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# National Institute of Justice

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March 1998

# **JOURNAL**



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## CRIME IN PUBLIC HOUSING: CLARIFYING RESEARCH ISSUES

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***ALSO IN THIS ISSUE:***

**Restorative Justice: Key Questions and Answers**

**Protecting Public Transportation From Terrorists**

## DIRECTOR'S MESSAGE

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Two themes run through this issue of the *National Institute of Justice Journal*. Readers will find many examples of partnerships and collaboration between researchers, policymakers, practitioners, and agencies with related missions. This issue is also full of examples of how the involvement of a community contributes to better understanding of crime and an improved criminal justice system.

Jeffrey Fagan and his coauthors, for example, in the cover story offer insights on conducting crime-related research in public housing. In this emerging area of research, the authors highlight the significance of the context in which crime occurs. The neighborhood, the larger community, and public policies all have an effect on crime and the residents who live in and near public housing. Researchers need to keep in mind these factors as well as the community's history and socioeconomic trends when they design research methods and interpret their findings.

Also in the cover story is a brief description of NIJ's new collaboration with the U.S. Department of Housing and Urban Development (HUD), Office of Public and Indian Housing. This collaboration will link researchers with local public housing agencies to more accurately assess the effects of HUD's Public Housing Drug Elimination Program. Working together, public housing officials and researchers will develop information that will bring into sharper focus the nature of crime in public housing.

Doing justice differently is the focus of the interview with Visiting Fellow Thomas Quinn. Restorative justice, the topic of Mr. Quinn's visiting fellowship, is an approach through which all parties involved—offender, victim, and community—achieve justice. It is an innovative approach for modern courts, although indigenous peoples have practiced it for centuries. Restorative justice emphasizes the harm caused to the victim and the impact on the broader community rather than the traditional view that the crime is an act against the state.

Protecting communities from terrorists is the topic of the third article in this issue. Although most Americans are not personally familiar with terrorist attacks, accounts of the experiences from abroad are sobering. NIJ has been a partner with several Federal agencies through task forces and working groups created to enhance the American capability to deal with terrorist attacks, especially attacks aimed at public transportation systems. In April, NIJ and the U.S. Departments of State and Transportation are cosponsoring an international gathering that will feature new technologies and best practices to combat terrorist activity against land transportation systems.

The themes of partnership and putting crime in the context of the community will continue to be important messages in the *NIJ Journal*. Watch for the June issue, which will feature the story about how Boston officials collaborated and analyzed the context in which a particularly troubling type of crime occurred and achieved an amazing decrease in juvenile violence.

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# CONTENTS

Issue No. 235



*Crime in Public Housing:  
Clarifying Research Issues*  
See page 2



*Restorative Justice:  
An Interview With Visiting  
Fellow Thomas Quinn*  
See page 10



*Protecting Public  
Transportation  
From Terrorists*  
See page 17

## FEATURES

- CRIME IN PUBLIC HOUSING: CLARIFYING RESEARCH ISSUES ..... 2**
- RESTORATIVE JUSTICE: AN INTERVIEW WITH VISITING FELLOW THOMAS QUINN ..... 10**
- PROTECTING PUBLIC TRANSPORTATION FROM TERRORISTS ..... 17**

## RESEARCH PREVIEW

- SENTENCING GUIDELINES: A STATE PERSPECTIVE ..... 25**

## DEPARTMENTS

- NEW & NOTEWORTHY ..... 27**
- SOLICITATIONS ..... 30**
- NIJ AWARDS ..... 31**
- FINAL REPORTS ..... 34**
- NIJ IN THE JOURNALS ..... 34**
- RECENT NIJ PUBLICATIONS ..... 35**
- EVENTS ..... 36**

*On the cover: Courtesy of the New York City Housing Authority Photo Archives*

# CRIME *in* Public Housing:

## Clarifying Research Issues

by Jeffrey Fagan, Tamara Dumanovsky, J. Phillip Thompson, and Garth Davies\*

In recent years, crime and public housing have been closely linked in our political and popular cultures. Tragic episodes of violence have reinforced the notion that public housing is a milieu with rates of victimization and offending far greater than other locales.<sup>1</sup> However, these recent developments belie the complex social and political evolution of public housing from its origins in the 1930s, through urban renewal, and into the present.<sup>2</sup>

Stereotypes abound about public housing, its management, residents, and crime rates. In reality, variation is the norm, and it is these variations that affect crime. The study of crime in public housing is in its earliest phase, and there is much to learn. A few studies suggest that crime rates are higher in public housing complexes than in their immediate surroundings;<sup>3</sup> other studies suggest quite the opposite.<sup>4</sup> Still others suggest a process of diffusion and exchange of violent crimes between public housing and the surrounding neighborhood contexts.<sup>5</sup>

Predictably, most studies vary in several important ways, complicating comparisons of studies. Many focus on larger public housing authorities

(PHAs) in older cities, even though these communities are the exceptions among the more than 3,000 PHAs in the United States.<sup>6</sup> Many studies rely on crime complaints to the police or housing authorities rather than on victimization studies. Conducting a victimization study or household survey in a public housing community is a difficult logistical enterprise, often characterized by undercounts of population and variation in telephone ownership.<sup>7</sup> The U.S. Department of Housing and Urban Development (HUD) is currently supporting research to better understand the process of conducting victimization surveys in public housing.

Few studies give adequate attention to public housing's historical, socioeconomic, structural, and administrative contexts, despite the variability among and within public housing communities. Multimeasure studies of crime in public housing are rare, and efforts to assess the epidemiology and correlates of crime have been quite limited. Attention to the surrounding context has been uneven despite the likelihood that many crimes are committed by nonresidents.

Despite the challenges, there are lessons to be learned from previous research. This article summarizes some of these lessons, explores the variability among public housing communities, and suggests that research on communities, spatial analysis of crime locations and patterns, injury epidemiology, and victimization surveys provide important new directions for studying crime in public housing. (See "Methodology Challenges: Design, Measurement, and Data Collection Issues for Researchers" and "Collecting Data: Features and Possible Limitations.")

### **A brief history of public housing**

Public housing's varied history is often intertwined with the social and political history of its home city. Public housing in New York City, for example, developed in response to historical needs as a job creation program (such as First Houses), as housing for wartime workers (such as Red Hook and Fort Greene), as veterans' housing, as filler between slums and urban renewal projects, as relocation

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housing for people displaced by transportation and infrastructure projects, as a way to keep working-class whites from leaving the city, and, finally, as housing for poor minority people—especially in the 1960s.<sup>8</sup>

The bulk of public housing in the United States was built in the 1950s and 1960s as a vehicle for “slum clearance” in communities already characterized by structural disadvantage, such as poverty, long-term unemployment, and limited public services. Often the result was large-scale, highrise developments in socially isolated areas where little attention was paid to availability of or access to public or private services. A second wave of development in the 1970s and 1980s paid closer attention to the community context and resulted in lowrise developments intended to be integrated into the neighborhood and with better access to transportation, shopping areas, schools, and other social services.

Historically, public housing has perpetuated segregation through “community preference” policies that gave priority to applicants already living in the neighborhood. Although these policies receive credit for maintaining social networks and organization within neighborhoods, they also had the effect of maintaining a neighborhood’s racial and ethnic homogeneity.<sup>9</sup>

The social context of today’s public housing varies widely, and much of it suffers from poor design, deteriorating structures, inadequate funding, a large concentration of poor people, isolation from social services, high crime rates, and cumbersome management.<sup>10</sup>

The history of public housing policy is significant for research in several respects. The structure and location of public housing sites necessarily and reciprocally affected the surrounding areas, and the extent and type of neighborhood change are important

factors in understanding contemporary variability in crime rates. Since many public housing sites were originally built in otherwise undeveloped areas, understanding the subsequent development of surrounding neighborhoods and patterns of neighborhood change should provide a more complete analysis of changes within public housing. In addition, a development’s socioeconomic, racial, ethnic, and family characteristics may affect crime rates.

The limited research on crime in public housing has looked only at structure-of-housing issues (for example, comparing crime rates between highrise and lowrise developments or looking at differences between larger and smaller public housing authorities). But structural variations may mask underlying differences in location, composition, social organization, and, most important, policy. (See “Variability Within Chicago’s Highrise Public Housing.”)

### **Variation in the administration of public housing**

In addition to contextual and structural factors, several aspects of management and administration may affect crime rates in public housing.

**Management of public housing.** The administration of a public housing authority affects the characteristics of a housing development. The combinations of State and Federal supervision of PHAs, in addition to the idiosyn-

cratic policies of city governments, raise significant issues. Developments are increasingly being turned over to private management agencies; some PHAs are experimenting with resident management; other PHAs sponsor homeownership programs that encour-

age qualified residents to purchase apartments in rehabilitated buildings at bargain rates. Many of these programs are new and tend to apply to smaller, rehabilitated buildings. It may be too soon to measure the effects, if any, of the most recent management trends.

**Admission and eviction policies.** Criteria for admission and eviction vary across sites

and can change the composition, attitudes, and perceptions of both the residents and the wider neighborhood. Criminal history, drug-related offenses, family composition, and employment status have been used as criteria. Some PHAs are increasingly using employment status as a criterion for admission to increase the numbers of working-class families in developments. Others are converting highrise developments into housing for the elderly. Because such changes are intended to improve residents’ quality of life, equal attention should be paid to developments targeted and not targeted by such policies. One consequence may be increased segregation and isolation of the most disadvantaged residents in sites with these eviction and admission policies.

**Police agencies.** The amount and extent of police presence and response vary across and within PHAs and to a

Courtesy of the New York City Housing Authority Photo Archives



*Riis Housing Project in New York City*

## METHODOLOGY CHALLENGES: DESIGN, MEASUREMENT, AND DATA COLLECTION ISSUES FOR RESEARCHERS

Criminological research on public housing is still relatively new. Its development can benefit from the methodological and conceptual influences from related disciplines, especially urban sociology, political economy, and crime prevention research, as well as geography, demography, and the sophisticated techniques available from spatial analysis, survey research, and qualitative methods.

The issues surrounding public housing research can be sorted into several domains: design considerations, measurement considerations, and data collection strategies.

### Design considerations

**Unit of analysis.** Selecting the unit of analysis for research and an appropriate design often depends on a series of questions relating to the nature of the unit to be studied. For example, an intervention to prevent crimes at specific locations may differ from an intervention designed to reduce criminality among individuals, and an evaluation of the intervention would require very different theories and designs.<sup>1</sup>

**Comparison groups.** The selection of the unit of analysis also affects other design considerations, such as the selection of comparison groups. Identifying valid and appropriate comparisons is a complex problem. Public housing residents are nested within buildings, and buildings are nested within developments. Researchers are increasingly concerned with the nested or hierarchical effects of neighborhood, school, or other contextual factors and their influence on outcomes.

Accordingly, researchers cannot simply select random samples of individuals from the same buildings. Nor can they avoid the question of comparison groups by using predesigned and postdesigned. This would raise history, maturation, and other validity threats. One solution is to sample individuals from other comparable public housing developments within the same city. Other alternatives include using “bootstrapping”<sup>2</sup> or case control designs in which projects and individuals serve as their own controls. Research also can benefit from examining within-unit change over time, based on interactions with specific social and structural contexts.

**Diffusion and displacement effects.** The relationship of public housing to surrounding areas reflects another dimension of the nested status of public housing. Not only are individuals nested in buildings and developments, but developments are nested in neighborhoods, and the neighborhoods themselves exert both criminogenic and protective influences. Drug transactions often

involve persons from outside the housing development, and their movements in and out of the development create a large area where crimes may take place. Situational crime prevention efforts may displace crime to nearby neighborhoods or to neighborhoods some distance away.<sup>3</sup>

Some studies show higher rates of diffusion within public housing compared with the overall city rate, but such comparisons are invalid because of a lack of comparability of the areas. Other studies compared blocks within and outside public housing developments and found higher rates within the public housing blocks.<sup>4</sup> One study of violence in and around public housing projects used weighted least-squares procedures to approximate diffusion effects.<sup>5</sup> The researchers found evidence of outward diffusion for some violent crimes (robbery, homicide) and simultaneous diffusion only for assault.

**Event locations.** Some buildings within multibuilding housing developments have higher crime rates than other buildings. Moreover, crimes occur in a variety of locations inside and outside the development, and sampling may be required even though it poses its own methodological problems. Locations, too, are nested, and the effects of an intervention in a specific location may be mediated by events that occur in the surrounding area. Thus, for example, locating increased patrol in a specific hot spot may have artifactual effects if the patrol in the surrounding or control area is reduced (or increased) due to other, serendipitous factors.

**Apportioning effects.** Multiple interventions are common in a public housing project. Sorting and allocating their effects requires a highly complex and disaggregated design. Designs should anticipate multiple interventions, as well as interventions that span both developments and neighboring areas.

### Measurement considerations

Although there may be adequate scales and methods to count *events*, other challenges emerge when attempting to standardize counts through computation of *rates*. Geocoded complaint and arrest records present strong advantages in dealing with spatial measurement concerns. However, geocoding cannot pinpoint floors in highrises or shared spaces in many public housing sites. Alternate data sources may be useful in estimating crime problems within specific boundaries of housing developments. Vital statistics and health data often contain address information and can be sampled and geocoded to estimate violence rates in and around public housing.

*continued on page 5*

**continued from page 4**

A related problem involves crimes that take place in shared spaces. For example, when drug selling occurs on streets adjacent to, but officially outside, housing developments and when it involves tenants, the assignment of these events to a housing project becomes conceptually difficult. Researchers need to develop rules for such occurrences, but the rules may exert a strong influence on crime rates and estimates of program effectiveness.

### **Data collection strategies**

**Surveys.** Recent studies involving National Crime Victimization Surveys in public housing developments suggest that advances are forthcoming in measuring crime in public housing,<sup>6</sup> but sampling concerns continue to arise from uneven patterns of telephone ownership. Additional sampling problems reflect the gap in official versus actual occupancy patterns; respondents are unlikely to provide data on victimization of unofficial occupants. Household surveys are also important tools in gathering observational and attitudinal data.

Conducting comparable surveys in surrounding neighborhoods creates additional problems, especially in counting households. A related theoretical and practical problem is the determination of the boundaries of surrounding neighborhoods. Few theories suggest the size of an ecological context for public housing—whether it is 1 block, 100 yards, or a larger social or administrative boundary. Practically, the distance in which displacement and design effects are likely to be salient is also difficult to determine.

**Official records.** Public housing authorities that have police departments may be able to supply arrest and complaint records for specific public housing communities, and data from the city's police department may be geocoded to determine which crimes occur in public

housing. In some cases, though, arrests or other data may be generated by special task forces (citywide drug or robbery details, for example) or by agencies from other jurisdictions, such as the State police or the Drug Enforcement Administration, but data from these additional sources are more difficult to obtain.

A second complication involves the distinctions between location event, offender residence, and victim residence. Rarely do crime data record all three pieces of information. The importance of this triangulation for public housing rivals, if not exceeds, its importance in understanding victim-offender interactions and the contextual factors that shape these interactions.

**Observations.** The advantages of direct observation are self-evident, but such activity is labor intensive, expensive, and requires experienced observers. Coding and reliability questions also need to be addressed. Nevertheless, observation can overcome many of the limitations of other data sources, and time and place sampling can streamline these efforts.

A related strategy is key informant interviews. Key informant strategies have been used extensively in several notable studies of urban life,<sup>7</sup> including data collection in public housing.<sup>8</sup> This method involves identifying persons whose knowledge of neighborhood life is extensive and who are capable and accurate reporters of the dynamic exchanges among people within social networks and spaces. Repeated interviews with key informants over time can establish a longitudinal database of events and dynamics within the area of interest. Data can be either structured, quantifiable responses to a protocol or open-ended qualitative narratives that result from a structured conversation between researcher and informant.

### **Notes**

1. Ekblom, P., and K. Pease, "Evaluating Crime Prevention," in *Building a Safer Society*, vol. 19, ed. M. Tonry and D.P. Farrington, Chicago: University of Chicago Press, 1995:585-662.
2. Bootstrapping, which capitalizes on natural variation within a sample, involves asking different types of questions to subsets within a sample. A theory can then be constructed based on the answers.
3. Barnes, G.C., "Defining and Optimizing Displacement," in *Crime and Place*, ed. J.E. Eck and D.L. Weisburd, Washington, DC: Police Executive Research Forum, 1995:95-113; Ekblom and Pease, "Evaluating Crime Prevention"; and Clarke, R.V., "Situational Crime Prevention," in *Building a Safer Society*, vol. 19, ed. M. Tonry and D.P. Farrington, Chicago: University of Chicago Press, 1995: 91-150.
4. Roncek, D.W., R. Bell, and J.M.A. Francik, "Housing Projects and Crime," *Social Problems* 29(2)(1981):151-166. See also Harrell, A., and C. Gouvis, *Predicting Neighborhood Risk of Crime*, Washington, DC: The Urban Institute, 1994.
5. Fagan, J., and G. Davies, "Crime in Public Housing: Two-Way Diffusion Effects in Surrounding Neighborhoods," presented at the Workshop on Spatial Analysis of Criminal Justice Data, New York: City University of New York, Graduate Center, 1997.
6. Holzman, H., and L. Piper, "Measuring Crime in Public Housing: Methodological Issues and Research Strategies," paper presented at the Annual Meeting of the American Society of Criminology, Boston, Massachusetts, November 1995; and Holzman, H., "Criminological Research on Public Housing: Toward a Better Understanding of People, Places, and Spaces," *Crime and Delinquency* 42(3)(1996):361-378.
7. Engle, S.M., *Urban Danger*, Philadelphia: Temple University Press, 1981; and Fischer, C.S., *To Dwell Among Friends: Personal Networks in Town and City*, Chicago: University of Chicago Press, 1982.
8. Sullivan, M., *Getting Paid*, Ithaca, NY: Cornell University Press, 1989.

## COLLECTING DATA: FEATURES AND POSSIBLE LIMITATIONS

### Public housing authorities

#### Features:

Larger PHAs may collect and report crime data, including records of crime-related complaints by tenants or tenant organizations. Organized tenant patrols may maintain victimization records.

#### Limitations:

Data on locations of events may be missing; such data are needed to assess hot spots and evaluate safety measures. Official crime statistics may undercount actual crime rates.

### Police department records

#### Features:

Police records may include identifiers for public housing (that is, the data may indicate that the incident occurred within public housing boundaries). The records may also indicate the residence of the victims, offenders, or both. Complaint and arrest reports may be available. National Incident-Based Reporting System data also will contain event information.

#### Limitations:

Data may not be specific to units and locations in public housing. Official crime statistics may undercount actual crime rates.

### Injury surveillance data

#### Features:

Mortality and morbidity data for intentional injuries may include the event's location as well as residential data about the injured or deceased person. Geocoded data for residential and event locations would allow analyses of violent crime in public housing and surrounding neighborhoods.

#### Limitations:

Data often do not contain information about an offender's residence.

### Tenant/resident surveys

#### Features:

Annual tenant surveys can measure crime rates, residents' fear of crime, victimization rates of residents, and crime hot spots.

#### Limitations:

Data may undercount public housing residents, and telephone interviews can result in sample bias.

certain degree depend on the relationship between the local PHA and the police department. Some larger PHAs have their own police agencies that patrol public housing sites.<sup>11</sup> Larger public housing projects without housing authority police agencies often require special police attention and relationships with the city's police department, especially if the development is isolated from its surrounding neighborhoods.

Assessments of crime need to take into account differences in types of crime control programs in a public housing site. (See "NIJ and HUD Collaborate on Research and Evaluation.") These programs vary considerably both between and within cities, and

the various strategies—ranging from drug sweeps to curfews—may conflate crime trends with enforcement trends. A sharp increase in arrest rates in public housing may indicate an increase in police presence, not necessarily an increase in crime.

**Tenant organizations and perceptions.** Some PHAs have formal and institutionalized tenant organizations that often act as a bridge between residents and the PHAs and may form ties with local police departments, social service agencies, and community organizations. The presence of an active tenant organization may indicate a level of community stability and cohesion that has a significant impact on crime rates. Since public safety is

most likely to be one of the more important issues for such organizations, comparing the degree of tenant organizing and its effectiveness between public housing developments may be an important component of studying crime (and fear of crime) in public housing. (See "Variation in the Types of Residents in Public Housing Communities.")

Residents' own perceptions of public housing may be influenced by the history of its development. The composition of the housing, the length of residents' tenancy, and their connections to the larger community all affect residents' attitudes about public housing. The general reputation of public housing in surrounding neigh-

neighborhoods and in the city will affect how people behave and, in turn, may affect crime and fear of crime.

## Variations in physical structure and neighborhood

Many public housing projects are large-scale, multiple-building, highrise developments covering several square

city blocks. Research has shown that the relationship between building size and crime rates varies by type of crime.<sup>12</sup> For example, highrise buildings have lower burglary rates than lowrise developments. However, there can be significant differences between similarly structured public housing developments. More attention should be paid to studying variability in types and rates of crime between similar housing developments to learn about

factors other than structure that might explain variability in crime rates.<sup>13</sup>

Given their size and structural design, it is easy to argue that large public housing developments are “spatial” neighborhoods. What needs to be established is whether they are also “social” neighborhoods.<sup>14</sup> Most do not contain within their boundaries, and often not on their immediate periphery, facilities and institutions (schools,

### VARIABILITY WITHIN CHICAGO'S HIGHRISE PUBLIC HOUSING



An NIJ-sponsored study of the effectiveness of the Chicago Housing Authority's (CHA's) comprehensive antidrug initiative illustrates the difficulty of implementing programs and conducting research in public housing settings.

The research tracked CHA's antidrug efforts for 3 years within three developments—Rockwell Gardens, Henry Horner Homes, and Harold Ickes Homes—and conducted a more limited assessment of an experiment with intensive police patrols in the Robert Taylor Homes.<sup>1</sup>

Researchers found that reduction in crime and fear of crime varied significantly not only between similar developments but also within the same development. Despite several key similarities (structural, programmatic, and targeted crime type), other more powerful differences exerted greater influence on crime. For example, the program was implemented inconsistently within a single development because of variability in levels of disorder and social cohesion, management practices, residents' perceptions toward the police and one another, and the occurrence of such external events as visits by leading political figures and lawsuits against the housing authority.

The CHA model antidrug program to control violent crime was both comprehensive and collaborative, and CHA policies were well defined. Yet onsite management practices varied considerably, making implementation uneven. The program was also affected by the unique nature of each development and, in some cases, the individual differences between buildings in the same development.

Strong resident leadership in one building in Rockwell Gardens, for example, brought about tremendous changes that never extended to other Rockwell buildings.

In addition to the buildings' variability, external developments affected the researchers' ability to take accurate measurements. A class-action lawsuit against CHA, settled during the evaluation period, resulted in a massive redevelopment effort at Horner that clearly had a much larger impact than any of the antidrug interventions.

In all four developments, gangs dominated daily life and wielded more influence over the level of drug trafficking and violence than either the police or housing authority management. However, the nature of gang control varied both across the four sites and within individual sites. In Rockwell and Horner, for example, multiple gangs fought over control of buildings, turning them into virtual war zones. The gang warfare was so extreme at Horner that the residents in one building formed a pact with the gang members as a means of protection. Ickes, on the other hand, was spared the turf battles because a single gang controlled the development.

The Chicago public housing experience points out the complexities of and challenges to understanding crime issues in public housing. It also illustrates that researchers need to consider the broad and subtle differences that exist within an individual housing community, recognizing that the same policy and program can have widely varying results.

1. Popkin, Susan J., Victoria E. Gwiasda, Jean M. Amendolia, Andrea A. Anderson, Gordon Hanson, Wendell A. Johnson, Elise Martel, Lynn M. Olson, and Dennis P. Rosenbaum, "The Hidden War: The Battle to Control Crime in Chicago's Public Housing," final report submitted in fulfillment of NIJ grant numbers 93-IJ-CX-0037 and 95-IJ-CX-0011. The research examined the impact of the antidrug efforts through the eyes of the residents. Researchers conducted four waves of door-to-door surveys, six rounds of in-depth interviews with a small group of residents, two rounds of interviews with key staff involved in implementing the antidrug initiative, and ethnographic observations of each of the developments. In addition, official crime statistics from 1988 through 1995 were examined to assess the effect of CHA's efforts on residents' demand for police service.

## NIJ AND HUD COLLABORATE ON RESEARCH AND EVALUATION

The National Institute of Justice (NIJ) and the Department of Housing and Urban Development (HUD) have become partners in an effort to build safer public housing communities.

By combining NIJ's expertise in research and evaluation with HUD's expertise in providing housing authorities with resources, the two agencies are collaborating to understand the implementation and effectiveness of HUD's Public Housing Drug Elimination Program (PHDEP). HUD's Office of Public and Indian Housing and NIJ have signed an interagency agreement through which HUD has transferred \$1.3 million to NIJ for a two-part effort to conduct joint research and evaluation.

In the first part of the effort, NIJ and HUD have embarked on plans to provide housing authorities with the resources to implement locally based research partnerships. The researcher-housing authority partnerships are designed to provide feedback on PHDEP initiatives at both the local and national level. These partnerships build on a similar NIJ initiative that has created dozens of successful re-

searcher-criminal justice agency teams that are cooperatively designing and implementing local research projects and evaluations across the Nation.

The researcher-housing authority partnerships can take one of two forms: (1) those that focus on developing and implementing technically sound strategies to evaluate the effectiveness of programs, with feedback so that course corrections can occur throughout the life of the program, and (2) those that focus on identifying problems, designing and implementing testable solutions, and evaluating the impact of the solution.

The second part of the effort will develop a standard national reporting and information system for PHDEP, a comprehensive effort to reduce and eliminate drug-related crime that has supported \$1.2 billion worth of activities over the last 8 years. NIJ will assess current PHDEP reporting requirements and develop a standard semiannual reporting form that grantee housing authorities can use to measure crime reduction more tangibly than current methods.

## VARIATION IN THE TYPES OF RESIDENTS IN PUBLIC HOUSING COMMUNITIES

Based on ongoing field research in New York City's public housing, J. Phillip Thompson and Susan Saegert have categorized PHA families into at least four types, who are usually found in the same buildings.<sup>1</sup> The list is not exhaustive or necessarily representative of most PHAs; it simply suggests the variety among public housing residents and some of the complexities and sensitivities presented in gathering data from public housing families and individuals.

• **Long-term residents.** These are middle-aged or older residents who have typically lived in the same development for 25 years or more. They often anchor the local tenant association, conduct social events for the residents, help residents find jobs, and transmit local history, among other functions. They are usually women with extended families in the building.

• **Distressed families.** These are families facing multiple and serious physical, financial, and mental problems.

• **Working-class loners.** These families are usually headed by a working adult. They typically keep to themselves, fearing crime and social disorder within their development. They are trying to leave public housing.

• **Coping but isolated.** These residents are typically new to the community and are socially isolated (they therefore may feel vulnerable to violent assault). They try to keep their kids in the house and out of trouble and are trying to adjust to their environment.

1. Thompson, J.P., and S. Saegert, "Social Capital in Public Housing," forthcoming, Center for Urban Studies, Columbia University, 1998.

shopping centers, places of worship) that are commonly associated with a “neighborhood.” Social dimensions of neighborhoods are dependent on interaction patterns and social networks. Although in some cases spatial location determines social interactions, such as school districts, spatial proximity is not a guarantee of social interaction. The extent of informal interactions between tenants, their level of familiarity and recognition, and the use of common spaces may all be measures of social neighborhoods within public housing. It could be argued that the spatial isolation of some public housing projects makes them more like traditional neighborhoods than other areas where individuals tend to have more interactions with people outside their neighborhoods.

In his study of Section 8 public housing construction in Chicago, Robert Bursik found that public housing construction was followed by high rates of neighborhood instability which, in turn, was related to higher rates of delinquency.<sup>15</sup> The Bursik study demonstrates the impact of policy decisions on neighborhood change and shows that neighborhood instability, independent of compositional changes, has a significant impact on delinquency rates. It suggests that other studies could measure patterns of stability in and around public housing, apart from compositional changes, to see if stable public housing developments tend to be located in stable neighborhoods and to determine the effects of varying rates of stability on crime rates.

## Notes

1. See, for example, Kotlowitz, A., *There Are No Children Here*, New York: Doubleday, 1991; and Lemann, N., *The Promised Land: The Great Black Migration and How It Changed America*, New York: Knopf, 1991.

2. Marcuse, P., “Interpreting ‘Public Housing’ History,” *Journal of Architecture and Planning Research* 12(3)(1995):241–258.

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8. Marcuse, Peter, “Public Housing in New York City: History of a Program,” unpublished manuscript, 1997.

9. Saegert, Susan, and G. Winkel, “Social Capital Formation in Low-Income Housing,” New York: City University of

New York, Graduate School and University Center, unpublished paper, 1997.

10. Public housing in several cities, including Detroit, Newark, Chicago, and New Orleans, is considered “troubled.” HUD considers housing authorities troubled if they score less than 60 out of 100 points against HUD’s “PHMAP” (Public Housing Management Assessment Program) indicators. See, for example, House Committee on Government Reform and Oversight, “Public Housing: Status of HUD’s Takeover of the Chicago Housing Authority,” testimony before the Subcommittee on Human Resources and Intergovernmental Relations, September 5, 1995.

11. In 1995, New York City consolidated the housing and transit police departments with the New York Police Department. It may be too soon to study the effects of this consolidation.

12. Holzman, Kudrick, and Voytek, “Revisiting the Relationship Between Crime and Architectural Design,” 107–126.

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# RESTORATIVE JUSTICE:

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## An Interview With Visiting Fellow Thomas Quinn

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**Q. Will you first define restorative justice?**

**A.** The definition and practices are evolving—in much the same way that community policing evolved.

Let's look first at restorative justice in juxtaposition with the model that dominates American justice: the retributive model. The retributive model, which focuses on offenders and their punishment, does a good job of incarcerating violent, repeat offenders, but it does not—and many people argue that it *cannot*—adequately address victim and community harm. Nor does it give offenders an adequate opportunity to earn back their place in society. Offenders who sit in a prison cell complete their punishment, but the results do little to reduce citizen fear of crime, heal victims, or increase citizen satisfaction with the criminal justice system—and research indicates that the informed public wants nonviolent offenders to work to repay the community rather than sit idly in jail.<sup>1</sup>

Restorative justice, in contrast, focuses on restoring the health of the community, repairing the harm done, meeting victims' needs, and emphasizing that the offender can—and must—contribute to those repairs.

Restorative justice condemns the criminal act, holds offenders accountable, involves the participants, and encourages repentant offenders to earn their way back into the good graces of society.<sup>2</sup> Restorative justice considers crime an act against the individual and the community rather than against the State.

**Q. How do community justice and restorative justice differ and how are they the same?**

**A.** I think we're still sorting out the precise definitions and practices of community justice and restorative justice. The two concepts are alike in many ways, especially in their inclusiveness and shift toward collective problem solving. They differ, however, in that restorative justice focuses to a greater extent on the underlying philosophy of repairing the harm to the victim.

In terms of practices, some community justice practices encompass restorative justice principles, others do not. For example, a neighborhood watch program that creates a resident-police partnership is a community justice effort but not a restorative justice practice. On the other hand, a victim who communicates

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*Thomas Quinn is the former Executive Director of the Delaware Criminal Justice Council. In this article, he talks about the research he conducted as an NIJ Visiting Fellow.*

with the offender in a structured setting in an effort to bring closure to an incident participates in a restorative justice practice, not a community justice effort. (See exhibit 1.)

**Q. What is the origin of restorative justice? Isn't it a return to ancient models of justice?**

**A.** Indeed yes. Unwritten codes as well as the earliest written codes focused on repairing the harm. Before the Norman conquest of England, local villages delivered justice by making the offender repay the victim. Then, when William the Conqueror became ruler, crimes became a disruption of the "King's peace," and offenders were fined in the King's Court. By requiring citizens to come

to his courts for justice, the king gained power; by collecting fines that in the past would have gone to the victims, he gained wealth. We still have that emphasis with crimes "against the state." Today, other cultures include restoration to the victim and community as core elements of justice, including Muslim, American Indian, and many Pacific Rim societies.<sup>3</sup>

**Q. Can you describe some restorative practices and talk about how widely they are practiced?**

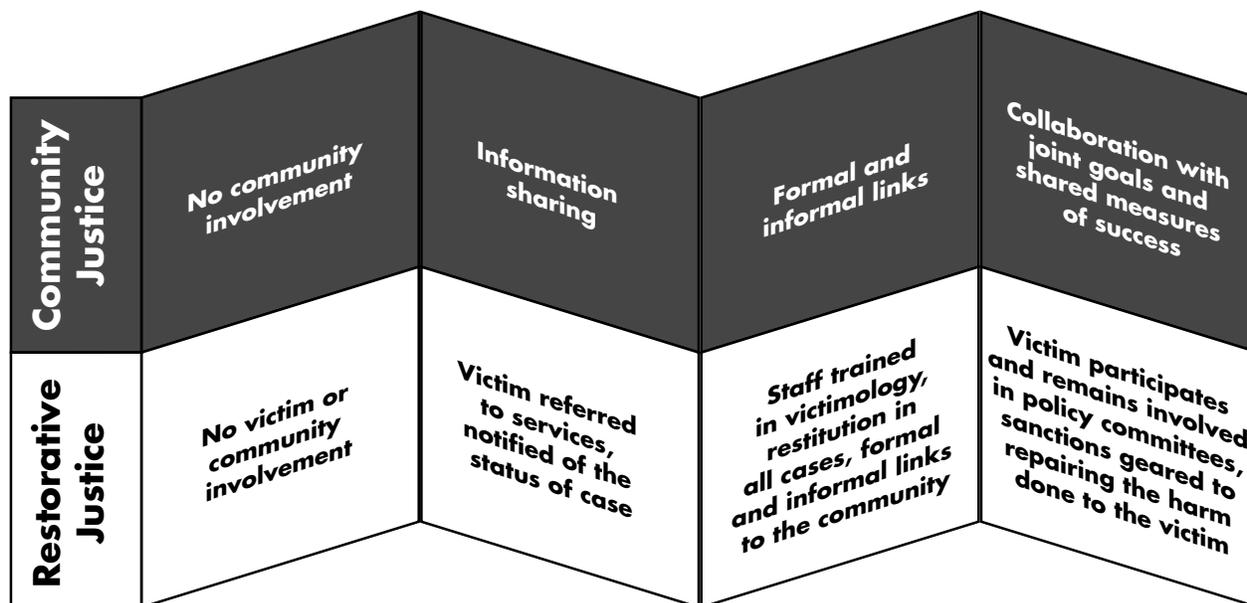
**A.** Probably the most familiar examples are restitution and community service—although both are often applied solely as punitive sanctions rather than linked meaningfully to the offense or as a way for the community



Photo by Chip Krieg

*Thomas Quinn at the restorative justice symposium in Portland, Oregon*

**EXHIBIT 1. CONTINUUMS OF COMMUNITY JUSTICE AND RESTORATIVE JUSTICE**



# RESTORATIVE JUSTICE

to be healed. (See “Varieties of Restorative Justice Practices.”) Victim-offender mediation is becoming more widespread, both as an alternative to the traditional criminal justice system as well as a part of the system. Hundreds of programs now exist in the United States with hundreds more in other countries.

It’s hard to quantify how widely these activities are practiced, but the trends are clear. The National Association of Counties passed a resolution in July 1996 calling for “the immediate incremental and eventual systemic” movement toward restorative justice. At the Federal level, the Office of Justice

Programs of the U.S. Department of Justice has several efforts under way to explore how best to bring attention and insight to both restorative justice and community justice practices.

For these new approaches to move into the mainstream, however, I believe existing criminal justice agencies must be infused with a restorative justice philosophy—something that moves away from simply adding programs or policies and toward a change in the way we think about crime. The process would be similar to the process police departments must go through to convert to the community policing philosophy.

**Q. As part of your fellowship, you conducted a survey to learn more about restorative justice. What did the responses reveal?**

**A.** We developed a survey with assistance from the University of Delaware’s Center for Applied Demography and Survey Research and sent it to an interdisciplinary sample of 290 legislators, county executives, prosecutors, judges, victim advocates, and police and corrections professionals.<sup>4</sup>

## VARIETIES OF RESTORATIVE JUSTICE PRACTICES

**Victim impact statements** provide an opportunity for victims to express their concerns to the prosecutors and the court.

**Victim impact panels** give victims an opportunity to confront groups of offenders—not necessarily the ones who committed their crimes—and to talk about the anger and hurt caused by the crime.

**Family group conferences** are an indigenous Maori approach recently being adapted to the majority culture in some areas of New Zealand, Australia, and the United States. These group victim-offender mediations include family members of both victims and offenders.<sup>1</sup>

**Sentencing circles** are an American and Canadian Indian approach that is being revived. They involve a wide array of interested parties, including those closest to the victim and offender and others likely to affect their future. Saskatchewan is increasingly using sentencing circles.<sup>2</sup>

The **Balanced and Restorative Justice (BARJ)** project, which is supported by the U.S. Department of Justice’s Office of Juvenile Justice and Delinquency Prevention and is in place in several sites,<sup>3</sup> calls for every sanction involving juveniles to include consideration of public safety, accountability to victim and community, and the development of competency by offenders.

Vermont uses **citizen reparative boards** to determine the nature and details of the conditions of probation for convicted offenders. Trained volunteers provide offenders with a clear understanding of the impact their crimes had on the community as well as an appropriate and relevant assignment to repair the damage.

**Restorative justice sentencing plans** are being developed in Winnipeg, Canada, as strategies that are individualized to the offender and victim and are cost-effective sanctions that help repair the harm.<sup>4</sup>

### Notes

1. McElrea, F.W.M., “Restorative Justice—The New Zealand Youth Court: A Model for Development in Other Courts?” *Journal of Judicial Administration* 4(1994); and Immarigeon, Russ, “Family Conferences, Juvenile Offenders, and Accountability,” *The New York State Child Advocate* 3(Fall 1994).
2. Stuart, Barry, “Circle Sentencing—Mediation and Consensus: Turning Swords into Ploughshares,” *Accord* 14(1)(June 1995).
3. Bazemore, Gordon, and Mark Umbreit, *Balanced and Restorative Justice Program Summary*, Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, October 1994.
4. The Restorative Resolutions Project in operation in Winnipeg, Canada, prepares client-specific plans based on restorative principles. See Galaway, Burt, and Gord Richardson, “Evaluation of the Restorative Resolutions Project of The John Howard Society of Manitoba, Final Report,” Winnipeg, Canada: University of Manitoba, June 1995.

On the whole, respondents gave the restorative justice movement a positive rating. The facets that generated the most positive responses related to:

- Increased victim and community involvement through a more personal process.
- More direct involvement of offenders.
- The potential for improved system efficiency because of the fused agency focus.

**Q. Let's talk first about increased victim and community involvement. Aren't victims reluctant to have contact with offenders?**

**A.** Some victims have no interest in having contact with their offender, and some offenders are recalcitrant, unrepentant, and unwilling to accept any blame. But for victims who experience a restorative justice process, there is widespread evidence—beyond my survey—supporting the perceived benefits.

Victims who are exposed to restorative approaches are significantly more satisfied with the process and the outcome, and their satisfaction is consistently higher whether the findings are from adult or juvenile courts; small towns or big cities; or the United States, Germany, Great Britain, or elsewhere.<sup>5</sup> Fear of being revictimized by the same offender also decreases after restorative justice practices are used. In one study, 50 percent fewer victims who participated in mediation expressed fear of revictimization by the same offender compared to victims who had not participated in mediation.<sup>6</sup>

Positive feedback is not limited to minor cases. In an evaluation of victim-offender dialogues in 39 serious cases

(including robbery, rape, and homicide) in British Columbia, Canada, victims or their survivors were given the option of a face-to-face, video, or written dialogue with the offender. A followup survey found unanimous support for the process. Offenders reported a sense of personal growth, and victims a sense of closure.<sup>7</sup>



Photo by Chip Krieg

*Charles Tailfeathers, a participant at the restorative justice symposium in Portland, Oregon*

**Q. If restorative justice increases victim satisfaction and reduces fear of revictimization, are victim advocacy groups embracing it?**

**A.** The victim advocacy community is cautiously endorsing restorative justice practices. Many are suspicious that restorative justice is a veiled attempt at “rehabilitation” with no serious effort to involve or address victims’ concerns.

Another aspect has been noted by Marlene Young, the Executive Director of the National Organization of

Victim Assistance: Most offenders return to their communities, and for this reason, among others, she encourages victim advocacy groups to work to ensure that restorative justice interventions are positive ones for victims and the community as a whole.<sup>8</sup>

**Q. Let's turn to offenders. What does the research show?**

**A.** Respondents in my survey saw two positive effects:

- Offenders are more likely to understand the impact of their crimes.
- Offenders are more likely to feel anxiety about having to face victims or community representatives. Some respondents viewed this as a disadvantage to the offender, but others believed increased anxiety about facing the consequences of one's actions contributes to a heightened sense of responsibility and therefore increases the reparative aspects.

In other research, offenders overwhelmingly express satisfaction with restorative justice processes—up to 90 percent of offenders say they are satisfied with the process. Offenders' perception of fairness exceeds 80 percent.<sup>9</sup>

Further, some studies indicate that recidivism for offenders who participate in restorative justice activities is lower than for comparison groups of like offenders who are processed regularly.<sup>10</sup> A study of Washington State's Department of Corrections Victim Awareness Education Program found that offenders released from prison after taking part in an approximately 6-week program to learn about the impact of crime on victims were less likely to recidivate than a comparison group who did not take part in those panels.<sup>11</sup> Those who completed the

program had much lower repeat offense rates than those who did not (9 percent versus 37 percent). More research is needed, but what is available is promising.

## **Q. What about the system as a whole? What benefits did respondents see for the criminal justice system?**

**A.** The respondents cited numerous benefits related to system efficiency:

- Minor cases can be diverted from the formal process.
- Dispositions can be reached more quickly.
- The use of incarceration can be reduced.
- The image of the justice system can be enhanced.
- Victim advocates can become allies with other reformers to effect positive system change.
- All parties can focus on the same issues and share the same goals.
- Agencies can develop and use new measures of success.

Again, research supports many of the benefits the respondents envisioned. For example, a study in North Carolina found that cases can be diverted, freeing prosecutors' and judges' time.<sup>12</sup>

Law enforcement agencies, too, have shown that restorative justice programs can save resources. When the Harrisburg, Pennsylvania, police randomly assigned citizen dispute cases to a mediation settlement program, they found that cases that were settled by mediation were significantly less likely to need police assistance in the future compared with cases involving a control group.<sup>13</sup>

A common weakness often cited is that a relatively small proportion of the eligible cases are actually handled by the optional alternative process. This shortcoming is so common that the Fund for Dispute Resolution commissioned a report on how to increase referrals and ensure that all eligible cases are processed through alternative mechanisms.<sup>14</sup> The resulting report contains a series of recommendations that call for a more proactive, assertive process for case referral and more vigorous intake methods.<sup>15</sup>

## **Q. What about the drawbacks? What disadvantages did respondents identify?**

**A.** Respondents identified several drawbacks. The three concerns that evoked the strongest response (40 to 49 percent of respondents) relate to:

### **• The vagueness of the term "restorative justice."**

The term can lead to some confusion and misunderstanding. It especially seems to be confused with the term "community justice." As mentioned earlier, the philosophy is still evolving.<sup>16</sup> We continue to benefit from the debate over the definition and application of "community policing," and I believe it will be the same for "restorative justice."

### **• Due process issues.**

Respondents expressed concerns about both procedural and substantive due process. Just as we strive to avoid coercion and achieve fundamental fairness in traditional procedures, so should we take care that restorative justice efforts are also acceptable to all parties involved, that participation is voluntary, and that all parties understand the implications of their participation.<sup>17</sup>

### **• Possible resulting disparity.**

Whole sentencing systems are designed to ensure that similar offenders are treated similarly (based on the current offense and the criminal history). When we also consider victim characteristics, some of these carefully designed controls may no longer work. At the same time, injustice can now result from rigid rules that prohibit consideration of all the factors involved with a case. Suffice it to say that full consideration of the victim will challenge some of the carefully crafted guideline systems now in place, requiring criminal justice professionals to exercise new creativity in light of more variables.

Although not cited as a drawback by the survey respondents, some restorative justice practices take more time and preparation than the routine procedures in most American courts. Although this seems to conflict with reports of faster disposition, it should be noted that some programs are designed to be expeditious; others—like the family group conferences practiced in New Zealand and Canada<sup>18</sup>—aim to transform relationships. Building a solution that blends support, involved partnerships, and an involved community takes time, but it may well be worth it.

## **Q. What conclusions have you come to as you end your fellowship?**

**A.** The evidence has convinced me that the restorative justice model has great potential to coexist with the existing incapacitative and retributive models and to contribute to greater well-being for victims and communities. I started this fellowship with a keen interest in citizen satisfaction with the criminal justice system. Most of the practitioners and policymakers I've talked with in the past 20 years

have expressed similar interests. The restorative justice approach makes us look through a different lens, to envision a new paradigm for addressing the disruption crime causes victims and communities.

I've come to believe that restorative justice is a logical next step in a number of national trends. First, it is an integral part of the movement to involve communities in solving their crime problems and encourage justice components to participate in community solutions. Justice agencies no longer simply interpret case law and process offenders. They are part of the "devolution" of Federal responsibility that gives local communities a greater role in criminal justice processes.

It is also an integral part of "reinventing" government, because it encourages flexibility and interdisciplinary efforts among the parties that are closest to the source of problems.<sup>19</sup> Both reinventing government and restorative justice push to clearly link existing policies, expenditures, and results.

Thomas Jefferson acknowledged that our institutions must change as society evolves and matures. It is apparent that we are in a time of change, and our system of justice must change as well. Fortunately, the impending transition to involve the community and the victim has the potential to be a positive one.

## Notes

1. Doble, John, *Crime and Corrections: The Views of the People of Vermont—A Report to the Vermont Department of Corrections*, Englewood, NJ: John Doble Research Associates, Inc., 1994. See also Doble, John, Stephen Immerwahr, and Amy Richardson, *Punishing Criminals: The People of Delaware Consider the Options*, a report prepared by the Public

Agenda Foundation for the Edna McConnell Clark Foundation, New York: William S. Fell Co., 1991; John Doble Research Associates, Inc., *Crime and Corrections: The Views of the People of Oregon*, a report prepared by the Oregon State-Centered Project for the Edna McConnell Clark Foundation, Englewood, NJ: 1995; and "Media Crime Wave Continues: Crime News Quadrupled in Four Years," *Overcrowded Times* (February 1996):3.

2. Braithwaite, John, *Crime, Shame and Reintegration*, Cambridge, England: Cambridge University Press, 1989. Braithwaite calls the process "reintegrative shaming."

3. Consedine, Jim, *Restorative Justice: Healing the Effects of Crime*, Lyttleton, New Zealand: Ploughshares Publications, 1995; Melton, Ada Pecos, "Indigenous Justice Systems and Tribal Society," *Judicature* 79(3)(November–December 1995):126–133; and Meyer, Manu, "To Set Right—Ho'oponopono: A Native Hawaiian Way of Peacemaking," *The Compleat Lawyer* (Fall 1995). See also *Accord* 14(1)(June 1995) for a collection of articles related to historical aspects of restorative justice.

4. The survey recipients were participants in discussion groups at professional gatherings between mid-1995 and mid-1996. All survey respondents had at least some knowledge of restorative justice. Some had only limited exposure; others had more extensive understanding of the philosophy, programs, and research findings. Of the 290 surveys mailed, 145 usable surveys were returned by the deadline. Respondents were asked to rate statements on a five-point scale from "very positive" to "very negative."

5. Most of the research on alternative approaches to increasing victim satis-

faction involves victim-offender mediation, which has grown significantly in the past 15 years. There are now more than 650 community mediation programs in the United States involving almost 20,000 volunteer mediators. See Ray, Larry, "Overview of Community Mediation," an unpublished report prepared by the National Association for Community Mediation, Washington, DC, 1996. See also Ray, Erica, "Multidoor Courthouse," in *National Symposium on Court-Connected Dispute Resolution Research: A Report on Current Research Findings—Implications for Courts and Future Research Needs*, ed. Susan Keilitz, Williamsburg, VA: National Center for State Courts, 1994.

For examples of international experiences, see Pelikan, Crista, "Conflict Resolution Between Victim and Offender in Austria and the Federal Republic of Germany," in *Crime in Europe*, ed. Frances Heidensohn and Martin Farrell, London, England: Routledge, 1991:167; Umbreit, Mark, with Robert B. Coates and Boris Kalanj, *Victim Meets Offender: The Impact of Restorative Justice and Mediation*, Monsey, NY: Criminal Justice Press, 1994; Coates, Robert B., *Victim Meets Offender: An Evaluation of Victim-Offender Reconciliation Programs*, Valparaiso, IN: PACT Institute of Justice, 1985; and Roberts, Tim, "Evaluation of the Victim-Offender Mediation Project: Final Report for the Solicitor General," an unpublished report, Langley, British Columbia, Canada, 1995.

6. A review in 10 sites and 3 countries found that victim satisfaction with the outcome of mediation ranged from 84 to 90 percent. See, for example, Umbreit, with Coates and Kalanj, *Victim Meets Offender*. See also Vera Institute of Justice, "Mediation and Arbitration as Alternatives to Prosecution in Felony Arrest Cases: An

Evaluation of the Brooklyn Dispute Resolution Center (First Year)," New York: Vera Institute of Justice, 1978.

7. Roberts, "Evaluation of the Victim-Offender Mediation Project."

8. Young, Marlene, "Restorative Community Justice: A Call to Action," a discussion draft paper presented by the National Organization for Victim Assistance, Washington, DC, 1995.

9. Umbreit, with Coates and Kalanj, *Victim Meets Offender*; and Roberts, "Evaluation of the Victim-Offender Mediation Project."

10. For example, a study in Utah indicated that juveniles involved in robbery, assault, burglary, theft, auto theft, and vandalism who agreed to or were ordered to pay restitution had, after 1 year, lower rates of recidivism (32 percent) than similar offenders who did not (38 percent). Schneider, Anne, "Restitution and Recidivism Rates of Juvenile Offenders: Results from Four Experimental Studies," *Criminology* 24(3)(August 1986); and Butts, Jeffrey A., and Howard N. Snyder, "Restitution and Recidivism," *Juvenile Justice Bulletin*, Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, September 1992.

For cases informally handled through diversion programs, for example, the difference was even greater: Those involved with restitution had a 12-percent recidivism rate compared with a 20-percent rate for those not so involved. These findings are consistent with a 1989 national evaluation of restitution and recidivism that indicated that, in three of the four sites evaluated, the restitution group had lower repeat offense rates in the 3-year followup period than the control group. The sites were Boise, Idaho; Washington D.C.; Clayton County, Georgia; and Oklahoma County, Okla-

homa. The nonrestitution alternative differed in the four jurisdictions. Statistics were significant at the .05 level in two jurisdictions and at .27 in the third. In the fourth site, there was no difference between the two groups. *National Trends in Juvenile Restitution Programming*, Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, July 1989:9-10.

11. Stutz, William, *Victim Awareness Education Program Evaluation*, Olympia, WA: Washington State Department of Corrections, May 1994. See also Umbreit, with Coates and Kalanj, *Victim Meets Offender*; Schneider, "Restitution and Recidivism Rates of Juvenile Offenders"; and Considine, *Restorative Justice*, 24.

12. See, for example, Clark, S.H., E. Valente, Jr., and R.R. Mace, *Mediation of Interpersonal Disputes: An Evaluation of North Carolina's Programs*, Chapel Hill, NC: Mediation Network of North Carolina, 1992. The findings were statistically significant, however, in only one of the three counties studied. As with other studies, victims in the diverted projects reported high satisfaction.

13. For the cases referred to mediation, the number of repeat calls for service to the same address dropped 83 percent (from 272 to 47) compared to callbacks for cases processed routinely, which dropped 17 percent (from 118 to 98). Researchers theorize that the dispute settlement approach is better able to solve repeat problems, thus freeing up substantial police time. Shepard, Roosevelt, "Executive Summary, Neighborhood Dispute Settlement: An Evaluation Report," Harrisburg, PA: Board of Directors, Neighborhood Dispute Settlement of Dauphine County, 1995. Subsequent updated data were submitted by Program Director Stephen J. Roy.

14. Clark, Valente, and Mace, *Mediation of Interpersonal Disputes*; and Umbreit, Mark, *How To Increase Referrals to Victim-Offender Mediation Programs*, Ontario, Canada: Fund for Dispute Resolution, 1993.

15. Keilitz (ed.), *National Symposium on Court-Connected Dispute Resolution Research*.

16. Recently, 47 percent of police chiefs and sheriffs surveyed were unclear about the practical meaning of community policing. See Wycoff, Mary Ann, *Community Policing Strategies*, Research Preview, Washington, DC: U.S. Department of Justice, National Institute of Justice, November 1995.

17. In 1994, the American Bar Association (ABA) endorsed victim-offender dialogue programs urging that the choice to participate be voluntary. "ABA Endorsement of Victim-Offender Mediation/Dialogue Programs," approved by the ABA House of Delegates, August 1994, unpublished paper. Victim advocates joined in the ABA's recommendations.

18. Burford, Gale, and Joan Pennell, "Family Group Decision Making: Generating Indigenous Structures for Resolving Family Violence," *Protecting Children* 12(3)(1996); McElrea, F.W.M., "Restorative Justice: The New Zealand Youth Court: A Model for Development in Other Courts?" *Journal of Judicial Administration* 4(1994); and Immarigeon, Russ, "Family Conferences, Juvenile Offenders, and Accountability," *The New York State Child Advocate* 3(Fall 1994).

19. Gaebler, Ted, and David Osborne, *Reinventing Government: How the Entrepreneurial Spirit Is Transforming the Public Sector*, Reading, MA: Addison-Wesley Publishing Company, 1992.

# PROTECTING PUBLIC

# TRANSPORTATION

# FROM



Golden Gate Bridge, Highway, and Transportation District

# TERRORISTS

by Eric Barnes\*

Few Americans have been victims of terrorist attacks, but the general public's peace of mind and confidence in Federal, State, and local government can be shattered by such devastating events as the bombings at the World Trade Center, Oklahoma City's Murrah Federal Building, and Atlanta's Centennial Park. These acts have underscored the harsh reality that citizens of the United States are not immune from terrorist targeting.

The number of terrorist groups have grown substantially during the 1990s, both domestically and internationally. The U.S. Department of State has designated 30 foreign extremist organizations as terrorist groups; many of these operate within the United States.<sup>1</sup> The Federal Bureau of Investigation (FBI) has identified an ever-increasing number of organized or ad hoc domestic terrorist groups with political and social agendas.

When President Clinton signed the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-132) on April 24, 1996, he ensured that developing strategies and enhancing capabilities to combat domestic and international threats will continue to receive high priority.

## **Transit systems as targets**

Metropolitan public transportation networks are enticing targets for terrorists because they typically carry large numbers of people in a concentrated, predictable geographic area under routine timeframes. (See "What Is Land Transportation?") They also are highly acces-

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# PROTECTING PUBLIC TRANSPORTATION FROM TERRORISTS

sible. According to the U.S. Department of Transportation, there were 702 violent attacks against transportation and transportation infrastructures worldwide in 1996. Fewer than 2 percent of these attacks occurred in the United States. In addition, the U.S. Department of State recorded 296 international terrorist attacks in 1996. Ninety-two of these attacks—or nearly one-third—were against transportation and transportation infrastructures.<sup>2</sup>

European, Middle Eastern, and Asian countries rely on their public transit systems more heavily than the United States and have experienced more terrorist attacks than the United States. Yet even officials in these more experienced countries could not prevent the Sarin gas attacks on the Tokyo subway or bombings on Paris trains.

Most American cities give responsibility for transportation security to their municipal law enforcement agencies, although some larger municipalities support specifically designated transportation security forces. These officers are trained to handle assault, larceny, vandalism, fare evasion, and similar offenses, but most lack the specialized training and advanced protective gear and equipment needed to respond to the enormous death and destruction that can occur in a terrorist attack.

## Formulating the Federal policy response

The Federal response to protecting public transportation systems involves many agencies working toward two primary goals: (1) to enhance the ca-

pability of local agencies to detect and prevent a terrorist attack, and (2) to improve the emergency response and containment capabilities after an attack.

Within the U.S. Department of Justice, the National Institute of Justice (NIJ) is leading the effort to identify technology needs and priorities, develop enhanced capabilities, and bring newly developed products to the commercial market. To accomplish its goal, NIJ participates in the activities of three groups with different missions related to counterterrorism: (1) the G-7 plus Russia, which is composed of policymakers and experts with an international focus; (2) the Infrastructure Protection Task Force, which works to prevent terrorist acts against the infrastructures of the United States; and (3) the Technical Support Working Group, which

## WHAT IS LAND TRANSPORTATION?

Land transportation in the United States represents approximately \$777 billion, or 11 percent of the gross domestic product. Disruption of transportation infrastructure affects a massive network of commuters and travelers, businesses, and military activities that depend on the rapid movement of people and products.

Presently, the definition of "land transportation" is evolving, but the general components include:

### Land

- 3.9 million miles of public roads and highways.
- 6.9 million freight trucks, driven 0.2 trillion miles.
- 58 million light trucks, driven 0.7 trillion miles.
- 686,000 buses, driven 8.4 billion miles.
- 136 million personal vehicles, driven 1.5 trillion miles.

### Pipelines

- 114,000 miles of crude oil pipelines, transporting 323 billion ton-miles.
- 276,000 miles of natural gas transmission pipelines.
- 919,000 miles of natural gas distribution pipelines.

### Rail and Transit

- 170,433 miles of railroad track.
- 1.2 million freight cars and 18,800 locomotives, carrying 1.3 trillion ton-miles.
- 1,921 passenger cars and 356 passenger locomotives, carrying 20.7 million passengers.
- 43,723 transit buses, traveling 17.2 billion passenger-miles.
- 9,048 rapid and light rail trains, traveling 11.5 billion passenger-miles.
- 4,300 commuter railways, traveling 8.0 billion passenger-miles.

Source: U.S. Department of Transportation, Bureau of Transportation Statistics, *Transportation in the United States: A Review*, Washington, DC: 1997.

focuses on developing technology to respond to all types of domestic terrorism. Each is discussed below.

**The G-7 plus Russia.** The advanced industrial nations (Canada, France, Germany, Great Britain, Italy, Japan, and the United States—the G-7—plus Russia) met at the Lyons Summit in France on July 30, 1996, and adopted a 25-point plan calling for close cooperation in international efforts to combat terrorist acts. The plan included tightened control on firearms and explosives, improved bomb detection methods, prevention of terrorist communications on the Internet, and faster exchange of information on terrorist activities, including those involving chemical, biological, or nuclear materials.

BI-State Development Corporation



Top: North Hanley light rail station of Metrolink, St. Louis, Missouri  
Bottom: Commuter rail transportation in New Jersey

New Jersey Transit Corporation



U.S. Attorney General Janet Reno led the United States delegation to the Lyons Summit. Based on commitments made at the Lyons meeting, two gatherings for land transportation security policymakers were held in Washington, D.C., in November 1996 and April 1997. The international strategy continues to develop through these cooperative meetings.

**Infrastructure Protection Task Force.** This domestic interagency task force, which is chaired by the FBI, is mandated by Congress and the President to identify and coordinate government and private-sector efforts to protect the United States' critical infrastructures from debilitating threats and ensure their continued operation.<sup>3</sup>

Transportation is one of the eight critical national infrastructures determined by the President and Congress to be of such importance that its incapacity or destruction would have a dramatic ef-

fect on the defense, economic security, and public welfare of the United States.<sup>4</sup> Many of the critical infrastructures are privately owned and operated, thus necessitating a partnership between the private sector and government agencies.

The task force considers both physical threats to facilities and cyberthreats to controlling information components. Participants are:

- Federal Bureau of Investigation (chair)
- Department of Justice
- Department of Defense
- Department of Energy
- Department of Transportation
- Central Intelligence Agency

- Defense Information Systems Agency
- National Communications System
- National Security Agency
- Department of the Treasury
- National Institute of Standards and Technology

**Technical Support Working Group.** The Department of Justice also participates in the Technical Support Working Group (TSWG), which was established by the National Security Council's Policy Coordinating Committee on Ter-

rrorism. TSWG conducts rapid prototyping research and development related to counterterrorism, with primary funding from the U.S. Departments of State and Defense. Members of the U.S. Departments of Defense and Energy cochair the group.

TSWG brings together technical developers, such as national laboratories, to discuss how technology can best meet identified needs, the level of effort required to develop capabilities, and ways to commercialize products. TSWG's designated research priorities through fiscal year 1998 include the following:

- A new first-responder mask, designed for chemical and biological weapons protection and ease of breathing and adequate vision, that provides 12-hour protection in a one-size-fits-all design.
- A mechanical car bomb extractor consisting of a saw mounted on an articulating arm that would be integrated with existing bomb squad robots to provide remote operations and removal.

# PROTECTING PUBLIC TRANSPORTATION FROM TERRORISTS

- A portable, easy-to-use, real-time, and digital X-ray unit to inspect suspicious packages.
- A small percussion-activated non-electric device that fires shotgun cartridges filled with liquid at a bomb and disrupts the bomb's circuitry but leaves evidence intact.
- An enhanced explosives ordnance disposal suit providing blast resistance and chemical and biological protection in a single unit.
- A chemical and biological mitigation system consisting of a tent filled with aqueous foam placed

around a bomb delivery device to mitigate dispersion effects.

- Several enhanced chemical agent detection devices.

## Focus groups help define needs and identify priorities

As the United States prepared its position paper on counterterrorism for submission to the G-7, NIJ and the U.S. Department of Transportation surveyed select groups of people closely involved in issues of terrorist attacks on land transportation systems, including

first responders and transportation security officials. (See "Assessing Technology Needs to Combat Terrorism.")

Transportation and security officials served as a sounding board for an upcoming international conference on land transportation security technology. (See "International Conference on Land Transportation Security Technology.") Participants were particularly interested in training packages and products, especially a new training program the Bureau of Justice Assistance is offering to first responders in more than 140 jurisdictions. (See "For More Information . . .")

## ASSESSING TECHNOLOGY NEEDS TO COMBAT TERRORISM

The Antiterrorism and Effective Death Penalty Act (Public Law 104-132), signed April 24, 1996, authorized \$5 million in fiscal year 1997 for the U.S. Department of Justice's Office of Justice Programs to develop training services for local firefighters and emergency services personnel and \$10 million to develop counterterrorism technologies.

To determine the technology needs of State and local law enforcement, NIJ went to the practitioners. With help from four of its regional National Corrections and Law Enforcement Technology Centers, NIJ conducted interviews and discussions in May 1997 with 195 representatives from 138 agencies across the country. These representatives were drawn from State government, large and small municipalities, rural and regional agencies, and a number of law enforcement disciplines, including transportation security agencies, SWAT teams, hostage rescue units, and bomb squads. The assessment is ongoing and should be completed in spring 1998. The interim findings formed the basis of NIJ's fiscal year 1998 counterterrorism technology development program.

Among the most pressing issues raised by law enforcement participants were cyberterrorism, intelligence collection and sharing, and improving the ability to deal with weapons of mass destruction in situations such as bomb threats, hostage rescues, and attacks on mass transit. Among the most often cited technology needs to combat terrorism were the following:

- A secure national intelligence database accessible by State and local law enforcement agencies.
- A better means of detecting and classifying explosive devices in a timely manner.
- A secure communications link between those who first respond to the scene.
- An improved means of detecting and classifying chemical and biological agents in a timely manner.
- An interagency communications system for crisis management—interoperability for the many public safety agencies that respond to the scene. Interoperability is the ability of firefighters, for example, to communicate with the police department's bomb squad and medical emergency teams.

A review of the inventory of needs points to the fact that the capabilities needed to combat terrorism are the same as those needed to combat crime in general, with the possible exception of the capability to address the threat posed by weapons of mass destruction. Overall, the technology needs expressed by participants in this inventory correspond with the technology development efforts NIJ has undertaken to address law enforcement needs in general.

For a copy of the study, *State and Local Law Enforcement Technology Needs to Combat Terrorism—Volume I: Inventory of Needs* (January 1998), write to Dr. Peter Nacci, Deputy Chairman of the Joint Program Steering Group, National Institute of Justice, 810 Seventh Street N.W., Room 7208, Washington, DC 20531.

## INTERNATIONAL CONFERENCE ON LAND TRANSPORTATION SECURITY TECHNOLOGY

More than 20 percent of terrorist activities occur on land transportation systems, including trains, buses, subways, and roadways. In response to the need to protect these systems, the National Institute of Justice, the U.S. Department of State, and the U.S. Department of Transportation will cosponsor the first international conference to feature new technologies and best practices to combat terrorist activity against land transportation systems.

The conference will be held at the Marriott Marquis in Atlanta, Georgia, April 7–9, 1998. Both domestic and international presenters (particularly from the G–7 nations—Canada, France, Germany, Great Britain, Italy, Japan, and the United States—plus Russia), will discuss current and emerging terrorist threats, results from case studies, lessons learned and techniques developed during response to terrorist actions, and new technologies. Featured technologies will include the following:

- Explosive and chemical detection systems and sensors.
- Surveillance systems and technologies.

- Information systems security and multijurisdictional command and control structure.
- Emergency management.
- Protection/mitigation.
- Terrorism vulnerability assessments.
- Overview of 29 CFR [Code of Federal Regulations] 1910, hazardous materials protection.
- Hands on, simulation, and virtual reality training tools.
- Enhancement of first-responder capabilities through the International Association of Chiefs of Police “First Responder Practical Exercise.”

Policymakers, transportation security professionals, and first responders (local and State law enforcement, fire, and emergency medical services personnel) should attend. For information on attending or exhibiting at the conference, call Marina Leight at Government Technology, 916–363–5000, ext. 3764, or e-mail [mleight@govtech.net](mailto:mleight@govtech.net).

## FOR MORE INFORMATION . . .

A great deal of information is available on terrorism and counterterrorism. Some of the best sources are listed below:

- The National Law Enforcement and Corrections Technology Centers: <http://www.nlectc.org>; NLECTC–National, 800–248–2742.
- Infrastructure Protection Task Force World Wide Web home page: <http://www.fbi.gov/programs/ipif/ipif.htm>.
- Transit Security Newsletter, Office of Safety and Security, Federal Transit Administration: <http://www.fta.dot.gov/library/program/tsn/tsn.htm>.

- U.S. Department of Transportation Web page: <http://www.dot.gov>.
- U.S. Department of State Web page: <http://www.state.gov/www/global/terrorism/index.html>.
- For information about first responder training, order FY 1997 *Metropolitan Firefighter and Emergency Services National Training Program for First Responders to Terrorist Incidents*, Bureau of Justice Assistance Fact Sheet, FS 000185, from the BJA Clearinghouse, 800–688–4252, or obtain a copy electronically from <http://www.ojp.usdoj.gov/bja> (click on “Special Programs”).

# PROTECTING PUBLIC TRANSPORTATION FROM TERRORISTS

## Formulating the field response

NIJ's response to identified counterterrorism needs falls into two broad categories—technology and training.

**Develop new technologies.** NIJ is entering the second year of an initiative to put better counterterrorism tools into the hands of State and local law enforcement officers. (See "Examples of Counterterrorism Technology.") NIJ's approach, which takes advantage of existing technology to maximize the impact of the funds provided by Congress, is two-pronged:

- **Identify potential solutions** related to infrastructure security, hostage rescue, explosive detection and remediation, and information technology. These activities are managed for NIJ by the Joint Program Steering Group (which is cosponsored by NIJ and the U.S. Department of Defense's Defense Advanced Research Projects Agency) and coordinated with agencies involved in combating terrorism, such as the FBI.

- **Develop standards for these new technologies** funded by NIJ and managed by the U.S. Department of Commerce's Office of Law Enforcement Standards.

Several research and development efforts are already generating products. Two examples of concealed weapon detection systems are now being demonstrated. A highly sensitive prototype electromagnetic system with a low false alarm rate is being demonstrated in Bannock County, Idaho. A portable, through-the-wall surveillance system that employs radar technology was demonstrated with the Los Angeles County Sheriff's Department during summer 1997. In addition, NIJ, the FBI, and

the U.S. Navy will participate in the evaluation of a state-of-the-art, X-ray-based explosive diagnostic system.

As new technology develops and existing technology improves, NIJ identifies and upgrades high-priority advancements in combating terrorism and creates new standards to ensure that those technologies are adequate and compatible with other relevant systems.<sup>5</sup>

**Training for first responders.** To give law enforcement and first responders

practice handling terrorist attacks, NIJ, through its National Law Enforcement and Corrections Technology Center—Southeast Region, is developing a mock transportation security exercise in partnership with Oak Ridge National Laboratories.

The exercise will provide a venue for selected law enforcement and transportation security agencies to face various scenarios of hostage, explosive, and chemical attacks on public transportation systems.<sup>6</sup> It will also showcase new products and technologies to support the counterterrorism operation and demonstrate their capabilities. The rail lines, tunnels, and facilities at Oak Ridge, supplemented by actual public transit railcars and buses, will provide an excellent training ground for this endeavor.

Videotape and training materials regarding the operation and application of technological tools will be produced and provided to law enforcement,

**Sandia Labs staff plant mock explosive devices throughout Albuquerque, New Mexico, and participant teams try to locate and defuse them. Realistic scenarios test the planning, procedures, and command and control of emergency bomb response operations.**



Photo by Paul L. Marx

*Metro rail station construction in Washington, D.C.*

## EXAMPLES OF COUNTERTERRORISM TECHNOLOGY

Technologies under development that could be applied to counterterrorism efforts include the following:

- **“Bullet resistant” vests** with titanium or ceramic inserts that are lightweight, inconspicuous, and protect against rifle and handgun fire. Enhanced helmets of the same materials are also being developed.
- **Weapons detection systems** that can identify a weapon containing little or no metal at a distance of 30 feet. Multiple technologies are being evaluated (X-ray sensors, a sensor system combining passive millimeter wave and infrared cameras, a sensor system combining ultrasound and radar sensors, and a low magnetic sensor system). Current efforts are based on portal applications; portable and handheld systems are long-range goals. The Air Force Research Laboratory in Rome, New York, and the Office of Science and Technology’s National Law Enforcement and Corrections Technology Center–Northeast Region are key players in this effort.
- **Less-than-lethal incapacitation technologies** that are both legal and socially acceptable include eye-safe laser dazzlers, pyrotechnic devices, enhanced pepper spray delivery systems, and net devices.
- **Information sharing systems** that involve both tactical communications and existing commercial commu-

nications, such as the Internet and cellular telephones, are being evaluated. Architectures that exchange and retrieve data and are protected by firewalls and encryption devices, such as the National Security Agency’s FORTEZZA Card, are being demonstrated. The National Law Enforcement and Corrections Technology Center–Rocky Mountain Region has just finished documenting the requirements needed for a communication system that can be used for crisis management involving multiple public safety agencies and more than one jurisdiction.

- **Sniper fire identification systems** capable of detecting and locating a sniper to within a 10- by 10-foot area in either urban or rural environments. The effort is focusing on developing systems that can be handcarried, worn, or mounted on vehicles. Acoustic, integrated infrared and/or laser systems to track shots fired back to their source are being evaluated.
- **Location and tagging systems** that identify and monitor the movement of individuals and vehicles. Accurate tagging and navigation technologies include Global Positioning Systems, command and control systems, and Global Information Systems. These technologies need enhancements and miniaturization to be incorporated into decisionmaking support, to promote rapid response to critical events, and to enhance officer protection.

transportation security, and public safety agencies.

### **Training for bomb disposal teams.**

Another hands-on training experience, Operation Albuquerque, is a series of exercises designed for teams that handle bombs and other explosives. NIJ is sponsoring the training in conjunction with Sandia National Labs and the National Law Enforcement Corrections and Technology Center–Rocky Mountain Region.

Sandia Labs staff plant mock explosive devices throughout Albuquerque, New Mexico, and participant teams try to locate and defuse them. Realistic scenarios test the planning, procedures, and command and control of emergency bomb response operations. The exercise also showcases technol-

ogy and evaluates products such as a bomb disabler that will be used against low-yield explosive devices.

**Interactive training resources.** NIJ is developing training tools to help law enforcement agencies learn about virtual reality and training simulation technology. These tools are being developed in partnership with the University of Central Florida, the Naval Air Warfare Center Training Systems Division, and the U.S. Army Simulation, Training & Instrumentation Command.

The interactive Bomb Threat Training Simulator gives land transportation security personnel training related to bomb threats. The training consists of three modules, each of which responds to a particular aspect of a typical bomb

threat scenario: receipt of the threat, assessment of its seriousness, and response; proper searching of the building; and selection of evacuation routes. The simulation ends with an evaluation of the trainees’ performance. The computer-based nature of the training allows a greater number of people to be trained than might otherwise be possible due to time, cost, or operational considerations.

Another interactive simulator training is the Weapons Team Engagement Trainer, which provides trainees an opportunity to confront armed adversaries in an interactive, realistic scenario. Through the training, hostage rescue units and SWAT teams improve their decisionmaking, tactical, and marksmanship skills. Wall-sized video screens play scenarios for users

# PROTECTING PUBLIC TRANSPORTATION FROM TERRORISTS

outfitted with specially designed weapons and Multiple Integrated Laser Engagement Systems (MILES) that record when both offenders and users are “hit.” Cameras record trainee actions so the system can replay scenes and stress important points.

Plowshares is another interactive emergency management training program. Now under development by the U.S. Army, the system was originally designed to train personnel to respond to natural disasters, but it can be modified to portray a scenario in which terrorists attack public transportation networks. Plowshares offers training on coordinating a response to large-scale disasters.

**Transferring excess Federal property to local law enforcement.** To enhance transportation security, the Section 1033 Program (named for the legislation that created it) allows State and local law enforcement and public safety agencies to acquire U.S. Department of Defense equipment for use against terrorism at no (or low) cost. Coupled with standard State surplus programs and the complementary 1122 Program (which authorizes State use of the General Services Administration purchasing procedures), the Section 1033 Program can greatly enhance the capability of agencies with counterterrorism responsibilities by making it easier for them to purchase equipment. NIJ is the U.S. Department

of Justice focal point for these excess property programs.<sup>7</sup>

## The commitment

The Attorney General is committed to thwarting and apprehending both foreign and domestic terrorists who attempt to commit criminal acts against U.S. citizens. Enhancing the capability of State and local law enforcement and public safety officers to counter terrorism requires the combined efforts of many agencies working collaboratively. These efforts involve identifying areas for research and development, sharing the lessons learned from past domestic and international encounters with terrorists, and developing and applying appropriate training and operational techniques.

## Notes

1. Giacomo, Carol, “U.S. Designates 30 Foreign Groups as Terrorist,” Reuters National News, October 8, 1997.
2. U.S. Department of State, *Patterns of Global Terrorism 1996*, Office of the Secretary of State, Office of Coordinator for Counterterrorism, Department of State Publication No. 10433, April 1997.
3. The Infrastructure Protection Task Force (IPTF) was created on July 15, 1996, when President Clinton signed Executive Order 13010. IPTF is a component of the President’s Commission on Critical Infrastructure Protection.
4. In addition to transportation, the task force may consider other major infrastructure categories, including banking and finance, continuity of government services, electrical power, emergency services, gas and oil distribution and storage, telecommunications, and water supply systems.
5. Among the standards now in development are NIJ Standard 0101.03, “Ballistic Resistance of Police Body Armor”; NIJ Standard 0601.00, “Walk-Through Metal Detectors for Use in Weapons Detection”; and NIJ Standard 0603.00, “X-ray Systems for Bomb Disarmament.” Other tasks include the development of law enforcement community communications standards, concealed weapons detectors operating on different physical principles from those of existing metal detectors, and digital communications intercept systems.
6. Participation at training sessions is by invitation only. For more information, contact NLECTC–Rocky Mountain Region at 800–416–8086.
7. For more information, contact Ken Dover at NLECTC–Southeast Region at 800–292–4385.

## Sentencing Guidelines: A State Perspective

*Summary of a Presentation by James Austin, National Council on Crime and Delinquency*

Sentencing reform legislation mushroomed in the 1980s and 1990s. Amid public cries of “Get tough on crime,” State policymakers across the Nation responded with stricter and harsher sentencing guidelines and laws, such as truth in sentencing, three strikes and you’re out, and mandatory minimum sentences. These forms of structured sentencing are intended to reduce both leniency and bias by limiting the discretion of prosecutors, defense counsel, judges, prison officials, and parole boards whose actions at various points in the criminal justice system affect sentences.

With funding from the National Institute of Justice (NIJ) and the Bureau of Justice Assistance (BJA), the National Council on Crime and Delinquency (NCCD) documented recent State sentencing legislation and current practices. Preliminary findings indicate an initial flurry of State interest in determinate sentencing, in which the offender is given a fixed term that may be reduced by “good-time” credits. Nearly three-fourths of States, however, have retained indeterminate sentencing, in which an administrative agency—typically a parole board—has the authority to release an offender and to revoke parole. A number use a blend of the two sentencing structures. In addition, all States use some version of mandatory minimum sentences, which are imposed by statute and target habitual offenders and such crimes as possession of a deadly weapon, driving under the influence of alcohol or other drugs, and drug trafficking and possession.

In the juvenile justice system, States are making it easier to transfer youthful offenders to adult courts. Some States are now allowing juvenile records to be used in future adult court proceedings, opening juvenile court proceedings to the public, and making the family, as well as the offender, more accountable for crimes committed.

### Adult corrections

The survey of State sentencing practices revealed that 36 States and the District of Columbia continue to use indeterminate sentencing. Additionally, the vast majority of States, including those that have adopted determinate and sentencing guideline models, retain some form of discretionary parole release, such as the use of good-time credits and postrelease supervision. Only Hawaii and Utah do not allow inmates to earn some type of good-time credit to reduce their sentences or hasten their eligibility for parole.

Although most States retain indeterminate sentencing, sentencing in many States is becoming more determinate through the increased use of mandatory minimums, truth in sentencing (in which inmates are required to serve a certain percentage of their sentences), and reductions in the amount of good-time credits an inmate can potentially earn.

To date, 19 States and the Federal Government have sentencing commissions, while 17 States have implemented either presumptive sentencing guidelines (which are developed by

sentencing commissions, prescribe policies for officials to follow, and provide procedures for departing from the guidelines) or voluntary/advisory sentencing guidelines. Of these 17 States, 10 use presumptive guidelines while 7 States’ guidelines are voluntary or advisory. (Some States have both sentencing commissions and sentencing guidelines. However, some States with sentencing commissions have not yet adopted guidelines, while in one State—Tennessee—the commission was abolished though the guidelines remain.)

### Juvenile justice

Across the Nation, States are facilitating the process of transferring juveniles to adult court by adding specific transferable offenses and by lowering the maximum age for the juvenile court’s jurisdiction. Twenty-three States changed their exclusion laws (legislation specifying which offenses are excluded from the juvenile court’s jurisdiction and must be handled in adult court) by adding crimes to be excluded, and six lowered the age limit at which a juvenile can be transferred. Ten States changed their judicial waiver laws (legislation enabling the juvenile judge to waive the juvenile to adult court) by adding crimes to be waived, and 11 lowered the age limit for waivers.

As of 1995, 47 States allowed judicial waivers based on such factors as age, current offense, criminal history, and possibility for rehabilitation. Thirty-seven States had provisions for

statutory exclusions. Eleven States provided for prosecutorial waivers, which allow the prosecutor to decide which court will have jurisdiction when the juvenile and adult courts have concurrent jurisdiction. Also, 22 States provided for reverse waivers, which allow the criminal court to transfer cases from adult to juvenile court under certain circumstances. In 18 States, once a juvenile is waived to adult court, all subsequent charges are prosecuted in adult court.

### **Possible effects on prison populations**

NCCD's research included projecting prison populations for approximately 22 States. Data show that, as of mid-1997, more than 1.2 million people were incarcerated in the United States. If current practices continue, researchers predict, this figure will rise to 1.4 million by the year 2000. In addition, they note that if all States adopt truth-in-sentencing regulations, as proposed by the Federal Government, prison populations could increase by an additional 200,000 to 300,000 by 2000. Throughout the States included in NCCD studies, incarceration rates have gradually risen since the early 1980s.

These numbers are not driven by an influx of prisoners into the system—overall increases in sentence lengths

are the primary factor in prison population increases. According to NCCD researchers, in the past 5 years the average prison stay has increased to 48 months from 30 months. This has caused a “stacking effect” in prisons (i.e., inmates with very long sentences cannot be released for many years), so that, with more offenders receiving sentences of up to 25 years to life, it is only when inmates die in prison that the population will stabilize or begin to decline.

### **Future developments**

It is likely that in the next decade the States will continue to move toward more blended systems of determinate and indeterminate sentencing. To achieve more flexibility in sentencing, many States that passed fixed sentencing guidelines are now beginning to use indeterminate sentences with parole for certain types of offenses, whereas States with indeterminate sentencing practices are assigning fixed sentence lengths to particular crimes.

NCCD researchers emphasize that researchers, practitioners, and especially policymakers will find it useful to be aware of the impact of sentencing reforms on the correctional system now and in the future. They conclude that without major changes in sentencing

laws over the next few years, the prison population will continue to grow and to consist increasingly of minority group members and women.

The issues raised by the adoption of sentencing reforms offer opportunities for further study. Researchers may want to look at the efficiency of different ways of managing an inmate population whose size and characteristics are changing and at the relative cost-effectiveness of these different techniques.

This document is based on Dr. James Austin's presentation to an audience of researchers and criminal justice practitioners as part of NIJ's Research in Progress Seminar Series. The study was sponsored in part by NIJ (contract number 95-IJ-CX-0026). Dr. Austin is the Executive Vice President of the National Council on Crime and Delinquency. A 60-minute VHS videotape of the seminar, *Sentencing Guidelines: A State Perspective*, is available for \$19 (\$24 in Canada and other countries). Ask for NCJ 164726.

Points of view in this document do not necessarily reflect the official position of the U.S. Department of Justice.

FS 000197

## NIJ revamps its Web page

The National Institute of Justice has completely revised its home page on the World Wide Web—<http://www.ojp.usdoj.gov/nij>. Bookmark this site and stay up to date on:

- NIJ funding opportunities.
- Program activities.
- Recently released publications and products in many topic areas.
- Contact information for NIJ staff.
- Recent awards as well as the complete portfolio of NIJ research projects.

The page also includes a keyword search within NIJ, NCJRS, or OJP. NIJ updates its home page regularly, so click the “What’s New” button each time you visit.

## Training system for SWAT teams wins award

The Naval Air Warfare Center Training Systems Division (NAWCTSD) received an Award of Excellence in Technology Transfer from the Federal Laboratory Consortium for its upgrade of the Weapons Team Engagement Training (WTET) system and its transfer of this technology to law enforcement agencies.

Developed with NIJ funding, the WTET system offers a realistic, interactive environment to train and evaluate the proficiency of hostage rescue units and SWAT teams. It consists of wall-sized videoscreens that play hostage scenarios for users outfitted with specially designed weapons and laser tags that record when the user is “hit.” The system can replay the scenario and give the trainee information on the location, number of “shots” fired, and number of hits.

The Federal Laboratory Consortium’s award recognizes the outstanding job done by member laboratories in developing and transferring technology to outside partners, primarily in the private sector. The award will be presented as part of the Consortium’s annual Technology Transfer Meeting in San Antonio, Texas, in May 1998.

## Criminal justice programs win coveted innovations award

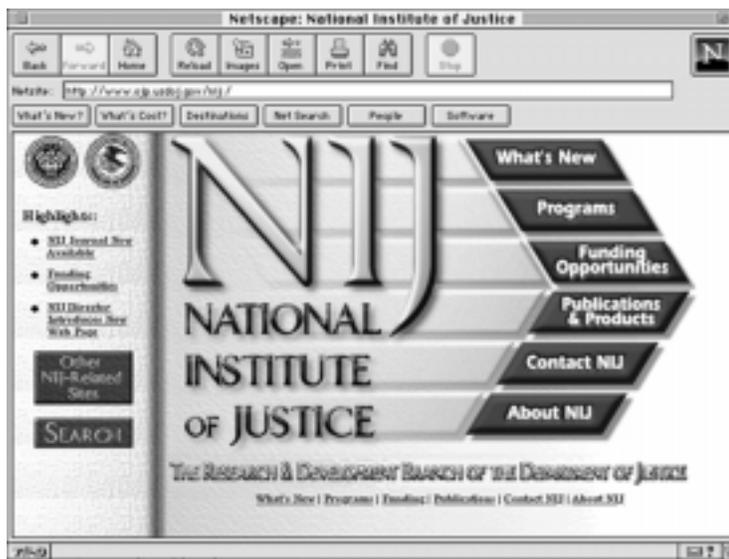
Programs to improve criminal justice operations were among the winners and finalists in the most recent round of awards given by the prestigious Innovations in American Government competition. Each year, the Ford

Foundation, which funds the competition, and Harvard University’s John F. Kennedy School of Government, which administers it in partnership with the Council for Excellence in Government, selects 25 programs that have taken a fresh approach to a problem in government in such areas as criminal justice, education, transportation, and the environment.

## 1997 winners

- **Operation Cease Fire**, based in the Boston Police Department, deals with gang violence preemptively by identifying potential “hot spots” of gang trouble. The program has virtually eliminated deaths of young people by guns through intervention that taps the knowledge of a wide range of

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[www.ojp.usdoj.gov/nij](http://www.ojp.usdoj.gov/nij)

stakeholders, including clergy, community leaders, academics, and gang members themselves. The program is summarized in *Juvenile Gun Violence and Gun Markets in Boston*, by David Kennedy, Research Preview, March 1997, FS 000160. The program is also the subject of an NIJ-sponsored evaluation, which will be reported in forthcoming NIJ publications.

- **Structured sentencing** is a legislative approach to managing prison growth while ensuring that violent offenders serve their full sentences. The legislation, devised by North Carolina's Sentencing and Policy Advisory Commission and passed by the General Assembly, mandates sentences based on the severity of the crime and the offender's record. Early-release parole is eliminated and career and violent criminals are channeled into longer prison stays. The program is the topic of an NIJ report, *Managing Prison Growth in North Carolina Through Structured Sentencing*, by Ronald F. Wright, Program Focus, February 1998, NCJ 168944. (See page 35 for more information.) The approach is also the subject of an NIJ-sponsored evaluation, which will be reported in forthcoming publications.

### 1997 finalists

- **Disarming the criminal**, a program of the Bureau of Alcohol, Tobacco and Firearms of the U.S. Department of the Treasury, aims to reduce firearms violence by tracing illegal firearms to their sources and applying aggressive, focused enforcement. In 1996, the netting of 2,230 traffickers by the program prevented an estimated 53,500 firearms-related crimes.
- **First Offender Prostitution Program**, operated by the San Francisco District Attorney's Office in collaboration with law enforcement, public health, and private agencies, offers women and girls counseling

and resources to help them escape prostitution and allows "johns" who are first-time offenders to pay a fine and attend an educational program instead of being prosecuted.

- The **Constituent Services Office** of Missouri's Department of Corrections has improved communication with and services to prisoners, lowered costs, and reduced the number of inmate lawsuits by identifying and addressing questions and complaints about inmate medical services, visiting procedures, and transfer policies.
- **Healthy Start**, operated by the State of Hawaii's Department of Health, prevents child abuse and neglect by identifying problems early and offering intensive home-based services to families with young children. Healthy Start is described in *Helping To Prevent Child Abuse—and Future Criminal Consequences: Hawai'i Healthy Start*, by Ralph B. Earle, Program Focus, October 1995, NCJ 156216.
- **Gallery 37**, a program of the Chicago Department of Cultural Affairs, offers arts-based employment and skills to Chicago's 14- to 21-year-olds, including at-risk young people. Designed to improve job skills and work habits, Gallery 37 has attracted national and international attention.

**For more information.** More details about the winners and finalists from this year and previous years and about the Innovations in American Government program are available at Web site <http://www.ksg.harvard.edu/innovations>, or by calling 617-495-0558.

### Video series spotlights intermediate sanctions

Judges and policy teams interested in a broader, more practical understanding of intermediate sanctions can turn

to a new instructional video seminar series. *Facilitating the Appropriate Use of Intermediate Sanctions* conveys lessons learned from almost 100 jurisdictions that have worked with a policy team approach to intermediate sanctions. This work, begun through the joint efforts of the State Justice Institute and the National Institute of Corrections and its National Intermediate Sanctions Project, provides assistance to jurisdictions around the Nation interested in forming policy teams to guide the appropriate use of intermediate sanctions. The Center for Effective Public Policy produced the videos.

The tapes combine footage from the April 1996 broadcast of a national videoconference on the same topic with extensive new footage of interviews, panel discussions, and presentations from a wide variety of practitioners. State Justice Institute board member Tommy Jewell, a judge in the Second Judicial District, Albuquerque, New Mexico, hosts the series. Roger Warren, President of the National Center for State Courts and a former judge in Sacramento, California, serves as moderator.

Titles of each module are:

- Seminar 1: An Introduction to Intermediate Sanctions for Judges.
- Seminar 2: The Judicial Role in the Development and Use of Intermediate Sanctions.
- Seminar 3: The Policy Team's Role in the Developing and Implementing Intermediate Sanctions.
- Seminar 4: A Guide for a Policy Team Meeting on the Appropriate Use of Intermediate Sanctions.

The first three seminars each take about 1½ hours to view and discuss; the fourth requires a half-day to complete the viewing and discussion portions. Each is accompanied by materials to guide discussion.



A complete set of the seminars, including videotapes, instructions, participant materials, and reference materials, is available from State Justice Institute-designated libraries and the judicial educator in each State. Copies of the series are also available directly from the Center for Effective Public Policy, 8403 Colesville Road, Silver Spring, MD 20910; telephone 301-589-9383; or fax 301-589-3505. The videotapes are free, but please include \$25 for shipping and handling.

### High-tech police car is online and ready to roll

The Advanced Law Enforcement and Response Technology (ALERT) system is a powerful mix of computer and communications technology incorporated into the front seat of police squad cars. The integrated system is expected to revolutionize the way police officers conduct business. Originally the brainchild of the U.S. Department of Transportation, ALERT has evolved into a cooperative intergovernmental undertaking and cofunded by NIJ, the International Association of Chiefs of Police, and other partners. The ALERT technol-

ogy gives police officers immediate access to information at the touch of a screen or button. The system integrates a handheld, wireless computer with a dashboard-mounted touch screen that controls all of a vehicle's emergency response functions, including lights, sirens, videocameras, Global Positioning System coordinates, radio, and radar. ALERT technology was developed by the Texas Transportation Institute.

All necessary citation and accident forms are stored within ALERT's handheld unit. Police officers can enter data at the scene of an incident and access Federal, State, and local traffic and criminal records without returning to their vehicles. Using ALERT's digital camera, officers can capture visual information in the field and send images electronically to local and national databases. Using the same technology, local and national law enforcement departments can send images to officers in the field. Depending on the complexity of an incident, an officer can reduce data collection time 20 to 50 percent.

The ALERT system enhances officer safety by providing critical informa-

tion regarding stopped subjects and vehicles, improving data collection and dissemination, and optimizing incident response and management. Ultimately, the system may be customized for use in other first-response applications, including emergency medical services, commercial vehicle operations, and roadside services.

For more information about the ALERT vehicle, point your Web browser to <http://alert.tamu.edu>, or write to Texas Transportation Institute, Texas A&M University, College Station, TX 77843-3135.

### NIJ experiences remarkable growth

Stimulated by the 1994 Crime Act, NIJ's programs and staff have grown considerably. The portfolio of activities related to the Crime Act priority areas (policing, violence against women, sentencing and corrections, and drug courts) now totals roughly \$60 million. The science and technology portfolio, because of strong support from Congress, has more than tripled in the last 2 years.

Major partnerships with other Federal agencies include a 5-year, approximately \$35 million joint research effort with the Centers for Disease Control and Prevention on violence against women. NIJ and the Office of National Drug Control Policy are launching a multisite research demonstration project to test a systemwide approach to drug abuse among offenders. NIJ is adding 12 new sites to the 23 now in the Arrestee Drug Abuse Monitoring (ADAM) program. (See page 31 for more details about ADAM.)

To learn more about NIJ's expanding programs and activities and the staff involved in them, visit the NIJ home page at <http://www.ojp.usdoj.gov/nij>.

Watch the NIJ Web page (<http://www.ojp.usdoj.gov/nij>) for funding announcements, or call NCJRS at 800-851-4320 to place your name on a mailing list to receive a specific solicitation.

**Residential Substance Abuse Treatment.** NIJ, in collaboration with the Corrections Program Office, continues to assemble a portfolio of evaluation projects to provide a comprehensive assessment of the Residential Substance Abuse Treatment for State Prisoners program. A solicitation is now available that pertains to locally conducted process and outcome evaluations of programs that develop an inmate's cognitive, behavioral, social, vocational, and other skills to solve substance abuse and related problems.

Process evaluations are due May 5 and September 15, 1998. Outcome evaluations are due April 14 and August 18, 1998, and February 16, 1999.

**Development of guidelines for questioned documents.** NIJ will request proposals in two interest areas: (1) development of scientifically based and validated guidelines for evaluating and identifying questioned documents; and (2) assessment, evaluation, and validation of the five major questioned document database technologies (those developed by the FBI, Secret Service, National Institute of Standards and Technology, and Carol Chaski). Funding is expected to be approximately \$300,000. The release date is anticipated to be May 1998, with a due date of August 1998.

**Fellowships.** NIJ offers several types of study fellowships for graduate students, practitioners, and academics. They include the Graduate Research Fellowship, Visiting Fellowship, Crime Mapping Fellowship, and Data Resources Program Fellowship. Submissions are accepted throughout the year. An announcement about the John B. Pickett Fellowship at

Harvard University's John F. Kennedy School of Government is expected soon.

**Violence against women.** A solicitation is expected in late April for proposals for research and evaluation on violence against women. The solicitation will have five parts: partnerships, experimental designs, longitudinal studies, program evaluations, and basic research.

**Law enforcement family support.**

A new solicitation will be issued on the NIJ Web page on March 13 (and mailed shortly after) for proposals for demonstration services, training, research, and criminal justice system development related to stress reduction for police officers and their families.

## NIJ's investigator-initiated solicitation

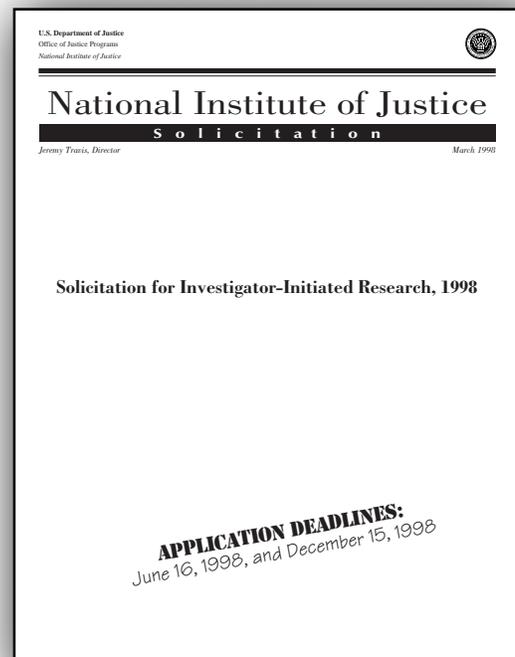
NIJ is seeking proposals for investigator-initiated criminal justice research and development. Prospective investigators are invited to submit proposals to explore topics relevant to State and local criminal justice policy and practice. Awards generally range from \$25,000 to \$300,000 for 1- to 2-year projects.

The deadlines for receipt of proposals under the two funding cycles are June 16 and December 15, 1998.

Call NCJRS at 800-851-3420 to order *Solicitation for Investigator-Initiated Research, 1998* (SL 000240). Or access NIJ on the World Wide Web at <http://www.ojp.usdoj.gov/nij/funding.htm> for online copies and guidelines.

Of particular interest are proposals that reflect these themes:

- Rethinking justice and the processes that create just communities.
- Understanding the nexus between crime and its social context.
- Breaking the cycle of crime by testing research-based interventions.
- Creating the tools and technologies that meet the needs of practitioners.
- Expanding the horizons through interdisciplinary and international perspectives.





Arrestee Drug Abuse Monitoring Program

## Recipients of ADAM awards announced

The Institute's former Drug Use Forecasting (DUF) program has been expanded and enhanced. Renamed Arrestee Drug Abuse Monitoring (ADAM), the program added 12 new sites in December and plans to increase the sites to 75 by the year 2000, significantly enhancing the program's role as a research platform for conducting studies of drug-related crime. Once fully developed, ADAM will collect information about drug use in cities, suburbs, rural areas, and Native American sites.

The ADAM program consists of collecting and analyzing interviews and urinalyses of adult and juvenile arrestees and detainees in police lockups to respond to and predict drug use in ADAM communities.

The new sites are presented in exhibit 1. They join the established sites: Atlanta, Birmingham, Chicago, Cleveland, Dallas, Denver, Detroit, Ft. Lauderdale, Houston, Indianapolis, Los Angeles, Manhattan, Miami, New Orleans, Omaha, Philadelphia, Phoenix, Portland, San Antonio, San Diego, San Jose, St. Louis, and Washington, D.C.

### EXHIBIT 1. ADDITIONAL ADAM PROGRAM SITES

Site	Contact	Affiliation
Albuquerque, New Mexico	Gary LaFree	Institute for Social Research, University of New Mexico
Anchorage, Alaska	Loren Jones	Alaska Department of Health and Social Services, Division of Alcoholism and Drug Abuse
Des Moines, Iowa	Janet Zwick	Iowa Department of Public Health, Division of Substance Abuse and Health
Laredo, Texas	Clifford Black	Department of Psychology and Sociology, Texas A&M International University
Las Vegas, Nevada	Marilynn Morriscal	Nevada Bureau of Alcohol and Drug Abuse
Minneapolis, Minnesota	Carol L. Falkowski	Hazelden Foundation
Oklahoma City, Oklahoma	Dennis Doyle	Oklahoma Department of Mental Health and Substance Abuse Services
Sacramento, California	Joseph Sheley	School of Social Sciences and Interdisciplinary Studies, California State University at Sacramento
Salt Lake City, Utah	Kelly Colopy	Utah Department of Human Services, Division of Substance Abuse
Seattle, Washington	Katrina Pflaumer	Office of the United States Attorney
Spokane, Washington	Joseph Kabel	Washington Department of Social and Health Services
Tucson, Arizona	Vincent J. Webb	Arizona State University West

**NIJ awards funds for law enforcement family support**

The Law Enforcement Family Support program was mandated by the 1994 Crime Act to respond to the negative consequences job-related stress can exert on law enforcement personnel and their families.

NIJ issued two rounds of solicitations seeking proposals for innovative approaches to reducing the stress imposed by law enforcement work. The recipients, listed in exhibit 2, will manage projects that range from educational training programs to counseling to peer support groups to improved management for handling critical incidents.

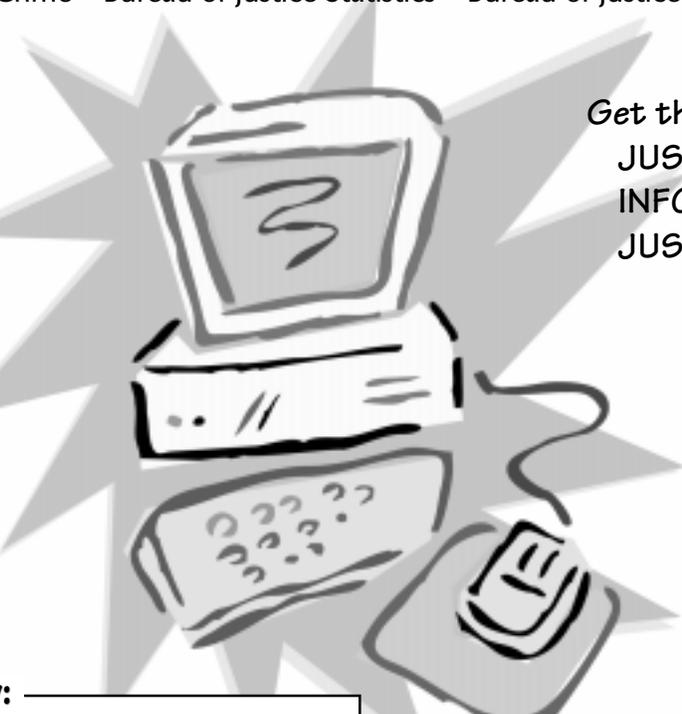


**JUSTINFO — the online newsletter of the National Criminal Justice Reference Service**

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**EXHIBIT 2. LEFS AWARDS MADE IN RESPONSE TO 1996 AND 1997 SOLICITATIONS****1996 LEFS Awards**

<b>Project Title</b>	<b>Awardee Affiliation</b>	<b>Contact</b>	<b>Amount of Award</b>	<b>Grant Number</b>
Comparison of Stress Services in Campus, Urban, and Rural Police Agencies	Iowa State University	Eugene Deisinger	\$172,319	96-FS-VX-0006
Development of a Model Stress Reduction Training in Three Cities	National Association of Police Organizations	Robert Delprino	\$145,627	96-FS-VX-0001
Law Enforcement Family Support Survey and Focus Groups	Center for Criminal Justice Studies	Debbie Richardson	\$78,956	95-IJ-CX-0089
Officer and Family Member Peer Support Teams	Vermont Department of Public Safety	Michael Sorenson	\$30,009	96-FS-VX-0008
Police Chaplaincy: An Innovative Law Enforcement Stress Reduction Delivery System	Arkansas State Police	Wayne Eddy	\$100,000	96-FS-VX-0004
Statewide Critical Incident Stress Debriefing Program	Louisiana Fraternal Order of Police, Lodge 1, Baton Rouge	Kevin McCarthy	\$180,000	96-FS-VX-0005
Stress Reduction Among Law Enforcement Officers and Families Exploratory Study	City of Buffalo	R. Gil Kerlikowski	\$96,700	96-IJ-CX-0056
Stress Reduction Program for New York City Police Officers	New York City Patrolmen's Benevolent Association Membership Assistance Program	William Genet	\$130,000	96-FS-VX-0007
Stress Reduction Training for Law Enforcement Officers and Their Families	New York Division of Criminal Justice	Eileen Langer	\$25,030	96-FS-VX-0002
Stress Training for Officers and Partners	Miami Police Department	Gerald Darling	\$47,250	96-FS-VX-0003

**1997 LEFS Awards**

Law Enforcement Work and Family Stress Support	Baltimore City (Maryland) Fraternal Order of Police	Robyn Gershon	\$180,000	97-FS-VX-0001
Reducing Stress Through Eye Movement Desensitization and Reprocessing	Colorado Springs Police Department	Carol Logan	\$85,690	97-FS-VX-0002
Stress Education and Training Program	Collier County (Florida) Sheriff's Office	Edward Ferguson	\$57,575	97-FS-VX-0004
Stress Reduction Services and Comparison Program	Tennessee Sheriffs' Association	Paul Jennings and Betty Pritchett	\$230,000	97-FS-VX-0005
Training, Treatment, and Policy Change in an Urban Setting	County of Los Angeles Sheriff's Department	Steve Sultan	\$100,000	97-FS-VX-0003

# FINAL REPORTS

The following final reports—in manuscript form as submitted by authors—pertain to completed NIJ-sponsored research projects. The reports are available from NCJRS through interlibrary loan and as photocopies. For information about applicable fees, call NCJRS at 800-851-3420.

**“Preventing Assassination: Secret Service Exceptional Case Study Project,”** by R.A. Fein and B. Vossekuil, ACCN 167224, 1997, 182 pp., grant number 92-IJ-CX-0013. The authors collected data about all persons known to have engaged in assassination-type behaviors directed at prominent public officials in the United States since 1949. The data indicate that assassinations and attacks on public officials result from patterns of discernable thinking and behavior.

**“National Survey of Municipal Police Departments on Urban Quality of Life Initiatives,”** by C.A. Cosgrove and A.C. Grant, ACCN 167172, 1997, 104 pp., grant number 95-IJ-CX-0050. This study collected information on how local agencies respond to panhandling, public incivilities, disorderly conduct, unauthorized camping in public places, and juvenile curfews. The analysis focused on the law enforcement response, law enforcement tactics, and the use of ordinances to prevent public disorder problems.

**“Experimental Evaluation of Drug Testing and Treatment Interventions for Probationers in Maricopa County, Arizona,”** by E.P. Deschenes, S. Turner, P.W. Greenwood, and J. Chiesa, ACCN 165181, 1996, 172 pp., grant number 91-DD-CX-K050. Maricopa County implemented a drug testing and alternative

interventions program for adult probationers convicted of drug possession. The findings suggest that increasing drug testing provides a quick measure of substance use and other technical violations and that the drug court program has been successful in providing treatment for drug offenders but has had little impact on recidivism.

**“Corporate Sector Response to Domestic Violence,”** by N.E. Isaac, ACCN 166617, 1997, 104 pp., grant number 94-IJ-CX-0050. The corporate sector increasingly recognizes that domestic violence is a problem employees are likely to bring to employee assistance programs. The study examines the issues through interviews and an indepth case study at Polaroid Corporation, which has been particularly proactive in responding to domestic violence as an issue both for employees and within the community.

# NIJ IN THE JOURNALS

The following articles are based on studies sponsored by NIJ. Copies are available on loan from NCJRS; in some cases, photocopies may be obtained. For information on availability, call NCJRS at 800-851-3420; or send an Internet e-mail to askncjrs@ncjrs.org. Please cite the accession (ACCN) number.

**“Boys’ Experimentation and Persistence in Developmental Pathways Toward Serious Delinquency,”** *Journal of Child and Family Studies* 6(3)(1997):321-357, by R. Loeber, K. Keenan, and Q. Zhang, ACCN 169595. Mental health professionals (for example, social workers, child care workers, parole officers, and psychologists) need information to better identify those young people who are most at risk, exhibit behavior that will

be only temporary or of little long-term consequence, or are likely to show worsening problem behavior over time. In this article, the authors expand their earlier exploration of how children’s disruptive and delinquent behavior develops over time. They distinguish between boys who experiment and boys who persist in disruptive behavior, and they outline pathways to serious delinquency. They also examine the relationship between persistent disruptive behavior and a diagnosis of Attention Deficit Hyperactivity Disorder and find that the diagnosis is more common among boys who persist than in those who experiment.

**“The Effect of a Videotaped Arrest on Public Perceptions of Police Use of Force,”** *Journal of Criminal Justice*

25(5)(1997):381-395, by E.S. Jefferis, R.J. Kaminski, S. Holmes, and D.E. Hanley, ACCN 169147. This article examines the impact of a controversial, violent arrest captured on videotape and widely broadcast on local television. Findings indicate that the videotaped arrest had a negative impact on citizens’ perceptions of force used by police during arrest situations; the effect was substantially greater among non-Caucasians. Furthermore, over a 10-year period, non-Caucasians were consistently more likely than Caucasians to believe police used force excessively.

**“Evaluating a Domestic Violence Program in a Community Policing Environment: Research Implementation Issues,”** *Crime & Delinquency* 43(3)(July 1997):279-297, by A. Jolin

and C.A. Moose, grant number 95-IJ-CX-0054, ACCN 167228. The authors trace the impact of community policing values on the formation and operation of a special domestic violence reduction unit, which emerged as a solution to the family violence problem in Portland, Oregon. The article highlights the differences between the police response to domestic violence in the context of traditional policing versus community policing. Particular attention is paid to the role of research in police policy formation when community policing principles are implemented.

**“Pulling Levers: Chronic Offenders, High-Crime Settings, and a Theory of Prevention,”** *Valparaiso University Law Review* 31(2)(Spring 1997):449-484, by D.M. Kennedy,

grant number 94-IJ-CX-0056, ACCN 169596. Professor Kennedy explains how Boston’s criminal justice and social services agencies joined forces to reduce serious youth violence in the city. The power of the Boston approach was enhanced by strategic use of communication between authorities and offenders. The intervention strategy, which he calls “pulling levers,” imposed costs on offenders across many dimensions by permitting officials to apply a varied menu of sanctions and incentives that greatly increased the effectiveness of the strategy.

**“Recidivism Rates Among Child Molesters and Rapists: A Methodological Analysis,”** *Law and Human Behavior* 21(6)(1997):635-659, by R.A. Prentky, A.F.S. Lee, R.A.

Knight, and D. Cerce, ACCN 169594. This article addresses the high variability of sex offender recidivism rates by examining several of the critical methodological differences that underlie this variability. The authors used a data set of 251 sex offenders (136 rapists and 115 child molesters) discharged over a 25-year period to examine changes in recidivism as a function of changes in dispositional definition of reoffense (i.e., whether an offender was arrested, indicted, or convicted of another offense), categories of criminal offenses considered, and the length of exposure time. The data indicate that sex offenders remain at risk to reoffend long after their discharge, sometimes as long as 15-20 years. Forensic, clinical, and policy implications of this high variability are discussed.

## RECENT NIJ PUBLICATIONS

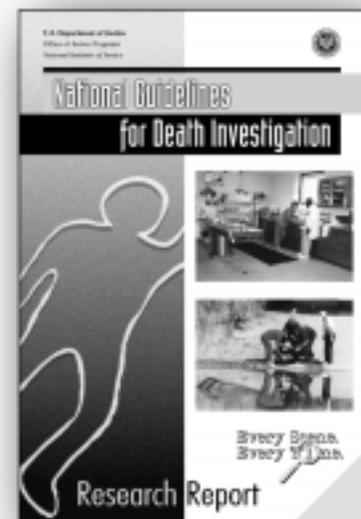
*The following recent and forthcoming NIJ publications are available in both online and hardcopy formats. To order hardcopy, call NCJRS at 800-851-3420; or send an e-mail to askncjrs@ncjrs.org. Electronic copies can be downloaded from the NIJ Web site: <http://www.ojp.usdoj.gov/nij>.*

**Managing Prison Growth in North Carolina Through Structured Sentencing,** Program Focus, by Ronald F. Wright, U.S. Department of Justice, National Institute of Justice, February 1998, 16 pp., NCJ 168944. Not long ago, North Carolina’s prisons were full of nonviolent, low-priority offenders rather than violent, high-priority offenders. Today, after a fundamental change in sentencing policy, North Carolina judges can sentence more violent offenders to longer prison sentences while sentencing less violent offenders to less costly alternatives.

This report describes how North Carolina’s General Assembly and its Sentencing and Policy Advisory Commission, working cooperatively, designed a sentencing structure that increased the certainty and length of imprisonment for the most serious felonies while creatively using community and intermediate sanctions for lesser offenses.

**National Guidelines for Death Investigation,** Research Report, U.S. Department of Justice, National Institute of Justice, December 1997, 48 pp., NCJ 167568. The National Institute of Justice teamed with the Bureau of Justice Assistance and the Centers for Disease Control and Prevention to develop the first set of National Guidelines for Death Investigation. Until now there were no nationally accepted standards of practice for conducting death-scene investigations.

Then, in February 1998, the first-ever national standards were released in the form of this 48-page booklet. *National Guidelines for Death Investigation* outlines 29 guidelines for evaluating the body, establishing and recording



information to construct a profile of the decedent, and completing the scene investigation. In addition, the report discusses 52 tools necessary to thoroughly investigate a death scene.

*National Guidelines for Death Investigation* has been endorsed by the National Association of Medical Examiners. It was produced with the vigorous participation of the highly experienced officials and professionals who served on the National Medicolegal Review Panel and with grassroots input from a Technical Working Group of Death Investigators consisting of 12 executive board members and 144 field committee members.

**Wireless Communications and Interoperability Among State and Local Law Enforcement Agencies**, Research in Brief, by Mary J. Taylor, Robert C. Epper, and Thomas K. Tolman, U.S. Department of Justice,

National Institute of Justice, January 1998, 12 pp., NCJ 168945; and **State and Local Law Enforcement Wireless Communications and Interoperability: A Quantitative Analysis**, Research Report, by Mary J. Taylor, Robert C. Epper, and Thomas K. Tolman, U.S. Department of Justice, National Institute of Justice, January 1998, 130 pp., NCJ 168961. Routine police work requires effective coordination and communication with other police agencies, fire departments, and emergency medical services to mount a well-coordinated response. But wireless communication across jurisdictions—interoperability—can be difficult. This report presents the results of a 1997 National Law Enforcement and Corrections Technology Center survey of State and local law enforcement agencies regarding their current and planned use of communications equipment and services. More than half of the agen-

cies with outdated equipment (older than 10 years) had plans to replace or upgrade their radio systems.

In addition to presenting the quantitative data, the report describes the agencies' experiences with common obstacles to interoperability. Limited funds, frequency incompatibility, and the fragmented nature of the radio spectrum currently allocated to public safety were reported to be the biggest interoperability problems.

As a response to the recommendations to alleviate spectrum shortfalls and promote interoperability, the Federal Communications Commission in January 1998 allocated 24 megahertz (Mhz) to the fixed and mobile services for public safety use. This spectrum allocation doubles the spectrum available to public safety services, including police, fire departments, and emergency medical services.

## EVENTS

### **Perspectives on crime stimulate policy discussions**

**George Kelling on broken windows.** "Broken Windows and Cultural Pluralism" was the topic of George Kelling's lecture opening the "Perspectives on Crime and Justice" lecture series on December 2, 1997. Professor Kelling, a Visiting Professor at Rutgers University and Fellow at Harvard's Kennedy School of Government, discussed the core concepts from the widely known "Broken Windows" article he authored with James Q. Wilson, which appeared in the *Atlantic Monthly* in 1982. He described the application of the concepts to today's crime issues, emphasizing that citizens and community groups are among the best sources for

crafting solutions and establishing neighborhood priorities.

**Randall Kennedy on race and reasonable searches.** In the second lecture in the series, held February 3, Randall Kennedy, Professor of Law at the Harvard Law School, spoke about "Race, the Police, and 'Reasonable Suspicion.'" He proposed reforms to eliminate race as a factor in law enforcement policies related to reasonable suspicion. He emphasized that, except in extraordinary situations, police officers should not consider the color of a person's skin in making a decision to stop a suspect. He believes racial considerations can poison law enforcement-citizen relationships, but, more importantly, race is—with few exceptions—an invalid factor in determining likely guilt.

**David Musto on drug use in America.** Knowing the history of drug use in the United States can serve as a useful perspective on the current substance abuse problem. David Musto, M.D., Professor of Child Psychiatry and History of Medicine, Yale School of Medicine, spoke about "The American Experience with Stimulants and Opiates" at the third Perspectives lecture on March 3. Dr. Musto reviewed the rise and fall of drug epidemics and the alternating periods of tolerance for and criminalization of drugs, and he suggested that public policy shapes the response to drugs less than it is shaped by a constellation of social and other factors.

The full presentations of these lectures are available on video from the National Criminal Justice Reference Service (NCJRS). To order Dr. Kelling's

presentation, ask for NCJ 168103; to order Professor Kennedy's presentation, ask for NCJ 168967; to order Dr. Musto's presentation, order NCJ 169283. Each videotape is approximately 1 hour and costs \$29.50 in the United States and \$33 in Canada and other countries. The collected papers from last year's series are available at no charge in *Perspectives on Crime and Justice: 1996-1997 Lecture Series*, NCJ 166609. For ordering information, call NCJRS at 800-851-3420; or send an e-mail to askncjrs@ncjrs.org. Electronic copies of *Perspectives on Crime and Justice: 1996-1997 Lecture Series* can be downloaded from the Justice Information Center Web site: <http://www.ncjrs.org>, or from the NIJ Web site: <http://www.ojp.usdoj.gov/nij>.

Future Perspectives lectures are:

- Joan Petersilia, Ph.D., Professor of Criminology, Law, and Society, University of California-Irvine, "If Not Prison, What? Assessing Alternative Punishment," April 1, 1998.
- Philip J. Cook, Ph.D., Director of the Terry Sanford Institute of Policy Studies, Duke University, "The Epidemic of Youth Gun Violence," May 5, 1998.

For more information or to register for the next Perspectives lecture, contact the Institute for Law and Justice at 703-684-5300. Space at the lectures is limited. To obtain information about previous Perspectives lectures, point your Web browser to the Professional Conference Series home page at <http://www.nijpcs.org> and click on "Past Conference Materials."

### **Planning meetings explore new research issues**

As research in a topic area continues to evolve and new issues surface, NIJ

refines its research and evaluation agenda to respond to the newest findings and the implications for policy and practice. One method of doing this involves holding invitation-only planning sessions with leading practitioners, researchers, and policymakers. Recent meetings involved child abuse and neglect, crime in Washington, D.C., and police overtime.

**Child abuse and neglect interventions.** Research continues to document the link between child abuse and neglect and subsequent delinquency and criminality. At a 2-day meeting in October 1997, 24 participants gathered to develop research topics related to criminal justice policy and practice in this area. Presentations focused on:

- Statutes and policies governing child abuse and neglect.
- Current services and practices.
- Child abuse and neglect interventions and theoretical perspectives.
- Federal agency initiatives and perspectives.
- Findings and lessons learned from research and intervention studies.
- Research design issues, especially as they relate to effective demonstrations.

The commissioned papers and presentation materials are available on NIJ's Web site (<http://www.ojp.usdoj.gov/nij>) or through interlibrary loan at NCJRS, 800-851-3420.

**Crime and justice in Washington, D.C.** Passage of the D.C. Revitalization Act signed by President Clinton in August 1997 gave the District of Columbia's criminal justice leaders an opportunity to reassess and refine the city's criminal justice system. To support the process, NIJ sponsored a gathering in January at which local leaders and some of the country's foremost criminal justice thinkers shared innovative ideas, discussed strategies that

are working elsewhere in the Nation, and began establishing an agenda for the future.

**Police overtime focus group.** In January 1998, NIJ hosted a focus group concerned about overtime issues that are problematic to policymakers, management practices that assist in controlling overtime expenditures, and ways that the Federal Government can assist in promoting progress in the management and control of police overtime. Participants included law enforcement officials, court systems personnel, city managers, and labor union representatives. Observers included representatives of law enforcement professional associations, specialists in police integrity, and researchers.

### **"Cluster conferences" bring together grantees with related projects**

NIJ's research and evaluation portfolio contains a number of projects related by topic areas, such as violence against women and drug abuse. To foster coordination and communication among these related projects, NIJ brings those carrying out the projects to Washington, D.C., to share information and resources, expand their networks, and explore ways to leverage the impact of findings. The gatherings, called "cluster conferences," give project investigators an opportunity to describe problems and share solutions and early findings. Three recent cluster conferences are described below.

**Residential Substance Abuse Treatment teams.** Representatives from the 20 projects evaluating the Residential Substance Abuse Treatment (RSAT) programs for State and local correctional facilities met in November 1997 to share problems and solutions. RSAT is funded by the Office of

Justice Programs' (OJP's) Corrections Program Office (CPO); NIJ manages a portfolio of evaluations, including a national evaluation project as well as local projects. Participants outlined data collection instruments and sources to foster comparability across the sites and discussed coordination and collaboration of their efforts.

NIJ and CPO plan to expand the RSAT program evaluation portfolio and are organizing national and regional meetings and workshops to support partnerships between correctional administrators and researchers. Information on RSAT evaluation solicitations and partnership meetings and workshops may be obtained from the Department of Justice Response Center at 800-421-6770 (in the Washington, D.C., area at 202-307-1480) or on NIJ's home page at <http://www.ojp.usdoj.gov/nij>. Click on "Search" and enter the words "Residential Substance Abuse Treatment."

#### **Law enforcement family support.**

The Violent Crime Control and Law Enforcement Act of 1994 (Crime Act) recognized the negative consequences that job-related stress exerts on law enforcement personnel and their families and mandated the establishment of the Law Enforcement Family Support (LEFS) program. NIJ has now awarded grants to 15 agencies and organizations to develop, demonstrate, and test innovative stress-reduction and support programs and to deliver training on how to plan, implement, and manage stress-reduction and family support programs and services. (See page 33 for a complete listing of the LEFS program grantees.) The grantees and NIJ staff met in January to discuss startup efforts and brainstorm about disseminating their findings and recommendations.

## **Conferences: recent and upcoming**

### **January**

**Community vitality and crime reduction.** NIJ, OJP, and the Executive Office for Weed and Seed cosponsored "What Can the Federal Government Do to Decrease Crime and Revitalize Communities?" in January 1998 to examine the role of government, police, and community residents in public safety programs. Panelists discussed trends in health care, trade, economics, demographics, welfare reform, and aging and their impact on communities. Themes centered around promising programs and approaches; participants identified research questions and implications for evaluation design. Featured speakers were David Kennedy and Deborah Prothrow-Stith from Harvard University and Roger Conner from the Center for the Community Interest.

### **March**

**Academy of Criminal Justice Sciences (ACJS).** NIJ-sponsored research and development programs were well represented at the 35th annual ACJS conference, March 10-14, 1998, in Albuquerque, New Mexico. Among the NIJ presentations were:

- **Oleoresin Capsicum: An Analysis of Pepper Spray Failures**, presented by Stephen M. Edwards and Robert J. Kaminski, which focused on incidents in which pepper spray had no incapacitating effect on suspects to discover factors associated with its failure.
- **A Multimethod Exploration of Crime Hot Spots**, presented by Eric Jefferis, Nancy La Vigne, Cyndy Nahabedian, and Joe Szakas, which compared accuracy, consistency, face validity, utility for statistical

analyses, and user friendliness of crime mapping hot spot identification software packages.

- **Long-Term NIJ Evaluations of Community Policing**, presented by Lois Mock, Wes Skogan, Tom McEwen, Mary Ann Wycoff, Dennis Rosenbaum, and Charles Mindel, which discussed results from longitudinal evaluations of community policing programs in several jurisdictions.
- **Prevention and Control of Firearms Violence**, presented by Lois Mock, Scott Decker, Rick Rosenfeld, Jeffrey Roth, David Kennedy, and Ed McGarrel, which presented results of ongoing research about the effectiveness of techniques to prevent and control firearms violence, including directed patrols, targeted handgun interventions, and others.
- **Homicide in Eight U.S. Cities**, presented by Pamela Lattimore, which summarized the findings from NIJ's recently completed research project that examined varying homicide trends in Atlanta, Detroit, Indianapolis, Miami, New Orleans, Richmond, Tampa, and Washington, D.C.
- **Making Partnerships Work**, presented by Voncile Gowdy, which discussed ways to improve partnerships between researchers and practitioners in corrections.
- **Responding to Crime in Indian Country**, presented by Winnie Reed, Norena Henry, Carol Lujan, Eileen Luna, and Stewart Wakeling, which presented the results of three NIJ projects: Policing on American Indian Reservations, Impact Evaluation of STOP Grant Programs for Reducing Violence Against Women Among Indian Tribes, and Indian Country Justice Initiative Evaluation.

## April

### Alcohol and crime connection.

Recognizing the need to explore more fully the link between alcohol abuse and crime, OJP will sponsor a symposium entitled "Alcohol and Crime: Impacting the Criminal Justice System" from April 5 to April 7, 1998, in Tysons Corner, Virginia.

OJP is inviting researchers, biochemical and medical experts, treatment providers, substance abuse and prevention specialists, criminal justice practitioners, and domestic violence specialists. The goals are to raise consciousness about the connection between alcohol and crime, solicit ideas for research and demonstration projects from experts in the field, identify responses appropriate to OJP's mission and funding, and encourage other relevant Federal agencies to support programs.

Sessions will focus on four key themes: contribution of alcohol abuse to family violence, alcohol abuse interventions for offender populations, underage alcohol use, and place-based intervention initiatives.

**Land transportation security technology.** Practitioners responsible for designing land transportation security systems will be attending the first International Land Transportation Security Technology Conference, sponsored by NIJ and the U.S. Departments of Transportation and State, from April 7 to April 9, 1998.

The conference evolved from a 1996 international meeting attended by Attorney General Janet Reno that highlighted that 20 percent of all terrorist attacks are directed at land transportation targets. It will showcase new technologies and best practices and will feature presentations by experts as well as technology exhibits applicable to land transportation security.

For more information, contact Marina Leight with Government Technology at 916-363-5000, ext. 374, or e-mail [mleight@govtech.net](mailto:mleight@govtech.net).

**Police-corrections cooperative efforts.** NIJ, the Office of Community Oriented Policing Services, and CPO will sponsor a symposium on police-corrections partnerships from April 23 to April 25, 1998, in Knoxville, Tennessee. More than 150 police chiefs, sheriffs, wardens, probation officers, community corrections officials, and researchers will examine the origins, goals, operations, and achievements of existing partnerships. Participants will discuss administrative aspects of partnerships (such as sharing databases and resources and conducting joint planning and training sessions) as well

as substantive issues (such as the relationship of prison gang leadership to street gang activities, fugitive apprehension, and weapons reduction).

## June

**Managed care and criminal justice conference.** OJP and the Center for Substance Abuse Treatment are Federal sponsors of the first annual conference on managed care and its impact on offenders who receive substance abuse treatment and aftercare services. The conference will be held June 28 to June 30, 1998, in Albuquerque, New Mexico, and hosted by the Institute for Behavioral Healthcare in joint sponsorship with the criminal justice partnership/CentraLink and national Treatment Accountability for



## The International Land Transportation Security Technology Conference

Attorney General Janet Reno has highlighted that 20% of all terrorist attacks are directed at land transportation targets.

The National Institute of Justice (of the Department of Justice) and the Departments of Transportation and State are sponsoring the first International Land Transportation Security Technology Conference designed to assist practitioners to improve land transportation security.

New technologies, best practices and presentations by experts in the field will be featured.

For information on attending or exhibiting at the conference, call Marina Leight at 916/363-5000 ext. 374 or email: [mleight@govtech.net](mailto:mleight@govtech.net).

April 7-9, 1998  
Marriott Marquis  
Atlanta, Georgia



## Sentencing and Corrections Problem Solving for State Policymakers

This unique multiyear initiative will bring together for the first time State-level policymakers from all three branches of government and from all 50 States to engage in open and candid conversation over important sentencing and corrections issues.

Invited participants from each State include the governor, chief budget officer, heads of adult and juvenile corrections, the chief justice, and the heads of both houses of the legislature.

The event will take place June 8 and 9, 1998, in St. Petersburg, Florida.

Participants will discuss common critical problems, including:

- How to deal with competing financial demands of prison building and other State needs.
- How to effectively handle serious juvenile offenders, especially when sentenced as adults.
- How to meet truth-in-sentencing concerns and at the same time deal with prison management issues.
- How to make and keep prisons free of drugs and other contraband.

For more information, contact John Thomas at NIJ (e-mail [johnth@ojp.usdoj.gov](mailto:johnth@ojp.usdoj.gov), or phone 202-514-6206).

Safer Communities (TASC). The program will bring together professionals from criminal justice, health and human services, and managed health care to discuss the emerging impact of managed care on offender populations, provide information on promising models and options for service delivery, and continue discussion among professionals from various disciplines. For more information, contact CentraLink, 415-435-7286, fax 415-435-9092.

### Workshops offer hands-on experience

**Drug-involved youths.** NIJ hosted a workshop on developing interventions for drug-involved juveniles for researchers, treatment providers, juvenile court judges, and juvenile counselors. Topics included coordination difficulties among Federal, State, and local agencies; conflicts inherent in meeting the interests of juveniles, their families, and the community; and the importance of monitoring program progress and making midcourse corrections. Recom-

mendations from the workshop, held December 11, 1997, included:

- Intensive case management to make certain that services provided matched services ordered.
- Coordination of resources through a leadership agency.
- Continuous evaluation and monitoring to maintain program integrity.
- Culturally and developmentally appropriate rewards and punishments for participating youths.

**Forecasting prison populations.** NIJ, CPO, and the Bureau of Justice Statistics hosted a national workshop entitled "Prison Population Forecasting and Projection: Managing Capacity" in December 1997. The 143 participants shared technical details about their approaches to forecasting and projecting their State's prison population and capacity. They discussed changing crime conditions, legislative trends and uncertainties, and fiscal constraints.

Many States needed basic assistance and information about forecasting techniques and software; a 3-hour session before the workshop offered an introduction to and overview of various statistical techniques. The remainder of the 2-day workshop featured presentations from experts in State offices and other organizations who are currently forecasting or projecting prison populations.

The presentations answered questions and led to discussion about the strengths and limitations of various methodologies and the details of implementing those methodologies.

The proceedings from "Prison Population Forecasting and Projection: Managing Capacity" are expected later this year.

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