient financial stake in the property to become involved	Response is only relevant if problem properties are being financed by a responsible entity

Response No.	Page No.	Response	How It Works	Works Best If…	Considerations
14	28	Enforcing regulatory codes	Pressures owners of properties being used in support of drug markets to improve the maintenance and management of their properties to discourage drug dealing	…police have a good working relationship with regulatory inspectors and enforcement mechanisms are effective	Enforcement of code regulations may take time
15	28	Seizing and forfeiting assets related to drug dealing	Reduces profits and/or increases cost to drug buyers, sellers, and those who allow their properties to be used in support of drug dealing	…there exists an efficient system for processing asset seizures and forfeiture claims	These actions must be authorized by law; there may be few valuable assets worth seizing
Modifying the Physical Environment					
16	29	Reclaiming public areas	Promotes legitimate uses of space that can discourage drug dealing in that space	…other agencies and organizations, and the community at large, support police initiative to promote other uses of the space	Work carried out as part of these modifications may disrupt local residents; improvements to space may be costly; there may be objections to curtailing certain uses of the space that are legal, but somewhat disorderly

Response No.	Page No.	Response	How It Works	Works Best If…	Considerations
17	29	Installing and monitoring surveillance cameras	Increases the risk of identification and provides evidence that may be used in court	…the scheme is well advertised, effectively monitored, and used in conjunction with high-visibility policing to respond to observed crimes and incidents	Installation and operating costs must be considered; some geographical displacement will probably occur; the response requires diligent monitoring; the impact is not clearly understood
18	30	Altering access routes and restricting parking	Discourages drug dealing by making it inconvenient for buyers and sellers to maneuver in and out of the market	…residents and merchants affected by changes are consulted about and support proposed changes; changes are tailored to the specific mechanics of the market	Redesign may be costly; may disrupt and inconvenience local legitimate residents and merchants; and may restrict access routes for emergency vehicles
19	30	Changing public pay phones	Hampers communication between sellers and buyers	…drug dealers and buyers use pay phones to arrange deals	Local residents may oppose the scheme
20	30	Securing vacant buildings	Prevents their use as places where drugs can be used or sold	…police coordinate efforts with housing services to ensure that once a problem has been identified, action is taken quickly	Regular checks should be made to ensure buildings remain secure

Response No.	Page No.	Response	How It Works	Works Best If…	Considerations
Demand Reduction					
21	30	Providing drug treatment	Reduces the demand for drugs; ensures that if a window of opportunity is created for users to seek treatment as a consequence of enforcement activity, services are able to respond	…treatment resources are adequate to meet demand; individuals referred by police receive high treatment priority	Police should inform treatment services of high volume enforcement activity so they can prepare for increased demand for treatment; treatment funding can be costly

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