

# COMMUNITY PROSECUTION IMPLEMENTATION MANUAL



prepared by  
American Prosecutors Research Institute's  
Criminal Prosecution Division

the research and technical assistance affiliate of the  
National District Attorneys Association

funded by the Bureau of Justice Assistance,  
Office of Justice Programs,  
U.S. Department of Justice

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This document was prepared under Cooperative Agreement Number 94-DD-CX-0086 from the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. Points of view or opinions in this document are those of the authors and do not necessarily represent the official position of the U.S. Department of Justice.

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**Printed in the United States of America.**

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# Preface

The American Prosecutors Research Institute (APRI) is proud to provide prosecutors nationwide with the Community Prosecution Implementation Manual. Divided into two sections, the purpose of this manual is to give prosecutors a general overview of the concept of community prosecution and to provide a “hands-on,” step-by-step guide on how to implement a program.

As increasing crime and violence threatens communities and burgeoning caseloads overwhelm the criminal justice system, prosecutors must seek innovative ways to fight and prevent crime in their jurisdictions. Through community prosecution, prosecutors can transcend their traditional roles as case processors and forge partnerships with law enforcement, the community and various public and private agencies to act as problem solvers. APRI defines community prosecution as a philosophy, as well as a strategy that involves prosecutors who are committed to directing their resources in response to the needs of a specific community.

APRI is committed to assisting prosecutors in their pursuits to increase public safety and enhance quality of life in their districts. We at APRI encourage prosecutors to use this manual in their community prosecution endeavors.

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# Acknowledgments

The American Prosecutors Research Institute (APRI) is pleased to provide prosecutors nationwide with a manual to assist them in implementing a community prosecution program. We owe our sincere gratitude to those who participated in our second focus group in 1995, put pen to paper and drafted portions of the manual. Without their hard work and cooperation, this manual would not have been possible. They are:

*Kevin Clark*, Executive Prosecutor, Monmouth County (Freehold), New Jersey;

*Jay Cohen*, Deputy District Attorney, Kings County (Brooklyn), New York;

*Wilber Crooks*, Assistant State's Attorney, Cook County (Chicago), Illinois;

*Connie Cucchiara*, Director, Community Affairs Unit, New York County (Manhattan), New York;

*Rodney Hopkinson*, Assistant District Attorney, Multnomah County (Portland), Oregon;

*Michael Kershaw*, Assistant District Attorney, Philadelphia County (Philadelphia), Pennsylvania; and

*Michael McCann*, District Attorney, Milwaukee County (Milwaukee) Wisconsin.

This manual could not have come to fruition without the keen editorial contributions and oversight from the following APRI senior management members:

*Cabell Cropper*, Director, Management and Administration; and

*Jennifer Panagopoulos, Ph.D.*, Chief Administrator.

Of course, drafting the manual could not have been complete without the valued editorial and design assistance from the following APRI staff members:

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*Norma Mancini Stevens*, Senior Policy Analyst, Criminal Prosecution Division.

We also owe our sincere appreciation to those who participated in our first focus group in 1993. Without their hard work and contributions, the manual would not exist. They are:

*David Fry*, Deputy Prosecuting Attorney, Jackson County (Kansas City), Missouri;

*Barbara Jones*, First Assistant District Attorney, New York County (Manhattan), New York;

*Pat Kenney*, Assistant District Attorney, Milwaukee County (Milwaukee), Wisconsin;

*Anthony Pate*, Director of Research, Police Foundation;

*Wayne Pearson*, Assistant District Attorney, Multnomah County (Portland), Oregon;

*Andrew Sonner*, State's Attorney, Montgomery County (Rockville), Maryland;

*Ann Taylor*, Visiting Fellow, National Institute of Justice; and

*Albert Toczydlowski*, Assistant District Attorney, Philadelphia County (Philadelphia), Pennsylvania.

No publication takes shape without the hard work and dedication of one person who makes it a reality. That person conducts research on the subject matter, obtains vast amounts of information, authors several portions of the work in progress, coordinates the drafts of all of the sections, compiles those sections and edits the entire work. To this end, APRI recognizes the outstanding work of the following staff member in producing this manual:

*Susan Weinstein*, APRI Staff Attorney, Criminal Prosecution Division.

Finally, APRI is grateful to the Bureau of Justice Assistance, U.S. Department of Justice, for its financial support that made this manual possible and for the wise counsel of *Charles "Bud" Hollis*, Chief, Prosecution Branch.

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# What is Community Prosecution?

## *Overview*

In September of 1993 and February of 1995, the American Prosecutors Research Institute (APRI), with funding from the Bureau of Justice Assistance (BJA), U.S. Department of Justice, convened focus groups to discuss the concept of community prosecution. The groups defined community prosecution, identified nine important components of a successful program, discussed the issues that prosecutors should consider when planning and implementing a program and determined its relationship to community policing. Both focus groups consisted of prosecutors involved in community prosecution and other allied professionals with expertise on the subject. While perspectives varied between jurisdictions, the following final definition was formulated:

Community prosecution focuses on targeted areas and involves a long-term, proactive partnership among the prosecutor's office, law enforcement, the community and public and private organizations, whereby the authority of the prosecutor's office is used to solve problems, improve public safety and enhance the quality of life in the community.

Expanding on the definition, the focus groups identified nine important components that embody the general concept of community prosecution. However, a prosecutor who is planning a community prosecution program must remain flexible in his or her approach. One component may not be necessary to the plan of one jurisdiction while that same component may be essential to another. Tailoring your plan to the special needs of your area requires a flexible approach to the broad concept of community prosecution.

The focus groups found that community prosecution involves the following nine components:

- ☞ a proactive approach;
- ☞ a clearly defined target area;
- ☞ problem solving, public safety and quality of life issues;
- ☞ the direct interaction between the prosecutor and the community and the incorporation of the community's input into the courtroom;
- ☞ partnerships among the prosecutor, law enforcement, public and private agencies and the community;
- ☞ long-term strategies;
- ☞ the commitment of policy makers;
- ☞ varied enforcement methods; and
- ☞ continuous evaluation.

Community prosecution is a grassroots approach to law enforcement. It involves traditional and non-traditional initiatives to work within a targeted community to prevent crime, thus reducing the number of arrests and prosecutions. By

clearly defining an area in which to implement community based programs, committing resources for the long-term, and being sensitive to the residents' concerns, the district attorney can focus on key problems and attend to the complaints of the residents. The district attorney must choose a site with manageable crime levels.

Recognizing that prosecution cannot strictly be reactionary to crime, community prosecution also involves crime prevention and community involvement. It recognizes the myriad of differences between and among jurisdictions and neighborhoods. It focuses its efforts on the individual needs of communities, coupling the law enforcement efforts of the prosecutor's office with the grassroots concerns of the community.

### ***Interaction with the Community***

Community prosecution involves direct interaction with the community to determine priorities prior to any reactive crime measure. This shift of gears encompasses a change in traditional prosecutorial office policy and results in more effective case management. Vertical prosecution is an example of one such policy. In vertical prosecution, one prosecutor handles the case from beginning to end. Additionally, vertical prosecution may involve assigning one prosecutor to handle all of the cases, from start to finish, in one geographical area. With vertical prosecution, the conviction rate can increase, and the community has input into the prosecutorial function.

The acceptance and support for the prosecutor's programs from indigenous, neighborhood groups is unique to the concept of community prosecution. Discussions with leaders and members of neighborhood resident associations, business associations, church groups and the like are critical. The district attorney develops ways to better communicate with the community and views the community as an ally. Similarly, the

district attorney fosters improved communication with law enforcement. With notification from the prosecutor of specific court orders against defendants, the police can enforce these orders aggressively and, in turn, enhance public safety.

Anonymously, residents can provide information about drug activity to the assigned prosecutor, who can use the information to work with other government agencies in combatting the problem. The prosecutor can give the information to narcotics police personnel in the target area, using it in forfeiture actions and nuisance abatement proceedings to board up and close down drug houses or nuisance bars or to lodge detainers on particular defendants through probation and parole agencies.

As a result of this direct interaction, the district attorney's office expands its efforts to address the priorities of the community. Thus, the district attorney must obtain the community's acceptance of the concept before any program is implemented. In the end, a genuine commitment to the best interests of the residents will increase the likelihood of the success of the project profoundly.

In the Philadelphia County District Attorney's Office, prosecutors routinely obtain "stay away" orders against defendants as part of sentencing. A picture of the defendant, along with the written text of the stay away order, is kept in the local police district where all police personnel can review the pictures and stay away orders. If an officer on patrol sees a convicted drug dealer in the area in which he was ordered by the court to avoid, the officer immediately contacts the assigned prosecutor, who, then contacts the appropriate probation or parole officer and arranges for a violation or contempt hearing.

## ***Interaction with Public and Private Organizations***

Community prosecution involves an alliance with the government agencies and private organizations that serve that community. By facilitating cooperation among prosecutors, police, the community and public and private entities, the prosecutor can achieve positive results. Through collaborative problem solving, the prosecutor can improve public safety and enhance the quality of life for the residents of the targeted area. Partnership is what sets community prosecution apart

from more traditional prosecution. It is one of the most important, yet difficult, components with which each office must work.

Partnership requires information exchange and shared decision making responsibilities by and between public and private organizations. While this concept is considerably different from the more traditional notions of prosecutors as case processors, a community based prosecution program is different from the relations that a district attorney ordinarily maintains. The district attorney, who has performed the duties of office conscientiously and cooperated with other agencies in exchanging information and addressing challenging problems, will be in the best position to induce support for a community based prosecution system.

Police districts can provide offices for the assistant district attorneys in the target area and assign detectives and police personnel to work with the prosecutors on salient community crime problems. The two can share information on law enforcement techniques. In exchange, prosecutors can provide training to police personnel in areas of the law having the biggest impact on the target community (e.g., if drugs are a problem in the area, the prosecutor can provide enhanced training on the law of search and seizure).

Community prosecution requires the district attorney and other policy level leaders to work together, in a variety of ways, to insure meaningful consideration of the community's public safety and quality of life concerns. Prosecutors can enlist the involvement and support of other agencies, reach out to community leaders to join this partnership and use the tools of civil and criminal law in an effective, coordinated strategy. A

The partnership can focus on the development and implementation of prosecutorial and law enforcement action plans; increased community involvement in the criminal justice response to crime; identification and use of appropriate law enforcement, social service, community and other resources in enhancing quality of life; development of non-traditional programs for families and youths (e.g., mentoring); enhancement of public safety and facilitation of community organization through alternative sanctions (e.g., community service); and encouragement of civic understanding, responsibility and cooperation through law-related education programs.

mechanism by which to achieve these objectives is a steering committee of policy makers. This steering committee collaborates in problem identification, the sharing of information about criminal activity, an analysis of appropriate community and law enforcement strategies, the assignment of specific tasks to each entity and feedback on action taken and evaluations of results achieved.

The incorporation of varied strategies to maintain strict enforcement of the law is critical to any community prosecution effort. (See Appendix B for illustrations of how a community based prosecution program can bring new approaches to address crime problems and to improve the quality of life in a neighborhood.) Few communities have the financial resources to arrest and prosecute those who commit the less serious, non-violent, quality of life crimes (e.g., prostitution, graffiti, low-level drug dealing, littering, abandoned autos, vagrancy and loitering). In addition, few communities have the jail space available to incarcerate those who commit less serious crimes. Often, it is this fact that traditionally relegates quality of life crimes to a low priority. However, these crimes most often plague a community. As a result, it is incumbent for district attorneys to look beyond the traditional approach to prosecution to increase the public safety and enhance the quality of life in a community. Using civil sanctions, like nuisance abatement, is often an overlooked strategy in crime prevention.

### ***Commitment to the Program***

To embrace community prosecution convincingly, the district attorney must commit the appropriate resources and should anticipate additional costs at the outset. However, by implementing a long-term strategy to maintain a successful program, the district attorney will improve the quality of life of the target area. Ultimately, the prosecutor saves resources by eliminating the need to expend monies to continuously “retake the hill.” Long-term solutions eventually will reduce costs.

All of the partners in community prosecution must make an equal commitment to long-term strategies. They must philosophically support the concept and demonstrate this support to their staffs and to the public. In addition, if the citizens believe that all of the players in the community prosecution effort truly are committed to improving the quality of life and increasing the public safety, then they will be willing to risk involvement knowing that others care. Once the residents see the success of the community prosecution program, they will likely strive to continue it in the future. The long-term and genuine commitment of *all* partnership members is vital to a successful program, but none is more important than the district attorney. The prosecutor is the driving force behind a community prosecution program. The more involved and aware that the district attorney is in the planning, implementation and continuation of a community based program, the more likely that the ultimate goal of crime reduction and public safety improvement will be met.

### ***Staffing the Program***

The district attorney must carefully select the staff members who will concentrate on the community prosecution effort. These workers will execute the goals, objectives and tasks of the program promulgated by the policy makers.

By assigning personnel to the target community, the district attorney provides an ear to the residents to relay what their priorities are and an eye for the district attorney to see those problems, close at hand. Thereafter, the district attorney can bring to bear the skill and competence of his or her staff members to assist that community in addressing those problems.

## ***Evaluating the Program***

Careful evaluation of a community prosecution program is important for monitoring the delivery of services, identifying program strengths and weaknesses and providing evidence of the effects of the strategy. Similarly, evaluation can provide critical information on program effectiveness that can be used in making resource allocation decisions, in adjusting the program to improve its effectiveness and in marketing the community prosecution program to other neighborhoods.

Evaluations particularly are helpful during the early development of a program. The district attorney must provide for the collection of data at every stage of the program. The best evaluations will enable the prosecutor to use preliminary findings to modify or improve the program continuously rather than waiting weeks or months for a complete evaluation report. This ongoing evaluation process will provide relevant information to enhance the prosecutor's ability to make informed, strategic decisions. Finally, the proper evaluation of a program, particularly in light of today's fiscal austerity, will benefit the program and the community in the future. Although collecting program information can seem tedious or laborious at times, the district attorney must realize the necessity of collecting such information to maintain the program and to keep it operating effectively and efficiently.

## ***Conclusion***

First started as a response to the escalating crime problems in many jurisdictions, community prosecution has proven effective in combatting many crimes before they occur. This approach has become extremely popular, as it has been successful in securing public safety in areas in which traditional prosecution has been unable. To varying degrees, district attorneys that have implemented community prosecution have

found that the increase in the public safety due to program success also may translate into funding for the program.

Community prosecution provides an eye toward stopping crime before it happens, rather than reacting to a crime after it happens. Thus, the district attorney may alter the community's traditional perceptions of prosecutors. Through partnership efforts, the office of the district attorney may use a proactive, long-term community prosecution program to solve problems, improve public safety and enhance the quality of life in a target community. Accordingly, a carefully planned and implemented community prosecution program can be an effective crime control strategy.



# How to Make the Transition to Community Prosecution

A good community prosecution program requires the appropriate community (*i.e.*, one in need of long-term assistance). The prosecutor must devise an effective strategy of intervention and inventory all of the resources needed to properly implement the effort and sustain it on a long-term basis. There are eight phases<sup>1</sup> in building a community prosecution program. They involve:

- ☞ selecting a target area;
- ☞ conducting a needs assessment;
- ☞ identifying resources and garnering the support and commitment of policy makers;
- ☞ identifying funding sources;
- ☞ organizing program players and staff;

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<sup>1</sup> Some of the phases are loosely based on information obtained from the following sources: Operation Weed and Seed Implementation Manual, 1992. Washington, D.C.: U.S. Department of Justice, Executive Office for Weed and Seed and Prevention Plus II: Tools for Creating and Sustaining Drug-Free Communities, 1989. Washington, D.C.: U.S. Department of Health and Human Services, Office for Substance Abuse Prevention.

- ☞ developing a program plan;
- ☞ implementing the program; and
- ☞ evaluating the program.

### ***PHASE 1: SELECT A TARGET AREA***

The prosecutor's first step is to view his or her entire district for potential program sites. The district attorney must determine what area or areas to target. An appropriate site is one that requires long-term assistance. To increase the chance of the community prosecution program's success, the district attorney must be receptive to the community's needs and realistic to the likelihood of failure within a given area. The prosecutor must focus his or her efforts within only the targeted area. The area may be one city block, a housing development or a police district.

Although there is no formula for the selection of a suitable target area, a program often works well in a neighborhood that has:

- ☞ a high crime rate and a large number of calls for police assistance;
- ☞ a high incidence of drug related crimes and is over-run by open air drug markets, crack and drug houses and other signs of drug use;
- ☞ a high incidence of prostitution, disorderly conduct, youths congregating on the streets and abandoned cars;
- ☞ an inordinate number of residents who are on probation or parole;

- ☞ a large number of residents who are unemployed and are on public assistance;
- ☞ an identifiable group (*e.g.*, property and business owners) with a vested interest in rectifying the problem;
- ☞ a small percentage of single family houses and a large percentage of multi-family dwellings;
- ☞ a high incidence of school dropouts;
- ☞ some potential for social and economic development;
- ☞ indigenous neighborhood hardship and support from community organizations; and
- ☞ clearly defined geographic lines for accurate concentration on the specific target area.

The district attorney may obtain information about these factors from community hearings, service provider surveys, social indicators, censuses, police statistics, school data, social services statistics, key informant information and hospital emergency room records.

## ***PHASE 2: CONDUCT A NEEDS ASSESSMENT***

After selecting a target area, the prosecutor must conduct a needs assessment. A needs assessment enables the program planners to tailor their goals to the needs of the target community. Ultimately, the assessment will determine:

- ☞ which problems concern the community the most (*e.g.*, the district attorney may discover that the residents are more concerned with petty vandalism and graffiti than with the rate of serious crimes in the area); and

- ☞ what other programs, organizations and services exist in the area to help address these problems.

The best needs assessment will encompass:

- ☞ a thorough gathering and analysis of information on a vast expanse of the community's problems (crime or otherwise);
- ☞ characteristics and resources;
- ☞ quality of life issues;
- ☞ racial and ethnic problems;
- ☞ social needs; or
- ☞ a combination of all of the above.<sup>2</sup>

The community prosecutor can learn the neighborhood's needs through:

- ☞ personal interaction;
- ☞ community hearings; and
- ☞ outreach to the neighborhood.

The community prosecutor should ask residents what their biggest complaints are and which area is plagued with the

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<sup>2</sup> Assessing the needs of a culturally diverse community can prove more difficult than for a homogeneous community. People from the same groups often share beliefs, values and social and educational experiences. However, the prosecutor must not assume that all members of a group are alike. Hence, it is important to include a sampling of one or two "representative" group members in each stage of the planning.

most problems. Once the residents highlight the issues, the prosecutor may approach another governmental agency that can help rectify the problem. Through these interactions, the district attorney can gauge whether the targeted community will be receptive to the prosecutor's presence and whether the community's problems are capable of being addressed by a comprehensive community-based approach.

### ***Communication Between the District Attorney and the Community***

Engaging the community initially may prove difficult, since the residents may be suspicious of outsiders. Thus, the prosecutor should cautiously approach the community leaders. "Formal leaders" include clergy, school officials or the head of a youth group. "Informal leaders" include a respected neighborhood resident or local merchants. Prosecutors can identify informal community leaders at tenant association or neighborhood coalition meetings as they converse with the residents, listen to their complaints and fears, address their questions and clarify their problems. Later, as prosecutors build their programs, they will incorporate the citizens' ideas and concerns into the strategy.<sup>3</sup> Additionally, using citizens' advisory councils is a way to insure direct and effective communication between citizens and the prosecutor's office. These councils engage representatives from community groups in an ongoing dialogue with a prosecutor's office to determine areas of mutual concern, exchange information and solve problems.

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<sup>3</sup> Since the district attorney cannot speak with every member of the target community, he or she should administer comprehensive surveys and questionnaires to supplement direct conversations. Additionally, he or she should use social indicators (*e.g.*, crime statistics, unemployment rates and the like) to strengthen the overall assessment of the needs of the specific community.

Educating the community through informational presentations is helpful. Residents appreciate the district attorney who explains the role of the prosecutor and alerts them to resources available to them. Key information to include is a description of the structure of the prosecutor's office and guidance on how to access these resources. These informational presentations may only depict one unit's services within the district attorney's office. Other resources include:

- ☞ victim/witness assistance;
- ☞ case information;
- ☞ consumer fraud inquiries;
- ☞ nuisance abatement/narcotic evictions programs; or

The Narcotics Nuisance Abatement Unit in the Cook County State's Attorney's Office in Chicago holds seminars for landlords and homeowners to educate property owners about nuisance abatement sanctions and effective ways to keep their properties free of drug activity. Similarly, the Multnomah County District Attorney's Office in Portland sponsors a Citizens Academy which educates residents on a wide range of legal issues involved in law enforcement (e.g., search and seizure). The New York County District Attorney's Office in Manhattan, through presentations made to senior citizens groups and to community senior citizens service providers, focuses on crime prevention as well as on the development of a knowledgeable service provider population able to quickly access help in cases of suspected abuse of seniors.

- ☞ specialized prosecution units, such as child or elder abuse and bias crimes.

At community meetings, the reporting of arrests, pending felony and misdemeanor charges and dismissals will promote discussions of the cases' strengths or weaknesses and answer any questions that the residents may have. Prosecutors must be careful to adhere to the ethical standards governing trial publicity. Prosecutors also can explain the process and purpose of bail. Often, residents are confused when they see

newly arrested defendants back on the streets. Uninformed citizens may erroneously believe that the defendant's charges are dismissed. The district attorney must stress to residents the pending nature of the charges and use this as an opportunity to report convictions for illegal activity in the past of the defendant who is free on bail.

In the Milwaukee County District Attorney's Office, convictions and sentences of defendants are posted in the target area, alerting citizens to the result of their partnership effort with the office of the prosecutor.

The prosecutor first learns of the needs of the residents through various forms of communication. However, the contact with the community does not stop there. Communication with the community must be continuous and regular. The prosecutor should consider using:

- ☞ printed materials explaining arrest and prosecution procedures;
- ☞ prosecutor program brochures;
- ☞ safety and security tip sheets; and
- ☞ law enforcement and community telephone resource lists.

These important, but often forgotten, mechanisms are helpful to residents of the target community.

Useful educational materials, geared to young people, can be circulated through school outreach programs. Students' concerns include:

- ☞ information about the arrest to sentencing procedures;
- ☞ criminal penalties for drug possession or sale and for other crimes;

- ☞ general rights and responsibilities of citizens;
- ☞ police use of force; and
- ☞ career opportunities available in law enforcement.

The Kings County and New York County District Attorneys' Offices in Brooklyn and Manhattan, respectively, have developed written curricula. The Brooklyn office produces and disseminates *Legal Lives*, and assistants encourage fifth graders to examine bias crimes and their impact on daily life. Similarly, the Manhattan office produces and disseminates *Legal Bound*, which reviews legal issues involved in well-known cases. For instance, it focused on the Rodney King case to address the concerns of young people who were troubled by the verdicts.

Development of educational materials for use in adult education also is an effective way for prosecutors to communicate with the residents of a target area.

### ***Effective Use of the Media***

The adage “the medium is the message,” still applies today. Using print, radio and television to promote the concept (and the continuing efforts) of the collaborative work between the community and the office of the district attorney helps residents understand and embrace the idea. Using community newspapers to publish convictions, sentences, locations of illegal businesses or abatement sanctions keeps the community informed of the non-traditional enforcement efforts. When residents believe that the prosecutor works for them, they may assist him or her in the future. Continually using press releases to announce the successes of the collaborative efforts and the radio and television media to report fugitive (bench) warrants are effective ways to continue to promote the concept of community prosecution.

## ***Incorporating Community Input into Courtroom Prosecution***

To strengthen the evidence against a defendant, use community sources to collect evidence against the accused for use at trial. Tips from residents trigger police investigations and subsequent arrests. As these arrests are processed, community intelligence reports support the prosecution of the defendants. Knowing that they can make a difference may encourage residents to participate.

The prosecutor should encourage residents to get involved in the courtroom procedures using several methods, such as:

- ☞ *community impact statements or sentencing letters* describing the impact of criminal activity on the daily life of the community. Ask the judge to attach these documents directly to court papers. Hence, they remain with the case throughout processing, continually informing the court of the effect of the crime. These statements usually are admissible during sentencing.
- ☞ *letters to the probation and parole departments* influence those who release the offender after time served.
- ☞ *recidivist community letters* describe the defendant's role in illegal activity and bring to the court's attention the community's concern regarding the reentry of an offender into the community. In these letters, the residents request that the court recognizes their concerns, particularly during sentencing.

Residents can influence the court bail proceedings as well. With information from community residents, strong arguments against bail can be made, reflecting the concerns of the

community and its further efforts to eradicate the illegal activity. For example, in the New York County District Attorney's Office, data sheets are prepared for assistants handling the arraignment calendars. The data sheet requests information for any bail recommendations of the court.

Prosecutors can advocate court monitoring by community groups to allow residents to have input in the courtroom. This technique demonstrates to judges that the residents monitor rulings and outcomes of cases. This careful following of courtroom proceedings shows the judges that the residents believe that the prosecution of criminals will improve their neighborhood. Additionally, communities may monitor court rulings and cases in other communities to learn of approaches that work for other communities.

Finally, attaching memoranda from residents, photographs of the damage from the criminal activity and arrest documents of defendants allows the community to participate in prosecution efforts and educates judges. Working together, areas infested with crime may transcend defeatist attitudes and improve the targeted neighborhood in the long-term.

Through the needs assessment, the prosecutor works in conjunction with the community to adequately inform the community and structure the program to the desires of the residents. In responding to the community, the district attorney can insure that his or her effort will be understood and accepted by the community.

### ***PHASE 3: IDENTIFY RESOURCES AND GARNER THE SUPPORT AND COMMITMENT OF POLICY MAKERS***

Adequate resources must be allocated and devoted to the long-term maintenance of the program. Thus, prosecutors and communities beginning a cooperative partnership should

realistically assess their available resources and enlist only those that can be sustained on the long-term basis. Residents of the identified target area should make a long-term commitment to achieve successful results and to establish credibility. If the crime problem relocates, the prosecutor can then offer a similar program to the newly plagued area. Once the problem is resolved (*e.g.*, a drug house is closed, abandoned automobiles are removed or graffiti is cleaned), it should not reestablish itself. Long-term, continuing strategies will curtail the reappearance of the problem.

The overall objectives of any community prosecution program are to enhance the quality of life, increase public safety and reduce crime in the given area. Each program's objectives will vary. Hence, the resources necessary for each program will vary. By anticipating the resources required to meet

Legislative changes may be made to a forcible entry and detainer statute. By amending the statute, drug-related evictions may be treated as emergency actions, quickly evicting drug dealers from the premises. Most eviction proceedings are lengthy, and while the actions are pending, drug dealer defendants remain on the premises, paying no rent and continuing to deal drugs. This causes irreparable harm to the community, as the presence of drug dealers presents a danger to the safety and quality of life of its residents.

program objectives, the district attorney will identify from whom to seek support. However, limiting the use of some resources is restricting. For example, many state statutes contain narcotics laws that have never

been used. Nuisance abatement laws, for instance, can be great tools to increase public safety and the quality of life.

Specifically, in seeking to shut down a drug house pursuant to a civil statute, assistant district attorneys may proceed in a nuisance abatement action as does the Cook County State's Attorney's Office in Chicago. The Narcotics Nuisance Abatement Unit uses the provisions of the Illinois Controlled Substance and Cannabis Nuisance Act. However, once the dis-

district attorney determines that the civil statute may be used to address the crime problem, particularly that of drug houses, the prosecutor should analyze whether the statute needs amending to strengthen its enforcement value.

Coordinating the community prosecution partnership requires a clearly planned effort. In approaching public and private agencies and community groups, the district attorney must promote a long-term, active undertaking by the players. Clearly, the police chief or sheriff are critical to the effort. In addition, support from the governmental executive (*e.g.*, the county executive), is vital as is the support of the funding body (*e.g.*, the county commission or the legislature). Discussions should take place with the top executive officers of all of the key agencies.

At all stages of the planning process, the district attorney must keep the policy makers informed of the strategy and its progression. Some persons to contact for advice and support are:

- ☞ police chiefs;
- ☞ school officials;
- ☞ healthcare providers;
- ☞ social service personnel;
- ☞ clergy;
- ☞ judges;
- ☞ probation and parole officers; and

☞ local politicians.<sup>4</sup>

Interdisciplinary involvement insures that any strategy employed is comprehensive and brings a panoply of services and resources to bear on the problem. Without the support of these individuals, the program developed is likely to fail. For these reasons, the program planners should seriously consider the recommendations of the policy makers and modify or alter their plan accordingly.

Informing the other players of innovative enforcement techniques is essential to the smooth implementation of such varied strategies. The Cook County Narcotics Nuisance Abatement Unit (NNAU) brought its first nuisance action against a drug house, the chancery division judge, to whom the case was assigned, had never heard of the unit and also was unfamiliar with the Controlled Substance Cannabis Nuisance Act under which the NNAU proceeded. Thus, the prosecutor was forced to expend an inordinate amount of time convincing the judge that this non-traditional method of law enforcement and prosecution was a legitimate practice. To avoid this costly and time consuming error, the district attorney may “publicize” this creative type of prosecution to alert potential offenders, the courts and other government agencies and the community of the purpose of this type of prosecution and its goals.

The agencies and organizations that already serve the target community are the logical starting points to contact. However, seek out new entities, as well. The key players must work together, as they each bring varied perspectives on the problems. The policy makers must first hear the problems, as voiced by the residents and use their resources to fashion a viable solution using varied enforcement techniques. Non-traditional strategies can eliminate problems without prosecution of defendants. This is a radical

departure from the district attorney’s role of “solving” the problem by prosecuting an individual. Using building inspectors to

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<sup>4</sup> In some cities, the role of the legislator or a precinct captain may be very influential, either in opposition to, or in support of, an idea. This reality cannot be ignored. While the prosecutor’s office must avoid losing total control, the district attorney might need to build rapport early in the neighborhood selection phase, either to gain support of the legislator or precinct captain or, at least, to neutralize any potential opposition.

throw drug traffickers out of buildings is one method. These inspectors may enter the premises to search for building code violations thus preventing drug dealers from working on the premises.

Similarly, health department inspectors may respond to residents' complaints to abate a narcotics nuisance in restaurants and drinking establishments. In such a situation, health inspectors may enter an establishment and, upon discovering a sufficient number of health code violations, close the business. (See Appendix B for examples of varied enforcement methods.) Finally, fostering a relationship with the community will contribute to the success of the program and the use of creative enforcement efforts.

As demonstrated above, numerous federal and state public agencies are central to a community prosecution program. In addition, the mayor and city council may provide support, financial and otherwise, of the effort. Also consider participants from the following groups:

1. *Non-Profit Associations* (e.g., Literacy Volunteers or Big Brothers). Several social service groups can assist in the community prosecution program by assigning their staffs to the area to educate, counsel and provide other important services.

2. *For-Profit Organizations* (e.g., banks, franchises or small shops). Existing businesses will be aware of some of the problems associated with owning and operating a business in the target area and may be equipped to offer some insight into possible solutions. New businesses may be willing to enter the neighborhood as an investment strategy. These businesses may be able to donate their products or contribute money to the community prosecution effort.

3. *Educational Facilities* (e.g., universities or libraries).

An educational facility can be a powerful ally for emotional and financial support of a community prosecution program. Nearby colleges may be willing to give free classes to residents and may “loan” graduate students for counseling or teaching these residents. Similarly, libraries may wish to donate books to residents or give free reading hours to neighborhood children.

4. *Religious Institutions* (e.g., churches, temples or mosques). Often, religious institutions are the rocks upon which many dilapidated neighborhoods stand. The leaders of these institutions often have good rapports with residents and are aware of their needs. In addition, these leaders often have earned the respect of the community and can recruit volunteers for crime prevention activities. Important bulletins and notices can be announced at religious services.

5. *Neighborhood and Civic Groups* (e.g., tenant associations, neighborhood watches or youth clubs). Residents in these groups often are willing to work to better their neighborhood.

6. *Service Organizations* (e.g., Jaycees, Rotary or Kiwanis Clubs or Junior League). Members of these organizations often are inclined to donate their time to causes that will improve neighborhoods and enhance the lives of children.

The prosecutor works with various community groups and coalitions in an effort to establish a collaborative process that extends to other agencies within the law enforcement community, local social service providers and the community. Each member must educate itself about different and sometimes conflicting community concerns. Combining legal and other problem solving skills; working with each other in strategic planning and building; and joining coalitions and alliances, team members identify the crucial problems concerning the target community and formulate solutions.

## *PHASE 4: IDENTIFY FUNDING SOURCES*

Today, resources are in tight supply, while local problems are burgeoning. Thus, obtaining funding from the identified resources is a task that becomes more difficult as fiscally austere climates increase. Without a pilot grant program, the prosecutor must scrutinize the decision to fund a neighborhood based prosecution program. If grant funding to run a demonstration project is available from local, state or national sources, it will be less of a financial strain on existing prosecution efforts. Garnering support within the district attorney's office clearly is easier when the staff sees its resources supplemented as opposed to supplanted.

Since a key role of a government leader is to secure resources for the services of the office held, at all times, the district attorney must seek funding. Be open to innovative techniques for funding. For example, a neighborhood based prosecution program may be funded in connection with the federal Weed and Seed Program or a Comprehensive Communities Program in which community prosecution is identified as a component. Other funding options include:

- ☞ discretionary grants from the United States Department of Justice; and
- ☞ block grant programs.

While state and local funds are hard to secure for innovative programs, the district attorney may secure funds with a carefully crafted, neighborhood supported proposal. The prosecutor might also consider using asset forfeiture monies to fund a program. Responsible for furthering public safety, the prosecutor must venture into new roles to respond to the problem of crime in today's society. Installing a community based program, without the firm financial and philosophical commitment to the concept, is ill-advised.

Prior to requesting funds, the district attorney should determine what resources are needed for the program. Armed with this information, and keeping in mind any ethical or statutory restraints, the prosecutor may secure developmental funds with the help of staff and the community. Consider soliciting donations through networking, charity events, direct mail or door-to-door appearances. Whichever method is used, tell potential donors exactly how and for what their money will be used and account for all of it. Of course, the prosecutor may secure in-kind donations (*i.e.*, goods and services) instead of monetary donations. The district attorney must delineate the community prosecution plan when seeking funds through grants or contracts. Many foundations and government agencies mandate that certain objectives govern a project and dictate a specific format. It is best to contact the funding entity directly to learn of its proposal requirements.

Representatives from the district attorney's office and the resource or funding agency should sign an express, detailed contract between the two. The document should state for what, when and how the resources will be used.

Clearly, there are no guarantees that any current program will survive the next budget cycle. Genuine neighborhood support for a program increases the probability of continued funding, however. The district attorney, committed to improved services for the citizens, will want to institutionalize the program for the long-term. Enhance this possibility by establishing the program's identity and insuring that key government actors support it. Giving credit for positive developments to others may induce them to provide the continuing support during those early vulnerable years.

## ***PHASE 5: ORGANIZE PROGRAM PLAYERS AND INTERNAL STAFF***

The district attorney must pay heed to several critical organizational and staffing issues. Most important is that the traditional culture, value and relationships among the prosecutor's office, the community and other public and private entities will be affected. Thus, the office staff and organization must reflect these changes. Of course, the entire office does not need an overhaul. Instead, a dedicated group of prosecutors can interact with the community and help solve its problems. All contact must be made through this group of dedicated prosecutors. The district attorney must insure that strong leadership exists at the policy, management and staff levels.

### **Program Players**

In designing the program, the district attorney must work with the agencies that are critical to its success. The district attorney and the policy makers from the other entities will comprise a **steering committee** that sets the governing policies of the community prosecution program. It is imperative that the district attorney organize and guide the steering committee and that the concerns of the community dictate the strategies and resource allocations. Each member of this team is critical to the community prosecution program. However, the district attorney drives the planning, implementation and continuation of the program.

Ideally, the program guidelines are memorialized in a written document, exchanged between the top officers of the major players. Be careful not to include detail that would restrict the flexibility needed to launch a new program. Regular meetings between these players will solidify strong working relationships and, if necessary, allow for the modification of the community prosecution planning efforts.

After the initial agreement is forged, the more detailed planning of the program occurs. Management level decisions guide the staff in implementing the goals and objectives of the program. The **program coordinator**, an employee of the district attorney, will direct the planning, implementation and continuation of the community prosecution program. This coordinator must oversee the entire effort and develop detailed tasks necessary to launch the program, insure that the tasks are timely and that they accomplish the goals and objectives set forth by the steering committee.

Finally, on a daily basis, the staff, led by a director, will carry out the directives of the policy makers. Guided by the program coordinator, the **staff director** will manage and direct the community based prosecutors who are assigned to the target area. The director is the conduit between the community and the program coordinator. This director facilitates and monitors the program, instituting requests and procedures for the staff. Since the staff is the point of contact, liaison and problem solver for the community, the staff director must carefully train the staff on the program goals and objectives and how to execute them effectively. Regular meetings between the director and staff are required.

Equally as important as the partnership among the policy makers is the partnership between the leaders of the neighborhood groups. For effective contributions to the steering committee, regular meetings between all of the community leaders is critical to the continuation and modification of a community prosecution program.

### ***Internal Staff***

The district attorney must demonstrate and persuade the office staff of the importance of community prosecution. The district attorney who conveys disapproval of the occupants

in dangerous neighborhoods will not persuade staff that the priorities and needs of that neighborhood's residents must be treated with respect. The prosecutor who shows genuine concern for the entire community will convince staff of the importance of respecting the priorities of the residents of the target community. An effective program initiated by a committed prosecutor and staffed by carefully selected and equally committed personnel has the best probability of long-term survival.

A district attorney who does not attend to internal staff issues, risks failure in the community prosecution effort. Implementing and continuing the program are as vital as planning it. If not, the program may fall short of its objectives. The district attorney should carefully consider internal staff issues prior to making the final decision to embrace community prosecution.

### ***Promoting Positive Attitudes and Anticipating Needs***

The traditional role of an assistant prosecutor is to prosecute cases, not to prevent crime. Thus, the district attorney must endorse the non-traditional community prosecution approach to a staff that is committed to convicting criminals. To promote it in a positive light to staff and to those in the target area, the prosecutor must contemplate the following:

- ☞ How does the district attorney set the tone about the importance of community prosecution and also remind the staff of the continuing commitment to this approach?
- ☞ How will the community prosecution program be evaluated and rewarded?

- ➡ How should the office be organized? Since most large offices are centralized, the prosecutor may want to consider decentralizing it. Organizing satellite offices raises the visibility of the prosecutor's office in a geographic area formerly in which it did not have a presence. It may increase the prosecutors' availability to the neighborhood to receive and evaluate citizens complaints for action by the district attorney's office or referral to an appropriate agency.

The Multnomah County District Attorney's Office has six neighborhood offices in which a prosecutor and legal assistant do initial screening and complaint write-ups on misdemeanor, quality of life crimes (e.g., graffiti). The neighborhood prosecutors forward these cases to the main office for prosecution. The neighborhood office enables the prosecutor to become involved in the coalition efforts of the residents to prevent, and initiate solutions to, local problems. The New York County District Attorney's Office has used its Harlem office to receive citizens complaints and to run a domestic violence project. This office insures that the victims receive information, counseling, relocation and support during the procession of the case through criminal or family court.

- ➡ Will the office *need* reorganization?
- ➡ Will there be a special unit for community prosecution, or will it be a part of the responsibilities of a larger unit within the office?
- ➡ Should the unit be organized around problems, issues, communities or types of cases?
- ➡ How can the interaction among the prosecutor, local law enforcement, other agencies and the community best be organized and managed?
- ➡ What structure will it take to best insure the appropriate impact of community concerns on community prosecution activities, such as investigations, civil enforcement, case intake, case processing, sentencing decisions, education programs, prevention efforts and the like?

- ☞ With which staff members will the community interact and in what fashion?
- ☞ Who will handle cases from the target community?
- ☞ Should there be a geographic distribution of cases within the prosecutor's office?
- ☞ How should the support staff be organized to best assist the community prosecutors?
- ☞ What, if any, office policies and procedures should be changed to accommodate community prosecution?

## ***Staffing Issues***

Next, there are staffing issues to consider. The prosecutor should consider the following questions:

- ☞ Will it take additional staff to implement community prosecution, or can it be done with existing resources?
- ☞ What skills does it take to be an effective community prosecutor, and how can these skills best match the skills of the staff to these new responsibilities?

The skills necessary for a successful community prosecutor will vary depending upon the goals and objectives of each program. However, some of the following skills may be helpful: self-motivated; artful orator; keen interpersonal skills; empathy; experience in community mobilization; and management training.

- ☞ What general training, if any, will it take to develop the most effective community prosecutors?
- ☞ How will the community prosecutors be evaluated?

## ***Supervision Issues***

Arising from the staffing matters is the issue of the office hierarchy and feedback. The district attorney must consider the following:

- ☞ Who will insure that the important goals of community prosecution are accomplished and that the results of community based prosecution are consistent with the overall office policy?
- ☞ What reporting systems are necessary to measure results and insure appropriate supervision and feedback?
- ☞ Who will develop the goals, objectives and operational protocols for each unit of the office that is involved in community prosecution, and how will this be accomplished?
- ☞ What is the role of the district attorney in articulating the community prosecution vision and in supervising and evaluating its activities?

## ***Physical Location of the Staff***

Community prosecutors must be accessible to the residents of the target area. Thus, the location of the community prosecutor is important. To determine the best location, the district attorney must answer these questions:

- ☞ In which building will the community prosecutor(s) be located?
- ☞ If decentralized, will they continue to work both in the central office and in the target area?

- ☞ Are there public or private entities willing to “donate” office space to help promote the community prosecution program?

Consideration of organization and staff issues is essential before the district attorney embarks on a community prosecution program. Once the organizational and staffing charts are firmly delineated, the district attorney may next develop the community prosecution program plan.

### ***PHASE 6: DEVELOP THE COMMUNITY PROSECUTION PROGRAM PLAN***

The next step is to develop the goals, objectives, tasks and a time-line. Based on the detailed needs assessment, continuous communication with the community and issues identified by the residents of the target area, the planning process can logically continue. In essence, this process must encompass an amalgam of perspectives (*e.g.*, different government entities, the community and the like). With these various viewpoints, the steering committee formulates the overall goals, objectives and tasks of the community based program.

**First**, the committee must identify the mission and the goals of the program. These seek to solve the problems identified in the needs assessment. The mission consists of the purpose for the committee’s existence and is the purpose that drives the program. Goals are the end results that the program seeks to accomplish (*e.g.*, to protect victims and other witnesses from threats and acts of retaliation). The most effective program goals are simply stated, realistic and attainable.

**Second**, the committee should set forth the particular objectives to achieve the specified goals. The objectives of the program will define the goals in greater detail (*e.g.*, to reduce the fears of victims and other witnesses and to provide protec-

tion for them). By accomplishing the sum of the objectives associated with one specific goal, the district attorney ultimately will meet that goal.

**Next**, the committee should delineate the tasks necessary to further the program objectives. The tasks are merely activities that staff must undertake to reach the specified objectives (*e.g.*, providing police protection to victims and other witnesses or funding for permanent victim and witness relocation).

**Finally**, those planning a program should set a time-frame for completion. This “time-task plan” is important to the overall plan. As participation of other players is essential, accomplishing the tasks in an expedient manner is challenging. With this in mind, the steering committee should develop a general time-task or implementation plan, allowing a reasonable time period under which each task can be completed. Although this time-frame sets target dates, it may need to be altered as the program develops. The program coordinator then develops a detailed plan setting forth (1) the specific results that the plan ultimately will accomplish; (2) the tasks necessary to complete the goals and objectives and obtain the specific results; (3) who is responsible for accomplishing these tasks; (4) at what stage the tasks should be completed; and (5) how long it will take to complete the tasks. Once the steering committee has approved and finalized the implementation plan, it is ultimately the responsibility of the program coordinator and the staff director to supervise the responsibilities assigned to the tasks.

Clearly, the more concrete and logical the goals, objectives, tasks and time-task plan are, the more successful the implementation and continuation of the community prosecution program will be. Setting a specific agenda works to enhance quality of life and increase public safety. By incorporating all of the agencies involved into the formulation of the goals, objectives and tasks, the committee will be able to better

develop them. Flexibility is essential. As a program develops, unforeseen or new circumstances unfold, and the plan must accommodate them. The steering committee must realize that the goals and objectives need not strictly be followed when revision is necessary.

## ***PHASE 7: IMPLEMENT THE PROGRAM PLAN***

The next step is to implement the program. The more detailed the plan is, the easier it will be to execute. The program coordinator and staff director should review the plan and the tasks involved and clarify or modify any deficiencies. Finally, everyone involved in the program, including the steering committee members, must meet to confirm and solidify the goals, objectives, tasks and resources set forth in the plan.

Two important components of implementation are **monitoring** and **supervising**. The staff director must oversee the status of each task, and the program coordinator must oversee the progression of the program. Ordinarily, effective supervision is synonymous with open communication. As long as the staff director closely communicates with the program coordinator, the two can determine how to rectify any problems. They can then convey this information to the steering committee during the regular meeting. During these meetings, members should ask:

- ☞ Do the objectives and tasks of the program need to be revised?
- ☞ Is the time-task plan realistic or should it be adjusted? What events during the implementation suggest that adjustment is necessary?
- ☞ Is the program sufficiently flexible or can it be improved?

- ☞ Have additional resources and funding become available since the initial planning of the program?

The program coordinator must review any problems with the progression of the program. If these can be easily rectified, the coordinator should do so immediately. However, if remedying the problem will drastically effect the plan, the coordinator must report to the steering committee members. The report should be in writing. The steering committee must approve any program changes prior to altering the time-task plan officially. The staff director must disseminate these changes to the staff, who should carry out these adjustments immediately.

## ***PHASE 8: EVALUATE THE PROGRAM***

The evaluation of a program enables the steering committee to know whether the community prosecution program is meeting the goals. An evaluator must be involved at the onset of the planning process. The evaluation of the program is important during the planning and the implementation stages and particularly is helpful during its initial development. More practically, funding agencies usually require some form of an evaluation in order to determine whether their money has been well spent.

### ***Selecting an Evaluator***

A professional who has education, training and experience in evaluation methodology and familiarity with criminal justice programs should design and administer the evaluation. This expert must work closely with prosecutors to design an evaluation specific to the needs of the targeted community. The evaluation may be viewed as credible when an objective evaluator collects and analyzes the data.

If it is possible, use an expert familiar with the district attorney's office to evaluate the program, as well. This evaluator likely will understand the district attorney's mission and philosophy within which the community prosecution program operates. If the district attorney uses an evaluator from within the office, that evaluator may be viewed as having a vested interest in presenting the program in the light most favorable to the boss and may be more vulnerable to pressure to compromise the data. Hence, if the prosecutor uses an inside evaluator, he or she must take precautions to protect objectivity. The district attorney specifically must address such issues in an evaluation plan. This plan should delineate that the experts must be allowed the necessary latitude to reach independent conclusions.

When the district attorney chooses an evaluator, he or she must consider the following:

- ☞ *Good credentials and references.* A professional evaluator should have, at a minimum, a master's degree, but preferably a Ph.D., in evaluation research, statistics, criminology or public administration.
- ☞ *Prior Experience.* The best candidate will have at least three years of experience evaluating local, prosecutor-led community prosecution programs. The expert must have some knowledge of the substantive issues of community prosecution. There may be critical factors about the criminal justice system, the specific program, the demographics of the target area and the type of criminal behavior upon which the program focuses.
- ☞ *Good communication.* The evaluator must be willing to explain, in layman's terms, an evaluation's assumptions, methodology and limitations. The evaluator must be involved when developing the program goals and objectives, the community and organiza-

tional context of the program, the expectations of the evaluation, the timing and accessibility of evaluation findings and the possibility that the evaluation results may reflect negatively on program management and staff.

If resources are limited, the district attorney can consider soliciting graduate students, university faculty and the like to conduct the evaluation at a low cost. Graduate students in criminology, sociology, public administration, public policy or political science may want to evaluate the community prosecution program for their theses. If resources are further limited, staff members within the district attorney's office may assist in evaluation if they have taken courses in evaluation methodology or acquired relevant experience from a previous job.<sup>5</sup>

## ***Types of Evaluation***

The two types of evaluation upon which the prosecutor should base the program's evaluation are: process and impact. Process evaluation focuses on how the community prosecution program delivers its services to the target area. This approach focuses on how a result is produced and analyzes the processes of the program. Process evaluation documents the daily program operation. It analyzes staff time, staff activities, staff commitment, as well as the allocation and use of material resources necessary for the accomplishment of program goals (e.g., management and staffing, funding, office space and office equipment). In practice, once a prosecutor implements his or her program goals and objectives, unforeseen circumstances may necessitate modifying the initial plan. By using the process evaluation, the prosecutor can document these changes

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<sup>5</sup> If resources are unavailable for an evaluation, this should not preclude the prosecutor from conducting a program evaluation. There are several helpful manuals on the subject.

and understand their effect on the program results. Thus, if the district attorney uses the process evaluation, he or she will be aware of quantitative and qualitative changes in the community prosecution program and possess a detailed knowledge of the program. Quantitative changes are those that can be measured (*e.g.*, the number of crimes in the community decreases). Qualitative changes are those that involve the perception of the program by those in the community (*e.g.*, the residents feel that the prosecutor is committed to bettering their neighborhood).

Another type of evaluation that the prosecutor may use is impact evaluation. This type of evaluation focuses on the “bottom line” effects of community prosecution programs on the community and the criminal justice system. This kind of evaluation determines the degree to which the program goals and objectives have been met and confirms the reasoning behind the outcome.

An impact evaluation can provide useful information about program outcomes. However, a process evaluation can provide information, otherwise omitted, on how implementation of the community prosecution program affected these outcomes. Process evaluation results are vital to confirming the results of an impact evaluation. It makes little sense to attempt to assess the impact of a community prosecution program if it is managed poorly or if significant changes from the implementation plan have occurred (*i.e.*, the actual level of program funding was 50 percent less than originally intended). In this way, process evaluations establish the foundation for more intensive impact evaluations. Impact and process evaluations are complementary analytical tools. While each type of evaluation provides a distinct type of information, used together, process and impact evaluations provide a powerful, balanced analysis of program operations. The following table is a summary of the types of evaluations discussed above.

When selecting the type of evaluation to be used, the steering committee may choose process, impact or a combination of the two evaluations. Depending on what kind of evaluation the steering committee chooses, the evaluation questions will vary. However, in general, when evaluating a program, the evaluator must answer these important questions:

- ⇒ Are the goals, objectives and tasks of the program properly being implemented?
- ⇒ Do the tasks properly accomplish the goals and objectives?

- ☞ Are the results of the tasks as the committee envisioned?

If the evaluator wishes to measure the degree to which the program goals or objectives have been met, process evaluation should be used. It is important to monitor and record the tasks and their direct results on the goals and objectives. Documenting the success or failure in meeting the objectives, and the reasons behind them, is critical to the evaluation. Alternatively, if the evaluator wishes to discover whether the establishment of the program objectives facilitated the achievement of the goals, impact evaluation should be used. In such a situation, the evaluation focuses on the impact of the community prosecution program on the residents of the target area. To obtain this information, the evaluation should look to several sources, including public records (*e.g.*, police reports), surveys and questionnaires from the community and personal interviews with community leaders.

Regardless of the type of evaluation used, the policy makers must plan for the evaluation of the community prosecution program and, as stated earlier, involve the evaluators at the beginning of the planning process. The evaluator must review the goals, objectives, tasks, resources and overall strategy of the program to insure that they clearly and logically are interrelated and can be measured accurately.

## ***Conclusion***

The district attorney who effectively executes a proactive, long-term community prosecution program will positively affect the target area. With careful planning and implementation, he or she can improve public safety and enhance the quality of life in the community. This new and innovative crime fighting technique can assist those in the target neighborhood to take charge of their lives and demonstrate that they have not been forgotten by those who can make a difference.

# **Appendix A**

## ***The Benefits of Community Prosecution***



# Benefits to the Community

For the following reasons, community prosecution benefits the community. It:

- ☞ enables residents to contribute to the betterment of the community (*e.g.*, neighborhood residents, churches and businesses, that have vested interests in the success of a strategy, often are willing to be involved in forming foot patrols armed with cellular telephones, cleaning neighborhoods, painting over graffiti and reporting and monitoring the activities of drug or prostitution solicitations and other illegal activities);
- ☞ creates long-term solutions;
- ☞ enables the community to establish and maintain maintenance programs to prevent the reoccurrence of the targeted problems;
- ☞ involves governmental agencies that are not primarily responsible for law enforcement (*e.g.*, authorities over building code violations, roads, parks, liquor control, parking and the like can be used to effect a long-term solution to the public safety issue);
- ☞ enables the community to understand the role of the district attorney;
- ☞ provides a mechanism for the community to voice its concerns;
- ☞ allows residents to provide input into law enforcement decisions about which crimes will be given priority;

- ☞ facilitates the residents' involvement in long-term solutions rather than to watch idly as their community deteriorates;
- ☞ enables the citizens who are most effected by the "less serious" crimes to become empowered and to become part of the solution to their problems;
- ☞ assigns, to each target area, its own community district attorney (*i.e.*, because of vertical prosecution, this prosecutor is the office liaison and community conduit for the target area); and
- ☞ provides the residents with a direct link to the office of the district attorney.

# Benefits to the District Attorney

For the following reasons, community prosecution benefits the district attorney. It:

- ☞ reduces the number of cases prosecuted by the district attorney's office in the long-term;
- ☞ focuses on long-term solutions to public safety problems rather than the temporary increase in arrests for and prosecution of these problems (*e.g.*, many communities have areas that are rampant with prostitution. The traditional response is for police to execute prostitution "sweeps" and "decoy missions" resulting in hundreds of cases to be prosecuted by the district attorney's office. These sweeps and missions often are conducted several times in one year. This results in a temporary reduction in prostitution for the targeted area, but without the implementation of long-term, proactive strategies, the problem inevitably returns);
- ☞ reduces the inordinate amount of police and prosecutorial resources repeatedly expended for recurring problems;
- ☞ puts the district attorney in close contact with the citizens who he or she represents;
- ☞ gives the district attorney a unique opportunity to see if the work of his or her office reflects the values of the community and to see whether it prioritizes cases in the same way that the community does;

- ☞ commits the resources to allow assistant district attorneys to directly become involved and to interact with the community in a positive manner thus increasing the likelihood that the district attorney is seen as part of the solution rather than as part of the problem;
- ☞ encourages residents to understand and participate in the criminal justice system;
- ☞ enhances prosecutorial efficiency, as it enables the district attorney to garner information and support from the residents;
- ☞ fosters case preparation and familiarity at every stage of the case, through vertical prosecution;
  - ☞ allowing the prosecutor to consolidate other open cases of the defendant, thus strengthening the cases by proving common plan, scheme and design, *modus operandi*, lack of mistake of fact and the like; and
  - ☞ enabling the community prosecutor to initiate probation and parole violation hearings and, if necessary, to contest pre-release recommendations after the defendant is incarcerated;
- ☞ provides the district attorney with information about the composition of his or her jury pool; and
- ☞ increases the cooperation and participation of victims of, and witnesses to, crimes.

# **Appendix B**

*Illustrations of How a Community Based  
Prosecution Program Can Address Crime  
Problems*



**PROBLEM:** An **absence of street lights** in areas of a neighborhood may give rise to sexual assaults, robberies, drug dealing or prostitution.

**SOLUTION:** The prosecutor may insure that arrests for such offenses aggressively are prosecuted and also join community efforts to see that enhanced illumination, such as more electric lamps or maximum visibility sodium vapor lights are installed, pursuant to the desires of the community. If a park is involved, the prosecutor, as well as supporting enhanced lighting, may work with residents to induce the park forester to substantially thin underbrush near such walks and facilities within the park that are used in the evenings. Police may be encouraged to step up patrols within the park, as well.

**PROBLEM:** Street level drug dealers are concealing their stashes within **abandoned cars** or actually are using such vehicles for dealing drugs.

**SOLUTION:** The prosecutor may pursue prosecution of such dealers and join with the community in insuring that the abandoned cars are removed, pursuant to an ordinance, if one exists. If no such ordinance exists or is ineffective, the community based prosecutor may work with neighborhood groups and the related legislator to draft and promote the passage of such an ordinance.

**PROBLEM:** Low level **drug houses** are degrading the quality of life in a specific area.

**SOLUTION:** The prosecutor may develop a method of acquiring useful information by using log sheets, provided by citizen observers, which document sus-

picious behavior in suspected drug houses in the neighborhoods. These log sheets are used by police officers in their applications for search warrants. Officers may obtain the information from a citizen at the scene and telephone a judge (if possible, by cellular phone) to request a search warrant.

**PROBLEM:** Drug dealers are using **abandoned homes** for their businesses.

**SOLUTION:** The community prosecutor aggressively may prosecute such drug dealers. He or she may work with the community members to contact the homeowners, urging them to initiate rehabilitation of such housing or to expedite razing the structure. Where the owner is non-cooperative, the community based prosecutor may work with community members to expedite the condemnation and razing of the building by governmental authorities.

**PROBLEM:** There is a high concentration of **narcotics activities** in a specific neighborhood.

**SOLUTION:** The prosecutor may facilitate the organization of property and business owners' associations and "block clubs" to organize an information exchange in an effort to prevent the illegal activities on their properties. These property owners may agree to exchange data regarding tenants that they previously have evicted for narcotics trafficking. This will prevent drug dealers from obtaining apartments in buildings in which they otherwise would be able to live. In addition, this practice may cause property own-

ers in the target area to utilize more stringent methods of screening prospective tenants.

***PROBLEM:*** **Drug dealers are working from an apartment within a multi-apartment building with buzzer access only.**

***SOLUTION:*** At neighborhood watch meetings, the prosecutor may learn of the problem and alert both the narcotics enforcement group and the drug abatement program targeted at landlords. The landlord may be asked to supply a key to the lobby door and to request written consent for police access to all public areas of the building. Police may use the information gained from the neighbors, and working with the community based prosecutor, secure a search warrant for the premises. The prosecutor aggressively may pursue such cases as may eventuate from the search. In addition, the landlord may invoke a clause in the lease, which was placed there after the community based prosecutor led a landlord seminar on drug activity, and promptly supply a “quit premises or be evicted notice” to the tenant. If the landlord is recalcitrant in the face of repeated drug dealings from the premises, the drug dealing abatement or nuisance law may be pursued, either by the community based prosecutor or the appropriate government official, until the property is forfeited.

***PROBLEM:*** Residents continuously complain about **drug trafficking** taking place in specific buildings. However, it is often difficult for prosecutors to gather enough evidence to substantiate the allegations.

**SOLUTION:** The prosecutor may use the services of building inspectors to rid the buildings of these dealers. Building inspectors may enter the premises to search for building code violations. Because of existing violations, and despite the fact that the community prosecutor cannot prove that there is a narcotics nuisance on the premises, code violations existing on the properties may force the owner into housing court. Pursuant to a housing court order, if the code violations are not corrected within a specified time frame, the property may be subject to a vacate order and, in some instances, demolished.

**PROBLEM:** There are persistent problems with **violations of city ordinances**, such as blocking the sidewalks and preventing access to businesses, intimidating members of the public, creating nuisances and engaging in other violations of the law. This contributes to the impression of an unsafe and unlivable environment.

**SOLUTION:** The prosecutor may enforce uniform prosecution of all types of criminal street disorders and provide for the consistent issuance of arrest warrants when those offenders fail to appear in court. With help from the police department, the prosecutor's office may train private security providers on how to identify and report violations, how to develop communication links with police officers and how to educate business owners on networking with the private security providers.

**PROBLEM:** **Drug dealers are using the public phones** on a corner in the community to receive drug delivery orders.

**SOLUTION:** The prosecutor may join with the community to pressure the phone company either to remove the phones or to terminate the equipment's capability to handle incoming calls.

**PROBLEM:** **Prostitutes** are soliciting on certain streets in the area.

**SOLUTION:** In addition to aggressively prosecuting the prostitution arrests, the community prosecutor may support or lead the neighborhood group effort to induce the agency in charge of the municipal streets to reroute area streets, diminishing "John" cruising patterns. Moreover, the community based prosecutor may encourage the vice squad to utilize more police decoy operations in the area or to effect enforcement of the loitering ordinance against prostitutes. The prosecutor also may initiate auto forfeiture proceedings against "Johns" using their vehicles to solicit prostitutes. However, where there is no loitering ordinance or auto forfeiture statute, the prosecutor may work with neighborhood groups to provide drafting assistance, if necessary, in pressuring the area legislator and state legislators to adopt such enactments.

**PROBLEM:** **Aggressive panhandling** intimidates residents and creates a serious, persistent problem.

**SOLUTION:** The prosecutor may encourage citizen arrests of aggressive panhandlers and prosecute all panhandlers in incidents in which there is sufficient evidence to prove that a crime occurred. The prosecutor's office may hold seminars and educate the public not to give money to any panhandlers.

**PROBLEM:** **Teenage youth in groups**, on the streets, concern neighborhood residents about personal safety and the safety of their properties.

**SOLUTION:** The prosecutor may address the teen problem by encouraging enhanced truancy enforcement for the daytime problem with referrals of youth, when appropriate, to alternative high schools. For evening enforcement, the community may encourage police and parental enforcement of a curfew. The prosecutor also may join in neighborhood efforts to induce the school board or the parks departments to open their facilities for evening sports programs for youth and to keep those facilities open late in the summertime. The prosecutor may join with neighborhood groups in petitioning the closest boys and girls club to send a bus into the area, at appropriate times, to pick up and return youths for activities at the club. In addition, the prosecutor may facilitate intervention by the welfare department on behalf of youth identified by neighbors as neglected or abused by their parents or caretakers and guide the appropriate lawyers in juvenile court who would be securing such court orders as necessary for the child. Furthermore, by either personally handling neighborhood youth delinquency problems in court or by guiding other prosecutors in court, the district attorney may push for incarceration, when appropriate, or the court adoption of release conditions designed to help the youths turn from criminal activities. Finally, the prosecutor may interact with neighborhood groups, insuring that if summer job funds exist, they are provided proportionately to the youths of the neighborhood.

**PROBLEM:** Statistics indicate that **juveniles are responsible for the increase in crimes** such as car prowls, unauthorized use of a motor vehicle and graffiti. Most of these crimes take place at night.

**SOLUTION:** The district attorney's office may promote an enhanced curfew ordinance. The office may develop a program aimed at the strict enforcement of the ordinance. The community prosecutor should actively solicit the support and participation of individuals from schools, businesses and neighborhood groups to help the enforcement efforts.

**PROBLEM:** **Taverns in the neighborhood** are perceived as sources of a series of problems from supplying alcohol to underage youths to causing closing hour raucous conduct. Consequently, they also are perceived as being the site of stabbings and shootings.

**SOLUTION:** With a prosecutor's guidance, offended neighborhood residents can act cohesively to tame or close such a tavern. Neighbors may document, in writing, what they observe in and around the tavern. The prosecutor may collect information from police and court files of reported violations on the premises. The tavern keeper at first may be cajoled and, if he or she is not cooperative, may be threatened with denial of license or closure as a nuisance. Clearly, the local legislator's support of the community, and ensuing threat to withhold license if cooperation is not forthcoming, can be powerful. The tavern keeper, appropriately persuaded that it is in his or her best interest to control these matters, can be pressured into an agreement to require proof of age

from all who enter; maintain an electronics weapons check at point of entry; and promptly usher along raucous customers who leave the tavern and congregate on the walk in front of the establishment. Furthermore, the owner may be pressured to forgo the sale of cheap wine and of 40 ounce beer containers, which attract derelicts. These beverages often have been used excessively, causing violent outbreaks from those who imbibed. If the tavern keeper does not bring the operations under control, neighborhood efforts may be targeted at the annual licensing body to quash the license. With the prosecutor doing the lawyering, he or she may bring an action in court to close the premises as a public nuisance.

# **Appendix C**

## ***Community Prosecution Program Checklist***



# Community Prosecution Program Checklist

## *Select a Target Area.*

- ✓ Gather and analyze information on the problems, characteristics and resources in various areas.
- ✓ Consider various criteria for selection.
- ✓ Choose a site that needs long-term assistance.
- ✓ The site must be within clearly defined parameters.
  - ✓ There must be some chance of success in the area.

## *Conduct a Needs Assessment.*

- ✓ Gather and analyze detailed information on the problems, characteristics and resources in the target area.
- ✓ Interact with the community.
  - ✓ Approach formal community leaders.
  - ✓ Approach informal community leaders.
  - ✓ Give informational presentations.
  - ✓ Disseminate printed materials.
  - ✓ Use the media.

- ✓ Attend community meetings.
- ✓ Incorporate community input into courtroom.

***Identify Resources and Garner Support and Commitment of Policy Makers.***

- ✓ Assess the available resources.
  - ✓ Federal and state public agencies.
  - ✓ Non-profit associations.
  - ✓ For-profit organizations.
  - ✓ Educational facilities.
  - ✓ Religious institutions.
  - ✓ Neighborhood and civic groups.
  - ✓ Service organizations.
- ✓ Determine whether the available resources can commit to the program on a long-term basis.
- ✓ Contact the policy makers.
- ✓ Inform the policy makers of the program strategies.
- ✓ Get feedback from the policy makers.
- ✓ If necessary, modify the overall plan.

### ***Identify Funding Sources.***

- ✓ Assess the available funding sources.
  - ✓ Pilot grant programs.
  - ✓ Discretionary grants.
  - ✓ Private contracts.
- ✓ Estimate the amount needed for the program.
- ✓ Raise funds.
- ✓ Compose and sign a written contract with the funding organization.

### ***Organize Program Players and Internal Staff.***

- ✓ Organize the program players.
  - ✓ Form a steering committee of top policy makers from each identified source.
  - ✓ Compose and sign a written agreement delineating working arrangements and program guidelines.
  - ✓ Select a program coordinator.
  - ✓ Select a staff director.
- ✓ Organize the internal staff.
  - ✓ Inform all staff of the commitment and dedication to the program.

- ✓ Promote positive attitudes.
- ✓ Organize (or reorganize) the office.
- ✓ Staff the program.
- ✓ Address issues involving staff chain of command.
- ✓ Determine the location of the staff.

### ***Develop the Community Prosecution Program Plan.***

- ✓ Identify the purpose and goals of the program.
- ✓ Set forth the objectives necessary to achieve each goal.
- ✓ Set forth the tasks needed to further the objectives.
- ✓ Have the program coordinator set forth a time-task plan within which to complete the tasks.

### ***Implement the Program Plan.***

- ✓ Have the program coordinator and staff director review the plan and tasks (and, if necessary, modify them).
- ✓ Review and confirm all delineated goals, objectives and tasks.
- ✓ Have the program coordinator and staff director continuously monitor and review the plan and supervise the staff.

- ✓ If necessary, review written report on the problems with the implementation.
- ✓ If necessary, alter the plan.

**✓ *Evaluate the Program.***

- ✓ Select an evaluator.
- ✓ Choose the type of evaluation for the program.
  - ✓ Process.
  - ✓ Impact.
  - ✓ Combination of the two.

