

# Smart on Crime II

## In This Issue

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# Introduction

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America's communities are safer than they have been in decades. Crime continues a long and steady decline, and our knowledge about what works to prevent and deter lawlessness grows apace. Yet, we are far from putting our public safety problems behind us. Criminal justice agencies today must compete for increasingly scarce resources, globalization and mechanization are extending the reach of criminal activity, and too many people are being held in our prisons and jails. A great deal of work lies ahead.

Apart from sustaining the remarkable reductions in crime rates, arguably the greatest challenge facing public safety officials is ensuring that our institutions of enforcement are viewed with legitimacy and respect. Recent events across the country have underscored the tensions that underlie relationships between citizens and justice system agencies. Never has the work of our U.S. Attorneys—and of prosecutors and law enforcement officers throughout the nation—mattered more to the maintenance of civic accord and the betterment of community welfare.

The Smart on Crime Initiative, announced by the Attorney General in August 2013, maps a way forward for meeting our criminal justice challenges and reinforcing the critical role that justice system professionals in general, and U.S. Attorneys' offices in particular, play in bridging historic divides. This effort, which encompasses all of the Department of Justice, is aimed at expanding investments in proven crime prevention and reduction strategies and ensuring fair and proportionate sanctions for offenders. By supporting alternatives to incarceration and allocating resources to prevention, treatment, and reentry programs, the initiative has the potential to curb the growth of the federal prison budget, curtail sentencing disparities, and reduce recidivism.

Federal prosecutors can, and must, help pave the way to these goals. However, prosecutors are not on this path alone. Innovative initiatives funded and/or analyzed by the Office of Justice Programs offer a roadmap for success. By remaining ever mindful of the accused's and victim's rights, and making charging decisions based on what is best for public safety, prosecutors can heighten confidence in the adjudicative process. They can also help focus our attention on building a system that is fair and work diligently toward solutions that are both effective and sustainable.

As you will see in this issue of the U.S. Attorneys' Bulletin, the tools at the prosecutor's disposal are abundant. Field-tested strategies are available for every stage of the criminal justice process. These tools include prevention strategies, such as those supported by the White House's My Brother's Keeper initiative; intervention strategies, such as the National Forum on Youth Violence Prevention or the Northern District of Ohio-led Community Action Plan on Heroin and Opioids; prosecutorial strategies that engage communities, promote trust, protect civil rights, encourage cooperation, and facilitate procedural justice; support strategies for victims and first responders as they grapple with trauma; and reentry strategies that lower recidivism. Resources from across the Department and from organizations in the field are available to support U.S. Attorneys' offices as they perform the work that is so vital to public safety—and to building community trust—in America.

We are reminded today that those whose job is to protect the public must work hard to maintain its trust. The bonds between the citizens and the agencies that serve them must continuously be renewed. We hope that you will see the articles included in this issue as reference points in your work on behalf of your communities and that they will aid you in helping to build a justice system that inspires the confidence of those it serves.

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# Procedural Justice and Prosecutions

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## I. Introduction

Since summer 2014, four high-profile, death-resulting incidents involving police officers have tested the American public's trust in the criminal justice system. In July 2014, Eric Garner died after New York Police Department (NYPD) Officer Daniel Pantaleo restrained him by applying what was described in the media as a prohibited chokehold. On August 9, 2014, Michael Brown was fatally shot by former Ferguson (Missouri) Police Officer Darren Wilson. On November 23, 12-year-old Tamir Rice was shot and killed by Cleveland (Ohio) Police Department officers who were responding to a dispatch that a juvenile was brandishing a gun in a city park. And, on December 20, NYPD Officers Wenjian Liu and Rafael Ramos were targeted and killed by a gunman who, just prior to his criminal act, posted online his intent to murder police officers. The immediate aftermath of these incidents caused communities, law enforcement, and advocates, as well as the Federal Government, to examine the role of policing in the United States and to increase efforts to restore trust in the relationship between police and the communities they serve.

As these tragic incidents were investigated to determine whether prosecution was appropriate, the public became increasingly attentive to issues of trust, fairness, and transparency in the criminal justice system, and not only with regard to police-community interactions. The broadening of perspective began to emerge after a November 24 press conference when St. Louis County District Attorney Robert McCulloch announced that the grand jury empaneled to investigate the death of Michael Brown did not return indictments against Officer Wilson. One week later, Staten Island District Attorney Dan Donovan announced that a grand jury declined to charge NYPD Officer Pantaleo with a crime in the death of Eric Garner. These decisions resulted in contrasting, divided public reactions. While some believed the grand jury decisions proved that the actions of law enforcement involved were justified, many others refused to accept the legitimacy of the outcome and expressed outrage at the criminal justice system's lack of neutrality, transparency, and fairness. David Feige, *The Independent Grand Jury that Wasn't*, SLATE (Nov. 25, 2014), [http://www.slate.com/articles/news\\_and\\_politics/jurisprudence/2014/11/ferguson\\_grand\\_jury\\_announcement\\_prosecutor\\_robert\\_mcculloch\\_influenced.html](http://www.slate.com/articles/news_and_politics/jurisprudence/2014/11/ferguson_grand_jury_announcement_prosecutor_robert_mcculloch_influenced.html).

Expressions of distrust in the criminal justice system should concern federal prosecutors. The criminal justice system is better served if citizens view it, and its component parts, as legitimate and trustworthy. Just as trust in the police has a substantial effect on whether individuals comply and cooperate with law enforcement, the same is true for faith in the legal proceedings following police action. After all, prosecutors depend on the cooperation of victims and witnesses, and research has shown that people, when they view the system as legitimate, are more willing to cooperate with the legal process, bring disputes to court, and be witnesses in proceedings. Tracey L. Meares & Tom R. Tyler, *Justice*

*Sotomayor and the Jurisprudence of Procedural Justice*, 123 YALE L.J. 525, 528 (Mar. 24, 2014), available at <http://yalelawjournal.org/forum/justice-sotomayor-and-the-jurisprudence-of-procedural-justice>. Thus, the events over the past six months beg the question: As prosecutors, what can we do to instill more trust and faith in the criminal justice system?

## II. Procedural justice

The maturing academic field studying the concept of procedural justice (or procedural fairness) provides a foundation to answer this question. In essence, procedural justice posits that how people and their problems are managed has more influence on cooperation and compliance with authorities than the outcome of a particular case, matter, or interaction. Attorney General Eric Holder articulated this concept at the 2013 Annual Conference of the International Association of Chiefs of Police:

A substantial body of research tells us that – when those who come into contact with the police feel that they are treated fairly – they are more likely to accept decisions by the authorities, obey the law, and cooperate with law enforcement in the future – even if they disagree with specific outcomes. Clearly, each of us has an opportunity, and a responsibility, to refocus on engagement with the individual communities we serve – by involving our fellow citizens in the process of establishing clear norms of behavior; by setting standards for right and wrong; and, ultimately, by relegating the era of suspicion and distrust to the past.

Eric Holder, U.S. Attorney Gen., Remarks at the Int’l Ass’n of Chiefs of Police Annual Conference (Oct. 21, 2013), available at <http://www.justice.gov/opa/speech/attorney-general-eric-holder-delivers-remarks-international-association-chiefs-police>.

Studies on procedural justice have been pioneered by Yale Law Professor Tom Tyler, who focused much of his research on the legitimacy of the court system. In 2002 Tyler and his colleagues published a study on the willingness of two communities in California to accept decisions made by the courts and their overall evaluation of the court system. Tom R. Tyler & Yuen J. Huo, *Trust in the Law: Encouraging Public Cooperation With the Police and Courts* 28 (2002). Participants’ responses focused on three factors: (1) whether the outcome was just, (2) whether the outcome was favorable or unfavorable, and/or (3) whether the process was fair. Tom R. Tyler, *Procedural Justice and the Courts*, 44 CT. REV. 26, 27 (2007), available at <http://aja.ncsc.dni.us/courtrv/cr44-1/CR44-1-2Tyler.pdf>. The results from this study were consistent with research that followed: “[T]he primary factor shaping legitimacy is the perceived quality of the treatment people received from judicial authorities. This includes whether people believe that they are respected when they deal with the courts and whether they think that judges care about and consider people’s needs and concerns when making decisions.” Meares & Tyler, at 538.

The procedural justice model has four basic dimensions that can inform criminal justice processes. Tyler, at 30.

1. Voice: Participation is an important element. People report higher levels of satisfaction in encounters with authorities when they have an opportunity to explain their situation and their perspective on it—that is, to tell their story.
2. Neutrality: People care a great deal about the fairness of decision-making by legal authorities such as police officers, prosecutors, and judges. People look to indicia of neutrality, objectivity, factuality, consistency of decision-making, and transparency.
3. Respect: People care about how legal authorities treat them. Specifically, people desire to be treated with dignity, with respect for their rights, and with politeness.

4. Trust: People want to believe that authorities are sincere, benevolent, well-intentioned, and that they are trying to be responsive to people's concerns.

Notably, trust in authorities is affected not only by one's personal interaction with the system, but also by the understanding of experiences by others they know or through media reports. Therefore, every interaction with legal authorities has the potential to build or damage trust in the criminal justice system not only for participants, but also for observers. Tom R. Tyler, Jonathan Jackson & Ben Bradford, *Psychology of Procedural Justice and Cooperation*, in *ENCYCLOPEDIA OF CRIMINOLOGY AND CRIMINAL JUSTICE* 4011, 4017–18 (Gerben Bruinsma & David Weisburd eds., 2013).

### **III. The Department of Justice and procedural justice**

It is not a far leap to apply procedural justice principles to prosecutors. In fact, these concepts are not new to the Department of Justice (Department). The Department, over the past several years, has supported several initiatives and studies that overtly focused on procedural justice within the criminal justice system. Most recently, the Department launched the National Initiative for Building Community Trust and Justice, which emphasizes procedural justice principles to enhance community trust and help repair and strengthen the relationship between law enforcement and the communities they serve. In partnership with John Jay College, Yale Law School, UCLA's Center for Policing Equity, and the Urban Institute, the National Initiative will provide assistance to criminal justice agencies and communities in multiple pilot sites around the country to apply strategies that promote the related concepts of procedural justice, reduce bias, and enhance racial reconciliation. For more information on the National Initiative, visit <http://www.ojp.gov/communitytrust.htm>.

While the National Initiative explicitly sets out to incorporate procedural justice tenets into its work, the Department also has infused these concepts into other major policies, initiatives, and guidelines, including those related to prosecutions.

#### **A. Victims and witnesses**

One has to look no further than the Department's efforts to assist victims and witnesses to find an example where fairness in the process is paramount. Establishing a trusting relationship with victims and witnesses is crucial not only to ensure successful outcomes in the criminal proceedings, but also to instill greater cooperation with, and solidify the legitimacy of, judicial processes. The front lines in that effort are the Victim-Witness Coordinators in each U.S. Attorney's office and FBI field office. These individuals assist those affected by criminal activity with meeting their immediate essential needs and provide them with a meaningful way to participate in the prosecution. The Office of Victims of Crime within the Office of Justice Programs, through administration of the Crime Victims Fund, supports initiatives that help victims in the aftermath of crime and helps to rebuild their lives in the long run.

Fostering trust with victims and witnesses is the responsibility of all Department personnel. To provide direction, the Department issued guidelines for victim and witness assistance, which establishes policy to be followed by Department personnel in their interactions with crime victims and witnesses. *See* OFFICE FOR VICTIMS OF CRIME, OFFICE OF JUSTICE PROGRAMS, U.S. DEP'T OF JUSTICE, ATTORNEY GENERAL GUIDELINES FOR VICTIM AND WITNESS ASSISTANCE 1 (2012) (GUIDELINES), *available at* [http://www.justice.gov/sites/default/files/olp/docs/ag\\_guidelines2012.pdf](http://www.justice.gov/sites/default/files/olp/docs/ag_guidelines2012.pdf). Based on the Victims' Rights and Restitution Act, the Crime Victims' Rights Act, and criminal procedure requirements, these guidelines ensure, among other things, that victims and witnesses have a voice in criminal proceedings against the accused, are timely notified of events and proceedings, and have a reasonable right to confer with the attorney for the Government. In other words, victims and witnesses are respected and provided meaningful participation in the process. As summarized in the foreword to the guidelines, "Every day, Department personnel encounter individuals harmed by crime or who witnessed others being harmed by

crime. How we treat those individuals has a huge impact on their confidence in the criminal justice system and their ability to heal and recover from crime.” GUIDELINES, *supra*, at i.

## **B. Addressing systemic disparities**

Procedural justice is central to the Department’s effort to address disparities in the criminal justice system. Disparities, especially unwarranted disparities, reduce trust and cause communities to question the fairness of the justice system. For example, studies have shown that while youth of color have much more frequent contact with the justice system than white youth, this disparity is not fully explained by differences in delinquency. THE SENTENCING PROJECT, DISPROPORTIONATE MINORITY CONTACT 1 (2010), available at [http://www.sentencingproject.org/doc/publications/publications/jj\\_dmcfactsheet.pdf](http://www.sentencingproject.org/doc/publications/publications/jj_dmcfactsheet.pdf). Thus, it is not surprising that youth of color often report that they feel targeted and profiled by the justice system, and that procedures and decision-making are unfair and biased. See CTR. FOR CONSTITUTIONAL RIGHTS, STOP AND FRISK: THE HUMAN IMPACT 13 (July 31, 2012), available at <http://stopandfrisk.org/the-human-impact-report.pdf>.

Over the past six years, the Department has taken a significant leap forward in addressing disparities in criminal justice processes. The Attorney General’s Advisory Committee has established the Working Group to End Racial and Ethnic Disparities, headed by U.S. Attorney Carter Stewart. The group is specifically dedicated to examining this issue and providing recommendations to Department leadership. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) assists states and localities in complying with statutory requirements to reduce racial and ethnic disparities in their juvenile justice systems. Just recently, OJJDP partnered with the Georgetown University Center for Juvenile Justice Reform to provide comprehensive training for juvenile justice prosecutors to acquaint them with the latest information in forensic science, adolescent development, neurosciences, and the prosecution of sexual assault cases.

## **C. Charging/sentencing decisions**

The Department has also examined and updated its internal policies, which resulted in standards on charging, sentencing advocacy, and plea bargaining, that align more closely with procedural justice principles. In a May 19, 2010, Memorandum, the Attorney General updated Department policy to require decisions regarding charging, plea agreements, and advocacy at sentencing, to continue to be made on the merits of each case, but also to “tak[e] into account an individualized assessment of the defendant’s conduct and criminal history and the circumstances relating to commission of the offense (including the impact of the crime on victims), the needs of the communities we serve, and federal resources and priorities.” Memorandum from Eric H. Holder, Attorney General, Dep’t of Justice, to All Federal Prosecutors (May 19, 2010), available at <http://www.justice.gov/sites/default/files/oip/legacy/2014/07/23/holder-memo-charging-sentencing.pdf>.

The move away from a rigid approach that mandates charging the most serious and readily provable offense allows for more factuality in the decision-making process. The requirement to consider “individualized assessments” reduces the likelihood that less serious criminal conduct would result in the same charges, plea agreement, and/or sentence, as significantly more serious conduct. It therefore allows for *greater* consistency by promoting factual comparisons instead of categorical ones. As the memorandum explains, the updated policy was precipitated, in large part, by the recognition that unwarranted disparities can result *both* from disregarding the principle that “[p]ersons who commit similar crimes and have similar culpability should, to the extent possible, be treated similarly,” and also “from a failure to analyze carefully and distinguish the specific facts and circumstances of each particular case. Indeed, equal justice depends on individualized justice, and smart law enforcement demands it.” *Id.*

## IV. Where do we go from here?

U.S. Attorneys continue to provide substantial leadership in advancing fairness and transparency in the criminal justice system in communities across the country. Much of the progress in embedding procedural justice concepts into policies and procedures to date may have happened intuitively over time. However, the wealth of evidence that fairness of the process is a primary factor in determining the legitimacy of the criminal justice system provides a promising opportunity to re-examine processes and strategies in order to intentionally incorporate concepts of voice, neutrality, respect, and trust, into other aspects of our work.

It may start with a basic assessment of the manner, type, and amount of information that is shared with the community. One of the many takeaways from the public's reaction to the local grand jury decisions in the Michael Brown and Eric Garner matters is the general deficiency of understanding about the role of, and authority invested in, a prosecutor, the interplay between federal and state criminal justice systems, and basic processes like grand jury and arraignment. Lack of this type of fundamental information could exacerbate confusion, misunderstandings, and misconception. Consequently, education efforts through partnerships with the district court, local prosecutors, law schools, and the defense bar could provide a forum responsive to community questions.

One of the most effective tools utilized by U.S. Attorneys to share information with the public is the power of convening. For example, U.S. Attorneys' offices made a concerted effort in recent years to establish relationships with Muslim, Sikh, Arab, and South Asian groups in their communities. Many offices hold regular meetings and convenings in collaboration with FBI field offices where community concerns can be expressed and the Federal Government can provide updates on justice-related efforts. The results have been positive and have even led to greater cooperation by the community in criminal investigations. Eric Holder, U.S. Attorney Gen., Speech at the Muslim Advocates' Annual Dinner (Dec. 10, 2010), *available at* <http://www.justice.gov/opa/speech/attorney-general-eric-holder-speaks-muslim-advocates-annual-dinner>. Similarly, U.S. Attorneys have reached out to faith leaders; business groups; and the lesbian, gay, bisexual, and transgender community.

Taking this effort a step further, U.S. Attorneys have the ability to use the power of convening to bridge divides between sectors in society, especially when difficult issues like distrust between police and communities of color arise. Previous engagements with various individual constituencies provide a basis to bring together these groups that may not have had prior meaningful opportunities for dialogue. This strategy was in full force beginning in December 2014, when U.S. Attorneys worked with Main Justice to organize roundtables in Atlanta; Chicago; Cleveland; Memphis; Oakland; Philadelphia; and Columbus, Ohio, that brought together community and civic leaders with law enforcement on the issue of building trust. These gatherings not only gave voice to the community, but showed respect to the community and demonstrated the Department's—and specifically, the U.S. Attorneys' offices'—sincere motivations to promote justice.

It is eminently more challenging to determine how to share information about particular investigations and prosecutions, especially those that are high-profile or receive significant media attention, without running afoul of confidentiality, privacy, and ethical boundaries, or divulging case-sensitive information. Nevertheless, procedural justice principles need not be discarded. Consider, for example, what information can and should be shared when communicating with a victim or his or her family that there is insufficient evidence to prosecute a case. Procedural justice dictates that how one is treated by authorities has a greater influence on legitimacy than the outcome. Thus, terse responses without much explanation likely will lead to a lack of acceptance of the prosecutor's decision. To address some of these concerns, the Civil Rights Division instituted a practice of communication with a victim's family and representatives when the Division is unable to pursue charges in death-resulting matters. The process includes a detailed memorandum, and often an in-person meeting with the victim's family and representatives, explaining what investigative steps were pursued, the relevant federal statutes that were



considered, and the reasons for declination. While these steps may not be practical in many circumstances, it is representative of ways to increase the transparency, even in difficult situations.

The uniqueness of the prosecutor’s role in the criminal justice system—and the influential position of U.S. Attorneys in the local community—provides an opportunity to demonstrate how procedural justice principles can be effectively integrated into prosecutions and related functions. After all, “[t]he prosecutor is an administrator of justice,” and “[t]he duty of the prosecutor is to seek justice, not merely to convict. . . . It is an important function of the prosecutor to seek to reform and improve the administration of criminal justice.” AM. BAR ASS’N, PROSECUTION FUNCTION, *available at* [http://www.americanbar.org/publications/criminal\\_justice\\_section\\_archive/crimjust\\_standards\\_pfunc\\_blk.html](http://www.americanbar.org/publications/criminal_justice_section_archive/crimjust_standards_pfunc_blk.html). ❖

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# Community Engagement: Bridges to Success

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## I. Smart on Crime and community engagement

The Department of Justice’s (Department) Smart on Crime approach is designed to target federal enforcement activities toward the most serious offenders, while simultaneously reducing expenditures for the prosecution of lower-level offenses. Another important component of Smart on Crime is the promotion of violence prevention strategies. The aim is to refocus Department resources away from mass incarceration of low level, nonviolent offenders, and toward strategies that address the most serious crimes, while bolstering prevention and reentry efforts to deter crime and strengthen protections for vulnerable populations. U.S. DEP’T OF JUSTICE, SMART ON CRIME: REFORMING THE CRIMINAL JUSTICE SYSTEM FOR THE 21ST CENTURY 2 (2013), *available at* <http://www.justice.gov/sites/default/files/ag/legacy/2013/08/12/smart-on-crime.pdf>.

These activities get to the fundamental role of the Department. As pointed out by Attorney General Eric Holder, the Department’s core mission is to protect the American people. He notes that departmental actions should focus on four key areas, the second of which is to “protect Americans from the violent crimes that have ravaged too many communities, devastated too many families, and stolen too many promising futures.” OFFICE OF THE ATTORNEY GEN., U.S. DEP’T OF JUSTICE, FISCAL YEARS 2014–2018: STRATEGIC PLAN i (2013), *available at* <http://www.justice.gov/sites/default/files/jmd/legacy/2014/02/28/doj-fy-2014-2018-strategic-plan.pdf>.

This mission ties directly to the second strategic goal of the Department, to “Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law.” *Id.* at 1. The goal’s first objective, enumerated 2.1, is to “[c]ombat the threat, incidence, and prevalence of violent crime by leveraging strategic partnerships to investigate, arrest, and prosecute violent offenders and illegal firearms traffickers.” *Id.* at 10. Subsequent objectives also include strategies that involve working with community partners.

To be effective, these prevention and protection partnerships must be concentrated in the communities most plagued not only by violent crime, but also impacted by high unemployment, low educational attainment, poverty, racial segregation, limited housing choice, and correlated social factors. At a time when tensions between community members and law enforcement are high, *see* JUSTIN MCCARTHY, GALLUP SOCIAL ISSUES, AS A MAJOR U.S. PROBLEM: RACE RELATIONS SHARPLY RISES (2014), available at <http://www.gallup.com/poll/180257/major-problem-race-relations-sharply-rises.aspx><sup>1</sup>, coordination with local officials, local law enforcement, and community residents is a crucial component of the Smart on Crime approach.

Department employees have been directed to work with external partners, including community-based organizations and leaders. However, other than optics and checking another item off the list, does this work matter? Are community-based activities effective crime reduction strategies? Are community outreach and community engagement the same thing? What is the most effective role for the Department in promoting community-based, violence reduction activities? How can the Department be an effective partner in community-based violence prevention initiatives?

Before trying to answer these questions, some theoretical and experiential background may be necessary.

## II. System legitimacy and procedural justice

A significant set of cross disciplinary researchers have come to the conclusion that when people feel decision-makers are treating them fairly, they are more likely to accept and comply with decisions, feel satisfied with outcomes, and believe in the legitimacy of the authority. Within the criminal justice context, a sense that there is procedural justice (fairness) is even more important than distributive justice (actual outcome). *See generally* TOM R. TYLER, WHY PEOPLE OBEY THE LAW 6 (2006).

In fact, a perception of unfairness or unequal treatment is the single most important source of popular dissatisfaction with the American legal system. Jason Sunshine & Tom R. Tyler, *The Role of Procedural Justice and Legitimacy in Shaping Public Support for Policing*, 37 L. & SOC’Y REV. 513, 517 (2003) (Sunshine & Tyler); *see also* Kevin Burke & Steve Leben, *Procedural Fairness: A Key Ingredient in Public Satisfaction*, 44 CT. REV. 4, 5 (2007).

Much public dissatisfaction with the judiciary can be alleviated when the four key elements of procedural justice are present: (1) voice or the ability to be heard, (2) neutrality, including consistency and transparency, (3) respectful treatment, and (4) trustworthy authorities. *See* TYLER, at 276.

Increasingly, police departments are recognizing the importance of building strong community relationships as a means of building police legitimacy. “The police have learned that they cannot function effectively without public support, and they are building policing strategies designed to build such support.” Sunshine & Tyler, at 521.

Similarly, ensuring procedural justice is critical to successfully carrying out the Department’s mission. Community outreach strategies designed to make sure that communities are aware of the processes and activities of law enforcement and prosecutors have been one means for demonstrating procedural justice. However, basic procedural justice and community outreach activities are just the first parts of an effective strategy to work with communities overly impacted by violence and disenfranchisement.

The research suggests that while outreach strategies can be effective in promoting procedural justice, building collective efficacy is more closely associated with reduced crime. Outreach strategies alone may be insufficient to promote adequate levels of positive social cohesion, informal social control, trust, and the bridged form of social capital, all of which are associated with lower levels of crime.

With this in mind, it is important to recognize the difference between community outreach and community engagement. Providing information regarding the differences between federal and local jurisdictions, basic law enforcement processes, and general information about how the criminal justice system works is important. Therefore, the Department should conduct community outreach to ensure that community residents are familiar with its activities. However, community outreach is a one-way information flow through which we let others know what we're doing—and possibly how they can help us. Community engagement, on the other hand, involves working in partnership with organizations and individuals to meet shared goals. *See generally* Walter J. Dickey & Peggy A. McGarry, *The Search for Justice and Safety Through Community Engagement: Community Justice and Community Prosecution*, 42 IDAHO L. REV. 313, 313 (2006).

Community engagement is more complicated than community outreach and requires a more nuanced approach that takes local social dynamics and resources into account.

### **III. Social disorganization theory**

There continue to be varying opinions on the root causes of criminal behavior. While some have argued that individual attributes such as psychological makeup or reactions to traumatic experiences are the major explanation for criminal behavior, others suggest that high levels of criminal activity are better explained by sociological factors. *See generally* ROBERT J. BURSIK & HAROLD G. GRASMIK, NEIGHBORHOODS AND CRIME: THE DIMENSIONS OF EFFECTIVE COMMUNITY CONTROL 58, 148, 153 (1993); Clifford R. Shaw & Henry D. McKay, *Juvenile Delinquency and Urban Areas*, in UNDERSTANDING DEVIANCE: CONNECTING CLASSICAL AND CONTEMPORARY PERSPECTIVES 106, 106 (Tammy L. Anderson ed., 2014); JAMES Q. WILSON & RICHARD J. HERNSTEIN, CRIME & HUMAN NATURE: THE DEFINITIVE STUDY OF THE CAUSES OF CRIME 19, 41 (1985); Robert J. Sampson, Stephen W. Raudenbush & Felton Earls, *Neighborhoods and Violent Crime: A Multilevel Study of Collective Efficacy*, 277 SCI. MAG. 918, 921 (1997) (Sampson). Although there may be a psychological reason for an increased likelihood to engage in criminal behavior (for example, direct or vicarious exposure to trauma), the consistent concentration of increased criminal activity within neighborhoods, with correlated sociological factors such as poverty concentration and/or low educational attainment, suggests that social dynamics are at least part of the equation.

Sociological or environmental theorists, dating back to at least the early 1900s, view the problem as the inability of the community structure to solve problems and realize the common values of its residents, resulting in a breakdown of effective social controls. This idea was eventually dubbed “social disorganization theory.” *See generally* ROBERT E. PARK & ERNEST W. BURGESS, THE CITY: SUGGESTIONS FOR INVESTIGATION OF HUMAN BEHAVIOR IN THE URBAN ENVIRONMENT 107 (Morris Janowitz ed., 1984); CLIFFORD R. SHAW & HENRY D. MCKAY, JUVENILE DELINQUENCY AND URBAN AREAS (revised ed. 1972); WILLIAM I. THOMAS & FLORIAN ZNANIECKI, THE POLISH PEASANT IN EUROPE AND AMERICA 85–87 (Eli Zaretsky ed., 1996).

Over the years, there has been substantial research in the area of social disorganization by both sociologists and criminologists. Research traditionally followed two theoretical approaches: (1) the Cultural Transmission Model, which hypothesizes that communication of social norms, including whether neighbors will tolerate deviant behavior, greatly influences the level of criminal activity, and (2) the Systemic Model, which hypothesizes that the level of social interaction between neighbors is what influences levels of criminality, and that higher levels of interaction inevitably lead to lower crime rates. *See generally* RUTH R. KORNHAUSER, SOCIAL SOURCES OF DELINQUENCY: AN APPRAISAL OF

ANALYTIC MODELS 277 (1978); Robert J. Bursik, *Social Disorganization and Theories of Crime and Delinquency: Problems and Prospects*, 26 CRIMINOLOGY 519, 525 (1988); John D. Kasarda & Morris Janowitz, *Community Attachment in Mass Society*, 39 AM. SOC. REV. 328, 329–30, 335 (1974); Robert J. Sampson & W. Byron Groves, *Community Structure and Crime: Testing Social-Disorganization Theory*, 94 AM. J. SOC. 774, 777 (1989).

According to the Cultural Transmission Model, high crime communities have neighborhood norms that tolerate or even encourage criminal behavior. These norms prevent residents from directly intervening to stop criminal behavior, or indirectly intervening through contact or cooperation with authorities. These norms are viewed as connected to a limited sense of informal social control. Therefore, normative behavior can be altered via interventions, such as zero-tolerance policies, that exhibit social control. In turn, it is theorized, overall crime will decrease.

Alternatively, the Systemic Model postulates that friendship and kinship networks serve as the social structure through which a community's potential for self-regulation is realized. These bonds are seen as strengthening neighborhood cohesion and, in turn, informal social control. According to the Systemic Model, strong neighborhood networks are inherently good. So, if the strength and frequency of interactions increases, crime will decrease.

The Cultural Transmission Model has yielded the “broken windows theory,” *see generally* James Q. Wilson & George L. Kelling, *Broken Windows: The Police and Neighborhood Safety*, ATLANTIC MONTHLY 29, 32–33 (1982), while the Systemic Model has given rise to the theory of “collective efficacy.” *See generally* Sampson, at 918. Both models are based on the idea that the interplay between neighborhood cohesion and informal social control, at least in part, explains increased or decreased levels of criminal behavior.

In recent years some approaches rooted in the Cultural Transmission Model, particularly the “broken windows theory,” have been discredited as not empirically sound. Bernard E. Harcourt & Jens Ludwig, *Broken Windows: New Evidence from New York City and a Five-City Social Experiment*, 73 U. CHI. L. REV. 271, 316 (2006). Furthermore, zero-tolerance strategies have come under so much scrutiny that support for some practices, such as New York City's stop-and-frisk approach, has nearly ceased. Mike Bostock & Ford Fessenden, “*Stop and Frisk*” *Is All But Gone From New York*, N.Y. TIMES, Sept. 19, 2014, available at [http://www.nytimes.com/interactive/2014/09/19/nyregion/stop-and-frisk-is-all-but-gone-from-new-york.html?\\_r=0](http://www.nytimes.com/interactive/2014/09/19/nyregion/stop-and-frisk-is-all-but-gone-from-new-york.html?_r=0). This is not to say there is no value in the Cultural Transmission Model. That assertion is beyond the scope of this article. However, promising research regarding the Systemic Model seems to point to some connection between positive community engagement and reduced violence.

#### **IV. Collective efficacy and violence reduction**

A significant body of research has shown that communities that exhibit the linkage of trust and cohesion with shared expectations for control, that is, high levels of collective efficacy, have lower crime rates. As noted in the groundbreaking work of Robert J. Sampson, Stephen W. Raudenbush, and Felton Earls, cited in Part III above, collective efficacy, defined as social cohesion among neighbors, combined with their willingness to intervene on behalf of the common good, is linked to reduced violence. Sampson, *supra* at 918.

After surveying 8,782 residents in 343 neighborhoods in Chicago, these researchers found higher levels of collective efficacy were associated with lower levels of violence. Furthermore, as they hypothesized, collective efficacy appeared to partially mediate the relationship between neighborhood social composition and violence. Their model accounted for more than 75 percent of the variation between neighborhoods in levels of violence.

Collective efficacy thus retained discriminant validity when compared with theoretically relevant, competing social processes. Moreover, these results suggested that

dense personal ties, organizations, and local services by themselves are not sufficient; reductions in violence appear to be more directly attributable to informal social control and cohesion among residents.

*Id.* at 923.

In other words, when people had strong community networks and a sense that they can effectively intervene and influence neighborhood dynamics, violent crime rates were lower. Even across neighborhoods with similar social and economic demographics, collective efficacy was a stronger predictor of violent crime rates than other demographic factors, including levels of homeownership, immigrant concentration, economic status, and race. While it is important to note that their study did not prove causal effects and looked at only one large city during a limited period of time, its implications with regard to promoting community engagement are significant.

Researchers continue to look at the relationship of collective efficacy to community outcomes and its connection to social cohesion, informal social control—including the willingness and ability to intervene when observing negative behaviors—and the bonding versus bridging aspects of social capital. A brief review of some of these connections may be illuminating.

## **V. Social cohesion and informal social control**

Social cohesion refers to the existence and strength of relationships, networks, ties, values, behaviors, and/or beliefs that hold communities together. In the presence of high levels of social cohesion, people view themselves as part of a larger whole and tend to act for the good of the community. Strong social cohesion is associated with higher levels of informal social control and, therefore, greater adherence to group norms.

Social control is defined as attempts to control the behavior of group members by the use of rewards and punishments. Traditionally, informal social control has been conceptualized as being associated with three distinct arenas: (1) private, control exerted through close or familial relationships, (2) parochial, control exerted through networks, and (3) public, control exerted to secure benefits through institutions. Albert D. Hunter, *Private, Parochial and Public Social Order: The Problem of Crime and Incivility in Urban Communities*, in *THE CHALLENGE OF SOCIAL CONTROL* 230, 236 (Gerald D. Suttles & Mayer N. Zald eds., 1985). However, more recently, the view that the parochial and public forms may work in tandem has emerged. See Patrick J. Carr, *The New Parochialism: The Implications of the Beltway Case for Arguments Concerning Informal Social Control*, 108 *AM. J. SOC.* 1249 (2003).

## **VI. Social capital: bonding and bridging**

Informal social control has also been closely associated with the concept of social capital. Although there is some variance in definitions, social capital is typically conceptualized as the value embodied in the social ties among people and positions.

Whereas economic capital is in people's bank accounts and human capital is inside their heads, social capital inheres in the structure of their relationships. To possess social capital, a person must be related to others, and it is these others, not himself, who are the actual source of his or her advantage.

Alejandro Portes, *Social Capital: Its Origins and Applications in Modern Sociology*, 24 *ANN. REV. SOC.* 1, 7 (1998); see also James S. Coleman, *Social Capital in the Creation of Human Capital*, 94 *AM. J. SOC.* 95, 100 (1988). This leads to the following conceptualization of the relationship between types of capital. Social capital (connections) leads to the development of human capital (skills) that increases the opportunity to make economic capital (money).

“As an attribute of the social structure in which a person is embedded, social capital is not the private property of any of the persons who benefit from it.” Coleman, at 100. It exists only when it is shared. On a community level social capital can influence cohesion and informal social control because “the sources of social capital stem not from the attributes of individuals but rather the structure of social organization.” JEFFREY D. MORENOFF, ROBERT J. SAMPSON & STEPHEN W. RAUDENBUSH, NEIGHBORHOOD INEQUALITY, COLLECTIVE EFFICACY, AND THE SPATIAL DYNAMICS OF URBAN VIOLENCE 2 (2001).

Two types of social capital have been identified. Bonding social capital develops in tight social networks characterized by an inward-looking orientation and relatively intense ties. These strong ties typically overlap, such that people within the network tend to have strong ties with many of the same people. In contrast, bridging social capital is the value in crosscutting social groups and boundaries. These weaker ties may be less frequent and have less emotional content, but can be very helpful with regard to information sharing and developing links to external assets.

Not all weak ties will be bridges. However, those that do bridge networks could be critical to effective crime reduction via informal social control, because multiple networks bridged via weak ties can access their larger pool of social capital to leverage additional resources and information. Mark Granovetter, *The Strength of Weak Ties: A Network Theory Revisited*, 1 SOC. THEORY 201, 213 (1983). “The evidence suggests, tentatively, that where innovations are controversial, a mobilization strategy based on the activation of weak ties is more likely to facilitate adoption of the goal . . . .” *Id.* at 225.

Consequently, we are starting to see that strong social cohesion, informal social control, and bonding social capital are not inherently positive.

## **VII. Negotiated coexistence: why strong neighborhood networks increase crime**

As originally conceived, collective efficacy may have oversimplified the means for understanding spatial relationships to crime. Subsequent research is suggesting that the relationship is more nuanced. Counterintuitively, and paradoxically, high levels of community cohesion are often connected with higher crime rates.

While networks can promote the willingness of neighborhood residents to engage in informal social control efforts, they simultaneously reduce the regulatory effectiveness of these efforts. In other words, while networks promote neighborhood cohesion and an informal social control orientation, they also generate network-based social capital for offenders, or those close to them, that may inhibit more consequential forms of social control, such as contact with police or other outside authorities. Within networks isolated from the mainstream, strong “bonding” social capital can prevent members from cooperating with government officials when other group members or relatives engage in criminal behavior, because such cooperation would likely result in a loss of social capital. *See generally* Christopher R. Browning, Seth L. Feinberg & Robert D. Dietz, *The Paradox of Social Organization: Networks, Collective Efficacy, and Violent Crime in Urban Neighborhoods*, 83 SOC. FORCES 503, 505, 509 (2004).

In an effort to explain this phenomena, Browning, Feinberg, and Dietz suggest an alternative theory, the Negotiated Coexistence Model, which they believe moves beyond the Systemic Model assumptions of the inherent benefits of extensive network connections (bonding social capital), to a more nuanced understanding of the complex, and seemingly paradoxical, relationship between social ties and the achievement of community goals. They theorize that networks have countervailing effects on crime, citing the potential for competition between social capital as a network-mediated exchange of value and social capital as solidarity, trust, and shared expectations for pro-social action (collective efficacy). *Id.* at 509.

Based on their findings, and those of others, it should not be assumed that strong social networks serve as a proxy for community level mobilization capacity with respect to the control of crime. Furthermore, poorer and marginalized communities tend to be overly reliant on the strong ties that yield bonding social capital. Moreover, in these communities social capital tends to be expended on survival needs and to relieve economic pressures.

“Poor neighborhoods may contain high levels of bonding social capital, but this form of social capital does not necessarily result in collective action. Lower- and moderate-income neighborhoods may face greater challenges in converting their bonding social capital into the more politically important bridging form of social capital.” Larissa Larsen, Sharon Harlan, Bob Bolin, Edward Hackett, Diane Hope, Andrew Kirby, Amy Nelson, Tom Rex & Shaphard Wolf, *Bonding and Bridging: Understanding the Relationship Between Social Capital and Civic Action*, 24 J. PLAN. EDUC. & RES. 64, 66 (2004).

In lower income communities, the ones typically plagued by high crime rates, social cohesion can actually promote social isolation. Within socially isolated, poorer communities, existing social capital (usually bonding) is being expended for daily survival needs, and the absence of weak ties (particularly with people of higher socioeconomic status) means there is limited access to bridging social capital. This, in turn, can trigger the seemingly paradoxical situation, identified by the Negotiated Coexistence Model, where there is high social cohesion, but little positive informal social control.

### **VIII. New parochialism: how neighborhood networks decrease crime**

Although collective efficacy theory has evolved, research still suggests that while social networks foster the conditions where collective efficacy may flourish, they are not sufficient for the exercise of positive social control. The collective capacity for social action, even if rooted in weak personal ties, may better explain between-neighborhood variation in crime rates. MORENOFF, at 3.

An important aspect of understanding informal social control is the extent to which people perceive that they have both the ability and the willingness to exercise social control. RUTH R. KORNHAUSER, SOCIAL SOURCES OF DELINQUENCY: AN APPRAISAL OF ANALYTIC MODELS 277 (1978); Ruth A. Triplett, Ivan Y. Sun & Randy R. Gainey, *Social Disorganization and the Ability and Willingness to Enact Control: A Preliminary Test*, 6 W. CRIMINOLOGY REV. 89, 90–91 (2005).

Social cohesion among neighbors, combined with their willingness *and ability* to intervene on behalf of the common good, may better describe collective efficacy’s link to reduced violence. This ability could be augmented by not only strong ties and their related private and parochial social capital, but also by weak ties and the bridging social capital that connects the parochial with the public and, in turn, creates new bonds. This process has been characterized as a new or blended form of informal social control, New Parochialism, because it is based on the idea that private, parochial, and public social controls are interdependent. Carr, at 1275.

One way to ameliorate the problems identified in the Negotiated Coexistence Model is to introduce structural mechanisms for developing new parochialism style informal social control, thereby promoting collective efficacy. As Morenoff points out, “[t]he institutional component of social capital is the resource stock of neighborhood organizations and their linkages with other organizations.” MORENOFF, at 6. Community organizations, through bridging relationships with entities and resources outside the community, can play a crucial role in increasing community collective capacity to exert informal social control.

But community organizations are not, by definition, rich in bridging social capital. For example, Slocum and her colleagues identified 343 different community organizations in their 2013 study of crime in 74 block areas within the South Bronx. However, the least prevalent type of organization was groups that bridge to the larger community (n = 13). Governmental agencies (n = 19) were also less prevalent, while religious organizations were the most prevalent (n = 101). Lee Ann Slocum, Andres F. Rengifo,

Tiffany Choi & Christopher R. Herrmann, *The Elusive Relationship Between Community Organizations and Crime: An Assessment Across Disadvantaged Areas of the South Bronx*, 51 CRIMINOLOGY 167, 188–189 (2013). Yet, when bridging organizations were present, there were lower crime counts for both violent and property crimes. “For violence, one statistically significant effect emerges. In areas with more organizations that act as bridges to the external community, there is less violent crime. For each additional bridging organization, the violent crime count decreases by almost 20 percent.” *Id.* at 190.

Hence, a structured approach that focuses on increasing the capacity of community-based organizations and of community activists to bridge to networks outside of the community, thereby increasing neighbors’ ability to take action, is an empirically sound means to increase collective efficacy. These organizations and leaders can link their parochial informal social control with the public social control of broader institutions. Even in communities with low levels of social cohesion, conscious connections between neighborhood-level and public-level social control can be beneficial. Furthermore, these bridge connections are less likely to suffer the negative consequences of strong internal neighborhood ties demonstrated by the Negotiated Coexistence Model. Even in changing or transient communities, organizational encouragement can prompt individuals to intervene at least indirectly—for example, by calling the police. *See generally* Carr, at 1245 (discussing the interdependent nature of private, parochial, and public social control); *but see* Sarah Becker, “*Because That’s What Justice is to Us*”: *Exploring the Racialized Collateral Consequences of New Parochialism*, 22 CRITICAL CRIMINOLOGY 199, 200 (2013) (discussing how racial perceptions can effect informal social control).

If these weak, or bridged, forms of social capital represent one of the most promising methods for building social capacity and addressing neighborhood-based crime, this bodes well for Department engagement with community partners. Because the Department will always come from outside of a community, its ties within the community will be weak. However, this actually puts the Department in a unique position to increase collective efficacy in high crime communities. Through collaborative, bridging community engagement strategies, it can help ensure that the negative aspects of intragroup cohesion (unwillingness to cooperate with authorities or racial stereotyping) are minimized, while simultaneously promoting procedural justice and catalyzing the informal social control that is key to reducing crime.

## **IX. Building bridges: constructing a community engagement strategy**

We can now see that the research points to four important backdrops to an effective community engagement strategy:

1. A strong sense that there is procedural justice that consequently promotes support for the criminal justice system,
2. Higher levels of collective efficacy are strongly correlated with lower levels of violent crime,
3. Higher levels of social capital, in the form of strong neighborhood-based ties, can actually undercut informal social control, and
4. Weaker ties that bridge across community networks can be effective in reducing crime.

Research and experience suggests that the organizational sweet spot involves varied partners—from both inside and outside the impacted neighborhoods—engaged in trusting relationships where members have a voice and are respected. These weaker ties that bridge networks can bring new resources to neighborhoods, through all forms of capital, and promote collective efficacy, while offsetting the paradoxical effect of neighborhood cohesion and informal social control that can occur in socially isolated communities.

But how can a stronger sense of procedural justice and increased levels of collective efficacy be promoted in communities where distrust of the justice system has been high and collective efficacy and



social capacity is not strong? Furthermore, how can the Department effectively engage with communities where structural disadvantage has promoted strong neighborhood cohesion and distrust of outsiders, particularly governmental officials?

### **A. Know what you want**

When developing partnerships, the question, “What’s in it for me?” is the most important question all partners should (and do) ask. Addressing this question is the only way for partners to truly engage with each other. A true partnership is built upon mutual interest and mutual respect. So what are the advantages for a U.S. Attorney’s office (USAO) to truly engage communities and work in partnership with them? Why do community organizations and residents want to engage with federal law enforcement?

**U.S. Attorney’s office:** First, crime prevention is the foremost advantage for USAOs. Neighborhoods with strong degrees of engagement and collective efficacy will likely have lower incidences of violent crime. This idea supports the fundamental mission of the Department.

Second, even when crime cannot be prevented, strong degrees of community engagement will enhance litigation cooperation. The relationships and trust created through active participation with community partners will increase the sense that there is procedural justice and thereby encourage more witness cooperation, an improved political environment, and a stronger sense that victims will be supported.

A third, and often overlooked, advantage of strong community partnerships is the ability to leverage resources not directly accessible to the Federal Government. At times, the best crime-fighting strategies will lie outside the jurisdictional, statutory, and ethical bounds of the Federal Government. These types of restrictions mean that it is often necessary to leverage the resources of state or local law enforcement, use funding from foundation or private sector sources, and/or use the strategic flexibility of a not-for-profit partner to yield better outcomes.

Finally, it should not be discounted that better relationships promote better enforcement intelligence. Through relationships with local community sources, the Department can identify threats before they come to fruition. Local trends are also best identified through connections directly to affected communities.

**Community partners:** Similarly, community partners need to determine “what’s in it for them” to work with the Department. Possible advantages for community groups and community leaders are also multifaceted. One obvious advantage is resources. Access to federal financial assistance will almost always be a desired outcome for community partners. However, it is important for Department staff to remember that we can bring a variety of resources to the table. Often the prestige of working with the Federal Government can leverage resources from other financial partners. The credibility, recognition, and validation of working with a federal partner are often quite valuable to community partners. Additionally, community partners rely heavily on human resources. Therefore, a partnership with the Department can provide assistance through use of not just Department expertise, but participation of more people, even if it is just additional bodies at community events.

Secondly, community partners can benefit from the convening authority of the Department. Community leaders typically, even when they know who they need at the table, often struggle with convening all of the necessary parties. A USAO can typically convene very broad-based coalitions.

A third broad advantage for community organizations in working with the Department is the assistance they can receive in moving a pre-existing agenda. To the extent that desired outcomes align, community partners may find that the Department brings new energy and focus to issues that have long

concerned them. The Department can use its convening clout to bridge local organizations with other potential allies.

Finally, it is important to remember that many people become involved with community organizations because it gives them something to do. Participation in one's community is also a social activity. Engaging in partnerships increases the social network of community leaders. This alone can often be an effective motivator.

## **B. Developing successful strategies**

To build a successful partnership, it is critical that all partners are not only aware of “what’s in it for them,” but also what the other partners can gain. Every potential partnership should be established for a specific reason. We should never go into partnerships for no reason at all. We should always have answered these fundamental questions: What outcome are we trying to achieve? Why do we think this partnership could help? What do our potential partners want from this partnership? Is now the right time to address this issue? Is now the right time to engage in a partnership with this organization or individual?

If you have determined that it could be helpful to engage in a partnership, you must also know why your potential partners are at the table. You need to be able to support at least parts of their agenda. Otherwise, it makes no sense to engage with them. You do not need to agree with all aspects of your partners’ agenda, nor they yours, to work together on the agenda items you have in common. If you can agree on specific focused activities where you share common concerns, it can still be appropriate to engage in those items. One way to approach this task is to view your partnerships like public transportation. Just because you are on the bus with someone, does not mean that you got on at the same stop or that you need to get off at the same stop. Work together when, where, and how you can, but be clear and honest about your boundaries.

**Developing objectives:** One of the most important ways to ensure an effective and productive partnership relationship is to develop a limited set of clear objectives. Avoid spending too much time in developing broad vision or mission statements. They can take up substantial partnership energy and are ultimately of limited value. Agreeing to promote public safety with a focus on reduction of violent gun crime in a particular neighborhood is ultimately not an agenda for action. Few people will disagree with the goal, but even fewer will know what the partnership intends to do. Instead, spend your time developing objectives that are limited, clear, collective, obtainable, and measurable.

1. **Limited:** Resist the temptation to be all things to all people at all times. Limit your objectives to a manageable number, typically not more than three. When a partnership or collaboration tries to take on too many objectives simultaneously, they invariably lose focus, which can result in disintegration or splintering of the partnership. In the first instance, the partnership falls apart. In the second, so many committees are needed to carry out the work that loyalties can shift from the broader partnership to the individual committees. While this arrangement typically strengthens committee structure, it has the unfortunate consequence of weakening the overall partnership. Focusing on a limited number of objectives ensures that you stay focused on high priority items and keep the correct people engaged.
2. **Clear:** Taking time to clarify objectives will build understanding and trust. While it is much easier to get everyone to agree to broad, overly inclusive statements, they are ultimately extremely difficult to operationalize. Clear objectives define very specific, intended outcomes and responsible parties. A clear objective will answer the questions why, what, where, how, how much, when, and who.
3. **Collective:** To effectively meet your objectives, all partners must participate. Therefore, all partners must agree to the objectives. If one or more parties come to the table with their “own agenda” and try to force everyone else to implement it, the partnership will likely fall apart.

Agree to work on what you can agree to work on together. Individual members can have individual objectives, but partnership objectives must be collective.

4. Obtainable: Objectives must be something that can happen within a defined time frame with the resources that are available. They should not be so aspirational as to be unrealistic. Objectives should answer the question “What will we do?” rather than “What do we wish could be done?”
5. Measurable: It is important to know what success looks like. Measurements can be qualitative or quantitative. However, the unit of measure and time frame must be specifically defined upfront.

Once you have determined that a particular partnership could be valuable, acknowledge and define what everyone brings to the table. Be flexible in your definition of value, but remember that all partners must bring something of value. A partner that does not bring anything is not a partner; they are a parasite.

### **Tips for bridge builders:**

1. You are not from this community: Too often people from the Federal Government come into local communities and say things like, “I am from a neighborhood just like this.” This type of comment is usually met with much skepticism, because you are not from this exact neighborhood. Most people who are involved in neighborhood work feel very strongly about their specific neighborhood. Additionally, they are often unfamiliar with the neighborhood or communities from which you came. Therefore, this type of attempt to build a bridge often has the opposite effect. Similarly, even if you did grow up in this neighborhood, you likely do not live there now. That means that your understanding of currently living in the neighborhood is limited. Indeed, the simple fact that you left may make you even more suspect as a potential partner. Finally, even if you do currently live in the community where you are trying to work, your current role is to represent the Federal Government. Therefore, you are not from the community. Acknowledge to your partners, and yourself, that you are from the outside. Use this unique position to build bridges from (and to) the neighborhood.
2. Look for ways to help your partners move *their* agenda: While it is important to agree on limited, specific objectives for your partnership, support your partners’ other work when there are opportunities to do so. This idea does not mean you should change the objectives of the partnership or forget your fundamental purpose. However, if you can easily and without ethical conflict support a partner by, for example, attending a community event or supporting one of their activities, take that opportunity because it will go a long way towards increasing their trust in you.
3. Trust your partners so they can trust you: In any effective partnership, you must sincerely embrace the belief that you all want the same thing. Once you have agreed on objectives and strategies, avoid questioning the commitment of your partners. Similarly, do not be condescending toward your community partners. Everyone brings something to the table; that is why you’re in partnership with them. Value everyone’s skill set. Everyone may not understand what you do or what your constraints are. However, do not be coy and definitely do not lie. It is important that your partners believe and know that you are truly committed to addressing the problems and working with them. If you have reservations regarding working with a potential partner, clarify boundaries first. If you cannot work with a particular organization or individual, do not do it. However, remember that community engagement and community outreach are not the same thing. Lesser forms of contact may still be appropriate, even when you cannot partner with an entity. If you cannot share information, say that. But also understand that you are not the only one who may need to keep certain confidences. Just

because you are working together does not mean that all information will be shared at all times. Discuss the boundaries of information sharing, and trust that all the partners are working in good faith.

4. **History matters:** Know the history of the community where you intend to work. In particular, learn about previous collaborative efforts related to law enforcement, the Department, and the Federal Government in general. Few community leaders or community organizations will differentiate between efforts of one federal agency and another. If a previous effort to assist at-risk youth was led by the Department of Education, the fact that the Department is coordinating “this” effort may not seem different to your partners. In most distressed communities, previous interventions have been attempted. Acknowledge past attempts and be honest about what worked or why they failed. This frank review and assessment are particularly important if the Department was a previous partner and/or funder.
5. **Institutionalize accountability:** It is important that all of the partners are full participants. Do not participate in partnerships in name only. Being only nominally involved will frustrate your partners and potentially lead to embarrassing situations when you are unaware of partnership activities. Expect respect from (and for) all partners *and* their time. Make sure that everyone respects the fact that deadlines and commitments matter.
6. **It is okay to succeed:** Limited, clear, collective objectives are measurable and obtainable. Therefore, you can and will know when you have won. Partnerships do not have to continue forever. When you have met your objectives, or circumstances have changed, it is appropriate to end a partnership. Even if the relationships you have built are important to continue, a good relationship does not require a monthly meeting. As an alternative, occasionally celebrate the victory. Reduce monthly meetings to quarterly or semi-annual check-in sessions. These can maintain the relationships without feeling overly burdensome.
7. **Have fun!** Community-based work is difficult and can be draining. Celebrate small victories, acknowledge people, and appreciate where new bridges can take you. ❖

## ABOUT THE AUTHOR

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# The Heroin and Opioid Epidemic: Our Community's Action Plan

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In summer 2013, public officials, doctors, and community leaders in Ohio's largest county began to grasp that there was a public health crisis that was largely flying under the public's radar.

Heroin deaths in Cuyahoga County were up nearly 400 percent from just a few years earlier. Fatal heroin overdoses had become the second leading cause of accidental death in the county—surpassing car crashes, homicides, and drowning, among others.

The U.S. Attorney's Office in Cleveland had seen a change in the types of narcotics cases it prosecuted over the past couple of years. The demand had shifted from crack and powder cocaine to heroin, and the dealers were filling that demand. But the sheer number of deaths—194 in 2013—was staggering.

U.S. Attorney Steven M. Dettelbach and Law Enforcement Coordinator Craig A. Tame surveyed the good efforts that were underway in Cuyahoga County and throughout the Northern District of Ohio. Instead of reinventing the wheel, the challenge was to build upon efforts that were already underway and expand them to the broader community. What they learned was that there was no one solution.

First, the heroin epidemic in Ohio seemed to be tied to an explosion in pain medication abuse in the earlier decade. Some of it was coming from “pill mills”—doctors who were prescribing painkillers like Percocet and Oxycontin (also known as Oxycodone) in exchange for a fee. But pills were also being diverted when honest doctors, with the best of intentions, simply overprescribed pain medication. U.S. Attorney Dettelbach described the Akron Office's encounter with numerous stories of how leftover pills, after legitimate surgery, would sit in medicine cabinets “like ticking time bombs” until the patient's visiting relative or neighbor “goes into [the] medicine cabinet, grabs the bottle and puts it in his pocket” to satisfy their or another's opioid addiction. This addiction is one that, “more and more frequently, morphs from pills to heroin.” Press Release, Steven M. Dettelbach, U.S. Attorney, U.S. Attorney's Office, N. Dist. of Ohio to the Akron Roundtable (June 19, 2014).

Second, it wasn't simply a health care problem. There were not enough in-patient beds for those who wanted treatment. Some school districts were hesitant to talk about the problem with parents or students, denying that a drug with such negative connotations could be a problem in their city.

Third, law enforcement also needed to change their approach. For a long time, when police investigators found someone dead from a heroin overdose, they simply called the coroner. It wasn't a murder, after all. Consequently, changes were required if prosecutors were to seek death-specification sentencing enhancements for dealers who sold fatal doses of heroin.

For U.S. Attorney Dettelbach and his staff, the need for a comprehensive solution to this complex problem was clear. The Office was uniquely situated to pull together a diverse, and sometimes disparate, group of stakeholders. “[W]e have a multifaceted problem,” Dettelbach said, because it is a law

enforcement problem, a health care problem, a treatment problem, and an education problem. “We need what I call an ‘all of the above’ ” solution. *Id.*

The office turned to traditional partners, like the U.S. Drug Enforcement Administration (DEA), the FBI, and the Cleveland police, to come up with a plan. They also turned to nontraditional partners, such as area doctors, hospitals, and the County Medical Examiner, to try to expand the plan. But they also included people who run recovery centers, outreach workers who handle needle exchanges, people in recovery, and parents who lost children to heroin.

The goal was to invite as many committed people as they could to create an overall plan that would tie together the many efforts already underway to combat the problem, and look to fill in any gaps. The group met at the U.S. Attorney’s Office but soon realized that to make any progress on the issue, they needed to get out of the courthouse and into the community. This realization resulted in a daylong summit at the Cleveland Clinic that drew nearly 700 people who shared ideas. Dettelbach and the rest of the office were adamant that the summit had to be more than just talk. It had to be the public kickoff to our efforts, not the end of them.

The result of the summit was a document titled “The Heroin and Opioid Community Action Plan.” The Action Plan was viewed as a living document—the group would tweak and adjust as progress was made or proposed solutions were found to be unworkable. The Action Plan, like the day, was broken into four sections: (1) law enforcement, (2) treatment, (3) education/prevention, and (4) health care policy. The document laid out a series of recommendations and concrete action steps that the group agreed to undertake. The overriding theme was to pitch in where possible and disengage if it was required. Some steps were relatively easy fixes that could be done in short order. Others were long-term solutions that would require months, if not years, of work. Still others called for legislative fixes, but this approach was problematic for some agencies and groups, such as the U.S. Attorney’s Office, which could not and would not take a position on proposed legislation.

Members of the group agreed to an informal rotation of people to speak at schools and community meetings, to build upon a successful series of talks started by a Cuyahoga County judge. Others worked to develop an investigative protocol at fatal overdose scenes, to gather evidence that could be used in prosecuting the sellers. Some worked to get more drop boxes installed at locations throughout the county, where people could safely dispose of their unused pills. Still others worked to expand access to Naloxone (also known as Narcan), the antidote used to reverse the effects of a heroin overdose. Some developed a public relations campaign, including billboards, radio spots, and television commercials. Vince Caraffi, of the Cuyahoga County Health Department, correctly summarized that no single agency could solve this multi-faceted problem.

The U.S. Attorney’s Heroin and Opioid Task Force grew to include participants from the Cleveland Clinic; the Cuyahoga County Executive; MetroHealth Medical Center; university hospitals; the Cuyahoga County Common Pleas Court; the Cuyahoga County Prosecutor’s Office; the Ohio Attorney General; the Cleveland Division of Police; the DEA; the FBI; the Ohio State Medical Board; the Ohio State Pharmacy Board; the Cuyahoga County Board of Health; the Cuyahoga County Medical Examiner; the Cuyahoga County Sheriff’s Department; the Alcohol, Drug, and Mental Health Services Board; and the Westshore Enforcement Bureau.

Dr. Jason Jerry, an addiction specialist at the Cleveland Clinic who chairs the Treatment Subcommittee, described how the effort unites a diverse group of professionals who are each involved in different parts of a single problem. By pulling together these resources, the task force is able to comprehensively understand the various challenges that each individual and agency faces in the effort to battle addiction and benefit the community. The summit also allowed for effective information-sharing to take place in real time on a variety of topics, such as discussing trends observed by law enforcement on the streets and then comparing those trends to reports by addicts entering treatment.

A few months after the summit, actor Phillip Seymour Hoffman died, and the growing trend of heroin abuse was thrust into the spotlight. Different groups from across the country began reaching out to the U.S. Attorney's Office in Cleveland for advice on how to respond to the issue in their community.

In November 2014 the group issued a one-year report to the community. Heroin deaths for 2014 were on pace to remain around 200. Although this number still represents far too many deaths, it was the first time in five years that there was not at least a double-digit percentage increase.

"The strength of this project is that you have cops sitting next to recovering addicts sitting next to doctors, all working toward the same goal," Caraffi said. "People leave their degrees and titles at the door to work together for the good of the people we are serving." Telephone call from Vince Caraffi, Cuyahoga County Health Dep't, to author (Dec. 17, 2014). ❖

## ABOUT THE AUTHORS

❑ **Michael Tobin** serves as Community and Public Affairs Specialist for the U.S. Attorney's Office for the Northern District of Ohio. He oversees media relations for the office while also coordinating outreach efforts to the broader community. Mr. Tobin handled media relations for the largest public corruption investigation in Ohio history, in which 60 people were convicted of crimes. He also coordinated community outreach efforts for the ongoing pattern and practice investigation into the Cleveland Division of Police. Prior to joining the Department of Justice in 2010, Mr. Tobin worked as an editor and reporter at the Plain Dealer, Ohio's largest newspaper. He oversaw the paper's coverage of crime and criminal justice trends, including the discovery of 11 women murdered by a serial killer and the botched investigation of dozens of rape cases, among other projects. Before joining the newspaper, Tobin worked as a staff writer at Cleveland Scene and as a reporter at States News Service in Washington, DC, where his coverage of Congress appeared on the front pages of the Miami Herald, Detroit Free Press, The Tennessean (Nashville), and other newspapers. ❖

❑ **Craig A. Tame** joined the U.S. Attorney's Office for the Northern District of Ohio as the Law Enforcement Coordination Manager in 2007. As Manager, he assists the U.S. Attorney in developing strategies to combat crime and to implement priorities established by the Attorney General. He also serves as a liaison between the law enforcement community and the various components of the Department of Justice. Mr. Tame oversaw the creation of the Northern Ohio Violent Crime Consortium, a regional partnership of local, state, and federal law enforcement agencies, which coordinates an intelligence-led, violence reduction strategy focused on firearms suppression and gun-related crime. Prior to joining the U.S. Attorney's Office, Mr. Tame held the position of Chief Health and Public Safety Officer for the city of Cleveland, where he spearheaded the creation of the Greater Cleveland Offender Reentry Initiative and introduced the CitiStat/CompStat Program. He also served as the Director of Justice Affairs for Cuyahoga County and Legal Director for the Department of Children and Family Services. While holding these positions, he started the Children Who Witness Violence Program, the Child Protection Coalition, and the Child Fatality Review Committee. ❖

# Implementing a Comprehensive Smart on Crime Strategy

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## **I. Introduction**

The Smart on Crime initiative presents unique opportunities and challenges for U.S. Attorneys' offices (USAOs) to weave together multiple Department of Justice (Department) resources as a means of addressing violent crime and strengthening the social fabric in high crime communities. Under the Smart on Crime umbrella, USAO staff members are bringing together partners and resources from across the Department and coordinating with other local, state, and federal partners. Success is being achieved by utilizing comprehensive crime prevention tactics, law enforcement, prosecution, victim support, community engagement, and reentry efforts.

This article describes how the Northern District of California has been successfully implementing a Smart on Crime approach in two of its most challenging communities—Oakland and Salinas. These two communities, one large and metropolitan, one small and agricultural, are quite different. Both, however, have been plagued by high violent crime rates. In addition to telling the stories of these two communities, this article will provide lessons and tools for building comprehensive Smart on Crime strategies in other USAO districts. At the end of the article, a summary of the financial, training, and technical assistance resources available from the Bureau of Justice Assistance is included.

## **II. The Oakland story: decades of violence and disparity**

Since 1969 the city of Oakland has experienced a homicide and violent crime rate that has resisted state and national downwards trends. Consistently ranked as the most violent city in California, Oakland also ranks as the second most violent city in the United States, according to Law Street Media. Oakland's violence problem has unfortunately been stable over the last 44 years. Multi-year annual homicide averages (3-, 5-, 10-, 44-year) all hover around 107 to 109 homicides. In recent years, Oakland's violent crime rate has been three to four times the state rate, and its homicide rate is three to six times the state rate.



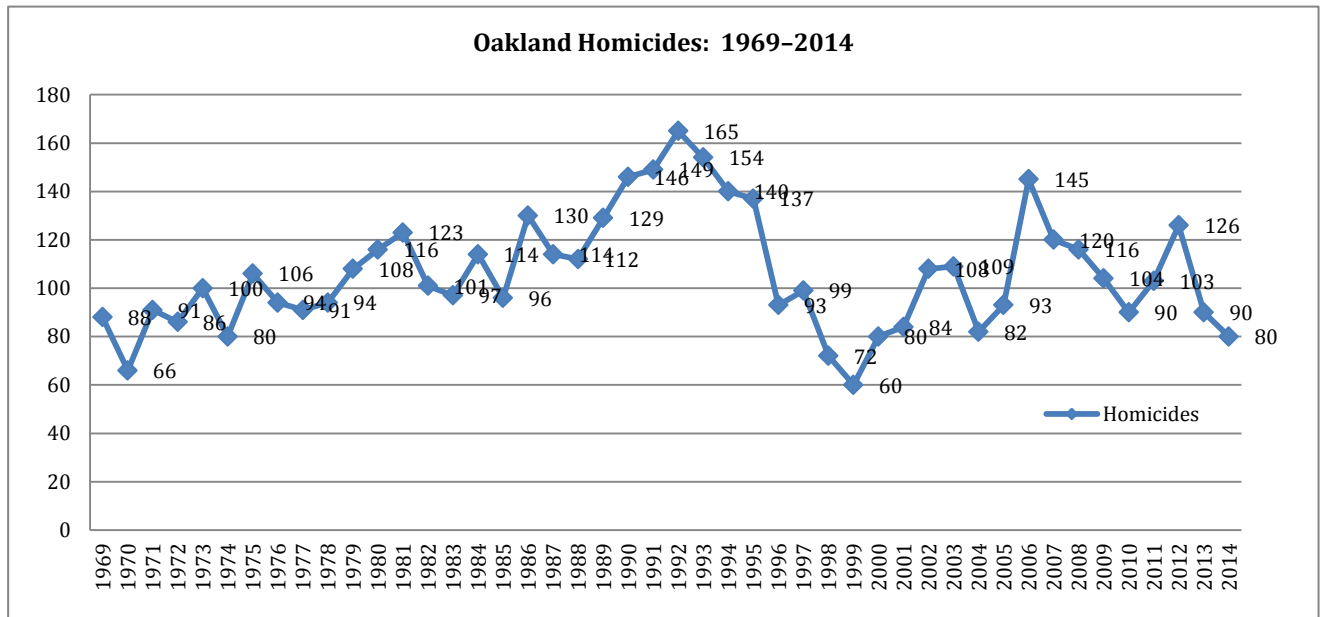


Figure 1

In 2012 Oakland reached its highest homicide total since 2006, with 126 murders. At that time, the mayor’s office and the chief of police were seriously reconsidering implementation of the Ceasefire strategy (Ceasefire). In previous years, the city had attempted and failed to fully implement this strategy, largely due to the lack of dedicated staff to implement it across the city’s Human Services Department and police department. With a significant spike in homicides at the close of 2012, the mayor, city administrator, and chief of police made a commitment to Ceasefire and began contracting with the California Partnership for Safe Communities (CPSC) to properly implement the strategy. Although commitment from the USAO and other federal agencies was already present due to past and ongoing efforts, the city’s focus and attention had been lacking.

In 2012 the CPSC began working with Oakland to implement Ceasefire. Acting as researchers and an ad-hoc project manager, the CPSC worked with Oakland police and the mayor’s staff to gather data and conduct an up-to-date analysis of Oakland homicides and gang activity. This analysis provided a shared understanding of the nature of the violence in Oakland and allowed all stakeholders to operate from a common understanding of the issues and challenges in Oakland. The CPSC, chief of police, and the mayor’s public safety advisor met with the mayor, city administrator, community/faith leaders, service providers, and elected officials, as well as the United States Attorney’s Office for the Northern District of California and federal agencies, to provide information and offer the implementation of the Ceasefire strategy as a solution.

From this series of meetings, the Community Working Group made up of faith leaders, service providers, and staff from the Oakland Police Department and from the mayor’s office was formed. A Law Enforcement Partners’ Group and a Steering Committee were also created. The USAO led the partnership that created the Law Enforcement Partners Group, whose purpose was to ensure that senior and middle-level law enforcement professionals from federal, state, and local agencies would focus their collective resources on individuals in groups and gangs who were engaging in violence. The Steering Committee included the chairs of the Community Working Group, senior staff from the city’s Human Services Department, staff from the mayor’s office, and chief and assistant chief of police. This Steering Committee decided what the goals of Ceasefire would be. They included:

- Reduce gang- and group-related shootings and homicides

- Reduce the recidivism rate among participants
- Improve community and police relationships among those most impacted by violence

The Steering Committee also planned Ceasefire’s direct communication (known as call-ins and custom notifications) and a community outreach effort, known as night walks, and ensured accountability and fidelity to all aspects of the strategy. In 2014 these committees would become the Partnership Committee (the combining of the Steering Committee and the Community Working Group), the Law Enforcement Partners Committee, and a new Oakland Police Department Shooting and Homicides Reviews Committee.

The first call-in was held in October 2012. Since that time, and with the assistance of a \$500,000 PSN 2013 grant award, call-ins, custom notifications, night walks, and focused law enforcement actions have been held consistently, using data to ensure a laser-like focus on young men who are at highest risk of violence. As a result of these efforts, Oakland has seen a 36.5 percent reduction in homicides during the past 2 years.



Figure 2

### A. Oakland problem analyses of violent crime

Oakland is the largest city in Alameda County, with approximately 400,000 residents. Historically and currently, Oakland is the most violent city in California and one of the most violent cities in the country. It is consistently ranked among the five most dangerous cities in America, according to the CQ Press’s analysis of Unified Crime Reporting (UCR) data. According to UCR data for 2011, Oakland led all large cities in robberies. Most alarming, a firearm was involved in nearly half of those robberies. Over the last 3 years, Oakland has annually averaged 500 non-fatal shootings and 106 homicides.

A pair of analyses were conducted by CPSC as part of the Ceasefire program. The first was a limited analysis to help identify the most dangerous and high-risk neighborhoods to start the program. The second was a more robust, in-depth look at crime, a Problem and Opportunity Analysis. The earlier analysis, used to help focus the program showed that nearly 60 percent of Oakland’s homicides and shootings occurred in East Oakland. The Ceasefire strategy originally targeted this general area and specifically the neighborhoods of Elmhurst and Havenscourt, which are among the highest-stressed neighborhoods in the city. In 2012 Elmhurst had 82 shootings and 5 homicides, while Havenscourt had 117 shootings and 9 homicides. These two neighborhoods alone accounted for almost 35 percent of East Oakland gun violence in 2012. East Oakland became known as the “kill zone,” and victims of gun violence included children sleeping in their beds or being pushed in strollers, and grandmothers walking to the store.

Using PSN grant funds, a Problem and Opportunity Analysis was conducted. CPSC staff, working with the Oakland Police Department and Oakland Unite, completed the Problem and Opportunity Analysis of every homicide in the city between January 2012 and June 2013—a total of 179. The analysis showed that approximately 50 identifiable violent groups or gangs (street networks) drove 59 to 84 percent of the city’s violence. These networks were made up of 1,000 to 1,200 young men in their late teens to late 20s (approximately 0.3 percent of the city’s population). Within this population, a smaller set of about 18 groups, with a total active membership of about 200 to 350 people, were associated with the greatest share of this violence. The analysis helped the partners focus on this small, highest-risk population.

The concentration of crime became clearer through this analysis conducted by CPSC. It showed that 80 percent of Oakland's homicide suspects and victims were African-American, even though this group comprises only 28 percent of the population. The Problem and Opportunity Analysis also showed that the highest concentration of homicides was among adults between the ages of 18 and 34, with 30 being the median age of victims and 26 the median age of suspects. Fifty-nine percent of all homicides involved group or gang members as victims, suspects, or both. Forty percent stemmed from ongoing group feuds, personal disputes between group members, or internal group disputes. The balance (19 percent) consisted of instances in which group members used violence to resolve other kinds of disputes. Another 25 percent appear to have involved group members as suspects or victims. Surprisingly, disputes over drugs, drug turf, or drug business were relatively rare, making up 13 percent of homicides. This Analysis showed the risk of involvement in homicide was concentrated within and among groups and their networks.

## **B. Oakland's response to violence: the Ceasefire strategy—galvanizing the community and law enforcement in tough budget times**

Oakland's Ceasefire strategy is based on a method first implemented in Boston almost 20 years ago. Its core is the direct communication of a powerful anti-violence message by an alliance of community leaders to young people who are at highest risk of violence. The Boston effort combined the careful analysis of serious violent incidents and trends to identify those individuals and their social networks at highest risk of violence. They then communicated to those individuals and groups the risks associated with continued violence. Enforcement efforts were narrowly targeted to those individuals who persisted in violence, and social services and supportive relationships were offered to those who sought them.

The Oakland Ceasefire Partnership includes CPSC staff, residents, street outreach, service providers, faith-based leaders, other community members (including those at highest risk of violence), Oakland police, and the USAO and other federal criminal justice agencies. These entities all focused on individuals and groups at highest risk of violence by identifying them through a rigorous analytic approach.

The department has leveraged its crime prevention and intervention network via Measure Y, the Violence Prevention and Public Safety Act of 2004, a comprehensive public safety effort that weaves together social services, non-profit groups, law enforcement, schools, faith-based agencies, and community members at the neighborhood level. Since 2008 Measure Y has expanded to leverage federal and state grants to more closely focus on high-risk individuals, and has evolved into a coalition of partners under the umbrella of Oakland Unite.

Because of Oakland Unite, when the police department initiated Ceasefire in 2012, it had a ready network of community partners to assist with services to facilitate interrupting and preventing the violence. These partners assisted with street outreach and community organizing efforts. Oakland Unite also dedicated one-time funding to establish a Ceasefire project manager position, which was continued by the PSN 2013 grant.

To keep the violence analysis up to date, the Oakland partners now conduct two separate reviews of fatal and non-fatal shootings every week. This review tends to reveal an even smaller number of very highest-risk people and groups at any one time—often 4 to 10 groups with fewer than 100 active members. These groups and individuals become the focus of call-ins and custom notifications, and of the outreach and support work led by Oakland Unite. A subset of Oakland Unite partners—street outreach, crisis and homicide response, hospital-based response, and mental health care providers—conduct their own independent shooting review each week and identify shootings with a high likelihood of retaliation, as well as individuals and groups connected to the incidents. This review guides their crisis response and

violence interruption work. This specialized network has been refining its approach since the mid-2000s, and its shared expertise is key to the current Ceasefire outreach and support work.

In addition to these shooting reviews, leaders in the Oakland Police Department and Oakland Unite regularly communicate to reinforce their joint focus on the same highest risk groups. This coordination takes place at the senior management level to protect the safety and credibility of street outreach workers.

Oakland has pursued this effective strategy for reducing violence, which also reduces the social and economic costs of Oakland and Alameda County’s extremely high rates of prison recidivism. Ongoing budget challenges and prison realignment in California require the Oakland Police Department and the criminal justice system partners to ensure that every arrest counts, by using focused deterrence as well as changing future patterns of offending by highest-risk individuals.

The Oakland Police Department has seen its sworn ranks decrease by more than 25 percent since 2008 (830 in 2008 versus 613 officers in 2013). During this time, Oakland was also assisted by money from Community Orienting Policing Services (COPS). The table below conveys the amount of the award Oakland received from COPS.

<b>Grant</b>	<b>Grant Award</b>	<b>New Police Hires</b>
fiscal year 2011	\$10,739,575	25
fiscal year 2013	\$4,515,730	10
fiscal year 2014	\$1,875,000	15

Figure 3

Under the leadership of the USAO, the police department galvanized its law enforcement partnerships, working closely with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), U.S. Marshals Service, FBI, Secret Service, California Highway Patrol, the Alameda County Sheriff’s Office, and the Alameda County Probation, among others.

### **C. Connecting with those at highest risk: call-ins and custom notifications**

There are two primary ways the partners come into contact and communicate with the highest-risk groups and individuals: call-ins and custom notifications.

- Call-ins are larger meetings involving up to 20 participants on active probation or parole, with multiple community and law enforcement speakers in the same room together.
- Custom notifications are smaller, one-on-one meetings with law enforcement, one or two community members, and participants who may or may not be on probation or parole. These small meetings still reflect the full partnership: community leaders and residents impacted by violence, outreach and support services, and law enforcement.

At both types of meetings, highest-risk individuals are given this message:

The community cares about you and wants to help you, but we need the shootings and homicides to stop. There is special help available for you and those you care about if you are willing to take it, and we are committed to working with you and supporting you to change your life. However, if you or members of your group continue to shoot and kill, your group will receive special attention from multiple law enforcement agencies.

During call-ins and custom notifications, social services are offered to those wishing to receive help. However, participation in the services offered is not a requirement. The only requirement is that the shootings and homicides stop. These communications are important because they acknowledge what a large body of research already shows—that most individuals involved in this type of violence really do not want to continue in this dangerous lifestyle, and that they can and will make rational decisions regarding their future if given accurate information about their risks and opportunities. They often do not understand their legal risks and exposure. They also do not often hear that the community cares about them and is committed to helping them walk another path.

At these meetings local, state, and federal law enforcement agencies tell attendees that their lives matter and that, because the participants value life in their city, stopping gun violence is the highest priority. Typically, most individuals and group members will heed the message, and a smaller number will not. Law enforcement agencies jointly focus their efforts on those individuals and groups who continue to engage in violence.

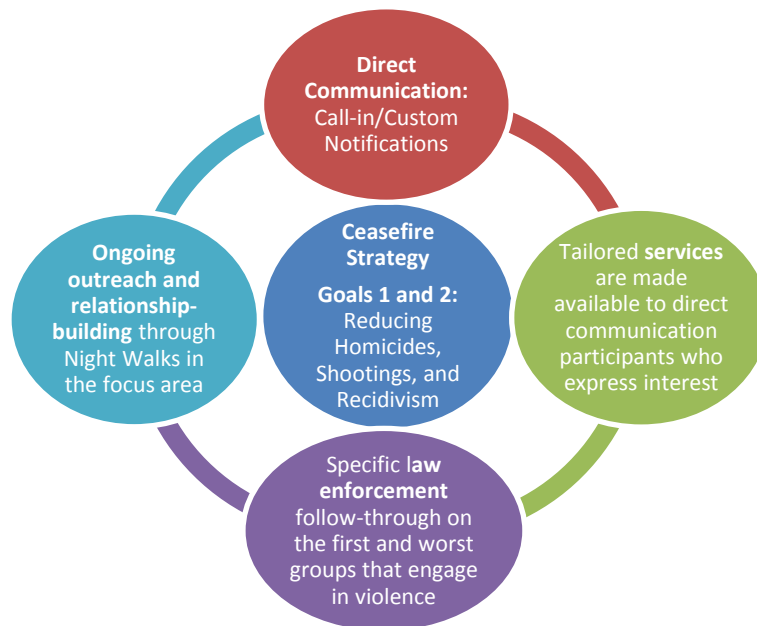


Figure 4

#### D. Project Safe Neighborhoods: sustaining and expanding Ceasefire

Oakland received funding under a Project Safe Neighborhoods grant in October 2013 through the USAO. A large portion of this grant paid for the Ceasefire program director, who would coordinate the strategy within the Oakland Police Department and work with the city’s Human Services Division to ensure that high-risk individuals requesting social service assistance could obtain help. Since this position was created and funding allocated to stabilize it, three work groups have been established: (1) Law Enforcement Partners, (2) the Ceasefire Partnership (formerly the Community Working Group), and (3) the Weekly Shooting and Homicide Reviews. The Ceasefire program director coordinates and actively participates in these groups and shares appropriate information between them.

The Ceasefire Partnership includes participation from Oakland Unite staff (social services), the assistant chief of the Oakland Police Department, the Oakland Police Department Ceasefire Unit and Crime Reduction Team, CPSC staff, and community partners. At the Ceasefire Partnership meeting, the most up-to-date version of the shooting scorecard—gathered from the weekly Oakland police shooting and homicide reviews—is shared so that social service and community partners can ensure that night

walks by concerned residents and clergy take place in the most active areas. Another reason the scorecard is shared is so that individuals from violence-involved groups receive higher-intensity case management. The committee also plans the call-in meetings, and its members often participate as speakers. These partnership meetings take place every 60 to 90 days, with smaller subcommittees meeting between them.

The Oakland Police Department's Weekly Shooting and Homicide Reviews include full participation from the department's Ceasefire Unit, U.S. Marshals Service, FBI analysts, ATF, county probation, state parole, Oakland Housing Authority, the police department's Criminal Investigations Division, crime analysts, and area commanders. At the meetings, partners collectively review and share information about every shooting and homicide during the previous week to ensure a shared understanding of the groups or gangs driving the violence. Participants also create and assess solutions that sharply focus on individuals within groups who are at the highest risk of being victims or perpetrators of gun violence. At each meeting, the following items are discussed as they pertain to each incident:

1. The incident's connection to gangs or groups
2. For "hot" groups (those at the top of the scorecard, involved in recent shootings, or identified as highest-risk based on street information), the group will discuss: (1) potential future shootings or retaliation that may flow from shootings, (2) any information that can be shared about street outreach strategies to mediate conflicts and prevent retaliation among these groups, (3) attention and support that Oakland police and other agencies might provide to deter groups from shooting, and (4) direct communication strategies (custom notifications and call-ins) to address these groups, including who the partners should focus on and what role each partner might play.
3. Assessment and amendment to activities and strategies from previous weeks to determine if the focus has been correct

The Law Enforcement Partners meeting occurs quarterly and is largely informed by the weekly shooting reviews. This meeting is attended by management from the USAO, ATF, FBI, Alameda County District Attorney's Office, California Department of Corrections and Rehabilitation, Alameda County Probation, Alameda County Sheriff's Department, Oakland Housing Authority, California Highway Patrol, Drug Enforcement Administration (DEA), Department of Homeland Security, and the U.S. Marshals Service. The meetings provide the agencies with current data and may include requests to supplement Oakland police efforts in 90-day plans—based on the shooting reviews—to determine the most active gang or group feuds and the vulnerabilities of individuals involved in these groups.

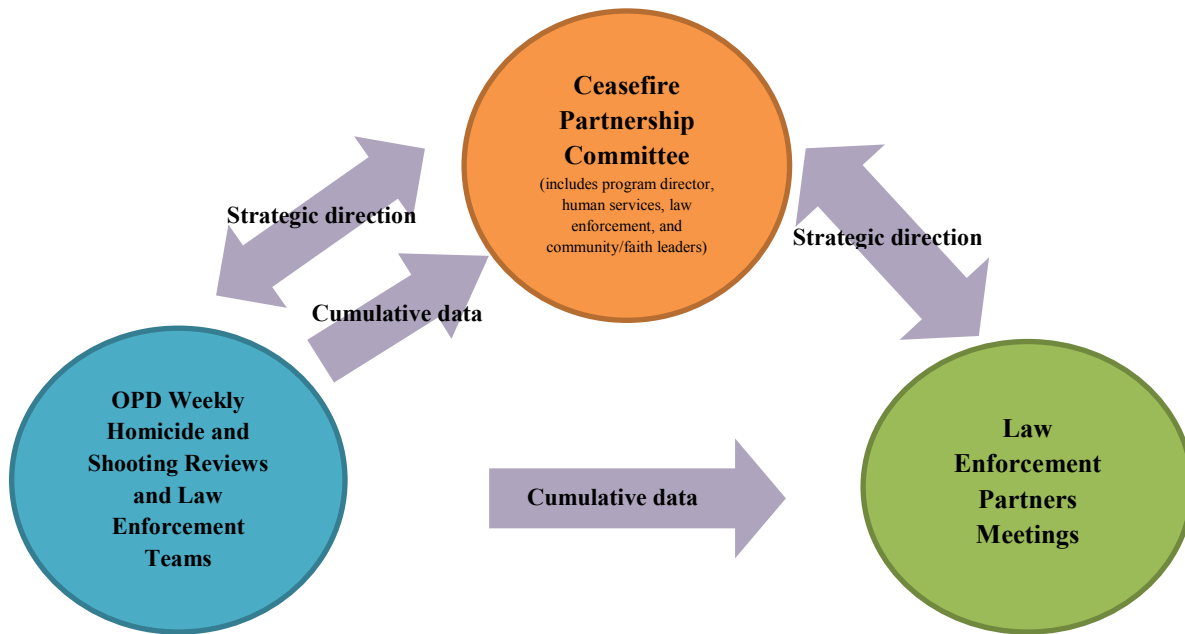


Figure 5

Since the beginning of the strategy in October 2012, the Ceasefire Partnership has conducted 7 call-ins and more than 97 “custom notifications” of high-risk youths on the street, in hospitals, homes, and in custody. These efforts added up to 230 direct communications with high-risk individuals.

Oakland Call-In History							
Police Areas	Date	Attendees	Social Services Sign-Up	Percent SS Sign-Up	SS Active*	Percent SS Active of all Attendees	Percent SS Active of those who signed up for SS
4, 5	18-Oct-12	20	12	60	10	50	83
4, 5	22-Mar-13	23	18	78	8	35	44
3, 4, 5	12-Sep-13	19	13	68	8	42	62
3, 4, 5	11-Dec-13	21	19	90	12	57	63
1, 3, 4, 5	27-Mar-14	15	13	87	10	67	77
1, 3, 4, 5	24-Jul-14	15	15	100	13	87	87
1, 3, 4, 5	13-Nov-14	20	17				
<b>Total</b>		133	107				

*Note: Active means, at minimum, the attendee completed case plan and worked with Case Management for at least one month. Data is still being analyzed for the most recent call-in, from November 2014.*

Figure 6

## **E. Improving relationships with the communities served: police legitimacy and procedural justice**

Oakland has a deep history of community distrust of law enforcement, especially in minority neighborhoods where violent crime is most prevalent. The city has been known as the home of the Black Panther Party and the Occupy Movement, and has labored under a court-mandated Negotiated Settlement Agreement involving police misconduct for nearly a decade. Given this history, it was clear to all partners participating in the Ceasefire strategy that they could not solely focus on reducing crime without also building community trust.

As a first step, the partnership decided to embark on police legitimacy and procedural justice training. A shared interest in improved outcomes for the city and those at highest risk of violence brought community partners to the table with the Oakland Police Department. More than a pledge to strengthen the police relationship with the community, under the leadership of the Assistant Chief of Police and the Ceasefire Director, the department-wide training served to:

- Support a way of policing that builds trust
- Explain the context for strained relationships with communities of color
- Emphasize that through their decision-making and treatment of residents, police can positively shape residents' assessments of them

Applying the rationale that recipients of police services and those most affected by crime and violence have perspectives that should be respected and taken into account, Oakland agreed that the community partners would co-author Oakland's training and be involved in the instruction. After observing Chicago's version of this training, Oakland engaged in six months of planning to modify the curriculum and build internal capacity to deliver the training in partnership with the community.

By the end of 2014, Oakland trained more than half of all sworn personnel and began training civilian staff. Oakland now has the only POST-certified (Police Officer Standards and Training) procedural justice course in California, and it is the only course with community instructors. The training has been consistently rated as excellent or very good. Nearly every attendee expressed appreciation that community partners co-taught the sessions. Participants said they felt positively about hearing from community partners, that they appreciated a personal perspective on the community's experience, and that they liked that the history of policing in communities of color was presented in a clear and relevant way.

## **F. Federal allies reinforce the partnership's message**

As Oakland moves into a new era of effective policing, community engagement, and evidence-based violence reduction strategies, the city recognizes that collaboration and relationships are key to the success and sustainability of its efforts. The USAO took part in strategy meetings and Ceasefire call-ins, and advised on cases that might fit federal charging criteria. These cases bring a level of legitimacy to the Ceasefire program as examples of why high-risk individuals should heed the message of stopping violence. The USAO's involvement sends a clear message that the city is serious about following through.

Another strong federal partner in reducing violent crime and retaliatory shootings has been the U.S. Marshals Service. In the past, Oakland police were successful at identifying suspects and seeking arrest warrants, but had difficulty apprehending the wanted individuals. U.S. Marshals collaborated daily with the Oakland Police Department about high-risk targets, and this process yielded phenomenal results. In 2014 U.S. Marshals made 107 Oakland-related arrests, including 27 for murder, and seized 66 guns in the city. In addition to this tactical support, the U.S. Marshals Service used every opportunity to



communicate the Ceasefire message to individuals they came into contact with, providing a level of legitimacy to the program while reducing the likelihood of retaliatory violence.

### **G. Oakland's results: reductions in violence, increased support**

In 2014, while funded and supported by the USAO and the Project Safe Neighborhoods grant, Oakland achieved the following:

- An 11 percent reduction in homicides and a 13 percent reduction in shootings
- The lowest number of homicides since 2000
- A 36.5 percent decline in homicides from 2012 to 2014
- Three successful call-ins with 50 participants and 72 custom notifications, totaling 122 direct communications
- 80 percent of call-in attendees signing up for services and support
- Regular focus groups with highest-risk young men about their perspectives on violence
- Several focused and intelligence-based law enforcement operations on groups that continued to engage in violence
- Procedural justice training for 396 police officers, 22 non-sworn police employees, and 10 individuals from external law enforcement agencies and community groups
- Leveraging the PSN grant and federal assistance to garner a state CalGrip grant of \$1.5 million for 3 years

In addition, the most dramatic decreases in violence occurred in 2014 and 2015 in East Oakland, the focus area of the Project Safe Neighborhoods grant and the area with the highest percentage of group-involved homicides and shootings.

It is important to note that during this two-year decline, the Oakland Police Department reached a staffing low of 613 officers, one of the lowest staffing totals in decades. Despite this challenge, the city has achieved significant declines in violence, as crime is trending downward, as illustrated below.

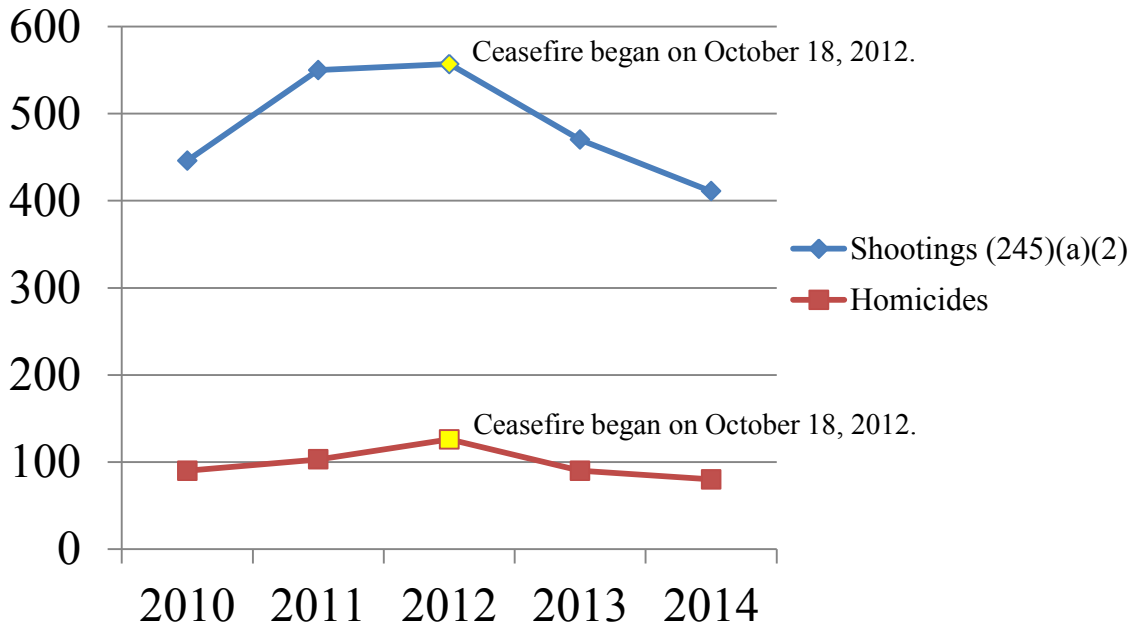


Figure 7

### III. The Salinas story

The city of Salinas experienced an unprecedented level of gang and gun violence between 2006 and 2009 (Figure 8), leading the Mayor of Salinas to engage the help of the U.S. Attorney and create a long-term collaboration with the USAO and Department of Justice. Gang issues in Salinas had been present for decades, but the tripling of homicides in 2009—all gang related—had the city on a dangerous and destructive trajectory. The U.S. Attorney used the convening power to gather senior-level federal law enforcement partners, the California Governor’s office, the California Attorney General, and county and local law enforcement to a gang violence summit to chart a course for law enforcement actions and efforts.

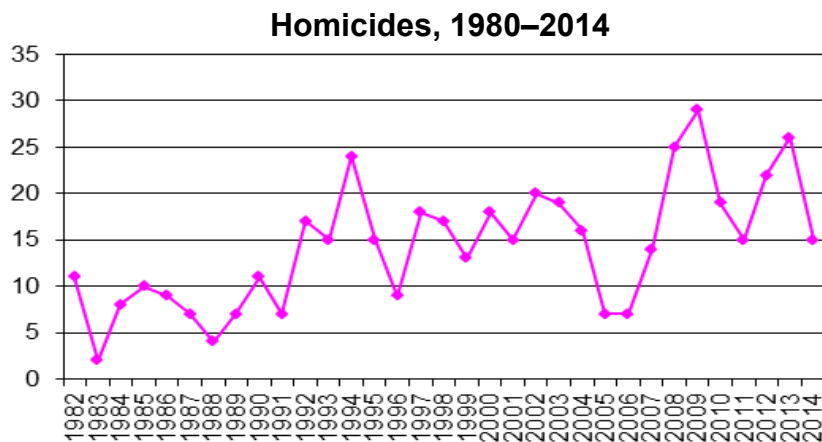


Figure 8

In a separate meeting, the U.S. Attorney brought together the community and political leadership to ensure they were fully engaged in a united effort to take back the city from gun and gang violence. The

message from the USAO was clear—federal law enforcement can only do so much. It is the community and local leadership (political, law enforcement, and schools) that, together, have the long-term shared responsibility of creating a peaceful city through collaboration, cooperation, and focusing scarce resources where they are most needed. The Community Alliance for Safety and Peace (CASP)—now a model for the country—was formed during this critical time, bringing together the community, faith-based organizations, Mayor, District Attorney, Police Department, Chief Probation Officer, schools, and other essential partners. This combined effort began a sustained and significant violence reduction model.

Salinas continues to have its gang challenges and its ups and downs in violence, but the remarkable efforts of CASP and the coordinated enforcement at the local, state, and federal levels combined to have a significant impact. These efforts include targeted funding through state and federal assistance, a robust Ceasefire effort, a working Project Safe Neighborhoods model, the engagement of top notch research partners and subject matter experts from throughout the country, a city that avails itself of training and technical assistance and participates in collaborative opportunities and peer-to-peer learning, the creation and adoption of a long-term strategic plan through participation in the Office of Justice Programs (OJP) National Forum for Youth Violence Prevention, and adopting and adapting best practices to fit the challenges presented by an entrenched and multi-generational gang presence.

In 2009 the city of Salinas experienced a high of 29 homicides and 122 non-fatal shootings, but by the close of 2014, Salinas had dropped to a low of 15 homicides and 74 shootings, rivaled only by the numbers in 2011 when homicides were also 15 and shootings were a record low of 40 (Figure 9). As 2013 saw an increase in violence, an influx of \$500,000 of Project Safe Neighborhoods grant money funded a violence interrupter program, Night Walks, Community Leadership Academies, and research on problem analysis and targeting of specific gangs and individuals committing the most violence. This contributed to turning the trend back downward to record lows for 2014. The collaboration of local, state, and federal law enforcement, community commitment, and engaged political leadership have been the hallmark of a successful and sustained effort to curb violence.

<b>Year</b>	<b>No. of homicides</b>	<b>No. of non-fatal shootings</b>
2009	29	122
2010	20	112
2011	15	40
2012	19	74
2013	26	90
2014	15	74

Figure 9

### **A. Background of Salinas: a hotbed of gang violence and youth-involved gangs**

Salinas, California, is the county seat and largest city in Monterey County, an area known for its significant state history, stunning physical beauty, rich agricultural lands, some of the most luxurious resorts and golf courses in the country, and severe gang and youth violence problems. Monterey County was identified by the Violence Policy Center as the most dangerous county in California in 2009, 2010, and 2012 for young people between the ages of 10 to 24. This was largely due to the challenges posed by gang violence in Salinas. In 2010 the county homicide rate for that age group was 31.24 per 100,000 population, a rate 3 times the statewide rate and 50 percent higher than the second highest ranked county,

Alameda County. This was true even though Alameda County contains the city of Oakland, which is consistently ranked as one of the most violent cities in America.

The level of violent crime in Salinas has been far higher than the county, state, and national levels for many years. Every year the city accounts for the majority of Monterey County's homicides and shootings. In 2009 the city's record setting 29 homicides were double the county rate. Although Salinas ranked 37th in population in the state in 2010, its violent crime rate—8.06 per 1,000 citizens—ranked the city 7th among California cities with populations over 100,000. Nationally, the 2010 violent crime rate in cities between 100,000 and 250,000 was 5.20.

Gang activity in Salinas goes hand-in-hand with an overall high crime rate, unemployment, and poverty level. Salinas' 2010 population was 150,441, and 75 percent of the city's residents are Hispanic. It is a young city, with 31 percent of the residents under 18 and a median age of 29. Its crime problems are exacerbated by other social issues. The unemployment rate in the city is 16.5 percent, substantially higher than the state average. Agriculture is the city's primary industry, and it was hit hard by the recession, with a severe loss of jobs and plummeting house values. Salinas' families are low-to-moderate income, with 22 percent of the residents below the poverty level and 80 percent of public school children receiving free or reduced price meals.

Nearly all of the city's homicides are gang-related, the result of ongoing conflict between the city's Norteño and Sureño Hispanic gangs. Monterey County has several dozen affiliated, named gangs, who primarily identify as Norteños or Sureños, and an estimated 5,000 certified and affiliated gang members, with approximately 3,500 of these members living in the city of Salinas. Two California State Prisons, the Salinas Valley State Prison and the Correctional Training Facility, are 30 miles south of Salinas and contribute to the local gang problem. Salinas is home to the Nuestra Familia, a notorious prison gang that was formed in the Correctional Training Facility in the mid-1960s and controls Norteño gang activity. Sureño street gang activity is controlled by La Eme, or the Mexican Mafia, a Southern California prison gang.

The majority of gang members are young (under 25), and many are in their mid-teens. Active recruitment of new members is known to be taking place at middle school levels, with kids between 11 and 14 years of age. Gang homicides represent only one indicator of gang violence. Gang members commit violent and property crimes, including robbery, battery, burglary, sexual assault, and larceny. The mean number of prior arrests of the 2010–2013 homicide victims and suspects was 5.75 and 3.61, respectively. Forty-two to 71 percent had been previously incarcerated, and one-third of arrestees were on probation at the time of the shooting or homicide.

Salinas was hit hard by the recession, resulting in a significant reduction in local law enforcement resources. Over the past three budget cycles, 20 percent of the city's workforce has been eliminated, and city reserves were depleted in 2009 to 2010. The Salinas Police Department has been especially hard hit by the elimination of vacant positions and implementation of hiring freezes. In 2009 the Department was authorized to have 187 sworn officers. Today, although violence continues and the population has grown, the Department is authorized for 155 positions, with 145 currently filled. Many important special units, including school resource units, were disbanded in order to respond to basic 911 calls. A recent tax measure may help in restoring police services. Fortunately, Community Oriented Policing Services grant funding assisted Salinas, with nine officers retained through the Recovery Act, eight new hires made from the 2013 hiring program, and an additional eight school resource officers to be hired in the most recent grant cycle. The loss of personnel, hiring freezes, loss of specialized units, and understaffing only underscore the incredible efforts of Salinas in maintaining a commitment to reducing violence and maintaining programs and anti-violence efforts, despite severe budget woes.

## **B. Salinas' response to violence**

Salinas was compelled into action due to the high rate of homicides in 2008 to 2009, and began addressing the problem from all angles. This comprehensive approach includes prevention, intervention, enforcement/suppression, and community mobilization.

**Activating/mobilizing the community:** Community Alliance for Safety and Peace (CASP) builds community trust and creates a targeted program in the toughest areas. CASP was formed in 2008 to address gang activity and the culture of violence that continues to affect the public welfare. The unprecedented commitment of the community, city, county, and political leadership is evidenced by CASP meeting twice a month at 7:00 a.m., with a full house often exceeding 50 participants. CASP is a broad-based collaborative composed of youth service organizations, county housing and health officials, local and state elected officials, criminal justice and law enforcement officials, education leaders from elementary school through college, business leaders, representatives of the faith community, street outreach, and private funding organizations. More than 30 organizations and leaders are involved. While the immediate tragedy of gang violence continues to fuel this effort, CASP seeks to achieve both a present and long-term benefit across the continuum of prevention, intervention, suppression, and reentry. Its mission is to reduce deaths and injuries from youth violence in the city of Salinas and Monterey County, while giving youth a better chance at a healthy, productive future.

CASP has been the central focus in creating the strategic, long-term vision for a peaceful city. Its effort is called Para Nuestro Futuro (“For Our Future”). The Web site is [www.future-futuro.org](http://www.future-futuro.org).

**Building community trust/police legitimacy:** In spring 2013 all sworn and non-sworn staff members of the Salinas Police Department were trained in legitimacy and procedural justice principles and behaviors by a cadre of in-house trainers. Four officers received training from the Chicago Police Department, which has developed a curriculum for law enforcement based on the work of Yale Law School professors Tracey Meares and Tom Tyler. These trainers trained three more police staff, and over several months, they were able to deliver the training to the entire department, sworn and non-sworn. The aim is to have all staff practice the main principles of procedural justice—citizen participation and “voice” in police encounters, treating people with dignity and respect, perceived neutrality in decision making, and conveying trustworthy motives—in their daily operations and community interactions.

Legitimacy refers to the extent to which the community trusts and has confidence in the police, recognizes the law and police authority, and sees police actions as justified and appropriate. Salinas' citizens will be more willing to provide information, help officers, and obey the law themselves as their view of police actions being legitimate increases. Community engagement will increase and violence will continue to decrease.

**Cross functional teams and CASP:** One major effort by CASP is focusing a Project Safe Neighborhoods/Smart on Crime approach on a neighborhood riddled with gang violence. Despite massive budget cuts, the Salinas Police Department has maintained its commitment to the CASP program through some of the worst budget times.

CASP designated Census Tract 5.01 in the Hebbroon neighborhood as the first target area for its Cross Functional Team (CFT). The CASP CFT is a partnership of many organizations committing their limited resources to families with at-risk youth that reside in the target area. The CFT meets regularly to discuss clients and their needs, and plans wrap-around services for at-risk youth and their families. The partnership extends to probation officers, school staff, housing managers, community leaders, and others who have a direct impact on the troubled youth and the family. All information gleaned from this network is shared with the CFT partners, who can then provide focused family-specific, long-term services.

Salinas Police Chief Kelly McMillin committed two police officers to the CFT to help reduce crime in the area and foster positive community relationships. The police CASP team began its work in the area on October 1, 2011, and established an office at the Hebbroon Recreation Center in the heart of the neighborhood. According to the 2010 U.S. Census, the area has a 97 percent Hispanic population of 4,842 within an approximate area of 0.2 square miles.

The police CASP team is focused on youth who are at risk of gangs, drugs, or other delinquent behavior and on empowering their parents to make positive and long-lasting changes. The team uses a variety of techniques within the spectrum of prevention, intervention, suppression, and reentry to detect, disrupt, and dismantle criminal gang activity and improve the quality of life of the community. The officers have received training as school resource officers and juvenile intervention specialists, and they are trained on numerous topics specific to youth development and delinquency. The team goes beyond gangs to become involved in quality of life issues leading to neighborhood improvement, such as towing abandoned cars; dealing with dilapidated properties, accumulated trash, and broken streetlights; and scheduling additional street sweeping days where needed.

In 2014 police CASP officers conducted a total of 36 formal home visits to meet with families, learn of their specific needs, and offer resources provided by the entire CASP CFT. The visits lasted 60 minutes on average and offered an opportunity to develop strong supportive relationships with parents. The visits led to a virtual adoption of the family, with the CASP officers closely monitoring the youth's progress in school and at home, and providing help wherever possible. They also empower parents by teaching the Parent Project classes that meet for 3 hours, once a week, for 12 weeks. Parents dealing with out-of-control teens receive the knowledge and real world techniques they need to bring love, structure, and discipline back to their homes, while developing long-lasting support groups.

Prevention is critical to successful crime reduction, as is developing police legitimacy. The CASP officers understand that community support and building public trust is essential to their work. They encourage residents to report crime anonymously and educate them on how to safely report criminal activity. CASP officers are accessible at their office or when they are patrolling the target area. The officers spend time with kids at their office in the recreation center and create an atmosphere of trust. The officers take the time to listen to the children, whether it is a concern or simply to share something that happened at school. They engage in frequent front door visits to distribute a simple, yet informative "Community Guide" that provides information on how to report crimes and quality of life issues, and obtain social services. CASP officers reach out to the community through all forms of media, community presentations, and educational presentations. CASP officers are seen as trusted members of the community and neighborhood problem solvers.

Intervention is a strong focus of the police CASP team as they attempt to reach the families before their children get into trouble. Major partners in this area are the local schools that have constant communication with CASP officers. As certified school resource officers, the CASP officers are equipped with expert knowledge of the school operations and procedures. The schools share their watch lists and call upon the CASP officers directly when an incident involves any child within the target area. These officers commonly take on the cases and look for alternatives within the juvenile justice system, such as mediation and restorative justice proceedings.

Suppression efforts are also at work. Extensive research and investigation lead the team to identify those who are negative influences in the community. They include established adult gang members who intentionally push drugs, alcohol, and criminal behavior on children to keep the gang alive. Some targets even include parents who encourage or contribute to the delinquency of their children.

Finally, reentry is an important component of the CASP model, preparing families for the return of their loved ones. This effort includes juveniles scheduled to be released from detention facilities.

These multi-faceted efforts in Hebbroon have had a significant effect. Since 2011 there have been substantial decreases in shootings, homicides, and other violent crime. As shown in Figure 10, the rate of shootings per 1,000 residents has dropped steadily since 2009. Since the CASP effort began in 2011, the shootings rate has been cut nearly in half.

<b>Shootings in Hebbroon</b>		
Year	Number	Rate/1,000 population
2009	18	3.71
2010	9	1.86
2011	5	1.03
2012	5	1.03
2013	3	0.62

Figure 10

### **C. Project Safe Neighborhoods: Ceasefire, targeted enforcement, and new custom notification program**

To stem youth and gang violence in Salinas in 2008 to 2009, the Salinas Police Department began working closely with federal and state law enforcement agencies and other partners. In 2008 the city of Salinas was granted funds by a partnership of the California Governor’s Office for Gang and Youth Violence Policy and three foundations, known as the California Gang Reduction, Intervention, and Prevention (CalGRIP) Initiative. The aim of the CalGRIP Initiative was to tailor the Ceasefire approach, as originally developed in Boston, to significantly reduce youth homicides and other non-fatal serious gun offenses in Californian cities. In-depth technical assistance provided by the Public Health Institute focused on providing a comprehensive understanding of local gang and youth gun violence patterns and trends and on strengthening gang outreach programs, social service and employment programs for gang members and at-risk youth, and the strategic enforcement capacity of participating criminal justice agencies. Salinas used this funding to support the CASP program manager and street outreach workers, and it benefited greatly from CalGRIP’s technical assistance and training. Unfortunately, California’s budget crisis ended these funds and eliminated the Governor’s Office for Gang and Youth Violence Policy.

Operation Ceasefire was a major intervention implemented by the Salinas Police Department in late 2009. Technical assistance and analysis was provided by Anthony Braga of the John F. Kennedy School of Government at Harvard University, and Stewart Wakeling, a former Harvard researcher now at the California Partnership for Safe Communities. One hundred individuals—3 percent of the city’s known gang members—participated in Ceasefire call-in meetings between late 2009 and mid-2010, and 95 percent of them requested services at the meetings, primarily assistance in obtaining gainful employment. In spite of early positive results, budget reductions led to the cessation of call-in meetings. At the same time, the Monterey County Gang Task Force was cut in half.

To support the enforcement component of Ceasefire, the U.S. Attorney’s Office assigned Assistant U.S. Attorneys (AUSAs) to work directly with the Salinas Police Department. The USAO was instrumental in coordinating a Project Safe Neighborhoods/law-enforcement working group, which included the FBI, ATF, DEA, Immigration and Customs Enforcement/Department of Homeland Security, and IRS.

Throughout this time, as Ceasefire efforts were taking place, a multitude of state and federal operations were at play in targeting the most notorious and violent gangs. As budget cuts impacted the formal Ceasefire program, the cooperation and collaboration of local, state, and federal law enforcement efforts was in full swing, and CASP and the community were hard at work on alternatives for youth and intervention, prevention, and reentry initiatives.

In early 2014 the Salinas Police Department's Violence Suppression Unit (VSU Gang Unit) began practicing targeted gang enforcement that was based on information gleaned from shooting reviews (discussed in detail below). When a certain gang subset is identified as problematic or active, VSU is tasked with disrupting that gang's activity. VSU has partnered with ATF, DEA, and other local and federal agencies to combat these gangs. Part of this effort is to identify members of the problematic gang subset and target them specifically. The subset's members on probation or parole will be frequently searched, and a "no tolerance" policy is taken. By taking the identified problem gang members off the street, there has been a significant reduction in gang violence.

This targeted enforcement effort is not a stand-alone strategy, but rather one part of a larger whole. VSU is also in the process of implementing a custom notification program, brought to Salinas by the California Partnership for Safe Communities. Oakland and Stockton have also been working to implement this program. Salinas' custom notification program will address the gangs' leaders and problematic members in a manner consistent with Ceasefire's carrot-and-stick approach, but at the individual level. Targeted persons will be approached in a non-custodial setting for contact and conversations focused on the consequences of their life choices. The target's family members and friends will also be included in these contacts to assist in convincing the target to alter his or her conduct. This approach will point out the "pros" of changing and the "cons" of continuing membership in the gang. The target will also be notified of the potential criminal legal actions law enforcement intends to take if the target does not cooperate. The notifications will be made in concert with California Department of Corrections Parole, Monterey County Probation, and other agencies. The program was implemented in December 2014, and the first set of notifications should begin early this year.

#### **D. Project Safe Neighborhoods: a more robust plan**

Project Safe Neighborhoods (PSN) in Salinas is overseen by the staff of the Community Safety Division and PSN Steering Committee, which is composed of representatives from the U.S. Attorney's Office, Salinas Police Department, Community Safety Division, Probation and Parole Departments, 2nd Chance Family and Youth Services, the District Attorney's Office, and education and faith communities. The PSN Research Partner is Dr. Jan Roehl, who has provided relevant crime data to the Steering Committee and community partners to guide PSN activities, collected information on project activities, and gathered and analyzed outcome data.

PSN activities began in February and March 2013 and continued to the end of 2014. The primary activities have been the placement of violence interrupters/street outreach workers in target areas to engage high-risk youth and provide interventions to prevent retaliatory violence; "Night Walks" in high crime areas by clergy and community residents; leadership academies for citizens; and the development of a problem analysis and ongoing analyses of shooting incidents to guide PSN, enforcement, and Ceasefire-type activities. The primary PSN target areas are the Hebborn and La Paz Park neighborhoods and Acosta Plaza, as well as small, specific hotspots targeted by the outreach workers. The primary targets for law enforcement attention are the gangs and individuals most involved in violence. The successful CASP CFT effort in Hebborn will be replicated in Acosta Plaza this year.

**Violence interrupters/outreach workers:** Four violence interrupters/street outreach workers hired and trained by 2nd Chance Family and Youth Services spent much of 2013 building relationships with high-risk youth between the ages of 14 and 24, with a special focus on youth in middle and high school. Working in pairs, they frequented before- and after-school locations where large numbers of high-



risk and gang-involved youth gather, and several times threw impromptu barbecues in high-crime parks. They built relationships with youth by talking to them about their concerns, offering referrals and assistance, and reaching out to their families.

In late 2013 and throughout 2014, the violence interrupters/street outreach workers began to focus more on violence interruption activities by providing support to the family and friends of shooting victims and the victims themselves. They made home visits, provided assistance of various kinds, and attended funerals. In mid-2014 the 2nd Chance director began receiving calls directly from the County Dispatch Unit, informing him of the location of each shooting incident. The Director then had two violence interrupters/outreach workers go to the scene of the incident to talk to family, friends, and others; gather information about the cause of the shooting; and begin service provision. This work will continue under a CalGRIP grant that will support crisis intervention services for all trauma patients admitted to Natividad Medical Center's new trauma center. The impact of the violence interrupters has been impressive, given the dramatic reduction in retaliatory shootings since the program started.

**Night Walks:** Six groups of clergy and citizens conduct regularly scheduled Night Walks weekly in three high-crime target areas. Wearing white jackets, they engage in conversation with community residents, build relationships, provide information, and serve as a consistent and reliable presence in the community.

**Community Leadership Academies:** The Community Safety Division (CSD) conducted three Community Leadership Academies to increase community leadership capacity by giving concerned citizens the tools to empower themselves to enact positive social change. These two adult and one youth leadership academies provide community residents with the tools for team building, conflict resolution, project management, leadership, public speaking, advocacy, and resource development, and provide support for them to participate in community projects that will contribute to a safer and healthier environment. The academy speakers, recruited by CSD and CASP, are well-known experts in their field, drawn from the city and county governments, private sector, and nonprofits. Graduates include farmworkers, stay-at-home moms, blue-collar workers, and retired persons. Each of the 40 academy graduates develops a community project tailored to their capabilities and passions. Projects include parent training delivered at schools, promoting healthy eating, working to get a skate park built in a high-crime neighborhood, and developing multi-cultural events. An alumni group meets monthly to provide support as graduates pursue their individual projects.

**Problem analysis to inform enforcement and outreach:** A problem analysis was conducted to provide a comprehensive intelligence picture for enforcement and outreach efforts. The analysis centered on homicides and non-fatal shootings from 2010 through October 2013, and was completed in late 2013. It focused prevention, intervention, and enforcement efforts on the individuals and groups who were most involved in violence. The problem analysis included analyses of victim and suspect characteristics (demographics, criminal histories, and gang affiliation), "scorecards" identifying the most actively violent gangs/groups, changes from year-to-year, maps depicting the location of homicides and non-fatal shootings, analyses of when and why homicides occurred, and an analysis of conflicts and alliances among gangs/groups.

The problem analysis was presented to the PSN community partners (2nd Chance and the Community Safety Division), Salinas Police Department command staff and supervisors, and the Salinas City Council. Supervisors for 2nd Chance immediately began adjusting the schedules and activities of the outreach workers based on information in the problem analysis, such as the age of offenders—older than previously thought—and time of day, which showed that incidents are not so prevalent before school hours. The problem analysis and its findings about which groups and individuals are most involved in violence have informed enforcement activities of the police department, particularly the VSU.

## **E. Law enforcement efforts: joint operations, shooting reviews, and data driven scorecards**

In 2010 Operation Knockout, a joint operation led by the California Department of Justice and the U.S. Attorney's Office for the Northern District of California, in coordination with the Salinas Police Department's VSU, targeted gangs and gang violence. Hundreds of federal, state, and local law enforcement agents coordinated intelligence and investigations and then converged on Salinas to arrest leaders and associates of the Nuestra Familia gang. Approximately 100 Norteño gang leaders and members were removed from the community. A large number of gang members were prosecuted at both the state and federal levels.

In 2010 the Law Enforcement Operations Center (LEOC) was created in Salinas. Building on partnerships—created as part of the Monterey County Gang Task Force—between the Salinas Police Department, Monterey County Sheriff's Office, California Highway Patrol, California Department of Corrections, and other municipal police agencies from Monterey County, these state and local agencies were joined by the FBI, ATF, and other federal agencies under one roof, as the LEOC. The primary purpose of the LEOC is to obtain, analyze, and disseminate criminal intelligence among members and specifically target offenders involved in gun and gang violence to maximize efficiency in direct enforcement efforts. The U.S. Attorney's Office continues its work in taking gun and gang cases from Salinas and surrounding cities and working with the District Attorney to determine which cases are best suited for federal prosecution.

Salinas shooting reviews are now part of the violence reduction strategy for the city. The police department held its first shooting review in February 2014 and has conducted reviews every two weeks since that date. A shooting review is a regularly scheduled meeting of key individuals involved in violence suppression efforts, including deputy chiefs and commanders, members of the Violence Suppression Unit, investigators, patrol officers, county Gang Task Force members, CASP community police officers, Monterey County Sheriff's Office investigators, probation officers, and officers from nearby police departments. The bi-monthly shooting reviews have shown to be integral for promoting interagency cooperation and collaboration.

At meetings, discussions of specific cases bring about new information from a variety of law enforcement partners who are also working on similar cases focusing on particular people and/or criminal street gangs in their jurisdiction. The shooting review meetings are showing that, even among gang members, there is a small minority of people/groups committing the vast majority of the violent crimes in the county. Focusing specifically on those who are driving the violence has proven to be quite effective.

At shooting reviews, information is shared and discussed about shootings that have taken place in Salinas and around Monterey County, and a scorecard is produced and disseminated. Data-driven scorecards show which groups are predominately involved in the most violent crimes, whether suspect or victim. This information allows intelligence-focused enforcement on the groups and the specific criminal street gang members who are driving the violence. Each recent shooting is reviewed with a focus on the gangs involved and their motives. A map of the location of shootings and scorecards of the most actively violent gangs is updated for each review, and "action steps" are outlined to focus law enforcement attention on the most violent gangs and individuals.

## **F. A focus on youth violence**

**The National Forum on Youth Violence Prevention:** In 2010 Salinas, along with Boston, Chicago, Detroit, Memphis, and San Jose, was selected to participate in the National Forum for Youth Violence Prevention, a joint White House/Department of Justice initiative led by the Office of Justice Programs. The ability to network and learn from these participating cities and receive technical assistance from federal partners, such as the Departments of Justice and Housing and Urban Development, helped

Salinas learn about, and implement, innovative new programs. As part of the National Forum, each city was tasked with developing a long-term strategic plan.

**Restructuring city government and creating a sustainable long-term plan:** In 2011, despite severe budget cuts, the Salinas City Council voted unanimously to create the first civilian Community Safety Division under the city manager, which now consists of two full-time staff and several part-time staff. The Division's primary purpose is to collaborate with local, state, and national partners to identify best practices and programs and coordinate efforts to implement these programs in the community. The Community Safety Division also serves as staff for CASP. This staffing for CASP has helped hold this unique collaboration of agencies and individuals together.

The Community Safety Director and CASP spear-headed an 18-month effort to develop the Salinas Comprehensive Strategy for Community-wide Violence Prevention, and presented it at the National Forum for Youth Violence Prevention Summit in April 2011 in Washington, D.C. An updated Strategic Plan for 2013 to 2018 was completed in 2013. To access the plan, *see* [Salinas Comprehensive Strategy for Community-wide Violence Reduction 2013–2018](http://www.ci.salinass.com/pdf/SalinassSWP_2013-2018.pdf), available at [http://www.ci.salinass.com/pdf/SalinassSWP\\_2013-2018.pdf](http://www.ci.salinass.com/pdf/SalinassSWP_2013-2018.pdf). An evaluation of the implementation of the Strategic Plan by the National Council on Crime and Delinquency is nearly complete.

**Collaboration:** Salinas has shown a remarkable willingness to collaborate and participate in efforts to work with peers, learn from other cities, and adopt promising practices. In 2009 Salinas became a part of the 13-city California Cities Gang Prevention Network led by the National League of Cities and National Council on Crime and Delinquency. Funded by foundations and other organizations, the 13 Network cities convene periodically to share regional strategies for prevention, enforcement, and overcoming resident mistrust in crime-ridden neighborhoods, as well as tapping state and federal help to reinforce local efforts.

The Salinas Police Department, city of Salinas, and CASP, are also fortunate to have developed relationships with the Naval Postgraduate School (NPS), in Monterey, California, one of the preeminent research institutions in the nation. Over the past three years, NPS has studied the city's gang violence problems from the military's perspective of counterterrorism methodology. NPS was instrumental in helping CASP develop a framework for the strategic work plan, which is based in part on the NPS counterinsurgency campaign model. NPS also adapted their Lighthouse social network analysis technology for use in Salinas. Lighthouse technology was developed to analyze networks among and between tribes and tribal leaders in Iraq and Afghanistan, and is being used to analyze relationships among gangs and individual gang members in Salinas. NPS remains a committed research and technical assistance partner.

#### **IV. Resources for implementing Smart on Crime**

There is a wide array of federal resources and support available to assist with implementing Smart on Crime. Other articles in this issue describe some of the resources available through the Office of Victims of Crime, the Office of Juvenile Justice and Delinquency Prevention, and the various civil rights related components of the Department. Similarly, the Bureau of Justice Assistance (BJA), through its criminal justice portfolio, provides grants and training and technical assistance resources to the field. BJA can offer communities robust and diverse resources to assist their issues. Some examples include national leadership to identify and develop effective evidence-based public safety models, policies, and practices for replication; no-cost expert training and technical assistance (TTA) for law enforcement, courts, corrections, treatment, reentry, justice information sharing, and community-based partners to address chronic and emerging criminal justice challenges across the nation; excellent customer-focused grants management support and administration of national, state, local, and tribal grant programs; and death and

education benefits to eligible survivors of fallen law enforcement officers, firefighters, and other first responders, as well as disability benefits for eligible officers catastrophically injured in the line of duty.

### **A. BJA's National Training and Technical Assistance Center**

If an agency or jurisdiction is facing a unique criminal justice need, BJA may be able to provide no-cost assistance. The services, offered through BJA's National Training and Technical Assistance Center (NTTAC), include assistance with implementing evidence-based programs, curriculum development, data analysis, onsite and distance learning training, peer-to-peer visits, research and information requests, and strategic planning. NTTAC coordinates the provision of BJA's rapid, expert, and data-driven TTA to support practitioners as they work to reduce crime, recidivism, and unnecessary confinement in state, local, and tribal communities.

### **B. Examples of BJA's program and funding opportunities**

Each year BJA releases nearly 40 solicitations for grant applications on topics that span the criminal justice system. A complete listing of BJA's funding opportunities can be found at [www.BJA.gov](http://www.BJA.gov). The following are some programs and initiatives that may be of interest to your community:

- The Justice Assistance Grant (JAG) Program—the leading source of federal justice funding to state and local jurisdictions—provides critical funding necessary to support a range of program areas, including law enforcement, prosecution and courts, crime prevention and education, corrections, drug treatment and enforcement, planning, evaluation, technology improvement, and crime victim and witness initiatives.
- Through the Second Chance Act, BJA supports reentry programs that provide needed training, treatment, and supervision to individuals as they attempt to reenter society.
- The Byrne Criminal Justice Innovation Program supports data- and research-driven projects to build and enhance the capacity of communities to create comprehensive strategies to address priority crime problems.
- Through the Justice Reinvestment initiative, BJA uses a data-driven approach to reduce corrections and related criminal justice spending and reinvest savings in strategies designed to increase public safety.
- The goal of the Smart Policing Initiative is to develop tactics, practices, and strategies that are effective, efficient, and economical—as measured by reduced crime and higher case closure rates—that benefit law enforcement agencies in this era of budget constraints and limited staffing. SPI seeks either to build on the concepts of offender-based and place-based (“hot spot”) policing by replicating evidence-based practices or to encourage exploration of new, unique solutions to public safety problems and criminogenic circumstances.
- Protecting our officers is imperative and requires a holistic approach that includes extensive preparation through tactical training and continued efforts to promote and maintain officers' mental and emotional wellness, in addition to their physical health. In 2011 the Attorney General released the Officer Safety Toolkit, designed to share resources with federal, state, local, and tribal law enforcement leaders, in an effort to promote officer safety.
- BJA's Global Justice Information Sharing initiative supports national policy, practices, and technology solutions to improve information sharing capacity within the criminal justice community, while emphasizing the importance of privacy and civil liberty protections and improving safety in our communities.

### **C. BJA's Project Safe Neighborhoods Program**

Another high-profile program that BJA administers to assist communities is the Project Safe Neighborhoods (PSN) Program. Since May 2001 PSN has served as the Department's primary initiative that focuses on the reduction of firearm crime and gang-related violence. From its inception, the PSN strategy has relied on five core components: (1) strategic planning and research, (2) partnerships, (3) training, (4) outreach, and (5) accountability. PSN is designed to increase partnerships among federal, state, and local law enforcement agencies through the formation of local gun and gang crime enforcement task forces. Outreach partnerships are also established with local governments, social service providers, schools, and community groups, to increase resources for prevention efforts and to enhance the legitimacy of law enforcement interventions. These law enforcement and outreach partnerships are an essential part of the strategic planning process that is necessary to tailor a model to a community's specific needs.

The national evaluation of PSN by the Michigan State University School of Criminal Justice found that the three components of an effective PSN initiative are: (1) a high level of commitment from the U.S. Attorney's Office, (2) widespread community support from community stakeholders, and (3) flexibility to adapt the PSN strategy to the needs of the local jurisdiction. In fiscal year 2012, BJA made a significant change to the program and transitioned the PSN program from a formula-based program to a competitive-based program. "Need" and use of more effective intelligence-led, evidence-based, and data-driven strategies, as well as having a mandatory research partner, were key factors for funding selections, in addition to previous performance results. In fiscal year 2014 the PSN program provided \$7,065,290, from which 19 grants were awarded to local jurisdictions to reduce gun and gang violence. In that same fiscal year BJA also received and supported approximately 45 PSN TTA requests.

### **D. OJP Fiscal Year 2015 Program Plan**

As BJA moves into 2015, it will continue to provide diverse resources to the field through funding opportunities and TTA. Recently, OJP announced and released its Fiscal Year 2015 Program Plan that includes opportunities from BJA and other OJP agencies. This plan provides a new, easy-to-use format to help the field find the appropriate funding sources for their initiatives. The criminal and juvenile justice fields have made significant progress over the last three years in instituting Smart on Crime practices and in applying science to crime-fighting. This year's Plan preserves OJP's overall programmatic priorities—supporting our state and local partners in fighting violent crime, promoting research and evidence-based approaches, expanding reentry, strengthening victim services, and supporting tribes. For more information, *see* 2015 OJP Program Plan initiatives, *available at* <http://data.ojp.gov/services/PPI/includes/ppi/Home.htm?Year=2015>.

### **V. Conclusion**

Oakland and Salinas are very different types of communities. Both have been successful in reducing violent crime in their communities, even during times of diminished federal resources, through coordinated approaches that leverage the unique roles and resources of various local, state, and federal partners.

The Smart on Crime approach requires substantial hard work developing and maintaining partnerships. However, it works. In both Oakland and in Salinas – vastly different cities – we are finding the effects to be significant and long-lasting. I strongly encourage other U.S. Attorneys to reach out to potential partners within their districts to maximize our available resources to help curb violent crime.

Email from Melinda Haag, U.S. Attorney for the Northern District of California, to author (Feb. 18, 2015). ❖

## ABOUT THE AUTHORS

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# Smart on “Stop Snitching”

*Seth Adam Meinero*  
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The “Stop Snitching” epidemic is one of the most serious impediments to investigating and prosecuting violent crimes.

Criminals and their cohorts have created a culture of fear that deters victims and witnesses from reporting crimes and cooperating with prosecutors. The perils of cooperating are harrowing: individuals who dare to come forward and provide information to police or testify in court proceedings face threats, property damage, assaults—even death.

The Department of Justice’s (DOJ) Smart on Crime initiative recognizes that many vulnerable communities still suffer from unacceptable rates of homicide and other violent crimes. “Confronting this problem and its root causes with a holistic approach remains a priority for the Department of Justice.” DEP’T OF JUSTICE, SMART ON CRIME: REFORMING THE CRIMINAL JUSTICE SYSTEM FOR THE 21ST CENTURY 5 (Aug. 2013), available at [www.justice.gov/ag/smart-on-crime.pdf](http://www.justice.gov/ag/smart-on-crime.pdf). A comprehensive effort to end the “Stop Snitching” mindset must be part of this holistic strategy.

U.S. Attorneys’ offices (USAOs) nationwide recognize this critical issue. Assistant U.S. Attorneys (AUSAs), victim-witness staff, Law Enforcement and Community Outreach Coordinators, and other USAO staff around the country are battling the forces of intimidation inside and outside the courtroom. They work tirelessly to address witness-security concerns and vindicate victims.

This article discusses the origins and dangers of the “Stop Snitching” culture and showcases the efforts of the U.S. Attorney community and its local partners to break this pernicious code of silence.

## **I. Origins of the “Stop Snitching” culture and the real-life perils of witness cooperation**

There has long been a taboo among criminal associates and groups against “ratting out” cohorts to law enforcement authorities. Those who turned against their criminal colleagues were labeled “snitches” and were often ostracized, hurt, or killed by their betrayed henchmen. But the expectation that

ordinary citizens will turn a blind eye and not report criminal activity to authorities—or face retaliation—is a relatively recent phenomenon.

The current anti-snitching culture gained prominence in the early 2000s in violence-plagued urban areas. Drug dealers and violent criminals seized on traditional mistrust in the police and the criminal justice system. They encouraged civilians not to report drug dealing, which many citizens believed led to unfair punishment within the justice system. Where violent crimes occurred, some maintained that the “code of the street” would settle disputes and that it was wrong to report those crimes to police, whom many believed did not care about responding to problems within their communities. Individuals in the urban entertainment and fashion industries adopted the anti-snitch theme, and logos like “Stop Snitching,” “Don’t Tell,” and “Keep Your Mouth Shut” proliferated in music, DVDs—such as the infamous *Stop F-----g Snitching* (2004)—Web videos, T-shirts, and other cultural outlets in Baltimore, Boston, and other cities. The notion that anyone who contacts or cooperates with authorities is a “snitch” became the vicious rule of the street. ZOE MENDEL, COMMUNITY ORIENTED POLICING SERVICES, DEP’T OF JUSTICE, RACIAL RECONCILIATION, TRUTH-TELLING, AND POLICE LEGITIMACY 2–5 (2012) (RACIAL RECONCILIATION); COMMUNITY ORIENTED POLICING SERVICES, DEP’T OF JUSTICE, THE STOP SNITCHING PHENOMENON: BREAKING THE CODE OF SILENCE 10–11, 17, 23 (2009) (THE STOP SNITCHING PHENOMENON); see also “Stop Snitching” Images, GOOGLE IMAGES, GOOGLE VIDEOS, [http://www.google.com/?gws\\_rd=ssl#q=stop+snitching](http://www.google.com/?gws_rd=ssl#q=stop+snitching) (follow “Images” and “Videos” hyperlinks).

Criminals’ willingness to violently enforce this general *omertà* became evident time and again. One prominent example occurred in Baltimore in 2002, when drug dealer Darrell Brooks firebombed the house of his neighbor, Angela Dawson. Dawson had been a vocal community opponent of drug dealing and contacted public officials several times about crime in her neighborhood. The fire caused the death of Dawson, her husband, and their five children. Brooks eventually pleaded guilty in federal court and received a life sentence. The Dawson murder drew national attention. It fueled fears about reporting crimes and bolstered the forces of intimidation. M. Dion Thompson & Laurie Willis, *Suspicious House Fire Kills 6*, THE BALTIMORE SUN, Oct. 17, 2002, at A1 (Dawson’s husband died of injuries from the fire a week after the publication of the cited article).

Executive AUSA Robert K. Reed (Eastern District of Pennsylvania)—who has been a violent crime prosecutor and AUSA for over 30 years—has seen the “Stop Snitching” problem migrate from Baltimore to his district in Philadelphia and elsewhere:

[T]he concept of “Stop Snitching” did not really begin at least until the 2000s. It . . . flowed up the Northeast and we saw it [in Philadelphia]. And it became much more of an epidemic, where it seemed to get worse. But at that time, especially in Philadelphia in 2006, the homicides were going up, the shootings were going up. So it was really hard to get witnesses to come in. And unless you had independent evidence or you could get a confession, oftentimes these cases just went away because you couldn’t prove them. So, we have seen this continuation of this “Stop Snitching” epidemic. Really up until now it continues.

Interview with Robert K. Reed, Exec. Assistant U.S. Attorney, U.S. Attorney’s Office for the Eastern Dist. of Pa., in Wash., D.C. (Sept. 26, 2014).

Lack of trust in the police department contributes to community reluctance to report information about crimes. Some community members believe that police do not care about, or respond effectively to, crime in their neighborhoods. Some fear that if they report crimes, police cannot protect them from retaliation. Some see hypocrisy when police officers expect citizens to report crimes but do not report fellow officers who engage in crime or misconduct. Perceived and actual disparate treatment of groups based on race, color, or other background-related attributes also leave disaffected citizens unwilling to assist law enforcement investigations. RACIAL RECONCILIATION, at 2–5; THE STOP SNITCHING PHENOMENON, at 12–13, 20–22.

U.S. Attorneys' offices have handled countless cases of witness tampering, obstructing justice, assaults, and murders of cooperative witnesses. The "Stop Snitching" culture and ethos have surfaced in numerous federal cases.

- In *United States v. Membrides*, 570 F. App'x 859 (11th Cir. 2014), Membrides was convicted of one count of being a felon in possession of a firearm and ammunition. He "attempted to orchestrate a social media barrage to threaten or intimidate a witness in this case" and "made numerous calls to his mother and other associates instructing them to 'expose' the witness as a snitch," including "want[ing] his friends to post on social media copies of documents he obtained during discovery that show the witness was cooperating with the government." *Id.* at 861–62. The district court did not err in applying the U.S. Sentencing Guideline § 3C1.1 enhancement for obstructing justice. The 84-month sentence was affirmed. *Id.* at 862.
- In *United States v. Thomas*, 490 F. App'x 514 (4th Cir. 2012), Thomas was convicted of RICO conspiracy. During trial, the Government presented clips of *Stop Snitching 2* (the sequel to *Stop F-----g Snitching*), in which Thomas starred as a rapper and referenced his gang membership and illegal activities. The district court did not err in denying his motion to suppress the video clips, which were "directly probative of the charges against" him. *Id.* at 522. The 235-month sentence was affirmed. *Id.*
- In *United States v. Matthews*, 373 F. App'x 386 (4th Cir. 2010), Matthews was convicted of heroin distribution, possession of a firearm in relation to a drug-trafficking offense, and being a felon in possession of a firearm. At sentencing, Thomas moved for a downward departure from the U.S. Sentencing Guidelines range. The Government requested a sentence within the advisory range, focusing on his criminal history and his involvement as a cameraman for *Stop F-----g Snitching*. The district court, "in weighing whether a downward variance was appropriate, also considered Matthews's presence in the 'Stop Snitching' video, remarking that 'that video and his involvement was perpetuating one of the most pernicious, dangerous aspects of Baltimore's criminal culture,' " and sentenced him to 360 months' imprisonment, the low end of the advisory guidelines. *Id.* at 393. The district court's consideration of Matthews's involvement in producing *Stop F-----g Snitching*, while not deserving of "additional punishment," "was certainly a legitimate factor to consider when being asked to vary and go below what is otherwise the guidelines range." *Id.* The sentence was affirmed. *Id.*
- In *United States v. Salazar*, 542 F.3d 139 (5th Cir. 2008), Salazar was convicted of using intimidation and threats with the intent to cause a witness to withhold testimony from a pending criminal trial. He complained to a witness that a cooperating witness was "snitching about his [drug-trafficking] brothers," and threatened to rape the cooperating witness's wife in retaliation for her husband's testimony. *Id.* at 143. The district court properly applied the sentencing enhancement under 18 U.S.C. § 1512(j) and affirmed the 210-month sentence. *Id.* at 148.

Criminals prey on witnesses' fear of cooperating, and the threat of retribution chills the investigation process. For example, in the urban lexicon of Washington, D.C., many witnesses to violent crime are terrified to be subpoenaed for grand jury testimony within the U.S. Attorney's Office building, known to many community members as the "Snitch Building." Interview with Jelahn Stewart, Chief, Victim-Witness Assistance Unit, U.S. Attorney's Office for the Dist. of Columbia, in Wash., D.C. (Sept. 26, 2014).

The "Stop Snitching" bane requires a vigorous counterassault from the U.S. Attorney community. Assuring witness security and building trust with law enforcement are two tactics to support this strategy.



## II. Assuring witness security: safeguarding those who come forward and educating the community about EWAP

A key component to engendering witness trust and cooperation—and to foiling the no-snitch nemesis—is to assure witness security. The USAOs’ Emergency Witness Assistance Program (EWAP) is designed to address this critical issue for witnesses and potential witnesses in USAO prosecutions.

EWAP provides assistance to threatened witnesses on an emergency, short-term basis, to ensure their well-being and availability for trial, other court proceedings, or activities related to an ongoing case. The program also addresses a witness’s or prospective witness’s physical, mental, or emotional reservations about participating in a specific matter before or after he or she agrees to cooperate with, or testify or be available for, the USAO’s prosecution. GEN. COUNSEL’S OFFICE, EXEC. OFFICE FOR U.S. ATTORNEYS, DEP’T OF JUSTICE, EMERGENCY WITNESS ASSISTANCE PROGRAM MANUAL 2–4 (2007).

While law enforcement agencies can provide physical protection for witnesses, EWAP does not do so. Rather, EWAP’s purpose is to address a witness’s fears, “whether or not substantiated,” about assisting the Government. *Id.* at 2. “It seeks to promote the peace of mind of witnesses when they have relevant information to contribute, thereby enhancing their ability to testify.” *Id.* at 1. The program only provides emergency, short-term financial and other assistance to witnesses for the above-stated purposes.

The Executive Office for U.S. Attorneys’ (EOUSA) Emergency Witness Assistance Program Manual sets forth the parameters for each USAO’s proper use of EWAP funds:

Each individual USAO is required to create its own protocol outlining permissible uses for EWAP funds, and each USAO receives its own allocation of EWAP funding. The decision as to when and under what circumstances EWAP funds are used is entirely within the discretion of the United States Attorney. In general, however, EWAP funds are used to provide the following services: 1) transportation to enable a witness to leave his or her neighborhood, city, or state temporarily; 2) temporary housing or moving expenses; 3) temporary subsistence; 4) emergency telephone service to assist the witness to keep in contact with the USAO; 5) child or elder care; and 6) other transportation costs, as reasonably necessary, for school or immediate medical or counseling needs.

*Id.* In short, “EWAP funds can help to ensure a witness’[s] well-being and increase the likelihood that the witness will be available for court proceedings or other activities related to an ongoing case.” *Id.*

AUSA Jelahn Stewart—Chief of the U.S. Attorney’s Office for the District of Columbia’s Victim Witness Assistance Unit, the largest prosecution-based witness assistance program in the federal system—extols educating the community and potential prosecution witnesses about EWAP. This education can ensure witness cooperation and combat the no-snitch mindset:

It is so important to get out into the community and to dispel a lot of the misinformation that’s been given. . . . In my role as Chief of the Victim Witness Assistance Unit, I tell the community exactly what we can offer them if they do come forward in one of our cases. And it’s comforting to them to know that if they come and they testify and they live in their own home, and they want to stay in their own home but they feel unsafe . . . we can install a security system for you to stay in your home, if you want it, if you testify in one of our cases. Or we can move you; we can relocate you out of town. When I tell that to community members in their own community, it gives them a sense of confidence in the U.S. Attorney’s Office.

Interview with Jelahn Stewart, Chief, Victim Witness Assistance Unit, U.S. Attorney’s Office for the Dist. of Columbia, in Wash., D.C. (Sept. 26, 2014). Stewart opines that successfully securing witness

cooperation entails “a combination of getting out into the community and giving them accurate information about what we can do for them.” *Id.*

### **III. Stopping the silence by building trust: initiatives from law enforcement and the U.S. Attorney community**

Law-enforcement agencies are recognizing that building community trust is essential in order to gather intelligence about threats to the community, further crime investigations, and thwart the “Stop Snitching” culture. The U.S. Attorney community is promoting the efforts of its local law enforcement partners and engaging in its own efforts to address this issue.

The four initiatives discussed below are promising initiatives that can inform USAOs’ strategies to build trust, ensure cooperation with prosecutions, and make communities safer.

#### **A. Cleveland’s Police Assisted Referral**

An initial step in building trust is to improve the community’s perception of the police. The Cuyahoga Metropolitan Housing Authority Police Department (CMHAPD), based in Cleveland, Ohio; Case Western Reserve University; and the Partnership for a Safer Cleveland, a grassroots anti-violence organization, are all part of the USAO-led Project Safe Neighborhoods/anti-violence steering committee for the Northern District of Ohio. CMHAPD, Case Western, and the Partnership collaborated with local mental health service providers to develop the Police Assisted Referral (PAR) initiative.

PAR aims to identify potential violent crime early on by helping people with counseling and other services. As the Partnership’s Web site explains, CMHAPD officers responding to violence-related service calls are trained to identify eligible individuals and families in need of these services. The officer calls a referral directly into a private mental health service central intake center and offers the family a referral card containing the responding officer’s information on the front and the referral number on the back. The officers clearly explain to residents that the mental health staff members are not affiliated with the police and it is up to the residents to follow through. Once the officer places the call, the mental health service responds to the family within 48 hours to schedule counseling, either by phone or in person. If a family accepts the service, an evaluation visit can take place within 48 to 72 hours at the residence or where the family members feel comfortable. From there, a counselor and the family can assess if additional help is needed. PARTNERSHIP FOR A SAFER CLEVELAND, <http://www.safercleveland.org/police-assisted-referral.html>.

Initial studies suggest that PAR is positively impacting community relations. To assess PAR’s effectiveness, data analysts delivered 253 surveys to individuals who received PAR referrals. Sixty individuals (24 percent) returned surveys. Aside from the obvious benefits of providing needed mental health services to vulnerable victims and crime witnesses, 43 percent of the respondents who received PAR referrals reported having a better opinion of the police as a result of the referrals, contrasted with only 3 percent whose opinion of the police worsened. (The remaining surveyed individuals’ opinions were unchanged.) Jenni M.B. Bartholomew, Mark I. Singer, Andres Gonzalez & Michael Walker, *Police Assisted Referrals: Empowering Law Enforcement to Be First Social Responders*, 13 L. ENFORCEMENT EXECUTIVE F. 37, 40–43 (2013).

The officials who have developed and are implementing PAR expect that “citizens’ trust, perceptions of police as helpful, and a willingness to call police will increase.” *Id.* at 41. They conclude, “Given the importance of citizens’ trust of police in facilitating their willingness to engage police by providing information on neighborhood crime and safety, programs such as PAR may also help both citizens and officers work together for their mutual benefit.” *Id.* at 45.

## **B. Chicago’s Campaign to Break the Code of Silence**

The USAO for the Northern District of Illinois partnered with the Chicago Police Department (CPD) in numerous community outreach engagements. In response to well-publicized acts of senseless violence, CPD is actively combating the “Stop Snitching” culture by educating Chicago’s youth.

From 2010 to 2011, the CPD launched the “Campaign to Break the Code of Silence,” a “model program based on evidence-based and data-driven activities that attempt to identify the key causal factors contributing to the unwillingness of residents, particularly young people, to provide information to the police.” CHI. POLICE DEP’T, CAMPAIGN TO BREAK THE CODE OF SILENCE: SUMMARY REPORT 3 (2014).

The key component of the Campaign was an in-school training program that initially targeted several of Chicago’s high schools that were “most likely to be affected by community violence and which had the highest need for programs designed to change the school climate.” *Id.* Eventually, the program was expanded to more Chicago schools, including private, charter, and elementary. The training program sought to increase awareness of the impact and trends of youth violence and bullying on the community, and improve decision-making skills. Training exercises included sharing real data about youth violence, school violence, bullying, and cyber-bullying; building empathy by showing a video, *Silence Kills*, which demonstrates the impact of violence on the family and communities; distinguishing the term “snitching” versus “reporting crime”; examining a real situation in which bystanders witnessed a crime and exploring how the outcome to a violent situation could change if the role of bystanders changed; and distinguishing a “Code of Ethics” from a “Code a Silence,” which encourages students to heed an “internal push to want to do the right thing despite the consequences.” *Id.* at 5–6.

Throughout the training program, trainers fostered candid dialogue with students about their feelings. Hundreds of the participating students completed evaluations that rated the trainers and exercises and expressed whether their opinions had changed as a result of the training. After three years of evaluation from 2011 to 2013, 80.9 percent of the responding students stated they were more likely to report bullying as a result of what they learned from the training. In addition, 81.3 percent of those students reported they would be more likely to report someone with a gun. *Id.* at 7–9.

These promising results continue. According to Beth Ford, Deputy Director of CPD’s Bureau of Patrol, CPD conducted 73 training sessions in 2014, with over 1,900 students participating, raising the total number of students trained by the Campaign to nearly 4,000. Data from surveys of students trained in 2014 indicate that as a result of the training, 81.3 percent of responding students were more likely to report bullying, and 81.4 percent were more likely to report someone with a gun. Email from Beth Ford, Deputy Dir., Bureau of Patrol, Chi. Police Dep’t, to author (Jan. 14, 2015) (on file with author).

## **C. Detroit One**

Detroit One is the USAO for the Eastern District of Michigan’s comprehensive anti-violence strategy. It emerged from the office’s response to Detroit’s 2012 statistic of 386 homicides, its worst year in over 20 years. Detroit One’s objective was to reduce homicides and other violent crimes by coordinating federal, state, and local law enforcement agencies to: (1) identify and prosecute trigger pullers, (2) dismantle violent organizations, and (3) build community trust. Email from Stephanie Dawkins Davis, Exec. Assistant U.S. Attorney, U.S. Attorney’s Office for the E. Dist. of Mich., to author (Oct. 17, 2014) (on file with author).

Besides the strategy’s enforcement objectives, the office increased its outreach to Detroit community leaders. It has addressed the “Stop Snitching” problem by engaging citizens in their own neighborhood associations and block meetings. At the meetings, AUSAs educate community members about the secrecy of witnesses’ grand jury testimony and how the office endeavors to safeguard victim and witness information pretrial. *Id.*

The USAO for the Eastern District of Michigan’s Executive Assistant U.S. Attorney, Stephanie Dawkins Davis—a veteran prosecutor and leading proponent of Detroit One—believes that encouraging witnesses to have the courage to testify against defendants is “probably the hardest conversation to have.” Webinar interview with Stephanie Dawkins Davis (Dec. 8, 2014).

Echoing the experience of the USAO for the District of Columbia’s Jelahn Stewart, Davis has found that education and honest dialogue with the community has built trust and secured cooperation with the office’s prosecution efforts:

One of the things we do is we educate the public on measures that can be taken to protect individuals if there is a threat. But I think most of us know that, short of somebody actually getting into witness protection—which is very rare—those tools are somewhat limited. And I’m honest about that fact. But we also talk about statistics. And while there is retaliation that occurs here, at least in our federal cases, we’ve not had very many instances of witnesses being hurt, killed, injured as a result of coming forward. . . . So we just review those options with folks, and we answer whatever their questions are, whether we’re in a church or recreation center or wherever we are.

*Id.*

Recent statistics suggest that Detroit One, in conjunction with other local focused anti-violence efforts, is having a positive impact in Detroit. While the city still grapples with one of the highest big-city violent-crime rates, Detroit had approximately 300 homicides in 2014—its lowest number since 1967. George Hunter, *2014 Detroit homicides fewest in 47 years*, THE DETROIT NEWS, Jan. 2, 2015, at A4.

#### **D. EOUSA’s Project ASSIST**

The Executive Office for U.S. Attorneys has developed a comprehensive initiative to support USAOs’ efforts to address the “Stop Snitching” issue.

Project ASSIST—Addressing the “Stop Snitching” Issue by Standing Together—provides resources to the USAO community to combat the “Stop Snitching” epidemic. Developed by AUSAs, victim-witness staff, Law Enforcement Coordinators, Community Outreach Coordinators, and others in EOUSA and several USAOs across the country, ASSIST has an internal and an external component.

The internal component is a SharePoint site featuring resources on several topics. Among other things, the site:

- Demonstrates the prevalence of the “Stop Snitching” culture, with links to YouTube videos, Web sites, and other media designed to intimidate witnesses and deter them from reporting crimes.
- Shares resources on EWAP and the critical work of addressing witness security concerns.
- Shares legal and policy guidance and resources on issues such as restitution and victim-impact statements.
- Links to some excellent DOJ resources for prosecuting obstructing justice and witness tampering cases and other materials that can further courtroom efforts to take the fight to the forces of intimidation.
- Showcases local law enforcement initiatives to combat the no-snitch culture, and DOJ programs that can improve sensitive situations between police and the communities they serve.
- Links to legal and policy resources regarding discovery issues involving threatened and intimidated victims and witnesses. These resources are designed to ensure that prosecutors are advancing victims’ rights and addressing witness security issues, while still meeting their discovery obligations.

- Features a Discussion Board providing a forum for members of the U.S. Attorney community to share ideas, best practices, and concerns, and ask others for guidance about addressing “Stop Snitching” problems in their districts.

EOUSA also plans to launch an external ASSIST Web site on the U.S. Attorneys’ public DOJ site. The Web site will educate the public on the “Stop Snitching” issue and on the USAOs’ resources to vindicate victims and support witnesses, and will encourage cooperation with law enforcement. EOUSA expects to launch this site later this year.

#### IV. Conclusion

Overcoming genuine witness fears of cooperating and mistrust of law enforcement are daunting tasks. But USAOs and their local law enforcement partners are meeting the challenge, building citizens’ faith in the criminal justice system, and making communities safer through concerted efforts to thwart the “Stop Snitching” phenomenon. Replicating these successes can ensure that USAOs are being “Smart on Crime”—not only by fulfilling their legal duty to prosecute criminals, but by heeding a moral calling to ensure real justice by instilling a sense of peace and cooperation in the communities they serve. ❖

#### ABOUT THE AUTHOR

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*For more information and materials on the anti- “Stop Snitching” initiatives discussed in this article, please contact the author at 202-252-5847 or [seth.meinero@usdoj.gov](mailto:seth.meinero@usdoj.gov).*

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# The National Forum on Youth Violence Prevention

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*As mayors, police chiefs and school administrators have been replaced, the U.S. Attorney’s Office has been a constant presence that has sustained Detroit’s participation*

*in the forum. The U.S. Attorney's convening power has helped to ensure that other stakeholders are at the table.*

Email from Barbara L. McQuade, U.S. Attorney for the E. Dist. of Mich., to author (Dec. 4, 2014).

## **I. Background**

The National Forum on Youth Violence Prevention (Forum) is a White House initiative established in 2010 to build the capacity of localities across the country to more effectively address youth violence through multi-disciplinary partnerships, balanced approaches, data-driven strategies, comprehensive planning, and sharing common challenges and promising strategies. The Forum is a platform for federal and local collaboration that encourages its member jurisdictions to change the way they do business through review and improvement of internal decision-making structures, policies, and practices; increased communication; and strategic, coordinated action.

At its inception, led primarily by the Departments of Justice and Education, the Forum was a network of federal agencies known as the Federal Coordination Team (FCT). It included the Departments of Housing and Urban Development, Health and Human Services, and Labor; the Centers for Disease Control and Prevention; the Office of National Drug Control Policy; and Community Oriented Policing Services. The FCT continues to operate with monthly meetings focused on efforts to increase support of the Forum cities. The initial six cities that were invited to participate in the Forum include Boston, Massachusetts; Chicago, Illinois; Detroit, Michigan; Memphis, Tennessee; Salinas, California; and San Jose, California. Since then, the Forum has expanded to include nine additional cities: Baltimore, Maryland; Camden, New Jersey; Cleveland, Ohio; Long Beach, California; Louisville, Kentucky; Minneapolis, Minnesota; New Orleans, Louisiana; Philadelphia, Pennsylvania; and Seattle, Washington. By participating in the Forum, cities pledge, in partnership with the various community sectors, to draft and implement strategic comprehensive plans with measureable outcomes, goals, and objectives.

These plans, rooted in combining intervention, enforcement, and reentry strategies, aim to reduce and prevent youth violence, improve opportunities for youth, and encourage innovation at the local and federal levels. The support of the local U.S. Attorney's office is critical for successful implementation, but it takes more than the Federal Government to impact and sustain change on the local level, making the partnerships with philanthropic, business, and other community groups, vital. The FCT has forged relationships with collaborative partners such as Casey Family Programs, Cities Untied, and the World Bank, to assist with supporting Forum cities.

We all want the same thing: a safe place to live, to go to school, to work, and to raise a family. The Forum has provided a platform through which city administrators, service providers, school officials, medical professionals, and law enforcement can effectively collaborate in an effort to curb youth violence in the targeted areas within Philadelphia. The collaboration has allowed us to identify and address gaps in resources available to at-risk-youth so that they remain in school, participate in after-school programs, receive support at home, and engage with law enforcement officials in a positive manner for purposes of making our communities safer.

Email from Zane Memeger, U.S. Attorney for the E. Dist. of Pa., to author (Dec. 5, 2014).

Each sector in the community, including, but not limited to, law enforcement, faith-based communities, public and behavioral health, education, youth, and family, plays a critical role in the effort to create a safer and more healthy community that allows children and youth to thrive. Through collaboration and communication among the different sectors, limited resources are not duplicated in similar programs, but instead serve to complement existing efforts. As Melinda Haag, U.S. Attorney for the Northern District of California states:

The Forum has helped channel various segments in Detroit to focus our efforts on a united strategy. Instead of working on duplicative programs, stakeholders are now working together to implement the goals of a single plan. The Forum's facilitators have helped create a framework for us to develop our own plan that is uniquely tailored for the challenges of our city.

Email from Melinda Haag, U.S. Attorney for the N. Dist. of Cal., to author (Dec. 4, 2014). Building these relationships strengthens accountability of each party involved and helps sustain the ongoing efforts. Everyone has a sense of ownership in the effort and is thus more likely to want to see it succeed.

## **II. Forum principles**

The Forum operates on three key principles. These three principles are critical to directing and leveraging limited resources in order to make a long-standing impact:

1. Multidisciplinary partnerships are key to tackling this complex issue—police, educators, public health and other service providers, faith and community leaders, parents, and kids, must all be at the table.
2. Communities must balance and coordinate their prevention, intervention, enforcement, and reentry strategies.
3. Data and evidence-driven strategies must inform efforts to reduce youth violence in our country.

## **III. Forum goals**

The Forum has three goals:

1. Elevate youth and gang violence as an issue of national significance;
2. Enhance the capacity of participating localities, as well as others across the country, to more effectively prevent youth and gang violence; and
3. Sustain progress and systems change through engagement, alignment, and assessment.

The Forum has grown beyond the number of cities involved. It has morphed into a national movement, one that is defining a new way of doing business in the field of youth violence prevention and reduction. Other cities and tribal communities are involved in the Defending Childhood Initiative, established in 2010 by Attorney General Holder. The initiative takes a closer look at the effects and trauma faced by children exposed to violence.

Children's exposure to violence, whether as victims or witnesses, is often associated with long-term physical, psychological, and emotional harm. These children are at a higher risk of engaging in criminal behavior later in life and becoming part of a cycle of violence. The eight Defending Childhood sites are Boston, Massachusetts; Chippewa Cree Tribe in Montana; Cuyahoga County, Ohio; Grand Forks, North Dakota; Multnomah County, Oregon; Portland, Maine; Rosebud Sioux Tribe in South Dakota; and Shelby County, Tennessee. These cities review and implement best practices to ensure that children have the ability to heal and thrive in their communities.

Through this initiative, the Department of Justice strives to:

1. Prevent children's exposure to violence;
2. Mitigate the negative impact of children's exposure to violence when it does occur; and
3. Develop knowledge and spread awareness about children's exposure to violence.

## IV. Conclusion

The Forum offers resources to the cities in the network to implement the approved strategic plans through minimal capacity building grants and training and technical assistance. In 2013 the Forum held its third Summit on Preventing Youth Violence with close to 400 attendees from around the country. The next Summit is planned for May 2015. For more information on the Forum please visit <http://www.findyouthinfo.gov>. ❖

## ABOUT THE AUTHORS

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# Training and Technical Assistance Resources From the Office for Victims of Crime

*Sharron Fletcher*  
*Lead Victim Justice Program Specialist*  
*National Programs Division*  
*Office for Victims of Crime*  
*Office of Justice Programs*

## I. Vision 21: Transforming Victim Services Final Report

In May 2013 the Office for Victims of Crime (OVC) issued its Vision 21: Transforming Victim Services Final Report (Vision 21), available at <http://ovc.ncjrs.gov/vision21/>. This report was the first comprehensive assessment of the victims' field in 15 years. Vision 21 presents a cohesive and comprehensive framework for strategic change in the victim services field, and addresses ways to overcome political, policy, and philosophical challenges. OVC anticipates that this report will catalyze important first steps in the strategic direction and focus of the victim assistance field to ultimately improve the way we respond to crime victims.

Recommendations from Vision 21's Final Report, which OVC began implementing in fiscal year 2014, create an opportunity for real change in the victim services. The recommendation to "build and institutionalize capacity through an infusion of technology, training, and innovation to ensure that the field is equipped to meet the demands of the 21st century" reflects OVC's commitment to expand the field's capacity to serve victims, particularly vulnerable and underserved victim populations. OFFICE FOR



VICTIMS OF CRIME, OFFICE OF JUSTICE PROGRAMS, U.S. DEP'T OF JUSTICE, VISION 21: TRANSFORMING VICTIM SERVICES vii (2013). U.S. Attorneys' offices (USAOs) face complex challenges working with law enforcement, service providers, and the community at large to address the intricate needs of crime victims. OVC strives to provide training and technical assistance (TTA) resources that support USAOs in meeting these challenges. Our Training and Technical Assistance Center (TTAC) ([www.ovcttac.gov](http://www.ovcttac.gov)) is the cornerstone of efforts to build leadership and expertise by providing comprehensive TTA to support the field in building its collective capacity to serve victims. Its overall aim is to build the capacity of victim service organizations and the criminal justice community, including law enforcement and prosecutors.

USAOs often play an important role in facilitating training efforts for service providers and criminal justice collaborations in their jurisdictions. Here are some ways OVC TTAC might support efforts to enhance USAO capacity to serve crime victims:

- Customized TTA: Specialized TTA can be provided to meet your needs. OVC TTAC staff will work with you to assess needs and create a plan for TTA to develop strategies that address underserved and vulnerable victim populations or emerging issues in your district.
- Training by request: Gather a multi-disciplinary team or group of allied professionals serving crime victims in your district, arrange a meeting space, and select a training of your choice from the OVC TTAC Training Catalog. The trainers and materials come directly to you at no cost.
- Professional development scholarships: These allow victim service professionals, including law enforcement, to attend trainings and conferences that will enhance their ability to work with victims of crime. Eligibility criteria for this reimbursement program are outlined on TTAC's Web site, <https://www.ovcttac.gov/views/HowWeCanHelp/dspPDscholarship.cfm>.
- Legal assistance for victims: TTA resources for the legal community are available, providing attorneys across the country with the tools they need to increase their knowledge base about crime victim issues and increase their capacity to provide pro bono or no-cost legal representation to crime victims.

## II. Resources

OVC TTAC also provides an array of online TTA resources, including downloadable instructor materials, Webinars, and online training courses. Below are several new resources that can support your USAO efforts.

### A. Human Trafficking E-Guide

The expanded and enhanced Human Trafficking Task Force E-Guide, released by OVC and the Bureau of Justice Assistance, is an online resource that provides practical information on the creation and day-to-day operation of human trafficking task forces. This resource may be found at <https://www.ovcttac.gov/TaskForceGuide/eguide/>. The E-Guide includes several new sections and strategies to strengthen multidisciplinary collaboration, increase victim identification and improve victim assistance response, enhance victim-centered investigation, and build stronger prosecution strategies. It also has been redesigned to help navigate content more easily and locate information faster, in order to ultimately strengthen the knowledge and skills needed to assist victims of human trafficking.

### B. Victim Assistance Training Online

OVC launched six new Victim Assistance Training Online (VAT Online) modules, including LGBTQ Populations, Victims with Substance Abuse Issues, Financial Crimes, Identity Theft, Cybercrime, and Sexual Assault. VAT Online is a Web-based basic victim advocacy training program

that offers victim service providers and allied professionals the opportunity to acquire the basic skills and knowledge they need to better assist victims of crime. More information may be found at <https://www.ovcttac.gov/VATOnline>. Additional modules that address other specific crimes and the needs of special populations will be launched later this year.

### **C. Identity Theft Toolkit**

The National Identity Theft Victims Assistance Network Toolkit for Professionals and Resource Map, (developed under a national scope training and technical assistance grant), recently transitioned to OVC TTAC. The Toolkit for Professionals, *available at* <https://www.ovcttac.gov/identitytheftnetwork/?tab=1>, is intended to provide useful guidance on improving and expanding services to identity theft victims and on starting a collaborative group in your area. You can access downloadable, ready-to-customize training materials and brochures. You can also visit the Resource Map to learn more about local agencies that offer legal assistance to victims of identity theft, available online legal self-help for clients in your state, professional identity theft networking opportunities, and state laws applicable to identity theft cases. You will also find resources for victim advocates, attorneys, and law enforcement.

### **D. Elder Abuse Training for Legal Service Providers**

The Elder Abuse Training for Legal Service Providers is an interactive online training course that teaches legal aid and other civil attorneys how to identify and respond to elder abuse. This training course, *available at* <https://www.ovcttac.gov/views/dspLegalAssistance.cfm?tab=1#onlinetraining> and developed in partnership with the Department's Access to Justice Initiative, includes a variety of information, tools, and resources, from interactive client scenarios to printable materials. The training consists of four modules, including What Every Lawyer Needs to Know About Elder Abuse, Practical and Ethical Strategies, Domestic Violence and Sexual Assault in Later Life, and Financial Fraud and Exploitation.

### **E. Legal Assistance for Crime Victims Training**

Through OVC's Legal Assistance for Crime Victims Training and Technical Assistance initiative, OVC TTAC is working with national experts, including the National Crime Victim Law Institute, to develop and deliver training and provide technical assistance to the legal community. TTA provides attorneys with the tools they need to increase their knowledge base about crime victim issues and increase their capacity to provide pro bono or no-cost legal representation to crime victims. More information may be found at <https://www.ovcttac.gov/views/dspLegalAssistance.cfm>.

### **F. Responding to Transgender Victims of Sexual Assault**

Responding to Transgender Victims of Sexual Assault provides an online guide that offers practical tools to promote understanding and support of transgender victims of sexual assault, whether you are an attorney, health care provider, law enforcement officer, emergency medical personnel, advocate, therapist, or support group facilitator. Read "Transgender 101" first for a basic understanding of what it means to be transgender. It can be found at <http://www.ovc.gov/pubs/forge/index.html>. Then explore the rest of the guide to learn how you can be a source of support and care for individuals in this high-risk population.

### **G. VictimLaw**

VictimLaw is a database of state and federal victims' rights statutes, tribal laws, constitutional amendments, court rules, administrative code provisions, and case summaries of related court decisions that meet the needs of attorneys, victim service providers, victims, and the general public. More information is available at <http://www.victimlaw.org>.

### III. Conclusion

OVC remains steadfast in its commitment to provide TTA resources that build the field's capacity and further supports Vision 21. We encourage USAOs to remain abreast of our TTA offerings by visiting OVC's Web page, [www.ovc.gov](http://www.ovc.gov), and OVC TTAC's Web page, [www.ovcttac.gov](http://www.ovcttac.gov). OVC has also gone social, so please follow us on our Facebook page, on Twitter, and subscribe to our YouTube channel. ❖

### ABOUT THE AUTHOR

❑ **Sharron Fletcher** is a Lead Victim Justice Program Specialist in the National Programs Division at the Office for Victims of Crime. During her 19 years with the Department of Justice, Sharron has had the opportunity to develop strategies for serving underserved and unserved victim populations, oversee training for victim service practitioners, contribute to approaches to youth violence prevention and reduction, and support community crime reduction and revitalization efforts. ❖

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# Mental Health and First Responders— Getting Smarter on Wellness

*Katrina Masterson*

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*Bureau of Alcohol, Tobacco, Firearms and Explosives*

## I. Introduction

Getting smart on crime requires that we also get smarter about meeting the wellness needs of our first responders. Raising the performance stakes through our Smart on Crime Initiative also means increasing the mental health and wellness risks of all our first responders and support staff at the federal, state, and local levels. This article seeks to reinforce one of the key Smart on Crime principles—our need to leverage and share scarce wellness resources so that we are smarter and more efficient in caring for our brothers and sisters on the front lines.

Those of us within the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) who are supporting the wellness needs of our employees want to work more closely with our Department of Justice (DOJ) wellness counterparts (as well as with our state and local allies) to reduce stress impact and increase protective factors by leveraging our best wellness practices, resources, and tools. Although ATF's innovative, emotional first aid programs have kept pace with latest law enforcement stress management best practices and trauma research findings, we know that effective collaboration will ensure that our collective workforce has an adequate, effective, and extensive wellness arsenal with which to combat stress and trauma.

ATF's wellness program evolution also reveals that it takes supportive, hands-on executive leadership guiding the way in promoting preventive wellness strategies to de-stigmatize access to, and use of, effective mental health wellness resources and tools, which ultimately save lives. However, by working together, we can make opportunities to share resources, make transparent the best wellness practices, try new things, and innovate in ways we never thought possible.

## II. First responder occupational risks: stress, trauma, and suicide

Not unlike soldiers returning from the battlefields, first responders, public safety officers, federal agents, police officers, prosecutors, support staffs, and even their family members, feel the impact of the 21st century battlefield, which is unlike any other because it also includes the cyber world, which has no borders. Addressing violent crime has the same devastating effects on the emotional health and mental well-being of our first responders, whether they work in the back alleys of our cities or via the Internet from the interior creature comforts of their home offices or workplaces. Over time, the cumulative effects can be devastating.

Although most of our first responders will never suffer the effects of traumatic brain injury from exploding improvised explosive devices, they may suffer from the continuous onslaught of horrific crime scenes and graphic images seen online. Those images often are lodged indefinitely and deep within the emotional brain so that reminders of the original events can trigger the same strong emotional and physiological stress reactions as when those images were first witnessed. *See BESSEL VAN DER KOLK, THE BODY KEEPS THE SCORE: BRAIN, MIND, AND BODY IN THE HEALING OF TRAUMA 171 (2014).*

Today, the stakes for stemming violent crime in the wake of this endless, borderless battlefield have never been higher. Our first responders deserve the best that we have. We now know the accumulation of law enforcement-related stress, critical incident stress, as well as the trauma of facing daily, life-threatening situations, takes its eventual toll on first responders on many levels.

### A. Stress: law enforcement stress versus critical incident stress versus cumulative stress

To fully appreciate the impact and risks of law enforcement (LE) work, it is important to understand the kinds of stress impact we are dealing with, the variations of it, who is vulnerable, and why this is important in caring for our first responders. Today we know so much more about this enigma, “stress.” We know that it is bad for us, that it wreaks havoc on our mental and physical health, and that too much of it can overwhelm our coping and resilience. Dr. Hans Selye, a 20th century endocrinologist, was the first to study the long-term physiological effects of stress. He formulated the General Adaptation Syndrome describing how, over time, stress can overwhelm and exhaust us. However, he is also credited with the concept of eustress—the *good* kind of stress—helping us to see that not all stress is bad.

First responders face an onslaught of stressors the ordinary public does not have to face and cope with. Daily, they arrest violent criminal offenders, investigate gruesome crime scenes, and suffer the potential violent loss of their own and their comrades’ lives. They witness violence and cruel, indecent human acts committed against innocent, defenseless victims. In ATF, our special agents, National Response Team members, and support staff members, investigate particularly horrific arson and explosives scenes, often involving loss of life. The sights, sounds, and smells of these crime scenes are particularly vicious: they attack all of the senses, and they are hard to shake. We call this kind of stress LE-related, and it has a trickle-down effect within the workforce. Although support staff and family members may never see the crime scenes directly, they are affected indirectly because they may hear about them, see pictures of the scenes, or read reports about the incidents. They are considered “secondary” and “tertiary” victims.

As if that is not enough, first responders are also exposed to critical incident stress (CIS). CIS occurs when LE responders are exposed to LE-related critical incidents, such as mass school shootings, precarious undercover situations, and violent assaults on themselves and/or their partners, for example. These critical incidents have the potential to overwhelm physical and emotional coping mechanisms and can trigger a variety of intense physical, behavioral, emotional, and mental reactions, which we often call “normal reactions to abnormal situations.”

Drs. George Everly, Jr. and Jeffrey Mitchell are the two most noted psychologists who, working together, formulated the body of knowledge known as “critical incident stress management” (CISM).

CISM prescribes and advocates methods, strategies, and tools for managing CIS impact—through early interventions including on-site/post-scene support, pre-incident stress and trauma awareness education, and clinical follow-up—to prevent the long-term, cumulative effects of CIS. Even with early interventions, continuous exposure can reduce the resilience of most people, no matter how resilient they are. And it does not end there. CIS is compounded by the kinds of stress we all face from living in a multi-dimensional, modern world where family, friends, health issues, hobbies, and personal interests and expectations compete and vie for our attention.

## **B. Trauma, post-traumatic stress disorder (PTSD), traumatic reactions, complex PTSD and PTSI**

Because first responders are on the front lines fighting violent crime, bearing witness to, or being in, a critical incident can cause traumatic reactions as well. As with stress, we also need to understand what we mean when we talk about trauma, PTSD, traumatic reactions, and trauma impact of LE work. Today trauma can mean many things, and in the LE arena these terms cast a very wide net and often mean “all of the above.” What’s more, exposure to law enforcement stress over time can look like trauma. Therefore, it is also important to understand how the groundbreaking research of the 20th century—via starts and stops—has shaped better understanding, awareness, and hence treatments and resources, and why we need to pay heed.

Few know that it was Sigmund Freud—an Austrian neurologist credited with founding modern psychoanalysis—who was one of the first physicians to observe the long-term impact of “trauma.” As he was shaping the practice of modern psychotherapy, he heard countless patient histories of child molestation and sexual abuse, which caused him to form his theory on “hysteria” (his term for traumatic reactions). In his 1896 paper titled The Aetiology of Hysteria, he observed and articulated numerous symptoms, which today we call PTSD, dissociation, and somatic reactions. However, Viennese society was not ready to accept this truth, and so Freud was ostracized and forced to repudiate this theory a short time later. For all the groundbreaking work he did, he is also credited with single-handedly setting back trauma research by almost half a century, until the returning World War II combat veterans prompted physicians and clinicians to pursue their understanding of the “battle fatigue” symptoms they were observing.

Not until the 1970s did trauma research begin to proliferate because of the collective manifestation of trauma symptoms among adult domestic violence and child abuse victims, war veterans, prisoners of war, emergency response workers, and first responders. This growth gave rise to the first “Post-Traumatic Stress Disorder” diagnosis in the Diagnostic Statistical Manual (DSM)-III (1980) and the subsequent, improved versions of it, including the DSM-IV (1994), DSM-IV-TR (2000), and the current DSM-5 (2013) versions. The DSM is a guide containing a standard classification of mental illnesses used by the United States’ mental health community. Therefore, in the scheme of things, our current understanding of it is still relatively new.

The current PTSD definition, in the DSM-5, brings to bear the deepest, most current understanding of clinical trauma impact. Each revision, in fact, kept pace with current research and gave us a better understanding of the true depth and severity of trauma exposure. This version actually goes so far as to name vulnerable populations such as first responders, crime scene investigators, and those exposed to repeated child abuse. In addition, “trauma” now has a category all its own. In the previous editions, PTSD was classified under the anxiety disorders because of PTSD’s unique “arousal” symptoms. Furthermore, many people do not realize (and this bears added emphasis) that PTSD is the only mental health diagnosis (in today’s version and in previous versions) that begins with an *outside event*—not an internal state—that involves potential death or serious injury and has the potential to cause a variety of troublesome symptoms.

Using the DSM-5, a physician or clinical counselor makes the PTSD diagnosis if the client meets the criteria for each of the four symptom categories: (1) intrusion (nightmares and flashbacks), (2) avoidance, (3) hyper-arousal, and (4) mood/cognitions. However, from the perspective of our first responders, one need not have all the PTSD symptoms (in each of the four categories) to suffer trauma impact. For example, following critical incidents, first responders might suffer terribly from uncontrollable, spontaneous, intrusive images or flashbacks of their incidents—hallmark PTSD intrusive symptoms—without experiencing reactions in the other three criteria categories. In this instance, we would say that these first responders are suffering “traumatic reactions.”

Sadly, putting any of these names to the symptoms, whether we use PTSD or traumatic reactions, stigmatizes the people and the condition, and gets in the way of people seeking and asking for help. The writers of the next iteration of the DSM may change the name to PTSI, for Post-Traumatic Stress *Injury*. Dr. Frank Ochberg, a practicing psychiatrist and lifelong, preeminent trauma researcher, is leading this cause because he and others, including military leaders, believe the word “disorder” implies a pre-existing weakness, rather than having been injured by outside influences.

Furthermore, the next iteration could include a new and separate trauma diagnosis that some are calling “Complex PTSD.” Dr. Judith Herman, in her 1997 landmark book, *Trauma and Recovery: The Aftermath of Violence—From Domestic Abuse to Political Terror*, proposed “Complex PTSD” to describe the unique constellation of life restriction symptoms caused by prolonged trauma exposure and victimization involving captivity and entrapment. Although it has not yet been included in the DSM, there are professional clinicians who recognize and treat it as a separate, distinct trauma-related disorder. To complete the full scope of trauma impact in the DSM, the next iteration could include the diagnosis, “Developmental Trauma Disorder” (DTD), proposed by Dr. Bessel van der Kolk. In his book, *The Body Keeps the Score: Brain, Mind, and Body in the Healing of Trauma*, he makes a profound case for DTD and better describes the reality of prolonged childhood trauma and neglect and how this new diagnosis would lead to improved prevention and treatment for abused children.

### **C. Suicide: the ultimate price**

Sadly, suicide is the ultimate price for unmitigated, prolonged stress and trauma. According to the 2012 Badge of Life Police Suicide Study, twice as many police officers died by suicide than by felonious assault. See 2012 POLICE SUICIDES: THE NSOPS STUDY, available at <http://www.policesuicidestudy.com/id16.html>. This statistic is tragic news, especially in light of the fact that today we know that suicide is preventable. The onus is on us, therefore, to mitigate the risks and to put resources, tools, and solutions in place to help our first responders.

Although we might not be able to prevent every suicide, those of us who support first responders need to know that we are doing all we can to mitigate the risks, to challenge the stigma of seeking professional mental health counseling, and to bring suicide out from under the carpet to challenge the outworn myths that keep us in the dark. One of the biggest myths is that suicide is a reflection of personal weakness. To the contrary, desperate people in pain will turn to suicide as a misguided attempt to solve their problems. They are not weak, and they do not want to die. They do want, however, to end their constant pain and suffering, and they have run out of coping tools with which to endure their growing pain, misery, and suffering.

Unfortunately, and despite our best efforts, people will die by suicide. Because dying by one’s own hand is so counter-intuitive to the survival instinct, it is hard to accept that people can reach such a desperate place. If we can begin to imagine the realities of human suffering, then we can see the reality of what unmitigated stress and trauma can do, and increase awareness in order for people to feel free to seek help and to help others.

## **D. Risk summary**

So, what does all this mean for our first responders? It means that the responsibility is on us—the organizations supporting first responders, public safety officers, and their families—to mitigate these unique risks by providing our first responder workforce with resources, tools, and support services; to regularly promote these tools via all available communication methods; and to remove the negative stigma of accessing mental health services by having leadership advocate and reward their use. Although we may not be able to prevent every suicide, we want to know that we have done everything possible to promote a workforce that is safe from ridicule and negative stereotyping for having availed oneself of the very resources that will help keep one safe, especially from self-harm.

## **III. ATF's lessons learned and evolution of best practices**

### **A. Peer Support Program implementation**

ATF has a positive history of supporting its first responders with innovative, state-of-the-art, emotional first aid programs and services. It was one of the first federal agencies to form, in 1989, a Peer Support Program (PSP), and it was featured as a best practice in the National Institute of Justice. *See* PETER FINN & JULIE E. TOMZ, NAT'L INST. OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, U.S. DEP'T OF JUSTICE, DEVELOPING A LAW ENFORCEMENT STRESS PROGRAM FOR OFFICERS AND THEIR FAMILIES 42–44 (1996). The PSP came about when a group of concerned managers, in the late 1980s, noticed how prolonged trauma exposure was taking its toll on the workforce. With our increasing involvement in rising drug, gang, and firearms-related crime and violence, we experienced more critical incidents, and hence, more CIS employee impact. In 1989 these managers enlisted the help of Dr. Roger Solomon, a leading forensic psychologist, who specializes in treating post-critical incident trauma. Dr. Solomon introduced to ATF the PSP concept and, with his help, ATF's managers recruited, trained, and formed ATF's PSP team.

The first responder peer model originally evolved from the successful Veteran Administration's (VA) "rap groups." Following the Vietnam War, the VA learned that our combat veterans were more willing to talk to their peers—the ones who had "been there, done that" and had fought in the trenches. Dr. Solomon helped ATF adapt this concept to our workforce to make ATF's PSP a welcome, emotional first aid experience. Our managers assigned ownership of it to a program manager, who in turn recruited and trained empathetic, caring LE responders to listen and "bear witness" by working one-on-one with our first responders. Peer support care incorporates a number of important prescription ingredients, including early intervention and the "bearing witness" of traumatic experience—two things that today we know profoundly and positively help first responders recover and that have the potential to prevent PTSD.

### **B. Critical incident stress management**

In 1997, when I assumed program manager responsibility for the PSP, Drs. Everly and Mitchell were developing, writing about, and recommending critical incident stress management (CISM) standards and protocols for all public safety departments, including law enforcement, fire, and rescue departments. During my tenure from 1997 to 2000, I followed and implemented some of their CISM best practices with hands-on support from them and from other PSP pioneers, including Peter Killeen (a professional counselor now working with me as an ATF Wellness Counselor) and William Hogewood (former Prince George's County PSP Manager). Together, over time, we implemented CISM's triad of care described in Everly and Mitchell's 1999 book, Critical Incident Stress Management (CISM): A New Era and Standard of Care in Crisis Intervention (which today is still an LE CISM best practice). The book recommends: (1) preventive education (education and training as trauma prevention), (2) on-scene support/post-scene debriefings, and (3) referral for follow-up clinical care, if needed. *See* GEORGE S. EVERLY, JR. & JEFFREY

T. MITCHELL, *CRITICAL INCIDENT STRESS MANAGEMENT (CISM): A NEW ERA AND STANDARD OF CARE IN CRISIS INTERVENTION* (2d ed. 1999).

Prior to my arrival, ATF had been providing this triad of care, but I formalized the role of the Employee Assistance Program (EAP)—an outsourced program that provides free, professional counseling services 24-hours every day and at no cost to ATF employees—and the role of the training office to ensure regular, consistent LE stress awareness training and to promote EAP self-service. Although ATF excelled in PSP implementation—even to the point where we were supporting our state and local responders who did not have similar programs—there were some trade-offs with CISM implementation. By the time my tenure ended in 2000, I found that we had gravitated away from some of the original, effective, individualized peer care. In our efforts to ensure we were setting up proper, well-timed, well-executed group debriefings, we may have ignored the need to ensure immediate, concurrent, one-on-one peer support, as well.

In hindsight, however, I believe our formation of the Chaplain Program in 1996 may have made up for some of that trade-off. One of our most passionate PSP program managers, Special Agent (SA) Peter Mastin (retired), concurrently led the PSP and formed our Chaplain Program. The program added an entirely new cadre of caring, experienced, lay professionals to our existing PSP and EAP programs. SA Mastin recruited approximately 50 well-trained police chaplains, from all religious denominations, with extensive LE experience. Because I inherited oversight of both programs, I was able to integrate the PSP and chaplain resources and offer more options for post-scene, critical incident support services.

### **C. Present day: making the wellness program the platform for engagement, performance, and overall well-being**

Our Peer Support and Chaplain Programs are still thriving and providing first-rate care. Today SA Joshua Knapp, who is also the program manager of our Medic Program, leads these programs. SA Knapp was the first to make mandatory the peer meeting, which has greatly helped to “de-stigmatize” the peer intervention. He has also articulated clear, written, and standard protocols for deploying peer resources. We know that our employees greatly welcome the caring and empathetic support they receive following difficult critical incidents.

Prior to SA Knapp’s oversight, however, various managers had moved the program about in an attempt to find the right home and to make the right placement of it. In doing so, we inadvertently dropped one of the key components within the CISM triad of care—the preventive, “pre-incident” education and awareness. Though we would not have predicted it, this oversight may have amplified our suicide risk. During the mid- to late 1990s, suicide dropped significantly. Within the last decade, however, we have experienced a rash of devastating suicides, for which we needed serious action. Thus, at the beginning of 2014, our Director, B. Todd Jones, and Deputy Director, Tom Brandon, made suicide prevention and wellness program implementation our highest priorities.

But it wasn’t just the suicide tragedy that led Lisa Boykin, Chief of the Human Resources Operations Division; SA Theresa Stoop, former Assistant Director of Human Resources and Professional Development (HRPD); and SA David McCain, Deputy Assistant Director (now the Assistant Director of HRPD) to formulate and implement ATF’s Wellness Program. Chief Boykin, with her extensive management and employee relations background, knew and felt all too well the negative impact of organizational stressors in the forms of conflict and conduct issues, substance abuse, and overall performance decline. She trusted and knew that there had to be a better way to *prevent* these problems through *proactive sharing of preventive wellness, tools, and resources*. Therefore, in 2013, she implemented ATF’s Wellness Program. Unlike other work-life benefit programs, she wanted the Wellness Program to focus on prevention rather than intervention.



At the same time, Chief Boykin initiated an innovative reform—she established and implemented the Human Resources Information Center (HRIC)—to ensure centralized access to, effective coordination of, and complete transparency of HR services and programs. This reform also helped set the stage for implementing ATF’s Wellness Program. Like the HRIC, she tasked the Wellness Program with centrally coordinating wellness-related services and programs (among ATF’s many, diverse wellness providers) to promote and empower employees with wellness tools, services, and programs, and to foster wellness for greater job satisfaction and employee productivity.

Chief Boykin has a passion for wellness, and she has staffed the Wellness Program with two other people who share the same enthusiasm. She implemented contract support through Peter Killeen, a professional counselor who for many years helped ATF implement successfully its PSP and Chaplain Programs. In addition, she recruited me to be ATF’s Wellness Coordinator to oversee, guide, and manage the entire Wellness Program. Chief Boykin challenged me to oversee our suicide prevention awareness program—beginning with the ideas that I presented in December 2013 to our executive leadership—while concurrently building the Wellness Program foundation with which to promote in ATF better employee engagement and performance.

#### **D. Setting and implementing four key suicide/wellness priorities**

In 2014 we set four key priorities and incorporated them into all of our Wellness Program and project plans. First, we made suicide prevention our number one program priority. We implemented an aggressive suicide prevention awareness campaign to mitigate suicide risk factors and to increase suicide protective factors, with the hope of halting suicide altogether. Our direction and support came directly from Director Jones and Deputy Director Brandon, who leveraged a number of their staff meetings to engage the entire senior leadership team, as well.

Using all possible communication avenues, we reached out to our workforce through a series of monthly public service announcements addressing suicide myths; through a series of four articles, which were prominently featured in our monthly newsletter, Inside ATF; through a suicide prevention video, Tomorrow Will Come, which honestly engaged employees and family members impacted by suicide; and through sharing the National Suicide Prevention Lifeline reproducible posters, buddy cards, refrigerator magnets, and educational materials, at our Annual Health and Wellness Fair and during our Diversity Day Celebration.

Second, and concurrently, we implemented our Wellness Program with the goal of increasing the protective factors for stress, trauma, and suicide mitigation. We believed, and still do, that if we have a population entirely reached by wellness programs, we will eventually have little or no need of suicide prevention. Early on, we did several key things to give the Wellness Program the foundation and credibility it needed to influence long-term changes. We wrote a wellness directive that gave the program staff the authority to coordinate ATF’s strategic wellness policies and procedures. We also researched and promoted all the free, 24/7 crisis lifeline and program resources provided by our own EAP, as well as the National Suicide Prevention Lifeline, Safe Call Now, In Harm’s Way, and Substance Abuse and Mental Health Services Administration. Working with our Office of Science and Technology, we created an Employee Wellness Web page making all these resources, as well as our crosscutting resources, available at one click of the mouse.

Third, we engaged all our wellness counterparts by forming the ATF Wellness Steering Board (WSB), comprised of all the diverse wellness providers who daily support ATF’s employee wellness needs. Prior to kicking off the first WSB meeting in August 2014, I arranged one-on-one meetings with all of the members to solicit ideas and ensure inclusion of our Equal Employment Opportunity, Ombudsman, Chief Diversity Officer, EAP, Victim/Witness Coordinator, Safety and Occupational Health, Worker’s Compensation, Personnel Security Branch, and Telework program offices. Each of these organizations plays a vital wellness role, supplying important programs and services that contribute

to individual and organizational wholeness. As it turned out, the WSB was a solution whose time had come and was embraced by all. The WSB meets monthly, and its primary purpose is to enable information sharing and performance improvement through collaboration.

Fourth, we are incorporating wellness training, which encompasses stress, trauma, suicide, and resilience topics, into all the major Academy (Special Agent/Industry Operations Investigators) and leadership training programs to ensure that our employees receive training throughout their careers. We are giving presentations at various all-hands meetings and will soon provide brown bag training for all employees. In the training, we are promoting stress, trauma, and suicide awareness, and we are focusing on resiliency and recovery by promoting the most current, innovative recovery and resilience best practices, such as mindfulness, meditation, yoga, and deep breathing techniques.

## **E. Summary of wellness lessons well-learned**

As they say, hindsight has 20-20 vision, and that adage is certainly true for us. To summarize our wellness “lessons learned,” our story tells us that leadership makes all the difference. Our programs are flourishing because they are embraced and supported by our top leaders. It takes courageous leadership to encourage people to seek help. However, as we make program changes, we will need to be especially vigilant when making what we think are “ideal” organizational placements—because we don’t want to drop or cut off, by accident, the very things that our employees need the most. This point may be moot because now we have a wellness program that casts a much wider net and focuses on building in protective, *preventive* resources and providing *preventive* education that promotes tools and strategies for lifelong wellness and effective self-care.

We will continue collaborating across our agency to build strong networks and advocates for wellness, and we will continue making transparent all our resources and ensuring communication is a two-way street so that creative, innovative ideas are shared by the rank and file. Daily, we receive suggestions and ideas, which we incorporate into our programs and services. We will need to continue recruiting wellness leaders who are passionate about wellness and who, by example, show others what it means to be well and balanced. The people who implement wellness programs must also be especially compassionate and empathetic. Certainly, they can be among those who have risen from the ashes: Who better to advocate for positive wellness than an employee who has been negatively impacted by stress?

We believe so strongly in doing what we are doing and knowing we are helping people and saving lives. This is why it is such a privilege to implement ATF’s Wellness Program. We will also need to take care of those who are leading and supporting wellness programs. Vicarious trauma and compassion fatigue are real, painful outcomes of giving compassionate care over time. It is thus important to keep in mind that we have to look out for our caregivers, too.

Last, we must also be exceptionally mindful that in caring for our workforce and caregivers, we work hard not to re-traumatize—through our processes and procedures—the very people who have been injured performing our mission. The Substance Abuse and Mental Health Services Administration recently published its report on addressing trauma. See Trauma and Justice Strategic Initiative, Substance Abuse and Mental Health Services Administration, SAMHSA’s Concept of Trauma and Guidance for a Trauma-Informed Approach 2–3 (2014), available at <http://issuu.com/nibbana/docs/concept-of-trauma-and-guidance-for->. This publication provides a helpful service-delivery framework to ensure we are really helping—and not harming or further aggravating through our business practices—the people who most need our support and care.

## **IV. Going forward: together getting smarter on wellness**

### **A. A new era requires a new model**

DOJ's Smart on Crime initiative brought forth a meaningful era of crime prevention and intervention strategies. It is now time we use similar approaches in supporting our first responders, ones that require enterprise collaboration. We can look to our information technology (IT) counterparts for guidance and inspiration. The Clinger-Cohen Act reformed the way Chief Information Officers plan and execute technology solutions by working to meet the collective needs of the enterprise, rather than the individual needs of subordinate organizations. This approach avoids deploying costly, duplicative, stovepipe solutions. Taking this concept a step further, we could learn a thing or two from innovative enterprise IT architects who "segment" their business processes, assign expert "owners" to standardize enterprise-wide business processes, and deploy enterprise technologies across the agency. Although the vision is a lofty one, the same concepts could be applied to supporting our first responders: leveraging enterprise best practices and resources to decrease costs, while increasing and improving services. As with any big undertaking, we need to begin with small steps.

### **B. Collective challenges: stigma, organizational culture, resources, and training**

Whether first responders serve at the federal, state, or local levels, they face the same obstacles and challenges that prevent them from seeking the help they need and which are outlined in a recent International Association of Chiefs of Police (IACP) report. In July 2013, the IACP, in partnership with the Office of Community Oriented Policing Services of the DOJ, hosted "Breaking the Silence: A National Symposium on Law Enforcement Officer Suicide and Mental Health." Symposium participants developed a national strategic plan to openly address the reality of officer mental wellness and suicide. To view the report, visit [http://www.theiacp.org/Portals/0/documents/pdfs/Suicide\\_Project/Officer\\_Suicide\\_Report.pdf](http://www.theiacp.org/Portals/0/documents/pdfs/Suicide_Project_Officer_Suicide_Report.pdf).

Overall, the report wants LE organizations to reduce mental health stigmas by bringing parity to physical fitness and mental health; to end the silence about mental illness, especially given the unique risks that law enforcement officers encounter; and to promote mental health wellness through preventive strategies. In his letter, included in the report, IACP President Craig Steckler states:

In reality, officer mental health is an issue of officer safety, and we should treat it as such. From body armor and seatbelt use policies, to self-defense and verbal judo training, we can all list a variety of measures available to ensure our officers' physical safety. But what are we doing to actively protect and promote their mental and emotional health?

COMMUNITY ORIENTED POLICING SERVICES, U.S. DEP'T OF JUSTICE, BREAKING THE SILENCE ON LAW ENFORCEMENT SUICIDES iii (2014).

The stigma is perpetuated by an organizational culture that has yet to catch up with the realities of LE work and mental health impact. For example, federal employees report to us their frustrations with the e-QIP questionnaire, which asks federal employees to report mental health counseling (excluding certain conditions such as bereavement and sexual assault) sought within the past five years. Employees tell us they fear their security clearances will be withheld for reporting such counseling, which makes them afraid of seeking early the very help they need. If we are to influence positive change, we will need to engage Congress and the Office of Personnel Management to find a better way to balance national security and first responder wellness.

### C. Next steps for DOJ enterprise collaboration

Addressing these challenges takes time, money, and people. Like most federal LE agencies, ATF's support budgets have not kept pace with operational budgets, which are mission-critical, too—another reason for us to think smarter. For these reasons, we are especially grateful for Denise Viera's leadership and courage in opening up this dialogue across the federal enterprise. We benefited greatly from the recent Webinar training, "Helping Heroes: Promoting Law Enforcement Wellness," which she organized and moderated. We were able to incorporate into our training some of the key training concepts we learned from this Webinar. The training was provided by experienced law enforcement professionals with In Harm's Way, a non-profit organization devoted to providing top-notch, wellness training resources and speakers at no charge to LE agencies.

Building on this spirit of enterprise collaboration, ATF is initiating and sponsoring a DOJ interagency wellness forum. It plans to host its first meeting in March 2015, with the objective of inviting and sharing best practices, tools, and resources. The group will be comprised of component representatives who oversee EAP and wellness programs. We hope it will be well attended and will start a long overdue dialogue about how we can do better, by sharing resources and innovating new wellness best practices. We are hopeful that, together, we will get smarter about first responder wellness, and our first responders will benefit from the collaboration. Serving our courageous heroes on the front lines will help make Smart on Crime a successful endeavor. ❖

#### ABOUT THE AUTHOR

❑ **Katrina Masterson** is currently ATF's Wellness Coordinator/Suicide Prevention Program Manager. She oversees, implements, and coordinates wellness programs and services that mitigate stress and trauma, occupational risks, and promote preventive wellness resources and tools. From 1997 to 2000, she led ATF's CISM and Chaplain Programs, while concurrently filling the Associate Ombudsman position and guiding informal alternate dispute resolution. As a lifelong, staunch advocate for trauma victims, especially those who suffer prolonged trauma such as child abuse victims, prisoners of war, and first responders, she has studied trauma impact and worked to raise trauma prevention awareness. ❖

# Why Should U.S. Attorneys' Offices be Concerned With Law Enforcement Wellness?

*Lori A. Vernali*

*Law Enforcement and Victim-Witness Coordinator  
District of Connecticut*

## **I. Introduction**

On Friday, December 14, 2012, my career as the Law Enforcement Coordinator for the District of Connecticut took a turn in a direction that I never saw coming. During the morning hours, while sitting in an annual district-wide meeting, I remember noticing that we all began looking at our government phones. We were learning details, one-by-one, of the tragedy that took place at Sandy Hook Elementary School. Our district-wide meeting ended abruptly to allow our U.S. Attorney, Criminal Chief, and Violent Crimes Chief to head to Newtown. As a result of the shooting, our office closed for the remainder of the day. I left the office and found myself driving to the cemetery where my five-year-old son is buried. Just as I was approaching the cemetery, I heard on the radio that 20 first-graders had been killed.

Later that evening, I received a call from my Criminal Chief, who said, "Your responsibility is to make sure that all of the law enforcement officers who responded get the psychological resources they need." Telephone call from Michael Gustafson, Criminal Chief, Dist. of Conn., to author (Dec. 14, 2012). I knew, because of my own personal loss, that I would be useless at the scene, so from home I began making phone calls for resources. I had to do it this way; it was self-preservation. I knew that with my own son's death, a child close in age to those at Sandy Hook Elementary, this would be too emotional for me. Unfortunately, the federal, state, and local officers who did respond could not act on self-preservation because they *had* to respond.

That evening I reached out to Chief Gary MacNamara of the Fairfield Police Department in Connecticut. I knew that he was at the scene, and I knew that he would be the right person to help me gauge what was acutely needed. I spoke at length with Chief MacNamara, and we decided that not only did we need to worry about those at the scene of the shooting that day, but we would need to worry for months and years to come. Chief MacNamara put it very eloquently, "We cannot let Adam Lanza take another life. The only lives left to take are those by their own hand." Telephone call to Gary MacNamara, Chief, Fairfield Police Dep't, by author (Dec. 14, 2012).

Close to 1,000 Connecticut federal, state, and local law enforcement officers helped in Newtown. Officers came from all over the state to assist with routine calls for service, direct traffic, and help with the investigation of multiple crime scenes, as well as coordinate the subsequent funerals. To put this into proper perspective, Connecticut has a total of 8,517 state and local sworn officers.

There is no doubt that the career of a law enforcement officer places that individual at a higher risk of exposure to traumatic events, which in turn places the law enforcement officer at a higher risk of post-traumatic stress and suicidal behavior. Police officers not only see violence, they smell it, they feel it, they taste it, and they hear it. It impacts every one of their senses. They are exposed to horrific automobile accidents, children dying, and domestic violence, all in addition to the stress of risking their own lives at the hands of anyone they may encounter during the course of their duties. These encounters are a norm for them in their everyday lives. Unfortunately, the same attention that is paid to an officer's physical

well-being, such as carrying the latest weapons and wearing the most protective bullet proof vest, is not being paid to maintaining their mental health.

## **II. Why should law enforcement wellness become a priority for U.S. Attorneys' offices?**

The U.S. Attorneys' offices work with law enforcement every day. Our jobs depend on the credibility and reliability of law enforcement officers that investigate the crimes we prosecute. As part of the Department of Justice's Giglio policy, it is the obligation of federal prosecutors in preparing for trial to seek all exculpatory and impeachment information from all the members of the prosecution team, including federal, state, and local law enforcement officers and other government officials participating in the investigation and prosecution of the criminal case against a defendant. Federal, state, and local agencies must disclose to prosecutors any conclusive information regarding untruthfulness, bias, and crimes committed by an officer who is to be a material witness in a criminal prosecution. So at the very basic level, keeping our officers mentally healthy, and thus avoiding risk-taking behavior, will continue to provide us with credible witnesses. Additionally, healthier officers will not only decrease the number of suicides, but also decrease the number of officer deaths from shootings and accidents, lawsuits, complaints, sick leave, alcoholism, substance abuse, criminal/risk-taking behaviors, on- and off-job injuries, divorces, grievances, resignations, and morale problems within an agency.

## **III. What can U.S. Attorneys' offices do?**

U.S. Attorneys' offices have a unique opportunity to play a very important role in the development and implementation of law enforcement wellness programs in their district.

In Connecticut, the U.S. Attorney's Office, with the assistance of the Connecticut Police Chief's Association and In Harm's Way, convened a meeting with Connecticut's Police Chiefs shortly after the Newtown tragedy. It was clear that we needed to start at the top and provide a refresher course on post-traumatic stress disorder (PTSD), including its signs and symptoms, as well as provide the tools for intervention if those signs were detected. This meeting was held three months after the Sandy Hook Elementary School shooting in an effort to remind the chiefs how important the mental health of their officers is. Approximately 150 law enforcement leaders from 73 agencies participated in this meeting. Chief Michael Kehoe of the Newton Police Department briefed the audience on the tragedy, including details of the response, the aftermath, the ongoing drain on resources and emotions, and the well-being of law enforcement personnel. At this meeting, law enforcement leaders expressed deep concern for their agency members and stated that they had used multiple resources in the months following the tragedy, including chaplains, peer support teams, and employee assistance program personnel. By March 2013 those resources were totally drained. This reality opened the door for future discussion on the subject of law enforcement and mental health with police leaders in Connecticut. The importance of discussions like these is that they decrease the stigma of weakness associated with reaching out for help.

Connecticut's U.S. Attorney's Office, in conjunction with the Executive Office for U.S. Attorneys, developed and participated in a national Webinar titled "Helping Heroes: Promoting Law Enforcement Mental Wellness." Again, the purpose of the Webinar was to start a discussion nationally about the importance of law enforcement wellness. In addition to the Webinar, we are currently working with several police chiefs in the development of a training opportunity during the first week in May 2015. The training is devoted to law enforcement mental health and will include the neurobiology of trauma and how it affects the brain, the signs and symptoms of PTSD, and what tools are available to help officers take care of themselves before it gets to the point of suicidal ideation.

Connecticut's U.S. Attorney's Office also convened a meeting recently with several current and retired police chiefs, as well as the current Chief of the Police Officers Standards and Training Academy. The purpose of the meeting was to discuss a statewide strategy to address the mental wellness of law

enforcement in our district. This effort could potentially include regional peer-to-peer programming (both preventive and responsive) and regional centers for support and assistance, as well as training where a combination of clinicians and peer support members would partner to provide training and/or services. During this meeting it was recommended that a working group/committee be created under the auspices of the Connecticut Police Chiefs Association to discuss these issues in depth and to prepare a five-year strategic plan. This working group will also include well-respected clinicians in the area of trauma.

#### **IV. What are the obstacles facing law enforcement?**

As important as the critical incident response was to Newtown, a much bigger issue is affecting every single law enforcement officer that has been sworn to serve and protect. They suffer. But they suffer in silence for fear of losing their jobs and their badges.

Law enforcement personnel encounter many barriers when seeking the help they need to cope with the daily traumas to which they are exposed. In 2013 Connecticut's state legislature, in response to the school shooting in Newtown, passed one of the most stringent gun laws in the country. Included in that bill is a ban on high-capacity ammunition magazines, background checks for private gun sales, the nation's first statewide dangerous weapon offender registry, immediate universal background checks for all firearms sales, and expansion of Connecticut's assault weapons ban. The bill also makes any person who voluntarily admits himself or herself to a psychiatric hospital ineligible to obtain a gun permit and prevents them for six months from maintaining their eligibility if they already possess a permit. The new gun laws require all psychiatric hospitals to notify Connecticut's Department of Mental Health and Addiction Services Commissioner when a person is voluntarily admitted to the hospital for care and treatment of a psychiatric disability, other than admission solely for alcohol or drug treatment. Therefore, if a police officer determines that he or she would benefit from a voluntary admission to a psychiatric hospital, the law dictates that the officer *will* lose his or her gun for a period of six months. At a recent meeting convened by the U.S. Attorney's Office at Connecticut's Police Officer Standards and Training Academy, it was noted that this law is expected to be amended so that gun possession rights are revoked only for those individuals who are involuntarily committed. As of this date, this change has not taken place.

Moreover, some Connecticut non-profit agencies tasked to assist law enforcement officers in this predicament have actually encouraged officers to seek treatment outside Connecticut to maintain anonymity and not be included in the database. So instead of making mental health treatment more accessible to law enforcement, we are actually discouraging mental health treatment for the population that probably needs it the most.

#### **V. What can be done at the federal level?**

First, in order to effectively address a crisis such as law enforcement wellness and police officer suicide, we need to have accurate measures. "Accurate information is the key to well informed and effective mental health programs within law enforcement, as well as the evaluation of whatever 'best practices' are put into place." BADGE OF LIFE: COMPILING POLICE SUICIDE DATA IN A COMPLEX AGE, <http://www.policesuicidestudy.com/id30.html>.

The mandatory reporting of police suicides by federal, state, and local law enforcement agencies would, at the very least, provide an accurate accounting of how many officers take their own lives and what preventive programs were in place. From a state and municipal level, this might be as simple as adding a question to the Uniform Crime Reporting (UCR) data already being collected from local and state law enforcement agencies. UCR data is collected by the Criminal Justice Information Services Division (CJISD) of the FBI. In addition to crime statistics, CJISD collects and publishes data on the number of police officers killed or assaulted by others each year. It provides information on the manner and circumstances surrounding the death or assault, the demographics of the victim and assailant, and the

weapon used. Including the number of officer suicides—a figure not currently being investigated—and supporting demographic data in this existing report, or providing it independently in a separate publication, would allow the officer suicide statistics to be analyzed comprehensively, and interventions and prevention programming could be adjusted accordingly.

Second, if the Government begins to create funding decisions around the existence of law enforcement wellness policies within a local agency, it will act as an incentive to implement these programs and policies to address the needs of its officers. A wellness incentive similar to the Office of Justice Program’s Bulletproof Vest Partnership (BVP), a Department of Justice initiative to provide funding to state and local law enforcement for the purchase of bullet proof vests, could help save lives. In order to receive BVP funds, jurisdictions must certify that they have a written “mandatory wear” policy in effect. This policy was implemented after consultation with the law enforcement community. According to the Bureau of Justice Assistance, in fiscal year 2012, protective vests were directly responsible for saving the lives of at least 33 law enforcement and corrections officers in 20 different states, a 13.7 percent increase since fiscal year 2011. At least 14 of those life-saving vests had been purchased, in part, with BVP funds.

The Department of Homeland Security developed a standardized approach to incident management known as the National Incident Management System (NIMS), which was designed to coordinate response to a critical incident. A subpart of NIMS is the Incident Command System, which provides a standard response and operation procedures at critical incidents. To incorporate a “Wellness Coordinator” as part of the Incident Command System would allow for rapid response and coordination of all service providers to insure that the mental wellness of responders is addressed immediately and effectively, while also supporting follow-ups and a continuation of the coordination after the crisis. These efforts would make the mental wellness of law enforcement a priority throughout the country at every critical incident.

Lastly, U.S. Attorneys’ offices should engage in building or participating in an already-existing platform that brings attention to the issue of law enforcement mental wellness. National Police Week is generally the second week of May and includes May 15, which was designated “Peace Officers Memorial Day” by President John F. Kennedy, to pay tribute to those law enforcement officers who have made the ultimate sacrifice. In Connecticut, we intend to dedicate the week before Police Week to the subject of Law Enforcement Wellness with awareness campaigns and a training conference to honor and assist those who are still with us. This initiative will give us an annual platform to address the issue of mental health and law enforcement.

## **VI. Conclusion**

The tragedy of Sandy Hook Elementary prompted the Connecticut U.S. Attorney’s Office to take a closer look at the needs of our law enforcement partners and the long term psychological impact of such events. It is time for efforts to be coordinated between federal, state, and local law enforcement agencies to address the needs of law enforcement officers, not only after such a tragic event, but also to support the recognized daily psychological impact of the career of a law enforcement officer. ❖

### **ABOUT THE AUTHOR**

❑ **Lori A. Vernali** has been the Law Enforcement Coordination Specialist in the District of Connecticut since February 2002, and was recently appointed the district’s Victim-Witness Coordinator in November 2013. ❖



# Prisoner Reentry: Why It Matters and What U.S. Attorneys Can Do

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## I. Why reentry matters to U.S. Attorneys

Imagine a school system in which 66 percent of the students failed to graduate from high school, or a hospital in which 2 out of every 3 patients died, or even a pizza shop that only delivered the right pizza one-third of the time. It seems absurd to even consider, and yet nationally, two out of every three state prisoners are rearrested for a new offense, and about half are re-incarcerated within three years of release. Recidivism rates are high—too high—and as a new report from the National Research Council (NRC) made stark, when reentry fails, the costs are substantial, not only in terms of public safety, but also in terms of the economy and a host of other societal factors.

NRC's landmark report, [The Growth of Incarceration in the United States: Exploring Causes and Consequences](#), characterized the rise in incarceration rates over the past 40 years as "historically unprecedented and internationally unique." NAT'L RESEARCH COUNCIL, THE GROWTH OF INCARCERATION IN THE UNITED STATES: EXPLORING CAUSES AND CONSEQUENCES 2 (Jeremy Travis, Bruce Western & Steve Redburn eds., 2014). It documented the 2.2 million people incarcerated at a cost of some \$80 billion per year. Put in a global perspective, here in the United States we have 5 percent of the world's population, yet 25 percent of its prisoners. Our incarceration rates are roughly 5 to 10 times greater than those in Western Europe and other democracies.

Of course some people need to be incarcerated, some for long periods of time. But the fact is that almost everyone who goes to prison eventually comes home. That translates to about 620,000 people who are released each year from state and federal prisons, and over 11 million who cycle through local jails. Too many return to their home communities with the same problems that got them in trouble in the first place, and many will revert to the behavior that first introduced them to the criminal justice system. Giving those who return home an opportunity to be successful not only improves their lives, it reduces the number of future victims, stabilizes their communities, and helps develop safer neighborhoods for all.

The impact of recidivism is felt across all segments of society. For example, reentry is an employment issue. Two out of every three men were employed before they were incarcerated, and many were the primary financial contributors in their households. But incarceration reduces their future annual earnings by some 40 percent. The barriers to employment for people with a criminal record are far-reaching and often outlast the time for which an individual is actually at higher risk for arrest than the general population.

Reentry is also an education issue. Education levels among prisoners are low, and there is less correctional education now than in years past due to budget cuts and the 1994 ban on Pell Grant eligibility for students incarcerated in state and federal penal institutions. At the same time, we know that correctional education can make a big difference. A recent study by the RAND Corporation found that inmates who participated in correctional education programs had 43 percent lower odds of returning to prison than inmates who did not. They also had better employment outcomes than their counterparts, and a one dollar investment in prison education was found to save 4 to 5 dollars down the line.

Reentry is a behavioral health issue. Approximately half of people in prison meet criteria for drug use or dependence, and about one quarter have a recent history of mental illness. Yet few receive treatment while incarcerated, or after returning to the community, when it is needed most and is most effective.

Reentry is a housing issue. Returning citizens need a stable place to live upon return to the community. Perceived bans on public housing only amplify the problem, discussed further in Part II.

Reentry is a family issue. One in 28 children has a parent behind bars on any given day. A stunning one in nine African American children has an incarcerated parent. Studies show that these children often struggle with anxiety, depression, learning problems, and aggression. They may also face increased risk of homelessness, problems at school, and the shame and stigma that can stand in the way of their own success.

Finally, reentry is a community issue. A large number of prisoners come from—and return to—a relatively small number of already disadvantaged neighborhoods, those with high poverty rates, high crime rates, high numbers of single-parent families, and few opportunities for economic mobility.

The bottom line is that in many communities, particularly communities of color, incarceration is no longer an unusual occurrence, but rather a commonplace experience.

## **II. What the Obama Administration is doing about reentry—and how it can help in your district**

This Administration has made effective reentry a priority, and Attorney General Holder has championed reentry efforts via the Smart on Crime initiative and the Federal Interagency Reentry Council (Reentry Council) he launched in 2011. Twenty-three federal agencies now participate in the Reentry Council, recognizing that many federal agencies—not just the Department of Justice (DOJ)—have a major stake in reentry. The reentry population is one we are all already working with—not only in our prisons, jails, and juvenile facilities, but in our unemployment lines, emergency rooms, homeless shelters, child support offices, and veterans hospitals.



Inaugural Meeting of the Reentry Council: January 5, 2011

Over the last four years, the Reentry Council has tackled policy and coordination improvements in many areas, including public safety, public housing, employment, education, child support, veterans' issues, and access to treatment, health care, and benefits. The Council does not aim to recreate the wheel or, in this case, new grant programs and reports. Rather, it aims to use our unique tools and levers to: (1) coordinate and leverage existing federal resources, (2) shine a light on effective strategies and shatter widespread policy myths, and (3) reduce barriers to successful reentry so that motivated individuals—who served their time and paid their debts—are able to compete for a job, attain stable housing, support their children, and contribute to their communities.

## **A. Coordinate and leverage resources**

The Reentry Council focuses on coordinating and leveraging federal reentry resources. DOJ, for example, oversees Second Chance Act (SCA) grants. We have awarded over \$350 million in SCA grants to nearly 700 grantees over the last 5 years. In addition to DOJ-administered funds, the Departments of Labor, Education, and Health and Human Services also have resources to address reentry. The National Reentry Resource Center (NRRC), funded by the Bureau of Justice Assistance, mapped out these resources at <http://csgjusticecenter.org/reentry/national-criminal-justice-initiatives-map/>, showing which agencies in each district have received reentry grants, allowing the local leveraging of resources in your district. NRRC's Web site can be found at <http://csgjusticecenter.org/nrrc/>.

But here's what you really want to know: What are the current funding opportunities? For fiscal year 2015, Congress appropriated \$68 million in SCA funds, and several SCA solicitations are open now. You can view these and all federal reentry opportunities, and many foundation opportunities, at the NRRC funding page, available at <http://csgjusticecenter.org/reentry/online-tools/funding/>.

In addition to funding resources, the federal agencies work closely with the NRRC, which serves as a one-stop shop for the broader field. The Center also has research-based tools and templates, like recidivism checklists and risk-reduction guides, that describe Risks-Needs-Responsivity and other evidence-based frameworks. The NRRC also houses a "What Works in Reentry Clearinghouse," an online searchable guide of evidence-based reentry practices that is available at <http://whatworks.csgjusticecenter.org>. Between that and Crime Solutions, <http://www.crimesolutions.gov/>, you have easy access to programs, principles, and practices that were proven effective to reduce recidivism. These are excellent resources for the Prevention and Reentry Coordinators in your offices, who can sign up for the NRRC's bimonthly newsletter to stay updated on new training opportunities, new research findings, and new funding opportunities from across the Government and private sector.

Reentry Council agencies are also working to identify, map, and train regional reentry contacts from our agencies (that is, Veterans Affairs, Social Security Administration, and Housing and Urban Development, to name a few), so they are attuned to reentry issues and know how to navigate reentry-related policies. A preliminary "Points of Contacts Matrix" is currently available on the Executive Office for U.S. Attorneys Web site.

These are just a few examples of how we are coordinating and leveraging our existing reentry resources—a first purpose of the Reentry Council.

## **B. Focus on effective strategies and shatter policy myths**

The Reentry Council dispels myths, clarifies policies, and provides visibility to strategies that work. Reentry Council agencies have developed over 30 Reentry MythBusters, which are designed to clarify—and make transparent—existing federal policies, and point people to resources that can be helpful. The Council's MythBusters can be found at [http://csgjusticecenter.org/documents/0000/1090/REENTRY\\_MYTHBUSTERS.pdf](http://csgjusticecenter.org/documents/0000/1090/REENTRY_MYTHBUSTERS.pdf).

For example, it is a common misperception that people with criminal records are banned from public housing. But HUD policy only bars two very narrow categories of people from HUD-supported housing: (1) sex offenders subject to lifetime registration, and (2) those who produce methamphetamine on public housing property. We created a Housing MythBuster on this topic, available at [http://csgjusticecenter.org/wp-content/uploads/2012/12/Reentry\\_Council\\_Mythbuster\\_Housing.pdf](http://csgjusticecenter.org/wp-content/uploads/2012/12/Reentry_Council_Mythbuster_Housing.pdf), to be very clear about what the actual policy is.

Former HUD Secretary Donovan also sent a letter to executive directors of every public and multifamily housing authority stating that, in many circumstances, formerly incarcerated people who have served their time should not be denied access. The letter states:

As President Obama recently made clear, this is an Administration that believes in the importance of second chances—that people who have paid their debt to society deserve the opportunity to become productive citizens and caring parents, to set the past aside and embrace the future. Part of that support means helping ex-offenders gain access to one of the most fundamental building blocks of a stable life—a place to live.

Letter from Shaun Donovan, Sec’y, U.S. Dep’t of Housing and Urban Dev., to PHA Executive Director (June 17, 2011), available at [http://csgjusticecenter.org/documents/0000/1130/HUD\\_letter.pdf](http://csgjusticecenter.org/documents/0000/1130/HUD_letter.pdf).

This approach does not change federal policy, of course, nor does it mean prioritizing this population for coveted housing spots. But perhaps it means allowing people to go onto a lease—in a legitimate way—with willing family members. We have heard several success stories that speak to the mutual benefits of reuniting families, getting a person off the streets or out of a shelter, and hopefully stabilizing their lives in a way that will reduce crime, promote better work and sobriety, and support other positive outcomes.

In addition to housing, the MythBusters address employment and education issues, access to health care, juvenile issues, child support, parental rights, voting rights, and information technology access in correctional facilities. The MythBusters also tackle federal benefits, such as Medicaid, TANF (Temporary Assistance to Needy Families), Social Security, food assistance, and student financial aid, focusing on pre-release procedures that are available so that access to these benefits can be activated upon release.

The MythBusters are all online and are good resources for U.S. Attorney’s offices’ Prevention and Reentry Coordinators.

### **C. Reduce barriers**

The Council aims to remove policy barriers to successful reentry. These barriers are everywhere, making it difficult for anyone with a criminal record—even a minor record that is decades old—to vote, serve on a jury, or to secure a job, housing, or benefits. While some collateral consequences serve important public safety purposes, others may be antiquated and create unnecessary barriers to legitimate work and civic opportunities. The “National Inventory of the Collateral Consequences of Conviction” Web site, <http://www.abacollateralconsequences.org/>, launched by the American Bar Association with support from the National Institute of Justice, identifies some 45,000 statutes and regulations that impose collateral consequences on people convicted of crimes. The Web site allows searching by state, consequence type, triggering offense category, and a number of other salient characteristics.

The purpose of the inventory is not academic; it is to change and improve policy at both the state and federal level. In fact, Attorney General Holder wrote to every state, drawing their attention to this issue. These collateral consequences can limit opportunities for legitimate life-stability and derail a person who is on the path to desistance from crime.

There is much to be done, but it is encouraging to see real momentum in this area. A recent report by the Vera Institute of Justice, “[Relief in Sight? States Rethink the Collateral Consequences of Conviction](#),” states that over the last 5 years, 41 states enacted 155 pieces of legislation to mitigate collateral consequences.

At the federal level, the Attorney General asked Reentry Council agencies to review their regulations with an eye to how and where certain barriers can be eliminated or tailored without compromising public safety. The Department undertook this analysis as well, and as part of the Smart on Crime Initiative, the Attorney General issued a memorandum directing all DOJ components to take collateral consequences into account when proposing any new regulation or guidance. The memorandum can be accessed at <http://csgjusticecenter.org/wp-content/uploads/2013/09/DOJ-Collateral-Consequences-memo-8-12-13.pdf>. This forward-looking policy is significant, and other federal agencies have been encouraged to consider similar actions.

### **III. Reentry Council in action: reducing barriers to employment and health care and assisting veterans**

#### **A. Employment**

More than 50 percent of collateral consequences have to do with barriers to employment. And a broad swath of the U.S. population is affected: a full 1 in 3 adults have an arrest record by the age of 23. This criminal record stands in the way of getting a job for many, and yet we know from the research that stable employment is one of the best predictors of success.

The Reentry Council has published five MythBusters that tackle both employer incentives and responsibilities. On the incentives side, for example, the Department of Labor offers federal bonding protection for employers who hire people with a criminal record. Tax incentives are also available at [http://www.doleta.gov/business/incentives/opptax/pdf/wotc\\_myth\\_buster.pdf](http://www.doleta.gov/business/incentives/opptax/pdf/wotc_myth_buster.pdf). Many employers simply do not know about these incentives.

Reentry Council agencies have made significant policy improvements in this area, too. Most significantly, in 2012 the Equal Employment Opportunity Commission (EEOC) issued historic antidiscrimination guidance that prohibits employers from blanket bans on job applicants with a criminal history, sometimes decades in the past. The guidance is clear that a criminal record should only bar someone from employment when the conviction is closely related to the job, after considering: (1) the nature of the job, (2) the nature and seriousness of the offense, and (3) the length of time since it occurred. The guidance, which can be found at [http://www.eeoc.gov/laws/guidance/arrest\\_conviction.cfm](http://www.eeoc.gov/laws/guidance/arrest_conviction.cfm), also advises employers to assess applicants on an individual basis and emphasizes that employers should not reject a candidate because of an arrest without a conviction, as arrests are not proof of criminal conduct.

According to a recent survey of 600 employers, in 2013 only 32 percent of respondents said they had adopted the EEOC guidance. In 2014, 88 percent reported they had done so—an encouraging sign that more employers are becoming aware of this issue and beginning to address criminal records in a balanced way.

The Department of Labor built on the EEOC policy, with important guidance, *available at* [http://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=9230](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=9230), geared to the public workforce system. It also devised a directive for federal contractors about their obligations regarding the use of criminal records as an employment screen. The directive can be accessed by visiting <http://www.dol.gov/ofccp/regs/compliance/directives/dir306.htm>. The Office of Personnel Management also developed a best practices guide, *available at* <http://chcoc.gov/transmittals/TransmittalDetails.aspx?TransmittalID=5585>, when it comes to contractor applicants who support federal agencies.

Most recently the Small Business Administration (SBA) launched a new initiative geared to individuals with the greatest barriers to employment, including Americans with past incarcerations or court involvement. As part of the Millennial Entrepreneurs initiative, the SBA is developing a free online training module to help teach the reentry population how to harness their talents so they can support their families, pay their taxes, and contribute to the economy. The SBA has also proposed changes to its Microloan regulations to enable people on probation and parole to be eligible for consideration.

Momentum is also strong in states and localities. Thirteen states—both red and blue—and 95 cities and counties have adopted “Ban the Box” policies that push back the background check until later in the process, after a job candidate has had a chance to introduce his or her skills without the stigma of a criminal record.

There is a vibrant national conversation in this area, and there are helpful new resources for both employers and job seekers. U.S. Attorneys can play an important role in engaging employers and local Chambers of Commerce in this issue, discussed further below.

## **B. Health care and treatment**

While the Affordable Care Act (ACA) may be a sensitive issue in some districts, on the policy front it offers great potential to get treatment to a population with a high disease burden. The corrections population has substantially higher rates of medical, psychiatric, and addiction problems, as compared to the general public. As a nation, we spend some \$7–10 billion per year on correctional health care, and when there is no continuity of care post-release, it is a poor investment.

The ACA greatly increases the share of the justice-involved population that is eligible for health care coverage, primarily through Medicaid expansion. In expansion states (now 29, including the District of Columbia, and counting), it will ensure that coverage for the newly eligible contains essential health benefits, including mental health and substance use benefits at parity. It also increases the focus on delivering high quality, integrated care. Expected outcomes of expanded care and treatment include better health outcomes and reduced recidivism. If we can reduce recidivism by even a few percentage points—and according to the research, we can—we will save a lot more than we spend by expanding treatment.

In the State of Washington, for example, they expanded state funding for substance abuse treatment to low-income individuals who were frequently involved with the justice system. In the 12 months that followed, arrests declined by more than 17 percent. This decline in arrests resulted in almost \$3 in justice-related savings for every dollar spent on treatment. At the same time, medical expenditures for this group went down. The authors of the study characterized the outcomes as “bending the health care cost curve by expanding alcohol and drug treatment.” AMY L. SOLOMON, *GAME CHANGER: THE POTENTIAL OF THE AFFORDABLE CARE ACT TO IMPROVE PUBLIC HEALTH, INCREASE PUBLIC SAFETY, AND SAVE TAXPAYER DOLLARS 5* (2013) (quoting DAVID MANCUSO & BARBARA FELVER, *CHEMICAL DEPENDENCY TREATMENT 1* (2009)).

Other studies in Florida and Colorado show similar trends. And the broader body of research shows that for every dollar spent on addiction treatment, the return is significant. One recent study indicated that providing more—and more effective—treatment in prison, and immediately upon release, would save \$17 billion in criminal justice costs.

This is a new frontier, and we are working closely with our partners at the Department of Health and Human Services to develop and disseminate resources, including information, technical assistance, and grants.

Health reform could be a game-changer for the justice field, and U.S. Attorneys can help identify the policy opportunity in their districts, spur local health/corrections dialogue, and advance implementation efforts that are only nascent in most every state.

## **C. Veterans**

Veterans make up about 10 percent of corrections populations in most states. And while they are largely eligible for federal Veterans Affairs (VA) services and treatment, they often do not self-identify or connect with VA services.

Over the last five years, Veterans Affairs has greatly expanded their pool of justice outreach specialists. They changed key administrative policies that now allow VA assistance to start at the beginning of a prison stay instead of the end. They expanded eligibility for VA health care to those who are in halfway house settings. They put out DVDs for both inmates and corrections staff regarding reentry, and are encouraging justice-involved veterans to use the resilience and discipline they learned in the military to restructure their lives after release.

Most recently, the VA built a Web-based system that allows prison, jail, and court staff to quickly and accurately identify veterans among their populations. Called the Veteran Reentry Search Service (VRSS), the system identifies veterans at a rate two to three times higher than that at which veterans self-report their veteran status. The system also alerts VA field staff automatically so that they know who is inside and can begin to work with them. Currently 30 state corrections departments, 16 local jails, and 4 courts are implementing the new system. This opportunity is available to any jurisdiction.

In states that are not currently enrolled, U.S. Attorneys should consider outreach to their Department of Corrections about implementing VRSS. Many states are poised to identify thousands more veterans than currently self-identify. In doing so, the VA could work with this group in a specialized way, thereby increasing the veterans' likelihood of post-release success and simultaneously freeing up state and local resources for other justice-involved individuals.

For additional discussion about what the Reentry Council is doing to help address a broad array of reentry issues, including resources that can be helpful for your districts, see Snapshots at <http://csgjusticecenter.org/nrrc/projects/firc/snapshots/>. Additional topics include education, housing, child support, federal benefits, health care, collateral consequences, juvenile reentry, women and reentry, reentry in reservation communities, children of the incarcerated, and public safety.

## **IV. U.S. Attorneys' offices are leading the way**

U.S. Attorneys' offices (USAOs) engage in reentry efforts in many ways, and the new Prevention and Reentry Coordinators in each office expand capacity to do this work. Examples from around the country, as well as links to source documents and Web sites, are available in the Reentry Toolkit for U.S. Attorney Offices (Reentry Toolkit) written by David Smith, Counsel for Legal Initiatives at the Executive Office for U.S. Attorneys. This section draws heavily from the Toolkit and points readers to specific sections in the Toolkit where they can access additional information.

### **A. Reentry courts**

One of the most common ways USAOs participate in reentry efforts is through reentry courts. Much like other problem-solving courts, reentry courts use graduated sanctions and positive reinforcements to incentivize positive behavioral changes. These courts typically involve a judge, probation officer, Assistant U.S. Attorney, Assistant Federal Public Defender, and service providers who marshal resources to support sobriety, productive engagement in the community, and positive law-abiding behavior.

Reentry courts are operational in about half of the federal districts, and USAOs play a key role in the Districts of Massachusetts (MA), Oregon, the Central District of California, the Western District of Pennsylvania, and the Eastern District of Pennsylvania (EDPA), to name just a few. Both the EDPA Supervision to Aid Reentry (STAR) and the MA Court Assisted Recovery Effort (CARE) programs have

been evaluated and shown to reduce recidivism, among other positive outcomes. The USAO in New Jersey has also played a pivotal role in launching the ReNew reentry program as part of an impressive jurisdiction-wide effort. For additional examples, principles of Evidence Based Practice, and evaluation details, see pages 18 to 24 of the Reentry Toolkit.

## **B. Reentry councils, summits, and broad reentry efforts**

USAOs use their convening authority to engage state, district, and/or city-wide reentry stakeholders to work together in tackling federal, state, and/or local reentry challenges. From the community perspective, this makes sense because if a neighbor is returning home from prison, the community does not care who has jurisdiction over him or her. They just want to make sure the neighbor has the necessary support and supervision to get a job and support himself or herself; to see his or her children; and to remain stable, sober, and crime-free.

In 2013 U.S. Attorney Joyce Vance for the Northern District Alabama and the Northern Alabama Reentry Council spearheaded a “Smart on Crime” reentry policy summit at Samford University focusing on identifying ways to lower the prison population and criminal justice costs, as well as reduce recidivism in Alabama. This summit helped pave the way not only for evidence-based reentry efforts, but also for broader reform initiatives that stand to reduce crime, reduce incarceration, and save the state millions over the coming years.

In 2012 U.S. Attorney Zane Memeger (EDPA) hosted a meeting of federal, state, and local leaders concerned about improving reentry and reducing recidivism in Philadelphia. That initial meeting grew into the Philadelphia Reentry Coalition, now comprised of over 20 organizations, representing federal, state, and local government, nonprofit organizations, and academia. The Coalition has analyzed reentry causes in Philadelphia and determined key steps, outlined in a countywide blueprint, to streamline the reentry process, track recidivism, and ultimately reduce recidivism rates in Philadelphia.

U.S. Attorneys in the Eastern District of Wisconsin, the Western District of Virginia, and both the Eastern and Western Districts of Michigan also hosted ambitious reentry summits. Descriptions and program materials for the summits are available on pages 7 to 9 of the Reentry Toolkit.

## **C. Notification/call-in sessions**

Many USAOs participate in some form of notification or call-in program. These programs evolved from Project Safe Neighborhoods and work closely with state and local law enforcement. Law enforcement officials identify individuals recently released from prison or jail who are at high risk of recidivism. These individuals are invited to a meeting at which both law enforcement and social service agencies speak to them about what resources are available to help them steer away from a life of crime, and also lay out sanctions for those who continue to commit crimes or engage in violence. USAOs participate in call-ins in the Western District of Wisconsin, EDPA, the Northern District of Illinois, and the District of Massachusetts, where call-ins were first launched. Pages 10 and 11 of the Reentry Toolkit offer details and source documents.

## **D. Employment efforts**

U.S. Attorneys also serve as leaders in tackling specific reentry challenges. Getting a job, for example, is a top concern for most returning citizens, and U.S. Attorneys have been instrumental in addressing this head on:

- Kenneth Polite (Eastern District of Louisiana), launched the 30-2-2 initiative, challenging at least 30 employers to hire at least 2 formerly incarcerated individuals for at least 2 years. Ten businesses have already accepted the challenge.



- Sally Yates (Northern District of Georgia and now Acting Deputy Attorney General) and Ron Machen (District of Columbia) held Employer Reentry Forums, engaging businesses, local government, Chambers of Commerce, and the social service sector in their respective jurisdictions.
- Kenyen Brown (Southern District of Alabama) spearheaded Project HOPE (Helping Offenders Pursue Excellence). This comprehensive effort has involved employment activities, including job fairs with local employers and the Mobile Chamber of Commerce, a business-friendly environment for hiring, job training and apprenticeship opportunities for returning citizens, and a successful campaign to “Ban the Box” in the city of Mobile. For more information about Project HOPE, visit <http://www.justice.gov/usao-sdal/programas/ex-offender-re-entry-initiative>.
- The Middle District of Florida has played a key role over many years in supporting the Ready4Work program, which engages prisoners before release to identify those it can vet, train, and certify for various employment opportunities.
- The Northern District of Illinois hosted a conference for potential employers and provided practical information, including how to interpret a criminal record for appropriate screening and hiring of the justice-involved population.

These U.S. Attorneys are using their political (small-p) capital to engage the business sector in a way few can, and it is making a huge difference, changing attitudes of the larger community and opening doors for those who seek a second chance at supporting themselves and their families. Pages 11 and 12 of the Reentry Toolkit provide additional examples and detail.

## E. Special populations

Other USAOs are focusing their efforts on improving reentry for special populations, such as juveniles, women, veterans, and those returning to Indian Country. Pages 12 to 17 and 24 of the Reentry Toolkit describe some of these efforts, as does U.S. Attorney Tim Purdon, District of North Dakota, in an excellent *U.S. Attorneys’ Bulletin* article titled “Reentry Programming in Indian Country: Building the Third Leg of the Stool.” See Timothy Q. Purdon, *Reentry Programming in Indian Country: Building the Third Leg of the Stool*, 62 U.S. ATTORNEYS’ BULL. 16 (July 2014), available at <http://www.justice.gov/sites/default/files/usao/legacy/2014/07/16/usab6204.pdf>.

## V. Reentry and the Federal Bureau of Prisons

In terms of the federal population, the Bureau of Prisons (BOP) is making enormous strides, and BOP Director Charles Samuels is a dedicated leader on the reentry front. To further enhance reentry efforts, the BOP recently established a Reentry Services Division and selected its first Assistant Director, Linda McGrew.

In the BOP, reentry begins on the first day of incarceration. The BOP has a long-standing history of providing programming designed to increase the likelihood of an individual’s successful return to the community. Well-established, widely available national programs, such as the Residential Drug Abuse Program, Federal Prison Industries, and Vocational and Occupational Training, have been demonstrated to reduce the likelihood of recidivism. Under Director Samuel’s leadership, the BOP is expanding promising national programs, such as the Resolve Program, a trauma treatment program, and residential mental health treatment units (for example, STAGES Program, Skills Program). The BOP is also identifying and developing new reentry programming to target identified risk factors. These programs are shared with BOP institutions via an Inmate Model Programs Catalog. This catalog of evidence-based practices includes cognitive-behavioral programming to address criminality and mental health issues, as well as educational programming to enhance daily living skills.

The BOP is piloting innovative new programs, such as Foundation, a cognitive-behavioral, psycho-educational course designed to meet the unique reentry needs of females within the first six months of their designation. BOP is also piloting Medication Assisted Treatment to boost the effectiveness of substance abuse treatment for those with a history of opioid dependence.

The BOP's mission to help individuals return to their communities as productive, law abiding citizens does not end at the prison walls. Connections to families and children are critical aspects of reentry, along with employment, housing, and health care. Consequently, the BOP is reaching out to children and families of prisoners to renew relationships and strengthen bonds through Children's Day and other special events.

Residential Reentry Centers (RRCs) provide a structured, supervised environment that supports returning prisoners in finding suitable employment and housing, completing necessary programming, and strengthening ties to family and positive supports in the community. The BOP's new Statement of Work for RRCs includes important new requirements that help with successful reentry from federal institutions. The new requirements include a standardized cognitive-behavioral protocol, Criminal Thinking, designed to facilitate continuity of care, greater assistance in finding employment and health coverage, and more flexible rules regarding cell phones.

A wealth of reentry initiatives are underway in the BOP, with more to come. BOP Reentry Affairs Coordinators are a great resource to Prevention and Reentry Coordinators seeking to learn more about BOP reentry programming and to engage with BOP on reentry efforts for the federal population.

## **VI. Conclusion**

Reentry efforts are about so much more than the individual who is returning from jail or prison. Reentry is about community safety and stability. It is about reducing crime and reducing the number of future victims. It is about increasing the number of employed, tax-paying, positive members of society who can serve as role models for their own children and for others around them. Reentry is a recognition that nearly every person we put behind bars will one day be released and return to our communities.

The question is: How do we want them to return? And what can we do to increase their likelihood of success and decrease their likelihood of reoffending?

More than any time in our history, we have answers to these questions—the research literature has come far in terms of how to reduce risk, reduce relapse, reduce recidivism, and boost positive outcomes. Other important factors are in play now too:

- There is tremendous bipartisan support on this issue at the federal, state, and local levels. This issue is not viewed as a partisan one, but rather, a practical, common sense approach to reducing crime and strengthening families and communities.
- Demand and ferment in the field among nonprofit and faith-based institutions that do this work are high. We have received thousands of applications competing for SCA grants, so far. These are among our most competitive grants. This demand represents a major shift in the way jurisdictions are preparing for reentry, compared to just 5, and certainly 10 years ago.
- Public opinion also shows support for training, treatment, and services that help people get back on their feet so they can work, pay taxes, provide for their families, and rejoin our communities in full.
- Importantly, Departments of Correction now see recidivism reduction as central to their mission. A diverse set of states are showing that reducing recidivism is possible—many recording double-digit reductions. And since the start of this Administration, both crime and incarceration have markedly decreased, by 15 percent and 9 percent respectively.

As leaders in your communities, U.S. Attorneys can make a huge difference not only on the front end of the justice system, but after release when individuals return home.

## VII. Resources

- Reentry Council Web site: <http://csgjusticecenter.org/nrrc/projects/firc/>
- Reentry Council overview (one page front/back with links embedded): [http://csgjusticecenter.org/wp-content/uploads/2014/05/FIRC\\_Overview.pdf](http://csgjusticecenter.org/wp-content/uploads/2014/05/FIRC_Overview.pdf)
- Reentry Toolkit for U.S. Attorneys: [http://csgjusticecenter.org/documents/0000/1163/Reentry\\_Council\\_Reentry\\_Toolkit.pdf](http://csgjusticecenter.org/documents/0000/1163/Reentry_Council_Reentry_Toolkit.pdf)
- National Reentry Resource Center: <http://csgjusticecenter.org/nrrc>
- Reentry Initiatives Map: <http://csgjusticecenter.org/reentry/national-criminal-justice-initiatives-map/>
- Reentry Funding Announcements: <http://csgjusticecenter.org/reentry/online-tools/funding/>
- Reentry MythBusters: <http://csgjusticecenter.org/nrrc/projects/mythbusters/>
- Reentry Snapshots: <http://csgjusticecenter.org/nrrc/projects/firc/snapshots/>
- Legal Aid Resources (by state): [http://www.americanbar.org/groups/probono\\_public\\_service/resources/volunteer\\_opportunities/reentry\\_projects.html](http://www.americanbar.org/groups/probono_public_service/resources/volunteer_opportunities/reentry_projects.html)
- Reentry Service Directories (by state): <http://csgjusticecenter.org/reentry/reentry-service-directories/>
- Collateral Consequences DOJ Policy: <http://csgjusticecenter.org/wp-content/uploads/2013/09/DOJ-Collateral-Consequences-memo-8-12-13.pdf>
- Collateral Consequences National Inventory: <http://www.abacollateralconsequences.org/>
- Department of Health and Human Services Office of Child Support Enforcement Reentry Resource: <http://www.acf.hhs.gov/programs/css/resource/reentry> ❖

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❑ **Amy L. Solomon** serves as Senior Advisor to the Assistant Attorney General at the Department of Justice's Office of Justice Programs. She provides policy guidance on issues including prisoner reentry, justice reform, urban policy and place-based initiatives, health reform, and emerging initiatives focused on building trust between the justice system and communities of color. Ms. Solomon established and chairs the Federal Interagency Reentry Council working group, which supports the Cabinet-level Reentry Council, spearheading coordination and policy improvements impacting public safety, public housing, employment, education, veterans' issues, and access to treatment, health, and benefits. Prior to joining the Department in 2010, Amy spent 10 years at the Urban Institute's Justice Policy Center, directing policy-oriented projects relating to prisoner reentry and public safety. She previously worked at the Department of Justice's National Institute of Justice, where she developed community crime-reduction initiatives, including the Strategic Approaches to Community Safety Initiative, which preceded Project Safe Neighborhoods. ❖