PROMOTING INNOVATION IN PROSECUTION

PROSECUTOR'S GUIDE

TO

POLICE-PROSECUTOR RELATIONS

JEFFERSON INSTITUTE FOR JUSTICE STUDIES
ACKNOWLEDGEMENTS

The concept, format and content of the Prosecutors Guide to Police-Prosecutor Relations is the result of the contributions of many people involved in this BJA program for Promoting Innovation in Prosecution. Our aim is to present material in an informative, easily read and understood format. This guide is the product of substantial amounts of creativity and imagination along with the hard knowledge of what it's like to be a prosecutor thinking about this subject.

We acknowledge with gratitude the substantive contributions of:

* The prosecutors who served as mentors and host sites:
  Hon. James Gregart, Prosecuting Attorney, Kalamazoo County, MI
  Hon. Peter S. Gilchrist, III, District Attorney, Mecklenburg County, NC
  Hon. Donald Myers, Solicitor, Lexington County, SC
  Hon. Gus Sandstrom, Jr. District Attorney, Pueblo, CO
  Hon. Jeanne Smith, District Attorney, Colorado Springs, CO
  Hon. Henry Valdez, District Attorney, Santa Fe, NM
  Hon. Stuart VanMeveren, District Attorney, Fort Collins, CO

* Staff and consultants who synthesized the knowledge available into this guide:
  Carl B. Hammond, Jefferson Institute, Washington, DC
  Noddie Barrion, Jefferson Institute, Washington, DC
  Stephen Ward, Assistant District Attorney, Mecklenburg County, NC

We are also grateful to the ingenuity and persistence of

April Nuhn and Wendy Reed, Jefferson Institute, Washington, DC

in developing the presentation format and having the patience to make it all work together.
Finally, we would like to acknowledge the important help and support that we have received from our Bureau of Justice Assistance coordinator, Jennifer Knobe. She has fostered and made viable this working partnership between Federal, state and local officials.

About the authors:

Joan E. Jacoby is the Executive Director of the Jefferson Institute for Justice Studies

Peter S. Gilchrist, III is District Attorney of the 26th Prosecutorial District, Mecklenburg County, Charlotte, North Carolina

Edward C. Ratledge is Director, Center for Applied Demography and Survey Research, University of Delaware.
PROSECUTOR'S GUIDE
TO
POLICE-PROSECUTOR RELATIONS

• INTRODUCTION

This guide is for prosecutors. It is designed to help them establish or improve their working relationships with law enforcement agencies. It is also designed to help them identify areas that may be in trouble and areas where better or different relationships would improve the quality of prosecution services in their community.

In this guide, we assume that every prosecutor faces the common problem of how to manage an office with a fixed amount of resources in such a way as to provide quality prosecution services consistent with his or her policy.

Quality in prosecution is influenced by the quality of policing in your jurisdiction. The best possible environment for prosecutors occurs when the prosecutor routinely receives police reports that contain enough information so that filing decisions can be made in a timely fashion and cases can be disposed in a satisfactory manner.

This guide focuses on the relationships between the police and prosecutor throughout the adjudication process. It has a very simple goal: to show that there are a number of ways available to prosecutors that can directly influence both the quality of policing and prosecution. It emphasizes alternatives for improving communication, collaboration and coordination between the prosecutor and the numerous law enforcement agencies that operate in his jurisdiction at varying levels of performance. Although the guide may not necessarily solve specific problems, it should, at least, help prosecutors think about different ways of doing things.

• ORGANIZATION OF THE GUIDE BOOK

Section one of the guide asks the prosecutor to assess the police-prosecutor environment within which he or she works. Its asks the questions, "What are my major problems and what aspects should I focus on for improvement?"
Section two describes how to achieve good police-prosecutor relations in Eight Easy Steps. It is based on a simple theme originally developed by Walt Kelly1 and expounded by his hero, POGO. “We have met the enemy and he is us.”

The first step starts with the agreement of the prosecutor, chiefs of police and the sheriff to work together in controlling crime and protecting the public.

The second step examines ways in which this policy level agreement can be translated into workable procedures that educate both police and prosecutors about the needs and limits of these two different perspectives.

The third step presents some techniques for improving the quality and timeliness of police reports.

The fourth step examines ways to make police contact with the prosecutor’s office easier and more effective.

The fifth step looks how law enforcement can help the prosecutor as their cases move toward trial and disposition.

The sixth step promotes sharing successes with law enforcement and developing long-term relationships between the police and prosecutors.

The seventh step addresses the power of joint police-prosecutor operations.

The eighth and final step focuses on the improvements that police and prosecutors together can make in the community if they reach beyond their traditional duties.

Section three helps prosecutors identify the next steps - actions that can be taken and in their opinion should be taken next. Law enforcement officials and prosecutors should be able to use this action list as a guide to developing an action plan.

We hope that after using the guide, you will be able to identify areas of interest to you and start the task of making change. You may still need help from others in the form of advice, technical assistance or training. But you should be able to seek this assistance with a better understanding of the dimensions of the problem that you are addressing.

• READING THE GUIDE BOOK

This guide should be read with the understanding that police-prosecutor relationships are dynamic. They are constantly changing due to a wide variety of reasons not the least of which is changes in the leaders (police chiefs and prosecutors), changes in the type of crime in the community, and changes in policy and procedures. What works in one jurisdiction at one time may not work in another or at a later date. Because of this variability, prosecutors should scan this guide to find ideas that can be tailored to their situations. It is up to the prosecutor to pick and choose those pieces that can improve his present relationship with law enforcement.

The technique used to present materials in the guide is to first present the problems that are most commonly expressed. We have presented them as “gripes”. The comparison and contrast between police gripes and prosecutor gripes illustrates the different dimensions of the problem for one particular aspect of police-prosecutor relations.

Alternative ways to resolve or reduce some of the gripes are offered in the form of questions starting with the phrase “why not?” The technique of offering alternatives as a series of “why not’s” is used to let the prosecutor know that he can accept or reject any alternatives as he sees fit.

Each of the alternatives are briefly described and followed by suggestions for action or steps that can be taken to implement change. All of the suggested actions are based upon reality. They have been observed in practice in at least one of the offices that participated in the innovation project. Where appropriate, site examples are presented to give richer context for the suggested directions the prosecutor may want to pursue.

At the end of the guide, we have attached a form which we hope you will use to provide us with feedback, questions, corrections and additions. It is important that this guide be maintained and updated as new tactics and strategies prove successful. Your input and reactions become a valuable part in making this happen.

Remember, there is no single answer, no best approach to achieving good police-prosecutor relations and meeting the goals of early, efficient and acceptable dispositions. There are only a series of different ways of doing things which, alone, represent good approaches and, in combination, may even produce successful results for the entire police-prosecutor environment.
TABLE OF CONTENTS

Section One: Self Assessment ................................................................. 1

Section Two: Eight Easy Steps ............................................................ 6
   Easy Step One: Agree to Agree .......................................................... 7
   Easy Step Two: Work With Each Other ............................................. 11
   Easy Step Three: Help Police Improve Report Writing ...................... 17
   Easy Step Four: Make Police Contact With Prosecutors Easier .......... 22
   Easy Step Five: Involve Law Enforcement in Case Processing ............ 25
   Easy Step Six: Share Successes With Law Enforcement .................... 29
   Easy Step Seven: Encourage Joint Operations ................................. 32
   Easy Step Eight: Reach Out to the Community ................................. 35

Section Three: Ready, Set ... CHANGE ................................................ 40

Comments and Suggestions
SELF ASSESSMENT

You mean there’s a simple test that diagnoses police-prosecutor relations?
Q1. Do you have more than 10 local law enforcement agencies in your jurisdiction?
   _____1. Yes   _____5. No

Q2. What percent of your caseload is contributed by the largest agency?

Q3. How often does the chief prosecutor or his deputy meet with the heads of law enforcement agencies?
   Circle number that applies
   5. Regularly scheduled meetings
   3. Meetings as needed
   1. Infrequently

Q4. Grade the overall quality of evidence collection and protection in the: (circle one)

   Excellent   Fair   Poor
   1. Largest agency  5  4  3  2  1
   2. Other agencies  5  4  3  2  1

Q5. Grade the overall quality of police reports submitted by: (circle one)

   Excellent   Fair   Poor
   1. Largest agency  5  4  3  2  1
   2. Other agencies  5  4  3  2  1

Q6. Are the detectives in the largest agency specialized by type of crime (e.g., homicide, drugs, crimes against persons, property crimes, sex crimes, etc.)?
   [   ] 5. Yes    [   ] 1. No

Q7. Has the prosecutor’s office designed forms for police use?
   [   ] 5. Yes    [   ] 1. No

Q8. Are they used?
   [   ] 5. Yes  [   ] 1. No  [   ] 3. Sometimes

Q9. How many days after felony arrests are police reports typically received by the prosecutor’s office for:
   1. Violent crimes
   2. Property crimes
   3. Drug offenses

Q1. Enter number checked

Q2. Enter 1 if less than 50%
Enter 5 if 50% or more

Q3. Enter number circled

Q4. Enter appropriate number
   Largest agency
   Other agencies

Q5. Enter appropriate number
   Largest agency
   Other agencies

Q6. Enter number checked

Q7. Enter number checked

Q8. Enter number checked

Q9. Enter 5 for one or less days
   Enter 1 for two or more days
A SIMPLE DIAGNOSTIC TEST

Q10. Grade the response of the police to prosecutor's requests for additional information. (circle one)

<table>
<thead>
<tr>
<th></th>
<th>Excellent</th>
<th>Fair</th>
<th>Poor</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Largest agency</td>
<td>5</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>2. Other agencies</td>
<td>5</td>
<td>4</td>
<td>3</td>
</tr>
</tbody>
</table>

Q11. How often are there discussions between law enforcement and prosecutors about felony cases before charges are filed by the prosecutor?

[ ] Always [ ] Frequently [ ] Sometimes [ ] Rarely [ ] Never.

Q12. How often are police involved in discussions about felony cases with respect to:

<table>
<thead>
<tr>
<th></th>
<th>Routinely</th>
<th>Sometimes</th>
<th>Rarely/Never</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strength of evidence</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>Plea Negotiation</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>Prosecution plan</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>Search warrants</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
</tbody>
</table>

Q13. Assess police availability in court as witnesses

[ ] 1. Continuing problem
[ ] 2. Frequently a problem
[ ] 3. Sometimes a problem
[ ] 4. Rarely a problem
[ ] 5. Never a problem

Q14. Are there joint programs between the police and prosecutor in the areas of:

(check all that apply)

[ ] Violent offenses
[ ] Drug programs
[ ] Career criminal/repeat offender
[ ] Child sexual abuse
[ ] Domestic violence
[ ] Other _________

Q10. Enter appropriate number

1. Largest agency
   _____
2. Other agencies
   _____

Q11. Enter appropriate number

_____

Q12. Enter appropriate number

Strength of evidence
   _____
Plea Negotiations
   _____
Prosecution plans
   _____
Search Warrants
   _____

Q13. Enter appropriate number

_____  

Q14. Enter 5 for each program area checked

Violent
   _____
Drug
   _____
Career criminal
   _____
Child sex abuse
   _____
Domestic violence
   _____
Other
   _____

ENTER TOTAL SCORE HERE:   

You enjoy an excellent police-prosecutor environment. Scan the rest of the guide for new ideas or other interesting changes you might want to make. You are in the enviable position of being able to be innovative in this area. Because your fundamental relationship is solid and operating procedures are effective, you can safely experiment with new ideas and new programs.

Your police-prosecutor environment is good. There are some solid relationships that exist although you may find some areas needing attention. On the whole, however, you have a good police-prosecutor relationship with few problems. See the next page for some special areas of interest and read the guide for ideas to enhance your environment.

Your relationship with the police is average. There are probably a number of areas that need strengthening. Look at the special areas identified on the next page to give you an idea where the problem areas might be located. Then read the guide. Focus on those areas that cover your more immediate needs.

If your score falls within these ranges, your police-prosecutor environment ranges from poor to terrible, respectively. If you are in either group, you should give immediate attention to this aspect of prosecution because it will have a serious detrimental effect on your ability to keep poor cases out of the system, to use your own resources efficiently and to obtain the top quality prosecutions that you should have. Read the guide carefully to identify areas where you can start the process of change, especially Easy Step 1 where it all begins.
Every time you scored a 1, 2, or 3, you identified areas that may need attention. If your low scores occurred in the following questions, then the following comments may be of special interest to you.

If you scored 1s, 2s, or 3s

Q1 - Q3  Your immediate need is to develop communication and agreement at the top policy levels. See Easy Step 1 in particular.

Q4 - Q5  You might want to examine the power of specialization to improve working relationships especially between detectives and prosecutors. Easy Step 2 and 5 should be of special interest to you.

Q6 - Q8  Emphasis should be given to report writing, the use of standardized forms or narratives and educating police about what the prosecutor needs to file charges and successfully prosecute. Easy Steps 3 and 4 may be of special interest to you.

Q9 - Q13 You may be ignoring or downgrading the value of police as part of the prosecution team. By involving them in the entire prosecution process, you can increase the likelihood of obtaining solid prosecutions and not wasting time on unproductive cases. Easy Steps 5, 6 and 7 should be of interest to you.

Q14  You may be missing an opportunity to strengthen existing police programs, attracting additional grant funds for joint programs, and reducing particularly troublesome crime problems in your community. Easy Step 7 and 8 may be of interest to you.

If overall, your scores were on the high end (4s or 5s), then:

Look to reaching out into the community and developing new programs and initiatives with the police. Review Easy Step 8 for some ideas and suggestions.
EIGHT EASY STEPS

Good

Police-Prosecutor Relations!
Easy Step One:

AGREE TO AGREE

The public wants one thing; the prosecutor another.

We work cases and he breaks them down.

If they fund more police without funding us—who will do their work?

The only time I see the chief is on TV.

Police Gripes

My priority is 911 calls, not court calls.

Police Gripes

The DA has a different agenda than mine.

Prosecutor Gripes

I report to the mayor, not the DA.

Prosecutor Gripes

The chief starts a new program without even asking if it will affect me.

We need automation, not police cars.

“We have met the enemy and he is us”

—POGO
Police and prosecutors have common interests to reduce crime, apprehend criminals and provide swift, sure and certain punishment. One would expect that there is always open communication at the top level, between chiefs, the sheriff and the prosecutor. All too often this is not the case.

Why not agree to work with each other not against each other?

Site example — In Kalamazoo County MI, the prosecuting attorney has a monthly breakfast meeting with the heads of the law enforcement agencies and the state police. Over coffee, eggs, bacon and hot cakes, talk covers mutual crime problems, the need for more funding, the health of an ailing colleague. Each agency discusses major events of interest to them.

Why not provide departments with reports about the disposition of their cases?

Site example — In Kalamazoo County MI, at the monthly breakfast meeting the prosecuting attorney gives each department a report on the disposition of their cases from the previous month.

Take the lead in calling the principal policymakers together.

Hold regularly scheduled meetings with the chiefs and the sheriff to discuss issues, problems and priorities.

Subscribe to law enforcement publications.

Few police agencies know what happens to their cases once the prosecutor accepts them. If the results are good, the department should be praised. If they are not, reports let the chiefs and sheriff judge their own departments' ability to produce solid arrests.

Some may complain that disposition reports would encourage competition among agencies. We say, competition is healthy!

Prepare monthly reports for each department describing the case dispositions for each department's arrests.

Report dispositions, by case number, defendant name, type of crime, disposition (including dismissals) and sentences imposed.
Breaking the mold

Why not create a criminal justice policy board, revamp the existing one, or establish task forces?

Someone has to set criminal justice priorities! Work within the framework of a board or task force which may include the prosecutor, chiefs of police, sheriff, city or county attorneys, juvenile justice authorities and representatives from the local government. Agreeing on a mutual agenda with police gives both of you a powerful voice in setting priorities.

Remember: The prosecutor has the power to foster better communication and planning between law enforcement and prosecution.

Site example — In Sullivan County (Blountville) TN, the District Attorney General formed a domestic violence task force with the chiefs, sheriff, criminal court clerk, and head of probation to improve law enforcement and prosecution. The group raised over $50,000 in cash and equipment for police cruisers, officer training, etc. The prosecutor instituted a “don’t drop” policy resulting in more arrests and convictions.

Ready, Set...CHANGE

- Establish criminal justice priorities e.g. juvenile gangs, drug trafficking, domestic violence, or drunk driving.

- Develop joint programs, collaborate on new tactics, or change procedures that don’t work well.

- Identify areas needing system-wide upgrading such as technology and automation, and jointly push for them.

- Establish ad hoc work groups to set long-term goals and develop plans for programs that will take more than one year to implement.

- Lobby the legislative and funding agencies together.
Police departments tend to measure their successes by the numbers—e.g. crime rates and arrests. But “the numbers” do not reflect other indications of quality policing. Prosecutors are the direct recipients of much police work. They are able to judge the quality of investigations, case preparation, program coordination and innovation. An awards program would give recognition to excellence in policing and educate the community about the quality of their law enforcement services.

Why not establish a prosecutor’s award for excellence in law enforcement?

As an old sage once said:

What is that saying? “Reward in public, criticize in private.”
Easy Step Two:

WORK WITH EACH OTHER

Police Gripes

Every time I bring a case over, the prosecutor finds something wrong with it.

The prosecutors never come to the crime scene even when asked!

Each time I call over, I get a different ADA who wants something else.

I call for advice about a search warrant and get a baby assistant who doesn’t know anything about them.

Prosecutor Gripes

It’s the Keystone Cops. They can’t even protect a crime scene.

The detectives’ search warrants are terrible. I spend all my time rewriting them.

They have no clue what it takes to make a case. Do they get any training?

If only they would give us more info, like who the witnesses are and what they will testify to.

“We have met the enemy and he is us”

—POGO
Breaking the mold

Why not adopt the principles of specialization?

Specialization is an accepted practice in police agencies. Look at homicide detectives, auto theft bureaus, juvenile and gang units, arson squads and so on.

Small and medium size prosecutor’s offices may not have enough staff to formally organize them into special teams. But informally there are some assistants who may act as experts in prosecuting specific types of crime (e.g. domestic violence, child sex abuse, drugs, and violent crimes).

The major benefits of specialization include:
- On-the job training of police by experienced attorneys about prosecution needs;
- Increased communication and camaraderie between police and prosecutors;
- Shared interest by the police and prosecutors in obtaining good dispositions; and
- Reduced assistant shopping.

Site example — Small teams are used in Kalamazoo MI, Colorado Springs CO and Charlotte NC. ADAs rotate through the teams. They learn more and faster rather than prosecuting an alphabet soup of cases. More importantly, the team and the detectives both receive training in their specialties.

Caution! Some police departments would like the prosecutor to create teams that correspond to police districts. Be careful! You need to consider whether you have enough attorneys to assign to each district; whether the workload will be the same in each district (probably not); and whether the attorneys in the district will prosecute their cases or whether they are forwarded to the main office for prosecution. Look at the literature and experiences of other prosecutors before you make this decision. The experience of the DA in Charlotte, NC may be helpful.

Site example — In Charlotte NC, the property crimes team increased the emphasis on property crime prosecutions. The team developed new protocols and priorities with the police for prosecutions.

Ready, Set...CHANGE

- Identify the special skills and interests of your attorneys. Name them as specialists.
- Notify the law enforcement agencies that experts are available for consultation and advice.
- Discourage other assistants from prosecuting in these specialties until they are experienced enough to do so.
- If you have enough attorneys, create small teams for certain offenses like sexual assault, child abuse, drug cases, to work with police in case preparation.
Establish a single point of contact in each law enforcement agency through which forms and requests will pass.

Redesign your screening forms so that they identify what additional information is needed and when it is due.

Establish accountability. Require that requests be signed by the screening attorney who makes them, and by the sergeant or commander who receives them.

The screening unit or the victim-witness unit should provide monthly reports to the prosecutor and the law enforcement agencies, identifying the number and results of requests made of each department.

Experienced attorneys are invaluable in advising lines of inquiry or evaluating what more is needed for evidence to make the case.

Assign experienced attorneys or teams specializing in violent crimes to work with the detectives at the scene of violent crimes.

Few police think about the prosecutor having deadlines that, if not met, may lead to the release of the defendant or the dismissal of the case. Cases that need additional information before charges can be filed are in jeopardy. It is important that you have some sort of tickler file to remind you of the deadlines and that you establish procedures with the police to help you meet them.

Site example — In Sangamon County IL, the violent offender prosecutors are present at all violent crime scenes. There is a back-up ASA and if further backup is needed, there is the Deputy First ASA and the state’s attorney himself.

Remember: Working closely with police invests all with improved job satisfaction, better prosecutions and quality service to the community.

Why not designate on-call attorneys to respond on-scene to especially violent crimes?

Why not have the felony screening unit monitor the status of cases needing additional information?

Ready, Set...CHANGE

□ Assign experienced attorneys or teams specializing in violent crimes to work with the detectives at the scene of violent crimes.

Ready, Set...CHANGE

□ Establish a single point of contact in each law enforcement agency through which forms and requests will pass.

□ Redesign your screening forms so that they identify what additional information is needed and when it is due.

□ Establish accountability. Require that requests be signed by the screening attorney who makes them, and by the sergeant or commander who receives them.

□ The screening unit or the victim-witness unit should provide monthly reports to the prosecutor and the law enforcement agencies, identifying the number and results of requests made of each department.

Easy Step 2: Work with each other
Design warrant request forms in collaboration with the police. Use faxes or e-mail to speed requests from police to the authorizing prosecutor. Provide on-duty attorneys with cell phones and access to fax machines or computers. Work with the court to accept telephone authorizations from the on-duty attorney.

Site example — In Sangamon County IL, the State’s attorney developed protocols and procedures for processing drug cases.

Why not examine procedures for drafting requests for warrants? Procedures for search warrants, wiretaps and the like vary. Some may be drafted by police for prosecutor review, others may be drafted by the prosecutor. Some judges require the prosecutor to accompany the police officer to court; other judges permit telephone authorizations. The work and disruption caused by inefficient procedures, especially after business hours, can be reduced by coordinating procedures between the effort of police, prosecutor and courts.

Remember: Close collaboration between prosecutors, detectives and investigators makes everyone appreciate the fact that officers frequently must make quick decisions based on very limited information. Knowing this helps prosecutors argue the legal principles when search warrant issues arise.

Easy Step 2: Work with each other

Site example — In Sangamon County IL, the State’s attorney developed protocols and procedures for processing drug cases.

Ready, Set...CHANGE

- Design warrant request forms in collaboration with the police.
- Use faxes or e-mail to speed requests from police to the authorizing prosecutor. Provide on-duty attorneys with cell phones and access to fax machines or computers.
- Work with the court to accept telephone authorizations from the on-duty attorney.
Breaking the mold

Why not help police process high volume misdemeanors and traffic cases?

Traffic and misdemeanor cases typically are the highest volume of work in your office. If not processed efficiently, they can clog the courts, give citizens a poor impression of our system of justice, and produce unwanted dismissals due to breakdowns in police scheduling. Efficient processing frees up police, prosecutors and the courts to handle other cases.

Site example — In Sangamon County IL, the State’s Attorney found that creating a misdemeanor screening unit separate from felony screening resulted in more careful review of misdemeanors. It developed a priority system for misdemeanor prosecution. As a result, police and misdemeanor attorneys reported more job satisfaction, better quality of cases and higher morale.

As an old sage once said:
It’s not the numbers that count, it’s the quality of the results.

Ready, Set...CHANGE

☐ Set up a separate misdemeanor screening unit to handle the high volume of cases.

☐ Develop efficient procedures for notifying police of court dates for contested misdemeanor and traffic cases. Some prosecutors use e-mail to notify police, others rely on pagers and/or telephone answering machines.

☐ Use victim-witness coordinators to help improve the notification process.
If there is one area more demanding, less rewarding and potentially dangerous, it is reviewing citizen complaints for prosecution. Depending on the statutes in your state, how you handle these complaints may vary widely. Here are some suggestions that may be applicable to your situation.

**Why not tackle the problems of citizen complaints?**

- **Site example** — In Santa Fe, NM, the DA works with police to coordinate citizen complaint charging policy so that if the prosecutor refuses to charge a case, the police will be less willing to proceed without prosecutor approval.

**Remember:** There is a big difference between the police’s perception of a “good” case and what the prosecutor “knows” is a good case.

- **Site example** — In Colorado Springs, CO, the district attorney established an economic crimes unit for all but the most mundane cases. Its intake procedures by-pass the local police department thereby reducing their workload. In addition its Neighborhood Justice Center mediates cases prior to the initiation of the formal charges. Police refer citizens to the center for mediation.

**Ready, Set...CHANGE**

- Assign an attorney to police headquarters to work with police on order maintenance problems and citizen complaints that clog up the lower courts.
- Use mediation to reduce court demand. Look at your community for mediation resources and develop guidelines with police for referrals to mediation.
- Relieve police from processing complaints for consumer fraud by assigning one or more attorneys to handle these complaints directly with the complainant.
What they want depends on which assistant is on the warrant desk.

We give them as much information as we have at the time but they want it all wrapped up in a neat package.

Sure there is some delay, but blame the desk sergeant, not me.

The departments differ so much, how can you count on getting good reports?

I know they aren’t Shakespeare, but can’t these guys even write?

I’m a trial lawyer. I don’t have time to train every one in report writing.

What they want depends on which assistant is on the warrant desk.

We give them as much information as we have at the time but they want it all wrapped up in a neat package.

Police Gripes

Prosecutor Gripes

A major weakness in our prosecutions is because of the lousy police reports.

Now just how is it my fault that the lab reports always come in late?

We have met the enemy and he is us”

—POGO
Breaking the mold

Why not require written reports from law enforcement before authorizing or filing charges?

Verbal reports from police often produce bad cases, high dismissals and a lot of unnecessary work. Written reports provide more complete information for charging decisions. Properly designed they also reduce requests to police for follow up information.

Caution!

Changing police reports is not an overnight task. Start with your most supportive law enforcement agencies or the smaller ones in your jurisdiction that can make changes more easily.

Site example — In Colorado Springs CO, the police designed probable cause affidavits that outline the police charges. In-custody reports initiated by patrol are routed to the detective section, reviewed and then given to the filing deputy DA. Almost all case reports are typed. They identify the witnesses and include summaries of their expected testimony. Also included with the report is discovery material and a copy already prepared for defense counsel.

Ready, Set...CHANGE

☐ Work with the police to develop procedures for making probable cause arrests that require written reports.

☐ Establish with police a review process that flows from the police officer to the sergeant for approval before coming to your office.

☐ Provide ADA backup to help with exceptional circumstances.
Obtain policy agreement with chiefs and sheriff to give priority to standardizing their supplemental reports.

Establish a work group of experienced trial attorneys and detectives to review existing law enforcement reporting forms.

Identify basic information needed for charging and pretrial decisions about bond, pleas and probable cause, and information that is currently missing.

Identify the elements needed for the most common offenses.

Work with law enforcement to identify who collects what information and when.

Redesign the case report and its contents so it matches the information collection process.

Work with law enforcement supervisors (sergeants and lieutenants) to develop procedures that ensure the collection process is complete and persons can be held accountable for supplying basic information.

Pretest the forms and procedures to debug problem areas before you start full implementation.

Why not develop standard forms for police reports?

You know what information you need from the police to make charging decisions. The police know what they can collect and when it is available.

The benefits of good case reports can be seen in a better control by the prosecutor over the gate into the courthouse, less follow-up work requested of detectives and patrol, and more time available for both the prosecutor and the police to do productive work rather than waste time on cases that will go nowhere.

Remember: Good case reports do not come about just because the DA says so. They entail a lot of hard work.
Prosecutors usually do not train police in assembling case reports and police receive limited training from police academies in report writing. The combination can be deadly. If you are serious about obtaining “good” case reports, then you must be willing to dedicate resources to this task on an on-going basis.

Why not train police to assemble case reports?

Site example — In Pueblo CO, the DA presents 4 hours of police training in two sessions on report writing and testifying. The office has also prepared a “Juvenile Procedures Manual for Police”.

Site example — In Colorado Springs CO, the DA, CSPD and the sheriff are developing on-line imaging system to scan reports into a shared computer system.

Remember: Training is a continuous process because of turnover and new police officers. Your commitment of an hour or so every 6 months or a year is minor compared to the benefits it yields.

□ Take advantage of the “in service” training programs conducted by police.

□ Decide in conjunction with police whether training will be provided to the corporals or sergeants or those who review and sign reports; or whether training will extend to patrol and detectives.

□ Use assistants or investigators who work well with police, are respected by them and are experienced to describe what is needed in reports and why.

□ Develop a schedule for training that is on-going and focuses on the contents of the case reports, the procedures for obtaining the information and the process by which they are transmitted to the prosecutor.

□ Start training in the smaller departments, they often are capable of making changes more easily than the larger departments.
Breaking the mold

Why not identify the offenses that produce the most requests for additional information and do something to reduce requests?

Even if you are satisfied with most of the case reports you receive from law enforcement, there are probably some that repeatedly need additional information or further investigation. These cases typically signal problems due to incomplete investigations, inadequate information or special types of crime. An examination of cases sent back for additional information should help you identify problems and suggest how to correct them.

Remember: You don’t need a law to make changes.

Ready, Set...CHANGE

- Examine some or all of the cases “pending further information”.
- Sort them by law enforcement agency and type of crime.
- Count the number pending because of problems with
  1. investigations,
  2. incomplete information such as summaries of witness or victim statements, or
  3. the absence of one or more elements of the crime.
- Start correcting the most frequent problem.
  - If they are insufficient investigations, then consider specially assigning an attorney or small team to work with the detectives and provide them with on-the-job training.
  - If they are incomplete information, then develop a checklist for the sergeant or whoever reviews reports.
  - If they are absent one or more of the elements, then develop a form for the offense and train the sergeants in its use.
  - Use in-service training to make changes.
- Monitor the level of “cases pending” by monthly reports. If the numbers are not being reduced, find out why.
Police Gripes

They rotate ADAs so fast you never know who you’re dealing with.

I can usually find an ADA who will take my case, but I have to beg.

They take better care of their witnesses than us. What am I, chopped liver?

How can I know what they want when they don’t return my calls?

Prosecutor Gripes

Even when the case stinks, they expect it to be prosecuted.

Every time I have to call the arresting officer he is either not available, on call, or off duty.

I have walked so many dogs around this office I feel like a vet.

They have no clue about what we have to do to get good dispositions.

“We have met the enemy and he is us”

—POGO
Easy Step 4: Make police contact with prosecutors easier

Breaking the mold

**Why not find ways to make communication with the police easier at intake?**

Prosecutors usually work normal business hours at a few locations (office or courts). Police officers usually work shifts and are mobile. The result is difficult communication. Even a simple telephone call may take all day to complete. If you consider the number of calls that you make to get information before filing, you can see the importance of having efficient communications 24 hours a day.

As an old sage once said:

**Consistency at intake makes for consistency in case reporting.**

- **Site example** — In Fort Collins CO, appointments are scheduled every 30 minutes for the investigating officer to meet with the screening prosecutor. Appointments cut down on traffic, waiting time and assistant shopping.

- **Site example** — In Kalamazoo MI, the prosecuting attorney serves police subpoenas to the commander or to the substation. The police provide voice mail pagers to officers so they can be paged when needed.

- **Site example** — In Colorado Springs CO, DDAs have a set schedule for visiting police stations to review reports.

---

**Ready, Set...CHANGE**

- Determine how you would like case reports brought over to your office at intake -- by a liaison officer after department review, by the arresting police officer or detective, by mail or fax.

- Assign only experienced attorneys to case review. Notify police who is doing review.

- Decide whether screening attorneys should make regularly scheduled visits to police headquarters.

- Establish a feedback mechanism so intake can notify sergeants or liaison officers about problems with reports.

- Give on-duty attorneys equipment to respond to police calls. Do not allow the use of answering machines after-hours. Instead, use pagers and cell phones.

- Provide back-up to the duty attorney.

- Provide the police agencies with a schedule and contact numbers for the on-duty attorneys.
Once cases are in the court system, police are subject to court schedules in addition to their regularly scheduled work hours. The most unproductive use of police is waiting for a hearing that doesn’t occur. Good communication reduces these incidents and overtime paid for waiting in prosecutors’ offices or court, increases opportunities for on-the-job training and gives law enforcement better insight into the needs of the prosecutor.

**Why not improve communications with police during the prosecution phase?**

**Remember:** Teamwork means that detectives do not work on cases that have little chance of being filed and prosecutors do not spend time reviewing, and then returning, cases that do not meet charging standards.

---

**Site example** — In Santa Fe NM, police give their pager numbers to the witness notification staff so they can be paged when they are needed in court. The court has agreed with this procedure.

**Site example** — In Fort Collins CO, the attorneys praise the value of e-mail for providing communication at all times of the day (or night) and allowing the police to update information the prosecutor has.

---

**Site example** — In Fort Collins CO, during their shift time police call the DDA or his answering machine to check whether they need to go to court the next day.

---

**Easy Step 4: Make police contact with prosecutors easier**

- **Examining your procedures for calling officers during all prosecution phases.**
- **Work with law enforcement agencies to decide which is the most efficient method for communicating with police officers and detectives.**
- **Ask the detectives or police who are “court regulars” what communication problems are the most troublesome.**
- **Look at the use of cell phones, pagers, fax machines, telephone answering machines and e-mail to improve communications.**
- **Designate victim-witness coordinators to be responsible for communications and notifications to law enforcement.**
- **Keep officers informed when attorney case assignments change.**
- **Use specialist attorneys and/or small teams to foster more one-on-one communication between police and prosecutors.**
INVOLVE LAW ENFORCEMENT IN CASE PROCESSING

Police Gripes
- They schedule us for court then don’t tell us the case was dismissed or continued.
- I arrest. You convict. Get the picture?
- When I contact them, all they do is complain about the reports they need.

Prosecutor Gripes
- They didn’t tell us their star witness was a crack-addicted whore.
- They never pass on information they hear about after the case is charged.
- They are unprepared. Half the time they don’t even send the drugs to the lab for testing.
- Where are they? They don’t show up in court when we need them.

They cut deals, never tell us and the next thing we know we have this dirtbag back on the streets.
Some of those ADAs are afraid to go to trial. Are they eunuchs?
They have an opinion about everything else. Why not help us with sentencing?

“We have met the enemy and he is us”

—POGO
Breaking the mold

**Why not recognize differences in perspective and use them to strengthen prosecutions?**

Police officers may not be concerned with how things appear in court, because they concentrate on the facts. But the prosecutor has to care because appearances are important in getting convictions. The police emphasis on collecting evidence (the facts) has to be tempered by the prosecutor’s experience about what will "pass the bar" and what the court or jury will believe. If both police and prosecutor "own" the case, it is possible to mesh investigative and prosecution strategies so they work together.

---

**Caution!**

For some prosecutors, it is easy to become "closet cops". Having a vested interest in a case requires the prosecutor to retain his independent role as an attorney.

---

**Site example** — In Sullivan County (Blountville) TN, the District Attorney General established a multi-jurisdictional gang task force to break the backbone of street gangs. Highest priority was given to convict and obtain long sentences for violent gang leaders. A central repository for gang intelligence is available to law enforcement in contiguous counties in TN and VA.

---

**Ready, Set...CHANGE**

- Encourage a team approach. It reconciles police facts with prosecutor evidence. Communication and working together does this automatically.
- Ask police about the best procedures for handling reluctant witnesses, flipping defendants and acquiring information not normally included in the case file that is passed from the police to the prosecutor.
- Encourage critiques, suggestions and questions.
- Respect the individualautonomies of law enforcement and prosecution agencies.
- Encourage long-term relationships between police, detectives and attorneys.
Breaking the mold

Why not treat police officers as valued members of the trial team?

It is important to destroy the mindset that says, “Once I’ve made the arrest, my job is over”. Extending working relations into the case processing system produces better investigations, more complete and up-to-date information about the suspect, witnesses and acquaintances and even new leads to other crimes. As police begin to understand the needs of the prosecutor and how valuable their input is to successful prosecutions, cases improve dramatically, along with the morale and working relationships.

Remember: A joint strategy lets the police build a case that they consider factual AND the attorneys consider presentable in court.

Ready, Set...CHANGE

- Involve law enforcement in every step of the adjudication process.
- Respond quickly to help detectives “flip” an arrestee before he is placed in open jail.
- Establish criteria with the police for identifying defendants where opposition to bail is important (e.g. repeat offenders, career criminals, etc.).
- For probable cause hearings or grand jury, make sure police know the deadlines you operate under and the timing and availability of evidence that you need for these hearings.
- When you are actively negotiating a plea, keep the officer or detective informed of the progress of the negotiations and listen to their opinions.
- Notify the officer when a plea agreement has been reached and what it is.
- If the case goes to trial, be sure the officer is prepared to testify, knows the important elements to present and can update you on any late breaking developments.
- Notify the officer when the jury has reached a verdict so he can be present to hear it along with you.
- Don’t keep the chief or the sheriff in the dark about unfavorable outcomes.
Why not extend your victim-witness services to police?

Police are witnesses too. They can benefit from early notifications of changes in court schedules and the setting of other important hearings. Even if they do not have to attend every court hearing, they will be informed and up-to-date.

Coordinate your victim-witness services with those of the police (if they also have victim witness personnel) to ensure a seamless flow of services.

Educate your victim-witness coordinators about the critical importance of the police as witnesses. Have them develop workable notification procedures with the police.

Integrate the victim-witness staff into the case prosecution flow. Make them members of the trial team, the intake and screening unit and coordinators with police as well as other victim services programs.

Site example — In Fort Collins CO, police have victim advocates. Meetings between the two agencies keep the lines of communication clear and establish supportive and coordinated help for the victims.

Why not help law enforcement with testifying techniques?

Not all police officers are public speakers. Many may need help in expressing themselves and with their demeanor as a witness. Recognizing the importance of police as witnesses and helping them with testifying techniques may be crucial to successful prosecutions.

Make felony assistants available to teach testifying techniques.

Hold a moot court for detectives and investigators complete with training in the presentation of evidence and critiques of performance.

Award certificates to the participants upon the successful completion of the training program.
Police Gripes

1. The DA takes all the credit if he gets a conviction. If he loses, it’s our fault.
2. The DA has no concept of what we do and what we put into a case.
3. The only thing bigger than the DA’s budget is his ego.

If you want the DA at a crime scene, tell him there is a news crew on the way.

Prosecutor Gripes

1. All the DA does is blame us for bringing bad cases.
2. All police are interested in is the numbers. More arrests equals better policing.
3. I would rather they climb a little higher up the investigative ladder to get more serious criminals especially drug distributors.

Their detectives aren’t available during our business hours.

They need training, we have to cover for them all the time.

“Share successes with law enforcement”

—POGO
Breaking the mold

Why not praise law enforcement agencies when they make good cases?

When teamwork produces good results, you should make sure that credit is given where due. Giving credit and praise goes a long way for better relationships, support for new and innovative joint operations, and more importantly funding.

Conversely, problems should be identified and resolved quietly out of the public spotlight.

As an old sage once said,
You catch more flies with sugar than vinegar.

Site example — The Fort Collins CO police use a DA designed critique form for the officer to evaluate how well the Youth Offender Response team performed.

Ready, Set...CHANGE

- Hold joint press conferences about high interest cases especially once the prosecution has started.
- Have police quietly critique problem areas and let the assistants who are designated to work with police help with solving the problems.
- Help develop long-term relationships between detectives and attorneys by increasing the length of their assignments to teams and special crimes.
- Publicly recognize the value of good teamwork.
Accountability lets you know who was responsible for actions or practices that are not acceptable, efficient or effective. At the same time, it helps you identify where to start to remedy problems. Accountability can be assigned to an entire department or agency, or it can be pinpointed to an individual. Accountability is most easily achieved when decisionmakers can be identified. Decisionmakers may be specific individuals, units or agencies. When decisionmaking authority is dispersed among many entities, accountability is hard to assign.

**Why not make sure that accountability exists for all decisions?**

- At the policy level, make sure that there are written agreements or memorandum of understanding for each joint or collaborative police-prosecutor operation or undertaking and that the agreements have an agreed upon renewal or cut off date.
- For working relationships between patrol, detectives and attorneys, make sure that each can be held accountable for their responsibilities and duties.
- If a problem surfaces and accountability is not clear, give priority attention to making changes so the decision maker can be identified in the future.
- Establish procedures so negative reports on police performance can be forwarded (confidentially) to the chief or his delegate for their information and/or action.
- Establish procedures that allow law enforcement personnel to critique the performance of your office, its personnel and practices. Installing a suggestion box in the detective’s squad room should encourage complaints and/or suggestions.

**Remember:** Accountability is a two way street.

---

**Site example** — One technique used (rarely) in Robeson County (Lumberton) NC, to expedite follow-up investigations is to notify the victim that the prosecutor cannot proceed until police information is forthcoming. The victim is advised to contact the chief of police or the sheriff if they are concerned about the status of the case.
The cops are after numbers, we want to get up the ladder.

Police Gripes

We work long and hard to break a case and all the prosecutor does is break it down.

They expect us to foot all the bills for joint operations.

If the police would let us know what they were doing we could help them bring us a stronger case.

The cops are after numbers, we want to get up the ladder.

We can’t work with the police on new programs even if we wanted to, we don’t have the resources.

We can only respond to what police bring us. They don’t plan any special programs. They just respond to calls for service.

Prosecutor Gripes

We arrest a violent repeat offender and first thing I know, he is out on the street.

We can’t afford new programs we can barely do our jobs now.

All prosecutors want is high media cases so they can take all the credit.

“We have met the enemy and he is us”

—POGO
Why take the lead in developing joint programs?

Site example — The Fort Collins CO, district attorney is working with the police to establish a youth service bureau to serve as a juvenile diversion program.

Site example — In Kalamazoo MI, to implement a new law allowing prosecutors to issue investigative subpoenas for witnesses about unsolved crimes, the prosecuting attorney created a priority crimes task force consisting of one member from each large police agency and the chief assistant PA. The task force reviews, evaluates and screens potential cases for acceptance into the investigative subpoena program.

Remember: Multi-jurisdictional task forces are not subject to caps on the number of years they can receive grant funds. Other grant programs typically have a 2 to 4 year funding limits. Funds for prosecutors to support task forces may also be exempt.

Some of the most effective joint programs are those where police and prosecutor share common goals. Good examples are career criminal/repeat offender programs. Once offenders are arrested, the prosecutor fights for pretrial detention and long sentences. Both police and prosecutor make sure that the case does not fall through the cracks. Benefits are reduced recidivism, crime avoidance since offenders are incapacitated, savings in losses due to crime, and increased public safety.

Site example — The Fort Collins CO, district attorney is working with the police to establish a youth service bureau to serve as a juvenile diversion program.

Site example — In Kalamazoo MI, to implement a new law allowing prosecutors to issue investigative subpoenas for witnesses about unsolved crimes, the prosecuting attorney created a priority crimes task force consisting of one member from each large police agency and the chief assistant PA. The task force reviews, evaluates and screens potential cases for acceptance into the investigative subpoena program.

Remember: Multi-jurisdictional task forces are not subject to caps on the number of years they can receive grant funds. Other grant programs typically have a 2 to 4 year funding limits. Funds for prosecutors to support task forces may also be exempt.

Establish a task force of police and prosecutors to identify and focus on the most serious crime problem in your community, e.g. drugs, juvenile gangs, violence, repeat offenders, burglaries, and drunk driving.

Dedicate your attorney resources to the task force and develop new solutions to old problems.

Establish new programs. Travel to other jurisdictions. See what other prosecutors are doing. Copy or adapt those programs that will suit your community.

Use the political power of the chief to tap into city services and yours and the sheriff’s to tap into county services to enhance your program.

Seek grant funds to support new programs as demonstrations.

Educate the media about the goals of the programs to gain public support and lend excitement to the new venture.

Ready, Set...CHANGE
Breaking the mold

Why not coordinate victim-witness services between police and prosecutor?

The victim-witness coordinator is a relatively new function. In some jurisdictions, law enforcement agencies employ victim-witness personnel to assist the victim and investigators at the earliest stages of their investigation. As a result, victims and witnesses receive a continuity of services and protection. The prosecutor benefits from improved transfers of relevant information.

Remember: Police and prosecutors are natural allies in fighting crime and promoting public safety.

Site example — In Pueblo, CO, victim advocates at police stations are volunteers who train police to take pictures of children and abused adults, to be sensitive to victim’s needs and refer them to community services. Some of the advocates go to the crime scene. They work closely with the prosecutor and the domestic violence task force.

Ready, Set...CHANGE

- Work with the chief or sheriff to help establish victim-witness services in law enforcement if they do not presently have these positions.
- Make sure that your victim-witness staff meet regularly with their counterparts in law enforcement agencies to support the transfer of information between the two groups.
REACH OUT TO THE COMMUNITY

Police Gripe:
We're here to arrest crooks not treat them with kid gloves.

Prosecutor Gripe:
I'd be voted out of office if I didn't prosecute crimes.

Why do community policing if the prosecutor doesn't help?

We are trained professionals, the public can't do our job.

What happened? The public doesn't trust us.

I'm a cop. I'm not a social worker.

I have enough to do without taking on added work. Let the warm and fuzzy types set up programs.

My job is to prosecute not be "soft on criminals".

What can I do in the community? Let the police and public work together.

“We have met the enemy and he is us”
—POGO
Breaking the mold

**Why not focus on quality of life crimes?**

Crimes like drunk and disorderly, drinking in public, soliciting, loitering, graffiti, trespassing, illegal sales to minors, etc. are often called quality of life crimes. They may seem less important (to you) but they are most visible to the citizens who have to live with them.

These crimes can be controlled. Police presence followed up by strong prosecution and severe sentences sends a powerful message that crime will not be tolerated, not even the least serious. Restoring the quality of life in a neighborhood increases business for stores, makes communities pleasant and safe and reduces calls for service.

**Remember:** The team of police, prosecutors, and city and county agencies are unbeatable weapons in maintaining and improving the quality of community life.

**Site example** – 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.

**Ready, Set...CHANGE**

- Join with the police in a crusade against their community’s most troublesome crimes.
- Enlist the support of the business community, neighborhood associations, and public service organizations and religious groups to help report crimes or infractions.
- Educate the police about what the courts need to prosecute these minor offenses. Follow through with strong prosecutions. Make sure the courts are aware of your “crusade” so they will impose strong punishments.
- Obtain the support of the mayor and/or county commissioners for your crusade. Show where the savings to the community begin.
Easy Step 8: Reach out to the community

Breaking the mold

**Why not use the legal knowledge in your office to find non-traditional solutions to problems?**

Lawyers are trained in problem solving and dispute resolution. Not all problems have to be solved by a criminal prosecution. They can use other statutes and ordinances, rules and regulations to prevent or reduce "quality of life" crimes. Building code and zoning violations, nuisance abatements, liquor sales and licensing, health department violations, sanitary and sewer regulations, are only a few of the city's and county's resources that can help you and law enforcement meet your goals.

As an old sage once said:

If you only have a hammer, all you can do is drive nails.

---

**Site example — In Kalamazoo County MI, the prosecuting attorney's office has just been awarded Michigan Association of Chiefs of Police 1999 Community Policing Award of Excellence for its Neighborhood Prosecuting Attorney Program. This program assigns an assistant to work in specially selected area with Neighborhood Liaison Officers and other neighborhood leaders to implement crime prevention initiatives.**

- Enlist the help of other city and county agencies to cite infractions of other city and county ordinances or regulations as a means to clean up neighborhoods.

- Work beside the police as they sweep the streets of loitering, panhandling, or prostitution for example, and make sure the citations issued are processed quickly and properly.

- Be sure to inform the courts of the seriousness of these "minor" arrests and the importance of your prosecution to the neighborhood.
Breaking the mold

Citizen commissions, representing neighborhoods, created under the auspices of the mayor or county council, can help set priorities for action. Their priorities may not match yours or law enforcement’s but they are valid nonetheless and need to be considered by both agencies. The benefit is that the public becomes educated about the strengths and limitations of both police and prosecution.

Why not give the public and media a voice in defining priorities for action in their communities?

- Have your attorneys and police representatives meet regularly with citizen and community groups to identify issues and priorities.
- Create or support a police-prosecutor newsletter discussing the priorities for other members of the local government and the public.

Remember: New immigrants may have vastly different perspectives about police, prosecutors and the courts.

Why not reach out to the ethnic, minority and other underrepresented groups?

- Sports and recreational activities are tried and true ways to let kids learn about your world. Trips to museums and sightseeing events make prosecutors and cops more human.
- Citizen academies sponsored by the prosecutor or the police educate adults about the law and criminal justice.
- Awards events, banquets or luncheons inspire others to emulate their successes.
- Ride along programs for police and honorary prosecutor days attract new supporters of law enforcement and prosecution.

Many in these groups need to be educated about our criminal justice system. Often feelings of distrust and impotence keep them away from the very agencies that can help or protect them. It is vitally important that they are educated about the criminal and civil justice systems. The police and prosecutor can play major roles in their education through a variety of techniques.
There is a large pool of grant money that you should be tapped into. The largest pool is available from the Department of Justice (DOJ) through your governor's commission. It is important that you establish a working relationship with the commission and its staff. They can tell you what areas are funded. You should know that higher priority is given to joint programs, partnerships, alliances and multijurisdictional task force programs. In addition to DOJ funds, there are other federal agencies like HUD, DOT, HHS, and Education that also have funds to demonstrate new and innovative programs.

### Site example - In Pueblo, CO, the DA established a separate charitable, non-profit corporation "Prosecutor Assistance, Inc" with a board for directors consisting of the DA, his secretary, sheriff and 1 county commissioner. The corporation allows the DA to seek 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.

### Why not seek grant and foundation funds for new programs?

- **LLEBG and JAIBG** funds can be used to support joint police-prosecutor programs. Forfeiture money may be available if you have joint drug task forces or operations. Funding from these sources may allow you to staff specialized teams to work with police on specific problems.

- Examine the possibility of creating joint task forces or workgroups directed at various projects such as drugs, violent crimes, organized crimes, domestic violence, neglected and abused children, victims of crime and seek funding for them from other federal or state grant agencies.

- Identify a person in the state agency or in the county who is knowledgeable about grants and foundations. Ask this person to help train some of your staff in grant writing.

- Establish a working group with the law enforcement agencies to identify areas where the funding for joint or multijurisdictional programs is available and develop a plan to seek grant funds.

* Local Law Enforcement Block Grant and Juvenile Accountability Incentive Block Grant.

Whatever you do, as Satchel Paige said, “Don't look back, something may be gainin' on you”.
Ready, Set ... CHANGE

Now that I learned all about police-prosecutor relations, WHAT NEXT?
### Easy Action Steps

**Check each box where you think more work is needed.**

<table>
<thead>
<tr>
<th>Easy Action Steps</th>
<th>Notes</th>
</tr>
</thead>
</table>
| **1. Easy Step: Agree to Agree** | - Hold regularly scheduled meetings with law enforcement
- Distribute monthly reports on dispositions to law enforcement agencies
- Develop police-prosecutor priorities for the criminal justice policy board
- Provide awards for law enforcement excellence
- Support police accreditation efforts relating to case report preparation |

| **5. Involve law enforcement in case processing** | - Recognize differences in perspective and use them to strengthen prosecutions
- Treat police officers as valued members of the trial team
- Extend victim-witness services to police
- Help law enforcement with testifying techniques |

| **2. Easy Step: Work with each other** | - Use specialists or small teams to work with law enforcement
- Designate on-call attorneys 24/7
- Monitor the status of cases pending additional information
- Make warrant request procedures efficient
- Reduce police presence for processing high volume misdemeanor and traffic cases
- Streamline police involvement in citizen complaints |

| **6. Share successes with law enforcement** | - Praise law enforcement agencies when they make good cases
- Make sure accountability exists for all decisions |

| **3. Easy Step: Help Police Improve Report Writing** | - Require written reports from law enforcement before authorizing or filing charges
- Develop standard forms for police reports
- Train police to assemble case reports
- Reduce requests for additional information to page 7 |

| **7. Encourage joint operations** | - Take the lead in developing joint programs
- Coordinate victim-witness services between police and prosecutor |

| **4. Easy Step: Make police contact with prosecutors easier** | - Facilitate communication at intake
- Improve communications during prosecution phases |

| **8. Reach out to the community** | - Focus on quality of life crimes
- Use legal knowledge to find non-traditional solutions to problems
- Give public and media a voice in defining priorities for action
- Reach out to the ethnic, minority and other under-represented groups
- Seek grant and foundation funds for new programs |

---

Now, let your staff complete the form. Then, after your meeting with them, meet with law enforcement officials. Do they agree with you?
"We have met the enemy and he is not us"

Y'KNOW, CHILE, CRITTERS IS NICE, BUT HUMAN BEANS STILL MAKES THE BEST PEOPLE.

BYE BYE, POGO
For More Help Refer To

PROSECUTOR’S GUIDE TO:

Management Information

Case Management

Intake & Screening
We would like to hear from you!

Please send us your comments and corrections

Name:
Office:
Address:

Phone: (     )                      Date: 
Subject: Guide to Police-Prosecutor Coordination

Please fax to:

Joan Jacoby
Jefferson Institute
1015 18th Street, NW
Suite 902
Washington, DC 20036
Fax: (202) 659-2885
Telephone: (202) 659-2882
e-mail: jjacoby@dc.net