I negate the resolution Resolved: Predictive policing is unjust.

To clarify today’s debate, I offer the following definition by the Encyclopedia of Criminology and Criminal Justice

Uchida C.D. (2014) Predictive Policing. In: Bruinsma G., Weisburd D. (eds) Encyclopedia of Criminology and Criminal Justice. Springer, New York, NY <https://link.springer.com/referenceworkentry/10.1007%2F978-1-4614-5690-2_260>

“**Predictive policing** **is** a new concept for law enforcement in the twenty-first century. While still in its infancy and relatively untested, predictive policing has the potential to change **the way in which law enforcement deals with crime and victim**s. This entry describes predictive policing in terms of its definition and roots, the theories and models that have been developed, applications in law enforcement, and the issues that surround it. Conceptually, predictive policing involves **[through] the** **use of data and predictive analytics to predict or forecast where and when the next crime or series of crimes will take place.** The concept has engendered new terminology in law enforcement. “Predictive analytics,” “data mining,” “nonobvious relationships,” and “predictive spatial analysis” are among the new phrases used by chief executives, policy makers, and researchers to describe aspects of predictive policing.”

With this definition in mind, I value distributive justice, defined as the attempt to establish a connection between the properties or characteristics of persons and morally correct distribution of benefits and burdens in society. To uphold a value of distributive justice I propose a value criterion of maximizing safety.

Observation 1: It is the affirmative’s burden to prove that predictive policing is totally unjust as the resolution uses the word “is,” not “sometimes,” not “maybe,” but “is.”

C1: Predictive policing decreases crime

It is well-established through the deployment of predictive policing in several cities that the algorithms are actually effective in reducing crime. In fact, Zach Friend of the FBI’s Law Enforcement Bulletin noted on April 9, 2013 that in …

Zach Friend, FBI LEB, "Predictive Policing: Using Technology to Reduce Crime — LEB", April 9, 2013, <https://leb.fbi.gov/articles/featured-articles/predictive-policing-using-technology-to-reduce-crime>

During the first 6 months of the program, the department made over 2 dozen arrests within the hot spot locations. However, the true measure of the program’s success is not apprehensions, but the reduction of crime. **Santa Cruz** police officers indicated an initial 11 percent reduction in burglaries and a 4 percent decrease in motor vehicle thefts. As time progresses, the reductions increase. **Over a 6-month period, burglaries declined 19 percent.** The system requires 6 months of data to assess whether the method actually is reducing the crime rate. **Because the Santa Cruz police did not introduce any additional variables**—no additional officers were hired, shift lengths continued, patrol structure remained the same—**the department attributed the crime reduction to the model. The Los Angeles Police Department (LAPD) tested the method under a controlled experiment**. The project scientifically proved the model’s effectiveness. The city has a larger population and more complex patrol needs than Santa Cruz. Researchers established the experiment **in** the **Foothill** Division with a population of 300,000 people. They compared the predictive policing system with LAPD’s best practices. Similar to the Santa Cruz test, the department distributed maps to officers at the beginning of roll call. On some days analysts produced the maps using traditional LAPD hot spot methods. On other days, they used the algorithm. No one told the officers where the maps came from. Graphically they looked the same. The algorithm provided twice the accuracy that LAPD’s current practices produced. **While property crime was up .4 percent throughout Los Angeles, Foothill’s declined by 12 percent**. **Foothill benefitted from the largest crime reduction of any division during the experiment.**

Moreover, the Economist reported on May 5, 2018 that

The Economist, "Serve and predict - Violent crime is down in Chicago | United States | The Economist", May 5, 2018, <https://www.economist.com/united-states/2018/05/05/violent-crime-is-down-in-chicago>

Policing software such as Predpol or HunchLab, their makers claim, is able to forecast where crime is likely to be committed. Certainly the numbers are intriguing. After **2016 turned out to be the deadliest year for two decades**, with 762 murders and 3,550 shootings, **the following year, which coincided with the establishment of the first SDSC, was less bloody**, with 650 murders and 2,785 shootings. The decline in crime in police districts with the new data centres was steeper than in those without. This could just have been reversion to the mean. But the Chicago police department thinks that HunchLab, the particular program it bought, has something to do with it. To see why this might be the case, **consider Englewood [Chicago]. A hard-up, predominantly black neighbourhood on the South Side, Englewood saw a decline in murders of 44% in 2017 compared with 2016. Shootings fell by 43%.** A byword for concentrated poverty, rampant crime, drugs, guns and gangs, Englewood seems to have taken everyone by surprise with its progress. Laura West, an officer working at the district’s SDSC, which is staffed by two officers at all times, spends her days surrounded by screens. One shows a program called ShotSpotter, which uses the sound of gunfire to pinpoint shootings; another shows where surveillance cameras are (the city has more than 40,000); and a third displays HunchLab software. This blends data on crime statistics, population density and weather patterns with fixed points such as liquor stores and highway exit-ramps, to identify patterns of crime that may repeat themselves. (Predictive policing software also takes into account the phases of the moon and the schedules of sports games.) At-risk sites are marked with boxes colour-coded according to the type of crime. Patrol officers are encouraged to check them frequently. **The key to Englewood’s improvement has not been more aggressive policing, says Kenneth Johnson, the district commander.** “We cannot arrest our way out of our problems,” he says. **Instead**, as he tells it, **the change is the result of targeted interventions**, combined with improved relations with the local community. The CPD’s relationship with black Chicagoans in particular has long been fraught. Its recent nadir was a white officer’s seemingly wanton firing of 16 bullets into Laquan McDonald, a black teenager, as he was walking away. The officer, Jason Van Dyke, who is about to be tried for first-degree murder, had been the subject of numerous complaints. Changing such a culture will take time. In Englewood, Mr Johnson tells his 350 officers to attend community meetings, to build relationships and to avoid behaving like an occupying force.

Predictive policing is saving lives as targeted interventions decrease crime rates, which is a fundamentally good consequence, making the algorithms useful in the fight against crime.

C2: Predictive policing can be utilized to fight terrorism.

This system is sound in practice. Kathleen McKendrick of Chatham House—a British Think Tank—noted in August 2019

Kathleen McKendrick, Chatham House, "Artificial Intelligence Prediction and Counterterrorism", August 2019, <https://www.chathamhouse.org/sites/default/files/2019-08-07-AICounterterrorism.pdf>

Leaked details of **the** **US National Security Agency’s SKYNET**, which was purportedly used in Pakistan in 2007, are useful in illustrating how quantitative methods might predict involvements in terrorism. As reported, the **algorithm was used to analyse metadata from 55 million domestic Pakistani mobile phone users.**38 This was a machine learning model built by exposure to those data; **it classified the phone users into two separate groups, one of which exhibited a usage pattern matching that of a small group of persons known to be terrorist couriers, the other comprising the remainder of the mobile phone users. T**he model was able to narrow the large population size down, and was reported to have **falsely identified individuals as potential [terrorist] couriers in only 0.008 per cent of cases**. It is important to note, however, that the scale of the initial dataset in relation to the total population of Pakistan (at that time approaching 200 million) implies that **a false positive rate of 0.008 per cent** would result in the wrongful identification of some 15,000 individuals as of interest. Furthermore, the 0.008 per cent false positive rate could only be achievedwith a 50 per cent accuracy rate for identifying known couriers, meaning that half of the known couriers could be identified using the model. From **these figures**, it is obvious that the model used was not effective in its own right, but it **show**s **how seemingly non-sensitive data may have predictive value when identifying close links with terrorism or likely intelligence value**. These limited examples of cases of the use of predictive AI in countering terrorism hint at the possibilities, rather than providing any credible proof of concept. It is not realistic to expect AI to provide immediate solutions to complex questions. US Immigration and Customs Enforcement discovered this when attempting to use machine learning models in data mining across various internet sources to assist with the vetting of visa applicants. The pursuit of a technical solution to this task was abandoned after it became clear that no such capability was available for immediate procurement.39 In summary, there are already numerous examples of AI that predict terrorism, or aspects of terrorism. Often, the ability to develop AI tools for this purpose rests with those who have access to data, or who are custodians of it by virtue of the service they provide. Where predictive AI is useful to police forces and other authorities (such as border enforcement agencies), its development is often outsourced to the software industry. **Assuming that the trend of digitization continues, and that the performance of AI improves, there will be more scope to derive accurate predictions about terrorism from AI in future, and its uptake for counterterrorism use is likely to increase**.

Therefore, predictive policing is just as it is highly accurate, and it has also been highly effective. There are two major empirical examples that support this position. First, Staffan Dahllof et. al found for the EU Observer on October 6, 2017 that

Staffan Dahllof et. al., EU Observer, "EU states copy Israel's 'predictive policing'", October 6, 2017, https://euobserver.com/justice/139277<https://euobserver.com/justice/139277>

**Israel's Intelligence Affairs Minister Yisrael Katz** – who also serves as a member of the security cabinet – confirmed at his office in Tel Aviv that there is a possibility some Palestinians, arrested after having been marked out by the predictive system, were not actively and fully planning to carry out an attack - and perhaps did not decide to carry out an attack at the time of their arrest. Katz **says** this may happen in "borderline cases." "**Because of the unique system that was developed and put into operation here, hundreds of cases of attacks** of this sort **have been prevented**. In the dilemma of whether or not to act – it could be that you also include borderline cases here," Katz added. **After a peak of 80 attempted attacks in October 2015, the number of attacks has since steadily declined. Since April 2016, the number of attempts has dropped to less than 20 a month, according to Israeli foreign ministry data.** "Arrests were made, terror attacks went down, that means these are the folks, no way around it. **Statistically, these are the right people. If we missed this way or that way in a few cases? The cause is deserving (the means)** – preventing terror attacks. It is not as if someone invented a way to haunt someone on Facebook," according to Katz.

Predictive policing obviously worked in Israel through preventing terrorist attacks and also causing a steep decline in the rate of these attacks. Second, Peter Waldman and others of Bloomberg reported on April 19, 2018 that

Peter Waldman et. al., Bloomberg, "Palantir Knows Everything About You", April 19, 2018, <https://www.bloomberg.com/features/2018-palantir-peter-thiel/>

Founded in 2004 by Peter Thiel and some fellow PayPal alumni, **Palantir** cut its teeth working for the Pentagon and the CIA in Afghanistan and Iraq. The company’s engineers and products don’t do any spying themselves; they’re more like a spy’s brain, collecting and analyzing information that’s fed in from the hands, eyes, nose, and ears. The **software combs through disparate data sources—financial documents, airline reservations, cellphone records, social media postings—and searches for connections that human analysts might miss.** It then presents the linkages in colorful, easy-to-interpret graphics that look like spider webs. U.S. spies and special forces loved it immediately; they deployed Palantir to synthesize and sort the blizzard of battlefield intelligence.It **helped** planners **avoid roadside bombs, track insurgents for assassination, even hunt down Osama bin Laden.** The military success led to federal contracts on the civilian side. The U.S. Department of Health and Human Services uses Palantir to detect Medicare fraud. The FBI uses it in criminal probes. The Department of Homeland Security deploys it to screen air travelers and keep tabs on immigrants.

Predictive policing was used to track down Osama bin Laden, a man who is responsible for over 4000 deaths in terror attacks alone. How can we possibly say a system is unjust when they are bringing terrorists to justice? We are clearly seeing positive consequences coming out of predictive policing, which is why we must negate.