

Withdrawal/Redaction Sheet

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001. form	OJP Form 4000 [Personally Identifiable Information] [partial] (1 page)	00/00/0000	b(6)
002. form	OJP Form 4000 [Personally Identifiable Information] [partial] (1 page)	00/00/0000	b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Jose Cerda
OA/Box Number: 5317

FOLDER TITLE:

Community - Based Prosecution

2016-0931-S

rc2324

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
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b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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U. S. DEPARTMENT OF JUSTICE OFFICE OF JUSTICE PROGRAMS ☐ OJP ☒ BJA ☐ OJJDP ☐ BJS ☐ NIJ ☐ OVC CHECK APPROPRIATE BOX				AWARD ☒ GRANT ☐ COOPERATIVE AGREEMENT		PAGE <u>1</u> OF <u>4</u>															
1. GRANTEE NAME AND ADDRESS (Including Zip Code) Kings County District Attorney Municipal Building 210 Joralemon Street Brooklyn, New York 11201 <i>0001</i>				4. AWARD NUMBER 93-DD-CX-0010																	
1A. GRANTEE IRS VENDOR NO. <i>(b)(6)</i>				5. PROJECT PERIOD: 03/01/93 - 02/28/94 BUDGET PERIOD: 03/01/93 - 02/28/94																	
2. SUBGRANTEE NAME AND ADDRESS (Including Zip Code) N/A				6. AWARD DATE March 3, 1993		7. ACTION ☒ INITIAL ☐ SUPPLEMENTAL															
2A. SUBGRANTEE IRS VENDOR NO. N/A				8. SUPPLEMENT NUMBER																	
3. PROJECT TITLE Community-Based Prosecution				9. PREVIOUS AWARD AMOUNT \$ - 0 -																	
10. AMOUNT OF THIS AWARD \$ 250,000				11. TOTAL AWARD \$ 250,000																	
12. SPECIAL CONDITIONS (Check, if applicable) ☒ THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED <u>3</u> PAGE(S)																					
13. STATUTORY AUTHORITY FOR GRANT ☒ TITLE I OF THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968. 42 U.S.C. 3701 ET. SEQ. AS AMENDED. ☐ TITLE II OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974. 42 U.S.C. 5601 ET. SEQ. AS AMENDED. ☐ VICTIMS OF CRIME ACT OF 1984 ____ U.S.C. ____ PUB. L. 98-473. ☐ OTHER (Specify)																					
14. FUTURE FISCAL YEAR(S) SUPPORT SECOND YEAR'S BUDGET PERIOD: N/A AMOUNT OF FUNDS N/A TYPE OF FUNDS N/A THIRD YEAR'S BUDGET PERIOD: N/A AMOUNT OF FUNDS N/A TYPE OF FUNDS N/A																					
15. METHOD OF PAYMENT THE GRANTEE WILL RECEIVE CASH VIA A LETTER OF CREDIT ☒ YES ☐ NO																					
AGENCY APPROVAL				GRANTEE ACCEPTANCE																	
16. TYPED NAME AND TITLE OF APPROVING OJP OFFICIAL Jack A. Nadol, Acting Director Bureau of Justice Assistance				18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Charles J. Hynes Kings County District Attorney																	
17. SIGNATURE OF APPROVING OJP OFFICIAL 				19. SIGNATURE OF AUTHORIZED GRANTEE OFFICIAL		19A. DATE															
AGENCY USE ONLY																					
20. ACCOUNTING CLASSIFICATION CODE <table style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: center;">FISCAL YEAR</th> <th style="text-align: center;">FUND CODE</th> <th style="text-align: center;">BUD ACT</th> <th style="text-align: center;">OFC</th> <th style="text-align: center;">DIV. REG</th> <th style="text-align: center;">SUB.</th> <th style="text-align: center;">POMS</th> </tr> <tr> <td style="text-align: center;">X</td> <td style="text-align: center;">C</td> <td style="text-align: center;">D6</td> <td style="text-align: center;">80</td> <td style="text-align: center;">00</td> <td style="text-align: center;">00</td> <td></td> </tr> </table>						FISCAL YEAR	FUND CODE	BUD ACT	OFC	DIV. REG	SUB.	POMS	X	C	D6	80	00	00		21. DOCUMENT CONTROL NUMBER	
FISCAL YEAR	FUND CODE	BUD ACT	OFC	DIV. REG	SUB.	POMS															
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U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

Washington, D.C. 20531

MEMORANDUM

TO: Jack A. Nadol
Acting Director
Bureau of Justice Assistance

FROM: Gale W. Farquhar
Program Manager
Prosecution Branch
Discretionary Grant Programs Division

SUBJECT: Grant Manager's Memorandum — Community Based Prosecution

APPLICANT: Office of the Kings County, New York, District Attorney

**APPLICANT
NO.:** 3-1239-NY-DD

AMOUNT: \$250,000 **DURATION:** 12 Months

SECTION I - PROJECT OVERVIEW

A. Program Plan

In 1986, when the impact of an explosive wave of crime and violence associated with crack cocaine was just beginning to register in cities across the country, several leading state and local prosecutors approached faculty at Harvard University's John F. Kennedy School of Government, interested to discover whether their operations and enforcement efforts could be enhanced and strengthened. As a result of the original meeting, the prosecutors and faculty established an Executive Session for State and Local Prosecutors at Harvard. Among its initial purposes, the prosecutors' Executive Session was to develop strategic conceptions of the law enforcement "industry" by examining crime-related policy issues nominated by the prosecutor's. In working through the limits, possibilities, costs and benefits of the industry's current, conventional strategies the Executive Session focused on developing purposeful options and outcomes for programs

within their own offices. More importantly, however, when the focus shifted to the context of what would be worth doing from the community's perspective and mobilizing outside agencies on behalf of problems which could not be solved within the boundaries of their individual agencies, the practitioners' began to look to other agencies in their communities. The idea was to coordinate the role and responsibility of the prosecutor's office with local and state agencies with jurisdictions in public housing, open spaces, education, health and human services. This coordination would become a partnership among the community and the local and state government that could present a front-line, community-defense against drugs and crime. The prosecutors and faculty of the Executive Session met five times over the next few years, and from this cauldron of issues, ideas and discussions, came among others the seminal principles of community-based prosecution.

In November, 1990, the prosecutors and faculty circulated, but did not publish, a paper entitled *Summary of the Proceedings: Findings and Discoveries of the Harvard University Executive Session for State and Local Prosecutors*. The paper revealed the broader, more troubling issues that confronted the practitioner's and the industry. These issues are the basic premise of the need to develop the concept of community-based prosecution:

It appeared, for example, that for all the public's support and funding, prosecutor's were making only limited headway against neighborhood crime and disorder. As chief executives of public law offices which sometimes comprised hundreds or thousands of lawyers, prosecutors were often disturbed that so few cases occasioned significant investigations or ever came to trial, and that fewer still drew substantial sanctions. Even after hundreds of thousands of arrests, convictions and plea negotiations, the sum of their efforts and those of the police seemed to some to have left neighborhoods not much safer, the vulnerable and weak no less fearful, relationships broken by crime no more restored, and to have created few new bonds of citizenship.

...this plateau was especially puzzling since the possibilities for gain seemed so apparent. Prosecutors found themselves literally on the edge of some of society's gravest problems. They possessed extraordinary authorities to confront them, and more power than most to devise and impose solutions. They could influence other agencies' priorities and actions, and as elected officials and law enforcement executives their views helped to shape and to gather moral force around important issues. Their staffs comprised some of the nation's brightest, most energetic and publicly-spirited young professionals. If ever there was a recipe for making a difference, a prosecutor's office seemed to be it ... Could prosecutors reposition their agencies and gain some greater and more lasting leverage over disorder and crime? Or had they, in fact, reached their limits? The evidence from the Executive Session suggested that, at the very least, rapid changes in their operating environments were already pressuring prosecutors to accommodate and adapt. The mounting press of arrest cases and workloads, the complex challenge of drugs in communities, the impairment and collapse of important mediating institutions around them such as schools and families, the falling price of crime and the declining value of arrests, and the insolvency or bankruptcy of key social service and criminal justice agencies were causing fundamental shifts in prosecutors' operating styles and strategies to develop.

... Among the most important themes to emerge, finally, was prosecutors' role in reducing the pressures of crime and disorder on key mediating institutions of neighborhoods. This included an emerging view of the strategic asset value of these local institutions, and a recognition of a new set of managerial responsibilities for prosecutors to provide for their defense.

The Kings County District Attorney, illustrative of local prosecutors leading the community-based prosecution movement, began by listening to the people most affected, those living in public places lost to crime, and not deferring their self-appointed advocates. When this occurs local prosecutors are able to distinguish what is worth doing from the community's perspective and then mobilizing and coordinating outside agencies on behalf of those problems which could not be solved by the actions of an individual agency(ies). By modifying their previous traditional law enforcement roles to adapt to the social needs of communities beset by the debilitating effects of drug abuse and its attendant crime, local prosecutors assume the dual roles of directing the vigorous enforcement of drug abuse control laws and leading community efforts to discourage drug abuse. Local prosecutors are the leading criminal justice authority at the local level of government, and as such are not only responsible for enforcing drug laws, but can also lead community efforts to discourage drug abuse. As respected, locally-elected community leaders, they are uniquely positioned to develop and to lead the active participation of all aspects of the community in these efforts. By enacting the concept of community-based prosecution, local prosecutors are able to amplify the effectiveness of the new community policing philosophy. Their detective investigators assigned to the target community will be able to take advantage of the increased knowledge possessed by community patrol officers and to acquire better information on the whereabouts of witnesses, defendants, and victims.

The local prosecutor, to encourage community self-defense against the criminal predators and to promote community policing, is best situated to understand the impact of a particular case upon the community. Community-based prosecution is a proactive, not a reactive, posture which departs from the traditional view of the local district attorney as an isolated entity whose role and responsibility is typically conceived of in terms of responding to those having been accused of violating the law by seeking criminal sanctions. Like community-policing it is a working partnership wherein the residents of the neighborhood become involved in the process of identifying and resolving the problems confronting their communities. The community-based prosecutor working closely with local police officers will have a much better sense of the impact of a particular case on the community. The local prosecutor's role as a jurisdiction's chief law enforcement officer is to rationalize and direct criminal justice resources. The prosecutor's role as elected political leadership is to shape and gather moral force and license around the important public issues and policy choices to be faced. As a traditional public defender of community interests, the prosecutor is concerned with efficiency and horizontal equity in case processing and with the use of the price of crime to create prudent deterrence where deterrence is measurable and can help. As a problem solver,

the local prosecutor marshals all the tools at their disposal in the name of the continued vitality and quality of life in the community. As a strategic investor for the criminal justice system, the local prosecutor is able to prosecute crimes other agencies in the community may refuse to prosecute, and is able to establish alternative sentencing programs to add sanctioning capacity where the courts or corrections cannot or will not. As an institution defender, he takes a strategic view of the neighborhood order and to bring his authorities, resources and distinctive competencies to bear explicitly in support of key institutions in the community.

Integral to both community policing and community-based prosecution is the concept of providing education, treatment/diversion and alternative sanctions as a measure of prevention, a means to directly address the breeding grounds of drug use and crime. The Kings County District Attorney proposes to use the nationally-recognized program *Project Legal Lives* (education); *Drug Treatment Alternative to Prison* (diversion and treatment); and, *Project Just-In-Time* (alternative sanctions). Thus, the application has the three part strategy necessary to reach the goals of community-based prosecution: effective policing/prosecution; neighborhood self-defense and problem solving; and, long-term strengthening of community institutions.

While the funding of this program is a congressional mandate, it is an important step in the evolution of BJA's continued attempts to enhance the role of the local prosecutor to more effectively fight drug abuse, the breeding grounds of its attendant crime, and to lead community efforts in reclaiming public areas lost to illegal drug use and trafficking. This award will also result in guiding the development of the role of local prosecutor's in the Weed and Seed initiatives.

B. Project Implementation Plan

1. PURPOSE.

The purpose of this program is to demonstrate and evaluate community-based prosecution. The program is based on the principles developed by the Executive Session but has been modified to meet the needs of a specific community. The District Attorney of Kings County, New York, has assembled a Community Prosecution Team (CPT), carefully selected a crime zone for targeting (the 72nd police precinct in Brooklyn), coordinated ten community prevention, treatment and education programs, and integrated the six local law enforcement units that comprise the community-policing program in the targeted zone into a model, or prototype program.

2. GOALS AND OBJECTIVES.

GOALS:

- Enhance the traditional law enforcement role of the prosecutor's office through a community-based approach;
- improve the quality of life by helping the community solve problems; and,
- help the community's institutions secure the long-term vitality and well-being of the neighborhood.

OBJECTIVES:

- A. Structure the prosecutor's case processing to focus on all crime in the target community;
- B. have specific assistant district attorneys and staff investigators establish close working relationships with the local police officers in the designated precinct;
- C. develop relationships with community groups and leaders to better understand their concerns and build mutual trust and cooperation in the pursuit of justice and community well-being;
- D. improve the criminal justice process by institutionalizing successful innovations and influencing other parts of the system to evolve or experiment;
- E. enhance the prosecution of crimes that affect the quality of life as defined by the community;
- F. establish appropriate prosecution strategies including plea bargain and sentence standards for crimes that particularly concern the community; and,
- G. provide education, prevention, treatment and other alternative programs to counter crime, encourage the community's participation in and understanding of law enforcement and support the long-term amelioration of conditions that lead to social disorder.

3. ACTIVITIES AND PRODUCTS.

- Within the **first month** of the grant period, the grantee will create a Community Prosecution Team (CPT). The CPT will include supervisors and line assistant district attorneys to be assigned to the 72nd police precinct. The CPT will be responsible for the prosecution of all cases - violations, misdemeanors and felonies - occurring in the target area, and will decide (consistent with Office guidelines) what crimes to charge in these cases, establish charge and sentence plea offers, and handle target area cases which go to trial [This is a significant departure from traditional prosecution in Kings County, in which cases are assigned based on the category of the crime]. The CPT will meet (and continue to meet regularly) with the local police precinct commander and community patrol officers (as well as with local elected officials, community boards and other community leaders and organizations) to give priority to important cases, to respond to neighborhood crime problems, to allocate resources (such as investigators' time) and to develop and implement responsive action plans. The CPT will be responsible for all aspects of the prosecution of these cases by the District Attorney's Office [The grantee submits this comprehensive, coordinated approach to all cases in a geographic area has not yet been undertaken by this Office or any other prosecutor in New York City and probably the nation];
- Within the **first month** of the grant period, the grantee will establish an evaluation design that is both formative (process) and summative (outcome). The Formative Evaluation will document the development of the project to suggest adjustments and alterations as the project proceeds and will provide a documentary account of operations should other jurisdictions wish to establish similar projects. Specifically, it will focus on objectives A, B, C and D. The formative evaluation will have four components: The internal reorganization of the District Attorney's Office's case processing to encompass the proposed community-based approach; the development of the relationship between the CPT and the local police precinct; the interaction between the CPT and the target community; and, the impact of the approach on the criminal justice process. **The final product of the formative evaluation will be incorporated in a comprehensive Program Operations Manual.** The Summative Evaluation will measure the quantitative results of the project objectives as outlined in objectives E, F and G. The summative evaluation will have three components: The (anticipated) increase in prosecution of crimes that affect the quality of life as defined by the community; the establishment of new plea bargain and jail-time standards for crimes that particularly concern the community; and, provision of education, prevention, treatment and alternative programs to counter crime, encourage the community's participation in and understanding of law enforcement and support the long-term amelioration of conditions that lead to social disorder. **The final product of the summative evaluation will be a section within the Final Report;**

- During the **grant period**, the grantee will write "action plans" that will appear either in the Final Report or the Program Operations Manual. The action plans will focus on the defense of specific private institutions and neighborhoods and will be based on a thorough evaluation of the current situation in the precinct. They will be revised based on monitoring of their implementation and results. The CPT will scrutinize current crime statistics, crime patterns, anecdotal information and the Office's prosecution activities and special anti-crime projects in the community. These action plans will incorporate new crime prevention strategies by the police; tougher bail requests, charging decisions and plea bargaining by the prosecutor to make sure that violent and repeat offenders stay off the streets after arrest; the coordinated use of specialized police and prosecution skills and remedies including civil forfeiture, narcotics eviction and nuisance abatement and the involvement of other city and state agencies when needed; and,
- The grantee will produce a Program Operations Manual which will include a full discussion based upon the experiences of a series of critical elements the model program to assist other prosecutors in developing their own community-based prosecution program. These critical elements include: Geographic Distribution of Cases - prosecutors are assigned cases according to the area of occurrence rather than according to the type of crime, so that prosecutors can become more familiar with neighborhoods, crime patterns, career criminals and police officers; Community Interaction - in addition to prosecuting individual cases, staff must identify and meet on a regular basis with precinct commanders and community leaders, to develop and coordinate responses to the community's crime problems; Problem-oriented Strategies - prosecutors must work with the police to develop responses that focus on problem locations, particular crimes or types of offenders, rather than focussing only on individual cases; and, Supervision - supervisors must insure that these other critical elements are being accomplished and that the outcomes of community-based prosecution are consistent with overall office policy.

4. EXPENDITURE SCHEDULE

Based on information provided in the application, it is anticipated that the project will consume funds at a consistent rate of approximately \$62,500 for each of the four quarters of this grant award. The forecasted cash needs show an even allocation of grant funds during each of the four quarters. This is consistent with the nature of the grant and there are no significant one-time expenditure obligations anticipated throughout the duration of the grant.

5. ORGANIZATION, MANAGEMENT, PERSONNEL

The activities for this project will be undertaken by the four principal staff members of the Community Prosecution Team: Barry Schreiber, Deputy District Attorney of the Trial Division, Deborah Stevens, Executive Assistant District Attorney in charge of felony prosecutions and designated CPT Chief (Ms. Stevens will serve as the Project Director responsible for day-to-day management of the project's activities and be responsible for the coordination of the project and supervise the Zone Chief, responsible for felony cases, and the Chief of the Criminal Court Bureau, who is responsible for misdemeanor cases), Steven Schwartz, Zone Chief, and Amy Feinstein, Criminal Court Bureau Chief.

The Kings County District Attorney's Office is managed through a hierarchical structure. For this Project, the CPT approach will be based upon a quasi vertical-prosecution model. ADAs from each of the functional areas (Riding Investigations, Complaint Room, Arraignments, Grand Jury, Criminal Court and Supreme Court) will be assigned to and represent their bureaus on the CPT. For example, the Criminal Court Bureau handles cases in five of the All Purpose (misdemeanors) Court Parts. One ADA in each court will be responsible for all cases arising out of the targeted area. To coordinate and supervise the five ADA's handling these cases, the Criminal Court Supervising ADA will be assigned to the CPT. Similarly, an ADA from each of the eight Supreme Court (felonies) parts and the from each of the seven Grand Jury (narcotics) parts will be coordinated by a Supervising ADA assigned to the CPT.

The Community-Based Prosecution project will be responsible to Deputy District Attorney Jay Cohen who heads the Trial Division and reports to the District Attorney. The CPT Chief will hold weekly team meetings on target-area cases so that case-related information and prosecution strategies can be communicated between ADAs in each step of the process. Liaisons to the CPT will be designated from the Office's special prevention, treatment and education programs. They will be included in the team meetings as needed. The Office's support staff and paralegals in each of the functional areas will provide services routinely. The CPT chief and selected ADAs will participate in the monthly police sector meetings. Additional ADAs that join the CPT to ensure all Bureaus of the Office are represented, as outlined in the organizational chart, will be paid out of the District Attorney's tax levy budget. A liaison from the Narcotics Eviction Program in the Civil Actions Bureau will be detailed to the CPT to undertake and coordinate forfeiture and narcotics eviction operations in the community.

C. Implementation Issues and Supporting Assistance

There are no grant implementation issues or problems anticipated in BJA's support for the operation of this project. This program is fully supported by Charles J. Hynes, District Attorney of Kings County. No fiscal or programmatic issues are foreseen which will adversely impact the applicant's performance. No technical assistance is required by the grantee in support of this training project.

D. Coordination

The CPT will meet regularly with the local police precinct commander and community patrol officers (as well as with local elected officials, community boards and other community leaders and organizations) to give priority to important cases, to respond to neighborhood crime problems, to allocate resources (such as investigators' time) and to develop and implement responsive action plans. To capitalize on the effectiveness of the new community policing philosophy of the New York City Police Department, the District Attorney's detective investigators will be assigned to the target community to take advantage of the increased knowledge possessed by community patrol officers and to acquire better information on the whereabouts of witnesses, defendants, and victims. The targeted-area has three detective investigators, one of whom is the detective investigator Supervisor and is a member of the CPT.

E. Grantee Qualifications

The Kings County District Attorney's Office has the necessary support services, including MIS, a research department and professional personnel and fiscal departments, to successfully manage the proposed project. The applicant's have been responsive to guidance from BJA and demonstrated a good understanding of grant administrative requirements.

SECTION II - PROJECT MANAGEMENT

A. Budget

A final budget review of the subject application has been completed. There are no unresolved budget issues. The cost items appeared reasonable and consistent with existing guidelines. No outstanding or delinquent audits or bills of collection were found. The budget for this project provides for a twelve month operation of activities. The project will allocate costs as follows: Personnel \$248,300; Supplies \$700; and, Other (printing, publications and telephone) \$1,000. The budget is appropriate for the BJA-supported increment (CPT Team) of the operational activity level requested, and has been approved by the Office of the Comptroller, OJP.

B. Monitoring

The program manager will monitor the project on a continuing basis. He will conduct at least one on-site review during the project period. Monitoring will be carefully structured to ensure grant progress is achieved pursuant to the milestones and products as set out in the application's workplan. For detailed monitoring schedule, see attached monitoring plan.

C. Past Assessment

This is the initial grant program with the Kings County District Attorney's Office under the current elected District Attorney. The framework of this program has been in operation for approximately a year and appears well-supported by the District Attorney. There is no direct experience with or knowledge of this Office beyond the development of this grant.

D. Evaluation

Although there is no formal OJP/BJA evaluation planned for this grant, the grantee's evaluation component includes both a Formative and a Summative evaluation (see, page 6 of this document, and see pages 22 - 23 of the Application).

F. Selection

This is a non-competitive grant award. The funding for this project was specifically identified by Congress in the FY 1993 Budget Appropriation to BJA. The application was developed and submitted by the Office of the Kings County, New York, District Attorney following consultations with BJA staff concerning the need for documentation of the project's operations and additional documentation needed to support replication by other interested jurisdictions.

SECTION III - RECOMMENDATION

I recommend that Office of the Kings County, New York, District Attorney be awarded a grant of \$250,000 for the demonstration of the Community-based Prosecution program.

CONCUR

NONCONCUR

Charles M. Hollis
Chief, Prosecutions Branch

Charles M. Hollis
Chief, Prosecutions Branch

Richard H. Ward
Acting Director, DGPD

Richard H. Ward
Acting Director, DGPD

**PROJECT MONITORING PLAN
SUMMARY**

PROJECT TITLE: Community-based Prosecution program.
GRANTEE: Office of the Kings County, New York, District Attorney
MONITOR: Charles M. Hollis

ASSIGNED MONITORING LEVEL:

A.	ON-SITE VISITS PLANNED:	1
B.	OFF-SITE VISITS PLANNED:	1
	1. Cluster Meetings	0
	2. In Office Visits	1
C.	TELEPHONE SURVEYS	2
D.	DESK REVIEWS	5

AREAS OF SPECIAL EMPHASIS:

Development of formative and summative evaluations, and a comprehensive Program Operations Manual.

MONITORING WORKSHEET

A. CRITERIA:

1.	Program Priority	7
2.	Size of Grant	5
3.	Grantee's Need for Assistance	4
4.	Potential for Implementation Problems	3
TOTAL WEIGHT:		19
LEVEL OF MONITORING ASSIGNED		4

B. PROPOSED MONITORING SCHEDULE:

<u>Major Activity/ Deliverables</u>	<u>Proposed Due Dates</u>	<u>Types of Monitoring*</u>	<u>Dates of Monitoring</u>	<u>Monitoring Product</u>
CPT Organized	Month 1	TS	Month 2	TCR
CPT Operations begin	Month 2	TS	Month 2	TCR
Evaluation plan established	Month 2	DR	Month 3	LTR
Continued operations of CPT	Months 3-12	IO	Months 3-12	VCR
Third Month monitoring report to evaluate results and to document or recommend project modifications	Month 4	DR	Month 5	LTR

Sixth month monitoring report	Month 7	DR	Month 8	LTR
Detailed Outline of Executive Summary and Final Report	Month 9	DR	Month 10	LTR
Nine-month report on CPT operational results	Month 10	OS	Month 11	SVR
Submission of Final report, Executive Summary, (formative and summative) Evaluation Report(s), and Program Operations Manual.	Month 13	DR	Month 13	LTR

DEFINITIONS OF ABBREVIATIONS FOR MONITORING WORKSHEET

TYPES OF MONITORING

OS - On-site
CM - Cluster Meeting
IO - In Office
TS - Telephone Survey
DR - Desk Review

MONITORING PRODUCTS

SVP - Site Visit Protocol
SVR - Site Visit Report
AG - Agenda
SM - Summary
VCR - Visit Contact Report
TCR - Telephone Contact Report
LTG - Letter to Grantee

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- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

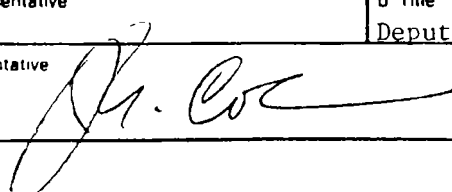
PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

APPLICATION FOR
FEDERAL ASSISTANCE

1. TYPE OF SUBMISSION: Application ☐ Construction ☒ Non-Construction Preapplication ☐ Construction ☐ Non-Construction		2. DATE SUBMITTED		Applicant Identifier	
		3. DATE RECEIVED BY STATE		State Application Identifier	
		4. DATE RECEIVED BY FEDERAL AGENCY		Federal Identifier	
5. APPLICANT INFORMATION					
Legal Name: Kings County District Attorney			Organizational Unit:		
Address (give city, county, state, and zip code): 210 Joralemon Street Brooklyn, New York [002]			Name and telephone number of the person to be contacted on matters involving this application (give area code) Frederick Lorber (718) 802-2991		
6. EMPLOYER IDENTIFICATION NUMBER (EIN): (b)(6)			7. TYPE OF APPLICANT: (enter appropriate letter in box) N A. State B. County C. Municipal D. Township E. Interstate F. Intermunicipal G. Special District H. Independent School Dist. I. State Controlled Institution of Higher Learning J. Private University K. Indian Tribe L. Individual M. Profit Organization N. Other (Specify): <u>District Attorney's Office</u>		
8. TYPE OF APPLICATION: ☒ New ☐ Continuation ☐ Revision If Revision, enter appropriate letter(s) in box(es): ☐ ☐ A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration Other (specify): _____			9. NAME OF FEDERAL AGENCY: Bureau of Justice Assistance		
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: TITLE: Edward Byrne Memorial program			11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Community-Based Prosecution		
12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.): Kings County					
13. PROPOSED PROJECT:		14. CONGRESSIONAL DISTRICTS OF:			
Start Date	Ending Date	a. Applicant		b. Project	
02/01/93	01/31/94	8, 9, 10, 11, 12, 13		9, 11, 12	
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?			
a. Federal	\$ 250,000 .00	a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON:			
b. Applicant	\$ 153,291 .00	DATE _____			
c. State	\$.00	b. NO. ☒ PROGRAM IS NOT COVERED BY E.O. 12372			
d. Local	\$.00	☐ OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW			
e. Other	\$.00				
f. Program Income	\$.00	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?			
g. TOTAL	\$ 403,291 .00	☐ Yes If "Yes," attach an explanation. ☒ No			
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED					
a. Typed Name of Authorized Representative Jay Cohen		b. Title Deputy District Attorney		c. Telephone number 718-802-2156	
d. Signature of Authorized Representative 				e. Date Signed Dec 5, 1992	

Rec. 12/31/92

INTRODUCTION

Law enforcement alone cannot recapture our cities. While we must remain tough on violent crime and career criminals, law enforcement agencies must also help develop prevention, treatment and education programs that relate directly to the cares, needs, and concerns of the people in our communities. We must offer them hope for a future that is rich in dignity, security and respect.

Charles J. Hynes, the District Attorney of Kings County

Many communities have recently turned to new philosophies of law enforcement to provide a better response to the problems of crime and social disorder. Most of these new approaches, such as community-oriented policing, problem-oriented policing and a systems approach to crime prevention, have focused on the police, and they have been chronicled in a series of National Institute of Justice publications called "Prospective on Policing." They all emphasize police-citizen communication and police attention to neighborhood problems.

In New York City, community policing is becoming the philosophy and strategy for the entire Police Department. It reestablishes the "cop-on-the-beat" and encourages police officers to work with residents, businesses and community groups to solve local problems, restore neighborhood order and help deter crimes, as well as to apprehend criminals. Program sites must use community-oriented policing in order to support crime "suppression" activities and provide a "bridge" between the law enforcement community and neighborhood reclamation efforts.

This is a crucial objective for prosecutors as well, and community-oriented law enforcement should not be just for the police. Local prosecutors are uniquely qualified to lead the effort to reclaim our neighborhoods from violence and disorder, and the people of their communities understandably look to them to provide this leadership. The importance of prosecutors as the chief law enforcement officials in their jurisdictions is perhaps best described by the commentary to the National Prosecution Standards promulgated by the National District Attorneys' Association:

(T)he individual with primary responsibility and authority to make decisions and take action on local crime problems is the locally-elected prosecutor. The prosecutor is in the best position to make correct decisions regarding local crime problems, reform of local court procedures and the allocation of local resources to effectively fight crime.

The prosecutor is also a key political leader in the community. A recent unpublished report on the Findings and Discoveries of the Harvard University Executive Session for State and Local Prosecutors explained that prosecutors:

possessed extraordinary authorities to confront [society's gravest problems], and more power than most to devise and impose solutions. They could influence other agencies' priorities and actions, and as elected officials and law enforcement executives their views helped to shape and to gather moral force around important issues...If ever there was a recipe for making a difference, a prosecutor's office seemed to be it.

This unique combination of legal skills, access to the courts and other criminal justice agencies, and political leadership gives prosecutors a special competency to develop community-oriented strategies and to make them work. Moreover, the mounting drug-related workload, the failure of other institutions to solve the drug problem and the demand of the people in our communities for progress in the war on drugs, leave prosecutors with both enormous challenges and tremendous opportunities to demonstrate that meaningful progress can be achieved.

The dramatic increase in jail and prison cells has been fueled by drugs: 18,000 of the New York State prisoners in 1992, nearly one-third of the total, were convicted of drug sale or possession, and many of the rest committed their violent crimes because of drugs. New York State spends more than one billion dollars a year to maintain its prison system, and it now takes the combined state taxes of 17 New Yorkers to keep just one state prisoner behind bars for one year.

Despite this commitment of resources and the best efforts of New York's criminal-justice community, the words of the New York State Legislature in 1971 could unfortunately be repeated today: "The overall law enforcement effort has not been successful in stemming the distribution of narcotic drugs." Law enforcement experts increasingly recognize that new approaches are necessary, strategies that do not abandon tough law enforcement but enhance it.

Community initiatives implemented in Brooklyn by the District Attorney have demonstrated how these challenges can be met. They have enabled us to: work closely with the police to see that arrest and prosecution strategies go hand-in-hand; collaborate with neighborhoods to develop our own responses to their crime problems; insure that young people in our community get the right messages about drugs and bias; and provide drug treatment as an alternative for non-violent felony offenders. The prosecutors in this Office, and the people we serve, are enthusiastic about the results.

The Community Prosecution Team (CPT) we propose to implement, while building on community-oriented initiatives already implemented by the District Attorney, is more than just an extension of our existing efforts. It will focus all of the elements of problem-solving prosecution in one designated neighborhood and can help set a standard for future community-based prosecution efforts in the fight against drugs and crime. Our proposal takes the community-oriented law enforcement approach in a new and exciting direction.

Rather than just bridge the efforts of different agencies, it will bring them together in a coordinated anti-drug and anti-crime package administered by the District Attorney. This approach is proactive and directly involved in the struggles of our community. We will respond to constituent groups, neighborhoods, blocks and families. In individual cases, our relationships with the community will enable us to identify witnesses and other important evidence, and to enlist community concern and support.

The Community Prosecution Team represents an innovative approach to the responsibilities of the District Attorney, not just a different way of handling more traditional prosecution functions. This is a tough, focused and unique strategy, combining enforcement, prevention, treatment, and implementation by the District Attorney's Office.

THE STRATEGY¹

The community-based prosecution model we propose enhances the role of the prosecutor's office to better incorporate and coordinate the following three strategies: expanding traditional law enforcement; the district attorney as community problem solver; and the district attorney as defender of community institutions.

Expanding Traditional Law Enforcement: With respect to the vast majority of cases prosecutors move cases quickly and treat like cases and defendants alike. Case value is determined by the strength of the evidence, the heinousness of the act itself, and the depravity or future dangerousness of the defendant. As case processors pursuing a strategy of efficient and equitable processing, prosecutors focus on well-managed caseloads and the production of efficient and equitable outputs.

Within this traditional focus, the community-based prosecutor can include rehabilitation, retribution and deterrence as legitimate aims of punishment. The prosecutor can use his powers to achieve these purposes by setting the effective price of crime during plea negotiations in order to increase crime control. This adds a strategic concern for achieving particular outcomes for the defendant, victim and community, and a tactical interest in the use of sanctioning as key elements of strategy and measures for success.

The District Attorney as Problem Solver: The prosecutor as problem solver is concerned about controlling crime at its source and in its environment and to marshalling the full range of available tools in the enforcement and regulatory communities to do so. The problem solver examines the relationship of criminal incidents to each other, and to a broader social and criminogenic context that affects the quality of life in the community. The problem solver seeks, in addition to specific deterrence, to identify the structural attractions and

¹ This discussion is indebted to an unpublished paper by R. Zachary Tumin, *Summary of the Proceedings: Findings and Discoveries of the Harvard University Executive Session for State and Local Prosecutors at the John F. Kennedy School of Government*, October, 1990.

vulnerabilities of prospective targets, and to induce changes in them to reduce the risk and cost of future victimization.

The prosecutor increases the efficacy of his action by adding some capacity now missing or in short supply and thus expands his organization boundaries. By adding sanctioning capacity, for example, the prosecutor can increase the price-of-crime and add backbone to plea negotiations.

The activities of the prosecutor as problem solver constitute a major source of innovation in the criminal justice system.

The District Attorney as Defender of Community Institutions: The increases in drug use and drug-related crime have taken their toll not just on individuals, but on their families, friends and neighbors, and the institutions and neighborhoods around them. Among the many public and private impacts, for example, the crime and disorder associated with the sale and use of crack cocaine have had significant consequences for education and school environments, for the vitality of local commercial districts, and for the safety and viability of public housing. Violence, fear and disorder have disrupted normal patterns of use of neighborhood parks and playgrounds, as well as public transportation. Families whose relationships had once been rooted in norms of mutuality, nurture and support, have become fractured and violent. The damage done by drugs has pressured these institutions, making it difficult for them to maintain orderly operating environments or to support normal patterns of use and participation. When threatened by crime they often prove vulnerable. When weakened by repeated violent crimes and disorder, they may prove unable either to defend or to restore themselves to normal operations or, over time, to regulate their own affairs.

The prosecutor can consider the long-term interests of neighborhoods in estimating case seriousness and value and in developing anti-crime strategies, as well as the immediate order and requirements of institutions. The quality and character of neighborhood life depend heavily on the vitality of neighborhood institutions and the many relationships they sustain. As crime destabilizes institutions, neighborhoods decline, and it becomes increasingly costly for individuals and communities to execute the basic work of social, economic and political life: for people to educate themselves, raise families, walk, travel and shop, provide for their health, to play, worship, or work, unimpeded by crime and disorder.

If the vitality of neighborhood institutions constitutes the future of neighborhoods, then prosecutors might be able to help secure them from criminal disruption and disorder. Like the family, such key mediating institutions as schools, transit systems, local commerce districts, industry work sites and others have specific, generic disorder problems which can best be addressed with an overall ordering strategy.

The immediate tactical concern for the prosecutor is to inventory the value and condition of existing institutions and establish priorities and plans for their individual defense. The

central strategic concern is to take steps to forcefully regulate the criminally disordered relationships which have disrupted them, whether from within the institution or without. If very low-level disorder, for example, threatened to disrupt the operations of a school, the community-based prosecutor, recognizing the importance of the school to neighborhood order, could fashion an appropriate prosecutor's response and view it as an important and legitimate use of resources, authorities and skills.

The prosecutor as institution defender expects that order will emerge when mediating institutions such as the families, schools and civic and religious institutions are fully functioning. He views his role in the community as contributing to the vitality of these institutions by the means that are possible and appropriate. Above all else, it is to defend these vital neighborhood assets from criminal disruption and disorder, to help strengthen them over time, and to help restore them when they have been damaged or disrupted.

In summary, the prosecutor's role as a jurisdiction's chief law enforcement officer is to rationalize and direct criminal justice resources. The prosecutor's role as elected political leadership is to shape and gather moral force and license around the important public issues and policy choices to be faced. As a traditional public defender of community interests, the prosecutor is concerned with efficiency and horizontal equity in case processing and with the use of the price of crime to create prudent deterrence where deterrence is measurable and can help. As a problem solver, he marshals all the tools at his disposal in the name of the continued vitality and quality of life in the community. As a manager, he develops information sources about the nature of the problems he faces, and the consequences, expected and actual, of his actions. As an institution defender, he takes a strategic view of the neighborhood order and to bring his authorities, resources and distinctive competencies to bear explicitly in support of key institutions in the community.

The Kings County District Attorney's Office is prepared to lead the way for prosecutors to join the movement towards community-based law enforcement. The proposed project will build upon the Office's experience in community-based felony prosecution.

On September 19, 1991, the Office, one of the largest prosecutorial offices in the nation, reorganized its felony prosecution function along community lines. Brooklyn was divided into five geographic zones. A felony prosecution team was assigned to each zone and given responsibility for prosecuting felonies occurring in its zone. Each of the five felony trial zones is staffed by a Chief and two Deputy Chiefs, one of whom is responsible for liaison with the local precincts and communities. Detective Investigators at the felony level have also been assigned to zones, to take advantage of the increased knowledge possessed by community patrol officers and to acquire better information on the whereabouts of witnesses, defendants, and victims.

The Zone prosecutors have already established close ties with local police officers and have developed an understanding of the impact of particular cases have on their assigned communities. The Office has the experience in knowing how to give priority to important

cases and respond to neighborhood crime problems.

The District Attorney's Office has the necessary support services, including MIS, a research department and professional personnel and fiscal departments, to successfully manage the proposed project.

THE TARGET COMMUNITY

The target community is the 72nd police precinct in Brooklyn, New York which is coterminous with Brooklyn Community District 7.² The 72nd precinct is like many metropolitan area communities. The community is ethnically and economically diverse. It has a large stable population including many small homeowners and an increasing minority population. There is much indigenous leadership and neighborhood pride and many organized civic, political and religious groups. In recent years there has been a general revitalization of the community, but now, with the Northeast economy floundering and big state and municipal budget deficits, the area is experiencing rising taxes and cuts in municipal services. Difficult economy times have added to increasing crime problems, particularly related to drugs and prostitution.

The population of the community, in an area of 4.2 square miles, is about 107,000, with 22.5% of its residents receiving some form of public assistance. There are about 40,000 housing units in the community, 65% of which are multiple family walkups and 32% are two-family homes.

About 40% of the live births in the area are out of wedlock, with 14% teen births. About 10% of the deaths in the community are drug-or violence-related. There were 1,035 felonies committed in the area in the first nine months of 1992, more than 60% of which were for narcotics and an additional 15% were narcotics-related. There were 1,411 misdemeanors and violations committed in the precinct during the first nine months of 1992; of these 19% were for drug offenses and an additional 7% were drug-related. Prostitution accounted for 15% of the cases. Virtually all of the prostitutes arrested test positive for HIV. As the instances of drug use increase, so do the instances of HIV infection and AIDS cases. Department of Health statistics indicate that there are over 5,000 drug users in the community, and 50% of these are HIV-positive.

² New York City is divided into 59 community districts most of which are coterminous with local police precincts. Each community district has a community board appointed by the Borough President. The members usually represent the diverse economic, political, racial and religious interests in the community. Annually, the community boards present a needs analysis to inform city agencies as they establish budget priorities.

Maps of the target community are appended.

The 72nd precinct, located in the western section of Brooklyn, is a mixed residential, industrial, and commercial area. The home of an ethnically integrated population, the district is comprised of two communities: Sunset Park and Windsor Terrace. Sunset Park encompasses most of the land area in the district. It embraces nearly 500 acres of industrially zoned land, as well as Sunset Park, a 23 acre facility which has recently been almost fully reconstructed. The Park includes an olympic-sized swimming pool, various other recreation areas and a large open space. Windsor Terrace, a small, stable residential community in the northeastern corner of the district, is surrounded by the natural boundaries of Prospect Park and Greenwood Cemetery. The park-like 478 acre cemetery contains within its boundaries the highest elevation in Brooklyn and a landmark Gothic brownstone gatehouse at its entrance.

In the 1960's the precinct, like many older communities in Brooklyn, experienced a shift in population resulting in an increased number of residents below the poverty level and a growth in the proportion of very young children and the elderly. The percentage of children under the age of 5 is 9%; one of the largest youth populations in the city. The elderly comprise 11% of the area's population.

The ethnically diverse population includes Italians, Irish, Norwegians and Swedes, and from 1970 to 1990 the percentage of Hispanic residents rose from approximately 22% to 48%. Asians are the newest group to move to the community in significant numbers; representing the largest Asian population in New York City outside of the Chinatown area.

In the past, Sunset Park has suffered from a shrinking economic base resulting in the loss of local jobs, particularly in maritime and manufacturing industries along the waterfront; an insufficient quantity of social service programs to serve all elements of its population; an absence of adequate funding to maintain the city's facilities, primarily the district's decaying infrastructure in addition to the parks and playgrounds, and an aging housing stock plagued by increasing incidents of abandonment and deterioration. In recognition of these mounting problems, the community was designated a poverty area of the second magnitude in the 1960's and during the 1970's, Sunset Park received Community Development Area, Neighborhood Strategy Area, and Section 8 Housing Area status, qualifying it for specially targeted government funds for capital and expense programs. A small section of Windsor Terrace is included within the boundaries of the Community Development Area designated.

The City has made concentrated efforts to rehabilitate and maintain Sunset Park through programs such as Neighborhood Stabilization and Neighborhood Preservation. In addition, the expanded role of community-based organizations, particularly the Community Board, the Sunset Park Restoration Committee, Lutheran Medical Center, and the Southwest Brooklyn Industrial Development Corporation in articulating community needs and galvanizing public and private support has been crucial in reversing the deterioration. Building on neighborhood strengths including low population density, a high degree of owner-occupancy in its two and three family structures and the low rise character of its multiple dwellings, the public sector, in cooperation with community based organizations, has begun to address long standing area needs.

Over the past few fiscal years, this community has become active with capital projects and scheduled maintenance of city structures. Presently there is construction and design in the parks, including Sunset Park, Sgt. John Allen Payne Park, P.S. 146 Park, and Greenwood Park. Many of the side streets in the Sunset Park community are benefiting from sewer and water main replacement, the completion of Prospect Park West and the total reconstruction of the 5th Avenue corridor, which will benefit this now-thriving commercial strip.

While the local Community Board attempts, on a yearly basis, to expand its Capital and Expense Budget requests to include programs and policies which are conducive to the growth the neighborhood is experiencing, its basic and fundamental concern still centers on the continuance and improvement of basic delivery of services. The immediate needs in the area include infrastructure, police, and sanitation services; improved procedure of Buildings Department and Code Enforcement inspections; and the enhancement of human service programs and the better delivery of these services to those who are in need in the community.

The 72nd precinct has been selected as an area in which model police projects are developed. First it was the Tactical Narcotics Teams (TNT) program designed to saturate an area with vigorous enforcement to root-out drug dealers. In a recent 90 day period, the TNT made over 1,500 arrests and confiscated thousands of dollars of cash, weapons, narcotics and autos. Apparently successful, the program was then shifted to other areas. However, in the long-term, the success of the program has been questioned.

Once TNT leaves the community drug dealers return. Clearly, a more persistent police presence (along with programs that offer prevention and treatment strategies) is required. To this end, the 72nd precinct has been selected by the police department to fully implement the community-based policing program. The Vera Institute of Justice is helping the police design and implement this model and the District Attorney's Office will work with them so that an integrated approach to community-based law enforcement can be developed and evaluated.

The heart of New York City's Community Policing Program is returning officers to walking the beat. The community is broken down into eight sectors, each covered by two teams of two-three beat officers from dawn to midnight and by radio motor patrols round-the-clock. Each of the eight sector teams meets monthly to discuss strategy and tactics. Representatives of our Community Prosecution Team will join these meetings to coordinate activities and strategies.

Each community patrol officer (CPO) engages in a variety of activities, to address crime and order maintenance problems or social welfare needs in the community. Such programs are specifically directed at promoting improved police-community relations, increasing the crime resistance of a community through crime prevention efforts, and reducing the vulnerability of victim prone populations.

While community policing exists in every precinct in Brooklyn, the 72nd has CPOs in every

sector. Some of the activities result from the CPOs adopting existing Department crime prevention or community relations programs such as recruiting blockwatchers, assisting in forming community organizations, conducting security surveys, etc., while others involve innovative efforts. Some of the innovative activities are:

Youth Dialogues: Whether the setting is formal(schools or youth centers) or informal (in local hangouts), the CPOs attempt to engage the youth in a dialogue designed to demonstrate that the Police Department is concerned with the problems of youth, and that the officers are there to help. Many of these dialogues have resulted in the recruitment of youth to participate in other department sponsored activities.

Bicycle Registration Programs: The CPOs have joined with the Precincts' Community Affairs and Crime Prevention Officers and have sponsored bicycle registration programs. Neighborhood children are encouraged to bring their bicycles to the Precinct Station House on a specific date to be registered, inscribed with an identification number, and have a warning decal affixed to the bike.

Operation Auto I.D.: Many of the CPOs have made concerted efforts to foster the Department's Operation I.D. Program. Working with the Crime Prevention and Community Affairs Officers, the CPOs advertise this service while attending community meetings, and arrange for follow-up by appropriate precinct personnel. In some instances, the CPOs have encouraged community organizations to purchase engraving tools for use by members of that organization.

Bus and Subway Safety Checks: The officers make frequent safety checks in the busses which pass through their beat areas, and in those commands with subway lines, the officers visit the subway or elevated stations for the same purpose. In addition to providing an additional sense of security for the passengers, the CPOs have developed relationships with many of the bus drivers and count them among their many sources of information on conditions in the area.

Park and Playground Cleanup Programs: The CPOs focus on assisting the neighborhoods in reclaiming parks and playgrounds from undesirable elements. In addition to using enforcement tactics to remove such persons from the parks, the CPOs coordinate their activities with the Department of Parks and the Sanitation Department to improve the physical appearance of these community facilities. In a number of instances, the CPOs have worked with community organizations on sponsoring park-use activities, (e.g., neighborhood fairs, sports, leagues, etc.) to increase community use of these facilities as a further means of deterring undesirables from congregating in them.

Business Index File Update: The CPOs are required to establish contact with all of the merchants in their beat areas, and to record information on these persons in their Community Profile Records. The CPOs have taken this opportunity to assist the precinct in updating the precinct's Business Index File.

Senior Citizen Programs: Some of the more prevalent Senior Citizen program activities are: escort programs; Safe Shopping Streets -specific days and routes to shopping areas within the precinct are designated for the CPOs perform a high-visibility patrol on the shopping route and in the shopping area; Safety Lectures - the CPOs conduct frequent safety lectures at Senior Citizen Centers; Senior Citizen Nightwalks - to encourage Senior Citizens to get out into the community individual CPOs arrange schedules with local Senior Citizen Centers to escort a group of seniors for a leisurely walk through the community.

Drug Awareness Workshops: CPOs have devoted much of their efforts to dealing with street-level narcotic trafficking within the beat areas. Their initial efforts focused on enforcement, and resulted in a large number of arrests. As a result of these activities, there is a perceivable difference in the level of street narcotics trafficking in the area.

In addition to the high level of enforcement, the CPOs attempt to deal with drug problem in a number of other ways. They identify and work with drug programs in an area, and secure placements for addicts in residential drug treatment programs.

GOALS, OBJECTIVES AND ACTIVITIES

GOAL I Enhance the Traditional Law Enforcement Role of the Prosecutor's Office Through a Community-Based Approach

OBJECTIVES

- IA) Structure the prosecutor's case processing to focus on all crime in the target community.**
- IB) Have specific assistant district attorneys and staff investigators establish close working relationships with the local police.**
- IC) Develop relationships with community groups and leaders to better understand their concerns and build mutual trust and cooperation in the pursuit of justice and community well-being.**
- ID) Improve the criminal justice process by institutionalizing successful innovations and influencing other parts of the system to evolve or experiment.**

ACTIVITIES

The proposed model program is centered on the creation of a **Community Prosecution Team(CPT)**, including supervisors and line assistant district attorneys, to be assigned to the designated neighborhood. The CPT will be responsible for the prosecution of all cases - violations, misdemeanors and felonies - occurring in the target area. The CPT will decide

(consistent with Office guidelines) what crimes to charge in these cases, set charge and sentence plea offers and handle target area cases which go to trial. This represents a significant departure from traditional prosecution, in which cases are assigned based on the category of the crime.

In another major change, the CPT will also be responsible for all aspects of the prosecution of these cases by the District Attorney's Office. Rather than hand off aspects of the investigation and prosecution of these crimes to unrelated ADAs in separate Bureaus like the Complaint Room, Investigations "Riding" Unit³, Criminal Court and Grand Jury, as now usually occurs in this Office, CPT ADAs will supervise and perform these functions for cases from the 72nd precinct to insure that the target area is served in the most effective way possible. This comprehensive, coordinated approach to all cases in a geographic area has not yet been undertaken by this Office or any other prosecutor in New York City.

This reorganization capitalizes on the effectiveness of the new community policing philosophy of the New York City Police Department. The District Attorney's detective investigators assigned to the target community will be able to take advantage of the increased knowledge possessed by community patrol officers and to acquire better information on the whereabouts of witnesses, defendants, and victims. The community-based prosecutor working closely with local police officers will have a much better sense of the impact of a particular case on the community. The CPT will meet regularly with the local police precinct commander and community patrol officers (as well as with local elected officials, community boards and other community leaders and organizations) to give priority to important cases, to respond to neighborhood crime problems, to allocate resources (such as investigators' time) and to develop and implement responsive action plans.

The action plans will focus on the defense of private institutions and neighborhoods and will be based on a thorough evaluation of the current situation in the precinct. They will be revised based on monitoring of their implementation and results. Initially, the CPT will scrutinize current crime statistics, crime patterns and the Office's prosecution activities and special anti-crime projects in the community. In addition, anecdotal information will be collected from Office staff familiar with the community.

These action plans will incorporate new crime prevention strategies by the police; tougher bail requests, charging decisions and plea bargaining by the prosecutor to make sure that violent and repeat offenders stay off the streets after arrest; the coordinated use of specialized police and prosecution skills and remedies including civil forfeiture, narcotics eviction and nuisance abatement and the involvement of other city and state agencies when needed.

³ Assistant district attorneys are available round-the-clock to "ride" to the scene of a crime or to a police precinct to interview crime victims, witnesses and defendants, and to help direct the investigation of the case.

GOAL II Improve the Quality of Life By Helping the Community Solve Problems

OBJECTIVES

- IIA) Enhance the prosecution of crimes that affect the quality of life as defined by the community.**
- IIB) Establish appropriate prosecution strategies including plea bargain and sentence standards for crimes that particularly concern the community.**

ACTIVITIES

Criminal-justice experts have found that misdemeanors and other quality of life crimes can have a major impact on public safety and people's attitudes about their community. A recent study by the Citizens Crime Commission of New York City found that in many American cities, including New York, "street disorder, such as public drinking, blaring radios, and loitering beggars, prostitutes and drug users, caused law-abiding citizens to shun certain areas, making them even less safe." Moreover, according to James Q. Wilson, in his influential 1983 book, Thinking About Crime, quality of life offenses can encourage more serious crimes:

Muggers and robbers...believe they reduce their chances of being caught or even identified if they operate on streets where potential victims are already intimidated by prevailing conditions. If the neighborhood cannot keep a bothersome panhandler from annoying a passerby, the thief may reason, it is even less likely to call the police to identify a potential Mugger or to interfere if the mugging actually takes place.

Frequently, the issues raised at community meetings attended by our prosecutors concern these quality of life issues rather than the more serious crimes of murder, robbery and burglary. Community representatives, even in the toughest neighborhoods, become very frustrated by the inability of law enforcement to deal with such crimes as prostitution, stolen car radios, loitering by drug users, petit thefts and graffiti. When a representative from the District Attorney's Office attends a community meeting, any comments made regarding the prosecution of misdemeanor cases are passed onto the Bureau chiefs of the Complaint Room and the Criminal Court Bureaus. Since the misdemeanor cases from a particular community are disseminated among all of the All Purpose Court Parts and among the many prosecutors assigned to those parts, implementing a policy regarding a particular type of crime in one area becomes difficult.

Full implementation of community-based prosecution in the target area will change that. By giving the CPT responsibility for violations, misdemeanors and felonies, we will insure that our responses to all crime problems in the target area are part of a coordinated strategy.

Once the most pressing crime problems in the target area are identified, whether they are quality of life crimes or serious felonies, the CPT can develop action plans to address them, including bail, plea and sentence policies and other responses as needed. This will also help us provide a swift and strong prosecution response to the career criminals who are plaguing the target area, regardless of the crimes for which they are arrested. By improving the quality of life in the target area, criminals will be deterred and law-abiding residents will be given a new spirit of pride and hope in their community. A few examples of proven strategies are:

The Auto Action Force: This program combats car thefts by prosecuting them as felonies rather than reducing them to misdemeanors and/or disposing of them as misdemeanors at Arraignments.

Operation Clean Streets: This operation cleans up persistent narcotics activity in a specified areas within the community, usually within a square mile. Arresting officers indicate to the District Attorney's Office that the arrests were made pursuant to Operation Clean Streets. A tough position is taken on the prosecution of these cases, including requests for high bail and the insistence on substantial jail or prison time upon guilty pleas.

Habitual Law-Breaker Interdiction: Often in a precinct there is a group of people who have been arrested numerous times on such charges as robberies, drug dealing and other serious felonies. Arresting officers will flag future arrests of these habitual law-breakers and, if a legally sufficient case can be made, the matter will automatically be treated as a felony, with a notation seeking high bail and no misdemeanor disposition at Arraignments.

Target Area Burglary (TAB): Whenever an arrest is made for a residential burglary within the designated community, the arresting officers prepare a TAB case memo. The cases are then tracked for Grand Jury presentation as felonies and receive special attention regarding disposition and sentencing.

The Commercial Robbery Program: The District Attorney's Office in conjunction with the New York City Police Department has established a program to address the problem of robberies of commercial establishments in a target community where there has been increased victimization of store owners. Under the Commercial Robbery Program, any arrest for robbery involving forcible taking of property from a commercial establishment in a precinct is drafted and prosecuted as a felony and set for Grand Jury presentation. Felony pleas require significant jail or prison sentences. The CPT will send a riding assistant to respond to these robbery arrests to interview victims, witnesses and defendants.

Target Area Prostitution: Prostitution cases are treated as "Precinct Conditions." The prosecutor places on the record at all court appearances that community groups are voicing complaints about such prostitution problems as condoms being found on the streets, prostitutes approaching teen-age boys from the neighborhood and the negative impact of prostitution on the small businesses in the community. At Arraignments, the prosecutor will

not accept any plea for less than jail time, even on a first arrest. Where pleas are not accepted, the prosecution argues for high bail while the cases are pending, to keep the defendants out of the community.

Operation All Corners: Often, when serious crime is impeded in a community, there are indications that there is a displacement of robberies and other street crimes to adjoining precincts. To address this problem, the District Attorney's Office can implement "Operation All Corners" to increase the level of prosecution of robbery arrests in neighboring precincts. All robbery arrests from these precincts, no matter what the criminal history record of the defendant, are prosecuted as felonies.

These programs demonstrate how community-based prosecution can allow us to target mischievous and serious crimes and career criminals within a community and to make maximum, effective use of the unique authority and resources of the prosecutor's office in keeping criminals off the streets. The project will utilize these and/or other programs suited to the community and integrate them with other anti-crime activities conducted by the police, the community and our own Office.

GOAL III Help the Community's Institutions Secure the Long-Term Vitality and Well-Being of the Neighborhood

OBJECTIVES

IIIA) Provide education, prevention, treatment and other alternative programs to counter crime, encourage the community's participation in and understanding of law enforcement and support the long-term amelioration of conditions that lead to social disorder.

ACTIVITIES

Project Legal Lives: One of the most important prevention strategies to be used by the CPT is Project Legal Lives, a school-based, drug-abuse and bias prevention program operated by this Office in Brooklyn's elementary schools. Assistant district attorneys and other Office staff "adopt" a fifth grade class and spend at least ten hours a month in that program, which includes teaching the class about drug-abuse prevention, the operation of the criminal-justice system and the causes and destructiveness of bias. Adopters also take their classes on field trips to criminal-justice facilities and neighborhood institutions such as museums. The curriculum used by the adopters has been developed by a committee of prosecutors, teachers and outside specialists. It includes materials that have been validated by nationally-reorganized programs and are designed to enhance the self-images of the children, especially in minority communities. The adopters and the school teachers are trained by specialists from contributing agencies in the delivery of the curriculum. The intended outcomes of the project include:

- Increased student awareness of the legal and social consequences of substance abuse, understanding about the criminal justice system and its relationship to the community, and awareness of racial cultural and religious diversity, in order to reduce bias and enhance the children's self-images.
- Development of student decision-making and communication skills in dealing with drug abuse situations, critical thinking skills as they pertain to discriminating between good and bad rules, and decision-making and communications skills in coping with their reactions to incidents of unfairness and discrimination based upon race, religion or heritage.
- Involvement of parents and community residents in reinforcing the classroom program.
- Impacting on the Office staff's attitudes towards community residents; their needs, living conditions and aspirations for their children.

According to a recent four-year study, conducted by the Center for Action Research and the Social Science Education Consortium and funded by OJP's Office of Juvenile Justice and Delinquency Prevention, law-related drug education can serve as a significant deterrent to drug use and other delinquent behavior. We selected the fifth grade for this effort because, as explained by the National Commission on Drug-Free Schools, "[p]ressure to use drugs begins early. At the elementary level...Schools therefore should not wait until middle school or junior high to introduce drug education and prevention programs." Moreover, prosecutors can provide the schools and students with a different perspective about these issues than others in the classroom. Prosecutors are trained in the law, are in court and see what hatred and drugs have done to society. They are "windows" to the criminal justice system and to the professional world for the students.

Project Legal Lives is operating in more than 190 public and parochial elementary schools during the 1992-93 school year. We propose to adopt all nine of the elementary schools in the target community and CPT members will "adopt" classes in the target area, to get to know the parents, students and educators in the community. Through participation in Project Legal Lives, the CPT will demonstrate its commitment to ending the decline in the neighborhood social order and offer hope to the target area of a future in which people are treated with dignity, the criminal-justice system is respected and the law is upheld.

Drug Treatment Alternative to Prison (DTAP): DTAP is an innovative, prosecution-run demonstration program designed to divert felony drug offenders from prison to residential drug treatment programs. It began in October 1990, after months of intensive planning and negotiation with the courts, the defense bar, the City Departments of Probation and Correction, the State Division of Substance Abuse Services, and providers of residential drug treatment. The program targets defendants arrested for class B felony "buy and bust" drug offenses, who are addicts and who have been previously convicted only of a non-violent

felony. If convicted of the drug felony, the defendants would face mandatory state prison sentences under New York State's second felony offender law. Targeting these cases insures that the project diverts defendants who are prison bound.

Defendants who are selected by this Office for DTAP, and accepted by the treatment providers, are given the option to defer prosecution and enter a residential drug treatment program for a period of 15 to 24 months. The recommendation of the District Attorney requires approval by the court. Those who successfully complete the program have the drug charges against them dismissed; those who do not are brought back to court to be prosecuted on the original charges by a special District Attorney's Warrant Enforcement Team. The District Attorney's Office has formed a Business Advisory Council to assist defendants who complete treatment with employment and housing.

DTAP is a tough, coercive element of our assault on drugs and drug-related crime, and the responsibility of the prosecutor in the criminal-justice system is crucial to its success. The District Attorney's Office selects the candidates for consideration by the treatment providers and the court; not only are defendants with a history of violence ineligible, but we continue to prosecute non-addict, repeat offender drug dealers under the mandatory second felony offender law. DTAP participants have the pressure of possible prosecution and mandatory state prison sentences to encourage them to succeed. This Office has also been able to enlist state government assistance, treatment provider participation and community support.

Drug treatment can work for the DTAP population. George DeLeon, in a 1988 Research Monograph for the National Institute of Drug Abuse (NIDA), summarized the evidence this way:

All studies reveal that immediate and long-term outcomes for clients are significantly improved over their pretreatment status: Drug use and criminality decline, while measures of prosocial behavior, e.g., employment and/or school involvement, increase.

He also found that drug-free residential treatment can be effective for "legal referrals" like the DTAP participants, particularly those who can be encouraged, or coerced, to stay in treatment. Since many experts have found that drug addicts commit several crimes a week, we believe that with careful selection and expansion of DTAP, we can accomplish a real reduction in drug-related crime. The results of the first two years are promising: 168 (72%) of the 233 who have entered the program are still in treatment or have successfully completed it.

We propose to incorporate DTAP into community-based prosecution by CPT recommending particular locations in the target area for narcotics enforcement operations. By targeting narcotics problems in the community, the impact of the DTAP program and the CPT on the target area will increase. Resources, instead of being focused generally, will be focused on the individuals and locations that are causing the largest amount of crime and disorder in the community.

Project Just-In-Time: The District Attorney operates an Alternative Sentencing Unit (ASU) which annually assigns 1,000 young defendants arrested on misdemeanor charges to 35 hours of community service as a condition for dismissing the charges. The ASU provides the District Attorney with a unique opportunity to identify and intervene with minority high-risk youth, charged with misdemeanors, who are often ignored by the courts and social services systems until they are deeper in the criminal justice system. Project Just-In-Time offers many of these young offenders a broad range of educational, vocational, social service and drug prevention alternatives. Among the interventions are: completion of high school or equivalency; entering a trade training program; obtaining a job and building a work history; completing an entrepreneurship training program; establishing a satisfying relationship with an adult (mentor); peer relationships and community reintegration.

In order to preserve client confidentiality and separate the sanction and service aspects of the program, the case management responsibility for the service program is subcontracted to Federation Employment & Guidance Service (FEGS). FEGS provides participants both its own training and referral services and other services developed especially for the project. Referral to FEGS for client-specific planning is simultaneous with the ASU intake and worksite assignment.

The CPT will use this project in precinct cases as part of its overall strategy.

The Crime Victims Counseling Unit: The Unit provides help for victims of child abuse, spouse abuse, elder abuse, rape or sexual abuse and victims who need help finding shelter, locating child care and covering costs. Most victimization is perpetrated by substance abusers. The Unit provides information about the court process, helps the child and family obtain financial assistance and compensation for medical expenses and refers cases to local agencies so victims may receive other assistance. The unit is multi-lingual.

The People's Law School: The District Attorney, members of his staff and defense bar, courts and higher education professionals present a program called "The People's Law School," a three-month series of six evening seminars about the law.

The seminars are designed to make complex aspects of the criminal justice system more understandable and accessible to civic-minded Brooklyn residents, and to help citizens develop an informed familiarity with criminal and civil law concepts and procedures so they can apply that knowledge to their own lives.

The curriculum provides information about landlord / tenant, immigration, civil, juvenile and family court matters, victim and witness rights and parent and children rights and responsibilities.

The People's Law School will be presented in the target community. The CPT will staff the program along with other relevant professionals.

The Speakers' Program: The District Attorney has established a Speakers' Bureau to keep residents of Kings County informed on current developments within the Office. The Bureau is staffed by Assistant District Attorneys and designated staff members who represent the Office before community groups and forums. The staff answers questions regarding Office policies and programs as well as questions concerning the criminal justice system. They also field questions posed by members of the public and attempt to inform on matters of particular interest. They speak about specific cases regarding court dates, charges and other case-related matters that may be disclosed publicly. Staff members also serve as conduits of information to residents of the county when they make referrals to appropriate, outside agencies.

The CPT will represent the Office in the target community and draw on specialists from the Office as needed.

Advisory Councils: The District Attorney has created nine advisory councils - African-American, Asian-American, Gay and Lesbian, Irish-American, Italian-American, Jewish, Latino, Senior Citizen's and Women's. These councils were created to enhance prompt and effective communication between the District Attorney's Office and the diverse constituencies of Kings County and to give council members direct access to the District Attorney's staff.

Lines of communication and access enable the District Attorney's Office to keep the public advised of its actions and policies regarding issues, programs and specific cases. Through this process the community is better educated and will have greater confidence in the criminal justice system. The councils are also utilized in crisis-intervention situations, for assistance in areas of mutual concern and to provide guidance in court-monitoring of pending cases.

The CPT will encourage representatives from the target community to participate on the councils and will track 72nd precinct issues that are raised.

The Civil Actions Bureau and the Narcotics Eviction Program: The Civil Actions Bureau enforces the state's forfeiture law. This law authorizes prosecutors, in a civil suit, to recover the money and property that felony offenders have acquired through their crimes. The purpose of the Civil Actions Unit is to eliminate the profits of criminal activity. The unit has collected in excess of \$1.5 million in cash and property purchased with illegal funds. Seized proceeds go first to compensate victims; any remainder is utilized for law enforcement purposes.

The Narcotics Eviction Program is part of the Civil Actions Bureau. The program began in 1988 and helps to evict narcotics dealers from the premises where they sell, manufacture or package drugs. Once it is established that there is drug-dealing activity in an apartment or store, the District Attorney's Office advises the landlord that the tenant involved must be evicted, or the Office will bring an eviction action that names the landlord as a party.

The Office then provides evidence of the illegal operations such as a certified copy of a

conviction. The eviction proceedings are brought in a special part of the Housing Court that was established to expedite such cases. The first of these evictions took place in 1989. Drug dealers have since been forced to leave their apartments as a result of the program.

A liaison to the CPT will be designated by the Bureau to undertake and coordinate forfeiture and narcotics eviction operations in the community.

PROJECT MANAGEMENT⁴

The Kings County District Attorney's Office is managed through a hierarchical structure. The Community-Based Prosecution project will be responsible to the Deputy District Attorney who heads the Trial Division and reports to the District Attorney. The Community Prosecution Team Chief will be responsible for the day-to-day operation and coordination of the project and supervise the Zone Chief, responsible for felony cases, and the Chief of the Criminal Court Bureau, who is responsible for misdemeanor cases. The division of labor in the Office is by function with assistant district attorneys (ADAs) specializing in each step of the criminal justice process.⁵ ADAs from each of the functional areas (Riding Investigations, Complaint Room, Arraignments, Grand Jury, Criminal Court and Supreme Court) will be assigned to the Community Prosecution Team. The CPT Chief will hold weekly team meetings on target-area cases so that case-related information and prosecution strategies can be communicated between ADAs in each step of the process. Liaisons to the CPT will be designated from the Office's special prevention, treatment and education programs. They will be included in the team meetings as needed. The Office's support staff and paralegals in each of the functional areas will provide services routinely.

The CPT chief will coordinate the precinct's and CPT's efforts. The CPT chief and selected ADAs will participate in the monthly police sector meetings.

⁴ See the Organization Chart on the next page.

⁵ Following the Organization Chart is an Activity Flow Chart outlining all of the steps in the criminal justice process.

**COMMUNITY-BASED PROSECUTION
ORGANIZATION CHART**

KINGS COUNTY DISTRICT ATTORNEY

DEPUTY DISTRICT ATTORNEY, TRIAL DIVISION

COMMUNITY PROSECUTION TEAM

**PRECINCT CAPTAIN
LIEUTENANT, SPECIAL PROJECTS
SERGEANT, COMMUNITY POLICING**

TARGET COMMUNITY CPT CHIEF

ZONE CHIEF CRIMINAL COURT CHIEF

COMMUNITY SECTOR TEAM

**ASSISTANT DISTRICT ATTORNEYS
Riding Investigations, Complaint Room, Arraignments,
Grand Jury, Trials Criminal and Supreme Courts**

DETECTIVE INVESTIGATORS

SUPPORT STAFF

Paralegals, Clerical, Fiscal, Personnel, MIS, Office Services, Maintenance

SPECIAL PROGRAMS

LAW ENFORCEMENT

The Auto Action Force

Operation Clean Streets

Habitual Law-Breaker Interdiction

Target Area Burglary (TAB)

The Commercial Robbery Program

Operation All Corners

PREVENTION, TREATMENT, EDUCATION

Project Legal Lives

Drug Treatment Alternative to Prison (DTAP)

Project Just-In-Time

The Crime Victims Counseling Unit

Target Area Prostitution

The People's Law School

The Speakers' Program

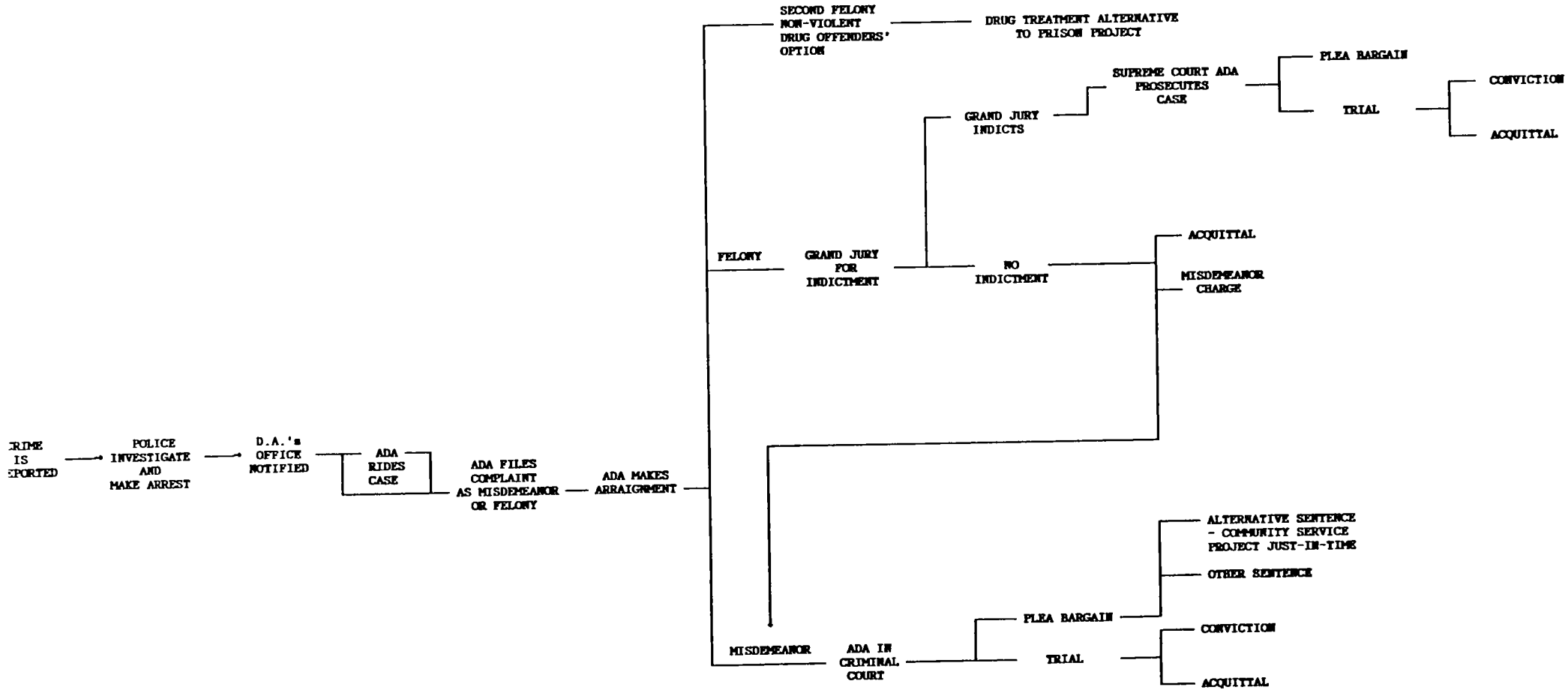
Advisory Councils

**The Civil Actions Bureau and the Narcotics Eviction
Program**

The Civil Rights Bureau

COMMUNITY-BASED PROSECUTION

ACTIVITY FLOW CHART



EVALUATION PLAN

The evaluation of the project will be both formative (process) and summative (outcome).

The Formative Evaluation will serve to monitor the development of the project to suggest adjustments and alterations as the project proceeds and will provide a documentary account of operations should other jurisdictions wish to establish similar projects. The final product of the formative evaluation will be a comprehensive Program Operations Manual.

The formative evaluation will relate primarily to objectives IA) Structure the prosecutor's case processing to focus on all crime in the target community, IB) Have specific assistant district attorneys and staff investigators establish close working relationships with the local police, IC) Develop relationships with community groups and leaders to better understand their concerns and build mutual trust and cooperation in the pursuit of justice and community well-being and ID) Improve the criminal justice process by institutionalizing successful innovations and influencing other parts of the system to evolve or experiment.

The formative evaluation will then have four components: the internal reorganization of the District Attorney's Office's case processing to encompass the proposed community-based approach; the development of the relationship between the CPT and the local police precinct; the interaction between the CPT and the target community; and the impact of the approach on the criminal justice process.

The internal reorganization of the District Attorney's Office will be monitored by the CPT Chief. Most of the data collected will be minutes and notes of meetings between the CPT Chief and the Chiefs of the other Bureaus from which the CPT ADAs are appointed and the internal meetings of the CPT. The evaluation will document issues and solutions that arise when community-based prosecution cuts across the traditional bureau-functional organization of a prosecutor's office. Also, the sharing of information and strategy as a case passes from hand-to-hand through the prosecution process will be evaluated through documentation by the CPT participants.

The nature of the relationship between the CPT and the local police precinct will be documented by the impressions of the CPT ADAs and Investigators and precinct personnel. A questionnaire will be developed to evaluate whether or not closer working relationships between the DA's staff and the local police led to better information gathering, more targeted and enhanced prosecution, innovative anti-crime strategies and more job satisfaction. The questionnaire will be completed by the CPT and officers and patrolmen in the precinct.

The interaction between the CPT and the target community will be evaluated by documenting the number and types of community meetings and forums attended by CPT representatives, cataloguing the issues and concerns raised by the community and detailing the responses of this Office. Representative community leaders will be surveyed towards the end of the project to get their impressions of the impact the CPT has had on the community in terms of the

concerns that had been voiced.

The impact of the approach on the criminal justice process will be evaluated by observing the changes that become institutionalized. If the community-based approach works will some or all of its components be adopted by the DA's Office? Will the approach generate further improvements or experimentation? The compliance of the court and public defense systems is crucial in changing the criminal justice process, e.g., the prosecution of cases on a geographic basis (rather than the passing of cases along a functional ladder) would depend upon the court parts being reorganized so that each ADA's cases are assigned to the same part (rather than the random distribution system currently in practice) and the agreement of the legal aid community to allow such a practice. Another related option is to have community-based courts to handle misdemeanors and violations and provide appropriate community service and other sentencing in the community. We will encourage the courts to experiment in the target community after the CPT has demonstrated that community-based law enforcement works.

The Summative Evaluation will measure the quantitative results of the project objectives as outlined in objectives IIA) Increase the prosecution of crimes that affect the quality of life as defined by the community, IIB) Establish tough plea bargain and jail-time standards for crimes that particularly concern the community and IIIA) Provide education, prevention, treatment and alternative programs to counter crime, encourage the community's participation in and understanding of law enforcement and support the long-term amelioration of conditions that lead to social disorder.

The increase of the prosecution of crimes that affect the quality of life as defined by the community will be evaluated by documenting the community's concerns and priorities and keeping records of the prosecution of related cases including:

- Arrest and prosecution data on all crimes in the target community;
- Arrest and prosecution data on quality of life crimes as defined by the community;
- Data on the implementation of special enforcement programs and track results
- Comparison with arrest and prosecution results with the prior year.

The hypothesis is that arrests and prosecutions of all crimes will increase dramatically during the initial project period and, as the project impacts on crime in the community, will peak and recede to a level substantially lower than recorded in prior years.

The establishment of appropriate plea bargain and jail-time standards for crimes that particularly concern the community will be measured by:

- Comparing plea bargain and jail time results during the project with results in the prior year for similar crimes.

The provision of education, prevention, treatment and alternative programs to counter crime, encourage the community's participation in and understanding of law enforcement and support the long-term amelioration of conditions that lead to social disorder will be evaluated by:

- the results of the DA's special programs which have their own evaluation protocols, especially DTAP, Project Legal Lives and Project Just-In-Time. Participants from the target community will be separately tracked in these programs when it is possible. For Project Legal Lives, for example, the participation of the CPT members as Adopters and the number of schools and fifth-grade classes participating can be documented;

- records of the community's participation in the other programs and services offered by the DA's Office;

- the participation of community members as third party crime reporters and witnesses in prosecution proceedings;

- the introduction of new prevention, treatment and community-based programs, e.g., community-based mediation and alternative programs and services for criminal justice populations;

- the general improvement in the quality of life in the community to the extent that it can be measured by the level of business activity in the community, attendance and achievement levels of elementary school children, level of substance abuse and related medical conditions in the community and the extent to which the community can mobilize to improve conditions described in the annual Community Board Plan.

REPLICATION

We look forward to working with the Office of Justice Programs and interested groups like the National District Attorneys Association (NDAA), to assist other prosecutors in establishing community-based prosecution programs in their jurisdictions. We are already providing technical assistance regarding DTAP to the Special Narcotics Prosecutor for New York City and to the District Attorneys of New York and Queens Counties. The State of New York, in recognition of the public-safety and cost-saving potential of DTAP, has provided these prosecutors with funds to begin their own DTAP programs.

We are also helping the District Attorneys of Onondaga County (Syracuse), New York, Wichita, Kansas and San Francisco, California to establish Project Legal Lives programs in their communities. In addition, we have made presentations regarding community-based prosecution to the Metro Conference of NDAA, the NDAA annual meeting and the annual

membership meeting of the National Criminal Justice Association. Staff of the America Prosecutors Research Institute recently visited Brooklyn and spoke with the executive staff in our office who are responsible for Zone Prosecution, Project Legal Lives and DTAP.

We are fully prepared to provide all information about CPT, as well as on-site technical assistance, to interested prosecutors, and we welcome visits by prosecutors from around the country. We are also prepared to work with OJP and NDAA to establish other means of helping prosecutors observe and evaluate the CPT on a regular basis and assist in the dissemination of information about the program.

We have identified a series of critical elements for some of the components of our model program, that will help other prosecutors in developing their own problem-oriented approaches to crime. These include:

- a) Geographic Distribution of Cases - prosecutors are assigned cases according to the area of occurrence rather than according to the type of crime, so that prosecutors can become more familiar with neighborhoods, crime patterns, career criminals and police officers.
- b) Community Interaction - in addition to prosecuting individual cases, staff must identify and meet on a regular basis with precinct commanders and community leaders, to develop and coordinate responses to the community's crime problems.
- c) Problem-oriented Strategies - prosecutors must work with the police to develop responses that focus on problem locations, particular crimes or types of offenders, rather than focussing only on individual cases.
- d) Supervision - supervisors must insure that these other critical elements are being accomplished and that the outcomes of community-based prosecution are consistent with overall office policy.

The Office will continue to work with the National District Attorneys' Association, other criminal justice agencies and individual prosecutors in providing information and technical assistance so that the project can be replicated in other jurisdictions. If possible, we will disseminate information and technical assistance through NDAA meetings and publications. In addition to distributing a comprehensive Program Operations Manual, including written guidance and critical elements, representatives from the Office will make presentations about the project's development and results at appropriate conferences.

TIME/ACTIVITY CHART

TIME

ACTIVITY

Prior to grant award

- Meet with local precinct command and Community Board leaders to get their advise and cooperation for the proposed project.
- Identify community institutions, crime problems and resources; identify city and state agencies in the target area.
- Plan for reorganization - select staff for project, Notify Bureau Chiefs of intended project.
- Share final proposal with local precinct and community leaders.
- Plan evaluation and data gathering needs - assign Office staff from the evaluation and MIS divisions.

First month

- Organize CPT, develop specific responsibilities among team members and between the team and Office operations.
- Attend police sector meetings to establish working relationships covering both the prosecution of crime and networking in the community.
- Establish evaluation plan - develop instruments, data storage, retrieval and analysis protocols.

Second month

- Begin project operations - meet with community representatives to determine the community's needs and priorities, with the assistance of the local police establish special enforcement and prosecution strategies, gather data on activities and outcomes.

Third - twelfth month

- Continue operations.

Fourth month

- Prepare three-month monitoring report for internal use to evaluate results and to document and/or recommend project modifications.

Seventh month

- Prepare six-month monitoring report. Share results with BJA.
- If project shows promise begin to plan for its continuation and possible replication in Kings County and in other interested jurisdictions - fundraising and dissemination.

Tenth month

- Prepare nine-month report - active dissemination of results, serious consideration of replication.

- Begin planning project refinement - negotiate reorganization of court system to allow for community-based prosecution on a larger scale, conceptualize reorganization of the District Attorney's Office if community-based prosecution were expanded to other precincts.

Thirteenth month

- Prepare final report; formative and summative evaluations and comprehensive Program Operations Manual.

Post grant period

- As warranted, continue, replicate and disseminate the project.

PERSONNEL⁶

The four principal staff members on the project are Barry Schreiber, Deputy District Attorney of the Trial Division, Deborah Stevens, Executive Assistant District Attorney in charge of felony prosecutions and designated CPT Chief, Steven Schwartz, Zone Chief, and Amy Feinstein, Criminal Court Bureau Chief.

Barry Schreiber is a graduate of Brooklyn Law School. Before becoming the Deputy District Attorney in charge of the Trial Division in the Kings County District Attorney's Office he was the Chief of Trials in the Queens County District Attorney's Office and Chief of the Supreme Court Trial Bureau in Kings County.

Deborah Stevens is a graduate of Fordham Law School. Before becoming the Executive Assistant District Attorney of the Kings County District Attorney's Trial Bureau in 1991 and the Chief of the Supreme Court Bureau, she was and an Assistant District Attorney then Bureau Chief in the Office of the Queens County District Attorney. Ms. Stevens will become the Director of the proposed project assuming the new title of Community Prosecution Team Chief.

Steven Schwartz is a graduate of the State University of New York at Buffalo Law School. He has been in the Kings County District Attorney's Office since 1980 serving as a Senior District Attorney, Chief of the Law Enforcement Investigations Bureau and then as the Zone Chief in charge of felony prosecutions in the zone which includes the 72nd precinct.

Amy Feinstein is a graduate of Brooklyn Law School. Prior to coming to the Kings County District Attorney's Office in 1980 she worked as an intern for the New York State Attorney

⁶ Resumes of the key personnel are appended.

General, clerked at the Legal Aid Society and was an Assistant to Family Court Liaison Officers. Ms. Feinstein has served as the Deputy Bureau Chief of Investigations in the District Attorney's Office prior to becoming Chief of the Criminal Court Bureau.



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CHARLES J. HYNES
DISTRICT ATTORNEY

JAY M. COHEN
DEPUTY DISTRICT ATTORNEY

July 15, 1993

Jose Cerda III
Senior Policy Analyst
Domestic Policy Council
Room 222
Executive Office Building
Washington, D.C. 20500

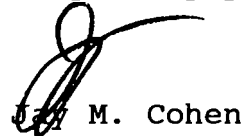
Dear Jose:

Here is your very own copy of our Community Prosecution strategy. Don't give this report away: it may be worth a lot of money someday! I've also enclosed a copy of something else I mentioned at our meeting, the response by District Attorney Hynes to Senator Gramm's column in The New York Times, just in case it doesn't get printed.

Thank you very much for taking the time to see me in Washington yesterday. We share many of your ideas about the new directions that criminal justice policy needs, and I hope our offices can work together to achieve these common goals.

Please let know if you have some time to visit Brooklyn.

Very truly yours,



Jay M. Cohen

JMC:ab
Enclosure

DISTRICT ATTORNEY OF KINGS COUNTY
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CHARLES J. HYNES
DISTRICT ATTORNEY

July 14, 1993

Editor
The New York Times
229 West 43rd Street
New York, NY 10036-3959

To The Editor:

Senator Phil Gramm (R-Texas) takes pride in being vigilant against wasteful government spending. That makes it hard to fathom his enthusiasm for mandatory prison sentences for all drug offenders (Op-Ed, July 8) at the expense of drug alternative treatment programs that could protect us from drugs and drug-related crime in cost-effective ways.

Sen. Gramm complains that offenders spend less time in prison for their crimes than they used to. But data proves it is not because of our failure to enact mandatory sentencing laws or build more prisons, as he suggests. The Justice Department reports that the nation's state and federal prison population reached an all-time high of more than 883,000 by the end of 1992 - it was 240,000 in 1975. In Texas, the prison population stood at 61,178 in December, 1992, an increase of 59% in just six years.

If this is the only way to fight crime, then why does the United States lead the industrialized world in murders, sexual assaults and other violent crimes? Why did Texas' violent crime rate increase 15.6% in 1990 and another 10.3% in 1991, the last year for which FBI figures are available? Or why, in the Senator's words, are we still "deluged by a tidal wave of crime?"

One reason violent criminals don't spend more time behind bars is that they are being squeezed out by non-violent drug offenders. More than 50% of new admissions to the federal prison system in 1990, and almost one-third of all commitments to state prisons, were drug offenders. According to the United States Sentencing Commission, 91% of the federal defendants receiving mandatory minimum sentences are drug offenders.

In New York in 1992 more non-violent drug offenders went to prison than violent felons and, because of all the drug cases clogging the courts, the chances of a violent felony arrest resulting in a conviction actually decreased in many counties. Is this any way to protect the public from murders, rapes, robberies and other violent assaults?

Attorney General Janet Reno commendably advocates a balanced approach, including treatment for first-time drug offenders to help them stop committing crimes and to insure more room in prisons for violent offenders.

In Brooklyn, my Office developed the Drug Treatment Alternative to Prison (DTAP) which puts carefully-screened, non-violent drug offenders into residential drug treatment instead of state prison. Violent criminals are not eligible. If participants successfully complete the 15-24 month treatment cycle, their charges are dismissed; if not, we prosecute them to the fullest extent of the law.

Residential drug treatment costs \$18,000 a year per offender, instead of \$30,000 a year, or more, for prison. And it works: two-thirds of the offenders who have entered DTAP have successfully completed it or are still enrolled and under treatment.

DTAP puts drug-addicted offenders into a tough, coercive residential treatment environment that is cheaper than incarceration and, unlike prison, will prevent crime in the long run by treating addiction - a cost-effective alternative.

I share the Senator's outrage at the threat posed by drugs and drug-related crime. But I am also frustrated by anti-crime policies that haven't targeted this exploding segment of prison populations.

America cannot afford to build the prison space needed to lock up every drug offender, but it can afford to fight crime in smarter ways.

Yours Sincerely,

Charles J. Hynes
District Attorney

CJH:cs

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THE COMMUNITY PROSECUTION TEAM:

A COMPREHENSIVE, COMMUNITY-BASED PROSECUTION STRATEGY
TO FIGHT VIOLENT CRIME AND REVITALIZE A NEIGHBORHOOD

CHARLES J. HYNES
KINGS COUNTY DISTRICT ATTORNEY
BROOKLYN, NEW YORK
September, 1992