

Accessed on October 22, 2012

Working with a Neighborhood Community Prosecutor

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July 2006

SPECIAL



COURTESY APRI/NCCP

Discussing the benefits of community prosecution in Washington, D.C., are, from left to right, Carolyn Crank, First District community outreach specialist, U.S. Attorney's Office for the District of Columbia; Giuliana Diolunni, First District community prosecutor, U.S. Attorney's Office for the District of Columbia; Commander Diane Grooms, First District, Metropolitan Police Department, Washington, D.C.; Steven Jansen, director, APRI-NCCP; and Tracey Lawler, deputy chief, grand jury/community prosecution/intake, U.S. Attorney's Office for the District of Columbia.

Community prosecution is a grassroots approach to justice that involves citizens, law enforcement, and other government agencies in problem-solving efforts to address the safety concerns of the local jurisdiction. Law enforcement partners working with prosecutors deployed to neighborhoods promote a long-term solution to quality-of-life issues vexing communities. Forging a partnership with a community prosecutor can strengthen enforcement value

and the services that law enforcement provides. The American Prosecutors Research Institute's (APRI) National Center for Community Prosecution (NCCP), in partnership with the U.S. Justice Department's Bureau of Justice Assistance, supports America's prosecutors in their efforts to solve problems, improve public safety, and enhance the quality of life in their communities.

Community prosecution looks a bit different in each community, and what works in one neighborhood may be ineffective a few blocks away. This variability makes direct interaction between a police officer and the community prosecutor a necessary component of community prosecution. Officers and prosecutors must work closely to tailor a proactive plan to address the enforcement needs of a neighborhood. With the awareness that community prosecution encompasses a variety of enforcement methods, police officers can develop strategies in concert with the prosecutor to become proactive in crime prevention and actually reduce the number of arrests and prosecutions.

Police officers assigned long-term to neighborhood beats can testify that often the Uniform Crime Reports part 1 crimes are not the neighborhood's main concern. Rather, quality-of-life crimes such as graffiti, vandalism, disorderly conduct, and prostitution appear first as the major concerns, because over time these crimes cause community decay and pave the way for more serious and deadly crimes.

A Case in Point: Washington, D.C.

Commander Diane Groomes, a 15-year veteran with the Metropolitan Police Department in Washington, D.C., assigned to the First District, knows firsthand the benefit of partnering with community prosecutors. Groomes believes that the six-year partnership with community prosecutors deployed from the U.S. Attorney's Office (the local prosecutor for the District of Columbia) to various police districts gets results. "Without community prosecutors, a lot of repeat offenders would get lost in the system," Groomes said. "Community prosecution puts a face on the prosecutor's office. My officers work with the same prosecutor, the same judge, case after case, and it has made a real difference."

Across the United States, one of law enforcement's greatest challenges is not just to catch and prosecute the bad guys but also to maintain the trust of the people. Lack of trust prevents law enforcement, prosecutors, and the courts from doing the jobs they are sworn to do.

Groomes noted that she has "seen a huge difference in terms of victim impact and an improvement in the overall trust and perception that citizens have of the police department and the criminal justice system as a whole. When community prosecutors attend meetings, a citizen is apt to approach the community prosecutor and make a statement that might otherwise go unreported. Citizens feel connected to the process and that they are being listened to and understood."

Groomes, who supervises 422 officers, says that the community prosecution partnership is going strong and getting stronger. The direct link to the U.S. Attorney's Office is an important tool in the Metropolitan Police Department's enforcement and prevention toolbox because it is systematically reducing crime and making the District's neighborhoods safer.

Community Trust Ensures Appropriate Legal Resolution

By building trust with the community, police officers can persuade citizens to come out of their houses and businesses to talk about problems. This serves four important objectives. First, it enables police officers and community prosecutors to develop a plan for solving problems and finding solutions. Second, it provides invaluable information that law enforcement can use to develop witnesses. Third, it builds the trust in the criminal justice system that is necessary to cultivate potential jury pools. Fourth, citizens who feel that their problems are taken seriously become part of the problem-solving process, providing the court with victim impact statements on how crime affects them.

In some cases citizens who testify during court proceedings will tell the court that an offender would be welcomed back to the community as long as the offensive behavior does not return. This type of input broadens the court's sentencing options, and it helps both the offender and citizens to know that the community is committed to restoring peace and set forth a standard for the type of negative behaviors that will not be tolerated.

About the American Prosecutors Research Institute

In 1984 the National District Attorneys Association founded the American Prosecutors Research Institute (APRI) as a nonprofit research and program development resource for prosecutors at all levels of government. Since that time, APRI has become a vital resource and national clearinghouse for information on the prosecutorial function. The institute is committed to providing interdisciplinary responses to the complex problems of criminal justice. It is also committed to supporting the highest professional standards among officials entrusted with the crucial responsibility for public safety.

The institute has assembled a multidisciplinary staff to meet these demands. The staff includes veteran prosecutors and researchers. Access to comprehensive justice, medical, and scientific data resources, including a nationwide network of working prosecutors, ensures that information provided by APRI is up-to-date, grounded in practicality, and accurate. APRI staff further conducts research on criminal justice issues that are of interest to prosecutors. Issues include the impact of new legislation on the prosecutor's office, the effectiveness of sentencing alternatives, and office management and organization.

APRI's activities are concentrated in the following areas:

- Training and curriculum development
- Technical assistance and consultation
- Publications
- Research

routine interaction (such as school resource officers, code enforcement officers, business owners, probation officers, and other community service providers).

When a police officer who has gained the trust of citizens introduces a community prosecutor to citizens, it is the perfect opportunity for a prosecutor to explain the function of the community prosecutor and dispel any myths that the prosecutor is akin to being the new neighborhood snitch and that his or her job is to lock people up and throw away the key. This is an important issue especially in multiethnic communities that may have a deep-seated distrust of the criminal justice system and are afraid to report crime because of their own tenuous legal status.

Assistant U.S. attorney for the District of Columbia Tracey Lankler, who currently supervises nine community prosecutors deployed to various police districts throughout D.C., said that "in addition to information from citizens learned at meetings, the community prosecution staff seeks community impact statements for particular prosecutions that impact communities. Citizens submit these statements for the judge to consider at the time of sentencing. Information directly from the victim and the community victimized by the defendant greatly assists the judge in fashioning an appropriate sentence and cannot help but make a difference in the sentence."

The Role of the Police

Community prosecution represents a nontraditional approach to reducing crime. For police officers, adapting to nontraditional prosecutorial methods is a balancing act. Police are still required to serve as the gatekeeper to the criminal justice system whose inherent nature is bound by rules and processes that are often beyond their control and influence.

A police officer can provide critical support to a community prosecutor regardless of the community's policing style. Whether an officer is applying traditional methods of law enforcement or is engaged in a community policing strategy or a hybrid method of crime prevention, the community prosecution concept can still work. For example, the police officer can identify a target neighborhood challenged by certain problems for special focus. By identifying the chronic problems creating the most fear and concern for the neighborhood's residents and then focusing enforcement action and prosecution on these violations, the officer and prosecutor work together to bring about resolution of a neighborhood concern. Experience has shown that neighborhood concerns are often quality-of-life incidents and not necessarily violent crimes.

Police officers can also educate the prosecutor on the major racial, cultural, and socioeconomic groups who live in the target neighborhood. An officer entrenched in the community cannot only identify strategies to best reach the community but also serve the important function of introducing the prosecutor to potentially important community partners with whom they have



Benefits to the Police

Tracey Lankler, the federal prosecutor who has developed a strong partnership with Commander Groomes in Washington, D.C., since the community prosecution pilot study began in 1999 and is now implemented district-wide, said, "Community prosecution focuses on developing stronger cases by working with officers out in their districts. Community prosecutors are available on site to talk with officers about specific arrests, appropriate charges and further investigation helpful to cases at the time of arrests. Community prosecutors regularly attend roll calls where they train officers on a variety of topics which ultimately enhances the quality of the cases."

Police and prosecutors can enjoy a better working relationship as a result of community prosecution. Police officers work with the same prosecutors day after day, case after case, and these relationships build results. By routinely updating the community prosecutor on investigations, the police officer has real-time access to the law, legal advice, and also information about potential people of interest that the prosecutor has also developed overtime. This level of shared trust and confidence between officer and prosecutor contributes to success.

Community prosecutors who keep their cases from arraignment through final disposition (vertical prosecution) help build more effective cases against offenders. Vertical prosecution also ensures that prosecutors remain accountable to the community because they can't shift blame if a case turns out badly. The fact that a prosecutor is personally accountable gives the prosecutor a huge incentive to get results and develop the trust of local stakeholders including police officers.

Three Practical Partnership Concepts

Ask the Prosecutor's Office to Assign a Prosecutor to the Community

- Investigate feasibility of community-based prosecutor office
- Establish prosecutor office hours at police department or precincts
- Invite prosecutor to attend high-impact community meetings
- Invite prosecutor on ride-alongs with officers

Define Target Area

- Establish target area boundaries for greatest results and measurability
- Identify the typology of targeted crime such as street drugs, prostitution, noise, graffiti, and loitering
- Focus resources and identify potential partners to solve chronic community issues

Be Proactive Rather than Reactive

- Use community prosecutor for real-time legal analysis
- Get creative by considering alternative legal strategies
- Partner with community prosecutor and hold each other accountable until the problem is solved

Developing a Partnership

Law enforcement agencies seeking to develop or enhance a community partnership with their local prosecutor's office can pursue three simple concepts. First, explore with the elected prosecutor the feasibility of assigning a prosecutor to a satellite or storefront prosecutor's office in the target area. It is also important to establish prosecutor office hours at the local police precinct. If the prosecutor's office has limited resources available to deploy a prosecutor to the field, request that a prosecutor attend high-impact community meetings and participate in officer ride-alongs, especially on days that are likely to incur a high occurrence of low-level crime and public disturbance. Continued visibility and contact with citizens will open the door for further collaboration while continuing to build a bridge of trust.

Second, clearly define a target area. Identifying two or three low-level chronic problems will increase chances of success rather than attempting to sweep an entire neighborhood of all crime. To establish a target area, identify the target community, which may encompass a certain square mile, a particular neighborhood, a specific housing development, or an established police district. Selecting an area with definable boundaries helps officers and the community prosecutor focus on prevention of quality-of-life crimes and, importantly, measure their success.

Third, be proactive rather than reactive. Ask the community prosecutor to educate police officers on the current state of the law and alternative legal strategies. Invite the community prosecutor to roll call training or in-service training opportunities. Alert officers that an identified prosecutor will follow a case from start to finish. This will encourage officers to consider the prosecutor as an important resource and ally.

As the community benefits from enhanced public safety, citizens will begin to demand more from neighbors and less from the police as they become invested in their community and feel empowered to take back their streets.

APRI's National Center for Community Prosecution is committed to training and assisting prosecutors, law enforcement, and communities in using the practices of community prosecution to improve safety and the quality of life for citizens. The center supports IACP's commitment to crime prevention and the improvement of police services. In May, the center hosted the Community Prosecution Workshop: A Vision for the Future in Indianapolis, Indiana, attended by more than 100 participants from more than 20 states, including law enforcement officials from Indianapolis, Salt Lake City, and Milwaukee. In addition, two international prosecutorial delegations attended from South Africa and the Republic of Georgia. NCCP and IACP's continued collaborative efforts recently supported the Department of Justice's ICITAP (International Criminal Investigative Training Assistance Program) to provide crime prevention expertise to Ugandan Police Commissioners Fred Yiga and Asan Kasingye as they develop the concept of community policing and community prosecution in Uganda. ■

To learn more about community prosecution, ongoing training including the center's upcoming Third National Community Prosecution Conference in San Diego, October 3-5, 2006, and technical assistance provided by NCCP, call Steven Jansen or Ellen Dague at 703-549-4253 or write to us at (community-prosecution@ndaa-apri.org).

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