Community Prosecution: A Revolution in Crime Fighting

Devin J. Doolan Jr.

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Statistics show that in recent years violent crime rates have fallen in the United States. Nevertheless, citizens continue to feel unsafe. Theorists charge that the criminal justice system is to blame.

Under the traditional criminal justice system, and specifically through traditional prosecution methods, index crimes such as homicide, rape, robbery, and assault are prosecuted vigorously. Quality-of-life offenses, however, such as vandalism, graffiti, and prostitution, even if successfully...
Prosecuted, result in little or no sanctions.\(^5\) Thus, quality-of-life crimes receive little attention and are viewed, to a certain extent, as the responsibility of social workers.\(^6\) Consequently, community concerns are ignored, which, along with the practice of prosecutors containing rather than preventing crime,\(^7\) leads to reduced confidence in, and in some areas outright distrust of, prosecutors.\(^8\) Sensing that prosecutors care little about community problems, a citizen’s confidence in the criminal justice system declines.\(^9\)

In response to this growing disconnect between community members and prosecutors, several prosecutors’ offices throughout the country are prescribing to a new law enforcement philosophy called community prosecution.\(^10\) Community prosecution methods emphasize proactive crime prevention, increased communication among prosecutors, police,
and the community, and renewed focus on citizens' quality of life. This type of prosecution is not a specific program; rather, it is a strategy that requires prosecutors to accept a new role within the criminal justice system and, consequently, the community.

Under community prosecution, prosecutors serve as active problem solvers, rather than as reactive case processors. The goal is to connect with the community in order to increase awareness of criminal activity, renew faith in the criminal justice system, promote community involvement and accountability, improve the quality of life in communities, and reduce the sense of vulnerability faced by citizens.

Instead of relying solely on criminal law to fight crime, prosecutors pursue non-traditional strategies and partnerships. Opportunities for

11. Genelin, supra note 9, at 14 (identifying various aspects of community prosecution including “crime control/reduction, the diminishment of individual and community fear, neighborhood and/or city physical improvement, aspects of social service delivery and/or increased communication between the public and community/city agencies, particularly law enforcement, public/private partnerships, and the creation of a problem solving/reduction organization”); see also RESEARCH ON COMMUNITY PROSECUTION, supra note 10, at 3 (noting that in Multnomah County, Oregon, the prosecutor “determined that a geographically-based approach was more advantageous to improving the quality of the community rather than focusing on specific criminal activities”).

12. Genelin, supra note 9, at 13 (noting that in order to establish effective solutions to community problems, prosecutors must listen to the community members).

13. Id. (concluding that prosecutors are altering their role in the criminal justice system from passive partner to active initiator).

14. Roger Conner, Community Oriented Lawyering: An Emerging Approach to Legal Practice, NAT'L INST. JUST. J., Jan. 2000, at 27 (commenting on how community prosecutors are better able to ascertain “various actors, groups of actors, and places in the neighborhood [that] were linked to crime”).

15. Genelin, supra note 9, at 14 (adjudging an active involvement in the community by prosecutors leads to the perception that the justice system generally is constructive). Past feelings of indifference or animosity held by community members gives way to a newfound support for the system. Id.

16. Gramckow, supra note 5, at 16 (“Community members that have the opportunity to observe and learn about the work of the prosecutor gain a better understanding of the limits of criminal justice interventions and can become actively involved in finding alternative responses or support the prosecutor in his work.”).

17. Prevention Through Community Prosecution, supra note 4, at 84 (noting that prosecutors report to police and citizens regarding their actions).

18. Captain Ross E. Swope, Community Prosecution in Washington, D.C., UNITED STATES ATTORNEYS' BULLETIN 22 (1997); see also APRI, supra note 5, at 21 (discussing the establishment and implementation of community prosecution in Washington, D.C., to address community complaints).

19. Weinstein, supra note 1, at 19 (explaining that when residents fear living in their own neighborhoods, the criminal justice system is not working).

20. See generally Prevention Through Community Prosecution, supra note 4, at 76.
partnerships exist in all areas associated with the community, from city councils to fire departments and from business organizations to faith-based groups.21 Because of the history of quick-fix governmental programs, however, prosecutors must actively establish these partnerships and be persistent in their efforts to maintain quality relationships.22

Once established, partnerships promote a heightened accountability for prosecutors, business leaders, faith-based groups, and community members.23 For example, under community prosecution, prosecutors are responsible for reporting back to residents who voice complaints. Thus, prosecutors become directly accountable for their actions, residents become better informed about their concerns, and the once-prominent bureaucratic wall is dismantled.24 Further, when community members

21. Nancy E. Gist, Working as Partners With Community Groups, BUREAU OF JUSTICE ASSISTANCE BULLETIN, COMMUNITY PARTNERSHIP SERIES, Sept. 1994 (explaining that potential partners include those affected by a problem, those who are forced to deal with its consequences, and those who would gain from its eradication). Gist sets forth a breakdown of this partnership structure using a hypothetical graffiti problem. Id. A graffiti problem directly affects area business owners, residents, and highway and park departments. Id. Those forced to deal with the consequences include insurers, area residents, elected officials, and law enforcement. Id. Finally, those who would gain from the problem's eradication include realtors, the chamber of commerce, and area residents. Id.

22. APRI, supra note 5, at 22 (noting that community prosecution requires motivated, personable, empathetic individuals); see also State's Attorney Marna McClendon, Address at the National Community Prosecution Conference in Alexandria, Va. (Sept. 26, 2000) (indicating that because of past detachment from the community by prosecutors, as well as subsequent mistrust by the community of prosecutors, it will often be necessary to "keep coming to the table" in order to build trust and the free-flow of information); Gist, supra note 21 (conceding that because law enforcement is sometimes viewed as a mistrusted outsider, the formation of quality partnerships is not always automatic or easy). When faced with this obstacle, Gist recommends that prosecutors team with a community leader or a valued institution, such as a church, a school principal, or a neighborhood organization. Id.

23. Prevention Through Community Prosecution, supra note 4, at 84 (commenting that "community prosecutors report to citizens and police on why they took, or did not take, a particular course of action concerning a case or offender from a neighborhood, and what they plan to do next"); see also Fern Shen, Howard County Seeks to Erase Graffiti, Other Quality-of-Life Crimes, WASH. POST, May 4, 1997, at B7 (reporting a statement by U.S. Attorney Brenda Johnson, deputy chief of the District of Columbia's community prosecution section, "[w]e're trying to be there for the people, but also to give the people a sense [of], 'This is your neighborhood; you've got to tell us what's going on'").

24. Prevention Through Community Prosecution, supra note 4, at 84; see also Candus Thomson, Montgomery Teams Prosecutors With Police on the Street; Community Policing Stresses Familiarity With Neighborhoods, BALT. SUN, July 6, 2000, at 1B (stating that accountability is raised because prosecutors must report their activities to concerned community members). Feedback must be continuous. See APRI, supra note 5, at 17-18.
see the benefits that come from working with police officers and prosecutors, they begin to recognize that they have the ability, and the responsibility, to address local problems. Thus, when faced with new dilemmas, community members are less likely to passively blame the government, and instead are more likely to actively address community problems, knowing that they have the full support of their prosecutor’s office. Additionally, prosecutor-citizen dialog enhances the community’s understanding of the utilities and constraints of the criminal justice system and places accountability on prosecutors who must now disclose their once-veiled activities.

Unfortunately, certain factors occasionally make it difficult to implement community prosecution. Entrenched distrust of the criminal justice system by citizens whose quality-of-life complaints have long been ignored creates an uphill battle for prosecutors in establishing quality relationships. Additionally, some prosecutors resist the shift in philosophy because they feel that their job is to prosecute criminals, not to interact with community members. Further, prosecutors often struggle to find outside funding for the implementation and maintenance of their programs.

Nevertheless, the community prosecution philosophy is spreading rapidly to prosecutors’ offices throughout the United States. With the
availability of federal grants for start-up and maintenance programs, and the success of established programs, it is likely that the strategy's acceptance and utilization will continue to flourish.

This Comment first examines the differences between the traditional prosecution method and the community prosecution philosophy. Next, this Comment addresses criticism directed toward the community prosecution theory. This Comment then recommends methods for instituting a productive evaluation process, for building commitment to the strategy, and for raising funds for the implementation and maintenance of a successful program. Finally, this Comment argues that the community prosecution philosophy should supplement the traditional method in prosecutors' offices throughout the United States.

Maryland; and Portland, Oregon); see also PUBLIC SAFETY ACT, supra note 8, at 6 (recognizing that community prosecution programs are being successfully implemented in "neighborhoods from Boston to Los Angeles and from Washington, D.C. to Indianapolis"); Sarah Koenig, Prosecutor Program Wins Grant, Community-Based Effort is to Cover Entire Jurisdiction; $93,000 in Federal Funds; Aims Are to Provide Link With Citizens and Head Off Crime; Howard County, BALT. SUN, Aug. 2, 2000, at 1B (recognizing that Mike Kuykendall, senior attorney for criminal prosecution at the American Prosecutors Research Institute, declared that roughly one-third of the 2,800 states' attorney offices in the United States are practicing some form of community prosecution).

33. James D. Polley, IV, Capital Perspective, PROSECUTOR, May/June 2000, at 16 (identifying the availability of up to $75,000 in planning grants, up to $200,000 in implementation grants, and up to $150,000 in enhancement grants).

34. Letter from Charles E. Vose, Deputy City Attorney for the City of Oakland, California, to Mike Kuykendall, Senior Attorney, American Prosecutors Research Institute (Aug. 25, 2000) (on file with the Catholic University Law Review) (describing the success of the Oakland Community Prosecution Program). The letter states that the "[p]rogram has begun to forge new partnerships with a community that for years has suffered from the crack cocaine epidemic. [The] Local Neighborhood Crime Council has partnered with [the] Community Prosecution Program resulting in greater community participation in [the] City's crime prevention efforts." Id.

35. Douglas F. Gansler, Implementing Community Prosecution in Montgomery County, Maryland, PROSECUTOR, July/Aug. 2000, at 30 (recognizing that the U.S. Attorney's Office for the District of Columbia and the neighboring Montgomery County, Maryland, State's Attorney's Office, completely reorganized under the community prosecution theory); see also Sam Skolnik, DOJ Puts Big Bucks Behind Community Prosecution, LEGAL TIMES, Feb. 8, 1999 (noting that Deputy Attorney General Eric Holder, Jr. stated that as more people come to understand the community prosecution theory, it will begin to spread rapidly); Gramckow, supra note 5, at 20-21 (commenting on the likelihood that community prosecution will play a significant role in the future of prosecution in the United States); Thomson, supra note 24 (stating that community prosecution will be implemented by every prosecutor's office within the next ten years).
I. TRADITIONAL PROSECUTION: COMMUNITY DISCONNECT AND REACTIVE CASE PROCESSING

During the 1960’s, a major transformation took place in the United States criminal justice system. The method of policing shifted from crime prevention and community involvement to a reactive system of criminal apprehension and office centralization. Prosecutors, following this trend, began to rely on criminal prosecution and incarceration as the central means of addressing crime. This change was a symptom of the geographic expansion of law enforcement services that resulted from the growth of cities. Urban expansion brought with it the idea that the government should provide assistance to citizens as a whole, rather than to individuals in their communities. In response, law enforcement offices centralized to better serve the broad spectrum of urban life. The criminal justice system established new goals, such as centralization, uniformity, efficiency, and concentration on serious crime.

The system accomplished what it set out to do, the efficient apprehension and prosecution of serious criminals, yet it failed to address the quality-of-life problems that affected citizens on a daily basis.

36. Prevention Through Community Prosecution, supra note 4, at 69-70; see also Genelin, supra note 9, at 13.
37. Genelin, supra note 9, at 13.
38. Prevention Through Community Prosecution, supra note 4, at 70.
40. Id.
41. Id. ("When there wasn’t centralization, when there wasn’t uniformity, the cry of unequal protection was used leading to even more uniformity."); see also FIXING BROKEN WINDOWS, supra note 4, at 74 ("[P]olice were to become highly disciplined and closely controlled crime fighters, focusing on murder, rape, robbery, and assault. As professional crime fighters, police would be relieved of their service and order-maintenance functions: social workers could take care of those problems, ‘real’ police fought crime."). The traditional criminal justice system formed “organizational structures” to support “remote and reactive procedures, such as rapid response to calls for service and patrol by automobile, that would hold police back from interacting with citizens.” Id. at 77.
42. See, e.g., FIXING BROKEN WINDOWS, supra note 4, at 96 (centralization is evidenced by the traditional system’s focus on 911 systems). Insularity, created by strategies such as the 911 system, prevents the development of relationships with citizens because police-citizen interaction comes only in response to serious crime. Id. at 96-97.
43. Id. at 84-85 (commenting that “[p]olice officers were expected to make arrests automatically—not using judgement or discretion to manage situations (and maybe keep them from getting out of hand), but responding to crises already in progress") (emphasis in original).
44. George L. Kelling, Address at the American Prosecutors Research Institute's National Community Prosecution Conference (Sept. 27, 2000).
Although serious criminals were convicted and imprisoned, citizens' fear of crime continued to exist, if it did not escalate. The traditional system lacked a long-term plan for crime prevention, and the short-term remedies ignored low-level offenses. Low-level offenders were not being sanctioned in a manner that would deter future violations. Put simply, deterrence by incarceration was not working to fully address citizens' concerns.

The uniformity of the traditional criminal justice system prevented law enforcement officials from identifying and addressing citizens’ local concerns. Limits on governmental resources, moreover, resulted in low-level offenses, such as vandalism and graffiti, becoming relatively unsanctioned. These low-level crimes were given low priority, regardless of their impact on communities. Insufficient sanctions imposed for quality-of-life crimes signaled to criminals that these offenses could be committed with little or no ramifications. Consequently, quality-of-life offenses continued to go unchecked, law-abiding citizens stopped working with the criminal justice system, and disorder spread.

46. See Anthony Cardinale, The New Law in Town: “Community Justice” Program has Assistant DA Working With Police and Going Directly into City Neighborhoods to Help Niagarmans With Quality of Life, BUFF. NEWS, Aug. 6, 2000, at NC1; see also Prevention Through Community Prosecution, supra note 4, at 72 (stating that the presence of minor offenses creates fear in the community).

47. See Prevention Through Community Prosecution, supra note 4, at 70 (“[M]inor offenses, like public drunkenness and other ‘victimless’ crimes, [were] essentially decriminalized.”).


49. Genelin, supra note 9, at 13.

50. Id.

51. See James Q. Wilson & George L. Kelling, Broken Windows: The Police and Neighborhood Safety, THE ATLANTIC MONTHLY, Mar. 1982, at 33 (declaring that “the proliferation of graffiti, even when not obscene, confronts the [citizen] with the ‘inescapable knowledge that the environment he must endure ... is ... uncontrollable, and that anyone can invade it to do whatever damage or mischief the mind suggests’”).

52. Kuykendall Interview, supra note 31 (explaining how a shortage of jail space made it difficult for the system to effectively sanction offenders).

53. APRI, supra note 5, at 6 (noting that the inability of the criminal justice system to deal with quality-of-life crimes relegated them to a low priority).

54. See Russ Freyman, D.A.s in the Streets, GOVERNING, Sept. 1998, at 30 (quoting Philadelphia Councilman James F. Kenney as stating “far more people flee Philadelphia because of nuisance crimes than because of murders”); see also Genelin, supra note 9, at 13.

55. See Prevention Through Community Prosecution, supra note 4, at 72 (stating that ignoring minor offenses “can lead to the influx of violent crime and urban decay”).

56. See Genelin, supra note 9, at 13-14 (noting that the criminal justice system failed to understand that smaller localities make up the whole of society). When communities,
Under the centralized criminal justice system, citizens played a limited role, either reporting crimes or serving as witnesses at trial. Neither police nor prosecutors used community members to identify local crime trends or to implement neighborhood crime prevention programs. Thus, lacking sufficient input from the community, central authorities implemented programs that they, and they alone, deemed necessary.

Additionally, the lack of sanctions for low-level offenses resulted in a growing sense of vulnerability among law-abiding citizens. Without a governmental outlet to voice their concerns, citizens became overwhelmed by the rising tide of unchecked, low-level crime. As a result, citizens were afraid, or found it useless, to address local problems on their own. In turn, community members began to feel isolated and whether urban or rural, are ignored and fall into disrepair, harmful consequences follow. Residents of crime-ridden, impoverished communities become inactive and isolated and, generally, do not "engage in . . . reciprocal guardianship behavior." Further, because of the failing conditions of their communities and the lack of governmental response, they come to view the criminal justice system as the "enemy." See Prevention Through Community Prosecution, supra note 4, at 70, 83 (arguing that a "remote, professional criminal justice 'system' that practically ignores citizens concerns is [not] feasible any longer").

Kuykendall Interview, supra note 31 (explaining how community-initiated crime prevention programs, such as neighborhood watch and foot patrol, surfaced in response to the inception of community policing, in the early 1980s); see also Genelin, supra note 9, at 13 (explaining how community prosecution invites citizens to become involved with police and prosecutors, which, in turn, leads to community support for the criminal justice system, rather than the historical feelings of indifference or hostility).

See Genelin, supra note 9, at 13.

See Cardinale, supra note 46 (stating that most city residents do not anticipate being shot; however, they are concerned with things such as having their bicycles stolen from their garage); see also Swope, supra note 18, at 22 (noting that during community meetings, residents often complained of "physical and social disorder problems that caused fear and adversely affected the quality of life in their neighborhoods"); Weinstein, supra note 1, at 19-20 (commenting that "[w]hen residents live in fear in their own neighborhoods, the criminal justice system has failed").

Genelin, supra note 9, at 14.

Id. (commenting that it has long been recognized that residents of these areas tend not to attack the problems on their own).
unimportant. Distrust of the criminal justice system emerged among people inhabiting the overlooked neighborhoods and communities.

This detachment heightened the public's perception that the government was not operating to serve the community. Without communication, the essential working relationship between community members and prosecutors all but vanished. Citizens were unable to understand prosecutors' limitations and prosecutors were unable to understand citizens' needs and concerns.

II. BROKEN WINDOWS: THE PROBLEM IS IDENTIFIED AND A REVOLUTION BEGINS

In 1982, criminologists James Q. Wilson and George E. Kelling published an article in the *Atlantic Monthly* that drew a connection between disorderly behavior, citizen fear, and crime. This theory was based on various surveys conducted in Newark, New Jersey, Portland, Oregon, Baltimore, Maryland, and Boston, Massachusetts, that documented citizens' views of the criminal justice system. The results

63. Kuykendall Interview, supra note 31 (describing how citizens' displeasure in the criminal justice system was manifested by their failure to report crimes or work with the system, and reporting that Michael Schrunk, District Attorney for Multnomah County, Or., explained that citizens lost respect for the rule of law); see also Genelin, supra note 9, at 13-14; Prevention Through Community Prosecution, supra note 4, at 70 (noting that "little was expected of criminal justice agencies except to respond to crime and process the ensuing cases").

64. Kuykendall Interview, supra note 31 (noting that this distrust was manifested by citizens' lack of crime reporting and their failure to work with the criminal justice system); see also Genelin, supra note 9, at 13.

65. See Weinstein, supra note 1, at 23 (commenting that many residents have informed prosecutors that "for the first time, they feel that the criminal justice system is responsive to their needs"); see also Genelin, supra note 9, at 13; Trugman, supra note 27 (commenting on a District of Columbia resident's view that before community prosecution was implemented, residents' only heard the excuses that nothing could be done to address neighborhood problems).

66. Genelin, supra note 9, at 13 (commenting that without communication, problems "tend[ed] to enlarge, generating even more crime").

67. See Gramekow, supra note 5, at 16 (commenting that community members "gain a better understanding of the limits of criminal justice interventions and can become actively involved in finding alternative responses or support the prosecutor in his work"); see also APRI, supra note 5, at 45-46 (noting that community prosecution enables community members to better understand the role of the prosecutor).

68. Genelin, supra note 9, at 13 (asserting that the traditional system's uniform policies failed to address the needs of individual neighborhoods).


70. Fixing Broken Windows, supra note 4, at 20 (noting that "[w]hile [these surveys] presented the causal relationship between disorder and fear as an empirical fact,
showed mounting frustration with the system's unresponsive policies and services and with the role of law enforcement agencies and officers. Thus, Wilson and Kelling advanced a new philosophy of crime prevention, the now-famous "broken windows" theory. Wilson and Kelling argued that by ignoring broken windows community members signaled that nobody cared about their neighborhoods. Because of such outward neglect, more windows would be broken and damage would spread to other areas of the community. Similarly, they argued that by ignoring quality-of-life offenses, law enforcement demonstrated a neglect of community concerns. In turn, this neglect would lead to more serious crime, fear of crime, and community decline. Essentially, the "broken windows" theory established a connection between low-level crime and serious crime.

The "broken windows" theory rejected the idea that police and prosecutors should be passive actors in the criminal justice system. Instead, the theory advocated a proactive approach, whereby police and prosecutors would take steps to prevent crime and would address quality-of-life offenses by using innovative problem-solving techniques.

A. Community-Oriented Justice

The "broken windows" theory inspired the concept of community policing. Community policing operated by physically placing police

\footnotesize{the links between disorder and serious crime, and disorder and urban decay, were set forth as hypotheses that required further empirical testing (Genelin, supra note 9, at 13).}

\footnotesize{71. Genelin, supra note 9, at 13.}

\footnotesize{72. See generally ATLANTIC MONTHLY, supra note 51, at 29-38.}

\footnotesize{73. Kelling Testimony, supra note 9.}

\footnotesize{74. Id.}

\footnotesize{75. Id.}

\footnotesize{76. Id.}

\footnotesize{77. See Michelle Roberts, Cities Think Small to Make Dent in Crime, CHI. SUN-TIMES, Jan. 12, 1998, at 6 (quoting Dan Kahan, criminal law professor at the University of Chicago Law School, as saying "[c]riminologists know that crime feeds on itself . . .").}

\footnotesize{78. See Kelling Testimony, supra note 9 (noting that "[c]rime is prevented by criminal justice presence in communities, by persuasion, by order maintenance, by opportunity reduction, by problem solving, as well as law enforcement"); see also Prevention Through Community Prosection, supra note 4, at 71.}

\footnotesize{79. See Kelling Testimony, supra note 9.}

\footnotesize{80. See Prevention Through Community Prosection, supra note 4, at 72 (explaining that during the 1980s "police began to return to tactics that maintained close links to the communities, such as foot and bicycle patrol, permanent beats, and devolution of authority to district commanders, sergeants, and beat cops").}
officers back in the community. It rejected the theory that officers should enter communities only in response to criminal activity. Under community policing, officers patrolled specific areas on foot in order to reestablish their presence in the community and form bonds with community members. These bonds, in turn, bred community trust and confidence in police officers. As a result, these citizen-officer partnerships restored confidence in a system that, over time, had failed to address quality-of-life concerns. Furthermore, the partnerships provided police officers with a greater understanding of crimes unique to individual neighborhoods and increased community support for, and acceptance of, officers in the course of their duties.

B. A Change in the Way Prosecutors Do Business

In the early 1990s, prosecutors began to view their role in the criminal justice system differently. The traditional criminal justice system, with its reduced emphasis on community order and quality of life, had bred a fearful and isolated populace. Thus, prosecutors began to seek out new strategies for reconnecting with the community in order to restore

81. See Skolnik, supra note 35 (commenting that community policing mandates that officers be assigned to specific neighborhoods to promote closer communication with community members); see also Genelin, supra note 9, at 13 (“Police were returning to foot patrols; police were surveying citizens to learn what they, the citizens, believed to be their most serious neighborhood problems; police were concentrating on disorder; and organizing citizen groups had become a priority in many police departments.”).

82. See Skolnik, supra note 35 (noting that under community policing, officers are required to develop closer relationships with community members).

83. Brian Forst, Prosecutors Discover the Community (unpublished manuscript, on file with Catholic University Law Review) (identifying strategies for building community-police officer relationships such as moving officers out of police cars and initiating foot and bicycle patrols, sending officers to schools to speak about criminal and safety issues, and focusing more on crimes of disorder); see also Bureau of Justice Statistics, Surveys in Twelve Cities Show Widespread Community Support for Police (1999), available at http://www.ojp.usdoj.gov/bjs/press/cvpcs98.pr. Deputy Attorney General Eric Holder stated that “[t]he high degree of citizen support for America’s neighborhood police officers is a testament to the dedicated men and women who work day in and day out to establish relationships with residents in their communities.” Id. Surveys conducted in twelve cities reported that eighty-five percent of the residents were satisfied with the community police officers in their neighborhoods. Id.

84. See FIXING BROKEN WINDOWS, supra note 4.

85. See Gramckow, supra note 5, at 13.

86. See id.

87. See Skolnik, supra note 35, at 2 (noting that the first community prosecution program was implemented in Portland, Oregon, in 1990).

88. See Genelin, supra note 9, at 13 (contending that there existed a “general distrust” of the criminal justice system).
confidence in the criminal justice system, to enhance the quality of life of citizens, and to spark community involvement in the fight against crime. View the success of community policing and experiencing frustration with reactionary crime fighting, prosecutors initiated their own community-oriented approach to crime called "community prosecution." Although there is no concrete definition for "community prosecution," the American Prosecutors Research Institute established that the philosophy "focuses on targeted areas and involves a long-term, proactive partnership among the prosecutor's office, law enforcement, the community, and public and private organizations in order to solve problems, improve public safety, and enhance the quality of life in the community."

89. Id. at 13-14.
90. See Conner, supra note 14, at 32 (noting that, in recent years, lawyers practicing in assembly-line offices have been unsatisfied with their work).
91. See APRI, supra note 5, at 2. The American Prosecutors Research Institute's Criminal Prosecution Division identified nine general components of community prosecution as:
   a proactive approach; a clearly defined target area; problem solving, public safety and quality of life issues; the direct interaction between the prosecutor and the community and the incorporation of the community's input into the courtroom; partnerships among the prosecutor, law enforcement, public and private agencies and the community; long-term strategies; the commitment of policy makers; varied enforcement methods; and continuous evaluation.
   Id. See also Prevention Through Community Prosecution, supra note 4, at 73 (identifying prosecutors' frustration with "imprisoning criminals after the fact," which led to the notion that new strategies were needed to deal with crime); Skolnik, supra note 35 (noting that community prosecution has its roots in community policing); Douglas F. Gansler, Community Prosecution: Montgomery Relocates Law Enforcement to the Neighborhoods, WASH. POST, July 11, 1999, at B8 (commenting that many offices implementing community prosecution assign prosecutors to specific neighborhoods and school districts). Conversely, traditional prosecutors' offices assigned prosecutors based on crime-type, such as "homicide, sex offenses, narcotics, felonies and misdemeanors." Id.
92. See Gramckow, supra note 5, at 9 (noting that the differing methods of community prosecution that have been implemented in the United States "make it difficult to describe what community prosecution actually means [or] what it looks like").
93. Weinstein, supra note 1, at 20. The American Prosecutors Research Institute, with funding from the Bureau of Justice Assistance, organized focus groups in September 1993 and February 1995. Id. The groups included prosecutors, law enforcement officials, and other professionals who were knowledgeable about community prosecution. Id. The APRI Community Prosecution Implementation Manual was a result of the 1995 meeting. See APRI, supra note 5, at vii.
C. The Essentials

Community prosecution is a philosophy, not a rigid program. Prosecution strategies, therefore, vary depending on the needs of the target community. The adoption of the community prosecution approach is by no means uniform among all prosecutors' offices. Thus, flexibility and open-mindedness are essential in order to properly identify and implement strategies individually tailored to meet the needs of specific problem-areas. Despite the varied implementation methods, a number of common components are viewed as critical to the general understanding and success of community prosecution.

1. Problem Solvers: Thinking Outside the Box

The community prosecution philosophy requires that prosecutors act as problem solvers, rather than simply as case processors. Their approach to crime fighting is proactive, rather than reactive. Along with traditional criminal prosecution methods, prosecutors implement nontraditional, problem-oriented strategies in order to address livability problems before these problems are exacerbated. These new strategies include civil sanctions, nuisance abatement, restraining orders, health

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94. See Trugman, supra note 27. Assistant U.S. Attorney Clifford T. Keenan said: "Community Prosecution is not a program or project, it is a philosophy. It is looking at offenders and offenses and how each figures into what's going on in a community. We cannot still look at cases in a vacuum." Id.

95. APRI, supra note 5, at v.

96. Id.

97. See Weinstein, supra note 1, at 22 (noting that flexibility and open-mindedness are mandatory requirements for the success of community prosecution); see also APRI, supra note 5, at 2 (asserting that flexibility assures that prosecutors will focus their efforts on the specific needs of an individual community).

98. See Weinstein, supra note 1, at 20-21; see also Stevens, supra note 5, at 13-14.

99. See United States Attorney Eric H. Holder, Jr., Remarks at the formal announcement of the Fifth District Community Prosecution Pilot Program (June 3, 1996); see also Stevens, supra note 5, at 13.

100. See Stevens, supra note 5, at 13; see also Weinstein, supra note 1, at 20 ("Rather than merely waiting for a crime to occur, prosecutors work with the target community to prevent crime.")

101. See Gansler, Implementing, supra note 35, at 32 (stating that prosecutors are able to receive citizen complaints and "steer [them] in the appropriate direction, whether that involves taking no action, initiating a court case through formal complaint, referring the case to another government agency, referring the case to an alternative dispute resolution organization, applying for a civil protection order or another course of action"); see also Prevention Through Community Prosecution, supra note 4, at 76; Weinstein, supra note 1, at 20.

102. Roger Conner, Community Oriented Lawyering (describing civil clean-up orders used to address the problem of nuisance properties in Salt Lake City, Utah), available at
and safety-code enforcement, and various other "outside the box" strategies.

Additionally, prosecutors coordinate with non-prosecutorial groups, such as property owners, community organizations, and government agencies, to institute geographic changes that reduce or prevent crime. For example, by implementing simple, preventative strategies, prosecutors have restored main thoroughfares that, over the years, had become rundown and plagued by crime. Thus, prosecutors are able to offer solutions to community concerns that might not have been possible using traditional methods. These strategies require prosecutors to be imaginative, for solutions often necessitate planning and partnership unfamiliar to traditional courtroom practitioners.

http://www.communitylawyering.org/examples/anecdotes/problem152.html (last visited Nov. 15, 2001). Nuisance property owners were issued civil clean-up orders. Id. If ignored, the city gained the right to fix the property and attach a lien for the costs. Id.

103. Id.

104. Weinstein, supra note 1, at 21 (offering that if there was a known problem with drug dealing in a particular restaurant, health department officials could search the establishment for health code violations, and if a sufficient amount of violations were found, the officials could close the business). This would result in the termination of the drug dealing operation, in an expeditious manner. Id.

105. See Prevention Through Community Prosecution, supra note 4, at 76 (noting that "[p]rosecutors are also hiring more nonlawyers who can deal effectively with matters of public health, substance-abuse treatment, social services, public relations, community organizing, marketing, journalism, and crime prevention"); see also APRI, supra note 5, at 6.

106. Kuykendall Interview, supra note 31.

107. HUD Blue Ribbon Practices in Housing and Community Development, John J. Gunther Awards, available at http://www.hud.gov/ptw/docs/mo1198.html (last visited Jan. 28, 2002). This example is based on the Kansas City, Missouri Paseo Corridor Drug and Crime-Free Community Partnership Program which was implemented in February 1997. Id. The partnership included sixty property owners, community organizations, and local, state, and federal officials. Id. The goal was to restore a fifteen-block area that had become one of Kansas City's worst crime areas. Id. A variety of measures were implemented to affect the desired change, such as "no parking" signs on boulevards with drug activity, hotlines for residents to anonymously voice their concerns, and landlord and property owner training. Id. The results were impressive: a fifty percent drop in crime after one year and reports that residents, once again, felt safe in their neighborhood. Id.

108. See Conner, supra note 14, at 28 (noting that the community prosecutor uses traditional case processing as one of his or her many tools in dealing with community problems). Conner lists the following examples of how prosecutors use nontraditional methods to address community concerns: "they use civil remedies, invent new forms of action, create new organizations (community courts, for example), mobilize neighborhood residents, educate victims, use nonadversarial remedies; in other words, whatever it takes." Id.

109. APRI, supra note 5, at 23 (noting that nontraditional strategies constitute a major departure from traditional prosecution methods).
In order to lend credibility to the philosophy and foster acceptance among community residents, the problem-solving approach is promoted as a long-term strategy, rather than a short-term program. Prosecutors look beyond their individual cases to identify ways in which they can end the repetitive cycle of crime. Because of this long-term focus, community members perceive community prosecution as a philosophical change in the way prosecutors operate.

2. Communication and Partnership

A fundamental difference between community prosecution and traditional prosecution is the formation of partnerships among prosecutors, police, and community members. Prosecutors work with law enforcement officials, public and private sector leaders, civic groups, and community members, using formal and informal

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110. Weinstein, supra note 1, at 21.
111. Id. at 23 (noting that when residents see community prosecution as a long-term change in philosophy that benefits their communities, they are more willing to aid in the continuance of the strategy).
112. See PUBLIC SAFETY ACT, supra note 8 (noting that methods include getting gangs off of street corners, shutting down crack houses, and halting illegal gun trafficking); see also Grameckow, supra note 5, at 17 (listing alternative responses, including initiating “drug education in schools, coordinat[ing] projects to develop alternative activities for juveniles, and apply[ing] civil sanctions and city statutes to rid communities of crack houses”).
113. Stevens, supra note 5, at 13.
114. APRI, supra note 5, at 4-5 (“Partnership is what sets community prosecution apart from more traditional prosecution.”); see also Conner, supra note 14, at 28 (quoting researcher Barbara Boland as stating that “[w]ithout community prosecution these relationships rarely develop”).
115. Gansler, Implementing, supra note 35, at 32. Community prosecutors meet daily with the police to discuss public safety related developments in the community[,...] strategize with the police about the best way to approach crime problems[,...] [and] attend police roll calls to provide additional training for police in legal issues of relevance to their job and to gain information on crime problems.
Id.; see also Weinstein, supra note 1, at 20-21 (describing how in Philadelphia, Pennsylvania, prosecutors accompany police officers on patrols and investigations, where appropriate, to obtain firsthand knowledge of local crimes and criminals); Joan E. Jacoby et al., Prosecutor's Guide to Police-Prosecutor Relations, 2000 JEFFERSON INST. FOR JUST. STUDY 8 (“In Kalamazoo, Michigan, the prosecuting attorney has a monthly breakfast meeting with the heads of the law enforcement agencies and the state police. [The] talk covers mutual crime problems, the need for more funding, [and other] major events of interest to them.”).
116. Prosecutor's Guide to Police-Prosecutor Relations, supra note 115, at 37 (describing how in Kalamazoo, Michigan, the prosecutor's office established the Neighborhood Prosecuting Attorney Program, which “assigns [an] assistant [prosecutor] to work in [a] specially selected area with Neighborhood Liaison Officers and other neighborhood leaders to implement crime prevention initiatives”).
methods, to identify and address community problems. No longer are prosecutors confined solely to the courtroom. Instead, prosecutors coordinate with all members of the community in order to better understand and address community concerns before and after crimes are committed.

In order to build these partnerships, offices often establish steering committees made up of prosecutors and other community leaders. These committees establish rules and goals for the community prosecution strategy and identify sources for partnership. Because interaction with community leaders is such an essential part of this

117. Gansler, supra note 35, at 32 (noting that prosecutors learn of residents’ problems by attending community meetings); see also Prosecutor’s Guide to Police-Prosecutor Relations, supra note 115, at 36 ("In Santa Fe, NM, the district attorney has a public liaison staff person to handle all citizen walk-ins and calls and refer the citizens to other county, city and public agencies if the matters are not of prosecutorial interest.").

118. APRI, supra note 5, at 1 (declaring that community prosecution involves “long-term, proactive partnership among the prosecutor’s office, law enforcement, the community and public and private organizations, whereby the authority of the prosecutor’s office is used to solve problems, improve public safety and enhance the quality of life in the community”); see also Gist, supra note 21, at 1 (identifying groups that are benefited by partnerships with prosecutors, including “home/school organizations, such as parent-teacher associations; tenants’ groups; fraternal, social, and veterans’ groups; community service clubs (such as Lions, Kiwanis, JayCees, and Rotary); religiously affiliated groups; and associations of homeowners, merchants, or taxpayers”); Shen, supra note 23 (“[The community prosecution] programs place prosecutors in neighborhoods to listen to residents’ complaints about vandalism, threatening behavior, small-time drug trafficking, petty theft and similar crimes.”); Trugman, supra note 27 (describing how the community prosecution program implemented by the U.S. Attorney’s Office places prosecutors “in the field and puts them in the neighborhoods to become intimate with the grassroots problems that plague citizens”); Weinstein, supra note 1, at 20; Kuykendall Interview, supra note 31 (explaining that community prosecution is not just about putting prosecutors in the community to prosecute crimes).

119. Skolnik, supra note 35 (claiming that community prosecution would change the role of the prosecutor, “expanding their jobs beyond plea agreements and courtroom advocacy to include close consultation with local residents and other city agencies”).

120. Gansler, supra note 91 (describing how Montgomery County prosecutors are assigned to schools to work with teachers and administrators in order to identify potential problems); see also Stevens, supra note 5, at 13 (acknowledging that the community prosecution approach focuses on the community’s articulated needs, whereas traditional methods respond to cases based on criteria such as strength of the case, the severity of the offense, and future dangerousness of the offender); APRI, supra note 5, at 3, 14 (prosecutors are able to identify the unique needs of a community through “personal interaction[,] community hearings[,] and outreach to the neighborhood”); Conner, supra note 14, at 28 (noting that under community prosecution, “the community helps define what is important, what constitutes success”).

121. APRI, supra note 5, at 32.

122. Id.
process, prosecutors chosen to serve on steering committees are, ideally, self-starters with good management and interpersonal skills.123

In addition to steering committees, prosecutors identify potential partners by attending school meetings, local fairs, civic gatherings, and other community functions.124 Prosecutors work to open lines of communication with all members of the community in order to gain a true understanding of the target area's needs and concerns.125 In Montgomery County, Maryland, for instance, prosecutors attend community and school functions on a regular basis to identify problem areas and promote awareness and understanding of the criminal justice system.126

Once partnerships are established, communication is maintained through monthly meetings with community groups, newsletters, increased phone access to community prosecutors, and various other open-access methods that promote dialog.127 These mechanisms provide a forum by which prosecutors and citizens are able to devise solutions to community problems.128 Such strategies also include the creation of community impact statements and sentencing letters.129 These written declarations describe in detail the impact that particular crimes and

123. Id.
124. Id. at 17-18 (noting the importance of communication with community members).
125. Kuykendall Interview, supra note 31 (noting that it is the citizen groups, not the prosecutors, who identify what problems to address in their communities).
126. Gansler, supra note 35, at 31. Since 1998, prosecutors have met with the chief of police for Montgomery County, the commanders of each of the five police districts, the sheriff, representatives of all major law enforcement agencies, the county executive, members of the Board of Education, school principals, the heads of the social services agencies, countless business leaders, community groups, faith-based organizations and citizens.
127. See Stevens, supra note 5, at 14; see also APRI, supra note 5, at 17 (listing the following avenues for establishing communication with the community: materials summarizing prosecution procedures; brochures explaining community prosecution; safety fliers; and lists containing phone numbers for police, prosecutors, and community leaders). The use of media, such as television, radio, and print can be used effectively to promote community prosecution. Id. at 18. More specifically, it can be employed to publish case dispositions, locations of unlawful businesses, and nuisance abatement sanctions to keep the community informed of issues and successes outside of the court system. Id.
128. Kathleen Shaver, Local Prosecutors' First Steps: Lawyers Get in Touch With Constituents in Community-Based Approach, WASH. POST, Aug. 12, 1999, at M1 (noting that community members can get to know the prosecutors and voice their priorities); see also Trugman, supra note 27 (writing that a District of Columbia resident explained that community meetings allow community members the opportunity to voice their concerns to prosecutors who “know the law and who to contact when we have problems”).
129. APRI, supra note 5, at 19.
criminals have had on a specific community. Prosecutors introduce impact statements during in-court sentencing to give the judge a better understanding of the harm inflicted on a community by the defendant's actions. Community impact statements and sentencing letters provide the judge with information regarding a specific offender's unlawful actions and potentially increase the severity of the criminal's sentence. Prosecutors achieve similar results through the use of probation and parole department letters and recidivist community letters. These prosecutor-coordinated strategies have been successful in making use of community input and participation inside the courtroom.

Establishing a bond with community members heightens the prosecutor's stake in the community. This proprietary interest is strengthened when a community prosecutor handles only those cases originating in his or her assigned target area. For instance, community prosecution employs vertical prosecution, wherein cases are directed to prosecutors who are familiar with, or assigned to, areas where the crimes occur. The prosecutors handle the cases from beginning to end. Vertical prosecution heightens a prosecutor's understanding of his or her

130. Id. (providing that through statements and letters community members are able to show the impact on their daily lives).

131. Id.

132. Id. (explaining that community impact statements or sentencing letters can be used to explain the impact of a particular criminal activity on a community). These statements can be admitted into evidence, are attached to the court documents, and stay with the case throughout the entire process, continually informing the court of the harmful effects of the activity. Id.; see also Weinstein, supra note 1, at 21 (noting that community impact statements can strengthen evidence against a particular defendant).

133. APRI, supra note 5, at 19 (explaining how these letters can effect the decisions of those who are in charge of releasing criminals after time served); see also Weinstein, supra note 1, at 21.

134. APRI, supra note 5, at 19 (stating that recidivist letters are written by community members to inform the court, usually at sentencing, about the community's apprehension regarding the criminal's return).

135. Id.

136. See Stevens, supra note 5, at 13-14.

137. APRI, supra note 5, at 3; see also Gansler, supra note 35, at 30 (stating that in Montgomery County, Maryland, when prosecutors handle only those cases in their specific areas, their activities promote judicial outreach).

138. APRI, supra note 5, at 3.

139. Id. (suggesting that vertical prosecution may also operate by assigning all crimes occurring in a certain area to one prosecutor); see also RESEARCH ON COMMUNITY PROSECUTION, supra note 10, at 3 (noting that accountability is heightened when prosecutors follow "a particular case or defendant through the entire judicial process").
case, increases a prosecutor’s interest in obtaining a successful resolution of the case, and avoids circumstances where the defendant slips through the cracks due to a judge’s or prosecutor’s unfamiliarity with the case.

Additionally, an office implementing community prosecution establishes community prosecution teams, or assigns “field” prosecutors, to deal with community concerns. These field prosecutors spend a great deal of time, both formally and informally, interacting with community members in order to identify and address specific problems and concerns, and maintain close contact with the community in order to build trust and confidence among all parties involved. The end result of a community prosecutor’s presence within his or her assigned communities is increased trust and support by community members of the criminal justice system.

3. The Target

In order to address problems unique to individual communities, prosecutors target specific areas for the community prosecution strategy’s implementation. In order for the scope of the operation to remain readily apparent, the target area is clearly identified through any number of methods, including crime statistics, community surveys, and

140. Forst, supra note 83, at 2 (proposing that if a prosecutor handles a case from start to finish, his or her understanding of the matter will be greater than that of a prosecutor who receives a case at a particular stage in the process, with no knowledge of the offenders or of the community where the crime was committed).
141. APRI, supra note 5, at 19-20.
142. Forst, supra note 83, at 2. Victims of crimes benefit because they are not forced to repeat their traumatic experiences to several individuals. Id. Rather, under “vertical prosecution,” victims may avoid the traditional “production line approach” by working with one prosecutor who follows the case from beginning to end. Id. Thus, the prosecutor becomes vested in the outcome of the case, and his or her accountability is heightened. Gramckow, supra note 5, at 13.
143. Gansler, supra note 35, at 31 (stating that field prosecutors are assigned only cases originating in their target areas and obtain specific beats and schools in which to build trust and support). Id. at 31-32.
144. Id. (explaining how field prosecutors coordinate with “the police and community members [in specific districts] to improve public safety through improved outreach to all members of the community, increased input into on-going police investigations and training and a broader role in community problem solving”).
145. Id. at 32.
146. Conner, supra note 14, at 32 (noting that in Boston studies showed that community prosecution “dramatically enhanced trust in the entire justice system – not just the prosecutors – on the part of residents in minority neighborhoods”).
147. Stevens, supra note 5, at 13; see also APRI, supra note 5, at 12 (explaining that the size of the target area can be anything from one block to an entire police district).
police planning and support divisions.\textsuperscript{148} By focusing their efforts, prosecutors are able to create "realistic and obtainable" goals.\textsuperscript{149} When the program begins to realize its goals, prosecutors may then expand to other problem areas.\textsuperscript{150}

4. Evaluation

Finally, to best meet the needs of the community and to promote the strategy's effectiveness, a prosecutor's office conducts continuous evaluation of its community prosecution program.\textsuperscript{151} Evaluation promotes a better understanding of the program's strengths and weaknesses, identifies the ever-changing concerns of the community, and serves as an effective tool for enlisting public support.\textsuperscript{152} Further, evaluation is necessary because the measures of success in community prosecution are different from those of traditional prosecution.\textsuperscript{153} Winning the case is no longer the sole goal.\textsuperscript{154} Rather, under community prosecution the focus is on "solving problems, increasing neighborhood safety, preventing crime, improving quality of life, and fostering economic development."\textsuperscript{155} To achieve these various goals, a community prosecution program must continuously evaluate itself.

III. IF IT IS BROKE, FIX IT

Critics of community prosecution claim the following: it creates partnerships that lead to overzealous prosecution of low-level crimes\textsuperscript{156} and conflicts of interest between police and prosecutors;\textsuperscript{157} it is too expensive and labor intensive;\textsuperscript{158} it is simply another quick-fix federal

\begin{enumerate}
\item Kuykendall Interview, supra note 31; see also Stevens, supra note 5, at 13.
\item Stevens, supra note 5, at 14.
\item Id.
\item Weinstein, supra note 1, at 21 (noting that continuous evaluation provides information about the strengths and weaknesses of the program, as well as its overall effectiveness).
\item Id.; see also APRI, supra note 5, at 8 (stating that program evaluations market the program to the community).
\item Gramckow, supra note 5, at 20 ("[P]rosecutor performance measures need to be expanded to include other types of activities such as involvement with community groups, sensitivity of community problems and the ability to solve [neighborhood] problems and to develop or direct the development of [programs] for community action."); see also Conner, supra note 14, at 28 (noting that the "definition of success has changed").
\item Conner, supra note 14, at 28.
\item Id.
\item Koenig, supra note 32.
\item Prevention Through Community Prosecution, supra note 4, at 83.
\item Trugman, supra note 27.
\end{enumerate}
program; and it lacks reliable evaluation methods. However, because the traditional criminal justice system failed in responding to citizens’ concerns, and because the community-oriented strategy has been so successful and popular wherever it has been implemented, the attacks have garnered little support.

A. Close Relationships Among Prosecutors, Police, and Community Members: Productive or Counterproductive?

Critics argue that prosecutors’ close ties to police officers and community members make them overzealous in their attack on crime. It is argued that prosecutors lose their objectivity and fail to protect the rights of those accused of committing criminal violations when partnerships become too close. Critics also contend that these close relationships create conflicts in the courtroom, where testimony given by police officers might unfairly tend to favor prosecutors. Further, critics aver that these close relationships impede the objective investigation and prosecution of police misconduct.

This criticism, however, lacks merit. In practice, close prosecutor-police relationships allow police officers access to “in-service training on search and seizure issues, traffic stops, and probable cause,” which results in heightened awareness by officers of their legal limitations and a better understanding and respect for citizens’ rights. Further, when officers encounter gray areas during the dispatch of their duties, they may easily consult with prosecutors for legal advice. As for the alleged overzealous prosecutions, the Due Process Clause of the Fourteenth Amendment restrains unjust actions relating to community-oriented prosecution, just as it does in traditional prosecution. Further, close

159. Skolnik, supra note 35.
160. Trugman, supra note 27 (commenting that skeptics argue that “there is no substantive data, only anecdotes, linking reduction in crime to community prosecution”).
161. Thomson, supra note 24 (quoting a community activist in an area of Washington, D.C., where community prosecution was implemented as saying that community prosecution is the “best initiative that has ever come into my community”).
162. Prevention Through Community Prosecution, supra note 4, at 83.
163. Id.
164. Id. (positing that close relationships with police officers might impact a prosecutor’s ability to address police corruption and abuse).
165. Swope, supra note 18, at 22.
166. Id. (claiming that officers trust prosecutors and are able to elicit advice whenever necessary).
monitoring of community prosecution strategies, through formal evaluation procedures, helps identify excessive behavior.\textsuperscript{168}

\textbf{B. Who Cares About Vandalism: The Reasons for Community Prosecution's Emphasis on So-Called “Minor” Crime}

Defense attorneys and other skeptics claim that community prosecution’s emphasis on minor crime is unnecessary.\textsuperscript{169} This argument, however, fails to take into account that minor crimes and quality-of-life offenses are what make citizens feel vulnerable.\textsuperscript{170} Clearly, these minor offenses affect a larger percentage of citizens than index crimes such as murder and rape.\textsuperscript{171} Thus, in order to ensure that citizens feel safe, minor offenses must be addressed.\textsuperscript{172}

Additionally, as the “broken windows” theory suggests, minor crime, if left unchecked, leads to more serious crime.\textsuperscript{173} By failing to address these lesser offenses, as evident by traditional prosecution methods, prosecutors would be ignoring citizens’ concerns and simultaneously would be opening the door for more serious offenses.\textsuperscript{174}

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  \item Gansler, supra note 35, at 32 (noting that evaluation measures in Montgomery County, Maryland’s State’s Attorney’s Office keep track of all contacts and involvement that prosecutors have with community members).
  \item Shen, supra note 23 (describing how some defense attorneys claim that community prosecution programs and their focus on quality-of-life crimes are nothing but “overkill [and] showy public relations gestures that divert resources from serious crimes”); see also Trugman, supra note 27 (quoting U.S. Attorney Eric H. Holder, Jr. as stating, “[s]ome may question why prosecutors would want to hear complaints about piled trash, broken windows on abandoned buildings, or public nuisances. The simple answer is this. These conditions breed crime”); Koenig, supra note 32.
  \item Koenig, supra note 32 (quoting State’s Attorney for Howard County, Maryland, Marna McClendon as stating, “[w]hen you talk to people, it’s not necessarily the homicides and rapes that make people feel unsafe . . . . It’s the loitering, the graffiti, [and] the abandoned cars that makes them feel they can’t go to their mailbox.”); see also Shen, supra note 23 (“[P]rosecutors focus on crimes that really stick in people’s craws.”) (internal quotations omitted); ATLANTIC MONTHLY, supra note 51, at 32 (noting that in “Boston public housing projects, the greatest fear was expressed by persons living in the buildings where disorderliness and incivility, not crime, were the greatest”).
  \item Koenig, supra note 32.
  \item Weinstein, supra note 1, at 20 (commenting that community prosecution “addresses less serious crimes . . . . that threaten to deteriorate the quality of life in communities”).
  \item Prevention Through Community Prosecution, supra note 4, at 72 (minor crimes lead to violent crimes).
  \item Id.
\end{enumerate}
\end{footnotesize}
C. Show Me the Money: Is the Strategy Economically Feasible?

Critics argue that community prosecution is not economically feasible.\textsuperscript{175} It is true that during the early stages of implementation, offices practicing community prosecution are likely to encounter increased financial burdens.\textsuperscript{176} By publicizing their commitment to community concerns, prosecutors’ offices encounter an immediate increase in reports of violations that were formerly considered below the prosecutor’s radar.\textsuperscript{177} The increase in criminal complaints initially requires stepped-up efforts and expenditures.\textsuperscript{178} However, in time, the improved quality of life and enhanced sense of safety in communities lead to the commitment and involvement of community members and reduce costs because prosecutors do not have to “expend monies to continuously ‘retake the hill.’”\textsuperscript{179} For instance, improvements resulting from citizen-prosecutor partnerships encourage community members to contribute to the strategy’s success.\textsuperscript{180} Community involvement thereby enables community members to serve as early warning alarms for prosecutors, thus reducing the need for prosecutors and police officers alone, to identify and address all potential crime trends.\textsuperscript{181} These relationships also create a forum through which prosecutors can identify potential sources for out-of-office funding.\textsuperscript{182} Thus, with increased participation by community members and identification of out-of-office funding options, prosecutors are able to offset the costs of increased involvement.\textsuperscript{183}

Critics also contend that few communities have sufficient jail space to incarcerate all individuals arrested for committing quality-of-life crimes.\textsuperscript{184} This argument erroneously assumes that community prosecution strategies seek incarceration for all offenders.\textsuperscript{185} In practice,
community prosecutors focus on alternative remedies, such as community service, civil sanctions, environmental change, and nuisance abatement. These strategies promote solutions to quality-of-life problems without placing excessive burdens on local jails.

Community prosecution encounters resistance from members of organizations that oppose governmental funding of local programs. Members of these organizations argue that the creation of another federal program will lead to increased dependency by local prosecutors on federal aid. This criticism, however, is unfounded because community prosecution is not another governmental program; rather, it is a new way of viewing the prosecutor’s role. Funding is needed for a limited time to help institute community prosecution across the United States. The critics fail to understand that one of community prosecution’s main goals is to increase non-governmental participation in the criminal justice system. The achievement of this goal will reduce, rather than increase, reliance upon governmental funding. Finally, it must be mentioned that out of the 2,870 prosecutors’ offices in the United States, only thirty-three received funding in 1998, and only sixty-one received funding in 1999.

D. Is There Enough Time in the Day?

Community prosecution is also criticized for being too labor intensive. Critics question whether prosecutors can add the targeting of less serious, nonviolent crimes to their already heavy case loads.

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186. Id.
187. Id. (stating that non-traditional approaches alleviate overburdening of jails).
188. Skolnik, supra note 35.
189. Id.
190. Weinstein, supra note 1, at 21.
191. Kuykendall Interview, supra note 31. A similar criticism was made ten to fifteen years ago when the federal government decided to offer funds to prosecutors’ offices in order for them to establish domestic violence units. Id. However, these domestic violence units have been highly effective at addressing a serious problem in our society, and have since merged into the structure of the prosecutor’s office. Id. Similarly, community prosecution is needed to address our community’s problems, and the strategy, if funded now, will soon merge into the structure of prosecutors’ offices throughout the country. Id.
192. APRI, supra note 5, at 4-5 (noting that “[p]artnership is what sets community prosecution apart from more traditional prosecution”).
193. Id. at 45, 47 (describing how community prosecution “enables the community to establish and maintain . . . programs to prevent the reoccurrence of the targeted problems,” thus reducing the “amount of police and prosecutorial resources repeatedly expended for recurring problems”).
194. Kuykendall Interview, supra note 31.
195. Trugman, supra note 27.
Community prosecution does initially require an expanded role for prosecutors; however, the actual labor requirement eventually is reduced through the identification and use of existing community resources. For instance, partnerships are used to develop nontraditional programs for families and youths, such as mentoring, to increase public safety through alternative sanctions, such as community service, and to encourage citizen understanding, accountability, and assistance through law-related educational programs. These alternative response plans, formed and implemented in conjunction with community partners, reduce the need for traditional criminal justice intervention. Thus, despite the prosecutor’s expanded role, his or her workload remains manageable because of the community’s increased participation.

E. How Do We Know if Community Prosecution Really Works?

Community prosecution is criticized for its qualitative evaluation methods. Critics argue that the inferential anecdotes connecting crime reduction to community prosecution are not fully supported. Further, it is noted that there is no formal research that conclusively proves that community prosecution enhances public safety and improves quality of life. Such criticism occurs because one of the major goals of

196. APR, supra note 5, at 6.
197. Id. at 6, 20-21 (noting that community prosecution strategies merge prosecutors’ resources with community resources to address crime).
198. Id. at 5; see also Community Prosecution, supra note 180 (“In a city in which law enforcement is understaffed, the cooperation of residents is a must for effective crime fighting.”).
199. Gramckow, supra note 5, at 16.
200. Id. (commenting that alternative response mechanisms likely will lessen the need for formal adjudication and thus will reduce the number of cases to be handled by prosecutors); see also Forst, supra note 83, at 2 (noting that a common theme of community prosecution is the designation of services outside the criminal justice system). But see Shen, supra note 23 (noting that prosecutors likely will work more hours in order to participate in school and community meetings).
201. Trugman, supra note 27.
202. Id. (citing the lack of concrete evidence connecting community prosecution to reduced crime); see also Freyman, supra note 54, at 28 (“The limited information [on community prosecution] points to positive outcomes, . . . but no solid empirical information is currently available.”).
203. Weinstein, supra note 1, at 23 (commenting on the lack of formal evaluation directly connecting public safety to community prosecution, but noting that prosecutors believe that the strategy works); see also RESEARCH ON COMMUNITY PROSECUTION, supra note 10, at 4 (“Although the number of sites with community prosecution has been growing, there have been few research studies that have analyzed these programs.”).
community prosecution, crime prevention, is difficult to gauge. Prosecutors and research professionals readily admit the above criticism. It must be remembered, however, that community prosecution is a new concept. Many research professionals across the country are working on methods to provide a quantitative analysis of community prosecution programs. With rigid documentation of community contacts, successful initiatives, physical restoration of target areas, and traditional crime trends, prosecutors will be able to more conclusively link local improvements to community prosecution.

F. Prosecutors or Social Workers: Can There Be a Compromise?

Criticism comes even from prosecutors themselves. There has been some resistance by prosecutors to the theory’s focus on societal problems and community concerns. Some senior prosecutors resent being asked to supplement their enforcement of serious crimes with community outreach or prosecution of lower level crimes. These prosecutors began their careers prosecuting misdemeanors, and after paying their dues were assigned to more serious crime sections. Senior prosecutors dislike the idea that they must return to dealing with misdemeanors and other community ills.

Some young prosecutors also criticize the community prosecution approach. Many of these critics are fresh out of law school and lust to

204. Conner, supra note 14, at 32 (noting that community prosecution “plays havoc with [the] standard tools of evaluation”).

205. Kuykendall Interview, supra note 31 (claiming that in 1995 there were only six jurisdictions practicing community prosecution; whereas, today sixty-four percent of large jurisdictions and forty-two percent of small and medium jurisdictions are implementing the strategy in some form).

206. Id. (listing the following organizations participating in the establishment of new evaluation methods: American Prosecutors Research Institute, the National Institute of Justice, the Center for Court Information, and Harvard’s Kennedy School of Criminal Justice).

207. APRI, supra note 5, at 40 (explaining that impact and process evaluation can be used together to provide a thorough analysis of community prosecution programs).

208. Gramckow, supra note 5, at 12 (noting that many prosecutors had difficulties prosecuting quality-of-life offenses, such as graffiti and abandoned cars, because they viewed their role as prosecuting felons).

209. Id. (noting that a “considerable number of assistant prosecutors were uncomfortable with working closely with community members on issues, such as graffiti and abandoned cars, when they saw their role in charging and prosecuting felons”).

210. Id.

211. Weinstein, supra note 1, at 22 (identifying prosecutors’ concerns about increased community involvement).

212. Id. (noting prosecutors’ concerns about taking on the role of social workers).
enter the courtroom to prosecute the "bad guys." The young prosecutors resist the idea that they should spend time in the community, forging relationships and addressing residents' concerns. They believe that the non-criminal aspects of community life should be addressed by social workers, not prosecutors.

These interoffice impediments can be overcome by publicizing the success of the community prosecution programs, rewarding prosecutors who embrace the new philosophy, and assigning respected veterans to highly visible community prosecution positions. Additionally, prosecutors are public servants with a duty to address citizens' needs. Judging from a recent report on community prosecution stating that "the single most common observation in community oriented lawyering is that [prosecutors] like their job," these impediments might be overstated. Also, elected prosecutors with active community prosecution programs can use community prosecution considerations in their hiring practices, thus ensuring that new prosecutors will be open to the ideological shift. As evidenced in reports of established programs, once in place, the benefits of this ideological shift become apparent.

G. Benefits for All

Both prosecutors and citizens benefit from community prosecution. Community involvement and face-to-face interaction between prosecutors and community members build understanding and trust.

213. Id.
214. Id.
215. Id.
216. APRI, supra note 5, at 30 (asserting that a "district attorney who does not attend to internal staff issues, risks failure in the community prosecution effort").
217. Mark Calender, Gansler to Start Community Prosecution this Summer, MONTGOMERY GAZETTE, 1998, at A5 (quoting Assistant U.S. Attorney Clifford T. Keenan as saying "[w]e are service-providers . . . . I know it pains some of my colleagues to say so, but we are public servants.").
218. Conner, supra note 14, at 32. An example of the growing acceptance of community prosecution can be seen in the Salt Lake City, Utah, Prosecutor's Office, where after instituting community prosecution, many prosecutors could not be persuaded to "accept promotions to more conventional lawyering jobs." Id.
219. Kuykendall Interview, supra note 31; see also APRI, supra note 5, at 32 (listing the following qualities that should be looked for in community prosecutors: "self-motivated, artful orator, keen interpersonal skills, empathy, experience in community mobilization, and management training").
220. See generally APRI, supra note 5, at 45-46.
221. Weinstein, supra note 1, at 21.
A Revolution in Crime Fighting

Renewed focus on community concerns increases safety and order, and ultimately enhances community participation in crime prevention.\(^{222}\) Community prosecution aids the community by offering enhanced communication mechanisms that allow citizens to effectively voice their quality-of-life concerns.\(^{223}\) Joint coordination and nontraditional strategies developed by community members, business leaders, and law enforcement officials, allow for the bypass of governmental bureaucracy.\(^{224}\) These strategies often address and resolve problems more swiftly than those that travel through the criminal justice system.\(^{225}\) Additionally, residents are able to actively participate in the revitalization and maintenance of their communities, rather than simply watching its decline.\(^{226}\) Finally, by meeting, interacting, and forming relationships with community members, prosecutors become closely attached to the community and more vested in its overall success.\(^{227}\)

Prosecutors benefit from community prosecution by gaining enhanced and accessible information from citizens regarding criminal offenses.\(^{228}\) Because of the improved relationships between citizens and prosecutors, when cases proceed to trial witnesses often are more cooperative and the evidence is stronger.\(^{229}\) Additionally, by using outside resources, community problems are addressed by placing minimal burdens on the court system and the prosecutors.\(^{230}\) In turn, prosecutors are able to focus

\(^{222}\) APRI, supra note 5, at 5.

\(^{223}\) Id. at 45-46; see also Koenig, supra note 32 (noting that residents are pleased that prosecutors are “real people” who can be contacted for help); see also Swope, supra note 18, at 22 (noting that community residents are given community prosecutors’ office telephone numbers and are urged to call to voice their concerns).

\(^{224}\) Catherine Coles et al., Prosecution in the Community: A Study of Emergent Strategies, in John F. Kennedy School, Harvard Univ., Program in Criminal Justice (Sept. 1998) (explaining how prosecutors are able to use civil law and implement “civil initiatives” to supplement their criminal methods).

\(^{225}\) Id.

\(^{226}\) APRI, supra note 5, at 45-46.

\(^{227}\) Swope, supra note 18, at 23 (noting that community prosecution promotes stronger attachment to, and understanding of, the community); see also Douglas F. Gansler, Community Prosecution, Wash. Post, July 11, 1999, at B8 (noting that through these relationships, prosecutors get to know their “‘turf,’ its police officers, business leaders, civic and community groups, faith-based organizations, government agencies and above all, its hardened criminals”).

\(^{228}\) Public Safety Act, supra note 8, at 6 (noting that these results will stem from the cultivation of relationships and trust in their communities).

\(^{229}\) Id. (noting that the cooperation between prosecutors and citizens will result in more convictions, when warranted).

\(^{230}\) Weinstein, supra note 1, at 21.
more attention on community involvement. Further, active presence in the community publicizes the fact that prosecutors are working to better address community problems, which leads to increased support for, and reduced hostility toward, the criminal justice system.

Thus far, the results of community prosecution have been favorable. Michael Schrunk, District Attorney for Multnomah County, Oregon, states that “by addressing the basic nuisance . . . community prosecutors ‘keep businesses in [the] neighborhood.’” More importantly, Schrunk adds, “[community prosecutors] keep residents in the neighborhood.” As evidenced by Schrunk’s statement, citizens have expressed strong support for this strategy.

IV. HOW TO ENSURE COMMUNITY PROSECUTION’S SURVIVAL: FUNDING, EVALUATION, AND COMMITMENT

Every prosecutor’s office should adopt the community prosecution philosophy. It is time for prosecutors to reconnect with the communities they serve in order to better identify local concerns and implement effective responses. To ensure the long-term success of this philosophy, however, three areas require close attention.

A. Getting Money to Grow on Trees: Various Approaches to Raising Money for the Implementation and Maintenance of Community Prosecution

In order to institute community prosecution strategies effectively and efficiently, prosecutors must have access to training, information, and

231. APRI, supra note 5, at 47-48 (noting that community prosecution’s long-term strategy eventually reduces the number of cases to be prosecuted).

232. Genelin, supra note 9, at 14 (noting that if prosecutors act on a community level, over time the community members will view the justice system as constructive); see also Swope, supra note 18, at 22 (noting that in Washington, D.C., residents were provided with community prosecutors’ telephone numbers so that they could voice their concerns); Gramckow, supra note 5, at 16 (commenting that the criminal justice system thus becomes “more user friendly and more responsive”).

233. Genelin, supra note 9, at 14.

234. Freyman, supra note 54, at 30; see also Montgomery Relocates, supra note 91 (noting that in the District of Columbia’s fifth police district, the only district in the city implementing community prosecution, the number of calls for police services fell from second to fifth in only two years); Swope, supra note 18, at 21 (commenting that the community prosecution initiative in Washington, D.C. has worked).


236. Id. at 28 (quoting Michael Drmacich, Chief of the Community Prosecution Unit in Erie County, New York, as stating that “[p]eople like that someone from the D.A.’s office is [in the neighborhood]”).
technical assistance. These things do not come free of charge. Funding from local, state, or federal entities is often of crucial importance to the implementation of a community prosecution program.

Federal funding for community prosecution is increasing rapidly. Nevertheless, the amount of federal monies presently available for community prosecution programs will not cover all jurisdictions. Although the number of federal grants rose between 1998 and 2000, the coterminous rise in requests for funding resulted in many offices being unable to secure federal funding. In 1999, thirty-three prosecutors’ offices received federal funding. In 2000, 176 prosecutors’ offices applied for federal funding. Because of this rapid increase in requests for funding, prosecutors must identify alternative sources for economic support.

In order to secure outside funding, a prosecutor’s office must show that it is seriously committed to community prosecution. Prosecutors must keep in mind that “funding agencies usually require some form of evaluation in order to determine whether their money has been well spent.” Thus, detailed plans, close monitoring, and evaluation methods are critical to obtaining financial assistance.

Along with outside solicitation, prosecutors can secure funding using alternative approaches within their offices, such as retaining monies gained from successful asset forfeiture programs or instituting local tax

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237. See generally BJA GRANTEES, supra note 10.
238. APRI, supra note 5, at 26 (stating that outside funding reduces the “strain on existing prosecution efforts”). Further, prosecutors and administrators will not be as resistant to the change if money is coming in rather than being taken from established programs. Id. The manual notes that implementing a community prosecution program without sound financial support is risky. Id.
239. BJA GRANTEES, supra note 10, at 3 (noting that the five million dollars available to prosecutors’ offices in 1999 will be doubled to ten million dollars in the next award period). Additionally, a bill requesting fifty million dollars in funds for Fiscal Year 2001 recently went before the Senate Appropriations Committee. Id.
240. Id.; see also APRI, supra note 5, at 26 (noting that obtaining funding can be difficult, especially when fiscally austere climates exist); see also Polley, supra note 33, at 16 (noting that the 1999 federal implementation grants were available for up to fifteen programs and the enhancement grants were available for up to ten programs).
241. BJA GRANTEES, supra note 10, at 1.
242. Id. (explaining that the approval of funding for 2000-2001 had not been determined).
243. Id.
244. APRI, supra note 5, at 26.
245. Id. at 27.
246. Id. at 37.
247. Id. at 27.
measures specifically designed to fund community prosecution. Additionally, prosecutors’ offices can rely on local business groups and community organizations to raise or donate funds for the program. So long as these approaches have clear guidelines to avoid conflicts of interest, prosecutors’ offices can utilize these methods to effectively fund community prosecution efforts.

B. “It Just Makes Sense” Will Not Cut It: How to Measure Success?

It is difficult to gauge the success of one of community prosecution’s main goals: the prevention of crime. Therefore, many prosecutors whose offices have implemented community prosecution struggle to find ways to show that the strategy works. Prosecutors claim that they “know” community prosecution works, and that common sense leads to the conclusion that increased responsiveness to community concerns improves citizens’ quality of life. However, this intuitive response will

248. Id. at 26; see also Prevention Through Community Prosecution, supra note 4, at 75 (discussing the success of a county sales tax, known today as COMBAT (Community Backed Anti-Drug Tax), initiated by a prosecutor in Kansas City, Missouri, that funded a “program to combat drug trafficking, drug use, and drug-related crimes in general”).

249. Id. (noting that these measures must be “carefully crafted”). Prosecutors also can raise funds and enlist in-kind donations “through networking, charity events, direct mail or door-to-door appearances.” Id. at 27; see also Prosecutors Guide to Police-Prosecutor Relations, supra note 115, at 39 (explaining how the district attorney for Pueblo, Colorado, created a “separate charitable, non-profit corporation” that accepted funds from “community groups, businesses and industries to support computers, personnel to prosecute bad checks, juvenile counselors, program development for juveniles, employment and on-the-job training to support restitution orders”). But see Gramckow, supra note 5, at 15 (emphasizing that to avoid conflict, prosecutors must “follow legal standards”). Gramckow adds that community prosecution does not seek to benefit one sector of the community at the expense of another. Id. The plan is to provide all people with increased access to the criminal justice system. Id.

250. Cardinale, supra note 46 (explaining that “results seem intangible and hard to measure”).

251. Kuykendall Interview, supra note 31 (noting that community prosecution is a fairly new concept and there is little historical guidance on evaluation procedures; thus, prosecutors must concentrate on determining methods that monitor their programs most effectively).

252. Gansler, supra note 35, at 34 (advancing the common sense rationale that better relationships among prosecutors, police, and community members will lead to improved service for the entire community); see also Cheryl W. Thompson, D.C. to Expand Community Prosecution, WASH. POST, Aug. 4, 1999, at B2 (explaining that even though homicides in the District of Columbia’s fifth police district dropped from second to fifth after instituting community prosecution, there is no concrete evidence that the drop was a direct result of the new strategy); Freyman, supra note 54, at 30 (commenting that despite the lack of concrete evidence linking quality-of-life crimes to more violent crimes, over time community prosecution efforts will prevent crime and benefit cities and neighborhoods).
not help satisfy critics, raise funds, increase public awareness of the program, spot changing community needs, or identify the strategy’s strengths and weaknesses.253 Thus, close monitoring and evaluation is necessary in every office practicing community prosecution.254

Two general issues must be addressed in order to establish an effective evaluation.255 The prosecutor’s office must enlist a competent evaluator and determine how best to implement the evaluation.256 Many possibilities exist to determine who qualifies to be an evaluator.257 The evaluator will be responsible for reviewing the “goals, objectives, tasks, resources and overall strategy of the program to insure that they clearly and logically are interrelated and can be measured accurately.”258 Thus, viewing the expansive scope of the evaluator’s duties, he or she should have experience or training in evaluation methodology,259 be familiar with the criminal justice system,260 and have strong communication skills.261 Objectivity is also helpful in promoting reliability and acceptance of the evaluation’s results.262

Many prosecutors’ offices have limited resources with which to locate and employ evaluators exhibiting all of the aforementioned characteristics.263 Consequently, prosecutors often must look to alternative sources to enlist qualified evaluators.264 Evaluators can be identified and hired at little or no cost from among university faculty, graduate students,265 office staff, and outside volunteers.266

253. APRI, supra note 5, at 13-14, 19-24, 37.
254. Id. at 37.
255. Id. at 37, 39.
256. Id. at 37-42.
257. Id. at 37-39.
258. Id. at 42.
259. Id. at 38 (noting that three years of experience in evaluating community-based prosecution programs is ideal).
260. Id. at 37.
261. Id. at 38-39 (requiring strong communication traits to successfully explain the finer points of community prosecution to office and community members).
262. Id. at 37-38 (noting that interoffice evaluators might be perceived as too subjective and easily influenced by co-workers or supervisors, thus tainting any positive results).
263. Id. at 39.
264. Id.
265. Id. (explaining how graduate students or professors should be seeking, or have obtained, degrees in “criminology, sociology, public administration, public policy or political science”).
266. Id. (noting that these options can reduce the cost of the evaluation). Graduate students may offer to conduct evaluations for their theses. Id. If members of the office
Once an evaluator is identified, an evaluation plan must be constructed. The evaluation should begin at the inception of the program and continue throughout. There are two basic methods for evaluating community prosecution: process evaluation and impact evaluation.

Process evaluation focuses on the means used to implement the community prosecution strategies. This method enables prosecutors to gain in-depth knowledge of community prosecution strategies.

Impact evaluation, on the other hand, focuses on the results of the community prosecution strategies. This method evaluates whether the program's goals and objectives have been met, and confirms the reason for the results.

Used together, these methods provide concrete evidence of the program's bottom-line results and detailed information regarding the means by which these results were achieved. The use of only one method, however, fails to provide a complete picture of the connection between community prosecution and community changes. For example, if impact evaluation is used exclusively, evaluators would acquire only statistics regarding changes in the community. The impact evaluation would lack evidence demonstrating whether the community prosecution strategies were responsible for the changes. Critics could

staff are chosen to conduct the evaluation, they should have training or experience in evaluation methodology. Id.

267. Id.
268. Id. at 38-39.
270. APRI, supra note 5, at 39 (noting that process evaluation monitors the delivery of services to the target area and “analyzes staff time, staff activities, staff commitment, as well as the allocation and use of material resources necessary for the accomplishment of program goals (e.g., management and staffing, funding, office space and office equipment)’’); see also Nugent, supra note 269 (noting that process evaluation measures what the program is doing and how well it is doing it).
271. APRI, supra note 5, at 40.
272. Id.
273. Id. at 40, 42 (identifying sources for impact evaluation as “public records (e.g., police reports), surveys and questionnaires from the community and personal interviews with community leaders’’).
274. See Nugent, supra note 269 (using these two methods together results in the identification of changes in the target area and connects these changes to community prosecution strategies).
275. See APRI, supra note 5, at 40.
276. Id.
277. Id.
argue that the community improvements resulted from other factors, such as economic or demographic shifts.\textsuperscript{278} Thus, in order to provide a complete picture of the program's means and ends, process and impact evaluations must be implemented in tandem.\textsuperscript{279}

There is no single way in which to measure the effectiveness of the community prosecution strategy.\textsuperscript{280} However, results of the strategy are evident by looking at community changes, such as the reduction or increase in crime, the "willingness of businesses to resume or begin reliable delivery services, [the cleanliness and accessibility of] parks, [the return of] graffiti-free walls and litter-free parking lots, the absence of scantily clad prostitutes, the curtail[ment of] drug trafficking, [and the presence of] thriving churches, and improved schools."\textsuperscript{281}

Close and continuous evaluation helps prosecutors identify weaknesses in their strategies and offers guidance on adjustments necessary for the continued success of the program.\textsuperscript{282} Further, by publicizing the results of successful community prosecution endeavors, prosecutors gain support from community members, local leaders, business groups, governmental agencies, and elected officials.\textsuperscript{283} Evaluation also increases the likelihood of obtaining outside funding because the evaluation results offer concrete evidence that funding will not be wasted.\textsuperscript{284} Finally, evaluations of established programs serve as useful roadmaps for offices that are planning or implementing community prosecution programs of their own.\textsuperscript{285}

\textbf{C. Commitment: Sending the Message That Community Prosecution is Here to Stay}

The long-term success of community prosecution relies heavily on the establishment of interoffice support.\textsuperscript{286} The chief prosecutor, whether a

\begin{itemize}
  \item \textsuperscript{278} Cf. \textit{id.} (noting that "process evaluations establish the foundation for more intensive impact evaluations"). Impact and process evaluations should be treated as "complementary analytical tools." \textit{Id.}
  \item \textsuperscript{279} \textit{Id.}
  \item \textsuperscript{280} \textit{Prevention Through Community Prosecution, supra note 4, at 81.}
  \item \textsuperscript{281} \textit{Id. at 81-82.}
  \item \textsuperscript{282} \textit{APRI, supra note 5, at 8.}
  \item \textsuperscript{283} \textit{Id.; see also Nugent, supra note 269.}
  \item \textsuperscript{284} \textit{APRI, supra note 5, at 37.}
  \item \textsuperscript{285} Gansler, \textit{supra} note 35, at 34 (noting that evaluations will provide a source of information for study and replication).
  \item \textsuperscript{286} \textit{APRI, supra note 5, at 7.} In order for community prosecution to fully succeed "[a][ll of the partners in community prosecution must make an equal commitment to long-term strategies." \textit{Id.}
\end{itemize}
United States, district, state, or county attorney, shoulders much of the burden for ensuring that his or her prosecutors embrace the new philosophy. He or she can increase support for community prosecution by hiring prosecutors who display an interest in the philosophy and who show a willingness to work with community members and other local groups. Interoffice incentives, such as bonuses tied to successful community prosecution strategies, and formal policies, such as those requiring prosecutors to become involved in community justice activities, should be instituted to promote interoffice support for the strategy. At a minimum, the chief prosecutor must enlist a core group of prosecutors from within his or her office to openly embrace the philosophy. With strong leadership from the chief prosecutor and continuous support from a core group of prosecutors, community prosecution will enjoy a greater chance of success.

V. CONCLUSION

The community prosecution philosophy has been successful wherever it has been implemented. The strategy has filled the void left by a traditional criminal justice system that was disconnected from the community and lacked the resources to effectively address crimes affecting livability. With continued focus on public safety, traditional and nontraditional problem solving, and changing community concerns, community prosecution will serve as an essential addition, not replacement, to the traditional prosecution method. The success of community prosecution will be evident in the prevention of crime as well as in the reestablishment of community trust and confidence in the criminal justice system. If true partnerships are built among public and private entities and close monitoring and evaluation methods are implemented, community prosecution soon will merge into a larger community justice movement, involving prosecutors, police officers, and all members of society.

287. Id.
288. Weinstein, supra note 1, at 22.
290. Kuykendall Interview, supra note 31 (commenting on the importance of enlisting a core group of prosecutors who support community prosecution); see also APRI, supra note 5, at 28.
291. See APRI, supra note 5, at 28.