**‘Playing the Man, not the Ball’: Targeting Organised Criminals, Intelligence and the Problems with Pulling Levers**

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**Abstract**

In efforts to combat organised crime, police forces have adopted variations on the pulling levers approach to individuals and groups identified with gun crime, drug supply and other serious offences. Once identified, those individuals and their networks are targeted for interventions from criminal justice agencies and their partners. When levers are pulled, criminals find their lives made intolerable by the attentions of multiple agencies. Identifying the right people for this sort of attention and the quality and currency of police intelligence are, then, key concerns for such strategies. But the choice of levers, and their implications also raise some difficult questions. The law is explicitly applied differently to those associated with organised crime than to anyone else. This paper reviews evidence from two ethnographic studies, one of police officers in three police forces in England and Wales, the other from a third-party policing arrangement in the Danish night-time economy. We seek to understand the ways in which levers are understood and used, raising questions about the efficacy of pulling levers.

**Keywords:** pulling levers; proactive policing; plural policing; police intelligence

**Introduction**

One particular innovation, emerging from the growing interest in deterrence theory (Kennedy 2009, Paternoster 2010), is the ‘focused deterrence’ framework, which has become known as ‘pulling levers policing’ (Kennedy 1997, 2008, Braga 2012, Land 2015). Associated with efforts to reduce the violence connected to gangs and the drug trade, pulling levers emerged in Boston as a way of halting and penalising illegal gang activities (Kennedy 1997). Focused deterrence strategies aim to increase the risks faced by potential offenders, while finding new and creative ways of deploying traditional and non-traditional law enforcement tools to communicate incentives and disincentives to targeted offenders (Land 2015, Braga 2017, Braga and Weisburd 2012). In this article, we analyse ethnographic data to explore the use of intelligence and the levers employed in two jurisdictions and ask questions about the implications of the approaches we observed for those policed in this way.

The pulling levers approach is an intervention intended to ‘reduce *selected elements* of identifiable criminal offending’ (Kennedy 1997, p. 450-451, emphasis in original) and not an in-depth investigative strategy. At its basic, pulling levers policing consists of: selecting a particular crime problem, such as gang violence; framing a deterrence response to offenders or groups of offenders to make them stop their violent behaviour; convening in an interagency working group; and communicating with offenders to make them understand that there will be swift consequences if they do not desist from violent behaviour (Corsaro and Engel 2015).[[1]](#footnote-1) Authorities generally do not have the capacity to eliminate all gangs or to prosecute all gang-related criminal incidents. What they can do is to try to change offender behaviour by pulling every lever that can legally be brought to bear against particular gangs or individual gang members, thereby increasing the wider ‘costs’ of engaging in violent or drug-related crime. In this way, the pulling levers approach seeks to take advantage of the fact that gangs and gang members, due to their criminal and disorderly lifestyles, often leave themselves vulnerable to an enormous range of minor sanctions (Kennedy 1997). Importantly, similar to the problem-oriented policing framework, pulling levers policing relies ideally on intelligence gathering to carefully identify and target repeat, high-risk offenders (Brunson 2015). In England and Wales, proactive police teams operating at street-level are often supported by an intelligence system that identifies key individuals and their associates (Gill 2000, Coles 2001, Sparrow 1991). In districts with recent outbreaks of violence or where there are indications of likely violence, intelligence containing names and photographs will be distributed at briefings to uniformed patrol teams who are then tasked with pulling every lever legally available to impose a cost on the use of violence.

Aside from pulling levers within their own sanction catalogue, police might also partner up with other agencies to pursue gang members for anything from parking fines, housing tenancy violations, breaches of probation and trespassing on (semi-)private properties. Such interagency approaches permit the application of a more varied menu of sanctions and incentives that can be pulled on the gang or the individual offender in question (Kennedy 1997). As outlined by Braga (2014), many of the key ideas of pulling levers focused deterrence strategies fit well with the developing discipline of third-party policing (Mazerolle and Ransley 2005). Like third-party policing, the development of pulling levers strategies is indicative of a regulatory change in policing, involving a shift from state sovereignty towards networks of power (Braithwaite 2000), and an increased blurring of civil and criminal law and sanctioning powers (Mazerolle and Ransley 2005). Within such ‘networks of capacity’ (Braga and Winship 2006), police often come to function as key knowledge brokers (Ericson and Haggerty 1997), responsible for identifying risks, for disseminating intelligence, and for coordinating the levers pulled by third-party partners in ways that can magnify the pressure put on targeted offenders’ decision-making (Braga 2014). The use of pulling levers approaches, involving the construction of third-party partnerships and extended sanction catalogues, can also develop into outright gang suppression, aimed at eliminating a particular gang (Gravel *et al.* 2013).

While much research has focused on and tried to measure the deterrence effects of formalised ‘focused deterrence’ programs (e.g. Braga and Weisburd 2012), pulling levers ideas and approaches have, in recent decades, travelled beyond their programmatic origin and come to inform general police approaches on gangs, both in the US and in Europe. Today, however, little research exists on how pulling levers ideas are being translated in and through the everyday regulatory practices of policing agencies attempting to target gangs and prevent gang violence. In this article, we draw on field studies from England and Denmark to argue that an ethnographic approach and an analytic focus on the role of intelligence can be used to provide insights into the everyday workings and implications of pulling levers policing. Rather than conducting a comparative study, we use the English and Danish cases to illustrate some of the different ways that pulling levers approaches are articulated in everyday policing, as well as some of the problems such approaches can involve. Before turning to our data, we explore further the connections between intelligence and pulling levers.

**Pulling Levers and the Centrality of Intelligence**

The emphasis on intelligence in modern police forces stems from two sources, each complimenting the other. The first is the need to use resources more effectively, a pressure that is not new (Audit Commission 1993) but that has taken on greater urgency since the financial crisis of 2007/8 and subsequent austerity measures. The second is the increasing awareness of the potential of information and of the capacity of ICTs to turn that information into actionable intelligence (Carter *et al.* 2014, Carter and Phillips 2015, James 2014, Ratcliffe 2016, Sanders and Condon 2017). This new capability seems to offer the prospect of squaring the circle of doing more with less.

As we have noted, intelligence is an important aspect of pulling levers policing. However, in existing research on pulling levers, the nature and role of intelligence has remained understudied and under theorised. At the same time, while there is a growing research interest in police intelligence and intelligence-led policing (ILP), much of this is detached from its street-level gathering and application. The sources of data that are the raw material of ILP are treated in a cursory manner (e.g. Ratcliffe 2016, p. 86-90). Some recent ethnographic studies have revealed details of the work of undercover officers (Loftus and Gould 2011, Loftus *et al.* 2016, O’Neill and Loftus 2013, see also Marx 1988) and of drug squad detectives (Bacon 2016). In contrast, uniformed officers in response, traffic or neighbourhood teams are largely inexpert, and yet these officers submit a good deal of the routine intelligence gathered by a police force.

We learn something of the intelligence activities of front line officers through research that focuses principally on the work of data analysts (Cope 2004, Hughes and Jackson 2004, Innes *et al.* 2005, James 2013, Ratcliffe 2016, Rønn 2012, Sanders and Condon 2017). This research suggests that officers do not understand the way analysts use intelligence or the importance of data quality. Innes *et al.* (2005, p. 43) argue that officers, encouraged to submit ‘vast quantities’ of information, ‘could not know whether the information they had acquired via their enquiries was useful or not’. Analysts describe some of the reports submitted by officers as ‘absolutely appalling’ (*ibid.*, p. 50), omitting ‘references, dates, evaluation codes’ (*ibid.*, p. 51, see also Sanders *et al.* 2015). Cope (2004) suggests that officers are well aware that sometimes ‘they put crap on the system’ and, on that basis, undervalue the intelligence products generated by that system. Lastly, research also suggests that the intelligence constructed and used by police are sometimes shaped by moral judgement (Fyfe *et al.* 2018), as when police construct notions of gang members as folk devils, or engage in the zealous targeting of certain groups because they are seen as ‘bad guys’ who deserve to be punished and excluded from the moral community (Herbert 1996). While the production, dissemination and use of potentially flawed or biased intelligence is problematic in all forms of police work, this is particularly the case with pulling levers policing designed to make life difficult and painful for targeted individuals. Against this background, we argue for the need for better understandings of how intelligence is produced and used by street-level policing agents engaged with pulling levers policing, as well as the implications of this for those policed in this way. Our hope is that, by providing much needed empirical evidence of how the organised crime label is constructed and pulling levers approaches carried out in daily policing settings, the paper will contribute to more informed policy debates and reflections about the advantages, as well as the potential problematic side-effects, of police use of contextualised pulling levers strategies.

**The Data**

This paper draws on two ethnographic studies of policing, in its broader sense, in the UK and in Denmark. The first, in the UK, is a long-term project observing officers in three police forces to understand the ways in which they exercise discretion, particularly with regard to decisions to stop and search or to make arrests. Observations have been conducted over more than five years with 88 uniformed officers in emergency response, neighbourhood policing, traffic and proactive policing teams on 175 shifts totalling more than 1,500 hours in the field. Some officers have been observed only once, most more often and some more than a dozen times and officers were observed on early (07:00-17:00), late (12:00-00:00) and night (21:00-07:00) shifts. Observations were normally of a whole shift, from briefing and deployment at the start to the hand over at the end. Officers were accompanied on patrol, at crime scenes, in custody and conducting warrants and, during the course of these observations, they explained and expanded upon the things they observed, the factors they took into account and the decisions they were making. While all volunteered to be observed, those others involved at briefings, on patrol or encountered in the police station have also offered views and insights during the course of the observations. Thus, while those who volunteered were mainly white and male, observations have included a number of female, gay, black and other ethnic minority officers.

The second is a study of partnership policing of nightlife in a larger Danish city. Over 13 months, observations of 163 nightly shifts (23:00-05.00) with door staff were conducted adding up to more than 1,000 hours of nightly observations. On weekend nights, research techniques included observations of bouncer work practices, listening and engaging in informal enquires into co-experienced situations. In order to gain an in-depth understanding of the world of bouncers, the second author also regularly hung out with bouncers at cafés and participated in weekly boxing, mixed martial art and bodybuilding sessions with bouncers. The second author also conducted 54 follow-up interviews with door staff. These interviews were used to generate data on bouncers’ regulatory practices and their concerns pertaining to the police. Since interviews and the nightly observations showed that many Danish bouncers and ‘door firms’ (security companies specialising in providing security in the night-time economy) have formed close collaborative ties with the police, the second author also attended five meetings in the local Safe Nightlife Partnership, and four police-bouncer network meetings. Observations at network meetings provided insights into inter-agency discussions and coordination of regulatory objectives and strategies. Observations and interviews showed that bouncers did not have equal collaboration with all sections of the police. They mainly collaborate with so-called ‘special units’, or riot patrols, which aside from nightlife policing are also tasked with drug control and the policing of outlaw bikers and criminal gangs. Five interviews were conducted with police officers who either actively participated in the ‘police-bouncer network’ or who had the night-time economy as a key area of responsibility.

We bring these two projects together to explore further the perspectives of different actors engaged in the pulling levers approach to gangs and gang violence. While from very different jurisdictions and focusing on different parts of the policing web (Brodeur 2010), we focus on the ways in which different levers are assembled and employed. In particular, we consider the role of intelligence in the use of these levers and some of the consequences that emerge, in terms of citizen rights, counterproductive side-effects, and the moral dimensions of policing. These themes are ones common to both national cases. All research participants in the two studies have been anonymised, and when names are mentioned these are pseudonyms. Furthermore, we have translated all Danish quotes into English.

We present a brief background to each case before we go on to present our data. The analysis is then divided into four sections. In the first part, we explore how police make strategic use of intelligence to enforce the law selectively on identified gang-related individuals. In the second part, we examine the ways the catalogue of sanctions is expanded and applied to those identified with gangs and with violence. In the third part, we proceed to explore the involvement of third parties in the policing of gangs, before finally considering problems with the distribution of potentially flawed intelligence beyond police organisations.

**Background**

Both in the UK and in Denmark, the proliferation of the ‘pulling levers’ approach has been fuelled by a number of different factors. In the UK, in the late 1990s, concerns over rising levels of gun crime, associated with organised crime and with drugs, emerged in London, in particular, and in some provincial cities. A number of forces adopted a targeted approach in response. In London, the Metropolitan Police’s Operation Trident has been the most high-profile response, but similar initiatives emerged in other forces (e.g. Barton and Evans 1999). These strategies have developed over time, but the intelligence-led and proactive approach to the policing of guns and gangs retains the key features associated with a pulling levers approach. Over that time, it has also proven controversial, associated with racial profiling and with discriminatory policing (Williams 2018, Williams and Clarke 2016). The use of intelligence to identify ’nominals’, that is individuals who are the targets of attention, has been subject to criticism (Amnesty International 2018), as have the powers used to then police those individuals (Williams and Clarke 2016). These criticisms and concerns reflect serious questions about the quality, currency and use of intelligence in nominating individuals, flagging them as representing a particular form of risk and then in the differential policing applied to them.

In Denmark, public concerns with crime committed by outlaw bikers and groups of marginalized young men in the early 1990s, led Danish police to seek inspiration from their US colleagues. Not only did Danish authorities adopt US terms such as ‘gangs’ and ‘street gangs’ (Bay 2000), Danish police also began to conceptualise outlaw biker groups in particular, and some street gangs, as organised crime groups (Strand 2011). Furthermore, Danish police also changed their methods of policing. While efforts to target organised crime had previously focused on investigating particular kinds of crime, such as money laundering and drug trafficking, from the mid-1990s organised crime became increasingly associated with the general criminal doings of individuals affiliated to outlaw biker groups or gangs. The shift in focus from the ‘what’ to the ‘who’ of organised crime (Strand 2011) also led to the development of a new police approach called the ‘stress strategy’ (Danish State Police 1999). According to the Chief of Danish State Police, the purpose of the stress strategy was to ‘go for the man’ (Weiss 2002) and not solely the ball, i.e. the criminal activities, as a means of forcing outlaw bikers and gang members to comply with the law and ideally abandon their gang-life. Aside from involving intensified police surveillance, house searches and targeted stop and search, the stress strategy also involved large-scale police attempts to systematically exclude all individuals affiliated with biker organisations or gangs from nightlife venues, even if these do not engage in disorderly or offending behaviours (Bay 1994, Høyer 1999, Volquartzen 2009). The motive behind the latter was a police assumption that going out and engaging in conspicuous consumption in nightlife is part of what makes gang life attractive for many young men. In that way the nightlife ‘ban’ can be seen as an attempt to deny identified gang members the lifestyle they might hope to gain from gang involvement and criminality. The identification of nightlife as a key arena for the ‘stressing’ of outlaw bikers and gangs has, however, also been a result of the internal organisation of responsibilities within Danish police. Historically, it has been the same police unit, ‘the riot patrol’, which has been in charge of both the policing of outlaw bikers and gangs and of developing police initiatives on nightlife. As a consequence, the riot police has played a key role in aligning the use of police tactics across its various fields of responsibility. As an example of this, Madsen (2001) has described how the infamous ‘Bravo patrol’, a riot police unit within the Copenhagen police, was established in the early 1990s with the double purpose of stressing outlaw bikers in the nightlife and of collecting information about biker-related crimes. Or, as Madsen puts it, ‘The Bravo patrol was to be a combined bouncer- and intelligence unit’ (2001, p. 37).

In Denmark, there is however no legal basis for police to ban individuals from entering privately owned venues solely because of their affiliation with a biker organisation or gang. Danish police, led by local riot patrols, have therefore come to rely on venue owners and bouncers to use their private authority to carry out the exclusionary work that police cannot engage in themselves. This in turn has led to the formation of a ‘third party policing’ structure (Mazerolle and Ransley 2005), where police seek to extend their sanction catalogue by disseminating intelligence and by trying to coordinate third-party partners’ activities and their pulling of levers (Søgaard *et al.* 2016, Søgaard and Houborg 2018). In line with the situation in the UK, critics have argued that police identification of individuals as gang members is often based on ill-defined notions of what constitutes a gang (Bay 2000), and that the criteria and intelligence used to label individuals as gang involved are too vague and over-inclusive (The Danish Legal Rights Association 2010).

In noting this background, we also acknowledge that the problem being policed is a multi-faceted one, involving organized criminality, serious violence and the exploitation of vulnerable people. At the same time, it is also associated with intimidation, fear and insecurity in those communities in which these activities occur (HM Government 2018).

**Analysis**

Pulling levers relies upon the concerted use of as many levers, instruments, powers and resources as are available to deter violence and/or to provide a path away from criminality. In our observations of policing, in both England and Denmark, there is a degree of imagination evident in the approaches taken. This is not just a matter of strictly interpreting the law. Rather, officers are (too) imaginative in the ways they use the powers available to them, drawing also upon the resources of other agencies.

***Disruption in the UK: Making Creative Use of the Law***

While observing a team late in the morning of a day shift (07:00-15:00), the Sergeant calls his officers in for a briefing. A male, one known to the officers, is due to come into the police station that afternoon. He was released from prison after serving a term for serious offences. He is now on licence, which means that he has to report regularly at the police station between certain hours on particular days. Today is one of those days. He is coming in as a matter of routine but, for the Sergeant, it is an opportunity to arrest him. He is connected to a number of other males who, together, are identified as an Organised Crime Group (OCG). There have been several firearms discharges in the area in recent weeks associated with the rivalry between this gang and another.

Intelligence has come to the attention of the police that suggests that the male due to report this afternoon at the police station is the subject of a threat to life. The police have a duty to reveal that to the male. Even though they know him to have been, and believe he still is, a criminal, they have a duty to protect all citizens from harm. At the briefing, the Sergeant tells his officers that they will be issuing the male with a formal notice, known as an Osman Warning Letter[[2]](#footnote-2) or a gun crime warning, that he is subject to threats to his life and that the police are available to help him. They know he will ignore their offers of assistance. They are pro forma ones, in any case.

However, the Sergeant is more excited than this small piece of information warrants. The briefing continues as he instructs two officers to change out of their uniform and adopt plain clothes. They will be stationed outside the police station and across the main road. Their task is to spot the male arriving. He often comes in a car, which his brother drives. The Sergeant is concerned that the male may not attend to register at the police station or, if he does, he may run at the sight of officers in uniform. The Sergeant wants him to receive his gun crime warning. If he appears, he must be brought into the station.

In the station, the Sergeant has instructed reception staff (in uniform, but not formally holding the rank of a police officer) to keep the male in reception. They should call the Sergeant and lock the front doors so he can’t escape. An officer, another of the team, will meet him in reception and take him to an interview room. The Sergeant and two further officers will be on standby behind reception and out of sight should they be needed. The Sergeant has bet that he will get this male today and he is taking no chances.

They wait. Two officers are outside in plain clothes, trying to keep their radios discretely hidden. Three officers and the Sergeant wait in the police station. After an hour or so of waiting, the man duly appears. He doesn’t notice anything untoward (and, as it happens, the plain clothes officers outside don’t recognise him as he enters the police station – he has had a haircut) and is waiting peacefully in reception to register. The nominated officer meets him and takes him aside to an interview room. Switching on his body-worn camera, the officer hesitantly reads the gun crime notice to the male. On finishing it, he arrests him. As the subject of a threat, he must be associating with people that his licence prohibits him from having any connection with. He is therefore in breach of his licence. The male is taken to custody and, we assume, straight back to prison to complete his sentence. The Sergeant is happy. He said he would get his man off the street, and he has. The officers are happy as well. According to these officers, sentences are too light these days and this male has been ‘bang at it’ (that is, he was considered a persistent prolific offender) all his life. Justice has been done.

It is a characteristic feature of ethnographic work that we focus on the words, actions and interpretations of those we observe. In presenting our cases, we are conscious that there is a broader context, an institutional environment that influences the actions of the individuals. It is a priority of this particular police force to address a long-standing history of organised crime, drugs and associated violence as this has been a source of much concern and fear among local residents. Police station walls often display the names and faces of gang members and their associates. The latest news of the feuds between rival gangs form a regular part of any briefing at the start of a shift. Attention is focused upon them across the force. To arrest, harass or otherwise inconvenience these people was good police work, to have had a productive shift. But it is more than just a culture or an environment in which this was encouraged. The proactive policing teams in the English police forces were allocated to areas where there was violence associated with gangs (Sekhon 2012). As such, they are responding to serious criminality, affecting whole communities. Their purpose was to disrupt these activities, to deter violence and to develop and act on intelligence.

Patrolling with these officers, they describe their understanding of disruption. They are there to get bad guys off the street. It doesn’t matter what for. They stop and search people, almost always young men. They stop cars that are driven by men and with more than one other male inside. They are looking for particular types of cars and, using their handheld devices, they check the vehicle registration numbers of any that fit the description. If they stop someone they believe, on the basis of the intelligence they have access to, to be part of an OCG, they will look for any excuse to arrest them. This will stop them committing whatever crime it is they are involved in. It will disrupt their business for the night. They will be out of custody in the morning, but it will be a ‘result’. Alternatively, they will take their car off the road for an infringement of the Road Traffic Act. Offences that would warrant a word of advice or a fixed penalty notice (that is a fine) for any other person are an opportunity to harass and disrupt the economic life of the gang.

At the same time, when patrolling with these officers, it is clear that they stop a good number of young men who are not wanted, not involved in criminality at that moment and, in some cases, only known on police databases because of previous and similarly ‘innocent’ encounters. These encounters themselves become evidence of association and, with time, imply involvement. By way of illustration, another officer in the English study, on patrol towards the end of a very quiet night shift, stops to check the details of the driver of a car parked outside some flats with the engine running. There is nothing to suggest the driver is doing anything other than wait for a friend before travelling to work. However, the police intelligence system records previous encounters under suspicion of drugs offences, though there is no record of any charges for possession. Yet the very encounters suggest guilt and, at the end of the shift, the officer submits as intelligence the encounter with the male in a car. This further report, when read in future by other officers, is further evidence of guilt and of association with drugs. If anything, the records are of innocence. Intended to require police to account for the use of their powers, records of stop and search become intelligence of association. Used most often by proactive officers deployed to areas of gang related violence, these records then also paint a picture confirming the intelligence that informed their deployment there in the initial instance. Young men, in particular, living in such communities, can thus become guilty by association.

In the story that opens our analysis, the male is not known to have done anything specific that would warrant his arrest. Intelligence has been received that he is the subject of a threat. In this instance, it is in effect itself a weapon against the recipient. The Probation Service must have assessed this intelligence and decided that the male has breached the terms of his release, perhaps by associating with known criminals. Importantly, the warning letter, issued on the basis of this intelligence and intended to protect the recipient, now becomes the grounds for his arrest and, we presume, immediate return to prison to complete his sentence for previous offences. Our judgement of the appropriateness of these actions must depend upon our accepting the value of the intelligence that underpins it.

***Differential Use of the Police Sanction Catalogue***

For officers engaged in the disruption of gangs, there is little sympathy. Criminal gangs don’t obey any rules and so officers have to use everything at their disposal to counter their activities. In the opening story, the officers were not concerned with the tactics being employed. Nobody questioned the morality of their actions. More importantly, there was no discussion of alternative ways of helping this person escape from the cycle of violence. He had been released from prison. Might they work with the Probation Service, education and training providers or other agencies to offer an alternative? This was none of their concern. While the Osman Warning Letter offers such help, they use this as a tool for harassment. During many of their shifts, officers in this Sergeant’s team will check on ‘their’ gun crime targets. The check consists of a knock at the door and a conversation, normally met with hostility, about any news or developments. Ostensibly, this is about care and a concern for their safety. In reality, they know the attention is unwanted and so it becomes an irritant they administer to the targets.

Elsewhere, officers work with social housing providers to evict tenants, connected to crime according to police intelligence, for anti-social behaviour that breaches their tenancy agreements. They might work with the courts to pursue fines and other debts. They might work with car insurance companies to seize cars. If drivers have not declared their criminal convictions to the insurance company, their insurance is invalid and so the car can be taken from them. All of these actions are entirely legal, but their application in these instances, and not in all instances, arises from intelligence suggesting association with gangs and violence.

It is not just specialist officers who target the individuals concerned. One emergency response officer had declared repeatedly during observations that he didn’t do traffic work. He wasn’t the sort of officer to issue tickets to drivers for speeding or for driving while making a mobile phone call. He would warn people, but he hadn’t written out a traffic ticket in years. However, in the early hours of the morning on a night shift, he spotted a vehicle that appeared to pull back from a junction at the sight of the police car. He pulled over the car to check details. It was registered to a woman who lived some distance away but the driver was a young male. He immediately suspects the car is stolen but it seems it has been borrowed. The car belongs to a girlfriend. Checking the man’s details, the officer identifies him as connected to a local gang and active in a recent spate of violence. This is all good intelligence – the car and the girlfriend will be added to the database for future reference. As a result, the officer now starts to pay more attention to the man. He has done nothing to be arrested for, but the officer begins to check his personal details. He has a driving licence but, it appears, he is not insured to drive this car. This is an opportunity to cause some inconvenience. Since the man cannot drive the car without insurance, he arranges for the car to be towed away to be collected by the owner at a later date for a fee. He then issues a ticket (he is surprised he even has any of them in his car) for driving without insurance and leaves the man alone by the roadside to find an alternative way home. On returning to the station, this story is much remarked upon. It is a good job, getting under the skin of known criminals. But even more amusing is that the officer issued a traffic ticket. On other occasions, when observed, this same officer has only given words of advice about driving behaviour. He has never checked insurance details or looked a car over for defects. As soon as he knew who he had stopped, however, he began to look for anything that would stick. Clearly, driving without appropriate insurance is an offence, but it is an offence that would normally have passed this officer by.

Officers more associated with diverting people, and particularly young men, from crime work elsewhere, in neighbourhood teams and in schools. These are being stretched more thinly by reducing the numbers of officers working in them and by increasing the size of the neighbourhood each covers. Where once there were officers attached to key secondary schools, working with young people on a daily basis, these are now largely gone. Work of this nature is a luxury at a time of austerity. (It should be noted that, in some police forces, the proactive disruption activity has been drastically curtailed if not entirely abandoned for the same reasons.)

Instead, for many officers, the more natural inclination is not to seek to understand but to judge. Responding to reports of young boys trying car door handles in a pub car park, a young officer chased and caught one boy. It was a boy he had caught the previous evening for similar reasons. They had nothing to charge him with and it was the middle of the night, so they had taken the boy home to his very conservative Muslim family. But here he was again, doing the same things. This time, the officer decides he will administer what justice he can. He arrests the boy for dangerous cycling (in fleeing the officer, he had ridden his bike into on-coming traffic) and for riding a bicycle without lights. These are not normally offences that merit arrest, but the boy was under 16 so the officer interpreted the rules to mean that he could not issue a traffic ticket without an appropriate adult present. He wasn’t going to wake the family in the middle of the night and so he would put the boy in custody until the morning. He explicitly referred to his decision as ‘disrupting’ the activities of the boy and his associates that evening. They wouldn’t be breaking into any cars that night. When, some time later, he arrives at custody with the young boy, the Custody Sergeant tells him to take the boy home. The officer’s intentions may be good but they are not appropriate. Take the boy home and issue the traffic ticket in front of his parents, regardless of the time of night. Custody is no place for a boy of his age.

In this case, an officer has become so steeped in the language and culture of disruption that he applies the pulling levers approach to precisely the sort of young male who should be receiving help to make better choices. There is little by way of intelligence to support his actions. In the following, we provide insights into how police at times also team up with third-party actors as a means of expanding the sanction catalogue from which levers can be pulled to deny identified gang-related individuals the lifestyle they might hope to gain from criminality.

***Third-party Policing: Expanding the Sanction Catalogue and Producing a new Nightlife Moral Order***

In Denmark, the inner-city nightlife has long been a prominent scene for police targeting of gang-related individuals (Bay 1994, Høyer 1999, Volquartzen 2009), involving police attempts to transform Danish nightlife into a no-go zone for gang members, regardless of whether they refrain from wearing club tags or behave orderly. The motive behind this police strategy has been, on the one hand, the conception that the mere presence of gang-related individuals inside venues increases the risk of violence and crime. On the other hand, the exclusion policy has also been driven by police assumptions that conspicuous consumption is a very important part of gang life, and by the assertion that if gang-related individuals are denied the opportunity to go out and have fun in nightlife, this might lead some to abandon their gang lifestyle. As this indicates, attempts to enforce a total exclusion of gang-related individuals have been made partly as a crime reduction measure, and partly as a means of suppressing local outlaw bikers and loosely organised criminal groups identified by police as gangs, often described with the general label ‘gang-related’.

Since police do not possess the legal powers to exclude individuals from privately owned venues solely because of their affiliation with outlaw bikers or a gang, particularly riot police units have invested much energy and resources in the cultivation of third-party collaborative relations with venue owners and bouncers. From the perspective of police the key aim of such collaboration has been to get venue owners and bouncers to use their private authority, and ‘pull’ laws against trespassing, to perform the exclusionary work that the police are unable to do themselves (Søgaard *et al.* 2016). This was illustrated in an interview with a Police Inspector and functioning leader of the riot police in the city where fieldwork was conducted. In the interview, the Police Inspector emphasized the importance of inter-agency collaboration, and expressed a pragmatic and instrumental view of police relationships with bouncers and venue owners:

Well, ten years ago, we didn’t have the support from bouncers that we do today. We didn’t have the tools that we have today… Like our strong collaboration with the venue owners and bouncers is a really useful tool to keep the troublemakers away… If you don’t have collaboration, the way I see it, you lack an important tool.

As illustrated by the following field note extract, the riot police have made strategic use of meetings in the local Safe Nightlife Partnership, an equivalent to British PubWatch schemes, to build support among venue owners for the enforcement of the no-access policy.

About half way through the meeting, a Police Inspector of the riot police unit stood up and briefed the 22 local venue owners participating in the Safe Nightlife meeting on the current activities of gang-related individuals in the local nightlife:

It looks good. The Brabrand-gang and the Trillegaard-gang are not causing much trouble right now. Some of them are in prison, and the bouncers have gotten really good at denying access to them. We had some problems with the AKs [a youth division of Hells Angels] and some from Hells Angels walking up and down the main nightlife strip, but they were not allowed inside. The only problem is when there are no bouncers at the door. The bar staff sometimes think it is difficult to recognise who is who. Listen, if they are tattooed on their faces, and if they have the biker-walk or the biker-attitude, please contact us [the police]. We’d be happy to come. The thing is the police cannot evict anyone who is served [alcohol]. But the venue owner can. He can say: ‘We don’t want you here, you or your company.’ That is what we ask the venue owners to do when we arrive at the scene. I can inform you that this or that guy is a gang member. The State attorney said I can do that. So I tell you who he is, and then, ‘Okay’, the venue owner steps in and goes to him and says: ‘I am sorry, but you and your company are not welcome here anymore.’ No one benefits from having biker- or gang-related people inside, never ever. Some might say: ‘Yeah, but they buy whole bottles [of expensive liquor].’ They do that in the beginning but it will get less and less, and the nice people will leave. If you are not sure if someone is gang-related, please contact us. We also have many officers who know how to get an individual out of a venue, if the venue owner doesn’t want to play along. But I hope you’ll keep them out (field notes from meeting in Safe Nightlife Partnership).

The meeting outlined in the above shows how riot police officers take a leading role in the unofficial construction of nightlife venues as prohibited spaces for gang-related individuals, regardless of whether they commit crime or disturb order. The meeting also showed how the enforcement of the no-access policy on gang-related individuals is based on a creative combination and orchestration of public and private perspectives, roles, legal resources and authorities which cut across traditional boundaries of private and public. This is made evident by the Police Inspector taking his time to instruct the venue owners, through a simulated role-play, how they, as property owners, can use their private property rights, and also how they can play their part competently by saying that gang-related individuals are not ‘welcome’, which in turn enabled the police to use their legal resources to exclude bikers and gang-related individuals from venues. Where police authority ends, private resources and authority should ideally fill in the holes, or at least re-enable the use of police authority.

In Denmark, police also make use of other tactics to partner with venue owners and bouncers. One of these is to disseminate intelligence to external partners in an effort to make them pull levers in ways that will magnify the pressure put on local gangs. Field observations, for instance, showed that, on weekend nights, the police often act as knowledge brokers, using official police registers to provide bouncers and bar staff with information about the identity of non-offending gang-related customers inside venues. Riot officers would, for instance, regularly patrol inner-city venues, and if they spot individuals they believed to be gang-related, they would routinely inform the bouncers. Police distribution of information about the identity of gang-related individuals has several functions. First, it constructs a particular reality, where some people are construed as ‘gang-related’. Second, it mobilises bouncers’ authority to exclude individuals from nightlife venues, because police distribution of information often comes with the expectation, and sometimes demand, that bouncers should act on this information and evict the identified individuals. Thirdly, the sharing of information is also a way to align police and bouncer perspectives by constructing the mere presence of bikers and gang-related individuals inside venues as a governmental problem. This involves a normative dimension where police try to persuade bouncers and venue owners that gang-related individuals are ‘bad’ people and ‘bad’ customers, who deserve to be excluded from nightlife. In sum, the above illustrates how police in Denmark use Safe Nightlife Partnership meetings as well as the dissemination of intelligence as means of enrolling venue owners and bouncers in a kind of ‘moral policing’ where individuals identified as gang-related are to be policed and excluded not only in situations where they violate the law or cause disorder or nuisance, but also excluded more generally because of judgements of who they are, and the group they belong to. Whether or not the institution of this new nightlife moral order has had positive effects on levels of crime and violence is hard to say. In Denmark, no statistics exist on the crime and violence committed in nightlife by individuals registered by the police as gang-related. However, national statistics do show that there has been a general decrease in registered victimization or violence inside bars and nightclubs from 23 % in 1995 to 10 % in 2015 (Pedersen *et al.* 2017). While this decrease is predominantly a result of broader processes where venue owners have started to invest more resources in in-house security, and bouncers have shifted from reactive to proactive approaches, including increased use of ‘preventive exclusion’ of suspected low-level troublemakers (see Søgaard 2013), it is reasonable to assume that the systematic exclusion of gang-related individuals has also contributed to this process. Nevertheless, police instigated exclusions of specific individuals from nightlife, not because of their observable behaviour, but because of who they are, what they are presumed to be capable of and because of the group they belong to, represents a direct challenge to citizens’ constitutional rights of free movement and a challenge to fundamental principles of due process. Furthermore, there is a risk that the exclusionary policy in nightlife might, at times, also be counterproductive. Evidence from Denmark, for instance, suggests that identified gang members, who are systematically excluded from local mainstream venues, often do not stop partying as this is a crucial aspect of their social life and their building of relationships. Instead, some start going to private parties attended primarily by other criminals who are also excluded from nightlife (Søgaard, 2018). Unintentionally, the exclusionary nightlife policy can thus become a contributing factor leading individuals identified as ‘gang members’ to become isolated from mainstream society and increasingly integrated into criminal subcultures and peer groups which, in turn, can make it more difficult for them to break with criminal lifestyles.

***Getting ‘on’ and ‘off’ the List: the Dispersal of (Flawed) Intelligence***

As the above indicates, police suppression tactics, as well as efforts to reduce gang-related crime, rest on the labelling of target individuals as ‘gang members’ or ‘gang-related’. In recent years, critical researchers and citizen rights advocates have, however, argued that police gang databases and the quality of intelligence used to label individuals as ‘gang’ often suffer serious problems of reliability and validity, being either over- or under-inclusive (Klein 2009, Barrows and Huff 2009). According to critics, part of the problem stems from the fact that the police are often given (too much) discretionary freedom to define whether a person is ‘gang’ or ‘gang-related’. As an example of this, the Danish parliament in 2010 issued a new executive order enabling the police to register individuals as gang-related not only on the basis of their criminal activities, but also on the basis of ‘events’ and their ‘family, cohabitation or other social relations’ with individuals who were already registered by the police as outlaw bikers or gang members (Executive Order on PED 2010). The executive order was criticised by defence lawyers arguing that the notions ‘other social relations’ and ‘events’ are so unclear and vague that the potential for error and abuse is great (The Danish Legal Rights Association 2010). This is a problem, because wrongful labelling of a person as gang-related will often mean that the person is dealt with more aggressively and punitively by police and the legal justice system (Durán 2009). Furthermore, in an increasingly pluralised policing landscape, police dissemination of potentially flawed information to third-party partners might create a situation where individuals are also unfairly subjected to civil sanctions and exclusions.

In Denmark, the State Attorney in 2005 decided that the police can legitimately pass on information about individuals’ biker or gang affiliation to venue owners and bouncers, because this ‘public interest’ outweighs citizens’ entitlement to police confidentiality (Danish State Attorney 2005). Field observations showed that, for nightlife policing actors, it was not always easy to determine whether a person was in fact (still) gang-related. Deciding on this question was, however, important as this determined whether an individual should be allowed (re-)entry to local venues. When in doubt, some head bouncers phoned police riot officers to get their perspective on whether or not a person was (still) gang-related, or they used the regularly held police-bouncer meetings to gain some clarity, as the following excerpt from field notes demonstrates:

Head bouncer: [H]ow about those who’ve been part of some gang or bikers, but then start to drift away? When is it that you (police) think that they are like everybody else, like other citizens?

Riot police officer: It’s difficult, it’s also very much up to you.

Head bouncer: I know. It’s just, with our collaboration, we don’t want to let someone inside, and then you [police] get pissed off… Besides you often know what’s going on, if they are involved in cases we haven’t heard about.

Riot police officer: Of course we [police] can’t tell you if they’re part of ongoing cases… But you talk to a lot of people and most of you live around here, and just because someone hasn’t hung out with a group for three weeks, it doesn’t mean he’s out. Take Henrik Sørensen, if he’s in a car with four others [who are gang-related], well then of course he’s not out. I can’t give you a definite answer… just don’t believe it the first time they say they’re out. It’s also difficult for us [police] to tell [if someone is out], but if you feel: ‘This guy, maybe it’s all right to start letting him in [at venues]’, then you can always call me for a chat (From field notes).

The above is indicative of the difficulties in generating precise knowledge about individuals’ gang-involvement, and of how nightlife policing agents, in practice, often construct their categorisation of individuals as ‘gang-related’ partly on the basis of who they are seen hanging out with. Importantly, since the police are often seen as authoritative knowledge brokers by their collaborators, officers’ dissemination of potentially incorrect information to external partners, such as bouncers, can have significant implications for young people, for instance limiting their ability to go out with friends.

In plural policing networks, it is however not only the inter-agency dispersal of flawed information which can be the source of problems and unfortunate policing practices. Police dispersal of correct and valid information to third-party partners can also create a situation where it becomes difficult for individuals to leave and put their gang identity behind them. Research shows that state actors’ dissemination of information to external partners inevitably involves a loss of control over how this information is stored, to whom it flows, and how it is later used (Murphy 2007). In line with this, our study provided insights into how information sharing in nightlife plural policing can create situations where no single actor possesses full control, and where no uniform list of banned ‘gang-related’ individuals exists. This was for instance evident in cases where the police had first informed bouncers about an individuals’ gang involvement, and then at a later stage changed their views on this person. In such situations, the police would typically try to convince bouncers to allow such a person re-entry at ‘their’ venue as a reward for his decision to leave the gang. The following is a recorded conversation between a head bouncer and his colleague bouncer, whose company at the time provided security at about 60% of all of the inner-city venues.

Head bouncer: Have you heard we have to start giving access to Peter Thomsen?

Bouncer: No way, who says that?

Head bouncer: Bent Hansen [riot police].

Bouncer: What!?

Head bouncer: The police think he is getting out of his [biker] club, so now they want him to be allowed to taste the sweet life again. But I’ve told Bent Hansen, that’s not going to happen, we’re not letting him in.

Bouncer: No fucking way!

Head bouncer: (..) I’ll do a bit of dicking about Peter Thomsen. Then we’ll see if he can get in (From field notes).

While research suggests that getting off the police ‘gang list’ (Katz 2003) can be difficult in general, getting off the list becomes even more difficult in an increasingly pluralised policing landscape, where multiple ‘gang lists’ might exist. In the case above, for instance, the police might be right in making the assessment that the individual Peter Thomsen had in fact put his gang life behind him. It was, therefore, only fair that he was allowed the joys of lawful life, including re-entry at venues. As the above however also illustrates, it is in no way given that third-party partners will always agree with the police that an individual should be re-categorized from ‘active’ to ‘former’ gang-member. Instead, they might trust more in the former rather than the new information provided by police, or they might prioritise their own lay knowledge at times based more on hearsay, rumours and stereotypes than on thorough investigation and analysis. Thus, in a situation where no single policing actor possesses full control, and no uniform ‘gang list’ exists, it can become very difficult for individuals to escape the gang label and the punitive measures that often accompanies it.

**Discussion**

The use of intelligence to target police attention is, in many ways, common sense. The idea of pulling levers, both of the stick and carrot varieties, makes intuitive sense, particularly in efforts to address the serious consequences of organised crime. Where police resources are effectively targeted on those involved in serious crime of this nature, the use of ‘pulling levers’ is both legal and legitimate. However, what we observe is sometimes the poverty of police intelligence at the margins of gangs. Observing officers as they submit intelligence reports as a routine part of their duty makes apparent a key aspect of this intelligence for the purposes of pulling levers. Police gather evidence of guilt, or of association with the guilty. They note those found in company together at places associated with crime. They note encounters between officers and the public, but not all encounters. They do not note innocence very often. Indeed, observing one British officer who has encountered a male associated with an OCG, he struggled to record the male as exhibiting no evidence of criminality. And just recording the encounter would appear later as evidence of a pattern of interactions. Their simple appearance on a police database of encounters is, however, most commonly interpreted as evidence of guilt. Indeed, an officer consulting the records of an individual will often simply note the numbers of entries without reading them in detail. The accumulation of contacts with the police, even where all contacts were innocent ones, is suggestive of some underlying involvement in crime. If, according to forensics theory, every contact leaves a trace, in information, all traces are evidence of guilt.

Once associated with criminal gangs, however weak that association may be, it is then very hard to become disassociated. In Denmark, the associations are sometimes very weak. Dressing or walking like a biker is enough to attract attention and a punitive response, as is associating with registered gang members. Clearing ones name, particularly as it has become dispersed through networks of collaborating agencies and actors, becomes almost impossible. One key reason for this is that police dissemination of information to external partners inevitably involves a loss of control over how this information is stored, to whom it flows, and how it is later used. Furthermore, it is not always given that third-party partners will agree with the police that an individual should be re-categorized from ‘active’ to ‘former’ gang-member. Rather, while the police might argue that there is no longer a need to subject a specific individual to pulling levers measures, third-party partners might continue to use their civil powers to punish this individual because they believe they know better than the police. Thus, in a situation where no single policing actor possesses full control, and no uniform ‘gang list’ exists, it can become very difficult for individuals to escape the gang label and the punitive measures that accompanies it. In London, the problems related to the adaptation of a multi-agency approach to gang issues is also becoming the focus of increased attention as questions are raised about the Matrix gang database (Amnesty International 2018, Williams 2018, Williams and Clarke 2016) and about predictive policing (Couchman 2019). Williams for instance describe how ‘being matrixed’ (2018 p. 26) can curtail young peoples’ civil liberties, as their abilities to be socially mobile, to find accommodation, education and employment and to form relationships with a range of agencies are all adversely impacted by their ‘gang nominal’ status.

In this article, we also tried to provide more in depth insights into the application of punitive sanctions, whether these are called disruption or stress strategies, to those people identified as gang members. We also observe the co-option of third parties and of other public agencies into the effort in ways that extends the sanction catalogue available to target selected individuals. These penalties are legal, or at least not illegal. But they represent a deliberate and coordinated decision to harass individuals who may not have been convicted of any offences, or even have been involved in crime of any kind. Also, third-party engagement can enable a situation where the police, through their collaborative relations, indirectly can top-up criminal law sanctions with supplementary civil sanctions, thereby informally increasing the total sum of pain inflicted upon ‘criminal offenders’. This raises important questions about the oversight of these forms of proactive and punitive policing and of the use, misuse, creation, circulation and deletion of intelligence.

Furthermore, we also need to ask questions about the form that pulling levers policing takes. Officers are not responding to a crime or investigating any potential offences. They are looking for individuals known to them. They are deployed to areas associated with gang activity and searching for people who fit their profile of those likely to be involved in gang activity. This is beyond guilt by association. Whole groups, and young men in particular, are aggregated as of potential interest and every contact with the police comes to form evidence that this attention is worthwhile. Whole communities are sometimes also the subject of judgement (Sekhon 2012), every deployment of proactive officers serving to confirm these judgements by accumulating evidence and intelligence of gang activity. Playing the man in this way can become a self-fulfilling activity. But it is also a moral activity. It is the product of the judgements made of individuals and of communities (Fassin 2015, 2018).

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1. For those wanting to get away from the spiral of violence and crime, a further aspect of the pulling levers approach is sometimes to offer protection, drug treatment, education and training and the like (Kennedy 1997, Braga and Weisburd 2012). [↑](#footnote-ref-1)
2. Following a high profile case in 1998 in which a complaint against the police was upheld for failure to notify a man that he was subject to a threat, the police issue Osman Warning Letters to potential victims. The letter informs the recipient of the help the police can offer. [↑](#footnote-ref-2)