

**Problem Solving and Partnerships in Prosecution:  
A Process Evaluation of Community Prosecution in Two Maryland  
State's Attorney's Offices**

**Research Brief  
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## **Research Brief**

The University of Maryland's Institute for Governmental Service and Research reviewed the processes of community and traditional prosecution in two Maryland counties. While both prosecutorial models share the same goals of promoting fairness in the pursuit of justice, protecting the public safety, and promoting the legitimacy of both the prosecutorial role as well as role of the criminal justice system in general, they achieve these goals using very different strategies. This report compares and contrasts these two models by describing the experiences of one urban and one suburban State's Attorney's Office with these two approaches to meeting prosecutorial goals.

Traditional prosecutors tend to have a well defined case processing approach that involves detailed attention to individual cases. Traditional prosecutors meet the goal of promoting fairness in the pursuit of justice by working to achieve the most appropriate and just outcome in each individual case. They protect the public safety by securing convictions of guilty defendants and seeking appropriate charges and recommended sentences, often with the hope of sending a deterrent message to other would-be offenders. And finally, they promote legitimacy in their role in the criminal justice system by conducting their daily business with integrity and treating each case in a fair and equitable way. While traditional prosecutors recognize that crime is a product of complex social and economic forces, they view their individual role in curbing crime narrowly as enforcing the criminal law by prosecuting individuals who have allegedly violated criminal law statutes (Thompson, 2002, 330). Traditional prosecutors frequently interact with law enforcement officers and defense attorneys. Their interactions with individuals outside the criminal justice system may be limited to complainants and

witnesses that contribute to the prosecution's case against the defendant (Thompson, 2002, 332-333).

In contrast, community prosecutors tend to take a broader and more collaborative approach to achieving the three goals of prosecution. Community prosecutors meet the goal of promoting fairness in the pursuit of justice by working collaboratively with other agencies and community members to address crime issues of greatest concern to the general public. They protect the public safety by identifying recurring community problems, seeking out their underlying causes and developing solutions to address them. Like traditional prosecutors, community prosecutors promote legitimacy in their role in the criminal justice system by conducting their daily business with integrity and treating each case in a fair and equitable way. Community prosecutors also promote legitimacy in their role in the criminal justice system by encouraging engagement with the public, often working to empower citizens to address minor neighborhood issues before they become larger problems that may lead to criminal activity. Community prosecution has three defining elements: (1) partnerships with a variety of government agencies and community-based groups, (2) use of varied methods, including problem solving, to address crime and public safety issues, and (3) community involvement in problem solving (Nugent-Borakove, 2007, 1-2). Community prosecution units often focus on misdemeanor and other low-level cases that can be diverted from prosecution through alternative problem-solving strategies.

Through individual interviews and surveys of staff in two State's Attorney's Offices, local police departments, and community organizations, the researchers gathered information about the daily operations, goals, and collaborative relationships created by

both community prosecution and traditional prosecution units, with special focus on cases of gun violence. The research team found that problem solving is highly regarded by both traditional and community prosecutors. However, the offices are only beginning to achieve a problem-solving focus. Community and traditional prosecutors have formed useful partnerships with community groups, non-profit service organizations and law enforcement agencies that may help to lead to further problem-solving strategies as community prosecution units continue to develop and grow with experience.

Overall, the two offices studied are traditional prosecution offices, with units that focus on specific types of crimes and a case processing strategy that approaches each case individually. In general, the traditional prosecutors indicated support for a problem-solving process incorporating community elements, including partnerships. However, most of the traditional prosecutors reported rarely being involved in activities that would be defined as problem solving, and the few partnerships that were reported were primarily with the county police rather than with community or other non-law enforcement agencies. The partnership efforts that were reported primarily focused on sharing information on active cases. The findings are similar for partnerships and information sharing in regard to gun crime; although, the courts appear to be more collaborative partners in gun cases, with slightly more partnership efforts.

In contrast, a core component of the community prosecutor units' work is to develop partnerships and focus on community problems, including gun crime. At this time, however, gun crime is not the primary center of attention of these two units. Community prosecutors reported that they have developed relationships with a wide variety of partners from the community and other law enforcement agencies who work

collaboratively with community prosecutors to implement targeted enforcement and problem-solving strategies. These law enforcement partners include members from parole and probation, local law enforcement agencies, community policing, and other local enforcement agencies, such as the local housing authority and animal control. Community level partners include representatives from the Department of Education, the Department of Juvenile Services, the Department of Social Services, Environmental Resources, local Fire Departments and local level groups specific to each targeted area such as council members, homeowners associations, local business organization groups, treatment counseling services, YWCA, and local housing groups.

In-depth interviews revealed that community prosecution may not be fully integrated into the offices and that each State's Attorney's Office is still at the early stages of adoption of community prosecution. Both offices have units devoted to community prosecution, but the overall office structure and culture remains focused on case processing and a case-by-case mentality rather than a broader problem-solving approach. In addition, where community prosecution strategies are less similar to traditional prosecution, traditional prosecutors reported that they are unsure about the approach of community prosecution. Some community prosecutors are also aware of the ambiguity of their position and reported feeling misunderstood by fellow staff as to their place and their role within the overall office structure.

In order to preserve the confidentiality of the research participants, the research team offered a single set of recommendations, although some of the recommendations may apply more directly in one office than the other. The general issues highlighted by the research findings and subsequent recommendations are potential areas of

improvement for many community prosecution initiatives. Based on the findings, the research team made the following recommendations:

- Increase the staff's understanding of community prosecution and problem solving to help integrate community prosecutors further within their offices.
- Develop defined, reasonable geographic target areas and defined, reasonable problems on which to focus, taking care to maintain this focus to avoid “watering down” the model and decreasing its impact.
- Increase the size of community prosecution units so the offices can expand their partner relationships and become more fully involved in problem solving.
- Engage in the full scope of the problem-solving model, which includes understanding the problem, responding to the problem, and assessing the effectiveness of the response.
- Design and eventually conduct an outcome evaluation to help direct future policy and procedures for prosecution in these offices and in general.