



JAIBG

Juvenile Accountability Incentive
Block Grants Program

BULLETIN

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From the Administrator

Seeking to curb crime and protect citizens by holding delinquent youth accountable for their offenses, Congress enacted the Juvenile Accountability Incentive Block Grants (JAIBG) program. This Bulletin features two of the three JAIBG purpose areas that focus on enhancing the ability of prosecutors to address juvenile crime by providing funding for (1) hiring additional prosecutors and (2) acquiring technology, equipment, and training. The Bulletin provides recommendations for the effective use of additional prosecutors and the use of technology to increase efficiency in the juvenile justice system.

To combat and prevent juvenile crime, prosecutors require information that offers a range of responses. This Bulletin and its JAIBG companion, *Enabling Prosecutors To Address Drug, Gang, and Youth Violence*, provide some of that crucial information.

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Enhancing Prosecutors' Ability To Combat and Prevent Juvenile Crime in Their Jurisdictions

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This Bulletin is part of OJJDP's Juvenile Accountability Incentive Block Grants (JAIBG) Best Practices Series. The basic premise underlying the JAIBG program, initially funded in fiscal year 1998, is that young people who violate the law need to be held accountable for their offenses if society is to improve the quality of life in the Nation's communities. Holding a juvenile offender "accountable" in the juvenile justice system means that once the juvenile is determined to have committed law-violating behavior, by admission or adjudication, he or she is held responsible for the act through consequences or sanctions, imposed pursuant to law, that are proportionate to the offense. Consequences or sanctions that are applied swiftly, surely, and consistently, and are graduated to provide appropriate and effective responses to varying levels of offense seriousness and offender chronicity, work best in preventing, controlling, and reducing further law violations.

In an effort to help States and units of local government develop programs in the 12 purpose areas established for JAIBG funding, Bulletins in this series are designed to present the most up-to-date knowledge to juvenile justice policymakers, researchers, and practitioners about programs and approaches that

hold juvenile offenders accountable for their behavior. An indepth description of the JAIBG program and a list of the 12 program purpose areas appear in the overview Bulletin for this series.

Youth violence increased dramatically between the mid-1980's and mid-1990's (Lattimore, Visher, and Linster, 1995), and public concern about youth crime—especially youth violence—has risen accordingly (Reiss and Roth, 1993; Centers for Disease Control and Prevention, 1992; Rosenberg, O'Carroll, and Powell, 1992).

In the wake of these problems and concerns, juvenile justice policy has become decidedly more conservative (Cullen, 1995). Legislators seeking to reduce crime, protect society, and hold offenders accountable for their actions have advocated for a "get tough on crime" policy (Benekos and Merlo, 1995; Langan, 1991). This movement has been extended to juvenile justice (Moon, Applegate, and Latessa, 1997).

Three of the twelve program purpose areas in the JAIBG program focus on enhancing local prosecutors' abilities to address juvenile crime in their jurisdictions. This Bulletin addresses two of these areas:

■ **Purpose Area 4.** Hire additional prosecutors so that more cases involving violent juvenile offenders can be prosecuted and backlogs reduced.

■ **Purpose Area 6.** Fund technology, equipment, and training to assist prosecutors in identifying and expediting the prosecution of violent juvenile offenders.

Purpose Area 5, which provides funding to enable prosecutors to specifically address drug, gang, and youth violence problems more effectively, is discussed in another Bulletin in this series, *Enabling Prosecutors To Address Drug, Gang, and Youth Violence*.

The Changing Role of Local Prosecutors

Prosecutors must be able to quickly adapt and develop appropriate responses to juvenile delinquency and need to have access to the most up-to-date information available about successful programmatic and legislative responses. Avenues must be explored for prosecutors to take a proactive stand in developing community-based responses to juvenile crime and delinquency.

Although their main focus is on the protection of the community through prosecution and other traditional responses, prosecutors are also increasingly expected to take a role in educating the public and are becoming more involved in legislative efforts to meet the changing dynamics of juvenile crime. As a result, prosecutors who involve themselves in prevention, treatment, and rehabilitation must have the skills and tools necessary to develop such efforts in addition to successfully prosecuting youth who are charged with crimes.

Under Purpose Areas 4 and 6, the JAIBG program supports prosecutors to enhance their efforts against juvenile crime by providing funding for:

■ Hiring additional prosecutors.

■ Acquiring technology, equipment, and training.¹

The JAIBG requirement for a Coordinated Enforcement Plan (CEP) developed by a Juvenile Crime Enforcement Coalition (JCEC) means that just hiring additional prosecutors or buying new computers is not enough. This coordination requirement, however, is more than a legislative detail; it heightens the prosecutor's ability to respond to juvenile crime within a jurisdiction. This requirement also supports what many successful prosecutors recognized long ago: the role of a prosecutor is not just enforcing the law but also caring for the safety of the community. Success in both roles can frequently be achieved only through a coordinated prevention and intervention effort.

An example of such a coordinated statewide strategy that balances enforcement, intervention, and prevention is found in RECLAIM (Reasoned and Equitable Community and Local Alternatives to the Incarceration of Minors) Ohio, which began in 1994. This statewide effort encourages counties to use community-based treatment for juveniles adjudicated delinquent for less serious offenses while reserving detention space for more serious offenders (Moon, Applegate, and Latessa, 1997). RECLAIM Ohio supports (1) community-based interventions for nonviolent offenders in lieu of committing them to institutions and (2) rehabilitation of serious offenders when feasible. The fewer youth under the custody of State corrections departments, the more money counties have to hire new probation officers or treatment specialists for their courts (Moon, Applegate, and Latessa, 1997).

¹ Funding is also available for establishing effective approaches to address drug, gang, and youth violence problems. For more information, see Gramckow and Tompkins, 1999.

The approach used in Ohio requires planning and coordination and provides for a balanced approach of enforcement, intervention, and prevention to hold juveniles accountable. It represents a model that matches many JAIBG requirements. Experience with this program suggests that a well-planned, coordinated effort developed to reflect specific local needs can be more successful in addressing juvenile crime and delinquency than traditional approaches, which do not provide the range of sanctions and services needed to address the various needs of juvenile offenders and communities.

The following sections outline how JAIBG funding can be applied, as part of a coordinated effort, within prosecutor-specific Program Purpose Areas 4 and 6.

Funding in Purpose Area 4

As overall juvenile caseloads increase, as juvenile prosecutors see a greater range of offenses in their individual caseloads, and as prosecutors assume an increased leadership role for addressing juvenile crime in the community, more well-trained prosecutors are needed to handle these new tasks and the increasing and more complex workloads. Funding in Purpose Area 4 is available to hire additional prosecutors to reduce backlogs and increase the number of juveniles that the system can process.

Experiences from the criminal court system have shown, however, that simply increasing the number of prosecutors does little to increase efficiency in case processing (Jacoby, Gramckow, and Ratledge, 1992). Attention must be paid to how newly hired prosecutors are used within prosecutors' offices, specialized inter-agency programs, and the overall juvenile justice system.

To ensure that having more prosecutors translates into having more

effective prosecutors, newly assigned prosecutors (i.e., new attorneys and experienced attorneys new to juvenile prosecution) must be provided with the necessary tools, which include specialized training, sufficient support staff, communications equipment, and information access. Many of these tools can be developed or acquired through JAIBG Purpose Area 6 (see page 12).

Hiring additional prosecutors to handle juvenile cases is not a long-term solution to increasing caseloads. Good case management strategies are also needed to ensure efficient, prompt, and just case handling (Jacoby, Gramckow, and Ratledge, 1992). Traditionally, processing delays have not been a serious concern in the juvenile court, in part because the juvenile justice system has fewer procedural requirements than the criminal justice system. In recent years, however, concerns have increased about the impact of delay on the due process rights of juveniles (Feld, 1993) and the belief that delayed sanctions decrease the rehabilitative impact of the court's efforts (Mahoney, 1985) while providing a more effective deterrent to future delinquency (Shine and Price, 1992).

In addition, newly assigned prosecutors must be carefully and deliberately positioned. The organization and operation of all juvenile justice system components should be scrutinized and perhaps reconstructed to enhance the juvenile justice process.

How and where to use new prosecutors are questions best answered locally. Factors such as the population mix, specific juvenile crime problems, existing State juvenile justice statutes, and the interest and experience of policymakers differ from location to location and affect how and where new prosecutors can be used most effectively. The following sections discuss considerations in deploying additional prosecutors (or reorganizing existing staff resources).

Reductions in Delinquency Case Processing Time

Few researchers have explored the causes and consequences of delayed delinquency cases, and virtually no studies exist on the relative effectiveness of delay-reduction techniques in the juvenile justice system. Only a handful of studies on juvenile court delay have been published (Mahoney, 1985; Feld, 1993; Butts and Halemba, 1994; Butts, 1996). These studies suggest that the timing of delinquency case processing will be an increasingly important issue for juvenile courts as they are asked to manage the growing tension between their quasi-civil orientation and the societal expectation that they hold juvenile offenders accountable by imposing effective sanctions.

The sixth amendment to the U.S. Constitution guarantees a “speedy and public trial” for any citizen subject to criminal prosecution. The amendment does not stipulate what is and what is not speedy. In the definitive case on speedy trials, the U.S. Supreme Court refused to specify exactly when delay becomes a violation of sixth amendment rights.² The Court cited an earlier opinion in finding that the concept of a speedy trial is “necessarily relative” and should not be defined precisely.³ The Supreme Court has never addressed the question of speedy trial rights for juveniles.

Case processing time should be evaluated differently in juvenile court than in criminal court (Stull, 1982). Delay may be especially harmful in the juvenile justice system. Adolescents are less likely than adults to consider long-term consequences and may be less likely to alter their behavior to obtain rewards or avoid punishments if these cannot be expected in the immediate future (Inhelder and Piaget,

1958). Adolescents also experience time differently than adults. They focus on shorter periods of time, further reducing the perception of immediacy if sanctions are delayed (Mahoney, 1985). To affect the behavior of adolescents and perhaps reduce recidivism, the juvenile justice process must be easy to understand and involve a minimum number of court appearances, and juvenile court dispositions should be reached as quickly as possible in keeping with fairness and due process. Young offenders should receive the message that illegal behavior will be met with a swift response.

Prosecutors' offices that are considering applying for JAIBG funds can use this argument to justify the need for additional prosecutors even if the juvenile court in their jurisdiction is not suffering from a case backlog. One difficulty prosecutors face in this effort, however, is that little guidance is available as to what constitutes appropriate processing time for juvenile cases. Many States still do not use legislation or court rules to regulate delinquency case processing time, and many of the States that do regulate timing do so only in cases involving detained juveniles (Butts, 1996).

Several national associations and government commissions have issued time standards for juvenile court proceedings during the past 20 years. These standards generally provide only broad guidelines (e.g., Institute of Judicial Administration (IJA)/American Bar Association (ABA), 1980; National Advisory Committee for Juvenile Justice and Delinquency Prevention (NACJJD), 1980; ABA's National Conference of State Trial Judges, 1985; National District Attorneys Association (NDAA), 1992) and vary significantly in their recommendations (Butts, 1997):

- IJA/ABA: 60 days from referral to disposition for nondetained juveniles and 30 days or less for detained juveniles.

² *Barker v. Wingo*, 407 U.S. 514, 92 S. Ct. 2182 (1972).

³ *Barker*, 407 U.S. at 522.

- NACJJDP: 80 days from referral to court disposition for nondetained juveniles and 33 days for detained juveniles.
- ABA's National Conference: adjudicatory hearings within 15 days of admission to detention and within 30 days following filing for noncustody cases, and dispositions no later than 15 days following the adjudicatory hearing.
- NDAA: 60 days between police referral and disposition in cases involving detention and 90 days in nondetained cases.

These guidelines provide at least some support for determining an appropriate delinquency case processing time that does not just reflect the fastest way to process a case but also ensures high quality justice. The JAIBG requirement that a JCEC be formed provides a mechanism for the juvenile justice players to apply these guidelines and identify the need to provide funds to speed processing times in their jurisdictions.

A Well-Managed and Organized Office for Effective Use of Additional Prosecutors

Adding more prosecutors through JAIBG provides an opportunity for the prosecutor's office to review its overall policies, organization, and management and to coordinate this review with other key juvenile justice agencies.

When addressing organization, the prosecutor's office should scrutinize its current juvenile prosecution policies and consider adopting an office-wide policy that states, among other principles, that juvenile cases, especially those involving serious, violent, and chronic offenders, are a priority. The office needs to recognize that prosecuting serious juvenile offenders is often a complicated process requiring experience and technical skills, and opportunities for meaning-

ful intervention and rehabilitation in juvenile cases are abundant. Success should not be measured by the number of cases won, but by the reduction in incidents of juvenile crime and recidivism rates.

The prosecutor's office then should develop and implement practices that create an office environment conducive to enhanced prosecutorial efforts in juvenile justice. Examples of such practices include, but are not limited to:

- Creating a specialized juvenile unit or, if office size precludes this, designating one or more prosecutors to handle juvenile matters exclusively.
- Assigning only well-trained and experienced prosecutors to the specialized unit/special prosecutorial function.
- Allocating time to properly train additional prosecutors and to practice interoffice mentoring.
- Assigning a sufficient number of prosecutors and support staff to handle the juvenile caseload, including victim-witness personnel.

Once the office is organized to complement and support additional juvenile prosecutors, the question becomes how the additional prosecutors might be used. Clearly, they will need to fulfill traditional prosecutorial responsibilities, such as screening cases for legal sufficiency or negotiating their resolution, diverting cases when appropriate, and seeking the detention of delinquents who pose a risk to themselves or the community. However, attention must be paid not only to how the additional prosecutors undertake traditional prosecutorial tasks but also to how they can engage in more innovative activities.

Processing strategies to facilitate traditional prosecutorial tasks

As the examples below indicate, a number of strategies can enhance the prosecutor's ability to carry out traditional tasks.

Case screening. Implementing a case-screening policy is an important step in increasing the efficiency of case processing. This step ensures that juvenile cases are responded to as expeditiously as possible and that the most appropriate prosecution decision is made. If cases are screened by a prosecutor experienced in handling juvenile matters and knowledgeable about the various response mechanisms available (e.g., diversion and pre- and postadjudication alternatives), cases can be sent on appropriate paths and arrangements for various placement or treatment options can be expedited.

Vertical prosecution. A system of vertical prosecution (i.e., one prosecutor handles a case from start to finish) provides continuity to cases in several ways. First, the prosecutor is more knowledgeable and effective. He or she knows what has happened so far in a case, what the background is, what has been said and by whom, and what should happen next. With this knowledge, the prosecutor is in a better position to evaluate the merits of a case and, if appropriate, undertake aggressive prosecution. Second, a prosecutor who handles cases from start to finish or who handles the case of a juvenile who reoffends is better informed about the juvenile's history (e.g., criminal, health, academic, familial, and social background). With this information and the facts of present or previous cases at his or her fingertips, the prosecutor is equipped to argue for dispositions that provide the right balance of rehabilitation, accountability, public safety, and victim restoration. If and when a juvenile is brought back into the system on a violation of probation or for reoffending, the prosecutor is well positioned to request that graduated sanctions be imposed. Vertical prosecution provides the best possible environment to give cases the attention they deserve and to hold juveniles accountable for their conduct.

Fast-track prosecution. To have the greatest impact on juveniles, cases must be handled quickly and consequences must be imposed swiftly. This is true whether the case involves a minor first offense or a serious third offense. When months pass between offense and court appearance, between adjudication and disposition, or between probation violation and hearing, the connection between wrongful conduct and consequence is weakened, the opportunities for rehabilitation are lessened, and the goal of accountability may not be achieved.

To reduce processing time, the prosecutor's office can review decisionmaking processes and policies to identify steps that can be eliminated or at least streamlined. Because the development of a speedy process naturally requires agreements and adjustments on the part of several entities, especially the public defender and the court, and is likely to impact the juvenile correctional system, early coordination with these entities is essential.

Selective fast-track prosecution.

While all juveniles benefit from the expeditious handling of their cases, additional benefits result from placing the cases of serious, violent, and chronic juvenile offenders on an accelerated calendar to which one or more prosecutors are assigned. Although this degree of specialization for all juvenile cases may be only feasible in larger prosecutors' offices, selective fast-tracking of cases involving targeted delinquent offenders has merit in courts of all sizes. Because violent youth present public safety issues, they are frequently detained in juvenile detention centers for their cases' duration. Cases of juveniles in custody are generally handled on an expedited basis to minimize the juvenile's preadjudication time in custody and to promote accountability goals. The juvenile justice system and young offenders benefit from selective fast-tracking: time spent in

detention is reduced, and lag time between offense and response is lessened. If designated prosecutors and courts are permitted to concentrate exclusively (even if only temporarily) on the most serious cases, the opportunity exists for better preparation and focus. As a result, more appropriate dispositions are likely.

Specialization. Just as assigning one or more prosecutors to exclusively handle select cases on an accelerated basis advances the goals of accountability and backlog reduction, specialization itself permits more effective prosecution by providing prosecutors the opportunity to target and aggressively prosecute certain types of cases. By designating one or more of its prosecutors to exclusively handle the cases of targeted delinquent offenders, the office is recognizing these cases as a priority.

In specializing, prosecutors have the opportunity to develop expertise in the special issues raised by these delinquency cases (e.g., competency and proof related to cases involving gangs, weapons, and serious bodily injury). A more experienced and knowledgeable prosecutor has the upper hand in case negotiation, adjudication, and disposition. He or she can use this advantage to resolve the case in a manner that simultaneously promotes justice, public safety, accountability, rehabilitation, and victim restitution.

Innovative prosecutorial tasks within the office

The role of the prosecutor often is interpreted narrowly, i.e., the prosecutor as trial attorney. Indeed, litigation is essential to the prosecutor's role. Prosecutors who function more broadly, however, have a greater potential to affect juvenile cases, backlog, and recidivism. For example, prosecutors can enhance their office's effectiveness by building relationships with, and using the skills and expertise of, other office staff (e.g., victim-witness professionals and staff working on drug, domestic violence,

or family issues). Prosecutors can also develop ties with the community and other agencies that serve juveniles in need and can be instrumental in establishing an alternative response system (Gramckow and Mims, 1998).

Traditionalists might object to the use of prosecutors for nonlitigation tasks, arguing that prosecutors are not social workers (Gramckow, 1997a). Nevertheless, the JAIBG program provides a unique opportunity to enhance the prosecutor's role in the juvenile justice system. Many prosecutors across the country have already responded to the need to consider other avenues to address juvenile delinquency in their jurisdictions. A number of the project examples provided later in this Bulletin illustrate these innovative programmatic approaches.

The Process of Adding New Prosecutors to the Office

The hiring of additional juvenile prosecutors can follow a process similar to the usual practices for hiring prosecutors with consideration for the area of specialization (e.g., applicants should have a thorough knowledge of criminal and juvenile law and trial advocacy). Characteristics of successful candidates may include the following:

- An understanding of the history, philosophy, and goals of the juvenile justice system.
- An understanding of the State statute(s) under which they will work and the local and State juvenile justice programs that are available.
- An ability and desire to balance the sometimes competing interests of the public, the prosecutor's office, and the juvenile.

Again, because the key to enhancing the prosecutor's response to juvenile crime is to have more effective prosecutors—not just more prosecutors—attention must be paid to acclimating the new prosecutors to the office and the tasks

for which they will be responsible. This is true whether the additional prosecutors are new attorneys or experienced attorneys new to juvenile prosecution. Among other elements, their orientation can include:

- A basic training course on substantive and procedural juvenile justice topics, to include cases that involve complicated proof issues.
- A mentor system to link experienced juvenile prosecutors with new hires.
- Frequent juvenile division meetings for staff to share experiences and troubleshoot problems.
- A plan for supplemental training at regular intervals.
- An introduction, through either site visits or guest speakers, to juvenile justice professionals (in-house and outside), agencies, and placement alternatives.
- Access to information (e.g., a directory of national, State, and local juvenile justice resources).
- A handbook with office and division policies, procedures, frequently used forms, and an outline of staff responsibilities.

If these resources are not already available in the office, efforts can be made to develop and provide them to staff. Support and funding for these types of resources may be available through JAIBG Program Purpose Areas 4 and 6.

Potential Obstacles to Implementation

The juvenile justice system is complex, involving a group of independent yet interdependent entities. The entry of additional prosecutors, without other revisions to the juvenile justice system, may make the system “lopsided.” If the number of juvenile prosecutors significantly increases without a proportionate increase in

the number of judges, court reporters, bailiffs, docket managers, probation officers, public defenders, support staff, and other professionals responding to juvenile crime, the desired impact on caseload, especially on serious cases involving violent offenders, is unlikely to be achieved. Even if the prosecutors were to focus primarily on working with the community and developing prevention programs, adding them may trigger resistance from other juvenile justice components (e.g., law enforcement, public defenders). To ensure that the addition of prosecutors translates into system efficiency and not new problems, early communication about resource allocation needs to occur.

Key players from all parts of the juvenile justice system should be brought into the fold from the beginning. A planning session could be held to generate ideas about how to use additional prosecutors within the existing system and how changes might be made to the system to permit more cases to be handled. Discussions might include possible increases in staffing for other juvenile justice system components and include plans for identifying and using additional funding sources (Office of Juvenile Justice and Delinquency Prevention, 1996). The focus needs to be on what effect the additional number of prosecutors will have on the operations of the prosecutor’s office and the juvenile justice system as a whole. If discussions among key players do not occur, system components could work against each other, thereby negating any gains achieved by JAIBG program funding.

Assume that additional prosecutors are in place, adjustments have been made to office operations and staffing levels, and more cases are reaching the court. There is still more to the equation. The addition of prosecutors can impact the juvenile justice system in other, less predictable, ways.

Impact on the detention center

Adding prosecutors may result in the following:

- More requests for juvenile detention, especially if the focus on serious and violent offenders is increased.
- Longer detention periods, even when cases are fast tracked, because cases are stronger and not dismissed or downgraded.
- More custodial dispositions ordered and a backlog of juveniles awaiting transfer to appropriate correctional institutions.

If the detention center is not prepared for the number of delinquents brought into the system, problems may follow. There could be overcrowding, and juveniles may be released prematurely without proper treatment.

Because space is limited, the standard for detention decisions is usually relative. Compared with the juveniles already in detention, does the incoming juvenile present more, less, or the same threat to himself or herself and to others? What happens if the beds are already filled with serious juvenile offenders? There is also the chance that less serious offenders will not receive the attention they require and may return as next year’s most serious offenders.

Communication and planning are needed to avoid such negative outcomes. The fact that more prosecutors are available to respond to juvenile crime should not automatically translate into increased numbers of juveniles detained. To prevent such a result, prosecutors need to develop consistent detention recommendations and policies, identify problems and concerns regarding these policies, and update the policies when necessary. Prosecutors should also consult with the court, police, public defenders, and juvenile corrections program representatives to develop and

troubleshoot plans and procedures for requesting detention.

Prosecutors should also be knowledgeable about detention alternatives (both secure and nonsecure), meet with administrators of alternative programs, visit program sites, and inquire about recidivism rates. They should then use this information to support arguments for and against the placement of juveniles in pre- and postadjudication alternative programs.

Detention center administrators should work closely with representatives from State corrections institutions and dispositional programs to avoid the problems presented by a backlog of post-disposition juveniles awaiting custodial placement. Through communication and planning, juvenile justice professionals can adopt policies to limit the amount of time juveniles wait in detention for transfer. If it becomes apparent that there are not enough beds to serve the juveniles in need of placement, efforts can be made to secure additional funding to provide the needed beds and programs. This might be achieved, in part, through JAIBG Purpose Areas 1 and 2.⁴

New prosecutors, who might not know the range of dispositional alternatives available, may tend to play it safe by arguing for incarceration or placements that are more intensive than necessary. This is a mistake. It makes incarceration requests for juveniles who truly warrant them less meaningful, erodes the prosecutor's reputation, and counters the juvenile prosecutor's responsibility to balance rehabilitation with accountability. To prevent this problem, prosecutors need to be educated about all available alternatives. To ensure consistency, prosecutors should confer

regularly as a group to discuss the dispositions they will request in all cases. Prosecutors also can support the development of, and assist in seeking funding for, needed dispositional alternatives.

Impact on the court and dispositions

If the number of new prosecutors is significant and results in more cases reaching the court, then more judges, court support staff, and, in some cases, juvenile courtrooms may be needed because of the confidential nature of juvenile proceedings.

To accommodate increased caseloads and provide access to appropriate pre-trial and sentencing alternatives, judges need to have sufficient dispositional options, ranging from the least secure and least supervised to the most secure and most supervised. It is essential that all parties to disposition hearings be educated about the options available to ensure that a well-founded disposition is ordered in each case.

If more courtrooms are needed, they should include waiting areas for victims and prosecution witnesses and separate waiting areas for juvenile defendants, their parents, and defense witnesses. Connecting the courtroom designated to handle the cases of detained juveniles by elevator or special hallway to the secure detention area avoids parading the juvenile through the public courthouse hallways and avoids potential conflict between the juvenile and victims, witnesses, or other bystanders.

Coordination With Other Justice System Components

Prosecutors are just one of many interdependent components that constitute the juvenile justice system. The JAIBG program recognizes the importance of system coordination by requiring the development of a JCEC as a prerequisite to the receipt of program funding. Local JCEC's comprise indi-

viduals representing the police, sheriff, prosecutor, probation office, court, schools, businesses, and crime prevention organizations, among other groups. The JCEC is responsible for drafting the CEP, a blueprint for a specific jurisdiction's use of program funds. Because this plan should address how additional prosecutors (and other system staff) will be used and because JCEC members need to endorse the plan, it should include directives for effectively connecting all justice system components, including prosecutors.

In developing the CEP, the JCEC might consider, among other provisions:

- When, with whom, and through which channels the players will communicate.
- Whether meetings will be open or closed, public or confidential.
- Which policies will be followed or developed to govern the sharing of information.
- Who will initiate and lead the communication and coordination.
- Which justice system components will be subject to coordination.
- Whether all justice system component representatives will have equal votes for adopting or rejecting proposed coordination policies.

Although the mission and responsibilities of each justice system component differ, the adoption of a comprehensive plan could help minimize unintended misunderstandings, conflicts of interest, and obstacles to implementation. Other justice system players, especially those who also are recipients of JAIBG funding, share the prosecutor's desire to coordinate the development of a more efficient and effective approach.

Coordination can start simply with the sharing of information about philosophies, resources, limitations, and goals. With this groundwork, prosecutors and representatives from

⁴ For information on Program Purpose Areas 1 and 2, see Roush and McMillen, 1999, and Griffin, 1999, respectively.

other components can begin to determine how their interests are similar and in what ways they can seek common outcomes.

With a better understanding of their shared interests and goals, justice system players can collaborate to undertake joint activity when appropriate (e.g., meeting to discuss nonsecure placement options for first-time, low-level offenders). Collaboration can promote and speed the achievement of justice system objectives (e.g., rehabilitation, accountability, public safety, victim restoration) and can also improve system efficiency. Collaboration also can involve the community, which results in many more benefits to all involved.

Community Prosecution

Prosecutors in the United States have experimented with community-oriented work since the early 1990's (Gramckow, 1995). Just as police departments developed different models of community policing, prosecutors developed different approaches reflecting their communities' needs. In some places, this means little more than simple organizational adjustments in response to community policing; in others, prosecutors have assumed a proactive role in working with the community and other agencies to ensure neighborhood safety (Gramckow, 1997a; Jacoby, Gramckow, and Ratledge, 1995; American Prosecutors Research Institute, 1995).

In 1997, of the approximately 2,850 prosecutors' offices throughout the United States, only about two dozen developed comprehensive programs that go beyond community outreach and education (Gramckow, 1998). Recently, the interest in community-oriented work by prosecutors' offices has increased significantly. Recognizing the many benefits of community prosecution, Congress made Federal funds available in 1998 to promote

the development of such efforts (Office of Justice Programs, 1999).

The main reason for the initially slow increase in jurisdictions that applied this concept was a lack of understanding of what community prosecution means for prosecutors' offices and their communities. Elected and appointed prosecutors often find it difficult to understand how community prosecution differs from their traditional work. This is because community outreach and involvement have always been a part of their responsibilities. Further, geographic assignments and decentralization that are often praised as essential for community-oriented work are not just a trait of community-oriented efforts. Many large jurisdictions established satellite offices years ago because it was organizationally more sound to locate prosecutors close to the courts they serve.

What makes community prosecution different, however, is that prosecutors:

- Identify and analyze crime and order problems in specific geographic areas in cooperation with the community and other government agencies.
- Develop solutions that include traditional criminal and juvenile justice responses combined with alternative modes to resolve conflict and prevent crime.
- Pay attention to crime prevention and less serious violations.
- Engage in a long-term, proactive, committed partnership with law enforcement agencies, the community, and other public and private organizations to provide services needed to solve existing neighborhood problems.

The basic premise behind community prosecution is to ensure that the office responds to various community priorities or, better yet, that communities can work with the office to target ex-

isting problems. Such an approach requires familiarity with neighborhood issues and the ability to adjust justice responses accordingly. This may be achieved by assigning cases from a specific geographic area to specific assistant prosecutors, who can then become familiar with the area, its dynamics, and problems. As a result, the prosecutor will be better informed about the case background and will better understand the impact the criminal act and any criminal justice response have on the offender, the victim, and the neighborhood. He or she is then able to provide the trial judge with information usually not available to the court, thus facilitating more informed decisions.

The common denominator in all community prosecution programs is that prosecutors operate in response to community needs. Problems can be identified by analyzing crime patterns and socioeconomic data, attending community and other agency meetings, and listening to the concerns of community members. In turn, community members develop a better sense of the justice system, feel that they are an active part of the process, and begin to develop more trust in the system (Jacoby and Gramckow, 1993).

An example from Portland, OR, illustrates this point. Where only a short time ago a local cement manufacturer had called police repeatedly because young skateboarders were trespassing on and littering, destroying, and spray painting his property, the same young people are now enjoying a new skateboard park, patrolling the area, and keeping the compound clean. Built with the help of the cement manufacturer, the skateboard park is a result of an agreement between teenagers, a local business, and government agencies, a cooperation that was initiated and facilitated by the local prosecutor (Gramckow, 1997b).

Like the district attorney in Portland, OR, many prosecutors in the United

States are currently rethinking their roles and paying increased attention to crime prevention and alternative measures to create safer neighborhoods. These prosecutors recognize that criminal procedures alone cannot break the cycle of violence and that citizens feel safer and criminal activity can be reduced when the quality of life in a neighborhood is improved (Goldstein, 1987).

Specialized Juvenile Programs

Prosecutors, as a result of their standing in the community, leadership in the criminal and juvenile justice fields, and authority provided by statute, are well suited generally to take the lead in initiating, implementing, and/or operating specialized programs that advance the goals of JAIBG. Still, the process of restructuring how the juvenile justice system operates is not easy. It takes time, resources, and creative energy to identify current faults, fashion specific remedies, and bring other agencies and the community together. With cooperation and participation from representatives of other juvenile justice system components, prosecutors can take an active role in modifying the system.

The following examples do not provide an exhaustive account of possible models to address juvenile crime or identify the suitability of one model over another in a given jurisdiction. The purpose of this discussion, however, is to spark creative thinking about how additional prosecutors can be used to expand their activities beyond traditional prosecutorial tasks and, at the same time, instigate change in the ways the justice system as a whole operates.

The first example represents a comprehensive approach for restructuring the “front part” of the juvenile justice system (i.e., the intake and assessment process). Such a comprehensive, costly undertaking may not be possible in many jurisdictions; however, prosecutors and other criminal justice repre-

sentatives as a group can use this example as a starting point from which to construct and tailor a plan suitable to their specific local needs (Coordinating Council on Juvenile Justice and Delinquency Prevention, 1996).

The other examples illustrate diversion approaches taken by prosecutors. Diversion is an area that many prosecutors have addressed in their program development efforts. The examples provided, such as the Thurston County (WA) Twelve Day Diversion Plan, are just a few innovative and successful examples of how prosecutors might be used to implement specialized juvenile programs.⁵ Because jurisdictions have unique needs and resource levels, a program that works in one jurisdiction may not work in another without appropriate adjustments. Program developers should, therefore, be attuned to the climate in their communities and be prepared to tailor their plans accordingly.

Contact information for these programs is provided later in this Bulletin, under the “For Further Information” section.

Community assessment centers

Community assessment centers (CAC’s) provide a 24-hour centralized point of intake and assessment for juveniles who have or are likely to come into contact with the juvenile justice system. The model is based on the premise that early, meaningful, coordinated intervention is necessary to prevent chronic reoffending (Oldenettel and Wordes, 1999, in press).

Operation. Juvenile cases are brought to a central intake center that operates 24 hours a day. Here, all juveniles are assessed, and a treatment plan is developed. It is important to note, however, that it may not be practical for some communities to have a physical

⁵ Examples of programs that specifically address serious juvenile offenders are provided in Gramckow and Tompkins, 1999.

single point of entry. In such cases, a virtual single point of entry could be established at which all youth receive the same assessment and case management procedures and where an integrated management information system (MIS) that all service providers could access is used. This general assessment procedure is especially important because it includes at-risk youth who commit minor offenses and who traditionally may be overlooked. As a result, the likelihood of early, appropriate intervention and support is increased and recidivism is reduced. Juveniles charged with a delinquency offense can be transferred to a secure facility if the nature and circumstances of the offense warrant it. After the juveniles have been referred to appropriate treatment and service providers, their progress is monitored. This is another positive deviation from the traditional process that rarely provides any mechanism for followup that allows for adjustment of services and collection of information.

Benefits. Potential direct benefits are expected to include the following:

- Efficient use of justice system resources (e.g., police, prosecutor, court, treatment, probation).
- Enhanced information sharing.
- Better informed and immediate juvenile placements (freeing detention center beds).
- Improved offender and outcome tracking.
- Facilitation of interagency coordination.

By reaching and treating juveniles early, CAC’s can reduce the likelihood of juveniles returning to the system as chronic violent offenders (Office of Juvenile Justice and Delinquency Prevention, 1995; Oldenettel and Wordes, 1999).

Role of the prosecutor. Although a major function of a CAC is to assess and refer at-risk juveniles to appropriate

services and placements, it also serves as an intake center for juveniles charged with committing crimes and offenses. Because prosecutors should be involved early in all delinquency cases within their jurisdictions, their participation in this process is essential. At the CAC, prosecutors can screen cases for possible diversion, assess the legal sufficiency of charges, take a position on whether to transfer the juvenile to a secure detention facility, gather information about local crime incidents (e.g., gang data, time and place of offenses), link with other juvenile justice professionals to develop policies and procedures that address juvenile crime and delinquency, and create programs to educate the community about justice system resources. In close coordination with other criminal justice officials, prosecutors can take an active role in planning, implementing, and operating the CAC to ensure that the program advances public safety and law enforcement interests.

As with any juvenile justice program, how the prosecutor functions within the CAC will be a reflection of local needs, philosophies, and resources. In some jurisdictions, the number of cases handled by the CAC may warrant the designation of an onsite prosecutor liaison. In others, it may be more appropriate to develop general response agreements and to designate an oncall prosecutor who becomes involved only if a juvenile accused of a serious or violent offense is delivered to the CAC. Regardless of the jurisdiction's size, for the prosecutor to be effective, the office must be fully integrated in the planning, coordination, and implementation of all CAC plans.

Advancing the goals of Purpose Area 4. CAC's assist prosecutors in being fully informed from the time an offender is brought to the center and in focusing intensely on serious cases for effective prosecution. The CAC

also provides for early and meaningful intervention, thus potentially preventing first-time and minor offenders' later return to the justice system as serious, violent, or chronic offenders. This affects current and future caseloads and backlogs.

Relation to other JAIBG purpose area goals. Information sharing can be improved through a comprehensive MIS that is part of the CAC. Jurisdictions without a sophisticated MIS in place should not be discouraged from considering the CAC model. Recognizing the need for a comprehensive MIS to facilitate the information-sharing process, the JAIBG program provides funding through Purpose Area 6 for technology, equipment, and training (see pages 12–17).

Obstacles to implementation. The CAC model, by its nature, requires either a physical or a virtual single point of entry for juvenile intake and assessment. In some jurisdictions, a facility to serve as a physical point of entry may already exist requiring few modifications. In other jurisdictions, this option may be unavailable. Depending on the CAC's mission in a given jurisdiction, Purpose Area 1 funding—for the “construction of juvenile detention or correctional facilities”—may be applicable.⁶ Still, funding, not just for developing but especially for maintaining such a center, remains an issue for most jurisdictions. In addition, the size and nature of a jurisdiction may pose special impediments. For example, the need to transport juvenile offenders to and from the center may make a central assessment location impractical and too costly. Rural jurisdictions frequently lack the number of offenders to warrant such an expense, and access to services for juvenile delinquents may be inadequate, ne-

gating one of the center's ultimate goals: fast delivery of needed services. Nevertheless, jurisdictions that cannot afford a full-service CAC can consider implementing some of the centralized and coordinated functions available at a CAC within their existing court systems.

Twelve Day Diversion Plan

The Twelve Day Diversion Plan was implemented in Thurston County, WA, by the prosecutor's office in 1995 after months of planning in coordination with local law enforcement, school officials, Community Youth Services, and the juvenile court administration. Designed as an improved version of the county's existing diversion program, the plan seeks to eliminate procedural delays in the processing of juvenile diversion cases and to involve the community fully in the process. An evaluation conducted by a local university indicated that this approach is not only more efficient but is also more effective in reducing future involvement with the juvenile justice system than the traditional process.

Program operation. Within 2 to 4 days of receiving notice from law enforcement that a charge has been filed, the prosecutor's office opens a case file, checks the juvenile's criminal history, screens the case for diversion eligibility, and notifies the juvenile of the date of his or her community accountability board (CAB) hearing. The CAB, one of the innovative components of this program, comprises four community volunteers recruited and trained through an outside agency. Prior to the program's implementation, processing of diversion cases took several months, and only 20 percent of juveniles appeared before the board. Now, the CAB hearing date is scheduled no more than 8 working days after the notification letter is sent. This adds up to a total time from charge to initial hearing of only 12 working days.

⁶ See Roush and McMillen, 1999, for information on Purpose Area 1.

In addition, 100 percent of diverted cases are brought before the CAB.

Program benefits. Gaining and maintaining community involvement in any delinquency prevention program is not easy. In Thurston County, however, the community component has proven to be a significant benefit to the juvenile justice system, juvenile offenders, and the community. CAB volunteers are from the same community in which the offender lives. The CAB develops the terms and conditions (e.g., community service, restitution, fine, counseling, curfew, and school and work obligations) of the diversion agreement with the juvenile. This process benefits the juvenile and the community. The community learns about the system's resources and limitations, can take a position on the consequences imposed for transgressions committed by local youth, and assumes responsibility for the future of its youngest citizens. The offenders witness the community's commitment to their welfare, observe the results of their delinquent conduct, and have the opportunity to restore the trust that they have damaged. Moreover, the program helps build relationships between delinquents and local role models. Because the program processes diversion cases in as short a time as possible, the juveniles are subject to swift and meaningful consequences. Another positive aspect of the plan is its cost effectiveness. The designated prosecutors (possibly funded via Purpose Area 4) make up the staff necessary to expedite screening procedures. Even without additional prosecutors tasked exclusively with program activities, a jurisdiction that wants to develop a program similar to the Twelve Day Diversion Plan could refocus and streamline the current staff's workload. Because the CAB is made up of volunteers, the jurisdiction incurs no additional cost.

Role of the prosecutor. During the planning and development phases,

the prosecutor in Thurston County generated support for the program and encouraged individuals to participate on the CAB. Later, in the operational phase, assistant prosecutors were tasked with screening cases for diversion and deciding which offenders and/or offenses were appropriate for the program. With clear policies in place before operations begin and with the designation of a prosecutor to the program, the screening process is faster, more consistent, and efficient. The prosecutor's involvement also provides the program with credibility that ensures that juvenile offenders take the outcomes seriously and that participating community members and others recognize its viability.

Advancing the goals of Purpose Area 4. The program removes less serious cases from prosecutors' case loads, thus freeing up time to focus on more complicated and serious cases. Then, by treating first-time offenders before they have the opportunity to reoffend and return to the system, the program reduces potential future workloads. In addition, the quick, 100-percent response rates ensure accountability, and the involvement of community members provides for a mechanism to allow the offender to restore the community.

Obstacles to implementation. Washington State's juvenile code, which enunciates diversion as an alternative to prosecution, provides an environment favorable to the development of a diversion program tailored to fit community and offender needs. For States without such a favorable statute, implementing a similar program requires either working within the existing statutory boundaries or seeking a change in legislation. Because most States permit diversion in one form or another, achieving legislative change may not be necessary. Rather, the task will be to design a program that conforms with statutory restrictions yet achieves desired goals.

Generating community support and participation is another issue to be considered because community volunteers play such an active role in program operations. In a jurisdiction in which the perception has been that the justice system does not hold offenders accountable, community members may at first hesitate to support and/or volunteer to serve on the CAB. Under these circumstances, it is important for the prosecutor to educate the community about the merits of the program and to encourage individuals to participate.

Pueblo, CO, Juvenile Diversion Program

This diversion program, which has been operating since the mid-1970's in the 10th Judicial District, Pueblo, CO, targets first-time offenders charged with nonserious offenses. In lieu of adjudication in juvenile court, juveniles receive alternative sanctions via a voluntary agreement with the prosecutor's office. These agreements might include community service, education and awareness programs (e.g., tobacco abuse, shoplifting, anger), restitution, treatment referral, tutoring, and periodic reporting to a case supervisor. If the conditions of the agreement are met within a given time period and no new offenses are committed, the matter is closed. If the terms of the agreement are not satisfied, the matter is referred for prosecution in juvenile court.

Role of the prosecutor. The Pueblo, CO, Juvenile Diversion Program is part of the prosecutor's office. Since 1981, when the program was significantly expanded, the office has assumed responsibility for case management, referrals to treatment and other programs, and imposition of consequences. In addition to overseeing these tasks, the prosecutor's office works with program staff to develop policies about which types of cases and offenders should be eligible for diversion. As a followup, the prosecutor meets periodically with program

staff to discuss cases being considered for diversion that present more complicated suitability questions. It should be noted that, at any stage in the process, the prosecutor's office may reject a case from, or refer a case to, the program. To ensure the active participation of community members and representatives from other juvenile justice agencies, the prosecutor educates others about the program specifics, generates public support, and recruits volunteers.

Success. In 1997, the program diverted approximately 50 percent of the delinquency cases that were legally sufficient to support formal prosecution, thus significantly reducing the number of cases brought to court.

Abolish Chronic Truancy

Abolish Chronic Truancy (ACT) is a program of the Los Angeles County District Attorney's Office that began in March 1991. Its goal is to prevent delinquency by returning habitually truant children to school.

Program operation. When students with attendance problems are identified, specially assigned deputy district attorneys intervene. At meetings with parents and students, these deputies explain the importance of school attendance, the parental obligation to ensure school attendance, and the potential legal consequences of continued absenteeism to both the student and parents. If attendance problems continue, the case is referred to the Student Attendance Review Team (SART) made up of community youth and family service agencies. SART attempts to alleviate the underlying causes of absenteeism and behavior problems by alerting parents to their child's problems and linking students and parents who need additional assistance with appropriate services. If SART interventions do not improve the child's attendance record, the case is referred to the School Attendance Review Board and the dis-

trict attorney's office for an informal hearing. If the truancy problem cannot be resolved, the district attorney may prosecute the parents, student, or both. Convicted parents can face up to 1 year in jail.

Program benefits. With a focus on accountability, not punishment, ACT seeks to reduce crime and violence in the community by getting youth off the streets and back into school rather than into court. The increased attention and support provide students who return to school with the opportunity to develop job skills and experience academic success. The program has experienced a 99-percent success rate in returning chronically absent minors to school and has generated enthusiasm within the community and the belief that the problem of truancy is not hopeless. Most important, ACT has empowered families to reestablish parental authority and improve family life.

Role of the prosecutor. The deputy district attorneys assigned to ACT serve dual functions: prevention and enforcement. They first facilitate and enhance the efforts of community social service agencies to abolish truancy and prevent crime. When informal efforts prove unsuccessful, deputy district attorneys assume an enforcement role, using their position to hold the student and/or parents accountable.

Funding in Purpose Area 6

Because a major thrust of the JAIBG program is to enhance the ability of the juvenile justice system to respond to juvenile crime, resources other than staff are essential to improving the system. This includes support for identifying repeat offenders, particularly those who pose special problems to the community; tracking offenders, their activities, and intervention results; sharing this information within the juvenile justice system; and managing information. Few of these efforts

can be carried out efficiently without automation. In many jurisdictions, prosecutors and others in the juvenile justice system still have insufficient access to computers and frequently lack training to realize the full potential of existing computerized systems. In a 1996 survey of local prosecutors' offices, only about one-third reported being connected to a computerized system with other criminal justice agencies (DeFrances and Steadman, 1998). Of those reporting computer connection, only 23 percent reported being integrated with the courts, 16 percent with law enforcement, and 9 percent with other district attorneys' offices statewide.

In addition, prosecutors require specialized training in the field of juvenile justice to be prepared to meet the challenges of the increasingly more demanding and complex issues involved in juvenile cases. The following section provides a brief overview of the major issues related to enhancing juvenile prosecution through technology and training and also offers specific examples for funding applications under Purpose Area 6.

Technology To Increase Efficiency in the Juvenile Justice System

A broad range of technology can be applied to make the juvenile justice system more efficient. Today's computer systems are affordable and flexible, and numerous software applications have been developed to assist justice system professionals in assigning caseloads, tracking cases, exchanging information, and identifying and tracking offenders. Many of these automated systems have been developed for the criminal justice system but can be easily adapted for use within the juvenile justice system. Several special requirements of the juvenile justice system, such as the privacy of the process and the strong rehabilitation focus, may require adjustments in individual systems' applications.

Juvenile record systems

Traditionally, juvenile court records are sealed or expunged when the youth reaches adulthood. Many argue, however, that it is in the interest of the public and the individual offender that criminal courts should have continuing access to useful information in juvenile records when an individual with a juvenile court record commits offenses as an adult. In recognition of the importance of keeping juvenile records confidential, it has been argued that if juvenile records remain sealed except in criminal cases involving serious and violent offenses, courts can get the information they need to deal with these cases while still protecting the privacy of individuals who do not reoffend (Blumstein, 1997).

Many States have opened access to juvenile records and court proceedings in response to rapidly rising violent crime rates among juveniles, blurring the line between how the justice system treats juveniles and adults. Although these new problems are based on legitimate public safety concerns, they are seen by many as a threat to nearly 100 years of juvenile justice system philosophy that stresses rehabilitation, treatment, and individual privacy (Bureau of Justice Statistics, 1997). Balancing the use of juvenile justice records with privacy protection presents an ongoing challenge to juvenile court administrators, public policymakers, and practitioners in the juvenile justice system.

A related issue is the transfer of juvenile records between law enforcement and court agencies, which is a newly emerging goal in the juvenile justice community, with extensive inter-agency negotiation and technical development still to follow. In addition to encountering some resistance to information sharing, these efforts are frequently hampered by the fact that many counties and cities are just starting to implement an automated system for juvenile records, even in

Criminal and Juvenile Justice Technology Organizations

Among the organizations that may be of help to juvenile justice practitioners in reviewing their technology options are the Forum on the Advancement of Court Technology (FACT), the National Center for State Courts (NCSC), and the National Association for Justice Information Systems (NAJIS).

FACT, a consortium of private sector companies and court representatives, was created to increase the dialog between courts and technology providers. FACT recently sponsored a keynote address at NCSC's Sixth National Court Technology Conference, held in September 1999. The conference covered integrated justice information systems, electronic filing, e-commerce, courtroom technologies, and data security. NAJIS is an organization of individuals responsible for acquiring, operating, and managing Federal, State, and local justice system information systems.

For more information, see FACT's Web site fact.ncsc.dni.us/, NCSC's Web site www.ncsc.dni.us/, or NAJIS's Web site www.najis.org.

areas in which an automated system for the criminal justice system has been in operation for some time.

The National District Attorneys Association's (NDAA's) *Resource Manual and Policy Positions on Juvenile Crime Issues* (1996) supports the establishment of a national uniform record-keeping system for juvenile offenders. It also encourages prosecutors to take an active role in developing legislation that mandates the interagency sharing of information relating to juveniles because prosecutors need complete access to properly perform their prosecutorial duties.

While Federal laws and laws in most States make juvenile court records confidential, they also provide for some degree of access to these records. Criminal court access to juvenile records is permitted in every State, and access to juvenile law enforcement records is usually not regulated. Access to sealed records, while more difficult, is often still possible. Juvenile arrest and adjudication records, which historically have been maintained and disbursed on a local basis, are increasingly becoming centralized on a statewide basis—much as criminal court records became centralized during the 1960's and 1970's. As of 1988, only 13 out of

the 50 States had repositories maintaining juvenile record information. At present, statutes in 27 States expressly authorize State central repositories to collect and maintain juvenile delinquency history data (juvenile arrest and any disposition arising from a juvenile court decision) (Miller, 1995).

Federal events parallel State developments. The Federal juvenile records confidentiality law requires that juveniles found guilty of an act that would be a violent felony if committed by an adult must be photographed and fingerprinted (18 U.S.C. 5038). If the juvenile has been adjudicated twice for a felony or if the juvenile is 13 or older and has been convicted of a felony crime of violence with a firearm, then the Federal court must transmit the juvenile court record along with the fingerprints to the Federal Bureau of Investigation (18 U.S.C. 5038(d) and 5038(f), as amended by Public Law 103-322, September 13, 1994). The Federal Government has also implemented antigang prosecution initiatives, which include the development of a National Gang Trafficking Network, to help Federal, State, and local law enforcement agencies exchange information on gangs. The Federal and State initiatives and the NDAA

policy support accurate and consistent reporting of juvenile criminal offenses and permit information sharing to achieve the most effective prevention, investigation, prosecution, and rehabilitation efforts possible.

Any effort to provide access to up-to-date offender information requires automation. Individual jurisdictions often can build on statewide efforts to automate information sharing and case tracking for juvenile cases. For example, statewide juvenile court information systems were developed in Utah and Washington, linking all juvenile courts in each State. These systems allow the development of management reports, including integrated statistics on case activity, delinquency histories, and court action on dependencies. Courts also may request individual ad hoc reports or direct access to their own data (Curtis, 1997).

Automated case management systems

Developing a case management system is a task separate from, but related to, the development of an information sharing system. Case management systems are primarily designed to assist prosecutors and other juvenile justice professionals in tracking cases through the system, identifying where in the process a particular case is, and determining what actions need to be taken (e.g., motions and notification of victims and/or witnesses). Further, management decisions (e.g., staffing, case-load allocation, and budget allocation) may be supported by the type of information available from case management systems. However, to support policy decisions or decide what actions to take and how to respond in a specific case, both offender and case information are needed. If both systems—case management and offender information—are combined, this provides the most comprehensive information support for line operations and management.

Compatibility with the criminal court information system is one of the factors involved in successfully creating a juvenile system. Having two compatible and integrated systems limits the need for programming, provides direct access to both data sources, and generally requires a shorter startup time. Such comprehensive systems are in place in a few States, most notably in Colorado, where a statewide system links information from all system components. Experiences from these efforts show that developing a comprehensive information system can be a lengthy, costly, but well-justified effort. It has also become clear that developing such information systems alone is not enough. Ongoing, consistent training programs for staff to learn how to access, maintain, and apply the data are as essential.

Prosecutors' offices also need to be aware of the rapid development of computer technology. The two most important issues to watch for when investing in any equipment or software are compatibility with existing networks and user friendliness. A prosecutor's office should assess its needs, communicate with other agencies, and develop a long-term plan for the use of this technology. This plan should include staff training, system maintenance, and incremental system updates to alleviate the need to purchase a completely new system after the old one becomes outdated in 3 to 5 years.

Electronic communication devices

A 1996 Bureau of Justice Statistics (BJS) survey indicated that 46 percent of responding prosecutors' offices reported having e-mail, 36 percent reported having Internet access, 31 percent reported having online access to the National Crime Information Center, and 4 percent reported having a Web site (DeFrances and Steadman, 1998).

Although these numbers reflect a healthy start toward electronic communication access, they also show

that many prosecutors still do not benefit from direct access to this communication and research medium. Many offices have only one or two terminals that offer e-mail or Internet access, and it is not unusual for an assistant district attorney to use a private account because the office does not provide for it. The software currently available, however, allows an increasing number of offices to have intranet and Internet access at a relatively affordable price.

Many communication tools and technology applications available today assist prosecutors in accessing information and in communicating. Offices might consider providing prosecutors with pagers or cellular phones, which are especially necessary if the prosecutor cannot be reached by his or her office telephone or e-mail. Laptop computers not only provide for word processing, calculation, and information retrieval "on-the-run," but support in-courtroom presentations, quick access to the Internet and databases, and receipt of faxes and e-mail. With increasingly smaller, lighter, and more powerful handheld devices, the paperless adjudication process may still be far away for many jurisdictions but is no longer unrealistic.

Hardware and software

To implement the various computer-based applications described above, a prosecutor's office needs to be equipped with the appropriate hardware and software. In addition to relying on computers for standard tasks, offices use computer equipment to access electronic research tools, track criminal histories and current involvement of juvenile offenders, and support case management, office management, planning, and decisionmaking. In addition, equipment for in-court presentations (e.g., color printers, laptops, projectors, and so forth) has become increasingly important for prosecutors to communicate and support their arguments to courts and juries.

Software should efficiently support a range of activities, be compatible with other applications within the office and other agencies, and be user friendly. Research software is a critical element. In 1996, 43 percent of prosecutors' offices reported having the capability to conduct electronic research (DeFrances and Steadman, 1998). JAIBG Program Purpose Area 6 funds are an ideal means for prosecutors to subscribe to the Internet and other research services.

Fingerprinting and other identification mechanisms

Today, 40 States expressly authorize the fingerprinting of juveniles, while only 2 States prohibit it. That is almost the reverse from 20 years ago, when most juvenile codes prohibited the fingerprinting of juveniles except in extraordinary circumstances. Today, there are statewide systems designed to collect and maintain juvenile record information (including fingerprint records). In 1988, only 13 State repositories reported that they had legal authority to operate such a system; today, statutes in 27 States expressly authorize such systems. This does not mean that these States have juvenile record repositories that are up and running or that they include complete information, but the groundwork has been laid. In addition, the FBI now accepts juvenile record submissions from the States and treats those submissions in the same way as adult records.

The true value of collecting fingerprints lies in being able to use the prints to connect offenders to crimes and to provide an identification system. This can be fully achieved only through an automated system that stores and shares fingerprint information within and beyond a jurisdiction. In California, for example, all arrests, including those of juveniles, are to be reported to California's Department of Justice and entered into its automated criminal history system. When the arrest finger-

print card is received, the system creates or adds to that person's criminal history. When the disposition of that arrest is received, it also is added to the history. One problem encountered in California and other States, however, is that juvenile arrests and dispositions are not systematically entered into the automated system. In 1997, for example, only 25 percent of juvenile felony arrests made in California were logged in. This is frequently due to the reluctance of local law enforcement and the courts to submit juvenile data as a result of conflicting views about how best to treat juveniles and whether juvenile records should be kept confidential (Sculy, 1997).

In addition to improved fingerprint collection methods, many other technologies, such as computer imaging and digital cameras, are available to identify and track juvenile offenders. For example, the Washington, DC, Pretrial Services Agency uses digital cameras to check the identity of juveniles ordered to submit regular urine samples for drug testing. The digital picture is part of the juvenile record that is called up each time the youth appears to submit the sample, making identification relatively easy and tamperproof.

Drug testing

The establishment of State and local drug testing policies is one of the requirements of JAIBG. The issues related to this topic are addressed in more detail in another Bulletin in this series, *Implementing a Policy of Controlled Substance Testing for Appropriate Categories of Juveniles Within the Juvenile Justice System*. In considering the use of drug tests, prosecutors need to balance available resources with the benefits of drug testing. A recent national survey of prosecutors, State prosecutor coordinators, and State alcohol and drug abuse directors showed that, even though only three States require drug testing of certain categories of juveniles at

some point, drug testing of selected juvenile offenders occurs quite frequently at the local level (Gramckow and Walters, 1998). Testing is most often conducted at those points in the process where it can be used as a control tool (e.g., for juveniles on probation and within the corrections system), generally concentrates primarily on substance abuse offenders, and is frequently ordered on a case-by-case basis only.

Universal testing for juvenile offenders is cost prohibitive and would create many problems for the current system. This guarded involvement of the States allows each jurisdiction to develop a selective approach to testing juvenile offenders that reflects local needs and resources. In developing a drug-testing policy, a jurisdiction needs to consider that, overall, only 8 percent of juveniles handled by the courts in 1996 were charged with drug abuse offenses (Snyder, 1997). Mandatory drug testing of all juvenile arrestees may be useful in a jurisdiction with a high rate of addicted drug offenders, but not in others.

Drug testing is most useful in certain situations:

- To gain evidence required to prove that the juvenile was under the influence of an illegal substance.
- To serve as a case management tool for offenders in treatment or diversion or on probation (Harrell, Adams, and Gouvis, 1995).
- To help predict pretrial misconduct (Rhodes, Hyatt, and Scheiman, 1996).

With additional funding for technology through JAIBG Program Purpose Area 6, prosecutors will be better equipped to use and explore the drug testing methods that are most suitable for the case and offender type predominantly handled in their jurisdiction. If applied selectively, drug testing can be a positive part of the juvenile justice system process, but

it may have limited usefulness and can become a logistical and financial nightmare if applied too broadly.

DNA testing in serious and violent cases

DNA testing permits the accurate identification of an individual from evidence samples (e.g., semen, skin, blood, hair, saliva) found at a crime scene. In a 1996 BJS survey of State prosecutors' offices, 49 percent reported using DNA evidence (DeFrances and Steadman, 1998). Of those reporting the use of DNA evidence, 41 percent use it in plea negotiations and 34 percent use it during felony trials.

Although the report does not specify the frequency of DNA use in juvenile cases, it is safe to assume that the percentage is low. This is primarily a result of the small percentage of juvenile cases that involve rape, homicide, and similar violent offenses for which DNA testing is used. DNA testing is still a slow and costly process (Weedn and Hicks, 1997), which prevents its application unless it is essential to prove the case. Still, with increasing caseloads of violent offenses, juvenile prosecutors should be equipped with the tools and skills necessary to aggressively prosecute cases of serious and violent offenders, which includes using DNA evidence. Specialized training for juvenile prosecutors in the use of DNA evidence, such as the courses provided by the American Prosecutors Research Institute (APRI),⁷ should be considered when training budgets are reviewed.

Potential Implementation Difficulties

Today's prosecutors are exposed to an array of constantly improving technology applications. Although many quickly adopt these new tools, professional and support staff occasionally resist using new equipment and software and exploring its full

potential. Training every staff member, providing periodic refresher courses, and involving staff in the development of office-specific software applications are the best ways to overcome this obstacle.

A more difficult hurdle is resistance to using technology for information sharing. A database is only as good as the information entered (or accessible). Again, training is essential to reduce database errors, but more important is educating staff about the need for correct record entry and database access. Offices should develop procedures and policies, preferably in a team effort, and conduct systematic checks to monitor the correctness and completeness of data entry and use. No policy or procedure is worth much if it is not enforced. If the leadership in an agency neither believes in nor enforces information sharing, the likelihood that this agency will provide incomplete data is high.

Another obstacle frequently encountered is that individual agencies too often purchase and develop systems without talking to the agencies with which they need to link. As a result, information sharing and communication may be possible only after expensive programming to overcome system incompatibilities. Developing a long-term purchase plan in conjunction with other agencies is the only way to avoid such an outcome.

Examples of Prosecutor Training Needs and Existing Training Opportunities

In too many jurisdictions, the prosecution of juveniles is left to attorneys who are relatively new to the profession. This is mainly a result of the outdated view of juvenile courts as "kiddie courts" and the wrongful assumption that these cases are less important than criminal cases. Young, inexperienced prosecutors often dominate the field, and because the handling of these cases may not be

seen to rank high on the scale of prosecutorial achievement, turnover is disproportionately high. Each year, many new prosecutors are thrown into handling juvenile cases without adequate preparation to deal with the increasingly complex matters these cases present and without appropriate knowledge of the many alternatives available to respond to juvenile crime.

Comprehensive training is required not only to address the needs of newly assigned prosecutors, but also to respond to more experienced prosecutors' requirements for advanced training to handle the complex issues involved in serious juvenile crimes and to develop special programs to address juvenile crime in their own jurisdictions. Elected prosecutors can benefit from policy-level training sessions that outline how to make juvenile crime a priority, and teams of juvenile justice professionals need training in how to establish coordinated community responses. The following are a few training programs currently available to prosecutors to address these training needs.

Introductory training for new juvenile prosecutors

Considering that the majority of juvenile prosecutors are fairly new attorneys, a basic training course that introduces the underlying theoretical and philosophical concepts of the juvenile justice system, teaches trial advocacy skills, and outlines the applicability of various disposition options should be available on a continual basis. APRI received funding from OJJDP to develop core material to support a cost-effective training program that is adaptable to State statutes and reflects the needs of jurisdictions of all sizes. This core material, presented in a course entitled "Jumpstart," will include the basic elements for a basic training course as outlined above. It will be tested and available under the JAIBG program by the end of 1999.

⁷For APRI contact information, see "For Further Information."

Juvenile policy development courses

The priority the elected prosecutor assigns to juvenile cases will influence the extent and scope of resources (e.g., staff, program, equipment) allocated to address these cases. If the elected prosecutor assigns high priority to juvenile delinquency cases, the prosecutor's office is likely to process more juvenile cases, prepare stronger cases, and increase the resources devoted to juvenile programs. In addition to changing the impact of the prosecutor's office on juvenile crime, the elected prosecutor can also influence the priority that the juvenile justice system and the community overall assign to juvenile issues. To provide elected officials with the knowledge and skills they need to provide the leadership for policy changes in their jurisdiction, APRI developed special juvenile policy development courses for elected officials and/or juvenile unit chiefs. These courses, taught by elected officials and other experts, provide the information needed to establish juvenile justice as a priority and to develop jurisdiction-specific programs.

Specialized advanced prosecutor training courses

Prosecutors are increasingly challenged in handling juvenile cases involving serious and violent juvenile offenses. As mentioned above, to successfully prosecute complex juvenile cases, specialized training is needed.

For example, prosecutors responsible for handling the cases of youthful gang members need training devoted to the unique investigation and prosecution issues that arise in gang cases. The training should address the history and culture of gangs; the type of gangs that are encountered locally; the nature and pattern of youth gang crime; evidence collection techniques; intelligence and tracking data systems; victim/witness issues; avenues and methods of inter-agency collaboration and coordination; community programs focused on juve-

nile gang offenders; and case law, statutes, and legal issues pertaining to juvenile gang prosecution (Ehrensaft, 1991). Similarly, prosecutors who address juvenile drug crimes require not only trial advocacy skills, but also specific information about different program options such as treatment services and drug courts.

Because the prosecution of gang- and drug-related and other serious crime requires specialized skills and knowledge, it is crucial that the prosecutor(s) assigned to handle such cases be provided with intensive training. If the office uses a team approach, it would also be appropriate for police officers charged with investigating the crimes and other juvenile justice professionals to receive similar training, perhaps at the same time.

Conclusion

Some of the effects of the "get tough on crime" policies of the 1990's are revealed in the number of juveniles incarcerated in public institutions (Moon, Applegate, and Latessa, 1997; DeComo et al., 1995; Krisberg, DeComo, and Herrera, 1992). From 1987 to 1996, the number of delinquency cases including detention increased by 38 percent. The largest increase was registered in the number of person offense cases involving detention. Their number increased by 97 percent (Stahl, 1999). Changes in State juvenile statutes in the 1980's and 1990's have played a role in this trend to incarcerate more juveniles.

To appropriately address juvenile crime in a jurisdiction, prosecutors need to have access to information and resources that provide for a broad range of response mechanisms. While few would argue against holding juveniles accountable for criminal misconduct, there is also almost universal agreement that the "punishment should fit the crime." Even for the most serious offenders, a range of juvenile justice system response mechanisms needs to be available to

address underlying causes and to reduce the likelihood of reoffending.

Legislators and juvenile justice professionals recognize the need for a continuum-of-response approach to juvenile crime, including education, prevention, early intervention, strong enforcement, and a range of graduated sanctions. The JAIBG program offers funding to advance such a system in State and local jurisdictions.

What an individual jurisdiction needs to do to enhance the prosecutor's ability to process juvenile cases and hold youthful offenders accountable will differ from one jurisdiction to another. JAIBG stresses that coordination among the key juvenile justice players in a jurisdiction is essential. Developing such a system requires initial coordinated assessment of the jurisdiction's needs, planning for change implementation, resources to support programs and procedures, and training for those who must carry out the new procedures or programs.

Spending time and effort in the planning stage is essential to ensuring that JAIBG funds are spent productively. There are dangers in relying solely on innovative programs and practices as the basis for reform. In recent years, the juvenile justice system has also been vulnerable to panaceas and "quick fix" solutions to complex problems (e.g., boot camps, "Scared Straight") (Bazemore and Umbreit, 1995; Finckenauer, 1982). Like Goldstein's (1979) profile of police departments that focus on tactics rather than outcomes and emphasize means over ends, systems adopting a program-driven approach to reform typically fail to consider the fit between new programs and existing values, policies, and bureaucratic constraints of criminal justice agencies (McShane and Williams, 1992). Reform needs to be based on coherent, theoretical, and philosophical principles; fit the jurisdiction; and consider both existing and future resource needs.

Applicants, especially those seeking to add more prosecutors, also need to consider that JAIBG grants, in most cases, provide only seed money to spark the process of system improvement. The agency or jurisdiction needs to be prepared to assume the additional costs of a new program beyond the JAIBG funding cycle. If this long-term outlook is combined with a coordinated, well-planned assessment and implementation process, State and local jurisdictions have the potential to significantly improve and change the juvenile justice system in their States and communities.

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