

criminal justice processes as a means of problem-solving, a trend that only accelerated during the 20th century.

This pattern finally appears to have run its course. Today, the watchword is "community prosecution," a new set of strategies developed and practiced by Democratic and Republican prosecutors alike in cities across America. Taking its cue from community policing, community prosecution emphasizes crime prevention as well as enforcement, and attention to quality-of-life issues as well as violent crime.

Community prosecutors act on the authority of the community: They listen to the priorities voiced by citizens themselves and tailor prosecution accordingly. They also work beyond the narrow bounds of prosecution, taking the lead in building public safety coalitions that involve police and other criminal justice agencies, elected officials, community groups, local businesses, schools, churches, and residents. These networks often identify or provide alternatives to incarceration when it is appropriate for the offender and community alike, such as substance-abuse treatment, mediation, restitution, or community service. But don't mistake this openness to rehabilitation and swift punishment short of imprisonment as another example of softness on crime. Community prosecutors can and do aggressively prosecute habitual offenders and perpetrators of violent crimes.

Community Prosecution in Action

In Boston, community prosecution takes various forms. Suffolk County District Attorney Ralph Martin, a Republican, and Massachusetts Attorney General Scott Harshbarger, a Democrat, have jointly created several Safe Neighborhood Initiatives, which base community prosecutors like David Coffey in targeted neighborhoods. The prosecutors get to know their assigned communities' residents and crime problems well. They meet regularly with crime watch groups, neighborhood associations, and citizen advisory councils. They also work with police, corrections, and probation officials on everything from sting operations and warrant sweeps, to mediation services, safety education for the elderly, youth activities, and alcohol abuse programs targeted at liquor stores. The results are convincing: In East Boston, for example, crime is down (18 percent in 1996), prosecution rates are up (nearly 90 percent of offenders arrested last year through the Safe Neighborhood Initiative were prosecuted), and residents and merchants say the streets are safer.

The Safe Neighborhoods Initiative isn't the only example of community prosecution in Boston. In the Community Based Juvenile Justice Program, prosecutors confer with middle school and high school officials to identify and assist youth at risk to themselves. These same prosecutors are active in the courtroom, prosecuting more resistant juvenile offenders to protect other students and the community. Boston also plans to adopt an

approach developed by Marion County, Ind., Prosecutor Scott Newman that places assistant district attorneys directly in selected Indianapolis neighborhood police stations. In that program, street-level prosecutors collaborate closely with community police officers and citizens. They have done everything from closing down crack houses to teaching "Legal Lives" courses to neighborhood fifth-graders.

Elsewhere in America, Travis County, Texas, District Attorney Ronald Earle has taken the lead in creating the Community Justice Program, a set of countywide institutions that plan and coordinate crime prevention, treatment, and law enforcement activities. In addition, Earle also has formed Neighborhood Conference Committees, panels of trained citizen volunteers who hear selected cases involving neighborhood juveniles. Working closely with the juveniles' parents, the committees write contracts that may require an offender, for example, to make restitution or work with a mentor. Finally, adopting a basic restorative justice approach, Earle secured passage of a state law that authorized the creation of Community Justice Centers to house low-level offenders sentenced to a period of incarceration. Only recently opened, the Travis County center offers a comprehensive program to help reintegrate local offenders into the community upon release.

In Jackson County, Mo., Prosecutor Claire McCaskill oversees a comprehensive anti-drug program known as COMBAT that has prevention, treatment, and law enforcement components. She also recently helped start an anti-truancy program that both provides families with help and, significantly, attempts to develop greater levels of accountability and responsibility among parents.

These and other community prosecution efforts are making a difference. They are breaking down barriers between law-abiding citizens and their government that have built up over decades, and they are imbuing those citizens with a sense of responsibility for maintaining safety in their own neighborhoods—a change that will do more good for our cities in the long run than any actions by police or prosecutors.

Without prosecutors on board, the reductions in crime that are now occurring around the country cannot be sustained. But with their leadership and involvement, we may yet see the full extent of what can be achieved to restore order and reduce crime in our neighborhoods. ♦

Catherine Coles is co-author with George Kelling of Fixing Broken Windows (The Free Press, 1996). An urban anthropologist, lawyer, and research associate at Harvard University's Kennedy School of Government, she is completing a National Institute of Justice study of community-based prosecution and policing in Austin, Texas; Boston; Indianapolis; and Kansas City, Mo. A shorter version of this article originally appeared in the Boston Sunday Herald.

STREET FIGHTING MAN

In Courts and D.A.'s Offices, "Community Prosecution" Is the New Watchword

BY CATHERINE COLES

Crime in Boston is dropping at a remarkable rate. Violent crime by juveniles has declined by 80 percent since 1990, and not a single youth was murdered with a firearm during 1996. Much of the credit, of course, goes to the Boston Police Department, which is earning national and international praise for the creative crime-prevention partnerships it is forging with neighborhoods and community groups. It's quite a turnaround: Just four years ago, a blue-ribbon citizens commission was excoriating the department for failing to plan and implement "community policing" strategies, which recast the police officer's role as someone who works with a neighborhood's residents to prevent crime, rather than someone who simply reacts to it after the fact.

As noteworthy as the department's achievements are, however, something even more dramatic is happening in Boston: A parallel, silent revolution is also occurring in prosecution.

Just as police have returned to a community model of policing, so too are prosecutors moving out of their offices and courtrooms and into the streets. For example, on the May 1995 weekend when Boston metropolitan, transit, and housing police staged their first joint "zero tolerance" sweep in East Boston focused on "quality of life" issues such as prostitution, public drinking, and disorderly conduct, Assistant District Attorney David Coffey was at their side. Coffey had worked for months in advance with citizens, police, and the district court judge who would handle the anticipated arrests, and he was committed to prosecuting the cases that would result. Around 50 arrests were made over the weekend. By Sunday, police were picking up the word on the streets—offenders knew something was up, and they were lying low. Residents of a troubled housing development in the area reported it was far quieter than usual. And police expressed amazement and delight that Coffey had



worked shoulder-to-shoulder with them on Friday and Saturday nights, not just in the courtroom but on the streets and in the local police station.

Reversing Decades of Citizen Alienation

Community-based, problem-oriented prosecution is taking its rightful place alongside community policing as a powerful force in crime prevention and reduction. Prosecutors possess

legal knowledge required by police and citizens. They have access to judges and courts, and they carry the ball beyond the arrest stage, whether it be in prosecuting quality-of-life offenses or violent crimes. Moreover, because they are elected, prosecutors are the only criminal justice officials directly accountable to the public.

The community prosecution movement is reconnecting law-abiding citizens with criminal justice processes from which they have become increasingly alienated in recent years. As was true for police, prosecutors' adoption of a problem-solving approach that seeks to prevent crime and improve the quality of life in neighborhoods—as opposed to one that concentrates solely on processing crimes already committed—represents a return to historical roots.

Historian Allen Steinberg provides rich accounts of 19th century private prosecution in which citizens themselves, in the absence of a professional police force, turned to prosecution to settle disputes, maintain order, and protect themselves. Many poor and working-class litigants brought matters large and small directly to the criminal courts—running the gamut from disputes between tenants about noise to larceny and assault. During the second half of the 19th century, with the creation of professional police forces with broad powers of arrest, state prosecutors increasingly assumed responsibility for dealing with the cases brought to them by the police. With this change, citizens began to lose direct access to

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REMARKS: Urgent For your review Reply ASAP Please Comment

Mary, the following pages describe some of the most developed community prosecution efforts established in the US. I am also including a short article that is about to be published in "State Government". Call me if you need any additional information. Heike

*Community
Prosecutors*

Prosecutors turn to prevention

Community oriented prosecution is creating safer communities across the country.

by Heike P. Gramckow

A skateboard park is the latest attraction for teen-agers in a Portland, Ore., neighborhood. Young people enjoy their sport, patrol the area and keep it clean. In contrast, months earlier young skateboarders were trespassing, littering, destroying and spray painting property at the same site, owned by a cement manufacturer who frequently called police to chase them away. The skateboard park, built with the help of the same manufacturer, is a result of an agreement among teen-agers, local business and government agencies. Perhaps most surprisingly, the local prosecutor for Multnomah County, Michael Schrank, initiated and facilitated this cooperation.

Similarly, many prosecutors across the country are rethinking their roles and paying more attention to preventing crime and improving neighborhood safety. These prosecutors recognize that criminal procedures alone do little to break the cycle of violence. Instead, people feel safer and criminal activity declines when a neighborhood's quality of life improves. Tom Reilly, district attorney in Middlesex County, Mass., said, "We have worked to make the best use of the resources we already have. The result is what I call the Middlesex Community Based Justice Program. At the heart of the program is the recognition that the conventional approach the criminal justice system has taken to the problem of youth violence is, in these times, a recipe for failure."

To a large extent, prosecutors and courts are responding to the movement toward community policing and are going beyond the restrictions of criminal law. Prosecutors reach out to schools with drug education and coordinate youth activities. They also are applying civil sanctions and city statutes to rid communities of crack houses. Prosecutors are focusing on reducing crime and creating safer neighborhoods -- goals that are a natural part of a prosecutor's mandate.

In most places, community prosecution is experimental. The few jurisdictions with more experience are doing well. Community prosecution, first implemented in the 1990s in Portland, Ore., today is a household term there. Prosecutors work closely with the community and some have established neighborhood offices. Reflecting community support, local businesses funded the first prosecutor working out of a Portland neighborhood office.

Jurisdictions throughout the country share similar experiences. Community prosecution is taking place in suburban and rural areas, such as Howard County, Md.; midsize and large cities, like Kings County (Brookline) (STATE?), Marion County (Indianapolis), Ind., and Middlesex County, Mass. "We are beginning to see signs of other communities wanting to replicate our Community Justice Council structure," said Ronald Earle, district attorney in Davis County (Austin), Texas.

Prosecutors are engaging in nontraditional activities such as building partnerships with other public and private agencies, and developing preventive measures and alternatives to formal criminal justice procedures. These efforts can improve victims' and community satisfaction with government.

Several state agencies are using community-oriented prosecution as part of a broader problem-oriented approach to creating safer neighborhoods. In Maryland, the Cabinet Council on Criminal and Juvenile Justice, under the leadership of Gov. Parris Glendening, funded an initiative for targeted neighborhoods. The Hotspot Communities Initiative supports comprehensive neighborhood strategies to reduce crime and public fear of crime in high-crime areas. Police, prosecutors and other criminal justice and state and local government agencies take a concerted approach to the areas. Community involvement and problem solving are at the base of this effort and community policing and community prosecution are core components.

Similarly, the Iowa attorney general's office plans to train prosecutors throughout Iowa on community-oriented work. A representative of the office participated in training and technical assistance efforts provided by the American Prosecutors Research Institute.

State agencies can provide training, support team approaches and require a community orientation as a condition for receiving state block grants. State attorney general's offices can provide training and resources, such as liaison attorneys and staff. They can help establish a network among local prosecutors and help connect them with state agencies that serve local communities. State assistance is important for rural prosecutors who generally have few resources. In addition, the mandate of many state agencies, such as state police, corrections and state courts, includes providing services closely related to the work of local criminal justice agencies. Other state agencies, including state parks and environmental regulators, have a mandate to provide services that influence an area's quality of life. If these agencies also take a community- and problem-oriented approach, they can strengthen local efforts and share resources, thus increasing public satisfaction with state services. State agencies that become more problem oriented and responsive to the public quickly recognize these benefits. State governments that subscribe to Total Quality Management will find the community-oriented approach a natural extension of these efforts.

Resources

The American Prosecutors Research Institute, the research affiliate of the National District Attorneys Association, offers information, training and technical assistance on community oriented prosecution. For more information, contact APRI, 99 Canal Center Plaza, Suite 510, Alexandria, Va. 22314, (703) 549-4253.

Heike Gramckow, who holds a doctorate in ^{Law & Cr} (PT), is American Prosecutors Research Institute's director for management and program development. She has directed and conducted studies related to program management and evaluation of police, prosecution and courts, and organizational analyses of state and local criminal justice systems. She is the author and co-author of several book chapters, articles and reports related to community policing, prosecution, crime prevention and criminal justice issues.

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All stories and columns from the
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Howard County Seeks to Erase Graffiti, Other Quality-of-Life Crimes

By Fern Shen
 Washington Post Staff Writer
 Sunday, May 4 1997; Page B01
 The Washington Post

Someone had spray-painted the letters "SPC" all over a convenience store in the suburban Howard County community of Columbia. Big deal. It's the kind of obnoxious-but-low-level crime that is usually handled in District Court, along with minor traffic infractions.

But the alleged graffiti writer was linked to other graffiti -- on a high school scoreboard, highway overpasses, an 18-wheeler. His home was searched. Evidence was seized. SPC was said to stand for "Satan's Perfect Child." Christopher Falk, 23, of Columbia, was arrested and charged with 16 counts of malicious destruction. This month, he faces a jury trial in Circuit Court. Why the tough treatment?

Because the crime is precisely the kind of quality-of-life diminisher targeted by the "community justice" program, established last year by the state's attorney's office in Howard County and by an increasing number of prosecutors nationwide.

Those prosecutors focus on crimes that "really stick in people's craws," said Sang W. Oh, a prosecutor in the Howard County state's attorney's office.

Such programs have been criticized by defense attorneys as overkill, showy public relations gestures that divert resources from serious crimes.

"Why don't they concentrate on rapes and murders?" said Falk's attorney, William Hale, of Silver Spring. "They acted like the Gestapo; they treated him like a war criminal. It's ridiculous."

But petty crimes are not so easily dismissed by the people victimized by them, said Oh, one of two assistant state's

Howard County Seeks to Erase Graffiti, Other ...

attorneys assigned to the new Howard County program.

"I don't know any one of my neighbors who have been raped or murdered, but I know plenty whose mailboxes got run over, who had sleds stolen from the back yard or whose cars got hit by kids who were drinking," Oh said.

Modeled after the community policing concept and often referred to as "community prosecution," the programs place prosecutors in neighborhoods to listen to residents' complaints about vandalism, threatening behavior, small-time drug trafficking, petty theft and similar crimes.

"This is how prosecutors will work with communities in the future," said State's Attorney Marna McLendon (R), who initiated the program on a pilot basis in two Columbia villages, Harper's Choice and Wilde Lake.

Prosecutors have been logging long hours at neighborhood meetings and in the schools, because juveniles are involved in many of the crimes they confront.

Similar programs have been established in the District; Chicago; New York; Kansas City, Mo.; Cambridge, Mass., and many other cities, where residents and law enforcement officials have struggled to find a more effective way to combat "nuisance crimes."

"What you're seeing is the prosecutors redefining their roles a little bit, so that they're not just responsible for responding to crimes, for processing cases, but more for preventing crime," said Heike Gramcow, director of management and program development for the American Prosecutors' Research Institute, the research arm of the National District Attorneys Association.

The prosecutors who run a six-year-old program in Portland, Ore., say the community has seen results as they closed crack houses and helped neighborhoods get the speed bumps they wanted.

In Northeast Washington, where U.S. Attorney Eric H. Holder Jr. set up a community prosecution pilot program last year, cases have run the gamut from serious crimes, such as murders in particular neighborhoods, to nuisances, such as abandoned automobiles and rat infestation.

"We're trying to be there for people, but also to give people a sense [of], 'This is your neighborhood; you've got to tell us what's going on,'" said Brenda Johnson, deputy chief of the District's community prosecution section.

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In a neighborhood plagued by youths shooting at each other, prosecutors cracked down, partly by charging some of the youths but also by bringing in their mothers for a stern lecture, Johnson said. In another instance, Johnson recalled, she helped an elderly woman complaining about a trashed-filled lot by calling up the property owner and lambasting her for her negligence.

"We do a lot of that -- shaming people into doing right," Johnson said.

In the same way, Oh, in Howard County, is looking for a low-key but more effective way to deal with a knife-carrying homeless man who has been intimidating shoppers at one of the village centers.

"My first move will be to try and get the liquor store there to stop selling him liquor. If he doesn't stop, I could get the other merchants there to lean on him," Oh said. Prosecutors also might also seek addiction services for the man or get his family involved, Oh said.

Columbia residents came up with a solution themselves in the case of a vacant lot where people were gathering to drink and deal drugs. They circulated a petition to have the lot legally designated as "open space," meaning it had to close at 10 p.m. Oh researched the procedure in the law books and pushed their proposal through all the necessary agencies. Now police can force people off the lot after hours and ticket violators.

"Being in the position I was," Oh said, "I could grease the skids."

Oh's efforts in the graffiti case, however, seem overly harsh to Christopher Falk's relatives, who say the county is making him "a scapegoat."

"They decided to add all the graffiti in Columbia to his case," said Falk's mother, Geraldine Falk, whose son lives with her. "I don't even know if he did it or not. But do they really have to go to such an extent for something so minor? I think they just don't have enough to do."

Oh, however, said his efforts are meant to send "a strong message of deterrence."

"We want it understood this [graffiti] will not be tolerated," he said. "That's a sentiment that I got loud and clear from the community."

Ordinarily, such a case would have remained in District Court, Oh said, where an offender probably would receive a suspended sentence or probation before judgment, meaning the person

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would not have a criminal record.

Oh, however, plans to seek sizable restitution and some "more appropriate punishment."

"The things I'm hearing people talk about are old-fashioned punishments, like making the person go out and repaint where they'd painted," Oh said. "I like the sound of that."

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MULTNOMAH COUNTY (PORTLAND), OREGON



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THE NEIGHBORHOOD D.A. PROGRAM

The Neighborhood D.A. Program is designed to solve community crime problems. The program assigns a deputy district attorney to a specific geographic area with the charge to identify:

- the major public safety problems in the area,
- the key individuals, groups and organizations wanting to improve the area, and
- the existing resources within the community that can be used to resolve the problems.

GOAL

The goal of the program is to improve the "quality of life" within the neighborhood or business district. This is accomplished by developing and implementing long term strategies that attack "maintenance and order" crimes such as theft and vandalism, car prowls, street disorder crimes, and illegal camping.

The program is currently in place in five geographic areas within Multnomah County. The program began in November of 1990 in the Lloyd District. In April of 1991 a second program was put in place in the residential communities of North and Northeast Portland. In January of 1993 the third program was established in the Central Business District of Portland, in November, 1993 the fourth program began in the City of Gresham and, in August of 1994, the fifth program began operation in the residential neighborhoods of Southeast Portland.

The long term goal is to have a Neighborhood D.A. Program in each of the six districts of the county so that every community has access to the program and services.

ACTIVITIES

The Neighborhood D.A. expands the boundaries of the prosecutor role by focusing on solving groups of crimes rather than focusing on individual cases as prosecution is traditionally done. The activities a deputy in the Neighborhood D.A. Program performs are wide ranging. They include reviewing criminal cases originating in each district, identifying priority crime issues within the district and working with multiple public safety groups and committees within each district on specific crime issues. The crime issues deputies have worked on include car theft, purse snatch, drugs, prostitution, illegal camping, street disorder, and trespass. In addition, deputies have developed partnership agreements among public and private organizations which define responsibilities and actions for partners within districts. Examples include the Old Town/Chinatown Partnership Agreement and the Pioneer Square Partnership Agreement. They have also worked with groups on public policy issues such as weapons in schools, restrictions on sales of alcoholic beverages in neighborhoods, and nuisance abatement ordinances.

Training is a key activity performed by the Neighborhood D.A. Program. The deputies provide extensive training to police officers, private security personnel, and citizen groups. Issues covered include trespass laws, report preparation, restraining orders, and other legal tools used by the criminal justice system. The deputies perform a similar role for business owners and managers by consulting with them on potential solutions to local crime problems.

RESULTS

Though in place for varying degrees of time the program is having noticeable effects within communities. In one district with the Neighborhood D.A. Program there was a major problem with illegal camping. Following the development and implementation of a successful interdiction strategy, illegal camping was eliminated along with the need to use expensive criminal justice system resources (arrest, investigation and prosecution) to combat the problem. Similar strategies involving street disorder offenses, illegal dumping and other "quality of life" issues have met with success as well.

NEW YORK COUNTY (MANHATTAN), NEW YORK

**No Time to Wait,
No Time to Waste:**

**The Middlesex Community Based
Justice Program**



**Middlesex District Attorney's Office
District Attorney Tom Reilly**

The Middlesex Community Based Justice Program: Priority Prosecution of Young, Violent Offenders

The numbers tell part of the story. The most recent statistics from the Department of Justice report that arrests of juveniles for violent crimes increased by 50% between 1987 and 1991. In the same period, arrests of juveniles for murder increased by 85%. One in five high school students reported carrying a weapon somewhere, at least once, in the month before another recent survey. Young people are also the most common victims of violent crime: persons age 20 or younger are twice as likely to be victims of violent crime as others, and teenagers are more likely to be victims of violent crime in or around school than in any other place. Crime statistics in Middlesex County reflect this disturbing national trend. In 1991 and 1992, young offenders committed nearly 70% of all crimes against victims. Fifteen of the 35 persons charged with homicides in Middlesex County in 1991 and 1992 were 21 or younger.

But these statistics tell only *part* of the story. Parents, teachers, school administrators, police officers, judges, probation officers, correction officials and prosecutors—among others—know all too well the names and faces behind the numbers. We have a front row seat on the problem of youth violence. We have talked with the parents of the MIT student stabbed to death by a 16 year old in a senseless robbery netting \$3. We have watched as disputes that

once might have led to shoving matches or fistfights are now resolved by guns or knives. We have seen the poison of racism divide schools and communities, and lead to beatings, shootings and stabbings. And we have seen young men and women, some of great ability and promise, struggle to choose between right and wrong, often against strong odds and without support at home.

This crisis of violence by and between young people has led to a number of proposals for action. Some have focused on the need for economic development, to ensure that young people, especially those who live in urban areas, see alternatives to the false promise of easy money from robbery or drugs. Others focus on punitive measures—new laws and new prisons. What most of the proposals have in common is a call for a massive infusion of new resources to address youth violence. But on the front line, we know that resources are scarce. We have no time to wait and no time to waste.

Here in Middlesex County, we have worked to make the best use of the resources we already have. The result is what I call the Middlesex Community Based Justice Program. At the heart of the program is the recognition that the conventional approach the criminal justice system has taken to the problem of youth violence is, in these times, a recipe for failure. Without close coordination and, most importantly, the cooperation that results from sharing information, no single institution—not the schools, not the police, not the courts, and not corrections—stands a chance of controlling youth violence. With *real* cooperation, however, there is much that can be done.

What is Community Based Justice?

The Middlesex Community Based Justice Program begins by accepting the fact that the institutions traditionally expected by society to control anti-social behavior by young people—police, prosecutors, courts and corrections—can no longer do the job alone. In 1995, more than 35,000 criminal cases were initiated in Middlesex County. The traditional approach to law enforcement treats each of those cases separately, and divides the responsibility for each of those cases among different institutions, each with its own mission. Police make the arrest. Prosecutors present the evidence in court. Judges, with the help of recommendations by probation officers, impose sentence, and corrections officials are responsible for the defendant until he is returned to society. When one case is over, the police, the prosecutor, the court, and corrections each move on to the next case. This case-specific approach, coupled with the rigid division of responsibilities between the major criminal justice institutions, has led directly to the revolving door system of justice that is so often and so justifiably criticized by the public. One police officer does not know what other officers know about an offender. Prosecutors, even those in the same office, do not know what other prosecutors know about the accused. Judges and probation officers possess only limited information about what a defendant has done in the past. Put simply, the police, the prosecutors and the Court do not know what each other knows, and no one in the criminal justice system is likely to know what is perhaps the most important

fact: what impact does a particular offender—especially a young, violent offender—have on his school, his neighborhood, and his community? Each case is simply *processed*, and the enormous caseloads guarantee that many young offenders will slip through the cracks, receive little or no sanction or supervision as a result of the offense they have committed, and conclude that the criminal justice system is a joke that they need pay no attention to. The result is good for no one. It does not protect the public, and it does not do what we all should expect the criminal justice system to do: deter young people who commit crimes from committing new and perhaps more serious offenses.

The Middlesex Community Based Justice Program represents a purposeful and dramatic break from the conventional approach. The break from simply processing cases is illustrated by the Community Based Justice Program's four basic tenets, each a departure from business as usual in the criminal justice system. The four bedrock principles of the program are these:

1. The criminal justice system can address the problem of youth violence only if certain cases are treated as Priority Prosecutions and singled out for special attention, so that they are not lost in the crush of overwhelming numbers;
2. All the social institutions with information about young people headed for trouble—schools, police, prosecutors, probation officers, youth and social service professionals and community members—must share that information, so that the criminal justice system can treat as Priority Prosecutions cases involving those individuals most likely to pose a threat to the community;
3. The criminal justice system must focus on the offender, not simply the specific offense, and impose individualized sanctions, designed to deter that offender from further anti-social conduct; and
4. The criminal justice system must impose increasingly serious sanctions on a young offender who continues to commit offenses.

How Does Community Based Justice Work?

In each participating community, the heart of the Middlesex Community Based Justice Program is a community task force. Each week, the members of the task force—school officials, police, prosecutors, probation officers, corrections officials, youth service and social service professionals and, in some cases, community representatives—meet to share information about what is happening in their community. The meetings are not academic discussions about combating youth violence. They are working sessions, focusing on specific events and particular individuals whose conduct poses a threat to schools, neighborhoods, and communities. In a typical meeting, police report what they know about a particular criminal event: a shooting, stabbing, or fight, for example; school officials report about disturbances on school grounds, as well as what they have learned in the school about what has happened—or what they fear may happen—outside of the school; and prosecutors report on the status of court cases involving individuals who have been identified by members of the task force as deserving special attention.

The prime tool for each of the task forces is a Priority Prosecution List. The Priority Prosecution List addresses by name the individuals whom members of the task force have identified as that community's most serious violent youths. Young offenders earn a place on the Priority Prosecution List by their own violent conduct—by carrying weapons, by fighting, by threatening victims and intimidating witnesses, or by committing racially motivated assaults—and the presence of representatives from across the social spectrum reduces the prospect that any anti-social conduct by these young offenders will go unnoticed.

Each week, the List reports on the status of the court cases of the individuals identified as priority defendants. The members of the task force share information about particular offenders and work to reach a consensus about what should be done to address a particular young person's anti-social conduct. The list ensures that the members of the task force are accountable to one another to follow through on promised actions and effectively prevents individuals who have been identified as threats to public safety from slipping through the cracks of the criminal justice system.

The District Attorney's Office devotes special attention to Priority Prosecution cases by assigning them to prosecutors who treat them as their most important cases; by ensuring that prosecutors have all relevant information about an offender—not just information about a specific case—when they argue bail; by providing investigative resources not likely to be given a case that has not been designated a priority; and by ensuring that the judge, at the time of sentencing, knows full well who the individual before the court is and why the community task force has identified him as a threat to the community. The police do not conduct surveillance of individuals on the list, stop and frisk them, or solicit them to commit criminal acts. Once those individuals do commit criminal acts, however, the task force ensures that the criminal justice system works at its best, not its worst, when it deals with their cases.

This does not mean that the District Attorney's Office seeks maximum sentences in every Priority Prosecution case. Instead, the emphasis is on showing the young offender that the

criminal justice system does have teeth. The clear preference is to seek the imposition of that sentence that the members of the task force believe will be sufficient to deter future anti-social conduct. Often times, a disposition such as probation or a suspended sentence may be sufficient to deter future criminal activity, and identification of an offender as a community priority will ensure that the probation department will devote special attention to that young person's case. If, however, the young offender does not respond to sanctions that leave him on the street, and, despite court-ordered supervision, commits a new crime, the District Attorney's Office will not hesitate to take extraordinary action to show him that his conduct is being closely monitored. For example, the District Attorney's Office will commonly move to revoke an offender's bail if he commits an offense while on release, and will likewise argue for incarceration when a young criminal has failed to conform his conduct to the law despite being on probation.

The Community Based Justice Program also seeks to reach out to young people at risk, to offer them alternatives to crime, violence and gangs. Again, the goal is to tap into existing community resources. In Lowell, the District Attorney's Office has worked with the Cambodian Mutual Assistance Association to keep Southeast Asian teens in school. In Somerville, the community task force works closely with the police department's community policing program, providing opportunities for activity other than violence to young people in the city's parks and playgrounds, especially in the summer. And in Malden, a police officer and a high school vice principal work the streets on weekend nights, ensuring that young people know

that the school and the police are working together to keep the schools, the neighborhood and the community safe.

Does it Work?

The members of the community task forces, who make the time to focus on identifying and dealing with young offenders, believe that it does. And the young offenders themselves see the difference. Take the case of the 18-year-old Somerville high school student and hockey team member who beat a 14-year-old black boy with a hockey stick. No serious injury resulted, and the conventional approach to criminal justice would likely have resulted in no more than a slap on the wrist. Members of the Somerville community task force could document, however, that this young man was a leader of a racist gang—the Notre Dame gang—who took pride in telling others that the "ND" on the ball caps they wore stood for the racist slogan "Niggers Die". The District Attorney's Office indicted the case for prosecution in Superior Court, worked closely with the schools and police to make sure that the victim would testify, and assembled evidence for the judge at that the time of sentencing that persuaded him that this young offender belonged in state prison. That is where he is today. You can bet that he believes that the Community Based Justice Program works, and so do the other members of the Notre Dame gang.

In Cambridge, the community task force identified a young man known as "Cheesecake"—then only 16—as the leader of a gang that was responsible for substantial levels of street level

drug dealing and street violence. When he was arrested for drug and firearms offenses, the District Attorney's Office moved to transfer his case from juvenile court to the adult system, and, because of the information prosecutors possessed and presented, Cheesecake was transferred to the adult system. When he failed to appear for trial, police mounted an all-out effort to find him and, when they did, he too was sentenced to state prison. Cheesecake knows that the Community Based Justice Program works.

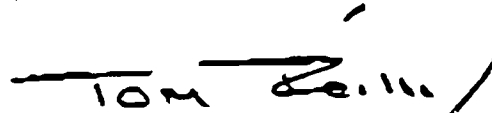
In Malden, school and police officials knew that one 18-year-old repeatedly abused young women, and then intimidated them, so that they would not come forward and testify against him. When he threatened one young woman, members of the Malden community task force worked together to encourage that young woman to stay with the case. The young woman did testify, and the 18-year-old was sentenced to the mandatory one-year-term of incarceration for unlawful possession of a firearm. They both know that the Community Based Justice Program works.

Just as important—perhaps even more important—than these success stories are the stories that community task force members can tell about violent behavior that has been *prevented* by the Community Based Justice Program. In Somerville, to take just one example, a group of eight young men seemed to be headed straight down the path of continuing, escalating anti-social behavior. They were identified as priorities, and the community task force kicked into action.

They were convicted of offenses in the Somerville District Court, and placed on strict probationary terms, including working with a police officer over the summer. The members of the task force have their fingers crossed, but they expect that the seven of the eight will graduate from Somerville High on schedule without further incident.

Final Thoughts

For many, the problem of youth violence seems too large, too complicated, and too persistent to do anything about. I believe that the problem is too large, too complicated, and too persistent to ignore. We have no time to wait for the country to address the social problems that cause young people to turn to violence. We have no time to waste hoping that new resources will be available to help us. The Middlesex Community Based Justice program is no panacea, but it does offer a way for us to do something *now*, before another generation of young people turns to violence, and before another generation of victims suffers the consequences.



Tom Reilly
Middlesex District Attorney
March 8, 1994



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The Marion County Prosecutor's Office
Street-Level Advocacy InitiativeIntroduction

Marion County, Indiana, is a metropolitan area of approximately 750,000 residents encompassing Indianapolis and some other smaller municipalities. Marion county has many law enforcement agencies within it, the two largest of which are the Indianapolis Police Department (IPD) and the Marion County Sheriff's Department. The jurisdiction of IPD covers the broadest area of the county and includes diverse racial and socioeconomic neighborhoods; the Sheriff's Department covers an area that surrounds IPD's jurisdiction and is more suburban in nature. IPD divides its patrol service area into four large districts; the Sheriff's department is divided into two large areas. The "community policing" idea was implemented by IPD in 1992, and is currently being carried out on a smaller scale in the Sheriff's Department.

As the amount of drug activity in the county increased, and as violent crime associated with drug activity became more visible, the Marion County Prosecutor's Office (MCPO) in August of 1993, laid the groundwork for a "community prosecution" program covering one geographically designated areas serviced by the Indianapolis Police Department (IPD). This area, covering IPD's North District, was selected because of the commitment of the then-Deputy Chief to the community policing concept, the involvement of some established and active neighborhood associations, a racially and socioeconomically diverse population, and a significant drug problem in areas much in need of rehabilitation.

MCPO committed one experienced deputy prosecutor two days per week whose initial activities included on-site screening and filing of arrests and warrant requests, liaison and training responsibilities for IPD officers in the district, establishing relationships with existing neighborhood groups, creating a legal education program in public schools in the district, and developing proactive crime prevention programs tailored to the needs of specific neighborhoods.

Current Program Personnel

The Prosecutor of Marion County, Scott C. Newman, since taking office in January of 1995, has expanded the idea of community prosecution so that, currently, there are full-time prosecutors assigned as "street-level prosecutors" for each of IPD's four patrol service districts. Two paralegals, assigned full-time responsibilities in two IPD districts each, help the four prosecutors. There is also a full-time nuisance abatement prosecutor who works with and is helped by the neighborhood prosecutors in the city's multi-agency nuisance abatement initiative that will be described fully in a later section.

Current Program Overview

MCPO's community prosecution model emphasizes a proactive approach to crime prevention and community intervention, as well as creation of close relationships with other governmental agencies, law enforcement, and neighborhood organizations. The key to the program is information-sharing, communication, problem-solving, and increasing access to and availability of prosecution programs in the neighborhoods. Major program emphasis is placed upon targeting high-risk neighborhoods and criminals in those areas, and working with law enforcement and affected neighborhoods to create innovative strategies involving thorough investigation, aggressive prosecution (including "vertical" prosecution), and crime prevention. In short, the main goal is to improve the quality of life for the citizens of Marion County.

Program Components: FOCUS ON TARGET AREAS, PROACTIVE PARTNERSHIPS BETWEEN LAW ENFORCEMENT, COMMUNITY AND BUSINESSES, SOLVE PROBLEMS, IMPROVE PUBLIC SAFETY and ENHANCE QUALITY OF LIFE IN THE COMMUNITY.

A. Street-level Prosecutor -- The street-level prosecutor is assigned to work in one IPD district and works directly from an office located out in the district at the roll-call site. Responsibilities of this prosecutor include screening and filing of district detective arrests and warrant requests, assisting detectives with investigative concerns, responding to law enforcement issues about prosecution, legal education and training, and generally functioning as a liaison between that district service area and MCPO. Other responsibilities include acting as a liaison with neighborhood organizations, responding to community concerns, assisting neighborhoods in creating crime prevention strategies, and attending neighborhood meetings. These street-level advocates also work with businesses, schools, churches, and other governmental agencies, pursuing ways of improving the quality of life in the community.

B. Street-level Paralegal-- These individuals help the street-level prosecutor in all aspects of MCPO's street-level advocacy program.

Quality of Life Initiatives/ Incorporation of Varied Enforcement Methods:

C. Nuisance Abatement -- The goal of the nuisance abatement program is to improve the health, safety and welfare of the Marion County area by creatively and aggressively enforcing existing nuisance statutes and applicable ordinances by means of a multi-agency task force. Members of the task force include:

- Marion County Prosecutor's Office
- United States Attorney's Office
- City Legal Department
- Mayor's Office
- Health and Hospital Corporation
- Indianapolis Police Department
 - Narcotics Branch
 - Vice Branch
 - Community Liaison officer
 - Forfeiture Division
- Marion County Sheriff's Department
 - Narcotics Division
 - Vice Division
 - Forfeiture Division
- Indianapolis Fire Department
- Zoning Investigators
- Department of Metropolitan Development
- Department of Public Works/Transportation

The task force assists in neighborhood rehabilitation and revitalization by eradicating open air drug dealing and drug houses. Houses where drugs are kept and sold and where drug offenders congregate for using and selling controlled substances create a serious threat to the communities in which they exist. Additionally, the task force acknowledges that the criminal nature of those houses creates a substantial infringement and obstruction to the free use of surrounding properties. Such interference with the comfort and enjoyment of life and property is actionable under Indiana law as a nuisance. The task force identifies offending houses and, where possible, works with and encourages the property owners to take corrective action to prevent illegal activity from occurring on those premises. Where this is not successful, the task force acts on behalf of the neighborhoods and uses all possible legal remedies to eliminate "drug houses" from Marion County.

Some of those legal remedies involve law enforcement tactics as well as enforcement of and compliance with existing ordinances and statutes, including the following:

- Housing Code Enforcement
- Fire Code Enforcement
- Health and Safety Code Enforcement
- Law Enforcement Strategy
- Tenant Evictions by Landlords

- Forfeiture Actions
- Civil Nuisance Abatement Actions
- Comprehensive Civil R.I.C.O. Actions
- Aesthetic Improvements
- Environmental Improvements

The procedure employed by the task force involves the following steps:

1. Property is identified, either by a call from a private citizen or neighborhood association, or via law enforcement detection (i.e., street officers, road deputies or narcotics investigators). In addition, the task force has been involved in targeting various properties for nuisance abatement work based upon both visible and empirical evidence of drug activity.
2. Property is photographed.
3. Property ownership is identified, including tenant status.
4. All available information relating to the particular parcel of property is documented, including investigating liens on the property and all criminal reports involving incidents occurring on the parcel.
5. All available information relating to the owner and/or tenants of the parcel is compiled for future documentation and abatement discussions with the landowner.
6. If the property has been abandoned, it is inspected by Health and Hospital Corporation and the Indianapolis Fire Department and all violations are posted. Future action for demolition may be sought after this point if rehabilitation is not possible.
7. If the property is identified by the neighborhood or owner as a place at which drug activity exists but there is an absence of criminal reports, narcotics officers target the property for surveillance and/or execution of search warrants and all other law enforcement measures available to narcotics investigation. If the narcotics officers are successful in their investigation, arrests are made and cases vigorously prosecuted to conviction. The street-level prosecutor assigned to the area in which the property is located closely follows these cases.
8. Once a pattern of drug activity or other criminal behavior is established, the deputy prosecutor sends a letter to the owner of the property outlining all of the information obtained and listing the steps necessary for the abatement of the nuisance. The letter gives the owner ten (10) days within which to abate the nuisance or obtain compliance with the relevant ordinances or codes or, if necessary, evict offending

tenants. Informal discussions and cooperation between the landowner and the deputy prosecutor and members of the task force lead to an expeditious abatement of the nuisance.

9. The deputy prosecutor, in negotiations with the owner, attempts to abate the nuisance for the benefit of the neighbors and the community. Sometimes, the appropriate settlement may involve forfeiture of the property interest and eventual sale, or the property's return to the appropriate neighborhood agency for rehabilitation. In addition, demolition of the property may be the only option in some cases.

10. Should the landowner fail to respond, the deputy prosecutor requests by letter to the Indianapolis Fire Department, Health and Hospital Corporation and any other appropriate agency, that a coordinated inspection of the target property be performed and citations for fire and housing code violations given where necessary. Tenants are removed from the house until deficiencies are corrected where health and safety considerations require it. Copies of the citations are forwarded to the deputy prosecutor and further attempts to talk with the property owner are made to encourage them to abate the nuisance.

11. Those landowners who refuse to cooperate in the abatement of a nuisance are subject to a lawsuit filed by the Marion County Prosecutor's Office or City Legal Department alleging all violations of ordinance or state law. At the time of the filing of the lawsuit, the deputy prosecutor seeks an emergency restraining order preventing the owner and/or tenants from using the property in a criminal manner. Subsequent incidents of drug or other criminal activity on the property results in the deputy prosecutor requesting sanctions for contempt of court against the owner and tenants. Remedies may include damages, abatement and injunctions where necessary.

12. If appropriate, a forfeiture action is also pursued in cases in which the evidence proves that the owner had knowledge of or was an accessory to the illegal activity occurring on the property.

13. If appropriate, a civil R.I.C.O. action may also be pursued where evidence establishes a pattern of criminal activity by the landowner involving the particular parcel.

The role of the deputy prosecutor in the nuisance abatement area consists of organizing and using all available legal means to abate nuisances and provide neighborhoods with a safe, clean and healthy place to live in Marion County. This involves meeting with landlords and neighborhood associations to listen to the problems that exist within the community. It also involves working with law enforcement and all other city and county agencies to determine the variety of resources available to the

neighborhoods. Finally, it involves encouraging the passage of legislation in the nuisance area involving expedited evictions, expanded standing provisions for civil actions and various other criminal legislation to supplement the street-level efforts of nuisance abatement.

Besides aggressive nuisance abatement work, the deputy prosecutor also appears on behalf of the state at the Alcohol Beverage Board of Marion County, on the local and state levels. Acting upon criminal investigations or neighborhood complaints, the deputy prosecutor remonstrates against an applicant's obtaining, renewing or transferring a liquor license. This is a facet of the street-level prosecution that targets commercial enterprises (liquor stores and taverns) on whose property illegal activity is occurring which is negatively affecting the community.

CRIME PREVENTION/ QUALITY OF LIFE INITIATIVE

D. "Neighborhood Impact" Program -- This program targets specific neighborhoods or "beats" with substantial drug activity, providing neighborhoods with direct access and input into felony cases filed in Marion County's Drug Court. When a drug arrest is made in one of the targeted beats, a neighborhood impact statement form is sent to the neighborhood representative for completion and return to MCPO. The form explores how the defendant's drug activity affects the quality of life in the neighborhood. Information contained in the form is incorporated into the presentence report that the judge in Drug Court uses to decide what sentence to impose.

Another component of this program is Neighborhood Impact Teams. These teams, consisting of the neighborhood representatives, IPD officers from the particular "beat," and the neighborhood prosecutor and paralegal, evaluate the effectiveness of the neighborhood impact statements, discuss crime trends and how to abate them, and generally attempt to foster better communication between MCPO, IPD and the neighborhood.

PROACTIVE PARTNERSHIP INITIATIVE

E. "Block-at-a-Time" ("BAT") Cards -- This is a postcard-sized document created for distribution to law enforcement, neighborhood groups and individuals. It is a means of communicating the concerns of an individual, business, neighborhood, or law enforcement officer to the neighborhood prosecutor for discussion and prioritization with appropriate individuals or agencies. The card requests information about the specific type of problem from drug activity to loud music, loitering or curfew violations, and provides space for information on law enforcement involvement and documentation of follow-up action taken by MCPO.

QUALITY OF LIFE INITIATIVE -- DIRECT INTERACTION W/COMMUNITY

F. **"Crackback" Tour** -- This ongoing program involves MCPO, law enforcement and neighbors, who board buses and drive to and hold open rallies in some of the worst open-air drug dealing and crack houses in Marion County. Participants carry banners, chant anti-drug slogans, use bullhorns, music, and extra lighting to let the drug dealers know that they are being watched and to disrupt the drug dealing occurring in those areas. The Prosecutor is also establishing a schedule of "street-corner Prosecutor's offices" outside the drug houses, and has involved area churches and Cub Scout troops to provide youth participation, musical performances ("A Chorus Against Crack"), and the like.

PROACTIVE PARTNERSHIP

G. **Mediation and conflict resolution program** -- This program involves referrals to a trained mediator at MCPO for the purpose of intervention in neighborhood disputes that involve low-level vandalism or violence in an attempt to keep disputes from escalating. The mediator makes contacts with all parties involved in the dispute and requests their involvement in a mediation session to discuss and resolve disputes. Referrals may be made by prosecutors, law enforcement, citizens or judges.

QUALITY OF LIFE INITIATIVE

H. **Community Victim Advocacy** -- This program involves having a MCPO victim advocate assigned to provide victim advocacy services, shelter or counseling referrals, domestic violence information, and to answer questions about filing cases, court procedure, and MCPO's domestic violence and family advocacy services, in a neighborhood community or service center. One of the future goals of this program is to expand these services to provide victims the opportunity of swearing out citizen complaints and completing citizen intake at locations in the neighborhoods.

PROACTIVE PARTNERSHIP INITIATIVE -- DIRECT COMMUNITY INTERACTION

I. **"Case Watch"** -- This is a tracking program whereby street-level prosecutors, when making a screening and charging decision, notify the assigned prosecutor that this case or defendant should be targeted or "watched." The assigned prosecutor then follows up with the neighborhood prosecutor at crucial stages in the proceeding so that interested neighbors can follow the progress of the case. Certain cases are also targeted or "watched" at the request of neighborhoods or concerned citizens, who in turn are asked by MCPO or IPD to alert them if the defendant is seen in the area again, most likely violating a stay-away order. Neighborhoods are provided with photos and names of individuals ordered to stay away so that violations can be reported and additional charges filed and/or bonds revoked.

J. **Court Watch** -- This program (still in the formative stages), while created through a joint effort of IPD's Crime Watch

program, the Mayor's Office and MCPO, requires substantial involvement of the neighborhood prosecutor and paralegal. Citizens involved follow cases in court, attending hearings, trials and sentencings, and make known their concerns about this defendant and how his or her behavior affects the quality of life in a neighborhood. Citizens are also encouraged to provide suggestions for improving the administration of justice generally. MCPO is involved in providing specific court date information, ensuring that the court prosecutor is aware that the neighbors will attend hearings, communicating with neighborhood representatives about the status of a case, and assisting in training neighborhood representatives about the criminal justice system and courts and court proceedings.

CRIME PREVENTION/PROACTIVE PARTNERSHIP -- EDUCATION

K. Legal Lives -- Adopted from a Brooklyn, New York program for 5th grade students, deputy prosecutors are assigned to a 5th grade class for an entire school year to teach young people about the criminal justice system, to help them learn to think critically in difficult situations, and to learn to understand the consequences of the choices they make. Through role-playing, young people learn about drugs, guns, gangs, and making tough decisions which build self-esteem. The culmination of the program is a mock trial that the students prepare and perform the roles of lawyers, judge and witnesses.

EDUCATION/CRIME PREVENTION/PROACTIVE PARTNERSHIP

L. Safe Schools -- In this program, deputy prosecutors are assigned as liaisons to area high schools and middle schools to answer questions about juvenile issues, be available to speak to classes, and to give each school a contact person for criminal justice concerns. Safe school liaisons will be encouraged to work with school officials to conduct safety surveys and inventories regarding such problems as gang activity, gun possession and drugs, and to develop explicit strategies for addressing identified problems.

Future Directions

Within the next six months, Prosecutor Newman will expand the street-level prosecution program to add two additional neighborhood prosecutors for both of the districts serviced by the Marion County Sheriff's Department. Also, plans are underway to assign felony cases in the Marion County Drug Court to prosecutors solely according to the geographic divisions used by IPD and the Sheriff's Department, so that each prosecutor in drug court would prosecute only those cases occurring in one law enforcement service area.

Prosecutor Newman also plans to prosecute juvenile cases by assigning cases in the four courts of the Marion County Juvenile Court system by geographic area. Each court would be assigned cases from one of IPD's four service districts, and the two

Sheriff's districts would be assigned to one or two courts, as needed to balance caseloads evenly among the four courts.

A long term goal will see the Marion County Municipal and D felony courts having cases assigned by geographic area, as well. These assignments will create teams of street-level prosecutors working together on crime problems, prevention, and strategies in one area serviced by one district of IPD or of the Sheriff's Department. The Prosecutor intends to use the opportunity provided by an impending statutory court reorganization/consolidation (including new court leadership) to pilot Marion County's first fully-integrated neighborhood/quality-of-life court.

Conclusion and Critical Success Factors

The "Street-Level-Advocacy" emphasis has made significant progress toward shifting the paradigm of prosecution in Marion County, Indiana, during the first six months of 1995, all within existing budgetary resources. Several short-term tasks remain for this year, including successful, geographically-based reorganization of the narcotics and juvenile divisions of the office, expansion of the project into the Sheriff's jurisdiction, and the piloting of a fully-integrated neighborhood-based misdemeanor court.

Critical to the success of this initiative by the Prosecutor in the longer term are (1) success in altering the culture of the Prosecutor's Office so as to value neighborhood accountability at all levels; (2) the ability of neighborhood-based prosecutors to meet rising community expectations through creative approaches to crime and disorder reduction, and effective channeling of information to deputy prosecutors within the reactive divisions of the office; (3) the Prosecutor's ability to convince courts to simplify and support geographically-based reorganization efforts; (4) the design and application of greatly enhanced criminal justice data analysis tools (with geographical and demographic emphasis) as an aid both to strategic planning and evaluation; (5) the securing of sufficient funding to promote initiatives in data analysis and outcomes measurement, as well as adequate staffing for meaningful geographic coverage; and (6) the ability of the office to demonstrate and document tangible successes in the reduction of fear and disorder in discrete neighborhoods, by adding value beyond what can be offered by a merely efficient, skilled and aggressive case-based operation.

COMMUNITY PROSECUTION:
*Building Partnerships Among Communities,
Police, and Prosecutors*

NEW YORK COUNTY DISTRICT ATTORNEY'S OFFICE

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NEW YORK COUNTY

AUGUST, 1993

NEW YORK COUNTY DISTRICT ATTORNEY'S OFFICE

COMMUNITY PROSECUTION

Community policing, implemented recently in New York City and a number of other large metropolitan areas, refocuses police resources to address the particular needs of different neighborhoods. Addressing the underlying problems contributing to crime, increasing police visibility, and developing cooperative relationships between police and community members is intended to accomplish long term reductions in crime. However, these improvements will be achieved and sustained only if the rest of the criminal justice system supports the strategies undertaken by police. This is especially true of urban areas overrun by drug trafficking or impacted by violent crimes and other serious offenses committed by organized groups or repeat offenders. Community-based crime prevention techniques, alone, are unlikely to be successful in neighborhoods where residents fear reprisal from drug gangs and other predatory criminals for cooperating with law enforcement. Prosecutors must assist police and community members by providing the leadership and legal expertise necessary for undertaking long-term, in-depth investigations of gangs and high-rate dangerous offenders responsible for the elevated incidence of violence. Essential to preventing crime is creating the conditions that result in the high probability that those who commit crimes will be caught and brought to justice.

The New York County District Attorney's Office proposes a strategy -- emphasizing partnerships among prosecutors, police, and communities -- to identify crime patterns and trends much sooner than previously possible, analyze these patterns proactively, develop solutions which prevent crime and ensure swift and certain judgment, implement these solutions, and measure the resulting impact on the community. This is a comprehensive and coordinated response which will: (1) integrate community policing strategies with community-based prosecution to increase the certainty of judgment and to prevent crime from recurring, (2) concentrate law enforcement resources in order to target repeat offenders and remove not only street-level drug dealers but also their suppliers, and (3) establish programs to ensure the long term revitalization of the neighborhood.

This strategy enhances traditional enforcement efforts through public education, recruitment of concerned individuals as well as commercial and not-for-profit organizations, and greater inter-agency cooperation. Community Prosecution is essentially an information intensive strategy. It depends on sharing knowledge and data obtained from a wide range of sources -- in many cases, new or untraditional sources from outside the criminal justice system. Critical to the success of this strategy, therefore, is a state-of-the-art information

management system whose primary objective will be to aid problem identification and resource deployment to solve crime problems specific to each neighborhood.

Manhattan's Community Prosecution Program

Long committed to involving community members in combatting drugs and crime, the New York County District Attorney's Office has developed a Community Prosecution Program which integrates the strengths of community policing with the skills and legal expertise of the local prosecutor's office. This program recognizes that crime problems vary from one community to the next and will also change over time, calling for different types of law enforcement resources and expertise. The proposed Community Prosecution Program is therefore based on a highly flexible and responsive organizational structure which permits the District Attorney to direct resources to each community's most pressing problems and to vary the response as needs change. At the same time, this Program preserves the independent nature of the District Attorney's Office which is essential to maintain the public's confidence in the fairness of the criminal justice system.

Manhattan's Community Prosecution Program is based on three essential components: (1) an active Community Affairs Unit, (2) Project Focus, consisting of small teams of prosecutors which can be deployed to targeted neighborhoods, and (3) a Community-Oriented Information System. The office's Community Affairs Unit, with a professional staff of a dozen community liaisons, is primarily responsible for developing and maintaining lines of communication with community groups, tenant associations, schools, and business, civic, and religious organizations. Unique in its proactive approach and its emphasis on problem assessment and community involvement, Project Focus teams utilize a project management approach to eliminate the sources of violent and serious crime in targeted geographic areas. In support of these efforts, the office is developing a Community-Oriented Information System to enable decision-makers to evaluate a wide spectrum of information across various dimensions, including geographic analysis of crime patterns and case outcomes.

The office's Trial Division, consisting of 350 attorneys, is responsible for prosecuting the vast majority of Manhattan's arrests, which are assigned to prosecutors on a rotating basis. Vertical prosecution, where one prosecutor has responsibility for each case from the initial investigation to the final disposition, ensures the continuity of case management which is especially critical to ensuring successful outcomes. The Community Prosecution Program operates in concert with the rest of the Trial Division, essentially as an overlay which can be deployed as needed to enhance the investigation and prosecution of crime problems unique to particular neighborhoods. Community Affairs staff enlist the assistance of community members and ensure the flow of information between prosecutors and the community, essential to the success of Project Focus. The Community-Oriented Information System

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provides a flexible and responsive means for collecting, analyzing, and reporting information obtained from community members, law enforcement agencies, other external sources, and the many internal sources of information including AJIS, the office's main case tracking system. Continuous monitoring of crime problems and patterns throughout the office's jurisdiction permits the identification of neighborhoods whose needs can best be addressed by Project Focus teams.

Community Affairs Unit

The New York County District Attorney's Office is a strong proponent of incorporating the community in fighting crime. In 1985, the office established the Community Affairs Unit, which has developed a wide range of alternative, community-based law enforcement strategies. The unit works closely with block associations, tenants organizations, and other groups to identify their most pressing crime problems. Community Affairs staff train law-abiding citizens to assist the criminal justice system in solving these problems. During the past eight years, the unit has worked closely with -- and in some cases helped organize -- a number of community groups, including Save Our Streets, Youth Force, and the Parent Leadership Project, which have contributed substantially to a better quality of life in the city.

The unit's staff of a dozen community associates are organized in two teams, representing northern and southern Manhattan. Each associate is assigned to a specific geographic area and is responsible for the office's relations with residents, businesses, and organizations within this area. Community associates, often accompanied by a senior assistant district attorney, routinely attend meetings of Community Boards, block associations, public housing tenant groups, senior citizens groups, and other organizations, where they represent the office, listen to the concerns of community members, and inform them of the status of specific cases and of various law enforcement initiatives. The associate relays concerns about a specific incident or defendant to the appropriate prosecutor handling the case. Where patterns in criminal behavior are noted by the community, the associate works with precinct commanders and with prosecutors to enhance enforcement and prosecution efforts as well as with other city agencies to improve services to the community as needed.

At community meetings, associates instruct residents how to report crime, who to contact, and what alternatives they may pursue, including victim-witness services, domestic violence counseling, and eviction of drug-dealing tenants. Community associates are also available to assist communities in organizing tenant or resident patrols and other anti-crime activities. In addition, court monitor training is provided to all interested residents who are invited to observe the proceedings in housing and criminal courts. Court monitoring is both

an effective and very popular means by which the community can continue to be engaged in and informed of the criminal justice system's response to its concerns.

The Community Affairs Unit also coordinates a comprehensive, law-related educational program for youths called "Legal Bound," including classroom presentations and bilingual drug prevention lectures at over 250 Manhattan schools, mock trial competitions, and a seven-week Summer Internship Program providing students invaluable work experience and exposure to the workings of the legal system. Building on this expertise, the office has designed a law-related curriculum which engages teenagers in discussions about drugs and the role of law enforcement in their community. This curriculum, which teachers in public and private schools throughout Manhattan are trained to use, deals with the operation of the criminal justice system and covers a wide range of issues from how to report crime to the consequences of illegal drug use. The first section of this curriculum addresses issues raised by the Rodney King incident in Los Angeles last summer, including: the use of force by police officers, when it is justified and when it is not, how an individual is protected by civil rights and due process, and how police misconduct should be reported if it occurs.

Project Focus

Initially, much of the information obtained by Community Affairs staff was used for tactical purposes, typically involving the investigation and prosecution of specific cases. In 1990, this office launched Project Focus in order to address the surge in crime in northern Manhattan by using community-generated information to achieve *strategic* as well as *tactical* objectives. In collaboration with the New York City Police Department, Project Focus gathers intelligence with a view toward eliminating the sources of violent crime in targeted geographic areas. Project Focus is unique in its proactive approach and its emphasis on problem assessment and community involvement.

The Project Focus team collects intelligence on ongoing criminal activity and monitors and coordinates law enforcement efforts within a well defined geographic area. Individual assistant district attorneys concentrate their efforts on the unique crime problems of specific neighborhoods corresponding to the patrol areas or beats assigned to community police officers. Data is gathered from a wide variety of sources, including community and tenant groups, landlords, police reports, executed search warrants, and this office's Community Affairs Unit and Adult Justice Information System. Using this information, the Project Focus team develops an intelligence base enabling it to identify an area's most active criminals and to track current patterns of criminal activity. Prosecutors work with police to establish goals, identify the specific law enforcement resources to be deployed, and design an implementation plan which focuses on the most pressing crime problems in each community. This approach has led to the successful prosecution of leaders of drug gangs

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who have terrorized individual buildings and entire city blocks. In several cases, community information has helped obtain lengthy prison sentences for gang leaders who are known to be responsible for a number of violent crimes but have no previous criminal record.

The benefits of Project Focus go beyond the immediate neighborhoods that the program targets. Members of organized criminal gangs often commit violent crimes in areas outside of their usual turf. And, because Project Focus assistant district attorneys share intelligence on criminal organizations with other prosecutors working in this office -- and in other boroughs as well -- information that is gathered for Project Focus can often be used to solve homicides and other serious crimes that have occurred all over the city. For example, information gathered for Project Focus' efforts in the 34th Precinct was instrumental in obtaining a 44-count indictment against a violent and heavily armed cocaine trafficking organization that terrorized residents of West 157th Street. This group intimidated and even killed law-abiding citizens who tried to interfere with their operations. By coordinating the efforts of police and prosecutors, Project Focus helps to dismantle the gangs that are the cause of much of the city's violent crime, thereby avoiding the displacement effect which sometimes occurs after police "sweeps" drive criminal activity into surrounding neighborhoods.

The 34th Precinct was chosen as the initial target of this pilot program because of the extremely high level of violent crime in that community. During the past few years, the 34th Precinct has led the city with the most murders. Law enforcement intelligence indicates that up to two-thirds of these homicides are drug-related. However, because witnesses to such homicides are commonly threatened or intimidated by gang members, fewer than half of all murders that occur in the 34th Precinct are ever solved. Project Focus, working closely with both beat cops and the community, has already begun to have an impact: felony crimes decreased both in 1991 and 1992, representing a significant new trend after four years of sharply increasing crime rates. The number of reported crimes in the 34th Precinct is now at its lowest point since 1988. Largely because of this success, the office is now planning to deploy two more Project Focus teams in other neighborhoods in Manhattan.

Community-Oriented Information System

The Community Prosecution Program is essentially an information intensive initiative. It recognizes the value of collecting, processing, and reporting a much larger quantity of information from a much wider variety of sources than ever before. Therefore, information management and information systems lie at the very core of this strategy.

Community Prosecution's emphasis on problem identification or needs assessment as well as on program evaluation requires new forms of information support. Essential to its

success is not only new hardware and software but also *people* -- well trained information specialists or analysts who will facilitate access to and use of information tools for prosecutors and other law enforcement personnel. The identification of neighborhood crime problems, for example, requires experience, creativity, and instinct -- which computers by themselves cannot supply. These information specialists will be deployed flexibly to work as members of teams on a project management basis. They will support the work of the Project Focus teams through their knowledge of outside data sources and their ability to design specialized data collection efforts, to integrate external and internal data, and to produce useful and easily understood reports.

Transaction-based information systems such as traditional case tracking systems have served prosecutors well during the past two decades. These systems provide timely and accurate data on individual cases as well as data aggregated at various organizational levels for management purposes. However, the information systems necessary to support Community Prosecution must be able to:

- (1) Support problem identification, program evaluation, and information sharing with external actors, and
- (2) Support these functions at three levels: strategic planning (i.e., assessing long-term trends among multiple jurisdictions), managing organizational resources (i.e., where, how, and when to deploy Project Focus teams), and managing operations (i.e., problem identification at the neighborhood level).

Problem identification requires the ability to analyze crimes and other "incidents" across a wide variety of dimensions. Prosecutors must be able to aggregate and disaggregate, or "slice and dice," data in order to identify crime patterns by: crime type, geographic location, criminal history, relationships among known suspects, etc. In addition, data used by prosecutors increasingly comes from external sources. The computing platform (hardware and software) must therefore permit the ability to manipulate and link data from external sources in different formats with internal information systems. Three key features of the Community-Oriented Information System include:

- (1) Geocoded data -- coding all major databases to permit geographic analysis.
- (2) SQL-based platform -- using Structured Query Language (SQL) database management systems to permit internal and external computer systems running different software to communicate and exchange data easily.
- (3) Flexible structure -- consisting of a core of centralized information augmented by decentralized data collection, analysis, and reporting capabilities.

These three features are central to the design of a wide array of applications incorporated in the Community-Oriented Information System. Described below are several examples:

Intelligence Tracking System (ITS) -- The office has produced a database management system specifically designed to meet the needs of prosecutors and investigators. ITS facilitates data collection and enhances the ability to analyze large quantities of data for patterns which provide insight to crime problems. For example, a database of executed search warrants can be linked to a database maintained by Community Affairs which includes reports by community members of drug trafficking retail locations. Prosecutors can then determine if police have already targeted any of these locations, what evidence was uncovered, and which locations should now be targeted for additional, enhanced enforcement efforts. *Status: Fully operational.*

Mobile Computing -- Portable personal computers with modems and printers which facilitate specialized data collection efforts and provide links to internal systems for staff at off-site locations. The office's senior assistants now use the Homicide Notebook (a portable PC, printer, and modem), designed to assist them in investigating homicides in the field. While working at crime scenes, in neighborhoods, or at police precincts, prosecutors can access the same information systems and services they can access via their desktop PCs. For example, they can dial in to the office's case tracking system from any remote location and verify the current status of any case or group of cases, investigate a suspect's criminal history, and generate search warrants, material witness orders, and many other legal documents quickly and easily. *Status: Fully operational.*

Contact Manager System -- This system is designed to track all contacts made between the office's Community Affairs staff and outside organizations. The Contact Manager System provides a number of useful tools, enabling staff to document contacts, assign and monitor projects and individual tasks, and produce routine activity reports. One of its most outstanding features is its flexibility -- the system is designed to adapt to the changing needs of the unit and of community organizations. *Status: In development -- prototype has been completed and fully operational system is expected in three to six months.*

Program Evaluation/Community Feedback -- Geocoded information systems will permit routine and ad hoc monitoring of crime and case processing trends by geographic area, however defined: precincts, community districts, school districts, or specially chosen "target areas." For example, if a community group identified a new 3-block area as recently inundated by drug dealing, the information system could be easily queried for all arrests and case dispositions originating from that location for the past several years. In addition, all new arrests from this area could be monitored and their current status or dispositions reported back to the community. *Status: In systems planning and analysis phase.*

Executive Information System -- A computerized system that provides executive legal staff with easy access to internal and external information that is relevant to the office's overall objectives. Geocoded data will permit senior managers to review strategic information by geographic location in addition to other variables of interest. For example, the Trial Division Chief might be able to monitor the current status of all homicide cases with the capability of examining information by precinct, community district, or city block as readily as by Trial Bureau or assigned ADA. *Status: In systems planning and analysis phase.*

* * *

As prosecutors seek to be more responsive to the diverse needs of communities within their jurisdictions, they are increasingly in need of more sophisticated and adaptable tools to manage information. Prosecutors must be able to identify problems at the neighborhood level, decide how to deploy limited resources, and evaluate the impact of community-based initiatives. As a result, new forms of information management are required. The New York County District Attorney's Office is dedicated to developing the information tools necessary to meet this challenge.

COMMUNITY JUSTICE: THE AUSTIN EXPERIENCE

by
Ronald Earle
Travis County District Attorney
 Austin, Texas



The Crime Problem

There is a rapidly developing consensus about crime. Those of us who daily deal with criminal behavior are learning what the public probably already knew, that punishment, by itself, does little to change behavior. Typically, persons from high-risk areas who commit crimes in our cities are sent to state prison units in isolated rural areas where they become part of a community of criminals with a support system that reinforces their criminal behavior. Once released, they return to our communities as tougher, angrier, more skillful criminals, graduates of what are, in effect, colleges for crime. They often commit other crimes, are caught again, and are sent through the system again. As a strategy for reducing and controlling crime, this is senseless, dangerous, and expensive, and it works for nobody except those who make a living from the prison industry.

Punishment, or the threat of it, operates as a deterrent mostly to those who are not disposed to commit crimes in the first place. It works well for us, nice folks say; all that is needed for it to work well with criminals and those at risk of criminal behavior is just more of it. It would be nice if it were that simple. All we would have to do would be to make sure we have enough prison space for every offender and see to it that prison was as unpleasant as possible. We've pretty much done that in Texas, at least for now. And the crime rate is down, for now. But it's coming back, because we have done nothing about the conditions that cause crime in the first place.

Dysfunctional families torn by domestic violence and child abuse; substance abuse; economic instability; deteriorating neighborhoods — all are related to and form a negative interdependence with each other and with ethics abuse at the top that trickles down like acid rain. These are the true causes of crime. There is no way to put and keep all the criminals in jail because, just as an untended garden keeps on producing weeds, our eroded communities sprout crop after crop of criminals. The punishment we mete out to any given offender, no matter how severe, has no more effect on his replacement than the fate of one weed has on its successor.

The only way to realistically impact crime is to strengthen the community. That can only be done by rewaving the fabric of community. That fabric consists of family, extended family, neighborhood, school, church, workplace — that matrix of threads carefully woven over the years (centuries, in some cases) that gives meaning to our lives. It is that web of relationships — the ethics infrastructure — that regulates behavior, not the law.

The Concept of Community Justice

Community Justice is an effort to reweave the fabric of community by forging a partnership between local governmental entities, the private sector, and community groups to facilitate the performance by private citizens of the functions that were once performed by the extended family, neighborhood, and school. It consists of a matrix of programs designed to increase cooperation, coordination, and collaboration among and between citizens, their local governments — city, county, and state — and private enterprise. The focus of the programs at the most intense, private, and personal level is the development of the kind of caring relationships between individuals that form the basis of community and which can only happen through the sharing of pain and joy. Such sharing once was part of the warp and woof of community, but as the community's fabric has frayed, the personal sharing of lives has diminished, and the resulting erosion of the quality of our public life is profound. The solution is to replenish our social capital, and that is what we have set out to do.

Government involvement in much of this process is through the Community Justice Council, which consists of ten elected officials, including prosecutors, legislators, city council and school board members, and judges, who formulate the community justice plan for Austin and Travis County. They are advised in this effort by the Community Justice Task Force, which consists of fifteen appointed officials, among whom are the Chief of the Austin Police Department, the Superintendent of the Austin Independent School District, and the directors of the Juvenile and Adult Probation Departments. Connecting these agencies and entities to the community is the Neighborhood Protection Action Committee, which consists of twenty-five citizen activists chosen from the neighborhoods.

Most governmental entities in Austin and Travis County seek to reach out to the community, and many of those efforts, like the Community Justice Center, have sprung from the Community Justice Council planning process. Others, like the Appropriate Punishment Team, the Child Protection Team, the Children's Advocacy Center, and others have risen out of the work of individual agencies, such as the District Attorney's office. Together, they represent an effort to create connections between people by building a loom upon which to reconnect the threads of community.

Goals and Objectives

Crime and other social dysfunctions necessitate intervention by the community acting through its government. Increasingly, however, government is disjointed from itself and from community. People feel more and more isolated from each other and from their government, and as a result take less and less ownership of either social problems or solutions, even though the effects of the problems are gradually destroying our quality of life. Proposed solutions mostly involve doing more of what we've done in the past which we know doesn't work. Crime is a function of dispirited and eroded neighborhoods with little in the way of either social capital or the hope that comes with it. Community Justice is an effort to use the opportunities for intervention provided by crime and related social dysfunctions as tools to begin the process of rebuilding the social capital upon which community is based.

The goal of community justice is to engage the entire community in the effort to rebuild social capital by reweaving the fabric of community. The objectives are: 1) to develop and maintain collaborative and cooperative relationships among and between entities of government; 2) to establish partnerships among coordinated government entities and private enterprise; and, 3) to create opportunities for citizen interaction and involvement with each other, private enterprise, and government entities to address issues of crime and related social dysfunction.

Program Components

Each troubled life that comes through our child protective service agencies, juvenile halls, jails, courts and prisons is a broken thread that we cannot afford to leave hanging. Nor can government directly provide the extensive and intensive caring, tough, personal confrontations, interactions, support networks and sheer human involvements upon which behavior change and recovery seem significantly to depend. Yet every broken thread is an opportunity for those who are affected by that life to connect with it and each other as they come together to deal with the problems presented. Progress toward the goal of rebuilding social capital is evidenced by the number and nature of programs we have developed that bring people together in common effort between government, citizens, and the private sector.

The Community Justice Council of Travis County - A Structural Model For A Community-Wide Response To Crime

Jail and prison overcrowding has resulted in new ideas about what to do with people who commit crimes. Most of these innovations are focused on community-based corrections and involve a change in how we have come to view our criminal justice system.

That is what we call the apparatus we use for protection from crime - the criminal justice system - but it is not really a system. In reality it is a loose-knit collection of independent, autonomous offices, agencies, and individuals each with a separate duty. The public, who pays for it and for whose safety the system exists, has not been directly involved in the system since the days when it was each citizen's duty to mount the watch or ride in posses.

That's changing now, however. We're beginning to realize that maybe our forebears had the right idea when they made protection of the community a team effort. After all, crime comes from community, and community is the place to stop it. This is the idea behind the Community Justice Council.

The mission of the Community Justice Council is to "empower neighborhoods and individual citizens to create and maintain a safe community which cherishes individual freedom." The mission of the Travis County community justice planning process is, in turn, to "increase public safety and reduce crime through coordinated systems of law enforcement, victim services, programs and incarceration for both juveniles and adults. "... in full partnership with the community."

This active partnership is attained through myriad working groups and committees which represent a vertical integration of elected and appointed criminal justice officials, service delivery professionals and private citizens who work together to propose and develop new programs and initiatives, recommend changes to improve existing systems, or both. Utilizing trained facilitators and structured results-oriented work processes, these working groups and committees are generally formed around a specific issue needing attention and are charged with reporting back to the Community Justice Council with proposals for change and action plans for implementation.

Community Justice Pilot Program

The community justice pilot program is the cornerstone of our efforts to holistically and comprehensively address the risk-taking behaviors of low-level drug and property offenders. Its focus is a community corrections facility located adjacent to a high-risk area.

The Community Justice Center initiative seeks to change the status quo by developing innovative and holistic approaches to correcting criminal behavior. We believe this can be achieved by improving and increasing the collaborative efforts between individual citizens, private enterprise, the community, and government to reach high-risk families, youth, offenders, and ex-offenders.

The community justice pilot program began with citizen input. Citizens helped evaluate and select a site for the Center and are involved in assessing the facility design and programming plans. The District Attorney and members of the Commissioners' Court held a series of public hearings to talk about the concept and gain citizen input. Once the site was selected, approximately two dozen individual neighborhood meetings were held to discuss citizen concerns and questions with their county commissioner.

While the center is under construction, over 100 community and private enterprise volunteers are helping county government to develop successful strategies for the transition of offenders from the Center into society. These volunteers are focusing on five major areas: housing, employment, continued substance abuse counseling, life and family skills, and education. These citizens are developing strategies and identifying needed resources to ensure the success of the transition program.

Everybody involved recognizes that in order to realize the full continuum of sanctions and services needed to attempt a reduction in recidivism through radically changing the behavior of

offenders, we must leverage existing community resources – both financial and human. These resources can include in-kind services and contributions from partner agencies as well as volunteers working in a variety of capacities.

Volunteers are key to a successful and gradual transition of offenders into the community. Once offenders are released from the Community Justice Center, continuing correctional support is central to preventing repeat offenses. As public dollars become tighter, we cannot look to government funding alone to support such efforts. If community justice is to succeed, each of us and our institutions – neighborhood centers, churches, schools, employers – has a role to play in reducing recidivism within our community through commitments of our time, talents, and physical and/or programmatic resources.

In developing the initial proposal for the community justice pilot program, the Community Justice Council and Task Force held a joint meeting where each constituent agency was asked to bring to the table any contributions they might be able to make. Over 2 million dollars in in-kind services and 10,000 person hours were proposed.

Community members have already volunteered many hours to this effort through service on working groups and committees developing the concept of the pilot program, selecting the site for the Community Justice Center, developing and reviewing the request for proposals for the facility design and programming components for the Center, presenting letters of support to the state for our pilot program, helping with community education and awareness of the program, and presently by participating on transition teams developing community-based offender transition components in eleven substantive areas of endeavor.

Another crucial volunteer component is that of the faith community. We believe behavioral rehabilitation will not occur without some sort of spiritual change at the person's very core. The local faith community has been and continues to be a highly active and crucial part of our efforts. This is evidenced by the involvement of interdenominational faith coalitions, such as Austin Interfaith, as well as faith-specific leaders such as the Catholic Diocese of Austin and Baptist Ministers Union. Additionally, a group of religious leaders from high-risk crime areas came together almost two years ago to begin discussions with us on developing a spiritual component for the Center. This group has evolved into an interdenominational team that is now working on the spiritual change component for the center.

Appropriate Punishment Team (APT)

The Appropriate Punishment Team (APT) is an interagency program designed to provide quick and suitable punishment recommendations for accused felons incarcerated in the Travis County Jail. The primary goals of the APT program are reduction of future criminal behavior through the recommendation of sentences appropriate to the defendant and crime and reduction in the length of jail time between an offender's arrest and case disposition.

APT provides other benefits beyond these goals such as more complete information on defendants earlier in the justice process, the reduction of grand jury workload, the increased participation of victims of crime, and improved communication and cooperation between county agencies and members of the criminal justice community. It is a collaborative process.

The Appropriate Punishment Team is composed of a sheriff's office jail counselor, a pre-trial services court officer, a community supervision and corrections officer, a secretary, a paralegal, a victim/witness counselor, an assistant district attorney, and a deputy district clerk. Each member performs a unique function within the team, collecting valuable information about the defendant which is later shared at a meeting. The members also bring their individual experience and knowledge within their field of expertise to the meeting. Utilizing this information and insight, a recommendation on punishment is formulated for each defendant with consideration to public safety, his criminal history, and his individualized needs. (Note: See the July 1995 issue of *Texas Probation* for additional information concerning the Appropriate Punishment Team).

SHORT Program

Drug Abuse/Dependency Program

This is a new kind of drug court that treats the offender as an addict rather than as a criminal and strives to reduce drug-law violations by reducing addiction. The judge takes an active, leadership role in treatment. An array of therapeutic approaches and supportive resources (e.g., education and job training) are provided to make the program responsive to a broad range of levels and types of drug addiction. Frequent urinalysis is used to promote the client's self-responsibility. The promise of having the charge dismissed when treatment is successfully completed provides a strong incentive for the client to stick with the program and make the kinds of behavioral changes that lead to a life free of drug addiction and crime.

SHORT is a collaborative effort involving the Austin Police Department; Travis County Jail; Municipal Jail; Pretrial Services, which is the fiscal and programs administrative entity for SHORT; the District Attorney; defense attorneys appointed to the Diversion Court and paid by the District Court; District Judges; the Municipal Court, which provides a courtroom for SHORT; Austin-Travis County Mental Health and Mental Retardation (MHMR) serving as the treatment provider for SHORT; American Institute for Learning and SER Jobs for Progress which can provide GED preparation and job training programs for program participants; and, city, county, and state government entities which provide funding for the program, such as the grant awarded for SHORT by the State's Narcotic Control Program in October 1994.

Juvenile Agency Coordinating Committee (JACC)

In Travis County, as in most jurisdictions, responsibility for responding to juvenile crime and youth development issues is spread among various independent agencies and entities which report to different elected officials or bodies of elected officials. Coordination of effort and the development of collaborative strategies by these agencies are crucial to the provision of an effective system-wide response to juvenile crime.

The Juvenile Agency Coordinating Committee (JACC) is a standing committee of the Community Justice Council established to ensure that juvenile justice policies in the Austin/Travis County area are coordinated and that intervention strategies are developed, implemented and monitored as a system-wide collaboration. JACC promotes community-based juvenile programs

and consists of both elected and appointed representatives of local city, county and state governmental offices, including the school board and the juvenile court. JACC's primary purpose is to provide consistent policy oversight and to coordinate the operations of the agencies involved in the juvenile justice system.

Neighborhood Conference Committees

Because of the increase in the number of crimes being committed by juveniles as well as an increase in the level of violence, communities are being called upon to respond to the problem of juvenile crime in a different manner than in the past.

The neighborhood conference committee is a project that brings the juvenile justice system and neighborhood community members together in a joint effort to resolve problems for certain non-violent juvenile offenders. Travis County Juvenile Court focuses the vast majority of its resources on repeat and serious felony offenders. This results in a lack of timely and meaningful sanctions for minor offenders which in turn contributes to the rising number of repeat offenders. Neighborhood Conference Committees are an innovative alternative to the formal juvenile justice system that sends certain children back to their own neighborhoods for resolution of problem behavior.

The Committee process will involve intervention, contract and follow-up. In this process the juvenile and his or her parents meet with a panel of community members to discuss problem behavior and enter into a contract with the juvenile that outlines a plan for the juvenile to improve his/her conduct. The juvenile is then monitored by a committee member for completion of the contract requirements. Depending on compliance, the case can be closed or referred on for formal juvenile court involvement.

Appropriate Corrections Teams (ACT)

Appropriate Corrections Teams are made up of a prosecutor, police officer, juvenile probation officer, and a citizen volunteer who would collaborate and devise a corrections plan for a first-time juvenile offender.

This program is designed to maximize the probability of rehabilitation at the time of the first offense. The goal of the Team would be to make expeditious and comprehensive recommendations for case disposition, including punishment, treatment, or a combination of the two. The concept would seek to make more consistent, appropriate use of the resources available to juveniles and to deter the juvenile from re-entering the system at a later date. This program would seek to involve the community in the process and provide greater emphasis to the rights of victims and public safety. The sharing of this decision-making also brings together divergent philosophies of police officers, juvenile probation officers, prosecutors, and citizens.

Travis County Child Protection Team

Child abuse is a significant social issue facing our community. In 1994, over 1,300 confirmed cases of abuse and neglect were investigated in Travis County.

The system for dealing with child abuse in Travis County consists of a network of government agencies with distinct individual mandates under the law but whose collective goal is the protection of children. The community, too, has a distinct, pri-

mary interest in the protection of children. The community and the agencies which deal with child abuse are strongly committed to a collaborative approach to the problem in order to avoid the "revictimization" of children by the system itself and to better meet their respective mandates.

This revictimization occurs when the child victim is forced to tell his or her story over and over again to representatives in each agency involved in child abuse investigations. Such interviews often take place in strange and forbidding environments. Revictimization is further aggravated when the agency representatives do not communicate with one another. The child is often left with the feeling that, since the victimization by the system is worse than that which brought them into the system, they made a mistake in telling about the abuse in the first place; or worse still, the child tells of the abuse only to be returned to an abusive situation.

To improve the system's response to children, the community and the agencies which deal with abused and neglected children established the Child Protection Team in 1991. With the formation of this Team, member agencies and the community made their commitment to collaboration a reality and began to work together on a daily basis. Because of this collaboration, children are now better served by the system that was put in place to protect them. The mission of the Travis County Child Protection Team (CPT) is to more effectively protect the children of this community by consolidating the community, investigative, legal and social services provided by the Travis County District Attorney's Office, Travis County Sheriff's Office, Austin Police Department, their respective Victim Services Divisions, the Travis County Children's Advocacy Center and the Texas Department of Protective and Regulatory Services (Child Protective Services) into one collaborative effort.

All of the above entities work together in the same building with the exception of the Children's Advocacy Center staff who work at the Center itself. All referrals concerning children in Travis County come into this location and are cross-referred among agencies. All interviews of children under twelve years of age are conducted at the Center and all the professionals who are assigned to investigate the case go to the Center and meet prior to and during the interview of the child. Much collaboration also occurs at the CPT site between attorneys, law enforcement officers and caseworkers.

This collaborative working arrangement has proven to be very beneficial to the quality of investigations and has led to better joint decisions with regard to child protection and criminal prosecution. Without a doubt, one of the greatest benefits is the removal of barriers between the entities. After working together for only a short time the walls between the agencies came down and the Child Protection Team actually became one organization, not merely a group of its components; it became a synergistic experience where the whole was greater than the sum of its parts.

Travis County Children's Advocacy Center

The Children's Advocacy Center represents the investment of the community in the future of its children. The mission of the Center is to provide the place where members of the community can show their commitment to our children through community

involvement and participation in the intervention, coordination and delivery of services to children. As a non-profit, facility-based community organization governed by an independent Board of Directors, the Center provides the voice of the community in its efforts to protect children.

The facility serves as a neutral, child-friendly environment for interviewing children about abuse or neglect. Through collaboration with other Child Protection Team members, the Center seeks to prevent the re-victimization of the child by the system by minimizing the trauma surrounding the interview and reducing the number of times a child must be interviewed. Advocacy Center counselors conduct forensic interviews of child victims or witnesses.

The Center also provides counseling and support services, information and referral for services to families, volunteer services, community education and advocacy for children. The Center is currently providing a place where medical exams, treatment and referrals for follow-up care are provided to victims by specialists. Responsibilities also include facilitating joint investigations and interviews among member agencies, coordinating multi-disciplinary case staffings, assisting with multi-disciplinary training, and providing case review, case follow-up and case tracking. The Center also provides a Court School program to assist parents and children who are involved in the court system. The Children's Advocacy Center is a full member of the Child Protection Team and collaborates with other members of the Team as the community representative.

Travis County Child Death Review Team

The Travis County Child Death Review Team is a multi-disciplinary panel of professionals including police officers, prosecutors, social workers, and medical personnel who come together to review all deaths of children under 18 occurring in Travis County. Its purpose is to improve communication among all professionals who may be involved or have an interest in how children are dying in the community in order to improve investigations, child protection and prosecution, and help identify preventable child deaths so that appropriate measures can be taken within the community.

The Travis County Team meets for two hours at the Children's Advocacy Center every other month and reviews deaths that occurred over a specified two month period. The case list for review is mailed out before each review and Team members bring all records they have on that child to the review meeting. Information on the child and family is shared and discussed at the meeting.

The Child Death Review Team addresses public education in the area of preventable child deaths. For example, through our reviews, it was determined that a large number of children in Travis County were dying as a result of automobile accidents where no safety belts were used. This data caused the Team to launch a public campaign to educate parents and caretakers about the importance of the use of safety belts. The Team, in conjunction with the Travis County Children's Advocacy Center, put together a public service announcement to address child fatalities from automobile accidents.

Through the sharing of information and expertise, this Team is uniquely qualified to understand what no single agency or

group working alone can: how and why children are dying in their community.

Expected Results and Performance Measures

The expected result of these myriad efforts is an increase in the level of public safety as a result of the rebuilding of our social capital. Each program component tracks unique measures to monitor performance against its own stated goals and objectives. The most commonly used measure among components is a reduction in the level of recidivism, which is subject to diverse and often conflicting interpretations. The Community Justice Council is working to define more global performance measures that will allow us to judge the balance, comprehensiveness, and efficacy of the community justice model. For example, the involvement of more citizens in matters of local concern increases the connections between people, which raises the public's perception of safety, which in turn makes safer neighborhoods. Comprehensive community justice does not lend itself to traditional measures of "success" as used in the criminal justice arena.

The Community Justice Council is embarking on a unique exercise to devise more effective measures for the community justice continuum as a whole. We hope to develop a road map that allows flexibility in adapting to changing circumstances and environments, assesses the efficacy of programs in terms of the goal of community justice, including an increased feeling of public safety in the community, and provides us with a strategic and reasonable direction as a community for years to come.

Successes and Accomplishments

The result of our efforts is a growing inclusion of community into a collaborative criminal justice process. These efforts have paid off for our community with the following accomplishments:

- From 1993 to 1994, our overall crime rate declined 19% in Austin and Travis County, a more dramatic decline than any other city in Texas or the United States.
- The development of an infrastructure for citizen participation in criminal justice processes, including a training course for lay citizens on criminal justice issues.
- Sponsorship of a series of community forums to hear citizens' concerns about neighborhood crime, which spawned the development and implementation of a neighborhood cleanup program utilizing adult and juvenile probationers in partnership with community groups.
- Development and implementation of a drug diversion court for Travis County, called the SHORT program.
- Development and implementation of a process for more efficient case management of offenders with mental impairments.
- Development and implementation of a request for proposal ("RFP") and a review process for requests submitted by entities for funding of community corrections programs through the local community justice plan.
- Co-sponsorship of a year long television series on the community's response to juvenile crime with the local PBS affiliate, utilizing a deliberative discussion model featuring lay citizens.

- Participation in the Austin/Travis County Community Task Group on Curfew Options, a grass-roots project aimed at developing neighborhood-based prevention and sanctioning options for curfew violators.
- Development of recommendations for improvements in the local juvenile justice system.
- Ongoing development and implementation of correctional systems, law enforcement and judicial components to the city's graffiti abatement program.
- Responding on a continuous basis to local, state and national requests for provision of technical assistance and training on collaborative community organization and mobilization models in community justice.
- Leading the effort to amend legislation mandating the addition of a victims' rights advocate to community justice task forces across the state.
- Attaining designation of Travis County by the State as the site for a community justice pilot program, utilizing our new state jail facility for the cornerstone of the pilot, the Community Justice Center.

In addition, our Community Justice Council serves as a model for other counties in Texas. No other council is as active or inclusive as Travis County. We continually have an average of about 26 community-based groups working on various issues that will ultimately reweave the fabric of our society.

We are pioneering the collaboration between juvenile and adult systems to more effectively deal with rising juvenile crime. Rather than differentiating between the two, we see our juvenile and adult systems as one seamless system responding to the one community problem of crime.

Implementation Issues

The implementation of community justice has presented our Community Justice Council with unique issues. Clearly, resources are an issue with any new initiative, as they are with any traditional response to crime. However, we have sought to leverage the resources of the community through in-kind contributions and volunteer time.

A second issue we have faced has been the buy-in to the process of all key stakeholders. Most are elected officials with their own, but overlapping, constituencies. While all key stakeholders are on board with the process, we continue to seek ways to balance the accountability of elected officials and funding responsibilities among jurisdictions such as the school district, the state, the city, and the county.

Conclusion

We are beginning to see signs of other communities wanting to replicate our Community Justice Council structure. Such replication requires the buy-in of key stakeholders coupled with an investment of resources at the front end. Despite these challenges, we have managed to achieve an initial level of collaboration and cooperation between government, private enterprise, and community primarily within existing resources. The stakes are high in this effort; they amount to the level of domestic tranquility we will pass on to our children. We believe the pay-off in the long run will far outweigh any costs up front.

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TO: Mary Smith
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CC:

REMARKS: Urgent For your review Reply ASAP Please Comment

Mary, the following pages describe some of the most developed community prosecution efforts established in the US. I am also including a short article that is about to be published in "State Government". Call me if you need any additional information. Heika

Jam. I need
this faxed
ASAP to the
White House

MEMORANDUM

TO: TOM FREEDMAN

FROM: MARY L. SMITH

RE: COMMUNITY PROSECUTORS

DATE: JUNE 3, 1997

gosh Lee Ann

SUMMARY

Instead of locating prosecutors in a centralized, downtown office, prosecutors are stationed in specific neighborhoods to work with the residents to deal with crime issues in innovative ways. Rep. Rod Blagojevich (D-IL) has introduced H.R. 863 entitled the "The Community Prosecutor Act of 1997" which would create a \$10 million national pilot program to fund "community prosecutors." [Chicago Tribune, 2/9/97 & H.R. 863]

COMMUNITY PROSECUTORS

Community prosecutors are assigned to specific areas in communities in order to work with police and civic groups to deter crime. Community prosecutors work on any case that arises in their assigned area rather than on a specific type of case such as homicides. Because they are involved in all aspects of crime in one geographic area, these prosecutors are able to understand the fabric and overall makeup of the community better. These prosecutors also focus more on preventing crime than traditional prosecutors. They may work with community groups in order to implement innovative strategies to address community crime problems like graffiti.

STATISTICS AND SUCCESS STORIES

- **Boston:** Residents and merchants see an improved quality of life and feel safer on the streets. Since community prosecution began in East Boston three years ago, the overall crime rate has dropped 25%, car thefts are down 52%, and prostitution is down 80%. Prosecution rates are up -- close to 90% of offenders arrested through East Boston Safe Neighborhood Initiative Activities (SNI) in 1996 were prosecuted. Through the Community-Based Juvenile Justice Program, other prosecutors lead discussions with middle and high school officials to identify and assist at-risk youths. [Boston Herald, 2/23/97 & ABC World News Tonight, 5/08/97]
- **Howard County, MD:** Residents have seen results with improvements such as clearing a vacant lot of drinking and drug dealing by declaring it as "open space," meaning it had to close at 10 p.m. [Washington Post, 5/04/97]

- **Washington, D.C.:** In Northeast Washington, U.S. Attorney Eric H. Holder, Jr., set up a community prosecution pilot program last year. Cases have ranged from serious crimes such as murder to nuisances such as abandoned automobiles and rat infestation. In one neighborhood, prosecutors cracked down on youths shooting at one another by charging some of the youths but also by bringing in their mothers for a stern lecture.

RELATION TO COMMUNITY POLICING

Community prosecution is sometimes adopted as an adjunct to community policing (as in New York City), and sometimes by itself (as in Portland, Oregon, and Austin, Texas).

LOCATIONS OF COMMUNITY PROSECUTORS

- Austin, TX
- Boston, MA
- Brooklyn, NY
- Cambridge, MA
- Chicago, IL
- Denver, CO
- Howard County, MD
- Indianapolis, IN.
- Kansas City, MO
- Milwaukee, WI
- New York, NY
- Portland, OR
- Washington, D.C.

Chicago Tribune

February 9, 1997 Sunday, CHICAGOLAND FINAL EDITION

SECTION: METRO CHICAGO; Pg. 3; ZONE: C; D.C. Journal.

LENGTH: 811 words

HEADLINE: BLAGOJEVICH TAGS 'COMMUNITY PROSECUTING' AS ANTI-CRIME WEAPON

BYLINE: By Mike Dorning and Mary Jacoby, Washington Bureau.

DATELINE: WASHINGTON

BODY:

Chicago's Rod Blagojevich may be building a political career on spray paint.

The Chicago Democrat is beginning his freshman congressional term by returning to the same issue he says occasioned his first meeting with Ald. Dick Mell (33rd), his future father-in-law and political sponsor.

That's graffiti.

Turns out that when Blagojevich was a young prosecutor in the Cook County state's attorney's office, Mell came to that office to make sure Blagojevich and the other prosecutors took seriously graffiti-painting incidents in the 33rd Ward.

Blagojevich says he did..And, apparently, he still does.

The congressman is now working on legislation for a \$10 million national pilot program to fund "community prosecutors" who would be based in neighborhoods and devote themselves to prosecution of "quality of life" crimes (graffiti, for example).

Blagojevich calls it "the prosecution equivalent of community policing."

The idea is for prosecutors stationed within neighborhoods to work with residents to target minor nuisances that disrupt the community.

It draws on the recent fashion in the law enforcement community to focus on the "broken windows" phenomenon: Just as unrepaired broken windows on a building tend to draw further acts of vandalism, undeterred acts of petty crime create a disorderly atmosphere that fosters more dangerous criminal acts.

Two Harvard University academics wrote an influential article pointing this out during the early 1980s--just about the same time Ald. Mell, sans Ph.D., was lecturing the young prosecutors.

Bill Tracking Report

105th Congress
1st Session

U. S. House of Representatives

HR 863

1997 Bill Tracking H.R. 863; 105 Bill Tracking H.R. 863

COMMUNITY PROSECUTOR ACT OF 1997

<=1> Retrieve full text version

DATE-INTRO: February 27, 1997

LAST-ACTION-DATE: April 29, 1997

STATUS: Referred to committee

SPONSOR: Representative Rod Blagojevich D-IL

TOTAL-COSPONSORS: 7 Cosponsors: 7 Democrats / 0 Republicans

SYNOPSIS: A bill to establish or expand existing community prosecution program.

ACTIONS: Committee Referrals:
02/27/97 House Judiciary Committee

Legislative Chronology:

1st Session Activity:

02/27/97 143 Cong Rec H 699 Referred to the House Judiciary Committee
04/29/97 143 Cong Rec H 1988 Cosponsor(s) added

BILL-DIGEST: (from the CONGRESSIONAL RESEARCH SERVICE)

Short title as introduced :

Community Prosecutor Act of 1997

CRS Index Terms:

Criminal justice
Budgets
Citizen participation in crime prevention
Community organization
Crime prevention
Evaluation research (Social action programs)
Federal aid to law enforcement agencies
Government information
Government paperwork
Prosecution
Social services

CO-SPONSORS:

Added 04/29/97:

Delahunt D-MA
McGovern D-MA
Yates D-IL

Kind D-WI
Underwood D-GU

Lipinski D-IL
Weygand D-RI

FULL TEXT OF BILLS

105TH CONGRESS; 1ST SESSION
IN THE HOUSE OF REPRESENTATIVES
AS INTRODUCED IN THE HOUSE

H. R. 863

1997 H.R. 863; 105 H.R. 863

<=1> Retrieve Bill Tracking Report

SYNOPSIS:

A BILL To establish or expand existing community prosecution programs.

DATE OF INTRODUCTION: FEBRUARY 27, 1997

DATE OF VERSION: MARCH 3, 1997 -- VERSION: 1

SPONSOR(S):

Mr. BLAGOJEVICH introduced the following bill; which was referred to the
Committee on the Judiciary

TEXT:

* Be it enacted by the Senate and House of Representatives of the United*

States of America in Congress assembled,

SECTION 1. SHORT TITLE:

This Act may be cited as the "Community Prosecutor Act of 1997".

SEC. 2. GRANT AUTHORIZATION.

(a) IN GENERAL.-THE ATTORNEY GENERAL MAY MAKE GRANTS TO STATE ATTORNEYS GENERAL, PROSECUTORS, UNITS OF LOCAL GOVERNMENT, AND INDIAN TRIBAL PROSECUTORS TO ESTABLISH OR EXPAND EXISTING COMMUNITY PROSECUTION PROGRAMS, INCLUDING HIRING AND TRAINING PROSECUTORS FOR SUCH PROGRAMS.

(B) EQUITABLE DISTRIBUTION.-THE ATTORNEY GENERAL SHOULD ENSURE, TO THE EXTENT POSSIBLE, THAT GRANTS AWARDED UNDER THIS ACT ARE DISTRIBUTED EQUITABLY BETWEEN URBAN AND RURAL COMMUNITIES.

SEC. 3. ELIGIBILITY.

(a) IN GENERAL.-TO BE ELIGIBLE TO RECEIVE A GRANT UNDER THIS ACT, STATE ATTORNEYS GENERAL, PROSECUTORS, UNITS OF LOCAL GOVERNMENT AND INDIAN TRIBAL PROSECUTORS MAY APPLY FOR AN AWARD TO ESTABLISH OR

CONTINUE EXISTING COMMUNITY-ORIENTED PROSECUTION PROGRAMS.

(B) APPLICATION.-TO APPLY FOR A GRANT, AN INTERESTED ELIGIBLE ENTITY SHALL SUBMIT AN APPLICATION TO THE ATTORNEY GENERAL IN SUCH FORM AS THE ATTORNEY GENERAL SHALL PRESCRIBE BY REGULATIONS OR GUIDELINES.

(C) CONTENTS.-EACH APPLICATION SHALL INCLUDE THE FOLLOWING:

(1) THE OBJECTIVES, AND NEED, INCLUDING PUBLIC SAFETY, FOR A GRANT AWARD.

(2) A LONG-TERM STRATEGY AND DETAILED IMPLEMENTATION PLAN.

(3) CERTIFICATION OF COORDINATION AND SPECIFIC COMMITMENTS BY THE COMMUNITY TO BE SERVED BY THE GRANT TO PARTICIPATE IN A PROGRAM DESCRIBED UNDER PARAGRAPH (2).

(4) A DESCRIPTION OF THE GEOGRAPHICAL AREA TO BE SERVED.

(5) IDENTIFICATION OF RELATED INITIATIVES WHICH WILL COMPLEMENT OR BE COORDINATED WITH A PROGRAM FUNDED UNDER THIS ACT.

(6) AN ASSURANCE THAT FUNDS RECEIVED UNDER THIS ACT WILL BE USED TO SUPPLEMENT NOT SUPPLANT OTHER FEDERAL FUNDS.

SEC. 4. USES OF FUNDS.

(a) IN GENERAL.-FUNDS PROVIDED UNDER THIS ACT MAY BE USED TO HIRE STAFF, PROCURE EQUIPMENT, TECHNOLOGY, AND SUPPORT SYSTEMS OR PAY OVERTIME IN THE ESTABLISHMENT OF COMMUNITY-ORIENTED PROSECUTION PROGRAMS IF THE ELIGIBLE ENTITY CAN DEMONSTRATE TO THE SATISFACTION OF THE ATTORNEY GENERAL THAT THE EXPENDITURES WOULD RESULT IN A SUCCESSFUL REDUCTION IN CRIME.

(B) LOCAL MATCH.-THE FEDERAL SHARE OF A GRANT MADE UNDER THIS ACT MAY NOT EXCEED 75 PERCENT OF THE TOTAL COSTS OF THE PROGRAM DESCRIBED IN THE APPLICATION SUBMITTED PURSUANT TO SECTION 3(B). THE ATTORNEY GENERAL MAY WAIVE, IN WHOLE OR IN PART, THE REQUIREMENT OF A MATCHING CONTRIBUTION AND MAY CONSIDER IN-KIND CONTRIBUTIONS, FAIRLY VALUED, IN LIEU OF THE LOCAL MATCHING REQUIREMENT. SEC. 5. EVALUATIONS.

(a) IN GENERAL.-EACH PROGRAM OR PROJECT FUNDED UNDER THIS ACT SHALL CONTAIN A MONITORING COMPONENT DEVELOPED PURSUANT TO GUIDELINES ESTABLISHED BY THE ATTORNEY GENERAL, INCLUDING THE IDENTIFICATION AND COLLECTION OF DATA REGARDING THE ACTIVITIES AND ACCOMPLISHMENTS OF THE PROGRAM OVER THE LIFE OF THE GRANT AWARD. THE ATTORNEY GENERAL MAY REQUIRE GRANT RECIPIENTS TO SUBMIT WRITTEN REPORTS WHICH DESCRIBE THE MONITORING PROCESS AND EVALUATION RESULTS.

(B) INFORMATION ACCESS.-THE ATTORNEY GENERAL SHALL HAVE ACCESS TO ANY PERTINENT DOCUMENTS OR RECORDS RELATING TO THE PROGRAM FOR THE PURPOSES OF EVALUATION AND AUDIT.

(C) REVOCATION OR SUSPENSION.-IF THE ATTORNEY GENERAL DETERMINES, AS A RESULT OF THE REVIEWS DESCRIBED IN THIS SECTION, THAT A GRANT RECIPIENT IS NOT IN SUBSTANTIAL COMPLIANCE WITH THE TERMS AND REQUIREMENTS DESCRIBED IN THIS ACT, OR WITH THE REGULATIONS ISSUED BY THE ATTORNEY GENERAL, THE ATTORNEY GENERAL MAY REVOKE OR SUSPEND GRANT FUNDING, IN WHOLE OR IN PART AFTER OPPORTUNITY FOR A HEARING.

SEC. 6. STUDY.

Not more than one percent of the funds appropriated to carry out this Act shall be directed to the Attorney General to finance a study evaluating grants made under this Act. At a minimum, this study shall include the following:

- (1) The number of grant awards made and the amount of each grant.
- (2) The recipients of grants, including the communities in which they are based.
- (3) The purposes for which the grants were awarded and used.
- (4) An evaluation of the achievement of each recipient's stated goals and objectives.
- (5) An assessment of the effect the program had in encouraging and supporting coordinated community action against crime.
- (6) Specific recommendations for further funding for each grant recipient.
- (7) Specific recommendations for future operations of the grant program and its guidelines.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act \$10,000,000 for fiscal year 1998 and such sums as may be necessary for each of fiscal years 1999 through 2002.

The Boston Herald

February 23, 1997 Sunday FIRST EDITION

SECTION: EDITORIAL; Pg. 023

LENGTH: 1099 words

HEADLINE: Prosecutors play hardball - With citizens, police and courts working together, crime drops dramatically

BYLINE: By Catherine Coles and George L. Kelling

BODY:

Crime levels are dropping in Boston at a remarkable rate. The reductions in violent juvenile crime since 1990 (juvenile homicides down 80 percent) and during 1996 (no firearm murders of juveniles) are stunning achievements. The Police Department is deservedly receiving praise for its creative efforts, all the more noteworthy when only four years ago the St. Clair Commission excoriated the department for its inability to plan and implement community policing.

Yet more is happening in Boston than dramatic changes in policing: A parallel, if unrecognized, revolution is taking place in prosecution.

On a May 1995 weekend, when police undertook the first so-called zero tolerance sweep against prostitution, public drinking, disorderly conduct and quality of life crimes in East Boston's Safe Neighborhood Initiative, Assistant District Attorney David Coffey was there. Coffey had worked with citizens and police for months to plan the initiative - with the district court presiding judge to handle anticipated arrests - and was committed to prosecuting the resulting cases.

About 50 arrests were made. By Sunday, police were picking up word on the streets - offenders knew something was happening and were lying low. And the police were amazed that Coffey had worked alongside them on Friday and Saturday nights, not just in the courtroom but on the streets and in the station.

Coffey is not alone. Other prosecutors are moving out of their offices and courtrooms, into the streets of Dorchester, Roxbury and Chelsea, to collaborate with citizens, to address local priorities and problems. Adopting a problem-solving orientation - rather than concentrating solely on processing cases involving crimes already committed - represents a return to an earlier historical era for American prosecution.

Historian Allen Steinberg provides rich accounts of 19th-century century

private prosecution in which poor and working-class citizens turned to prosecution to settle disputes, maintain order and protect themselves, bringing to the criminal courts their disputes over everything large and small - noisy nuisance charges between tenants, disorderly conduct, the dissolution of business contracts, larceny, and assault and battery.

During the second half of the 19th century, with the creation of professional police forces and their broad powers of arrest, state prosecutors assumed increasing responsibility for dealing with the cases brought to them by the police. Citizens began to lose direct access to criminal justice processes - a trend that grew stronger during the 20th century, with greater professionalization in the roles of police and prosecutors.

Today the watchword is "community prosecution." Taking its cue from citizens themselves, and from community policing, community prosecution emphasizes crime prevention as well as enforcement, and quality of life issues in addition to violent crime. Community prosecutors lead in building coalitions with police, other criminal justice agencies, elected officials, community organizations, local businesses, schools, churches and residents - and then work as part of a team to develop strategies, identify and obtain resources, and assume joint responsibility for improving public safety.

Most use problem solving to aggressively prosecute habitual and violent offenders, while forming community-based partnerships to develop diversion, treatment, mediation, and community service or restitution options in which both offenders and the community are better served by rehabilitation or swift punishment than they are by incarceration.

In Boston, Suffolk County District Attorney Ralph Martin and Massachusetts Attorney General Scott Harshbarger have created several Safe Neighborhood Initiatives, placing prosecutors such as David Coffey in target neighborhoods where they get to know residents and crime problems. They meet with crime watch groups, neighborhood associations and citizen advisory councils. They prosecute cases from the area and, along with citizens, police, corrections and probation officials, plan law enforcement and other efforts to prevent or reduce crime - from sting operations to mediation, elderly safety education, youth activities, alcohol abuse programs and a host of others.

The results are convincing: Residents and merchants see an improved quality of life on streets they feel are safer, and crime has decreased significantly (down 18 percent in East Boston in 1996). Prosecution rates are up - close to 90 percent of offenders arrested through East Boston SNI activities in 1996 were prosecuted.

Through the Community Based Juvenile Justice Program, other prosecutors lead discussions with middle and high school officials to identify and assist youth

at risk to themselves; in the courtroom they prosecute more resistant juvenile offenders to protect other students and the community. Upcoming plans call for placing assistant district attorneys directly in neighborhood police stations around the city to coordinate their activities closely with police.

Community prosecution is producing important outcomes nationwide. In Austin, Texas; Kansas City, Mo.; Indianapolis, Ind.; and Portland, Ore., it is helping to reverse the alienation of citizens from criminal justice processes, rebuilding a sense of responsibility and involvement for maintaining safety in their own neighborhoods - a change that in the long run is likely to do more for our cities than any actions by police or prosecutors.

Prosecutors are affecting crime rates and the quality of life in their communities. They possess legal knowledge required by police and citizens. They have access to judges and courts, and carry the ball beyond the arrest stage, prosecuting low-level offenses and violent crimes. Because they are elected, prosecutors are the only criminal justice officials directly accountable to the public. Without prosecutors on board, reductions in crime around the country cannot be sustained; with their leadership, we may not yet have seen the full extent of what can be achieved to restore order and reduce crime in our neighborhoods.

Catherine Coles and George Kelling, co-authors of "Fixing Broken Windows," are completing a National Institute of Justice study of community-based prosecution and policing in Boston, Austin, Kansas City and Indianapolis. Coles is an urban anthropologist, lawyer and research associate at the Kennedy School of Government, Harvard University. Kelling is professor of criminal justice at Rutgers University and a research fellow at the Kennedy School.

LOAD-DATE: February 26, 1997

ABC NEWS

SHOW: WORLD NEWS TONIGHT WITH PETER JENNINGS (6:30 pm ET)

MAY 8, 1997

Transcript # 97050807-j04

TYPE: PACKAGE

SECTION: NEWS

LENGTH: 688 words

HEADLINE: SOLUTIONS

BYLINE: JAMES WALKER, PETER JENNINGS

HIGHLIGHT:
NEIGHBORHOOD PROSECUTOR TACKLES CITIZENS COMPLAINTS

BODY:

ANNOUNCER: World News Tonight with Peter Jennings continues. Now, "Solutions."

PETER JENNINGS: Our focus tonight is on crime. The big story lately has been that the crime rate in many cities has been going down. Some of the credit goes to a change in the way police are operating, going back to the way police used to do their jobs -- walking a beat, spending real time in neighborhoods, becoming a part of it in essence.

Tonight, ABC's James Walker reports on a community which has taken that personal approach one step further.

JAMES WALKER, ABC News: (voice-over) East Boston has a very unusual tool for fighting crime -- its own neighborhood prosecutor, John Pappas (ph).

JOHN PAPPAS, Prosecutor: He's being held on \$20,000 cash bail.

JAMES WALKER: (voice-over) He meets regularly with citizens groups to hear their concerns, not so much about major crimes but what affects them every day, like graffiti, loitering or underaged drinking.

EAST BOSTON CITIZEN: I know that he is past. You could stand right out in the square here and just watch him walk by carrying the cases of liquor.

JAMES WALKER: (voice-over) Pappas takes the citizens complaints to a special

task force of local judges and police who develop an immediate strategy to solve their concerns.

POLICE DETECTIVE: There he goes.

JAMES WALKER: (voice-over) And detectives follow up with a sting operation, sending a 20-year-old police cadet into East Boston's liquor stores.

POLICE DETECTIVE: It's a score. He's underaged. You failed to check his identification to see the correct age.

JAMES WALKER: (voice-over) In addition to issuing the usual summons, police will also file a criminal complaint, and the prosecutor will give it extra attention. In court, prosecutor Pappas consistently reflects the community's priorities. For example, a small marijuana case -- too small to keep the defendant in jail until he's tried. But Pappas gets him out of the community immediately.

JOHN PAPPAS: I wanted to ask that he stay away from that area for the pendency of this case, Your Honor.

JUDGE: A condition of your release, sir, you will remain away from that particular area where you were arrested.

CATHERINE COLES, Harvard University: You can see immediate problems being solved. You know, a single, troublesome individual gotten off the street, out of the neighborhood due to the combined efforts of prosecutors and citizens and police all working together.

JAMES WALKER: (on camera) The idea of vigorously prosecuting so-called quality of life crimes such as public intoxication or loitering is just starting to be adopted by prosecutors across the country. What they are realizing is that by addressing residents' complaints, they not only build a partnership with communities, they also stop small crimes before they turn into more serious offenses.

(voice-over) Since this partnership again in East Boston three years ago, the overall crime rate has dropped 25 percent. Car thefts are down 52 percent; drugs, 56 percent; and prostitution, a stunning 80 percent.

FRAN RILEY, East Boston Resident: You can walk our streets now. It's safe. I can out with my granddaughter now, you know, walk around, whereas a couple of years back, it was getting kind of nasty.

MARTIN COUGHLIN, East Boston Resident: You don't see a drug dealer around. You can look around. There's nobody here.

JAMES WALKER: (voice-over) Neighbors point with pride to East Boston's central square. A few years ago, it was a haven for drunks and drug dealers. Now, it again belongs to the people. James Walker, ABC News, East Boston, Massachusetts.

PETER JENNINGS: This concept is still pretty new. But several other cities are trying it, including Kansas City, Indianapolis, Portland, Oregon, and Austin; Texas.

The Washington Post

May 04, 1997, Sunday, Final Edition

SECTION: METRO; Pg. B01

LENGTH: 1059 words

HEADLINE: Howard County Seeks to Erase Graffiti, Other Quality-of-Life Crimes

BYLINE: Fern Shen, Washington Post Staff Writer

BODY:

Someone had spray-painted the letters "SPC" all over a convenience store in the suburban Howard County community of Columbia. Big deal. It's the kind of obnoxious-but-low-level crime that is usually handled in District Court, along with minor traffic infractions.

But the alleged graffiti writer was linked to other graffiti -- on a high school scoreboard, highway overpasses, an 18-wheeler. His home was searched. Evidence was seized. SPC was said to stand for "Satan's Perfect Child." Christopher Falk, 23, of Columbia, was arrested and charged with 16 counts of malicious destruction. This month, he faces a jury trial in Circuit Court. Why the tough treatment?

Because the crime is precisely the kind of quality-of-life diminisher targeted by the "community justice" program, established last year by the state's attorney's office in Howard County and by an increasing number of prosecutors nationwide.

Those prosecutors focus on crimes that "really stick in people's craws," said Sang W. Oh, a prosecutor in the Howard County state's attorney's office.

Such programs have been criticized by defense attorneys as overkill, showy public relations gestures that divert resources from serious crimes.

"Why don't they concentrate on rapes and murders?" said Falk's attorney, William Hale, of Silver Spring. "They acted like the Gestapo; they treated him like a war criminal. It's ridiculous."

But petty crimes are not so easily dismissed by the people victimized by them, said Oh, one of two assistant state's attorneys assigned to the new Howard County program.

"I don't know any one of my neighbors who have been raped or murdered, but I

know plenty whose mailboxes got run over, who had sleds stolen from the backyard or whose cars got hit by kids who were drinking," Oh said.

Modeled after the community policing concept and often referred to as "community prosecution," the programs place prosecutors in neighborhoods to listen to residents' complaints about vandalism, threatening behavior, small-time drug trafficking, petty theft and similar crimes.

"This is how prosecutors will work with communities in the future," said State's Attorney Marna McLendon (R), who initiated the program on a pilot basis in two Columbia villages, Harper's Choice and Wilde Lake.

Prosecutors have been logging long hours at neighborhood meetings and in the schools, because juveniles are involved in many of the crimes they confront.

Similar programs have been established in the District; Chicago; New York; Kansas City, Mo.; Cambridge, Mass., and many other cities, where residents and law enforcement officials have struggled to find a more effective way to combat "nuisance crimes."

"What you're seeing is the prosecutors redefining their roles a little bit, so that they're not just responsible for responding to crimes, for processing cases, but more for preventing crime," said Heike Gramcow, director of management and program development for the American Prosecutors' Research Institute, the research arm of the National District Attorneys Association.

The prosecutors who run a six-year-old program in Portland, Ore., say the community has seen results as they closed crack houses and helped neighborhoods get the speed bumps they wanted.

In Northeast Washington, where U.S. Attorney Eric H. Holder Jr. set up a community prosecution pilot program last year, cases have run the gamut from serious crimes, such as murders in particular neighborhoods, to nuisances, such as abandoned automobiles and rat infestation.

"We're trying to be there for people, but also to give people a sense [of], 'This is your neighborhood; you've got to tell us what's going on,'" said Brenda Johnson, deputy chief of the District's community prosecution section.

In a neighborhood plagued by youths shooting at each other, prosecutors cracked down, partly by charging some of the youths but also by bringing in their mothers for a stern lecture, Johnson said. In another instance, Johnson recalled, she helped an elderly woman complaining about a trashed-filled lot by calling up the property owner and lambasting her for her negligence.

"We do a lot of that -- shaming people into doing right," Johnson said.

In the same way, Oh, in Howard County, is looking for a low-key but more effective way to deal with a knife-carrying homeless man who has been intimidating shoppers at one of the village centers.

"My first move will be to try and get the liquor store there to stop selling him liquor. If he doesn't stop, I could get the other merchants there to lean on him," Oh said. Prosecutors also might also seek addiction services for the man or get his family involved, Oh said.

Columbia residents came up with a solution themselves in the case of a vacant lot where people were gathering to drink and deal drugs: They circulated a petition to have the lot legally designated as "open space," meaning it had to close at 10 p.m. Oh researched the procedure in the law books and pushed their proposal through all the necessary agencies. Now police can force people off the lot after hours and ticket violators.

"Being in the position I was," Oh said, "I could grease the skids."

Oh's efforts in the graffiti case, however, seem overly harsh to Christopher Falk's relatives, who say the county is making him "a scapegoat."

"They decided to add all the graffiti in Columbia to his case," said Falk's mother, Geraldine Falk, whose son lives with her. "I don't even know if he did it or not. But do they really have to go to such an extent for something so minor? I think they just don't have enough to do."

Oh, however, said his efforts are meant to send "a strong message of deterrence."

"We want it understood this [graffiti] will not be tolerated," he said. "That's a sentiment that I got loud and clear from the community."

Ordinarily, such a case would have remained in District Court, Oh said, where an offender probably would receive a suspended sentence or probation before judgment, meaning the person would not have a criminal record.

Oh, however, plans to seek sizable restitution and some "more appropriate punishment."

"The things I'm hearing people talk about are old-fashioned punishments, like making the person go out and repaint where they'd painted," Oh said. "I like the sound of that."

LANGUAGE: ENGLISH

LOAD-DATE: May 04, 1997

Seeking to Make Them Safer, Prosecutors Hit the Streets in NE

By Bill Miller
Washington Post Staff Writer

A small team of prosecutors is spending as much time in the community as in the courtroom, working with neighborhood residents in Northeast Washington to target car thieves, drug dealers and owners of long-abandoned buildings.

The 19 lawyers are part of a community prosecution effort begun last year in the D.C. police department's 5th District, a pilot program in which the prosecutors deal with everything from serious crime to nuisance complaints. Although no one is calling it a

cure for crime, their work is winning praise from neighborhood leaders.

"I think it has a lot of potential," said Sally Byington, a Capitol Hill resident and community activist. "I hope it gets to continue to be a city model."

Former U.S. attorney Eric H. Holder Jr., who left office six weeks ago to become deputy U.S. attorney general, launched the program amid much fanfare 16 months ago as a way to bring his lawyers closer to the people they represent. It was patterned after similar ventures in Portland, Ore., and other cities.

Holder said he hoped eventually to expand the program into all police districts. Interim

U.S. Attorney Mary Lou Leary has asked Congress to provide \$5.8 million for 39 additional lawyers and 35 support staff to handle community prosecutions citywide.

"Our core mission still is successful prosecution. We haven't lost sight of that," Leary said. "But prosecutors also welcome the opportunity to interact more with the community, to work on the prevention end and be out front."

The 5th District, a bustling area with about 100,000 residents, long has been plagued by homicides, robberies and other crimes. Prosecutors have continued to give priority to those cases. But in the last year, they also

have given more attention to the conditions that make some neighborhoods more vulnerable to crime: abandoned houses, broken street lights, vandalism and loitering. They've worked with neighbors, police and various city agencies.

"Stolen cars, abandoned cars, vacant houses where people are using drugs, trash problems, general criminal complaints. It's a totally different job," said Assistant U.S. Attorney Denise M. Abrahams. "It's been very rewarding. After getting a house boarded up, you have people calling and saying thank you. To them, it's a major improvement in their quality of life."

Abrahams works out of a satellite office at the 5th District station, in the 1800 block of Bladensburg Road NE, as does Assistant U.S. Attorney Stephanie G. Miller. Like Abrahams, Miller has found the new duties a challenge.

She has devoted much of her time to tracking the owners of neglected properties, trying to get grass cut on abandoned lots and developing leads on less-than-sensational crimes, such as the siphoning of diesel fuel from delivery trucks.

The other prosecutors on the team

See POLICE, Page 3, Col. 1

Community by prosecutors

THE WASHINGTON POST

THURSDAY, SEPTEMBER 11, 1997 D.C. 3

Prosecutors Praised for Joining Police on the Beat in Northeast

By Bill Miller
POLICE, From Page 1

out of the main U.S. attorney's office but spend much of their time on the streets with police officers and residents. Their supervisors, Clifford T. Keenan and Brenda Johnson, encourage them to attend community meetings, meet merchants and mingle as much as possible.

Most of the prosecutors in the U.S. attorney's office follow a more traditional approach, drawing cases from across the city. They have specialties, handling cases such as homicides, robberies, sex offenses, domestic assaults and misdemeanors. In the 5th District, prosecutors are given a specific neighborhood and nearly every kind of case that

originates there, ranging from drug-related killings to car thefts.

The initiative is an offshoot of community policing, a law enforcement philosophy that calls upon officers to help improve everyday conditions.

Police Chief Larry D. Soulesby recently reorganized his department to put more officers on the streets with their own narrowly defined geographic areas, known as patrol service areas. In the 5th District, the prosecutors not only work with the same residents daily but now they also work with the same officers. They have helped train the police in ways to make cases stronger, and the police in turn have helped show the prosecutors where the trouble spots are.

Assistant U.S. Attorney Timothy J. Heaphy, who covers Lincoln Park and nearby neighborhoods, said he has been more effective questioning suspects and building

"It's a major, major improvement."

Denise M. Abrahams, assistant U.S. attorney, said she has seen more cases because he now knows the key players in the drug and car theft trade. "I never realized before when I would get a file dropped on my desk in a drug case how that

person fit into the whole fabric," Heaphy said.

Police Capt. Ross E. Swope said he had doubts about the prosecutors' resolve when Holder announced the program last year. "I've dealt with bureaucracies my whole career," he said. "It starts out with a bang, and then, three weeks later, 'Where's the meat?' But this continued to evolve."

Swope said his officers used to encounter resistance from the U.S. attorney's office when arresting people for lesser crimes. Now, he said, prosecutors appreciate the need to deal with social and physical disorder. "It's a completely different culture with the community prosecutors," he said.

Denise J. Hartzell said prosecutors helped

get three houses on his street—the south block of Rhode Island Avenue NE—boarded up after repeated complaints about drug dealing and other activities. He said he was stunned by the quick response from Assistant U.S. Attorney Mark J. Carroll and others.

"We'd all gotten in the mentality of not expecting anybody to be accountable," said Hartzell, a leader of the Bloomingdale Civic Association. "He [Carroll] is accountable. He called back, and he came here on his time and gave out business cards. He'd down some drug markets."

"It was the only thing that ever got about all the awful stuff in my neighborhood."

Community Prosecutors

Idea: Instead of locating prosecutors in a centralized, downtown office, station prosecutors within neighborhoods to work with residents to target minor nuisances that disrupt the community. The idea draws on the law enforcement community's focus on the "broken windows" phenomenon: Just as unrepaired broken windows on a building tend to draw further acts of vandalism, undeterred acts of petty crime create a disorderly atmosphere that fosters more dangerous criminal acts.

Notes:

1. Freshman Democrat, Rod Blagojevich, has introduced H.R. 863, "The Community Prosecutor Act of 1997." The bill creates a \$10 million national pilot program to fund "community prosecutors" who would be based in neighborhoods and devote themselves to prosecution of "quality of life" crimes, such as graffiti, minor theft and prostitution. [Chicago Tribune, 2/9/97 & H.R. 863]
2. Many observers have partly attributed Boston's low crime rates with its innovative community prosecution initiative. [Boston Herald, 2/23/97 and ABC World News Tonight, 5/8/97]

Chicago Tribune

February 9, 1997 Sunday, CHICAGOLAND FINAL EDITION

SECTION: METRO CHICAGO; Pg. 3; ZONE: C; D.C. Journal.

LENGTH: 811 words

HEADLINE: BLAGOJEVICH TAGS 'COMMUNITY PROSECUTING' AS ANTI-CRIME WEAPON

BYLINE: By Mike Dorning and Mary Jacoby, Washington Bureau.

DATELINE: WASHINGTON

BODY:

Chicago's Rod Blagojevich may be building a political career on spray paint.

The Chicago Democrat is beginning his freshman congressional term by returning to the same issue he says occasioned his first meeting with Ald. Dick Mell (33rd), his future father-in-law and political sponsor.

That's graffiti.

Turns out that when Blagojevich was a young prosecutor in the Cook County state's attorney's office, Mell came to that office to make sure Blagojevich and the other prosecutors took seriously graffiti-painting incidents in the 33rd Ward.

Blagojevich says he did. And, apparently, he still does.

The congressman is now working on legislation for a \$10 million national pilot program to fund "community prosecutors" who would be based in neighborhoods and devote themselves to prosecution of "quality of life" crimes (graffiti, for example).

Blagojevich calls it "the prosecution equivalent of community policing."

The idea is for prosecutors stationed within neighborhoods to work with residents to target minor nuisances that disrupt the community.

It draws on the recent fashion in the law enforcement community to focus on the "broken windows" phenomenon: Just as unrepaired broken windows on a building tend to draw further acts of vandalism, undeterred acts of petty crime create a disorderly atmosphere that fosters more dangerous criminal acts.

Two Harvard University academics wrote an influential article pointing this out during the early 1980s--just about the same time Ald. Mell, sans Ph.D., was lecturing the young prosecutors.

Bill Tracking Report

105th Congress
1st Session

U. S. House of Representatives

HR 863

1997 Bill Tracking H.R. 863; 105 Bill Tracking H.R. 863

COMMUNITY PROSECUTOR ACT OF 1997

<=1> Retrieve full text version

DATE-INTRO: February 27, 1997

LAST-ACTION-DATE: April 29, 1997

STATUS: Referred to committee

SPONSOR: Representative Rod Blagojevich D-IL

TOTAL-COSPONSORS: 7 Cosponsors: 7 Democrats / 0 Republicans

SYNOPSIS: A bill to establish or expand existing community prosecution program.

ACTIONS: Committee Referrals:
02/27/97 House Judiciary Committee

Legislative Chronology:

1st Session Activity:

02/27/97 143 Cong Rec H 699 Referred to the House Judiciary Committee
04/29/97 143 Cong Rec H 1988 Cosponsor(s) added

BILL-DIGEST: (from the CONGRESSIONAL RESEARCH SERVICE)

Short title as introduced :

Community Prosecutor Act of 1997

CRS Index Terms:

Criminal justice
Budgets
Citizen participation in crime prevention
Community organization
Crime prevention
Evaluation research (Social action programs)
Federal aid to law enforcement agencies
Government information
Government paperwork
Prosecution
Social services

CO-SPONSORS:

Added 04/29/97:

Delahunt D-MA
McGovern D-MA
Yates D-IL

Kind D-WI
Underwood D-GU

Lipinski D-IL
Weygand D-RI

FULL TEXT OF BILLS

105TH CONGRESS; 1ST SESSION
IN THE HOUSE OF REPRESENTATIVES
AS INTRODUCED IN THE HOUSE

H. R. 863

1997 H.R. 863; 105 H.R. 863

<=1> Retrieve Bill Tracking Report

SYNOPSIS:

A BILL To establish or expand existing community prosecution programs.

DATE OF INTRODUCTION: FEBRUARY 27, 1997

DATE OF VERSION: MARCH 3, 1997 -- VERSION: 1

SPONSOR(S):

Mr. BLAGOJEVICH introduced the following bill; which was referred to the
Committee on the Judiciary

TEXT:

* Be it enacted by the Senate and House of Representatives of the United*

States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Community Prosecutor Act of 1997".

SEC. 2. GRANT AUTHORIZATION.

(a) IN GENERAL.-THE ATTORNEY GENERAL MAY MAKE GRANTS TO STATE ATTORNEYS GENERAL, PROSECUTORS, UNITS OF LOCAL GOVERNMENT, AND INDIAN TRIBAL PROSECUTORS TO ESTABLISH OR EXPAND EXISTING COMMUNITY PROSECUTION PROGRAMS, INCLUDING HIRING AND TRAINING PROSECUTORS FOR SUCH PROGRAMS.

(B) EQUITABLE DISTRIBUTION.-THE ATTORNEY GENERAL SHOULD ENSURE, TO THE EXTENT POSSIBLE, THAT GRANTS AWARDED UNDER THIS ACT ARE DISTRIBUTED EQUITABLY BETWEEN URBAN AND RURAL COMMUNITIES.

SEC. 3. ELIGIBILITY.

(a) IN GENERAL.-TO BE ELIGIBLE TO RECEIVE A GRANT UNDER THIS ACT, STATE ATTORNEYS GENERAL, PROSECUTORS, UNITS OF LOCAL GOVERNMENT AND INDIAN TRIBAL PROSECUTORS MAY APPLY FOR AN AWARD TO ESTABLISH OR

CONTINUE EXISTING COMMUNITY-ORIENTED PROSECUTION PROGRAMS.

(B) APPLICATION.-TO APPLY FOR A GRANT, AN INTERESTED ELIGIBLE ENTITY SHALL SUBMIT AN APPLICATION TO THE ATTORNEY GENERAL IN SUCH FORM AS THE ATTORNEY GENERAL SHALL PRESCRIBE BY REGULATIONS OR GUIDELINES.

(C) CONTENTS.-EACH APPLICATION SHALL INCLUDE THE FOLLOWING:

(1) THE OBJECTIVES, AND NEED, INCLUDING PUBLIC SAFETY, FOR A GRANT AWARD.

(2) A LONG-TERM STRATEGY AND DETAILED IMPLEMENTATION PLAN.

(3) CERTIFICATION OF COORDINATION AND SPECIFIC COMMITMENTS BY THE COMMUNITY TO BE SERVED BY THE GRANT TO PARTICIPATE IN A PROGRAM DESCRIBED UNDER PARAGRAPH (2).

(4) A DESCRIPTION OF THE GEOGRAPHICAL AREA TO BE SERVED.

(5) IDENTIFICATION OF RELATED INITIATIVES WHICH WILL COMPLEMENT OR BE COORDINATED WITH A PROGRAM FUNDED UNDER THIS ACT.

(6) AN ASSURANCE THAT FUNDS RECEIVED UNDER THIS ACT WILL BE USED TO SUPPLEMENT NOT SUPPLANT OTHER FEDERAL FUNDS.

SEC. 4. USES OF FUNDS.

(a) IN GENERAL.-FUNDS PROVIDED UNDER THIS ACT MAY BE USED TO HIRE STAFF, PROCURE EQUIPMENT, TECHNOLOGY, AND SUPPORT SYSTEMS OR PAY OVERTIME IN THE ESTABLISHMENT OF COMMUNITY-ORIENTED PROSECUTION PROGRAMS IF THE ELIGIBLE ENTITY CAN DEMONSTRATE TO THE SATISFACTION OF THE ATTORNEY GENERAL THAT THE EXPENDITURES WOULD RESULT IN A SUCCESSFUL REDUCTION IN CRIME.

(B) LOCAL MATCH.-THE FEDERAL SHARE OF A GRANT MADE UNDER THIS ACT MAY NOT EXCEED 75 PERCENT OF THE TOTAL COSTS OF THE PROGRAM DESCRIBED IN THE APPLICATION SUBMITTED PURSUANT TO SECTION 3(B). THE ATTORNEY GENERAL MAY WAIVE, IN WHOLE OR IN PART, THE REQUIREMENT OF A MATCHING CONTRIBUTION AND MAY CONSIDER IN-KIND CONTRIBUTIONS, FAIRLY VALUED, IN LIEU OF THE LOCAL MATCHING REQUIREMENT. SEC. 5. EVALUATIONS.

(a) IN GENERAL.-EACH PROGRAM OR PROJECT FUNDED UNDER THIS ACT SHALL CONTAIN A MONITORING COMPONENT DEVELOPED PURSUANT TO GUIDELINES ESTABLISHED BY THE ATTORNEY GENERAL, INCLUDING THE IDENTIFICATION AND COLLECTION OF DATA REGARDING THE ACTIVITIES AND ACCOMPLISHMENTS OF THE PROGRAM OVER THE LIFE OF THE GRANT AWARD. THE ATTORNEY GENERAL MAY REQUIRE GRANT RECIPIENTS TO SUBMIT WRITTEN REPORTS WHICH DESCRIBE THE MONITORING PROCESS AND EVALUATION RESULTS.

(B) INFORMATION ACCESS.-THE ATTORNEY GENERAL SHALL HAVE ACCESS TO ANY PERTINENT DOCUMENTS OR RECORDS RELATING TO THE PROGRAM FOR THE PURPOSES OF EVALUATION AND AUDIT.

(C) REVOCATION OR SUSPENSION.-IF THE ATTORNEY GENERAL DETERMINES, AS A RESULT OF THE REVIEWS DESCRIBED IN THIS SECTION, THAT A GRANT RECIPIENT IS NOT IN SUBSTANTIAL COMPLIANCE WITH THE TERMS AND REQUIREMENTS DESCRIBED IN THIS ACT, OR WITH THE REGULATIONS ISSUED BY THE ATTORNEY GENERAL, THE ATTORNEY GENERAL MAY REVOKE OR SUSPEND GRANT FUNDING, IN WHOLE OR IN PART AFTER OPPORTUNITY FOR A HEARING.

SEC. 6. STUDY.

Not more than one percent of the funds appropriated to carry out this Act shall be directed to the Attorney General to finance a study evaluating grants made under this Act. At a minimum, this study shall include the following:

- (1) The number of grant awards made and the amount of each grant.
- (2) The recipients of grants, including the communities in which they are based.
- (3) The purposes for which the grants were awarded and used.
- (4) An evaluation of the achievement of each recipient's stated goals and objectives.
- (5) An assessment of the effect the program had in encouraging and supporting coordinated community action against crime.
- (6) Specific recommendations for further funding for each grant recipient.
- (7) Specific recommendations for future operations of the grant program and its guidelines.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act \$10,000,000 for fiscal year 1998 and such sums as may be necessary for each of fiscal years 1999 through 2002.

The Washington Post

May 04, 1997, Sunday, Final Edition

SECTION: METRO; Pg. B01

LENGTH: 1059 words

HEADLINE: Howard County Seeks to Erase Graffiti, Other Quality-of-Life Crimes

BYLINE: Fern Shen, Washington Post Staff Writer

BODY:

Someone had spray-painted the letters "SPC" all over a convenience store in the suburban Howard County community of Columbia. Big deal. It's the kind of obnoxious-but-low-level crime that is usually handled in District Court, along with minor traffic infractions.

But the alleged graffiti writer was linked to other graffiti -- on a high school scoreboard, highway overpasses, an 18-wheeler. His home was searched. Evidence was seized. SPC was said to stand for "Satan's Perfect Child." Christopher Falk, 23, of Columbia, was arrested and charged with 16 counts of malicious destruction. This month, he faces a jury trial in Circuit Court. Why the tough treatment?

Because the crime is precisely the kind of quality-of-life diminisher targeted by the "community justice" program, established last year by the state's attorney's office in Howard County and by an increasing number of prosecutors nationwide.

Those prosecutors focus on crimes that "really stick in people's craws," said Sang W. Oh, a prosecutor in the Howard County state's attorney's office.

Such programs have been criticized by defense attorneys as overkill, showy public relations gestures that divert resources from serious crimes.

"Why don't they concentrate on rapes and murders?" said Falk's attorney, William Hale, of Silver Spring. "They acted like the Gestapo; they treated him like a war criminal. It's ridiculous."

But petty crimes are not so easily dismissed by the people victimized by them, said Oh, one of two assistant state's attorneys assigned to the new Howard County program.

"I don't know any one of my neighbors who have been raped or murdered, but I

know plenty whose mailboxes got run over, who had sleds stolen from the back yard or whose cars got hit by kids who were drinking," Oh said.

Modeled after the community policing concept and often referred to as "community prosecution," the programs place prosecutors in neighborhoods to listen to residents' complaints about vandalism, threatening behavior, small-time drug trafficking, petty theft and similar crimes.

"This is how prosecutors will work with communities in the future," said State's Attorney Marna McLendon (R), who initiated the program on a pilot basis in two Columbia villages, Harper's Choice and Wilde Lake.

Prosecutors have been logging long hours at neighborhood meetings and in the schools, because juveniles are involved in many of the crimes they confront.

Similar programs have been established in the District; Chicago; New York; Kansas City, Mo.; Cambridge, Mass., and many other cities, where residents and law enforcement officials have struggled to find a more effective way to combat "nuisance crimes."

"What you're seeing is the prosecutors redefining their roles a little bit, so that they're not just responsible for responding to crimes, for processing cases, but more for preventing crime," said Heike Gramcow, director of management and program development for the American Prosecutors' Research Institute, the research arm of the National District Attorneys Association.

The prosecutors who run a six-year-old program in Portland, Ore., say the community has seen results as they closed crack houses and helped neighborhoods get the speed bumps they wanted.

In Northeast Washington, where U.S. Attorney Eric H. Holder Jr. set up a community prosecution pilot program last year, cases have run the gamut from serious crimes, such as murders in particular neighborhoods, to nuisances, such as abandoned automobiles and rat infestation.

"We're trying to be there for people, but also to give people a sense [of], 'This is your neighborhood; you've got to tell us what's going on,' " said Brenda Johnson, deputy chief of the District's community prosecution section.

In a neighborhood plagued by youths shooting at each other, prosecutors cracked down, partly by charging some of the youths but also by bringing in their mothers for a stern lecture, Johnson said. In another instance, Johnson recalled, she helped an elderly woman complaining about a trashed-filled lot by calling up the property owner and lambasting her for her negligence.

"We do a lot of that -- shaming people into doing right," Johnson said.

In the same way, Oh, in Howard County, is looking for a low-key but more effective way to deal with a knife-carrying homeless man who has been intimidating shoppers at one of the village centers.

"My first move will be to try and get the liquor store there to stop selling him liquor. If he doesn't stop, I could get the other merchants there to lean on him," Oh said. Prosecutors also might also seek addiction services for the man or get his family involved, Oh said.

Columbia residents came up with a solution themselves in the case of a vacant lot where people were gathering to drink and deal drugs: They circulated a petition to have the lot legally designated as "open space," meaning it had to close at 10 p.m. Oh researched the procedure in the law books and pushed their proposal through all the necessary agencies. Now police can force people off the lot after hours and ticket violators.

"Being in the position I was," Oh said, "I could grease the skids."

Oh's efforts in the graffiti case, however, seem overly harsh to Christopher Falk's relatives, who say the county is making him "a scapegoat."

"They decided to add all the graffiti in Columbia to his case," said Falk's mother, Geraldine Falk, whose son lives with her. "I don't even know if he did it or not. But do they really have to go to such an extent for something so minor? I think they just don't have enough to do."

Oh, however, said his efforts are meant to send "a strong message of deterrence."

"We want it understood this [graffiti] will not be tolerated," he said. "That's a sentiment that I got loud and clear from the community."

Ordinarily, such a case would have remained in District Court, Oh said, where an offender probably would receive a suspended sentence or probation before judgment, meaning the person would not have a criminal record.

Oh, however, plans to seek sizable restitution and some "more appropriate punishment."

"The things I'm hearing people talk about are old-fashioned punishments, like making the person go out and repaint where they'd painted," Oh said. "I like the sound of that."

LANGUAGE: ENGLISH

LOAD-DATE: May 04, 1997

The Boston Herald

February 23, 1997 Sunday FIRST EDITION

SECTION: EDITORIAL; Pg. 023

LENGTH: 1099 words

HEADLINE: Prosecutors play hardball - With citizens, police and courts working together, crime drops dramatically

BYLINE: By Catherine Coles and George L. Kelling

BODY:

Crime levels are dropping in Boston at a remarkable rate. The reductions in violent juvenile crime since 1990 (juvenile homicides down 80 percent) and during 1996 (no firearm murders of juveniles) are stunning achievements. The Police Department is deservedly receiving praise for its creative efforts, all the more noteworthy when only four years ago the St. Clair Commission excoriated the department for its inability to plan and implement community policing.

Yet more is happening in Boston than dramatic changes in policing: A parallel, if unrecognized, revolution is taking place in prosecution.

On a May 1995 weekend, when police undertook the first so-called zero tolerance sweep against prostitution, public drinking, disorderly conduct and quality of life crimes in East Boston's Safe Neighborhood Initiative, Assistant District Attorney David Coffey was there. Coffey had worked with citizens and police for months to plan the initiative - with the district court presiding judge to handle anticipated arrests - and was committed to prosecuting the resulting cases.

About 50 arrests were made. By Sunday, police were picking up word on the streets - offenders knew something was happening and were lying low. And the police were amazed that Coffey had worked alongside them on Friday and Saturday nights, not just in the courtroom but on the streets and in the station.

Coffey is not alone. Other prosecutors are moving out of their offices and courtrooms, into the streets of Dorchester, Roxbury and Chelsea, to collaborate with citizens, to address local priorities and problems. Adopting a problem-solving orientation - rather than concentrating solely on processing cases involving crimes already committed - represents a return to an earlier historical era for American prosecution.

Historian Allen Steinberg provides rich accounts of 19th-century century

private prosecution in which poor and working-class citizens turned to prosecution to settle disputes, maintain order and protect themselves, bringing to the criminal courts their disputes over everything large and small - noisy nuisance charges between tenants, disorderly conduct, the dissolution of business contracts, larceny, and assault and battery.

During the second half of the 19th century, with the creation of professional police forces and their broad powers of arrest, state prosecutors assumed increasing responsibility for dealing with the cases brought to them by the police. Citizens began to lose direct access to criminal justice processes - a trend that grew stronger during the 20th century, with greater professionalization in the roles of police and prosecutors.

Today the watchword is "community prosecution." Taking its cue from citizens themselves, and from community policing, community prosecution emphasizes crime prevention as well as enforcement, and quality of life issues in addition to violent crime. Community prosecutors lead in building coalitions with police, other criminal justice agencies, elected officials, community organizations, local businesses, schools, churches and residents - and then work as part of a team to develop strategies, identify and obtain resources, and assume joint responsibility for improving public safety.

Most use problem solving to aggressively prosecute habitual and violent offenders, while forming community-based partnerships to develop diversion, treatment, mediation, and community service or restitution options in which both offenders and the community are better served by rehabilitation or swift punishment than they are by incarceration.

In Boston, Suffolk County District Attorney Ralph Martin and Massachusetts Attorney General Scott Harshbarger have created several Safe Neighborhood Initiatives, placing prosecutors such as David Coffey in target neighborhoods where they get to know residents and crime problems. They meet with crime watch groups, neighborhood associations and citizen advisory councils. They prosecute cases from the area and, along with citizens, police, corrections and probation officials, plan law enforcement and other efforts to prevent or reduce crime - from sting operations to mediation, elderly safety education, youth activities, alcohol abuse programs and a host of others.

The results are convincing: Residents and merchants see an improved quality of life on streets they feel are safer, and crime has decreased significantly (down 18 percent in East Boston in 1996). Prosecution rates are up - close to 90 percent of offenders arrested through East Boston SNI activities in 1996 were prosecuted.

Through the Community Based Juvenile Justice Program, other prosecutors lead discussions with middle and high school officials to identify and assist youth

at risk to themselves; in the courtroom they prosecute more resistant juvenile offenders to protect other students and the community. Upcoming plans call for placing assistant district attorneys directly in neighborhood police stations around the city to coordinate their activities closely with police.

Community prosecution is producing important outcomes nationwide. In Austin, Texas; Kansas City, Mo.; Indianapolis, Ind.; and Portland, Ore., it is helping to reverse the alienation of citizens from criminal justice processes, rebuilding a sense of responsibility and involvement for maintaining safety in their own neighborhoods - a change that in the long run is likely to do more for our cities than any actions by police or prosecutors.

Prosecutors are affecting crime rates and the quality of life in their communities. They possess legal knowledge required by police and citizens. They have access to judges and courts, and carry the ball beyond the arrest stage, prosecuting low-level offenses and violent crimes. Because they are elected, prosecutors are the only criminal justice officials directly accountable to the public. Without prosecutors on board, reductions in crime around the country cannot be sustained; with their leadership, we may not yet have seen the full extent of what can be achieved to restore order and reduce crime in our neighborhoods.

Catherine Coles and George Kelling, co-authors of "Fixing Broken Windows," are completing a National Institute of Justice study of community-based prosecution and policing in Boston, Austin, Kansas City and Indianapolis. Coles is an urban anthropologist, lawyer and research associate at the Kennedy School of Government, Harvard University. Kelling is professor of criminal justice at Rutgers University and a research fellow at the Kennedy School.

LOAD-DATE: February 26, 1997

ABC NEWS

SHOW: WORLD NEWS TONIGHT WITH PETER JENNINGS (6:30 pm ET)

MAY 8, 1997

Transcript # 97050807-j04

TYPE: PACKAGE

SECTION: NEWS

LENGTH: 688 words

HEADLINE: SOLUTIONS

BYLINE: JAMES WALKER, PETER JENNINGS

HIGHLIGHT:

NEIGHBORHOOD PROSECUTOR TACKLES CITIZENS COMPLAINTS

BODY:

ANNOUNCER: World News Tonight with Peter Jennings continues. Now, "Solutions."

PETER JENNINGS: Our focus tonight is on crime. The big story lately has been that the crime rate in many cities has been going down. Some of the credit goes to a change in the way police are operating, going back to the way police used to do their jobs -- walking a beat, spending real time in neighborhoods, becoming a part of it in essence.

Tonight, ABC's James Walker reports on a community which has taken that personal approach one step further.

JAMES WALKER, ABC News: (voice-over) East Boston has a very unusual tool for fighting crime -- its own neighborhood prosecutor, John Pappas (ph).

JOHN PAPPAS, Prosecutor: He's being held on \$20,000 cash bail.

JAMES WALKER: (voice-over) He meets regularly with citizen's groups to hear their concerns, not so much about major crimes but what affects them every day, like graffiti, loitering or underage drinking.

EAST BOSTON CITIZEN: I know that he is past. You could stand right out in the square here and just watch him walk by carrying the cases of liquor.

JAMES WALKER: (voice-over) Pappas takes the citizens complaints to a special

task force of local judges and police who develop an immediate strategy to solve their concerns.

POLICE DETECTIVE: There he goes.

JAMES WALKER: (voice-over) And detectives follow up with a sting operation, sending a 20-year-old police cadet into East Boston's liquor stores.

POLICE DETECTIVE: It's a score. He's underage. You failed to check his identification to see the correct age.

JAMES WALKER: (voice-over) In addition to issuing the usual summons, police will also file a criminal complaint, and the prosecutor will give it extra attention. In court, prosecutor Pappas consistently reflects the community's priorities. For example, a small marijuana case -- too small to keep the defendant in jail until he's tried. But Pappas gets him out of the community immediately.

JOHN PAPPAS: I wanted to ask that he stay away from that area for the pendency of this case, Your Honor.

JUDGE: A condition of your release, sir, you will remain away from that particular area where you were arrested.

CATHERINE COLES, Harvard University: You can see immediate problems being solved. You know, a single, troublesome individual gotten off the street, out of the neighborhood due to the combined efforts of prosecutors and citizens and police all working together.

JAMES WALKER: (on camera) The idea of vigorously prosecuting so-called quality of life crimes such as public intoxication or loitering is just starting to be adopted by prosecutors across the country. What they are realizing is that by addressing residents' complaints, they not only build a partnership with communities, they also stop small crimes before they turn into more serious offenses.

(voice-over) Since this partnership began in East Boston three years ago, the overall crime rate has dropped 25 percent. Car thefts are down 52 percent; drugs, 56 percent; and prostitution, a stunning 80 percent.

FRAN RILEY, East Boston Resident: You can walk our streets now. It's safe. I can go out with my granddaughter now, you know, walk around, whereas a couple of years back, it was getting kind of nasty.

MARTIN COUGHLIN, East Boston Resident: You don't see a drug dealer around. You can look around. There's nobody here.

JAMES WALKER: (voice-over) Neighbors point with pride to East Boston's central square. A few years ago, it was a haven for drunks and drug dealers. Now, it again belongs to the people. James Walker, ABC News, East Boston, Massachusetts.

PETER JENNINGS: This concept is still pretty new. But several other cities are trying it, including Kansas City, Indianapolis, Portland, Oregon, and Austin, Texas.

Community Prosecutors

Idea: Instead of locating prosecutors in a centralized, downtown office, station prosecutors within neighborhoods to work with residents to target minor nuisances that disrupt the community. The idea draws on the law enforcement community's focus on the "broken windows" phenomenon: Just as unrepaired broken windows on a building tend to draw further acts of vandalism, undeterred acts of petty crime create a disorderly atmosphere that fosters more dangerous criminal acts.

Notes:

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2. Many observers have partly attributed Boston's low crime rates with its innovative community prosecution initiative. [Boston Herald, 2/23/97 and ABC World News Tonight, 5/8/97]

Chicago Tribune

February 9, 1997 Sunday, CHICAGOLAND FINAL EDITION

SECTION: METRO CHICAGO; Pg. 3; ZONE: C; D.C. Journal.

LENGTH: 811 words

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BYLINE: By Mike Dorning and Mary Jacoby, Washington Bureau.

DATELINE: WASHINGTON

BODY:

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The Chicago Democrat is beginning his freshman congressional term by returning to the same issue he says occasioned his first meeting with Ald. Dick Mell (33rd), his future father-in-law and political sponsor.

That's graffiti.

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Blagojevich calls it "the prosecution equivalent of community policing."

The idea is for prosecutors stationed within neighborhoods to work with residents to target minor nuisances that disrupt the community.

It draws on the recent fashion in the law enforcement community to focus on the "broken windows" phenomenon: Just as unrepaired broken windows on a building tend to draw further acts of vandalism, undeterred acts of petty crime create a disorderly atmosphere that fosters more dangerous criminal acts.

Two Harvard University academics wrote an influential article pointing this out during the early 1980s--just about the same time Ald. Mell, sans Ph.D., was lecturing the young prosecutors.

Bill Tracking Report

105th Congress
1st Session

U. S. House of Representatives

HR 863

1997 Bill Tracking H.R. 863; 105 Bill Tracking H.R. 863

COMMUNITY PROSECUTOR ACT OF 1997

<=1>. Retrieve full text version

DATE-INTRO: February 27, 1997

LAST-ACTION-DATE: April 29, 1997

STATUS: Referred to committee

SPONSOR: Representative Rod Blagojevich D-IL

TOTAL-COSPONSORS: 7 Cosponsors: 7 Democrats / 0 Republicans

SYNOPSIS: A bill to establish or expand existing community prosecution program.

ACTIONS: Committee Referrals:
02/27/97 House Judiciary Committee

Legislative Chronology:

1st Session Activity:

02/27/97 143 Cong Rec H 699 Referred to the House Judiciary Committee
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Criminal justice
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Citizen participation in crime prevention
Community organization
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Evaluation research (Social action programs)
Federal aid to law enforcement agencies
Government information
Government paperwork
Prosecution
Social services

CO-SPONSORS:

Added 04/29/97:

Delahunt D-MA
McGovern D-MA
Yates D-IL

Kind D-WI
Underwood D-GU

Lipinski D-IL
Weygand D-RI

FULL TEXT OF BILLS

105TH CONGRESS; 1ST SESSION
IN THE HOUSE OF REPRESENTATIVES
AS INTRODUCED IN THE HOUSE

H. R. 863

1997 H.R. 863; 105 H.R. 863

<=1> Retrieve Bill Tracking Report

SYNOPSIS:

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DATE OF INTRODUCTION: FEBRUARY 27, 1997

DATE OF VERSION: MARCH 3, 1997 -- VERSION: 1

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There are authorized to be appropriated to carry out this Act \$10,000,000 for fiscal year 1998 and such sums as may be necessary for each of fiscal years 1999 through 2002.

The Washington Post

May 04, 1997, Sunday, Final Edition

SECTION: METRO; Pg. B01

LENGTH: 1059 words

HEADLINE: Howard County Seeks to Erase Graffiti, Other Quality-of-Life Crimes

BYLINE: Fern Shen, Washington Post Staff Writer

BODY:

Someone had spray-painted the letters "SPC" all over a convenience store in the suburban Howard County community of Columbia. Big deal. It's the kind of obnoxious-but-low-level crime that is usually handled in District Court, along with minor traffic infractions.

But the alleged graffiti writer was linked to other graffiti -- on a high school scoreboard, highway overpasses, an 18-wheeler. His home was searched. Evidence was seized. SPC was said to stand for "Satan's Perfect Child." Christopher Falk, 23, of Columbia, was arrested and charged with 16 counts of malicious destruction. This month, he faces a jury trial in Circuit Court. Why the tough treatment?

Because the crime is precisely the kind of quality-of-life diminisher targeted by the "community justice" program, established last year by the state's attorney's office in Howard County and by an increasing number of prosecutors nationwide.

Those prosecutors focus on crimes that "really stick in people's craws," said Sang W. Oh, a prosecutor in the Howard County state's attorney's office.

Such programs have been criticized by defense attorneys as overkill, showy public relations gestures that divert resources from serious crimes.

"Why don't they concentrate on rapes and murders?" said Falk's attorney, William Hale, of Silver Spring. "They acted like the Gestapo; they treated him like a war criminal. It's ridiculous."

But petty crimes are not so easily dismissed by the people victimized by them, said Oh, one of two assistant state's attorneys assigned to the new Howard County program.

"I don't know any one of my neighbors who have been raped or murdered, but I

know plenty whose mailboxes got run over, who had sleds stolen from the back yard or whose cars got hit by kids who were drinking," Oh said.

Modeled after the community policing concept and often referred to as "community prosecution," the programs place prosecutors in neighborhoods to listen to residents' complaints about vandalism, threatening behavior, small-time drug trafficking, petty theft and similar crimes.

"This is how prosecutors will work with communities in the future," said State's Attorney Marna McLendon (R), who initiated the program on a pilot basis in two Columbia villages, Harper's Choice and Wilde Lake.

Prosecutors have been logging long hours at neighborhood meetings and in the schools, because juveniles are involved in many of the crimes they confront.

Similar programs have been established in the District; Chicago; New York; Kansas City, Mo.; Cambridge, Mass., and many other cities, where residents and law enforcement officials have struggled to find a more effective way to combat "nuisance crimes."

"What you're seeing is the prosecutors redefining their roles a little bit, so that they're not just responsible for responding to crimes, for processing cases, but more for preventing crime," said Heike Gramcow, director of management and program development for the American Prosecutors' Research Institute, the research arm of the National District Attorneys Association.

The prosecutors who run a six-year-old program in Portland, Ore., say the community has seen results as they closed crack houses and helped neighborhoods get the speed bumps they wanted.

In Northeast Washington, where U.S. Attorney Eric H. Holder Jr. set up a community prosecution pilot program last year, cases have run the gamut from serious crimes, such as murders in particular neighborhoods, to nuisances, such as abandoned automobiles and rat infestation.

"We're trying to be there for people, but also to give people a sense [of], 'This is your neighborhood; you've got to tell us what's going on,' " said Brenda Johnson, deputy chief of the District's community prosecution section.

In a neighborhood plagued by youths shooting at each other, prosecutors cracked down, partly by charging some of the youths but also by bringing in their mothers for a stern lecture, Johnson said. In another instance, Johnson recalled, she helped an elderly woman complaining about a trashed-filled lot by calling up the property owner and lambasting her for her negligence.

"We do a lot of that -- shaming people into doing right," Johnson said.

In the same way, Oh, in Howard County, is looking for a low-key but more effective way to deal with a knife-carrying homeless man who has been intimidating shoppers at one of the village centers.

"My first move will be to try and get the liquor store there to stop selling him liquor. If he doesn't stop, I could get the other merchants there to lean on him," Oh said. Prosecutors also might also seek addiction services for the man or get his family involved, Oh said.

Columbia residents came up with a solution themselves in the case of a vacant lot where people were gathering to drink and deal drugs: They circulated a petition to have the lot legally designated as "open space," meaning it had to close at 10 p.m. Oh researched the procedure in the law books and pushed their proposal through all the necessary agencies. Now police can force people off the lot after hours and ticket violators.

"Being in the position I was," Oh said, "I could grease the skids."

Oh's efforts in the graffiti case, however, seem overly harsh to Christopher Falk's relatives, who say the county is making him "a scapegoat."

"They decided to add all the graffiti in Columbia to his case," said Falk's mother, Geraldine Falk, whose son lives with her. "I don't even know if he did it or not. But do they really have to go to such an extent for something so minor? I think they just don't have enough to do."

Oh, however, said his efforts are meant to send "a strong message of deterrence."

"We want it understood this [graffiti] will not be tolerated," he said. "That's a sentiment that I got loud and clear from the community."

Ordinarily, such a case would have remained in District Court, Oh said, where an offender probably would receive a suspended sentence or probation before judgment, meaning the person would not have a criminal record.

Oh, however, plans to seek sizable restitution and some "more appropriate punishment."

"The things I'm hearing people talk about are old-fashioned punishments, like making the person go out and repaint where they'd painted," Oh said. "I like the sound of that."

LANGUAGE: ENGLISH

LOAD-DATE: May 04, 1997

The Boston Herald

February 23, 1997 Sunday FIRST EDITION

SECTION: EDITORIAL; Pg. 023

LENGTH: 1099 words

HEADLINE: Prosecutors play hardball - With citizens, police and courts working together, crime drops dramatically

BYLINE: By Catherine Coles and George L. Kelling

BODY:

Crime levels are dropping in Boston at a remarkable rate. The reductions in violent juvenile crime since 1990 (juvenile homicides down 80 percent) and during 1996 (no firearm murders of juveniles) are stunning achievements. The Police Department is deservedly receiving praise for its creative efforts, all the more noteworthy when only four years ago the St. Clair Commission excoriated the department for its inability to plan and implement community policing.

Yet more is happening in Boston than dramatic changes in policing: A parallel, if unrecognized, revolution is taking place in prosecution.

On a May 1995 weekend, when police undertook the first so-called zero tolerance sweep against prostitution, public drinking, disorderly conduct and quality of life crimes in East Boston's Safe Neighborhood Initiative, Assistant District Attorney David Coffey was there. Coffey had worked with citizens and police for months to plan the initiative - with the district court presiding judge to handle anticipated arrests - and was committed to prosecuting the resulting cases.

About 50 arrests were made. By Sunday, police were picking up word on the streets - offenders knew something was happening and were lying low. And the police were amazed that Coffey had worked alongside them on Friday and Saturday nights, not just in the courtroom but on the streets and in the station.

Coffey is not alone. Other prosecutors are moving out of their offices and courtrooms, into the streets of Dorchester, Roxbury and Chelsea, to collaborate with citizens, to address local priorities and problems. Adopting a problem-solving orientation - rather than concentrating solely on processing cases involving crimes already committed - represents a return to an earlier historical era for American prosecution.

Historian Allen Steinberg provides rich accounts of 19th-century century

private prosecution in which poor and working-class citizens turned to prosecution to settle disputes, maintain order and protect themselves, bringing to the criminal courts their disputes over everything large and small - noisy nuisance charges between tenants, disorderly conduct, the dissolution of business contracts, larceny, and assault and battery.

During the second half of the 19th century, with the creation of professional police forces and their broad powers of arrest, state prosecutors assumed increasing responsibility for dealing with the cases brought to them by the police. Citizens began to lose direct access to criminal justice processes - a trend that grew stronger during the 20th century, with greater professionalization in the roles of police and prosecutors.

Today the watchword is "community prosecution." Taking its cue from citizens themselves, and from community policing, community prosecution emphasizes crime prevention as well as enforcement, and quality of life issues in addition to violent crime. Community prosecutors lead in building coalitions with police, other criminal justice agencies, elected officials, community organizations, local businesses, schools, churches and residents - and then work as part of a team to develop strategies, identify and obtain resources, and assume joint responsibility for improving public safety.

Most use problem solving to aggressively prosecute habitual and violent offenders, while forming community-based partnerships to develop diversion, treatment, mediation, and community service or restitution options in which both offenders and the community are better served by rehabilitation or swift punishment than they are by incarceration.

In Boston, Suffolk County District Attorney Ralph Martin and Massachusetts Attorney General Scott Harshbarger have created several Safe Neighborhood Initiatives, placing prosecutors such as David Coffey in target neighborhoods where they get to know residents and crime problems. They meet with crime watch groups, neighborhood associations and citizen advisory councils. They prosecute cases from the area and, along with citizens, police, corrections and probation officials, plan law enforcement and other efforts to prevent or reduce crime - from sting operations to mediation, elderly safety education, youth activities, alcohol abuse programs and a host of others.

The results are convincing: Residents and merchants see an improved quality of life on streets they feel are safer, and crime has decreased significantly (down 18 percent in East Boston in 1996). Prosecution rates are up - close to 90 percent of offenders arrested through East Boston SNI activities in 1996 were prosecuted.

Through the Community Based Juvenile Justice Program, other prosecutors lead discussions with middle and high school officials to identify and assist youth

at risk to themselves; in the courtroom they prosecute more resistant juvenile offenders to protect other students and the community. Upcoming plans call for placing assistant district attorneys directly in neighborhood police stations around the city to coordinate their activities closely with police.

Community prosecution is producing important outcomes nationwide. In Austin, Texas; Kansas City, Mo.; Indianapolis, Ind.; and Portland, Ore., it is helping to reverse the alienation of citizens from criminal justice processes, rebuilding a sense of responsibility and involvement for maintaining safety in their own neighborhoods - a change that in the long run is likely to do more for our cities than any actions by police or prosecutors.

Prosecutors are affecting crime rates and the quality of life in their communities. They possess legal knowledge required by police and citizens. They have access to judges and courts, and carry the ball beyond the arrest stage, prosecuting low-level offenses and violent crimes. Because they are elected, prosecutors are the only criminal justice officials directly accountable to the public. Without prosecutors on board, reductions in crime around the country cannot be sustained; with their leadership, we may not yet have seen the full extent of what can be achieved to restore order and reduce crime in our neighborhoods.

Catherine Coles and George Kelling, co-authors of "Fixing Broken Windows," are completing a National Institute of Justice study of community-based prosecution and policing in Boston, Austin, Kansas City and Indianapolis. Coles is an urban anthropologist, lawyer and research associate at the Kennedy School of Government, Harvard University. Kelling is professor of criminal justice at Rutgers University and a research fellow at the Kennedy School.

LOAD-DATE: February 26, 1997

ABC NEWS

SHOW: WORLD NEWS TONIGHT WITH PETER JENNINGS (6:30 pm ET)

MAY 8, 1997

Transcript # 97050807-j04

TYPE: PACKAGE

SECTION: NEWS

LENGTH: 688 words

HEADLINE: SOLUTIONS

BYLINE: JAMES WALKER, PETER JENNINGS

HIGHLIGHT:

NEIGHBORHOOD PROSECUTOR TACKLES CITIZENS COMPLAINTS

BODY:

ANNOUNCER: World News Tonight with Peter Jennings continues. Now, "Solutions."

PETER JENNINGS: Our focus tonight is on crime. The big story lately has been that the crime rate in many cities has been going down. Some of the credit goes to a change in the way police are operating, going back to the way police used to do their jobs -- walking a beat, spending real time in neighborhoods, becoming a part of it in essence.

Tonight, ABC's James Walker reports on a community which has taken that personal approach one step further.

JAMES WALKER, ABC News: (voice-over) East Boston has a very unusual tool for fighting crime -- its own neighborhood prosecutor, John Pappas (ph).

JOHN PAPPAS, Prosecutor: He's being held on \$20,000 cash bail.

JAMES WALKER: (voice-over) He meets regularly with citizens groups to hear their concerns, not so much about major crimes but what affects them every day, like graffiti, loitering or underage drinking.

EAST BOSTON CITIZEN: I know that he is past. You could stand right out in the square here and just watch him walk by carrying the cases of liquor.

JAMES WALKER: (voice-over) Pappas takes the citizens complaints to a special

task force of local judges and police who develop an immediate strategy to solve their concerns.

POLICE DETECTIVE: There he goes.

JAMES WALKER: (voice-over) And detectives follow up with a sting operation, sending a 20-year-old police cadet into East Boston's liquor stores.

POLICE DETECTIVE: It's a score. He's underage. You failed to check his identification to see the correct age.

JAMES WALKER: (voice-over) In addition to issuing the usual summons, police will also file a criminal complaint, and the prosecutor will give it extra attention. In court, prosecutor Pappas consistently reflects the community's priorities. For example, a small marijuana case -- too small to keep the defendant in jail until he's tried. But Pappas gets him out of the community immediately.

JOHN PAPPAS: I wanted to ask that he stay away from that area for the pendency of this case, Your Honor.

JUDGE: A condition of your release, sir, you will remain away from that particular area where you were arrested.

CATHERINE COLES, Harvard University: You can see immediate problems being solved. You know, a single, troublesome individual gotten off the street, out of the neighborhood due to the combined efforts of prosecutors and citizens and police all working together.

JAMES WALKER: (on camera) The idea of vigorously prosecuting so-called quality of life crimes such as public intoxication or loitering is just starting to be adopted by prosecutors across the country. What they are realizing is that by addressing residents' complaints, they not only build a partnership with communities, they also stop small crimes before they turn into more serious offenses.

(voice-over) Since this partnership began in East Boston three years ago, the overall crime rate has dropped 25 percent. Car thefts are down 52 percent; drugs, 56 percent; and prostitution, a stunning 80 percent.

FRAN RILEY, East Boston Resident: You can walk our streets now. It's safe. I can go out with my granddaughter now, you know, walk around, whereas a couple of years back, it was getting kind of nasty.

MARTIN COUGHLIN, East Boston Resident: You don't see a drug dealer around. You can look around. There's nobody here.

JAMES WALKER: (voice-over) Neighbors point with pride to East Boston's central square. A few years ago, it was a haven for drunks and drug dealers. Now, it again belongs to the people. James Walker, ABC News, East Boston, Massachusetts.

PETER JENNINGS: This concept is still pretty new. But several other cities are trying it, including Kansas City, Indianapolis, Portland, Oregon, and Austin, Texas.

Community Prosecutors

Idea: Instead of locating prosecutors in a centralized, downtown office, station prosecutors within neighborhoods to work with residents to target minor nuisances that disrupt the community. The idea draws on the law enforcement community's focus on the "broken windows" phenomenon: Just as unrepaired broken windows on a building tend to draw further acts of vandalism, undeterred acts of petty crime create a disorderly atmosphere that fosters more dangerous criminal acts.

Notes:

1. Freshman Democrat, Rod Blagojevich, has introduced H.R. 863, "The Community Prosecutor Act of 1997." The bill creates a \$10 million national pilot program to fund "community prosecutors" who would be based in neighborhoods and devote themselves to prosecution of "quality of life" crimes, such as graffiti, minor theft and prostitution. [Chicago Tribune, 2/9/97 & H.R. 863]
2. Many observers have partly attributed Boston's low crime rates with its innovative community prosecution initiative. [Boston Herald, 2/23/97 and ABC World News Tonight, 5/8/97]

Chicago Tribune

February 9, 1997 Sunday, CHICAGOLAND FINAL EDITION

SECTION: METRO CHICAGO; Pg. 3; ZONE: C; D.C. Journal.

LENGTH: 811 words

HEADLINE: BLAGOJEVICH TAGS 'COMMUNITY PROSECUTING' AS ANTI-CRIME WEAPON

BYLINE: By Mike Dorning and Mary Jacoby, Washington Bureau.

DATELINE: WASHINGTON

BODY:

Chicago's Rod Blagojevich may be building a political career on spray paint.

The Chicago Democrat is beginning his freshman congressional term by returning to the same issue he says occasioned his first meeting with Ald. Dick Mell (33rd), his future father-in-law and political sponsor.

That's graffiti.

Turns out that when Blagojevich was a young prosecutor in the Cook County state's attorney's office, Mell came to that office to make sure Blagojevich and the other prosecutors took seriously graffiti-painting incidents in the 33rd Ward.

Blagojevich says he did. And, apparently, he still does.

The congressman is now working on legislation for a \$10 million national pilot program to fund "community prosecutors" who would be based in neighborhoods and devote themselves to prosecution of "quality of life" crimes (graffiti, for example).

Blagojevich calls it "the prosecution equivalent of community policing."

The idea is for prosecutors stationed within neighborhoods to work with residents to target minor nuisances that disrupt the community.

It draws on the recent fashion in the law enforcement community to focus on the "broken windows" phenomenon: Just as unrepaired broken windows on a building tend to draw further acts of vandalism, undeterred acts of petty crime create a disorderly atmosphere that fosters more dangerous criminal acts.

Two Harvard University academics wrote an influential article pointing this out during the early 1980s--just about the same time Ald. Mell, sans Ph.D., was lecturing the young prosecutors.

Bill Tracking Report

105th Congress
1st Session

U. S. House of Representatives

HR 863

1997 Bill Tracking H.R. 863; 105 Bill Tracking H.R. 863

COMMUNITY PROSECUTOR ACT OF 1997

<=1> Retrieve full text version

DATE-INTRO: February 27, 1997

LAST-ACTION-DATE: April 29, 1997

STATUS: Referred to committee

SPONSOR: Representative Rod Blagojevich D-IL

TOTAL-COSPONSORS: 7 Cosponsors: 7 Democrats / 0 Republicans

SYNOPSIS: A bill to establish or expand existing community prosecution program.

ACTIONS: Committee Referrals:
02/27/97 House Judiciary Committee

Legislative Chronology:

1st Session Activity:

02/27/97 143 Cong Rec H 699 Referred to the House Judiciary Committee
04/29/97 143 Cong Rec H 1988 Cosponsor(s) added

BILL-DIGEST: (from the CONGRESSIONAL RESEARCH SERVICE)

Short title as introduced :

Community Prosecutor Act of 1997

CRS Index Terms:

Criminal justice
Budgets
Citizen participation in crime prevention
Community organization
Crime prevention
Evaluation research (Social action programs)
Federal aid to law enforcement agencies
Government information
Government paperwork
Prosecution
Social services

CO-SPONSORS:

Added 04/29/97:

Delahunt D-MA
McGovern D-MA
Yates D-IL

Kind D-WI
Underwood D-GU

Lipinski D-IL
Weygand D-RI

FULL TEXT OF BILLS

105TH CONGRESS; 1ST SESSION
IN THE HOUSE OF REPRESENTATIVES
AS INTRODUCED IN THE HOUSE

H. R. 863

1997 H.R. 863; 105 H.R. 863

<=1> Retrieve Bill Tracking Report

SYNOPSIS:

A BILL To establish or expand existing community prosecution programs.

DATE OF INTRODUCTION: FEBRUARY 27, 1997

DATE OF VERSION: MARCH 3, 1997 -- VERSION: 1

SPONSOR(S):

Mr. BLAGOJEVICH introduced the following bill; which was referred to the
Committee on the Judiciary

TEXT:

* Be it enacted by the Senate and House of Representatives of the United*

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BODY:

Someone had spray-painted the letters "SPC" all over a convenience store in the suburban Howard County community of Columbia. Big deal. It's the kind of obnoxious-but-low-level crime that is usually handled in District Court, along with minor traffic infractions.

But the alleged graffiti writer was linked to other graffiti -- on a high school scoreboard, highway overpasses, an 18-wheeler. His home was searched. Evidence was seized. SPC was said to stand for "Satan's Perfect Child." Christopher Falk, 23, of Columbia, was arrested and charged with 16 counts of malicious destruction. This month, he faces a jury trial in Circuit Court. Why the tough treatment?

Because the crime is precisely the kind of quality-of-life diminisher targeted by the "community justice" program, established last year by the state's attorney's office in Howard County and by an increasing number of prosecutors nationwide.

Those prosecutors focus on crimes that "really stick in people's craws," said Sang W. Oh, a prosecutor in the Howard County state's attorney's office.

Such programs have been criticized by defense attorneys as overkill, showy public relations gestures that divert resources from serious crimes.

"Why don't they concentrate on rapes and murders?" said Falk's attorney, William Hale, of Silver Spring. "They acted like the Gestapo; they treated him like a war criminal. It's ridiculous."

But petty crimes are not so easily dismissed by the people victimized by them, said Oh, one of two assistant state's attorneys assigned to the new Howard County program.

"I don't know any one of my neighbors who have been raped or murdered, but I

know plenty whose mailboxes got run over, who had sleds stolen from the back yard or whose cars got hit by kids who were drinking," Oh said.

Modeled after the community policing concept and often referred to as "community prosecution," the programs place prosecutors in neighborhoods to listen to residents' complaints about vandalism, threatening behavior, small-time drug trafficking, petty theft and similar crimes.

"This is how prosecutors will work with communities in the future," said State's Attorney Marna McLendon (R), who initiated the program on a pilot basis in two Columbia villages, Harper's Choice and Wilde Lake.

Prosecutors have been logging long hours at neighborhood meetings and in the schools, because juveniles are involved in many of the crimes they confront.

Similar programs have been established in the District; Chicago; New York; Kansas City, Mo.; Cambridge, Mass., and many other cities, where residents and law enforcement officials have struggled to find a more effective way to combat "nuisance crimes."

"What you're seeing is the prosecutors redefining their roles a little bit, so that they're not just responsible for responding to crimes, for processing cases, but more for preventing crime," said Heike Gramcow, director of management and program development for the American Prosecutors' Research Institute, the research arm of the National District Attorneys Association.

The prosecutors who run a six-year-old program in Portland, Ore., say the community has seen results as they closed crack houses and helped neighborhoods get the speed bumps they wanted.

In Northeast Washington, where U.S. Attorney Eric H. Holder Jr. set up a community prosecution pilot program last year, cases have run the gamut from serious crimes, such as murders in particular neighborhoods, to nuisances, such as abandoned automobiles and rat infestation.

"We're trying to be there for people, but also to give people a sense [of], 'This is your neighborhood; you've got to tell us what's going on,'" said Brenda Johnson, deputy chief of the District's community prosecution section.

In a neighborhood plagued by youths shooting at each other, prosecutors cracked down, partly by charging some of the youths but also by bringing in their mothers for a stern lecture, Johnson said. In another instance, Johnson recalled, she helped an elderly woman complaining about a trashed-filled lot by calling up the property owner and lambasting her for her negligence.

"We do a lot of that -- shaming people into doing right," Johnson said.

In the same way, Oh, in Howard County, is looking for a low-key but more effective way to deal with a knife-carrying homeless man who has been intimidating shoppers at one of the village centers.

"My first move will be to try and get the liquor store there to stop selling him liquor. If he doesn't stop, I could get the other merchants there to lean on him," Oh said. Prosecutors also might also seek addiction services for the man or get his family involved, Oh said.

Columbia residents came up with a solution themselves in the case of a vacant lot where people were gathering to drink and deal drugs: They circulated a petition to have the lot legally designated as "open space," meaning it had to close at 10 p.m. Oh researched the procedure in the law books and pushed their proposal through all the necessary agencies. Now police can force people off the lot after hours and ticket violators.

"Being in the position I was," Oh said, "I could grease the skids."

Oh's efforts in the graffiti case, however, seem overly harsh to Christopher Falk's relatives, who say the county is making him "a scapegoat."

"They decided to add all the graffiti in Columbia to his case," said Falk's mother, Geraldine Falk, whose son lives with her. "I don't even know if he did it or not. But do they really have to go to such an extent for something so minor? I think they just don't have enough to do."

Oh, however, said his efforts are meant to send "a strong message of deterrence."

"We want it understood this [graffiti] will not be tolerated," he said. "That's a sentiment that I got loud and clear from the community."

Ordinarily, such a case would have remained in District Court, Oh said, where an offender probably would receive a suspended sentence or probation before judgment, meaning the person would not have a criminal record.

Oh, however, plans to seek sizable restitution and some "more appropriate punishment."

"The things I'm hearing people talk about are old-fashioned punishments, like making the person go out and repaint where they'd painted," Oh said. "I like the sound of that."

LANGUAGE: ENGLISH

LOAD-DATE: May 04, 1997

The Boston Herald

February 23, 1997 Sunday FIRST EDITION

SECTION: EDITORIAL; Pg. 023

LENGTH: 1099 words

HEADLINE: Prosecutors play hardball - With citizens, police and courts working together, crime drops dramatically

BYLINE: By Catherine Coles and George L. Kelling

BODY:

Crime levels are dropping in Boston at a remarkable rate. The reductions in violent juvenile crime since 1990 (juvenile homicides down 80 percent) and during 1996 (no firearm murders of juveniles) are stunning achievements. The Police Department is deservedly receiving praise for its creative efforts, all the more noteworthy when only four years ago the St. Clair Commission excoriated the department for its inability to plan and implement community policing.

Yet more is happening in Boston than dramatic changes in policing: A parallel, if unrecognized, revolution is taking place in prosecution.

On a May 1995 weekend, when police undertook the first so-called zero tolerance sweep against prostitution, public drinking, disorderly conduct and quality of life crimes in East Boston's Safe Neighborhood Initiative, Assistant District Attorney David Coffey was there. Coffey had worked with citizens and police for months to plan the initiative - with the district court presiding judge to handle anticipated arrests - and was committed to prosecuting the resulting cases.

About 50 arrests were made. By Sunday, police were picking up word on the streets - offenders knew something was happening and were lying low. And the police were amazed that Coffey had worked alongside them on Friday and Saturday nights, not just in the courtroom but on the streets and in the station.

Coffey is not alone. Other prosecutors are moving out of their offices and courtrooms, into the streets of Dorchester, Roxbury and Chelsea, to collaborate with citizens, to address local priorities and problems. Adopting a problem-solving orientation - rather than concentrating solely on processing cases involving crimes already committed - represents a return to an earlier historical era for American prosecution.

Historian Allen Steinberg provides rich accounts of 19th-century century

private prosecution in which poor and working-class citizens turned to prosecution to settle disputes, maintain order and protect themselves, bringing to the criminal courts their disputes over everything large and small - noisy nuisance charges between tenants, disorderly conduct, the dissolution of business contracts, larceny, and assault and battery.

During the second half of the 19th century, with the creation of professional police forces and their broad powers of arrest, state prosecutors assumed increasing responsibility for dealing with the cases brought to them by the police. Citizens began to lose direct access to criminal justice processes - a trend that grew stronger during the 20th century, with greater professionalization in the roles of police and prosecutors.

Today the watchword is "community prosecution." Taking its cue from citizens themselves, and from community policing, community prosecution emphasizes crime prevention as well as enforcement, and quality of life issues in addition to violent crime. Community prosecutors lead in building coalitions with police, other criminal justice agencies, elected officials, community organizations, local businesses, schools, churches and residents - and then work as part of a team to develop strategies, identify and obtain resources, and assume joint responsibility for improving public safety.

Most use problem solving to aggressively prosecute habitual and violent offenders, while forming community-based partnerships to develop diversion, treatment, mediation, and community service or restitution options in which both offenders and the community are better served by rehabilitation or swift punishment than they are by incarceration.

In Boston, Suffolk County District Attorney Ralph Martin and Massachusetts Attorney General Scott Harshbarger have created several Safe Neighborhood Initiatives, placing prosecutors such as David Coffey in target neighborhoods where they get to know residents and crime problems. They meet with crime watch groups, neighborhood associations and citizen advisory councils. They prosecute cases from the area and, along with citizens, police, corrections and probation officials, plan law enforcement and other efforts to prevent or reduce crime - from sting operations to mediation, elderly safety education, youth activities, alcohol abuse programs and a host of others.

The results are convincing: Residents and merchants see an improved quality of life on streets they feel are safer, and crime has decreased significantly (down 18 percent in East Boston in 1996). Prosecution rates are up - close to 90 percent of offenders arrested through East Boston SNI activities in 1996 were prosecuted.

Through the Community Based Juvenile Justice Program, other prosecutors lead discussions with middle and high school officials to identify and assist youth

at risk to themselves; in the courtroom they prosecute more resistant juvenile offenders to protect other students and the community. Upcoming plans call for placing assistant district attorneys directly in neighborhood police stations around the city to coordinate their activities closely with police.

Community prosecution is producing important outcomes nationwide. In Austin, Texas; Kansas City, Mo.; Indianapolis, Ind.; and Portland, Ore., it is helping to reverse the alienation of citizens from criminal justice processes, rebuilding a sense of responsibility and involvement for maintaining safety in their own neighborhoods - a change that in the long run is likely to do more for our cities than any actions by police or prosecutors.

Prosecutors are affecting crime rates and the quality of life in their communities. They possess legal knowledge required by police and citizens. They have access to judges and courts, and carry the ball beyond the arrest stage, prosecuting low-level offenses and violent crimes. Because they are elected, prosecutors are the only criminal justice officials directly accountable to the public. Without prosecutors on board, reductions in crime around the country cannot be sustained; with their leadership, we may not yet have seen the full extent of what can be achieved to restore order and reduce crime in our neighborhoods.

Catherine Coles and George Kelling, co-authors of "Fixing Broken Windows," are completing a National Institute of Justice study of community-based prosecution and policing in Boston, Austin, Kansas City and Indianapolis. Coles is an urban anthropologist, lawyer and research associate at the Kennedy School of Government, Harvard University. Kelling is professor of criminal justice at Rutgers University and a research fellow at the Kennedy School.

LOAD-DATE: February 26, 1997

ABC NEWS

SHOW: WORLD NEWS TONIGHT WITH PETER JENNINGS (6:30 pm ET)

MAY 8, 1997

Transcript # 97050807-j04

TYPE: PACKAGE

SECTION: NEWS

LENGTH: 688 words

HEADLINE: SOLUTIONS

BYLINE: JAMES WALKER, PETER JENNINGS

HIGHLIGHT:

NEIGHBORHOOD PROSECUTOR TACKLES CITIZENS COMPLAINTS

BODY:

ANNOUNCER: World News Tonight with Peter Jennings continues. Now, "Solutions."

PETER JENNINGS: Our focus tonight is on crime. The big story lately has been that the crime rate in many cities has been going down. Some of the credit goes to a change in the way police are operating, going back to the way police used to do their jobs -- walking a beat, spending real time in neighborhoods, becoming a part of it in essence.

Tonight, ABC's James Walker reports on a community which has taken that personal approach one step further.

JAMES WALKER, ABC News: (voice-over) East Boston has a very unusual tool for fighting crime -- its own neighborhood prosecutor, John Pappas (ph).

JOHN PAPPAS, Prosecutor: He's being held on \$20,000 cash bail.

JAMES WALKER: (voice-over) He meets regularly with citizen's groups to hear their concerns, not so much about major crimes but what affects them every day, like graffiti, loitering or underage drinking.

EAST BOSTON CITIZEN: I know that he is past. You could stand right out in the square here and just watch him walk by carrying the cases of liquor.

JAMES WALKER: (voice-over) Pappas takes the citizens complaints to a special

task force of local judges and police who develop an immediate strategy to solve their concerns.

POLICE DETECTIVE: There he goes.

JAMES WALKER: (voice-over) And detectives follow up with a sting operation, sending a 20-year-old police cadet into East Boston's liquor stores.

POLICE DETECTIVE: It's a score. He's underage. You failed to check his identification to see the correct age.

JAMES WALKER: (voice-over) In addition to issuing the usual summons, police will also file a criminal complaint, and the prosecutor will give it extra attention. In court, prosecutor Pappas consistently reflects the community's priorities. For example, a small marijuana case -- too small to keep the defendant in jail until he's tried. But Pappas gets him out of the community immediately.

JOHN PAPPAS: I wanted to ask that he stay away from that area for the pendency of this case, Your Honor.

JUDGE: A condition of your release, sir, you will remain away from that particular area where you were arrested.

CATHERINE COLES, Harvard University: You can see immediate problems being solved. You know, a single, troublesome individual gotten off the street, out of the neighborhood due to the combined efforts of prosecutors and citizens and police all working together.

JAMES WALKER: (on camera) The idea of vigorously prosecuting so-called quality of life crimes such as public intoxication or loitering is just starting to be adopted by prosecutors across the country. What they are realizing is that by addressing residents' complaints, they not only build a partnership with communities, they also stop small crimes before they turn into more serious offenses.

(voice-over) Since this partnership began in East Boston three years ago, the overall crime rate has dropped 25 percent. Car thefts are down 52 percent; drugs, 56 percent; and prostitution, a stunning 80 percent.

FRAN RILEY, East Boston Resident: You can walk our streets now. It's safe. I can go out with my granddaughter now, you know, walk around, whereas a couple of years back, it was getting kind of nasty.

MARTIN COUGHLIN, East Boston Resident: You don't see a drug dealer around. You can look around. There's nobody here.

JAMES WALKER: (voice-over) Neighbors point with pride to East Boston's central square. A few years ago, it was a haven for drunks and drug dealers. Now, it again belongs to the people. James Walker, ABC News, East Boston, Massachusetts.

PETER JENNINGS: This concept is still pretty new. But several other cities are trying it, including Kansas City, Indianapolis, Portland, Oregon, and Austin, Texas.

MEMORANDUM

TO: TOM FREEDMAN

FROM: MARY L. SMITH

RE: COMMUNITY PROSECUTORS

DATE: JUNE 3, 1997

SUMMARY

Instead of locating prosecutors in a centralized, downtown office, prosecutors are stationed in specific neighborhoods to work with the residents to deal with crime issues in innovative ways. Rep. Rod Blagojevich (D-IL) has introduced H.R. 863 entitled the "The Community Prosecutor Act of 1997" which would create a \$10 million national pilot program to fund "community prosecutors." [Chicago Tribune, 2/9/97 & H.R. 863]

COMMUNITY PROSECUTORS

Community prosecutors are assigned to specific areas in communities in order to work with police and civic groups to deter crime. Community prosecutors work on any case that arises in their assigned area rather than on a specific type of case such as homicides. Because they are involved in all aspects of crime in one geographic area, these prosecutors are able to understand the fabric and overall makeup of the community better. These prosecutors also focus more on preventing crime than traditional prosecutors. They may work with community groups in order to implement innovative strategies to address community crime problems like graffiti.

STATISTICS AND SUCCESS STORIES

- **Boston:** Residents and merchants see an improved quality of life and feel safer on the streets. Since community prosecution began in East Boston three years ago, the overall crime rate has dropped 25%, car thefts are down 52%, and prostitution is down 80%. Prosecution rates are up -- close to 90% of offenders arrested through East Boston Safe Neighborhood Initiative Activities (SNI) in 1996 were prosecuted. Through the Community-Based Juvenile Justice Program, other prosecutors lead discussions with middle and high school officials to identify and assist at-risk youths. [Boston Herald, 2/23/97 & ABC World News Tonight, 5/08/97]
- **Howard County, MD:** Residents have seen results with improvements such as clearing a vacant lot of drinking and drug dealing by declaring it as "open space," meaning it had to close at 10 p.m. [Washington Post, 5/04/97]

- **Washington, D.C.:** In Northeast Washington, U.S. Attorney Eric H. Holder, Jr., set up a community prosecution pilot program last year. Cases have ranged from serious crimes such as murder to nuisances such as abandoned automobiles and rat infestation. In one neighborhood, prosecutors cracked down on youths shooting at one another by charging some of the youths but also by bringing in their mothers for a stern lecture.

RELATION TO COMMUNITY POLICING

Community prosecution is sometimes adopted as an adjunct to community policing (as in New York City), and sometimes by itself (as in Portland, Oregon, and Austin, Texas).

LOCATIONS OF COMMUNITY PROSECUTORS

- Austin, TX
- Boston, MA
- Brooklyn, NY
- Cambridge, MA
- Chicago, IL
- Denver, CO
- Howard County, MD
- Indianapolis, IN.
- Kansas City, MO
- Milwaukee, WI
- New York, NY
- Portland, OR
- Washington, D.C.

Chicago Tribune

February 9, 1997 Sunday, CHICAGOLAND FINAL EDITION

SECTION: METRO CHICAGO; Pg. 3; ZONE: C; D.C. Journal.

LENGTH: 811 words

HEADLINE: BLAGOJEVICH TAGS 'COMMUNITY PROSECUTING' AS ANTI-CRIME WEAPON

BYLINE: By Mike Dorning and Mary Jacoby, Washington Bureau.

DATELINE: WASHINGTON

BODY:

Chicago's Rod Blagojevich may be building a political career on spray paint.

The Chicago Democrat is beginning his freshman congressional term by returning to the same issue he says occasioned his first meeting with Ald. Dick Mell (33rd), his future father-in-law and political sponsor.

That's graffiti.

Turns out that when Blagojevich was a young prosecutor in the Cook County state's attorney's office, Mell came to that office to make sure Blagojevich and the other prosecutors took seriously graffiti-painting incidents in the 33rd Ward.

Blagojevich says he did..And, apparently, he still does.

The congressman is now working on legislation for a \$10 million national pilot program to fund "community prosecutors" who would be based in neighborhoods and devote themselves to prosecution of "quality of life" crimes (graffiti, for example).

Blagojevich calls it "the prosecution equivalent of community policing."

The idea is for prosecutors stationed within neighborhoods to work with residents to target minor nuisances that disrupt the community.

It draws on the recent fashion in the law enforcement community to focus on the "broken windows" phenomenon: Just as unrepaired broken windows on a building tend to draw further acts of vandalism, undeterred acts of petty crime create a disorderly atmosphere that fosters more dangerous criminal acts.

Two Harvard University academics wrote an influential article pointing this out during the early 1980s--just about the same time Ald. Mell, sans Ph.D., was lecturing the young prosecutors.

Bill Tracking Report

105th Congress
1st Session

U. S. House of Representatives

HR 863

1997 Bill Tracking H.R. 863; 105 Bill Tracking H.R. 863

COMMUNITY PROSECUTOR ACT OF 1997

<=1> Retrieve full text version

DATE-INTRO: February 27, 1997

LAST-ACTION-DATE: April 29, 1997

STATUS: Referred to committee

SPONSOR: Representative Rod Blagojevich D-IL

TOTAL-COSPONSORS: 7 Cosponsors: 7 Democrats / 0 Republicans

SYNOPSIS: A bill to establish or expand existing community prosecution program.

ACTIONS: Committee Referrals:
02/27/97 House Judiciary Committee

Legislative Chronology:

1st Session Activity:

02/27/97 143 Cong Rec H 699 Referred to the House Judiciary Committee

04/29/97 143 Cong Rec H 1988 Cosponsor(s) added

BILL-DIGEST: (from the CONGRESSIONAL RESEARCH SERVICE)

Short title as introduced :

Community Prosecutor Act of 1997

CRS Index Terms:

Criminal justice
Budgets
Citizen participation in crime prevention
Community organization
Crime prevention
Evaluation research (Social action programs)
Federal aid to law enforcement agencies
Government information
Government paperwork
Prosecution
Social services

CO-SPONSORS:

Added 04/29/97:

Delahunt D-MA
McGovern D-MA
Yates D-IL

Kind D-WI
Underwood D-GU

Lipinski D-IL
Weygand D-RI

FULL TEXT OF BILLS

105TH CONGRESS; 1ST SESSION
IN THE HOUSE OF REPRESENTATIVES
AS INTRODUCED IN THE HOUSE

H. R. 863

1997 H.R. 863; 105 H.R. 863

<=1> Retrieve Bill Tracking Report

SYNOPSIS:

A BILL To establish or expand existing community prosecution programs.

DATE OF INTRODUCTION: FEBRUARY 27, 1997

DATE OF VERSION: MARCH 3, 1997 -- VERSION: 1

SPONSOR(S):

Mr. BLAGOJEVICH introduced the following bill; which was referred to the
Committee on the Judiciary

TEXT:

* Be it enacted by the Senate and House of Representatives of the United*

States of America in Congress assembled,

SECTION 1. SHORT TITLE:

This Act may be cited as the "Community Prosecutor Act of 1997".

SEC. 2. GRANT AUTHORIZATION.

(a) IN GENERAL.-THE ATTORNEY GENERAL MAY MAKE GRANTS TO STATE ATTORNEYS GENERAL, PROSECUTORS, UNITS OF LOCAL GOVERNMENT, AND INDIAN TRIBAL PROSECUTORS TO ESTABLISH OR EXPAND EXISTING COMMUNITY PROSECUTION PROGRAMS, INCLUDING HIRING AND TRAINING PROSECUTORS FOR SUCH PROGRAMS.

(B) EQUITABLE DISTRIBUTION.-THE ATTORNEY GENERAL SHOULD ENSURE, TO THE EXTENT POSSIBLE, THAT GRANTS AWARDED UNDER THIS ACT ARE DISTRIBUTED EQUITABLY BETWEEN URBAN AND RURAL COMMUNITIES.

SEC. 3. ELIGIBILITY.

(a) IN GENERAL.-TO BE ELIGIBLE TO RECEIVE A GRANT UNDER THIS ACT, STATE ATTORNEYS GENERAL, PROSECUTORS, UNITS OF LOCAL GOVERNMENT AND INDIAN TRIBAL PROSECUTORS MAY APPLY FOR AN AWARD TO ESTABLISH OR

CONTINUE EXISTING COMMUNITY-ORIENTED PROSECUTION PROGRAMS.

(B) APPLICATION.-TO APPLY FOR A GRANT, AN INTERESTED ELIGIBLE ENTITY SHALL SUBMIT AN APPLICATION TO THE ATTORNEY GENERAL IN SUCH FORM AS THE ATTORNEY GENERAL SHALL PRESCRIBE BY REGULATIONS OR GUIDELINES.

(C) CONTENTS.-EACH APPLICATION SHALL INCLUDE THE FOLLOWING:

(1) THE OBJECTIVES, AND NEED, INCLUDING PUBLIC SAFETY, FOR A GRANT AWARD.

(2) A LONG-TERM STRATEGY AND DETAILED IMPLEMENTATION PLAN.

(3) CERTIFICATION OF COORDINATION AND SPECIFIC COMMITMENTS BY THE COMMUNITY TO BE SERVED BY THE GRANT TO PARTICIPATE IN A PROGRAM DESCRIBED UNDER PARAGRAPH (2).

(4) A DESCRIPTION OF THE GEOGRAPHICAL AREA TO BE SERVED.

(5) IDENTIFICATION OF RELATED INITIATIVES WHICH WILL COMPLEMENT OR BE COORDINATED WITH A PROGRAM FUNDED UNDER THIS ACT.

(6) AN ASSURANCE THAT FUNDS RECEIVED UNDER THIS ACT WILL BE USED TO SUPPLEMENT NOT SUPPLANT OTHER FEDERAL FUNDS.

SEC. 4. USES OF FUNDS.

(a) IN GENERAL.-FUNDS PROVIDED UNDER THIS ACT MAY BE USED TO HIRE STAFF, PROCURE EQUIPMENT, TECHNOLOGY, AND SUPPORT SYSTEMS OR PAY OVERTIME IN THE ESTABLISHMENT OF COMMUNITY-ORIENTED PROSECUTION PROGRAMS IF THE ELIGIBLE ENTITY CAN DEMONSTRATE TO THE SATISFACTION OF THE ATTORNEY GENERAL THAT THE EXPENDITURES WOULD RESULT IN A SUCCESSFUL REDUCTION IN CRIME.

(B) LOCAL MATCH.-THE FEDERAL SHARE OF A GRANT MADE UNDER THIS ACT MAY NOT EXCEED 75 PERCENT OF THE TOTAL COSTS OF THE PROGRAM DESCRIBED IN THE APPLICATION SUBMITTED PURSUANT TO SECTION 3(B). THE ATTORNEY GENERAL MAY WAIVE, IN WHOLE OR IN PART, THE REQUIREMENT OF A MATCHING CONTRIBUTION AND MAY CONSIDER IN-KIND CONTRIBUTIONS, FAIRLY VALUED, IN LIEU OF THE LOCAL MATCHING REQUIREMENT. SEC. 5. EVALUATIONS.

(a) IN GENERAL.-EACH PROGRAM OR PROJECT FUNDED UNDER THIS ACT SHALL CONTAIN A MONITORING COMPONENT DEVELOPED PURSUANT TO GUIDELINES ESTABLISHED BY THE ATTORNEY GENERAL, INCLUDING THE IDENTIFICATION AND COLLECTION OF DATA REGARDING THE ACTIVITIES AND ACCOMPLISHMENTS OF THE PROGRAM OVER THE LIFE OF THE GRANT AWARD. THE ATTORNEY GENERAL MAY REQUIRE GRANT RECIPIENTS TO SUBMIT WRITTEN REPORTS WHICH DESCRIBE THE MONITORING PROCESS AND EVALUATION RESULTS.

(B) INFORMATION ACCESS.-THE ATTORNEY GENERAL SHALL HAVE ACCESS TO ANY PERTINENT DOCUMENTS OR RECORDS RELATING TO THE PROGRAM FOR THE PURPOSES OF EVALUATION AND AUDIT.

(C) REVOCATION OR SUSPENSION.-IF THE ATTORNEY GENERAL DETERMINES, AS A RESULT OF THE REVIEWS DESCRIBED IN THIS SECTION, THAT A GRANT RECIPIENT IS NOT IN SUBSTANTIAL COMPLIANCE WITH THE TERMS AND REQUIREMENTS DESCRIBED IN THIS ACT, OR WITH THE REGULATIONS ISSUED BY THE ATTORNEY GENERAL, THE ATTORNEY GENERAL MAY REVOKE OR SUSPEND GRANT FUNDING, IN WHOLE OR IN PART AFTER OPPORTUNITY FOR A HEARING.

SEC. 6. STUDY.

Not more than one percent of the funds appropriated to carry out this Act shall be directed to the Attorney General to finance a study evaluating grants made under this Act. At a minimum, this study shall include the following:

- (1) The number of grant awards made and the amount of each grant.
- (2) The recipients of grants, including the communities in which they are based.
- (3) The purposes for which the grants were awarded and used.
- (4) An evaluation of the achievement of each recipient's stated goals and objectives.
- (5) An assessment of the effect the program had in encouraging and supporting coordinated community action against crime.
- (6) Specific recommendations for further funding for each grant recipient.
- (7) Specific recommendations for future operations of the grant program and its guidelines.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act \$10,000,000 for fiscal year 1998 and such sums as may be necessary for each of fiscal years 1999 through 2002.

The Boston Herald

February 23, 1997 Sunday FIRST EDITION

SECTION: EDITORIAL; Pg. 023

LENGTH: 1099 words

HEADLINE: Prosecutors play hardball - With citizens, police and courts working together, crime drops dramatically

BYLINE: By Catherine Coles and George L. Kelling

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Community prosecution is producing important outcomes nationwide. In Austin, Texas; Kansas City, Mo.; Indianapolis, Ind.; and Portland, Ore., it is helping to reverse the alienation of citizens from criminal justice processes, rebuilding a sense of responsibility and involvement for maintaining safety in their own neighborhoods - a change that in the long run is likely to do more for our cities than any actions by police or prosecutors.

Prosecutors are affecting crime rates and the quality of life in their communities. They possess legal knowledge required by police and citizens. They have access to judges and courts, and carry the ball beyond the arrest stage, prosecuting low-level offenses and violent crimes. Because they are elected, prosecutors are the only criminal justice officials directly accountable to the public. Without prosecutors on board, reductions in crime around the country cannot be sustained; with their leadership, we may not yet have seen the full extent of what can be achieved to restore order and reduce crime in our neighborhoods.

Catherine Coles and George Kelling, co-authors of "Fixing Broken Windows," are completing a National Institute of Justice study of community-based prosecution and policing in Boston, Austin, Kansas City and Indianapolis. Coles is an urban anthropologist, lawyer and research associate at the Kennedy School of Government, Harvard University. Kelling is professor of criminal justice at Rutgers University and a research fellow at the Kennedy School.

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ABC NEWS

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BYLINE: JAMES WALKER, PETER JENNINGS

HIGHLIGHT:

NEIGHBORHOOD PROSECUTOR TACKLES CITIZENS COMPLAINTS

BODY:

ANNOUNCER: World News Tonight with Peter Jennings continues. Now, "Solutions."

PETER JENNINGS: Our focus tonight is on crime. The big story lately has been that the crime rate in many cities has been going down. Some of the credit goes to a change in the way police are operating, going back to the way police used to do their jobs -- walking a beat, spending real time in neighborhoods, becoming a part of it in essence.

Tonight, ABC's James Walker reports on a community which has taken that personal approach one step further.

JAMES WALKER, ABC News: (voice-over) East Boston has a very unusual tool for fighting crime -- its own neighborhood prosecutor, John Pappas (ph).

JOHN PAPPAS, Prosecutor: He's being held on \$20,000 cash bail.

JAMES WALKER: (voice-over) He meets regularly with citizens groups to hear their concerns, not so much about major crimes but what affects them every day, like graffiti, loitering or underaged drinking.

EAST BOSTON CITIZEN: I know that he is past. You could stand right out in the square here and just watch him walk by carrying the cases of liquor.

JAMES WALKER: (voice-over) Pappas takes the citizens complaints to a special

task force of local judges and police who develop an immediate strategy to solve their concerns.

POLICE DETECTIVE: There he goes.

JAMES WALKER: (voice-over) And detectives follow up with a sting operation, sending a 20-year-old police cadet into East Boston's liquor stores.

POLICE DETECTIVE: It's a score. He's underage. You failed to check his identification to see the correct age.

JAMES WALKER: (voice-over) In addition to issuing the usual summons, police will also file a criminal complaint, and the prosecutor will give it extra attention. In court, prosecutor Pappas consistently reflects the community's priorities. For example, a small marijuana case -- too small to keep the defendant in jail until he's tried. But Pappas gets him out of the community immediately.

JOHN PAPPAS: I wanted to ask that he stay away from that area for the pendency of this case, Your Honor.

JUDGE: A condition of your release, sir, you will remain away from that particular area where you were arrested.

CATHERINE COLES, Harvard University: You can see immediate problems being solved. You know, a single, troublesome individual gotten off the street, out of the neighborhood due to the combined efforts of prosecutors and citizens and police all working together.

JAMES WALKER: (on camera) The idea of vigorously prosecuting so-called quality of life crimes such as public intoxication or loitering is just starting to be adopted by prosecutors across the country. What they are realizing is that by addressing residents' complaints, they not only build a partnership with communities, they also stop small crimes before they turn into more serious offenses.

(voice-over) Since this partnership began in East Boston three years ago, the overall crime rate has dropped 25 percent. Car thefts are down 52 percent, drugs, 56 percent, and prostitution, a stunning 80 percent.

FRAN RILEY, East Boston Resident: You can walk our streets now. It's safe. I can go out with my granddaughter now, you know, walk around, whereas a couple of years back, it was getting kind of nasty.

MARTIN COUGHLIN, East Boston Resident: You don't see a drug dealer around. You can look around. There's nobody here.

JAMES WALKER: (voice-over) Neighbors point with pride to East Boston's central square. A few years ago, it was a haven for drunks and drug dealers. Now, it again belongs to the people. James Walker, ABC News, East Boston, Massachusetts.

PETER JENNINGS: This concept is still pretty new. But several other cities are trying it, including Kansas City, Indianapolis, Portland, Oregon, and Austin, Texas.

The Washington Post

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HEADLINE: Howard County Seeks to Erase Graffiti, Other Quality-of-Life Crimes

BYLINE: Fern Shen, Washington Post Staff Writer

BODY:

Someone had spray-painted the letters "SPC" all over a convenience store in the suburban Howard County community of Columbia. Big deal. It's the kind of obnoxious-but-low-level crime that is usually handled in District Court, along with minor traffic infractions.

But the alleged graffiti writer was linked to other graffiti -- on a high school scoreboard, highway overpasses, an 18-wheeler. His home was searched. Evidence was seized. SPC was said to stand for "Satan's Perfect Child." Christopher Falk, 23, of Columbia, was arrested and charged with 16 counts of malicious destruction. This month, he faces a jury trial in Circuit Court. Why the tough treatment?

Because the crime is precisely the kind of quality-of-life diminisher targeted by the "community justice" program, established last year by the state's attorney's office in Howard County and by an increasing number of prosecutors nationwide.

Those prosecutors focus on crimes that "really stick in people's craws," said Sang W. Oh, a prosecutor in the Howard County state's attorney's office.

Such programs have been criticized by defense attorneys as overkill, showy public relations gestures that divert resources from serious crimes.

"Why don't they concentrate on rapes and murders?" said Falk's attorney, William Hale, of Silver Spring. "They acted like the Gestapo; they treated him like a war criminal. It's ridiculous."

But petty crimes are not so easily dismissed by the people victimized by them, said Oh, one of two assistant state's attorneys assigned to the new Howard County program.

"I don't know any one of my neighbors who have been raped or murdered, but I

know plenty whose mailboxes got run over, who had sleds stolen from the back yard or whose cars got hit by kids who were drinking," Oh said.

Modeled after the community policing concept and often referred to as "community prosecution," the programs place prosecutors in neighborhoods to listen to residents' complaints about vandalism, threatening behavior, small-time drug trafficking, petty theft and similar crimes.

"This is how prosecutors will work with communities in the future," said State's Attorney Marna McLendon (R), who initiated the program on a pilot basis in two Columbia villages, Harper's Choice and Wilde Lake.

Prosecutors have been logging long hours at neighborhood meetings and in the schools, because juveniles are involved in many of the crimes they confront.

Similar programs have been established in the District; Chicago; New York; Kansas City, Mo.; Cambridge, Mass., and many other cities, where residents and law enforcement officials have struggled to find a more effective way to combat "nuisance crimes."

"What you're seeing is the prosecutors redefining their roles a little bit, so that they're not just responsible for responding to crimes, for processing cases, but more for preventing crime," said Heike Gramcow, director of management and program development for the American Prosecutors' Research Institute, the research arm of the National District Attorneys Association.

The prosecutors who run a six-year-old program in Portland, Ore., say the community has seen results as they closed crack houses and helped neighborhoods get the speed bumps they wanted.

In Northeast Washington, where U.S. Attorney Eric H. Holder Jr. set up a community prosecution pilot program last year, cases have run the gamut from serious crimes, such as murders in particular neighborhoods, to nuisances, such as abandoned automobiles and rat infestation.

"We're trying to be there for people, but also to give people a sense [of], 'This is your neighborhood; you've got to tell us what's going on,' " said Brenda Johnson, deputy chief of the District's community prosecution section.

In a neighborhood plagued by youths shooting at each other, prosecutors cracked down, partly by charging some of the youths but also by bringing in their mothers for a stern lecture, Johnson said. In another instance, Johnson recalled, she helped an elderly woman complaining about a trashed-filled lot by calling up the property owner and lambasting her for her negligence.

"We do a lot of that -- shaming people into doing right," Johnson said.

In the same way, Oh, in Howard County, is looking for a low-key but more effective way to deal with a knife-carrying homeless man who has been intimidating shoppers at one of the village centers.

"My first move will be to try and get the liquor store there to stop selling him liquor. If he doesn't stop, I could get the other merchants there to lean on him," Oh said. Prosecutors also might also seek addiction services for the man or get his family involved, Oh said.

Columbia residents came up with a solution themselves in the case of a vacant lot where people were gathering to drink and deal drugs: They circulated a petition to have the lot legally designated as "open space," meaning it had to close at 10 p.m. Oh researched the procedure in the law books and pushed their proposal through all the necessary agencies. Now police can force people off the lot after hours and ticket violators.

"Being in the position I was," Oh said, "I could grease the skids."

Oh's efforts in the graffiti case, however, seem overly harsh to Christopher Falk's relatives, who say the county is making him "a scapegoat."

"They decided to add all the graffiti in Columbia to his case," said Falk's mother, Geraldine Falk, whose son lives with her. "I don't even know if he did it or not. But do they really have to go to such an extent for something so minor? I think they just don't have enough to do."

Oh, however, said his efforts are meant to send "a strong message of deterrence."

"We want it understood this [graffiti] will not be tolerated," he said. "That's a sentiment that I got loud and clear from the community."

Ordinarily, such a case would have remained in District Court, Oh said, where an offender probably would receive a suspended sentence or probation before judgment, meaning the person would not have a criminal record.

Oh, however, plans to seek sizable restitution and some "more appropriate punishment."

"The things I'm hearing people talk about are old-fashioned punishments, like making the person go out and repaint where they'd painted," Oh said. "I like the sound of that."

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