

# STING OPERATIONS

INFORMANTS, DECEPTION AND  
ENTRAPMENT

# STING OPERATIONS & DECEPTION

- ▣ Sting operations depend on the use of a certain amount of deception
- ▣ The amount of deception used is dependent upon the targeted individual (TI ) being setup
- ▣ If the TI being set up is willing to commit the crime; very little deception is needed.
- ▣ If the TI being set up is unwilling to commit the crime; the level of deception needed to influence him to commit the crime will increase

# DECEPTION A PERSONAL VIEWPOINT

- ▣ When does no mean no? If an informant calls and asks a person to commit a crime and the person's response is NO; why continue to harass this person? This person is obviously not excited about committing the crime.
- ▣ I see deception in levels. The pursuit to deceive begins with a plan to ask a person to commit a crime in the first place. I call this level one deception.

# DECEPTION: A PERSONAL VIEWPOINT

- ▣ Once the informant asks the TI to commit a crime and is denied, the informant may lie in order to reach his goal. This lie is what I consider level Two deception.
- ▣ In my opinion, if the TI tells the informant or undercover detective no, and the informant or the undercover detective continues to ask the TI to commit the crime; harassment transpires.
- ▣ Is law enforcement looking for criminals or making criminals?

# DECEPTION: A PERSONAL VIEWPOINT

- ❑ After an informant hears or sees that a person continues to commit the crime he was convicted of, the informant notifies law enforcement for further investigation which may consist of a sting operation.
- ❑ Assuming the target has committed this crime before and was arrested and convicted for the crime; he may be aware that he is being set up and use caution and tell the informant or undercover detective no. As the target is predisposed to this crime, the undercover detective should, by all means ask again.
- ❑ As a result of this predisposition to commit this crime, entrapment cannot be used as a legal defense

# DECEPTION: A PERSONAL VIEWPOINT

- ▣ If, on the other hand the target has never committed this type of crime and has never been arrested or convicted of this crime he is not predisposed to this crime.
- ▣ As stated earlier, higher levels of deception will be used. But why? If a person has not been arrested for this particular crime; or any crimes whatsoever; what is the point in spending taxpayers money to influence this person to commit a crime?

# DECEPTION: A PERSONAL VIEWPOINT

- ▣ The Justice System is supposed to find criminals, not make them. One time should be sufficient in asking a non-offender to commit a crime.
- ▣ We are all human and no one perfect. Humans work for the Criminal Justice System.
- ▣ This means of course that the Justice System must use particular methodologies in order to make judgments on the levels of deception to be applied as well as deciphering how to and whether or not to punish people who are influenced to commit crimes.

# DECEPTION: A PERSONAL VIEWPOINT

- ▣ The Justice System must establish criteria for determining whether or not to continue using deception in a sting and if so the courts must use the same criteria in order to establish innocence or guilt and whether or not to punish a defendant. Otherwise the scales of Justice are not balanced.
- ▣ In other words:
  1. How much deception was applied and necessary?
  2. Was the defendant predisposed to this crime?
  3. Does the defendant have a criminal record?

# DECEPTION AND ENTRAPMENT

- ▣ According to the Las Vegas Defense Group (2011), entrapment is a challenging defense to establish in Nevada. Entrapment is illegal and what constitutes entrapment is defined by a fine line between bona fide and unlawful police conduct.
- ▣ When establishing this line for policing did the Justice System also employ this same line for the court system to define measures and standards in order to balance the scales of Justice?

# DECEPTION AND ENTRAPMENT

- ▣ Although undercover operations and deception have been present in the U.S. for quite some time, sting operations did not become popular here in the U.S. until the 1970s (Center for Probation-Oriented Policing, 2011).
- ▣ This means that the Criminal Justice System has had approximately 35 to 45 years to perfect the sting operation and all its constituents which include; the use of deception; whether or not to employ deception and on which level; establishing a line between deception and harassment; and applying these standards across the administration of Justice in order to balance the scales and establish the statutes for the laws of entrapment.

# CAN WE PERFECT A CRIMINAL JUSTICE TACTIC WITHIN 40 YEARS?

- ▣ Can we perfect a new tactic within the Criminal Justice System? I say as close to perfect that can be but is the system even that close? I say no.
- ▣ Why do I say this? I want a perfect system just as much as the next guy, as we do have to consider the fact that the administrators of the system hold as a higher power other people's lives in their hands and must be accountable for the outcome of their decisions.
- ▣ These administrators of Justice see the same cases on a daily basis and must at some point consider us to be just another statute and number.

# DO WE HAVE A PERFECT SYSTEM

- ▣ We are all people, however; we are individuals and we are punished on the basis of crime type and statute rather than individuality. That will never work but I will save that for another Power Point or research paper.
- ▣ If we had a perfect Criminal Justice System; recidivism would decrease enormously, and there would be very little crime.
- ▣ This though describes a system that works and apparently there would be little or no need for change or the system. Is this true?

# DO WE HAVE A PERFECT SYSTEM?

- ▣ Obviously if such a perfect system existed the crime rate would be astoundingly low. Is that an acceptable goal throughout the system? I think not.
- ▣ I am dead set against detectives using deception and harassment in order to influence innocent people to commit crimes. Do we not have enough people committing crime, and do they not need true rehabilitation?
- ▣ Where do we have the time or extra money to make criminals when genuine crime exists on our streets? If you refute this fact; I am at a total loss for understanding why the Criminal Justice System exists.

# WE NEED THE SYSTEM

- ▣ We need the system in place, now and always. As imperfect people we will always make mistakes, bad judgments and commit crime. That is according to another human's definition of crime.
- ▣ Therefore the system must exist, however; we know we are not perfect, therefore the system is not and never will be perfect. The scales will never be balanced but we can come close.

# OUR SYSTEM HAS FLAWS AND WE THE PEOPLE PAY FOR THEM

- ❑ Balance has no room for making criminals. Making criminals serves one purpose and that is to ensure the system continues to exist because convictions whether true or made through deception informs the people that the system must exist. Here we encounter more deception.
- ❑ Balance has room for rehabilitating criminals. If criminals are rehabilitated, the system works so why then, would the administrators of this system go against the systems very principle of existence? That principle is to find and rehabilitate criminals. That is balance in its finest beyond a reasonable, logical, rational and equitable doubt!
- ❑ You have to ask yourselves; why do innocent people face incarceration while guilty people run ramped on our streets committing more crime. One factual reason for this is because informants have not been rehabilitated and continue to be menaces to society. It seems we have no choice but to accept their reentry into society and deal with their perpetual criminal behaviour.

# My Story

- ▣ My story is currently being written in E Book form and will be for sale this week. (The second week of August 2011). The purchase of the book is how I am raising funds to maintain my attorney.

# SOURCES

- ▣ Center for Probation-Oriented Policing (2011). Retrieved on August 8, 2011 from [http://www.popcenter.org/Responses/sting\\_operations/print](http://www.popcenter.org/Responses/sting_operations/print)
- ▣ Las Vegas Defense Group (2011). Retrieved on July 26, 2011 from <http://www.shouse.law.com/nevada/entrapment.html>