Hitting the Mark: Implementing and Maintaining Community Gun Violence Prosecution Initiatives

June 22-24
Los Angeles, CA

September 21-23
Chicago, IL

November 3-5
Boca Raton, FL

PSN Enforcement Training
Indianapolis, IN, June 10-12
Oklahoma City, OK, TBA
Norfolk, VA, TBA

Oklahoma City, OK, TBA

For more information on these trainings contact APRI’s Gun Violence Prosecution Program at (703) 549-4253 or email gvp@ndaa-apri.org

Gun Violence Prosecution Program Inaugurates New Course in Baltimore

Building on the framework of Combating Gun Violence: Fundamentals of Firearms Prosecution training, APRI has developed a new training program for prosecutors entitled: Hitting the Mark: Implementing and Maintaining Community Gun Violence Prosecution Initiatives. The inaugural training in this series was held in Baltimore, MD in March with over 160 state and local prosecutors attending. Sponsored by the Bureau of Justice Assistance (BJA), this course will be offered in Los Angeles, CA, June 22-24; Chicago, IL, September 21-23; and in Boca Raton, FL, November 3-5. All expenses are covered by BJA. A registration form to attend is available on line at www.ndaa-apri.org.

Hitting the Mark is recommended for anyone who prosecutes gun cases. Among the topics covered are the objectives of Project Safe Neighborhood; the characteristics of armed gunmen; how to track gang activity to reduce gun violence; federal firearms laws as well as community outreach strategies.

The course also outlines the process by which a state or local prosecutor becomes cross-designated as a Special Assistant United States Attorney and introduces the services available to prosecutors through the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) to trace crime guns and obtain ballistic evidence on suspect crime guns. APRI has recently published, as part of its Special Topics Series, two pertinent documents: “Cross-Designation & Federal Firearms Laws: What Local Prosecutors Need to Know;” and “Prosecutors’ Guide to the ATF.” Both publications are free and available by contacting the GVP Program or by downloading from www.ndaa-apri.org.

Congress Affirms Interest In Project Safe Neighborhoods

On May 13, 2003, two years after President Bush and Attorney General Ashcroft established Project Safe Neighborhoods (PSN) as a national criminal justice priority, several panels comprised of U.S. Attorneys, District Attorneys, law enforcement officials and academics addressed the Senate Judiciary Committee regarding the progress and promise of the initiative.

As one of the initial architects of PSN, U.S. Attorney Paul J. McNulty (E.D.VA) discussed the lessons learned through Project Exile in Richmond, VA, and how these early lessons have been adapted to the unique needs of individual jurisdictions within the Eastern District of Virginia. One of the advantages of PSN, McNulty told the Committee, is its flexibility in designing and implementing gun violence reduction strategies to best address specific needs in different communities, both urban and rural.

In stating that both adequate laws on the books and legal options and critical resources to attack violent offenders that PSN has provided local prosecutors with new strategies for reducing local gun violence, McNulty told the Committee, is its flexibility in designing and implementing gun violence reduction strategies to best address specific needs in different communities, both urban and rural.

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Recognizing that approximately 25% of all shootings in New York occur within five precincts in Brooklyn, Mayor Michael R. Bloomberg recently announced the opening of a specialized gun court to prosecute all felony gun possession cases arising from these precincts. The Gun Court will consolidate, expedite and assign gun cases to a judge whose only case load will be gun cases. The new Gun Court is expected to increase the efficiency, consistency and quality of the disposition of gun cases.

The Gun Court will dispose of cases within 120 days, and all prosecutions will be handled by three specially designated Assistant District Attorneys supported by a dedicated supervisor. The ADAs will benefit from increased investigation of all gun cases in an attempt to develop intelligence about gun activity in these five targeted precincts.

“I am pleased that Brooklyn is the site of this new pilot program which will expedite the handling of all gun cases in the top 5 precincts in the borough,” said District Attorney Charles Hynes at the opening of the court. “By working with the police department and the courts we can make justice swifter, decrease the backlog in the courts and be responsive to citizens who have been plagued by gun violence.”

In addition to the new Gun Court, the City has initiated a new police training program designed to enhance the quality of gun arrests and investigation. Law enforcement officers will be trained to clearly articulate in court those facts which enabled them to initially identify an armed individual and which formed the legal basis for any search and seizure.

The Gun Court is expected to process approximately 400 gun cases per year.

Working with the Media

The Media is often looked upon as a prosecutor’s worst nightmare. How can prosecutors effectively use the media to educate the public regarding PSN or other issues while at the same time adhering to the ethical constraints of prosecution? PSN’s community outreach component can raise special challenges for prosecutors. By acting proactively prosecutors can educate the media regarding PSN’s approach to local gun violence problems.

Assure you are quoted properly: Make sure the reporter knows you have chosen your words carefully and want to be quoted accurately. For example, in an interview regarding an incarcerated gang member who had voluntarily provided a DNA sample in a rape at gunpoint arrest, an eager reporter paraphrased the prosecutor as saying the inmate was “cooperating” with the district attorney’s office. The prosecutor pointed out to the young reporter that such a quote might imperil the inmate or interfere with his ability to testify later, as “cooperation” carries a different connotation in different venues. To avoid any mis- or reinterpretation by the media, it is advisable to have a reporter read to you any quote he or she will be attributing to you. If you are conducting a phone interview, it is sometimes advisable to tell the reporter you are making your own recording of the conversation.

Be Sensitive to Deadlines: One of the most damaging statements a reporter can make is that the District Attorney’s office could not be reached for comment. If you receive a call for comment or information, it is important to be sensitive to professional deadlines. It is equally important to recognize that information you wish to have publicized must reach the reporter in sufficient time.

Educate the reporter: The press often hears from defense attorneys regarding details of their client’s case. Naturally, the press expects similar information from the District Attorney’s office. Rather than responding to reporters’ questions with “no comment,” try to educate the media that you are not trying to avoid the question. Instead, you are protecting both the victim’s and defendant’s constitutional rights by not discussing the case while it is pending.

Furthermore, your professional ethics do not allow you to discuss an ongoing matter. Finally, use this opportunity to redirect the topic to your own message, e.g., the work of your office’s gun violence reduction program.

Don’t be a stranger: It is just as important for you to know your local media personnel as it is for them to know you. By establishing a personal relationship and developing a level of trust, you can enlist the media as a strong ally in educating the public about your PSN goals.