

Beyond Big Cities

The Problem-Solving Innovations
of Community Prosecutors in Smaller Jurisdictions

Written by

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Introduction

If you asked prosecutors how they measured their accomplishments a generation ago, most would have focused on the courtroom: How many trials did I win? How many cases did I close?

Ask the question again today, however, and you might get a different answer. Many prosecutors have started measuring success in new ways: Have I had an effect on the crime rate? Do people feel safer on the streets and in their homes? Have I solved the public-safety problems that most concern the community?

This change in attitude reflects the widening influence of “community prosecution,” a philosophy that calls upon prosecutors to think of themselves as problem-solvers—law enforcement officials who seek not only to prosecute individual offenders but also develop lasting solutions to public-safety problems.

Building on the pioneering work of community policing advocates, community prosecution made a name for itself in the 1990s in urban areas like Austin, Brooklyn, Denver, Indianapolis and Portland. Prosecutors in these cities frequently described community prosecution as an antidote to working in isolated downtown offices far away from crime-plagued neighborhoods, where low-level crime proved to be just as important to constituents as more serious offending.

Portland District Attorney Michael D. Schrunk, who launched his neighborhood district attorney program in 1990, is typical. Schrunk came into office ready to do battle with the county’s most heinous criminals. “I always thought if I took care of murders, rapes and robberies, I’d be a hero,” Schrunk said. And then he learned that his constituents wanted him to pay as much attention to quality-of-life problems as he did to the serious crimes that made the papers. “I got out into the community and found out they wanted me to take care of the small things: speeding, someone urinating in a doorway, a one-rock [cocaine] sale on a corner.”

Similar stories are common among district attorneys in large cities, but they don’t represent the experiences of many rural and less populated jurisdictions. In these non-urban jurisdictions, community prosecution isn’t a response to downtown isolationism or a pre-occupation with major crimes; it is, instead, a response to other circumstances, such as a sprawling geography or a particularly intractable public-safety problem. And yet smaller jurisdictions, too, have found community prosecution and its emphasis on problem-solving and building partnerships useful.

This white paper seeks to fill a gap in the criminal justice literature by documenting how smaller towns and counties have adapted some of the basic strategies of urban community prosecutors to suit their unique needs. How have community prosecution programs in these jurisdictions dealt with sprawling geography, sparse populations and limited resources? What value does community prosecution have in places where everyone is already on a first-name basis? And, perhaps most fundamentally, what public-safety problems is community prosecution best suited to address in small jurisdictions?

Until now, answers to these questions have been hard to find. According to Susan Schiff, a community prosecutor in Pueblo, Colorado, “We found that what would work in a big city would not work in Pueblo,” Schiff said. “In a lot of cities, they have one D.A. assigned to a neighborhood full-time. But if you put a [neighborhood] D.A. down here [in a single neighborhood], he wouldn’t have enough work to do.” In addition, Schiff said she was advised at a national community prosecution conference that her office “should pick a community prosecutor with extensive experience working with the community.” But, Schiff pointed out, “We can’t be that choosy in Pueblo. It’s not the kind of community where if we advertise for a D.A., we get 30 or 40 applications. If we need a D.A., hopefully we’ll get one application.” This white paper attempts to grapple with exactly these kinds of unique challenges.

In telling the story of community prosecution, this paper draws on jurisdictions of various sizes. Included in the discussion is a jurisdiction of 7,900 square miles (First Judicial District in New Mexico) and 15 square miles (the city of Arlington, Virginia) and a county with 7,000 people (Boise County, Idaho) and counties with about 260,000 people (such as Madison County, Illinois). While different in their own way, all the jurisdictions whose experiences inform this white paper confront challenges (and enjoy some advantages) because of their size. Together, they create a picture of how the principles of community prosecution—although first implemented in larger cities—are being adapted in jurisdictions of all dimensions.

**What Makes
Smaller
Jurisdictions
Unique?**

In what ways do smaller jurisdictions part company with larger ones? The following is a look at some of the key areas:

Crime Counties with small populations can have very different crime problems. Both the frequency and type of crime can vary drastically from the typical list of offenses, such as murder, drug trafficking and prostitution, that plague all too many large cities. It is common, in fact, for a sparsely populated county to have seen only one murder, if that, over the course of several decades, and yet have a significant problem with drunken driving or teenagers addicted to methamphetamines. The district attorney in Placer County, California, for example, created a community prosecution unit early in 2000 to focus primarily on elder abuse, a problem that has its origins, at least in part, in the fact that the county has an unusually high percentage of senior citizens.

Having said this, it's important to note that small jurisdictions can still face what might be termed "big city" problems. Chimayo, for example, a rural community of 3,000 people in New Mexico, leads the nation in per capita deaths from heroin overdose and was the site of the largest mass murder in New Mexico's history. Alton, Illinois, which has about 50,000 residents, has problems with gangs. Selma, Alabama, a city of 19,000, has a serious problem with drug-related crime. As Burl Kimble, a police sergeant in Bridgeton, New Jersey, pointed out, his city of 20,000 people "has the same type of problems that a Philadelphia or a New York City has—it may not be as much, but those problems exist here."

Geography Counties that have a small population are often geographically large. Residents can be spread over tremendous distances, making it difficult for prosecutors to convene community meetings or establish productive partnerships with community members. Georgia's Enotah Judicial Circuit, home to about 71,000 people, covers four counties and is divided in half by the Appalachian Mountains. "Each county has one or two small cities and that's it. The rest of the population lives in backwoods and mountains," District Attorney Stan Gunter said. Because of the geography, transporting victims, offenders and others to services can be difficult.

In Boise County, Idaho, which has a population of only 7,000, the closest town to the county seat of Idaho City is 40 miles away via a mountain road. "It's tough because we have 1,900 square miles and three distinct communities, which tend to be disconnected from one another," said the elected prosecutor Theresa Gardunia. "If you have a good car, you're not so isolated, but a lot of people don't have reliable transportation."

In rural New Mexico, many residents use post office boxes and live on unpaved paths called "arroyos" in homes without street numbers. "Only the locals know where people actually live," said Kit Ayala, a senior prosecutor. "If you're an outsider, it's very easy to get lost. Quite frankly, I don't ever go into the arroyos alone because of the high crime."

The reality of geography punctures the myth that smaller communities are always by their very nature more cohesive. It also means that one of the most basic ingredients of community prosecution—understanding the needs and perceptions of community residents—requires new and creative methods of outreach.

Jurisdictional Boundaries Many less-populated jurisdictions are not only spread over a large geographic area, but also encompass several counties. The Enotah Judicial Circuit covers four counties, each with its own way of doing business. District Attorney Stan Gunter has found that a program can thrive in one county and flounder in another. "I'm the common thread among the counties, and it can be hard to hold things together," Gunter said.

In New Mexico's First Judicial Circuit, the prosecutor's office is focusing its community prosecution initiative on a town that straddles two counties. "Because it's in two counties, you have four different bodies of government to deal with—two city

governments and two county governments,” said Kit Ayala, the community prosecutor. “You’ve also got two different law enforcement agencies to work with, plus the New Mexico State Police. It’s so bad that there’s actually a building with one side in Santa Fe [County] and the other in Rio Arriba [County], so when there’s a problem, the average citizen is never sure which police force to call.” Making matters even more complicated, the various police departments’ vehicles have difficulty communicating with each other due to incompatible communications equipment. “If you had one set of agencies to hook up with that would be one thing, but when you have to basically double the number of agencies, it makes even scheduling a meeting difficult,” Ayala said.

Changing Populations A significant number of smaller jurisdictions are confronting changing demographics. Many of the jurisdictions discussed in this white paper, in fact, have sizable immigrant populations. And most of these new arrivals—often Spanish speakers who came to work as farmhands or in factories—live in neighborhoods where crime is concentrated. The fact that many immigrants are still learning English, have only a vague understanding of the American justice system and “fear reporting anything to a government agency,” as the Hispanic outreach coordinator in one prosecutor’s office put it, poses hurdles for community prosecutors. This challenge can be especially daunting in a small jurisdiction where few, if any, prosecutors are bilingual. In Alexandria, Virginia, for instance, where about one fifth of the city’s 129,000 residents are Latino, the 12-attorney prosecutor’s office has only one Spanish-speaking prosecutor.

Changes in population go hand in hand with other changes that often fuel crime. As immigrants move in, long-time residents often move out; this is often accompanied by a rise in the number of absentee landlords, a growing number of “problem” properties and an increase in both quality-of-life and serious crime.

Of course, large jurisdictions also deal with changing populations. The difference is that they often have more resources, such as immigrant organizations, English-as-a-second-language classes and culturally appropriate social services, to deal with them.

It’s also taken time for many smaller jurisdictions to accept that immigration is an issue with which they must grapple. Cumberland County, New Jersey, for instance, recognized it had a large community of migrant workers but provided no formal outreach or services to this population because for decades officials considered them transients. And yet, “over time the transient population has become less transient,” said community prosecutor Linda Lawhun. “They’ve been staying more and more, and it’s taken awhile for City Hall to see that we have to reach out to them. Everyone’s attitude used to be ‘Just get them out of here.’ But now people realize that they’re a permanent part of the community and can’t be overlooked.”

It’s not only immigrants from foreign countries who are posing challenges. Some rural counties are facing an influx of residents from nearby cities. In Chimayo, New Mexico, for instance, the town is largely divided between poorer families who have

lived in the area for several generations and more well-off newcomers who have taken advantage of the depressed economy to buy homes and large tracts of land. “There’s a lot of anger and resentment among the long-timers and the two groups don’t get along,” said community prosecutor Kit Ayala.

Prosecutorial Resources Prosecutors in smaller jurisdictions generally have smaller budgets. Naturally, this means that they have less money for staff and other resources. Opening a neighborhood office or assigning a prosecutor (or team of prosecutors) to work on community prosecution full time may simply be out of the question for a small office. As New York University law professor Anthony Thompson pointed out, “a natural approach in an urban setting is to place prosecutors into different neighborhoods, [but] a rural setting calls for a different conception. The size of the community will affect judgments about the amount of resources that can be allocated to that region.”¹ In fact, any program that creates new responsibilities or tasks for a prosecutor’s office may stretch already thin resources to their limit.

Community Resources Community prosecution programs often rely on existing resources and infrastructure in the community to support new and innovative programming, including neighborhood watch programs, victim-offender mediation and alternative punishments like community service. Civic organizations, religious institutions, social service providers and others are often essential to a new initiative’s success. A large city might have dozens of drug treatment programs, for example. A rural county might have one—or none. This means less choice, less flexibility and, in some places, less capacity for innovation.

Prosecutors in larger jurisdictions also have more ready access to large corporations, foundations and other “deep-pockets” that are often eager to support neighborhood improvement programs. “One of our biggest disadvantages is that we don’t have big corporations that can help fund us,” said Linda Lawhun, of Cumberland County, New Jersey. “If we had a company that could give us a \$25,000 grant, we’d think we died and went to heaven.”

Rural and less populated counties also have had a hard time recovering from factory closings and other economic hardships. As a consequence of an economic downturn, longtime residents often move out, the number of rental properties explodes and the quality of life in a community declines. For example, a neighborhood in Pueblo, Colorado, saw a sharp decline after a nearby steel mill dramatically reduced its work force.

Advantages of Smaller Jurisdictions

It’s important to note that smaller jurisdictions not only face obstacles unique to their size but also enjoy potential advantages. Those advantages include:

Knowledge of the Community An essential ingredient of any community prosecution program is an understanding of the jurisdiction—its people, its problems and its resources. As professor Anthony Thompson notes, “To be effective, the new models

of prosecution have devoted considerable time and energy to learning how a community operates.”² Prosecutors in smaller counties tend to have more knowledge about these things right from the start. It is quite common, for example, for a prosecutor in a rural county to be well acquainted with many local citizens for any number of reasons—because he went to school with them, because he serves on a board with them or because he has relatives who live down the block from them.

“We’re the biggest small town I know,” said community prosecutor Susan Schiff, referring to her native city of Pueblo, Colorado. “You’d think with 100,000 people you could be pretty anonymous, but you can’t. When you meet someone new, it usually takes only a minute for you to find an acquaintance in common.” Tom Cullen, a community prosecutor in Arlington, Virginia, noted that he has “immediate access to everybody because we know each other.... I know the mayor. [Our state legislator] jogs past my house every day. One of the City Council members is my neighbor.... I can also go to a staff meeting in my office—we have one every week—and talk to the entire office at the same time, so it’s much easier for me to let my co-workers know what I’m doing.”

When a prosecutor decides to increase his knowledge of the community and build better connections with citizens, a smaller jurisdiction can make the task more manageable. It is conceivable, for instance, that a prosecutor in a jurisdiction of just a few thousand people can fit into a single room all the community’s key leaders—something that is impossible in a jurisdiction with millions of residents. In Cumberland County, New Jersey, for example, community prosecutor Linda Lawhun knows by name all the members of the 65-officer Bridgeton Police Department. “That makes it easier to educate the entire force about what we’re trying to do,” she said.

Spirit of Cooperation Although residents and organizations in smaller communities are not immune to inter-group conflict and other impediments to cooperation, prosecutors have nonetheless been able to rely on the barn-raising spirit that is an inherent part of many rural communities. In Bridgeton, New Jersey, for instance, a program that targets a community of about 10,000 people was able to attract about 200 volunteers to participate in community clean-ups—a significant level of participation for such a small population.

“I think rural jurisdictions do work together better because we all have to depend on each other. There aren’t a lot of resources out here,” said District Attorney Stan Gunter of Georgia’s Enotah Judicial Circuit. Pueblo’s community prosecutor Susan Schiff also speculated that residents of smaller jurisdictions are “more vested” in where they live. “In Denver, people can say ‘Why should I worry about that part of town? I never go there, it doesn’t affect me.’” But in Pueblo, there’s a sense of community that connects the entire city, she said. One sign of this is the city’s open school district which allows students to attend any school, as long as space is available. “That means that if there’s a huge problem in [the neighborhood of] Bessemer and this whole community wants their kids to go somewhere else, the whole city will

have to deal with the consequences.” In addition, “there are businesses here that are unique. If you want good Mexican food you’re going to come to Bessemer. That means that people from all over the city come here on a regular basis, so they are vested in making sure Bessemer doesn’t slide further down the slope,” Schiff said.

Conducting a Needs Assessment

In the next few pages, we look at some of the work actually being done on the ground, discussing how prosecutors in smaller jurisdictions have begun to implement community prosecution initiatives. In particular, we offer examples of how prosecutors have carried out needs assessments, engaged the community, addressed local problems and overcome obstacles. Our goal is to try to capture some of the diversity of the initiatives actually taking place across the country, documenting the innovations and frustrations of real-life community prosecutors.

The first step in launching any new program, in most cases, is a needs assessment. A needs assessment addresses questions like: What geographic areas should the program focus on? What specific problems are residents and local organizations concerned about? What resources are available for problem-solving?

To answer these questions, prosecutors in smaller jurisdictions use some of the same tools deployed in larger jurisdictions: attending civic meetings, hosting focus groups, conducting neighborhood surveys. But they also rely heavily on another tool that is less common, and perhaps less practical, in larger communities: Going door-to-door.

In Dallas County, Alabama, prosecutors call these information-gathering efforts “knock-and-talks.” A prosecutor and police officer canvas a neighborhood together, knocking on doors to engage residents in conversation about public safety. In the early planning stages, prosecutors also convened community meetings twice a month, bringing together anywhere from 10 to about 30 people at a time to find out what neighborhood problems most concerned them. Through these efforts, conducted mainly in the town of Selma (which has a population of about 19,000) prosecutors and police learned that abandoned buildings, noise and drugs topped the list of community concerns.

Some jurisdictions have used consultants to conduct surveys. In Cumberland County, New Jersey, bilingual surveyors asked community residents about their crime- and safety-related concerns. Sgt. Burl Kimble of the Bridgeton Police Department said residents felt more comfortable with civilian surveyors. “A lot of times when you work in an area high in crime, it’s difficult to get the residents to open up to the police or prosecutors. Either they’re on the wrong side of the law, or they don’t want to be seen talking to law enforcement for fear that there’d be retribution,” Kimble said.

For some jurisdictions, however, door-to-door surveys are impractical. The Santa Fe District Attorney’s Office, for example, covers 7,900 square miles and three counties (Santa Fe, pop. 131,000, Los Alamos, pop. 18,000 and Rio Arriba, pop. 41,000). In describing Santa Fe’s community prosecution initiatives, researchers note that

“the large geographic area and the dispersed population make community outreach one of the greatest challenges faced by the program.”³

Some prosecutors have been able to save money on needs assessments by piggy-backing other survey efforts. In Pueblo, Colorado, the city government has hired a planner to address issues in the city’s three most troubled neighborhoods, one of which is Bessemer, where the community prosecution program is focused. As part of the planning effort, the city will survey residents in all three neighborhoods, and the prosecutor’s office will be given a chance to add a few questions to the survey in an effort to inform program planning and help the prosecutor’s office shape its program, said Susan Schiff, the community prosecutor.

A survey need not be an overwhelming task. In Kalamazoo, Michigan, neighborhood prosecutor Karen Hayter put together a two-page survey that she administered door-to-door with the help of volunteers from a neighborhood watch program. Hayter said answers from just 80 people were enough to help her develop a strategic plan. Prosecutors also emphasize the importance of including a representative mix of the local population in their research. In Pierce County, Washington, community residents told prosecutors that teenagers “disturbing the neighborhood” were among their top concerns, according to Eileen O’Brien, a deputy prosecutor. To ensure that they were hearing both sides of the story, prosecutors also surveyed teenagers, who “complained about having nothing to do,” O’Brien said.

A needs assessment identifies more than just problems; it also highlights community resources. This is crucial information for prosecutors who are seeking long-term solutions to local problems. “We realized pretty quickly that there are agencies out there already doing things in the community, and the prosecutor’s office wasn’t going to start everything anew,” said Mark Anderson, of the Cumberland County (New Jersey) Prosecutor’s Office.

Here then is an important lesson for aspiring community prosecution programs: Be strategic about choosing target neighborhoods, weighing both needs and potential for success.

Multi-Agency Collaboration

Through a survey of 400 homes in the city of Bridgeton, community prosecutors in Cumberland County, New Jersey, learned what concerned citizens most: vandalism, lack of activities for youth, prostitution, dirty streets and poorly maintained properties. In response, the community prosecution unit established an ordinance enforcement team of police officers, housing inspectors and animal inspectors. The teams regularly visit problem properties, issuing citations to building owners with trash in their yards, illegal subdivisions, dangerous or improperly housed animals and other violations. The unit has also sponsored three community cleanups, bringing together a number of local agencies, and about 200 area volunteers, to remove trash from streets, sidewalks and empty lots.

Developing Partnerships

Building partnerships is another crucial feature of any community prosecution program, but it is especially important in jurisdictions with limited resources. Pooling a community's strengths—its agencies, civic groups and citizen-volunteers—gives prosecutors essential resources for carrying out new initiatives.

In Dallas County, Alabama, limited funding is a concern not only for the prosecutor's office, but for countless community agencies. In fact, when community prosecutors began convening planning meetings, some participants expected that the prosecutor's office was going to provide them with new resources and not ask them to pitch in themselves. "Poor local funding was a huge obstacle at partner meetings. Agencies came to find out what resources they could get to bring back to their area," said Susan Keith, a community prosecution assistant. "It took a while for partners to get on the same page about the purpose of the partnership, which was to see what problems we could tackle together. [Over time] everyone has come to see that when you blend your resources, you get a bigger bang for your buck. Now, we are all better at working together toward common goals."

Even communities with abundant resources can benefit from better inter-agency cooperation—a goal that prosecutors might be uniquely qualified to achieve. In Placer County, California, there were already many agencies providing services to the elderly, but their work was not well coordinated. That meant that some services were being unnecessarily duplicated while other needs went unaddressed. In response, "the district attorney took on the role of facilitator, to coordinate the services of the various agencies," according to Crime and Justice Research Institute researchers. "Using the respect inherent in their office, prosecutors brought all the service providers to the table to discuss how best to deal with crimes against the elderly."⁴

Working with Citizens

One of the basic building blocks of any community prosecution program is a spirit of volunteerism—ordinary residents who volunteer to perform important functions, such as identifying problems and priorities as well as participating in initiatives like neighborhood watches, community cleanup events and juvenile accountability boards.

In Boise County, Idaho, the community prosecution program relies heavily on resident participation. It was residents who identified the program's focus—youth crime—and residents who helped formulate potential responses, including "community mediations" to hold young offenders responsible for their actions. In fact, community volunteers conduct the mediation sessions. "It was easy to find citizens to participate," said Theresa Gardunia, the prosecutor. "Because Boise County lacks many of the appropriate services, community volunteerism is at the heart of our program."

Without the involvement of ordinary citizens, the community prosecution effort in Madison County, Illinois, might never have gotten off the ground. Two years ago, 40 area residents interested in community improvement attended a training program administered by the Coro Foundation. After the training, the 40 residents, working with the U.S. Attorney's Office, applied for and obtained a federal Weed and Seed grant. The development of the Weed and Seed initiative, in turn, led the same team

of civic-minded residents to work with the local prosecutor to create a community prosecution initiative.

“The residents lobbied the prosecutor to apply for the [community prosecution] grant [from the Bureau of Justice Assistance],” said Stephanie Smith of the Madison County State’s Attorney. “Residents also identified the problems that are the focus of the grant—nuisance properties, landlords’ not cleaning up, people arrested for drug dealing at the same property over and over, people on probation coming back to the community and still causing problems.”

Of course, working with citizens is not always easy. In Selma, Alabama, Susan Keith said residents and local government agencies were at first hesitant to work with community prosecutors because “they had been led down the primrose path” before with other initiatives. In addition, “Many people have family members who have gone to prison and most others have relatives who have been victims of violent crimes. Residents’ lives have always been directly impacted by the work prosecutors do, but there has been distrust,” Keith said.

Fortunately, the community prosecution program has given prosecutors and citizens a chance to work together to achieve shared goals. “We’re encouraging them to be a part of the system that sets the standard in their community,” Keith said. “We’re making them aware of what they can do, how they can be involved when a crime has been committed by calling the police, reporting suspicious activity to the appropriate people. I think ultimately, because of the community prosecution program, residents have a greater confidence in what prosecutors are doing.”

Partnerships with Police

In most jurisdictions, prosecutors also have created close partnerships with police. In Dallas County, Alabama, a prosecutor and a police officer conduct “knock-and-talks” together. In Madison County, Illinois, police invited the full-time community

Finding Volunteers

The prosecutor’s office in Pueblo County, Colorado, created community accountability boards to deal with low-level juvenile offending. The boards, modeled after boards in Denver, Colorado, bring together four community volunteers to meet with a juvenile offender (accompanied by a guardian) and the victim (if there is one) to engage in a facilitated conversation and devise an appropriate sanction.

Doug McMillan, who coordinates the accountability boards, said finding volunteers was easy. “I went to grocery stores and I’d go up to people and say ‘I’m with the D.A.’s office,’ and that usually got their attention long enough for me to explain the program.... I got about 80 volunteers pretty quickly,” he said. McMillan said more than 95 percent of youth fulfill their contracts and the rate of recidivism during the program’s first two years has been about 15 percent.

prosecutor to work in police headquarters. Police also have provided office space to the community prosecutor in the First Judicial District of New Mexico.

In Cumberland County, New Jersey, prosecutors created an ordinance enforcement team that includes not only police officers but housing inspectors and investigators from the American Society for the Prevention of Cruelty to Animals. By working together, the representatives of the various agencies have been able to achieve more than they could through their individual efforts. In fact, housing inspectors had been afraid to enter the targeted neighborhood for fear of “what people might do to them if they gave them violations,” according to Mark Anderson, of the district attorney’s office. Now, as members of a joint enforcement team, the inspectors conduct their work with a police officer at their side.

Anderson believes police are necessary partners in any successful community prosecution program. “The police are on the front lines with the citizens. They’re often the ones to talk with citizens first about problems, so it’s very important for us to establish a relationship with them,” he said.

Creating a Neighborhood Office

When it comes to structuring their own community prosecution program, the prosecutors’ offices cited in this white paper all deploy resources differently. Interestingly, many have opted to create satellite offices—a fact that may come as a surprise to larger jurisdictions, where neighborhood offices are seen as a way to give prosecutors a “small-town” connection to the people they serve. If you’re already in a small town, what’s the point of having a satellite office?

One of the major benefits is that a satellite office is something tangible that can serve as a symbol of a new initiative, a way of marking how community prosecution is different from typical prosecution. For some less populated jurisdictions, it’s not the “downtown” or “ivory tower” mentality that separates prosecutors from ordinary citizens but large distances. In the First Judicial District of New Mexico, which covers 7,900 square miles, a local office in Chimayo made sense as a way for a community prosecutor to build a more intimate relationship with the people of this isolated 3,000-person town.

The commonwealth attorney in the city of Alexandria also created a neighborhood office—but this one is just five miles from downtown. In Alexandria, a city of only 15 square miles, distance wasn’t the problem; the problem was the main office’s limited office hours. The commonwealth attorney’s office was in the courthouse, and the courthouse closed for security reasons every day at 5 p.m.

“Most of the people in Arlandia [the predominantly Hispanic neighborhood that is the target of the community prosecution initiative] work day jobs. They are not salaried employees, and if they don’t work, they don’t get paid, and if they miss any part of the day, they miss the whole day. So in order for them to come to court for a hearing or an interview with a prosecutor, they had to miss a whole day of work. And that was a major problem,” community prosecutor Tom Cullen said. In response, the commonwealth attorney’s office placed Cullen in a satellite office open three nights a week until 8 p.m. The office also has Saturday hours and hours by appointment.

Other prosecutors' offices have set up neighborhood locations, but elected to staff them only part-time. In Pueblo County, Colorado, a jurisdiction with 22 prosecutors, a 20-hour-a-week position was created to staff the office in the neighborhood of Bessemer. In Madison County, Illinois, which has about 25 full-time and 10 part-time prosecutors, grant money was used to expand a part-time prosecutor's hours to full-time.

Some satellite offices get a lot of walk-ins, while others don't. One factor that appears to affect the walk-in rate is location. Placing an office in a shopping center, for example, can draw more visitors. Prosecutors have also held "grand openings" and offered their space for community meetings, in part to foster community awareness about the existence of the office and the services it offers.

Managing Resources

Grants from the federal government have played a pivotal role in the development of community prosecution initiatives in smaller jurisdictions. Many of the offices have been able to hire more staff and create new offices thanks to these grants. The big question for these jurisdictions becomes: What happens when the money runs out? For jurisdictions that never received a grant in the first place, the question is slightly different: Is it possible to pursue community prosecution without spending an extra dime?

Most of the federally funded sites say they may have to cut back their programs drastically when grants expire—unless new sources of funding are found. The simple fact is that most prosecutors' offices don't have resources to spare. In Alexandria, Virginia, for instance, the office of the commonwealth attorney had only eleven attorneys until grant money allowed the office to place a twelfth attorney in a neighborhood office. The extra attorney is truly a luxury in a jurisdiction with seven judges. "If you subtract the elected prosecutor and the community prosecutor, you have only 10 attorneys for seven judges, which means you can only have three people out of the office on leave, sick or doing continuing education," Cullen said.

So how can jurisdictions sustain community prosecution initiatives over the long term? Here are some strategies that prosecutors have used:

Rely on partner organizations In Georgia's Enotah Judicial Circuit, the district attorney has integrated his programming for young people with a local youth organization, which has promised to continue the program even after the federal grant expires. The prosecutor's office in Pueblo, Colorado, is taking a similar approach with its community accountability boards, which craft "restorative" punishments for juvenile offenders. The hope is that local schools, which supply the bulk of referrals to the accountability boards, will start to cover at least some of the boards' expenses. "Our plan is to say to the schools, 'We've got the boards up, we've shown you how they work, now you keep them rolling,'" said community prosecutor Susan Schiff.

Donations of services and office space can also help keep costs down. Landlords in Pueblo and Alton, Illinois, have provided free or low-cost office space to communi-

ty prosecutors. And in another jurisdiction, a member of the community who is a professional grant writer offered to donate her skills to prepare grant applications.

Partners can also play an important role in solving problems. If a park is the site of repeated offending, for instance, perhaps a conversation with the head of the local parks department and members of a local civic group can generate ideas for low-cost solutions (e.g., new lights, changing the route of a pre-existing volunteer neighborhood patrol, etc.) In this way, a prosecutor focuses on his role as a facilitator. “Remember, a community prosecutor is there to empower,” said Tom Cullen, the community prosecutor in Arlington, Virginia. “You’re not there to do everything. When you’re in the courthouse, you’re the person who does everything. But when you’re in the community, you’re the lightning rod to help direct the energy to get things fixed. You’re not the lightning.”

Invest in infrastructure Prosecutors can use one-time grants to support infrastructure that has lasting value. In Madison County, Illinois, the state’s attorney’s office is using a portion of its Bureau of Justice Assistance grant to develop a computerized database for local building and zoning records. The database, which will be used to track housing violations and problem properties, is expected to support the community prosecutor’s efforts to improve local quality of life long after the grant expires.

Target resources In Cumberland County, New Jersey, the police department couldn’t afford to add extra foot patrols in every neighborhood, as community members requested. Instead, police and prosecutors will use crime-mapping strategies to identify when and where crime is greatest and “target officers to these specific problems,” said Sgt. Burl Kimble, of the local police department.

Building on Community Resources

In response to an increase in juvenile crime in the Enotah Circuit District in Georgia, District Attorney Stan Gunter initiated a partnership with Family Connection, a youth development network with offices in all four of the circuit’s counties.

“The four counties already had the program up and running, which meant we didn’t have to start from scratch,” Gunter said. The principal product of the collaboration is the Enotah Youth Project. The Youth Project has, among other things, created youth advisory councils, where teenagers brainstorm new initiatives to engage their peers in productive activities and a mentoring program that pairs high school and college students with elementary school students who are having behavioral or academic problems. Family Connection and other project partners, like the local school systems, have almost entirely taken over the Enotah Youth Project. That means that when the Enotah Judicial Circuit’s federal community prosecution grant runs out, the Youth Project will continue. As Gunter noted: “Family Connection sees the value of the program and will keep it going.”

Identify no-cost solutions Some strategies do not require new resources, but only a change in practice. For instance, many community prosecutors believe that low-level crime should be taken seriously. Recognizing this, prosecutors can seek tougher penalties for recidivists. This strategy doesn't require much extra effort, just a shift in policy.

Think “principles” not “programs” Community prosecution is in large part about philosophy: looking at crime with new “problem-solving” eyes. Scott Newman, the former elected prosecutor in Marion County, Indiana, liked to talk about encouraging his staff to think of their workload as a docket of problems rather than a docket of cases. This change in perspective does not require extra money. For instance, it does not cost much to teach prosecutors that they should investigate a crime's impact not just on individual victims but on the life of the surrounding community. In many respects, the most important contributions community prosecution can make to a prosecutor's office are philosophical rather than programmatic.

Lobby elected officials Many prosecutors' offices are hopeful that state, county and city governments will provide funds to support community prosecution efforts. Their goal is to use federal funds to establish a successful program—one that produces measurable results—and then use the program's success to attract new funding from local sources. “We decided to put all our efforts into making the program, establishing it as something that was good for the community and good for the city in the hope that our local leaders would help us to get more funding out of regular governmental agencies,” Cullen, of Alexandria, Virginia, said. The prosecutor's office in Cumberland County has adopted a similar strategy. “Our attitude is: You better show some tangible results right away to satisfy the public. Once the public is happy, the politicians—or whoever makes the money decisions—will think twice before cutting the budget,” said Mark Anderson, the prosecutor's community justice coordinator.

In the end, many prosecutors say that money has little to do with the ingredient most important to any community prosecution program: buy-in at the top. If the

Lasting Legacy

Prosecutors in Madison County, Illinois, are focusing on a neighborhood of historic homes in the city of Alton that has fallen into disrepair. The largest investment of time and money is going into the development of a computerized database for Alton's building and zoning records. “Once it's computerized, we'll have an easier time tracking problem properties and identifying the most troublesome landlords,” Stephanie Smith said.

Prosecutors are also planning a neighborhood playground. “The playground will be funded by donors from the area. We want to hire a coordinator from the community to get people involved in actually making the playground happen,” Smith said.

elected prosecutor believes in the idea of community prosecution, he or she will find a way to keep the program afloat.

Measuring Impacts

For most jurisdictions, especially smaller ones, community prosecution is too new to have produced measurable results. Certainly some jurisdictions have produced tangible outcomes. Chimayo, New Mexico, reported a 62 percent drop in burglaries from 2000 to 2002. The prosecutor's office in Pueblo County, Colorado, has recorded a 95 percent compliance rate with community accountability board sanctions and a 15 percent recidivism rate.

But many jurisdictions are struggling with the question of evaluation. For them the issue is not just how to measure the impact of community prosecution but what to measure. The prosecutor's office in Cumberland County, New Jersey, plans to map changes in crime over time. "We're going to look at calls for service and crime data," Mark Anderson said. "We're going to see what's happening where and when, and, as patterns change, we're going to adjust our preventive patrols accordingly."

In the end, however, community attitudes are probably the most important barometer of community prosecution's impact. After all, one of the goals of community prosecution is to make residents feel safer and to increase their confidence in the criminal justice system. Thus, community prosecutors need to ask residents over time how they feel about their neighborhood, about safety issues, and about the criminal justice system. In Pueblo, Colorado, community prosecutor Susan Schiff is considering re-administering a community survey after a year as "a quantitative measure of whether we had an impact on the community."

Some impacts of community prosecution may be impossible to measure. How does one measure, for instance, the ways in which community prosecution strategies help prosecutors gain useful knowledge about their jurisdictions and their inhabitants? How does one measure the amount of crime that has been prevented? How does one assess the greater community cohesion or sense of "togetherness" that a program has fostered?

For the time being, one way to assess the impact of community prosecution is to talk to the prosecutors who are on the streets doing the work. "When you are out in the neighborhoods you get to know the people and you start to care more about the prosecution, so it's no longer just a file among many files that come across your desk," said Cumberland County community prosecutor Linda Lawhun, one of many prosecutors in smaller jurisdictions who have become loyal adherents of community prosecution. "It's no longer just a bunch of paper. You know the neighborhood behind it and you're more apt to put the extra time into it because you care more."

Lessons Learned

As more and more jurisdictions experiment with community prosecution, they are building a pool of knowledge about the most effective approaches and techniques. For less populated communities, about which less has been written, this collective wisdom is especially important. In an effort to share some of the key lessons that jurisdictions have learned so far, we have put together the following list, which

reflects what people interviewed for this white paper have identified as their best advice for practitioners attempting to create community prosecution programs in less populated communities:

Start small Community prosecutors affirmed the wisdom of starting small. “When you start out, take a line from the movie *The Patriot*—aim small, miss small,” said Tom Cullen, of Alexandria, Virginia. The idea is that a smaller program is less risky and once it’s successfully off the ground, it provides a solid foundation to create something larger. As Prosecutor Theresa Gardunia of Boise County, Idaho, put it: “It has to be something narrow because you can’t change the whole world. You can only change sections of it.”

Look before you leap A community prosecution effort in one Midwestern county got off to a bad start because it didn’t take the time to develop a clear plan of action. “They didn’t have a clearly defined mission,” said a prosecutor who helped the program get on track after its lackluster launch. “They didn’t have the time and resources to do a lot of planning, so in some sense, the setting up and doing it was an evolving process.” The result? The program took several years to get up to speed while the elected prosecutor was lambasted in the press for failing to produce the ambitious program he had promised.

Pick the right people for the job To use a hackneyed yet accurate expression, a community prosecutor has to “think outside the box.” Thus, an ideal community prosecutor is someone who is creative, has enough experience to work independently and gets along well with all types of people. As one prosecutor put it, “It’s almost a social skill, as opposed to a legal skill.”

Maintain neutrality Community prosecutors frequently find themselves drawn into long-standing community disagreements. This seems to be especially true in smaller jurisdictions. The problem seems to be not that there is more strife in smaller jurisdictions, but simply that when strife exists, it is harder to ignore. If there is only one drug treatment provider, for instance, and its board doesn’t get along with the school board, the resulting tension can ruin plans to create a diversion program for drug-offending youth. In a large city, on the other hand, where there are literally hundreds of schools and treatment providers to work with, bad blood between two organizations will not automatically stymie an idea.

One way to deal with this type of conflict is to stress the neutrality of the prosecutorial role. “In some respects, I see myself as a bridge between groups,” said Kit Ayala, the community prosecutor in New Mexico’s First Judicial District. “What I want to do is not become part of one group or another, but hear from each group and find out what they each have to say. Given the existence of groups who feel they have conflicting interests, it would be a big mistake if I became too identified with any one side.”

Be inclusive “You’ve got to include as many parts of the community as you can,” Ayala of New Mexico said. “Sometimes you might think ‘I don’t want to include this person because they’re going to cause me problems,’ but that’s the person you really want to bring to the table. You need to have good conflict-resolution skills and make conflict-resolution a project value.”

Communicate the values and goals of the program Community prosecution programs do better when everyone in the prosecutor’s office—and in the offices of project partners—understands how the initiative works and the rationale for pursuing it. Without such understanding, community prosecutors are more likely to encounter resistance and resentment from colleagues, making it more difficult for them to function effectively. “The bottom line,” said Sgt. Kimble, of the Bridgeton (New Jersey) Police Department, “is that you have to tell the troops how it’s going to benefit them.”

Collect baseline data To evaluate whether a new initiative works, baseline data is essential. Baseline data is the “before” information—what was going on in the community before community prosecutors began their work. This data might already exist (for instance, in statistics about arrests or cases already in the system) or prosecutors might acquire it (for example, by conducting a survey of community attitudes about public safety and the criminal justice system.)

When appropriate, use volunteers Volunteers can help a prosecutor’s office stretch limited resources. Volunteers can, for example, perform clerical work, thus allowing a prosecutor to spend more time in the community. Volunteers can also provide the manpower for key initiatives like neighborhood patrols, mentor programs and accountability boards. Of course, partner agencies can also enlist volunteers. For instance, a victim agency that lacks bilingual staff can enlist local college students as volunteer translators.

Conclusion

A few years ago, many prosecutors assumed community prosecution was appropriate only for large cities, where isolated prosecutors’ offices had lost touch with the constituents they were supposed to serve. The idea was that prosecutors in smaller jurisdictions were already connected to the community and thus didn’t need to adopt new approaches to their work.

But clearly, as the experience of the dozen programs described in this paper demonstrates, smaller jurisdictions have found that community prosecution can work for them as well. While it’s true that some prosecutors in less populated jurisdictions are on a first-name basis with a large portion of their constituents, others may not know remote parts of their districts at all. In addition, no prosecutor—even in the smallest of jurisdictions—is immune to the “case-processing” mentality that community prosecution is intended to cure.

Theresa Gardunia, the elected prosecutor in Boise County—who until she hired an assistant prosecutor in 2002 worked by herself—said that she came to the job thinking that her number one mission was to “prosecute and put people in jail.”

“When you get into the business of prosecuting, you get into this trench thinking that there are no other options besides jail and community service,” Gardunia said. But eventually she came to believe that she could do more if she experimented with community prosecution. She now sees that she can achieve the goals of her office—reducing crime and improving safety—by not only punishing offenders but also by supporting programs for infants, toddlers and teenagers “because it prevents future problems.”

The most common challenge smaller jurisdictions face is a scarcity of resources—both in their offices and in their communities. Beyond that, the types of challenges they face vary from place to place. Geography may be a hurdle in one community; lack of bilingual resources may be a hurdle in another. These obstacles, however, have not deterred jurisdictions from experimenting with community prosecution. By adopting the approaches described in this white paper—such as working with partner agencies, enlisting the aid of community volunteers, targeting discrete neighborhoods, and more—smaller jurisdictions have adapted community prosecution into a flexible tool that can be used to solve problems in their jurisdictions, reduce crime and improve the quality of life for their many constituents.

Notes

1. Anthony C. Thompson, "It Takes a Community to Prosecute," *Notre Dame Law Review*, Vol. 77, No. 2 (February 2002), p. 355-6.

2. Thompson *Ibid.*, p. 357-8. Thompson underscores the importance of community knowledge when he writes: "Information acquisition is a key part of the process of understanding local problems and developing viable solutions. Local communities often have a working knowledge of their own unique public safety issues and recurring problems. In order to tap that body of information, community prosecutors must develop a working assessment of the neighborhood: its resources, its strengths, and its interest groups." p. 364.

3. John S. Goldkamp, Cheryl Irons-Guynn and Doris Weiland, "Community Prosecution Strategies: Measuring Impact," Crime and Justice Research Institute (December 2001) p. 33.

4. Cheryl Irons-Guynn, Lillian Dote, John S. Goldkamp and Doris Weiland, "Community Prosecution: Community Role and Programmatic Content," Crime and Justice Research Institute (July 2002), p. 61 .

Notes

Center for Court Innovation

The winner of an Innovations in American Government Award from the Ford Foundation and Harvard's John F. Kennedy School of Government, the Center for Court Innovation is a unique public-private partnership that promotes new thinking about how courts and criminal justice agencies—including prosecutors' offices—can aid victims, change the behavior of offenders and strengthen communities.

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