

Key Principles of Community Prosecution

National District Attorneys Association (NDAA)
National Center for Community Prosecution (NCCP)

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Community prosecution provides prosecutors with additional tools to pursue justice. By strengthening links to the community, promoting partnerships, and encouraging the development of problem-solving strategies, community prosecution helps prosecutors achieve their most important goals: ensuring that the guilty are held accountable, the innocent are protected from unwarranted harm, and the rights of victims are respected.

The origins of community prosecution are often traced back to the efforts of Multnomah County District Attorney Michael Schrunk and Kings County District Attorney Charles J. Hynes.¹ In the early 1990s, only a handful of offices were practicing a form of prosecution that would be later defined as community prosecution. In 1993, the U.S. Department of Justice's Bureau of Justice Assistance and the American Prosecutors Research Institute (APRI) convened an advisory group at the National Advocacy Center in Columbia, South Carolina to define community prosecution. The final definition agreed upon was that *community prosecution focuses on targeted areas and involves a long-term, proactive partnership among the prosecutor's office, law enforcement, the community and public and private organizations, whereby the authority of the prosecutor's office is used to solve problems, improve public safety and enhance the quality of life in the community.*²

In 2003, through a national survey, APRI estimated that nearly half of all prosecutors' offices engage in some activity defined as community prosecution.³ Given the amount of time that has passed since the 1993 meeting, NCCP has consulted with a group of national experts to develop a consensus on how community prosecution is defined today.

According to *Webster's New World Dictionary of the American Language*, a principle is a "fundamental truth, law, doctrine, or motivating force upon which others are based. A principle is also considered an essential element or constituent of a process. Thus, principles of a process are key characteristics that separate the process from other approaches."

This document seeks to establish the key principles currently driving community prosecution, taking into account lessons learned over the years.

¹ www.ncjrs.gov/html/bja/commpros/bja1.html

² While perspectives varied between jurisdictions, the following final definition was formulated in February 1995. www.ndaa.org/pdf/guide.pdf

³ To date, nearly half (49 percent) of all prosecutors' offices surveyed report that they practice community prosecution, which means, generalizing to the universe of local prosecutors, that as many as 1,372 offices may engage in some form of community prosecution (Nugent and Rainville, 2001). www.ndaa.org/pdf/what_does_mean_practice_cp.pdf

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1. Recognizing the Community's Role in Public Safety

Rather than dictating to the public how to handle all crime and safety issues, community prosecutors invite community stakeholders to express their safety concerns, identify neighborhood problems, brainstorm appropriate responses, and help the prosecutor's office establish priorities. *Community prosecutors do this in many ways, including: assigning prosecutors to neighborhoods to focus on local crime and safety issues; creating volunteer opportunities in the justice system for community stakeholders; and opening regular channels of communication with community stakeholders by attending community meetings, publishing newsletters, maintaining a user-friendly web site, and creating advisory councils, special committees and task forces.*

“Problem-solving prosecutors must work with and through their constituents in the community while, at the same time, seeking to achieve their primary objective of reducing crime and the perception of crime. In the words of Abraham Lincoln, ‘With public sentiment, nothing can fail; without it, nothing can succeed.’”

—Mike Kuykendall, Former Director, National Center for Community Prosecution (2000–2005).

2. Engaging in Problem Solving

Community prosecutors are problem-solvers who focus not merely on individual crimes once committed, but on such acts within a context. They view individual acts as having a history, potentially a future, and as part of a problem or set of problems within a community. In addressing problems rather than dealing with only individual cases, the ultimate goal for prosecutors is to prevent the next crime. As such, they rely on a wide range of tools—both traditional and non-traditional—to address safety and crime problems. When appropriate, they look outside the criminal justice system. *For instance, they may use mediation to resolve an argument between neighbors and prevent it from escalating into a crime, or they may seek civil sanctions to remediate a poorly maintained property that has become a magnet for low-level criminal behavior. Rather than focus on crimes only “after” they occur, they also look at “before” and “during,” analyzing factors that contribute to crime. By addressing such factors, community prosecutors attempt to prevent crime before it occurs.*

“Community prosecutors are more than just reactive case processors. We use proactive problem solving to attack crime at its source with a goal of preventing cases from happening in the first place. Given that orientation, we use every tool available, and if we don't have one, we fashion a new one.”

—Thomas A. Carr, Seattle City Attorney

3. Establishing and Maintaining Partnerships

The criminal justice system is an interlocking network of agencies and departments that depend on each other to operate effectively. Community prosecutors build on these natural connections, encouraging greater communication, improved coordination, and stronger partnerships. Prosecutors also understand that private citizens and private agencies are potential, and often necessary, partners in problem-solving efforts. Crime prevention and reduction efforts that prosecutors craft or participate in

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with other partners are generally more comprehensive and can have a greater impact in the community. *For example, community prosecutors convene meetings whereby the authority of the office creates a forum for information and resource sharing. By inviting different agencies and disciplines to the table to discuss a holistic approach to crime prevention, personal relationships are developed creating stronger partnerships that can be formalized through memoranda of understanding.*

“Prosecutors across the country are redefining their role in helping solve the complex issues that result in over-reliance on the criminal justice system. Prosecutors must acknowledge and embrace the leadership role they have in problem-solving, and work with others in the community to develop long term, community based solutions to public safety issues. Our partners in the medical community remind us that public safety and public health share a common model based on prevention, wise intervention and sparing suppression. Community prosecutors are at the forefront of merging the public health model and the public safety model, and the possibilities for effective, substantive change are unlimited.”

—John Chisholm, Milwaukee County District Attorney

4. Evaluating Outcomes of Activities

The continuous collection and analysis of data assists any prosecutor in determining the effectiveness of an initiative. For community prosecutors, evaluating effectiveness cannot be solely decided upon a conviction rate. Community prosecutors must evaluate their activities and impact on neighborhoods, continuously adapting to the community’s needs. To evaluate the activities of community prosecutors, one should look to outcomes such as the reduction of crime or calls for service in a particular area, the perception of safety in the neighborhood, or the increase in community participation through neighborhood meetings, school presentations, or other vehicles to engage the public in public safety. *Community prosecutors no longer can look solely at a conviction rate to determine their effectiveness; the exchange of information with the rest of their office and the public regarding crime prevention efforts truly allows one to evaluate a community prosecutor’s activities.*

“As problem-solvers, we need to show what impact we’re having: Are we involving the community in our work? Are we taking into account the community’s priorities? Are we addressing the problems that fuel crime? Are we capitalizing on partnerships? By quantifying our answers to these important questions, we’re not only holding ourselves accountable but we’re strengthening our ability to pursue justice.”

—Greg Berman, Director, Center for Court Innovation