NO DROP PROSECUTION AND DOMESTIC VIOLENCE


PROBLEM

During the late 1980s and 1990s, legal impediments to police officers making warrantless arrests in misdemeanor domestic violence cases were replaced by presumptive arrest statutes or statutes making arrest mandatory when probable cause existed. The changes in police practices related to domestic violence were paralleled by changes in the prosecution of these cases. So-called “no-drop” or “evidence-based” prosecution policies allow domestic violence cases to go forward even without (or in spite of) the testimony of the victim. To date, however, there is little evaluation data that can be brought to bear on the wisdom of no-drop policies. The study reported here seeks to determine whether no-drop policies increase the rate of successful prosecution and conviction.

METHODOLOGY

The study examined samples of domestic violence cases in Everett, Washington, and Klamath Falls, Oregon, both before and after these localities instituted their prosecution policies. Case files for 156 cases prior to the start of the policy and 200 cases following its start were examined in Everett. In Klamath Falls, case outcomes for the first half of 1997, the period immediately prior to the implementation of the no-drop policy, were compared to a sample of 214 cases from the year after the policy was implemented. Information on convictions, dismissals, diversions, and trials was obtained for all cases.

FINDINGS

- In Everett, case processing time declined from 109 days to 80 days, and dismissals dropped from 79% of dispositions to 26%.
- In Klamath Falls, dismissals and acquittals dropped from 47% prior to the policy change to 14% after.
- In both localities, the proportion of cases resulting in trials increased greatly, from 1% to over 10%.

CONCLUSIONS

The results of this study suggest that no-drop policies can offer a way to drastically reduce the typically high proportion of domestic violence cases that are dismissed due to the reluctance of victims to cooperate with prosecutors. A number of issues regarding no-drop prosecution policies remain to be addressed, including the increased cost of training police and judges, their effect upon domestic violence victims’ willingness to call the police, and the effect of no-drop policies on victim safety.

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SEX OFFENDERS AND POTENTIAL VICTIMS


PROBLEM

Despite the publicity surrounding several high profile sex offender incidents in the 1990s, relatively little research has been done on sex offenders themselves. Routine activities theory argues that criminals go about their lives in the same kinds of movement and behavior patterns as law-abiding citizens. When the routine activities of a criminal overlap with the routine activities of a victim, the potential for a criminal violation occurs. Routine activity patterns are affected by three elements: motivated offenders, suitable targets, and the absence of capable guardians against a violation. This article attempts to address the first two elements by examining whether child sex offenders put themselves into contact with potential victims in places that may draw offenders and targets together.

METHODOLOGY

A total of 170 sex offenders residing in one metropolitan county in Arkansas whose victims were children were studied. The addresses for these sex offenders were obtained along with those of three types of targets where potential victims might be found: day care centers, schools, and parks. After all of the addresses for the sex offenders and targets were obtained, they were geocoded and mapped.

FINDINGS

- Thirty-six areas were identified where a number of child sex offenders were living in close proximity to one or more potential targets. In one part of one area, 12 child sex offenders were living within a few blocks of four day care centers and a park. In another part of that same area, three child sex offenders lived within five blocks of a school, day care, and park.
- About 48% of all sex offenders who had children as victims lived within a 1,000 foot buffer zone around potential targets, and over one third lived within the buffer zones of multiple targets.

- While 48% of sex offenders who had children as victims lived within buffer zones, only 26% of non-child sex offenders lived in these buffer zones.
- Spatial relationship analyses showed a substantial relationship between where the child sex offenders lived and the locations of schools and day care centers, and a weaker relationship for parks.

CONCLUSIONS

There is a substantial overlap between those convicted of sex offenses (motivated offenders) and children who may be likely targets (potential victims). Some of the reason for this overlap is no doubt the purposeful actions of the offenders. Interpreting this finding within the context of routine activities theory suggests that the actions taken by police officers and others to make day care centers, schools, and residents of these areas aware of the presence of child sex offenders should increase the number of capable guardians, the third element of the theory.

SENTENCING AND SUPERVISION PRACTICE IN DC


PROBLEM

The District of Columbia Advisory Commission on Sentencing was formed in 1998 to recommend policies consistent with the National Capital Revitalization and Self-Government Improvement Act of 1997, which mandated truth-in-sentencing provisions for the District of Columbia. Through the Act, the U.S. Congress abolished parole for the most serious felonies and required that good time credit be calculated according to federal law. Following the Commission’s recommendation in April 2000, the District of Columbia Council enacted the Sentencing Reform Amendment Act of 2000, which established a “unitary” sentencing system in the District, eliminating parole release for less serious crimes in addition to the Congressionally mandated action. This article reviews selected past, present and likely future challenges to the District’s sentencing and corrections system. It discusses the role to date of the Sentencing Commission which, it is argued, provides a vehicle for creating a continuous learning system within the District of Columbia.
In addition to mandating truth-in-sentencing provisions, the Revitalization Act transferred responsibility for housing felony offenders from the District of Columbia Department of Corrections to the Federal Bureau of Prisons; and transferred the authority to grant and deny parole from the D.C. Board of Parole to the U.S. Parole Commission.

In addition to establishing a “unitary” sentencing system, the Sentencing Reform Amendment Act also mandated 3-5-year post-release supervision periods; required 30-year sentences (with no parole) for most crimes that had been punishable by life sentences (with parole release); abolished early release for youthful offenders; extended a system of graduated sanctions; and provided a legislative mandate for the consideration of a comprehensive sentencing guidelines system for the District.

Concerns raised about the Revitalization Act included: increased isolation resulting from incarcerating offenders in Federal Bureau of Prisons institutions far away from their communities; more violent prisons as a result of eliminating parole and good time credits; negative impacts associated with placing inmates in privately managed institutions; and the lack of fiscal “checks and balances” against increased incarceration resulting from the fact that the District does not bear the financial burden of incarceration of felons.

Continuous organizational learning is an ongoing process of reexamining problematic conditions and adapting a theory-in-use to address changing circumstances and new information. Data and analysis play an important role, as learners are required to subject their understanding to periodic empirical scrutiny. The actors in the District of Columbia Advisory Commission on Sentencing have the opportunity and motivation to develop a continuous learning system.

Pressing issues that confront Commission members and organizations include: the need for judges to adjust to determinate sentences; the ability of the Council to use expanded analytical tools to better understand its present policies and make adjustments; the need for both defense attorneys and prosecutors to adapt plea agreement practices in light of the new sentencing structure; and the need to determine the role of a sentencing commission staff and researchers.

CONCLUSIONS

The District of Columbia’s criminal justice system has been restructured over the last five years. By collecting, evaluating and disseminating information on a timely and accurate basis, the District’s criminal justice system can generate a cycle of deep learning. Despite a promising beginning, a number of barriers to developing a continuous learning system under the auspices of a sentencing commission remain.

IMPROVING POLICE ENCOUNTERS WITH JUVENILES

Denise C. Herz, Improving Police Encounters With Juveniles: Does Training Make a Difference? Justice Research and Policy, 3(2), 57-77

PROBLEM

National data indicate that police encounters with juveniles are more likely to be police-initiated and more likely to result in police use of force than are encounters with members of other age groups. Despite the importance of police-juvenile encounters, no research has focused on strategies for improving the nature of these encounters, such as enhancing officer understanding of juvenile behavior patterns and reducing conflict and officer use of force. This article reports the evaluation findings for a police training program designed to de-escalate juvenile aggression. The program teaches officers: (1) the developmental factors that contribute to juvenile aggressive behavior; (2) appropriate handling of aggressive juveniles; (3) the verbal skills necessary to de-escalate aggressive and potentially aggressive youth.

METHODOLOGY

Thirty-eight officers from three police departments in Nebraska participated in the training program. Since random assignment was not possible, the officers who received the training were compared to those in their departments who did not attend the sessions. Pre-test surveys were completed one week prior to the training, and post-test surveys were completed immediately after the training and again five months later. The surveys measured officers’ views of their role in handling aggressive juvenile offenders, and officers’ perceptions of the relationship between developmental needs and juvenile aggressive behavior.
FINDINGS

- On the post-test, officers were more likely to respond that juvenile aggressive behavior was related to the offender's age and development, and were more likely to view their role with aggressive juveniles as proactive and helpful.

- On the five-month follow-up, officers were still more likely to view their role with aggressive juveniles as proactive and helpful.

- After the training, officers were more likely to hold positive views of their roles in handling aggressive juveniles than were their fellow officers who had not received the training.

- At the five-month follow-up, 26% of the trained officers reported that they had a confrontation with an aggressive juvenile since the training. Of these, 89% reported using the techniques learned in the training, and 67% of these officers thought them to be effective tools in handling the situation.

CONCLUSIONS

The findings of this study support the notion that training provides an avenue for improving the nature of police encounters particularly when aggressive or potentially aggressive juveniles are involved. Although the study did not directly observe officers' behaviors, it appears that helping officers achieve greater awareness of the factors that influence juvenile aggression will equip them with the skills to communicate more effectively, thereby increasing officer safety and promoting positive relations with the wider community.

COMMUNITY POLICING PERFORMANCE MEASURES


PROBLEM

As the philosophy of policing moves from a traditional to a community-oriented approach, performance measures must shift as well. Factors used to measure and evaluate the way police departments accomplish their mission are changing from traditional measures of productivity to complex measures of the extent to which the police solve problems and affect quality of life in the communities they serve. This article gives a brief overview of the measurement of policing and explains how measuring the proper activities can help improve policing.

Many years after ideas about community policing were generated, a set of problem-solving strategies were produced and a model called SARA (Scanning, Analysis, Response, Assessment) was developed. In the scanning stage, officers identify a problem to be solved. In the analysis stage, officers collect information about the problem. In the response stage, the information gathered in the analysis stage is used to develop and implement solutions. With the goal of solving the problem, the response includes a series of objectives (actions which if accomplished will contribute to solving the problem). In the assessment stage, officers evaluate the effectiveness of the response.

The article provides specific examples which agencies can use to develop and implement their own performance measures for problem-solving initiatives based on this approach. The examples address the problems of burglary, prostitution, and speeding.

The process for measuring the performance of a community policing initiative begins with establishing goals and objectives during the initial problem-solving stages. For each objective, a list of expected outcomes is developed and tasks required to accomplish the objectives are outlined. The accomplishment of each objective is measured in two ways.
First, the actual outcomes are compared with the advance list of expected outcomes to determine the level of quality of the output. Second, the number of times each task was performed is compared to the outcomes relevant to the task, and the comparisons are expressed in terms of ratios or averages. The first result is a measure of quality, while the second result is a measure of effectiveness.

CONCLUSIONS

The approach discussed in the article moves police performance measures beyond the usual arrest/crime rate outcomes associated with traditional policing. In addition, it fosters cooperation between police managers and researchers who can evaluate performance indicators on policing crime, the quality of life, and problem solving.

GIS ANALYSIS AND COMPLAINTS AGAINST POLICE


PROBLEM

Police departments across the country have turned to geographic information systems (GIS) to identify crime patterns within their jurisdictions, design responses, and evaluate their performance. In addition, many agencies have adopted a geography-based, COMPSTAT-like process to hold police managers accountable for activity within their commands. However, a purely external and descriptive focus fails to take full advantage of all that a true GIS has to offer. This is particularly true when trying to understand complex police-citizen interactions. This article demonstrates how police agencies can use GIS to shift some of their focus to more “internal” matters such as complaints analysis.

METHODOLOGY

The data used for the analysis consisted of 1,752 complaints for a two-and-a-half year period filed with the Philadelphia police department. GIS was used to geocode each complaint to two separate points: the address of the incident and the address of the complainant. These complaints were then aggregated to the police district, and 1990 census data were included.

FINDINGS

- Police complaints at the district level are correlated with a number of meaningful factors, including indicators of “disadvantaged” communities, such as the number of unemployed males and the number of female-headed households containing children.
- Certain districts generated a greater proportion of the overall number of complaints.
- In some districts, individuals residing within these areas generated only a small proportion of the complaints attributed to the area.
- Just as “hot spots” of crime can be identified, so too can hot spots of police complaints, suggesting that this and other techniques could be applied to a broader understanding of spatial relationships.

CONCLUSIONS

The analyses presented in this article suggest that the location of the complaint and the residence of the complainant can offer police departments an additional method of understanding the complaints filed against officers. These analyses demonstrate how departments can harness the full inferential capabilities of GIS and try to explore their data resources for important information.