PRACTICAL TOOLS

Defining the Problem

Using Data to Plan a Community Justice Project

BJA

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Introduction

"Our assumption when we started planning a community court in Harlem was that we'd adopt the model of the Midtown Community Court ... but the more we talked to people the more we discovered folks weren't really talking about graffiti, public urination, turnstile-jumping the way they were in Midtown just a few miles away.… They were interested in the impact drugs were having on young people, and housing issues, like landlord-tenant problems and the lack of affordable housing."

— Rodney Sprauve, project director, Harlem Community Justice Center

It's tempting when planning a project to duplicate one that's proven successful elsewhere. Only, as the above quotation illustrates, it doesn't always work — especially when it comes to community justice, which emphasizes the building of partnerships between criminal justice agencies and neighborhoods.

Whether it originates out of the local police department, prosecutor's office, probation department or court system, a community justice project must be tailored to the neighborhood it serves. And since the focus of all community justice projects is solving local crime and public safety problems, one of the foremost tasks for planners is to identify the key problems that the neighborhood in question faces.

Not doing your homework can have serious consequences. A community can easily turn against a poorly planned project and perceive the organization behind it as an invader. An ill-conceived plan won't be able to garner political support either, or if it does, it will quickly lose it when the community voices its objections. Further, such a plan won't earn the respect it needs from potential partners, whether they be funders, service providers or other criminal justice agencies.

How do you identify a community's problems? The first step is to go directly to the community — its leaders, its merchants, its residents. Focus groups, surveys, individual interviews and attendance at community meetings are all tools planners can employ to take the community's pulse. The second step is to gather more specific data, including hard numbers about things like crime patterns and the disposition of cases, although exactly what you'll need depends on the nature of your project.

The third step for planners is to analyze how community problems are currently handled. This can involve interviews with key players (e.g., police, prosecutors, defense attorneys, judges, probation officers, etc.), a look at numbers and first-hand observations — sitting in court, accompanying police officers on a ride-along or shadowing a probation officer for a day. The point here is to look for inefficiencies and areas where there's room for improvement.

Here's an example of how these steps work:

Prosecutors targeting a neighborhood for a community justice initiative may learn at block association meetings and during focus groups that the people who live and work in the area are particularly bothered by prostitution.

Having identified prostitution as a priority, the prosecutors must then seek more specific information: Where is it happening? At what hours? Why is it happening? (For example, is there a bar nearby that feeds the problem? Are there abandoned buildings in the vicinity that make the area desolate? Is the street lighting bad?) Answers to these questions make the picture more complete.

Then, the prosecutors seek numerical data, such as numbers on prostitution arrests, and they also examine how such cases are currently being prosecuted.

This information will help them not only make specific projections about the needs of a new initiative, such as funding and staffing, but also help them develop a concrete solution to the community's prostitution problem.

Getting the Big Picture

"Talk to everybody. Get the vision of stakeholders, community boards, the business community, cops, every single block association and everybody in and out of the system."

— Michele Sviridoff, deputy director for research at the Center for Court Innovation

In order to gain a full understanding of a community's problems, there is no substitute for simple communication. Listening to a broad spectrum of local voices — the store owner, the senior citizen on the park bench, the teacher at school — is crucial. Planners should pay special attention to neighborhood leaders — the school principal, the block association president, the tenant organizer and the like. There may also be others with special knowledge of the community and its history: a newspaper reporter who has covered the area or a researcher at a local college. The approach to these stakeholders should be straightforward and humble: planners should emphasize that they are engaging in this process to learn about the community. This approach can go a long way towards disarming skeptical residents, who may be unaccustomed to government officials taking a deferential tone.

It's important also to go beyond the neighborhood's most prominent citizens. Focus groups are an excellent way of bringing together so-called "ordinary" citizens: people who live or work in the community, who raise children there, own or rent property, use its streets, its schools, its parks.

Another information-gathering tool is a community survey. In Red Hook, Brooklyn, planners of the Red Hook Community Justice Center (whose components include a multi-jurisdictional court hearing family, housing and criminal cases; a peer-led youth court; and an Americorps program, which focuses on local safety issues) have used Americorps volunteers to conduct an annual door-to-door survey of residents' attitudes about the neighborhood, crime and the criminal justice system. In 1997, the survey reached over 500 residents (equivalent to 4.5 percent of all residents and 14 percent of households). The results told a depressing story: 55 percent of residents were worried that someone would break into their homes; approximately 60 percent felt unsafe in parks and at the local subway stop, and slightly more than 50 percent felt unsafe in the stairways and elevators of their own buildings. The survey also explored problems that were not crime-related, but still relevant to community justice. For instance, the survey probed residents' views on social service needs, finding that more than 70 percent thought the community needed programs offering job training, victim services, day care, legal services, medical care, drug treatment, and high school equivalency diploma education.

The Red Hook survey not only served as a guide in the development of the Justice Center, it also spread the word about the Center's existence, helped foster good will, produced a detailed profile of the community for grant-writing purposes and created a baseline to which subsequent annual surveys have been compared.

Whether planners take the community's pulse through focus groups, individual interviews, a survey or some other method, the questions they might ask are the same:

What do you think of your neighborhood? Is this a good place to live? To do business? To own property? What are the main sources of aggravation, of fear, of crime? Are there street conditions — rowdiness, noise, prostitution, drug dealing — that seem to be out of control? What do you think is causing them? Do the people involved in crime live in the neighborhood, or do they come here from somewhere else? How do you think these problems might be curbed?

In many neighborhoods, youth is a key subject to address. What's it like for children and teenagers here? What role could schools play in keeping kids out of trouble? Are too many children and teenagers on the street when they should be in school? Are there things for kids to do after school and on weekends? Is there a problem with gangs?

It's also important to identify what's working in the community so that a project can build on existing assets in the neighborhood. What resources exist in the neighborhood already? What are the community's strengths? Which churches, social service providers and community groups are the most respected? Are there problems that the community has successfully dealt with in the past?

Another area to explore are attitudes about the criminal justice system. What do people think of the way the police patrol the community? What do they think about the way the court system handles crime, family matters and housing dis-

putes? What do they think about how the district attorney and parole and probation officers do their jobs?

Visual Observations

Although much of this may seem obvious, there's something even more obvious that might be overlooked amid the interviews, surveys and focus groups: gathering information with one's eyes. That's how beat cops identify hot-spots — by seeing for themselves where the drug dealers congregate, where the johns pick up prostitutes, which buildings have the most broken windows, where the graffiti keeps appearing. Cops sometimes take these personal observations a step further by using "geo-mapping" to track these problem areas via computer.

But high-tech aids, though often useful, aren't essential. By walking through the neighborhood, planners can map problem streets, parks and buildings on paper. They can count the number of prostitutes they see in a particular area over the course of an evening; they can observe how the drug trade works — whether the dealing takes place from cars or storefronts; how lookouts are used; whether buyers appear to be from the neighborhood or from out of town.

Ultimately, through all these sources, planners will get a feel for the neighborhood and the community that will lay the groundwork for solid planning.

The Vermont Experience

"We just did what businesses do all the time. It's called market research. It's what any successful company in America does."
— John Perry, director of planning for the Vermont Department of Corrections

In Vermont, organizers of the Department of Corrections Reparative Probation Program borrowed market research techniques from the private sector to find out what the public thought of probation and the criminal justice system in general.

They started by hiring a consulting firm. The firm helped planners conduct three focus groups with people from three communities around the state. Through the focus groups, the researchers learned that Vermont citizens didn't want black-and-white choices, but an array of options to deal with offenders. This information helped planners and consultants craft questions for a statewide phone survey. The survey offered respondents very specific scenarios to consider. "You have a second-time burglar. He's 19 years old. He didn't have a weapon and has a drug problem," said John Perry, director of planning for the Vermont Department of Corrections, explaining one type of question on the survey. "Do you think he should go to prison or drug rehab? What about his going before a board of community members who decide how he can pay back the community? What about doing work service in the community?"

The survey found that among Vermonters there was "no question at all that violent predators should go to prison for a very long time, and they should not get alternatives," Perry said. But when it came to non-violent offenders, the respondents said "almost no one … should go to prison," Perry said. "We were … looking at values, trying to understand what the public wanted from us. They

were not at all interested in prison for its own sake. We got a very different picture than we had heretofore expected or had received from the legislature. In fact they were strongly interested in the use of alternatives [for non-violent offenders] so long as the alternatives were meaningful." To the public, "meaningful" alternatives were things that added value to the community; for instance, "the sort of public service projects that Boy Scouts do," Perry said.

The Vermont surveyors also found widespread acceptance of the proposal for the Reparative Probation Program, which called for the creation of community boards to determine how low-risk offenders would repay their victims and the community at large. Planners were astonished by the results: More than 90 percent of respondents favored this type of community involvement.

The survey helped planners fine-tune their vision for the Reparative Probation Program. It also gave them the information they needed to persuade others that the program would work. "It gave us the confidence we needed and the ammunition to go to the rest of the criminal justice system and to the legislature and say this is what people think," Perry said. "The public will support alternatives for nonviolent offenders, so long as they get safety from the predators on the other end of the spectrum."

Narrowing the Focus

"Once we heard from the community, we said, 'Let's look at the numbers. Let's see if the numbers dovetail with what we're hearing.'"

— Rodney Sprauve

Interviews, focus groups and surveys give planners a general idea of the problems confronting a community. They create, like an Impressionist painter, a broad-stroke portrait of a neighborhood: Drug dealing in a park, gangs fighting on particular blocks, prostitutes soliciting johns by the waterfront, drunken drivers, graffiti, housing problems or clashes between ethnic groups.

It's now time to sharpen the qualitative picture gleaned from the community so that effective problem-solving can take place. And the way to sharpen the picture is by gathering quantitative data — in other words, numbers.

Compiling the numbers isn't always as daunting as it sounds, especially since, in many cases, someone has already done the work. The U.S. Census Bureau, the court system, the police, the district attorney's office, and other government agencies, including those that deal with housing, social services, welfare and education, are all excellent sources of statistics.

From them you can hopefully find out things like the number of people in your catchment area; profiles of residents, as well as offenders, including their socio-economic status, ages, level of schooling and employment; types and locations of crimes; types of housing; the annual number of violations, misdemeanor and felony arrests; and case outcomes.

Keep in mind that the problems addressed by community justice are not always crime-related. Thus planners should seek information on other neighbor-

hood concerns. Those might include landlord-tenant disputes, health code violations, endemic health problems, teen pregnancy, building inspection reports and violations, and environmental hazards, such as noise and air pollution.

Remember also, that the data required for planning isn't just for identifying problems in the community, but within the criminal justice system as well. Planners need to study the current methods and procedures in-depth, identifying weaknesses, breakdowns in inter-agency communication, inefficiencies and meaningless outcomes.

Adapting from Initiative to Initiative

Of course, the information needed varies from initiative to initiative. When the Boston Police Department sought to crack down on rampant gun violence among youth, they wanted to know more about the shooters and their victims. Their own anti-gang unit suspected that a relatively small core of gang members was most responsible. But it wasn't until David Kennedy, a Harvard University researcher, substantiated their suspicion with solid numbers that they were certain. "The research bore out the street sense of officers that the population involved in shooting was very tiny and extremely criminal," said Jim Jordan, director of Strategic Planning for the Boston Police Department. "The research helped us understand better the opportunities we had in terms of developing deterrence and prevention strategies and then focusing community-wide attention on it. … The Harvard label [also] helped galvanize support."

The usefulness of data is probably most apparent when it contradicts planners' assumptions. Planners of a community court in Austin, Texas, commissioned a study of offenders who committed low-level crimes, from which a profile of the court's projected defendant population emerged. Planners expected that weekend arrests would be made up in large part of students from a nearby university, but the survey found that the number of students arrested was negligible. The survey also found, among other things, that about 58 percent of the population reported having a job — much higher than planners had expected. This finding sparked a discussion among planners about the possible need to offer community service on the weekend; with so many defendants employed, they wondered if weekday community service might put some at risk of losing their jobs. In the end, however, they decided that the inconvenience of missing work was part of holding defendants accountable for their behavior, and that it was therefore best to have them perform community service as soon after their court appearance as possible — preferably the same or the next day.

One important task for any planner is defining the scope of a project — what it will and will not handle. If a project's focus is too broad, for instance, it will be overextended and unable to do the job well. In the case of the Harlem Community Justice Center, for example, planners found that creating a neighborhood-based housing court for all of northern Manhattan (which has a population of more than 500,000) was not realistic. "We would have had more cases than one judge could handle," Tanya Lewis-Kelly, a project planner, said. The solution

was to reduce the catchment area for housing cases to a more manageable size — basically the neighborhood of East Harlem, which has about 110,000 residents.

Working with Numbers

It's worth noting that working with numbers can be tricky. Like words, numbers can have multiple meanings. It's helpful to understand how the numbers were collected, and it's imperative that planners understand the system they're studying inside and out before drawing conclusions. For instance, determining the Housing Court caseload for the Harlem Community Justice Center wasn't a straightforward task. Planners initially thought the total number of petitions filed with the court represented the caseload. But by studying the Housing Court process further, they learned that it was only those cases in which the opposing side had filed an answer — about half the cases — that represented actual court appearances. (The remainder were resolved without court involvement). When Red Hook planners projected their Criminal Court caseload, they had to filter out crimes occurring on Friday and Saturday since the Justice Center would not be open on the weekend.

Unfortunately, the numbers planners need aren't always available. Sometimes jurisdictions, agencies and other official bodies aren't willing to release numbers — especially if they fear the numbers reflect unflatteringly on their performance. It may require a formal written request and a lengthy wait, or the building of a relationship over time, to get what's needed. Antiquated technology, limited resources and overworked staff can hamper even the most well-meaning officials from supplying planners with numbers. Sometimes data sources simply don't have information organized in a way that's useful — although experienced researchers and statisticians can usually translate data to suit a planner's needs. And sometimes, quite simply, no one has been keeping track of the numbers; this is often because old databases weren't designed to capture data of current interest like quality-of-life complaints.

Sometimes the fact that information isn't readily available can be a sign of a problem. The fact, for example, that information on noise violations, environmental problems and petty youth crimes isn't obtainable might mean the police and other agencies are not giving these offenses sufficient attention.

With a little creativity, however, planners can often collect their own numbers. This could be done, for instance, by looking at a sample. When planners of the Midtown Community Court couldn't get data on the use of alternative sanctions for misdemeanors, they had graduate students and volunteers pull a sample of 1,000 files and tally the numbers by hand. They also interviewed informed sources, including supervising judges, who generally had a strong anecdotal sense of the numbers. "This gave us a baseline figure that proved to be pretty valid," said Michele Sviridoff, who supervised research for the Midtown Court.

In the absence of official numbers on how long it took to adjudicate cases in Housing Court, organizers of the Harlem Community Justice Center held a focus group of property managers and asked them to look in their files. The property

managers reported that it took almost a year for cases to make their way through Housing Court, and that each case involved on average three appearances.

Finding Solutions *"Thanks to New York City's pre-trial agency, we have a database of all arrests in our catchment area for the past two years. We've used these numbers at every step of the planning process — analyzing crime trends, disposition rates, sentencing patterns and detention frequency. Coupled with community-wide surveys and focus groups, we have developed a well-rounded idea of what to expect when we open. Red Hook's caseload will be significantly different from Midtown Community Court's — more assault and property crimes, less prostitution and fare-beating. Knowing what to expect helps us plan appropriate sanctions and services. For example, given the prevalence of low-level assault cases, we will look to have on-site counseling for victims and anger management sessions for defendants."*
— Adam Mansky, project director, Red Hook Community Justice Center

So your desk is piled with transcripts of focus groups and interviews; your hard drive is brimming with numbers. You can now identify the key problems you want to address in the community and in the criminal justice system. Some planners at this point return to stakeholders to let them know the results of the data gathering process. By seeking community feedback, planners can be sure they've correctly assessed stakeholder priorities as well as continue to build community partnerships.

With problems clearly defined, the moment has arrived to come up with solutions. By this time, no doubt, some ideas are already in hand, gleaned perhaps from interviews or brainstormed by planners along the way. Planners can harvest solutions by talking to system players, such as judges, attorneys, cops, parole and probation officers, court officers and social service partners.

Planners should also turn to other jurisdictions handling similar problems in creative ways. Site visits are an excellent way to learn firsthand about another project's successes and failures. Maybe another jurisdiction has already tried and rejected the route being contemplated.

Planners should also find out what's been done in the past. What worked, what didn't and why?

Programs in one city often take inspiration from another jurisdiction's initiatives. In Maricopa County, Arizona, for example, the Adult Probation Department got wind of an effort in Madison, Wisconsin, to institute neighborhood or "beat" supervision of probationers. "One of my colleagues went out to Madison and wrote up a one-page summary of what he saw and routed it to a supervisor to see if he had any interest," said Leslie Ebratt, a new supervisor at the time. The Madison plan was eventually adapted to a Phoenix neighborhood as a pilot project, and its success has led to the opening in Maricopa County of other neighborhood-based probation efforts.

Solid research leads to solid problem-solving. Here are some examples:

Site Selection   The Austin, Texas, prosecutor's office used demographic and crime statistics to help identify the best community in which to launch a Weed-and-Seed program. The planners selected an area that had a large number of people living in poverty and high levels of quality-of-life and violent crime. But the site selection wasn't based on crime statistics alone. They also looked for "positive things that showed the community was ready," explains Darla Gay, community justice program manager for the district attorney's office. One positive thing they found was a local school that remained open every week day until late in the evening with programs for children and adults. However, adjacent areas, which did not have similar examples of community organization, were also included in the Weed-and-Seed program. Planners did this deliberately, believing that the less organized neighborhoods would learn how to build community networks — an important component of the "seed" portion of the program — from the neighborhood that already had some building blocks in place.

Youth   The Youth Court at the Red Hook Community Justice Center was shaped by extensive community research. Planners interviewed police officers, probation officers, parents and kids, and also held a number of focus groups, including one with teenagers, an important group that often gets overlooked. They found that when police cited young people for violations or low-level misdemeanors, such as shoplifting, turnstile-jumping or carrying a box-cutter, a report was filled out and little more was done. Technically, officers were supposed to contact parents or guardians to let them know their child was in trouble and to try and link them with services. But manpower was insufficient to accomplish this laudable goal, and kids were getting the message that there were no consequences for misbehavior. Adults expressed frustration that the community had broken down to such an extent that kids were out of control. Officers complained of being overwhelmed by paperwork. And the kids said what they needed when they were in trouble was someone to reach out to them and hook them up with something positive. Planners decided that the Youth Court, made up of teenagers, would work with kids referred directly by police. The Youth Court would perform the outreach to families that the police officers weren't able to do. Members of the Court would enforce community norms of behavior and teach offenders that there are consequences for delinquency by issuing sanctions (such as community service and letters of apology). The Youth Court would also give its members extensive training to teach them skills and help them serve as role models. With these components, planners tried to answer the concerns of police, parents and the community, and offer young offenders something positive to prevent them from getting into even more trouble.

Prostitution   Planners for the Midtown Community Court found that a large number of prostitutes were getting sentenced to "time served" (essentially a "walk") in the traditional court downtown; this did nothing to deter prostitution or help prostitutes get out of the business. Midtown's designers developed a three-pronged response to prostitution, which accounted for more than 1,100 arraignments in the Court's first year: community service, court-ordered participation in health education groups, and warrant enforcement by local police. Community service not only paid back the community but made it harder for prostitutes to work sufficient hours to sustain their lifestyle. The impact of community service on prostitution has since been substantiated by interviews with prostitutes and a dramatic drop of more than 60 percent in prostitution arrests in the years since Midtown opened.

Homelessness   Members of the Street Outreach Services (SOS) program — which pairs social workers based in Midtown Community Court with community policing officers to address the problems of people who live on the street — recognized that certain disorderly places, or "hot spots," needed intensive attention. The Court and the Police Department joined together to create local problem-solving groups of residents and other stakeholders to brainstorm and enact solutions. The working groups tried to determine why the spots were hot and come up with solutions. For instance, at one hot spot, a cluster of street people routinely committed disorderly acts, such as urinating, defecating and drinking in public, panhandling and lighting fires to stay warm. Many lived out of canvas mail carts and shopping carts, which community members considered eyesores that contributed to disorder. The working group identified an aluminum can redemption center and city park without a fence as magnets for the homeless. With the help of an SOS social worker, the group came up with a profile of the "core" group of about 10 street people who gathered at the hot spot, plus about 10 less permanent members. They developed a special outreach team to work with these people and address issues of housing, mental health, physical health and veterans benefits; they also arranged for the police to announce that after the out-reach efforts, there would be intensive enforcement, thus giving the street people a solid incentive to cooperate with the outreach team. They also spearheaded a community effort to clean the park and promote programming there. In the end, a number of the homeless individuals were placed in housing and social service programs. Most important of all, the effort spurred the development of new, ongoing channels of cooperation and communication among local criminal justice professionals, residents, representatives of city agencies, treatment providers, and homeless advocates.

Drug Dealing   Police in Jersey City identified 56 drug-related hot spots using narcotic sales arrests, drug-related emergency calls and information from a narcotics tip line over a six-month period. These 56 spots accounted for 45 percent

of narcotic sales arrests and 46 percent of emergency calls for service even though they made up only 4.4 percent of the city's streets and intersections. In an experiment, they targeted 28 of the hot spots for intensive enforcement. Police officers met with business owners and residents to gather information on suspected drug offenders. They then used intensive crackdowns involving other agencies, such as housing and beverage licensing, which used their powers to issue violations to close down drug activity. The effort led to a significant drop in emergency calls for service in and around the hot spots.

Continuing to Collect Data

"Research gave us a powerful instrument to galvanize people behind this approach; it was a systematic scientific inquiry into the nature of the problem.… [Having solid numbers] was helpful in terms of marshaling people … resources and energy."
— Jim Jordan, director of strategic planning for the Boston Police Department

Community justice is about problem-solving, and you can't solve problems without information. But information does more than aid problem-solving directly. It gives planners credibility. It helps them present a compelling case to the community. It assists in mustering the support of elected officials. It also plays a key role in fund-raising.

The experience gained in collecting and studying data before a project begins will also prove invaluable once things are in motion. The most successful projects pursue reflection and self-improvement on a regular basis. They continue to identify problems and come up with solutions. These solutions are usually seen as experimental: If they work, great; if they don't, planners examine why they didn't and, if possible, craft a better solution. In 1993 in Manhattan, for instance, roughly half the defendants who were issued Desk Appearance Tickets (a citation arrest scheduling a court appearance three weeks later) failed to show up in court. Court planners and local policy makers suspected that the problem was the lag between arrest and the scheduled court date. To test this notion on a small scale, they experimented with reducing the lag time to a week at the Midtown Community Court. To their surprise, they found no effect on appearance rates. But the small-scale field test saved them the expense of an unnecessary, and potentially costly, system-wide reform.

Data also help measure a project's achievements. By comparing outcomes under the new system with outcomes under the old system, a community justice initiative can know precisely the project's effect on the community, offenders and the criminal justice system. These numbers can be used to broadcast a project's accomplishments and help maintain partnerships with other players in the criminal justice system, lawmakers, funders and the community at large.

Notes

Center for Court Innovation

The winner of an Innovations in American Government Award from the Ford Foundation and Harvard's John F. Kennedy School of Government, the Center for Court Innovation is a unique public-private partnership that promotes new thinking about how courts can solve difficult problems like addiction, quality-of-life crime, domestic violence and child neglect. The Center functions as the New York State Unified Court System's independent research and development arm, creating demonstration projects that test new approaches to problems that have resisted conventional solutions. The Center's problem-solving courts include the nation's first community court (Midtown Community Court), as well as drug courts, domestic violence courts, youth courts, family treatment courts and others.

Nationally, the Center disseminates the lessons learned from its experiments in New York, helping courts across the country launch their own problem-solving innovations. The Center contributes to the national conversation about justice by convening roundtable conversations that bring together leading academics and practitioners and by contributing to policy and professional journals. The Center also provides hands-on technical assistance, advising court and criminal justice planners throughout the country about program and technology design.

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