



CRIME AND JUSTICE RESEARCH INSTITUTE

**Implementing Local Criminal Justice Strategies:
Final Technical Assistance Report for the Original 36 Open Solicitation Sites**

John S. Goldkamp
Michael D. White
Doris Weiland

February 2002

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520 N. Columbus Blvd., Suite 600 Philadelphia, PA 19123
215-627-3766 FAX: 215-627-7810 email: info@cjri.com
www.cjri.com



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PART ONE Update of the Original 36 Open Solicitation Sites

Introduction

This report concludes the technical assistance performed by the Crime and Justice Research Institute to support the first generation of Open Solicitation sites given awards in 1997. In addition to following the sites in their earliest phases of development, the Crime and Justice Research Institute served as an evaluation resource for the sites, basically discussing ways the sites could generate information likely to allow assessment of progress and impact and to promote the idea that measurement of performance should be taken into account in implementation activities. The technical assistance did not include conducting evaluations. The aim of the Open Solicitation program was ambitious, supporting local innovation addressing critical local criminal justice problems. The process included assistance in planning and monitoring implementation. For a two-year in-depth profile of each of the 36 original Open Solicitation sites, see our 1999 report (Goldkamp, Gottfredson, & Monroe, 1999), *Implementing Local Criminal Justice Strategies: Developing Measures of Performance in 36 Bureau of Justice Assistance Open Solicitation Sites*.

As with most innovations, the prospects of assessment of impact were greatly affected by the fact that many new programs required lengthy periods in planning and meeting the challenges of implementation. We observed the process in most places of efforts going from the proposed initiatives to actual operating innovations and strategies. Although it was not the assignment of the Crime and Justice Research Institute to carry out multi-year follow-up or evaluation, as surely would be required for a fair assessment of the impact of the program, in the final phase of work, CJRI did carry out two functions to conclude its responsibilities under the Bureau of Justice Assistance Technical Assistance grant: a) we carried out an end-of-grant

survey of the original sites to determine how the proposed innovations had fared by the end of 2001; and b) we examined the progress and impact of three sites in some depth. This final report to the Bureau of Justice Assistance includes four parts: a) an update comparing what was known about the progress of the sites in 1999 and the results of an informal telephone survey of sites in 2001; b) a report describing the rural drug court initiative in Clark County, Nevada; c) a report describing a Santa Fe initiative to divert mentally ill and substance abusing inmates from the jail population; and d) a report describing a law enforcement innovation to deal with domestic violence in Vacaville, California.

Background

In 1997 the Open Solicitation initiative of the Bureau of Justice Assistance was designed to identify and support outstanding programs addressing criminal justice problems with perspectives that are both local and innovative in approach. Programs were required to incorporate measurements of implementation progress and goal attainment. The grant program emphasized five requirements: innovation, implementation, monitoring, community collaboration, and measurement of results. Review of a large number of applications resulted in awards to 36 sites across the country.

Local problem definitions and program goals were diverse. The variety of program aims included coordinating services, improving system responses, providing better treatment of substance abusers and other special populations, revising sentencing processes, reducing witness intimidation, handling juveniles transferred to adult courts, providing services to “at risk” youths, using tribal traditions in prevention programs, and preparing for anticipated problems on a tribal reservation.

This variety of problems was matched by differences among agencies taking leading roles in seeking solutions. Police, courts, corrections agencies, prosecutors, schools, and local governments (including Alaskan Native and American Indian entities) often had primary leadership roles. Other initiatives were led by the defense bar, social service agencies, a university, and a mental health agency. All, however, described some form of collaboration among various agencies as instrumental to implementation of the innovative program.

Target populations varied as well. One third addressed problems of youths. Nine sites developed programs for youths “at risk,” and three concerned juveniles transferred to adult criminal courts. Some programs dealt with specific offender populations with special needs such as juvenile gangs and substance abusers. Others addressed problems of developmentally disabled and mentally ill persons (whether offenders, victims, or witnesses) as well as services to victims and witnesses. One program sought to assist police officers exposed to stress. Other projects dealt with procedural problems rather than focusing on target populations. Better handling of cases was a frequent goal—focusing, for example, on domestic violence or warrant procedures.

A central feature of the Open Solicitation was the BJA requirement of performance measurement. Grantees were required to develop measurable objectives related to their goals and to plan the collection of information for assessing both the progress of implementation and program effects.

The variation in problems, agencies, and target populations is reflected in a diversity of program objectives. Most sites specified multiple aims, roughly grouped as follows:

- Designing, developing, and expanding programs (33 sites)
- Enhancing criminal justice processing and service delivery (28 sites)
- Reducing crime and delinquency (15 sites)
- Providing special services (29 sites)

- Involving the community in criminal justice programs (15 sites)

Program planning challenges differed among sites according to problem complexity and available resources. Some were able to respond to the performance measurement requirement with sophisticated research plans to examine program implementation and its effects. Others, with more formidable challenges of measurement and resources, still had not worked out assessment plans in adequate detail at the time of this preliminary report. Most programs have emphasized the measurement of implementation progress, but few had begun the detailed planning and data collection required to provide measures of the achievement of the program objectives by the time of this initial report.

The following chart lists the 36 original 1997 grantees under the Open Solicitation program. Implementation challenges for the BJA Open Solicitation sites included practical and often political problems that were required to be solved before plans could be put into action. Some sites faced difficulties in finding qualified personnel. Political obstacles and geographical barriers are prominent impediments to implementation. Despite these challenges, most programs made measurable progress in the early stages of implementation of these local innovations. Most described—with varying degrees of refinement—methods for assessment of implementation progress. When these sites were contacted during 2001, about half continued to operate or, in some form, to pursue the initiatives begun under the Open Solicitation funding, 15 ceased operation after grant funds were expended, and three were never really able to implement their proposals.

The First 36 Open Solicitation Sites: 1997

Anchorage, Alaska	Alaska Court System's Cultural Navigator Project
Baltimore, Maryland	Countering Witness Intimidation
Black River Falls, Wisconsin	Ho-Chunk Nation Early Intervention Program
Boerne, Texas	Collaborating for Children
Box Elder, Montana	Chippewa Cree Identity Recovery Project
Charleston, West Virginia	Strategies to Address Issues of Juveniles Charged as Adults
Cherokee, North Carolina	Gang Prevention for Tribal Communities
Clark County, Nevada	Preliminary Report of Rural Drug Court Program
Columbus, Georgia	Life Choices Program
Des Moines, Iowa	Colfax-Mingo School District Decision-Making Program
Des Moines, Iowa	Rural Sex Offenders Program
Fresno, California	Strategies to County Witness Intimidation
Glenville, West Virginia	Stress Control among Rural Police Officers
Jemez Pueblo, New Mexico	Alternatives to Incarceration for Tribal Communities
Laveen, Arizona	Gila River Community Violence Prevention Program
Lockport, New York	Enhancing Law Enforcement and Prosecution Coordination
Longview, Washington	Domestic Violence Coordination Program
Manistee, Michigan	Little River Band of Ottawa Indians Reservation Restoration Program
New York, New York	Treating Juveniles Transferred to Adult Court
Onamia, Minnesota	Mille Lacs Band of Ojibwe Sentencing Circles Program
Orlando, Florida	Strategies to Address Mentally Ill Substance Abusing Offenders
Pablo, Montana	A Juvenile Justice Diversion Program
Portland, Maine	Statewide Sentencing Institute
Portland, Oregon	Strategies to Address Persons with Developmental Disabilities
Red Lake, Minnesota	Providing Alternatives to Incarceration
San Francisco, California	Juvenile Diversion Program
Santa Fe, New Mexico	Strategies for Addressing the Needs of Mentally Ill Offenders
Santa Fe, New Mexico	Alternative Processing of Indian Youthful Offenders
Savannah, Georgia	Combating Witness Intimidation in a Small Jurisdiction
St. Louis, Missouri	Enhancing Law Enforcement and Prosecution Coordination
St. Mary's, Alaska	Strategies to Prevent Substance Abuse by Minors
Tallahassee, Florida	Electronic Case Filing Project
Tucson, Arizona	Pascua Yaqui Gang Prevention Team
Tucson, Arizona	Strategies to Address Juveniles Charged as Adults
Vacaville, California	Domestic Violence Prevention Program
Vidalia, Louisiana	Pretrial Intervention Program
Warren, Ohio	Juvenile Diversion Program

Anchorage, Alaska: Alaska Court System's Cultural Navigator Pilot Project

The 1999 Field Report

Partly as a result of the Alaska Supreme Court's examination of racial and ethnic bias through its Advisory Committee on Fairness and Access, the Alaska Court System developed a proposal to bridge the cultural and language barriers experienced by Alaska Natives in their dealings with the state justice system. The Cultural Navigator Project derives from the court system's attempt to improve access to justice and to address the special concerns of the Alaska Native population. The project seeks to develop a court system resource for Alaska Natives from small villages. Many of the Alaskan Natives do not speak English or speak English as a second language and their traditional values and customs do not meld easily with the concepts and practices of the American legal system. The result, as the rationale for this project argues, is a sizeable population of Alaska Natives who feel alienated and lost when dealing with the justice system and for whom cultural, language, and geographic barriers block access to justice. The project seeks to provide a special service to individuals in and from tiny villages who are involved in court proceedings.

The Cultural Navigator Project seeks to adapt a concept developed in Canada and other countries dealing with indigenous populations with distinct language and cultural traditions through a pilot project based in Bethel, Alaska. The project employs a Native Yupiit Alaskan who is both familiar with the Yupik language and culture and is familiar with the concepts and operations of the English-speaking local justice and court systems. The cultural navigator serves as a counselor, problem solver, and facilitator, as well as a translator of proceedings and discussions involving their clients in the justice system. Bethel, a community with approximately 5,000 citizens (63 percent of whom are Native Alaskan), was selected as the site

for the pilot project because it serves as a transportation, medical, and justice system hub for 56 villages in southwestern Alaska. The Superior Court in Bethel serves as the court of general jurisdiction not only for Bethel but also for the surrounding areas.

The Cultural Navigator project goals fall into two basic categories, including both those involving program implementation and those involving impact on the problem as described. In its early phases, the goals included to identifying the individual who will serve as the cultural navigator, setting up the office and approach, preparing for the delivery of services to the different locations, and beginning to serve Yupiit citizens involved in court matters in various roles (victims, witnesses, defendants, parties, etc.). The next set of goals required training, involvement with local organizations, and education of the public to encourage Yupiit individuals to utilize the services offered by the cultural navigator. (The “navigator” has been re-named cultural court worker.) Early implementation goals also involved definition of the substance of the work of the navigator, development of an understanding of language and cultural problems likely to be most experienced by Yupiit participants in the court process, and setting the new position in place within the existing court practice. As a first step towards attainment of these goals, the court worker kept a careful record of all problems she was called to assist with in order to develop an informational basis with which to assess the needs of the population being served. Longer term goals for project impact involve enhancing the prospects that Yupiit and other Alaska Natives will have easier access to the court system, better understanding of the proceedings, an increased desire to participate, and a better sense that justice can be served despite cultural and language barriers. These goals involve developing linkages between key villages served by the court system and the court facilities based in the Bethel “hub.”

The court system has been successful in hiring an exceptionally qualified individual with the broad multi-cultural background and personal skills needed to coordinate the program. The court worker/navigator has now begun to routinize her work in the court and has taken important steps to establish her new role in the Bethel court. There are a variety of additional difficult challenges involved in this program. The “gap” between the experience of the Yupiit citizens and the normal operation of the court system, including the language and cultural barriers, plays out against the larger political issues of sovereignty between federal, state, local, and village governments as well as other organizations. In fact, jurisdictional issues between the state court system and tribal courts are complex, sensitive, and pose important challenges to the goals of the project. In addition, geography operates as a major obstacle to plans to provide a regional service by one court worker/navigator from the Bethel hub location. Bethel itself is accessible only by air year-round (and by water when the river is not frozen). No roads connect outlying villages that are more remote and travel is very difficult (and expensive if done by air). As the court worker/navigator role expands, the program will focus on building linkages with tribal and village government and courts and the Bethel court to provide the services as planned.

Beyond the challenges inherent in implementation of this pilot program in Bethel, developing measures for assessing the impact of the program faces some difficult issues. Perhaps the first problem is that the cultural navigator approach assumes a certain problem and then seeks to implement a resource to address that problem. Given the fact of cultural, language and geographic barriers, it is difficult to be certain from the outset what the precise nature of the target problems might be. (Clear knowledge of those problems is difficult because of the same barriers.) Assuming that the cultural navigator idea represents a reasonable attempt to address those problems, an early task for evaluation is to obtain feedback from the client population to

test the assumptions of the necessary “navigating” services made by the court system in proposing this program. The Alaska Court System staff responsible for this project is addressing this problem partly through a contact interview completed by the cultural navigator whenever her services are utilized. The data collected on these forms are being analyzed to help clarify the types of problems clients experience and the types of services needed. A subsequent level of analysis will be to examine the “outcomes” of the services provided and whether the services provided resulted in a benefit to the client making use of them. Thus the initial experience is showing that the concept will continue to undergo revision as the cultural navigator role is put in place and more is learned about the needs of Yupiit citizens in the court system. In fact, the navigator has had to confront several challenges in the early stages of the program. First, although she serves with great facility in the court setting as a translator, the original project did not want her services to be limited to mere translation. Second, regular court staff in Bethel are having to adjust and adapt as they try to understand what this new court role involves. Finally, the navigator has begun to address problems and needs among the Yupiit participants in court procedures that may better be addressed outside of the state court system. This may raise sensitive issues about the relationship between state and tribal or village governments and the respective jurisdictions of state and tribal courts.

2001 Update

In 2001, the Cultural Navigator Project was still operating and moving forward. Grant funding allowed the program to continue operating through September 30, 2000 and to develop a video in which the cultural navigator explains the rights of a person when charged with a crime in Yupik. The staff person who worked half-time in the Bethel Court has become a permanent half-time Alaska Court System (ACS) employee, and customer services are provided in Bethel

and in three outlying villages. The cultural navigator completed a Yupik language translation of the rights read by Alaska state court judges to criminal defendants at the time of their first appearance. A second translator reviewed the script for further refinement. The Alaska Court System contracted with the University of Alaska to have Professor Antonia Moras produce a video version of the script. The video, which is narrated in Yupik by the staff cultural navigator, incorporates shots of the locale, the local courthouse, and visuals of some of the forms defendants are required to complete. The film has been submitted to and approved by BJA, and Professor Moras is currently working with the editor to make modifications and to add credits. At present, the Bethel live translation of rights is provided as needed on a case-by-case basis. In addition, an audio-only recording of the translation has been produced for use in even more remote court locations.

According to site officials, this program has become a well-established component of state court services in the Bethel area, meeting a variety of needs for help, furthering understanding and obtaining results in court proceedings. In addition, citizens have been referred successfully to agencies other than the court by the navigator. Almost all persons seeking out the help of the navigators are Yupik-speaking or bilingual; the services are provided primarily in Yupik. The addition of the video to the cultural navigator services already provided will expand the reach of the program significantly, both locally and statewide.

The reports of the navigators document contact with persons needing to respond to court processes—people arrested or summoned to court for criminal proceedings, persons called for jury service, witnesses, and parents in child protection cases. The navigator has had little reported contact with persons desiring to file lawsuits or otherwise seek relief in the courts. According to personnel, the cultural navigator program has facilitated the participation of

persons called to court involuntarily; there is less evidence to show that the cultural navigator program has been successful in encouraging persons to seek out the court's dispute resolution mechanisms. The absence of potential plaintiffs or petitioners in the cultural navigator's "caseload" may have to do with the reluctance of people in this region of this state to bring disputes to state government, the existence of tribal dispute resolution mechanisms, cultural resistance to displaying conflict in public, unfamiliarity with court procedures, and the perceived difficulty of using the courts. In most villages, there is no court, and none easily reached by boat, truck, or snow machine. Many residents in the area are poor, which probably reduces the number of disputes valued in money terms and naturally reduces the number in a position to hire counsel.

Baltimore, Maryland: Comprehensive Strategies in Witness Security

The 1999 Field Report

In response to threats and acts of violence against witnesses that interfere with the successful prosecution of violent offenders, the City of Baltimore initiated the Witness Security Program in October 1994. The program aims to provide security and protection to potential victims of intimidation and to increase the community's confidence in the justice system's ability to provide security to witnesses. Through a team approach, this project is initiating the first City-wide effort to coordinate all of the agencies that have some role and responsibility for providing witness protection services. These agencies include the State's Attorneys Office, the Sheriff's Office, the Police Department, the Department of Corrections, the Department of Housing and Community Development and the Department of Social Services. Through the systematic effort of the many agencies involved, the project seeks to improve and expand the existing Witness Security Program by coordinating the relationships among agencies, developing more resources

for witness protection and management, and increasing conviction rates of habitual, chronic, and violent offenders. In addition, the Baltimore project is attempting to enhance the capability of the City to develop a comprehensive approach to witness intimidation and to create a model for other urban areas.

Program goals have remained relatively stable since the development of the original concept paper. Specifically, site personnel intend to review the method of identifying and responding to incidents of intimidation of witnesses in felony cases, identify gaps in security, and ensure timely protection of victims in current felony cases. This program also expands the existing witness protection program to include all victims and witnesses to violent crimes at the circuit level, including domestic violence cases. Such cases, which were not included prior to this program, have been brought into the program through the involvement of and coordination with the domestic violence coordinator in each police district and domestic community service programs. Through the establishment of written agreements, the program is formalizing the relationships among the agencies involved and obtaining continued commitments to comprehensive witness protection from each agency. The Baltimore Witness Intimidation program will develop additional witness security options. These options could include the creation of a safe house, improved case tracking of witness security cases through the development of a secure database of witness information, cell phone communication between police and sheriff's deputies, and increased transportation resources for transporting witnesses and their family members. Also, by convening community outreach meetings in each police district, the program seeks to send a clear message to community members that the witness security program exists and is available to assist them when needed.

Early implementation goals include the identification of a liaison for each criminal justice agency to form the “core planning group,” hiring a witness security officer, buying a computer, designing a data entry map, and hiring and training data collection and entry personnel. Developing additional witness security options, establishing a means of monitoring the effectiveness of the program and assessing the outcomes of cases, and holding community outreach meetings are longer-term implementation goals.

The Witness Security Task Force, with the assistance of the American Prosecutors Research Institute (APRI), will gather monthly data for monitoring, analyzing, and quarterly reporting. Measurable criteria may include the number of witnesses protected, the number of cases receiving funding, the number of victims, witnesses, and family members relocated, the amount of funding authorized by the program for witness security, and the average amount used per case, the types of expenses for security (i.e., transportation, lodging), the number of dispositions reached, the number of convictions to top charges and lesser charges, the total convictions by plea, the number of dismissals, the total number of convictions by trial, the number of acquittals, the number of sentences, the overall conviction rate for witness protection cases, and the trial conviction rates for witness protection cases.

Progress has been made toward achieving many program goals and in the formalization and evaluation processes. The “core planning group” has established policy guidelines and developed formal interagency agreements on agency responsibilities, agency contact points, intervention techniques, case referral and selection criteria, and budget and expense allocations. At this time, the Baltimore Witness Security Task Force serves as the lead group for reviewing the implementation of the existing witness security program. They have not yet developed written agreements among agencies regarding their role in witness security and support for the

improvement and expansion of services. The APRI, along with other city agencies, have begun the evaluation process with meetings to discuss criteria for case selection, coding of intervention techniques, data collection and data entry, reporting protocols, and analysis and reporting.

Liaisons from each agency forming the “core planning groups” have been identified. These individuals help identify witness intimidation cases, seek strategies to identify gaps in witness protection services, and work with other city agencies to identify potential “safe houses.” Identifying safe houses has proven problematic because of the turnover of victims that, once they leave the safe house, often reveal its location. The anticipated witness protection officer and data entry personnel have not yet been hired, and their specific job responsibilities are still in question. A computer will be purchased when the witness protection officer is hired. Cellular communication between the Witness Security Coordinator and the police and sheriff’s department has been established.

2001 Update

Although this project operates today in a modified form, none of the original BJA grant funds were spent on the proposed program. In fact, the BJA grant was terminated in March 2000, with no funds expended. The State’s Attorney’s Office originally acquired the grant in February 1998. According to program contacts, their agency was at odds with the city bureaucracy over their personnel process. The agency and the city finally worked out the process by August 1999. The agency then came upon another obstacle in their process. Their original plan was to hire a retired police officer as the Witness Protection Officer. This was unacceptable to the city and the police department. The agency conducted interviews among active police officers but there was no progress with filling the position. In February 2000, the

agency filed for an extension of the grant. At this point, virtually no progress into the program plan had been made and the extension was denied in March.

Currently, there is still no Witness Protection Officer. The agency has eliminated the “permanent safehouse” concept. They discovered that individuals, upon leaving the facility, had a tendency to discuss the location openly. As a result, the agency has adopted a strategy that would involve numerous temporary safehouses.

As a direct result of grant planning, however, the agency has adopted a referral method for witnesses. Personnel examine each witness situation individually and grade it on a five-level scale. Each level has its own appropriate level of care. The scale is as follows:

- Level 1: Verifiable security risk to witness
- Level 2: Generalized, quasi-defined security risk to witness
- Level 3: Vague security risk to witness (e.g., person scared of reprisal in local neighborhood)
- Level 4: Very little evidence of security risk to witness
- Level 5: No security risk to witness; witness maintenance only

Black River Falls, Wisconsin: Ho-Chunk Nation Early Intervention Program

The 1999 Field Report

In an effort to address perceived problems with high rates of alcohol and drug abuse, juvenile arrests, school drop-outs, domestic violence, poverty, and out of home placements, the Ho-Chunk Nation is developing an early intervention and community services program. Using tribal resources and the traditional court system to teach respect and honor of self and others, discipline, individuality, and responsibility makes this program unique to the Ho-Chunk Nation. Utilizing components such as mentor/role modeling that reflect traditional tribal values and customs, the court hopes to reinforce to delinquent youth the reliance each person maintains on their family and clan. The Ho-Chunk Nation is present in 14 Wisconsin counties and because of this geographic and political diversity, the Ho-Chunk program plans to develop partnerships

between the counties to address delinquency from both conventional and traditional perspectives. Monitoring the community services aspect of this program will be done from a conventional standpoint but juveniles will be assigned to work at Ho-Chunk programs and services that would enable clientele to experience and learn about the Ho-Chunk Nation culture and language.

The program objective is to reduce the incidence of juvenile delinquency and other minor offenses such as school truancy. To measure the program's effectiveness, program personnel will monitor case management information and other agency records. The program's original intention was to hire a Youth Case Manager to work with an initial 100 youths in the Wisconsin Dells and Wisconsin Rapids areas. Crucial to realizing the objective of this program is the ability to coordinate the delivery of services, which, in part, rests with the Youth Case Manager. In addition, it will be necessary to establish a cooperative working relationship with various agencies and develop a sense of trust and cooperation with the target families. A short-term goal is to identify and hire the youth case manager. Medium-term goals will include the development of the Community Service and Mentoring programs. The long-term goals include the adoption of a children's code for the Ho-Chunk Nation and creating a positive impact on the youth involved.

Demographic information and information pertaining to an assessment of each juvenile's progress, referrals made, recidivism, and client program evaluations will be used to indicate program success. Other indicators will include establishment of collaborative agreements with schools, counties, and law enforcement. All program participants will also complete evaluation questionnaires.

After hiring a program coordinator in March 1998, the community service program is developing but full implementation has not yet occurred. For example, although the program

originally planned to serve several counties and target 100 youths, the program currently services fewer than 20 youths from Jackson County alone. The high level of cooperation occurring now in Jackson County took longer to develop than anticipated and leads to the expectation that building relationships in other counties will also take time. In addition, the mentoring program is currently in the planning stages with a realistic hope that it will soon be implemented. Although both the community and family services directors were replaced midway through the project, the new persons in these positions are knowledgeable and committed to the program.

The proposed children's code is currently being put in place for the Ho-Chunk Nation. The juvenile code has not yet been developed and, as a result, it has been difficult for the tribe to compel youth to follow the terms of the community services program. In essence, the tribe relies on the county for the legal authority to ensure compliance. Although Jackson County has been cooperating with the tribe, the development of a juvenile code for the Ho-Chunk Nation is still a major obstacle.

As one tribal court judge stated,

The Ho-Chunk Nation's Legislature had not passed any juvenile related codes for the court to enforce. The Ho-Chunk Nation Legislature Resolution No. 3/5/96/-B Adoption by reference of Chapter 48 Wisconsin Children's code explicitly excludes sections of juvenile delinquency matters. Our Courts do not have the facilities to exercise its criminal jurisdiction over such juvenile matters. There are no jails, detention centers, or safe house facilities for juvenile offenders. There are no known law enforcement agreements with the local jurisdictions.

Our courts cannot intervene when there is an ongoing proceeding in another court because of limited service programs this Nation has to offer. (It should be noted that even though the Trial Court has full authority to exercise its jurisdiction in child placement, the Indian Welfare Office has not transferred all the cases out of the state and local courts because of its limited service capacity. With this in mind, how can the Nation consider expanding its children's proceedings for juvenile offenders, when it does not fully exercise its authority over current children proceedings?)¹

¹ Memorandum sent by the Honorable Joan Greendeer-Lee, February 19, 1998.

2001 Update

It was difficult to obtain cooperation by telephone to determine the status of this site program during 2001. A very cursory summary of progress was forwarded to CJRI, but it provided little in-depth information. Apparently, the community service program has gone through several personnel changes in the past year. The program, however, is still serving its goal to promote quality lifestyles for the Ho-Chunk youth that have entered into the juvenile justice system. According to information provided, in the last year, of 29 cases, only seven were repeat offenders. Twelve were male and 17 were female. There were 25 referrals, 6 were non-compliant, and eight went to traditional court. There were four clan mothers and nine community service worksites available to the program.

Boerne, Texas: Collaborating for Children

The 1999 Field Report

Collaborating for Children (CC) is a partnership effort linking representatives from the Sheriff and Police Departments, Kendall County Justice Courts and Juvenile Probation Offices, Boerne Independent School District and students, and citizens of Boerne, Texas. The CC project partners are committed to pooling their efforts and resources toward the goals of reducing juvenile treatment inconsistencies in the home, school, and criminal justice system.

Many attempts have been made to target individual problems thought to be related to juvenile crime. Because juvenile crime problems are so widespread and complex, however, no single entity has the financial or staff resources to go beyond specific mandates to design, coordinate, and/or implement a holistic approach. The purpose of this project is to provide a more comprehensive attack on juvenile crime by bringing many of the concerned entities together.

The Boerne Independent School District (BISD) is the authorized applicant and is responsible for the administration of the award. The CC Advisory Board is the primary decision making body for the program and is made up of representatives from the following groups: Kendall County Sheriff's Department, Boerne Police Department, Kendall County Juvenile Probation Department, Kendall County Justice Court, county residents, and students. The project director is responsible for coordinating, implementing, evaluating, and reporting on the project and its activities. She is also the project liaison between collaborating agencies and organizations and the community at large. Under her guidance, activities are to be developed by the individual task force teams and implemented by project volunteers. A consultant provides technical assistance in project development, management, evaluation, and overall administration. The Parent Educator, provided by Hill Country Family Services, is responsible for providing both volunteer and court-ordered parenting classes. Most importantly, CC has received the overwhelming support of the local community. Citizens serve in voluntary capacities at all levels of the project and share ownership of the rewards from this collaborative effort

The CC project partners are committed to pooling their efforts and resources to accomplish three main goals as they relate to juveniles: (1) to reduce inconsistencies in home environments; (2) to reduce inconsistencies in BISD school environments; and (3) to reduce inconsistencies in local criminal justice environments. These three main goals are all long term. Within each goal, the partners of CC hope to accomplish several objectives.

To reduce inconsistencies in home environments there are four objectives. The first is to conduct a public awareness campaign through newspapers, radio, and posters. The second is to disseminate criminal justice and parent education material to the parents of more than 4,000 students within BISD. The third is to offer parenting education classes to parents of at-risk

children and court order parenting classes for juvenile offenders. The fourth is to provide crisis counseling for students and their families.

To reduce inconsistencies in BISD school environments there are two objectives. The first is to create a district-wide Student Policy and Procedure Council (SPPC) that will develop a student dress code and a code of conduct and the second is to create and implement a BISD Teen Court Program. A teen court task force has been formed as a result of the appointment of a new Teen Court Chair approved by the Advisory Board.

To reduce inconsistencies in local criminal justice environments there are four objectives. Participation of law enforcement and judicial professionals in the development and implementation of CC and BISD activities, including Teen Court, and an “Introduction to Criminal Justice” course is the first objective. Second, the program plans to sponsor prevention training in junior high and high schools to teach students how to avoid involvement in criminal incidents and how to develop appropriate behavioral responses to criminogenic situations. The third objective is to develop and implement a three-county regional mentor program between law enforcement and at-risk youth headed by the Sheriff of Kendall County. As the fourth objective, the program seeks to facilitate quarterly “brainstorm sessions” in which law enforcement and judicial professionals discuss strategies for consistent juvenile treatment, punishment, and initiatives to reduce processing inequities.

The extent of positive changes in perceptions, attitudes, and interaction are to be measured by pre and post-project surveys administered to students, parents, school personnel, and criminal justice professionals throughout the project. Data from pre-project surveys are used to establish baselines and will be compared with post-project survey data. Pre and post-data to be collected include referrals from police and sheriff departments regarding juveniles, the

number of misdemeanor and felony juvenile arrests, the number of juveniles on probation, the number in BISD alternative school referrals, the number of truancy cases, and recidivism rates.

The program appears to be progressing toward its originally stated goals. As for their attempts to reduce inconsistencies in home environments, the program has published eight articles in local newspapers and disseminated more than 3,000 handouts into the community regarding the program. They have sent 6,000 handouts to parents of BISD and 2,200 additional bookmarks were disseminated. Age-appropriate criminal justice materials have been prepared and distributed to middle school students in their report cards. The first parenting class was conducted in September 1998, and crisis counseling for students and their families began at the end of the spring 1998 semester and is ongoing.

To help reduce inconsistencies in school environments, school administrators and students have developed and disseminated the 1998-99 Student Handbook in the schools. The Teen Court Task Force has been established and Teen Court is moving forward as a result of the appointment of a local judge as the new Teen Court Chair. Thus far, five local attorneys and judges have committed to volunteering their time for teen court, and more than 60 students have signed up for participation in the program. Plans to implement the Teen Court are scheduled for the fall of 1998.

To reduce inconsistencies in local criminal justice environments, an Introduction to Criminal Justice elective course has been offered at the high school level and many local criminal justice professionals are participating in the CC program. Further, many teachers have attended training to help them teach students how to avoid criminal incidents. Finally, law enforcement and judicial system representatives continue to hold quarterly meetings to discuss

strategies for consistent juvenile treatment, punishment, and initiatives to reduce processing inequalities.

2001 Update

As of August 2001, this program was still active. Program goals have remained consistent with those formulated in 1997. Public awareness campaigns are successfully conducted through newspapers, radio, and posters. Parenting education classes are offered to parents of at-risk children. Crisis counseling sessions are offered for students and their families. A district wide Student Policy and Procedure Council (SPPC) has been created. A Boerne Teen Court has been established and is working successfully. Target population has been expanded to include Comfort Independent School District students and their families. According to local statistics, there has been a significant decrease in juvenile arrest and referrals to juvenile probation for the first time in a decade. The initial evaluation plan, which included surveys administered to students, has been scrapped. This is due to a change in the school board, as well as a lawsuit against a neighboring school district resulting from a survey mandated for students. There have been some problems with the Boerne Teen Court, but the hiring of a new Teen Court Coordinator will hopefully correct that.

Box Elder, Montana: Chippewa Cree Identity Recovery Project

The 1999 Field Report

The Chippewa Cree Tribe initiated this project to address a range of juvenile problems including chemical dependency, alcohol abuse and delinquent behavior that are believed to be related to a lack of respect for self, others, and for the tribe itself. The Chippewa Cree Tribe project believes that developing a stronger sense of cultural identity among the youth of the

tribes by increasing the knowledge and awareness of the unique history of the Chippewa Cree is one way to address these problems.

The project seeks to use a creative approach to the problems of youth delinquency and substance abuse. Specifically, a selected group of tribal youth that do not abuse alcohol or drugs will participate in a trek that recreates the tribe's westward journey from Wisconsin to Montana. While on the trek, the youth will be involved in learning tribal culture and history from tribal elders and learning about substance abuse issues from trained counselors. After returning from the trip, it is hoped that they will serve as positive role models and mentors for their peers. In addition, written and videotaped materials developed from the project will be used to disseminate information on the tribe within the school system.

In the early stages of this program's development, its goals were to identify a project coordinator and begin researching the history of the tribe including their migration from Wisconsin in the 1890s, develop a recruitment strategy for youth leaders/mentors and participants in the project through a liaison with tribal elders and local schools, provide substance abuse training to leaders/mentors and participants, to identify and resolve all logistical issues involved with a month-long camping trek to recreate the tribal march of the 1890s, and to develop and disseminate to schools and the community at large a report of the project.

Essentially these goals are unchanged, though additions have been added. First, program leaders now desire to conduct a survey of tribal youth to evaluate existing knowledge of tribal history, substance abuse, and attitudes in general. Second, site personnel wish to research similar projects being conducted by other tribes or juvenile agencies (e.g., Visionquest has a number of programs including Horse Soldiers and Wagon Trail that replicate a number of the present project's goals). Third, the program personnel hope to conduct a survey of tribal youth some

time after the planned trip has been completed and detailed in the project report. The survey will try to find out whether there is any indication of better knowledge of tribal history, a change in substance abuse levels, and any change in general attitudes. It is hoped that the trek will be repeated each year with different groups of juveniles.

Surveys will be conducted before and after the intervention to provide very general measures of youth behavior, knowledge, and attitudes. The project report will also provide some qualitative data on the impact of the camping trip on the youth and the leaders/mentors involved. Many of the process goals—including the tribal history research and the march itself—can be documented as having been achieved or not. While it seems possible to assess the delinquency, crime, and substance abuse outcomes using reporting procedures already in place, the project does not contain any plans to measure the long-term impact of the program.

The project is very much on target. The project coordinator has been identified and hired. In addition, he has compiled the historical database on the Chippewa Cree tribes and he has contacted tribal museums from other tribes for related information. He has completed a summer research trip to United States and Canadian tribal sites and his initial research shows that a similar program was undertaken by the Sioux, who developed a youth program to retrace the Wounded Knee march. The project coordinator is currently trying to establish a contact with the Sioux to learn more about this program.

The project coordinator identified and selected a small number of youth from the Box Elder High School to take part in the project and go on the camping trip from Wisconsin to Montana. The trek appears to have been successful and the coordinator is currently working to develop materials that will outline the trek that was taken. The project coordinator is also working on the selection of another group from the Rocky Boys High School who will take part

in a second camping trip, this time from Canada. So far, it would seem that the project is very much on task. It is small in scale but has the potential to provide a blueprint for youth groups in other settings.

2001 Update

The Chippewa Cree Tribe project ended when the grant money was expended at the end of 1998. Although there was initial success during the course of the program, according to tribe officials, there was no way to continue the program without funding. There are ongoing efforts to secure additional funding to restart this program.

Charleston, West Virginia: Strategies to Address Issues of Juveniles Charged as Adults

The 1999 Field Report

The juvenile serious offender population in West Virginia has more than doubled in the past decade. It is believed that the increased number of juveniles in confinement has been influenced by the passage of several laws by the West Virginia Legislature in the past few years. The new laws have lowered the age of adult transfers from 16 to 14 for certain offenses and raised the juvenile jurisdiction of the court from 20 to 21 for juveniles adjudicated of an offense which would be a crime if committed by an adult. Also, the court is no longer bound by precedent to select the least restrictive alternative.

According to the proposal, these and other changes have created havoc with the State's juvenile justice system. The most serious problems reportedly exist among the adult transfer population. One of the more intractable problems is that the length of time an adult transfer may spend in pretrial incarceration is significantly longer than a general juvenile predisposition. As a result, juveniles awaiting transfer to adult court are being held at short-term regional pre-dispositional facilities whose programming is not designed for anything greater than short-term

stays. This project seeks to address the issue of appropriate programming for longer-term adult transfer juveniles held in the State's short-term facilities.

The program was started by the Criminal Justice and Highway Safety Division (CJHSD) of West Virginia and will involve a number of governmental and university groups in participatory or advisory roles. When the proposal was submitted, tacit agreement to the project had already been obtained from a number of state and private agencies brought together to discuss the wider issue of juvenile justice policy in the State.

The proposal states that an advisory committee will be formed and that it will meet bimonthly to track progress of the project. It appears from the proposal that the project reflects the ideas and discussions of a broad group of agencies.

The goals of the project remain much the same as those specified in the original concept paper, although some of the methods for assessing them have been modified. The first major goal is to evaluate the adult transfer population in West Virginia and to determine what type of programming is most effective and appropriate. This is to be completed by the Criminal Justice Statistical Analysis Center. Second, the program personnel will seek to identify and select a planning and evaluation committee to oversee the entire project. Identifying and contracting with a group or individual that can develop and implement the programming for the adult transfer population is a third goal of the program. The fourth goal is to train the agency implementers and to oversee the program being provided until the program is running smoothly. The program personnel also wish to conduct process and outcome evaluations (to be conducted by the Criminal Justice Statistical Analysis Center) and to adjust the programming as necessary in light of evaluation findings.

Focus groups will be used to test whether some of the outcome goals have been reached, and a cost-benefit analysis measuring the future savings to the juvenile and adult criminal justice system and to the State community is planned. Most process goals will be measured through the availability of work-products such as survey results, the curriculum-training manual, the resource workbook for juveniles, and the completion of training for program staff. While there are no specific measures described to address it, the program anticipates a long-term impact on recidivism.

At the time of this report the project had hit some major bureaucratic obstacles and had been significantly delayed. The advisory committee has been selected and an RFP for the curriculum development work has been circulated for bid. There were five responses, one of which was a generic proposal and not related to the specific project. The advisory committee reviewed the bids and ranked them. One was excluded because it did not follow the guidelines set out in the RFP.

At this stage the new director for the Division of Juvenile Services announced that she only wanted to work with Janus Solutions of New Jersey which had been previously excluded because it did not fit the RFP guidelines. The excluded group was then asked to resubmit a proposal that addressed the specific guidelines of the original RFP. By July 1998 the new Janus proposal had been accepted and it was felt that the project could be back on-track by the end of the year. The optimism was misplaced. After a period with little or no effective communication between Janus and the Criminal Justice Division it was decided to try to move the project to the Division of Juvenile Services (a sister division to Criminal Justice). The rationale for moving the project was said to be the fact that the Division of Juvenile Services has more experience and better capacity for contracting with for-profit agencies. At the time of writing this report a

representative of Janus had visited the Division of Juvenile Services and plans were being developed to restart the project pending approval of funding from BJA. Aside from dealing with these bureaucratic issues, no substantive progress has been made on the project.

2001 Update

Ultimately, due primarily to bureaucratic difficulties, this project failed to get underway. At the time of the grant application, the Division of Juvenile Services did not exist. The grant for this program was originally awarded to Criminal Justice Services (known then as Criminal Justice and Highway Services) in late 1997. The project director position changed hands several times during 1998. CJS had been working on the outline of the project and preparing implementation. During this time, the Division of Juvenile Services was created. The Director of this newly formed agency was dissatisfied with original outline for the program and prepared a new version to be implemented. This resulted in major disagreements with the original agency and director, who questioned the legality of the new proposal as it concerned the use of “for-profit individuals.” BJA terminated the grant with only the smallest amount of the awarded funds expended.

Cherokee, North Carolina: Gang Prevention for Tribal Communities

The 1999 Field Report

According to the Cherokee Indian Police Department, there has been a noticeable increase in gang membership and gang-related activities within the Cherokee Indian reservation during the past few years. The problem has shown itself in increased crime (particularly thefts and breaking and entering by juveniles), threatening behavior (mostly in schools) and graffiti. Recent police intelligence suggests that local gangs are beginning to establish outside contacts and, unless immediate action is taken to reduce the level of gang activity, the level of violence

and crime could escalate. Cherokee police find it difficult to monitor gang activity and to gather intelligence on involvement because police are generally well known to the juvenile population, their vehicles are easy to spot, and much of the gang activity occurs in remote locations inaccessible to most vehicles.

The Cherokee Indian Police Department proposed the formation of a united gang unit (patrol, investigation, and juvenile) to better monitor, investigate, and document all gang activities. In addition, the unit will develop proactive strategies designed to better educate and inform the community about the nature of the problem and ways in which they can assist with gang control and suppression. The gang unit will be composed of bike patrols and an unmarked 4-wheel-drive vehicle for surveillance, intelligence gathering, and improved communication with the youths of the community. The initiative has been approved by the Cherokee Tribal Council and agreed to by the nine communities composing the Cherokee Indian Reservation. Commitments to the program have also been given from a number of local service providers on the Reservation, including the Cherokee Central School System, Unity Regional Treatment Center, the County Department of Social Services, and the Indian Health Service.

The goals originally specified in the concept paper can be divided into two basic categories: those that involve program implementation; and those that involve program impact. Although the goals remain the same, some of the methods for assessing them have been modified. In general, the goals are to

- 1) form a united gang unit within the Cherokee police department;
- 2) educate the community about the nature of the gang problem and to involve them in control and suppression measures;
- 3) increase the visibility of patrol in communities that are especially high-risk with regard to gang activity;
- 4) improve the intelligence gathered about gangs, gang members, and gang related activities;

- 5) develop a range of alternative activities that will offer options to the youth of the community; and
- 6) reduce gang activity, juvenile crime, and other manifestations of gang behavior such as wearing of colors and graffiti.

These goals can further be categorized as short, medium, and long-term goals. Primarily, the short-term goals are process oriented and measure the actual implementation of the program. Medium-term and long-term goals include both implementation measures and impact measures that gauge the effect the program is having on the community.

Most of the process goals can be easily measured through the availability of work-products such as program literature, the video, and crime statistics. Examining program impact, however, may be more difficult because there are no formal outcome assessments built into the proposal, and any reported changes are likely to be limited to impressions of the police.

The project seems to be moving along very well. The gang unit has been formed, a 4-wheel drive vehicle (a Chevrolet Blazer) has been purchased and is being used mostly for surveillance and intelligence gathering, and bicycles—to be used for bike patrols—are currently ordered and should arrive soon.

The gang unit has been formed and has developed some literature which is currently being distributed at community gatherings. Other education related activities include presentations at local community meetings such as one all-day presentation given as part of a ‘bully-proofing’ program offered by West Carolina University for new elementary school teachers. The unit has developed a gang database to record information on gangs. The CAGE Unit has completed a number of interviews with gang members as part of an informational video that is being produced. All the developmental work for the video has been completed and is in its final editing stage at present.

The project coordinator has met with the leader of one of the more powerful local gangs—called ‘C-Town’—and had what he described as an open and honest discussion. In fact, the relationship is so well developed that the gang leader agreed to the discussion being recorded on tape. The discussion revolved around the fact that the police recognized the existence of the gang and their right to exist and engage in certain activities. Sgt. Baldwin made it clear that some of the existing activities—especially the crime, threatening behavior in schools, and graffiti—were totally unacceptable to the police and had to be stopped. The goal of the meeting was to have the gang leader be recognized by the police, and to have him accept responsibility for the actions of his gang. It was made clear that future transgressions would have the gang unit back at his home. He gave promises that he would control the behavior of the gang. Within a few weeks of the meeting however, the gang unit saw new C-Town graffiti and immediately went to the home of the gang leader and took him to the scene. His reaction was very positive—he said he appreciated being involved in the process and would see to it that the graffiti was cleaned up. Within days it was gone.

The work of the unit to this point seems to have had a number of positive impacts. Awareness of the gang problem seems to have increased throughout the community. The method of involving the gangs themselves rather than adopting a more adversarial and confrontational approach seems to have worked in some cases. Sgt. Baldwin reported that there has been a noticeable reduction in the amount of graffiti but not yet a reduction in the more intractable problems of fights and threatening behavior in the schools, the wearing of colors and alcohol abuse by juveniles.

One unintended side effect of the program is the fact that tribal members feel there is more of a gang problem now than ever before. Despite the efforts of the gang unit to explain the

fact that actual gang activity has not increased, just awareness of it and ability to monitor it, there is a clear perception that perhaps things are getting worse and the unit itself is not doing much good.

The evaluation design for this project needs further strengthening as program implementation progresses. Unfortunately there was no effort to document or measure the amount of graffiti, gang activity, or public perceptions before the program was underway. Without these pre-intervention measures the program must rely on retrospective surveys to have any assessment of change over time. The success of the project will be assessed by its ability to meet its own process goals—set up the gang unit, obtain the car and bikes, develop the literature and video, and its ability to demonstrate success on the medium and long-term delinquency, and behavioral and community satisfaction outcomes.

2001 Update

Multiple attempts to locate program contacts have failed. Despite repeated attempts, no new information since December 1998 has been obtained relating to this program.

Clark County, Nevada: Preliminary Report of Rural Drug Court Program

The 1999 Field Report

Las Vegas, the largest population center in Clark County and part of Nevada's Eighth Judicial District is home to one of the nation's most well-established and longest operating drug courts. As that court has developed in scope since its inception in 1992, it has handled a large volume of defendants residing or located in Las Vegas itself. It has also handled many cases of persons arrested in Las Vegas but living in other parts of Clark County, which includes a very large and extremely rural desert area. In addition, Municipal Courts in other rural Clark County locations serve as feeder courts to the District Court in Las Vegas in felony matters. Rural

residents who have entered the Las Vegas Drug Court have had to travel up to 150 miles per day to meet program requirements. The Clark County District Attorney and Public Defender staffs serve the rural courts by traveling from Las Vegas one day per week. In contrast to the developed and expanded drug court program in Las Vegas, the rural jurisdictions are faced with a critical lack of resources for dealing with substance abusing defendants and offenders. In addition, court officials in the rural locations report that the majority of their cases are alcohol or drug-involved.

The Clark County proposal described the creation of a “circuit” drug court that sought to make the drug court mechanism and treatment resources available to several key rural locations in the Mesquite Valley, including Mesquite, Glendale, Logandale, Bunkerville, Overton, and Moapa. In all these locations, full-time courts or even part-time treatment services were not available. The lack of service providers in these rural communities has made effective case management of drug cases exceedingly difficult, with counseling services between 50 and 75 miles away in St. George, Utah, or Las Vegas. The concept originated with the Clark County Public Defender’s Office because of its awareness of the substance abuse treatment needs of clients in the rural locations and the lack of programs to address them. With the support of the Las Vegas Drug Court, the District Attorney and the treatment provider (Choices Unlimited), the next task was to find support for the concept in the justice systems in each locality, each with its own cast of actors. The original strategy called for holding drug court sessions in each rural location in rotation on different days and for offering treatment services in each location on a rotating basis. Persons arrested in the five rural locations for misdemeanor, gross misdemeanor, or felony drug charges would be tracked to the “circuit drug court” following their arraignment in municipal or justice courts. Through careful scheduling in each location, court staff and

treatment providers would be present at each drug court session, with treatment services made available in the area on a continual basis.

The goals of the proposed program involved implementation and outcome objectives. Initial implementation goals included gaining the cooperation and support of justice system actors in five or more rural locations so that satisfactory working arrangements in each location could be developed and set in operation. Thus, deploying to start the “circuit drug court” and to offer treatment services in the non-Las Vegas contexts was a first implementation goal. Other implementation-stage goals involved identification and screening of appropriate candidates from the rural courts into the “circuit drug court” and setting up accessible treatment services. The program seeks to streamline the processing of offenders going between the locality and Las Vegas for different proceedings, to reduce the transportation of non-violent offenders around the County, and to reduce the time spent in jail awaiting proceedings by these individuals, mainly because of the geography involved. Once these considerable operational tasks were addressed, the longer term goals were similar to those of other drug courts: enrolling large numbers of drug-involved offenders in treatment, reduction of substance abuse among program participants, reduction of involvement in crime, and criminal justice among those in treatment.

As the program began operation in the beginning of 1998 adjustments were made to the program plan when some of the original assumptions proved unworkable. It was decided, for example, that the drug court would be held in Moapa every other Thursday because of its most central location and strong drug court judge. Treatment services would be provided in two locations, Mesquite (on three days) and Moapa (on two days) with NA and AA to be provided in all five counties twice weekly. It was not possible to find offices in each of the five towns for the treatment provider. The two treatment locations were most central and permitted residents of

any of the five locations to reach treatment without unnecessary hardship. In addition, they permitted development of a partnership with the state mental health services, already operating in those places. In short, this modified plan would retain the drug court participants in a court located much closer to their residences and would make treatment available five days per week (with NA and AA support) within a reasonable distance, even though not in each of the five towns as originally planned. Thus, this revised plan places more emphasis on centralization of drug court services in one location, Moapa, and sets the stage for multi-jurisdictional cooperation and expansion. The treatment program, Choices Unlimited, rotates its location between the two sites (Mesquite and Moapa Valley) and offers drug testing, group counseling, and acupuncture. Clients are also required to enroll in AA and NA, both of which are locally available.

Although the arrangement began functioning in March 1998, the circuit drug court initially experienced a very small caseload. It was determined that more judicial and community education was needed so that the “feeder” municipal courts would refer appropriate candidates with confidence. Thus, during the spring, arrangements between the rural courts were developed and adjustments were made to the original approach. Currently, the Moapa-centered rural circuit drug court has from 20 to 30 participants at various stages of treatment.

The greatest challenge to assessment of the performance of this program derives from the implementation issues involved in operating a program across several locations. The program has already made adjustments based on its initial experiences and now has a workable plan for establishing sound program with room for expansion. The implementation goals are groundbreaking in their scope as drug courts and treatment services are provided in settings outside of major urban centers. Such an example will carry lessons for other county-wide approaches in the United States (and, in fact, are linked to other efforts to extend drug court services to outlying

areas of Clark County). These same challenges pose obstacles for data collection because of the variety of agencies, locations, and data sources involved in tracking a participant's progress through the justice and treatment system. The records of the central treatment provider, the Public Defender, and the District Attorney should assist in the collection of data useful in measuring the progress and impact of this approach.

2001 Update

See the in-depth report in, "Part Two: Clark County's Rural Drug Courts."

Columbus, Georgia: Life Choices Program

The 1999 Field Report

The rural southwest Georgia counties of Clay, Quitman, Randolph, and Stewart are working together to address a number of community disadvantages. The Superior, Probate, and Juvenile courts estimate that approximately 75 percent of all misdemeanor offenses in these communities are directly or indirectly related to alcohol or other drug use. According to the original project proposal, members of the Clay/Quitman/Randolph/Stewart judiciary believe that punitive sanctions alone are not sufficient to bring about behavioral changes in substance abuse involved defendants. Further complicating the situation, the court has no procedure for obtaining a substance abuse evaluation before sentencing.

The Columbus, Georgia Open Solicitation funding is supporting the Life Choices Program to identify and assess persons in need of substance abuse services through the courts, probation, parole, and welfare offices so that more citizens who need treatment can enter treatment. This program differs from the current substance abuse alternatives available to the courts in the Columbus area because Life Choices will be made available: (1) to persons who have been convicted of misdemeanor offenses other than Driving under the Influence (DUI); (2)

as an adjunct to DUI school; and, (3) to persons convicted of multiple DUI's. Life Choices is also available as an option for defendants who are resistant to or who do not meet the criteria for intensive substance abuse treatment but who need intervention services to prevent the development of addiction. Life Choices is being developed as a 'prevention/treatment ready structured' substance abuse program that will be offered on weeknights for six-month periods.

The goals of the Life Choices Program are to identify persons with misdemeanor offenses who have an underlying substance abuse problem, assist program participants in assessing appropriate levels of substance abuse treatment, and reduce recidivism among persons who are referred to Life Choices. To meet these goals, program personnel have identified several implementation tasks. First, the program administrators will hire a court referral officer who will link with public agencies to physically accept referrals. Second, they will administer the Addiction Severity Index (ADI) to potential clients to determine if treatment is necessary and if so, what type of treatment is appropriate. Finally, clients will be required to attend the Life Choices Program.

To measure whether or not the program has had the desired impact, several outcome measures will be used. It is hoped to have 90 percent of the participants maintain a rearrest free year upon completion of the program. It is also desired to maintain a 90 percent program satisfaction response from participants and referral agencies. Program personnel additionally seek to require 80 percent of the accepted to pay the program fee and successfully complete the program. It is also hoped that 80 percent of the participants will complete the program in 90 days. The program also wishes to maintain 100 percent reporting to the referral agencies.

Although the program did not receive funding from the county and officially begin until May 1, 1998, its implementation appears to be progressing well. The program coordinator has

been hired and is working well with local judges, some of whom are willing to refer defendants to the program. It is estimated that 12 program candidates will be referred from the court each month during the courts session (which traditionally does not meet during the summer months). Other program personnel have been hired and received training. The program has also ordered the equipment and materials it needs, established the linkages and agreements with the appropriate referral agencies, and completed pre-program data collection instruments. As measured by the goals it has set, the program appears to be moving along quite well.

2001 Update

Attempts to contact the program have been unsuccessful. No new information beyond the 1999 report has been available.

Des Moines, Iowa: Colfax-Mingo School District Decision-Making Program

The 1999 Field Report

The Colfax-Mingo School District program involves implementing a multi-dimensional preventive and proactive approach for working with elementary (K-5) students to reduce student high-risk behaviors within the district. This approach will consist of strategies to increase the prevalence of developmental assets in students. A list of 40 assets that nurture the core experiences needed for healthy development and well-being have been identified. As compared to more traditional approaches (i.e., DARE), this strategy focuses on improving the decision-making skills of all students, with all those involved assuming responsibility for providing opportunities to learn competency skills and the rationale for using them. This will also include a mentoring program for at-risk students.

While various components of the program are drawn from external sources, the initial design was developed internally by Colfax-Mingo School District in cooperation with the Fifth

Judicial District of the Iowa Department of Correctional Services. While the program design originated from within the school district, implementation is dependent on Bureau of Justice Assistance funds with the exception of the final curriculum.

Critical parts of this program will be hiring an effective coordinator and ensuring that other staff are receptive to the program. Also important are effective integration of service providers and integration of the program itself into daily classroom activities.

The original goal of the project was to develop models that will enable elementary school children in the Colfax-Mingo School District to make positive decisions. This is a multifaceted approach that will involve all children (K-5) and will include a mentoring component for children exhibiting risky behaviors. The major purpose of enabling children to make positive decisions is to reduce high-risk behaviors in the Colfax-Mingo School district.

Goals for this program are categorized as either short or long-term. Short-term goals include hiring the program coordinator and attending the Healthy Communities-Healthy Youth conferences (1997 and 1998). Gathering baseline data and researching existing materials that can be applied to this program is another short-term goal. Long-term goals include either adapting or writing a new curriculum, providing for staff development, implementing the pilot program, and monitoring and evaluating the program.

Management records will provide a basis for measuring both the implementation and impact of the program. Specifically, they will be used to gauge whether or not the program has provided positive enhancements to elementary school children's decision-making ability and to assess the various stages of project implementations.

Other measures of successful program implementation include hiring a program coordinator, attending conferences, developing the K-5 curriculum, holding staff development

sessions, establishing a mentoring program, implementing a pilot program, conducting ongoing research, coordinating service providers, and effectively using classroom materials. An expected impact measure is the identification of more positive choices by children.

Program implementation appears to be proceeding in a timely manner. A needs assessment focusing on at-risk youth has been completed, and a pilot mentoring program was implemented with approximately 15 youths. In-service training, involving 30-35 hours of staff development for teachers, was useful and allowed for the development of the curriculum framework for the 1998-99 school year. Teachers have been trained with regard to implementing the curriculum that emphasizes respect, responsibility, manners/courtesy, compassion, self-esteem, communication, sportsmanship, honesty, and cooperation. Each of the characteristics found in the curriculum will be taught for one month throughout the school year, and will be emphasized through other means such as school décor and supplementary programs. The program has begun a “circle of friends” concept in which teachers meet with 10 to 12 K-5 students for 30 minutes per week to deal with the lesson plan of the month. The circle of friends meetings, which may involve school staff, parents, and community members, will run throughout the school year, and students will remain a part of their circle of friends during their stay at Colfax-Mingo elementary.

At the time of this report, the program appears to be progressing as scheduled. The original goals of the project have been implemented and data are continuing to be collected. In spite of obstacles involving building construction and staff turnover, the program coordinator appears to have successfully implemented the curriculum.

2001 Update

According to local officials, the program is still in operation and doing very well. The program still involves all K-5 students in the Colfax-Mingo School District. The “circle of friends” concept of the program has become a major focus and has been expanded since the initial report. The expected more detailed follow-up was not forthcoming.

Des Moines, Iowa: Rural Sex Offenders Program

The 1999 Field Report

The Fifth Judicial District Department of Correctional Services is responsible for providing services to 16 Iowa counties—including the most populated urban area of the state and the least populated rural areas. As a result of this diversity and the large geographic area covered in the district, services offered in one part of the district may be unavailable or logistically impractical to some clients. Before the development of the Sexual Offender Treatment Program (SOTP), rural sex offenders often were required to travel as far as 200 miles round trip for treatment. This long commute ignored potential relapse treatment in the rural counties and put undue financial stress on the urban program that was being required to service the non-local offenders.

SOTP was developed with the goal of providing treatment services to rural offenders who have pled guilty and been convicted of their offenses. This is a voluntary program that focuses on a previously underserved population. To participate in this program, clients must agree to several stipulations including an initial evaluation phase, attendance at all planned group sessions, polygraph examinations, and fee payments. The program is designed to be an intensive, confrontational program serving approximately 10 clients. Intended to rehabilitate convicted sex offenders, this program is unique to Iowa in that it uses ammonia aversion therapy,

psychological testing, polygraph examinations, penile plethysmography, and group and individual counseling.

As with most programs, the goals of SOTP can be divided into several categories. First, the short-term and primarily process oriented goals are to provide the opportunity for intensive supervision and complete sex offender treatment with psychological testing, polygraph examinations, penile plethysmography, group and individual counseling. A second short-term, process-oriented goal is to coordinate services between agencies for each offender. Long-term goals include rehabilitation of sex offender clients and the protection of public safety. These long-term goals represent an impact evaluation and will be useful in showing the effect of the programming. A similar program operating in an urban setting reports an 83 percent successful completion rate.

The program objectives will be measured by the number of sex offenders sentenced to the program and the number of successful program completions. Among offenders with unsuccessful completions, the number due to technical violations or new charges will be measured, and over the long-term the number of recidivists will be assessed.

A key to the success of this program is overcoming the obstacles of providing sex offender treatment services in a rural area. Contracts have been made with various local service providers and the SOTP program has been operating since October 1, 1997. Further, local law enforcement and the judiciary are being trained on the availability and efficacy of the program.

To help in the program's evaluation, there are multiple measures of program success including clinical assessments, criminal histories, and client records. These data are being entered into the Iowa Community Based Corrections (ICBC) database and are used to track

client progress. In addition, a new Excel database is being used for improved tracking of client progress and appears to provide a solid foundation for assessing program effects.

2001 Update

Grant funds were fully expended by April 1999. Services continued to be provided by using revenues generated from client fees. The District Department successfully requested \$27,699 from the state General Fund to continue the program. These funds became available in July 1999 and, combined with program income generated by client fees, the program apparently will continue. The District Department continues to use intermediate sanctions, such as electronic monitoring and jail time, to manage the offenders' behavior. All offenders who receive program services will continue to be tracked in criminal justice databases to monitor recidivism. The clients have not had polygraphs done for some time due to the lack of an available Department polygraph specialist. The site provided the following simple statistics for the period January to December 2000:

- Total clients served: 18
- Total clients in primary group: 11
- Total in aftercare: 9
- Total presently in primary: 8
- Total presently in aftercare: 7
- Total discharged from program: 5
- Total discharged successfully: 4
- Total discharged unsuccessfully: 1
- Repeat offenders: 0
- Successfully completed aftercare: 3
- Went to prison: 0
- Community service hours completed: 150
- Types of sanctions used:
 - Electronic Monitoring: 2
 - Jail Time: 4
 - Ft. Des Moines Residential Facility: 1
 - Community Service: 1

Fresno, California: Strategies to County Witness Intimidation

The 1999 Field Report

According to the Fresno, California County Sheriff's Department, there are over 5,700 gang members associated with at least 75 gangs living in Fresno County. As a result of this large gang membership, the Fresno County Prosecutor's office believes that they have experienced an excessive level of witness intimidation aimed at discouraging witnesses from testifying. The prosecutor's office reports that this intimidation often forces them to dismiss cases or accept a plea to less serious charges than they would like to prosecute.

As a response, the Fresno County Prosecutor's Office has established a Witness Intimidation Response Team devoted to the reduction of victim and witness intimidation—particularly in relation to gang activity. Specifically, this program involves the development of an improved prosecution strategy for dealing with cases of witness intimidation and aims to reduce fear on the part of victims and witnesses by providing them with adequate protection. Program placement falls within the framework of the County's Multi-Agency Gang Enforcement Consortium (MAGEC) program that coordinates all area services of state and local probation as well as law enforcement agencies connected with gang activities. In addition, although social services are not a major emphasis, there is frequent referral to appropriate services when needed. The coordination of various services has been simplified by this program. The State of California has established a five million dollar fund to reimburse county law enforcement agencies for work assisting witnesses. To date, Fresno County has used approximately \$20,000 of this additional money to help families relocate to new environments where their risk of being intimidated is minimized.

In preparation for the Fresno Open Solicitation proposal, all witness intimidation cases from early 1996 on were examined and, because most were related to spousal abuse cases, were found to be of little value as a comparison base. However, it was noted that prosecution was not very successful during that period. In view of this observation, it was suggested that a “critical incident” approach be taken to illustrate the project’s impact. Namely, significant cases from an earlier time could be compared to cases being handled under the grant, in order to show how cases failed to achieve successful prosecution without the current project.

This program emphasizes (1) holding defendants accountable for acts of intimidation, (2) alleviating the fears of victims and witnesses, and (3) increasing victim and witness participation in prosecutions.

To determine the program’s success in achieving these goals and to ascertain whether or not the program is having a measurable impact on the variables under consideration, the program coordinator is developing a baseline measure of all witness intimidation cases dating from 1994 to the program’s start date. Although at this stage in the program she has been unable to analyze the individual cases, she feels that most intimidation involves spousal abuse rather than gang activity. This should be identifiable after the individual cases have been analyzed.

The project has started collecting data on current cases in hard copy, but, as of this time, has no computer system for storing or analyzing them. Understanding the importance of beginning the data analysis, program personnel are considering the use of volunteers or interns from the nearby university.

This program appears to have had a good start. They began identifying office space and equipment in October of 1997 and were operational by January 1998. This early startup enabled some aspects of the project to begin before the grant was even available. Program personnel

have developed procedures for operation and have an excellent networking program in place. They are striving to achieve their objectives in a sensible manner and anticipate no major problems.

As noted, this program fits into the existing MAGEC structure which consists of 42 officers from 28 county, state, and federal agencies all working to coordinate their efforts regarding gang activity. This structure has also allowed the agency to easily network and interact with other agencies and programs. A partnership has also been established with the Department of Housing and Urban Development (HUD). When the victim/witness cannot move to some other nearby town or other location, or if the person is living in public housing, HUD can often make a rapid shift of residence without complications—often rent-free for several months. This happened recently with three cases and the staff is very pleased. While this has worked in the past, they are having some difficulty finding an agency or person to guarantee payment for any damages to the property during occupancy.

Another interesting addition to the resources has come through a donation from the security business ADT Security Services, Inc. (ADT) that has donated over \$50,000 worth of alarm systems. If the individual is in serious danger, but not able to relocate, ADT will provide an instant panic alarm system that the individual can simply punch and have law enforcement immediately available. To date, several such installations have been made.

With strong program procedures and partnerships in place, the project appears to be making progress toward their goal of making it uncomfortable for gang members to engage in witness intimidation and program personnel are looking for additional ways of controlling witness intimidation. For example, they are considering monitoring gang member's visitation

while they are incarcerated to keep them from instructing other gang members to intimidate witnesses to reduce the threat of prosecution.

2001 Update

Although BJA grant funding ran out in late 1998, the program was subsidized by county funding thereafter and is still active today. From late 1998 to early 2000, the District Attorney, working together with MAGEC law enforcement personnel, has successfully prosecuted 60 gang members for serious felonies. According to program officials, The Witness Protection Program has been able to facilitate witness participation in the criminal justice system. The Witness Intimidation Response Team continues to work with other members of MAGEC to help eliminate witness intimidation in Fresno County by targeting both community-wide gang activity and case-specific threats.

A Response Team Investigator, following established protocols, conducts a “threat analysis” of the situation, which will enable the team to determine whether or not a witness needs assistance and what level of assistance is most appropriate. The following indicators are part of the assessment:

- 1) How violent and dangerous the intimidator and his gang affiliates have been in the past
- 2) Whether the location and layout of the witness’ residence make the witness vulnerable to attack
- 3) Whether the witness lives in an area that gangs “control”
- 4) Whether the witness or others in the neighborhood have been victims of verbal threats, or physical attacks from the intimidator or his gang affiliates
- 5) Existing level of police coverage in witness’ neighborhood. Special attention will be given to those areas where extended response may occur
- 6) Consideration shall be given to the witness’ age, sex, and ability to defend himself/herself from danger, when developing a protection plan

Upon completion of the “threat analysis,” the Response Team Investigator (RTI) will employ a level of assistance appropriate to ensure the well-being of the witness. The RTI maintains contact with the witness as appropriate, by phone or in person. The witness’ situation

will be reviewed frequently to determine if the threat assessment needs to be changed, and to establish and maintain a line of communication. Regular contact with the witness is important to establish rapport and maintain the witness' confidence in the program. In some cases, the RTI will escort a witness to and from work or school to ensure their safety. When the witness' situation indicates that relocation is appropriate, but the witness cannot relocate because of work, family, or other reasons, ADT Security Systems, Inc. will install a remote panic system.

Glenville, West Virginia: Stress Control among Rural Police Officers

The 1999 Report

The project is designed to address the problem of stress among police officers throughout rural West Virginia, recognizing that stress is a common problem for police officers in general, though it is often associated more with urban than rural police departments. Partly as a result of this perception, it is argued that police departments in rural areas often do not recognize or else underestimate the sources of stress that exist for themselves and their co-workers.

Because stress is less recognized as a problem in rural police departments, there is little or no evidence of the effectiveness of proven responses such as critical incident stress debriefing in rural settings. This project seeks to establish such a response within the police departments of West Virginia. To do so, the project will (1) develop and implement a training program to be made available at no cost to local police departments, (2) develop a curriculum that will educate police officers on indicators of stress and responses to stress, (3) implement the training through a 'train-the-trainer' approach in which representatives of police departments throughout the state will be trained and certified in critical incident stress debriefing, and (4) develop a curriculum for the inclusion of critical incident stress debriefing into state police academy, police officer

certification programs, and the criminal justice programs in all state colleges and universities in West Virginia.

The average size of police departments in West Virginia is three officers if one excludes the state police (which numbers over 700 and dramatically skews most statistics on police departments). By the time one considers shift rotation, vacations, sick days, and other off-days this means that most rural officers work entirely alone. This is just one source of stress unique to rural police. Nevertheless, it is a source that is almost always neglected.

One of the authors of the proposal conducted a survey that showed that not one officer in West Virginia had knowledge about critical incident stress debriefing and fewer than five percent even knew that such a process existed. Further, stress reduction comprised only a four-hour block of the entire West Virginia police academy training program. The authors also discovered that a critical incident stress debriefing system did exist in West Virginia, but that it was available only to Fire Fighters and Emergency Medical Technicians.

The current project intends to raise awareness of the problem of stress among rural officers and to develop a program in which a cadre of trained personnel will exist so that knowledge of critical incident stress debriefing can be disseminated effectively throughout the state.

The program was initiated by the authors of the proposal and supported by Glenville State College. Tacit agreement to the project had been obtained from a number of agencies when the proposal was submitted. These include the West Virginia Criminal Justice Educator's Association, the West Virginia State Police, the U.S. Attorney's Office (both Southern and Northern Districts of West Virginia), and the West Virginia Department of Criminal Justice and Highway Safety.

The original program goals included the completion of a needs assessment regarding critical incident stress debriefing throughout all police departments in West Virginia serving populations of fewer than 25,000 residents. The program also intended to identify a pool of police departments (about 150) that could most benefit from training in critical incident stress debriefing, conduct a 'train-the-trainer' seminar to deliver training, have the trained officers conduct in-service training seminars (eight hours) throughout the state, and have the eight-hour training seminars certified as meeting all requirements for credit toward in-service training. Program personnel also intended to develop and distribute a pocket-card with contact numbers of all critical incident stress-debriefing teams in West Virginia as well as signs and symptoms of a stress reaction to all police officers in the state. A follow-up survey was planned to assess impact and effectiveness of the eight hour training session.

Some of the original goals have been modified since the time of their development. Currently, the goal is to identify 50 police officers and 50 social workers to participate in the training. Social workers were included in order to connect police departments to the existing network of social work professionals currently involved in critical incident stress debriefing for the fire fighter and emergency medical communities. Another change is the addition of a third follow-up survey to the pre and post surveys to test attitudinal change some time after the initial program has been completed.

In addition to these process goals, the program's primary outcome goal is to reduce stress among rural police officers and increase awareness of problems of stress in rural policing, produce a cost savings in terms of reduced burn-out of officers, and contribute to improved decision-making among police officers.

To measure these goals, the program will conduct an initial survey of awareness and use of critical incident stress debriefing techniques among police departments throughout the state. Additional surveys will be conducted with individual officers immediately before and after the eight hour training seminars. To provide data on attitudes, general stress test scores and an additional score on a stress test developed specifically for police officers will be used. In addition, a follow-up survey will be conducted some time after the program has been completed to get feedback on utility. Despite all these measures being considered, there are no specific measures described to address longer-term outcomes.

The project has hit a few problems and has been delayed slightly. The train-the-trainer conference was originally scheduled for May 1998. It proved to be impossible to establish the accreditation process for the 8-hour seminars within this time frame. To receive accreditation for this initial session requires at least 3 months processing time. Accordingly, the date for the session was pushed back to August. The BJA monitor was informed of the change of timing.

The initial survey of police departments has been implemented and some preliminary results show that only about 2 hours of the entire police officer training program is devoted to the issue of stress recognition, management, and reduction. So far no one is aware of existing programs on critical incident stress debriefing.

Dr. Linton of West Virginia University's School of Medicine and Psychology has been contracted to conduct the train-the-trainers seminars that were scheduled to take place in August.

Several of the project's products are easily measurable—number of officers trained, number of police departments involved in the eight-hour sessions, development of the pocket-card continued utilization of the program. Data on the program's impact in the perception of stress and its effect on stress management will be much more difficult to obtain. The program

appears to be running a little behind schedule, but has benefited from the additional time with a considerably strengthened project.

2001 Update

According to program staff, this program is still active and being funded by the BJA. Expected detailed information has not been forwarded. Thus, no further information since December 1998 has been made available.

Jemez Pueblo, New Mexico: Cost Effective Alternatives to Incarceration for Tribal Communities

The 1999 Field Report

The Jemez Youth Program in Jemez Pueblo, New Mexico was established to assist the pueblo to develop and implement community-based alternatives to incarceration for juvenile offenders. The program is based on a comprehensive and holistic approach to handle rehabilitation services and treatment needs of juvenile offenders and their families within the community. This approach provides options not presently available in the community and builds upon pueblo philosophies and resources that differ from mainstream society's approach to handling juvenile delinquency cases. Active participation from pueblo elders, parents and extended family members, religious leaders, pueblo officials, and tribal program staff are critical to the program.

An initial planning grant awarded by the Office of Juvenile Justice and Delinquency Prevention provided funding in 1993. The tribe sought additional funding to support services to refer youth to alternative programs. The grant received from the Bureau of Justice Assistance (BJA) enables the Jemez Youth Program to implement program services and to leverage funding from other sources, such as the Robert Wood Johnson Foundation and USA Track and Field.

The group targeted for intervention and treatment is between the ages of 13 and 18. This group represents one third of the total juvenile population. According to tribal court statistics, the court handled approximately 80 juvenile cases in 1995, 72 cases in 1994 and 65 cases in 1993. The Jemez Youth Program is the first program of its type aimed at the youthful offender population.

The ultimate purpose of this project is to reduce juvenile delinquency by strengthening families and developing community-based responses to delinquency problems. There are four general goals:

- 1) Reducing the number of delinquent youths sent away from the pueblo for intervention
- 2) Providing follow-up and aftercare services to delinquent youths returning from institutions
- 3) Improving family functioning
- 4) Promoting positive parent-juvenile interaction

For this program to succeed, it must identify delinquent offenders who are at risk for institutional placement by the Jemez tribal court and those offenders returning from such placement. After delinquent offenders are identified, the program must incorporate outreach services. This requires intervention through community-based support to the juvenile and family, which is the primary goal of outreach services. Structured activities will be developed for each youth and will be coordinated with other tribal based programs. These activities will facilitate the development of positive parent-juvenile relationships as well as improve problem-solving and coping skills.

It is the program's goal to perpetuate the pueblo culture by engaging troubled juveniles in positive activities that enhance pueblo cultural perspectives. Outreach and community-based activities such as traditional arts and crafts courses, open gym nights, wilderness excursions,

cultural excursions, and youth camps will be used. In addition, community service activities, primarily work on village restoration, are planned throughout the year.

Development of a coordinated service delivery system and referral tracking system will be implemented. The Youth Program will be responsible for the coordination and tracking of referrals and for monitoring the services provided. Documented feedback, which outlines the services to be provided, will be required for those agencies accepting referrals. This coordination involves monitoring the client and service provider to ensure the client is accessing the services, and that services are being provided by the referral agency. Also, a system for regular case consultations with various service providers will be developed and implemented.

The goal is to recruit and train a competent professional and paraprofessional staff from within the community. Recruitment of community members will increase staff retention and ensure cultural sensitivity to the needs of individuals, families, and the community. Job descriptions and training curriculum including classroom and on-the-job training with a competency-based system for employee performance will be developed.

A Jemez Youth Task Force composed of local citizens will be established to support and guide the development of the program. The function of the community task force is to provide input from various professions and disciplines for development of a coordinated service delivery system, implementation, and advocacy for the Jemez Youth Program.

The program seeks support from the executive and legislative branches of state government. A tribal resolution outlining their support and participation will be requested. Support from two federal agencies will be pursued from the Indian Health Service Mental Health and Social Services Branch, and the Bureau of Indian Affairs Tribal Government Services Branch, for technical assistance in the areas of training and services.

Other partnerships to be pursued include the New Mexico Children, Youth, and Families Juvenile Justice Program (for technical assistance in developing various program components), the University of New Mexico School of Law, and the Southwest Indian Law Clinic (for assistance in developing policies, procedures, and protocols for the handling of delinquent offenders). Assistance in providing goods and services for youth activities will be solicited from private businesses that have relations with the pueblo.

Baseline data will be collected for informational and evaluation purposes. Data collected in the first year of operation will provide data for cost projections regarding continued investment and support in the Jemez Youth Program. The pueblo will expand its current computerized data management system to incorporate new data requirements for the Jemez Youth Program. The updated data collection system will record information for each juvenile offender regarding the services provided, the staff providing the services, diagnosis or reasons for program participation, socio-demographic data, outcomes, and costs. Regular collection and maintenance of data related to juvenile offenders, family demographics, history, victim demographics, history of interventions, and current participation in other programs also will be obtained. The system will be developed further to provide data for screening and assessment, classification or intensity of services needed, profiles of risk, juvenile demographics, and offending incidence rates.

At the time the grant was awarded in October of 1997, the primary contact Vincent Toya was serving as Tribal Programs Administrator and was fully aware of the proposed project. However, toward the end of the year Mr. Toya was appointed as Governor of the Pueblo of Jemez. Because of an increased level of responsibility as governor of the tribe as well as personnel turnover, the Jemez Youth Program was postponed. Due to inactivity in this grant,

Governor Toya assigned Benny Shendo, Jr., the 2nd Lieutenant Governor, to retain administrative responsibility over the program.

In June 1998, Narcisco Toledo was hired as the new youth Programs Director, and in August 1998 a Finance Director was hired. Currently, Toledo is learning the intricacies of the tribal courts and the traditional system of governance. With this knowledge he will be in a better position to develop programs that are consistent with the beliefs and values of the Jemez people and culture. Toledo has attended two workshops to increase his skills and knowledge of juvenile issues: the 1998 National Conference entitled, "Improving Tribal Justice Systems," and the Seventh Annual Four Corners Indian County Conference, "Stemming the Tide of Youth Violence." Now that a Youth Programs Director and Finance Director have been hired, the project should begin to move forward.

2001 Update

Program staff report that the program is still active. No supporting information has been provided. Thus, no data more recent than December 1998 are available.

Laveen, Arizona: Gila River Community Violence Prevention Program

The 1999 Field Report

The Gila River Community Violence Prevention Program seeks to address the very high levels of gang violence, juvenile delinquency, and substance abuse on the Gila River Indian Reservation. Located adjacent to metropolitan Phoenix, the reservation reports extremely high levels of crime and among the highest levels of substance abuse in the United States. The reservation has high levels of chronic poverty, high unemployment, and very high rates of school dropouts. The project identifies several factors that limit the success of previous efforts to reduce crime and violence on the reservation. The factors identified include

- gang activity,
- lack of prevention focus,
- negative attitudes toward the police in the community,
- insufficient grassroots community support for previous gang intervention strategies,
- inadequate training in the reduction of violence for community members, and
- scarce youth and elderly participation in program design.

This project seeks to overcome these problems through gang and domestic violence projects that rely on collaborative partnerships involving grassroots and community programs. Significant portions of the project involve training and community education. The West End Resident Organization, in collaboration with other community-based organizations, will organize a “Gang and Community Violence Prevention Program.”

Task forces will be formed and will meet regularly to discuss community violence. Key steps to creation of effective groups are identified and will be implemented. Awareness workshops for the community will be offered. These workshops will feature overviews of the incidence of violence in the community, national trends, and factors causing gang violence. In addition, a training program will be designed and implemented for victims, tribal organizations, local schools, and community members. Training topics focus on gang profiles, substance abuse, parenting skills, and leadership development.

The stimulus for the project is the high level of gang violence in the community. The specific origins for the project are not clear.

The overall goal is the reduction of gang violence, substance abuse, and other delinquency. This will be sought by providing training for at least 100 community members through the workshops. Short-term goals that project staff have identified include training and education, development of prevention programs, and the implementation of community policing.

This report was prepared prior to the recent hiring of a program coordinator. While we have recently been made aware of new staff developments, the original program personnel were

difficult to contact. Many attempts were made to reach site personnel by telephone and have, for the most part, been unresponsive. The Bureau of Justice Assistance has been notified of this problem and has stated that their Program Manager for this site also had difficulty contacting the onsite personnel. As a result of the minimal contact, more recent information concerning program implementation is not available.

2001 Update

When the first program coordinator had to resign because of health problems, a second program coordinator worked for the remainder of the program. According to program staff, two problems arose during the program:

- 1) Requirements for everything related to conferences, workshops, presenters, and materials had to meet new guidelines as stated in Gila River Resolution GR-01-00, "All Contracts, Agreements, and Understandings must be approved by Tribal Council."
- 2) Accessing funds for program activity became difficult and this caused problems in meeting time lines for activities and/or scheduling presenters.

The last expense submitted was to cover costs for Domestic Violence training, sponsor training to the Gila River Police Department on gang suppression, and to pay the coordinator through the end of December 2000. According to program staff, there were many positive activities that took place during this project, including family camp retreats, community violence prevention gatherings, classes for inmates on violence prevention, and work on building the cultural and tribal identity of youths. Collaborative efforts in working with other programs, as well as ongoing working relationships were established through program efforts. According to officials, the program coordinator continues to work on all aspects of the program that are still

active without grant funding. They are pleased to have received the grant funding and hope to continue their efforts against gang and community violence.

Lockport, New York: Enhancing Law Enforcement and Prosecution Coordination

The 1999 Field Report

The Niagara County Sheriff's Department (NCSD) is implementing a program in support of the county's efforts to address domestic violence. The immediate aim of this program is to reduce the number of domestic violence cases being dismissed by the District Attorney's Office due to lack of victim participation and/or lack of evidence to support prosecution. Program personnel seek to "create a seamless system, from the initial call for help to the final disposition of [a] case that would ensure the proper handling of all aspects of the case and provide safeguards to enhance the cooperation of all parties throughout the process." The NCSD, the Niagara County District Attorney's Office (DA), and the Niagara County Domestic Violence Program (DVIP) have joined in this effort.

A multidisciplinary team, composed of law enforcement personnel, victim advocate service providers, and members of the legal community has been established to provide a comprehensive support system for victims in crisis situations. The team, known as the Domestic Violence Response Team (DIVERT), is filling a gap between the time of arrest and the time of prosecution in services for victims. Additionally, they are providing continuing support and protection for victims, as well as additional case follow-up. Specialized training has been provided to sheriff's deputies (beyond training generally provided) to enhance their abilities to facilitate further investigation and to deal effectively with victim fears and frustrations. Additional training has also centered on enhancing evidence collection and improving reports. Domestic violence advocates have received additional training in advanced interviewing skills

and techniques to promote victim participation and have received additional training regarding management of hostile situations in the field. Increasingly, liaisons with Assistant DAs are centering on “charging to fit the facts.” In other words, all involved are supporting issuance of a charge, which is appropriate to the facts, to eliminate either “undercharging” or “overcharging.”

The goals of this program have remained constant since the program was originally proposed to the Bureau of Justice Assistance. Primarily, the program seeks to decrease the number of cases being dismissed due to lack of participation by victims. It also looks to provide increased services and protection to victims, especially during the time period between arrest and prosecution of the accused, as well as hold guilty defendants accountable for their actions through issuance of an appropriate charge and prosecution. These goals can be divided into short-term, medium-term, and long-term goals. Those involved in the effort intend to sustain the program beyond the grant period.

To measure how effectively these goals are met, program personnel will compare numbers of arrests in relation to numbers of reported incidents of domestic violence. Information regarding the targeted area will be compared to other areas that do not have the program in operation. Program personnel will compare the number of successful prosecutions to the number of cases dismissed before implementation to determine effects. Program personnel will conduct exit interviews with victims detailing their levels of satisfaction with program services and efforts. Follow-up examinations will be conducted to determine whether or not the program efforts have had an effect regarding repeat offenders and/or repeat victims.

Numbers of arrests, numbers of prosecutions, and follow-up examination regarding repeat offenders and repeat victims will be utilized to draw inferences concerning program impact. Interviews with victims will be analyzed and used to determine effects of services and

protection efforts. Program personnel are compiling accounts of strengths and difficulties in the process of implementing the program. These will be used for continued development of the program and may be used to inform others contemplating similar ventures.

The Niagara County Sheriff's Department appears to be implementing the program as intended. The network necessary for the program to function had been established, specialized training had been provided to the various personnel, and cases are being processed as planned. A total of 239 domestic violence cases were handled between March 1, 1998, and July 1, 1998. Eighty-three cases (28.7 percent of the total) were assigned for follow-up, and dismissals have been reduced from 56.9 percent to 30.5 percent. According to the project director, this is a "prime indication of the quality of initial investigation." Digital cameras have been received and additional equipment is expected. Program personnel are strengthening the network and monitoring progress. Staff are also producing periodic training memos to keep officers informed of the project progress and to reinforce project goals and objectives. Part-time advocates have been hired and trained, and are working in the field. Finally, victim exit surveys have been prepared and interviews began in September 1998.

As a result of this program, the director reports that "both advocates and officers are reporting greater satisfaction with domestic violence cases," and "as a collateral benefit, there is a more coordinated effort between the investigative units and the patrol units in the agency."

2001 Update

Although the grant ended in June 2000, the program was still active as of August 2001. According to the final Categorical Assistance Progress Report submitted to BJA in July 2000, the project's initial goals and objectives continued to be addressed. For instance, domestic violence investigation capabilities have been enhanced. Based on a finding that the quality of

Domestic Incident Reports improved substantially after training and diminished subsequently, not only were the officers provided with an initial four hours of training in evidence collection and witness empowerment, but domestic violence training was been made a part of yearly in-service training. This was supplemented with regular training memoranda. The Sheriff's Department uses the quality of the DIRs as a measure of the quality of police investigation and services provided. All DIRs continued to be screened on a daily basis as a means of identifying victims that need services and also to help maintain quality of investigation and prevent cases from "slipping through the cracks."

The original plan was to use a Community Policing Philosophy by teaming the initial responding officer with an advocate in an effort to provide continuity to the case and service. It proved nearly impossible to both coordinate the schedules of officers and advocates and remain victim-focused. Currently the advocate is the lead contact with the victim, and the officer or investigator available at the time is teamed up with the advocate. The victim remains the focus, and personnel adjust to their schedules and needs.

All 32 cameras have been purchased and made operational. Several major problems arose from the use of digital cameras. The first is that they did not have an adequate database in which to store the images. They have since added a digital darkroom in which the Kodak's Quick Solve software serves as the database manager. Several of the local criminal courts were reluctant to admit digital images though this problem has been resolved. As with most technology, the cameras are now obsolete—they do not capture images at an acceptable resolution level.

Logistics were further complicated by the fact that most of the ADAs in the Town Courts were part-time. The DA appointed a full-time ADA to serve as a coordinator of all the part-time ADA's and as the primary prosecutor of all serious domestic violence cases.

The DA developed specific plea bargain policies to improve consistency and support. The initial responding officer is responsible for assembling an investigative case file. Advocates are responsible for insuring that all parties concerned receive a copy of the case file. Even with a high level of interaction between the advocate and victim, victim cooperation still remains low. To combat the low cooperation rate of victims, victimless prosecution has been instituted. An evaluation of the 1997 DIRs indicated that 56.9 percent were defective. A review of the last 18 months of the study indicates that this goal was achieved, as defective DIRs were reduced to 4.7 percent. The number of domestic violence arrests between 1997 and present have generally remained the same while overall crime has gone down. A survey has revealed that the number of victims who feel safer after the intervention has increased from 51.8 percent to 74 percent.

Longview, Washington: Domestic Violence Coordination Program

The 1999 Field Report

Colitz County, Washington (which includes Longview) has exceeded the state average in domestic violence and civil anti-harassment orders by about 25 percent. According to police personnel, improved coordination between domestic violence investigators and the court system is the most valuable possible addition to the police department in this area and it would greatly improve efficiency and effectiveness. Traditionally, the department would finish a domestic violence investigation and turn a complete package over to the prosecutor's office to follow through to make sure that there was a solid case built and a conviction obtained. When concerns and inquiries came into the department, however, they were referred back to the investigators

who really had little knowledge of what was happening at the court level. This took time away from their continuing investigations. With this law enforcement concern, coupled with an earlier citizen survey reporting that domestic violence was one of the most pressing needs of the community, the Longview Police Department initiated the widely accepted Domestic Violence Coordination program.

The Domestic Violence Coordination program goal is to provide better coordination between law enforcement officers and the courts so that investigators will be able to engage in more traditional law enforcement work. Further, the program intends to provide someone to work closely with victims and coordinate their participation in the court process.

To measure these goals of better coordination between domestic violence investigators and the courts, and the provision of personnel to work closely with victims and coordinate their participation in the court process, the court clerk has accumulated a great deal of data, including retrospective data that will provide baseline information for a trend analysis. These data will also provide a basis for descriptive analyses of the events themselves, for example, describing the children involved and the involvement of drugs, alcohol, or weapons.

Despite significant delays caused by the civil service process, the project recently hired a program coordinator. Prior to the coordinator being hired, intensive training sessions on domestic violence were offered for all law enforcement personnel. The department's emphasis has shifted from trying to ameliorate the condition at the scene to treating the situation as a crime with a full investigation that includes photographs, written statements at the time of the offense, and recordings of spontaneous comments about the situation. These changes in departmental policy have been particularly useful for reminding victims of the seriousness of the situation. In addition, they have encouraged victims to follow through as witnesses for the prosecution. The

recently hired program coordinator has been able to enhance the capabilities of the program and provide supportive services to ensure that victims are aware of and ready to participate in court procedures.

In an unplanned development, the local media gave extensive coverage to the program and the staff have made presentations to concerned organizations, given radio presentations, and conducted candlelight vigils. This has brought favorable attention to the project by the general public, health clinics, and schools. While this turn of events has enhanced the workload, it has also resulted in better control of the occurring violence. In addition, the media coverage has increased number of volunteers that project personnel plan to use in the future.

The most likely impact of this project will be the “spread of effect” phenomenon. The treatment of spousal abuse as a crime and the prompt, strict enforcement of restraining orders are procedures that have been adopted widely by law enforcement in the area and well beyond just the cases dealt with by the project. Recently, program personnel have created new procedures concerning domestic violence and have made small pocket sized summaries that officers can carry with them as a reference when investigating domestic violence situations. Finally, protection and restraining orders have been taken more seriously since the program’s inception and offenders in violation of these orders are often taken into custody.

2001 Update

The program ended at the end of 1998. After the BJA grant ended, there were no additional funds available to continue the program. Contacted officials stated that they hope to restart the project as soon as funds are made available.

Manistee, Michigan: Reservation Restoration Program

The 1999 Field Report

The Little River Band of Ottawa Indians has been restored to federal recognition. With this, the tribe has begun to re-build its reservation and community. The court-community relations project funded by BJA is intended to proactively plan for the influx of tribal members returning to the reservation in an effort to avoid the problems experienced by other tribes as they immigrated to their restored reservation lands and communities. To prepare for the returning Tribal members, the program intends to survey 80 families planning to return to the reservation area to identify potential problems and human service needs. The overall approach includes providing affordable housing and economic opportunities, linking with various state and local resources to serve the needs of those returning, developing a juvenile code, anticipating the needs of youth and, in general, providing a community based value system.

The original idea to prepare for the influx of tribal members returning to the reservation was generated within the Tribe. Having seen other tribes' experiences of increased juvenile crime and substance abuse problems on reestablished reservation lands, the Little River Band of Ottawa Indians decided to take proactive steps to avoid the problems encountered by other tribes.

Because the restoration of Tribal land has already occurred and families are planning to move back to the reservation, BJA funds will be used to aid in this transition by establishing a network of social services that address the needs of the new reservation community. Some internal Tribal funds are being used to supplement various activities including the position of program director and social worker. These activities could not have taken place without the grant.

The overall goal is to provide services and aid during the transition for those Tribal members returning to the reservation. This will involve instilling a community-based cultural/spiritual value system. In order to accomplish this objective, the tribe intends to

1. conduct personal interviews and surveys with 80 families planning to relocate in order to identify potential problems;
2. develop a working coalition with state and local agencies to address the needs of families;
3. create a working document on how the tribe and relevant agencies will respond to situations regarding juvenile offenders;
4. construct a plan for a community policing program;
5. draft a juvenile code and train personnel on its use; and
6. produce a peacemaking system based on traditional tribal values to resolve problems.

The program goals can be placed into three categories. Short-term goals include surveying families to identify their needs and resolve potential problems, and hiring staff. Medium-term goals include the design and implementation of programs to assist families and youth. Longer-term goals involve developing a peacemaker system, drafting a new juvenile code, developing a community policing program, and ongoing service development.

There are multiple measures of program success. These include family assessment surveys, agency records, agreements that are put in place, police reports, records of the juvenile court, and case management information. The major methods include survey research and analyses of case records. Because case management records and records from a variety of agencies will be available continuously, they can be used to monitor program development. Most important to the success of the program is developing a cooperative relationship between the Tribe and local/state agencies as well as obtaining the support and trust of families in order to provide needed services.

This program appears to be making excellent progress toward achieving all of its goals. Assessment surveys targeting tribal members planning to relocate to the reservation have been designed, pre-tested, completed, and analyzed. Coordination with local agencies and cooperative

agreements with many local service providers such as the county Family Independence Agency have been established. There are realistic and ongoing attempts to provide a variety of services (i.e., economic, health, counseling, housing, conflict resolution) for those tribal members returning to the reservation. This includes outreach activities in the eight county service area impacting about 1,200 tribal members. Numerous work sessions have been held in order to establish a community policing program. There is a strategic plan to provide these services which now focuses on establishing procedures and personnel training. Juvenile codes from other native tribes have been compiled, classified, and analyzed, and the peacemakers are developing a conflict resolution system as part of their juvenile code. This peacemaker part of the program is quickly developing, and four peacemakers have been hired and are being trained. The role of the peacemakers, who will work with youth, families, and victims, has been identified and various focus group and town hall meetings have taken place with community residents.

The evaluation process appears to be proceeding in a timely manner. Measures of program success include family assessment surveys, agency records, subcontracts and cooperative agreements, police reports, juvenile court records, and case management information. Subcontracts and cooperative agreements are in place and being reviewed. The juvenile code, community policing, and peacemaker components are now being put into place. These elements underscore the process of implementation and evaluation. Outcome measures include police, court, and case management information, which will be collected when these systems are in place. The process for providing services is well underway and is easily identifiable. Outcome data is more long range but will eventually be available.

2001 Update

According to program staff, this program is still active today. More detailed information was not provided. No more recent program data since December 1998.

New York, New York: Treating Juveniles Transferred to Adult Court

The 1999 Field Report

When juveniles are transferred to adult court in New York State, they lose many of the individualized, client-specific resources available to juveniles processed in Family Court. Indeed, each of these resources are tailored to the youth's family history, educational history, capacity for maturation, and capacity for rehabilitation. Another problem faced by juveniles transferred to adult courts is the unavailability of attorneys trained to work specifically with young offenders under 16 years of age. As a result, New York City lacks the resources and capacity to provide individualized assessment, planning, and advocacy for juveniles charged as adults.

The Juvenile Offender Advocacy Project seeks to create the potential for individualized dispositions and sentencing for youths charged as adults. The program aims to do this by training attorneys in the Assigned Counsel Panel who represent or are likely to represent such youths and working directly with attorneys and defendants to develop individualized sentencing plans that may allow less restrictive and less costly alternatives to incarceration. The City of New York will implement the program in partnership with two other organizations. The Administrator of the Assigned Counsel Plan will supervise the assignment of counsel for indigent defendants, while the Osborne Association, a nonprofit organization, will provide defender-based advocacy for adult defendants as well as a variety of programs and services in both adult and family courts.

The program intends to create the potential for individualized sentences tailored to each youth's unique history, conditions, educational standing, and capacity for maturation and rehabilitation. The program also wishes to strengthen defense attorneys' ability to propose a sentencing plan that is both individualized to address the needs of each juvenile and satisfies the court's desire for punishment, employ a community-based criminal justice agency to provide direct client-specific planning services for juveniles tried as adults, and design and deliver a nine-component training program for lawyers who have been or may be appointed to represent indigent juveniles charged in Criminal or Supreme (i.e., adult) Courts.

The goals that are most important to the success of the program can be specified as short-term, medium-term and long-term goals. Short-term goals include

1. hiring a Court Advocate and Education Specialist;
2. drafting a letter to Youth Part judges to introduce new services;
3. meeting with Assigned Counsel Training Coordinator to discuss how training will be delivered to the Assigned Counsel Panel;
4. devising an attorney training curriculum;
5. developing a training schedule;
6. designing data collection and reporting forms for direct services;
7. "advertising" the initiation of training and services; and
8. hiring consultants to deliver training sessions.

Medium-term goals are to

1. intervene in 40-50 juvenile offender cases and succeed in securing program placements and services as alternatives to incarceration;
2. send out training invitations;
3. design a "training evaluation form" to be completed by assigned counsel;
4. begin collecting information for Juvenile Offender Resources Directory;
5. train assigned counsel to better meet the specialized need of their juvenile clients; and
6. start accepting cases at a rate of 1 per week.

Finally, the program's long-term goals are to

1. establish/expand the resources/services available as alternative dispositions for juveniles charged as adults;
2. intervene in 40-50 juvenile offender cases and succeed in securing placements and services as alternatives to incarceration; and

3. publish a Juvenile Offender Resources Directory.

A "Training Evaluation Form" is to be used to monitor the effectiveness of the training curriculum by the attendees. Also, the number of attendees at each section will indicate whether attorneys are finding the training sessions helpful and informative.

The expansion of resources for juveniles will be measured by tracking the number of new resources added to the current list and the number of juveniles being serviced by the new resources. The publication of the Juvenile Offender Resources Directory will be the major indicator of increased resources. Also, a survey of lawyers will be conducted to determine how many have received and used the Directory, how it was used, and to what degree it was found to be useful.

To assess the effectiveness of client-specific planning, the dispositional outcomes and recidivism rates of program clients for whom services were provided will be compared to those of a control group. Client and service-related data collection, analysis, and reporting will be the responsibility of the Osborne Association.

A Court Advocate has been hired and dates were set for the meeting with the Assigned Counsel Training Staff, the letter to the Youth Part judges has been sent, and work has started on the training curriculum. There has also been success with a number of clients whom judges previously were not willing to release or give youthful adjudication. For example, youths have been placed in an upstate New York residential delinquency program, and day programs, school attendance, and curfew sanctions have been issued in lieu of incarceration.

2001 Update

The program ended when the grant money ran out in September 1999. According to site officials, the training programs that were presented throughout the grant period were very well

received. At the end of each presentation, the attorneys were asked to complete evaluation forms. The speakers and written materials provided received consistently high marks for both presentation and substance. The fact that the programs were held in centrally located courthouses without attendance fees reduced the burden on attorneys who attended.

Attorneys seemed genuinely concerned and eager to explore the special issues that arise in all areas when representing juveniles charged as adults. They told anecdotes about juvenile cases they had handled that differed from their usual adult caseload. The series of programs helped to identify issues and suggest resources that would help them more effectively represent these young clients.

The attorneys assigned to represent juveniles charged as adults now have access to the most extensive database of services for youth available in New York City. Through an arrangement with another City agency, the attorneys will be able to make a phone call and speak to a resource counselor. The attorney will then explain the specific needs of their client to the counselor, who will ask a series of questions in order to better make referrals regarding health needs, drug involvement, residence, educational services, after-school programs, mentoring, counseling, and a number of other services. The database is accessed based on service and location. This resource provides a much-needed service, which will allow attorneys to make appropriate referrals for their clients, which will not only provide the clients with services, but increase the clients' chances in court. This is because judges tend to look more favorably on clients who have made efforts to change their lives.

Through the services provided under the grant, assigned counsel have been made aware of many programs, resources, and professionals available to help them with their juvenile offender cases. In an effort to provide services to their young clients, many attorneys have called

upon the professionals that presented at training sessions. Once aware of the services available, they have sought them out on a regular basis. Throughout the grant period, the Osbourne Association received 41 referrals for services. As of the end of the grant period, the Osbourne Association met their original goal to intervene in 40-50 juvenile offender cases. Nineteen of the 41 cases referred were still active as of the close of the grant period. Due to additional funding provided by New York State, the Osbourne Association was able to handle the remaining cases.

Throughout the duration of the pilot project, the ACS Juvenile Offender Unit has established and maintained strong working relationships with various youth judges and youth attorneys. In the early stages of the grant, the Assigned Counsel's Plan Continuing Legal Education Program sponsored a series of seminars to introduce the Juvenile Offender Unit's services to the attorneys. The only unfortunate aspect of the program was the failure to maintain the Educational Placement Specialist position. The first two individuals left the position for reasons unrelated to the work. Subsequently, the Osbourne Association formed a relationship with Advocates for Children (AFC), a non-profit agency working on educational issues, to help recruit, train, and hire a Specialist. Working with AFC, the Osbourne Association interviewed a number of candidates and twice made offers that were rejected. By this point, the grant period was nearly at an end, and the recruiting process was terminated. A representative from the JO Unit took on many of the responsibilities of the would-be Specialist.

Onamia, Minnesota: Mille Lacs Band of Ojibwe Sentencing Circles Program

The 1999 Field Report

The Mille Lacs Band of Ojibwe is implementing a program with a two-pronged thrust. One component of the program involves a collaborative agreement between the Band's Tribal Court and the local 7th Judicial District Court to refer youth and some adults to a model

alternative known as Sentencing Circles. The second component occurs when the Mille Lacs Sentencing Circle determines whether or not to refer persons to a service learning component, which involves activities such as

1. tutoring youth at the local Boys and Girls Club or at the local elementary school;
2. participating in a weekend archeology project (operated through St. Cloud University);
3. assisting at project Headstart;
4. assisting (for adults) with the local garbage service by driving the truck; and
5. assisting with the local recycling service.

The Circle operates within the rubric of restorative/community justice and employs a holistic approach to youth. Besides service learning, offenders may be referred to substance abuse treatment, anger or grief counseling, and other appropriate services. The personal community of the offender (friends, parents, relatives, youth leaders and others) volunteer to assist with gaining compliance from the offender and assuring that requirements imposed by the Circle are met. In the words of those operating the Circle, "The youth will know the boundaries of the needed behaviors as enforced by their community."

The program concept results from a model, Sentencing Circles, advanced by Judge Barry Stuart, Chief Administrative Judge, Whitehorse, Yukon Territories.

The program goals have not changed since the original concept paper and include: (1) reducing the number of youth who drop out of school; (2) reducing recidivism among youth who have been accepted to the program; and (3) developing and/or strengthening relationships within the local community to further the notion of restorative/community justice. Each of the overall goals may be seen to have short-term, medium-term, and long-term horizons. The Mille Lacs Band of Ojibwe intends to sustain this effort beyond the grant period and use it to strengthen their community.

The Mille Lacs Band of Ojibwe has set an objective of having 40 offenders complete the program within 12 months. Program records will show whether this has been accomplished. As of July 31, 1998, 43 offenders have been referred to the program and are in various stages of completion. Program personnel are monitoring offenders as the individuals proceed through imposed requirements. A computerized database is being established. Information collected includes offender demographics, data on prior record and current offense, data on progress through required activities, pre and post-surveys regarding offender attitude and collateral information on progress drawn from persons in the community who have knowledge of offender progress. Post-program follow-up is planned, with information on positive accomplishments and any recidivism to be added to the database.

The program appears to be progressing well toward meeting or exceeding the goals and objectives originally set. The network necessary for service learning is in place, and program personnel are strengthening the relationships while adding additional possibilities. One addition is the combination of the service learning program with the Youth in Natural Resources program. In the Youth in Natural Resources program, youth in the criminal justice system are recruited to perform projects on the Reservation and in local State Parks.

The Sentencing Circle is operating and making determinations and referrals for offenders. There has been an additional educational intervention with truancy, seven new youth have been placed into the Youth in Natural Resources program, and seven additional youth are in the Service Learning program. Those youth in the Youth in Natural Resources program are able to do community service work, get paid, pay fines and make restitution. The program personnel are strengthening the operations as described above. The program appears to be proceeding as intended.

Program personnel are collecting information as described above to assess progress of offenders and any program effects. Offender school progress is included. Offender success (remaining in school, performance in school, remaining free of substance abuse difficulties, gaining and keeping employment, and related indicators) will be utilized to draw inferences concerning program impact. Program personnel are also compiling accounts of strengths and difficulties in the process of implementing the program. These will be used for continued development of the program and may be used to inform others contemplating similar ventures.

2001 Status

Multiple attempts to locate program contacts have failed. No new information has been obtained since December 1998.

Pablo, Montana: Juvenile Justice Diversion Program

The 1999 Field Report

The Juvenile Justice Diversion Program is designed to address a specific problem—the belief that the tribal adult community has become apathetic towards the delinquency of the youth. The proposal argues that this apathy has resulted in the community's total exclusion from response to problems among the youth, and their attitude is reported to be one that suggests delinquency should be left to the "authorities."

This project seeks to overcome increased delinquency that is thought to be a result of the apathetic community attitude. The accomplishment of this goal will require several steps. First, a Diversion Developer staff person will be hired. This person will assume full responsibility for the program's development and implementation. Second, the Confederated Salish and Kootenai Tribes Juvenile Probation Office will enlist the help of tribal elders to identify, appoint, and train respected citizens as diversion officials. These officials will act as catalysts for the development

of local diversion teams involving local community members. Third, protocols for formal diversion will be established with Police and probation and selected cases will appear before the local diversion panels. Fourth, resolutions will be agreed upon and, if not completed, the case will be referred back to Tribal Juvenile Probation for prosecution. Fifth, data on the caseload size, case decisions, and case outcomes will be maintained by the Juvenile Probation Office. The Diversion Developer will also conduct surveys prior to and during the project's operation.

Specifically, the program's primary goals are to reduce the amount of time Probation Officers spend on minor cases, freeing them up to concentrate more effort on the serious offenders. Secondly, it is hoped that the program will provide a more positive intervention in the lives of the youth that appear before the diversion teams. It is hoped the program will provide a way in which the community can become more directly involved in shaping the lives of its youth.

The proposal cites the fact that in 1990 there were only 52 arrests referred to the Confederated Salish and Kootenai Tribes Juvenile Probation Office whereas there were 218 in just the first five months of 1996. These data were felt to be symptomatic of a general community apathy and malaise regarding the development of the tribal youth. The result has been an increase in the role being played by the formal juvenile justice agencies of police and probation. The project was initiated in order to reverse the trend and to provide an opportunity for the community to be more involved in the issues and problems experienced by tribal youths.

In the original concept paper, the program enumerated eight specific goals. Those goals suggest the program will

1. identify and hire a diversion developer staff person;
2. involve tribal elders in the identification and recruitment of diversion officials and other diversion team member volunteers;
3. establish diversion teams at several sites throughout the reservation;

4. begin the process of diverting selected cases to the local programs;
5. develop a set of community responses that are appropriate and perhaps more positive interventions in the lives of the youth involved;
6. reduce the involvement of formal justice agencies in the more minor cases, leaving them more time to devote to serious offenses;
7. have an impact on delinquent behavior generally; and
8. use the program to regain the primary role of the community in the development of their future citizens.

While these goals remain unchanged, several additional goals have been added. Particularly, the program now wishes to conduct a survey of tribal youth, their parents, and other community members during initial operation of the program. The program also intends to survey some of the youth not referred to the program. Additionally, the program hopes to provide a sound enough basis to continue when federal funding ends.

To determine if these goals have been achieved, surveys will be conducted before and during the intervention. They will be very general measures of attitudes to the program of the youth involved, their parents, and other community members. Additionally, the project report will provide some qualitative data on the implementation and operation of the program as well as on how it is perceived by those involved and others in the community. Several of the process goals can be documented as having been achieved or not. How many local diversion programs will be established? How many community members will be involved? How many cases will be diverted? In addition, many of the project's products are eminently measurable including the number of diversion volunteers, number of youth diverted to program, and survey results. Data on new arrest rates will be available from the Probation Office.

The project does not have any plans to measure the long-term impact of the program—other than the obvious one of whether or not the program still exists in several years. The general goal of reduced delinquency will be measurable using data from the Probation Office.

The project's progress towards implementation is right on target. The Diversion Developer has been identified and hired. She has already distributed notices in the newspapers calling for volunteers. The program has benefited from some local television attention and the number of volunteers has surpassed initial expectations. The response to the program has been overwhelmingly positive and the initial goal of establishing four local teams has been replaced with a goal of six teams. The logistics of where and when the panels will meet are presently being determined. The Diversion Developer has met with probation officers and reports their response as very positive. The case selection criteria have been discussed and it has been agreed that the Probation Office has the final determination about who is eligible for the program. Meetings with the police have not yet taken place.

2001 Update

The Diversion Team Project has been struggling since the end of the BJA grant on June 30, 2000. The project has evolved into two teams: North Team, which serves the communities of Ronan, Pablo, and Polson; and the South Team, which consists of St. Ignatius, Arlee, and Dixon. This organization is explained mainly by the fact that most youth referrals were split between Ronan and St. Ignatius. This seems to work well for the reservation community and site officials did not foresee any changes in the way teams will function in the future.

Both teams have been operating independently with volunteer members since April 2000. Although this is working well for now, there is still a continued need to get more information out to the public regarding the project and recruit new members. The teams continue to recruit members from parents and youth referrals. The Diversion Project, through the extension of the grant, was able to sponsor and support a variety of youth projects in 2000. They were able to

send 30 youth and 4 adults to the Youth 2000 Conference in Butte. The Project also assisted in sending students to the Annual Indian Youth Conference in Seattle, WA.

The Project is currently run by volunteers, and they are in desperate need of new funding to hire another coordinator that could perform more publicity and recruitment. It is hoped that the project will continue to grow in numbers of team members and the community will become more aware of the project and its purpose.

Portland, Maine: Statewide Sentencing Institute

The 1999 Field Report

This project is a three-pronged effort to improve sentencing policy and practice in the State of Maine. The project aims to create a more rational sentencing policy, reduce disparity, promote sentencing advocacy by developing a statewide sentencing institute, collect sentencing data, and create and organize a sentencing advocacy manual and training program.

The first element of the Maine plan involves convening a statewide sentencing institute sponsored by the Judicial Department and organized by a committee of judges, prosecutors, defense lawyers, corrections officials, and the Maine Council of Churches, with the latter organization providing lead coordination services. The Institute is intended to bring together representatives of major public and private organizations involved in the sentencing process across the state and to review data and enter into an ongoing dialogue about problems and potential solutions to sentencing disparities and other issues raised.

The second part of the Maine plan calls for the collection and analysis of data from a variety of official record sources, including DOC files, Superior Court felony files, and District Attorneys' offices. The intent is to provide background data generally and for presentation

specifically to Sentencing Institute participants as a basis for information-driven discussion and decision-making on sentencing reform questions.

The third component of the Maine strategy is itself made up of three parts that are all spearheaded by the Maine Association of Criminal Defense Lawyers (MACDL). The first part consists of a statewide seminar and a series of regional workshops on sentencing advocacy for defense counsel. A second step requires the development and periodic update of a training manual on sentence advocacy, including techniques for producing and presenting sentencing memoranda to the Court and a directory of statewide resources to facilitate the task. Finally, informational and investigative support services are to be provided to assist defense attorneys in sentencing advocacy in individual cases. Resource staff, including law students and social workers, are directed under this phase of the project by MACDL's Executive Director, Joan Gauche, who has had longstanding experience in the area of sentencing advocacy.

Following enactment of a comprehensive criminal code in 1976, which, among other things, abolished parole and established determinate sentences for all offenses, the intervening years have seen a variety of *ad hoc* legislative actions that have included mandatory minimums for a number of offenses, judicial parole-type split sentences, a "truth-in-sentencing" law reducing good-time, and numerous statutes creating new crimes and new penalties for old ones. Despite apparently widespread perceptions that the result has been disparity and disruption of the sense of proportionality and gradation sought in the 1976 Code, available methods to monitor and mitigate the impact of such changes are considered inadequate on several fronts by MACDL, the court, and other officials involved in drafting the BJA proposal.

First, no systematic system of data collection to monitor the impact of the various changes on the courts and corrections exists. Internal frustrations over this lack of data have

been validated by external consultant groups over the last decade, whose recommendations have consistently called for the creation of a systematic database of sentencing and correctional population information on which to base policy and planning decisions. Lacking such data, efforts to introduce sentencing guidelines have faltered. At the same time, appellate review of sentencing by the Maine Supreme Court, authorized by a 1989 statute as at least one way of regulating sentencing practice, has come under criticism as being too limited, too fragmented, and too discretionary.

Second, state law requires that Sentencing Institutes be held to focus and promote continuing dialogue among key sentencing officials about sentencing issues and problems. There is a strong belief that they should be held at least every three years, especially on the part of Judge Brennan, a key Court official behind the project. However, due to budgetary constraints no Institute had been convened for over five years prior to the BJA project. In addition, the lack of systematic data to be presented and discussed at such gatherings also limits their utility as a forum for checking and advancing sentencing changes.

Third, Maine has no Public Defender system and training of appointed defense attorneys has fallen largely to the MACDL in the form of regional and statewide seminars. However, financial resources have been inadequate to support the level of guidance and service that MACDL considers necessary to improve sentencing practices across the state.

The three-part strategy to address the above problems is the culmination of informal and formal discussions between representatives of the court, corrections, MACDL, the Maine Council of Churches, and others. MCC is a vocal advocate of criminal justice reform and has organized and co-sponsored a number of seminars focusing attention on the types of issues now addressed systematically in the BJA project.

The goals of the project, which have remained unchanged from the original concept paper on which funding was awarded, can be expressed in three parts. The first major goal is to organize and run a statewide Sentencing Institute, sponsored by the Judicial Department, which will bring together state and federal judges, prosecutors, defense attorneys, probation and other correctional officials, legislators, victim advocates, interest groups, and service providers. Such an Institute would allow for the discussion of sentencing practices and philosophy and the needs and shortcomings of the current system. The second aim is to coordinate a data collection effort through the DOC and court system to enhance understanding of sentencing factors and promote rational sentencing policy through presentation and discussion of results via the Sentencing Institute and general dissemination.

Finally, the project hopes to promote creative sentencing advocacy by funding MACDL services to: 1) provide resources in individual cases to better inform the court of background data, treatment plans, and creative sentencing alternatives, 2) support training seminars and regional workshops on sentencing advocacy, including the use of victim-offender mediation, and 3) develop and publish a practice manual of case law, sample sentencing memoranda, and a directory of treatment programs and statewide resources.

Substantial progress has been made by the project on all of the major fronts outlined in the BJA concept paper. A first Sentencing Institute was held on December 13-19, 1997. This was shortly after hearing of the BJA funding decision and prior to the first meeting of project representatives in Washington in early January 1998, and as a result, the Institute did not benefit from either the full organizational or evaluation procedures projected in the grant concept paper. A second Institute, planned for January 15, 1999, is expected to be a more accurate reflection of the stated goals in this part of the project. For the first institute, formal participant evaluations

were not conducted. Data presented to participants were, at best, incomplete, being based on the work of interns directed by Judge Brennan to compile the best summary statistics they could within the very short time-frame available. Nevertheless, the Institute was well attended and included presentations by nationally known sentencing authorities Michael Tonry and Malcolm Young. Informal discussions between MACDL staff and legislators and others who attended strongly suggest that it at least accomplished the goals of prompting rethinking of assumptions about sentencing issues and beginning an ongoing dialogue about problems and possible solutions.

Since the first Institute, a series of meetings has been held to review lessons from the first one and to plan for a second. Coordinated by Evelyn Hanneman, Associate Director of the Maine Council of Churches, and led by Judge Brennan, the meetings have involved prosecution and defense attorney representatives, sentencing judges, legislative staff, and representatives of the Attorney General's Office and MACDL. To allow for the intervening December elections, the second Institute will be held on January 15, 1999. This will permit the solidification of both the new legislature and Committee assignments before the start of the Institute.

The sentencing data collection part of the project has been undertaken by Professor Donald Anspach at the University of Maine in Portland, and a graduate student associate, Mr. Andrew Ferguson of the Muskie Institute. Data have been collected and analyzed from five counties. Seven sample offenses were selected on the basis of their seriousness and perceived disparity in sentences imposed for them—murder, arson, gross sexual assault, heroin/cocaine trafficking, vehicular manslaughter, and Class B burglaries. Data were collected on sentenced cases filed in the five counties in 1996-97 to allow testing of whether judges are adjusting sentencing practices following the 1995 changes in the good-time law. The planning group has

met with the researchers to review preliminary findings from the study and to discuss presentation plans for the January 15 meeting.

The agenda for the second Institute allows for a one-day meeting in Augusta. Following an opening session in which the institutional and community corrections plans of the Department of Corrections will be discussed, the morning will be devoted to presentation of the sentencing study data and a reaction panel of judges, prosecutors, defense attorneys, and a legislator. The afternoon session is divided into presentations about sentence review and criminal code issues by Judge Wauthen and the Attorney General, followed by discussion from a panel consisting of representatives from the judiciary, the prosecution and defense, and the legislature. It is chaired by a local law school professor. From 300 to 350 participants are expected to attend.

In addition to completing the sentencing study and preparing for the Institute, progress has also been made on drafting a sentencing manual, including sections written by four attorneys and information collected by interns on treatment resources across the state and in some cases, beyond. Updating it will be a continuing task of the MACDL. Also, a statewide sentencing training seminar for defense attorneys was held in Augusta on April 24, 1998. Approximately 75 attorneys attended. Malcolm Young, Executive Director of the Sentencing Project in Washington, DC was the featured speaker. Although no formal evaluation questionnaire was administered, informal feedback has apparently been very positive, especially towards an afternoon panel of judges who themselves expressed interest in participating again in future sessions.

On October 7, 1998, the first of a series of regional half-day workshops for defense attorneys was held and planning is continuing for an additional four workshops in the next several months. An initial plan to conduct 6 workshops was modified to 5 because it was

concluded that the very small number of defense attorneys in the extreme northern counties did not support a separate meeting. Instead they will be included in one of the other regional sessions. Special interest at the workshops is on victim/offender mediation options, and hearing from mental health and/or substance abuse specialists who may be able to assist attorneys in conveying these issues to the court in an authoritative and constructive way. Plans for the remaining workshops call for presentations by a panel of judges on the defense role in sentencing, discussions of victim-offender mediation options by staff of the Victim Dispute Mediation Center, a session by a clinical representative from the fields of substance abuse and/or mental health, and a social hour to allow participants to network and discuss informally the information presented.

Immediately following receipt of BJA funds, MACDL distributed brochures announcing the availability of case planning support services. As a result, and based on word-of-mouth advertising at the first Sentencing Institute and other meetings, more than 30 requests have been submitted from several counties. Cases have involved offenses as varied as felony-murder, forgery-theft, gross sexual assault, criminal threatening, armed robbery, and arson. Joan Gauche at MACDL coordinates all aspects of this part of the project. She has recruited and employed second-year law students as interns to provide services ranging from research into available treatment options, prior sentencing patterns for similar offenses, and social history inquiries, to the tracking of case results through the attorneys involved. Grant funds have been used to support psychological and substance abuse evaluations and one case so far has been disposed of via victim-offender mediation. MACDL intends to request an extension of the funding period to continue to promote and refine this part of the project.

2001 Update

MACDL members helped to plan the program for both the 1997 and 1999 Sentencing Institutes. They attended the Institutes, served as panel members, and contributed to discussions. They provided information from the perspective of the defense attorney. Sentencing data was analyzed, discussed, and made available to MACDL members at the Sentencing Institute in January 1999. The dialogue between the judges and the defense attorneys at both the Sentencing Advocacy Statewide Seminar and the regional Sentencing Workshops was extremely beneficial. Both judges and defense attorneys commented on the fact that they had never had the opportunity for this type of informal exchange of ideas. Attorneys were made aware of the judges' expectations and also learned more about their individual sentencing policies. Judges, on the other hand, were able to better understand some of the issues that were important to the defense attorney in the sentencing phase of the criminal process.

The Sentencing Advocacy Services had an impact on many of the sentences that were imposed and several judges commented, both on and off the record, that they appreciated the information that was provided to them. Reports submitted to the courts provided judges with the human and mitigating side of each case. Furthermore, the advocacy services were instrumental in helping defendants obtain treatment and other remedial services in an effort to stabilize their lives and avoid further criminal conduct. These were indigent defendants who, without this grant, would not have been able to get this kind of support.

Portland, Oregon: Strategies to Address Persons with Developmental Disabilities

The 1999 Field Report

The Open Solicitation project in Portland, Oregon is a training and education program for adults with developmental disabilities and their care providers. The project developed a modular

curriculum, which is being taught to “consumers” (i.e., persons with disabilities) by a uniformed police officer. Class participants are from group homes, work training programs, school programs, individual citizens, and foster homes in the Portland area. The project has been named Safety Zone: Cops Talk.

The curriculum’s purposes are to:

1. increase both consumer’s and provider’s knowledge of the criminal justice system. For example, curriculum will focus on what types of behaviors and activities are illegal, what an individual’s rights and responsibilities are when they enter the criminal justice system, and how to serve as an effective witness; and
2. provide personal safety training and police services awareness so those consumers who will be better able to avoid crime victimization, as well as involvement in perpetrating and offending.

The project began as the result of an interest within the Portland Police Bureau to familiarize its officers with issues pertaining to persons with disabilities. Police Bureau staff have worked with the Developmental Disabilities (DD) Advisory Group to develop and deliver in-service training to officers on this topic, and Safety Zone: Cops Talk—which is targeted directly towards persons with disabilities—was a natural outgrowth of the Advisory Group’s in-service project. An active partnership has been maintained among individuals and various social service and criminal justice agencies making this project for consumers and providers possible.

In 1997, the Portland Police Bureau developed the Disability Alert Registration (DAR) program, which is a voluntary registration program with information about a person’s disabling condition, communication ability, and intervention techniques that can be used with the registered person. This is entered into the Police computerized database that is available to

patrol officers. They also have WomenStrength, which is a self-defense program for women, which they have modified when special needs groups have requested training. The Police Chief's DD Advisory Group and the District Attorney's office have developed a partnership training program which was provided to all police employees during the 1994-95 training year and to all new officers hired since then. The intent of the curriculum was to educate officers about interviewing and intervention techniques for DD persons.

The expansion of the project to deal directly with persons with disabilities would not have been possible without the federal funding. The Project Advisory Group expanded the work that a partnership on DD issues had earlier undertaken, with the particular interest and support of the Chief of Police.

Original goals, as stated in the concept paper, include both implementation and impact measurements. Specifically, Safety Zone: Cops Talk seeks to develop curricula for DD persons, their care providers, and relevant staff and case managers. Second, the project will perform a pilot presentation and curricula refinement. Third, program staff intends to market its services and schedule training sessions. The program staff also plan to develop staff and participant survey instruments, and to conduct community-based training to target populations of residential programs, group homes, vocational programs, and 18-21 year olds still enrolled in the public school system. Also, they will organize meetings to reach persons who live in the community but are case managed only.

To measure these goals, the grantee will assemble a list of potential participants (e.g., agencies, group homes, and work training sites) that might receive this training. This will be an estimate, since there is no way to know the complete universe of agencies or potential persons with DD who might benefit from this training. But there will be some attempt to get a count of

the number of potential persons who could have received this training, and then, by type of setting, the program staff will estimate the number who actually participated in it. This is intended specifically to better understand the “accessibility” issue, because it may be that certain settings are less accessible to this type of intervention. For those agencies or persons who declined to participate, the staff will try to understand their reasoning.

The Multnomah County Developmental Disabilities program monitors protective service allegation reports (i.e., incident reports). Originally, the grantee intended to use these data to determine whether these reports have increased or decreased during the one-year implementation period. Because these data would be difficult to interpret, the grantee is not collecting them. It may be that greater education of DD persons has meant higher reporting to the police of crimes against them (hence, the incident reports may show an increase). On the other hand, it may be that the personal safety training aspect of the curriculum has made these populations less vulnerable to victimization (hence, the incident reports may show a decrease). The grantee will develop three surveys: one for providers, one for consumers, and one for the Project Advisory Group.

Those who receive the training will complete the care provider (or administrator) survey. It will ask about their perceptions of the training, how relevant they judged its materials, and what suggestions they might make for revision. It will also inquire as to what their experiences have been in dealing with the criminal justice system on behalf of their consumer. These materials will also be used as data for anecdotal case studies.

The grantee is contacting a subsample of the consumer group several months after they have completed the curriculum to measure the extent to which the material taught has been retained.

The Project Advisory Group will also be asked to provide an assessment as to the appropriateness of the curriculum and other project-related activities. Their suggestions for revision will be incorporated into the final report.

The grantee is developing a number of anecdotal case studies to help illustrate the unique difficulties faced by persons with developmental disabilities in interacting with the justice system, as victims, offenders, and witnesses.

The staff made consistent progress in its early stages. They meet frequently (weekly or bi-weekly) with their Advisory Group, who seem very active, knowledgeable, and committed. The Board helped to identify issues to be included in the curriculum. The project staff have also completed a survey of other training curricula that are in use for this population, and decided to use none of this information in their curricula, but to develop their training program from scratch. There are only a couple of prototypes, and most of those focus on juvenile (not adult) populations. This project is charting a new and innovative path. Having been following the development of the DD issue, there will be much interest nationally in this project once it is complete. It could serve as a national model for others considering similar program initiatives.

The staff made several videos, using developmentally disabled actors, to utilize along with the other training materials. The videos show persons with disabling conditions facing challenging scenarios and will be helpful in role playing during the class sessions.

They conducted six to eight focus group sessions with consumers, care providers, and those involved in curriculum development. This allowed them to complete the design of the curriculum that was used in the first month of training.

They marketed their program to community service providers, and recruited police officers to deliver the training. They began teaching classes in June, and through the summer

months developed a reputation in the community for delivering high quality training. In September, October, and November they taught two classes a day on most of their scheduled workdays. Program staff are now expanding and refining the original curriculum to accommodate the comments they received from students in the first round of classes.

2001 Update

In August 2001, the Portland Police Bureau refreshed the Safety Zone: Cops Talk curriculum and initiated a marketing effort to reach new service providers. A contingent of three officers, their sergeant, and two non-sworn bureau members met to review and discuss the curriculum. An interview/registration form was created and a system for setting up classes was developed.

The Disability Advisory Committee served as an important link to help get information to agencies serving people with developmental disabilities. The Bureau sends a uniformed officer and a non-sworn co-instructor to teach at group homes, vocational institutions, social service organizations, and other locations serving people with developmental disabilities. The uniformed officer is the authority figure that addresses legal issues raised by participants. The non-sworn “plays the bad guy” in role-play scenarios. Since September 2000, the Bureau has conducted 24 classes, reaching 248 participants and 42 staff members. The Safety Zone: Cops Talk curriculum has been sent to over 25 law enforcement and other agencies that work with people who have developmental disabilities.

The Bureau recognizes the value of this program and continues to teach and evaluate classes and conduct outreach to the community. As personnel changes take place, the Bureau continues to train new officers and co-instructors to teach the program. Marketing efforts are conducted through the Bureau and outside agency/service provider newsletters. The most

effective promotion has been, however, word-of-mouth referrals. The Bureau and the service agencies recognize that this is not a lesson to be taught just once and not repeated. The value comes from continual repetition and reinforcement of the lessons taught. The reinforcement can be from additional classes or, more importantly, through continued emphasis from staff and caretakers. The Bureau is considering the following enhancements to the current curriculum:

1. A list of residences and agencies serving people with developmental disabilities has been created and the Bureau will send semi-annual notices of the classes that are available. This data can also be placed on precinct maps to notify officers of group home and vocational locations to increase security for the developmentally disabled who are at a higher risk for crime victimization.
2. The curriculum was initially written for adults with developmental disabilities. The Bureau has supported requests from a local high school's developmentally disabled class and found the curriculum to be understood and well-received.
3. Other law enforcement agencies and a fire bureau have adapted the curriculum for use in their communities.
4. A "self reporting" evaluation tool is being developed so that individuals, house managers, or case workers can identify any crime involvement by those who have gone through the program. This tool will help to determine if the program has been effective in reducing crime victimization within the developmentally disabled community.
5. Internet technology is available and used by people with developmental disabilities. The Bureau is considering incorporating a lesson titled, "How to Stay Safe Using the Internet." This lesson would cover such topics as safety in chat rooms, credit card fraud, identity theft, etc.

6. The Portland metropolitan area contains a high number of citizens who speak Spanish. A significant number of them come into contact with the police. Therefore, the Bureau is considering a Spanish version of the Safety Zone: Cops Talk curriculum to reach that population.

The Bureau has also discussed training officers at each of the precincts as Safety Zone:

Cops Talk instructors. This would enhance the existing program in three ways:

1. It would expand the ability of the Bureau to respond to requests for classes.
2. Officers would be able to form a relationship of trust among those with developmental disabilities in their precincts.
3. Officers would be able to identify problem areas so that they could market the program more effectively to those who need it.

Red Lake, Minnesota: Providing Alternatives to Incarceration

The 1999 Field Report

The Red Lake Nation is implementing a program aimed at reducing recidivism and creating an alternative to incarceration for area youth. The program, Creative Restitution and Following Traditions (CRAFT), is designed to show youth that their offenses affect not only themselves, but also their victims, all of the families concerned and, ultimately, their entire community. In the CRAFT program, adjudicated youth must make restitution to the victims of their offenses, presenting those victims with a gift of a traditional Indian craft item that the youth made themselves. The learning process that involves making the items, understanding their victims' perspectives, and discovering the traditional ways of their people is intended to reconnect offenders to their community. Youth also learn about traditional harvesting, hunting, and gathering and use the results of their activities as gifts of reconciliation to victims and the community at large.

This program operates under the rubric of restorative/community justice and employs a holistic approach to delinquency. The program serves the purpose of prevention, and includes self-referred youth as well as those referred by the Tribal Court. Mediation, craft instruction, and traditional lessons of culture, community, and responsibility are central elements of the program's strategy. Although the Red Lake Nation Tribal Court and program personnel have drawn upon a traditional concept that they describe as being "as old as the people themselves" to design this program, CRAFT is a new program at Red Lake.

The program goals, which have not changed since the concept paper, include

1. restoring peace and harmony between victim and offender through mediation;
2. reconnecting youth to the community;
3. imparting to youth knowledge of culture and tradition;
4. building community awareness regarding "where youth fit in;"
5. strengthening self esteem among youth;
6. promoting family involvement;
7. imparting to youth job and community service skills; and
8. reducing recidivism among youth served by the program.

Each of these goals may be seen to have short, medium, and long-term horizons.

Program personnel view mediation as a short-term goal and reducing recidivism as a long-term goal.

Program personnel have specified the following objectives to be obtained by the end of the program year:

1. An 80 percent rate of adjudicated participating youth who have increased their knowledge of traditions and crafts by 25 percent, as measured by pre/post-interviews and staff observations.
2. A 25 percent rate of youth who have received case management, family support, monitoring and referral services, and have reduced their rate of recidivism by 100 percent, as measured by tribal court and police records

3. An 80 percent rate of adjudicated participating youth in CRAFT Elder Youth who have increased their knowledge of community history and tribal ties by 25 percent, as measured by Elder observation, assessment by staff, and pre/post-questionnaires
4. A 50 percent rate of adjudicated participating youth in community service/jobs who have increased their knowledge of work ethics, work courtesy, and respectful treatment of others by 25 percent, as measured by entry/exit interviews, self-assessment, and staff observation
5. A 25 percent rate of the participants and their families who were provided mediation services who have increased their negotiation skills by 70 percent and decreased their incidence of negative confrontations by 40 percent, as measured by pre/post-interviews for negotiation skills and number of police calls for confrontations.

Program personnel are collecting information as described above to assess progress of offenders. Offender school progress is monitored. Program personnel are compiling accounts of strengths and difficulties in the process of implementing the program. These will be used for continued development of the program and may be used to inform others contemplating similar ventures.

All aspects of the program are being implemented as intended. Program personnel note that sustaining the effort beyond the funding period is essential.

Program personnel are also building relationships with other organizations to provide additional resources. For example, the Minnesota Department of Natural Resources (DNR) has previously provided funding for 10 youth to participate in a summer gardening program which culminates with each youth receiving pay for working. Program personnel will work with the

DNR to provide this possibility for the coming summer. As with this example, the number of interested youth is high and the space is limited.

Program personnel have acquired a van for transporting youths to project sites and activities. In addition, program personnel are videotaping various activities and elements of program operation. As noted by Chief Judge Lyons, these tapes could be edited and used to produce a video concerning the CRAFT program.

In the first four months of operation, approximately 50 youth have entered the program and are in various stages of completion. The network necessary for providing services and activities is in place, and program personnel are developing new relationships while strengthening existing ties. The program appears to be proceeding as intended.

2001 Update

This program ended when the grant money was fully expended in May 2001. According to site officials, clients who participated in the Indian crafts workshops may be observed today participating in social and traditional gatherings within the communities. Community members, court staff, and other programs have seen significant changes with the youth in the areas of Ojibwe traditions and knowledge of crafts items due to the craft workshops. Skills needed to make and complete products will stay with these youth for the duration of their lives. Recidivism has decreased for those clients serviced by the CRAFT program. As part of the closing out of the CRAFT program, a community feast was held in March 2001. The feast included elders, tribal representatives, court staff, program directors, and community members. All clients and parents were sent invitations to this event. A total of 56 participants attended. All clients and program staff were given an eagle feather for their time, energy, and hard work making the CRAFT program a great success.

The clients and their families who were serviced through the CRAFT program for mediation have increased their knowledge of positive confrontations and have not been back through the court system. Participants and families have learned how to resolve issues and confrontations. The Red Lake Band of Chippewa Indians is still looking for new funding for this program. They are hopeful that they will be able to secure funding to continue services provided. While youth who were involved in the program did benefit from the services, they must now look elsewhere to find them.

San Francisco, California: Family Assessment Intervention and Resource (FAIR) Pilot Project

The 1999 Field Report

The San Francisco Juvenile Diversion Program was designed to avoid labeling and more appropriately meet the needs of status offenders. Beginning several years ago, the San Francisco Juvenile Advisory Board, made up of judges, attorneys, county welfare representatives, and the chief probation officer began meeting to discuss how their agencies could better serve their communities. One topic of particular interest was juveniles who have started getting into trouble but have not yet begun committing serious criminal offenses.

To address these issues, a multidisciplinary team of representatives from various agencies servicing juveniles developed a plan to refer at risk juveniles to an assessment center to determine their needs and the needs of their family. Following assessment, an individualized plan would be presented to the court where it would be converted into a court order but held in abeyance. Court oversight was seen as essential to ensure compliance, particularly with adult members of the family. Therefore, sanctions of the court are still available, if needed, should the juvenile family members fail to comply with the intent of the individualized plan.

This concept was presented to the judicial counsel and, with their endorsement, legislation was drafted to move the project forward. As a result of a legislative budget shortage, the project was endorsed but not supported. Through the Open Solicitation, the San Francisco group acquired the necessary funding to support their proposal.

The primary objective of this program is to avoid labeling and formal court involvement of juvenile status offenders. With the program operation being subcontracted to the Hathaway Corporation in Southern California, the hope is that it may be possible to include random sampling in the evaluation process. Program personnel anticipate having more potential clients than can be included in the project. Thus, from among those deemed eligible, those receiving assistance from the project will randomly designate the number necessary as a control group against which to contrast any achievements. Site personnel already have a rather complex intake protocol that should supply sufficient data to give a clear picture of results.

The group in San Francisco, upon receiving funding, sent out a request for proposals. A number were submitted and Hathaway, the private nonprofit organization operating a similar program in Los Angeles, seemed to be the most likely candidate. The proposal they presented, however, placed primary focus on adjudicated delinquents. As a result, their proposal could not be accepted as presented, but the proposal was restructured to meet all requirements that would ensure inclusion of pre-delinquent and dependent juveniles.

Implementation has been markedly delayed by bureaucratic requirements. The competitive bidding process entailed considerable time and effort. Once the successful candidate was identified, additional delay was encountered in the awarding of the contract because the State of California had failed to approve a state budget on schedule. Once awarded, it took some time to set up the judicial and advisory mechanisms to provide oversight to the project. Despite

these obstacles, preliminary efforts appear to be reaching culmination with the four cases selected to start a trial run that will test out newly devised procedures.

2001 Update

The overall goal of establishing a pilot project in one neighborhood was met during the grant period. The program ended in March 2000 when the grant money was expended. There are plans to seek further funding to implement the FAIR concept elsewhere. All specific goals related to implementation of the pilot project as specified in the application for funding were met within the grant period, specifically:

1. Request for Proposals (RFP's) were designed and sent to all prospective bidders.
2. Bidder selected by the Judicial Council and its Family and Juvenile Law Advisory Committee to implement the pilot project.
3. Contract entered into by selected bidder (Hathaway Family and Children's Services in Los Angeles) and Judicial Council. Project manager met with pilot project staff members and related court and agency representatives.
4. Hathaway linked FAIR to its existing Community Law Enforcement and Recovery (CLEAN) program and with many government and nonprofit resources. The early months of the project were spent in developing protocols for referrals and eligibility determination, and in training paid and volunteer staff.
5. During the grant period, 80 total referrals were made to the FAIR Center. Of the 17 families who were accepted into the program, 14 were successfully closed, two cases were unsuccessful, and one case relocated.

Although the formal FAIR project will not continue past end of the grant, the program funded by the BJA grant was able to use the grant to develop ongoing linkages with service

providers. The agency was also able to procure two other related grants during the grant period that will enable it to continue to provide the comprehensive services and activities of the FAIR program.

As a pilot project, the FAIR program was successful within its restricted time and budgetary constraints. More extensive piloting will be necessary to test the effectiveness of the concept of juvenile court oversight and involvement in comprehensive community service provisions for at-risk youth. Based in part on the promise shown by this project, the Judicial Council, through its Center for Families, Children, and the Courts, will be seeking future funding for implementation and evaluation of the FAIR concept.

Santa Fe, New Mexico: Strategies for Addressing the Needs of Mentally Ill Offenders

The 1999 Field Report

The general purpose of the program is the establishment of a jail diversion program to decrease jail time and reduce recidivism for mentally ill adult offenders. This program would divert and remove persons from the detention facility and provide them with access to appropriate treatment in community-based services. A community-based services network would involve case management, assessment, treatment, and family support. The diversion program is also a benefit to law enforcement because it reduces the time spent by officers in handling these types of cases.

Officials for the City of Santa Fe were concerned with the number of mentally ill persons who were picked up by the police each year and transported to the Santa Fe County Detention Center. These individuals are detained on misdemeanor offenses or placed in protective custody. Fifty percent of those currently incarcerated for intoxication have a mental health problem. Under the current system, detainees with mental health problems do not receive an assessment

and only on occasion are referred for treatment. Currently, tracking and follow-up of mental health detainees are inadequate. The Santa Fe Police Department (SFPD) has recently made arrangements with the Recovery of Alcoholics Program (RAP) to provide four detoxification beds for such cases. No mental health assessment, however, is now offered. As a result, recidivism for these populations is estimated to be as high as 80 percent, creating an undue burden on police and providing ineffective processing of the mentally ill or intoxicated.

In response to this situation, a 15-member task force was appointed by the City of Santa Fe to develop a crisis response plan that included a recommendation for a jail diversion program. In January 1997, the Crisis Response of Santa Fe project was launched through grants obtained from several local and national foundations. The funding provided for a director, clinical services supervisor, and office manager to implement a crisis line and maintain crisis services. No funding, however, was set aside for a jail diversion program.

SFPD and the Crisis Response Project, currently funded through the Community Services Department, are collaborating to carry out and expand the scope of services to include a jail diversion program. The purpose of the jail diversion project is to decrease jail time and reduce recidivism for mentally ill adult offenders (18 and over). Currently, mentally ill persons apprehended by police are either arrested or held in protective custody depending on the seriousness of the incident. In Santa Fe County, detentions are restricted to 24 hours for mental holds, and 12 hours for intoxication cases. Frequently, no treatment, case management, or follow-up services are provided, and minimal effort is made to involve the family.

The goal of the program is to provide the offender with the appropriate medical attention. To accomplish this, there are four program components:

1. Assessment by a clinical counselor
2. Referral

3. Case management
4. Service coordination

In conference with Santa Fe Detention Center Security, Booking, Classification, and medical department personnel, the procedure agreed upon for engaging the Jail Diversion process will include the following steps. When an individual is brought to the Santa Fe Detention Center (SFDC) and placed in Protective Custody for intoxication or on a mental health hold, the ranking officer or shift supervisor in Booking/Classification will place a telephone call to Crises Response 24-Hour hotline. The Crises Response telephone counselor will page the Jail Diversion Coordinator (JDC) who will, within one hour, contact the SFDC booking officer to provide the JDC's estimated time of arrival at the detention center.

The JDC will assess each individual placed in protective custody at the SFDC. This process will include the administration of the assessment instruments and the completion of the data collection tools as follows:

1. Mobile Crises Log: To capture demographic information as well as social and psychiatric histories
2. Mini Mental Status Examination: An eleven question test used to screen for gross psychosis and organic brain dysfunction
3. Michigan Alcoholism Screening Test (MAST): A twenty-five item questionnaire designed to assess the extent of lifetime alcohol-related consequences
4. Beck Depression Scale: A 21 item test which measures the severity of present depression and can be used in both research and clinical settings
5. Suicide Risk Assessment: An aid to the determination of level of suicide risk with response and procedure instructions

6. Serious Mental Illness Probability Screen (SMIPS): An eighteen item decision referral scale which probes for the possibility that a serious mental illness may exist in the diagnostic categories of schizophrenia, mania, and/or major depression; and
7. An interview with inmate and collateral contact with close family member when appropriate and/or available.

Upon completion of the assessment process, the JDC will score all instruments and enter scores and any other relevant material in the data collection system. The outcomes provided by the assessment tools will form the criteria for referral decision making. The JDC and the jail Diversion Case Manager will make referrals to appropriate service providers based on established categories of need.

Upon receipt of notification from the JDC, the Jail Diversion Case Manager (JDCM) will make contact with the individual identified as eligible for these services. The JDCM will complete a comprehensive social assessment and develop a social plan. Initially, the JDCM will focus on those individuals who consistently return to the detention center on protective custody or mental health holds. The goal is aggressive case management that increases the linkages to services and reduces recidivism to protective custody and mental health holds, and the likelihood of misdemeanor charges and entrance into the legal system. The JDC and the JDCM will work with the detention center to identify and flag individuals who meet the Jail Diversion program criteria.

The service coordination component will require integration of jail and community services. To achieve this coordination, a multi-disciplinary team will be created to oversee the project. To facilitate this coordination, two types of meetings will be held, one for administrative members and another for direct service providers to discuss individual cases.

The project will also include training family members in how to care for their mentally ill relatives. Generally, persons with mental disorders reside with their families, but little information and training is provided to them for the care and maintenance of their mentally ill relatives. Therefore, as a supplement to the other program components, the Family Training and Mentoring Program will train family members on how to monitor their relatives and provide them with the help they need to live productive lives. This family training will enable families to provide a stable but flexible support system for their mentally ill relatives. The Santa Fe Chapter of the Alliance for the Mentally Ill will provide ongoing support by way of offering mentors to those in need of further assistance.

Process and outcome analyses will be conducted. The process analysis includes determination of the number of persons who are:

1. picked up by police for protective custody;
2. detained in the jail for protective custody;
3. transported by police to RAP for a detoxification bed;
4. assessed at the jail;
5. assessed at RAP;
6. diagnosed with a mental disorder;
7. diagnosed with a substance abuse disorder; and
8. dually diagnosed.

Also assessed will be the number and types of people who participated in the diversion program, the number referred to treatment, and compliance rates for diversion and treatment programs. A pre and post-test format will be used to evaluate the family training program. The components that compose the system will be evaluated in terms of their effectiveness and degree of integration.

Recidivism rates will be assessed to determine the effectiveness of the program. In the first three months, baseline data will be collected including a recidivism study, using survival analyses. The study population will consist of 500 mentally ill and dually diagnosed persons

who participated in the diversion program. Multiple regression analyses will be performed to determine factors predictive of recidivism. Variables to be examined include demographic variables, measures of diagnosed disorders, and program and family participation measures. A third analysis will be performed to determine factors predictive of treatment compliance.

The data collected will be used to enhance the diversion program's overall effectiveness. To attain funding for future improvements, the results will be shared with potential funding agencies, local government, and policy makers and researchers.

The project will be conducted over an 18-month period and has been divided into three phases: (1) organizational phase, (2) implementation phase, and (3) evaluation phase.

The initial organizational phase of the Jail Diversion program has been completed. The phase included hiring key personnel, development of policies, procedures, and protocols, formalized agreements with community resources such as Recovery of Alcoholics Program (RAP), Capital Cab Company, St. Vincent's Pharmacy (pending), and Program Tracking and Evaluation, and established data collection and computerized tracking systems.

In March 1998, the Jail Diversion Coordinator (JDC) was hired. In early April 1998, meetings were held with Cornell Corrections personnel to finalize the referral process. In June 1998, the Jail Diversion Case Manager (JDCM) was hired.

A data collection system has been designed which will allow for the creation of demographic profiles and also identifies consumer problems and needs. This system will also provide outcome measures—those required by the funding agency as well as those both needed to evaluate the effectiveness of program strategies and to determine if there has been a reduction in the 80 percent recidivism rate of persons detained on mental health, intoxication, and protective custody holds in Santa Fe County.

Program personnel soon realized that their original goal of assessing 250 offenders per quarter was unrealistic. Program participants now believe a more realistic goal is to assess between 100 and 125 offenders per quarter. Site personnel have also concluded that diverting 125 offenders per quarter is also unrealistic and they amended it to 60 diversions per quarter. Finally, to track offenders through the local crisis systems, staff have held weekly meetings with emergency room crisis counselors, the Jail Diversion Coordinator, the Case Manager, and members of the "Mobile Crises Team" of Crises Response of Santa Fe.

The goal of offering two family training sessions per month was amended to offering only one per month and, at present, several video-training options are being considered.

As of September 30, 1998, the JDC has made the following contacts and dispositions out of referrals received from SFDC:

- 426 total referrals
- 230 assessments completed
- 145 repeats
- 22 released before contact
- 17 declined interview
- 5 felon suicide assessments for classification/medical
- 5 too intoxicated to rouse
- 1 ongoing case: following in SFDC
- 4 too violent to assess
- 1 Drug Court Clinic
- 1 Tesuque Pueblo Tribal Court

From April 7, 1998 to June 30, 1998, approximately 20 percent of the individuals placed in protective custody for intoxication were taken to St. Vincent's Hospital Emergency Room (ER) for medical clearance prior to being transported to the SFDC. Approximately 40 percent were not taken to the ER while the status of the remaining 40 percent was unknown. Of the persons seen in protective custody, approximately 20 have reported to either have a diagnosis of a major mental illness, be a known client of the Santa Fe community Guidance Center, be

receiving SSI for a mental disability, or present with systems and behaviors that would warrant further assessment due to the high probability that a major mental illness may exist. Overall, the jail diversion program appears to be well into the implementation phase and initial preliminary evaluations of data have been collected.

2001 Update

See the in-depth report presented in “Part Three: The Santa Fe, New Mexico Jail Diversion Program: An Alternative Justice System Program for the Mentally Ill and Chronic Substance Abusing Population.”

Santa Fe, New Mexico: Alternative Processing of Indian Youthful Offenders

The 1999 Field Report:

The purpose of the program is to produce alternative processing of Indian youthful offenders. The program emphasizes culturally sensitive responses in an intensely multicultural region. The program’s ultimate goal is to produce an adaptable, model children’s code template for the 22 separate Indian jurisdictions that will be integrated with the existing New Mexico State Children’s Code. The template will allow various tribes to apply sanctions to youthful offenders immediately, appropriately, and with respect for the cultural context of each community. The program attempts to strengthen tribal courts through community principles and to increase tribal access to local resources that are currently unavailable.

The project is a partnership effort of nationally recognized experts in juvenile justice and tribal issues. The New Mexico Office of Indian Affairs is the applying agency and its participation will involve supplying data and the peer review process. The New Mexico Council on Crime and Delinquency (NMCCD) is the operating agency and will conduct the project through providing staff, coordinating the research, supplying the necessary resources, and

assuring the quality of the work product. NMCCD will augment the funding provided by the Bureau of Justice Assistance (BJA) with an additional \$50,000. The total funding will be used to provide technical expertise, supplies, travel, data processing, communications, legal research, and other administrative functions.

The Criminal and Juvenile Justice Coordinating Council will provide data and research support as needed. The Southwest Indian Law Clinic and the University of New Mexico School of Law will provide legal research and consultation. The Juvenile Justice Advisory Committee, judges, and New Mexico tribal/pueblo experts will provide peer review and participate in focus groups. The American Indian Development Associates will work with the operator to provide tribal liaisons, expertise in Indian affairs, coordination related to the proposal, forums and focus groups with the tribes, and other technical assistance. Dr. Suzanne McMurphy (University of New Hampshire) will provide the statistical analysis related to the youthful offender study and tribal data. Representative David Pederson, Chairman of the Legislative Courts, Corrections and Criminal Justice Interim Committee, will serve as the legislative liaison that will develop legislative proposals.

The existing New Mexico Children's Code includes a full faith and credit provision in the Mental Health and Developmental Disability section. This provision has been fully accepted by state and tribal jurisdictions. The next logical step is to include a full faith and credit concept applicable to the youthful offender and delinquency sections of the Code.

The goals in implementing the program are:

1. a comprehensive review of the current status of youthful offenders in New Mexico;
2. demographic and population data analysis;
3. creation of a judicial forum and tribal focus groups;
4. a legislative, policy, and legal issues analysis;
5. a detailed review of the New Mexico Children's Code based on the study findings;

6. the development of a model children's code template applicable to other states and tribal jurisdictions; and
7. the provision of technical assistance to tribes and other interested bodies.

There are two fundamental outcomes critical to the success of the project. The first outcome is the development of a model children's code template to address legal issues relating to the Indian youthful offender. The second is the introduction of a bill in the 1999 New Mexico legislative session giving full faith and credit to tribal courts with respect to the New Mexico Children's Code Youthful Offender/Delinquency provisions. Given that the next legislative session commences in January 1999, efforts will be made to complete the project to allow for legislative consideration of the proposed bill.

A comprehensive study of the youthful offender and delinquency provisions of the New Mexico Children's Code will be conducted to show the effectiveness of the current legislation, and to demonstrate necessary changes to fully establish its impact on youthful offenders, both Native American and non-Indian. There are three indicators of effectiveness related to measurable outcomes: (1) the relative recidivism rates between the youthful offenders sentenced as adults and those sentenced as juveniles; (2) the success of the community in providing access to effective rehabilitation; and (3) perceptions of public safety.

A two-step assessment process will be conducted. The first assessment conducted on youthful offenders in the state and tribal systems will include measures of criminal history, treatment needs, demographic information, level of education, and access to treatment programs while in custody. The second assessment will be a post-release follow-up of youthful offenders to assess recidivism, reduction in juvenile delinquent behavior, reduction in violent behavior, and reduction of treatment needs and other reintegrative behavior.

To evaluate the effectiveness of the current New Mexico Youthful Offender process, two critical decision making points will be assessed. The first is to determine the influence of the prosecutor's decision to file a notice of intent to seek an adult sanction on processing outcomes. The second is the judicial finding of the youth's amenability to treatment, which determines whether adult or juvenile sanctions are imposed. To complete the evaluation, three cohorts of youthful offenders will be evaluated: (1) the group of youth eligible as youthful offenders; (2) the youth that are adjudicated as youthful offenders; and (3) the youth that are sentenced as adults. The non-Indian youthful offender population study will be used to develop the model children's code template's applicability to the full faith and credit process for the tribal courts for use in sentencing Native American youthful offenders.

Baseline data and subsequent evaluations of success will be gathered from various state and tribal entities, such as law enforcement agencies, the juvenile probation and parole office, the district attorney's office, public defender's office, courts, community, schools, the Indian Health Service, and local service providers.

This is an ambitious project. Project success was initially hampered by delays in setting up the grant. This was primarily because NMCCD was awaiting a contract from the New Mexico Office of Indian Affairs. In mid-June 1998, the contract was approved enabling the project to move forward. In light of the contractual problem, all of the project's original timelines were delayed. Therefore, NMCCD requested and received a six-month no-cost extension to the project's original timeline.

2001 Update

According to site officials, the production of the model Children's Code amendment that addresses significant questions relating to the status of the Native American youthful offender

was a major contribution of this project. The template provides an understanding of the full faith and credit principle for tribal courts with respect to the New Mexico Children's Code Youthful Offender/Delinquency provisions. The project will be considered effective if the goal of strengthening tribal courts and increasing tribal access to local resources for addressing Native American youthful offenders is met with a demonstration of a clear potential for adaptation by other states and tribes. The development of a Children's Code template, when successfully utilized by New Mexico and New Mexico tribes, will be one such indicator of effectively meeting the goal. Furthermore, site officials argue that the establishment of full faith and credit linkages between state and tribal courts and the implementation of comparable youthful offender codes across jurisdictions will provide a substantial basis for replication in other states. Finally, legislation assessing full faith and credit issues with tribal courts in New Mexico is also considered an indicator of successful outcome.

Legislation relating to full faith and credit for tribal courts was drafted and introduced in the 1999 New Mexico Legislative Session. After numerous committee hearings, meetings with legislators and a public forum, two identical bills, one originating in the House and one in the Senate, passed and were signed by the Governor. The successful passage of this legislation will allow the state and all Native American jurisdictions in the state of New Mexico to enter into Intergovernmental Agreements with the various executive departments of the state. This legislation was worded as follows:

A tribal court order pertaining to an Indian child in an action under the Children's Code shall be recognized and enforced by the district court for the judicial district in which the tribal court is located. A tribal court order pertaining to an Indian child that accesses state resources shall be recognized and enforced pursuant to the provisions of intergovernmental agreements entered into by the Indian child's tribe and the department or another state agency. An Indian child residing on or off a reservation, as a citizen of this state, shall have the same right to services that are available to other children of the state pursuant to Intergovernmental

Agreements. The cost of the services provided to an Indian child shall be determined and provided for in the same manner as services are made available to other children of the state utilizing tribal, state and federal funds and pursuant to Intergovernmental Agreements. The tribal court, as the court of original jurisdiction, shall retain jurisdiction and authority over the Indian child. (NMSA 32A-1-8 (E))

The Children, Youth, and Families Department had several issues and concerns regarding the draft model. It appeared that progress would be stalled until these issues were addressed. A statewide summit was held to bridge the gap between the Native American tribes and the Children, Youth, and Families Department. This summit addressed the issues of tribal-state relations, cultural sensitivity, fiscal responsibility, as well as many other areas of concern.

According to officials, this project has been significant in that no other state has passed legislation, which allows for full faith and credit for Native American Tribes. The successful passage of this legislation allows the State and all Native American jurisdictions in the state of New Mexico to enter into Intergovernmental Agreements with the various executive departments of the state. However, the end goal of the project will not come to fruition until the Intergovernmental Agreements are enacted.

The negotiation of Intergovernmental Agreements will be the culmination of this project in New Mexico. There are 22 tribes in New Mexico, each with their respective concerns and thus the necessity of 22 separate agreements with the State of New Mexico. However, the tribes are in different states of readiness for beginning the process. It is anticipated that all tribes would need assistance in preparing for negotiating the Intergovernmental Agreements, with those most ready and interested able to start the process immediately.

Savannah, Georgia: Combating Witness Intimidation in a Small Jurisdiction

The 1999 Field Report

Savannah, Georgia has a chronically high per capita murder rate that has twice ranked among the three highest in the United States in the past twelve years. Believing that witness intimidation typically occurs after violent crime, particularly when the victim and defendant know each other or live in the same geographic area, Savannah police and prosecutors are concerned that witness intimidation poses a special problem in their area given the city's high level of violent crime. One area prosecutor recently stated (with police agreement) that "almost every civilian witness summoned to court on Savannah homicides seemed to have been subjected to some form of express or implied intimidation."²

The primary goal of the Savannah Project (SP) is to decrease the increasing number of witness intimidation incidents in the locale. The secondary goals include creating an intolerance of witness intimidation by the community at large, normalizing the investigation of the witness intimidation allegations, and punishing all persons who engage in acts of misconduct toward witnesses.

The Savannah Project purports to be unique in that it:

1. includes a prevention component to discourage witness intimidation early on in each case;
2. utilizes the community, police force, courts, and state legislature, to attack the problem of witness intimidation;
3. relies upon community and interagency cooperation rather than tax monies; and
4. provides a model for other small districts.

The Savannah Project is an innovation that has not been previously attempted by this jurisdiction. The jurisdiction developed the plan as stated in its title, as "a comprehensive yet

² See the Savannah Project's Open Solicitation grant application, p. 1.

inexpensive strategy for small jurisdictions to combat witness intimidation.” The plan therefore combines law enforcement and community resources.

The majority of the funding for the project is derived from the federal grant. The county, however, is matching the federal funds by contributing \$1 for every \$3 of the grant.

The stated goals of the grantee are to:

1. create a community-wide intolerance of witness intimidation;
2. normalize the investigation of witness intimidation allegations;
3. punish all persons engaging in any form of misconduct toward witnesses; and
4. decrease the growing number of incidents of witness intimidation.

There are several strategies listed by program personnel. Short-term strategies include forming a committee to develop legislation, developing community/agency cooperation, and promoting a public relations campaign. To make the victim/witness contact with the criminal justice system less intimidating is both a short and long-term strategy. Long-term strategies are having legislation passed by the state legislature that would enhance the penalties for witness intimidation, providing for witness protection and relocation, making the program self-sustaining, and obtaining technical assistance for database development and evaluation methods.

Since the program’s inception, site personnel have concluded that they should also increase the number of witness intimidation reports, investigations, and convictions. Realizing that, although the ultimate goal is to decrease the number of incidences of witness intimidation, it is first necessary to increase the number reported so that they can be carefully investigated and successfully prosecuted. By accomplishing this goal, site personnel expect that the number of actual incidents will decrease.

The site personnel propose to evaluate the outcome of the program by establishing a record of the number of witnesses who came forward in a crime incident before the implementation of the program as compared to after the implementation of the program. The

witnesses' opinions about witness intimidation will be surveyed before and after the program to determine if there are any changes in perception. The SP will aggressively approach each agency involved in the program and urge their continued involvement. The agencies' activities will be monitored, and they will be surveyed to determine their perceptions about witness intimidation and the program in general.

Most of the proposed evaluation methods include before and after evaluations of quantitative and qualitative data. The measurable criteria to be collected by the SP program are statistics on witness involvement before and after implementation, evaluation of services and activities of the participating agencies, evaluation of witness perception of the criminal justice system before and after the implementation of the program, and mapping of the witness intimidation incidents.

The SP program appears to be progressing very well. Computers have been purchased and the quantitative data are being entered. The number of witness intimidation cases has substantially increased, and as expected, it is possible that this increase in known cases is an indication that the SP is having a positive impact. The public relations campaign is progressing as local newspapers are publicizing the problem of witness intimidation in current cases. The District Attorney has been participating in press conferences to discuss the problem of witness intimidation. The Savannah Project intends to actively develop a public relation initiative that targets the communities most negatively affected by the problem of witness intimidation.

Legislation has been passed that establishes witness intimidation as a crime and provides for the punishment of convicted intimidators. Community and agency cooperation also appears to be progressing quite well. Various law enforcement agencies and the Victim-Witness Assistance program are working closely with the Savannah Project program. A project

representative will be speaking to new police recruits about the intimidation laws and this education is expected to have a positive impact on the appropriate reporting of witness intimidation cases.

Program personnel are also working to identify temporary housing that can be used when families need to be relocated. Site personnel are working with a nearby military base in an effort to use military housing as a means of providing a safe living environment.

Possibly, the goal of greatest concern for the SP is collecting and analyzing data. They are currently attempting to collect baseline data, and understand how it can be used to evaluate program impact.

2001 Update

The Savannah project ended soon after the initial report was filed on this program. The Chatham County District Attorney's Office ceased their involvement in the project. The Savannah Police Department now handles their own version of the project, while the DA's Office is only involved in the monitoring process. Expected data has not been made available to CJRI.

St. Louis, Missouri: Enhancing Law Enforcement and Prosecution Coordination

The 1999 Field Report

The purpose of this project is to improve coordination and communication among the Circuit Attorney, the United States Attorney, and the St. Louis Police Department. This will be accomplished by a video link connecting the three agencies. The problem is one of logistical access. Given geographical separation, it is extremely time consuming and difficult for these agencies to communicate with each other. This, in turn, leads to the lack of successful prosecution and thus unduly impacts victims of crime. Video conferencing capability already

exists in the U.S. Attorney's office. The video connection will bring video capability to three area police districts and the Circuit Attorney's Warrant Office. The implementation of this plan will lead to more efficient communication among these agencies thus increasing the rate of successful prosecutions and indirectly aiding crime victims.

The concept for this program originated within the offices of the U.S. Attorney and the Circuit Court Attorney. The Planning and Development Division of the St. Louis Police Department internally developed this idea and initiated the plan to get funding. The problem was identified (lack of communication that led to unsuccessful prosecutions) and the proposed solution was to develop a video link to make communication easier. The initiation of video communication was dependent on external funding from BJA, and the project was not initiated until these funds were forthcoming.

The program goal is to establish a video link between the three agencies and to provide training with regard to the operation of the system. This will reduce the amount of time between an incident and the issuance of a warrant from the prosecutor's office thus improving the delivery of criminal justice services, improving the status of crime victims, and reducing overtime costs.

The most important goal for the success of the program is obtaining the technical capacity to establish a video communication system. This includes a requirement for technical assistance.

The major short-term goal is to obtain technical assistance to identify the necessary equipment in order to establish the communication system. The medium-term goal is to install the system and train personnel on its operation. The long-term goal is to improve communication thus enhancing the delivery of criminal justice services.

There are a variety of measures being used to determine whether and the degree to which the program objectives are being met. These measures are quite specific and are currently available or can be put in place without undue difficulty. There are a number of measures to determine the effectiveness of the program, which include the following:

1. The time line between the entry of a case and the decision as to what will be done
2. The number of police hours spent on case resolution (reduction of overtime)
3. The change in the rate of successful warrants issued by prosecutors
4. The number of warrants not issued due to victim/witness problems
5. Surveys of the various participants (e.g., victims, witnesses, law enforcement, etc.) to obtain their perceptions of the system and how it has improved the delivery of criminal justice services
6. Measures with regard to being able to keep more officers on the street (e.g., response to calls for assistance, changes in specific crime rates, and the like).

The principal methods to be used include survey research and an analysis of existing records. Since many indicators of program effectiveness already exist (e.g., warrants successfully issued) these can be used to monitor the program on an ongoing basis.

The initial stages of the project are being put in place with the identification and coordination of the necessary technical assistance. Identifying appropriate technical assistance has caused some delays and the program, to date, is not operational.

2001 Update

According to site officials, this program was still active in 2001. Requested data has not been made available.

St. Mary's, Alaska: Strategies to Prevent Substance Abuse by Minors

The 1999 Field Report

The Yupiit of Andreafski have proposed to address substance abuse among their youth through a program of prevention and intervention (the Youth Alcohol and Substance Abuse Prevention Program). Specifically, the Andreafski strategy is to create a multi-disciplinary,

multi-agency team composed of representatives of police, school, treatment, and other social service organizations that will identify at-risk youth and then develop strategies for intervening. The purpose of the 18-month pilot project is to “prevent and to divert at-risk youth from abusing alcohol, inhalants and drugs” by focusing substance abuse treatment and related services on youth who are at-risk not only for substance abuse but also for school problems, delinquent behavior, and involvement in the justice system.

The team strategy to identify and intervene with at-risk youth in Andreafski was suggested because of the dimension of the problem, the scarcity of local resources to handle these problems in the community, and the difficulties associated with placing youths in treatment or justice agencies located far from the village. According to the plan, the proposed team will include representatives of the Suicide Prevention Program, the Village Alcohol Counselor, the St. Mary’s School, the St. Mary’s Police Department, the Yukon Kuskokwim Health Clinic, and the Algaaciq Indian Child Welfare Agency and will be coordinated by the Project Coordinator provided by the BJA funding. The team will develop a client base through self-referral of youths or referrals by any of the surrounding agencies or civic organizations. The Andreafski plan suggests that the team will develop policy and procedures for how it will identify and handle at-risk youth, engage in training, and draft inter-agency agreements for full implementation of the strategy within the first six to eight months. Once operational, the team will also engage in community education activities through community meetings. The Project Coordinator will also help sponsor a variety of events to engage the youths of Andreafski in constructive recreational activities.

The idea for the Andreafski team approach to youth substance abuse prevention and treatment was generated among tribal officials who identified the need to address these problems

as a high priority. The proposed funding seems to be intended to supplement and strengthen related efforts in the community rather than representing a totally distinct undertaking.

The principal goals of the proposed Youth Alcohol and Substance Abuse Prevention Program are divided into near-term implementation goals and longer-term goals relating to impact on the problems of youth substance abuse in the village. During the implementation of the pilot program, program goals include formation of the multi-disciplinary team and development of agreements, policies, and procedures for its operation. Once the structure of the approach has been formulated, the next goals involve identification of high risk youth and development of prevention or treatment plans for addressing their needs. A final implementation goal involves strengthening the team so that it has full support of the agencies and programs represented as well as the community so that it can serve as a useful and effective community resource. The longer term goals include successful identification and intervention in at-risk cases, and reduction in substance abuse and related behaviors (relating to health and the justice system), including delinquent or criminal behavior.

Site representatives identified the formation of the interdisciplinary team as the most important and challenging of the project goals. In fact, in the early months of implementation, formation of the team has proven difficult. In addition to the program coordinator, representatives of only two agencies, Algaaciq ICWA and the Suicide Prevent Program, and a local resident have agreed to participate in the interdisciplinary team. The local school and police department officials have expressed interest in the project, but have apparently not committed to a regular team role. The difficulty has led to problems with implementing other goals, such as identification of at-risk youth and development of intervention strategies to address their substance abuse related problems. Instead, for an initial period, the project has

focused on supporting youth activities. Since early summer, however, there has been no program coordinator. Although tribal officials state that they plan to find a replacement, no progress has been made through the fall of 1998 and the project has been delayed indefinitely. Thus, there are questions about how the original proposal will in fact be implemented and, if so, according to what realistic timetable.

2001 Update

After difficulties in getting off the ground, this program apparently operated until the grant money was expended in March 2000. Attempts to contact relevant site officials regarding subsequent activity in the program areas were not successful.

Tallahassee, Florida: Electronic Case Filing Project

The 1999 Field Report

The Leon County Clerk's Office in Florida is working on a project to establish electronic filing for all court documents. The Leon County Clerk's Office is in a unique position to conduct a project of this type because of the proximity of the Florida Supreme Court, the Florida Bar, the Florida Association of Court Clerks, and other essential players in the judicial system. A new process modeled in Leon County has the potential to be introduced statewide. Partial funding for this project is being provided by a grant from the U.S. Department of Justice, Bureau of Justice Assistance.

Electronic filing of court documents will be accomplished using existing Internet technology. Attorneys and individuals filing documents will use their personal computers to create the document using their choice of word processing software. Software and procedures generated in this project will be provided free of charge to other clerks in Florida at their request. Each PC must be equipped with a web browser and either Internet access or a dedicated link to

the Clerk's web server. After using data security software, hardware, and procedures provided by the Clerk's Office, the filer will enter case header information and attach the documents for filing. These documents will be stored in Adobe PDF format as required by the Florida Supreme Court, uploaded securely to the electronic document server, and a return receipt via e-mail will be generated. Required financial transactions (per Florida Statute) will also be conducted online through the use of credit cards or debit accounts with the Clerk's Office. In the Clerk's Office, the header information will be reviewed by a docket clerk and then electronically merged into the case management system. This will reduce the time required to assign case numbers and docket the case. Also, docketing errors not contained in the original document submission will be nonexistent.

Documents will be available electronically or in hard copy for use by participants in the judicial system. Consistent with the Florida Supreme Court rules, after the system has proven itself and has been certified by the Court, there will be no requirement that attorneys submit or that the court clerk maintain paper copies. This will reduce storage requirements, copies produced, and paper handling. Attorneys and *pro se* litigants will be able to file hardcopy documents and the clerk will scan them into PDF files for inclusion in the electronic case filing system. Dedicated computers for public access will be provided in each of the clerk's court division offices so that individuals can prepare and submit their documents electronically if they have no access to a PC or the Internet.

This approach is new for the entire state of Florida. It is moving from the traditional paper-based system to one that takes advantage of available technology. This is not experimental technology, however. Rather, it is a project to link existing technologies with a workflow process to streamline the system. Many of the elements of this project are already

tested and in place on the Clerk's web site (<http://www.clerk.leon.fl.us>). For example, on the website under public notices, there are posted upcoming foreclosure sales. The user is able to see what sales are coming up, and review a list of properties for sale. An icon on each listing brings up a PDF copy of the actual final judgment. Similarly, return receipts are already generated in the feedback function on the site, and security measures are in place to encrypt files sent to Florida State University for updating the Official Records Indexes Online.

The impetus for this project came from the Florida Supreme Court who worked on an electronic case filing rule for some time. Chief Justice Gerald Kogan formed a Court Technology Users Committee (Chaired by Justice Ben Overton). Members of the Clerk's Office and the Center for Public Management decided that the Leon County Clerk's Office would be a pilot for this technology, and they discussed Electronic Case Filing (ECF) as a candidate for federal assistance. They researched and gathered information on related initiatives to see if ECF was being done elsewhere. They discovered some federal court involvement with electronic filing, but found almost nothing on the local trial court level. They then proceeded to plan and complete their project proposal. They seized upon the initiative of the Supreme Court and others in an attempt to implement the proposal as a method to increase the court's efficiency through the use of technology.

The source of the program's origins is internal and augmented by the grant. The concept of electronic case filing was attractive to the Clerk's Office because of the potential to improve process flow and lower the cost per case. The total project was calculated at that time to cost over \$300,000. Getting federal assistance allowed the project to move forward more quickly and at less opportunity cost to other technology programs.

The primary goal of this program is to develop and operate an electronic filing system of Court documents for attorneys and *pro se* litigants. This goal has several relative objectives that suggest that the program will

1. reduce the number of visits required to the courthouse to file documents;
2. decrease the staffing required to input docket information;
3. lessen errors in data input;
4. increase the speed with which documents enter the justice system; and
5. improve access to the judicial system.

The objectives have not changed appreciably since the project was conceived. They are still seeking the strategic goal of a system that allows electronic filing to all court system participants and increases access to the courts and the court records. The program participants believe that all the goals are important and inter-related, but that the goal of developing partnerships is crucial to the success of the program.

The program goals can be classified into short, medium and long-term. Short-term goals include: (1) forging partnerships with key stakeholders; (2) creating a computer system; and (3) educating all parties within the process. Medium-term goals include: (1) selecting pilot sites; (2) training system users; and (3) getting approval from the Florida Supreme Court. Long-term goals are to (1) integrate legacy and statewide emerging systems and (2) to expand to a statewide and potentially a nationwide system.

The objectives of the program are to have, by December 2, 1998, a pilot system in place for the electronic filing of court documents by attorneys and *pro se* litigants. This will reduce the number of visits required to the courthouse to file documents by 15 percent, reduce the staffing required to input docket information by 10 percent, reduce errors in data input by 15 percent, increase the speed with which documents enter the justice system by 25 percent, and make

documents available online to court system participants and interested parties 24 hours a day, seven days a week.

Ultimately, the relative objectives outlined above will become absolute as all court cases are processed electronically, and all justice system participants will submit, receive, and work with documents in an electronic format. In the larger context, this project will be successful if it becomes the model for statewide electronic submission of court documents.

Public awareness and satisfaction will be measured through an opinion survey. The Florida Center for Public Management (project manager) will clearly develop performance measures, collect, collate and analyze court data consistent with the project process. This information will be compared against baseline data (services and products — costs, quantity, quality).

Measures of project success include

1. number of documents submitted electronically;
2. percentage of attorneys and firms submitting documents electronically;
3. percentage of *pro se* litigants submitting documents electronically;
4. percentage of docketing entries accomplished in an automated fashion;
5. reduction in number of hours spent docketing;
6. reduction in docketing errors and copies made;
7. reduction in files misplaced; and
8. increase in the number of judges participating.

The overall project management framework appears to be in place. The electronic filing system process has been defined, software development continues, and prototyping is underway. An advisory committee has been formed and has met. Four law firms have agreed to participate in the project, but project management has held off on formal communication with other local firms until they had the approval of the Chief Judge to forward the proposal to the Supreme Court. The program demonstrated the prototype system at the annual meeting of the Florida Bar Association.

Coordination (primarily presentations on the project scope and design) has taken place with the following stakeholders: Florida Supreme Court Staff; Chief Judge 2nd Judicial Circuit; Florida Supreme Court Technology Commission; 2nd Judicial Circuit Court Administrator; Florida Bar Association; Tallahassee Bar; Florida Association of Court Clerks; Florida Department of Corrections; Florida Department of Law Enforcement; National Center for State Courts.

Status in 2001

After termination of funding, the project aims continued to move forward. According to site officials, it was the intent of the Clerk of the Circuit Court to resume the Electronic Case Filing project with local funding once the major upgrade of the civil case management system was progressing on schedule. All portions of the project already completed can be used once the project is resumed. The Electronic Case Filing (ECF) project was planned and initiated with an adequate window for completion prior to the planned but major disruption of Y2K upgrades. However, the lack of timely support from the approving authorities delayed the project too long to be completed within the window of opportunity. Once the final push for Y2K was completed, the time for the grant had run out. As of mid-2001, the project was still not implemented. Necessary court resources had been diverted to handling the Y2K situation, according to site officials, slowing down the successful achievement of the project goals. Although the project was viewed as feasible, the timing of its implementation led to its at least temporary failure.

Tucson, Arizona: Pascua Yaqui Gang Prevention Team

The 1999 Field Report

The Pascua Yaqui Gang Prevention Team seeks to affect the high rate of juvenile delinquency on the Pascua Yaqui Reservation in Tucson, Arizona. Many of the delinquents

seem to be members of criminal street gangs. Program staff have identified responses to the demands of gang culture as a primary motivation for delinquency. Police reports indicate very high levels of gang affiliation. The program, called the Traditional Arts Project (TAP), offers offenders and alleged offenders comprehensive exposure to and participation in the Yoeme cultural arts, and seeks to change the gang culture by increasing Yoeme cultural identity. TAP seeks to foster personal accountability for conduct and teaches honorable ethics modeled on the long-standing traditions of the Yoeme culture. It will offer a traditional arts program as an alternative to juveniles aged 13-17 who are accused of committing crimes and who are also identified as being affiliated with criminal street gangs.

The program will include staff from the prosecutors', probation, and diversion offices, as well as teachers in TAP. The office of the prosecutor will identify eligible juveniles and refer them prior to filing a petition. The diversion supervisor will explain project participation to the juvenile as an alternative to juvenile court. If the juvenile and the guardian agree to the contract, the juvenile will attend an orientation session. Other juveniles will be admitted to the program as a condition of court-ordered probation. TAP consists of a 12-week curriculum composed of mural painting, instrument making and music, masks and ceremonial implements, and Yoeme history and culture. Yaqui artists and teachers teach each subject in three-week blocks. Participants are required to attend three hours a week and to write satisfactory reports. Community projects (e.g., murals) and field trips will also be part of the training.

The idea seems to derive from the gang literature, from successful arts programs in other parts of the country, and from cultural traditions within the community. It relies on strong existing partnerships among the Tribal Court, Prosecutor's Office, and Tribal Health Services. It

relies also on a recently created Pascua Yaqui Gang Prevention Team, a multi-agency task force governed by community members.

The project seeks to reduce juvenile crime and to enhance respect for and adherence to Yoeme cultural traditions. There are, however, several short and medium-term goals for TAP. First, there is the need to hire curriculum teachers and a diversion supervisor. This involves writing contracts, job descriptions, and curriculum. Second, the project team will coordinate the activities through regular meetings. A survey will be designed, including preparation of a questionnaire for the subjects. Longer-term goals include developing in youth an awareness of cultural ceremonies and values, a decrease in recidivism, and consequently a decrease in juvenile crime on the reservation.

Project staff intend to evaluate the project by measuring the reduction in juvenile crime during and after participation in TAP. The design seems to be a single shot case study with no comparison group. Individual participants will be followed over time and reviewed at three and six-month intervals. Tribal police data will be used to track individual offending. In addition, features of the TAP program itself will be studied by a survey of the participants. Mention is also made of a pre-program survey administered to a cross section of juveniles—this will then be administered pre and post-program to the participants. Which components of the program are most favorably viewed by participants will be studied. Participants will evaluate teachers, projects, and program management. It is anticipated that changes to the program will be made during the trial as evaluation data are received and studied.

The program has faced some setbacks as a result of personnel changes. For example, the Chief Prosecutor has left his position, and the project has limited staff resources. There has been no agreement from Yoeme community artists and teachers as to what constitutes “cultural

values,” and there is concern about the level of credibility of the artists. There is also concern about the support by parental and community leaders, and about having members of different gangs in the project together. Further, as police data and prosecutor records may not be computerized, staff are required to use manual estimation, a difficulty given limited staff resources.

2001 Update

While the grant for this program ended in late 2000, the program itself is still active at present. According to site officials, this program has engaged youth in a variety of ways. Classes in the areas of beading, leatherwork, mask-making, and so on were established. Educational field trips were also arranged to Yoeme villages in Mexico and Chaco Canyon in New Mexico. In early 2000, traditional dance and language programs were set up once a week. Community beautification, involving painting religious murals at bus stops, is another aspect of the program. The final major component is that of community service, including participation in events such as Domestic Violence Awareness Day, Tobacco Abuse Prevention events, and AIDS Awareness Day. Last year, students created their own float for the parade on Domestic Violence Awareness Day. This year, students organized and hosted the first ever Pasqua Yaqui Social Pow-wow that focused on youth dancers, drummers, and singers.

According to program officials, project implementation was difficult from the onset. Apparently, two of the three principals named in the grant were no longer working for the tribe at the time of the grant award. Also, the multi-agency Pasqua Yaqui Gang Prevention Team was undergoing changes due to the changes in personnel in the principal departments. Politically, the momentum to implement juvenile gang-prevention programs had decreased significantly.

Another problem area was establishing the new program in the system. Apparently, key personnel in law enforcement and prosecution had little knowledge of the program or of its history of problems. These new personnel were, initially, not very accepting of the program concept until they learned of the situation with juvenile crime in the area. Based on program reports, hiring reliable personnel proved to be difficult. Coordinators wanted to find individuals who were familiar with tribal traditions/arts/ceremonies but could also serve as role models, mediators, and social workers. This combination proved to be most difficult to find in any one person. The program has been funded beyond the original grant period through the Health Department and United Way funds.

Tucson, Arizona: Strategies to Address Juveniles Charged as Adults

The 1999 Field Report

This program seeks to address the potential problems resulting from the automatic transfer of youths 15 and older arrested for certain felonies to adult court. New legislation suggests that, in the Pima County system, six times as many juveniles will be processed by the adult system each year as previously was the case. This poses several challenges:

1. Sight and sound separation of juveniles from adults in detention
2. Responsibility for data sharing among agencies in the juvenile and adult systems
3. Standard pretrial release criteria—relating to community ties—may be lacking for the juvenile population
4. High revocation rates for juveniles on adult probation suggest considerable difficulties for increasing juveniles on probation

The project seeks to ensure treatment for amenable juveniles, creates new standards for pretrial transferred juveniles (including needs assessment), maximizes pretrial release for juveniles and creates models for collaboration among components of the justice system. Standards for pretrial release for juveniles are generally not available and thus the project seeks this innovation. Additionally, the project will include treatment plans as conditions of release,

thus attempting to merge common juvenile justice practice with this new adult process. This will be accomplished by the creation of a “Juvenile Treatment Team” that includes relevant actors from the juvenile court, pretrial services, adult probation, and the adult detention center. Finally, all of this rests on the creation of an integrated data system for transferred juveniles.

The Juvenile Treatment Team will be created through identification by each affected agency of one individual with primary responsibility for transferred juveniles. The Team will meet together weekly and seek to identify juveniles amenable to various release conditions. The integration of data will be accomplished through existing computer and hard file systems. In addition, new empirically created juvenile transfer risk assessment and needs assessment instruments will be designed and validated.

The creation of the program seems to result from the confluence of a significant statutory change in the transfer process and active, imaginative leadership in the pretrial services agency. The statutory change was the result of an initiative, sponsored by Arizona prosecutors, and approved by the voters to “crack down” on juvenile crime by ensuring that a greater number of juveniles charged with serious crimes were dealt with by the adult system rather than the (perceived) more lenient juvenile system. This initiative produced several additional questions, particularly surrounding other laws such as sight and sound separation, and did not provide new funds for implementation. The pretrial services staff are at the vortex of the problem and this project is the result of their efforts to accommodate the situation in a manner that protects the community, achieves the goals of treating juveniles in the adult system, and recognized resource constraints.

The project will develop a juvenile pretrial risk and needs assessment instrument to help judges determine appropriate pretrial release conditions for transferred juveniles. The instrument

will seek to evaluate treatment needs, risks for reoffending, general community safety, and the likelihood of the juvenile showing up for court appointments. Short-term goals include a literature search for juvenile risk assessment, the securing of cooperation among all agency parties, and securing data from all relevant agencies. Longer-term goals include actually undertaking the empirical modeling to create the instrument that predicts failure to appear and new offenses as well as amenability to treatment. The primary long-term goal is to have the judiciary making the decisions find the instrument useful to the extent that it is used.

Obstacles include the poor availability of high quality data. Some are not computerized, and some existing databases in each area of the system need to be expanded and tailored to meet the project's needs. With respect to the treatment aspiration of the project, there is a need to develop the appropriate treatment resources in the community. Program staff have the expertise to accomplish these tasks and appear not to need technical assistance.

The project has very clear measures of effectiveness. Project staff will use quasi-experimental designs, and employ a pre and post-test design by using data on cases prior to the change in the law serving as baseline against which to compare the new project cases. The project will study the degree to which prosecutors are implementing the change by studying the number of cases remanded to adult court, pre and post.

Additionally, they will study the improved ability to identify juveniles who pose no threat to the community and who get pretrial releases, the extent to which the judiciary actually uses the instruments developed, and whether the project is producing better decision making and less failure by defendants. With respect to their new instruments, multivariate statistics will be used to combine information to predict measurable official criteria. For all of this, specific measurable criteria have been developed, such as failure to appear, new arrest, and violation of

conditions of release (such as school attendance, treatment services, and meetings with probation staff).

Draft data collection instruments have been developed, including an interview form. Data from this interview form and from the juvenile online tracking system are being used to develop the risk instrument. Currently, the project is in the data collection stage and project staff anticipate six to seven months will be required for sufficient cases to be available for quality analysis. All consultants and project staff are on board and the project appears to be moving ahead.

2001 Update

This program in its original form ended when the grant money was expended in December 1999. After that, local funding allowed the program to continue in a smaller form, with one case manager still working with a specialized caseload. Site officials reported the following achievements to BJA: (1) The pretrial services program identified slightly more than half of the juveniles whose cases were transferred into the adult system to be eligible for release. Of the 253 cases transferred during the grant period, 137 cases resulted in some type of release. (2) The program developed supervision strategies that were effective in minimizing pretrial failure for a population considered as high risk for release. This included developing a small specialized caseload for one case manager, which allowed for frequent interaction with the juvenile defendant and his/her family. The case manager was available for crisis counseling, encouragement, support, and accountability of the juvenile. Records indicate, of the defendants released, three juveniles were charged with a new crime while on release and 20 juveniles did not appear in court. A warrant was issued for their arrest. (3) The program contributed to the successful supervision in the ability to contract for support services in the community. The

services most utilized were outpatient substance abuse and electronic monitoring. (4) The strategy reduced the need to incarcerate all juveniles whose cases were transferred into the adult system. This was a significant contribution, as the local adult jail facility has limited options for housing a high number of juveniles. (5) Additional funding to continue the program was subsequently provided by the local governing board. Funding allowed for one case manager to continue working with the juvenile population, as well as to contract outpatient substance abuse treatment and electronic monitoring. (6) The program developed working relationships with juvenile court in the area of sharing information. Pretrial service (PTS) staff had access to juvenile court's tracking system for checking prior contacts and dispositions, as well as reviewed previous assessments and services offered to the juvenile. This eliminated the need to "reinvent the wheel" in terms of previous services rendered. (7) Finally, a recommendation by one of the project evaluators, based on the success at identifying juveniles for release and the minimal failure among the juveniles released, was to expand the PTS to the juvenile court system with the belief that this screening could impact the crowding experienced in that facility.

The site also reported that the risk instrument could not be developed because of the limited number of failures among the juveniles released during the pretrial period. Overall, it appears that this program has been very successful. The funding from BJA allowed PTS to provide the court with viable alternatives to incarcerating the juvenile population processed in the adult system.

Vacaville, California: Domestic Violence Prevention Program

The 1999 Field Report

According to the Vacaville Police Department's Domestic Violence Response Team (DVRT), local prosecution of family violence cases was being hindered as victims would recant

their stories and become hostile witnesses. In fact, the DRVT found that 88 percent of the criminal cases filed in their first six months of operation were affected by intimidation imposed on either the victim or their children. To address this problem, program staff proposed intensive clinical support and legal follow-through.

The broad intent of the Vacaville program is to reduce violence in the community. More specifically, given that 52 percent of all misdemeanor and felony assaults in Vacaville are related to domestic violence, the Vacaville Open Solicitation project focuses primarily on this type of violence by providing law enforcement services, counseling, prosecution, victim advocacy, and social support services in domestic violence cases. To keep the program within the framework recently enacted California law requiring all domestic violence cases be handled formally, the program works to enhance prosecution and conviction by focusing primarily on prosecution and targeting repetitive offenders.

In addition, the program seeks to ensure that supportive services are available for victims and any children involved by providing a paralegal that assists the deputy district attorney and guides victims through the various court processes. Volunteers have been used to perform essential project tasks and their efforts are significant. One volunteer is working on a computer data system that will allow analysis of the program, and another works in the area of graphic art productions, making educational pamphlets for the project.

To achieve the broad goal of reducing domestic violence, the Vacaville program is attempting two things. First, they wish to prevent domestic violence offenders or batterers from intimidating or trying to renew involvement with their victims. Second, the program seeks to provide legal assistance to the prosecution to enhance domestic violence convictions.

As noted above, the project staff and volunteers are developing a data system and have designed the necessary set up for data collection. Particularly, the analysis will search for patterns of offenses and the extent of drug and alcohol involvement. While there does not appear to be an opportunity for the development of a comparison group, or to identify a previous base line level of operation, there have been qualitative comments from a number of individuals who have found the program helpful and it is hoped that these impressionistic findings will be reflected in subsequent statistics.

The program appears to be progressing very well and has extensive coordination with a variety of services and volunteer organizations within the county. This ensures available treatment opportunities for the abuser, family support, and response to other needs. In addition, they have received extensive news coverage, which has raised community awareness and increased the number of volunteers.

The project has also coordinated conferences and forums to educate the community and other agencies throughout the state on different approaches to the domestic violence. One recent meeting held with religious leaders was intended to give pastors a clear understanding of the resources available to domestic violence victims.

The organization prides itself on cooperation. In fact, the District Attorney, law enforcement (represented by detectives), and social services all work together on an equal basis. In a typical case, a detective will perform the law enforcement aspects of each case and provide that information to the District Attorney. At the same time, the social service organizations deal with the welfare of the victim and children and try to encourage the victim to appear as a witness against the batterer. As indicated by this model, the team appears to be handling cases in an expeditious manner, and has improved cooperation needed to ensure successful prosecution.

In general, the project appears to have had an excellent initial implementation and continues to function very well. They have developed excellent counseling programs, and have coordinated with other agencies to provide services that they themselves are unable to provide. The use of restraining orders has been improved and the program is working hard to ensure adult victims and their children receive appropriate emotional support.

2001 Update

For an in-depth examination of this program, see, "Part Four: Developing a Coordinated, Comprehensive Response to Family Violence: The Vacaville, California Family Investigative Services Response Team (FIRST)."

Vidalia, Louisiana: Pre-Trial Intervention Program

The 1999 Field Report

The Louisiana Seventh Judicial District began work on the Pre-Trial Intervention Program to address the steady increase in criminal activity attributed to 17 to 25 year olds. Seeing that these young offenders often recidivate, the Pre-Trial Intervention Program attempts to intervene very early in the in their experience with the justice system, and potentially lower their rate of reoffending.

The Pre-Trial Intervention Program provides aggressive supervision with various degrees of structure (which decreases as the offender successfully moves through the program) to qualified first time offenders. As a diversion effort, offenders successfully completing the program will have the charges against them automatically dismissed. There are separate programs, varying in length and intensity, for felony and misdemeanor offenders. The supervision is tailored to individual offenders, and is expected to be approximately one year for misdemeanants and two years for felony offenders.

This pre-trial program builds on an existing program in the jurisdiction that has been deemed ineffective because it is handled by secretarial staff on a part-time basis. The proposed changes include structure, supervision, mentoring, and monitoring for the participating offenders.

The program was originally designed to:

1. guide offenders through a rehabilitation process that is appropriate to his or her crime;
2. help offenders develop the self-discipline necessary to avoid criminal activity in the future;
3. cause offenders to acknowledge responsibility for his or her behavior and make appropriate restitution to the victim; and
4. provide offenders with active supervision and mentoring by a structured set of guidelines during the program.

The goals have been further defined into short and long-term categories, and have seen various degrees of completion. There were two specified short-term goals. The first was to save the local government money on pre-trial incarceration. This has been difficult to measure. The original design was to have clients released on their own recognizance (ROR). Judges, however, have been reluctant to release clients without bail. The second short-term goal was to relieve jail overcrowding. Again, because of the reluctance to release clients without bail, the program has not had a substantial impact on jail overcrowding.

Longer-term goals include screening clients to identify their needs in order to reduce recidivism, breaking the cycle of violence with individual offenders, directing more funding toward the prosecution of criminal behavior, becoming self sustaining, and expanding the program to people outside the current target population group (17-25). To date, it is too early to determine the long-term changes in recidivism. There does, however, appear to be some progress toward long-term goals. For example, the local court has been able to focus on more criminal behavior since the program began, and the program has begun to include individuals who are older than the previously targeted group.

In order to evaluate the outcome performance of the project, the grantee will follow the first offender cases through their judicial district. A database is being set up to track the progress of each person who is enrolled into the program. The criteria that will be used to determine whether the objectives have been met are: (1) the percentage of persons who successfully complete the program; (2) a comparison of the defendants who accepted the option to enroll in the program as compared to the defendants who were offered the option to enroll but declined; (3), the proportions of repeaters will be compared for all program participants, those who fail in the program, those in the program who do not fail, and those not in the program; (4) comparisons will also include the case types, dispositions, compliance, and re-entry into the criminal justice system.

To date, the grantee reports that the program is progressing quite well and offenders are being enrolled in the program. Only one enrollee has been expelled. Because there are two sheriff's departments and six police departments spread throughout the two Parishes involved in this program, site personnel are attempting to develop procedures to increase the likelihood that official files from all cooperating agencies are completed in a timely manner.

Program personnel are also working to develop an appropriate computer tracking system and could use assistance acquiring and setting up a more sophisticated software package that will enable them to gather and analyze the information from the records that they are creating.

2001 Update

According to site staff, the BJA grant ended in October 1999 and, since then, the program has become a permanent service. Further detailed information was not provided.

Warren, Ohio: Juvenile Diversion Program

The 1999 Field Report

Howland Township is implementing a juvenile diversion program. A full-time director/case manager and a part-time worker coordinate a network of resources providing an alternative to formal juvenile court action for youth aged 12 to 18. Referrals to the diversion program come from the Howland Police Department, the school system, the prosecutor's office, parents, and the intake component of the juvenile court. Participation by youth is voluntary. If the referred youth or the family elect not to participate, the youth is to be cited into juvenile court. Individualized plans are established for each youth. These plans focus on improved behavior and may include options such as counseling by diversion staff, referral for counseling, referral for other services, and other appropriate stipulations. A holistic approach involving family members is being utilized.

The primary goals are to: (1) reduce the number of youth formally charged and processed through the juvenile court and (2) reduce the number of repeat offenders among youth served by the program. An additional goal is to establish a teen court in conjunction with the diversion program.

The Howland Township working group anticipates reducing the number of cases going to court by 50 percent for the target group. They also intend to increase the current referral network from three service agencies to nine. Program personnel are collecting data on youth referred to the diversion program, gathering data on youth completing stipulations with referral agencies, monitoring school attendance and progress, and conducting parent and agency surveys. These data will be used to determine whether the reduction objective is met and to provide an array of

information concerning youth in the diversion program. Plans call for follow-up on youth at intervals of six months and one year after completion.

To date, program personnel appear to be implementing the juvenile diversion program as intended. As of July 31, 1998, the program had received a total of 44 referrals from schools, the police department, and other social service agencies. From these referrals, ten cases have been accepted and opened. Of the ten cases, only one was considered a repeat offender. Program staff are continuing their casework activities and building the network necessary for referrals and services. Program personnel are also strengthening existing relationships while adding to the network of referral agencies. To date, at least seven social service agencies have been utilized for youth in the program.

Program staff are collecting information as described above to assess progress of youth referred to the program. Program staff meet once per week with youth and family members, conduct home visits, monitor attendance and progress with referral agencies, monitor school attendance and progress, and conduct intensive interviews with family members, particularly parents. Six-month and 12-month follow-ups are planned. Case management records and additional information collected on progress will be utilized to make inferences concerning program impact. Official arrest data and juvenile court data will be used to assess success in reducing numbers of cases formally handled by the court. Program staff are compiling accounts of strengths and difficulties in the process of implementation. These will be used for continued development of the program and potentially to inform others initiating similar efforts.

Program personnel are searching for resources to sustain the program beyond the funding period, and an additional grant from the State of Ohio has been secured. In general, the program

appears to be progressing well toward meeting or exceeding the goals and objectives originally set.

2001 Update

Although the grant money had run out in mid-2000, the program is still in operation. There was an addition of the third original program goal: increase services to families by referring them for additional counseling or other services. According to site officials, yearly evaluations are initiated for those who are successfully discharged from the program. The site reported that 26 social service agencies had been utilized for youth in the program.

Site representatives report that the Howland Juvenile Justice Diversion Program Director does work on each of the objectives as they pertain to each youth. Areas that should be noted are: youth attending school on a regular basis, decreasing alcohol/drug abuse, decreasing suicide attempts, decreasing school-related discipline, decreasing assaultive/aggressive behavior, making sure services are offered to all populations, and receiving yearly training on cultural competency. Youths and their families are seen on a regular basis. Coordination of services continued as well with the police department, schools, social agencies, court, prosecutor's office, and parents. Youth and parent groups are also held on a regular basis. Speakers have ranged from Teen Straight Talk representatives to representatives from local mental health centers to recovering alcoholics.

The Director kept involved with the community by attending the safe school audit committee meetings and other seminars. Topics of the seminars included Challenging Youth and "You're a Better Parent Than You Think." The Director has also attended training sessions on conflict resolution, anger, and 1-2-3 magic. Collaboration continued with the Youth Division Coalition involving Diversion Programs in Mahoning and Trumbull Counties. The Coalition

held a resource day, which involved programs in the surrounding areas meeting to share concepts and ideas. Networking with PSYCARE also occurred. This involves Diversion Programs meeting with a local mental health agency to discuss the at-risk youth the programs have and to brainstorm on new services.

Other activities that continued beyond the initial grant period included maintaining data reports to the Administrator and Township Trustees and working on the database to maintain program data. Quarterly financial and other program activity reports were submitted to the state as well.

PART TWO The Clark County Rural Drug Courts

By

John S. Goldkamp
Michael D. White
Jennifer B. Robinson

The Clark County Rural Drug Courts

Introduction

Since its inception in 1992, the Clark County Drug Court has handled a large volume of felony drug defendants, most of whom resided in the Las Vegas area. However, the District Court serves all of Clark County. With the principal population in Las Vegas, Clark County covers a very large geographic area, most of which is desert, rural, sparsely populated, and marked by great distances between towns. In its early years, the adult drug court discovered that a minority of cases were from the rural areas of Clark County and that, when defendants from the rural areas chose to participate in the Las Vegas-centered drug court, they encountered challenging obstacles of distance and transportation. Moreover, they seemed to be involved in different forms of substance abuse, more often involving alcohol, the drug of choice in Nevada's rural parts. The idea behind the establishment of Clark County's rural drug court initiative was to develop a working relationship with the outlying, "feeder" Municipal Courts to extend a drug court approach to the rural felony drug court participants that would eliminate the need for them to travel up to 50 miles per day each way to meet the Las Vegas-oriented program requirements. The challenge was to bring treatment services and drug court-like accountability to the targeted rural locations, where the population was scattered and resources for treatment were largely absent.

The Rural Drug Court Program was initiated by the District Court, the Clark County Public Defender, the Clark County District Attorney, and the director of Choices Unlimited, the treatment provider for the adult and family drug courts. The initiative was based on the premise that no one rural location had enough resources or large enough case volume to support its own, self-sufficient drug court. Instead, the rural approach would be conceived as a network or a

“circuit” drug court to make the drug court mechanism and treatment resources available in key rural satellite locations. The Mesquite Valley area (including the towns of Moapa and Mesquite) and Laughlin, Nevada, were selected as target locations. Laughlin, located about 90 miles south of Las Vegas, is a small casino border town near the Davis Dam and Lake Mohave, across the Colorado River from Bullhead City, Arizona, and not far from the California border in a spectacularly remote desert location in southern Nevada. The Mesquite Valley lies about 80 miles to the northeast of Las Vegas and is in an area known for its magnificent landscapes and archeological sites.

Once in operation, beginning in 1998, a district attorney, a public defender, and representatives of Choices Unlimited, traveled to Laughlin and the Mesquite Valley (rotating weeks between Moapa and Mesquite) to staff drug court calendars on alternating weeks before local Municipal Court judges, who served as the drug court judges in special sessions. These judges had to be given special authority to serve as District Court (felony-level) judges to have jurisdiction over the felony defendants and probationers in the drug court. The treatment provider rented offices in Laughlin and the Mesquite Valley (trying to rotate service locations between Moapa and Mesquite) to provide services, including drug testing, group and individual counseling, and acupuncture to the rural drug court participants on a daily or weekly basis. The rural drug court programs in Laughlin and the Mesquite Valley continued operation for approximately two years, until funding and resources ran out. During the period of the initiative, however, the Las Vegas-based drug court team piloted an approach that sought to translate the drug court model to the rural justice context and to meet the challenges of geography and scarce resources. Without additional funding, it was difficult to sustain the treatment services in those jurisdictions.

Descriptive Study of the (Rural) Laughlin Drug Court

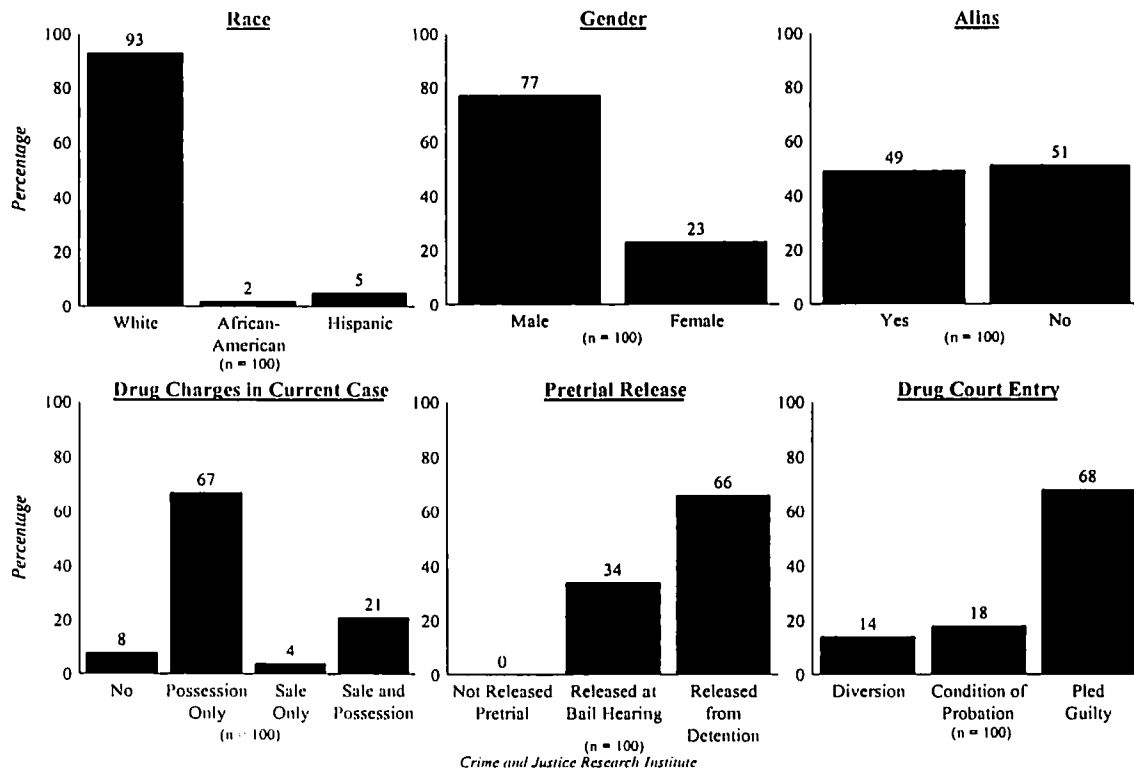
For the purposes of descriptive analysis—and to take advantage of the opportunity to observe a pilot effort to translate the basically urban drug court model to a rural justice setting—we collected detailed demographic, criminal justice, and treatment information for a random sample of 100 participants in the Laughlin Drug Court from 1998 and 1999.³ This descriptive analysis of the Laughlin Drug Court is included as an illustration of the Clark County “spin-off” effort to bring drug treatment to the rural court population in southern Nevada. The study is not intended to assess outcomes—no comparison or control group was sampled—but rather sought to characterize the initial operation of this rural drug court experiment.

Demographic Attributes

In contrast with their urban counterparts, nearly all of the Laughlin Drug Court participants were white (93 percent). (See Figure 78.) Three-quarters of Laughlin participants were male, about half had a known alias, and two-thirds spent some time in pretrial detention before entering the drug court. Ninety-two percent of participants had a drug charge in the case that put them in the rural program, the vast majority involving either possession only (67 percent) or sale and possession charges (21 percent). During the period that the Laughlin court was beginning operation, the Clark County Drug Court was increasingly enrolling participants who were convicted of charges other than drug offenses. (Non-drug cases accounted for one-third of the Las Vegas cases by 1997.) Like the Clark County Drug Court, however, most Laughlin participants were convicted offenders sentenced to the drug court as a condition of probation or as part of a guilty plea; only 14 percent were admitted as part of diversion.

³ We contrast the attributes of Laughlin Drug Court participants with those of the Las Vegas participants to highlight their differences, not for the purposes of comparing treatment performance and criminal justice outcomes. As we have argued in earlier discussions of our drug court typology, the Laughlin Drug Court differed considerably from the urban Las Vegas-based court.

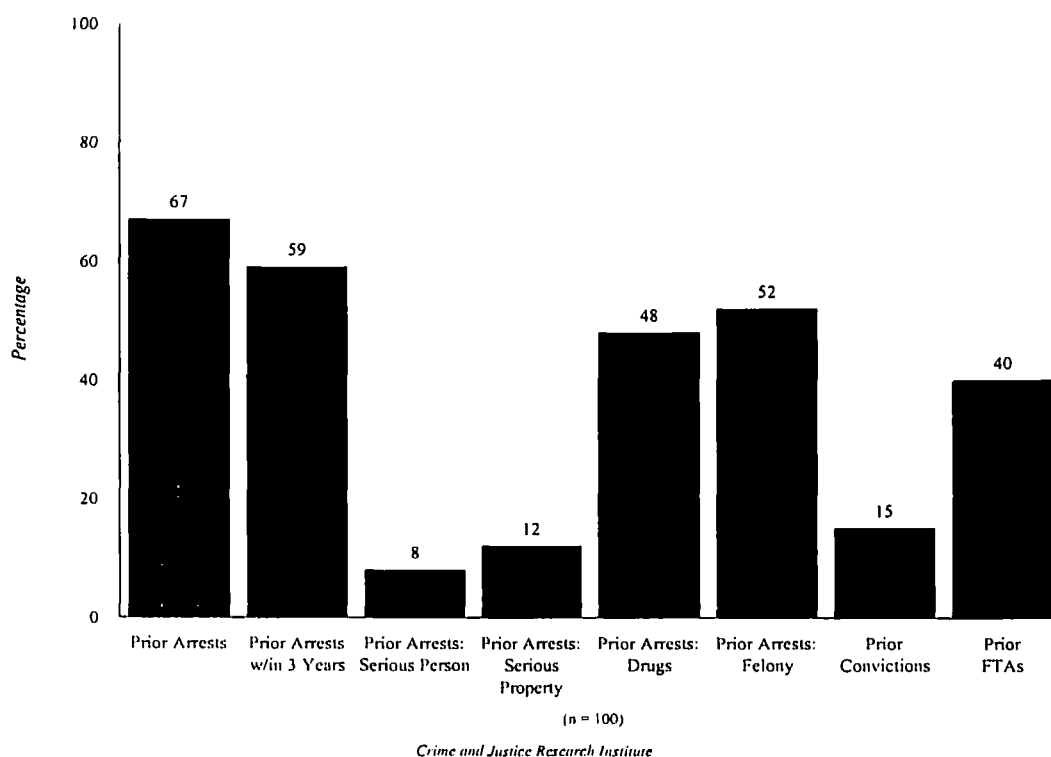
Figure 78 Selected Demographic and Current Case Attributes among Laughlin Drug Court Participants, 1998 - 1999



Prior Criminal History

In their prior criminal histories, the Laughlin Drug Court participants were nearly as experienced in the criminal justice system as their Las Vegas counterparts. Figure 79 shows that two-thirds of Laughlin participants had prior arrests and 59 percent had arrests within three years of their participation in the program. Only eight percent have prior arrests for serious person offenses (compared to 27 percent for the Clark County court), and 12 percent had prior arrests for serious property offenses. Again, like the Clark County Drug Court participants, nearly half had prior arrests for drug charges and more than half had at least one prior felony arrest. In contrast to their fairly extensive history of prior arrests, only 15 percent of the Laughlin Drug Court participants had a prior conviction of any sort. (This compared to about 50 percent of the Las Vegas participants.) Like other drug offenders, they had extensive records of failing to appear in court (40 percent).

Figure 79 Selected Prior Criminal History Attributes among Laughlin Drug Court Participants, 1998 - 1999



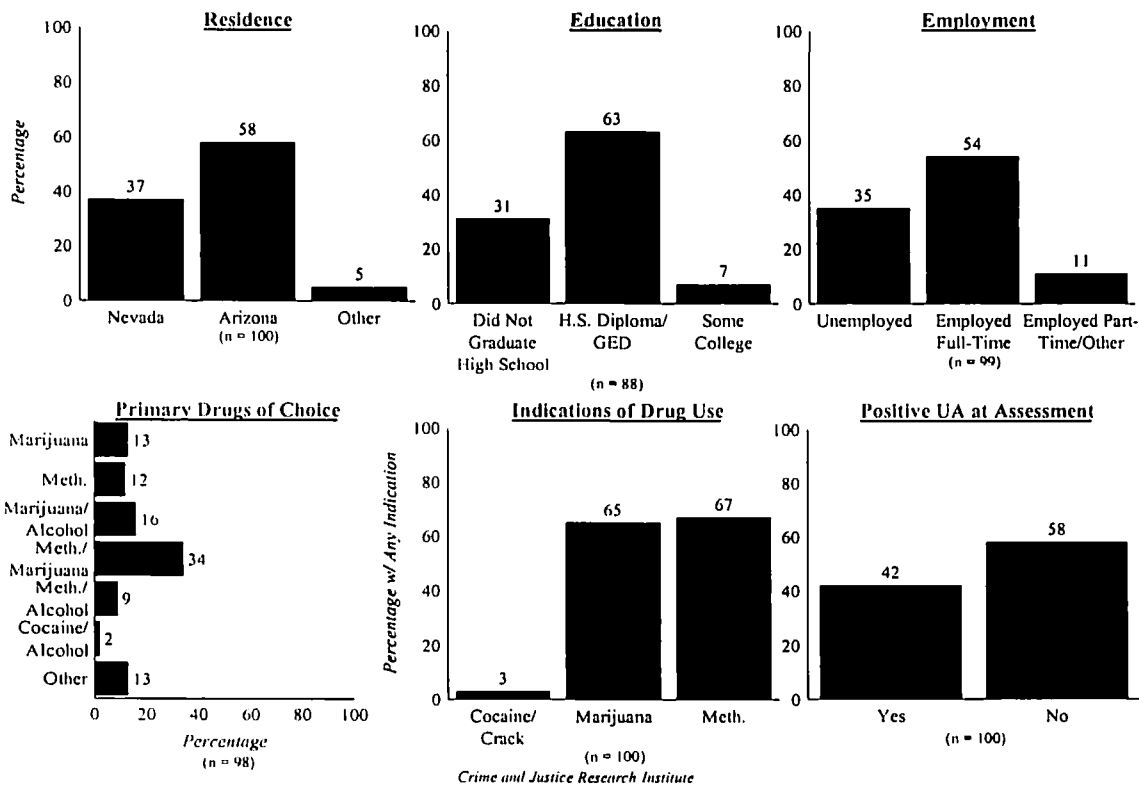
Assessment Information

Nearly two-thirds of participants in the rural drug court program were not residents of the state of Nevada. (See Figure 80.) The fact that most (58 percent) came from Arizona is not surprising given that Bullhead City is separated from Laughlin only by a river and that many Arizona residents come to Laughlin to work in casinos and related businesses. Most of the Laughlin participants had graduated from high school (63 percent) and were gainfully employed at the time of their assessment (54 percent full-time, 11 percent part-time) for the drug court.

Marijuana and methamphetamines were the preferred drugs of choice indicated by the drug court participants at the treatment assessment stage, often in combination. Use of cocaine or crack cocaine was rarely mentioned and there was no self-reporting of heroin use. Our findings from the Clark County Drug Court showed that the type of substance abused by participants differed by race/ethnicity, with methamphetamine and marijuana use more common

among the white participants. Laughlin participants, mostly white, seemed to share those preferences. Less than half of the Laughlin participants tested positively for drugs at assessment. This is not surprising in a population that is primarily at the probation or post-conviction stage (with arrest occurring weeks or months earlier).

Figure 80 Selected Assessment Attributes among Laughlin Drug Court Participants, 1998 - 1999



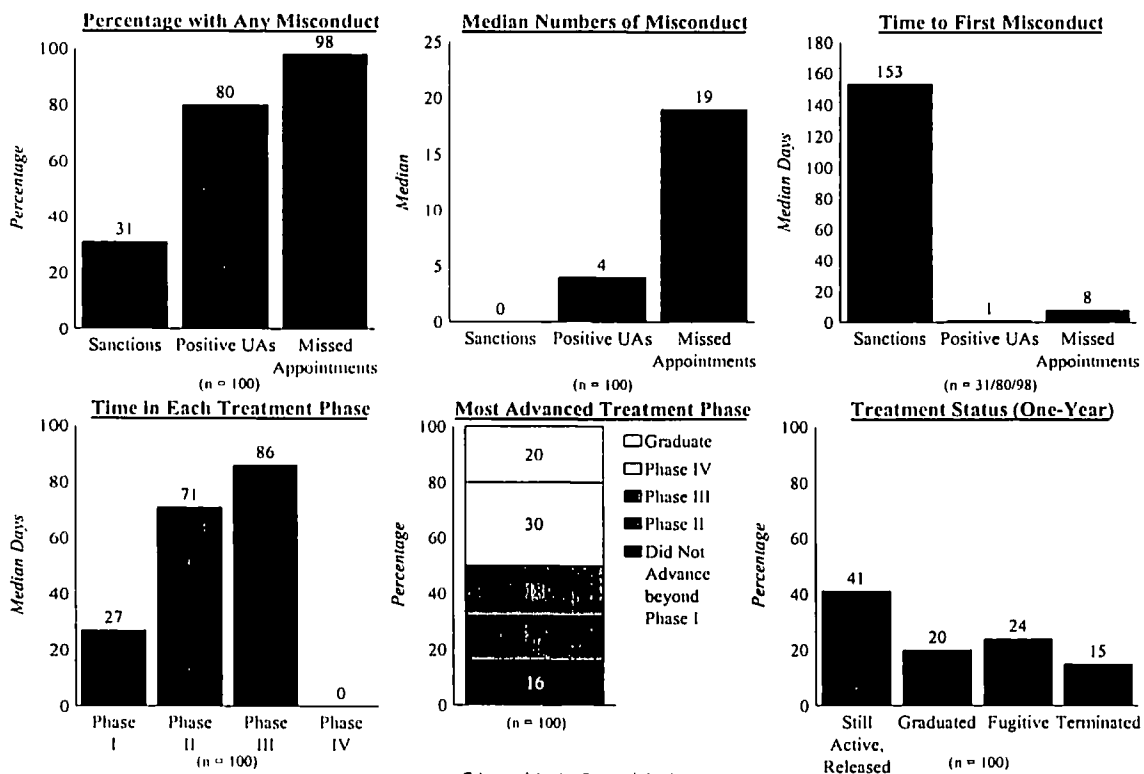
Participant Performance and Early Treatment Outcomes

Figure 81 summarizes selected treatment performance and outcome measures one year after entry into drug court. (Like the Clark County court, the Laughlin Drug Court required a minimum of 12 months in the program in good standing before permitting graduation.) More than three-quarters of participants recorded at least one positive drug test (the median number of positive tests was four) while in the drug court. Nearly all missed at least one treatment appointment. However, many missed quite a few treatment sessions (with a median of 19

missed appointments). Roughly one-third of the Laughlin participants received at least one sanction by the drug court judge.

Non-compliance among the Laughlin Drug Court participants occurred fairly early when it did occur. They recorded their first positive drug test in about a (median) day or two from orientation and on average (median) recorded the first missed appointment in just over a week. The median time to first sanction by the drug court judge, however, was 153 days. These findings demonstrate tolerance on the part of the rural drug court judge, as participants clearly struggled through the early part of the treatment regimen.

Figure 81 Selected Treatment Performance and Outcome Measures among Laughlin Drug Court Participants, 1998 - 1999, during a One-Year Observation Period



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The Laughlin Drug Court participants spent, on average, just under one month in Phase I of the treatment program, more than two months in Phase II, and nearly three months in Phase III. Less than half of the participants advanced to Phase IV (47 percent) within the first 12

months. By the 12-month mark, about one-third of participants did not advance into later phases of treatment (III or IV), 30 percent were in Phase IV, and 20 percent graduated.⁴ At one year, 41 percent of the rural participants were still active and in good standing, about one-fourth were fugitives, and 15 percent had been terminated from the program.

Rearrest within Six Months

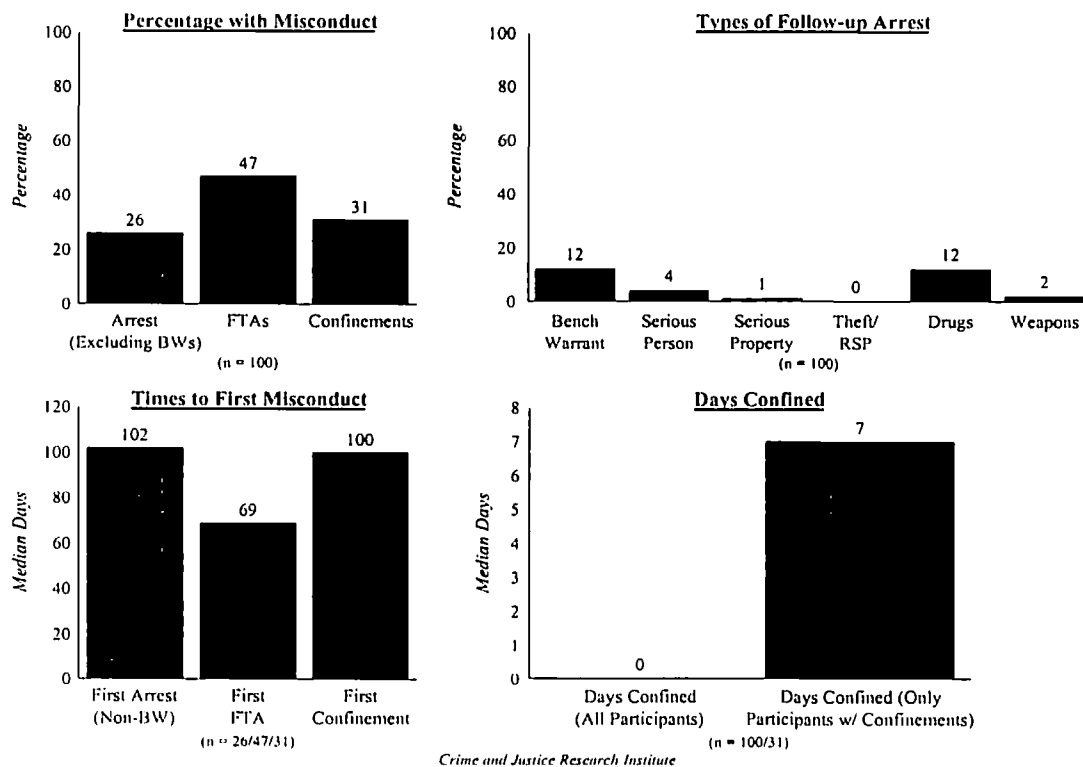
We were able to employ only a six-month follow-up period from the time of admission to drug court to determine the extent to which Laughlin participants found themselves rearrested on new charges.⁵ (See Figure 82.) Slightly more than one-fourth (26 percent of participants) were rearrested for some criminal offense (excluding bench warrants) within the first six-months. Twelve percent of participants were rearrested for drug offenses; few (only 4 percent or less) involved serious person, serious property, felony theft, or weapons offenses. About 12 percent of the Laughlin participants were rearrested on drug court bench warrants in the first six months.

In the first six months, nearly half of the Laughlin participants had failed to appear in court at least once, and one-third was confined at least once during the follow-up period. Participants who were rearrested took, on average, 102 days to their first new offense, or slightly longer than 3 months, with a median of 69 days to first failure to appear in drug court and a median of 100 days to first jailing after entry into the drug court.

⁴ Differences between median times in each treatment phase and the most advanced treatment phase, particularly with regard to Phase IV and graduation, are a result of some participants graduating directly from Phase III.

⁵ Because of resource and time constraints, we were not able to extend the criminal justice follow-up beyond six months.

Figure 82 Selected Criminal Justice Outcomes among Laughlin Drug Court Participants, 1998 - 1999, during a Six-Month Observation Period



Summary: The Rural Drug Court Initiative in Laughlin

The drug court team from the pioneering Clark County (Las Vegas) Drug Court planned and implemented an effort to translate the basically urban drug court concept to geographically far-flung rural jurisdictions within Clark County. The Moapa and Mesquite rural drug courts operated from March 1998 through January 2000, when they were discontinued due to lack of resources to support treatment. The Laughlin Drug Court, located in a larger population center, operated for about two years, discontinuing its services in June 2000. The Laughlin description focused on a new court in the early stages of operation.

Relative to its population base, the Laughlin Drug Court was successful in enrolling a large number of felony defendants and convicted offenders who had serious substance abuse problems, mostly with methamphetamines and marijuana, and fairly extensive arrest histories.

In its brief history, our random sample of 100 study participants missed a large number of treatment appointments—apparently starting shortly after entering the program and a substantial number recorded positive drug tests. About one-third were sanctioned, with sanctions coming a good while after the non-compliant episodes. At year's end, about one-fourth of the initial participants were fugitives from the drug court and about 15 percent had been terminated for non-compliance with the program requirements. In the first six months, one-fourth of participants were rearrested for new criminal offenses, mostly drug offenses with few involving serious (felony-level) crimes against the person or against property. These preliminary and early stage results suggest that the Laughlin Drug Court had indeed enrolled challenging substance-abusing offenders who had a need for close supervision and effective treatment.

**PART THREE The Santa Fe, New Mexico Jail Diversion Program: An Alternative
Justice System Program for the Mentally Ill and Chronic Substance Abusing Population**

By

Michael D. White
Don M. Gottfredson
Suzanne P. Campbell

The Santa Fe, New Mexico Jail Diversion Program: An Alternative Justice System Program for the Mentally Ill and Chronic Substance Abusing Population

Introduction

This report describes a joint effort by the city of Santa Fe, New Mexico and Crisis Response of Santa Fe (CRSF) to divert from incarceration mentally ill and chronic substance-abusing persons picked up by police and detained on protective custody/mental health holds. The Bureau of Justice Assistance, U.S. Department of Justice funded the jail diversion project through the Open Solicitation Initiative, which sought to identify and support efforts to improve criminal justice on the local level. The Jail Diversion Program sought to divert mentally ill individuals into a community-based mental health and substance abuse service network that could more appropriately meet the needs of this population (LaFree, 1999). The primary goal of the Jail Diversion Program involved reducing the recidivism rate of persons detained on protective custody or mental health holds, thereby reducing the burden this population places on the local justice system. This report examines the early implementation stages of the program and provides a descriptive analysis of the nature and prevalence of the target problem, the types of individuals picked up on protective custody/mental health holds, as well as their background, problems, and behavior during a one-year observation period following their experience with the Jail Diversion Program. Finally, exploratory risk classification analyses suggest ways to increase program effectiveness.

Jail and prison officials in the United States have long struggled with the problems associated with mentally ill offenders in their custody (American Bar Association, 1986, 1989; Beeley, 1927; Fosdick et al., 1922; Goldkamp & Irons-Guynn, 2000; Matthews, 1970; Mattick, 1975; McFarland, Falkner, Bloom, Hallaux, & Bray, 1989; National Advisory Commission on Criminal Justice Standards and Goals, 1973; National Commission on Law Observance and

Enforcement, 1931). In a recent Bureau of Justice Statistics survey (1999) it was estimated that 238,000 mentally ill offenders were incarcerated in American prisons and jails in 1998, representing 16 percent of all state prison and local jail inmates and 7 percent of Federal prisoners. When also taking into account the massive volumes of police contacts with citizens, arrests, and criminal cases processed, the number of mentally ill persons dealt with by the criminal justice system on a regular basis is considerable (Goldkamp & Irons-Guynn, 2000).

A number of factors have contributed to the increasing reliance on the criminal justice system as the “social service system of last resort” for mentally ill and substance-abusing persons (Goldkamp & Irons-Guynn, 2000). Predictably, the deinstitutionalization movement in mental health during the 1960s and 1970s resulted in greater numbers of mentally ill persons residing in the community (Whitmer, 1979), and the relative failure to develop an effective community-based mental health treatment network left many of these individuals without appropriate resources and services. Moreover, the prevalence of substance abuse among the mentally ill and increases in drug enforcement efforts during the 1980s and 1990s (i.e., the “War on Drugs”) increased the flow of mentally ill persons into the criminal justice system. More recently, the focus in law enforcement on “quality-of-life” offenses has added to the probability that those suffering from mental illness (especially those who are homeless) will find themselves in the criminal justice system (Goldkamp & Irons-Guynn, 2000).

Police involvement with the mentally ill is grounded in two common law principles: responsibility of the police to protect the safety and welfare of the public; and *parens patriae*, which specifies protection for disabled persons such as the mentally ill (Teplin, 2000). A natural consequence is that police are called upon to act as “street-corner psychiatrists,” calming situations on their own and making judgments about appropriate methods for resolving these

difficult encounters (Teplin, 2000: 9). Early work by Bittner (1967), later supported by Teplin (1986), showed that police resolve the majority of encounters with the mentally ill informally rather than taking the individual into custody or even initiating an emergency hospitalization. Officers' lack of training regarding mental illness often complicates these situations. Once in the criminal justice system, especially in jail or prison, the mentally ill are not likely to find the treatment and services they require.

Santa Fe, New Mexico and the Need for a Jail Diversion Program

Santa Fe County is located in the high desert region of north central New Mexico and, with just over 100,000 residents, it is the third largest county in the state (LaFree, 1999). Approximately 60 percent of the county's residents live in the city of Santa Fe, which serves as both the county seat and the state capital (Boschelli, Novel, & Stafford, 2000). According to 1990 U.S. Census data, the majority of the population is Hispanic (50 percent), with just under one-third Caucasian (31 percent), 3 percent Native American, and 1 percent African American.

In August 1993, the *Santa Fe New Mexican*, a local newspaper, published an article discussing how the mentally ill are handled in the criminal justice system, particularly by law enforcement. The article described how the mentally ill are often repeatedly processed through the system, receiving little or no appropriate treatment or services, while placing substantial burdens on the local justice system and its limited resources (LaFree, 1999). According to New Mexico state law, law enforcement officials can take individuals into custody through mental health or protective custody (i.e., intoxication) holds, but detention is limited to 12 hours for protective custody and 24 hours for mental health holds. In the vast majority of cases, persons detained on such holds received no treatment, case management, or follow-up services, and were simply released back to the community at the required time (LaFree, 1999).

In October 1993, the New Mexico State Interagency Forensic Task Force and the Santa Fe Community Guidance Center held a conference to discuss how to improve the justice system's response to the mentally ill (LaFree, 1999). Conference participants agreed to design a program to divert the mentally ill prior to incarceration and filing of criminal charges, thereby avoiding many of the complexities of legal processing and reducing the burden on the local justice system (LaFree, 1999).

The Bureau of Justice Assistance Open Solicitation Program

The Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice initiated the Open Solicitation program in 1997 to identify and support efforts to improve criminal justice on the local level. The Open Solicitation program sought to encourage local policy and program development without defining or assuming in advance what the critical local needs might be. One of the objectives of the Open Solicitation program was to support outstanding local initiatives and to help incorporate ways to measure the progress and impact of the local innovation. BJA received nearly 1,800 applications from localities around the country, including rural and urban areas, as well as American Indian and Alaskan Native communities. A demanding peer review process resulted in the selection of 37 jurisdictions for awards ranging from \$50,000 to \$150,000 (one site later declined the funding).

The Open Solicitation program emphasized four key requirements of successful proposals:

- *Innovation:* The selection process placed value on initiatives that reflected creativity in problem solving.
- *Monitoring program implementation:* Candidate sites were asked to describe planned implementation procedures and ways that implementation progress would be measured.
- *Community Collaboration:* The program sought to support proposals based on convincing partnerships among community and criminal justice agencies.
- *Measurement of results:* Applicants were required to explain how they would measure the impact of their initiatives once implemented.

Special features of the Open Solicitation program included the priority placed by the Bureau of Justice Assistance on documenting the experiences of the selected sites in implementing their local initiatives and its emphasis on the importance of measuring the progress and impact of the initiatives once implemented. An aim of the Open Solicitation was to share the substance, implementation developments, and impact findings of the local programs with other American jurisdictions dealing with similar problems. The Crime and Justice Research Institute (CJRI), in partnership with the Justice Policy Research Corporation (JPRC), assembled a national Performance Measurement Team of experts to work with BJA and the 36 sites to document implementation progress and to assist sites in developing performance measures of progress and impact.

In January 1999, the Crime and Justice Research Institute produced a preliminary report describing the initiatives of the 36 jurisdictions selected, as well as their goals and progress at relatively early stages of activity. For the next phase of the project, CJRI sought to identify programs that have been particularly successful in implementing their programs and achieving their objectives, and to feature them in greater depth. The study of the Jail Diversion Program in Santa Fe, New Mexico represents just such an effort.

The Santa Fe, New Mexico Jail Diversion Program

In 1997, the Santa Fe Police Department received an Open Solicitation grant from the Bureau of Justice Assistance, to implement a jail diversion program. The Santa Fe Police Department contracted with Crisis Response of Santa Fe to implement the program. Crisis Response was created through a city-sponsored community effort and is composed of five main programs:

- A centralized twenty-four hour telephone crisis hotline (for crisis interventions, referrals, and emotional support)
- A mobile psychiatric crisis team with licensed mental health professionals that augments response services of law enforcement
- A mobile team to address youth suicide
- A victim's advocate to provide immediate assistance and counseling to victims of violent crime
- The (new) jail diversion team (LaFree, 1999)

The Jail Diversion Program involves a two-person team that includes a coordinator who completes assessments and a case manager who “organizes outreach to community services, links clients to appropriate services, and conducts follow-up on the services provided (LaFree, 1999: 2).” The main purpose of the Jail Diversion Program is to divert mentally ill individuals from the justice system before criminal charges are filed into a “community-based mental health and substance abuse service network that involves assessment, treatment, case management, and family support (Boschelli et al., 2000: 1).” The program also seeks to reduce the recidivism rate of mentally ill individuals, thereby reducing their burden on the criminal justice system and hospital emergency room services.

Crisis Response staff identified and employed a four strategies to establish and maintain a successful jail diversion program:

- They established working relationships with local law enforcement, the county detention center, the local hospital's emergency room, the local community service providers of mental health and substance abuse services, and the local chapter of the Alliance for the Mentally Ill.
- CRSF staff conducted face-to-face clinical assessments of prisoners in the detention center to develop profiles of detainees who might be suitable for protective custody or mental health holds.
- CRSF staff developed training programs for targeted individuals, their family members, and law enforcement.
- They identified chronic or repeat detainees for intensive case management.

Crisis Response of Santa Fe stationed personnel in the Booking/Classification area at the Santa Fe Detention Center to conduct in-person assessments of individuals picked up on

protective custody/mental health holds (Boschelli et al., 2000). The assessment was composed of several different instruments: the CRSF Mobile Crisis Inventory, the Michigan Alcoholism Screening Test (MAST), the Beck Depression Inventory, the CRSF Suicide Risk Assessment, the Serious Mental Illness Probability Screen (SMIPS), and the CRSF-adapted Mini-mental Status Exam (Boschelli et al., 2000). With this battery of assessment tools, they sought to evaluate individuals picked up on protective custody/mental health holds across a range of issues. These included self-reported substance abuse and psychiatric history, extent of alcohol use and its consequences, depression, suicide risk, presence of a serious mental illness (i.e., schizophrenia, mania, or other psychoses), and various areas of functioning (e.g., dress, speech, motor activity, mood/affect, memory, and judgment).

The Santa Fe, New Mexico Jail Diversion Study

Based on discussions with officials from Crisis Response of Santa Fe and the Santa Fe Police Department, we proposed a research plan to address a number of important questions about the target problem and population. Our research design involved identifying three specific samples of individuals from the study period April 1998 through May 1999:

- A. Random sample of 200 arrestees (criminal charges, not protective custody/mental health holds)
- B. All protective custody/mental health holds who were not assessed (n=75)
- C. All protective custody/mental health holds with completed assessments by Crisis Response (n=293)

Crisis Response staff attempted to interview all individuals detained on protective custody/mental health holds during the study period. As the numbers above suggest, they were unable to interview about 20 percent (n=75) of those held, either because the individual refused or was not conscious. Assessed and not assessed samples are kept separate for many of the

analyses in order to identify differences between the two groups, rather than to compare outcomes. Particularly because of the small size of the not assessed sample and the unsystematic nature of the sampling approach, we caution against making comparisons of the two groups.

We gathered criminal history information from the Santa Fe Police Department and assessment and referral data from Crisis Response. Criminal history data allowed us to document prior arrests and protective custody/mental health holds back through 1989 as well as subsequent contacts for a year following the current contact. We also collected detailed confinement information from April 1997 through January 2000 from the Corrections Corporation of America and the Santa Fe County Detention Center.

Research Questions

We sought to answer a number of basic questions about the prevalence of mental illness and chronic substance abuse affecting the police workload in Santa Fe, the attributes of those with whom police interact, the nature and seriousness of problems among those assessed by Crisis Response, and subsequent contacts with police during a one-year observation period. During its early stages, the Jail Diversion Program focused its efforts on completing assessments to gain an understanding of the nature and seriousness of individuals' problems and on making referrals to appropriate services. Particularly in this early stage, the program lacked the resources to provide intensive follow-up to determine if individuals acted on their referrals and actually received services. As a result, our investigation should be considered a descriptive analysis and early implementation study, rather than an outcome evaluation. More simply, our study focuses on characterizing the prevalence of the target problem and the attributes of the target population, rather than on comparing outcomes and evaluating program impact. Basic research questions we addressed include:

- What proportion of the police workload is composed of protective custody/mental health holds?
- What is the extent of mental illness and chronic substance abuse among the general arrest sample, as well as the protective custody/mental health sample (through measurement of prior holds)?⁶
- What is the extent of prior criminal justice system involvement among the protective custody/mental health sample, as well as the general arrest sample?
- What is the extent of subsequent contact with the Santa Fe Police Department (both formal arrests and protective custody/mental health holds) during a one-year follow-up for both the general arrest sample and the protective custody/mental health sample?
- What are the costs of protective custody/mental health holds, in terms of police manpower hours and incarceration at the Detention Center?
- What risk factors or attributes are associated with experiencing subsequent holds during the follow-up, particularly for those who have chronic problems and record multiple pick-ups?

Protective Custody/Mental Health Holds as a Portion of the Police Workload

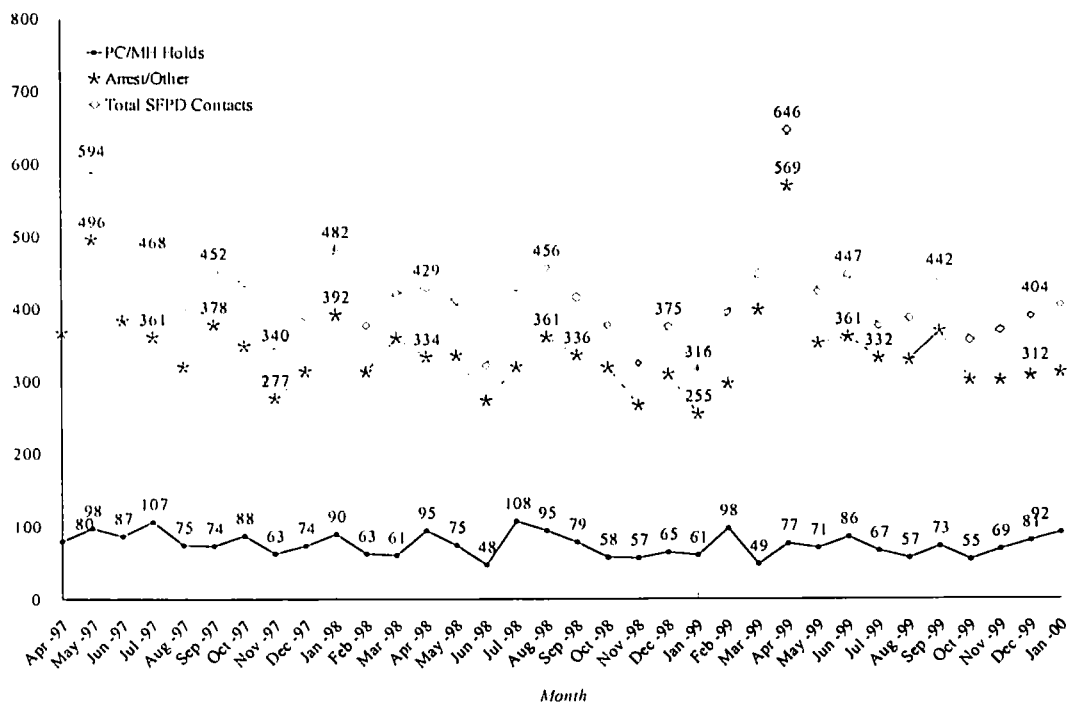
Our research documented formal activity of the Santa Fe Police Department from April 1997 through January 2000, including both arrests and protective custody/mental health holds. Table 1 shows that protective custody/mental health holds represented 18 percent, or nearly one-fifth, of all formal police activity (that is, activity resulting in seizures of persons by arrests or holds). The proportion of the police workload composed of protective custody/mental health holds is relatively consistent, ranging most months from 15-20 percent. Overall, officers made nearly 2,600 protective custody/mental health hold pick-ups during the study period. Although the monthly total of holds ranges from 50 to 100, the average monthly total for the study period was 76. Santa Fe police officers averaged about two and one-half protective custody/mental

⁶ Note that this research sought to determine the prevalence of mental illness and chronic substance abuse among those arrested or picked up on protective custody/mental health holds by Santa Fe police officers only and does not address the prevalence of these problems among the Santa Fe population as a whole.

health holds per day. Clearly, dealing with mentally ill and chronic substance abusers is a routine, daily activity among Santa Fe police officers.

This finding is shown differently in Figure 1, depicting the monthly numbers of protective custody/mental health holds and arrests and the combination of the two. Although the figure clearly shows that the majority of police officers' formal activity involves arrests, we see that protective custody/mental health holds are a consistent, sizeable portion of the police workload that has changed little over the three-year study period.

Figure 1 Protective Custody/Mental Health Holds, Arrests, and Total Santa Fe PD Contacts, April 1997 - February 2000



Crime and Justice Research Institute

**Table 1 Protective Custody/Mental Health Holds as a Proportion of the SFPD Workload,
April 1997-January 2000, by Month**

Month	Number of PC/MH Holds	Number of Arrests/Other Contact	Total SFPD Contacts	PC/MH Holds as a Percentage of SFPD Workload
4/97	80	367	447	18%
5/97	98	496	594	16%
6/97	87	384	471	18%
7/97	107	361	468	23%
8/97	75	320	395	19%
9/97	74	378	452	16%
10/97	88	349	437	20%
11/97	63	277	340	19%
12/97	74	314	388	19%
1/98	90	392	482	19%
2/98	63	313	376	17%
3/98	61	360	421	14%
4/98	95	334	429	22%
5/98	75	336	411	18%
6/98	48	274	322	15%
7/98	108	320	428	25%
8/98	95	361	456	21%
9/98	79	336	415	19%
10/98	58	319	377	15%
11/98	57	267	324	18%
12/98	65	310	375	17%
1/99	61	255	316	19%
2/99	98	297	395	25%
3/99	49	398	447	11%
4/99	77	569	646	12%
5/99	71	352	423	17%
6/99	86	361	447	19%
7/99	67	332	399	17%
8/99	57	329	386	15%
9/99	73	369	442	17%
10/99	55	301	356	15%
11/99	69	301	370	19%
12/99	81	308	389	21%
1/00	92	312	404	23%
Total	2,576	11,652	14,228	18%

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Demographic and Prior History Attributes of Santa Fe Arrestees and Individuals Picked Up on Protective Custody/Mental Health Holds

Demographics

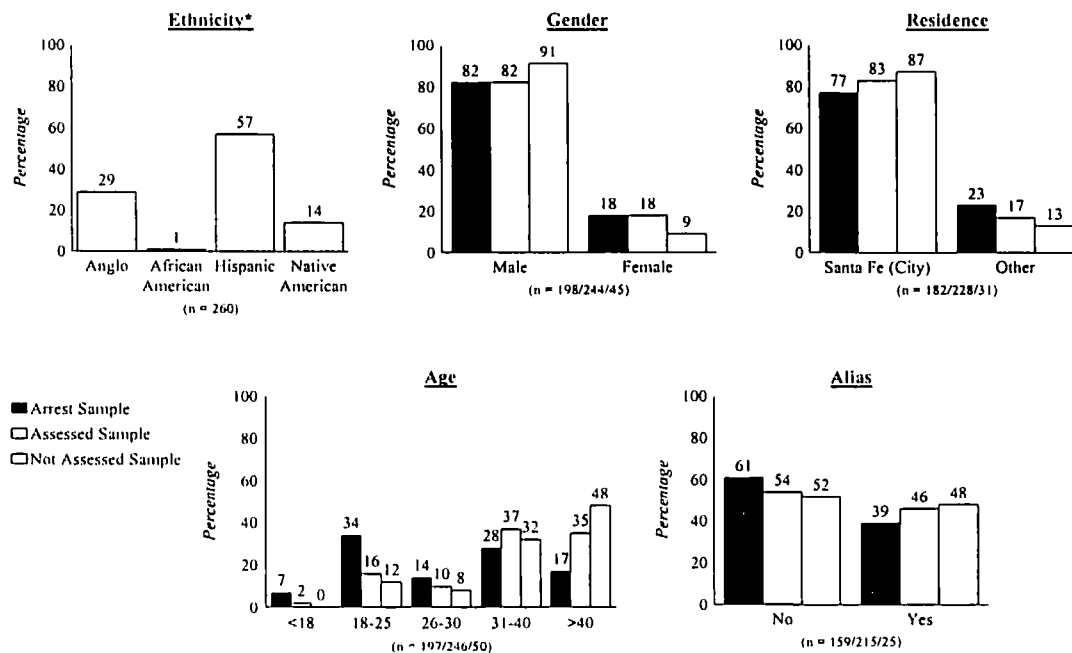
Figure 2 shows selected demographic attributes among the sample of arrestees, as well as the assessed and not assessed samples of persons picked up on protective custody/mental health holds. Among arrestees, the majority was male (82 percent) who resided in the city of Santa Fe (77 percent). Individuals picked up on protective custody/mental health holds, regardless of whether they were assessed, were also primarily male (82 percent of assessed and 91 percent of not assessed) and residents of Santa Fe (83 percent of assessed and 87 percent of not assessed). Having an alias was relatively common for individuals in all three samples, though slightly more so for arrestees (61 percent compared to 54 and 52 percent). The ethnic breakdown of assessed protective custody/mental health holds shows that 57 percent were Hispanic, nearly one-third were Anglo, and 14 percent were Native American.⁷ Because census data discussed earlier indicated that Native Americans comprise about three percent of Santa Fe county's population, CRSF assessment data suggest that Native Americans are disproportionately represented among individuals picked up on protective custody/mental health holds.

Arrestees were notably younger than those in the protective custody/mental health samples. Seven percent of arrestees were under age 18, compared to two percent and none of assessed and not assessed samples, respectively. One-third of arrestees were between ages 18-25, compared to 16 percent and 12 percent of assessed and not assessed samples. Alternatively, nearly half of the not assessed sample and 35 percent of the assessed sample were over age 40, compared to only 17 percent of the arrest sample. The median age of the arrest sample was 29, compared to 37 and 40 for the assessed and not assessed samples. Clearly, individuals picked up

⁷ Data on ethnicity were not available for the arrest and not assessed samples.

on protective custody/mental health holds were notably older than defendants arrested on criminal charges.

Figure 2 Selected Demographic Characteristics among Santa Fe, New Mexico Arrestees and Protective Custody/Mental Health Holds, April 1998 - May 1999



*[Note: Ethnicity was available only for the PC/MH assessed sample, from the Crisis Response Assessment. Race, taken from the SFPD criminal history database, did not differentiate Anglo, Hispanic, and Native American ethnicities.]

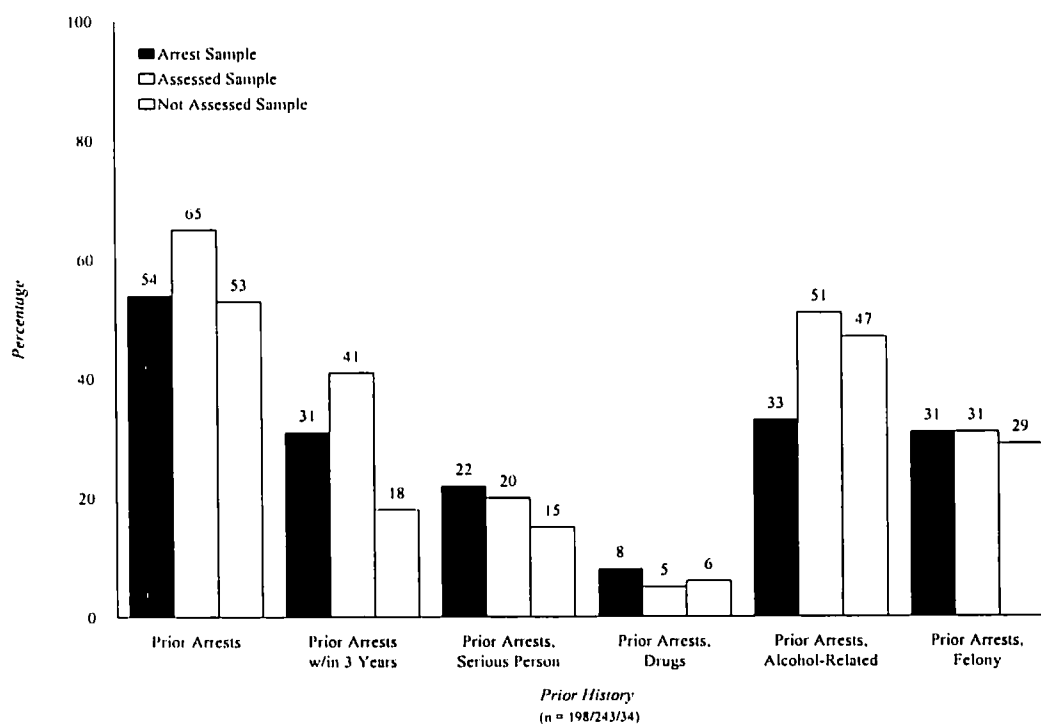
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Prior History of Arrests and Protective Custody/Mental Health Holds

We documented prior arrests among the general arrest sample and the protective custody/mental health hold samples, dating back to 1989 (a period of nearly ten years). Examination of prior criminal history allows us to draw comparisons between arrestees and those with mental health/chronic substance abuse problems in terms of prior formal involvement with the police, as well to investigate the possibility of co-occurrence or “overlap” of the problems among the criminal justice clientele. That is, do those picked up on holds also have more serious, formal involvement with the police in their past? Or, are those arrested on criminal charges and those picked up for protective custody/mental health holds essentially two different problem populations?

For most individuals in our study, their current experience with the Santa Fe Police Department, whether it be arrest or a protective custody/mental health hold, was typically not their first (see Figure 3). Fifty-four percent of the arrest sample had at least one prior arrest, nearly one-third within three years of the current pick-up. Similarly, 65 percent of the assessed sample and 53 percent of the not assessed sample had prior arrests for criminal offenses. Thus, many of the individuals picked up on holds had experienced more formal encounters with police, involving criminal offenses. Recent arrests were much more common among those in the assessed sample, 41 percent compared to just 18 percent of the not assessed sample.

Figure 3 Selected Prior Criminal History Attributes among Santa Fe, New Mexico Arrestees and Protective Custody/Mental Health Holds, April 1998 - May 1999



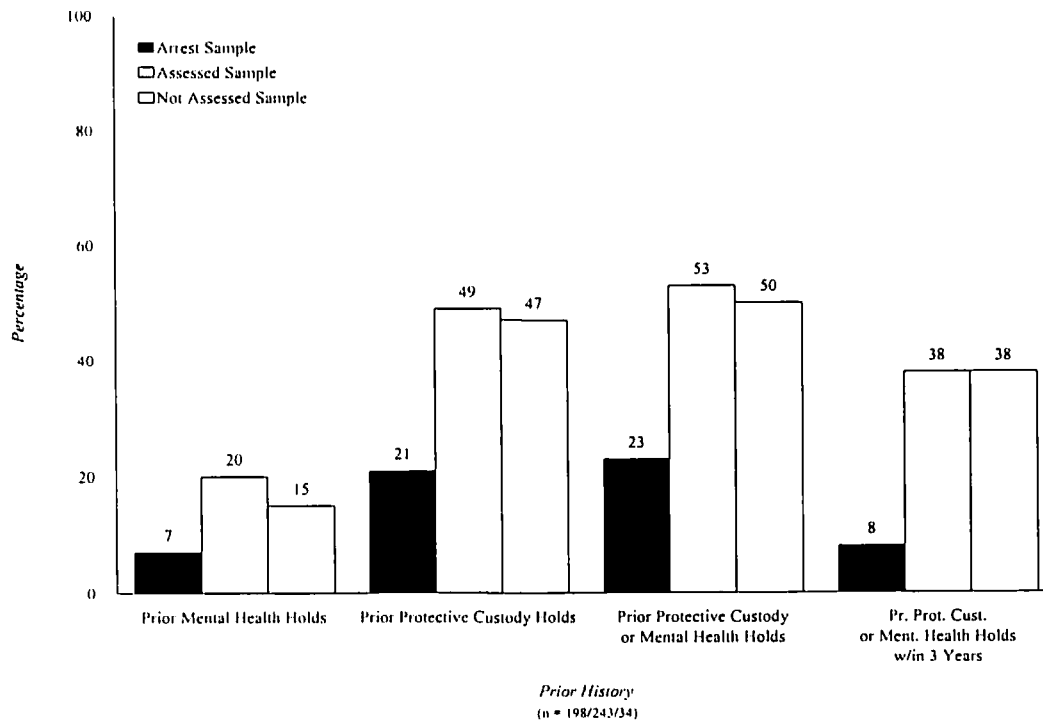
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Consideration of types of prior arrests shows that about one-fifth of arrestees and persons picked up on protective custody/mental health holds had prior arrests for serious person offenses, and about one-third had at least one prior felony arrest. Prior arrests for drugs were relatively

uncommon, though prior arrests for alcohol-related offenses were much more prevalent, particularly among protective custody and mental health hold samples (around 50 percent).

Figure 4 shows the prior history of protective custody/mental health holds among the three samples, again illustrating the degree of “overlap” among criminal activity and mental illness and/or chronic substance abuse. Nearly one-quarter of arrestees and half of individuals picked up on either type of hold had prior pick-ups on protective custody/mental health holds. Protective custody holds were more common than mental health holds among all three samples. Within three years of the current contact, 38 percent of individuals in the protective custody/mental health hold samples experienced a prior hold, compared to just 8 percent of the arrest sample.

Figure 4 Prior History of Protective Custody/Mental Health Holds among Santa Fe, New Mexico Arrestees and Protective Custody/Mental Health Holds, April 1998 - May 1999



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In each of the samples, however, a small number of individuals accounted for the majority of the prior holds. For example, 45 defendants in the arrest sample recorded a total of 415 prior protective custody/mental health holds, an average of just over nine holds per defendant. Seven of the defendants, however, recorded 340 prior holds, or 82 percent of the total. In the assessed sample, 129 individuals recorded 2,011 prior holds, an average of nearly 16 per person. However, 21 persons were responsible for 1,322 prior holds, 66 percent of the total. This finding is similar though less pronounced for the not assessed sample.

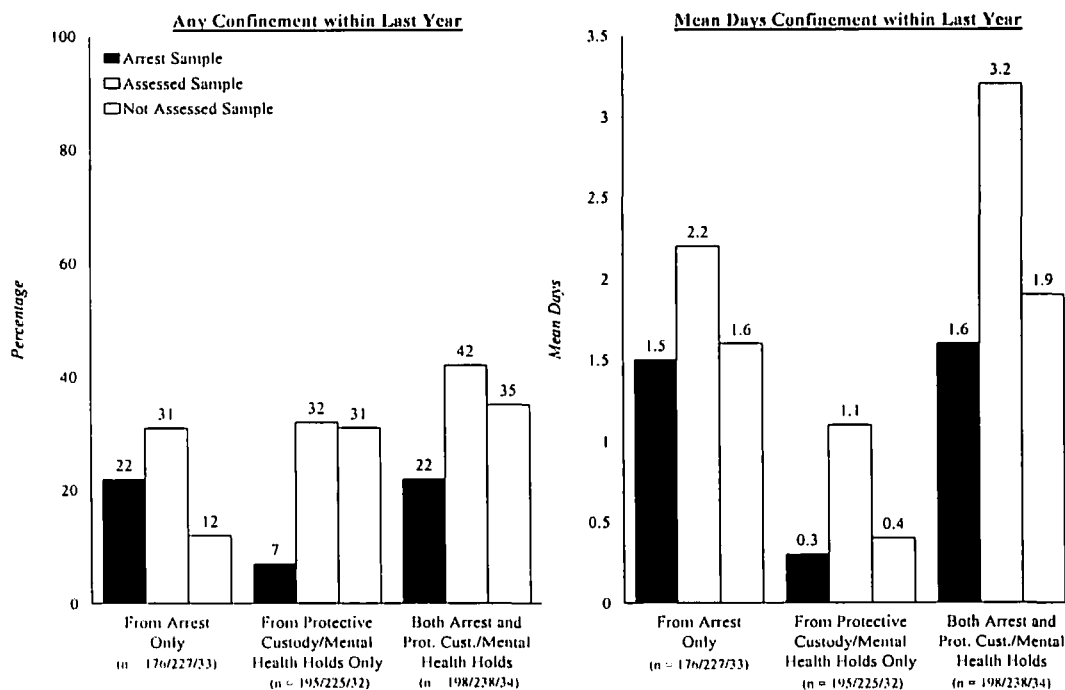
Confinement Costs of Prior Protective Custody/Mental Health Holds

The prevalence of protective custody/mental health holds has a number of consequences for both criminal justice and social service agencies in Santa Fe. Of particular importance to the police department and the city are the financial consequences of such holds, measured in terms of incarceration costs and police manpower hours. Using confinement data from the Corrections Corporation of America and the Santa Fe Detention Center, we documented incarceration time for all samples for a period of one year prior to the involvement (arrest or hold) that placed them in our samples. Cost estimates are based on a daily incarceration fee of \$74 per person, a figure taken from the confinement data. Police manpower hours are based on a conservative estimate of one manpower hour for each protective custody/mental health hold.

Figure 5 shows confinement time during the year prior to the current contact for our three samples, by the type of event causing the confinement. Twenty-two percent of the arrest sample experienced confinement during the previous year because of a prior arrest, compared to 31 percent of the assessed sample and 12 percent of the not assessed sample. Just more than 30 percent of the assessed and not assessed samples experienced confinement because of a prior hold, compared to 7 percent of the arrest sample. Together, 22 percent of the arrest sample, 42

percent of the assessed sample, and 35 percent of the not assessed sample experienced confinement for any reason in the year before the current pick-up. The average number of days confined in the prior year ranges little across samples, from 1.6 for the arrest sample and 1.9 for the not assessed sample, to 3.2 for the assessed sample.

Figure 5 Confinement Time in Year Prior to Current Pick-up among Santa Fe, New Mexico Arrestees and Protective Custody/Mental Health Holds, April 1998 - May 1999

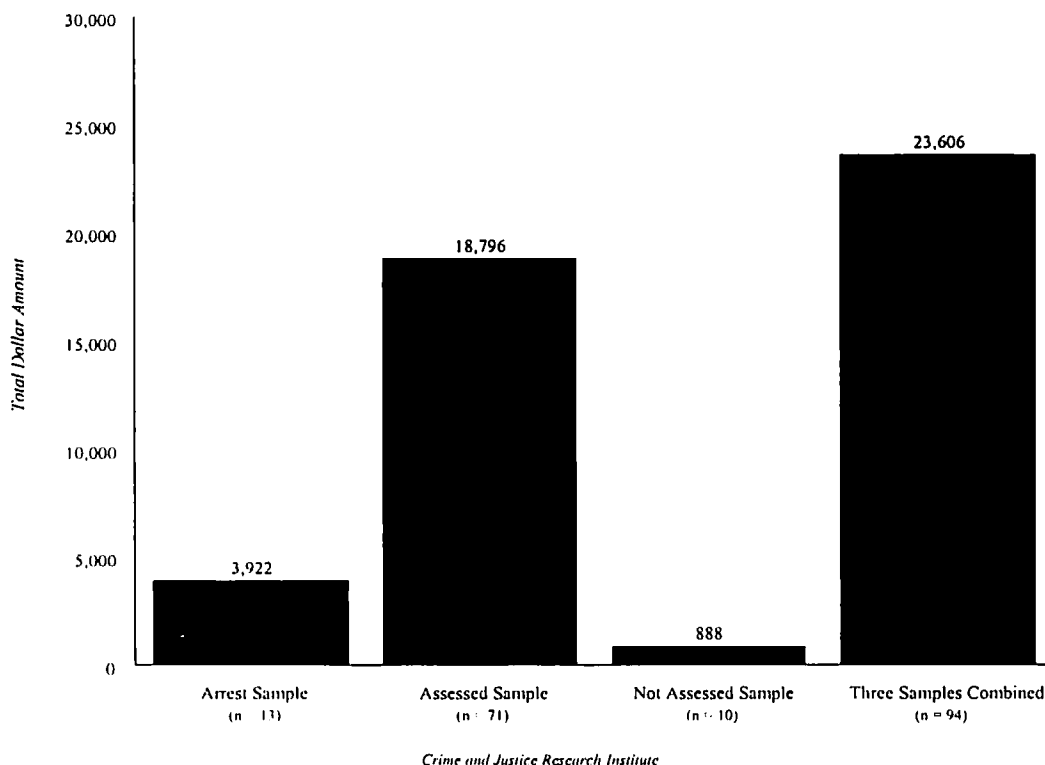


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Figure 6 shows the direct costs of confinement associated with protective custody/mental health holds in the prior year for each of the samples. Defendants in the arrest sample spent 53 days in jail on prior holds, totaling \$3,922. Persons in the assessed sample are responsible for the majority of the confinement cost, spending 254 days in jail at a cost of \$18,796. The not assessed sample added an additional \$888. Combined, protective custody/mental health holds among the three samples in the prior year cost the city of Santa Fe \$23,606. If this figure were considered an annual average, the city of Santa Fe likely spent more than \$236,000 over the last

decade to pay for confinement of individuals picked up on protective custody/mental health holds.

Figure 6 Costs of Confinement from Protective Custody/Mental Health Holds in Year Prior to Current Pick-up among Santa Fe, New Mexico Arrestees and Protective Custody/Mental health Holds, April 1998 - May 1999



Again we see that a small number of individuals are responsible for most of the confinement and its related costs. Among the assessed sample, six persons were responsible for 112 days confined costing \$8,288, or about 44 percent of the total. In the arrest sample, two defendants were responsible for 30 of 53 total days confined (costing \$2,220 or 57 percent of the total). In all three samples combined, eight people were responsible for 142 days confined in the year prior to their current contact. Perhaps more surprising, these eight individuals cost the city of Santa Fe more than \$10,500 in one year, as a result of confinement from protective custody/mental health holds.

Costs can also be measured in terms of police manpower hours spent dealing with individuals subject to the two types of holds. For example, if we assume, rather conservatively,

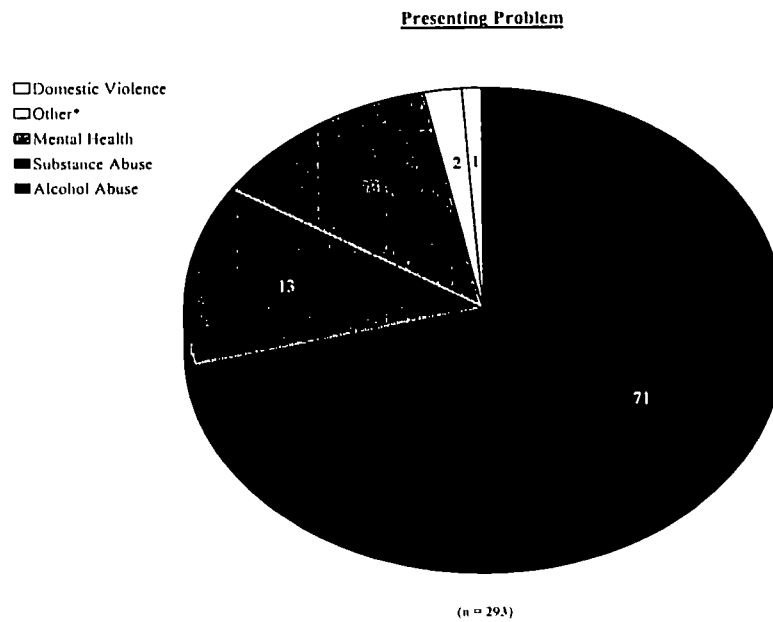
that each protective custody/mental health hold takes up one hour of a police officer's time, then the 129 persons with prior holds in the assessed sample cost the police department 2,011 manpower hours, or 251 eight-hour workdays. If we assume an officer's salary is \$30,000 per year, the 251 workdays translate into an additional cost of \$20,630. This figure represents the cost for all prior holds dating back to 1989 (as far back as we examined criminal histories), which is an average of just under \$2,300 per prior year (\$20,630 divided by 9 prior years). This amount, of course, does not include other aspects of police officers' time, administration, and resources, nor does it consider how officers would be spending their time were they not responding to calls involving the chronic protective custody/mental health clientele.

Results from Crisis Response Assessments of Persons Picked Up on Protective Custody/Mental Health Holds

During the study period, Crisis Response staff completed 293 assessments of individuals picked up on protective custody/mental health holds.⁸ Figure 7 shows the primary presenting problem identified through the assessment. For nearly three-quarters of those assessed (71 percent), the primary problem involved alcohol abuse. Problems involving substance abuse (other than alcohol) and mental illness were identified for the majority of the remaining individuals (13 percent each).

⁸ See earlier discussion of the Jail Diversion Program for a description of the instruments employed during an assessment.

**Figure 7 Presenting Problem among Protective Custody/Mental Health Holds Assessed by Crisis Response Staff,
April 1998 - May 1999**

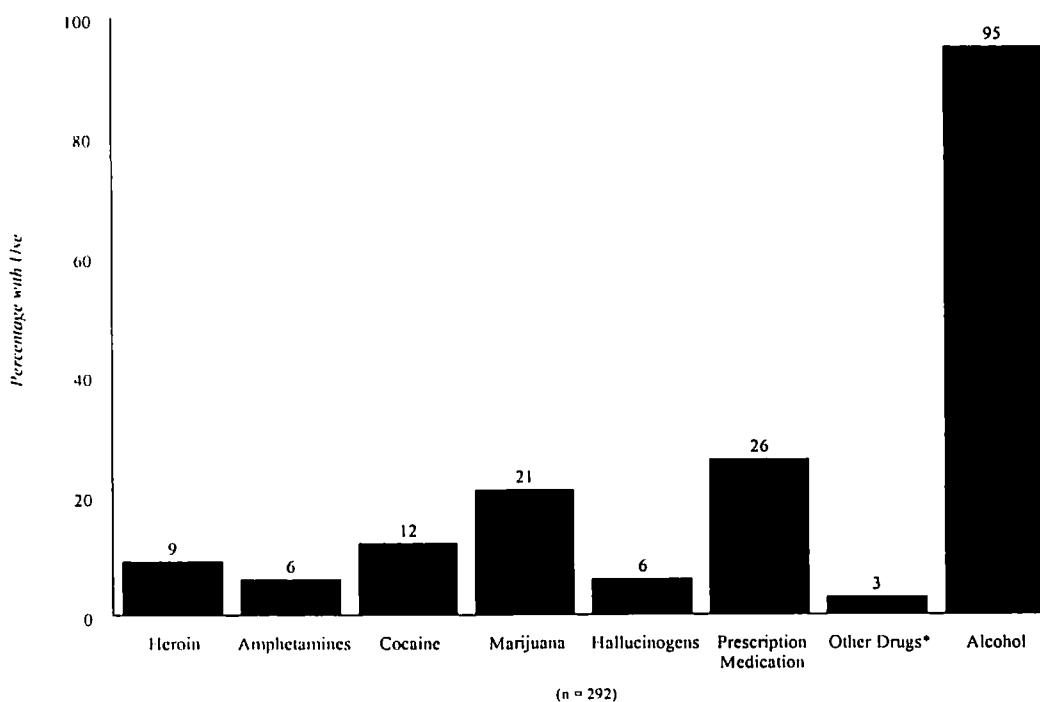


*[Note: Other includes sexual assault, suicidal ideation, and unspecified other problems.]

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Figure 8 indicates self-reported drugs of abuse among the assessed sample. We see that nearly all persons admitted to alcohol use (95 percent). There is also a range of illicit drugs used by this population, including marijuana (21 percent), cocaine (12 percent), heroin (9 percent), amphetamines (6 percent), and hallucinogens (6 percent). Taken together, Crisis Response staff confirmed serious drug use among 29 percent of the assessed individuals.⁹ An additional 26 percent of assessed individuals reported currently being on prescription medication for medical problems, depression, or other psychological problems. Medications included Librium, Lithium, Prozac, Trazadone, Haldol, and Zoloft, among others.

Figure 8 Confirmed Drug and Alcohol Use among Protective Custody/Mental health Holds Assessed by Crisis Response Staff, April 1998 - May 1999



*[Note "Other Drugs" includes methadone, barbiturates, and

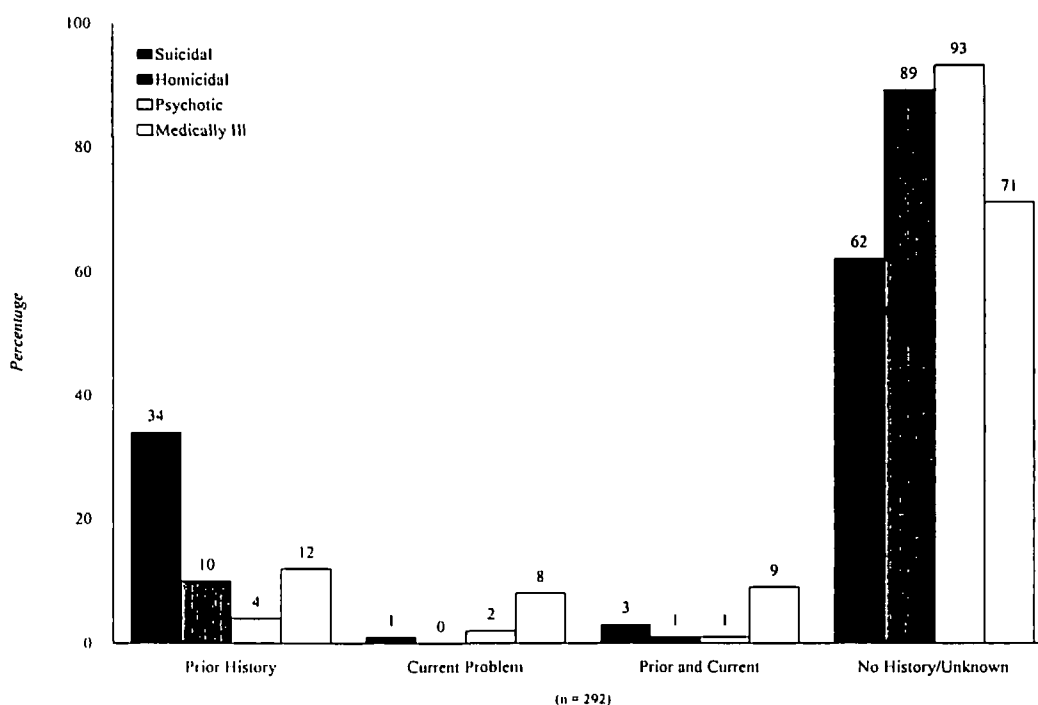
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⁹ Serious drug use is defined as self-reported use of any of the following: heroin, amphetamines, cocaine, marijuana, hallucinogens, methadone, barbiturates, or inhalants.

The seriousness of presenting problems is demonstrated through results from assessment instruments. For example, the Michigan Alcoholism Screening Test (MAST) instrument measures the extent of alcohol-related problems, and a score of five points or more indicates alcoholism (Boschelli et al., 2000). The median MAST score among assessed individuals during the study period was 22, suggesting severe alcohol-related problems among this population. Results from the Serious Mental Illness Probability Screen (SMIPS) instrument, which seeks to diagnose serious mental illness, suggested that 20 percent of assessed individuals likely have serious depression, 8 percent were likely to suffer from schizophrenia, and 7 percent were likely to be experiencing manic episodes (see also Boschelli et al., 2000). Scores of 0-9 on the Beck Depression Inventory indicate no or minimal depression, and scores of 10-14 indicate borderline depression (Boschelli et al., 2000). Among assessed individuals, the mean score on the Beck Depression Inventory was 9 (median of 7), indicating some level of depression among many of the assessed persons.

Figure 9 shows self-reported histories of psychological and medical problems among individuals picked up on protective custody/mental health holds, including suicidal and homicidal tendencies, psychosis, and medical illness. The vast majority of assessed persons reported no current psychological problems (1 percent suicidal, 2 percent psychotic), and 8 percent reported a current medical illness. Notably, one-third (34 percent) reported being suicidal in the past, and 10 percent reported prior experiences with homicidal thoughts. Only 4 percent reported a prior psychotic episode.

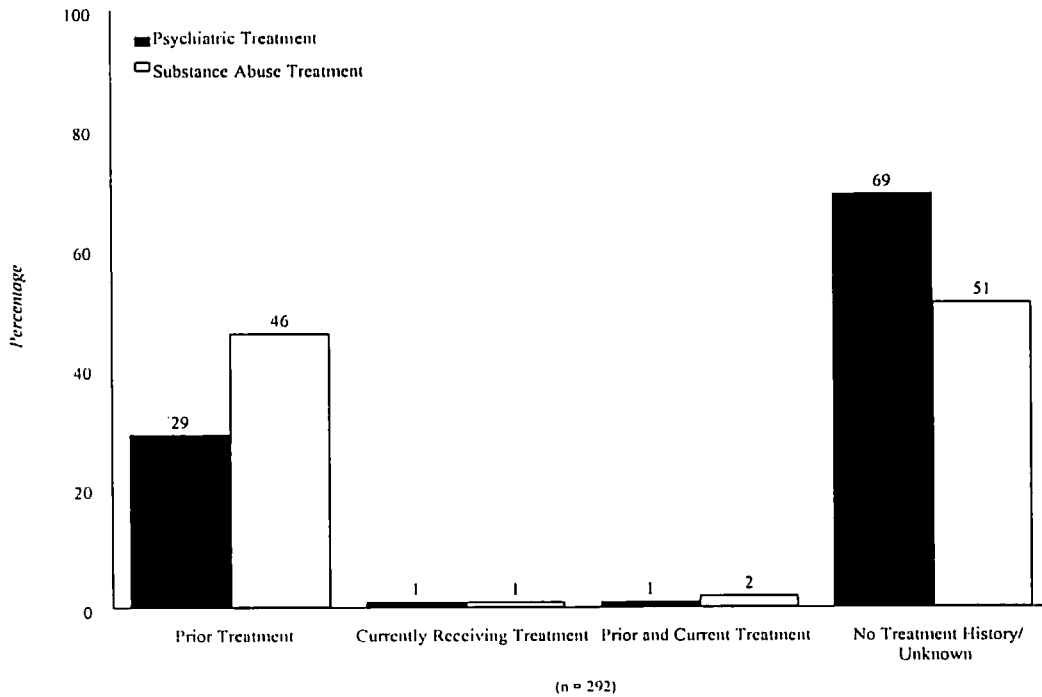
Figure 9 Self-Reported History of Psychological and Physical Problems among Protective Custody/Mental Health Holds Assessed by Crisis Response Staff, April 1998 - May 1999



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Figure 10 describes the prior histories of psychiatric and substance abuse treatment among the sample of assessed persons picked up on protective custody/mental health holds. Very few individuals were receiving either type of treatment at the time they had their current contact with the Jail Diversion Program (1 percent in each type of treatment). Three out of ten (29 percent) had prior psychiatric treatment, and nearly half (46 percent) had some type of substance abuse treatment. Fifty-six percent of assessed individuals had some prior experience in treatment, either psychiatric or substance abuse. Thus, the problems that brought this group of individuals to the attention of police were, in many cases, not new, and more than half had received some type of treatment for their mental and/or substance abuse problems.

Figure 10 Treatment History among Protective Custody/Mental Health Holds Assessed by Crisis Response
April 1998 - May 1999

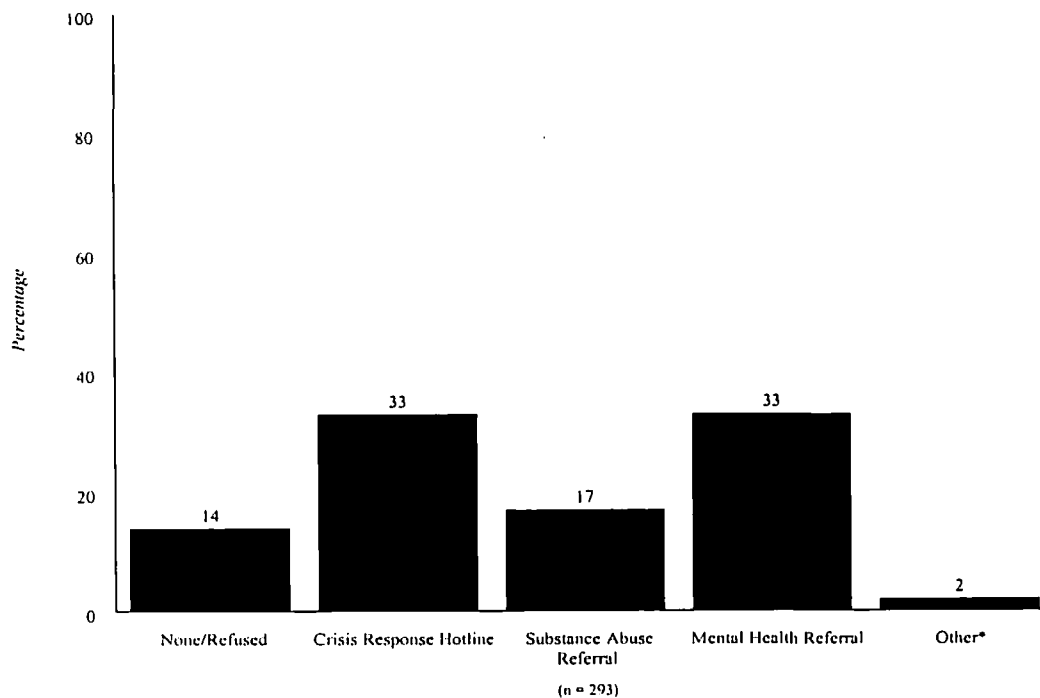


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Figure 11 shows the primary referral made by Crisis Response Jail Diversion staff of assessed individuals during the study period.¹⁰ Fourteen percent of assessed persons were not given a referral or they refused to accept any information from Crisis Response staff. One-third of the assessed individuals were given a mental health referral, in most cases to outpatient mental health counseling (two people were given referrals for inpatient psychiatric hospitalization). Crisis Response staff gave substance abuse referrals to 17 percent of assessed individuals, either for outpatient treatment or inpatient detoxification. Last, 33 percent were given information about Crisis Response, including the hotline number.

¹⁰ In many cases, Crisis Response staff made more than one referral (i.e., inpatient detoxification program and Crisis Response hotline information). This figure reflects the primary referral only.

Figure 11 Type of Referral Made to Protective Custody/Mental Health Holds Assessed by Crisis Response Staff
April 1998 - May 1999



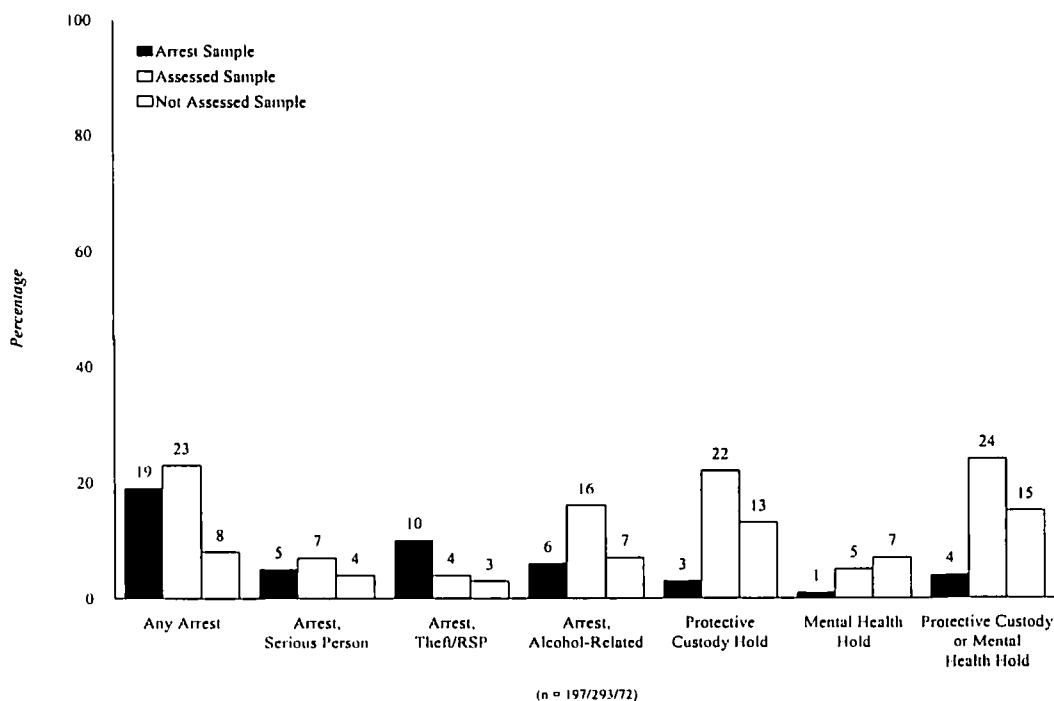
*[Note: "Other" referral includes marital counseling, relationship counseling, housing referral, and Spanish-speaking counseling referrals.]

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Subsequent Contacts with the Santa Fe Police Department during a One-Year Observation Period

Using the criminal history database from the Santa Fe Police Department and confinement data from the Santa Fe County Detention Center, we documented formal subsequent contacts, both arrest and protective custody/mental health holds, for each of the three samples during a one-year observation period. Figure 12 shows subsequent arrests and pick-ups on either type of hold.

Figure 12 Follow-up Activity among Santa Fe, New Mexico Arrestees and Protective Custody/Mental Health Holds, April 1998 - May 1999, during a One-Year Observation Period



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Subsequent Arrests

Nineteen percent of the arrest sample was arrested again on a new offense; 5 percent involving serious person charges, 10 percent theft, and 6 percent alcohol-related charges.¹¹ Nearly one-quarter of the protective custody/mental health assessed sample recorded a formal follow-up arrest (23 percent), 70 percent of which involved alcohol-related offenses (16 percent of the sample). Seven percent of the assessed sample's subsequent arrests involved serious person offenses. Among the sample of protective custody/mental health holds who were not assessed, only 8 percent recorded a follow-up arrest, and almost all of their arrests involved an alcohol-related charge (7 percent).

¹¹ Note that the specific arrest charge categories are not mutually exclusive. If an arrest included a theft charge and a driving while intoxicated charge, it was counted as both theft and alcohol-related.

Subsequent Protective Custody/Mental Health Holds

Though a review of prior history revealed that nearly one-quarter of arrestees had previous experiences with protective custody/mental health holds, very few of the defendants in the arrest sample experienced such a contact during the one-year observation period. Only 4 percent of the arrest sample was picked up on a protective custody/mental health hold during the follow-up period, the majority involving protective custody. Figure 12 shows that subsequent holds were much more common among the assessed and not assessed samples, with 24 percent of assessed and 15 percent of not assessed individuals experiencing an additional protective custody or mental health hold (mostly protective custody). Though most individuals in both samples recorded only one follow-up hold, 9 percent of the assessed sample experienced three or more, and two percent recorded ten or more follow-up holds. In fact, the nine persons (or 2 percent) experiencing ten or more holds produced a total of 177 follow-up holds, an average of approximately twenty per person.

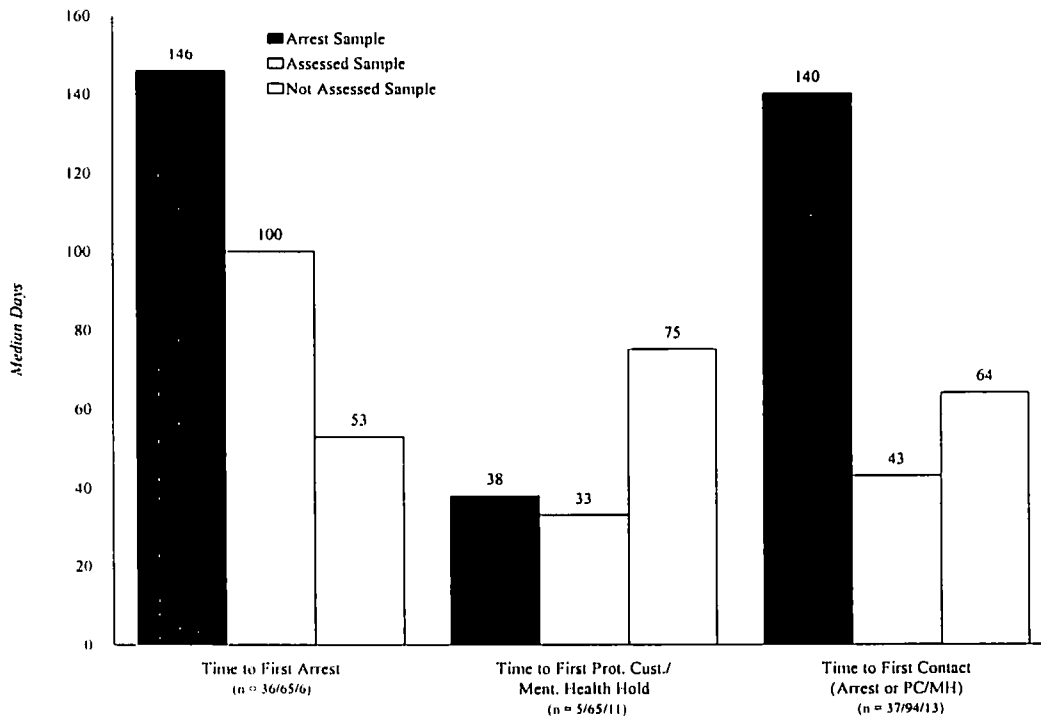
Time to First Follow-up Contact

Figure 13 shows the average (median) time to first follow-up arrest, protective custody/mental health hold, and first contact (either type) for all three samples. Defendants in the arrest sample averaged 146 days to their first follow-up arrest, 38 days to first hold (note that only five arrestees had follow-up holds), and 140 days to first formal contact. Among the assessed sample, the median days to first arrest, hold, and formal contact were 100, 33, and 43, respectively. Thus, individuals who had been assessed by Crisis Response staff averaged just over one month before experiencing their next protective custody or mental health incident.

The not assessed sample recorded the shortest time to first follow-up arrest, 53 days, though only six individuals in the sample recorded such a contact. The not assessed sample

survived more than twice as long as the assessed sample before recording a first protective custody or mental health hold, seventy-five days versus thirty-three days. Overall, individuals in the not assessed sample survived a median of sixty-four days before recording their first follow-up contact.

Figure 13 Time to First Contact among Santa Fe, New Mexico Arrestees and Protective Custody/Mental Health Holds, April 1998 - May 1999, during a One-Year Observation Period



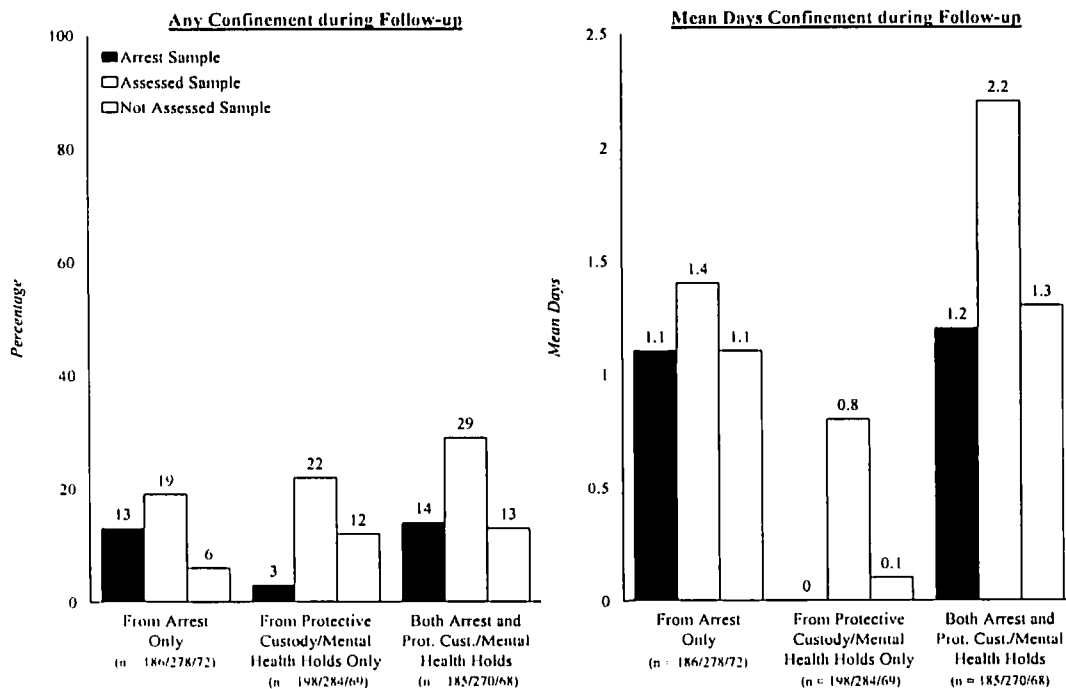
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Confinement during the Follow-up

Figure 14 shows the percentage of individuals in each sample who were confined during the one-year observation period, as well as why and how long they were incarcerated. Among the arrest sample, 14 percent experienced confinement during the follow-up. In the vast majority, this was a consequence of subsequent arrests, rather than either type of hold. Among the protective custody/mental health samples, the assessed sample was more than twice as likely to be confined than the not assessed sample (29 percent versus 13 percent). The assessed sample spent time incarcerated for both arrest and subsequent holds about equally (19 percent and 22

percent, respectively), while the not assessed sample was more commonly confined as a result of subsequent holds. Figure 14 also shows the average (mean) days confined, and we see that, overall, individuals in each of the samples spent between one and two days confined during the follow-up period.

Figure 14 Confinement among Santa Fe, New Mexico Arrestees and Protective Custody/Mental Health Holds, April 1998 - May 1999, during a One-Year Observation Period



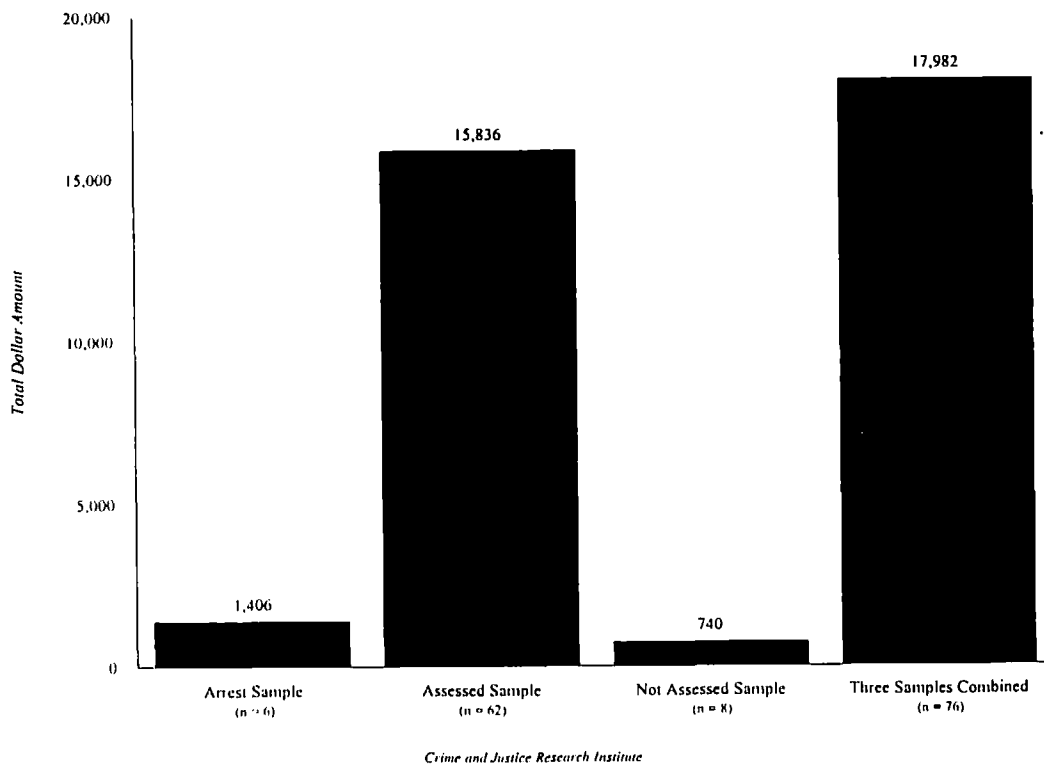
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Costs of Confinement for Subsequent Holds during the Follow-up Period

Using confinement cost estimates explained previously, we calculated the costs of confinement associated with protective custody/mental health holds during the follow-up period (see Figure 15). Among the arrest sample, the six defendants who recorded follow-up holds spent a total of 19 days confined, at a cost of \$1,406. Sixty-two individuals in the assessed sample experienced subsequent protective custody or mental health holds, spending a total of 214 days in jail and costing the city of Santa Fe \$15,836 in confinement expenses. The not assessed sample contributed 10 days of confinement from holds during the observation period,

for a total of \$740. When the protective custody/mental health hold-related confinement costs are combined for all three samples, we see that subsequent holds generated by individuals in this study resulted in 243 days of confinement at an annual cost of just under \$18,000.

Figure 15 Costs of Confinement from Protective Custody/Mental Health Holds during One-Year Observation Period among Santa Fe, New Mexico Arrestees and Protective Custody/Mental Health Holds, April 1998 - May 1999



Cost in terms of police manpower hours can be estimated as well. For example, 69 individuals in the assessed sample recorded a total of 352 holds during the follow-up period. At one manpower hour per hold, the police spent 352 hours, or 48 eight-hour workdays, initiating protective custody/mental health holds during the follow-up period. For an officer with an annual salary of \$30,000, the additional cost of holds in terms of lost manpower totals just over \$3,600.

Multivariate Analysis of Protective Custody/Mental Health Holds during the One-Year Observation Period

This section focuses on those who experienced additional holds and investigates whether the presence of certain risk factors, which can be identified at the time of contact with the Jail Diversion Program from criminal history or assessment, is predictive of follow-up activity. Two multivariate methods, logistic regression and Chi-squared Automatic Interaction Detector (CHAID), are employed to identify predictors of subsequent holds, and results from the analyses are then used to develop illustrative risk classification schemes.¹² The identification of predictors of subsequent holds would allow Jail Diversion staff the opportunity to focus resources on specific high-risk persons most likely to experience additional holds, thereby targeting those most in need of services and potentially reducing their disproportionate impact on the local justice system.

Results from assessments conducted by Crisis Response Jail Diversion staff show that many of the individuals picked up on protective custody and mental health holds had serious substance abuse and mental health problems. A review of assessed persons' criminal histories also showed that, for more than half of them, their current pick-up was not their first, and for a small group, the current hold represented a long-standing and on-going involvement with the Santa Fe Police Department. Despite their serious problems and sometimes extensive history of protective custody and mental health holds, only about one-quarter of assessed individuals recorded an additional hold during the follow-up period.

¹² The multivariate analyses presented here are intended to be illustrative. The predictive results were not validated, for example, through application to other samples. Such validation study is recommended before any operational application.

Logistic Regression

Drawing from more than 40 potential predictor variables (including a range of demographic, current contact, criminal history, and assessment attributes), we used logistic regression to identify significant predictors of experiencing subsequent holds during the one-year observation period.¹³ Table 2 shows that a model using three predictors was identified as significantly predicting follow-up protective custody/mental health holds. Individuals who have three or more prior protective custody/mental health holds, whose presenting problem at assessment involves drugs or alcohol abuse (rather than mental health or other), and who have had past or current psychiatric treatment, have an increased probability of experiencing additional holds during the follow-up period. In more general terms, these three predictors suggest that experiencing additional holds is more likely for those who have a history of such holds and who have or have had a combination of substance abuse and mental health problems.

Predicted values from logistic regression were used to develop a three-level risk classification—low, medium, and high risk of experiencing follow-up holds (summary shown at bottom of Table 2). Just over half of assessed persons were classified as low risk of having a follow-up hold (52 percent), 17 percent were classified as medium risk and nearly one-third were classified as high risk.¹⁴ Figure 16 illustrates the risk classification (left) and shows the actual percentage of persons with subsequent holds by risk level. For example, 10 percent of assessed persons classified as low risk actually experienced a protective custody/mental health hold during the one-year observation period. Thirty-three percent of medium risk individuals

¹³ Although assessments were completed for 293 persons, criminal history information was missing for 51 individuals. As a result, the multivariate analyses were carried out with 242 cases. We sought predictors of subsequent holds thus providing a dichotomous outcome variable (no, yes). In this situation, logistic regression is theoretically a more appropriate procedure than ordinary least squares regression.

¹⁴ Cutting points were determined by grouping predicted values with similar percentages of the outcome variable (subsequent holds).

experienced a follow-up hold. Of the one-third of assessed persons classified as high-risk, well over half (57 percent) experienced a follow-up protective custody or mental health hold. The relatively low percentage of follow-up holds among the low-risk group, middle percentage among the medium-risk group, and high percentage among the high-risk group shows that the risk classification is effective in classifying individuals according to their probabilities of follow-up contacts. The high-risk group, with nearly six in ten being picked up by police on another hold, is composed of those individuals that the Jail Diversion Program would want to target for intensive intervention.

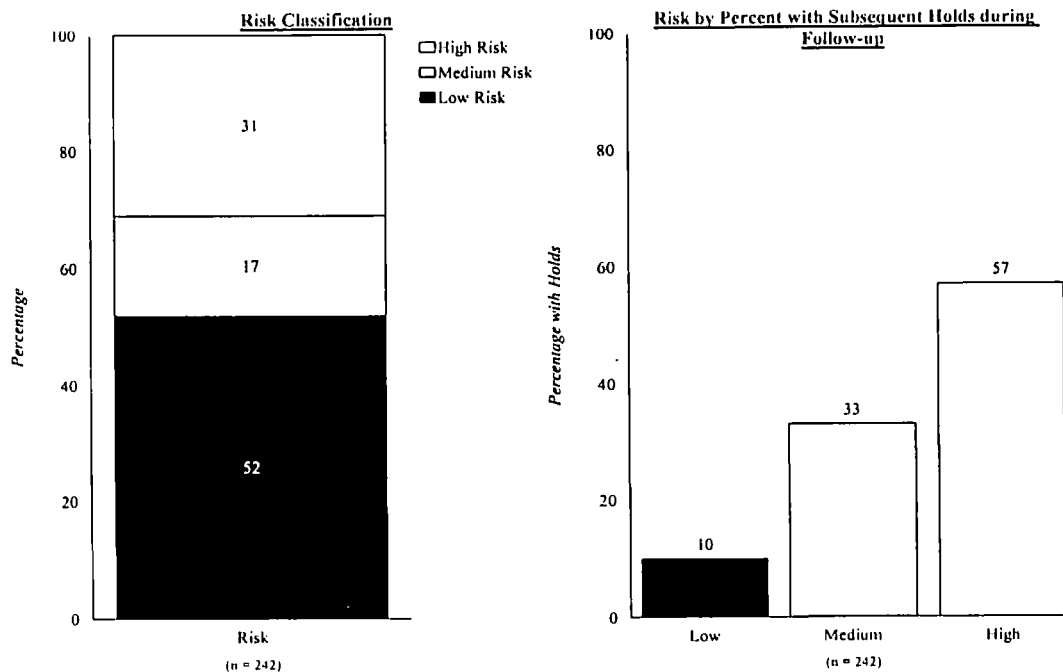
Table 2 Predicting Subsequent Protective Custody/Mental Health Holds among Individuals Assessed by Crisis Response Jail Diversion Staff, April 1998- May 1999

<i>Predictor Variables</i>	<i>Parameter (Sig)</i>
Having Three or More Prior Holds (No/Yes)	1.873 (.000)
Presenting Problem (Mental Health/Other or Drugs/Alcohol)	1.209 (.020)
Any Psychiatric Treatment (No/Yes)	1.031 (.004)
Constant	-3.117 (.000)
Model Statistics	
Log Likelihood	238.757
Goodness of Fit (H&L)	3.334
GF Significance	.504
Chi Square	50.543
DF	3
Significance	.000
N	242

Risk Level	Percent with Follow-up Holds	n	Percent of Total
Low	10.2	127	52.5
Medium	32.5	40	16.5
High	57.3	75	31.0
Total	28.5	242	100.0

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Figure 16 Risk of Subsequent Protective Custody/Mental Health Holds among Individuals Assessed by the Crisis Response Jail Division Team, April 1998 - May 1999



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CHAID Analysis

We also employed CHAID analysis to identify predictors of subsequent protective custody/mental health holds. CHAID divides the sample of assessed individuals into sub-samples that differ based on the values of the dependent variable (subsequent holds during the follow-up period). The resulting sub-groups are mutually exclusive, and cases can be classified by identifying the specific values of predictors that defined the splits. A possible advantage of this method compared with logistic regression analysis is that interactions of the independent variables important for prediction may be discovered.

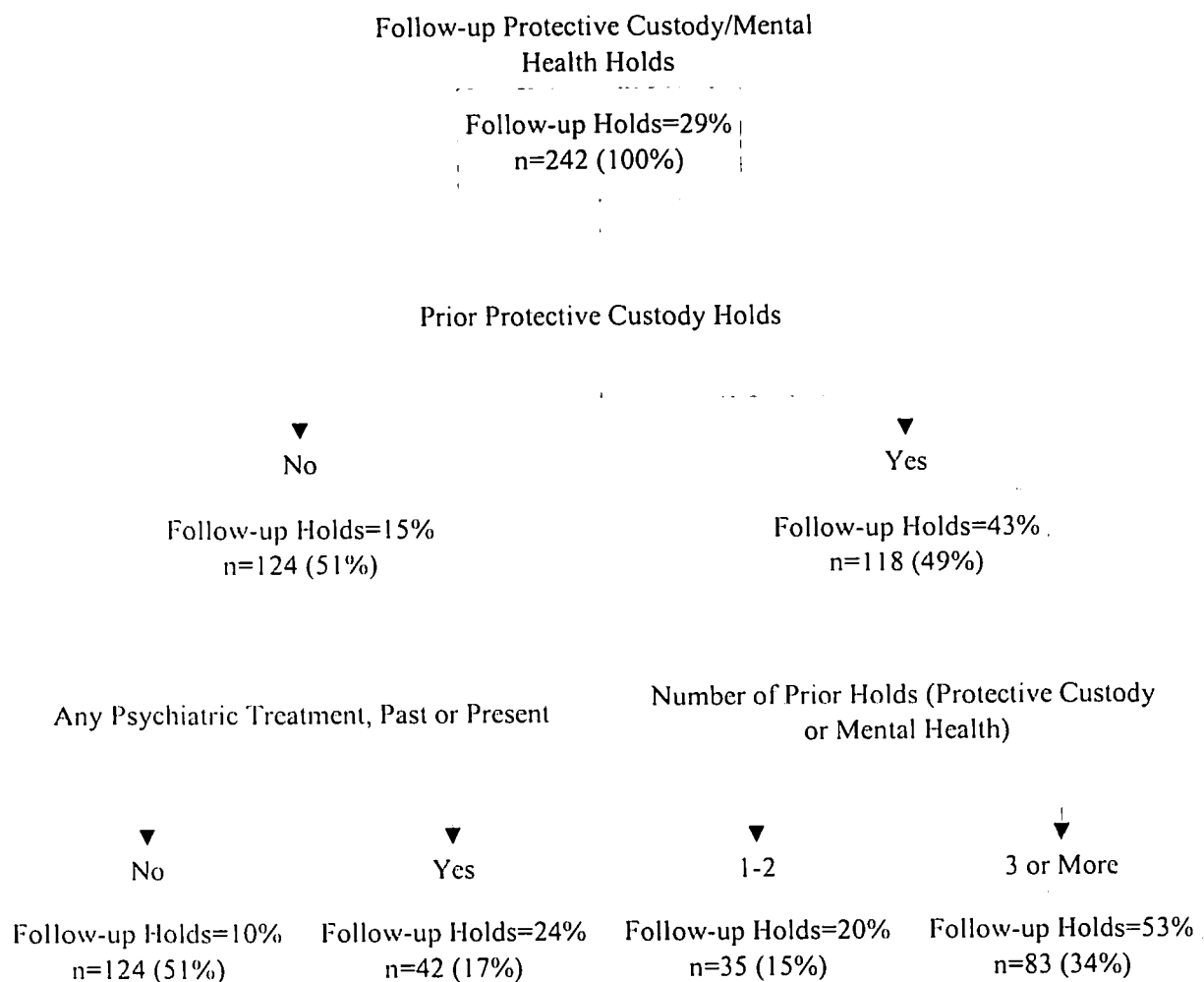
Figure 17 shows the results of the CHAID analysis. We see that the dependent variable, follow-up protective custody/mental health holds, is at the top of the CHAID tree (29 percent of the 242 assessed individuals included in the analysis had a follow-up hold). The sample is first split by whether or not individuals had prior protective custody holds only (not mental health).

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Those who had prior protective custody holds were significantly more likely to record follow-up holds than those without protective custody priors, 43 percent versus 15 percent. Those with prior protective custody holds are split on the number of prior holds (protective custody or mental health), with those experiencing three or more priors much more likely to record a follow-up hold (53 percent) than those with only one or two priors (20 percent). On the other side of the tree, we see that those without prior protective custody holds are split on whether they have experienced psychiatric treatment (past or present). Those experiencing psychiatric treatment post a higher rate of subsequent holds than those with no psychiatric treatment history (24 percent versus 10 percent).

Four end groups resulted from the analysis, and their characteristics can be determined by tracing their splits on predictor variables back up the CHAID tree. For example, the end group on the far left posted the lowest rate of follow-up holds, only 10 percent. Tracing the splits, we see that this group is composed of individuals with no prior (or current) psychiatric treatment and no prior protective custody holds. Alternatively, the end group on the far right posted the highest follow-up hold percentage, 53 percent. This end group is composed of individuals with prior protective custody holds and three or more prior holds, protective custody or mental health. Table 3 summarizes the four end groups, their characteristics, size, and percentage with follow-up protective custody/mental health holds.

Figure 17 Predicting Subsequent Pick-ups on Protective Custody/Mental Health Holds among Individuals Assessed by Crisis Response Jail Diversion Staff, April 1998 - May 1999



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Table 3 Summary of CHAID Classification Predicting Protective Custody/Mental Health Holds during a One-Year Observation Period among Individuals Assessed by Crisis Response Jail Diversion Staff, April 1998-May1999

Group	Description	n	Percent of Total	Percent with Holds	Risk Level
Follow-up PC/MH Holds					
1	No prior or current psychiatric treatment; no prior PC holds	82	33.9	9.8	Low
2	Prior or current psychiatric treatment; no prior PC holds	42	17.4	23.8	Medium
3	Prior protective custody holds; 1-2 prior holds (PC or MH)	35	14.5	20.0	Medium
4	Prior protective custody holds; 3 or more prior holds (PC or MH)	83	34.3	53.0	High
Total		242	100.0		

Risk Level	Percent with Follow-up Holds	n	Percent of Total
Low (group 1, above)	9.8	82	33.9
Medium (groups 2 and 3, above)	22.1	77	31.8
High (group 4, above)	53.0	83	34.3
Total	28.5	242	100.0

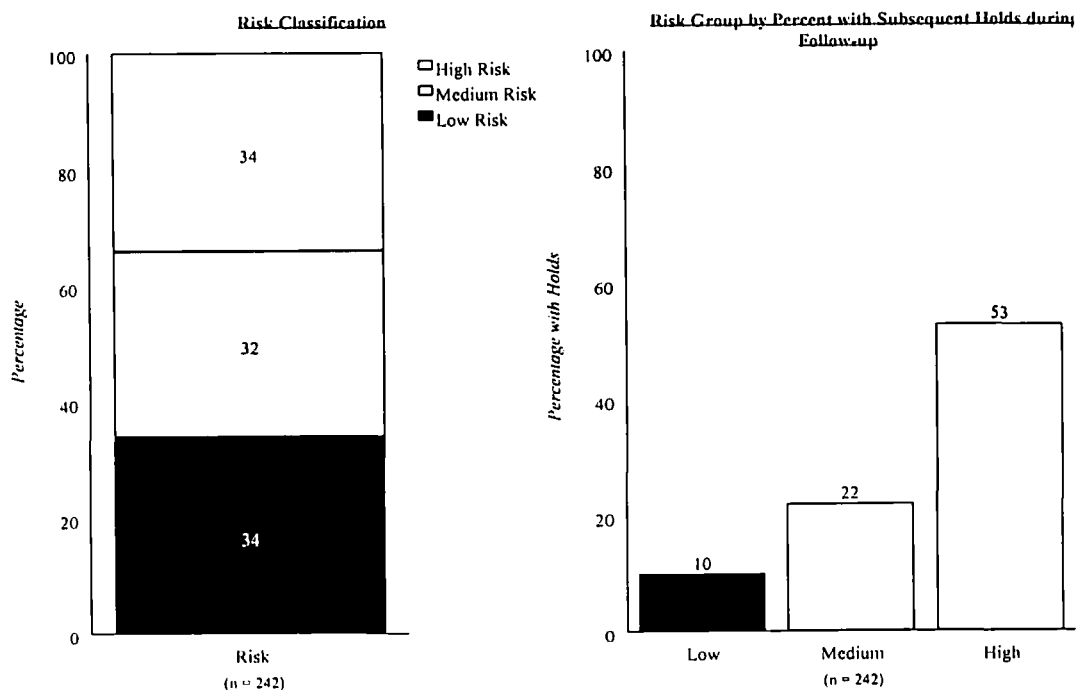
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We then collapsed the end groups into a three-level risk classification, based on similar percentages of follow-up holds, summarized at the bottom of Table 3 and shown differently in Figure 18. This classification scheme divides the assessed sample into approximately equal thirds---34 percent low risk, 32 percent medium risk, and 34 percent high risk. The right side of Figure 18 shows the actual percentage of each risk grouping that recorded follow-up holds: 10 percent among low risk, 22 percent among medium risk, and 53 percent among high risk individuals. Similar to the risk classification developed with predicted values from logistic regression, the CHAID classification isolates a third of the assessed population that is deemed high risk of recording follow-up holds, and in fact, more than half of them did so.¹⁵ Also like the

¹⁵ The two classification schemes derived from logistic regression and CHAID relied on similar predictors and isolated a third of the sample as high risk. The schemes did differ with regard to the percentage classified as low

logistic regression analyses, high risk individuals are characterized by extensive prior holds and prior (or current) psychiatric treatment.

Figure 18 Risk of Subsequent Protective Custody/Mental Health Holds among Individuals Assessed by the Crisis Response Jail Division Team, April 1998 - May 1999 (CHAID Program)



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Identifying and Characterizing Chronic Offenders

Of particular interest to Crisis Response and Santa Fe city officials is the ability to identify and target individuals with chronic problems who disproportionately affect the local justice system through multiple pick-ups over an extended period of time. By successfully targeting and assisting these persons, Crisis Response can both substantially reduce their impact on the justice system's resources and provide much needed services to a small group of people with the greatest need. Among the assessed sample, thirty-one individuals (12.8 percent of the

and medium risk (in the logistic regression scheme, more than half are low risk, compared to 34 percent in the CHAID scheme). Differences in results are attributed to the different properties and assumptions of the two analytic methods.

total) recorded three or more protective custody/mental health holds during the one-year observation period.

Table 4 illustrates some basic differences between this small group of persons and those with fewer than three follow-up holds. Individuals with chronic problems differ significantly (by chi square tests, $p > .05$) from others in the sample across a number of demographic, prior criminal history, and assessment attributes. In general, these offenders are more likely than other assessed persons to be of Native American descent (20 percent versus 7 percent), over age 40 (52 percent versus 33 percent), and are less likely to be female (7 percent versus 20 percent). Persons with chronic protective custody/mental health hold problems have more extensive criminal histories, including more recent prior arrests (61 percent versus 38 percent) and more alcohol-related prior arrests (87 percent versus 56 percent). They are more likely to have recent prior holds of either variety (74 percent versus 33 percent), and to have been confined in the year prior to their contact with the Jail Diversion Program (77 percent versus 37 percent).

Results from CRSF assessments show that all persons with chronic problems had drugs or alcohol abuse as their presenting problem, and they were more likely than others to confirm cocaine (26 percent versus 11 percent) and heroin use (19 percent versus 8 percent). Persons classified as chronic more often experienced a medical illness, past or present (48 percent versus 29 percent) and were more likely to have received either psychiatric or substance abuse treatment (74 percent versus 57 percent). Finally, individuals with chronic hold problems were almost twice as likely as others to refuse (or not receive) a referral from the Crisis Response Jail Diversion staff following completion of the assessment.

Table 4 Selected Bivariate Differences among Individuals Assessed by Crisis Response Jail Diversion Staff, April 1998-May 1999, by Number of Follow-up Holds (0-2 or 3 or More)

	0-2 Follow-up Holds	Total	3+ Follow-up Holds	Total	Chi Square
<i>Selected Attributes</i>	(n)	Percent	(n)	Percent	
Demographics					
<i>Race: Native American*</i>					
Total	203	100.0	30	100.0	.024
Yes	15	7.4	6	20.0	
No	188	92.6	24	80.0	
<i>Age: Over 40 Years Old*</i>					
Total	211	100.0	31	100.0	.045
Yes	70	33.2	16	51.6	
No	141	66.8	15	48.4	
<i>Gender</i>					
Total	211	100.0	31	100.0	.063
Male	168	79.6	29	93.5	
Female	43	20.4	2	6.5	
Prior History					
<i>Prior Arrests, 3 Years*</i>					
Total	211	100.0	31	100.0	.016
Yes	81	38.4	19	61.3	
No	130	61.6	12	38.7	
<i>Prior PC/MH Hold, 3 Years*</i>					
Total	211	100.0	31	100.0	.000
Yes	69	32.7	23	74.2	
No	142	67.3	8	25.8	
<i>Prior Arrests, Alcohol-Related*</i>					
Total	211	100.0	31	100.0	.001
Yes	117	55.5	27	87.1	
No	94	44.5	4	12.9	
<i>Confined in Last Year, Any Reason*</i>					
Total	206	100.0	31	100.0	.000
Yes	77	37.4	24	77.4	
No	129	62.6	7	22.6	
Assessment					
<i>Presenting Problem, Drugs/Alcohol*</i>					
Total	211	100.0	31	100.0	.006
Yes	168	79.6	31	100.0	
No	43	20.4	0	0.0	
<i>Confirmed Cocaine Use*</i>					
Total	211	100.0	31	100.0	.020
Yes	23	10.9	8	25.8	
No	188	89.1	23	74.2	
<i>Prior Treatment, Psych. or Substance Abuse</i>					
Total	211	100.0	31	100.0	.074
Yes	121	57.3	23	74.2	
No	90	42.7	8	25.8	
<i>CRSF Referral</i>					
Total	211	100.0	31	100.0	.143
None/Refused	27	12.8	7	22.6	
Received a Referral	184	87.2	24	77.4	

* Indicates significance difference (p<.05)

Table 4 illustrates that individuals who were picked up three or more times during the one-year follow-up differed notably from other assessed persons along a number of important attributes. Using multivariate analysis, we sought to identify which of the bivariate differences were, in fact, predictive of chronic problems during the follow-up period. Results from logistic regression¹⁶, shown in Table 5, indicate that three attributes increase the probability of recording three or more protective custody/mental health holds during the one-year observation period: having multiple holds (either protective custody or mental health) within three years of contact with the Jail Diversion program, confirmed cocaine use, and having four or more prior arrests for alcohol-related offenses. More generally, serious drug and alcohol problems and multiple, recent prior protective custody/mental health holds appear to be predictive of chronic behavior during the follow-up period.

Predicted values from logistic regression were grouped to develop a three-level risk classification according to the likelihood of chronic problems during the follow-up, summarized at the bottom of Table 5 and shown in greater detail in Figure 19.¹⁷ Not surprisingly, nearly two-thirds of the assessed sample was classified as low risk of recording three or more holds during the one-year follow-up.¹⁸ The remaining 36 percent were divided evenly into medium and high-risk categories. Figure 19 also illustrates the actual percentage of individuals within each risk level who recorded three or more follow-up holds, demonstrating the relative effectiveness of the risk classification. As we would expect, only three percent of the low risk group recorded three or more follow-up holds, and 16 percent of the medium risk group did so. Forty-four percent of

¹⁶ CHAID analysis was also employed but results were not as meaningful as those produced by logistic regression.

¹⁷ Cutting points were determined by grouping predicted values with similar percentages of the outcome variable (subsequent holds).

¹⁸ The majority of assessed persons are classified as low risk, in part, because relatively few individuals (13 percent) actually experienced three or more pick-ups during the follow-up.

the high-risk chronic group did experience three or more holds during the follow-up period. These 43 persons, representing nearly one-fifth (18 percent) of the assessed sample, are of particular interest to the Jail Diversion Program and city of Santa Fe officials, because they are thirteen times more likely than low risk and nearly three times as likely as medium risk individuals to be picked up three or more times (during the one-year follow-up) by police for protective custody or mental health holds.

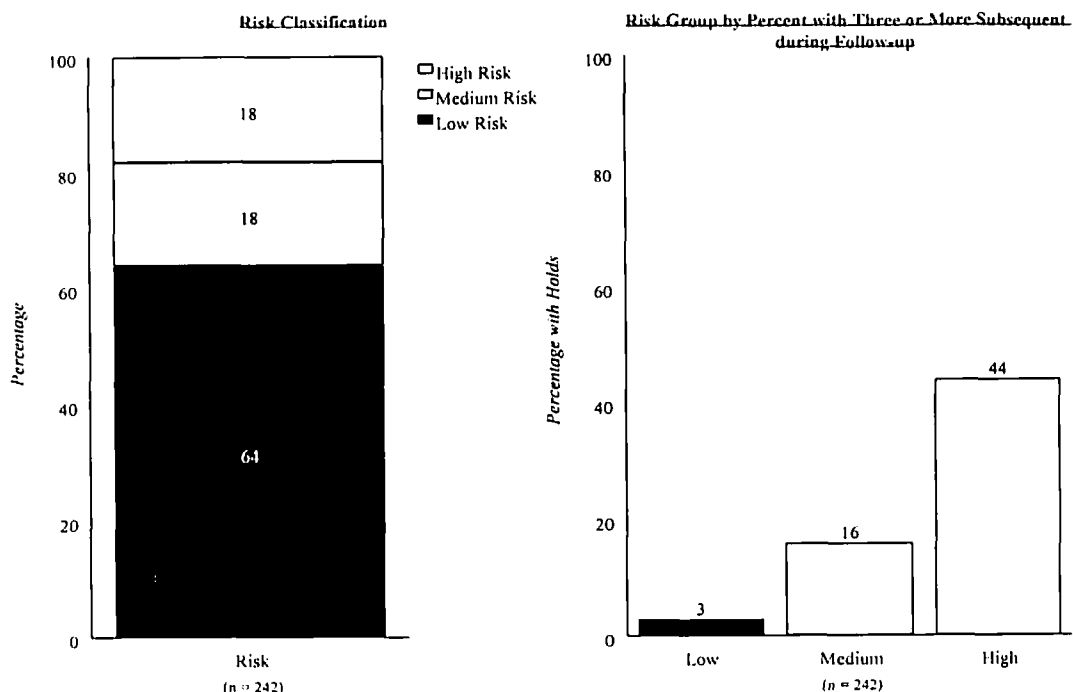
Table 5 Predicting Three or More Subsequent Protective Custody/Mental Health Holds (Chronic) among Individuals Assessed by Crisis Response Jail Diversion Staff, April 1998- May 1999

<i>Predictor Variables</i>	Parameter (Sig)
Two or More Prior PC/MH Holds within Three Years (No/Yes)	2.097 (.000)
Confirmed Cocaine Use	1.739 (.003)
Four or More Prior Alcohol-Related Arrests (No/Yes)	1.177 (.017)
Constant	-3.613 (.000)
Model Statistics	
Log Likelihood	137.767
Goodness of Fit (H&L)	.211
GF Significance	.976
Chi Square	47.487
DF	3
Significance	.000
N	242

Risk Level	Percent with 3+ Follow-up Holds	n	Percent of Total
Low	3.2	156	64.5
Medium	16.3	43	17.8
High	44.2	43	17.8
Total	12.8	242	100.0

Crime and Justice Research Institute

Figure 19 Risk of Three or More Subsequent Protective Custody/Mental Health Holds (Chronic) among Individuals Assessed by the Crisis Response Jail Diversion Team, April 1998 - May 1999



Crime and Justice Research Institute

Summary and Conclusions

This report describes the Jail Diversion Program, a joint effort by Crisis Response of Santa Fe and the city of Santa Fe Police Department to divert mentally ill and chronic substance abusing individuals from incarceration to a community-based service network that could more appropriately meet their needs. The Bureau of Justice Assistance funded the jail diversion project as part of their Open Solicitation Program, an initiative designed to identify and support outstanding programs addressing criminal justice problems with perspectives that are both local and innovative in approach.

The report sought to address a number of basic questions regarding the prevalence of mental illness and chronic substance abuse in the police workload in Santa Fe, the attributes of those who are picked up on protective custody/mental health holds, the financial costs of such holds, and risk factors or attributes of those who may be expected to experience future holds,

particularly those who may be expected to experience many of them. To answer many of these questions, we collected detailed criminal justice and assessment data on all individuals picked up on protective custody/mental health holds from April 1998-May 1999 (293 assessed, 75 not assessed), as well as a random sample of 200 defendants arrested on criminal charges during that period.

Protective Custody/Mental Health Holds as a Portion of the Police Workload

Protective custody/mental health holds represent a sizeable and consistent portion of the daily business of Santa Fe city police officers. Over a nearly three-year period, officers initiated over 2,500 holds, averaging more than two holds per day and representing 18 percent of their formal business (ranging from 15-20 percent in most months).

Prevalence of Mental Illness and Chronic Substance Abuse in the Police Workload

Review of police records for individuals in the protective custody/mental health samples showed that for more than half, their contact with the Jail Diversion Program did not represent their first such hold. Nearly 40 percent had been detained on at least one hold within three years of their contact with the Jail Diversion Program. Perhaps more importantly, nearly one quarter of the arrest sample had experienced a prior protective custody/mental health hold, suggesting a substantial degree of co-occurrence among criminal activity and mental illness/chronic substance abuse. In each of the samples, a small number of individuals were disproportionately responsible for the total number of prior holds.

Prevalence of Criminal Involvement

A review of criminal histories confirmed the degree of co-occurrence among criminal activity and mental illness/chronic substance abuse: nearly two-thirds of individuals picked up on protective custody/mental health holds during the study period had at least one prior arrest for

criminal charges. In fact, the prevalence of prior arrests was greater in the protective custody/mental health hold sample (assessed and not assessed combined) than in the general arrest sample. Although nearly half of protective custody/mental health holds had prior arrests for alcohol-related offenses, not all of their priors involved less serious charges. Nearly one-third had a prior felony arrest, 20 percent for serious person charges.

Attributes and Problems among Protective Custody/Mental Health Holds

Similar to the general arrest sample, most individuals picked up on protective custody/mental health holds were male residents of the city of Santa Fe with known aliases. The majority of persons picked up on holds were Hispanic (57 percent) and Anglo (29 percent), though Native Americans were disproportionately represented (14 percent). Protective custody/mental health holds were substantially older than the general arrest sample (median age of 37, compared to 29 for arrest sample), with 75 percent over age 30 and 38 percent over age 40.

Among those who were assessed, alcohol abuse was identified as the presenting problem for nearly three-quarters. Mental illness was identified as the presenting problem for 13 percent of the assessed sample. Nearly all assessed persons admitted alcohol use and serious drug use was confirmed for 30 percent (including cocaine, marijuana, heroin, amphetamines, and hallucinogens). Though the vast majority denied any current psychological or physical problems, one-third admitted being suicidal previously. Most stated that they had received treatment prior to their contact with the Jail Diversion Program, either for psychological problems (29 percent) or substance abuse (46 percent). Crisis Response Jail Diversion staff made a variety of referrals of assessed persons, most often providing information about Crisis

Response and its hotline (33 percent) and making mental health (33 percent) or substance abuse (17 percent) referrals.

Extent of Subsequent Contact with the Santa Fe Police Department

Arrests for criminal offenses during a one-year follow-up period were about equally common for the general arrest and protective custody/mental health samples (19 and 20 percent), though a greater proportion of follow-up arrests for the protective custody/mental health sample involved alcohol-related offenses. Just over one-fifth of the protective custody/mental health hold sample recorded an additional hold during the follow-up period, and 13 percent recorded three or more follow-up holds. Only four percent of the arrest sample recorded a follow-up hold.

Financial Costs of Protective Custody/Mental Health Holds

Examination of the confinement resulting from protective custody and mental health holds in the years before and after the subjects' contact with the Jail Diversion Program showed that the costs of such holds were substantial. The annual cost of confinement resulting from holds generated by all three samples ranged from \$23,606 in the prior year to \$17,982 in the follow-up year. In both instances, a small number of individuals were responsible for the majority of confinement and its cost. A smaller though still sizeable dollar amount was found from an analysis of police officer manpower hours devoted to handling protective custody/mental health holds (\$20,600 in the prior nine years, or \$2,300 per prior year; \$3,600 during the follow-up year).

Risk Factors Associated with Follow-up Contacts

Multivariate analyses employing logistic regression and CHAID analyses identified several risk factors predictive of follow-up holds, including having multiple prior holds, as well as indications of serious substance abuse and mental health problems. Illustrative risk

classifications were produced to demonstrate how the identification of certain risk factors at program contact (i.e., assessment) could help officials target high-risk individuals.

Also, we focused our efforts on those individuals who recorded multiple follow-up holds to determine if risk factors could be identified for these chronic few. Results showed that the chronic individuals differed from others along a host of demographic, criminal history, and assessment attributes, and a multivariate analysis again pointed to drug and alcohol problems and prior holds as predictors of chronic behavior during the follow-up.

Conclusion

Mental illness and/or chronic substance abuse are common among many of the individuals who enter the local justice system in Santa Fe, New Mexico. The co-occurrence of these problems with criminal activity points to the need to develop appropriate mechanisms for identifying and treating those who suffer from them, and in many cases, to divert them from the criminal justice system entirely. The Jail Diversion Program represents such an effort, and the results of this study indicate that the program has successfully tapped into the target population. The study also shows that many of the individuals who came into contact with the program have long histories of a range of problems that have frequently brought them to the attention of police. In particular, there is a small group of persons whose problems are severe and who are disproportionately responsible for the initiation of protective custody and mental health holds and for their related costs. Given the impact of these few individuals with chronic problems on the local justice system, a next logical step in program development will likely involve targeting these few for intensive services and treatment. This may be facilitated by the use of risk instruments similar to those described in this report. By successfully targeting and treating those with chronic problems, the Jail Diversion Program can substantially reduce the prevalence of

protective custody/mental health holds, as well as their burden on the local criminal justice system and its limited resources.

**PART FOUR Developing a Coordinated, Comprehensive Response to Family Violence:
The Vacaville, California Family Investigative Services Response Team (FIRST)**

By

Michael D. White
Don M. Gottfredson
Suzanne P. Campbell
John S. Goldkamp

Developing a Coordinated, Comprehensive Response to Family Violence: The Vacaville, California Family Investigative Services Response Team (FIRST)

Introduction

This report describes an effort by the Vacaville, California Police Department (VPD) to implement a coordinated and comprehensive response to family violence in their community. The Bureau of Justice Assistance, U.S. Department of Justice, funded the program through the Open Solicitation Initiative, which sought to identify and support efforts to improve criminal justice on the local level. The Domestic Violence Response Team (DVRT) originated in 1996 as a four-member unit aimed at reducing domestic violence. The general purpose of the program was to prevent batterers from intimidating victims and to use family support workers to initiate a relationship and stabilize the victim and family while the District Attorney's (DA) office pursued prosecution. Overall, the program sought to reduce repeat calls for service, and to provide a coordinated law enforcement and prosecution response. The DVRT program later expanded to a multi-agency, multi-disciplinary team, called the Family Investigative Response Services Team (FIRST), whose primary goal was to target the intricate dynamics of family violence and to reduce recidivism.

Over the last two decades, a sizeable body of criminal justice research has focused on the police role in responding to domestic violence incidents (Binder & Meeker, 1988; Dunford, Huizinga, & Elliott, 1989; Elliott, 1989; Lempert, 1989; Sherman, 1992; Sherman & Berk, 1984; Williams & Hawkins, 1989). Research efforts have focused on studying variations in police response strategies such as arrest, mediation/facilitation, and/or physical separation of the parties; specifically, the impact and efficacy of formal arrest. Initial strong support for formal arrest as a deterrent of future violence, arising from Sherman and Berk's (1984) experiment in Minneapolis, has been tempered by more recent "no difference" or negative findings in

replications of the original study (Dunford et al., 1989; Dutton, Hart, Kennedy, & Williams, 1992; Elliott, 1989; Fagan, 1989; Sherman, 1992). Sherman (1992) later argued that formal arrest in domestic violence cases may have a differential impact on offenders, depending on the race, ethnicity, or economic status of the population involved.

Fagan (1996: 15) argues that “the actual implementation of deterrence in these studies was minimal,” leaving policy makers to either draw inferences about the deterrent impact of police arrest strategies from existing studies or ponder what the findings may have been if deterrence had actually been achieved (Goldkamp, Weiland, Collins, & White, 1996). Partly as a consequence of the failure to effectively deter offenders, victim recanting and failure to cooperate with prosecution is notoriously high in domestic violence cases, resulting in a high “dropout” rate (Goldkamp et al., 1996). Ford (1991) notes that this high dropout rate results partly from the plight of the victim and concerns for personal safety and partly from some ambivalence about the desirability of employing criminal proceedings as a means to resolve personal or family conflict often involved in domestic violence. Sitting at the crossroads between arrest and adjudication, case dropout limits the effectiveness of criminal courts in delivering either a deterrent or incapacitative impact on domestic violence offenders, particularly when experienced offenders may rely on the traditionally poor performance of the justice system (Elliott, 1989; Fagan, 1989; Fagan, Friedman, Wexler, & Lewis, 1984; Goldkamp et al., 1996). Indeed, some have argued that attempts to implement strong criminal sanctions with obviously poor results may encourage offenders to repeat their offenses with little fear of being punished (Fagan, 1989).

Continuing concerns regarding victim safety and the appropriate police response to domestic violence, as well as the frustration of prosecutors and law enforcement over the

prevalence of victim recanting, have led criminal justice officials to consider a number of alternatives for effectively responding to domestic violence. Although in many jurisdictions domestic violence cases continue to be handled at a high rate through dismissal and plea (or charge) bargaining, police and prosecutors have increasingly turned to either mandating victim cooperation (e.g., hostile witness) or prosecuting the case regardless of the victim's role (e.g., "victimless" prosecution), relying instead on other evidence to prove the state's case (e.g., 911 calls, eyewitness testimony, hospital reports, etc.). (Karmen, 2000).

Vacaville, California and the Target Problem

Vacaville, California is a relatively homogeneous community of 100,000 residents located approximately halfway between San Francisco and Sacramento. Often described as a "bedroom community," Vacaville is home to a large military base and state prison. Its population, according to the 2000 census, is 72.1 percent white, 17.9 percent Hispanic, 10 percent African-American and 4.2 percent Asian.

The city of Vacaville and its police department, like many other jurisdictions across the country, have struggled to develop an appropriate response to domestic violence. Throughout the early 1990s, it became clear to the Vacaville Police Department leadership that domestic violence comprised a substantial portion of the department's calls for service. The difficulties associated with domestic violence cases and the VPD's struggle to provide an effective response became glaringly apparent in 1996. On July 17, four police officers responded to a domestic violence report in one of Vacaville's many quiet neighborhoods. Upon arrival they found Linda Moody gunned down in the driveway and an enraged Major Lloyd Keith Moody in the street armed with an assault rifle. Major Moody fired thirty rounds at the officers before retreating into his home and killing himself. Mrs. Moody, who had been terrorized for years by Major Moody

in their Vacaville home, had applied for numerous restraining orders to protect herself and her two sons. Although this case was extreme, it nonetheless highlighted the increasingly serious problem of domestic violence in Vacaville, California and, more directly, it fostered a re-thinking among the police of how they should respond to domestic violence.

In 1994, for example, there were 162 domestic violence arrests made in Vacaville. In the following year, there were 988 domestic violence incidents. In 1995, domestic violence incidents comprised nearly 60 percent of the Vacaville police department's calls for service involving violent crime. Gloria Diaz, a master social worker (MSW) involved in the program from the beginning, stressed the importance of the calls for service analysis: "Some of the things that law enforcement was looking at was the calls for services, and by doing their own statistical intake they found out over 50% of their calls for service were for family violence and a large portion of that was domestic violence between partners." (Diaz, 2001: 1). Also, Vacaville police officials noted that local prosecution of family violence cases was being hindered as victims would frequently recant their stories and become hostile witnesses. In fact, nearly 90 percent of the criminal cases filed in the first half of 1996 were affected by intimidation of either the victims or their children. The VPD recognized a need for a more specialized and intensive approach to the growing problem of domestic violence within their community. Sergeant Scott Paulin noted, "I realized that we needed to be more proactive and devise a way of working that will stop that cycle of violence . . ." (Paulin, 2001: 1).

The Bureau of Justice Assistance Open Solicitation Program

The Bureau of Justice Assistance (BJA), Office of Justice Programs, U.S. Department of Justice initiated the Open Solicitation program in 1997 to identify and support efforts to improve criminal justice on the local level. The Open Solicitation program sought to encourage local

policy and program development without defining or assuming in advance what the critical local needs might be. One of the objectives of the Open Solicitation program was to support outstanding local initiatives and to help incorporate ways to measure the progress and impact of the local innovation. BJA received nearly 1,800 applications from localities around the country, including rural and urban areas, as well as American Indian and Alaskan Native communities. A demanding peer review process resulted in the selection of 37 jurisdictions for awards ranging from \$50,000 to \$150,000 (one site later declined the funding).

The Open Solicitation program emphasized four key requirements of successful proposals:

- *Innovation:* The selection process placed value on initiatives that reflected creativity in problem solving.
- *Monitoring program implementation:* Candidate sites were asked to describe planned implementation procedures and ways that implementation progress would be measured.
- *Community collaboration:* The program sought to support proposals based on convincing partnerships among community and criminal justice agencies.
- *Measurement of results:* Applicants were required to explain how they would measure the impact of their initiatives once implemented.

Special features of the Open Solicitation program included the priority placed by the Bureau of Justice Assistance on documenting the experiences of the selected sites in implementing their local initiatives and its emphasis on the importance of measuring the progress and impact of the initiatives once implemented. One of the aims of the Open Solicitation program was to share the substance, implementation developments, and impact findings of the local programs with other American jurisdictions dealing with similar problems. The Crime and Justice Research Institute (CJRI), in partnership with the Justice Policy Research Corporation (JPRC), assembled a national Performance Measurement Team of experts to work with BJA and the 36 sites to document implementation progress and to assist sites in developing performance measures of progress and impact.

In January 1999, the Crime and Justice Research Institute produced a preliminary report describing the initiatives of the 36 jurisdictions selected, as well as their goals and progress at relatively early stages of activity. For the next phase of the project, CJRI sought to identify sites that have been particularly successful in implementing their programs and achieving their objectives, and to feature them in greater depth. The study of the Family Investigative Response Services Team (FIRST) in Vacaville, California represents just such an effort.

The Vacaville, California Response to Family Violence Study

Based on discussions with the Vacaville Police Department leadership and members of the Family Investigative Response Services Team, we proposed a research plan to study a number of important questions about the target problem and the program's impact on that problem. Our specific research questions include the following:

1. How has the flow of domestic violence cases changed over time, both generally and within the context of the development of a Domestic Violence Response Team (DVRT/FIRST)? More specifically, did the prevalence of domestic violence incidents decrease following creation of the program? If so, was the decrease abrupt or gradual?
2. What are the demographics of domestic violence offenders and victims, and how have they changed over time?
3. What is the extent of prior contact with the Vacaville Police Department among domestic violence offenders and victims (arrests and other contacts), and how has it changed over time?
4. What is the extent of re-involvement with the Vacaville police among domestic violence offenders and victims, and how has it changed over time (in the context of

DVRT/FIRST)? More specifically, did victims and offenders in incidents investigated by FIRST experience fewer follow-up offenses than their counterparts from earlier years?

5. How has the emphasis on victimless prosecution affected the likelihood of conviction in domestic violence cases? More specifically, did cases investigated by FIRST have a greater likelihood of prosecution and conviction (because of emphasis on victimless prosecution) than cases from earlier years?
6. What types of services were provided to victims in domestic violence cases investigated by DVRT/FIRST and how might they have influenced the likelihood of follow-up occurrences?

Our research design is composed of three basic parts that address these questions. The first part involves a rich narrative describing the history of how the program started, the cases it has handled and services it has provided, and how the program has grown and flourished over time. This qualitative component of the research design was carried out through extensive interviews with members of FIRST, including the sergeant, detectives, and master social workers as well as family support workers (MSW's and FSW's). We also describe other components of FIRST including its counseling services (Bridges to Change, HUGS) and related projects such as Parents and Students Seeking Success (or PASSS, an elementary school program that identifies and provides services for children and families at risk), the ABC project, and the Rainbow Room (a specially designed building for forensic interviews of potential child abuse victims).

Second, using data from 1990 through 2000, we employ interrupted time series analysis (ARIMA) to examine trends in Vacaville domestic violence arrests over time and to determine if the prevalence of arrests changed with implementation of the Family Investigative Response

Services Team.¹⁹ More simply, the analyses investigate whether the implementation of the program is associated with specific changes in the frequency of domestic violence arrests over time.

Third, using a simple *pre-post* research design, we collected data on all victims and offenders of domestic violence arrests made by the Vacaville Police Department in 1994, before DVRT/FIRST was developed, and 1998, after FIRST was fully implemented. In 1994, 155 offenders were arrested by Vacaville police officers on domestic violence-related charges, involving 164 victims. In 1998, 227 offenders were arrested by the Vacaville PD, involving 250 victims.²⁰ Using the Vacaville Police Department's Computer Aided-Dispatch System (CAD), we collected detailed information on each victim and offender from 1994 and 1998, including demographics, current case information including case outcomes (conviction or not), prior contacts with the Vacaville Police Department,²¹ and subsequent contacts with the Vacaville PD during a one year follow-up period.²² For 1998 cases, we also attempted to capture the services that were received by victims through the FIRST program (e.g., individual counseling, group counseling, referral to other agencies, etc.).

Our four-pronged research plan seeks to measure the impact of the FIRST program in a number of basic ways. First, it will determine if the prevalence of domestic violence arrests changed (increased or decreased) following the development and implementation of the program.

¹⁹ Initially, we had sought to identify a city similar to Vacaville so we could collect the same type of monthly domestic violence arrest data and employ interrupted time series analysis in two locations (e.g., in Vacaville and a comparable city without FIRST). Vacaville police officials had suggested neighboring Fairfield as a potential site. Unfortunately, we lacked the resources to carry out the sister-city time series comparison.

²⁰ The Vacaville Police Department Crime Analyst provided the researchers with lists of victims and offenders from each year, and we are grateful for her efforts. In each year, there were 28 victims who were also arrested, representing eight percent of participants in 1994 and six percent in 1998.

²¹ By "prior," we mean police contacts before the domestic violence case in 1994 or 1998 that placed them in our sample.

²² By "follow-up," we mean contacts occurring up to one year after the domestic violence case in 1994 or 1998 that placed them in our sample.

Also, if there was a change, was it immediate or gradual, temporary or permanent?²³ Second, we will examine and compare the frequency of subsequent police contacts among victims and offenders in 1994 and 1998 to determine if follow-up contacts were more or less likely among individuals in cases investigated and serviced by FIRST. Third, because of the FIRST program's emphasis on victimless prosecution, we will compare conviction rates among 1994 and 1998 cases to determine if the likelihood of conviction for offenders increased after the creation of FIRST. Fourth, we will examine the types of services that victims in 1998 cases received and consider how they may have influenced the likelihood of follow-up occurrences.

The Development of a Coordinated, Comprehensive Response to Family Violence in Vacaville, California

The Initial Response

The Domestic Violence Response Team (DVRT) originated in 1996 as a four-member unit aimed at reducing domestic violence. The general purpose of the program was to prevent batterers from intimidating victims and to use a master social worker to initiate a relationship and stabilize the victim and family while the District Attorney's (DA) office pursued prosecution. "Initially, the grant was for a domestic violence response team that had a sergeant, one master social worker and two detectives; focused on domestic violence cases and particularly trying to reduce recidivism." (Diaz, 2001: 1).

It was originally conceived with two police officers, a sergeant and a social worker. That was the original grant makeup. And the social worker was to work with the victim issues and the family management issues. The two officers . . . literally had to start out networking, get up to speed on the social services network that was out there, go to San Diego, look at victimless prosecution, look at enhancement issues, photographing, doing a report in a very new way. And the sergeant had to integrate this concept, sell this concept to patrol. Because patrol is

²³ Vacaville PD officials believe that there was an increase in domestic violence arrests following the creation of the DVRT/FIRST program because of heightened awareness in the community and improved response by the police. They also believe that this increase was temporary, eventually followed by an overall decrease in domestic violence arrests.

one of the first responders and we want to make sure it culturally fits. Culturally its got the stamp of approval within the organization. This was the sergeant's role. (Gable, 2001: 2).

Program goals included

- providing services for victims, even if they were hostile;
- establishing relationships with victims and children for at least one year, including six months of intensive involvement;
- meeting basic needs of victims through “one-stop” collaboration; and
- preparing victims for court.

Overall, the DVRT program sought to reduce repeat calls for service. The VPD adopted a zero-tolerance philosophy regarding recidivism, viewing reoffending as synonymous with incarceration. Also, DVRT attempted to provide comprehensive and “gapless” first response coupled with swift and uncompromising vertical prosecution through the District Attorney's office.

The DVRT program was modeled after a successful program in San Diego that boasts of having cut its domestic violence problem in half. Although the cities are notably different, the VPD was able to borrow the basic principles and goals of the San Diego program. The DVRT team created a five-stage process to provide an immediate and intensive response to domestic violence incidents:

1. Patrol officer responds to call and takes a crime report.
2. Report is forwarded to DVRT for complete investigation and follow-up.
3. Case is referred to the DVRT master social worker for victim advocacy services and the Deputy DA for prosecution.
4. DVRT staff provides in-depth victim advocacy to achieve and sustain a clinical mindset capable of engaging and surviving the often intimidating legal process.
5. Upon successful prosecution, DVRT works closely with patrol in proactive unannounced visits with batterers on probation.

Nevertheless, the Vacaville PD customized the program to meet their community's own special needs, most notably adding the master social worker to the team to act as the link between the needs of the police department and the needs of the victim.

An officer goes out there and takes an initial report. What he does then is he sends it over to FIRST. What they do is they give it to either a detective and the MSW at the same time. So it's always assigned a detective and an MSW, which is Gloria. And, she gives it to us. She'll either give—right now I have eight on my desk—and those are called the call-backs. What we do at that point—you talk to them, you refer them to whatever agency they need to go to; you offer court accompaniment; you offer the application process of the TRO [temporary restraining order]; and then you make an appointment with them to come in. They come in and you walk them through the TRO . . .

. . . Yes, all this time we're doing group and we're getting them prepared for court—I mean there's a lot of stuff that happens between all that time. You have to actually prepare them for court because many of them are very afraid of standing next to the person who hurt them, so you have to assure them that there's going to be an officer there or if he's in custody that there's going to be a bailiff there and there's going to be us there and you're really going to be separated.

You also go through safety plans. And another thing we didn't mention is that we provide them with a cell phone—sometimes they might be in a situation at a location and they can call right away. So we do provide a cell phone to provide them with a safety net. (Zuniga & Graham, 2001: 6-7).

In fact, one of the truly unique features of DVRT (and later, FIRST) is that the master social workers and family support workers are employees of the Vacaville Police Department, located in the same office with detectives, working hand-in-hand with law enforcement on the cases that come to the unit. The more traditional law enforcement approach to family violence involves police working independently from victim services agencies, relying on a referral approach where officers focus on investigation and building the case for prosecution and simply refer the victim for a clinical response. In the DVRT response, law enforcement and clinical workers investigate cases jointly, with the same overall goals guiding their responses.

. . . The issue of cops and counselors working together has gotten a bad rap historically and in reality none of that pans out when you actually put them together. When they understand each other's roles there's not an 'us and them' mentality . . . That's a myth. When you have people here in the same unit, and they understand each other's roles and how we can best serve the victim on both sides—our focuses are the same. We're right on target; we're trying to protect the victim; the counselors want the bad guy in jail and the victims protected as much as the cops do. We're right on the same page and on target. There is not, by any means, an adversarial relationship . . . (Paulin, 2001: 12).

DVRT focuses on the victim and emphasizes guiding her (over 90 percent are female) through the legal process. Victims of domestic violence and their children are engaged from the onset by DVRT clinicians through counseling programs, support services, and therapeutic dialogue designed to transform the victims into survivors. The counseling programs offered by DVRT provide a highly focused and intensive follow-up process that effectively maintains a check on the family status. During their engagement with the family, the program's master social worker prompts the healthful management of adult and child matters, coordinates required and recommended counseling, assesses ongoing child-safety levels, and provides appropriate intervention and access to the Solano Women's Crisis Center services. DVRT staff believe that the effective blending of enforcement and clinical approaches provides to victims the wherewithal and strength to remove themselves from the cycle of violence.

Implementation of the DVRT Program

During implementation of the program, the department revised its domestic violence order to require patrol officers to provide a more comprehensive and proactive response. Initially, some of the patrol officers believed that DVRT was responsible for handling all domestic violence cases and that the first responder's role was minimal. Once this problem was recognized, DVRT detectives instituted role call training to more clearly explain the role of DVRT and responsibilities of patrol officers, the proper handling of domestic disputes, and the proper evidence collection for domestic calls, as well as to provide sensitivity training. "First of all we also had to train the entire department on domestic violence—what it's all about, what victimless prosecution is, what your worst calls are going to do. You really have to get . . . a whole new paradigm shift." (Gable, 2001: 3).

DVRT grew quickly and another detective was soon added to its roster. The DVRT master social worker and family support workers soon were prioritizing up to 100 assigned cases each month. Local and state funding streams were also tapped to obtain funding for three additional family support workers and a paralegal.

The Family Investigative Response Services Team (FIRST)

In June of 1996, the DVRT program received a \$173,000 grant and was transformed into the Family Investigative Response Services Team (FIRST). The program that originated as a four-member team soon became a multi-agency, multi-disciplinary team whose primary goal was to target the intricate dynamics of family violence and to reduce recidivism. Although FIRST adopted the basic principles and structure of DVRT, the program expanded in a number of important ways. First, the team added members from the District Attorney's Office, Probation, and several paralegals. The expanded FIRST team allowed the VPD to provide more comprehensive, intensive services for victims of domestic violence.

The DA was really required. We knew that making a new impact was really getting successful prosecution to the cases . . . So including the DA it just totaled the whole team. We could arrest them, we could take them to counseling, but if we didn't have an impact on the aggressor things wouldn't change . . . And the person we got involved with is Janice Brown and she was perfect because she had worked for domestic violence agencies in San Francisco as an intern and then doing some work with them. So she knew the whole cycle of violence, she was trained on that, on all those issues, so she was really perfect to be added to the team. (Diaz, 2001: 2).

Second, FIRST adopted "victimless prosecution" as a goal, which allowed the District Attorney to prosecute domestic violence cases successfully without reliance on victim testimony or cooperation. Third, FIRST expanded its target problem to include other types of family violence, most notably child and elder abuse.

Expanded Services for Victims of Domestic Violence

The addition of officials from several other key agencies helped to improve FIRST's overall response to domestic violence cases and, specifically, the special needs of victims. Each participating agency and its responsibilities are described below.

- ***Vacaville Police Department sergeants and detectives.*** Specialized police detectives strengthen each criminal case with pictures, evidence, witnesses, medical reports, dispatch tapes, evaluation of bruising, and forensic interviews. Detectives prepare reports for "victimless prosecution" which allows perpetrators to be prosecuted without the testimony of the victim. Detectives receive specialized training in a variety of areas including
 - general neglect training;
 - alzheimer's training;
 - restraining order training; and
 - forensic interview training.
- ***Emergency room doctors and nurses.*** Effective January 1, 1995, the state of California requires all health practitioners who know or suspect that a victim has been abused to report the incident to police within 48 hours. Information reported includes the identity of the assailant if the victim reveals it. Failure to report suspected abuse can result in health practitioners being charged with a misdemeanor.
- ***Solano Women's Crisis Center.*** The Solano Women's Crisis Center provides a 24-hour hotline that receives up to 4,000 calls a year. It provides shelter and counseling to victims in need.
- ***District Attorney's Office.*** The assigned Deputy District Attorney applies vertical prosecution to domestic violence cases and seeks to successfully prosecute the case without reliance on victim cooperation.

- **Probation.** The probation department applies intensive supervision to perpetrators of family violence. This strategy enhances victim protection and increases family safety.
- **Health and Social Services Division.** Clinical staff offer group and individual counseling for victims, children, elders, and families at risk. The master social worker facilitates healthy management of adult and child parenting, coordinates counseling, assesses ongoing safety levels, and provides clinical interventions. Family support workers assist with family management, skill-building techniques, and access to resources for basic needs. They provide in-home case management, court support, and serve as a resource for community members who have limited coping skills or limited access to support systems. Importantly, the MSW's and FSW's are employees of the Vacaville Police Department rather than private providers hired as contractors or consultants. In fact, the VPD used funding set aside for new officers to hire the MSW's, clearly illustrating the department's dedication to addressing the domestic violence problem. Examples of services offered by the Health and Social Services Division include
 - Parent Project, an intensive ten-week course targeting impulsive, difficult-to-manage children;
 - Presentation at Sacramento State University on domestic violence and dating;
 - At-Risk ID Program, which seeks to identify children and adults at risk for mental or physical conditions, autism, and Alzheimer's disease;
 - Bridges to Change support group (for female victims of domestic violence);
 - Social Skills group;
 - teen support group;
 - women and children support groups;
 - Spanish-speaking women's group;
 - 40-hour home visitor training;
 - Homework Club;
 - Positive Parenting Project;
 - HUGS group ("Helping you grow safely," for children witnessing domestic violence);
 - Leadership Skills group; and

- Anger Management Class.
- ***Volunteer Advocates.*** Volunteer advocates assist victims and children in preparing restraining orders, court accompaniment, resource information, peer support groups, and referrals for other family-related issues.
- ***Paralegals.*** Advocates and paralegals support victims of domestic violence and their families through the court process. Their services seek to decrease recantation and repeat victimization by providing emotional support to all victims, including children and elders.
- ***University Interns and Clerical Staff.*** Interns and clerical staff provide all team members with administrative support, as well as answering phones and scheduling meetings and trainings.

Victimless Prosecution

FIRST detectives seek to provide the District Attorney's office with enough evidence that cooperation from the victim is not required for successful prosecution of the offender. Thorough investigation and evidence collection including pictures, medical reports, dispatch tapes, witness statements, and forensic interviews take the burden off of the victim and seek to reduce tension in the relationship, should the victim and the offender remain together. "So we try and take care of reducing the stress as much as possible on the journey she needs to go on. But we're also prepared for when she walks in with her perpetrator, hand-in-hand, and leave. That's why you need the 911 tapes, that's why you need the pictures. That's why you need the children's statements." (Gable, 2001: 5). The emphasis on victimless prosecution arose from concerns regarding the prevalence of victims recanting and/or becoming hostile witnesses. VPD officials note that the combination of victimless prosecution and comprehensive services offered by

FIRST has both increased the percentage of cases successfully prosecuted and substantially improved victims' satisfaction with the system's response to their problem.

Addressing Other Types of Family Violence

The VPD notes that the FIRST program offers a type of one-stop service that involves multiple fields of expertise, working at a common office site striving to reduce the incidence and impact of family crimes. As a tool for reducing family crimes as a whole, the FIRST program also aims to respond effectively to incidents of elder abuse and child abuse.

(i) Elder Abuse

Vacaville police officials report that there is a sizable elderly population in the community.

. . . we already have a retirement community called Leisuretown; and on top of that we're having three senior housing complexes currently being constructed. We had two additional senior care facilities built in the last couple of years; so we're encouraging seniors to move to Vacaville by developing these housing areas and assisted living areas; so we want to be ready to have services in place to help, to intervene or to investigate in that area. (Paulin, 2001: 3-4).

The Vacaville Police Department reports that cases of elder abuse have doubled over each of the last three years. Almost half of all cases reported involve suspects with prior incidences of elder abuse. Although these numbers are alarming, FIRST detectives believe that elder abuse cases are greatly underreported, mostly due to a lack of understanding among the public and, until recently, the police department. For reporting purposes, the VPD classifies any crime against a person over the age of sixty as an elder abuse crime (as well as crimes committed against mentally handicapped people over the age of 18).

The next thing needing investigation was elder abuse training. Getting the detectives on board, understanding elder abuse and how to criminally prosecute it. We have a couple of cases that involve domestic violence and they were elders that we were already working with and that kind of covered the dynamics in the

range from older grandparents to children; so we thought it would just be great to include them in our program as well. (Diaz, 2001: 2)

The VPD and the District Attorney's office work intensively on elder abuse cases because successful prosecution is difficult. Gathering physical evidence, witness statements, and testimony to establish probable cause is often difficult for detectives in such cases, not to mention the much more stringent guilt beyond a reasonable doubt standard of proof. For example, an elder's grown children stealing money or property under the guise of being a caregiver or incidents involving insurance scams or fraud are common elements of elder abuse cases. The District Attorney's office activates enhancements on any crime against the elderly by applying and prosecuting an additional charge to the arrest.

The VPD also works very closely with Social Services. "An officer does the investigation to see if we need to broker them for resources. We'll work with Adult Protective Services and the family support worker and the detective who went out and investigated the abuse." (Gable, 2001: 8). In fact, almost 50 percent of the investigative work completed on elder abuse cases is coordinated through Social Services because many of the cases involve self-neglect and/or conditions such as Alzheimer's disease. The VPD often refers cases that are not criminal in nature to Adult Protective Services (APS), a county agency responsible for providing services to those in need. In the most serious cases, APS can place the victim on a 5150 hold that allows the state to take custody and place the elder in an assisted living facility.

(ii) Child Abuse

The Vacaville Police Department receives reports of approximately fifty child abuse cases each month. Also, the VPD works closely with Social Services on approximately 35 additional cases referred to them each month from Child Protective Services (CPS). The FIRST

program devotes two full time detectives (and half of another detective's time) to child abuse cases, both sexual and physical.

Under the auspices of the FIRST program, the Child Abuse Unit has targeted and identified problems specific to their community. For example, FIRST developed the MCAP program, which seeks to remove children from homes running or suspected of running methamphetamine laboratories. Drug test results of children in the MCAP program indicate that upwards of 60 percent had some level of methamphetamine in their bodies.

Perhaps one of the most important programs associated with FIRST is the Rainbow Room. FIRST uses the Rainbow Room in a number of different ways. It serves as a neutral meeting place for parents sharing custody of children. In an effort to avoid potentially violent and abusive situations that may occur should the separated and volatile couple meet in an unsupervised place, the Rainbow Room gives parents the option of dropping the child off in a supervised setting until the other parent arrives. The Rainbow Room is also used when the court has ordered that caregivers and parents visit their children in a supervised setting.

More importantly, the Rainbow Room serves as a multi-disciplinary interview center (MDIC) where abused children, those alleging abuse, and those who witnessed abuse are interviewed by police officers specially trained to conduct forensic interviews. It is not uncommon in child abuse cases for the victim to be interviewed half a dozen times by officials from any number of agencies. The Rainbow Room, supervised by a former VPD officer, allows for children to give one video-taped interview in a safe, friendly environment. Master social workers and trained counselors work with the children to calm their fears and help them through the interview process. The video-taped testimony of the child can later be used in court without putting the child through the traumatic experience of testifying in a crowded courtroom.

The forensic interview training is so they ask questions in a way that would be accepted in the criminal process—it isn't leading, planting ideas or suggestions to the victim and has withstood the test of case law which is not going to leave a victim to say something that they would normally say. And they are trained in this interview process; they do it at a center—they went to the Rainbow Center—they do it in a room and it's videotaped and monitored by the prosecuting DA, child abuse investigator and a CPS worker. So everybody can get their questions in. (Paulin, 2001: 11).

Approximately 35 interviews are conducted each month at the Rainbow Room and although nearly 70 percent of the cases are deemed unfounded, the VPD and District Attorney are committed to aggressive investigation and prosecution of child abuse cases.

Additional grant funding allowed FIRST to partner with Child Haven, a local service provider, to develop the ABC-Great Beginnings Program. The program has two primary components, Great Beginnings and CATS. Great Beginnings is a prevention/early intervention program that "provides home-based support to high stress families." (Rae & Scheidler, 2001: 1). Great Beginnings, which targets families with children under the age of six, is a support program that focuses on relationship-building and attachment between the parent and child. The program functions both as a linkage to other needed services (e.g., referrals) and as a service provider, offering a variety of counseling and support services (from medical screening and substance abuse assessment to providing diapers).

Great Beginnings is organized as a multi-disciplinary team, led by a licensed therapist, three home visitors, and a group of support professionals. The home visitors are responsible for service delivery and are the primary contacts with the families in need. The group of support professionals includes a pediatric nurse from Child Haven and a nurse from the county, both of whom are responsible for initial contact, medical screening, and consultation. There are also specialists in child development, substance abuse, and mental health.

The CATS program offers traditional child abuse treatment to children who have experienced some sort of trauma as a result of physical abuse, sexual abuse, or domestic violence in the home. The CATS program staff includes five therapists with varying specialties. The coordinator of the program is a licensed Marriage Family Therapist (MFT) who has a small caseload but is primarily responsible for administering the program. The team includes two licensed psychologists and two intern therapists.

We have two licensed psychologists; one who has a particular expertise in psych testing—he is the one who does the bulk of the referrals for psychological testing; he also carries a caseload and does therapy with the children and families. Our other psychologist is a primary therapist. She consults on cases but does limited testing for CATS; and then we have two intern therapists, one of them is at a Master's level (50 hours left) and our last therapist who we just hired is a bilingual therapist—Spanish. It took a year to find him. But he is a social worker who completed his clinical hours. So our complement is complete now. (Rae & Scheidler, 2001: 4).

Referrals to both components of the ABC initiative generally come from the detectives and clinical staff of FIRST, and participation in either program is voluntary. ABC grant staff often receive dual referrals to both the CATS and Great Beginnings programs, although referrals to CATS primarily involve children six to 12 years of age. Although the framework of the grant allows for 16 weeks of treatment and review, program staff note that the actual length of treatment services provided is a subjective decision based on the needs of the child and family. Much like the Open Solicitation initiative that funded the original DVRT unit, grant support for the Great Beginnings program is finite (two years) with the hope that local support will be found and the program will become institutionalized (the funding for CATS is more continual, with an ongoing funding stream). Although the program has just completed its first fiscal year, program staff note that the city, police department, and specifically FIRST, are strongly invested in the

program and are committed to securing financial support for both components of the ABC program.

The Parents and Students Seeking Success (PASSS) program is an elementary school-based intervention that seeks to identify and provide services for children and families at risk, while strengthening and promoting healthy community and school attachments. The PASSS program has been implemented in seven Vacaville elementary schools (about one-fourth of all Vacaville elementary schools), and is overseen by a master social worker. In addition to the master social worker, program staff includes three family support workers (FSWs) and as many as 10 interns. Each family support worker has a caseload of eight active families, as well as any number that may be there in the six-month phone contact stage.

Each school hosts two “Care Meetings” a month where teachers and parents can present and discuss concerns about their children. Family support workers are also in attendance and parents can schedule at-home meetings where support workers can work directly with a family. In its first five months of operation, 224 families were designated for help and 429 counseling sessions were held.

I sit in on either action or care team meetings where the teacher will have made a referral to the principal. Let's say she's scared about Johnny and at that meeting all the resource people at the school, the nurse, the speech therapist, the math and language specialist, any school psychologist will be there and we meet to discuss Johnny's problem. It might be something that he just needs like some extra tutoring with the math lab or something. But it might be that they think it's emotional reasons. If it's emotional, I get called in, which is why I sit in on them. And of our families, as Christie was saying, one of the first things I do is I take it back and put it on the computer to make certain that the family is safe to go to; in case they have an awful lot of domestic violence and other problems. (Dawes, 2001: 1).

The PASSS program also sponsors a Family Night two times a year where guest lecturers and entertainment are provided for parents and children. The Family Night aims to provide a

link between the schools and the community and to alleviate any isolation families in need may experience. The Family Night also serves as an “ice-breaker,” introducing families to PASSS program staff and other families, as well as to some of the resources available in the community (Dawes, 2001). The PASSS program also coordinates with the Police Athletic League (PAL) and other programs to provide positive recreation for the children, including judo, boxing, taekwon do, dance, ballet, and art classes (Dawes, 2001). However, the program staff directs the majority of its efforts toward the parents, attempting to reduce their isolation, make appropriate referrals, connect them with the community, and improve their parenting skills. Although many of the services FIRST provides are reactive in nature, the PASSS program, based on intervention and prevention, serves as one of its proactive strategies aimed at reducing violence and abuse.

Well, we go to the home and meet with the parents or parent once a week for an hour. Most of what we do is resourcing and networking, giving them a list of places in the community that can help them with their situation. It can be anything from getting food and housing to getting your own classes in counseling. So it varies from family to family. We do that for six months and then we do six months of follow-up—once every couple of weeks after that. (Dawes, 2001: 1).

I kind of like to look at it as a banquet. We lay it all out on the table; we invite families to come and take what they want; sometimes they won't take anything. And a big part of the job is dealing with rejection. You can't take anything personal. And if they don't take anything it's like, just like Pat said, next month we find out something happens in Vacaville, we just feed them information. If they don't take it well that's fine. 'I'll have something next week when I meet with you.' Just bombard them with anything we get our hands on. (Dawes, 2001: 5).

Examining the Flow of Domestic Violence Arrests in Vacaville, California, over Time

Methodology

One potential way to investigate the impact of the FIRST program involves examining the flow of domestic violence arrests over an extended period of time and considering the implementation of the program in the context of long term trends in arrests. Interrupted time

series analysis, ARIMA, is a well-established analytic tool that is often employed for such purposes. ARIMA involves a two-stage process. The first stage seeks to identify a descriptive model that best captures or explains the implicit trend in the dependent variable, monthly totals of domestic violence arrests in this case. The second stage of ARIMA tests the impact of specific events, measured as interventions, (independent variable, the implementation of FIRST in this case) on the trend in the dependent variable. The analysis essentially seeks to determine whether the underlying trend model of the dependent measure, monthly domestic violence arrests, is consistent with changes that would be associated with the intervention being considered.

Time Series with Domestic Violence Arrests in Vacaville, 1990-2000

Figure 1 shows annual totals of domestic violence arrests in Vacaville, California, from 1990 through 2000. The annual number of arrests increases steadily from 89 in 1990 and 112 in 1991 to 164 in 1992. The number of arrests is relatively stable from 1992 through 1994, and then increases again in 1995 and 1996. The number of domestic violence arrests peaks at over 300 in 1997. The annual number of arrests drops notably to 240 in 1998, then slightly again to 223 in 1999, before increasing to 249 in 2000. The lower arrest totals in the early 1990s are at least partially explained by unclear and/or narrower definitions of domestic violence employed at that time. As the state of California and the city of Vacaville adopted more comprehensive approaches to domestic violence, expanding the definition to include relationships other than husband and wife, the number of domestic violence arrests naturally increased. The changing definition of domestic violence may also be coupled with general increases over time in violence among individuals involved in “domestic” relationships. The specific contributions of each of these factors remain unknown at this point.

Figure 1 Annual Arrests for Domestic Violence Offenses Made by the Vacaville, California Police Department, 1990-2000



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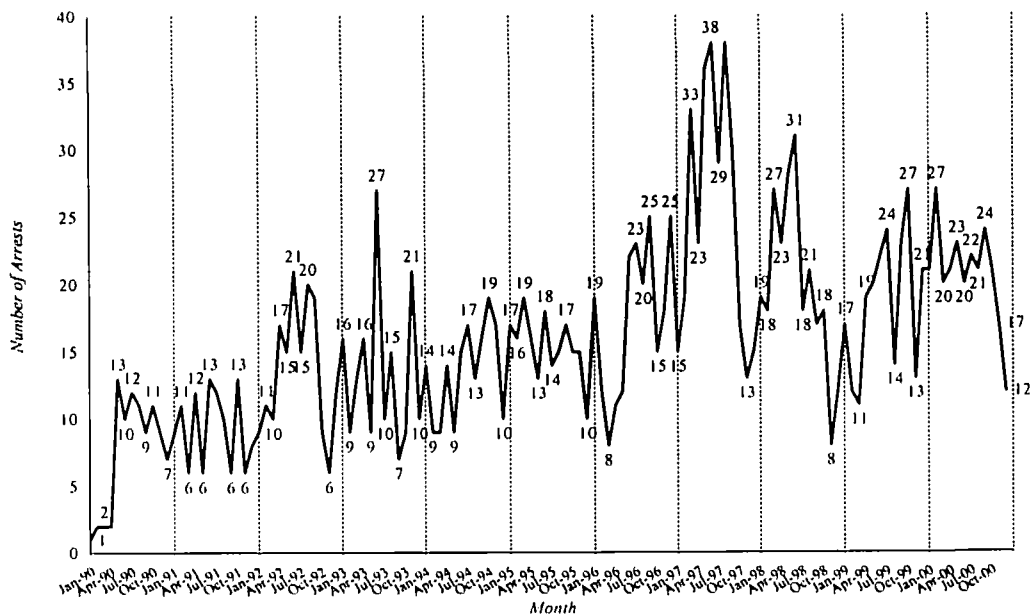
Interestingly, domestic violence arrests peak in 1997, one year after the start of the FIRST program. The VPD leadership has suggested that their increased and focused attention on domestic violence may have led to temporary increases in domestic violence arrests, as victims became more willing to call for assistance and initiate a formal police response. However, as the program became more mature and began to effectively respond to domestic violence in the community, the police leadership expected a drop in overall domestic violence offenses. Superficially, at least, the findings in Figure 1 seem to bear this out.

Interrupted time series analysis relies on monthly rather than annual totals of domestic violence arrests, shown in Figure 2. The first stage of the analysis involves identifying a model that “fits” the data and explains trends over time.²⁴ The identified model includes a seasonal component, suggesting that the number of domestic violence arrests seems to vary during certain

²⁴ The identified model is $(0,1,1)(1,1,0)^2$, regularly and seasonally differenced, with moving average and seasonally auto-regressive components. The data are logged with no constant.

times of the year, and that variation is consistent over several years. Analysis of the monthly data indicates that arrests seem less common during the winter months but typically peak during the summer months.

Figure 2 Monthly Arrests for Domestic Violence Offenses Made by the Vacaville, California, Police Department, 1990-2000



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The second stage of interrupted time series analysis involves adding the intervention, the development of the FIRST program, as an independent variable into the model. Impacts can vary by onset, gradual or abrupt, and duration, temporary or permanent. The analysis identified two distinct and related significant impacts. The first impact involves an increase in domestic violence arrests, beginning in June 1996 and lasting through September 1997. Given that FIRST officially started in June 1996, this impact can be considered abrupt, starting immediately after onset of the program. The analysis suggests that the abrupt increase in domestic violence arrests was temporary, continuing for 16 months and ending in September 1997.

This 16-month increase in domestic violence arrests is immediately followed by a permanent decrease, lasting from October 1997 through the end of December 2000. This impact is considered gradual in onset (starting 17 months after program implementation) and permanent in duration (lasting through the end of the study period). The results of the time series analysis are summarized in Table 1.

Table 1 Summary Results from Interrupted Time Series Analysis with Domestic Violence Arrests in Vacaville, California, 1990-2000

	Model	Impact 1	Impact 2
Model Characteristics	(0,1,1) (1,1,0)	6/96-9/97	10/97-12/00
AIC	146.77	141.60	144.82
SBC	152.33	149.94	153.16
B	-	.520	-.564
Impact Probability	-	.007	.049
Impact Type	-	Abrupt Temporary	Gradual Permanent

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Results from interrupted time series analysis confirm the expectations of the Vacaville police leadership regarding the impact of the FIRST program. Implementation of the coordinated and comprehensive police response to domestic violence in 1996 coincided with an initial increase in domestic violence arrests. This increase may have occurred for a number of reasons, but is likely explained, at least in part, by an increased willingness of victims of domestic violence to call for police assistance and by a more formal, improved response by the Vacaville Police Department. Review of Figure 1 suggests that annual domestic violence arrests had been increasing in the years prior to the start of the program. As a result, some portion of the impact may also be explained by the increased incidence of domestic violence in Vacaville, independent of the start of FIRST.

The short-term increase in domestic violence arrests is followed by a more general and long-lasting decrease. The drop in domestic violence arrests may be, to some degree, independent of the FIRST program as well. That is, in 1997 there were an unusually high

number of domestic violence incidents, and the years 1998-2000 are marked by a return to *normal* levels of such violence in Vacaville. However, a more plausible explanation considers the decrease in arrests in the context of the goals and objectives of the FIRST program, which center on reducing the prevalence of domestic violence. More simply, the improved law enforcement response, coupled with social services and system support for the victim and vertical, victimless prosecution by the District Attorney, led to a reduction in domestic violence among the residents of Vacaville. The drop in domestic violence may involve lower recidivism among those who have come to the attention of police, either because the victim has terminated the relationship or because the relationship has improved, and less violence in the community resulting from increased awareness of the problem and of the likelihood of formal justice system intervention.

Taking a Closer Look at FIRST and Domestic Violence in Vacaville, California

Methodology

Using the Vacaville Police Department's Computer Aided-Dispatch System (CAD), we collected detailed information on each victim and offender from 1994 and 1998, including demographics, current case information including case outcomes (conviction or not), prior contacts with the Vacaville Police Department, and subsequent contacts with the Vacaville PD during a one year follow-up period. For 1998 cases, we also attempted to capture the services that were received by victims through the FIRST program (e.g., individual counseling, group counseling, referral to other agencies, etc.). In 1994, Vacaville police officers arrested 155 offenders on domestic violence-related charges, involving 164 victims. In 1998, the Vacaville PD arrested 227 offenders, involving 250 victims.²⁵

²⁵ Differences in annual arrest totals shown in Figure 1 and those described here are explained by the different units of analysis (arrest in Figure 1, offender here). Individuals arrested more than once in a year (e.g., 1994) are counted

Using a simple pre-post research design, we sought to answer a number of basic questions about the characteristics and experiences of victims and offenders in domestic violence, and more importantly, to determine how they may have changed after the development of FIRST. First, we examined demographic characteristics of domestic violence offenders and victims, as well as aspects of their current cases, and sought to identify notable changes from 1994 to 1998. Second, we investigated prior contact with the Vacaville Police Department, including prior interrogations, crime reports, police contacts, and arrests, among both victims and offenders in 1994 and 1998. Again, our focus centered on changes over time, paying particular attention to the extent of prior criminal justice involvement among both victims and offenders (e.g., to what extent was he or she a “regular customer” who was well-known to the Vacaville PD?).

Third, we observed each victim and offender in the study for a period of one year to monitor their re-involvement with the criminal justice system, and to determine the outcome of their current case. Since a primary goal of FIRST was to reduce recidivism, one potential measure of the program’s effectiveness would be a lower rate of return to the criminal justice system among victims and offenders from 1998 cases. More specifically, did victims and offenders in incidents investigated by FIRST experience fewer follow-up offenses than their counterparts from earlier years? Also, because of FIRST’s emphasis on victimless prosecution, we investigated the final outcomes of the 1994 and 1998 domestic violence cases to determine if conviction was, in fact, more likely after the creation of FIRST. Last, we collected information on the types of services that were provided to victims from 1998 cases by clinical staff in FIRST, and considered how those services may have influenced the likelihood of follow-up occurrences.

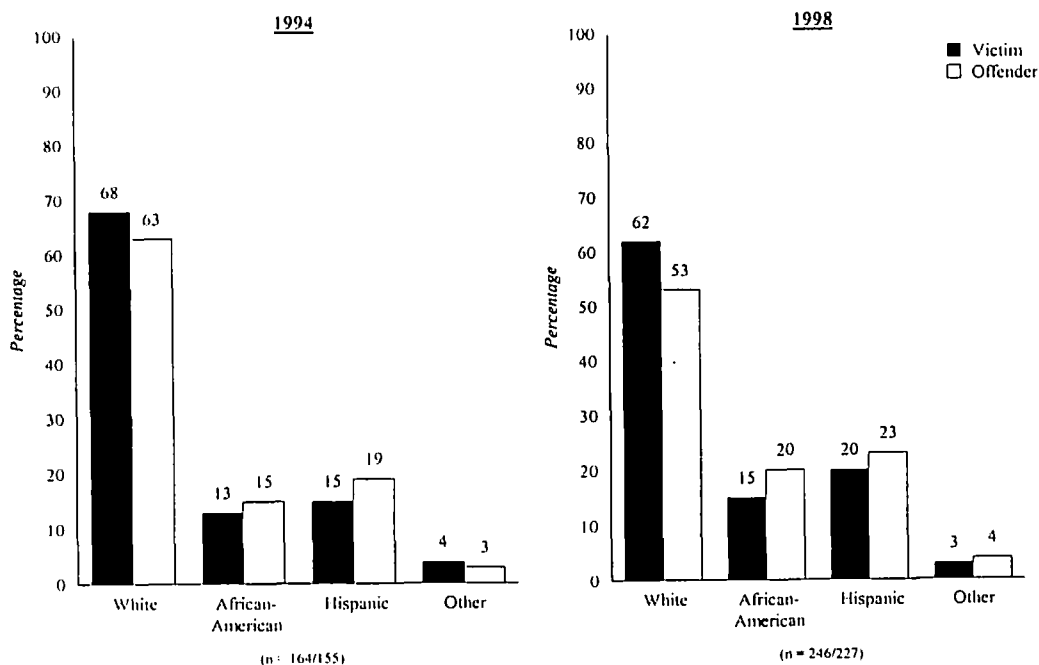
only once in each yearly sample because the data are offender-based. For example, if an offender is arrested twice in 1994, his first arrest puts him in the 1994 sample, and his second arrest is counted as a follow-up offense (rather than being added to the sample as an additional offender).

Demographic Characteristics among Domestic Violence Victims and Offenders

Domestic Violence Victims

Figure 3 shows the race/ethnicity of victims of domestic violence in 1994 and 1998, and in both years the majority of victims are white (68 percent in 1994 and 62 percent in 1998). The slight drop over time in the percentage of white victims is matched by a slight increase in the percentage of Hispanic victims, from 15 percent in 1994 to 20 percent in 1998. African-American victims represent about one-sixth of the sample in each year. The racial/ethnic distribution of the victims in 1998 is fairly representative of the racial/ethnic breakdown of the population in 2000. The proportions of white and African-American victims are slightly lower (10 and four percent respectively) than their presence in the general population; the proportion of Hispanic victims is higher by just over two percent.

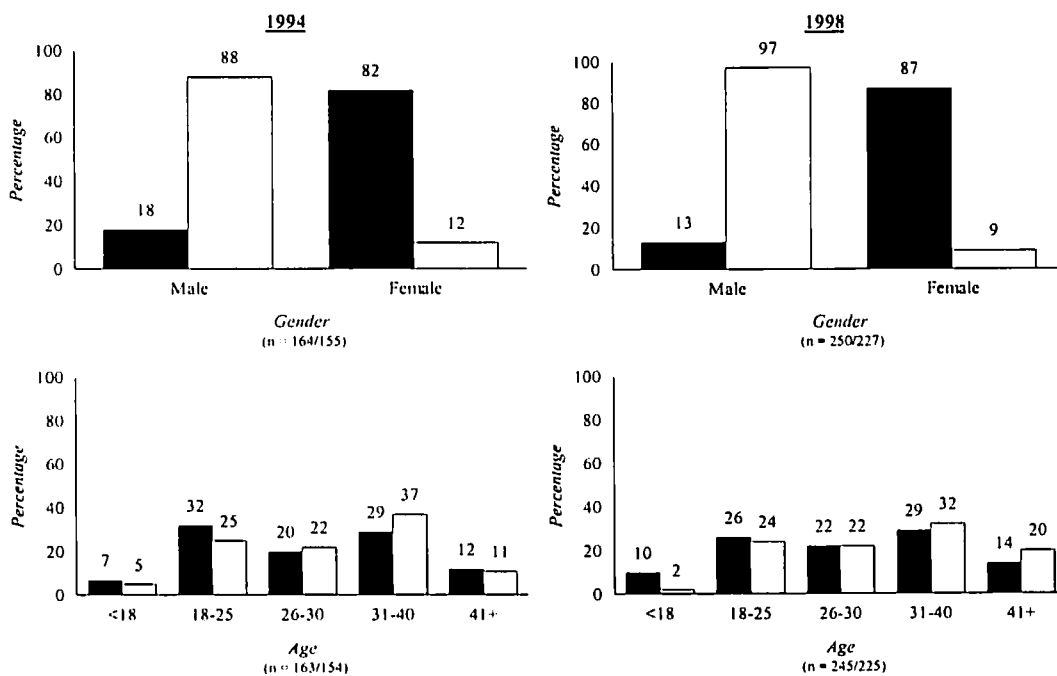
Figure 3 Race/Ethnicity among Victims and Offenders of Domestic Violence Arrests Made by the Vacaville, California Police Department, 1994 and 1998



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Not surprisingly, Figure 4 shows that the vast majority of victims in domestic violence cases are female, 82 percent in 1994 and 87 percent in 1998. Alternatively, nearly one-fifth of victims in 1994 domestic violence cases are male (18 percent), although that percentage drops slightly in 1998 (13 percent). Figure 4 also shows that the age of victims remains relatively stable over time, with half or more between the ages of 18-25 and 31-40. Ten percent or less of victims are under 18, with slightly more than that over age 40 (12-14 percent). The median age of victims in both years is 29.

Figure 4 Gender and Age among Victims and Offenders of Domestic Violence Arrests Made by the Vacaville, California Police Department, 1994 and 1998

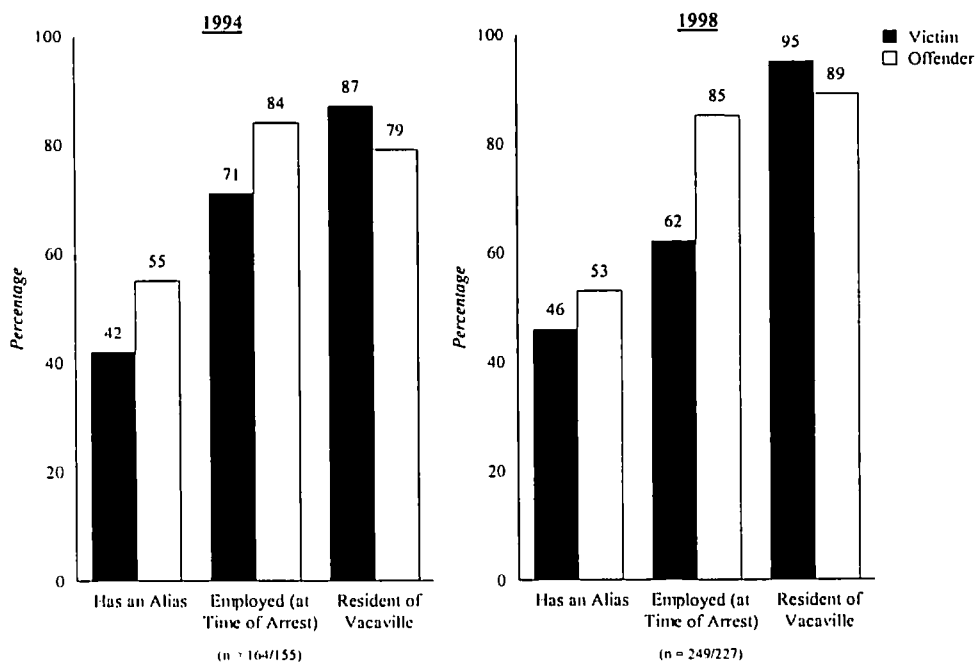


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Figure 5 shows selected other demographic characteristics of domestic violence victims, including whether they have an alias, their employment status (at the time of the incident), and whether they are residents of the city of Vacaville. Notably, Vacaville PD records show that nearly half of victims of domestic violence from 1994 and 1998 have a known alias (42 percent and 46 percent, respectively). Nearly three-quarters of victims from 1994 cases were employed

at the time of the incident. However, the percentage of employed victims drops to 62 percent in 1998. Finally, Figure 5 also shows that most victims in both years are residents of Vacaville, although the percentage does increase slightly in the later year (from 87 percent in 1994 to 95 percent in 1998).

Figure 5 Alias, Employment, and Residence among Victims and Offenders of Domestic Violence Arrests Made by the Vacaville, California Police Department, 1994 and 1998



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Domestic Violence Offenders

Figure 3 shows that domestic violence offenders are primarily white, though slightly less so than their victims. The proportion of white offenders drops by 10 percent in 1998 (53 percent, down from 63 percent in 1994), as nearly half of offenders in the later year are nonwhite: 20 percent African American, 23 percent Hispanic, and four percent other. The overall proportion of non-white domestic violence offenders is notably higher than the proportion of non-whites in the general population according to 2000 census figures (double the proportion of African-American offenders and five percent more Hispanic offenders).

Figure 4 shows that the majority of domestic violence offenders in both years were male, 88 percent in 1994 and 91 percent in 1998. Approximately one in ten offenders in domestic violence arrests in Vacaville were female. Figure 4 also shows the relative age of offenders by year. Much like their victims, few offenders were under age 18, and most were from 18 to 25 (25 percent in 1994 and 24 percent in 1998) and 31 to 40 years of age (37 percent in 1994 and 32 percent in 1998). Offenders appear to be slightly older than victims, particularly in 1998, where one-third were 31 to 40 and 20 percent were older than 40. The median offender age is 30 in 1994 and 31 in 1998.

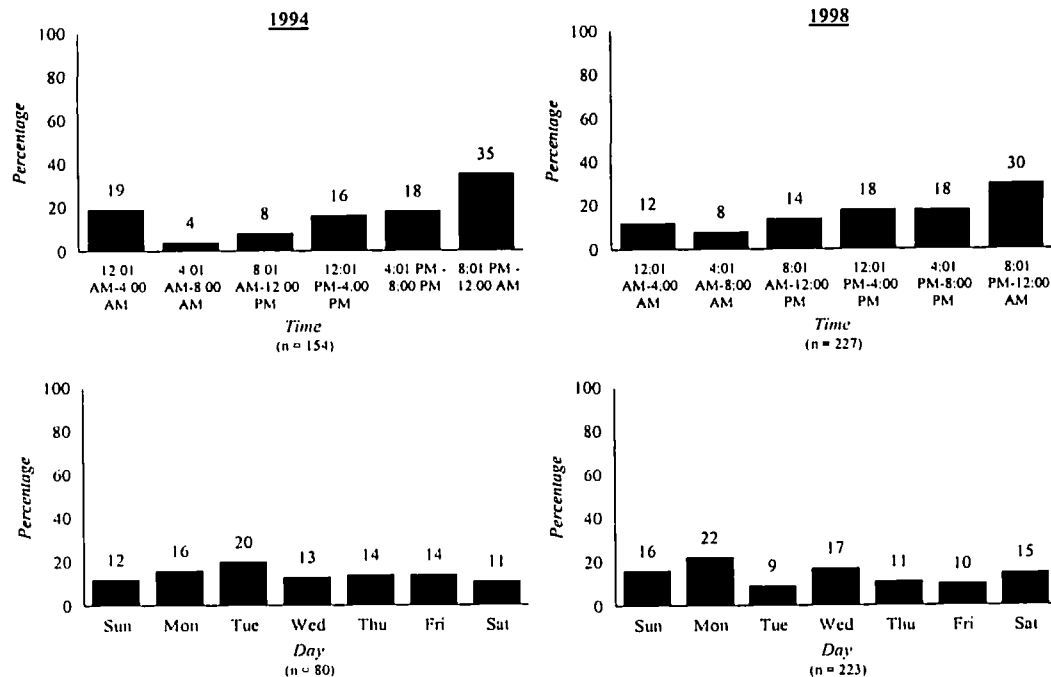
Figure 5 shows that in both years just over one-half of offenders had a known alias, 55 percent in 1994 and 53 percent in 1998. The vast majority of offenders (84 to 85 percent) were employed at the time of their arrest. The percentage of employed offenders remains stable over time, unlike the percentage of employed victims, which dropped notably in the later year. In 1994, just over three-quarters of offenders (79 percent) were residents of the city of Vacaville. This proportion increased notably in 1998, to 89 percent, and matches the pattern seen with victims of domestic violence.

Characteristics of Domestic Violence Arrests in 1994 and 1998

Figure 6 shows the time of day and day of the week that offenses leading to domestic violence arrests occurred in Vacaville, by year. In 1994, over one-third of offenses (35 percent) occurred between the hours of 8 p.m. and midnight. An additional one-fifth occurred between midnight and 4 a.m. Domestic violence offenses in 1994 were relatively uncommon in the morning hours, although about one-third occurred in the afternoon and early evening (16 percent from noon to 4 p.m.; 18 percent from 4 p.m. to 8 p.m.). The times of domestic violence offenses change slightly in 1998, although nearly one-third still occurred from 8 p.m. to midnight. In

1998, offenses were less common in the overnight hours (12 percent) and more common in the morning and afternoon hours (22 percent from 4 a.m. to noon; 18 percent from noon to 4 p.m.).

Figure 6 Time and Day of Domestic Violence Incidents Resulting in Arrests Made by the Vacaville, California Police Department, 1994-1998



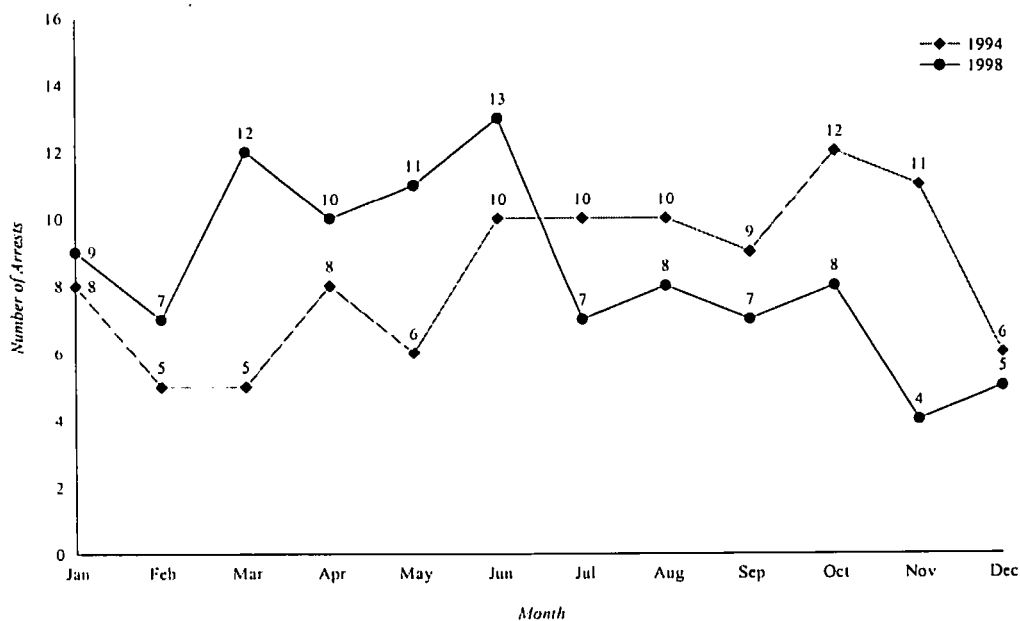
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An analysis of days of the week when incidents occurred shows that domestic violence offenses are spread out evenly across the entire week. In each year, one-quarter of offenses take place on Friday and Saturday, with an additional 12 to 16 percent on Sunday. However, the majority of offenses (approximately 60 percent in each year) occurred during the remainder of the week, from Monday to Thursday. Domestic violence is traditionally perceived to be a weekend crime (the time when offenders and victims are less likely to be working and more likely to be drinking alcohol), but that does not appear to be the case in Vacaville.

Figure 7 shows the monthly totals of domestic violence arrests for 1994 and 1998, and we see that the monthly patterns are quite different for each year. In 1994, the number of arrests is relatively low and consistent from January through May, ranging from five to eight per month.

The number of offenses rises in June to 10 and remains at or above that level through the summer and fall months, before dropping considerably in December. In 1998, however, the busiest months for domestic violence arrests are in the spring and early summer, from March through June (the number of offenses ranging from 10 to 13 per month). After June, the number of offenses per month drops off significantly, from seven to eight through October, and dropping again in November and December (4 to 5 offenses per month).

Figure 7 Month of Domestic Violence Arrests Made by the Vacaville, California Police Department, 1994-1998

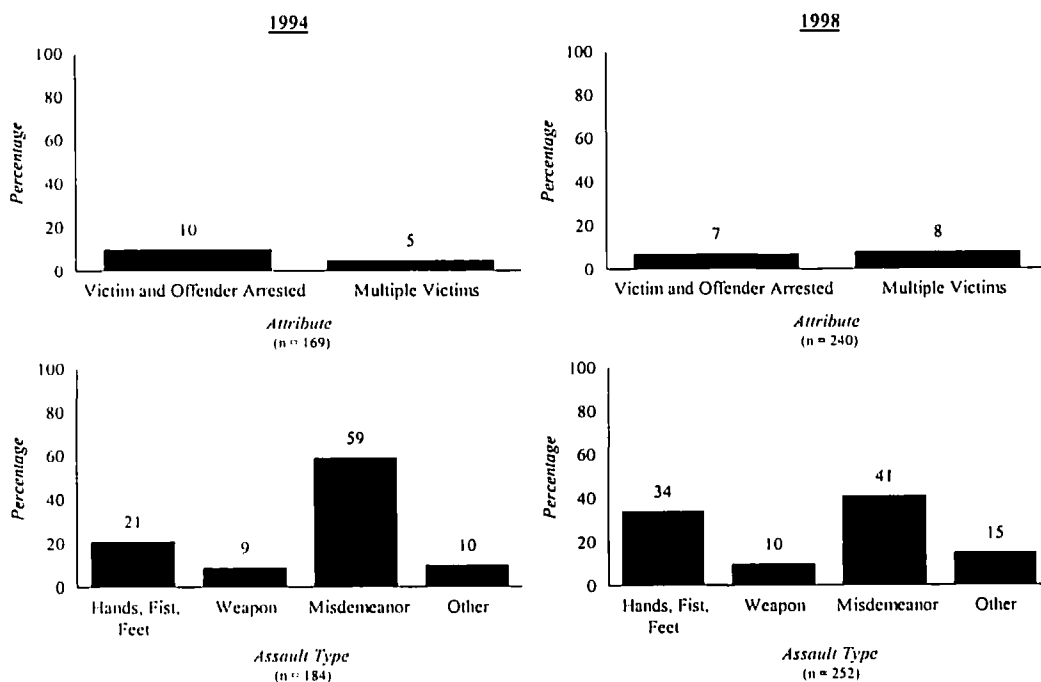


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Figure 8 shows selected other characteristics of 1994 and 1998 domestic violence arrests, including the percentage of cases where both the victim and offender were arrested, the percentage with multiple victims, and the type of assault. In 1994, both the offender and victim were arrested in ten percent of the cases (e.g., mutual combatants). This proportion drops slightly in 1998, to seven percent. A relatively small percentage of cases involved more than one victim, from five to eight percent.

Using the classification scheme of the Vacaville Police Department, in 1994 nearly 60 percent of the cases were identified as misdemeanor assaults.²⁶ One-fifth was classified as involving hands, fists, or feet, and nine percent involved a weapon. An additional ten percent were classified as “other” (e.g. spitting, verbal threats). The assault-type patterns changed notably in 1998, apparently becoming more serious, or at least more physical. The percentage of cases involving an assault with a weapon remained stable at 10 percent, but the percentage of misdemeanor assaults dropped by nearly 20 percent (to 41 percent). This drop in misdemeanor assaults was matched by a 13 percent increase in “physical” assaults involving hands, fists, and feet (to over one-third of all 1998 domestic violence arrests).

Figure 8 Selected Attributes of Domestic Violence Arrests Made by the Vacaville, California Police Department, 1994 and 1998



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²⁶ A misdemeanor was charged when there was no bodily harm to the victim, such as violation of a restraining order, threat, or attempted battery. Under PC273.5, any visible injury, even a bruise, resulted in a felony arrest.

Prior Criminal History among Domestic Violence Victims and Offenders

Domestic Violence Victims

Figure 9 shows selected prior criminal history attributes of domestic violence victims in 1994 (top) and 1998 (bottom). Victims of domestic violence in 1994 were well-known to the police, as over three-quarters had prior contacts with Vacaville officers. Just over one-quarter (28 percent) of 1994 victims had prior arrests, 24 percent within three years of the 1994 victimization. Notably, only five percent of prior arrests involved domestic violence-related offenses.²⁷ The vast majority of prior police contacts involved prior crime reports (72 percent),²⁸ with two percent experiencing prior interrogations and four percent prior citations. Since only about one-quarter of victims had a prior arrest, the majority of prior crime reports likely involve prior victimizations, or at least interviews as suspects or witnesses to crimes.²⁹

In 1998, we see a nearly identical pattern among the prior criminal histories of victims. Seventy-six percent had prior contacts with the Vacaville Police Department, the majority of which involved prior crime reports (72 percent). Twenty-eight percent of 1998 victims had at least one prior arrest, twenty-five percent within three years of the current case. Again, many of the prior police contacts (and reports) do not appear to involve the criminal activity of victims (just over one-third of those with prior contacts had a prior arrest; the remaining two-thirds had other types of contacts with police, such as witnessing crimes or prior victimizations). Only seven percent of victims had a prior arrest for a domestic violence-related offense. The only

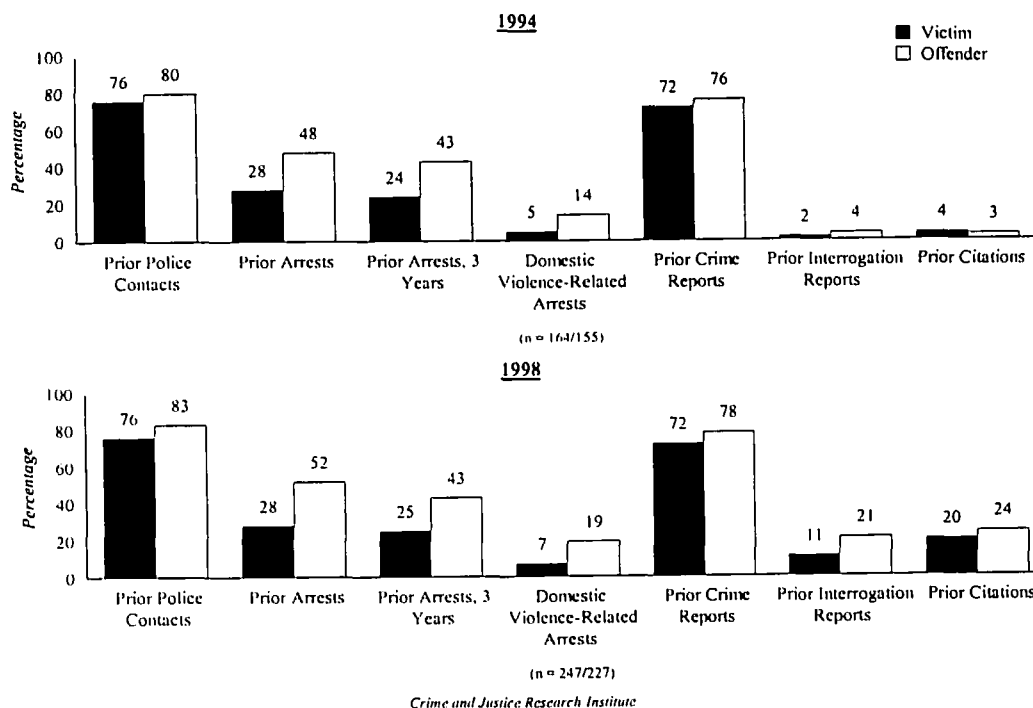
²⁷ Prior to 1995, the Vacaville Police Department did not record arrests as domestic violence-related. To make this determination for 1994 victims and offenders, we isolated cases most likely to involve domestic violence, such as assault, battery, and stalking. We acknowledge that this is a rough measure of prior experience in domestic violence, but it was the only feasible manner to capture this specific type of prior history. For 1998 cases, identifying prior domestic violence was easier, since it was treated as a separate charge by then.

²⁸ A crime report is completed whenever an individual is arrested, victimized, or has witnessed a crime. Thus, most but not all police contacts also generate a crime report, provided that the contact was crime related.

²⁹ If there was no arrest, a crime report could have been generated because the individual was a victim, a suspect, an investigative lead or a witness.

notable differences between the criminal history patterns seen among 1994 and 1998 victims involve prior interrogations and citations, both of which were more common in the later group. Eleven percent had experienced prior interrogations (up from two percent in 1998) and 20 percent had received prior citations (up from four percent).

Figure 9 Selected Prior Contacts with Police among Victims and Offenders of Domestic Violence Arrests Made by the Vacaville, California Police Department, 1994 and 1998



Domestic Violence Offenders

Figure 9 shows that, in 1994, 80 percent of domestic violence offenders had experienced a prior police contact, and 76 percent had a prior police report. Nearly half (48 percent) of 1994 offenders had a formal prior arrest, 43 percent within three years of their current case arrest. Fourteen percent had a prior arrest for a domestic violence-related offense. Only four percent had a prior police interrogation report, and three percent a prior citation report.

We see a similar pattern of prior criminal history among 1998 domestic violence offenders, with the exception of prior interrogations and citations. The majority of offenders had

prior contacts (83 percent) and prior crime reports (78 percent) with the Vacaville Police Department, and just over half had at least one formal prior arrest. Forty-three percent had a prior arrest within three years of their 1998 case, and one-fifth had a prior domestic violence-related arrest (19 percent). Like the victims in 1998 cases, offenders were more likely than their 1994 counterparts to have experienced prior interrogations and citations. Just over one-fifth had a prior interrogation report (21 percent, up from four percent in 1994), and one-quarter had a prior citation (24 percent, up from three percent in 1994).

Follow-up Contacts with Police during a One-Year Observation Period

Domestic Violence Victims

Figure 10 shows that, during a one-year observation period, 59 percent of victims from 1994 domestic violence cases had at least one additional contact with Vacaville police, and 57 percent experienced a follow-up crime report. However, only 17 percent experienced a formal follow-up arrest, again suggesting that victims had contacts with police that primarily involved matters other than their own arrest (e.g., interviewed as a suspect or witness, or other victimizations). Five percent of 1994 victims had a follow-up arrest for a domestic violence-related offense, and two percent had follow-up interrogations and/or citations.

A similar pattern is seen among victims from the later year. The majority of victims from 1998 cases also experienced additional contacts with Vacaville police during the one-year observation period (59 percent). Forty-eight percent had follow-up crime reports, but only 14 percent experienced a formal follow-up arrest. Only two percent was arrested for a domestic violence-related offense. Similar to the experiences seen among prior criminal history, follow-up interrogation reports and citations were more common among 1998 victims of domestic

violence, as seven percent had an interrogation report and 17 percent had a follow-up citation (both were two percent among 1994 victims).

Figure 10 Selected Follow-up Contacts with Police among Victims and Offenders of Domestic Violence Arrests Made by the Vacaville, California Police Department, 1994 and 1998

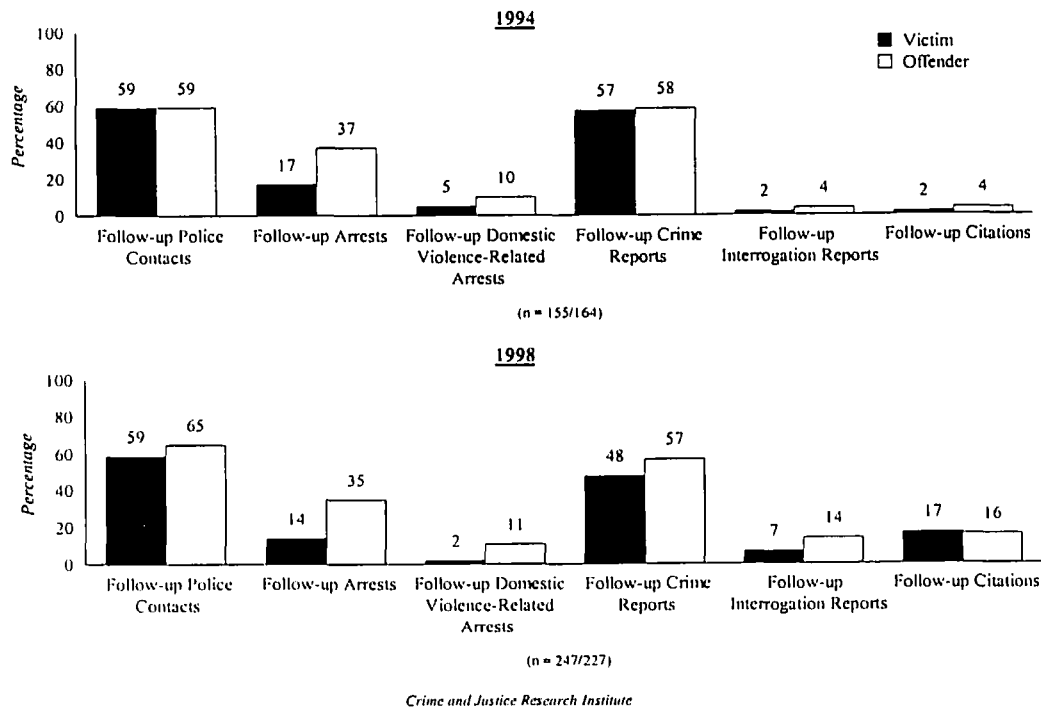
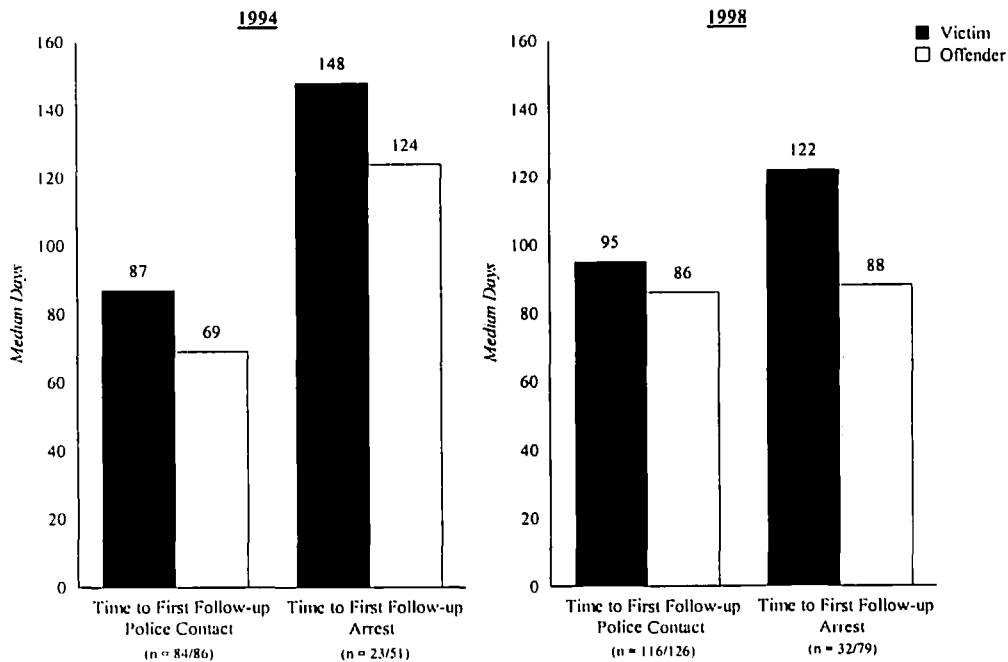


Figure 11 shows the median time to first police contact and first arrest during the one-year observation period, for victims in both 1994 and 1998. For those who recorded follow-up contacts with Vacaville police officers, victims averaged nearly three months to their first police contact (87 days) and five months to their first arrest (148 days). In 1998, victims took slightly longer to record their first police contact (95 days) and considerably shorter to record their first arrest (122 days). Given that such a small proportion of victims' follow-up arrests in 1998 involved domestic violence (two percent), it is difficult to interpret this change in terms of the role of FIRST. More generally, the slight increase in time to first contact (median of eight days) can be perceived as a positive finding, in that victims whose current cases were handled by FIRST took slightly longer to again come to the attention of police.

Figure 11 Time to First Follow-up Police Contact and Arrest among Victims and Offenders of Domestic Violence Arrests Made by the Vacaville, California Police Department, 1994 and 1998



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Domestic Violence Offenders

Fifty-nine percent of 1994 domestic violence offenders experienced at least one additional contact with Vacaville police during the one-year observation period, and 58 percent experienced at least one crime report (see Figure 10). More than one-third of 1994 offenders recorded a formal follow-up arrest (37 percent), and ten percent involved domestic violence-related charges. Four percent experienced both follow-up interrogations and follow-up citations.

Follow-up contacts with Vacaville police officers were slightly more common among domestic violence offenders in 1998 cases, as nearly two-thirds experienced at least one additional contact (65 percent, up from 59 percent in 1994). However, the percentage of offenders with follow-up arrests (35 percent), arrests for domestic violence-related charges (11 percent), and crime reports (57 percent) remained nearly identical to levels witnessed among 1994 offenders. Again, follow-up interrogation reports and citations were notably more common

among offenders from the later year, with 14 percent experiencing an interrogation and 16 percent experiencing a citation (each up from 4 percent in 1994 cases, both nearly a four-fold increase).

Figure 11 shows median time to first police contact and first rearrest during the one year follow-up period for offenders in 1994 and 1998. In 1994, domestic violence offenders averaged 69 days to their first police contact and 124 days to their first rearrest.³⁰ In 1998, domestic violence offenders took notably longer than their 1994 counterparts to record a new contact with police (86 days, an average increase of nearly three weeks), and notably less time to record a follow-up arrest (88 days, an average decrease of over five weeks).

Case Outcomes among 1994 and 1998 Domestic Violence Arrests

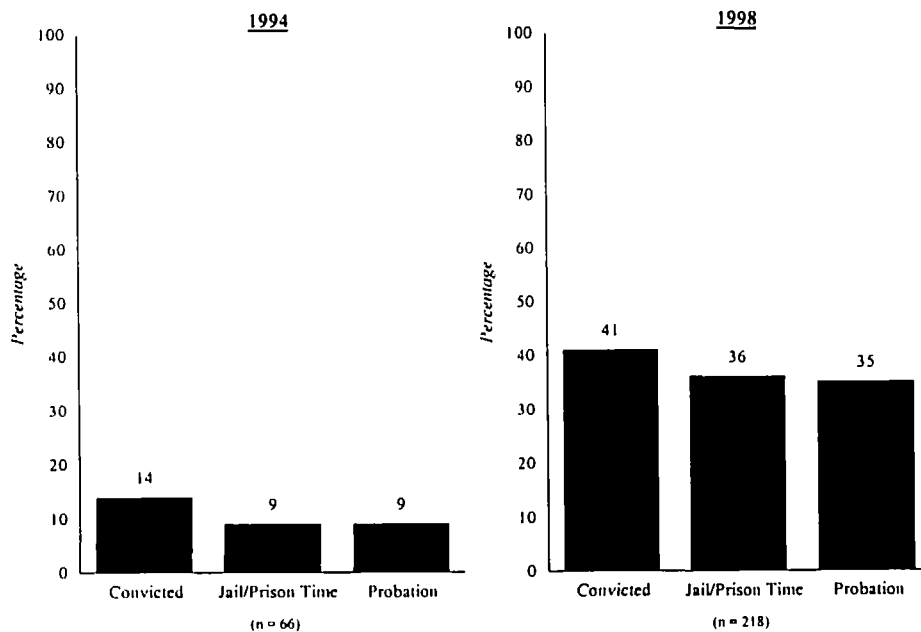
One of the primary objectives of the FIRST program was to improve the likelihood of successful prosecution of domestic violence offenders, and to do so through “victimless prosecution.” We examined case files in the prosecutor’s office and recorded final case outcomes for the 1994 and 1998 cases to determine if FIRST had achieved this goal. Unfortunately, the data collection team struggled to locate prosecutors’ files for 1994 arrests because the cases were more than seven years old (63 percent of cases could not be located to determine the final outcome). The 1998 cases were easier to find; all but 11 percent of those cases were located.

Figure 12 shows final outcomes for 1994 and 1998 domestic violence arrests, among those that were found. Although the prevalence of missing data for the earlier year severely limits the conclusions that we can draw from the figure, it appears that the likelihood of

³⁰ Median times to first police contact and first arrest were considerably shorter for offenders than for victims, in both 1994 and 1998. Figure 10 shows that despite having similar percentages of follow-up contacts with police, offenders were much more likely than victims to record a follow-up arrest in general, and specifically for domestic violence.

conviction increased considerably for 1998 cases. Fourteen percent of 1994 cases resulted in conviction, nine percent receiving some jail/prison time and/or probation.³¹ In contrast, in 1998, 41 percent of cases resulted in conviction, a nearly three-fold increase from the earlier year. The percentage of offenders receiving jail/prison or probation increased four-fold, reaching 36 percent and 35 percent, respectively, in 1998. Despite the problems in interpretation arising from missing data, the FIRST program appears to have achieved its goal of increasing the likelihood of successful prosecution of domestic violence offenders.

Figure 12 Current Case Outcomes among Offenders of Domestic Violence Arrests Made by the Vacaville, California Police Department, 1994 and 1998



*Note: Dispositions for 63 percent of the 1994 cases are missing. Dispositions for 11 percent of 1998 cases are missing as well.

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Services Provided by FIRST to Victims of Domestic Violence in 1998

Figure 13 shows the outcomes of FIRST contacts with victims in 1998 domestic violence cases, as well as the types of services that were provided. On the left, we see that services offered by FIRST were accepted by nearly two-thirds of victims (61 percent), with about one-

³¹ Note that most cases resulting in conviction received a sentence of jail or prison and probation in combination. As a result, the "jail/prison" and "probation" bars are by no means mutually exclusive.

quarter refusing services. FIRST was unable to establish contact with 16 percent of victims from 1998 cases. Importantly, these data suggest that FIRST was not only effective in contacting victims to offer support through their array of programs and services, but that the unit was able to provide services to nearly two out of every three victims.

Figure 13 Services Provided to Victims of Domestic Violence by the FIRST Unit of the Vacaville, California Police Department, 1998

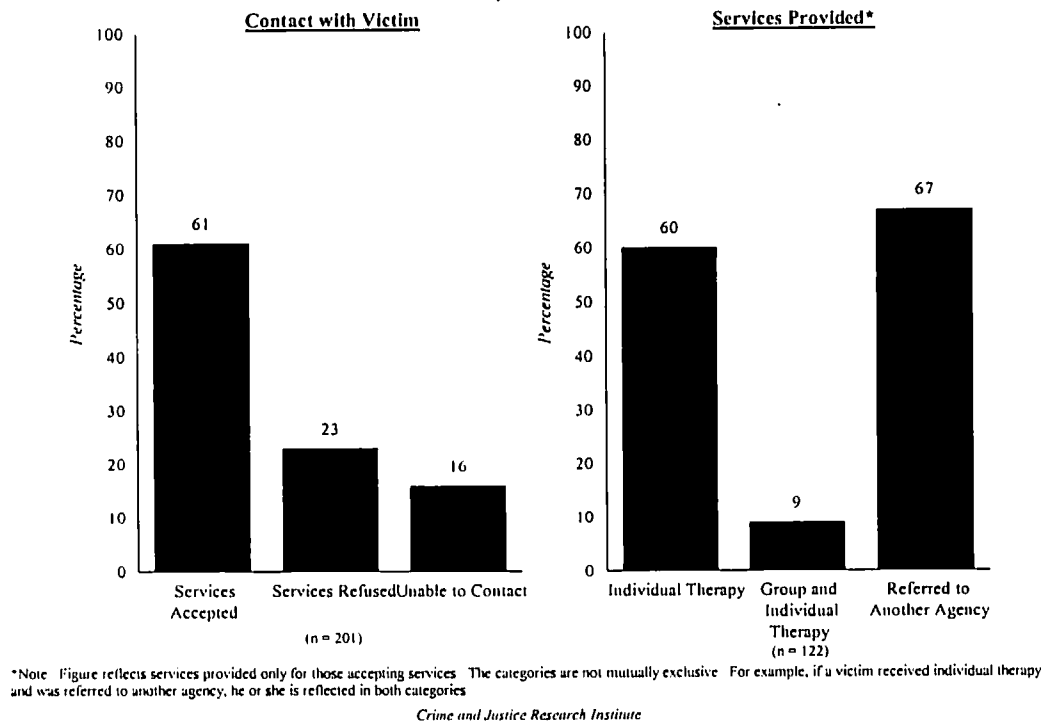


Figure 13 also shows the types of services provided to those who accepted the assistance. Sixty-seven percent of victims who received services were referred to another agency for more focused, specific attention.³² Sixty percent received individual therapy from one of the clinical staff members of the program, and only nine percent received individual and group therapy in combination. The vast majority of victims who accepted services received more than one type. For example, 96 percent of victims who received individual therapy also were referred to another

³² Data on where victims were referred, whether victims followed through with the referral, and the types of services they received were not available.

agency. Ninety-one percent of victims who received both individual and group counseling were referred to another agency.

Summary of Findings and Conclusions from the Vacaville, California Response to Family Violence Study

Summary

This report describes an effort by the Vacaville, California Police Department to implement a coordinated and comprehensive response to family violence in their community. We developed a three-pronged research design to address a number of basic questions about the prevalence of family violence (specifically domestic violence) in Vacaville, the characteristics of victims and offenders, and the potential impact of the program. The first part involves a rich narrative describing the history of how the program started, the cases it has handled, the services provided, and how the program has grown and flourished over time. Second, using data from 1990 through 2000, we employ interrupted time series analysis (ARIMA) to examine trends in Vacaville domestic violence arrests over time and to determine if the prevalence of arrests changed with implementation of the Family Investigative Response Services Team. Third, using a simple *pre-post* research design, we collected data on all victims and offenders of domestic violence arrests made by the Vacaville Police Department in 1994, before DVRT/FIRST was developed, and 1998, after FIRST was fully implemented.

1. How has the flow of domestic violence cases changed over time, both generally and within the context of the development of a Domestic Violence Response Team (DVRT/FIRST)?

Interrupted time series analysis with monthly domestic violence arrests in Vacaville from 1990-2000 identified two significant impacts associated with the implementation of FIRST. The first impact, a significant increase in domestic violence arrests, was abrupt and temporary, beginning in June 1996 (when DVRT became FIRST) and ending in September 1997. This 16-

month increase was followed by a more general and long-lasting decrease in arrests, beginning in October 1997 and lasting through the end of the time period (December 2000).

These results match the conventional wisdom among the Vacaville police leadership, who expected a short-term increase in arrests as a result of a greater willingness among victims to call for police assistance and an improved law enforcement response to the target problem. However, as the program became more firmly established, police officials expected that the comprehensive and coordinated justice system response, coupled with an extensive social service network, would result in a long-term decrease in the prevalence of domestic violence. Whether the relationship between the implementation of FIRST and the decrease in domestic violence arrests is causal remains a question that cannot be answered with the current analyses. Nevertheless, the findings do suggest an association between FIRST and the incidence of domestic violence, in the expected direction.

2. *What are the demographics of domestic violence offenders and victims, and how have they changed over time?*

Most domestic violence victims and offenders in Vacaville in both years were white, although 1998 offenders were more likely to be African-American or Hispanic than their 1994 counterparts. Not surprisingly, the vast majority of victims were female and offenders were male. This pattern changed little from 1994 to 1998. The majority of victims and offenders in both years were employed at the time of the arrest, although employment was more common among offenders. The percentage of employed victims dropped notably from 1994 to 1998.

3. *What is the extent of prior contact with the Vacaville PD among domestic violence offenders and victims (arrests and other contacts), and how has it changed over time?*

We see some interesting patterns and themes from the analysis of prior criminal histories of victims and offenders in our study. First, the criminal histories among victims and offenders

from 1994 and 1998 are very similar, with the exception of increases in interrogations and citations in the later year. Second, in both years, most victims were known to the police prior to their current involvement, but the majority for reasons other than formal arrest (e.g., suspect, witness, or victim in prior cases). Just over one-quarter of victims have a formal prior arrest, but only a small percentage involved a domestic violence-related offense. Third, offenders also were well known to Vacaville police officers, and they were twice as likely as their victims to have a formal prior arrest. Offenders in both years were nearly three times as likely as their victims to have a prior arrest for a domestic violence-related offense.

4. *What is the extent of re-involvement with the Vacaville PD among domestic violence offenders and victims, and how has it changed over time (in the context of DVRT/FIRST)? More specifically, did victims and offenders in incidents investigated by FIRST experience fewer follow-up offenses than their counterparts from earlier years?*

In both years, most victims of domestic violence continued to experience contact with police in the year following their current case, although the majority of those contacts did not involve criminal activity on their part, particularly for domestic violence. Victims whose cases were handled by FIRST (1998 cases) were just as likely to experience subsequent contact with the Vacaville PD, although formal arrests in general and those for domestic violence specifically were slightly less common.

Offenders in 1998 cases were just as likely as their 1994 counterparts to experience additional police contacts, rearrests, domestic violence rearrests, and police crime reports, and were more likely to record interrogation reports and citations. Offenders in 1998 took, on average, nearly three weeks longer to record their first police contact, but took considerably less time, more than five weeks, to record their first rearrest.

5. *How has the emphasis on victimless prosecution affected the likelihood of conviction in domestic violence cases? More specifically, did cases investigated by FIRST have a greater likelihood of prosecution and conviction (because of emphasis of victimless prosecution) than cases from earlier years?*

In 1998 (compared to 1994), the percentage of cases resulting in conviction tripled, and the percentage of offenders sentenced to probation, jail, or prison quadrupled. Although missing data from 1994 hinder our ability to draw conclusions, the rather dramatic increases in conviction and sentencing rates in 1998 seem to indicate that Vacaville's FIRST program has achieved its goal of successful, victimless prosecution.

4. *What types of services were provided to victims in domestic violence cases investigated by DVRT/FIRST and how might they have influenced the likelihood of follow-up occurrences?*

Consideration of the services and programs offered by clinical staff of FIRST shows that they were successful in making contact with the vast majority of victims, and that most accepted at least some of the services that were offered, typically individual therapy and referrals to other agencies.

Implications of Findings from the Vacaville Domestic Violence Study

The second and third components of the research plan sought to determine if the development of FIRST reduced the prevalence of domestic violence in Vacaville, California. Results from interrupted time series analysis suggest that, after a temporary increase (presumably because of greater awareness of the problem, increased willingness of the victims to call for police, and an improved police response), the number of domestic violence arrests per month dropped significantly. This finding suggests that the program achieved its desired effect.

Findings from the pre-post study of 1994 and 1998 offenders and victims are less straightforward. If FIRST was successful in reducing the prevalence of domestic violence, victims and offenders in 1998 cases should have fewer subsequent domestic violence-related

offenses during the one-year follow-up than their 1994 counterparts. Upon first glance, there does not appear to be a difference in the likelihood of follow-up offenses, either generally or specifically for domestic-violence related offenses. Small drops are seen in the percentage rearrested for any charge (three percent for victims, two percent for offenders), and the percentage of victims rearrested on domestic violence charges (three percent). The percentage of offenders rearrested for domestic violence offenses remains unchanged (actually increasing by one percent).

Given the infrequency with which victims are rearrested, specifically for domestic violence offenses, findings are difficult to interpret because of *floor-effects*. More simply, it is difficult to measure a change in behavior that is rare. The relatively consistent percentages of offenders with police contacts, arrests, and domestic violence arrests suggest that the FIRST program had no real impact on the subsequent behavior of domestic violence offenders. However, a more thorough consideration of the goals of the program and its potential for impact may shed some light on these findings. First, the social service and clinical component of FIRST focuses nearly all of its efforts on the victim. The program goals center on meeting the needs of victims and successfully prosecuting the offender. Generally, there is no effort made at intervention, treatment, or rehabilitation of the offender; it is simply beyond the scope of the program. Moreover, the clinical staff do *not* pressure a victim into ending her relationship. In fact, the focus on victimless prosecution stems from the realization that, in many cases, the victim and offender will reconcile.

Second, although rehabilitation of the offender is not a program goal, FIRST does seek to reduce criminal offending through deterrence (and even incapacitation), primarily through swift and certain prosecution on the domestic violence case. Findings regarding the likelihood of

conviction suggest that FIRST achieved its goals of improving conviction rates through victimless prosecution. However, FIRST also seeks to improve the law enforcement response to family violence (and domestic violence specifically), which may result in an increase in victims' willingness to call the police. The greater willingness of victims to call for police intervention, a consequence of the more comprehensive, coordinated response by FIRST, may overshadow or disguise the potential deterrent impact of the program on offender behavior.

Third, the findings regarding average times to police contact and arrest may reflect a significant improvement in the police department's response to criminal activity of domestic violence offenders. The nearly three-week increase in time to first contact suggests that there may have been some delay in offenders' involvement in activity likely to draw the attention of police. It is conceivable that this delay may be a consequence of the comprehensive, coordinated response employed by FIRST. The five-week decrease in time to first rearrest suggests that the Vacaville Police Department responded more swiftly with formal intervention when called to the scene, also possibly a consequence of the involvement of FIRST in the current case. The importance of these findings regarding the times to first contact and rearrest are underscored by the general stability in offender activity likely to draw police attention.

Conclusion

Results from the Vacaville Domestic Violence study indicate that the FIRST program represented a significant improvement in the law enforcement response to family violence (and domestic violence). The decrease in time to first rearrest and increase in time to first contact among offenders; the greater likelihood of conviction, jail/prison time, and probation (also for offenders); and the percentage of victims accepting clinical and social services all reflect the impact of the coordinated, comprehensive response to domestic violence. Findings regarding

whether this improved response translated into a reduction in the prevalence of domestic violence are more difficult to interpret, although time series results suggest such a relationship. Further study, employing a more methodologically rigorous research design, is required to investigate whether there is a causal link between the program and patterns in domestic violence arrests.

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