

NLWJC - Kagan

DPC - Box 010 - Folder 006

Crime - Community Prosecutors

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. article	Phone No. (Partial) (1 page)	12/17/1997	P6/b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Elena Kagan
OA/Box Number: 14358

FOLDER TITLE:

Crime - Community Prosecutors

2009-1006-F

kh551

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Crime - COPS program



U.S. Department of Justice

Office of Community Oriented Policing Services (COPS)

Communications Division
1100 Vermont Avenue, NW
Washington, DC 20530

TO: José/Leanne
FAX NUMBER: 456-7028
FROM: JIM SWEENEY

Tel: (202) 616-1728
Fax: (202) 616-5899

DATE: 12/18/97

Number of Pages (including cover):

Message: John Hart + I wanted to get this set of talking points over to you. We will send over a bibliography of positive newsclips shortly.

* To: RAHM, BRUCE, ELENA *
Re: JOSE
RE: TALKING PTS. BY COPS OFFICE ON RETENTION + IN RESPONSE TO WASHINGTON TIMES ARTICLE
NB: NACOP IS AN NRA - FUNDED (AFFILIATED) police group.

Retention Talking Points

Background: On December 17, 1997, a group calling themselves the National Association of Chiefs of Police issued a press release claiming that most communities across America will not be able to retain COPS-funded officers. This is just one of many erroneous statements in the release.

Facts:

- The National Association of Chiefs of Police has no legitimacy. Anyone in law enforcement will tell you that this operation does not in any way speak for America's police chiefs or law enforcement.
- None of the remarks made in this press release is backed up by any statistics or has any basis in fact.
- Over 10,000 jurisdictions have received funding to add cops and they agreed to make a good-faith effort to plan in advance for the day that the grant runs out. And we believe that the vast majority of police chiefs and sheriffs will do just that.
- Numerous progress reports, monitoring efforts and external evaluations indicate that police and sheriffs have a plan in place or are working on one to retain these additional officers. In just one example, a recent Akron Beacon Journal survey found that 44 out of 45 Northern Ohio jurisdictions are indeed working to retain their officers.
- The assertion that COPS is going to sue anyone in the "next few months" is completely groundless. The COPS Office takes its retention requirement very seriously. However, if a department does indicate that, despite its good faith efforts, it will be unable to retain officers after the grant term, we will work in partnership with them on a case-by-case basis to help keep these officers.
- At the direction of Congress, COPS will be providing additional funding for those small jurisdictions that are most at-risk. Our partnership and this additional funding will go a long way toward helping these agencies retain their new cops.
- To date, the COPS Office has funded more than 66,000 additional officers, with more than 30,000 of these already on the streets and in our neighborhoods. These additional COPS-funded officers are having a major impact across the U.S. Crime is down. And the preliminary numbers for the first six months of 1997 show that the unprecedented decline continues. As Attorney General Reno said in September, the 1994 Crime Act, these COPS-funded officers and community policing are a big reason why.

- o **Chiefs Say Most Of 100,000 New Community Police Will Be Lost.** National Association of Chiefs of Police Executive Vice President Morton Feldman said today most of the 100,000 new police positions funded through Federal community policing grants are going to disappear as localities are unable to continue the funding. Said Feldman, "The dollars simply are not there. Most departments that at this time in 1994 got the first round of the three-year grants are finding they are unable to maintain funding for the positions." Feldman predicted that by the time all the Federal grant money is gone in 1999, the number of police will shrink to 554,000 – approximately the same number in existence in September, 1994. The law required localities which accepted the Federal funds to maintain newly-created police positions, but Feldman said today the program provides no mechanism for finding the funding. If a locality does not maintain a police position for which it took grant money, it can be held responsible for repaying the Federal Government the \$25,000 per position per year that it received. Feldman said he expects the first legal battle on that issue to take place within the next few months. Feldman said part of the problem is that the \$25,000 only covers about 38 percent of the actual cost of putting a new police officer on the street. He cited a Bureau of Justice Statistics report showing the median operating expense per officer – including salary, benefits and equipment – is \$66,500 per year. Said Feldman, "Departments have few options. In most cases, it seems the situation is being handled by not refilling other officer positions that become vacant by way of retirement and attrition. In far fewer instances, other public or even private funds are being used to save the positions, even though this might mean raising local taxes. And a number of localities are 'crying poor' and seeking exemptions from the retention requirement."
- o **Gore To Hear Recommendations From Mayors, County Officials.** Vice President Al Gore is scheduled to appear this afternoon at a gathering of the US Conference of Mayors and the National Association of Counties (NACo), where the groups plan to present recommendations for dealing with issues such as welfare-to-work, brownfields, and transportation. The mayors and NACo have formed a Joint Center for Sustainable Communities, which will present to Gore "their promotion of strategies to bring cities and counties together, to tackle their most pressing regional problems," according to a statement issued by the center. Today's meeting at the White House is the first public event since the beginning of the joint effort, which is led by Mayor Paul Helmke of Fort Wayne, IN, and Commissioner Randy Johnson of Hennepin County, MN. According to the statement, those attending today's event will also "be examining recent survey data on welfare-to-work issues, and new data on the significant loss of land to development, including the loss of prime farmland."
- o **Albright Highlights Danger From Rogue Nations.** Secretary of State Madeleine Albright told her NATO counterparts today the greatest threat to European security may come from weapons of mass destruction developed by rogue states. Addressing the NATO-Russia Permanent Joint Council, Albright said, "I trust we also agree that the gravest potential threat in the next century may come from beyond Europe, from the proliferation of weapons of mass destruction. In this respect, few nations are in a position of greater peril than Russia. And no nation is a source of greater danger than Iraq." Albright urged Russian Foreign Minister Yevgeny Primakov to continue trying to influence Iraq, particularly if Baghdad continues to deny UN weapons inspectors unfettered access to all sites. Said Albright, "Experience teaches us that Saddam Hussein will meet our demands only if we are united and firm."
- o **Israeli Cabinet Still Deadlocked on Troop Pullback In Advance Of Albright Meeting.** The Israeli Cabinet failed to reach agreement again today on a proposed troop pullback on the West Bank. Foreign Minister David Levy had pushed to have a detailed withdrawal plan ready for Prime Minister Benjamin Netanyahu's meeting with Secretary of State Madeleine Albright in Paris tomorrow. In the absence of such a plan, Levy told Israel Radio today, "The meeting won't have all the necessary details. Therefore, the results may not be good." The Cabinet issued a statement saying Netanyahu will have a general discussion with Albright about which areas of the West Bank Israel wants to keep. The statement said Netanyahu "stressed to the ministers that we consider Jewish settlements to be of national importance."

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FBI

AP x7233 rw usnws police-chiefs

12-17 9:56a

Police Chiefs See Loss of Most of 100,000 New Positions

To: National Desk

Contact: Morton Feldman, [P6/(b)(6)] or Paul Scott Abbott, [P6/(b)(6)] or (pager) [P6/(b)(6)] (24 hours)

[001]

WASHINGTON, Dec. 17 /U.S. Newswire/ -- Most of the 100,000 new law enforcement officer positions created through federal community policing grants are beginning to disappear as localities are unable to continue to fund them, according to the executive vice president of the National Association of Chiefs of Police.

"The dollars simply are not there," said Morton Feldman, executive vice president of NACOP, a not-for-profit organization of more than 11,000 command-rank officers throughout the United States. "Most departments that at this time in 1994 got the first round of the three-year grants are finding they are unable to maintain funding for the positions."

The net result, according to Feldman, will be that, by the exhaustion of all federal community policing grant funds in late 1999, the national contingent of sworn officers with city, county and state agencies will return to approximately the same total of 554,000 in place in September 1994.

"Basically, we're going to be right back where we started from," Feldman said.

While localities were required to promise to maintain newly created community policing positions for which they accepted federal funds, the grant program provided no mechanism for continued funding.

"Departments have a few options," Feldman said. "In most cases, it seems the situation is being handled by not refilling other officer positions that become vacant by way of retirement and attrition. In far fewer instances, other public or even private funds are being used to save the positions, even though this might mean raising local taxes. And a number of localities are 'crying poor' and seeking exemptions from the retention requirement."

If a locality does not maintain a community policing position for which it took federal money, it can be held responsible for repaying the federal government the \$25,000 per position per year that it received. Feldman said he expects the first legal battle on that issue to take place within the next few months.

Furthermore, according to Feldman, even the \$25,000 annual grant sum per position only covered about 38 percent of the actual cost of putting a new officer on the street. He cited a report from the U.S. Department of Justice's Bureau of Justice Statistics that shows the median operating expenditure per local, county and state officer --including salary, benefits, equipment and other costs -- to be \$66,500 a year.

"When it was announced as part of the Crime Bill of 1994, the community policing grants were presented as a saving grace that would greatly increase the nation's ability to prevent and fight crime," Feldman said. "The reality is that it's not winding up having nearly the impact it was touted to have."

"As we reduce those positions for lack of funds, we predict crime will rise," Feldman added. "Already in the first half of this year, police line-of-duty deaths increased 18 percent."

-0-

/U.S. Newswire 202-347-2770/

[department&justice]



Jose Cerda III

12/05/97 05:18:29 PM

Record Type: Record

To: Elena Kagan/OPD/EOP, Bruce N. Reed/OPD/EOP

cc: Leanne A. Shimabukuro/OPD/EOP

Subject: Community Prosecutors Memo

EK-BR:

Attached please find the community prosecutors memo. It includes EK's most recent edit and acknowledges, to the dismay of some in NYC, that Brooklyn and NYC are in fact the same city.

I haven't included comment from the folks I touched based with, so here they are in brief. Some of them are worth trying to incorporate.

Jeremy Travis -- Very excited about the initiatives, but points out two things: (1) community prosecution can also be very effective against violent offenders, especially when civil remedies (code enforcement) are used to shut down crack houses, drug markets or when -- as in LA -- civil injunctions are used to break-up gang presence; and (2) we should, within the 20% for non-hiring purposes, specifically include programs to hire/assign lawyers to focus on working w/the community and police to develop and use civil remedies/enforcement for this purpose.

Eric Holder -- Loves the proposal. Will he get to sit next to FLOTUS when it is announced at the State of the Union? Also, we may want to specifically mention "supervising agencies" in our innovative courts/corrections program bullet. This would ensure that pretrial and probation is included in states where they're not part of the court system.

Kent passed a message along that he had comments, but I haven't heard from him. I told him he should page EK or me with any reaction. Michael Deich has not gotten back to me. I had put his staff on notice that we were considering a \$100 million community prosecutors initiative; he may be surprised by the 5-year/\$500 million jump.

Jose'



COMPRO6.N



Jose Cerda III

11/24/97 09:27:03 AM

Record Type: Record

To: Elena Kagan/OPD/EOP

cc:

Subject: Re: prosecutors

Here it is. jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 11/24/97 09:26 AM -----



Jose Cerda III

11/21/97 01:25:40 AM

Record Type: Record

To: Bruce N. Reed/OPD/EOP

cc:

Subject: Re: prosecutors 

BNR:

I hope this works for you. It's a bit scattershot, but includes some language on the overall rationale for community prosecutors -- as well as a bit more on what they might actually do. If this needs to put into the context of the Race Initiative, you may want to consider calling it a "Community Justice" initiative (which some places do).

Call me if you have any q's or need more. In the meantime, I'll keep working on the details of what this will look like.

Jose'



COMPRO2.N

...We also recommend that you include \$100 million to establish and fund a new Community Prosecutors Initiative in the FY 1999 budget. The overall goal of this initiative is to improve the quality of life in targeted, high-crime areas by providing direct resources to prosecutors who commit to move beyond the "assembly line" processing of criminal cases and to work hand-in-hand with community police officers and neighborhood residents to respond to specific crime problems. New or redeployed prosecutors paid for through this initiative would:

- (1) work with police and community residents to identify, analyze and solve priority crime and "quality of life" problems;
- (2) promote priority, vertical prosecutions that respond to community crime problems;
- (3) pursue alternative enforcement methods, such as working with other government agencies to enforce housing, fire, health and safety codes;
- (4) develop new legal tools for citizens and police when conventional enforcement tools fail (e.g., the "citizen-driven search warrants" developed by Portland Neighborhood DAs to deal with low-level drug dealers in owner-occupied housing); and
- (5) generally increase responsiveness to the needs of victims and witnesses (e.g., "Neighborhood Court Watch programs to keep the community informed of court proceeding or to help the community enforce conditions of release).

We believe this "problem-oriented" -- as opposed to incident-based -- approach to prosecution is especially important in the most crime-ridden communities where, due to overwhelming crime problems and limited resources, years of ignoring basic public safety needs have resulted in breeding grounds for the most serious and violent crimes.

A handful of jurisdictions have already embraced community prosecution, including -- Boston, MA, where community prosecution is an essential component of the city's successful juvenile crime strategy; Washington, DC, where last year former US Attorney Eric Holder established a pilot program with 20 attorneys in the 5th Police District; and Portland, OR, where an offer by the business community to pay for a prosecutor to help clean-up the business district ultimately led to the hiring of "Neighborhood District Attorneys" throughout the county.

Although the existing community prosecution efforts have stirred considerable interest in the criminal justice community, they have received little if any financial support from government (e.g., a \$50 million authorization in the 1994 crime bill has gone unfunded). Moreover, most local prosecutors depend

primarily -- and nearly half exclusively -- on limited county funds for their budgets. Only 17% of the roughly 2,400 prosecutors offices receive any grant funds that might allow them to pursue more innovative strategies like community prosecution.

Thus, without an infusion of federal or state funds, it is unlikely that community prosecution efforts will notably expand any time soon. That is why we recommend a \$100 million in FY 1999 funding. With this level of funding, the Administration could give sizable grants to a majority of the larger prosecutors' offices (that is, the approximately 130 offices, with median staffs of 180 persons and budgets of \$8.5 million, that serve jurisdictions of 500,000 or more persons) -- as well as a considerable number of smaller grants to the smaller, full-time prosecutors' offices (that is, the approximately 1,600 offices, with median staffs of 10 and budgets of \$250,000, that serve jurisdictions of less than 500,000 persons). Most importantly, with \$100 million the Administration could do for community prosecution what the COPS program has done for community policing. We would be taking an innovative demonstration project and elevating it to a national standard that communities throughout the country would quickly embrace as a strategy to fight crime.

MEMORANDUM

Jose/Leanne -

TO: TOM FREEDMAN
FROM: MARY L. SMITH
RE: COMMUNITY PROSECUTORS
DATE: JUNE 3, 1997

Have we ever
tried to do anything
on this? Should we?
Etc

SUMMARY

Instead of locating prosecutors in a centralized, downtown office, prosecutors are stationed in specific neighborhoods to work with the residents to deal with crime issues in innovative ways. Rep. Rod Blagojevich (D-IL) has introduced H.R. 863 entitled the "The Community Prosecutor Act of 1997" which would create a \$10 million national pilot program to fund "community prosecutors." [Chicago Tribune, 2/9/97 & H.R. 863]

COMMUNITY PROSECUTORS

Community prosecutors are assigned to specific areas in communities in order to work with police and civic groups to deter crime. Community prosecutors work on any case that arises in their assigned area rather than on a specific type of case such as homicides. Because they are involved in all aspects of crime in one geographic area, these prosecutors are able to understand the fabric and overall makeup of the community better. These prosecutors also focus more on preventing crime than traditional prosecutors. They may work with community groups in order to implement innovative strategies to address community crime problems like graffiti.

STATISTICS AND SUCCESS STORIES

- **Boston:** Residents and merchants see an improved quality of life and feel safer on the streets. Since community prosecution began in East Boston three years ago, the overall crime rate has dropped 25%, car thefts are down 52%, and prostitution is down 80%. Prosecution rates are up -- close to 90% of offenders arrested through East Boston Safe Neighborhood Initiative Activities (SNI) in 1996 were prosecuted. Through the Community-Based Juvenile Justice Program, other prosecutors lead discussions with middle and high school officials to identify and assist at-risk youths. [Boston Herald, 2/23/97 & ABC World News Tonight, 5/08/97]
- **Howard County, MD:** Residents have seen results with improvements such as clearing a vacant lot of drinking and drug dealing by declaring it as "open space," meaning it had to close at 10 p.m. [Washington Post, 5/04/97]

- **Washington, D.C.:** In Northeast Washington, U.S. Attorney Eric H. Holder, Jr., set up a community prosecution pilot program last year. Cases have ranged from serious crimes such as murder to nuisances such as abandoned automobiles and rat infestation. In one neighborhood, prosecutors cracked down on youths shooting at one another by charging some of the youths but also by bringing in their mothers for a stern lecture.

RELATION TO COMMUNITY POLICING

Community prosecution is sometimes adopted as an adjunct to community policing (as in New York City), and sometimes by itself (as in Portland, Oregon, and Austin, Texas).

LOCATIONS OF COMMUNITY PROSECUTORS

- Austin, TX
- Boston, MA
- Brooklyn, NY
- Cambridge, MA
- Chicago, IL
- Denver, CO
- Howard County, MD
- Indianapolis, IN.
- Kansas City, MO
- Milwaukee, WI
- New York, NY
- Portland, OR
- Washington, D.C.

Chicago Tribune

February 9, 1997 Sunday, CHICAGOLAND FINAL EDITION

SECTION: METRO CHICAGO; Pg. 3; ZONE: C; D.C. Journal.

LENGTH: 811 words

HEADLINE: BLAGOJEVICH TAGS 'COMMUNITY PROSECUTING' AS ANTI-CRIME WEAPON

BYLINE: By Mike Dorning and Mary Jacoby, Washington Bureau.

DATELINE: WASHINGTON

BODY:

Chicago's Rod Blagojevich may be building a political career on spray paint.

The Chicago Democrat is beginning his freshman congressional term by returning to the same issue he says occasioned his first meeting with Ald. Dick Mell (33rd), his future father-in-law and political sponsor.

That's graffiti.

Turns out that when Blagojevich was a young prosecutor in the Cook County state's attorney's office, Mell came to that office to make sure Blagojevich and the other prosecutors took seriously graffiti-painting incidents in the 33rd Ward.

Blagojevich says he did. And, apparently, he still does.

The congressman is now working on legislation for a \$10 million national pilot program to fund "community prosecutors" who would be based in neighborhoods and devote themselves to prosecution of "quality of life" crimes (graffiti, for example).

Blagojevich calls it "the prosecution equivalent of community policing."

The idea is for prosecutors stationed within neighborhoods to work with residents to target minor nuisances that disrupt the community.

It draws on the recent fashion in the law enforcement community to focus on the "broken windows" phenomenon: Just as unrepaired broken windows on a building tend to draw further acts of vandalism, undeterred acts of petty crime create a disorderly atmosphere that fosters more dangerous criminal acts.

Two Harvard University academics wrote an influential article pointing this out during the early 1980s--just about the same time Ald. Mell, sans Ph.D., was lecturing the young prosecutors.

Bill Tracking Report

105th Congress
1st Session

U. S. House of Representatives

HR 863

1997 Bill Tracking H.R. 863; 105 Bill Tracking H.R. 863

COMMUNITY PROSECUTOR ACT OF 1997

<=1> Retrieve full text version

DATE-INTRO: February 27, 1997

LAST-ACTION-DATE: April 29, 1997

STATUS: Referred to committee

SPONSOR: Representative Rod Blagojevich D-IL

TOTAL-COSPONSORS: 7 Cosponsors: 7 Democrats / 0 Republicans

SYNOPSIS: A bill to establish or expand existing community prosecution program.

ACTIONS: Committee Referrals:
02/27/97 House Judiciary Committee

Legislative Chronology:

1st Session Activity:

02/27/97 143 Cong Rec H 699 Referred to the House Judiciary Committee
04/29/97 143 Cong Rec H 1988 Cosponsor(s) added

BILL-DIGEST: (from the CONGRESSIONAL RESEARCH SERVICE)

Short title as introduced :

Community Prosecutor Act of 1997

CRS Index Terms:

Criminal justice
Budgets
Citizen participation in crime prevention
Community organization
Crime prevention
Evaluation research (Social action programs)
Federal aid to law enforcement agencies
Government information
Government paperwork
Prosecution
Social services

CO-SPONSORS:

Added 04/29/97:

Delahunt D-MA
McGovern D-MA
Yates D-IL

Kind D-WI
Underwood D-GU

Lipinski D-IL
Weygand D-RI

FULL TEXT OF BILLS

105TH CONGRESS; 1ST SESSION
IN THE HOUSE OF REPRESENTATIVES
AS INTRODUCED IN THE HOUSE

H. R. 863

1997 H.R. 863; 105 H.R. 863

<=1> Retrieve Bill Tracking Report

SYNOPSIS:

A BILL To establish or expand existing community prosecution programs.

DATE OF INTRODUCTION: FEBRUARY 27, 1997

DATE OF VERSION: MARCH 3, 1997 -- VERSION: 1

SPONSOR(S):

Mr. BLAGOJEVICH introduced the following bill; which was referred to the
Committee on the Judiciary

TEXT:

* Be it enacted by the Senate and House of Representatives of the United*

States of America in Congress assembled,

SECTION 1. SHORT TITLE:

This Act may be cited as the "Community Prosecutor Act of 1997".

SEC. 2. GRANT AUTHORIZATION.

(a) IN GENERAL.-THE ATTORNEY GENERAL MAY MAKE GRANTS TO STATE ATTORNEYS GENERAL, PROSECUTORS, UNITS OF LOCAL GOVERNMENT, AND INDIAN TRIBAL

PROSECUTORS TO ESTABLISH OR EXPAND EXISTING COMMUNITY PROSECUTION PROGRAMS, INCLUDING HIRING AND TRAINING PROSECUTORS FOR SUCH PROGRAMS.

(B) EQUITABLE DISTRIBUTION.-THE ATTORNEY GENERAL SHOULD ENSURE, TO THE

EXTENT POSSIBLE, THAT GRANTS AWARDED UNDER THIS ACT ARE DISTRIBUTED EQUITABLY BETWEEN URBAN AND RURAL COMMUNITIES.

SEC. 3. ELIGIBILITY.

(a) IN GENERAL.-TO BE ELIGIBLE TO RECEIVE A GRANT UNDER THIS ACT, STATE ATTORNEYS GENERAL, PROSECUTORS, UNITS OF LOCAL GOVERNMENT AND INDIAN TRIBAL PROSECUTORS MAY APPLY FOR AN AWARD TO ESTABLISH OR

CONTINUE EXISTING COMMUNITY-ORIENTED PROSECUTION PROGRAMS.

(B) APPLICATION.-TO APPLY FOR A GRANT, AN INTERESTED ELIGIBLE ENTITY SHALL SUBMIT AN APPLICATION TO THE ATTORNEY GENERAL IN SUCH FORM AS THE ATTORNEY GENERAL SHALL PRESCRIBE BY REGULATIONS OR GUIDELINES.

(C) CONTENTS.-EACH APPLICATION SHALL INCLUDE THE FOLLOWING:

(1) THE OBJECTIVES, AND NEED, INCLUDING PUBLIC SAFETY, FOR A GRANT AWARD.

(2) A LONG-TERM STRATEGY AND DETAILED IMPLEMENTATION PLAN.

(3) CERTIFICATION OF COORDINATION AND SPECIFIC COMMITMENTS BY THE COMMUNITY TO BE SERVED BY THE GRANT TO PARTICIPATE IN A PROGRAM DESCRIBED UNDER PARAGRAPH (2).

(4) A DESCRIPTION OF THE GEOGRAPHICAL AREA TO BE SERVED.

(5) IDENTIFICATION OF RELATED INITIATIVES WHICH WILL COMPLEMENT OR BE COORDINATED WITH A PROGRAM FUNDED UNDER THIS ACT.

(6) AN ASSURANCE THAT FUNDS RECEIVED UNDER THIS ACT WILL BE USED TO SUPPLEMENT NOT SUPPLANT OTHER FEDERAL FUNDS.

SEC. 4. USES OF FUNDS.

(a) IN GENERAL.-FUNDS PROVIDED UNDER THIS ACT MAY BE USED TO HIRE STAFF, PROCURE EQUIPMENT, TECHNOLOGY, AND SUPPORT SYSTEMS OR PAY OVERTIME IN THE ESTABLISHMENT OF COMMUNITY-ORIENTED PROSECUTION PROGRAMS IF THE ELIGIBLE ENTITY CAN DEMONSTRATE TO THE SATISFACTION OF THE ATTORNEY GENERAL THAT THE EXPENDITURES WOULD RESULT IN A SUCCESSFUL REDUCTION IN CRIME.

(B) LOCAL MATCH.-THE FEDERAL SHARE OF A GRANT MADE UNDER THIS ACT MAY NOT EXCEED 75 PERCENT OF THE TOTAL COSTS OF THE PROGRAM DESCRIBED IN THE APPLICATION SUBMITTED PURSUANT TO SECTION 3(B). THE ATTORNEY GENERAL MAY WAIVE, IN WHOLE OR IN PART, THE REQUIREMENT OF A MATCHING CONTRIBUTION AND MAY CONSIDER IN-KIND CONTRIBUTIONS, FAIRLY VALUED, IN LIEU OF THE LOCAL MATCHING REQUIREMENT. SEC. 5. EVALUATIONS.

(a) IN GENERAL.-EACH PROGRAM OR PROJECT FUNDED UNDER THIS ACT SHALL CONTAIN A MONITORING COMPONENT DEVELOPED PURSUANT TO GUIDELINES ESTABLISHED BY THE ATTORNEY GENERAL, INCLUDING THE IDENTIFICATION AND COLLECTION OF DATA REGARDING THE ACTIVITIES AND ACCOMPLISHMENTS OF THE PROGRAM OVER THE LIFE OF THE GRANT AWARD. THE ATTORNEY GENERAL MAY REQUIRE GRANT RECIPIENTS TO SUBMIT WRITTEN REPORTS WHICH DESCRIBE THE MONITORING PROCESS AND EVALUATION RESULTS.

(B) INFORMATION ACCESS.-THE ATTORNEY GENERAL SHALL HAVE ACCESS TO ANY PERTINENT DOCUMENTS OR RECORDS RELATING TO THE PROGRAM FOR THE PURPOSES OF EVALUATION AND AUDIT.

(C) REVOCATION OR SUSPENSION.-IF THE ATTORNEY GENERAL DETERMINES, AS A RESULT OF THE REVIEWS DESCRIBED IN THIS SECTION, THAT A GRANT RECIPIENT IS NOT IN SUBSTANTIAL COMPLIANCE WITH THE TERMS AND REQUIREMENTS DESCRIBED IN THIS ACT, OR WITH THE REGULATIONS ISSUED BY THE ATTORNEY GENERAL, THE ATTORNEY GENERAL MAY REVOKE OR SUSPEND GRANT FUNDING, IN WHOLE OR IN PART AFTER OPPORTUNITY FOR A HEARING.

SEC. 6. STUDY.

Not more than one percent of the funds appropriated to carry out this Act shall be directed to the Attorney General to finance a study evaluating grants made under this Act. At a minimum, this study shall include the following:

- (1) The number of grant awards made and the amount of each grant.
- (2) The recipients of grants, including the communities in which they are based.
- (3) The purposes for which the grants were awarded and used.
- (4) An evaluation of the achievement of each recipient's stated goals and objectives.
- (5) An assessment of the effect the program had in encouraging and supporting coordinated community action against crime.
- (6) Specific recommendations for further funding for each grant recipient.
- (7) Specific recommendations for future operations of the grant program and its guidelines.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act \$10,000,000 for fiscal year 1998 and such sums as may be necessary for each of fiscal years 1999 through 2002.

The Boston Herald

February 23, 1997 Sunday FIRST EDITION

SECTION: EDITORIAL; Pg. 023

LENGTH: 1099 words

HEADLINE: Prosecutors play hardball - With citizens, police and courts working together, crime drops dramatically

BYLINE: By Catherine Coles and George L. Kelling

BODY:

Crime levels are dropping in Boston at a remarkable rate. The reductions in violent juvenile crime since 1990 (juvenile homicides down 80 percent) and during 1996 (no firearm murders of juveniles) are stunning achievements. The Police Department is deservedly receiving praise for its creative efforts, all the more noteworthy when only four years ago the St. Clair Commission excoriated the department for its inability to plan and implement community policing.

Yet more is happening in Boston than dramatic changes in policing: A parallel, if unrecognized, revolution is taking place in prosecution.

On a May 1995 weekend, when police undertook the first so-called zero tolerance sweep against prostitution, public drinking, disorderly conduct and quality of life crimes in East Boston's Safe Neighborhood Initiative, Assistant District Attorney David Coffey was there. Coffey had worked with citizens and police for months to plan the initiative - with the district court presiding judge to handle anticipated arrests - and was committed to prosecuting the resulting cases.

About 50 arrests were made. By Sunday, police were picking up word on the streets - offenders knew something was happening and were lying low. And the police were amazed that Coffey had worked alongside them on Friday and Saturday nights, not just in the courtroom but on the streets and in the station.

Coffey is not alone. Other prosecutors are moving out of their offices and courtrooms, into the streets of Dorchester, Roxbury and Chelsea, to collaborate with citizens, to address local priorities and problems. Adopting a problem-solving orientation - rather than concentrating solely on processing cases involving crimes already committed - represents a return to an earlier historical era for American prosecution.

Historian Allen Steinberg provides rich accounts of 19th-century century

private prosecution in which poor and working-class citizens turned to prosecution to settle disputes, maintain order and protect themselves, bringing to the criminal courts their disputes over everything large and small - noisy nuisance charges between tenants, disorderly conduct, the dissolution of business contracts, larceny, and assault and battery.

During the second half of the 19th century, with the creation of professional police forces and their broad powers of arrest, state prosecutors assumed increasing responsibility for dealing with the cases brought to them by the police. Citizens began to lose direct access to criminal justice processes - a trend that grew stronger during the 20th century, with greater professionalization in the roles of police and prosecutors.

Today the watchword is "community prosecution." Taking its cue from citizens themselves, and from community policing, community prosecution emphasizes crime prevention as well as enforcement, and quality of life issues in addition to violent crime. Community prosecutors lead in building coalitions with police, other criminal justice agencies, elected officials, community organizations, local businesses, schools, churches and residents - and then work as part of a team to develop strategies, identify and obtain resources, and assume joint responsibility for improving public safety.

Most use problem solving to aggressively prosecute habitual and violent offenders, while forming community-based partnerships to develop diversion, treatment, mediation, and community service or restitution options in which both offenders and the community are better served by rehabilitation or swift punishment than they are by incarceration.

In Boston, Suffolk County District Attorney Ralph Martin and Massachusetts Attorney General Scott Harshbarger have created several Safe Neighborhood Initiatives, placing prosecutors such as David Coffey in target neighborhoods where they get to know residents and crime problems. They meet with crime watch groups, neighborhood associations and citizen advisory councils. They prosecute cases from the area and, along with citizens, police, corrections and probation officials, plan law enforcement and other efforts to prevent or reduce crime - from sting operations to mediation, elderly safety education, youth activities, alcohol abuse programs and a host of others.

The results are convincing: Residents and merchants see an improved quality of life on streets they feel are safer, and crime has decreased significantly (down 18 percent in East Boston in 1996). Prosecution rates are up - close to 90 percent of offenders arrested through East Boston SNI activities in 1996 were prosecuted.

Through the Community Based Juvenile Justice Program, other prosecutors lead discussions with middle and high school officials to identify and assist youth

at risk to themselves; in the courtroom they prosecute more resistant juvenile offenders to protect other students and the community. Upcoming plans call for placing assistant district attorneys directly in neighborhood police stations around the city to coordinate their activities closely with police.

Community prosecution is producing important outcomes nationwide. In Austin, Texas; Kansas City, Mo.; Indianapolis, Ind.; and Portland, Ore., it is helping to reverse the alienation of citizens from criminal justice processes, rebuilding a sense of responsibility and involvement for maintaining safety in their own neighborhoods - a change that in the long run is likely to do more for our cities than any actions by police or prosecutors.

Prosecutors are affecting crime rates and the quality of life in their communities. They possess legal knowledge required by police and citizens. They have access to judges and courts, and carry the ball beyond the arrest stage, prosecuting low-level offenses and violent crimes. Because they are elected, prosecutors are the only criminal justice officials directly accountable to the public. Without prosecutors on board, reductions in crime around the country cannot be sustained; with their leadership, we may not yet have seen the full extent of what can be achieved to restore order and reduce crime in our neighborhoods.

Catherine Coles and George Kelling, co-authors of "Fixing Broken Windows," are completing a National Institute of Justice study of community-based prosecution and policing in Boston, Austin, Kansas City and Indianapolis. Coles is an urban anthropologist, lawyer and research associate at the Kennedy School of Government, Harvard University. Kelling is professor of criminal justice at Rutgers University and a research fellow at the Kennedy School.

LOAD-DATE: February 26, 1997

ABC NEWS

SHOW: WORLD NEWS TONIGHT WITH PETER JENNINGS (6:30 pm ET)

MAY 8, 1997

Transcript # 97050807-j04

TYPE: PACKAGE

SECTION: NEWS

LENGTH: 688 words

HEADLINE: SOLUTIONS

BYLINE: JAMES WALKER, PETER JENNINGS

HIGHLIGHT:

NEIGHBORHOOD PROSECUTOR TACKLES CITIZENS COMPLAINTS

BODY:

ANNOUNCER: World News Tonight with Peter Jennings continues. Now, "Solutions."

PETER JENNINGS: Our focus tonight is on crime. The big story lately has been that the crime rate in many cities has been going down. Some of the credit goes to a change in the way police are operating, going back to the way police used to do their jobs -- walking a beat, spending real time in neighborhoods, becoming a part of it in essence.

Tonight, ABC's James Walker reports on a community which has taken that personal approach one step further.

JAMES WALKER, ABC News: (voice-over) East Boston has a very unusual tool for fighting crime -- its own neighborhood prosecutor, John Pappas (ph).

JOHN PAPPAS, Prosecutor: He's being held on \$20,000 cash bail.

JAMES WALKER: (voice-over) He meets regularly with citizens groups to hear their concerns, not so much about major crimes but what affects them every day, like graffiti, loitering or underage drinking.

EAST BOSTON CITIZEN: I know that he is past. You could stand right out in the square here and just watch him walk by carrying the cases of liquor.

JAMES WALKER: (voice-over) Pappas takes the citizens complaints to a special

task force of local judges and police who develop an immediate strategy to solve their concerns.

POLICE DETECTIVE: There he goes.

JAMES WALKER: (voice-over) And detectives follow up with a sting operation, sending a 20-year-old police cadet into East Boston's liquor stores.

POLICE DETECTIVE: It's a score. He's underage. You failed to check his identification to see the correct age.

JAMES WALKER: (voice-over) In addition to issuing the usual summons, police will also file a criminal complaint, and the prosecutor will give it extra attention. In court, prosecutor Pappas consistently reflects the community's priorities. For example, a small marijuana case -- too small to keep the defendant in jail until he's tried. But Pappas gets him out of the community immediately.

JOHN PAPPAS: I wanted to ask that he stay away from that area for the pendency of this case, Your Honor.

JUDGE: A condition of your release, sir, you will remain away from that particular area where you were arrested.

CATHERINE COLES, Harvard University: You can see immediate problems being solved. You know, a single, troublesome individual gotten off the street, out of the neighborhood due to the combined efforts of prosecutors and citizens and police all working together.

JAMES WALKER: (on camera) The idea of vigorously prosecuting so-called quality of life crimes such as public intoxication or loitering is just starting to be adopted by prosecutors across the country. What they are realizing is that by addressing residents' complaints, they not only build a partnership with communities, they also stop small crimes before they turn into more serious offenses.

(voice-over) Since this partnership again in East Boston three years ago, the overall crime rate has dropped 25 percent. Car thefts are down 52 percent; drugs, 56 percent; and prostitution, a stunning 80 percent.

FRAN RILEY, East Boston Resident: You can walk our streets now. It's safe. I can out with my granddaughter now, you know, walk around, whereas a couple of years back, it was getting kind of nasty.

MARTIN COUGHLIN, East Boston Resident: You don't see a drug dealer around. You can look around. There's nobody here.

JAMES WALKER: (voice-over) Neighbors point with pride to East Boston's central square. A few years ago, it was a haven for drunks and drug dealers. Now, it again belongs to the people. James Walker, ABC News, East Boston, Massachusetts.

PETER JENNINGS: This concept is still pretty new. But several other cities are trying it, including Kansas City, Indianapolis, Portland, Oregon, and Austin, Texas.

The Washington Post

May 04, 1997, Sunday, Final Edition

SECTION: METRO; Pg. B01

LENGTH: 1059 words

HEADLINE: Howard County Seeks to Erase Graffiti, Other Quality-of-Life Crimes

BYLINE: Fern Shen, Washington Post Staff Writer

BODY:

Someone had spray-painted the letters "SPC" all over a convenience store in the suburban Howard County community of Columbia. Big deal. It's the kind of obnoxious-but-low-level crime that is usually handled in District Court, along with minor traffic infractions.

But the alleged graffiti writer was linked to other graffiti -- on a high school scoreboard, highway overpasses, an 18-wheeler. His home was searched. Evidence was seized. SPC was said to stand for "Satan's Perfect Child." Christopher Falk, 23, of Columbia, was arrested and charged with 16 counts of malicious destruction. This month, he faces a jury trial in Circuit Court. Why the tough treatment?

Because the crime is precisely the kind of quality-of-life diminisher targeted by the "community justice" program, established last year by the state's attorney's office in Howard County and by an increasing number of prosecutors nationwide.

Those prosecutors focus on crimes that "really stick in people's craws," said Sang W. Oh, a prosecutor in the Howard County state's attorney's office.

Such programs have been criticized by defense attorneys as overkill, showy public relations gestures that divert resources from serious crimes.

"Why don't they concentrate on rapes and murders?" said Falk's attorney, William Hale, of Silver Spring. "They acted like the Gestapo; they treated him like a war criminal. It's ridiculous."

But petty crimes are not so easily dismissed by the people victimized by them, said Oh, one of two assistant state's attorneys assigned to the new Howard County program.

"I don't know any one of my neighbors who have been raped or murdered, but I

know plenty whose mailboxes got run over, who had sleds stolen from the back yard or whose cars got hit by kids who were drinking," Oh said.

Modeled after the community policing concept and often referred to as "community prosecution," the programs place prosecutors in neighborhoods to listen to residents' complaints about vandalism, threatening behavior, small-time drug trafficking, petty theft and similar crimes.

"This is how prosecutors will work with communities in the future," said State's Attorney Marna McLendon (R), who initiated the program on a pilot basis in two Columbia villages, Harper's Choice and Wilde Lake.

Prosecutors have been logging long hours at neighborhood meetings and in the schools, because juveniles are involved in many of the crimes they confront.

Similar programs have been established in the District; Chicago; New York; Kansas City, Mo.; Cambridge, Mass., and many other cities, where residents and law enforcement officials have struggled to find a more effective way to combat "nuisance crimes."

"What you're seeing is the prosecutors redefining their roles a little bit, so that they're not just responsible for responding to crimes, for processing cases, but more for preventing crime," said Heike Gramcow, director of management and program development for the American Prosecutors' Research Institute, the research arm of the National District Attorneys Association.

The prosecutors who run a six-year-old program in Portland, Ore., say the community has seen results as they closed crack houses and helped neighborhoods get the speed bumps they wanted.

In Northeast Washington, where U.S. Attorney Eric H. Holder Jr. set up a community prosecution pilot program last year, cases have run the gamut from serious crimes, such as murders in particular neighborhoods, to nuisances, such as abandoned automobiles and rat infestation.

"We're trying to be there for people, but also to give people a sense [of], 'This is your neighborhood; you've got to tell us what's going on,' " said Brenda Johnson, deputy chief of the District's community prosecution section.

In a neighborhood plagued by youths shooting at each other, prosecutors cracked down, partly by charging some of the youths but also by bringing in their mothers for a stern lecture, Johnson said. In another instance, Johnson recalled, she helped an elderly woman complaining about a trashed-filled lot by calling up the property owner and lambasting her for her negligence.

"We do a lot of that -- shaming people into doing right," Johnson said.

In the same way, Oh, in Howard County, is looking for a low-key but more effective way to deal with a knife-carrying homeless man who has been intimidating shoppers at one of the village centers.

"My first move will be to try and get the liquor store there to stop selling him liquor. If he doesn't stop, I could get the other merchants there to lean on him," Oh said. Prosecutors also might also seek addiction services for the man or get his family involved, Oh said.

Columbia residents came up with a solution themselves in the case of a vacant lot where people were gathering to drink and deal drugs: They circulated a petition to have the lot legally designated as "open space," meaning it had to close at 10 p.m. Oh researched the procedure in the law books and pushed their proposal through all the necessary agencies. Now police can force people off the lot after hours and ticket violators.

"Being in the position I was," Oh said, "I could grease the skids."

Oh's efforts in the graffiti case, however, seem overly harsh to Christopher Falk's relatives, who say the county is making him "a scapegoat."

"They decided to add all the graffiti in Columbia to his case," said Falk's mother, Geraldine Falk, whose son lives with her. "I don't even know if he did it or not. But do they really have to go to such an extent for something so minor? I think they just don't have enough to do."

Oh, however, said his efforts are meant to send "a strong message of deterrence."

"We want it understood this [graffiti] will not be tolerated," he said. "That's a sentiment that I got loud and clear from the community."

Ordinarily, such a case would have remained in District Court, Oh said, where an offender probably would receive a suspended sentence or probation before judgment, meaning the person would not have a criminal record.

Oh, however, plans to seek sizable restitution and some "more appropriate punishment."

"The things I'm hearing people talk about are old-fashioned punishments, like making the person go out and repaint where they'd painted," Oh said. "I like the sound of that."

LANGUAGE: ENGLISH

LOAD-DATE: May 04, 1997