



COPS

COMMUNITY ORIENTED POLICING SERVICES
U.S. DEPARTMENT OF JUSTICE

**Problem-Oriented Guides for Police
Response Guides Series
No. 6**

Sting Operations

by
Graeme R. Newman
with the assistance of Kelly Socia





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About the Response Guides Series

The *Response Guides* are one of three series of the *Problem-Oriented Guides for Police*. The other two are the *Problem-Specific Guides* and *Problem-Solving Tools*.

The *Problem-Oriented Guides for Police* summarize knowledge about how police can reduce the harm caused by specific crime and disorder problems. They are guides to preventing problems and improving overall incident response, 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 problems the guides cover. The guides will be most useful to officers who:

- understand basic problem-oriented policing principles and methods
- can look at problems in depth
- are willing to consider new ways of doing police business
- understand the value and the limits of research knowledge
- are willing to work with other community agencies to find effective solutions to problems.

The *Response Guides* summarize knowledge about whether police should use certain responses to address various crime and disorder problems, and about what effects they might expect. Each guide:

- describes the response
 - discusses the various ways police might apply the response
 - explains how the response is designed to reduce crime and disorder
-



- examines the research knowledge about the response
- addresses potential criticisms and negative consequences that might flow from use of the response
- describes how police have applied the response to specific crime and disorder problems, and with what effect.

The *Response Guides* are intended to be used differently from the *Problem-Specific Guides*. Ideally, police should begin all strategic decision-making by first analyzing the specific crime and disorder problems they are confronting, and then using the analysis results to devise particular responses. But certain responses are so commonly considered and have such potential to help address a range of specific crime and disorder problems that it makes sense for police to learn more about what results they might expect from them.

Readers are cautioned that the *Response Guides* are designed to *supplement* problem analysis, not to *replace* it. Police should analyze all crime and disorder problems in their local context before implementing responses. Even if research knowledge suggests that a particular response has proved effective *elsewhere*, that does not mean the response will be effective *everywhere*. Local factors matter a lot in choosing which responses to use.

Research and practice have further demonstrated that, in most cases, the most effective overall approach to a problem is one that incorporates several different responses. So a single response guide is unlikely to provide you with sufficient information on which to base a coherent plan for addressing crime and disorder problems. Some combinations of responses work better than others. Thus, how effective a particular response is depends partly on what other responses police use to address the problem.



These guides emphasize effectiveness and fairness as the main considerations police should take into account in choosing responses, but recognize that they are not the only considerations. Police use particular responses for reasons other than, or in addition to, whether or not they will work, and whether or not they are deemed fair. Community attitudes and values, and the personalities of key decision-makers, sometimes mandate different approaches to addressing crime and disorder problems. Some communities and individuals prefer enforcement-oriented responses, whereas others prefer collaborative, community-oriented, or harm-reduction approaches. These guides will not necessarily alter those preferences, but are intended to better inform them.

The COPS Office defines community policing as “a policing philosophy that promotes and supports organizational strategies to address the causes and reduce the fear of crime and social disorder through problem-solving tactics and police-community partnerships.” 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.

The COPS Office and the authors encourage you to provide feedback on this guide and to report on your own agency's experiences dealing with a similar problem. Your agency may have effectively addressed a problem using responses not considered in these guides and your experiences and knowledge could benefit others. This information will be used to update the guides. If you wish to provide feedback and share your experiences it should be sent via e-mail to cops_pubs@usdoj.gov.

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
 - instructional information about problem-oriented policing and related topics
 - an interactive problem-oriented policing training exercise
 - an interactive *Problem Analysis Module*
 - a manual for crime analysts
 - online access to important police research and practices
 - information about problem-oriented policing conferences and award programs.
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Cynthia E. Pappas oversaw the project for the COPS Office. Research for the guide was conducted at the Criminal Justice Library at Rutgers University under the direction of Phyllis Schultze. Stephen Lynch edited this guide.



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Introduction

Sting operations have been part of the modern police response to crime for over 40 years, although artful deceptions and undercover operations have been part of police techniques for as long as policing has existed. The exploits of Jonathan Wild—who fenced stolen goods but also worked closely with London police as an informer in the early 18th century—are well known.¹ Since their introduction in the United States in the 1970s,² modern sting operations have been justified as an effective, less coercive way not only to catch criminals, but also to collect the necessary arrest and conviction evidence, thus avoiding the difficulties or even the necessity of obtaining an offender’s confession.

What This Guide Does and Does Not Cover

The private sector conducts many stings (extent unknown), and even police departments sometimes contract them out to private companies. Stings private companies conduct are especially common in the retail industry in investigating employee theft and shoplifting, and in manufacturing to investigate trade-secret theft. This guide does not review such private-sector stings. Police also commonly use crackdowns and sweeps in conjunction with sting operations, sometimes to the point where they seem to merge with the sting. This is especially common in sting operations against street prostitution. Another response guide reviews crackdowns and sweeps (Response Guide No. 1, *The Benefits and Consequences of Police Crackdowns*), as do the relevant problem-oriented guides (see, e.g., Problem-Specific Guide No. 2, *The Problem of Street Prostitution*). This guide also does not include details of how to conduct a sting operation. There are



well-established procedures dealing with recordkeeping, evidence collection, wiretapping, budgeting, and many other technical and legal details.³ This guide is intended to help you decide whether a sting operation would be right for you, not about how to mount a sting operation.

Stings and Crackdowns

Many stings, though not all, end up with a crackdown, that is, a sudden and dramatic increase in police officer presence to make the mass arrests that complex sting operations often require. For example, officers may have posed as drug dealers over time, which may culminate in the identification of many suspects, resulting in a police crackdown. However, not all crackdowns are linked to stings, such as the sudden and visible police patrol in a known vice area, which may be routinely repeated. In this case, there is no deception involved, and police may or may not make arrests (see Response Guide No. 1, *The Benefits and Consequences of Police Crackdowns*).

When stings were first introduced to U.S. policing operations, they were confined to the popular, and often complicated, setup of false storefronts designed to deal in stolen property, and targeted against fencing. Since that time, however, a wide variety of police operations have come to be called “sting” operations in common police practice. Now, hidden (or undercover) operations that target political or judicial corruption, target traffic offenses such as speeding and drunk driving, target prostitution, target car theft, target drug dealing, and target illegal sales of alcohol and tobacco to minors, are commonly referred to as sting operations. This guide takes a broad approach to include a wide range of crime types, and the different sting operations that target them.



Defining Sting Operations

Because sting operations cover a wide variety of crimes and use different techniques depending on the operation's immediate or long-term purpose, it is difficult to define precisely what a sting operation is. However, with some exceptions, all sting operations contain four basic elements:

1. an opportunity or enticement to commit a crime, either created or exploited by police.
2. a targeted likely offender or group of offenders for a particular crime type.
3. an undercover or hidden police officer or surrogate, or some form of deception.
4. a “gotcha” climax when the operation ends with arrests.

Sting operations may provide enticements for the targeted offender, such as offering a bribe to a politician suspected of corruption, or the opportunities may already be available, such as the presence of illegal drugs in open-air drug markets, the purchase of liquor by minors, or the hiding out of police in known locations where drivers exceed the speed limit. All of these examples assume that the offenders are “willing” offenders, but as we will see below, when police construct situations in which they offer people opportunities to commit a crime, such as to buy stolen goods, it is not always clear that they are willing; or at least the sting operators manipulate their willingness.[§] However, the clearest, defining feature of sting operations nowadays is that there is a point that ends the operations with a “gotcha,” when police suddenly reveal themselves and catch the offender “in the act,” often on video or audio recording devices. Catching offenders in the act is a very persuasive feature that impresses juries, who typically return guilty verdicts even though an element of deception is often involved.

§ Assessing the offender's willingness is closely tied to the police officer's or surrogate's use of deception. It is also the point that defense lawyers target in defending their clients. See below on the “entrapment defense.”



Deception in Sting Operations

Depending on the type of crime that is targeted or the purpose of the sting operation, the amount of deception police use may vary from none to a lot. In general, when there is much deception, the sting operation is highly complex and conducted over a long time—sometimes years—and requires police to take on various disguises and roles in dealing with suspects. When sting operations are concluded, they usually result in many arrests of high-profile people, accompanied by local and national publicity.

The amount of deception is partly defined by the extent to which police create the situation that snares the offender,[§] or whether police exploit situations that already exist in order to catch offenders in the act.^{§§} The latter are more typical of low-deception operations, which are usually conducted as part of a crackdown and so are mostly of short duration. They may be accompanied by some local publicity both before and after the sting and are targeted at known offenders, or places where offenses are commonly committed (e.g. a speed trap or known vice location). And they will result in mass arrests and charges.

The creation of the opportunity for offenders to commit a crime may vary according to circumstances. In some crimes, such as selling alcohol to minors, the opportunity is usually already there, and it takes little police effort to send in a juvenile surrogate to induce the illegal sale. In varying degrees, this also applies to prostitution, where a police officer may be disguised either as a client or as a prostitute to invoke a crime that can be clearly represented

§ In an extreme example of creating a crime, the New York City Police Department planted unattended bags in various locations in the city's subway system. They waited for people to take the bags, then arrested them (*New York Times*' Editorial, March 6, 2007).

§§ In an example where police exploited a situation in which the enticement to commit a crime already existed, police stationed an officer in the courtroom where drivers had their driving licenses revoked. This was communicated to an officer outside in the parking lot, who promptly arrested any person whose license had been revoked if he or she entered a car to drive away (Holderness 2003).



as “caught in the act.” Its use for this crime is popular because it is often difficult to obtain the necessary evidence to prove the details needed to gain a conviction for an offense such as prostitution. In very complex stings where deception is used for long periods, offenders who are already known or suspected are snared along with new offenders who also take the bait. In these cases, police may use known offenders as surrogates to snare new offenders.



Deception Techniques and Tools

A variety of props, techniques, and facilitators may be used in sting operations.

Disguise

If a regular police officer is deployed to deal with possible suspects, he or she may wear disguises, dress down or up to suit the scene, learn the suspects' habits and practices and their special skills, and even work and live with the suspects. The simplest form of this technique is the officer who poses as a drug dealer on the street and actually makes drug sales, or an officer who poses as a prostitute to arrest a client.

Storefronts

False storefronts are a very popular technique of deception in stings directed at penetrating fencing operations. Officers in these storefronts may pose as pawnbrokers, or may openly conduct an illegal fencing operation out of a rented space such as a warehouse or office building.

Professional Informers

A known offender (or former offender) becomes a police informer in return for the police's putting aside arrest or prosecution of the offender, or the police may even pay the informer. Where highly complex crimes are concerned, such as an organized drug-dealing network, well-organized fencing operations, or entrenched systems of bribery of public officials, police often use offenders who are expert in conducting these crimes and who are well connected with other members of the offending group to establish and maintain the degree of deception necessary.



Advertising, Sometimes False

Some stings advertise stolen goods for sale, or offer employment opportunities to bust various consumer and home employment scams. In a popular variation of a regular sting, police have placed advertisements to entice offenders with outstanding warrants to collect lucky lottery winnings; the police arrest them when they appear to collect their prize.

The Internet

The Internet has made fraud much easier by providing offenders with an easy way to create false storefronts and even perfectly mimic the web pages of major businesses such as eBay. Sex offenders have also found in the Internet a convenient way to pretend that they are someone else and approach unsuspecting or vulnerable juveniles. However, the possibilities for masquerading as others are also available to police officers, so they may conduct sting operations that also use these methods of deception to trap suspects: they may put up their own false online storefronts and hang out in juvenile chat rooms.

Bait Cars

Police may use bait cars (“decoy cars” or “gotcha cars”) when they know of a hot spot of car theft and the type of car that is most often stolen. Types of bait-car operations range from the simple, when a car is left parked and staked out by police, to the elaborate, when the car is fitted out with tracking devices, or it automatically locks when the thief is inside.



Surrogates

Police commonly employ professional thieves and current or former offenders in elaborate sting operations, especially those targeting fencing and corruption. In simpler operations, juveniles are often used as surrogates or “minor decoys” for police by entering stores to buy cigarettes or alcohol. They differ from police informers, who are used because of their skill and knowledge of complex crimes. Juveniles are used because of their special status as juveniles.

Surveillance

When police use much deception, they are more likely to accompany it with surveillance. This is because, when it comes to prosecution, it will be necessary to demonstrate that the offender was not entrapped into committing the crime (see below on entrapment). In the early days of stings, surveillance was composed of an informer or undercover officer “wearing a wire” to record conversations, to bug a meeting place, or to conduct phone taps. However, the conditions and procedures for making legal phone taps and recording phone conversations are complex, and vary from state to state. Modern sting operations, especially of complex bribery and fraud cases, are commonly accompanied by voluminous videotaped records of transactions and conversations, increasingly made by miniature cameras the informer or undercover officer wears. These videos of offenders actually “caught in the act” have been very effective in the courtroom in gaining convictions, especially if they have been obtained by officers well versed in the legal and operational procedures for obtaining video evidence.



The Two Goals of Sting Operations

Sting operations generally serve two purposes: (1) investigation, and (2) reduction/prevention of specific crimes.[§]

Using Stings for Investigation

The majority of sting operations fall under the investigative category. The aims may be to penetrate a criminal gang, collect evidence, and identify and arrest offenders. Police will conduct a sting essentially to uncover a suspected extensive or complex fraud involving many people, usually those who hold offices of trust in a community or government organization. An example of this is the ABSCAM sting (see box).

ABSCAM

In 1978, the FBI used known con artist, Melvin Weinberg, to direct a sting operation offering bribes to U.S. congressmen and other officials in return for favors to a mysterious sheik named Abdul. By 1980, they had targeted specific members of the House of Representatives and one senator. A number of politicians resigned, several were arrested, and a number of convictions followed. The local and national media publicized the sting extensively, and it is now part of U.S. political history.⁴

§ The Lauderhill (Florida) Police Department used a sting operation to obtain information to help analyze the problem of street drug dealing, rather than to arrest offenders. This enabled them to focus on area redevelopment and other responses that were successful in reducing drug sales—an innovative combination of the investigatory function of stings with the aim of crime reduction rather than the “gotcha” of mass arrests.

The sting will gather copious evidence that includes wiretaps, transaction records, video footage, and careful accounting of the network or organized system of bribery or corruption. While the uncovering of an extensive bribery scandal and its sensational publicity may serve



to warn others of the consequences of committing these crimes, the main goal of such sting operations is to gain the necessary evidence to help effective arrest, prosecution, and conviction of all offenders involved in a complex crime or fraud that involves many offenders. Other characteristics of investigative sting operations include the following.

Sting Durations

Sting operations conducted for investigatory purposes generally do not have a specific time frame. Rather, police must determine at some point in the operation whether they have collected sufficient evidence or identified a sufficient number of serious offenders. In the case of ABSCAM, once the media brought the investigation to light, it had to be terminated. In general, the longer the sting, the more arrests that result. The duration of stings ranges from hours to several years, and many rely on local businesses or community organizations for support (see the Goldstein Award project reports reviewed in the appendix).

Other Agencies' Involvement

Many stings, especially complex stings, require the involvement of government and non government agencies in addition to the police department. A dozen or more federal, state, and international organizations are typically involved, as well as community and business organizations.⁵



Success Rates

Almost all sting operations result in either arrests or convictions, many of them startling (one reported 700 arrests), with very high conviction rates ranging from 70 percent to 95 percent.⁶ The majority of those arrested in fencing and fraud stings also have prior criminal records. Viewed from their primary goal of investigation, therefore, it is apparent that stings are highly successful operations. However, there is generally no research that demonstrates that the successful revelation of an extensive fraud and successful conviction of offenders prevent future similar frauds from occurring; these types of stings are usually one-time operations. As far as reduction of the targeted crime is concerned, stings are generally ineffective (with some notable exceptions, as mentioned below), providing only temporary remission, though they do provide other benefits.

Cost

The longer the sting operations, obviously the greater the cost. Investigative storefront sting operations are usually the most elaborate and expensive, though they do often result in the recovery of stolen property, thus offsetting the cost (see below). Few studies other than those on storefront stings have computed the cost of stings, except to observe that they are very expensive in personnel time.

Publicity

Investigative stings usually require secrecy, so publicity is rarely used before or during the operation; instead, it always follows the sting with the announcement of many arrests. There have been some examples of negative publicity, including one in which a major drug sting was



§ In the Goldstein Award Reports (appendix), all sting operations, whether successful or not, involved the media, especially those concerned with illegal alcohol sales and with additional efforts to name clients (sometimes with photographs) and prostitutes in the local newspapers as an outcome of the sting.

announced that included Mexican officials; the then president of Mexico criticized the operation in national and international media.⁷ Another was in Operation Greylord (see box), where two offenders committed suicide when the sting identified them publicly as culprits. Police also typically use publicity as part of some consumer fraud stings that require local newspapers to be complicit in inserting false advertisements meant to snare offenders.[§]

Operation Greylord

In 1978 an FBI agent was investigating a case of corruption in the Chicago Police Department. During the investigation, he came across evidence of corruption in the judicial system. After 18 months, the Washington Bureau approved a sting operation to uncover what was suspected as being an extensive system of bribery and corruption in the Cook County judicial system. It ran for some three years, and its repercussion was felt for many years after. The sting is described as follows:⁸

The government fabricated cases, involved dummy defendants, tape-recorded conversations, tapped telephones and, for the first time ever, planted a listening device in a judge's chambers. Undercover agents, or "moles," infiltrated the system, and various deals were made with defendants in return for their cooperation.

This sting operation also spawned congressional testimony into the ethics and legality of sting operations, and a number of significant legal cases using the entrapment defense resulted. There were over 60 arrests and many convictions.



Using Stings To Reduce Crime

Sting operations that target specific crimes with the aim of reducing their incidence are usually conducted for a predetermined time, such as speed traps or random breathalyzer stops during a holiday period. Thus, they are cheaper to implement and are more common. The police may use them in conjunction with other responses aimed at reducing recurring or persistent crime problems such as prostitution, illegal gambling, drunken driving, speeding, sale of alcohol or cigarettes to minors, street drug dealing, and rashes of car theft.

In a review of the POP Center database of Goldstein Award Reports studies (appendix), of the 27 studies that used sting operations, half reported that the sting reduced the targeted crime, although even among those, the majority of reductions were short term. The remaining studies reported that the sting did not reduce the targeted crime. The most popular crime targeted by these studies was prostitution, where the majority of the seven studies reported no reduction in the targeted crime. Targeted crimes where stings appeared to be more effective were illegal sales of alcohol and traffic offenses. All those studies that reported successful reduction in the targeted crime also used the sting operation in conjunction with other responses; as many as five or more different responses were common, including use of publicity in the sting's early stages. This applied especially in responding to prostitution.



Sting Operations According to Crime Targeted

Sting operations vary in their use of deceptive techniques, depending on the specific crime type targeted. The following summary of sting operations' methods, durations, costs, and outcomes according to crime targeted is drawn from various professional magazines, government-sponsored reports and evaluations, and a small number of scientific studies. It is likely that there have been many sting operations about which nothing has been published, so there may be a bias toward reporting only stings that were deemed successful, a bias likely aided by positive media coverage when the media itself was enlisted to help in the operations.

Fencing and Stolen Property

The overwhelming technique used in penetrating fencing operations is the storefront. One of the major problems of using storefronts is the expense in setting up the store, and the need for "buy" money to provide goods for sale. The sources of these often considerable needs for funds are provided from state and federal grants, and sometimes from local businesses that are targets of theft, such as local car dealerships. Federal grants often require working closely with federal law enforcement investigators such as the FBI. Reports of operations vary in the extent to which they consider the outcomes successful, though the main focus is usually on cost-effectiveness because of the high costs of setting up and implementing these stings. The measures of this are particularly difficult to pin down, since they depend on how long the operation continues (since police recover more goods, but also need more buy money). The rate of return on the dollar therefore



§ In a study that used frequent stings against prostitution, it was found that prostitutes who were arrested returned to the streets after a brief period, which left the recurring problem unsolved (San Bernardino County (California) Sheriff's Department, 1993).

is usually computed according to the value of goods retrieved and returned to their rightful owners, as against the amount expended to set up the operation. However, this accounting often does not include the officer time used in the sting, so the results may be misleading. One study that included personnel costs reported that it cost 2.5 cents of buy money for every dollar recovered.⁹ Another reported that it cost roughly 10 cents for every dollar retrieved.¹⁰

The more scientifically designed studies tend to regard claimed successes as “questionable” as far as prevention or reduction in fencing of stolen goods is concerned.¹¹ However, two such studies¹² did report a decrease in the specific crime targeted. The most persuasive measure of a sting’s success—and most widely reported—are the mass arrests that follow almost every sting and the extremely high conviction rates of around 90 percent. Although some researchers have questioned this high conviction rate (since factors that could affect conviction rates such as arrest rates, plea negotiations, and decisions not to prosecute are often ignored in computing conviction rates), it is nevertheless reasonable to conclude that the conviction rates of cases that go to trial are very high.

There is far more research available on storefront operations targeted at fencing activities than on any other type of sting. The scientific quality of these studies is on the whole higher than for other types of stings, most of which are descriptive and assume that the outcome of arrest is self-evident of a sting’s success.[§]

Drug Dealing

The most common technique for sting operations directed at drug dealing in various environments is the reverse



sting “buy and bust” (an officer pretends to be a drug dealer and sells to an unsuspecting customer). However, in contrast to storefront stings, police more often use drug stings in conjunction with other responses such as sweeps, crackdowns, and beefed-up patrols in known dealing locations. Those operations that combine stings with other responses are most often rated as “successful.” While it is probably a good idea to combine stings with other operations targeted at reducing drug dealing (see Problem-Specific Guide No. 31, *Drug Dealing in Open-Air Markets*), this practice makes it difficult for researchers to assess whether an operation’s success was a result of the sting itself, or of the other responses used. Many studies deem the sting operation “successful” if it results in massive arrests.[§] In general, the conviction rates range up to 50 percent of arrestees,¹³ considerably lower than for storefront operations.

§ New York City’s Operation “Pressure Point” resulted in 14,000 arrests after 17 months and a 52 percent reduction in robbery after two years (Zimmer, 1990).

Some drug stings, especially those lasting a longer period, result in short-term reductions not only of the targeted crime, but also of other crimes such as robbery. On the other hand, one study found that while significant reductions in drug trafficking were achieved, there was some evidence that it was displaced to other locations that were not part of the sting.¹⁴ In fact, drug dealers were forced underground, which made it more difficult to maintain a buy-and-bust operation. In sum, while stings clearly have short-term effects on drug dealing, no scientific studies have demonstrated a long-term effect. Finally, because sting operations are expensive, it is necessary to assess whether the overall cost of these operations is worth it. One study found that it took 802 officer hours per violent crime deterred,¹⁵ another that it took 6.6 officer hours per arrest.¹⁶



Sales of Alcohol and Tobacco to Minors

§ The California STAKE Act of 1994 established an intensive statewide program to reduce illegal sales of tobacco. Implementing the act required an initial survey of retail stores to establish how widespread the problem was and intensive enforcement programs, and included scientific evaluations of the interventions that included sting operations (minors acting as police surrogates).

Operations targeting sales of alcohol and tobacco to minors use juveniles as minor decoys to enter stores to buy liquor or tobacco. One operation used detectives to follow up some time after juveniles had made the purchase. The duration of the stings ranges from days to years. One scientific study that investigated the effects of the California STAKE Act[§] found a 42 percent reduction in access to tobacco by minors after a publicized sting operation. However, juvenile access to tobacco began to increase to previous levels after one year. Two other similar studies of illegal liquor sales to minors produced many arrests, and illegal sales dropped by some 20 percent for the first year. However, another scientific study reported that illegal sales increased after a follow-up by detectives once the sting operation had ended.¹⁷

Prostitution

Female decoys or plainclothes detectives are typically used in prostitution operations. These stings always result in many arrests and good publicity, but researchers have concluded that they have no overall effect on clients.¹⁸ However, a benefit of vice stings is that they also help police serve numerous outstanding warrants for offenders wanted for other types of crime. An FBI sting took over a credit card processing company and identified those who had used credit cards to pay for sex. It then processed payments to and from the brothels over a three-year period. This resulted in snagging \$100,000 in bribes of local police and the closing of 18 parlors.¹⁹ Few of the descriptive studies reported the length of the stings, which suggests that police used them in conjunction with the



popular use of vice sweeps as a response to persistent prostitution (see Problem-Specific Guide No. 2, *Street Prostitution*).

Vehicle-Related Crime

Traffic

Although random stops for license, registration, or breathalyzer checks are common in police practice, there are few actual studies of their effectiveness (see, e.g., Problem-Specific Guide No. 3, *Speeding in Residential Areas*; Problem-Specific Guide No. 36, *Drunk Driving*). There are studies demonstrating the effectiveness of random breath tests on drunk driving; although random stops are not necessarily stings, they do have a “gotcha” element. One sting used police in plainclothes in the courtroom to inform uniformed officers waiting outside for those whose license was suspended. The officers then arrested the offenders if they tried to drive away. The scientific study reporting this sting demonstrated a reduction in collisions and hit-and-run injuries over a two-year period²⁰ during and following the sting.

Car Theft

The most common sting technique used against car theft or theft from cars is the bait or decoy vehicle. Although some successful uses of decoy vehicles have been reported in the United Kingdom, their effects on car theft reduction have been only temporary.²¹ (See Problem-Specific Guide No. 10, *Thefts of and From Cars in Parking Facilities*; Problem-Specific Guide No. 46, *Thefts of and From Cars on Residential Streets and Driveways*). Reports of U.S. sting programs using bait cars suggest similar results.[§]

§ In a complex project to reduce car theft the Williams Lake (British Columbia) Royal Canadian Mounted Police used bait cars along with other responses, including: considerable community and business involvement, intensive enforcement, and considerable publicity. In the six months of the study, car theft dramatically declined, but there is no way to determine whether this reduction was due to the bait cars or other responses used. (Royal Canadian Mounted Police, 1997).



Street Racing

Police have parked decoy police cars at the scene of street racing events, with the aim of deterring street racers. However, their effectiveness is unknown, and leaving them unattended also invites vandalism. (See Problem-Specific Guide No. 28, *Street Racing*).

Fraud and Corruption

The fraud and corruption category includes an assortment of reports on undercover officers investigating a variety of such cases. One operation investigated 38 car body shops concerning the submission of fraudulent insurance claims for preexisting damage of a car, resulting in many arrests.²² Operation Greylord uncovered judicial bribery and corruption, resulting in scores of arrests and extensive congressional testimony. Consumer and immigration fraud were also uncovered by sting operations that police used primarily as tools of investigation over months and years. All operations resulted in multiple arrests and convictions.²³

Child Pornography and Pedophiles

The Internet offers police an excellent medium for undercover operations, and they have used it considerably to track down and snare would-be child molesters or child pornographers. Methods used are for officers to enter chat rooms and pose as a child seeking excitement; setting up false web sites offering illegal pornography; and using a well-publicized Internet sting operation to create the impression that the Internet is a risky place for sexual predators, and that their hidden identities can be tracked down.²⁴ The latter use of a sting operation



differs from other uses described above because it is not primarily oriented to investigating a complex crime resulting in arrests, but rather to deal with the problem in a wider perspective by creating an uncertain atmosphere and thus deter potential predators. Arrests, therefore, are not the measure of success. Unfortunately, there are no scientific studies that have used as a measure of success how many people have been deterred from seeking child pornography or trying to contact children through teen chat rooms as a result of well-publicized sting operations²⁵ (see also Response Guide No. 5, *Crime Prevention Publicity Campaigns*; Problem-Specific Guide No. 41, *Child Pornography on the Internet*).[§]

§ Internet stings that aim at tracking down Internet users require highly trained officers in the Internet's technical aspects, as well as Internet service providers' cooperation. However, a reasonably competent Internet user can put up a false web site, and it takes little skill to enter a teen chat room.



Benefits of Sting Operations²⁶

They Facilitate Investigation and Increase Arrests

There are many cases on record of known or suspected criminal activity such as systemic corruption or bribery where sting operations facilitated the collection of evidence and identification of significant offenders, thus leading to significant increases in arrests. Existing research clearly demonstrates that most sting operations result in an increase in arrests, sometimes dramatically so, which bolsters the case for the police department to increase its budget.

They Enhance Public Relations and Police Image

From the often spectacular revelations resulting from a sting that snares high-profile people, to the mundane publicity of catching drunk drivers during a holiday season, the police department stands to receive considerable positive publicity because sting operations are often perceived as clever ways of catching otherwise elusive criminals who deserve their punishment. However, the canny police chief will bring the media on board as soon as possible to ensure that they do not focus on the negative side of sting operations, such as entrapment. Indeed, in some cases, such as drunk driving or speed traps, the police may use the media as part of the sting operation to publicize the impending police action.



They Enhance Police Presence

The revelation of a successful sting operation, or even the announcement of a planned one, may have an effect on offending in neighboring localities (so-called diffusion of benefits). One well-designed study on reducing illegal gun availability²⁷ supported this finding, and a number of reported sting operations also make this claim.

They Improve Collaboration Between Police and Prosecutors

If a sting is to end successfully with many arrests, the success will be diminished if few of those arrested are convicted. And since stings often end with a flurry of arrests, it will be necessary to ensure that the prosecutor's office can deal with a sudden influx of cases. Although the reasons for lack of convictions may vary, more often than not they may result from the defendants' using some form of the "entrapment defense." Police officers therefore must work very closely with prosecutors so that they collect and record evidence in a way that does not break any evidentiary procedures or rules. There are many cases on record demonstrating the necessity for this collaboration.

They Provide an Impressive Conviction Record

As noted earlier, research indicates that the conviction rates for those arrested in sting operations are impressively high, though varying depending on the type of operation. The reasons for such a high conviction rate, even in the face of the entrapment defense, are the ample supply of video testimony of offenders in the process of committing their crimes, often accompanied by offenders



who confess freely when confronted with these videos, and, in the more sophisticated stings, the use of well-established procedures of collecting evidence and recording transactions.

They May Succeed Without Convictions or Arrests

Police may use sting operations to publicize their presence. They sometimes use this technique in vice operations, where the announcements of decoy officers in a particular location may reduce prostitution, though this is usually only temporary (see, e.g., Problem-Specific Guide No. 2, *Street Prostitution*). However, a successful sting operation to uncover selling of liquor to juveniles may be enough for the merchant to lose his or her liquor license without being arrested.

They Often Require Partnering With Community and Business Organizations

Sting operations almost always require the cooperation of local community organizations or businesses to provide community, financial, or logistical support. For example, a local car dealer may provide decoy or bait cars, or a local business may provide office space for a storefront operation. While there may be some risks involved in accepting help from businesses in sting operations (for example, they may expect a break in compliance in other matters), overall, working closer with communities is a benefit—even essential—for modern policing. (See Response Guide No. 3, *Shifting and Sharing Responsibility for Public Safety Problems*; Problem-Solving Tool Guide No. 5, *Partnering With Businesses To Address Public Safety Problems*).



They Improve Community Relations by Recovering Stolen Property

Citizens who have been victimized by theft value most the police response that retrieves their stolen articles. Using informers and stings often leads to recovery of stolen goods, as noted in the several operations reviewed earlier concerning storefront stings.



Negative Features of Sting Operations²⁸

They Do Not Reduce or Prevent Recurring Crime Problems

Few scientific studies of stings have shown that particular crimes were prevented long term. Where the relevant data were collected, it is commonly shown that the targeted crime was reduced as a result of the sting, but for only a limited period—at best, three months to a year. In fact, since most studies showing any extended crime reduction benefits of sting operations have also reviewed other police responses used with the operations, it cannot be concluded that stings, *on their own*, solve a recurring crime problem.

They May Increase Crime

A number of well-conducted studies have shown that, contrary to expectations, sting operations may actually increase the targeted crime because they provide new opportunities to offenders to commit the crime when they use decoys, baits, and the actual selling or receipt of stolen goods.²⁹ Furthermore, when police assume undercover roles, such as drug dealer, they may themselves be victimized, thus making possible new crimes that were not the sting's target. This raises a serious ethical issue concerning the role of police (and government generally). The police role is to *reduce* crime, not increase it. If sting operations are found to increase crime, they are surely very difficult to justify, regardless of the benefits described above. However, at least one careful study found that sting operations did not increase crime in the two projects studied.³⁰ This suggests that there is no hard-and-fast rule concerning the facilitating effects of stings



on crime rates, and that the possible effects of each sting operation may be specific to crime type and location.

They May Be Deemed Unethical

The ethical deficit of sting operations their detractors most often put forward is that their use of deception is simply another form of lying, and lying is morally wrong, period. And is it ethically worse if the deceiver holds a government office? Police defend their actions on two main grounds: (a) the moral and social benefits of a successful sting operation far exceed the ethical cost of using deception; and (b) citizens have given the police the right to use a degree of coercion to protect the community, and deception is “soft” coercion compared with other types police may use, such as tough interrogation techniques (which themselves may include lying and deceiving the offender).

The Government May Overreach

Is it the government’s role to construct enticements and situations that encourage all citizens to commit a crime? The studies of selling stolen goods, for example, in bars and other places, have found a remarkably high proportion of ordinary people prepared to buy stolen articles, people who, had they not been provided the opportunity to do so, would not have committed the crime. Thus there is a very strong potential for the government to overreach. Indeed, there is a strong incentive to do so, given the positive publicity that is likely to follow the sting operation, even if no offenders were convicted.



There are Privacy Issues

The invasion of privacy is much greater in sting operations because police surreptitiously collect far more information about non offenders as well as offenders, and in many instances, where there are no offenders at all until the sting operation reaches a critical point. Do citizens have a right not to be spied on? This is an old ethical problem in policing that is intensified by sting operations that rely almost entirely on these tactics.³¹

There are Entrapment Issues

Of all the negative features of sting operations, entrapment is by far the most widely cited. This is because many of the ethical issues described above come together to form the “entrapment defense,” used by offenders to argue that the police tricked them into committing the crime. There are many legal tests for entrapment, and every U.S. state’s law recognizes the defense. While we need not go into the legal technicalities, there are two legal tests of entrapment: the “subjective” and “objective” tests, both of which take as their starting point that the government encouraged or induced the offense in question. The subjective test asks whether the offender had a predisposition to commit the act, that is, it focuses on the offender’s psychological state. The objective test asks whether the government’s encouragement exceeded reasonable levels, thus it focuses on the government’s actions in constructing enticements—whether it went “too far.”³² How each of these is assessed, of course, is the subject of legal wrangling, and may in the long run depend on a jury.



They Are Expensive

The popular—and more elaborate—stings require expensive props (storefronts, money up-front to make illegal purchases or pay informers, decoy cars, video cameras, eavesdropping equipment, and so on). Often police can obtain these by approaching businesses affected by the crime to help out. But there is also the greater financial cost of staff time—undercover work required in complex stings is very time-demanding and may take months or even years. Finally, there is considerable cost in time required to train officers in how to carry out a successful sting operation. Not included in the police budget, except for officer time in court, is the cost of the very lengthy trials that occur to gain sting convictions, since the entrapment defense is commonly used and has become extremely complex.

They May Prevent the Use of Other, More Effective Problem-Solving Techniques

Sting operations' major effect is immediate and temporary. Problem-solving policing focuses more on solving the big problem or problems that lie behind a specific crime—that is, reducing or eliminating the problem in the long term. Arrests, even massive arrests, rarely solve persistent crime and disorder problems. At best, they are a stop-gap measure. Stings are an attractive technique because they produce much positive publicity and impressive short-term results, as measured by many arrests. But on their own, they do not solve the underlying conditions of most persistent crime problems. Given that stings are very demanding of resources, they may usurp the use of other effective problem-solving techniques. This is not to say that you should never consider them. Depending on the specific situation, they may be useful in conjunction



with other responses, a fact demonstrated by several studies in the Goldstein project database (appendix). On the other hand, an experimental trial of a sting in a specific location may be used to decide whether it will produce the required long- or even short-term results compared with other interventions. This was the approach the Lancashire (England) Constabulary used in their project to reduce theft from trucks using a bait vehicle.³³ They eventually abandoned the sting operation in favor of other responses.



Conclusion

Sting operations can be expensive, are demanding on personnel, and generally offer limited relief from recurring crime and disorder problems. This is not to say that they should never be used. They may be beneficial when used in concert with other police responses known to provide long-term solutions to the problem, such as a tool to collect information that will help in mounting other preventative operations.[§] Clearly, they do provide some attractive benefits to police departments, particularly by facilitating investigation, increasing arrests, and fostering a cooperative spirit between prosecutors and police, all of which result in favorable publicity. However, you need to assess these benefits against the negative ethical and legal problems associated with sting operations, especially the finding that in some cases they increase crime, and in the long term, with some exceptions, generally do not reduce it.

§ In a well-designed evaluation of several parallel sting operations in Chicago; Detroit; Gary, Indiana; and other cities designed to reduce illegal handgun availability, researchers found a 46 percent reduction that lasted for the 12 months of the study in Chicago, where it was mounted combined with considerable pre-publicity and intensified enforcement (lawsuits, license suspensions) against gun dealers. Researchers also found diffusion of benefits in some adjacent locations. However, they found no effects in Gary, where there was less publicity and no targeted enforcement.



Appendix: Analysis of Herman Goldstein Award for Excellence in Problem-Oriented Policing Reports Involving Sting Operations

This table reports the findings of project reports submitted to the Herman Goldstein Award for Excellence in Problem-Oriented Policing competition. As such, they are designed in a standard way based on the SARA model, and procedures followed are generally in compliance with the award criteria. However, more than half of the studies did not report data to back up their claims that the targeted crime had been reduced. Many assumed success because of the numbers of arrests or convictions that followed the sting. Even taking that into account, close to half reported that the sting operation did not work to reduce crime in the long run, though there were often temporary reductions.

Crime Targeted	Reduced crime?			Used other responses?	
	Yes	No	No data	Yes	No
Prostitution (n = 11)	4	7	9	4	7
Car theft (n = 6)	5	1	4	2	4
Illegal alcohol sales (n = 3)	2	1	2	3	0
Traffic violations (n = 2)	2	0	1	2	0
Various crimes (habitual offenders, graffiti) (n = 3)	1	2	2	1	2
Street drug dealing (n = 2)	1	1	0	1	1
Total = 27	15	12	18	13	14



List of Project Reports Reviewed (all available on The Center for Problem-Oriented Policing web site at www.popcenter.org)

- Aurora (Colorado) Police Department (1996). "The Prostitution Dilemma."
- Austin (Texas) City Police Department (1999). "Reclaiming South Congress Street."
- Boulder (Colorado) Police Department (1997). "Underage Alcohol Abuse: The Boulder Experience."
- Calgary (Alberta) Police Service (2000). "A Multi-Discipline Approach to Management and Control of Prostitution."
- Chico (California) Police Department (1995). "Alcoholic Beverage Control Grant."
- El Paso County (Texas) Auto Theft Prevention Task Force (2001). "The Repeat Offender."
- El Paso Police Department (1996). "San Jacinto Park Renovation Action Plan."
- Fontana (California) Police Department (2003). "Fontana Serious Traffic Offender Program."
- Fresno (California) Police Department (1999). "Prostitution Abatement and Rehabilitation First Offender Program."
- Hollywood (California) Police Department (1998). "Federal Highway Project."
- Lancashire (England) Constabulary (2003). "Putting the Brakes on Lorry Trailer Theft."
- Lauderhill (Florida) Police Department (1996). "Mission Lake Plaza Combating an Open-Air Drug Market in a Shopping Complex."
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- Michigan State University/East Lansing (Michigan) Community Police (1998). “Illegal Alcohol Sales and Keg Tracking.”
- National City (California) Police Department (1997). “Roosevelt Avenue Project (Antiprostitution Effort).”
- New Rochelle (New York) Police Department (2004). “Q-TIP (Quality-of-Life Targeted Intervention Patrol).”
- Orlando (Florida) Metropolitan Bureau of Investigation (1997). “A Task Force Approach to Organized Prostitution.”
- Paducah (Kentucky) Police Department (2006). “The Set Operation Deterring Street Crime and Violence.”
- Redondo Beach (California) Police Department (1998). “Operation Bull Market: Targeting Habitual Offenders.”
- Royal Canadian Mounted Police, Williams Lake Detachment, British Columbia (1997). “Hot Car Program.”
- Sacramento (California) Police Department (2003). “Graffiti Reduction.”
- Sacramento Police Department (1998). “Oak Park Revitalization Program.”
- San Bernardino County (California) Sheriff’s Department (1993). “Foothill Corridor Project”
- San Diego Police Department (1995). “Varda Car.”
- Stockton (California) Police Department (2003). “Project Black Flag.”
- Tucson (Arizona) Police Department (1999). “Pimps, Prostitutes, and Pushers.”
- Wichita (Kansas) Police Department (1996). “South Central Prostitution Project.”
- Williams Lake (British Columbia) Royal Canadian Mounted Police (1997). “Hot Car Program.”
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- ¹ Klockars (1980).
 - ² Langworthy (1989).
 - ³ Frazier (1994).
 - ⁴ Caplan (1983).
 - ⁵ Meyers (2000).
 - ⁶ Frazier (1994).
 - ⁷ Padgett (1998).
 - ⁸ Bensinger (1988).
 - ⁹ Weiner, Besachuk, and Stephens (1981).
 - ¹⁰ Law Enforcement Assistance Administration (LEAA) (1978).
 - ¹¹ Pennell (1979).
 - ¹² Weiner, Besachuk, and Stephens (1981); Cotter and Burrows (1981).
 - ¹³ Zimmer (1990).
 - ¹⁴ Zimmer (1990).
 - ¹⁵ Smith (2001).
 - ¹⁶ Dickson (1988).
 - ¹⁷ Willner et al. (2000).
 - ¹⁸ Dodge, Starr-Gemino, and Williams (2005); Marx (1992); Scholer (1999); Whitehead (2005).
 - ¹⁹ Marx (1992).
 - ²⁰ Holderness (2003).
 - ²¹ Sallybanks (2001).
 - ²² Cornejo (2006).
 - ²³ Dorsey (2005); Terhune (2006); U.S. Department of Justice (2006).
 - ²⁴ Demetriou and Silke (2003); Fulda (2005, 2002); Krone (2005, 2004); Scottberg, Yurcik, and Doss (2002).
 - ²⁵ Lesce (1999); Duff-Brown (2006); Arvada (Colorado) Police Department (1996).
 - ²⁶ For a more detailed account of the benefits and negative consequences of stings see Colquitt (2004).
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- ²⁷ Webster et al. (2006).
 - ²⁸ Marx (1985, 1982).
 - ²⁹ Langworthy (1989); Langworthy and Le Beau (1992a, 1992b, 1990).
 - ³⁰ Raub (1984).
 - ³¹ Stinchcombe (1963).
 - ³² Allen, Luttrell, and Kreeger (1999).
 - ³³ Lancashire Constabulary (2003).
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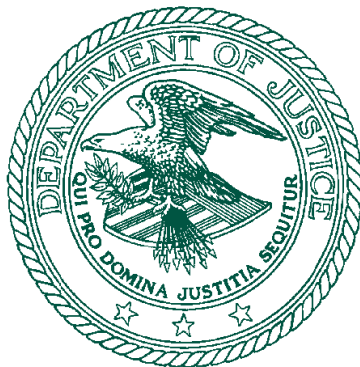
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