



# JAIBG

Juvenile Accountability Incentive  
Block Grants Program

## BULLETIN

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### From the Administrator

When rising expectations meet dwindling resources, the conflict represents an obstacle that must be overcome. Add to this mix an increasingly high and complex caseload and you have an idea of the challenges faced by many prosecutors—challenges that require and merit our support. To this end, the Juvenile Accountability Incentive Block Grants (JAIBG) program provides funds to help prosecutors tackle the problems presented by the rising number of juvenile cases.

This Bulletin, one in a series featuring JAIBG Best Practices, offers data on recent trends in juvenile violence, juvenile drug offenses, and gang-related juvenile offending and describes prosecutorial responses to such offenses. Examples of promising, prosecutor-led programs combating the illicit use of guns, violence, drugs, and gangs are also provided. These examples provide a range of ideas that prosecutors can use to enhance their own efforts.

**Shay Bilchik**  
Administrator



## Enabling Prosecutors To Address Drug, Gang, and Youth Violence

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*This Bulletin is part of OJJDP's Juvenile Accountability Incentive Block Grants (JAIBG) Best Practices Series. The basic premise underlying the JAIBG program, initially funded in fiscal year 1998, is that young people who violate the law need to be held accountable for their offenses if society is to improve the quality of life in the Nation's communities. Holding a juvenile offender "accountable" in the juvenile justice system means that once the juvenile is determined to have committed law-violating behavior, by admission or adjudication, he or she is held responsible for the act through consequences or sanctions, imposed pursuant to law, that are proportionate to the offense. Consequences or sanctions that are applied swiftly, surely, and consistently, and are graduated to provide appropriate and effective responses to varying levels of offense seriousness and offender chronicity, work best in preventing, controlling, and reducing further law violations.*

*In an effort to help States and units of local government develop programs in the 12 purpose areas established for JAIBG funding, Bulletins in this series are designed to present the most up-to-date knowledge to juvenile justice policymakers, researchers, and practitioners about programs and approaches that*

*hold juvenile offenders accountable for their behavior. An in-depth description of the JAIBG program and a list of the 12 program purpose areas appear in the overview Bulletin for this series.*

While overall violent crime decreased between 1985 and 1994, according to both the Federal Bureau of Investigation's (FBI's) Uniform Crime Reports and victimization surveys, the number of juveniles arrested for serious crimes increased (Bishop, 1997). In the same time period, juvenile courts experienced disproportionate increases in cases involving violent offenses and weapons. Cases involving crimes against persons were up 93 percent, Violent Crime Index offenses (a subset of person offenses) were up 98 percent, and weapons law violations were up 156 percent (Snyder, Sickmund, and Poe-Yamagata, 1996). Drug and public order offenses also saw large increases. In 1995, a drop in these disturbing trends was recorded, a trend that continued through 1996 and 1997. Nevertheless, public attitudes continue to reflect heightened concerns about the rise in juvenile crime that began in the mid-1980's. These concerns were fueled by a few criminologists who predicted a coming generation of "superpredators"

based on the decade-long growth in serious and violent juvenile crime arrests and the fact that, by the year 2005, the number of teens ages 14–17 will be 20 percent above the 1994 level (Chaiken, 1997).

Juvenile justice policy continues to change in response to the same phenomena. Historically, juvenile court dispositions were based on children's best interests (Platt, 1977; Rothman, 1980). Thus, sentences were indeterminate, because the length of time required for rehabilitation varies with each youth. Within the past decade, however, many States have adopted mandatory sentencing schemes or developed strict sentencing guidelines. Although indeterminate sentences have not been eliminated completely, one-third of all juvenile court sentencing statutes now include mandatory statutes or sentencing guidelines (Torbet and Szymanski, 1998).

Many States have also modified the purpose clauses or mission statements in their juvenile codes, which outline the philosophy underlying the code (Feld, 1988, 1991, 1992). Originally, many clauses focused on juveniles' emotional and physical well-being, on maintaining their ties with the community, and, if they were removed from their homes, on giving care and discipline equivalent to that of the parents. Since 1992, 90 percent of laws concerning juvenile crime have been revised, many times in response to the belief that serious and violent juvenile offenders must be held more accountable for their actions (Torbet et al., 1996). In 1997, of the 50 State juvenile code purpose clauses,<sup>1</sup> 9 focused exclusively on punishment; 9 focused on prevention, diversion, and treatment; and 32 focused on both. Recent changes in State laws—addressing issues such as jurisdictional and sentencing authority,

<sup>1</sup> Arizona is included in this total, even though its philosophy is addressed in case law, not in the State's juvenile code or statute (Snyder and Sickmund, 1999).

confidentiality in the juvenile court, and victims' rights—reflect the growing public concern about youth crime.

The Juvenile Accountability Incentive Block Grants (JAIBG) program also is a response to juvenile crime trends of the decade from 1985 to 1994 and the many changes in juvenile justice policies over that time. As outlined in more detail in the *Juvenile Accountability Incentive Block Grants Program Guidance Manual* (Office of Juvenile Justice and Delinquency Prevention, 1998, 1999b), JAIBG funds are available to address 12 program purpose areas designed to promote greater accountability of juveniles in the juvenile justice system. Three of the twelve purpose areas focus on enhancing local prosecutors' abilities to address juvenile crime.<sup>2</sup> This Bulletin focuses on Purpose Area 5, which provides funding to enable prosecutors to address drug, gang, and youth violence problems more effectively. Prosecutors are experiencing heavy caseloads in all three of these crime categories and are increasingly looking for more comprehensive approaches to tackling these problems.

## Trends in Juvenile Violence

Juvenile violence increased dramatically between 1985 and 1994. Although statistics from 1995 to 1997 indicate a reversal of this disturbing upward trend in 1995 (Snyder, 1998), juvenile violent crime arrest rates are still well above the 1985 level. Of particular concern is that juvenile violence has become more lethal, demonstrated by the doubling of the juvenile arrest rate for murder and for weapons law violations between 1987 and 1993 (Snyder, 1997). Although today's violent youth commit the same number of violent acts as

<sup>2</sup> Purpose Areas 4 and 6, which focus on (1) hiring additional prosecutors and (2) providing funding for technology, equipment, and training, respectively, are addressed in another Bulletin in this series, *Enhancing Prosecutors' Ability To Combat and Prevent Juvenile Crime in Their Jurisdictions* (Gramckow and Tompkins, 1999).

their predecessors of 15 years ago, a greater proportion of juveniles are committing violent acts (Snyder, 1997).

In the National Institute of Justice's (NIJ's) Drug Use Forecasting study, arrestees were interviewed regarding gun acquisition and use (National Institute of Justice, 1996). The juvenile males studied reflected juveniles entering the justice system nationwide. They were disproportionately black or Hispanic, and most were age 15 or older. The proportion of juveniles who admitted to current membership in a gang ranged from 2 to 41 percent. The proportion of respondents who were charged with a weapons offense ranged from 1 to 12 percent. Among the juvenile males interviewed, however, 20 percent said they carried a gun all or most of the time. Two-thirds of the juvenile respondents said they carried a gun for protection or self-defense. Among drug sellers and gang members, the proportion was higher (4 in 10) than among other arrestees (3 in 10). When asked if using a gun was appropriate, 18 percent of juvenile offenders agreed that "it is okay to shoot someone who disrespected you." For drug sellers, 21 percent agreed to this, as did 34 percent of gang members.

## Trends in Juvenile Drug Crimes

Delinquent youth use drugs at a higher rate and at an earlier age than do their nonoffending counterparts (Catalano et al., 1988; Dembo et al., 1991; Haggerty et al., 1989). Findings from NIJ's Arrestee Drug Abuse Monitoring (ADAM) program (NIJ's replacement for the Drug Use Forecasting study), which evaluated drug use among juvenile arrestees in 12 sites, showed that the proportion of juvenile arrestees testing positive for marijuana ranged from 47 to 64 percent and the proportion testing positive for cocaine ranged from 4 to 15 percent (National Institute of Justice, 1999). Other studies have also shown that

delinquents who use drugs are responsible for disproportionately higher rates of offending and elevated levels of violent offenses and face a greater risk of future offending compared with delinquents who do not use drugs (Catalano et al., 1989; Hawkins et al., 1988; Baird, Storrs, and Connelly, 1984).

The link between drug addiction and criminal behavior (Ball et al., 1981) suggests a need for effective drug treatment. Little is known, however, about the effectiveness of drug treatment for juvenile offenders. The broader drug treatment literature suggests that treatment program length, treatment modality, type of admission, and level of program implementation influence the level of success of clients receiving treatment.

For any jurisdiction considering the development of appropriate responses to drug addiction, it is essential to know that length of treatment has been found to affect treatment outcome more than any other variable. Simpson, Savage, and Lloyd (1979) suggest that at least 3 months of treatment for any type of drug abuse is necessary, while Hubbard and colleagues (1989) indicate that 6 to 12 months is necessary. Longer retention in treatment programs and completion of treatment programs have also been found to reduce future drug use and criminality and to increase employment (Anglin and Hser, 1990; Catalano et al., 1988; Charuvastra et al., 1992; Simpson and Sells, 1982). Although treatment setting (e.g., correctional institution, group home, hospital) may be important in program success, more critical are the modalities used within the setting. Garrett (1985) concluded that treatment involving cognitive-behavioral techniques (e.g., development of the individual's skills for controlling behavior and solving problems) appeared to be most successful. Evidence for the effectiveness of other types of therapy (e.g., psychodynamic, individual, and group) and of academic and outdoor

challenge programs is not as consistently positive (Mulvey, Arthur, and Reppucci, 1993; Lipsey, 1992; Gordon and Arbuthnot, 1987; Greenwood, 1986).

It also has been shown that court-ordered treatment is not significantly less effective than voluntary treatment. In fact, Aron and Daily (1976) found that residential treatment is most effective for legally coerced clients who have been using relatively moderate amounts of drugs for shorter periods of time. Individuals for whom treatment is legally mandated stay in treatment longer and are more successful after treatment than are those admitted voluntarily, despite the generally held belief that treatment is ineffective without personal motivation (Allison and Hubbard, 1985; DeLeon, 1985; Siddall and Conway, 1988).

Although residential drug treatment programs show promise in reducing other forms of reoffending, drug use relapse rates are high. Findings suggest that nearly two-thirds of all individuals completing treatment relapse (Hunt and Bepalec, 1974), with the greatest risk occurring in the first 6 months after treatment (Hoffman and Miller, 1993). The relatively high rate of drug abuse among juvenile offenders compared with nonarrestees and these relapse rates indicate a need for aftercare treatment services to reinforce skills and behaviors learned during treatment (Altschuler and Armstrong, 1991).

### **Trends in Gang-Related Juvenile Crime**

Research has demonstrated that adolescents who join street gangs are more involved in delinquent acts than are adolescents who do not join such gangs. This is especially true of serious and violent delinquency (Howell, 1998). Moreover, the association between gang membership and delinquency has been observed from the earliest to the most contemporary gang research (Thornberry and Burch,

1997). Gangs and crime committed by gang members are pervasive in many American cities, presenting a challenge to law enforcement.

In a 1995 survey, more than 80 percent of prosecutors acknowledged that gangs were a problem in their jurisdictions and said they were vigorously pursuing prosecution of gang crimes. Ultimately, prosecutors believed that early intervention with youth and more effective services designed to strengthen families were necessary to prevent gang violence and crime (Johnson, Webster, and Connors, 1995).

The 1997 National Youth Gang Survey, sponsored by the Office of Juvenile Justice and Delinquency Prevention's National Youth Gang Center, collected data from nearly 3,000 law enforcement agencies. The results show that the gang problem in the United States is substantial and impacts communities of all sizes with nearly 75 percent of large cities and approximately 25 percent of rural communities reporting gang activity. The results suggest that 816,000 gang members were active in 30,500 gangs (Moore and Terrett, 1999).

### **Prosecutorial Responses**

The increases in youth violence and drug- and gang-related crime require specific prosecutorial responses. Prosecutors can take leadership in and responsibility for the development and implementation of special programs, work with other agencies on collaborative programs, give referrals, or function as part of a broader communitywide juvenile justice effort.

Because prosecutor needs vary by jurisdiction, it is only by tailoring programs to address local crime and offenders that system efficiency and offender accountability can be advanced. In addition to developing specific programs, prosecutors can utilize traditional methods of prosecution to address gang- and drug-related crime. The following illustrates just two of many such methods:

■ **Recommendation of graduated sanctions.** Graduated sanctions may include curfew restrictions, restitution, community service, conditions imposed by community council agreements, fines, probation, short-term confinement, supervised release, drug testing, mandatory treatment, out-of-home placement, and long-term confinement. Sanctions should escalate in severity with each subsequent, more serious adjudication or violation of probation. Even less serious offenses need to be responded to with an appropriate intervention. A lack of response delivers the message to juvenile offenders that they can act without consequence. Active consideration of such a system of graduated sanctions serves as one eligibility requirement for JAIBG funding.

■ **Transfer of the most serious and violent juvenile offenders to criminal court.** Most juvenile court systems are well equipped to address the needs of the vast majority of delinquent offenders. However, if offenders have demonstrated that they are not amenable to treatment in the juvenile justice system or if the nature of the crime warrants, transfer to criminal court is a necessary option. Transfer of these offenders may protect juveniles who remain in the system and free up scarce juvenile system resources to focus on those offenders who will benefit most from the system's rehabilitative programs.

The following sections describe "prosecutor-led" programs initiated, developed, and/or operated by prosecutors. Contact information for these programs is provided later in this Bulletin, under the "For Further Information" section.

### **Prosecutor-Led Antigun and Antiviolence Programs**

The following programs address juvenile violence, with a focus on

gun violence. These programs present a broad range of activities from comprehensive to less extensive, from prevention to enforcement focused.<sup>3</sup>

#### **Pima County Firearms Awareness Safety Training Program**

The Pima County (AZ) Firearms Awareness Safety Training Program offers a firearm awareness course to juveniles who are charged with firing or carrying a gun and who do not have serious or lengthy criminal histories.

**Program operation.** Juveniles charged with minor gun offenses are referred to the probation department, at which time they and their families are interviewed. If the offense and offender are appropriate for the program, the case is forwarded to the prosecutor's office. If the prosecutor's assessment of the case is consistent with that of the initial screener, the case is returned to the probation office for diversion.

As part of the diversion process, the juvenile and his or her parent attend a 4-hour firearm awareness course presented by community volunteers certified in firearms safety instruction. A prosecutor and probation officer facilitate the session. Topics include firearm safety, security tips, legal rules and consequences, and the danger of guns. Upon the juvenile's completion of the course and satisfaction of any additional conditions imposed by the probation department, the charge is dismissed. Although the juvenile avoids formal adjudication and probation, the charge and consequences imposed are nevertheless noted on the juvenile's court record.

**Program goals.** Early and meaningful intervention is intended to halt juveniles' involvement in the justice system,

<sup>3</sup> For more descriptions of programs that focus on gun violence, see Office of Juvenile Justice and Delinquency Prevention, 1999a.

thus preventing their return as repeat youthful offenders or adults charged with more serious gun offenses.

**Program benefits.** The time and resources necessary to develop the educational program are significantly less than those required to support the prosecution of a juvenile charged with a more serious gun offense. Juveniles and their families are exposed to accurate information about guns and gun security, which should lead to increased gun safety.

**Role of the prosecutor.** Because weapons cases frequently involve victims who have suffered grave harm and the consequences of reoffending are significant, it is essential that offenders diverted to the program be carefully screened. Prosecutors, who have access to the juveniles' criminal histories and knowledge about the nature and circumstances of the offense, are well suited to monitor the screening and referral process. Prosecutors also facilitate, coordinate, and are present at the firearm awareness course.

**Program obstacles.** A frequent comment received about the program is that it should be offered in schools to all juveniles. Because of limited resources and reliance on community volunteers, the program is currently available only to juveniles who are already involved in the juvenile justice system. With funding available through JAIBG Purpose Area 5, this type of program could be expanded to reach a greater number of juveniles, especially those who have not yet committed an offense but who are at risk of carrying and using a gun to commit a delinquent act.

#### **Boston Gun Project**

The Boston Gun Project was initiated in response to the increasing rate of gang violence and murder experienced within the city in the late 1980's to early 1990's. The program, which is part of a three-pronged strategy of prevention, intervention, and enforcement, targets

illegal gun market distributors who sell to youth. It coordinates the efforts of the Bureau of Alcohol, Tobacco and Firearms (ATF), U.S. Attorney's Office, U.S. Drug Enforcement Administration, and the FBI with efforts of the Suffolk County District Attorney's Office.

**Program operation.** ATF's National Training Center traces the serial numbers of all recovered guns provided by the police department to analyze the supply of and demand for guns. Often, the ATF can determine the identity of initial and subsequent sellers. The information is analyzed to construct cases against sellers, used to identify gun trafficking routes, and distributed to local police departments; all of these techniques contribute to the investigation of cases across jurisdictional boundaries.

**Program benefits.** Program benefits include interagency coordination and information sharing. Prosecutors have stronger cases based on the evidence derived from the serial number collection and analysis.

**Success.** In 1995, the youth homicide rate in Boston was 80 percent lower than in 1990. In 1996, no minors died as a result of firearm homicide in Boston. In schools, the violent crime rate fell more than 20 percent in the 1995–96 academic year (Mayor's Public Safety Cabinet, 1996).

### Serious Habitual Offender Comprehensive Action Program

The Serious Habitual Offender Comprehensive Action Program (SHOCAP) is an interagency case management system that enables the juvenile justice system (probation, prosecutors, judges, police, and correctional departments) and human services (social service and welfare) agencies to make better informed decisions regarding the small number of juveniles who commit a large percentage of serious crimes.

**Program operation.** SHOCAP's core concept is to coordinate efforts of agencies dealing with youth. In Florida, for

example, every agency that has contact with youth in the juvenile justice system is represented at the table in a SHOCAP interagency workgroup. These agencies include police, schools, human services agencies (particularly agencies helping children and their families involved in dependency cases), corrections, the courts (e.g., court administrators, judges, public defenders), and prosecutors.

In determining the criteria for defining a juvenile as a serious habitual offender (SHO), most SHOCAP projects develop a generic description of such an offender based on local data. Such a description may outline, for example, that the average SHO:

- Has been reported missing or has run away at least once.
- Is associated with some type of gang or group criminal activity.
- Is drug-involved (whether using or selling).
- Associates almost exclusively with other serious habitual offenders.
- Was 10 years old at first arrest, has been arrested an average of 28 times during his or her criminal career, and averages 18 felony arrests.
- Was primarily a property offender at first and then moved to person crime.
- Is currently on parole from a residential placement.
- Is rearrested every 43 days; was arrested 2.5 times prior to the first adjudication withheld, 9 times prior to his or her first delinquency adjudication; and has been adjudicated an average of 10 times (Uzzel, 1997).

SHOCAP seeks to determine which program is best suited for each youth. Reintegration and aftercare are as important as the appropriate sentence; unless there are strong reintegration and aftercare programs, serious

offenders returning to the community will almost certainly reoffend. Programs should allow police, prosecutors, and schools to have input into the types of supervision and treatment selected.

All terms of supervision for SHO's generally are listed and distributed to every police officer. The police officers report to the corrections agency when they see an offender violate curfew or any other release condition. In some States, current laws may not allow an immediate arrest if such a violation is observed by police. In most States where SHOCAP is instituted, however, police are required to arrest the violator. Good community policing goes hand in hand with SHOCAP.

**Program goals.** The program objectives for SHOCAP are fourfold:

- Increased cooperation and coordination among agencies interacting with youth.
- Creation of an operational model for dealing with serious habitual offenders, to include school placements, police contacts, arrest procedures, case management, program placement, and reintegration/aftercare.
- Improved information collection and information sharing (e.g., social service agencies' dependency information, school records, law enforcement information, and court adjudications), leading to a picture that explains much about the child's criminal activity (e.g., known associates, parents/siblings, police field contacts, school placement, and terms of supervision).
- Suppression and control of the criminal activity committed by these offenders.

**Program benefits.** Benefits include access to more complete profiles of habitual offenders, improved and more efficient information sharing, and more efficient use of resources.

**Success.** When Florida started its SHOCAP program, an assessment of juvenile records showed that 184 repeat offenders accounted for 35 percent of all juvenile arrests and 56 percent of Part I (the most serious property and violent crimes) juvenile felony arrests (Uzzel, 1997). It was felt that a program that targeted the most serious, repeat juvenile offenders could have a significant impact on criminal activity. A 1995 independent evaluation of SHOCAP programs revealed that more serious repeat offenders were incapacitated (i.e., they were detained and confined securely) and interventions occurred earlier, which reduced the level and scope of serious crimes committed by these youth (Office of Juvenile Justice and Delinquency Prevention, 1996).

### **Prosecutor-Led Antidrug Programs**

Because the prosecutor possesses detailed information about the nature and circumstances of a case (e.g., whether drugs or alcohol were involved, whether the juvenile has a history of drug abuse or offense), he or she has a responsibility to bring such information to the court's attention. This is true particularly at the time of disposition or diversion, when consequences can be crafted to address the substance abuse problem, among other issues.

Programs targeting juvenile drug abuse and drug crime assume a variety of forms, and prosecutors have demonstrated a commitment to addressing the drug problem in innovative ways. The following examples demonstrate how prosecutors have assumed the lead in designing and/or operating programs to address drug crime and abuse in their jurisdictions.

#### **Duval County Drug Court**

Most drug courts focus on removing nonviolent drug offenders from the regular court system and placing

them on a calendar of their own, so that their cases can be heard by a judge trained in and committed to the treatment needs of the offender. Juvenile drug courts take the unique needs of the juvenile offender into account (e.g., potential family, peer, school, and addiction problems) in an effort to stop the cycle of substance abuse. As of April 1998, 43 juvenile and family drug courts were operating in the United States. Another 47 courts are being planned (Drug Courts Program Office, 1998). Program components vary, but essential elements include frequent drug testing, judicial and probationary supervision, drug counseling, drug treatment, educational opportunities, and the use of sanctions and incentives. Dispositions often include support services for the juvenile and his or her family.

**Program operation.** In 1996, the State's attorney for Jacksonville, FL, lobbied for implementation of a juvenile drug court in Duval County. The court began operation in 1997 as one of the first drug courts dedicated to juveniles. Juveniles between the ages of 13 and 17 who are charged with drug-related nonviolent misdemeanor or felony offenses and who have no history of violence are typically eligible for the drug court. Once they are accepted and agree, with their parents, to the terms of a 12-month diversion program, their cases are removed from the formal juvenile court calendar.

Conditions of the diversion agreement may include placement in a residential drug treatment facility, participation in an intensive 12-week outpatient program, and/or attendance at 12 weeks of individual and group counseling. Each juvenile's progress is monitored through intensive court supervision and frequent random urinalysis.

To ensure that the juveniles comply, the court employs positive and negative reinforcement with graduated

sanctions. When conditions are not satisfied, the juvenile is brought back before the court and immediate sanctions are imposed. Sanctions may include community service, rollback to an earlier treatment phase, an extension of program participation, and/or contempt proceedings. If all treatment and rehabilitative avenues have been exhausted, the charges are reactivated and the juvenile's case may be placed back on the formal court calendar for prosecution.

**Program goals.** Juvenile drug courts function to impose swift and firm consequences with effective and aggressive intervention. The goal is to treat the addiction in order to rehabilitate the offender.

**Program benefits.** Juvenile drug courts relieve the crowded juvenile court docket, expedite case processing, and provide treatment to juveniles in need. The judges, prosecutors, and public defenders assigned to the juvenile drug court become experts in the addiction needs of juvenile offenders, providing an environment conducive to recovery. Trends in drug use and crime can be monitored and shared with local law enforcement.

**Role of the prosecutor.** The prosecutor in Duval County took an active role in the development and implementation of the court. Prosecutors also screen cases for drug court suitability, represent the interests of the State and public safety in court proceedings, and monitor the effectiveness of drug court activities through recidivism rates.

#### **Project Alliance**

Project Alliance, established in Middlesex County, MA, is a collaborative program involving the district attorney's office, law enforcement, and school superintendents. It addresses local social, economic, and health-related problems that plague school communities and put students at risk. Since the program's inception

in 1988, educators, students, and parents have attended trainings conducted by the Alliance on a variety of topics, among them substance abuse and violence prevention. As a result of these efforts, many components of the juvenile justice system, schools, and the community have worked together to reduce juvenile delinquency, including drug use.

**Program goals.** Project Alliance raises awareness about the dangers of nicotine, alcohol, and other drugs and seeks to eliminate the abuse of illegal substances by Middlesex County students. The program also identifies trends in drug use, effective prevention strategies, and successful rehabilitative services.

**Program benefits.** The values and conduct of law-abiding juveniles are validated; a positive peer culture is supported; juveniles, parents, and teachers gain accurate information about substance abuse prevention and use; and at-risk students are identified and supported.

### Project Legal Lives

Project Legal Lives, Kings County (Brooklyn), NY, is a community-based antidrug prevention and education program developed by the district attorney in 1990. It was the first program of its type in the State, and prosecutors from many other jurisdictions have expressed interest in the program.

**Program operation.** Prosecutors teach a drug-use prevention and a bias-crime (or hate-crime) curriculum to all fifth grade classes. A truancy component has recently been added.

**Program goals.** The program seeks to increase student awareness about the dangers of drugs and legal consequences of taking drugs and to foster positive relationships between students and law enforcement.

**Program benefits.** An assessment of this program, conducted by the Kings

County District Attorney's Office, has shown that students develop an increased awareness of the consequences of drug use and trafficking. As an indirect benefit, the requirement for all assistant district attorneys to participate in this program has greatly increased their familiarity with youth issues and their ability to communicate with school system representatives.

### Juvenile Alcohol and Marijuana Diversion Program

The Juvenile Alcohol and Marijuana Diversion Program, Dakota County, MN, is a diversion and prevention program operated by the district attorney since 1991. The program serves first-time juvenile offenders between the ages of 10 and 17 who have been charged with the possession and/or consumption of alcohol or the possession of marijuana or drug paraphernalia. Juveniles can be referred to the program by school officials because of alcohol or drug use and by the court if drug or alcohol use is identified as a contributing factor to their offense.

**Program operation.** The program is designed to address juvenile violations of alcohol and marijuana possession laws by emphasizing an education/prevention/communication approach. Juveniles who are accepted into the program attend a 4-hour Chemical Abuse Awareness class with one or both parents. The class is conducted by River Ridge Treatment Center and the Dakota County chapter of MADD (Mothers Against Drunk Driving). The class provides the juvenile with skills to communicate and methods to make healthy decisions regarding drugs and alcohol. When the juvenile successfully completes the class, the juvenile's citation is dismissed.

**Program benefits.** The program relieves the crowded juvenile court docket by removing first-time low-level offenders from the system.

Juveniles receive education about the dangers of alcohol and drug use, which may help prevent their return to court. The class serves as a consistent and appropriate sanction for first-time offenders.

**Role of the prosecutor.** The Dakota County District Attorney's Office initiated and coordinates the program, from time of arrest to resolution of charge. If the juvenile does not choose diversion or fails to complete the program, the district attorney notifies the juvenile court to process the case and schedule a hearing.

### Prosecutor-Led Antigang Programs

Prosecutor-led antigang programs targeted to youthful offenders can assume a variety of forms. The following strategies can be used if offices cannot devote resources to developing specialized antigang programs. Depending on the needs of the jurisdiction, the prosecutor might consider applying these strategies alone or in tandem with specialized programs. The examples are not intended to constitute an exhaustive list, but to spark creative thinking about what might or might not work in a given locale.

■ **Vertical prosecution.** Vertical prosecution (i.e., a prosecutor handles a case from start to finish) helps focus office resources on serious cases, such as gang-related crimes, because it enables prosecutors to develop specialized knowledge about the case, gang crime, and gang culture. Prosecutors also are able to target gang offenders efficiently and consistently (Ehrensaff, 1991).

■ **Special gang unit or prosecutor.** An office with sufficient resources and a high number of gang crimes might create a specialized antigang unit. An office with fewer gang cases can achieve a similar effect by designating a single prosecutor to handle the jurisdiction's gang

cases; the prosecutor could work with special investigators or probation officers for a team approach in both the investigation and prosecution phases.

- **Victim/witness services.** Witness intimidation is a common problem in gang-related cases (Finn and Healey, 1996). If witnesses do not participate fully in the investigation and prosecution of a case, the case's strength and its likelihood for success are affected. Victim/witness intimidation also can damage the community's confidence in law enforcement's ability to maintain public safety and bring offenders to justice. Prosecutors must, therefore, address victim/witness issues in a comprehensive plan to affect gang crime. Although the specifics of this plan will vary according to the office's philosophy and resources, elements to consider include the following:
  - Victim/witness protection inside and outside the courtroom.
  - Videotaped pretrial testimony.
  - Assistance to community organizations to develop social intervention strategies for gang members and juveniles at risk of gang involvement (Ehrensaft 1991).
  - Aggressive prosecution of all instances of witness intimidation.
  - Requests for high bail in witness intimidation cases.
  - Requests to remove gang members from the courtroom.
  - Close management of key witnesses.
  - Emergency and short-term witnesses relocation.
  - Impeachment of prosecution witnesses if they alter their testimony (Finn and Healey, 1996).
  - Appointment of a victim advocate and investigator to

prepare victims and witnesses for trial and keep them apprised of case status (Johnson, Webster, and Connors, 1995).

- **Aggressive prosecution.** In many States, special legislation exists that enhances the prosecutor's ability to aggressively prosecute gang-related cases. For example, the Street Terrorism Enforcement and Prevention (STEP) Acts provide for sentencing enhancements and civil forfeiture of street gang assets and criminal proceeds in California, Florida, Georgia, Illinois, and Louisiana (Johnson, Webster, and Connors, 1995). Prosecutors who function in States without similar gang prosecution enhancements could work either to adopt legislation or to amend the existing criminal State statute to add gang offenses. Fourteen States have undertaken the latter approach primarily by adding sentencing enhancements to their statutes rather than creating new gang offenses (Johnson, Webster, and Connors, 1995).

- **Written policies and procedures.** The office should develop and articulate written policies and procedures to guide the handling of serious cases in order to ensure that cases are prosecuted efficiently and consistently. In developing a set of written policies and procedures that address gang-related crime, the prosecutor's office might include screening procedures, the collection and sharing of gang-related information, coordination among agencies involved in the prosecution of gang crimes, and procedures for cases that overlap with other divisions in the office (Ehrensaft, 1991).

With these general prosecution strategies to impact gang problems in mind, the following program examples provide a range of ideas that local jurisdictions can combine and

modify to fit their own specific needs and circumstances.

### **TARGET (Tri-Agency Resources Gang Enforcement Team)**

Begun in 1992 by the Westminster police chief, TARGET, Ocean County, CA, is a collaborative program of the district attorney's office, police department, and probation department. The program, which targets the most dangerous gangs and their leadership, is a proactive unit designed to prevent victimization.

**Program operation.** Using a prognostic assessment that relies on various criminal and social history factors (e.g., prior gun possession arrests at school), the TARGET team determines which gang member is most likely to offend next. The team observes that individual to catch him or her committing a nonserious crime. The team then aggressively prosecutes the gang member using vertical prosecution and other available gang prosecution enhancements.

The team concept is critical to the success of the program; it provides for information sharing and coordinated responses. For target development and information sharing, the team relies on "CALGANGS," a computer system with terminals in different counties. The identities of gang members are continuously entered into CALGANGS. When the team targets a gang member, his or her page is flagged. If the targeted gang member is stopped for any type of offense in the State, the TARGET team is notified so that it can support or assume prosecution of the case.

**Program goals.** The program takes dangerous gang members off the streets by aggressively prosecuting them for the commission of nonserious offenses (e.g., probation violation, vandalism) before they can commit serious/violent offenses.

**Program benefits.** TARGET, which has received much attention from



other jurisdictions, reports the program to be highly effective at reducing gang violence, preventing victimization, and saving lives.

**Role of the prosecutor.** The prosecutor's involvement in the program is critical, as is the participation of the probation and police departments. The prosecutor undertakes traditional prosecutorial tasks, such as case preparation and litigation, and coordinates closely with police and probation officers during the investigative and postconviction stages.

**Program obstacles.** The program is initially expensive to operate, because it focuses on aggressive and specialized prosecution of crimes that might otherwise be plea-bargained in a lower court. TARGET team members require specialized training in gang prosecution, which also is an expenditure of time and resources.

California gang laws facilitate the prosecution of gang cases by providing charging and sentencing enhancements. In States lacking similar legislation, the rate of success might differ.

**Success.** TARGET reports that the program has resulted in an approximate 60-percent reduction in gang violence in the areas in which it operates.

### Suffolk County Comprehensive Gang Initiative

The Suffolk County (MA) District Attorney's Office takes a comprehensive approach to gang issues, carefully balancing prevention, intervention, and suppression initiatives. The Suffolk County initiative focuses on gangs operating in and around the Franklin Hill public housing development.

**Program operation.** The program uses aggressive enforcement; undercover narcotics surveillance and tracking; collaboration among probation, parole, and prosecutors; fast-track prosecution and incarceration; educational programs to increase awareness of the local gang problem;

and special programs designed to provide at-risk youth with alternatives to joining gangs and participating in criminal behavior.

**Role of the prosecutor.** The prosecutor's office has been instrumental in developing and planning this effort and carries a significant portion of the operational responsibilities. The Boston Police Department works with the district attorney's office to analyze gang crime "hotspots" to identify districts in which the majority of gang-related problems are occurring. Together with other key players, the prosecutor develops and plans targeted prevention and enforcement strategies.

### Conclusion

Prosecutors can play a significant role in reducing and preventing juvenile involvement with drugs and related criminal activities, their involvement with criminal gangs, and youth violence overall. The examples provided show that prosecutors' efforts that go beyond the traditional functions of investigation and prosecution—especially when they are coordinated with other agencies' activities and involve the community at large—are much more effective in increasing public safety and keeping young people out of trouble.

Many of the responsibilities involved in implementing such programs require little more than creativity, the willingness to work with others, and some extra time. Using JAIBG funds as seed money to plan, develop, and begin a more comprehensive, coordinated program to reduce the more serious juvenile crimes in a community can go a long way. In many cases, initial startup requires much more financial support than maintaining a program. In addition, finding the resources for established programs that benefit the community and juvenile justice system after initial funding runs out is generally not difficult if plans to sustain the program locally are made well in advance.

### References

- Allison, M., and Hubbard, R.L. 1985. Drug abuse treatment process: A review of the literature. *International Journal of the Addictions* 20:1321–1345.
- Altschuler, D.M., and Armstrong, T.L. 1991. Intensive aftercare for the high-risk juvenile parolee: Issues and approaches in reintegration and community supervision. In *Intensive Interventions with High-Risk Youths: Promising Approaches in Juvenile Probation and Parole*, edited by T.L. Armstrong. Monsey, NY: Criminal Justice Press.
- Anglin, M.D., and Hser, Y. 1990. Treatment of drug abuse. In *Drugs and Crime*, vol. 13, edited by M. Tonry and J.Q. Wilson. Chicago, IL: University of Chicago Press.
- Aron, W.S., and Daily, D.W. 1976. Graduates and splitters from therapeutic community drug treatment programs: A comparison. *International Journal of the Addictions* 11:355–375.
- Baird, S.C., Storrs, G.M., and Connelly, H. 1984. *Classification of Juveniles in Corrections: A Model Systems Approach*. Washington, DC: Arthur D. Little.
- Ball, J.C., Rosen, J.A., Flueck, J.A., and Nurco, D.N. 1981. The criminality of heroin addicts: When addicted and when off opiates. In *The Drugs-Crime Connection*, edited by J.A. Inciardi. Thousand Oaks, CA: Sage Publications, Inc.
- Bishop, D.R. 1997. Juvenile record-handling and practices of the Federal Bureau of Investigation. Paper presented at the Conference on Juvenile Justice Records: Appropriate Criminal and Noncriminal Justice Uses. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.
- Catalano, R.F., Howard, O., Hawkins, J.D., and Wells, E.A. 1988. *Relapse in the Addictions: Rates, Determinants, and Promising Relapse Prevention Strategies*.

- Washington, DC: Office of Smoking and Health, U.S. Government Printing Office.
- Catalano, R.F., Wells, E.A., Jenson, J.M., and Hawkins, J.D. 1989. After-care services for drug-using institutionalized delinquents. *Social Service Review* 63:553–577.
- Chaiken, J.M. 1997. Changing laws and policies governing juvenile justice records radically alter balance between confidentiality and public access, and increase importance of record accuracy. Paper presented at the Conference on Juvenile Justice Records: Appropriate Criminal and Noncriminal Justice Uses. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.
- Charuvastra, V.C., Dalali, I.D., Cassuci, M., and Ling, W. 1992. Outcome study: Comparison of short-term vs. long-term treatment in a residential community. *International Journal of the Addictions* 27:15–23.
- DeLeon, G. 1985. The therapeutic community: Status and evolution. *International Journal of the Addictions* 20:823–844.
- Dembo, R., Williams, L., Wish, E., Berry, E., Getreau, A., Washburn, M., and Schmeidler, J. 1991. Prevention and the self-help movement. *International Journal of the Addictions* 25:1301–1340.
- Drug Courts Program Office. 1998. *Drug Courts Program Office Fact Sheet*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Drug Courts Program Office.
- Ehrensaft, K. 1991. *Prosecutors Model*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.
- Feld, B.C. 1988. The juvenile court meets the principle of offense: Punishment, treatment, and the difference it makes. *Boston University Law Review* 68:821–915.
- Feld, B.C. 1991. The transformation of the juvenile court. *Minnesota Law Review* 75:691–725.
- Feld, B.C. 1992. Criminalizing the juvenile court: A research agenda for the 1990's. In *Juvenile Justice and Public Policy*, edited by I. Schwartz. New York, NY: Lexington Books, pp. 59–88.
- Finn, P., and Healey, K.M. 1996. *Preventing Gang- and Drug-Related Witness Intimidation*. National Institute of Justice Issues and Practices Report. Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice.
- Garrett, C. 1985. Effects of residential treatment on adjudicated delinquents: A meta-analysis. *Journal of Research in Crime and Delinquency* 22:287–308.
- Gordon, D.A., and Arbutnot, J. 1987. Individual, group, and family interventions. In *Handbook of Juvenile Delinquency*, edited by H.C. Quay. New York, NY: John Wiley & Sons, Inc.
- Gramckow, H.P., and Tompkins, E. 1999. *Enhancing Prosecutors' Ability To Combat and Prevent Juvenile Crime in Their Jurisdictions*. Bulletin. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.
- Greenwood, P.W., ed. 1986. *Intervention Strategies for Chronic Juvenile Offenders*. New York, NY: Greenwood Press.
- Haggerty, K.P., Wells, E.A., Jenson, J.M., Catalano, R.F., and Hawkins, J.D. 1989. Delinquents and drug use: A model program for community reintegration. *Adolescence* 24:439–456.
- Hawkins, J.D., Catalano, R.F., Gillmore, M.R., and Wells, E.A. 1988. Skills training for drug abusers: Generalization, maintenance, and effects on drug use. *Journal of Consulting and Clinical Psychology* 57:559–563.
- Hoffman, N.G., and Miller, N.S. 1993. Perspectives on effective treatment for alcohol and drug disorders. *Recent Advances in Addictive Disorders* 16:127–140.
- Howell, J.C. 1998. *Youth Gangs: An Overview*. Bulletin. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.
- Hubbard, R.L., Marsden, M.E., Rachal, J.V., Harwood, H.J., Cavanaugh, E.R., and Ginzburg, H.M. 1989. *Drug Abuse Treatment: A National Study of Effectiveness*. Chapel Hill, NC: University of North Carolina Press.
- Hunt, W.A., and Bepalec, D.A. 1974. Relapse rates after treatment for heroin addiction. *Journal of Community Psychology* 2:85–87.
- Johnson, C., Webster, B., and Connors, E. 1995 (February). *Prosecuting Gangs: A National Assessment*. Research in Brief. Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice.
- Lipsey, M.W. 1992. Juvenile delinquency treatment: A meta-analytic inquiry into the variability of effects. In *Meta-Analysis for Explanation*, edited by T.D. Cook. New York, NY: Russell Sage, pp. 83–127.
- Mayor's Public Safety Cabinet. 1996. *Youth Violence: A Community-Based Response—One City's Success Story*. Boston, MA: Mayor's Public Safety Cabinet.
- Moore, J.P., and Terrett, C.P. 1999. *Highlights of the 1997 National Youth Gang Survey*. Fact Sheet #97. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.
- Mulvey, E.P., Arthur, M.W., and Reppucci, N.D. 1993. The prevention and treatment of juvenile delinquency: A review of the research. *Clinical Psychology Review* 13:133–167.
- National Institute of Justice. 1996. *1995 Drug Use Forecasting: Annual Report on Adult and Juvenile Arrestees*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice.

National Institute of Justice. 1999. *1998 Annual Report on Drug Use Among Adult and Juvenile Arrestees*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice.

Office of Juvenile Justice and Delinquency Prevention. 1996. *Serious Habitual Offender Comprehensive Action Program*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

Office of Juvenile Justice and Delinquency Prevention. 1998. *Juvenile Accountability Incentive Block Grants Program Guidance Manual*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

Office of Juvenile Justice and Delinquency Prevention. 1999a. *Promising Strategies To Reduce Gun Violence*. Report. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

Office of Juvenile Justice and Delinquency Prevention. 1999b. *Juvenile Accountability Incentive Block Grants Program Guidance Manual*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

Platt, A.M. 1977. *The Child Savers: The Invention of Delinquency*. Chicago, IL: University of Chicago Press.

Rothman, D.J. 1980. *Conscience and Convenience: The Asylum and Its Alternatives in Progressive America*. Boston, MA: Little, Brown and Company.

Siddall, J.W., and Conway, G. 1988. Interactional variables associated with retention and success in residential drug treatment. *International Journal of the Addictions* 23:1241–1254.

Simpson, D.D., Savage, L.J., and Lloyd, M.R. 1979. Follow-up evaluation of treatment of drug abuse dur-

ing 1969–1972. *Archives of General Psychiatry* 36:772–780.

Simpson, D.D., and Sells, S.B. 1982. Effectiveness of treatment for drug abuse: An overview of the DARP research program. *Advances in Alcohol and Substance Abuse* 2:7–29.

Snyder, H.N. 1997. *Juvenile Arrests 1996*. Bulletin. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

Snyder, H.N. 1998. *Juvenile Arrests 1997*. Bulletin. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

Snyder, H.N., and Sickmund, M. 1999. *Juvenile Offenders and Victims: 1999 National Report*. Report. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

Snyder, H.N., Sickmund, M., and Poe-Yamagata, E. 1996. *Juvenile Offenders and Victims: 1996 Update on Violence*. Summary. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

Thornberry, T.P., and Burch, J.H. 1997. *Gang Members and Delinquent Behavior*. Bulletin. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

Torbet, P., Gable, R., Hurst, H., Montgomery, I., Szymanski, L., and Thomas, D. 1996. *State Responses to Serious and Violent Juvenile Crime*. Report. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

Torbet, P., and Szymanski, L. 1998. *State Legislative Responses to Violent Juvenile Crime: 1996–97 Update*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

Uzzel, D.M. 1997. Florida's serious habitual offender comprehensive action program. Paper presented at the Conference on Justice Records: Appropriate Criminal and Noncriminal Justice Uses. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.

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