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Thurgood Marshall Institute Senior Researcher Exposes Flaws in “De-Prosecution” Study’s Methodology

Today, as in previous eras, politicized discussions of crime ignore or distort crime data to intensify public fear, heighten racial tension, and undermine criminal justice reforms that promote long-term, sustainable public safety. At times, these discussions include references to data from studies that rely on flawed methodology.

In July 2022, *Criminology & Public Policy* published a study by former prosecutor and Manhattan Institute adjunct fellow Thomas Hogan that aimed to test the effect of "de-prosecution," or the policy not to prosecute certain criminal offenses, on homicides in Philadelphia. The study indicated that de-prosecution was associated with an increase of roughly 75 homicides per year. Shortly after the study’s release, [researchers identified glaring flaws](#).

Now, Sandhya Kajeepeta, Senior Researcher with the Legal Defense Fund’s (LDF) Thurgood Marshall Institute, has written a [peer reviewed commentary](#) published in *Criminology & Public Policy* arguing that the reported findings should not be used to inform policy decisions given the study’s clear flaws.

“I caution against the use of the reported findings to inform policy because there are fundamental problems with the study’s conceptualization and methodology that cast doubt on the validity of the findings,” wrote Kajeepeta. “Because de-prosecution was not clearly or consistently defined across cities, the study ultimately fails as a causal test of de-prosecution.”

The ongoing dissemination of the original study's findings poses a threat to evidence-based public safety interventions by promoting false narratives and undermining the credibility of criminology research. If taken at face value, the research findings have the potential to influence criminal justice policies and future prosecutor elections. Despite the serious criticism lodged against the study by numerous researchers, the journal has yet to retract the study.

In 2022, the Thurgood Marshall Institute released [“The Truth Behind Crime Statistics,”](#) a report examining three false narratives presented by politicians and the media to explain the 2020 nationwide increase in homicides: the expansion of bail reform, practices of progressive prosecutors, and attempts to defund the police. Our analysis reveals that the empirical data contradicts these narratives. Our data suggests that pandemic induced instability and inequality are the primary drivers of recent increases in homicides.

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