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STATUS REPORT

THE VERA INSTITUTE OF JUSTICE

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INTRODUCTION TO THIS REPORT

This Status Report summarizes the work of the Vera Institute of Justice, through July, 1991. It is presented in chapters that group a diverse program development portfolio under general substantive headings. Each chapter begins with an historical summary of Vera's past work in that area, and then **describes** in a bit more detail the work performed during the current period.

Background

The Vera Institute was created in 1961 to assist the agencies comprising New York City's criminal justice system to develop and test new techniques to enhance public safety and to make the criminal justice system more just and more efficient. General support grants from the Ford Foundation and from the Edna McConnell Clark Foundation have provided to Vera the core financing that gives the Institute its independence from the government agencies whose functions are the subject of its reform efforts. Since 1967, the City itself has contracted with the Institute for particular projects, conceived by the core staff who have been supported by general support grants. In recent years, Vera has been building an Endowment Fund that is gradually reducing the need for general support grants.

How the First Project Established a New Approach to Research and Development in Criminal Justice

The idea of a Vera Institute began one evening in 1960, during a social conversation between Louis Schweitzer and an official of New York City's Department of Correction. Schweitzer learned that the local jails were dangerously overcrowded. He was told that thousands were being detained for long periods, at high public expense, on minor charges for which they were not likely to be jailed even if they were eventually found guilty. He was told that many were not, in fact, convicted and that they were subjected to pretrial imprisonment not because a judge ordered it, but because they were unable to pay the fees of bail bondsmen or to put up the collateral bondsmen require.

Schweitzer was an immigrant chemical engineer who had prospered & this country and had become an active philanthropist. It shocked him to **think** that poverty had in effect become a punishable offense. The way he saw it, decisions about an individual's liberty should be made by judges, not by insurance agents. He sensed that a man with no collateral might be as good a risk as many men with a great deal of it. And he thought building more jails was a waste of taxpayers' money, if the real problem was the American system of bail.

Schweitzer quickly arranged to **talk** with guards and inmates in one of the city's jails. These conversations confirmed **his** impression that the **crisis** was not in the supply of jail cells but in the money bail system that was filling them. Convinced that a publicly-spirited private group could find a solution – even to a problem that would ordinarily be thought the exclusive province of lawyers – he engaged a staff to help him find one.

The staff's research disclosed that all major studies of the American bail system since 1920 had exposed the same defects. Their interviews with New York judges, prosecutors, defense lawyers, bondsmen and prisoners made it clear that a substantial proportion of those imprisoned for inability to post bail had strong family ties, stable residence, and current or recent jobs in the area, and that they would be good bets to return to court voluntarily if released on their own recognizance. This research uncovered the surprising fact that – even by 1960 – the court's statutory power to release on recognizance (ROR) was being used in **less** than one percent of cases.

As neither forty years of academic research nor the informed opinions of practitioners had changed the system's reliance on money bail, the staff hired by Schweitzer designed an *action-research* project that would both win release for defendants who could be relied upon to return to court voluntarily, and give judges the confidence to ROR such individuals in the future.

The city's administrative judges were persuaded to cooperate in testing, directly, whether appropriate defendants would be released on their own recognizance, without bail, if arraignment judges were given verified information showing strong ties to the community, and whether defendants released this way were any less reliable than those who made bail.

In October 1961, the Vera Institute was created to conduct the experiment. Schweitzer provided the financial support necessary to get

In 1964, New York City institutionalized the Manhattan Bail Project. Budget officials determined that the project, operating in only one of the City's five counties, had already saved over a million dollars.

this first project — the Manhattan Bail Project — in motion, and local law students were recruited part-time to staff it. The law students administered a four-page questionnaire to everyone arrested in Manhattan (except those brought in on the most serious charges), prior to their appearing before arraignment judges. The questionnaire elicited details about criminal record, financial resources, residence, employment and dependents, and other indicators of the depth and quality of a defendant's community ties. A point scale was devised so that, after the community ties information was independently verified, project staff could make uniform, objective assessments of the strength of these ties. Defendants with scores at or above the threshold established for reliability were eligible for a recommendation, from the project to the judge, that they be granted release on their own recognizance (ROR).

That was the *action*. The *research* required that project staff forward ROR recommendations and verified community ties information to arraignment judges in only half the eligible cases. The other half, randomly selected as "controls", after ROR eligibility had been determined, went before the judges in the customary way. By

comparing judges' decisions in the experimental cases with their decisions in the control cases, Vera could know the extent to which providing verified community ties information made a difference in the willingness of judges to ROR instead of setting bail; by comparing the subsequent behavior of the two groups, Vera could know whether defendants ROR'd on the basis of verified community ties are less reliable than those released because they can afford to make bail.

Vera's Manhattan Bail Project was the first controlled experiment in a court setting. The decision to combine sophisticated research techniques with the innovative action program of the Manhattan Bail Project arose from the accurate observation that lasting reform of the bail system would require irrefutable evidence both that the project reduced judges' reliance on money bail and that no injury resulted to the interests of justice.

The Manhattan Bail Project began in October 1961, and ran for three years. The judges ROR'd 3,505 defendants on the project's recommendation. Only 56 (1.6%) willfully failed to return to court, and less than one percent were rearrested while free on ROR. As time passed and the judges saw that setting bail was not the only way to assure a defendant's presence for court hearings, the rate of ROR rose in the control group too. But over the entire three years, judges were four times as likely to ROR an eligible defendant when they had the project's recommendation and the verified community ties and prior record information to guide them. The 1.6 percent "skip rate" for ROR'd defendants who met the project's criteria remained less than half the skip rate for defendants released by posting bail. The results spoke for themselves: a conventional bail bond is often a less effective guarantee for the court than verified information about prior record and community ties.

In 1964, New York City institutionalized the Manhattan Bail Project. Budget officials determined that the project, operating in only one of the city's five counties, had already saved over a million dollars in the Department of Correction's operating budget, and the Department of Probation was charged with making the new ROR procedures standard city-wide.

TABLE OF CONTENTS

INTRODUCTION TO THIS REPORT	1
Background	1
How the First Project Established a New Approach to Research and Development in Criminal Justice	1
A Different Definition of the Problems Cities Face, and a Different View of How Non-Profits Can Help	3
Vera's Resources	5
POLICING	6
The Background of Vera's Work in the Police Field	6
Work on Policing During the Current Period	9
The Community Patrol Officer Program	9
CPOP: The Research	14
Beyond CPOP: Problem-Solving Policing Writ Large	16
Development of a Model Precinct	18
Research on the Civilian Complaint Review Board	32
The Feasibility and Desirability of Steady Tour Assignment	37
COURT ADMINISTRATION AND THE ADVERSARIAL PROCESS	38
Court Process and Diversion From It	38
Developing Knowledge About Court Process	40
Victims in the Courts – and in the Community	41
Current Work on Court Administration and the Adversarial Process	44
The Speedy Disposition Project	44
The Neighborhood Defender Service of Harlem	47
SENTENCING	50
Community Service as an Alternative to Jail	50
Restoring the Power of Economic Sanctions	52
Vera's Current Work on Sentencing Reforms	52
Creating The Center for Alternative Sentencing and Employment Services (CASES)	52
Use of the Powers of the Commercial Bailbondsman: New Techniques for Intensive Supervision of Offenders	54
Further Development of the Fine as a Criminal Sanction	58
CORRECTIONS AND PAROLE: EMPLOYMENT FOR CRIME PREVENTION PURPOSES	60
Current Work on Employment and Crime	62
DRUG ENFORCEMENT, EDUCATION AND TREATMENT	64
Work on Drug Abuse Issues in the Current Period	64
Neighborhood-Level Effects of Drug Enforcement: A Study of the Police Department's Tactical Narcotics Teams (TNT)	64
Alcohol, Drugs and Crime: Research and Technical Assistance on an Initiative by Four State Agencies	68
HUMAN SERVICES	74
Self-Sufficiency for the "Unemployable" – Supported Work	74
Housing for the Homeless and Mobility for the Homebound	76
TECHNICAL ASSISTANCE TO OTHER JURISDICTIONS	79
Technical Assistance During the Current Period	80

Meanwhile, press reports of the transformation in New York's bail system inspired a replication of the project in Des Moines, Iowa, and attracted the interest of Robert Kennedy, then Attorney General of the United States. He instructed all U.S. Attorneys to adopt the new ROR techniques to guide individual prosecutors at federal arraignments; over the next two years, the federal ROR rate rose from 6 percent to 39 percent without any increase in the "skip rate." To assist the country as a whole to take advantage of what had been learned in the Manhattan Bail Project, the Justice Department and Vera co-sponsored a National Conference on Bail and Criminal Justice, which brought more than 400 judges, prosecutors, defense lawyers and police and prison officials to Washington for three days in May 1964. By the Spring of 1965, replication projects had sprung up in 44 counties and cities; starting with Des Moines, Vera staff provided technical assistance in as many of these jurisdictions as they could get to.

By October 1965, sixty projects were underway in cities and counties around the country, 25,000 defendants had been ROR'd, and their "skip rate" was still lower than for defendants released on bail. The President signed the Bail Reform Act of 1966 the following June. The first reform of the federal bail system since 1789, it required that information about defendants' prior records and community ties be routinely provided at federal arraignments, and it directed judges to ROR or to fashion suitable, non-monetary conditions of release in appropriate cases.

Thus, in its first five years, the Vera Institute had designed an innovative remedy for a pressing problem, proved its practicality and worth in a pilot project, measured its effects through sophisticated research, and saw its systematic use institutionalized in New York City and extended across the nation.

The action-research techniques Vera developed and refined in this first project remain at the core of its work today. Chief Justice Warren seems to have been right when, addressing the National Conference on Bail and Criminal Justice in 1964, he foresaw that "possibilities for the application of these methods are many and the prospects of solution outside the traditional confines of the law are great."

A Different Definition of the Problems Cities Face, and a Different View of How Non-Profits Can Help

Over the past twenty-nine years, through more than one hundred experiments and demonstration programs, Vera's track record has lent support to the view that the reform of urban criminal justice systems and the amelioration of other urban problems can be much assisted by active collaboration between publicly accountable officials and a private action-research agency like Vera. Vera is largely free from the constraints that crisis management impose on public officials. It can take the time to probe the roots of problems before reaching for remedies. And it can break complex policy conundrums down, into more manageable problems for which solutions can be designed and systematically tested.

By staying with a problem until the effort yields workable solutions, by taking responsibility for field-testing the new approaches, by accepting the risk of failure which makes innovation difficult in the public sector, and by insisting that disappointments along the way be analyzed and used to refine program design, Vera pioneered a new way of bringing about specific, practical changes in urban policies.

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It has been possible for the Institute to assist in a surprising variety of substantive areas, where the policy problems facing government are amenable to solution through Vera's particular approach -- practical action combined with sustained research. Vera's projects have all been directed at devising and institutionalizing practices that reduce waste of public resources or

make more efficient use of scarce resources (police officers, prosecutors, judges, social workers), while at the same time helping to relieve injustice or hardship among the chronically out-of-work, the handicapped, the homeless, the infirm, or the victims and offenders enmeshed in the criminal justice system.

Because of the private sector funding at its core, Vera has been able to contract with government agencies to implement and test new ideas without becoming government's creature. Its action orientation keeps the Institute from settling into the conventional role of a consulting firm or "think tank." Vera does not do a quick study,

By "spinning off" reforms when they are sustainable as City agency procedures or as stable independent non-profit service providers, Vera has freed its core staff from open-ended operational responsibilities so they can devote their energies to further innovation.

offer advice and move on; it forms long-term partnerships with public agencies, and it institutionalizes the reforms it has devised.

Because Vera was created to test innovations and to help the cities adopt new programs and procedures, it has been important for the Institute not to get enmeshed in long-term management responsibility for the programs it has created. By "spinning off" reforms when they are sustainable as City agency procedures or as stable independent non-profit service providers, Vera has freed its core staff from open-ended operational responsibilities so they can devote their energies to further innovation.

Over the years, Vera's projects have shaped the policy and the standard operating procedures of all of New York City's and New York State's criminal justice agencies, both in the executive and in the judicial branches of government. Sometimes a Vera project addresses problems for which no government agency has sole or direct

responsibility, or the new techniques Vera has developed can more efficiently be carried out in the non-profit sector. Vera has so far created ten independent non-profit agencies that provide the city with sustained implementation of new approaches of this type. In this way, Vera created the Victim Services Agency, the Manhattan Bowery Corporation, the Criminal Justice Agency, the Court Employment Project (now the Center for Alternative Sentencing and Employment Services), the Wildcat Services Corporation, and others. More often, the city and state simply re-absorb Vera's demonstration projects into the government agencies with which Vera collaborated on the work. This is the origin of the Police Department's Community Patrol Officer Program, its *Guidelines on the Use of Deadly Force*, and its use of Desk Appearance Tickets in lieu of arrest. It is also how the city's prosecutors' developed their Early Case Assessment Bureaus, how the courts came to have a pre-arraignment system, and how the state Corrections Department got its *Inmate Rulebook* and its furlough screening system.

Other jurisdictions have followed the same pattern, in adapting to their problems and circumstances the practical knowledge generated by Vera's programs and research. Several hundred jurisdictions have created independent non-profit agencies to replicate Vera projects. Countless others have amended the operating procedures of their police, prosecution, court, corrections and employment agencies to take advantage of the approaches reported in the Institute's publications. Vera has used New York as its principal laboratory, but it has kept the needs of the rest of the country in mind when designing pilot programs and disseminating their results.

The Institute serves this wider audience in more than one way. Most of the time, Vera's own publications and the books and articles published by its staff are the vehicles by which the lessons learned in New York get into the nation's store of useful knowledge. Sometimes Vera sends a technical assistance team to another city for an extended period: this practice helped create the Hartford Institute of Justice and the Cincinnati Institute of Justice. Sometimes the shape of the demand for technical assistance in a particular field leads Vera to help set up a national agency to

respond. To provide technical assistance on bail, pre trial diversion and jail over-crowding, Vera helped establish the National PreTrial Services Resource Center in Washington, D.C. To carry out national replications of Vera's supported work programs, the Ford Foundation, Vera and several federal agencies created the Manpower Demonstration Research Corporation. More recently, Vera helped set up a national Prosecuting Attorneys Research Council, which is now governed by its own Board of metropolitan prosecutors, from all regions of the country, who want to apply Vera's action-research techniques to their own work.

Vera's Resources

Since its birth in 1961, in a borrowed office, the Vera Institute has matured into a substantial and complex organization serving the local and national need for creative, field-tested solutions to the most intractable urban policy dilemmas. Through 1987, general support grants from the Ford Foundation and the Edna McConnell Clark Foundation made it possible for Vera to develop and maintain a skilled and experienced core staff. Upon the work of that permanent core, the Institute built contractual relationships with the federal, state and local agencies responsible for addressing the problems for which Vera's action-research approach was suitable. Grants and contracts for specific projects usually number over one hundred. Vera's full-time staff range from former prosecutors to former convicts, from social workers to economists, from anthropologists to former cops, and today its total annual budget is about \$20 million -- largely made up of short-term contracts with the government agencies whose work Vera has undertaken to reform.

For its first quarter century, Vera's own resources were its personnel, its experience, its reputation, and the action-research techniques it had developed. In 1986, the Institute's Trustees concluded it was time to make Vera a permanent, endowed institution. They determined that income from an Endowment Fund of \$10 million would be sufficient to replace the general support grants on which the Institute depended, each year, to maintain its core staff and to carry forward its agenda of action-research. The Ford

Foundation agreed, and in 1987 awarded a \$5 million Endowment Challenge Grant, which must be matched dollar-for-dollar by 1993. Vera has so far secured about \$2.5 million of the \$5 million match required, and needs another \$2.5 to \$3 million to complete its five-year drive for economic self-sufficiency. At the end of the period of this report, Vera secured an "additional challenge" grant of up to \$250,000, which will match the first \$10,000 of any new endowment gift. Over the next three years, Vera's Trustees will complete their personal appeals to individuals and small family foundations, who are likely to be attracted by existence of this "additional challenge" grant.

It is the quality, importance and timeliness of the Vera Institute's work that will attract the endowment grants it needs to complete the campaign for self-sufficiency. There is no community in which policing, crime prevention, drug treatment, court administration, sentencing policy or correctional practice fully meet reasonable expectations of the citizenry. The Vera Institute's continuing contributions to practical knowledge in these fields give practitioners and policy-makers cause to be confident that they can do their important jobs better -- and the tools to do so.

In the period between now and the completion of the Endowment campaign, revenues to support Vera's core functions will be tight. Even so, the Institute is determined not to draw back from its commitments to core technical assistance and communications functions and to the developmental work and innovation that makes those functions valuable.

The body of this *Status Report* is divided into substantive chapters, covering the principal areas of Vera's program development effort:

- Policing
- Court Administration and the Adversarial Process
- Sentencing
- Corrections and Parole: Employment for Crime Prevention Purposes
- Drug Enforcement, Education and Treatment
- Human Services
- Technical Assistance to Other Jurisdictions

POLICING

Police Officer Bob Orazem, like most patrolmen, spent frustrating years racing around unfamiliar neighborhoods, responding to radio calls from the 911 operator. Radio motor patrol, the conventional method for policing urban America since the advent of cars and radios, permitted him to respond swiftly to crime scenes — but usually after the suspects had fled. In June, 1984, he and nine other officers of the 72nd Precinct in Brooklyn were taken out of their cars and given a radically different assignment. Under the supervision of a Vera-trained sergeant, they became the pilot for New York's Community Patrol Officer Program (CPOP), an experiment designed by the Vera Institute, in which police officers were put back on foot and in touch with the neighborhoods they are charged with protecting.

In the seventeen square blocks that became his steady beat, Orazem was required to get to know the residents and merchants and to work with them to identify, attack and eliminate the conditions that bred crime and the fear of crime in what was to become his neighborhood. Vera's police planning staff trained him to do so.

This approach to policing at first stunned the people of the 72nd Precinct. Seven called the station house in the first week of the CPOP pilot to report that someone impersonating a police officer was introducing himself around. Orazem soon established his credibility with the law-abiding and the delinquent on his beat and, able for the first time to follow through on citizens' complaints, he experienced professional satisfactions that are denied to officers responding by car to an endless string of 911 calls.

Orazem made more than 100 arrests over the next 15 months. But something more was required to get rid of the drug pushers who hung out in an abandoned lot at the heart of his neighborhood. His new assignment made him accountable, both to the community and to his sergeant, for eliminating what he and they had identified as the priority problem on his beat. He tried the conventional tactic: he arrested junkies as they bought and sold dope in the open-air drug market. But the next day others would take their place. So he and the local block association president organized neighbors to clean the debris from the lot. Then Orazem negotiated the maze of bureaucracy to get two separate city agencies to cooperate in hauling away the trash and building a fence. Finally, with the help of more local volunteers, Orazem landscaped the lot, built some benches and erected a swing set. The addicts disappeared, some of them to the drug-rehabilitation centers to which Orazem had referred them. They left behind the fruits of a new form of urban policing — a place where children are safe at play.

The Background of Vera's Work in the Police Field

Since 1964, the New York City Police Department and the Vera Institute have been developing programs, like CPOP, that permit more efficient and effective deployment of police resources. The first joint effort was the Manhattan Summons Project, launched in 1964. Until that time, the thousands of suspects brought into precincts on minor misdemeanor charges were routinely held in police custody until arraignments where most were routinely fined, given some other non-custodial sentence or released on their own recognizance. Arresting officers were kept on duty — but off patrol — throughout the many hours of processing.

Vera staff discovered that state law gave the courts authority to allow the police to issue summonses, in these cases, instead of processing them all the way through arraignment on the day of arrest. The Police Department wasn't prepared to ask the court for that power until it had some objective way to know which suspects could be relied upon to show up for arraignment on their own. Vera agreed to try adapting the decision-making tools it had developed for arraignment judges in the Manhattan Bail Project (described in the previous section of this report).

Court approval was secured for the experiment and, starting in one pilot precinct, Vera staff gathered and verified information about the community ties of misdemeanor suspects as arresting officers brought them in. When the weight of a suspect's community ties met pre-determined eligibility criteria, and his prior record did not exclude him from further consideration, project staff recommended to the precinct desk officer that the suspect simply be issued a summons to appear at court on a fixed date.

The pilot project so quickly and substantially cut into the waste of police patrol resources that, after five months, the Department began expanding it to other precincts. By July 1967, the new procedures were in place city-wide.

An audit showed that, over the next four years, each of the 32,000 summonses issued freed up an average of 10 hours of police time -- a savings valued at \$6.7 million (in 1967 dollars), most of which was invested in more patrol by the police officers. Thousands of citizens, charged with minor violations of the penal law, were enabled to keep their jobs, remain with their families, and prepare their defenses before going to court. Ninety-five percent appeared voluntarily for arraignment.

The procedures developed in the Manhattan Summons Project soon became standard operating procedure in the New York City Police Department, and police departments across the country have followed suit. In 1971, the Vera guidelines and the court orders that made the Manhattan Summons Project possible were codified in New York law.

The procedures developed in the Manhattan Summons Project soon became standard operating procedure in the New York City Police Department, and police departments across the country followed suit.

The Manhattan Summons Project gave the Police Department both confidence in Vera as a partner and an appetite for further innovation. In 1967, the Department formalized the partnership with the first of the string of technical assistance contracts that has governed the relationship ever since. In the previous year, the Department had stationed two lieutenants to work at the Institute in a Police Liaison Office. Establishing this office at Vera signalled to the rest of the law enforcement community the depth of the Department's commitment to research and development, and the police personnel who have rotated through the office over the past twenty-five years have helped shape and sharpen the Institute's work. There has been plenty of work to do:

- Hispanic prisoners held in precinct lock-ups could not communicate with the cops on duty because of language barriers. In 1966, when

suicide attempts were rising, Vera developed a system for the quick transfer of Spanish-speaking defendants from the precincts to the Correction Department, which employed more bilingual personnel. Suicide attempts subsided.

- New York, like other cities in the 1960s, experienced an increase of incidents in which white police officers shot and killed black youngsters. In 1967, Vera helped the Department draft stricter rules on deadly force. Vera's explanatory *Guidelines On the Use of Deadly Force* were distributed to every officer, together with the Department's new and more restrictive rules. Then, in 1969 Vera designed and published detailed procedures for all agencies that would be involved in the *Administration of Justice Under Emergency Conditions*. Put into practice in New York City several times over the following years, these plans helped minimize violence to and by police officers; other departments have successfully used these books as a blueprint for constructing their own procedures, measurably reducing officers' use of deadly force in routine police work, and the risks to officers and to civilians when emergency conditions arise in our major cities.
- In 1969, Vera and the Police Liaison Office launched a pilot project to speed up and modernize the process of getting defendants arraigned, once they reached the courthouse. This permitted arresting officers to be released -- to go back on patrol, or to go off duty if their tours were over -- except in cases where their testimony would be required at arraignment. A 1985 audit showed that this Pre-Arraignment Project (now institutionalized city-wide) saved the Department \$27,150,000 in police time, in that year alone. (See later sections of this report for Vera's work on the current problems that delay the court process.)
- Even after arraignment, criminal cases waste patrol resources. Police officers spent thousands of hours each year waiting in court to testify on days when cases were adjourned or dismissed. Starting in 1967, Vera persuaded prosecutors and judges to cooperate with the police in a series of pilot projects aimed at keeping cops on patrol. Vera developed a city-wide "alert" system by which police stayed on the street but could be called in to the courthouse on short notice. A 1977 audit

showed that, in Brooklyn, the Appearance Control Project was avoiding an average of 70 police court appearances each day, an annual savings of \$2 million in that borough alone. At that point, Vera staff was able to turn over to the Department the responsibility for managing its Appearance Control Unit.

By the mid-1970s, as these and half a dozen other police-Vera programs became permanent fixtures, the Department was hit by a fiscal crisis. Between 1974 and 1982, the city lost over 9,000 police officers, at precisely the same time that reports of crime and demand for police services were growing. The question every police manager wanted answered was how to get more results from fewer troops. One answer came from Vera's *Felony Arrests: Their Prosecution and Disposition in New York City's Courts* (New York: Longman, 1981). That seminal book documented why some felony arrests, but not others, lead to convictions, and it led to the identification of things police can do to prevent the collapse of stranger-to-stranger felony cases. The first and most important: Work harder on preparing the felony arrests that the officers were already bringing into the system.

In the test precinct, the percentage of felony arrests indicted by the District Attorney increased by 53 percent. Sentences to "felony time" – more than a year in prison – increased by more than 45 percent, and prison terms of five years or more doubled.

Vera designed a Felony Case Preparation Project and tested it in the 43rd Precinct in the Bronx. The basic idea was to have precinct detectives conduct a thorough follow-up investigation immediately after each felony arrest, before the case goes to the prosecutors in the Complaint Room. The Vera-trained detectives searched out additional evidence, recorded witnesses' statements, found additional witnesses to fill out the evidentiary basis for a prosecution and, after proper warnings, took formal statements from the suspect. As Vera expected,

detectives following these "case enhancement" steps in the pilot precinct were able, in almost all felony arrests, to present prosecutors with a full written report of the evidence before the suspect even reached the District Attorney's Office.

The results were impressive. In the test precinct, the percentage of felony arrests indicted by the District Attorney increased by 53 percent. Sentences to "felony time" – more than a year in prison – increased by more than 45 percent, and prison terms of five years or more doubled. And there was no increase in arrest-to-arraignment time. Vera's Research Department, having tracked these measures of performance in neighboring precincts, was able to demonstrate that the effects were due to the new procedures alone. In September 1981, after Vera helped test the new case preparation procedures in several other precincts, the Department began expanding a version of this program to every precinct in the city.

By the mid-1980s, the police agenda for Vera had evolved further. Most of the Department's patrol resources were committed to Radio Motor Patrol. And most of that patrol time was spent driving around, waiting for 911 calls or responding to them. Working under its technical assistance contract with the Department, Vera first surveyed the results of a decade of research into patrol, which made it difficult to believe that so much random preventive patrol was worth the effort: Many 911 calls were not emergencies, and random patrolling between 911 calls was not deterring much crime. Most important, radio-car cops had become strangers to the law-abiding as well as to the delinquent. Their lack of local knowledge and their constant movement had led to neglect of the traditional "order maintenance" function of police – keeping the streets fit for decent people to walk without fear.

In response to the city's growing need for a new style of policing, and guided by the research survey, Vera worked with the Department in 1983-84 to design the pilot Community Patrol Officer Program. It combines, in a single officer, the law enforcement duty to arrest, the deterrence functions of the old-style foot cop, the outreach and community organization responsibilities of community relations officers, and the crime analysis and strategic activities of police planners.

Vera trained ten patrol officers and a sergeant, in a pilot precinct, to perform this community policing function, and began to fine-tune the role by daily debriefing of the officers assigned to perform it.

Six months into the pilot Community Patrol Officer Program, the Police Department began to expand it. By September 1986, 367 Vera-trained officers were working in CPOP units out of 37 precincts. Two years later, CPOP units had been introduced to all precincts.

What is happening on the streets of New York City is more than police walking beats again. CPOP cops are responsible for developing and implementing strategic plans to return neighborhood streets to their residents. They are as likely to organize a community group to prevent crime as to arrest a felon after a crime has occurred.

CPOP officers have proved to be unusually effective cops. They make more arrests per officer than almost any other unit in the Department, while still meeting with tens of thousands of the citizens who live and work on their beats. The arrests that CPOP officers make are not the random result of radio motor patrol: most of them are made in pursuit of strategic plans drawn up with community input, and many are the result of tips from local residents who have learned to trust their cop. Each year CPOs participate in thousands of community meetings, organize scores of block associations, recruit thousands of

civilian block watchers, and do whatever else is necessary to identify and eliminate the "quality of life" conditions that breed crime and fear in their neighborhoods. Despite their almost daily contact with all elements of the community, they have been less likely than regular patrol officers to be complained about to the Civilian Complaint Review Board – the local knowledge they possess serves the city well in this regard too.

When the city moved to extend CPOP to all of the city's precincts, Vera continued to train the new CPOs and their sergeants, to monitor implementation, and to help the Department use the results of Vera's monitoring to amend the program's design and the supervisory structure that supports it. Meanwhile, under contracts with the federal, state and city governments, Vera mounted a major research project to mine CPOP for answers to questions such as: What specific patrol tactics work, against what kinds of crime conditions or order maintenance problems, under what local circumstances? What kinds of officers and sergeants do best in this kind of policing? What relationships, if any, exist between the elimination of local crime conditions or order maintenance problems and crime rates? Practical answers are needed if community policing is to be done well in New York, and in the many other cities that are moving in this direction. Vera also undertook to help the Department find ways to adapt the style and substance of community policing and problem-solving policing into all aspects of police operations.

WORK ON POLICING DURING THE CURRENT PERIOD

The Community Patrol Officer Program

As part of its effort to assist the New York City Police Department to place CPOP units in every precinct in the city – a task now completed – Vera staff administered to hundreds of new CPOs the training program that the Institute designed to prepare officers for CPOP patrol; this training was also administered to officers serving as replacement or alternate CPOs and officers from the Housing Authority Police Department.

The Police Commissioner appointed an Inspector as the Department's city-wide coordinator of CPOP, and staffed his office with a captain and four sergeants. That gave CPOP a solid base within the Department, from which to move from being a demonstration project to being a standard element of policing in New York

At a crucial point in the development of CPOP, Vera staff conducted a thorough review of CPOP operations in the first twenty-one precincts to which the program had been expanded. The 110-page report of the findings from this review concluded with twenty recommendations for Police Department actions to strengthen the process of expansion and institutionalization. In the period since, much of the work of Vera's police planning staff and the Department personnel assigned to CPOP matters has been devoted to implementing this report's recommendations. Among the tasks falling to Vera as a result of this earlier review were these:

- Preparation and dissemination of a CPOP Implementation Manual, for use by Precinct Commanders and Unit Supervisors in precincts to which CPOP has been expanded;
- Incorporation of materials on CPOP in the Police Academy's basic curriculum and its curriculum for in-service training;
- Development and presentation of a CPOP orientation program as part of the Department's Executive Development training for all command personnel.

As a follow-up to recommendations made by Vera in its operational review of CPOP implementation in the first twenty-one precincts, the Police Commissioner appointed an Inspector to act as the Department's city-wide coordinator of the Community Patrol Office Program. With the assignment of this Inspector to the Office of the Chief of Patrol, and the staffing of his office with a Captain and four sergeants assigned as Borough CPOP coordinators, CPOP was given the solid base within the Department to move properly from demonstration project to a standard element of policing in New York. Equally important was the Department's agreement to Vera's recommendation that a Training Task Force be established, made up of representatives of the Office of the Chief of Patrol, Office of Chief of Department, Police Academy, and the Vera Institute. During the current period, therefore, Vera's Associate Directors for Police Planning and for Research assisted the Police Academy staff to design a CPOP Orientation Program for presentation to the Department's Command Staff as part of the Police Department's Executive Development Program. By January 1991, Vera had transferred to Police Academy

staff all of the standardized community policing training courses developed and tested by the Institute over the preceding six years. The basic training modules are now part of the general training program for new recruits and part of the management courses for newly promoted sergeants and lieutenants. The Academy now delivers the training Vera designed for the Department's Command Staff.

Vera's operational review of the first twenty-one CPOP units, and early findings from the Institute's CPOP research suggested that CPOP's capacity to benefit the community in the ways intended is in large measure a function of the problem-solving skills within CPOP units. Vera's field observations suggested as well that, if CPOP were to produce the benefits expected from it, the problem-solving dimension of the CPO role would require more developmental attention than it had received in the pilot and in the early stages of the demonstration project.

For patrol officers to put at the core of their role the task of identifying and analyzing neighborhood problems and then developing corrective strategies is more complex and demanding than the traditional role for which they were trained. And CPOP's course of development in the 1984-1986 period had not given individual CPOs or their supervisors adequate tools to perform this dimension of the role effectively, or to supervise effectively those who are trying to perform it.

To address these problems, Vera designed a Police Problem-Solving program with the following objectives:

- To strengthen the CPOP unit supervisors' ability to direct, teach and oversee officers in carrying out the planning and problem-solving dimension of the CPO role;
- To provide CPOs with realistic models of the planning and problem-solving process, more specific guidelines for carrying it out and some on-site assistance in applying those guidelines to the problems they encounter on their beats; and
- To provide Precinct Commanders and administrators with a broader and deeper understanding of how the CPO program can be most helpful to them and of how they can involve themselves with the program to realize its maximum benefits.

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Vera staff contacted police agencies elsewhere which had begun problem-oriented policing programs, and obtained training and orientation materials from them. Staff reviewed the literature, both on police problem-oriented program strategies, and on problem-solving strategies within the general field of management. Then, with funding from the Department and from several small local foundations, Vera prepared the required training program and engaged the training staff to deliver it.

Vera's Problem-Solving Guide describes in detail the steps of the community policing problem-solving process. After it was reviewed and approved by Department officials, Vera administered it, as a pilot, to the supervising sergeants of the CPOP Units in Patrol Borough Brooklyn North. With some minor modifications suggested by the pilot, this problem-solving training program was then administered by Vera staff to all CPOs and CPOP Unit sergeants and to the precinct commander of every precinct in the city

Vera's *Problem-Solving Guide* describes in detail the steps of the community policing problem-solving process. After it was reviewed and approved by Department officials, Vera administered it, as a pilot, to the supervising sergeants of the CPOP Units in Patrol Borough Brooklyn North. With some minor modifications suggested by the pilot, this problem-solving training program was then administered by Vera staff to all CPOs and CPOP Unit sergeants and to the precinct commander of every precinct in the city. In its final form, this training program is a sixteen-hour course in structured problem solving, aimed principally at CPOs, administered at the precinct level in four-hour segments over a four-day period. Vera staff presented the material from the *Problem-Solving Guide*, and Vera's training coordinator used problems raised by the attending CPOs to demonstrate the problem-solving process. At the end of each training session, the training coordinator returned to the CPOP Unit office and worked with individual CPOs on the crime and order-maintenance problems they were dealing with in their Beat Areas.

Once the problem-solving training program had been fully developed and the course had been delivered at least once in each precinct in the city, Vera staff helped Police Academy staff to take direct responsibility for it and, by January 1991, transfer of responsibility to the Academy staff was complete.

All current CPOP supervisors have now attended an additional, one-day training program designed by Vera to accomplish the following:

- To familiarize supervisory personnel with a structured approach to problem solving.
- To demonstrate the use of a structured approach to problem solving by reviewing and analyzing problems suggested by the sergeants.

- To prepare supervisors to introduce the basics of problem solving to field personnel.
- To provide instruction to the supervisors in guiding the Community Patrol Officers in utilizing problem solving skills.
- To assist the sergeants in developing supervisory practices designed to foster the development of problem-solving skills among CPOs.

Finally, during this period Vera staff worked with Department personnel to collect detailed information about strategies developed by CPOP Units to deal with certain frequently recurring categories of the crime and order-maintenance problems they encounter – particularly, the problems of active drug locations. Information about the tactics and strategies developed by individual CPOs and CPOP Units throughout the city were collected, to inform the Department's management on which CPOP problem-solving tactics worked and which did not work, under what conditions. Upon completing these surveys, Vera staff created "case studies" which are now incorporated into the various CPOP training programs.

In short, CPOP – the most ambitious implementation of community policing concepts in the country – has become firmly embedded in the standard operations of New York City's Police Department. When David Dinkins was running for office, a recurrent theme of his campaign was a commitment to enlarge CPOP and devote more resources to the style of policing it embodies. One of his first acts was to appoint, as his new Police Commissioner, Lee P. Brown, who had championed community policing in Houston, Texas. The tasks that lie before Vera and the Department now are three:

- (1) to apply the lessons from successful CPOP precincts to the full scope of police activity – to make community policing more than a Community Patrol Officer Program.
- (2) to devise better ways to monitor and assure quality performance of problem-solving within the community policing framework – to move beyond measures of response time and arrest volume in assessment of the performance of individual officers and precinct units.
- (3) to make New York's experience available to other police agencies.

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Detailed information was gathered, by direct observation and by interview, about the priority crime and quality-of-life problems that each CPO identified in his or her beat, the extent to which the CPOs actually analyzed those problems, the strategies they developed to correct them, the extent to which the strategies were implemented, the extent to which the problems were affected by the strategies, and the extent and manner of community involvement in the problem-solving process

CPOP: The Research

During the current period, Vera's formal research design for CPOP was brought to its conclusion. It called for the intensive study of the CPOP program in six precincts for six months each. One precinct in each of six borough commands was selected for the research. The precincts that were chosen represented a broad spectrum of racial, ethnic, and socioeconomic groups; were located throughout the city; and appeared to have reasonably well-functioning CPOP units at the time of selection. All the beats within each of the six precincts were included in the research, yielding a total of 54 beats (and an equal number of CPOs at the start of the research) and six supervising sergeants. The data collected for analysis is quite extensive, and includes the following:

- Each of the CPOs was interviewed, at the beginning and at the end of the data collection period, about their prior experiences as police officers, their perceptions and assessments of the CPO program, their attitudes toward the communities in which they are assigned to CPOP patrol, their reasons for volunteering for the program, their expectations for CPOP, and the ways in which they distribute patrol time across the range of tasks that must be performed by a CPO.
- Detailed information was gathered, by direct observation and by interview, about the priority crime and quality-of-life problems that each CPO identified in his or her beat, the extent to which the CPOs actually analyzed those problems, the strategies they developed to correct them, the extent to which the strategies were implemented, the extent to which the problems were affected by the strategies, and the extent and manner of community involvement in the problem-solving process.
- The perceptions and assessments of the CPOP held by non-CPOP officers working in the research precincts were collected and analyzed.
- Interviews with sergeants and Commanding Officers in the study precincts explored the nature of challenges posed to CPOP supervisors by the unusual features of this form of patrol, and the sergeants' responses to those challenges were observed and recorded.
- Interviews were conducted with community leaders in the research precincts to record their perceptions and assessments of CPOP design and operations.

In addition to this precinct-level data collection effort, Vera staff collected data about each research subjects' history of complaints lodged with the Civilian Complaint Review Board (CCRB), and searched out data about their Police Academy performance.

Techniques for evaluating the problem-solving performance of each of the officers in the research precincts were developed, along with the research instruments appropriate to those methods. These were pilot tested, refined and then applied to the more than one hundred problems identified as priorities by the CPOs who were subjects of this research. These problems became a separate database for analysis. Once these performance assessments of the CPOs' handling of the sampled problems were completed, these data were computerized as well.

As findings emerged from this large research database, they suggested that regular police officers could, indeed, apply problem-solving policing techniques and could forge crime-prevention and crime-control partnerships with neighborhoods. But the data also revealed how different the role of the CPO is from traditional patrol, and that its proper performance requires substantial training – both for officers and for their supervisors. The research identified ways to improve the level of CPO performance and ways to strengthen and enlarge the program – in particular, by more closely integrating the work of CPOP units with the rest of the patrol force. The bottom line: the principles of community-oriented, problem-solving policing could, and probably should, be applied to functions throughout the Police Department; to do so, changes would have to be made to training curricula, supervision techniques, and assignment practices.

At the final meeting of the CPOP Research Advisory Committee, Professors Herman Goldstein, George Kelling and Jameson Doig met with Vera's research staff for two days to review the data collection methods, the data analysis designs and the findings of the research. The final report of this research was then submitted to the Department in draft form, and the Institute's staff met with the new Police Commissioner to brief him on its implications and to obtain his suggestions about its final editing and publication. The report is now in book form, and will be published shortly by Sage Publications. Drafts of the manuscript have already found an eager audience nationally, because police executives throughout the country are struggling to find

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ways to move police practice to a community-oriented, problem-solving model and away from reactive random patrol.

Impressions and findings that emerged from the research over the years were shared with New York's police officials in monthly meetings, but they were also shared with police researchers and police commissioners in other jurisdictions. In New York, the preliminary research findings helped, early on, to identify some of the strengths and weaknesses of the CPOs' problem-solving performance, and they shaped the contents of Vera's *Problem-Solving Guide* and problem-solving training sessions for CPO's and their supervisors.

Beyond CPOP: Problem-Solving Policing Writ Large

As CPOP was being moved from a demonstration project to a standard element of policing in New York, Vera's police planning staff and the Department's CPOP managers began to explore ways of extending into other areas of police work the principles and the problem-solving techniques developed for CPOP. In 1988, although fiscal constraints and increasing work load militate against increasing the number of police officers assigned to CPOP Units, experience in other jurisdictions suggested that personnel deployed in more traditional, more reactive patrol modes might be trained to employ problem-solving responses to the crime and order-maintenance conditions they encounter.

In 1989, Vera staff began work with the supervisory staff of the 62nd Precinct, to develop a pilot Problem-Solving Policing Project (PSP). The objectives of this pilot were:

- To determine the degree to which personnel assigned to traditional patrol duties (e.g., Radio Motor Patrol, Foot Patrol) can effectively participate in problem-solving activities.
- To determine the most appropriate methods of orienting patrol personnel (supervisory and line) to the concepts of PSP, and the techniques of problem-solving.
- To develop supervisory and management structures which support problem-solving policing throughout a precinct.
- To determine the manner in which existing CPOP Units can be utilized to support problem-solving activities by other members of the patrol force.

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- To develop a procedural structure to encourage, facilitate, and monitor problem-solving activities by all patrol personnel.
- To determine the need for additional staff positions to support such a problem-solving effort.
- To determine the need for Headquarters staff support of precinct-based problem solving activities.
- To determine a means for evaluating the results of these activities.

The 62nd Precinct was chosen for the pilot because, at the time, it was one of only twenty-four precincts operating under the Department's relatively new steady-tour program (see below), which permits permanent assignment to sector of the personnel in RMP cars. Vera and the Department viewed steady tour assignment (and the steady sector assignments it permits) as essential for effective problem-solving policing.

Vera staff began this project by administering a one-day problem-solving orientation and training program to all precinct personnel (both uniformed and civilian). Over the ensuing months, Vera staff have designed and implemented a number of new procedures and devices to support problem-solving by the precinct's conventionally deployed personnel.

For example, Vera staff developed a computer database application which accesses the mainframe computer database at 1 Police Plaza, to download all incident reports and complaints from the precinct and to produce from that data daily "Hot Sheets". The Hot Sheets, which are distributed to all patrol personnel in the precinct, help identify problems at particular locations, and help them formulate strategies to address them. The daily Hot Sheet organizes, by location and sector: all calls-for-service (911 runs) in the precinct over the past 24 hours; all crime complaints for the previous day; information already gathered about specific problem locations in the various RMP sectors; identity of all persons residing in the precinct who are wanted on Criminal Court Warrants; all arrests made during the week; and any unusual occurrences in the precinct during the previous 24 hours.

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Use of the Hot Sheets by all patrol officers in the PSP precinct, and use by precinct managers of other reports Vera has programmed in the down-loaded database, permitted the precinct to eliminate a series of recurrent problems which generated scores of calls-for-service and absorbed a disproportionate amount of patrol resources. That, in turn, freed up sector car officers, to identify problems and to work on problem-solving in conjunction with the precinct's CPOs

The Staffing Study committed the Department to making community policing its dominant style for delivering police services throughout the city. A key part of the plan is the creation of "Model Precinct," in which to fully implement and fully staff the community policing model and in which to test all aspects of the plan under real life conditions

database, has permitted the precinct to eliminate a series of recurrent problems that generated scores of calls-for-service and absorbed a disproportionate amount of patrol resources. That, in turn, freed up time on the tours of officers in the sector cars, which they can devote to problem-identification and problem-solving in conjunction with the precinct's CPOs.

To provide for maximum participation by all patrol personnel in the problem-solving process, Vera staff helped the precinct's administrators to develop a system in which officers assigned to RMP Sectors can nominate the problems which should be given priority. Each RMP team in the precinct completes a "problem identification form" which is reviewed and commented on by the officers' supervising sergeant. The resulting recommendations are then reviewed by the platoon commanders, and the priorities for problem-solving in the precinct are set by them. These priority listings are communicated to the patrol force by a "Feedback Memorandum" which, in effect, establishes goals for each sector team in the precinct.

In the Fall of 1990, Vera submitted to the Department a status report on the pilot Problem-Solving Policing project, including an analysis of lessons learned from it and a plan for re-structuring the management and assignments of the patrol force at the precinct level. The Police Commissioner met with Vera's senior staff and authorized work to begin on implementing these proposals.

Development of a Model Precinct

In October 1990, after months of planning undertaken at the direction of New York City's new police commissioner, the Police Department released its *Resource Allocation and Staffing Study*. This was a comprehensive review of the Department's resources, its plans for their allocation in a future centered on community policing and problem-solving functions, and the additional resources it would need to perform those functions properly in a city of New York's size and complexity. The study was the centerpiece of Mayor Dinkins' *Safe Streets, Safe City* plan, announced the same day.

The *Staffing Study* examined and proposed detailed revisions to the Department's organizational structure, and it identified ways of maximizing uniformed police presence at the neighborhood level. It committed the Department to making community policing its dominant style for delivering police services throughout the city. It was followed, in

January 1991, by a second report, *Policing New York in the 1990s: The Strategy for Community Policing*, which detailed the plan for converting the entire Department to the new model of police work. The plan is complex and, as might be expected, will take years to unfold. But a key part of the plan is the creation of a "Model Precinct," in which to fully implement and fully staff the community policing model and in which to test all aspects of the plan under real life conditions.

The Model Precinct Project emerged from discussions between Vera staff and Department officials in September 1990. To extend CPOP practice and to engage more patrol officers in problem-solving, Vera proposed a pilot project in which one precinct's organizational structure would be altered by consolidating its Anti-crime Unit, its Street Narcotic Enforcement Unit (SNEU), its CPOP Unit, and its smaller specialty patrol units into a single Special Operations Unit. The idea was to abandon the Balkanized structure of the patrol force, so that *all* personnel pooled in the new unit would be assigned to neighborhood foot beats in uniform, and would be cross trained in each of the three areas of patrol specialization. In essence, plain clothes Anti-crime and uniformed SNEU operations would no longer be monopolized by units, which absorb manpower and supervisory resources whether or not a precinct needs that form of deployment during a particular period – instead, they would become tactics, available for use when (and only when) a priority problem in a beat area within the precinct required that tactic.

Breaking down the artificial specialty barriers within the patrol force, Vera hypothesized, would greatly increase the capacity of a precinct to perform community policing functions and to permit the new Special Operations Unit to engage in far more robust problem-solving than an isolated CPOP Unit can. Vera proposed that the lessons learned in the Problem Solving Policing project, conducted in the 62nd Precinct (and described above) should be applied to the Model Precinct as well, so that the rest of its patrol officers (those in the sector cars responding to 911 calls) could be integrated in the problem-solving activity that characterizes community policing. The result, it was thought, would be a laboratory in which it would be possible to develop and test the practices and procedures necessary to perform all police functions within the community policing framework. The Department agreed to the proposal for a Model Precinct Project, and included it in the *Policing in the 1990s* plan.

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The most dramatic change was elimination of the old ten-officer CPOP Unit and the emergence of a 60-officer Special Operations Unit consisting of all personnel authorized by the Staffing Study for assignment to the 72nd Precinct's CPOP, Anti-crime, and SNEU units. These 7 sergeants and 53 police officers are now a consolidated resource for community policing, working under the direction of the Special Operations Lieutenant

Once the Department's *Staffing Study* and *Policing in the 1990s* were published, Vera suggested and the Department agreed that the Model Precinct be staffed at the levels called for by the former and that the Model Precinct project be enlarged to incorporate the full community policing design outlined in the latter. The 72nd Precinct (where Vera had conducted the CPOP pilot) was selected, and Vera staff began working with the command staff there in January 1991. A Project Development Team was constituted, consisting of the precinct's Commanding Officer, the Special Operations Unit Lieutenant, the Operations Coordinator, the CPOP Unit Supervisor, and two members of Vera's staff. The Project Development Team has, in turn, worked closely with the Chief of Patrol (whom the Commissioner made directly responsible for development of the Model Precinct) and his staff.

Staffing the Model Precinct

The first task was to specify a precinct organizational structure that would facilitate the transition from traditional to community oriented policing on a precinct-wide basis. Before that could be done, closure was needed on some still-open questions about the staffing levels that the Department would ultimately achieve as a result of the *Safe Streets, Safe City* initiative. In the *Staffing Study*, the 72nd Precinct was rated as requiring 210 "sworn" personnel to handle the community policing job envisioned for the Department in the future. Subsequently, the New York State Legislature, when it passed the legislation necessary to fund the Department's increase in manpower, reduced this precinct's quota to 204 sworn staff: 2 captains, 6 lieutenants, 26 sergeants, and 170 police officers. To meet this staffing level, a total of 10 sergeants and 38 police officers were transferred to the 72nd Precinct by the time the project formally began, on April 8, 1991.

The *Staffing Study* had also specified the functional distribution of personnel within the command. At the police officer level, 6 officers were to be assigned to administrative staff positions, 40 officers were to be assigned to CPOP-type foot beats, 13 officers to Anti-crime and SNEU Units, 8 probationary officers to the precinct's field training unit, and the balance (103 officers) were to be assigned to "emergency response" units (essentially, the RMP sector cars) or to a few other conventional public safety tasks.

Because personnel assigned to the RMP emergency response units would be deployed differently than those assigned to the neighborhood patrol function, Vera helped design an organizational structure which places the precinct's patrol personnel in three functional units: administrative, public safety, and neighborhood sector patrol. The Administrative Unit – the officers assigned to the six authorized staff positions – function under the direct supervision of the Precinct Commander or the Operations Coordinator. When patrol officers in the Model Precinct are assigned to the emergency response function, they are supervised by the Platoon Commanders and are deployed much as the RMP units were in the 62nd Precinct's Problem-Solving Policing Project. When they are assigned to the neighborhood sector patrol function, they are under the lieutenant commanding the Special Operations Unit (SOU) and are directly supervised by sergeants assigned to that Unit. Personnel assigned to the SOU also perform the functions of the former Precinct Warrant, Highway Safety, Crime Prevention and Fingerprint Units.

The most dramatic change could be seen as the elimination of the old ten-officer CPOP Unit and the emergence of a 60-officer Special Operations Unit consisting of all personnel authorized by the *Staffing Study* for assignment to the 72nd Precinct's CPOP, Anti-crime, and SNEU units. These 7 sergeants and 53 police officers are now a consolidated resource working under the direction of the Special Operations Lieutenant. Vera staff designed and oversaw a set of training programs to cross-train all of these personnel in the three specialities (CPOP, Anti-crime and SNEU), so that the SOU Lieutenant and his sergeants can deploy selected groups of them in any of these modes, as circumstances in any particular beat may require. Nevertheless, each SOU officer has a primary assignment: to patrol a specific neighborhood patrol sector (Beat Area) in uniform and to perform there the full range of community policing activities – the problem-solving and other activities characteristic of CPOP.

Organizing the Beat Areas

There have long been ten Radio Motor Patrol sectors in the 72nd Precinct, and while Vera and the Project Development Team envision revisions of the sector boundaries to reflect deeper knowledge of naturally occurring neighbor-

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hood aggregations, the program was implemented using existing RMP sectors. Thus, all sergeants and police officers assigned to the Public Safety function were given specific geographic assignments, based on the current RMP sector boundaries, so that, within each platoon, there is a specific sergeant and a specific emergency response team responsible for any given Beat Area, just as each Beat Area has one or more SOU officers permanently assigned to it for neighborhood sector patrol.

The structure devised for the Model Precinct should never leave a beat uncovered over the course of a week — one of the clear deficits experienced when community policing functions were limited to CPOP Units, which could assign only one CPO to each Beat Area. There is a specific SOU supervisor and between two and four SOU police officers responsible for every block within the precinct

Vera helped the Project Development team conduct a preliminary neighborhood analysis, from which 16 neighborhood sectors (Beat Areas) were defined. The characteristics and known problems within each Beat Area determined the initial number of personnel assigned to it from the SOU for neighborhood patrol. Two officers were assigned to each of three beats in primarily industrial areas of the precinct, to provide a combination of one and two tour coverage six days a week. Eight beats were allocated three neighborhood sector patrol officers each, to provide a combination of one and two tour coverage seven days each week, while the remaining five beats started off with four officers each to provide seven day two tour coverage. Because these SOU officers are expected to be deployed in groups, from time to time, to perform Anti-crime and SNEU functions, individual beat coverage will on those occasions be reduced, but the structure devised for this experiment should never leave a beat uncovered over the course of a week — one of the clear deficits experienced when community policing functions were limited to CPOP Units, which could assign only one CPO to each Beat Area. SOU sergeants have also been assigned specific geographic areas of responsibility. As a result, there is a specific SOU supervisor and between two and four SOU police officers responsible for every block within the precinct.

Establishing Problem Solving Operations Precinct-wide

The second task for Vera was helping the Project Development Team develop operations that promote community oriented problem-solving policing by *all* members of the Model Precinct, regardless of functional assignment. The first step was to establish the functional and supervisory structures described above. The next step was to require each SOU sergeant to hold two meetings each month with the SOU officers assigned to each of the neighborhood sector

beats within his or her supervisory zone, to discuss problems within the beat areas and what is being done about them, and to set goals and objectives for the coming period. The SOU Sergeants are responsible for bringing into these meetings the emergency response personnel (both sergeants and the RMP officers) who cover the RMP sectors within the beat area that is the subject of the meeting, so that they can participate in the identification of problems and the formulation of strategies to solve them. The SOU sergeant is also responsible for bringing in other units and commands, when appropriate, including the member of the Precinct Detective Squad assigned to the area in which the beat is located, representatives of the Narcotics Division, Public Morals Division, and Borough Task Force.

Some lessons from Vera's CPOP demonstration program are being directly incorporated into the Model Precinct's SOU, to insure implementation of the problem solving process. Personnel assigned to the Special Operations Unit are required to maintain Beat Books, which record information of all kinds about the problems and resources on the beat, and which include monthly work plans identifying specific problems to be addressed and the strategies designed to address them. These work plans are developed by the neighborhood sector patrol officers themselves, in consultation with their sergeants, who are responsible for coordinating the efforts of all officers assigned to the same beat. The work plans also provide the focus of the twice monthly meetings, to keep the Public Safety Unit personnel (sergeants and RMP officers) aware of problems being addressed by neighborhood sector patrol officers within their sectors, and to give them opportunities to participate in developing strategies to address these problems and to nominate other problems for the collective attention of all patrol personnel assigned to that area. SOU supervisors are also required to review the monthly work plans with the Special Operations Coordinator who, in turn, is responsible for insuring that efforts are coordinated with the Platoon Commanders and the emergency response officers working in radio cars under them.

Steps are also being taken to formalize the process -- piloted in the 62nd Precinct -- by which personnel assigned to emergency response units and other public safety functions nominate problems and design strategies to address them. Implementation of this phase of the program began at the end of May 1991, with the designation of permanent sector teams by each Platoon Commander.

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At the end of July 1991, after the emergency response personnel had been assigned to their permanent RMP sectors for approximately 10 weeks, they were asked to identify and nominate problems for problem-solving attention by completing forms designed by Vera for the Project Management Team. These officers then discuss with their supervisors the problems they nominated and the solutions they proposed. Their sergeants then make written comments on the forms and submit them to the Platoon Commanders, who review them and submit the result to the Precinct Management Team. The emergency response supervisors can, of course, bring conditions and problems identified by their personnel to the attention of the SOU supervisor covering the area in which the sector is located, for inclusion and discussion at the next scheduled meeting of the neighborhood sector team concerned.

Once "hotspots" are identified, precinct personnel can be assigned — from the Public Safety Unit or the Special Operations Unit, or both — to identify the problems which lead to the radio runs and initiate actions to correct them

Getting and Using Information in the Model Precinct

The Model Precinct's operations will require different value to be placed on information, and new devices for its dissemination and use in identifying community problems and evaluating strategic responses to them. The principal devices introduced so far are computer generated Hot Sheets, and analyses of calls-for-service in the precinct. Vera worked with the Department's Management Information Systems Division (MISD) to develop these applications

- **Precinct Hot Sheets.** In June, Vera staff began the preparation of computer generated daily Hot Sheets and the distribution of them to all precinct personnel. The Hot Sheet computer application Vera developed for use in the 72nd Precinct builds upon the model Vera designed for the 62nd Precinct Problem Solving Policing experiment described above. However, the new version benefits substantially from technical advances made at Vera's request by staff of the Department's Management Information Systems Division. Now, the 72nd Precinct is able to access directly a version of the Department's SPRINT database and download a file containing information on all of the 911 runs in the precinct for any 24 hour period. This provides the precinct with substantially more information than was available in the 62nd Precinct, and on a more timely basis.
- **Calls-for-Service Analysis: Hotspot Identification.** In addition to providing data for Hot Sheet preparation, downloading data on 911 runs allows the precinct to

build a Calls-for-Service (CFS) database which can be searched to identify those locations which generate large numbers of radio runs for the emergency response (RMP) units. Once these locations or "hotspots" are identified, precinct personnel can be assigned – from the Public Safety Unit or the Special Operations Unit, or both – to attempt to identify the problems which lead to the radio runs and initiate actions to correct them. In addition to working with current data, Vera helped the precinct obtain a CFS database containing all of the 911 runs in the precinct for the year 1990, which can be used both as a source of hotspot identification and as a base against which to evaluate the results of current interventions. Analyses of this database have been made available to all personnel assigned as primary emergency response unit teams to assist them in the initial identification of hotspots in their areas of assignment. Neighborhood sector patrol officers are assigned to investigate conditions at specific hotspots within their beat, to identify and correct the problems which are causing the 911 runs.

- **On-line Complaint Preparation.** The Management Information Systems Division has installed the On-line Complaint System (OLCS) in the 72nd Precinct. This system provides the precinct with the ability to enter complaint data directly into the headquarters computer from remote precinct terminals. It also provides an ability to download complaint data for crime analysis purposes, including the preparation of computer generated crime spot maps. MISD has also made the resulting complaint database available to the Project Development Team for use in Hot Sheet preparation. Access to this database reduces the amount of data which must be manually input for Hot Sheet preparation, and will result in the creation of a complaint database which may be linked to the CFS database to provide additional information on precinct hotspots.
- **Mapping Calls-for-Service.** MapInfo, an off-the-shelf computer software program, had already been adapted by the Department's MISD to read the location at which a crime was committed, match it against a dictionary of locations, and assign X and Y coordinates to each complaint file. The X and Y coordinates then permit the preparation of plotter-driven crime spot maps. In the Model Precinct, Vera staff are now experimenting with the application of MapInfo to the precinct's new Calls-for-Service database, to permit the plotting of CFS information.

Vera helped the precinct obtain a Calls-for-Service database containing all of the 911 runs in the precinct for the year 1990. It can be used as a source of hotspot identification and as a base against which to evaluate the results of current interventions

Bringing Other Units into Alignment

Transformation of an entire police department to a new style of policing and defining an entirely new set of functions for all personnel is an enormously complex undertaking: Even at the Model Precinct level, implications of the shift go well beyond the patrol force itself.

The benefits of automating Beat Books could be enormous, both because of the time saved and because it would greatly increase officers' ability to share information across Beat Areas and across time

- **Administrative Support Systems.** Converting to a community oriented problem-solving style of policing substantially increases the need for administrative support at the precinct level, and adds new dimensions to those functions. The *Staffing Study*, recognizing this, increased by one person the number of Police Administrative Aides assigned to the CPOP unit. Experience with the Model Precinct's Special Operations Unit already suggests that this is not enough to handle the new clerical tasks associated with the problem-solving model, particularly when personnel assigned to emergency response units become heavily involved in problem solving as well. As a result, Vera has sought ways to automate some clerical functions, reducing the overall burden. A number of administrative functions have already been automated, including preparation of the administrative and daily roll calls for the Special Operations Unit. The applications designed for roll call preparation have reduced the time required for these tasks by over 50 percent. Vera's staff are currently evaluating the feasibility of computerizing other administrative functions, including the preparation and maintenance of Community Profile Records (Beat Books); the benefits of automating Beat Books could be enormous, both because of the time saved and because it would greatly increase officers' ability to share information across Beat Areas and across time.
- **Supporting the Warrant Function.** Project staff have also automated clerical operations associated with the execution of warrants – a demanding function formerly performed by a specialized unit, but now folded into the consolidated SOU. It is of obvious importance that handling the flow of warrants not divert the individual neighborhood sector patrol officers from their core community policing tasks and the demands of problem-solving. Therefore, when warrants are received at the precinct, now, they are entered into a computerized warrant database. This database is then used to generate letters to persons wanted, and is programmed to construct lists of persons wanted by emergency response and neighborhood patrol sectors, and to advise precinct personnel periodically on warrants within their area

of patrol responsibility which should be returned to the Warrant Division. In addition, MISD has arranged for the 72nd Precinct to have direct access to the Office of Court Administration Warrant Database: this permits precinct staff to verify the status of warrants, without first going either to the Warrant Division Offices or the Brooklyn Criminal Court building.

- **911 Load-Sharing Between SOU and RMP Units.**

A critical task facing Vera in the Model Precinct project is to devise a system for sharing the 911 workload between personnel assigned to emergency response units and those patrolling the neighborhood sector beats. To integrate the activities of the neighborhood sector and emergency response personnel, it is essential that personnel assigned to these functions share the 911 work as well as the problem-solving workload – even though their principal mode of deployment is obviously best suited to one or the other of these basic precinct patrol jobs.

In a community oriented problem-solving police department, officers assigned to the emergency response function cannot be used merely to go from job-to-job answering 911 calls. They must be given the time and opportunity to engage in problem-solving and other community policing activities. On the other hand, personnel assigned to the neighborhood sector function have more time to spend on an individual call and can possibly do more than merely quickly deal with the immediate incident. So far, opportunities for load-sharing between emergency response and neighborhood sector personnel have proved extremely limited. Of the 239 code signals used by the Police Department to assign personnel to 911 runs, only 60 permit the assignment of one person units. The vast majority of assignments authorized for one person response involve cases in which reports are required, either past property crimes or accident cases. Vera's analysis of the CFS database for the 72nd Precinct for the year 1990 shows that only 21 percent of all calls transmitted to the precinct fell into the one person response categories.

Opportunities for the neighborhood sector officers to respond to this portion of the 911 workload are further reduced by their occasional deployment in Anti-crime or SNEU mode, and by the frequent lack of fit between the hours they work (a function of the priority problems in their Beat Areas) and the hours when eligible 911 calls are made. Vera staff are still working with MISD and with managers in the Model Precinct to find ways around some of these problems.

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Cases are now assigned for detective investigation based on where in the precinct they arise rather than when they occur, which was the former basis for assignment

- **Bringing in the Precinct Detective Squad.** When it established the Model Precinct, the Police Department increased the number of personnel assigned to the 72nd Detective Squad by 2 sergeants and 6 detectives, bringing the size of the unit to 3 sergeants and 18 detectives. Detective Bureau supervisors, working in conjunction with the Project Development Team, developed a case assignment rotation schedule designed to limit the geographic area in which any individual detective would be assigned a case for investigation. Based on a workload analysis, the 72nd Detective Squad divided the precinct into three case assignment zones, assigning six detectives to each zone. Thus, on any given tour there are two detectives from each zone scheduled to work. Cases are now assigned for investigation based on where in the precinct they arise rather than when they occur, which was the former basis for assignment. Individual detectives have also been designated as liaison to the police officers assigned to each of the 16 neighborhood sector beats, and are required to attend community meetings in the beat areas as well as the biweekly meetings conducted by the neighborhood sector supervisors.
- **Bringing in the Organized Crime Control Bureau.** The Project Management Team have also arranged with the Organized Crime Control Bureau (OCCB), to integrate the efforts of OCCB with those of precinct personnel, particularly in the fight against local drug markets. Narcotics Borough Brooklyn South has assigned a fully staffed module of its operations to the 72nd Precinct. Individual members of the module have been designated as liaison to the six neighborhood sector supervisors, and regularly attend precinct team meetings to develop strategies to address specific drug problems within the beat areas.

Training

Finally, Vera staff had to devise an appropriate training system to get the Model Precinct up and running – given the plan for assignment and supervision of its personnel. The training program grew naturally from the training programs Vera created for CPOP, which were adapted to the Model Precinct as follows:

- **All Uniformed Personnel.** As it is intended that there be no differences, except current assignment to function, between the mission of patrol personnel assigned to RMPs in the Public Safety Unit and those assigned to neighborhood sector patrol in the Special Operations Unit, all have been required to attend the Basic

Community Policing Training course and the Problem-Solving Training course – both designed by Vera for CPOP – for a total of 5 days of training. Having gone that far, the same training requirement was established for patrol personnel assigned to staff functions.

- **Crime Prevention Training.** The objective of the Department's Crime Prevention Training Course is to equip officers to conduct residential security surveys, a function delegated to neighborhood sector patrol personnel under the Department's *Staffing Study*. With the elimination of the Model Precinct's specialist Crime Prevention Unit, all personnel assigned to neighborhood sector patrol have been scheduled to take the Crime Prevention Training Course.
- **Neighborhood Sector Patrol Personnel.** As personnel assigned to the neighborhood sector patrol function will periodically be deployed in Anti-crime and SNEU modes, it was necessary to provide them with additional training in these specialities. The Department's one day SNEU training course, administered by the Chief of Patrol's Office, is being given to all personnel assigned to the neighborhood sector patrol function who had not yet attended it. In addition, Vera staff, Model Precinct managers, and Police Academy staff have designed and will be administering a one day training program in plainclothes Anti-crime tactics for neighborhood sector patrol personnel. As personnel assigned to the neighborhood sector patrol function are now responsible for warrant execution and searching crime scenes for fingerprints, the Department's warrant execution and fingerprint training programs will be administered for them.
- **Civilian Personnel.** Civilian personnel too are to be educated about community oriented policing and problem solving – they must be made to feel an important part of overall precinct operations. To accomplish this, they are scheduled to attend Day 1 of the Basic Community Policing Training Course, and a second day of training specifically geared to their roles in precinct operations.
- **Supervisory Training.** Precinct supervisors are attending Basic Community Policing and Problem Solving Training courses – with the personnel they supervise. In addition, Vera and the Model Precinct project staff are designing and will administer a one day training program for supervisory personnel focusing on precinct operations under the Model Precinct concept, the development of the area team concept, and supervisory practices.

As it is intended that there be no differences, except current assignment to function, between the mission of patrol personnel assigned to radio cars in the Public Safety Unit and those assigned to neighborhood sector patrol in the Special Operations Unit, all attend the Basic Community Policing Training course and the Problem-Solving Training course – both designed by Vera for CPOP – for a total of 5 days of training

There are dozens of separate projects being pursued, each of which will contribute toward converting the entire Department to community policing, but the Model Precinct is the laboratory. Over the next two years, Vera will help the Department refine this model, will try things in the 72nd that might work but ought to be tested before being made mandatory features of community policing in New York City, and will provide technical assistance to the other 74 precincts as they move — albeit, more slowly — toward the operations envisioned for them

In order to build neighborhood-based teams and to facilitate joint planning, personnel assigned to the Public Safety Unit and personnel assigned to neighborhood sector patrol in the Special Operations Unit have been attending joint training sessions. The training is conducted on an area-specific basis. That is, public safety and neighborhood sector patrol personnel who work in the same areas of the precinct are trained together. This permits the use of problem-solving exercises grounded in actual problems existing in the area patrolled by the officers.

The Model Precinct is Launched

All of the precinct's personnel have now been given community policing assignments either in emergency response units or on neighborhood sector foot beats. All have attended a two day community policing training program and the personnel assigned to the neighborhood sector function have received the additional skill training necessary for them to assume the Anti-crime, SNEU, Warrant, Crime Prevention, Fingerprint, and Highway Safety functions. The rest of the training program will be completed during the late summer and fall of 1991.

The purpose of this project is to develop useful knowledge about how the New York City Police Department can best move toward the mission and functions outlined in its *Policing in the 1990s* plan. There are dozens of separate projects being pursued within the Department, each of which will contribute toward that objective, but the Model Precinct is the laboratory. Over the next two years, Vera will help the Department refine this model, will try things in the 72nd that might work but ought to be tested before being made mandatory features of community policing in New York City, and will provide technical assistance to the other 74 precincts as they move — albeit, more slowly — toward the operations envisioned for them.

Thus, it is premature to draw conclusions about the success of this venture. But it is possible to report some of the small lessons learned. One issue of importance to the larger plan is whether the Model Precinct can be structured and managed so that patrol personnel assigned to the emergency response function in RMP cars can be freed up to do problem-solving work. Vera staff has taken a preliminary look: The Department has set a 60 percent "utilization rate" of RMP personnel as a goal for community policing

operations, and the *Staffing Study* set precinct emergency response unit personnel levels with that in mind. Vera staff computed the utilization rate for a two week period in June, comparing the current year with the previous one and found that, although the 911 workload increased by 6 percent in 1991, the utilization rate of emergency response units decreased significantly, dropping from 107 percent in 1990 to 68.5 percent in 1991. But because the Department's formula for determining utilization rates ignores the fact that certain calls (included in the denominator) are actually handled by units other than the RMP sector calls, Vera measured the change in utilization rate of the RMP cars alone: it was 77.8 percent for 1990, and 51.9 percent for 1991. This is good news. The next challenge is to make productive use of the time of emergency response personnel that has been freed up for problem-solving work.

Vera staff are also observing closely the results of eliminating the Anti-crime, CPOP, and SNEU specialties. Several incidents suggest that the greater flexibility in a consolidated SOU is worth a lot. Here are two:

Police Officer Teddy Louie is assigned to Neighborhood Sector Beat 4 in the 72nd Precinct, a neighborhood composed primarily of Asian-Americans. As an Asian-American who speaks several of the Chinese dialects, Police Officer Louie has been attempting to establish a rapport with the residents and merchants during the three months he has been assigned to the beat. He has been particularly active in soliciting merchants' cooperation in combating extortion by Asian youth gangs. On July 11th, Officer Louie was patrolling his beat in uniform when he was approached by a merchant, who told him that a young man had just attempted to extort money from him on threat of setting fire to his shop. The merchant told the young man that the owner was not present and that he should return in several hours to speak to the owner. Officer Louie immediately reported the problem to the Special Operations Unit supervisor. He immediately mounted a plain-clothes Anti-crime operation involving Officer Louie and three other SOU officers. They were there when the youth returned. As a result, within two hours of the merchant's approach to his neighborhood sector patrol officer, the arrest was made; the Grand Jury indicted for Grand Larceny by Extortion.

This chapter began with a story from Police Officer Robert Orazem's early days in the CPOP pilot project. His performance as a community police officer continued to be exemplary and earned him a promotion to Detective rank.

In both incidents, the flexibility provided by the consolidated SOU enabled the precinct to mount the most effective type of operation, to deal with the particular problem in the shortest period of time — and without needing to involve units which, in the past, might or might not have been available at all

Police Department officials have been concerned about the low credibility of the CCRB among segments of the public and among police officers. They wanted to take a dispassionate look at how the CCRB works — whether it functions as a fair and accessible grievance resolution mechanism, whether it is capable of providing satisfaction to civilian complainants, and whether it succeeds in enhancing the Department’s ability to reduce police misconduct toward the public

He abjured the conventional detective role, however, and has continued in community patrol.

Detective Robert Orazem, now the coordinator of the Model Precinct’s Special Operations Unit, was approached by a local resident with information about drug sales being conducted at a grocery store at 6108 3rd Avenue. He and one of the SOU sergeants went immediately to the area and conferred with neighborhood residents who gave them additional information about the time and method of the sales. The Sergeant then mounted a uniformed SNEU operation and quickly arrested three sellers, seizing a substantial quantity of drugs from the grocery store. The entire episode was successfully completed within four hours from the time Orazem got the word from the local resident. The Brooklyn District Attorney’s Narcotic Eviction Unit has now begun eviction proceedings at the location.

In both cases, the flexibility provided by the consolidated SOU enabled the precinct to mount the most effective type of operation, to deal with the particular problem in the shortest period of time — and without needing to involve units which, in the past, might or might not have been available at all.

Research on the Civilian Complaint Review Board

The New York City Civilian Complaint Review Board (CCRB) has been the subject of controversy since it began. Established in 1966 under authority granted in the City Charter, the agency was created to receive, investigate and hear complaints filed by civilians against police officers and to recommend disciplinary action to the Police Commissioner in appropriate cases. The agency is responsible for the resolution of complaints involving (1) misuse of force, (2) abuse of authority, (3) discourtesy and/or (4) use of ethnic slurs.

For several years, Police Department officials have been concerned about the low credibility of the CCRB among segments of the public and among police officers. Given the renewed and recurring interest in the CCRB, Department officials wanted to take a dispassionate look at how the CCRB works — whether it functions as a fair and accessible grievance resolution mechanism, whether it is capable of providing satisfaction to civilian complainants, and whether it succeeds in enhancing the Department’s ability to reduce police misconduct toward the public.

Vera's research on the CCRB, carried out between 1986 and 1991, had three parts: (1) a quantitative review of the dispositional process, for which Vera staff secured, coded and analyzed quantitative data on over 6,000 complaints that were received by the Civilian Complaint Review Board; (2) a qualitative review of cases processed, for which Vera researchers collected full file data on a subsample of 150 of these cases, selected to represent adequately the various CCRB dispositional categories and various complaint types; and (3) a survey of complainants (designed to assess their satisfaction with the CCRB) and a series of focused discussions with line officers (designed to elicit their perceptions of and experiences with the civilian complaint review process).

Taken as a whole, the three research reports point up the limited ability of the adjudicatory process either to satisfy complainants or to influence police behavior toward citizens. The CCRB's difficulties in achieving these goals did not spring from an unfairness in the dispositional process. Rather, there were substantial barriers, inherent in the caseload itself, to any adjudicatory process reaching definitive disposition of the vast majority of complaints filed with the CCRB. The great majority of CCRB complaints simply cannot be definitively disposed by a process of investigation and adjudication. The "unsubstantiated" cases are clearly not all groundless in fact. But most of them are, for a variety of reasons detailed in Vera's reports, poor material for any process relying on formal investigation and formal determination of an action's propriety. Given these limitations, it becomes increasingly apparent that the dispositional process is not likely either to satisfy the objectives of most complainants or significantly to enhance the Department's efforts to reduce police misconduct.

Complainants and subject officers were found to be widely disgruntled with their experience of the CCRB. This was so, despite Vera's finding, after reviewing the dispositional process and outcomes, that obviously flawed dispositions were rare, given the evidence available to investigators and to the Board. Few complaints are "substantiated" after full investigation – and few complaints can be. Vera's research suggests that the infrequency of substantiated complaints largely springs from the evidentiary weakness of the cases against officers, or from the real ambiguity inherent in many underlying interactions between police and public.

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Vera's research also pointed up the dual nature of the problem that arises when complaints are disposed as "unsubstantiated" because evidence of complainants' allegations cannot be obtained or because it does not meet a reasonable standard of proof: This neither vindicates the complainant nor absolves the subject officer.

Vera researchers found officers and complainants to hold divergent views of the CCRB's caseload. Complainants usually imagined that the CCRB is handling mostly complaints that allege brutal police misconduct, while Vera's qualitative review of the caseload shows it to consist principally of more mundane complaints of minor force, abuse and discourtesy. However minor complainants' cases were, in relation to their assessment of the typical CCRB case, they were generally convinced that they had been seriously wronged. Police officers, whether they had been subject to CCRB process or not, generally believed that the majority of CCRB complaints were utterly groundless or malicious.

Dissatisfaction was widespread among both groups. The views expressed by complainants and subject officers were often diametrically opposed. Both were convinced that the CCRB process was biased against them and that an "unsubstantiated" finding favored the other party. Complainants -- particularly the minority of complainants whose cases were investigated -- believed there is no way to "win" at the CCRB. Officers, whose views about the caseload suggested to them that more cases should be disposed as "exonerated", were equally convinced that cops couldn't win. Their views were deeply shaped by a widely-shared conviction that merely being the subject of a CCRB complaint was detrimental to an officer's career within the Department -- no matter how the complaint is disposed.

Surprisingly, the levels of satisfaction with the CCRB process reported by complainants and by officers were not strongly associated with "winning" or "losing" in the dispositional sense. Complainants in "substantiated" cases were less frequently satisfied with their CCRB experience than were those who withdrew their complaints or accepted conciliation. Police officers, on the other hand, were convinced that complaints remained on their records and hurt their careers even when they were disposed as "exonerated" or "unfounded".

The composition of the Board itself – an issue that has dominated public debate about the CCRB for over 25 years – was not a central issue for either the complainants or the officers whose views were gathered in this research. Of course, some complainants believed that the police dominate the CCRB process and were distressed by that; similarly, some officers complained about civilian domination of the CCRB and its process. But these were a minority in both groups and many (in both groups) were simply unaware of the current composition of the Board.

Other issues were more powerful influences on officers' and complainants' attitudes. For complainants, satisfaction was largely determined by the dispositional stage reached before their complaint was disposed (i.e., drop-out, conciliation, or full investigation) and by the "fit" between the complainant's objective and the dispositional stage reached. Many complainants reported that they just wanted to report the incident, or have the officer "spoken to" or receive an apology. Relatively few complainants reported wanting the officer to be seriously punished. Very few whose complaints were subject to full investigation expressed any satisfaction with the CCRB process; many of them opined that they would have found more satisfaction in a more informal and quicker process of case resolution.

For officers, the central concerns were (1) the Department's use of CCRB complaints (rather than dispositions, which are so often "unsubstantiated"), in career decisions, and (2) the Department's use of an apparently arbitrary cut-off number of CCRB complaints when targeting officers for special scrutiny by commanding officers. Police officers argued that, by using CCRB complaint histories in making career decisions, the Department's effort to shape officer behavior is counter-productive – discouraging some officers from engaging with the community, and leading others to hesitate in dangerous situations.

Complainants and officers did agree on many points, though both groups characterized the CCRB experience as slow and confusing. Neither group appeared to be particularly well informed about how the CCRB worked or about the meaning of various case outcomes. And, surprisingly, both groups expressed a strong preference for some form of face-to-face interaction – some opportunity to look their adversary in the eye. This preference, however, sprang from

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The findings point up inherent incompatibilities among the three goals generally espoused for the CCRB. The research showed the process to be fair, but not very credible (to complainants, subject officers or the general public). And lack of resolution on the facts underlying complaints substantially undermines the utility of the CCRB process to Departmental managers trying to understand and to control officer misbehavior. Some findings have already been used by the Department in altering policy and procedure at the CCRB

the strong conviction, expressed by both groups, that they were in the right: Thus, it remains unclear whether greater use of mediation and other informal, face-to-face methods of dispute resolution would really increase the satisfaction levels of either group.

In sum, Vera researchers examined the CCRB process, the outcomes of that process, and the attitudes it generates among complaining civilians and among police officers. The findings point up inherent incompatibilities among the three goals generally espoused for the CCRB:

- I Provide a fair process for the disposition of civilian complaints;
- II Improve relations between the police and the community, by demonstrating the credibility of that process and by leaving complainants satisfied, whether or not their complaint is substantiated;
- III Enhance the ability of the Department to control the behavior of officers toward citizens, through CCRB dispositions and by drawing management information from the CCRB caseload.

Generally, the research data showed the CCRB process to be fair, but not very credible (to complainants, subject officers or the general public). Because the great majority of complaints filed are poor material for any process relying on formal investigation and formal determination of an action's propriety, lack of resolution creates discontent among complainants and among subject officers alike, in the bulk of complaints subjected to CCRB investigation. In addition, lack of resolution on the facts underlying complaints substantially undermines the utility of the CCRB process to Departmental managers trying to understand and to control officer misbehavior, whether by deterrence (punitive responses to individual instances of misconduct) or by preventive measures (e.g., training, assignment).

During the current period, Vera's findings and recommendations were shared with the Department's managers and the staff of the CCRB; some of the findings have already been used by the Department in altering policy and

procedure at the CCRB. Vera staff met with the Police Commissioner and policy-making staff, from within the Department and the CCRB, to review all the findings set forth in the three separate research reports, and to discuss several possible avenues that might be taken to more effectively pursue the three objectives stated above. A proposal is under consideration by the Department's Executive Staff, to revise the CCRB's role and its functions along lines suggested in Vera's final reports.

The Feasibility and Desirability of Steady Tour Assignment

During the current period, Vera staff completed and submitted to the Department a final report of the Institute's evaluation of the Department's "steady tours" experiment. This pilot project, mounted in the 115th Precinct, aimed to reduce work-related stress among police officers by assigning them to permanent tours of duty; the conventional assignment method rotated officers through the three tours over the course of a few months. Vera's final report concluded that steady tours did reduce stress. More important, Vera found significant management gains in the experimental precinct. The precinct was better managed because, on each tour, all patrol personnel were placed under the supervision of a platoon commander, drawn from the otherwise underutilized lieutenant rank. These reporting relationships could be maintained across time, instead of changing with every rotation of tour assignment. The management structure is possible only with steady tour assignment of all police officers and sergeants in a precinct.

On the basis of Vera's findings in the pilot project, the Department expanded the steady tour program; the first expansion encompassed one precinct in each of the six remaining borough commands. Vera helped this initial expansion by preparing a policy memo, identifying the successful features of the 115th Precinct program that should be replicated and setting forth recommendations for how the expansion should be carried out. This memo was used by Department officials to frame the orders implementing expansion of steady tour assignments. Vera staff then assisted the Department to put it into effect in all precincts.

On the basis of Vera's findings in the pilot project, the Department expanded the steady tour program to all precincts in the city

COURT ADMINISTRATION AND THE ADVERSARIAL PROCESS

The criminal court systems of American cities have been under almost intolerable stress for some time. Last year, over 300,000 arrests were made in New York City. More than four hundred thousand more cases entered the criminal justice system by summons – not counting traffic summonses. For judges to do justice and preserve the appearance of justice, for prosecutors to balance their desire for convictions with their responsibility to see that victims are humanely dealt with and that justice is done – for courts to be courts of law – the daily press of business must be managed. It's Vera's job to help judges and prosecutors do that.

Court Process and Diversion From It

Vera's work in this area began almost by accident, on the Bowery. In that district of New York City, the streets were filled by day with a vigorous wholesale trade in lamps and fixtures; at night they were littered with down-and-out drunks. Derelict drunks do not have "community ties," so Vera and the Police Department were not able to make the Manhattan Summons Project (described in the previous section of this report) work in that precinct.

Like skid rows everywhere, in 1964, New York's Bowery presented a different kind of challenge to the criminal justice system: Police would round up derelicts lying in doorways or sprawled unconscious across the sidewalk, charge them with public drunkenness, vagrancy or disorderly conduct, toss them into precinct "drunk tanks," and transport them to court. The judges, of course, had no plausible solution; they were forced each year to process thousands of sick and disoriented alcoholics through the court and, in short order, back to the Bowery where they resumed drinking and drifting. Some died during the court process.

In 1967, after several years searching for a way to break the cycle of despair on the Bowery and end the parade of derelicts that clogged court calendars, Vera and the Police Department pioneered a new response to the street alcoholics. Vera opened a 50-bed detoxification center on the Bowery. Two-man "rescue teams" – a plain-clothes police officer and a recovered Bowery alcoholic – patrolled the area in unmarked cars and coaxed the most deteriorated drunks off the streets to spend five days drying out. Vera had medical personnel on hand to help them through detox and to deal with the illnesses and broken bones from which they suffered. The result: New York had a medical response to a medical problem, and the court was freed from an inappropriate burden as arrests for public

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drunkenness on the Bowery went from 4,000 in 1967 to 29 in 1968. In due course, following New York's example, jurisdictions across the country moved their primary response to public drunkenness from "drunk tanks" and arraignment courts to detox centers and after-care referral.

The Manhattan Bowery Project moved quickly to expand its services, to include after-care and out-patient treatment aimed at extending the periods of sobriety for the Bowery drunks who went through detox. Some escaped their addiction entirely, and a few of these became rescue

aides and counselors in the program. Today, as an independent non-profit agency, the Manhattan Bowery Corporation sends rescue teams into other areas of the city, to bring street alcoholics into detox and to provide mobile psychiatric treatment to the homeless. It operates residential centers where recovered alcoholics can live in an atmosphere of sobriety and work in Manhattan Bowery business ventures until they graduate to the regular labor market. The Manhattan Bowery Project provides mobile medical services to the homeless population throughout Manhattan, and it has established residences for the homeless mentally ill. And it recently established a model residential treatment facility for some of the homeless mentally ill people with whom the rescue teams come into contact on the streets.

Even before the Manhattan Bowery Project was a year into its pilot phase, Vera launched a second project aimed at diverting defendants out of the criminal courts. It was an article of faith in the 1960s – in the Justice Department, in academe, and in the New York City courts – that too many youngsters were brought to court, stigmatized by formal prosecution and subjected to penal measures, when something different and more affirmative would work better. The 1967 Presidential Commission on Law Enforcement and the Administration of Justice called for development of programs to divert selected young adult offenders from court processing and jail cells to counseling, training and job placement. Vera responded by launching the Court Employment Project (CEP), the first pretrial diversion project in the country. By 1970, three years after Vera set it up, CEP had been spun off as a free-standing non-profit corporation and a model for over two hundred other jurisdictions that wanted to divert the salvageable youth and to reserve full prosecution and sentencing for more serious cases.

But, as CEP's influence spread around the country, through replications of Vera's program design, several crucial questions remained unanswered: Were these pretrial diversion programs in fact diverting their clients from full prosecution and punishment, or were they merely imposing a new form of punishment on these youth – without taking the time to convict them – when their cases would have been dismissed or discharged anyway? Was the

“treatment” these programs administered less criminogenic than prosecution and punishment? In short, was the rationale for pretrial diversion sound? It was not until the mid-1970s that the Justice Department provided funds for rigorous, controlled research of the kind that can answer questions like these. Vera, which had pioneered this kind of research in the Manhattan Bail Project, was chosen to conduct the study. CEP was the logical place to look.

Vera came up with a disappointing answer. Pretrial diversion did not result in more lenient treatment from the courts, because the cases diverted would have been dismissed or the

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Were these pretrial diversion programs in fact diverting clients from full prosecution and punishment, or were they merely imposing a new form of punishment on these youth – without taking the time to convict them – when their cases would have been dismissed anyway? Was the program “treatment” less criminogenic than prosecution and punishment? In short, was the rationale for pretrial diversion sound?

offenders would have been sentenced to discharges anyway. Nor did it provide long-term benefits to clients. Pretrial diversion programs may have accomplished something valuable in the court context of the late 1960s, but by the late 1970s CEP was being used as a dumping ground for the “light” and unprosecutable portion of the court's felony caseload.

Vera's action-research approach to problem-solving can lead to wrenching adjustments over the course of program development. The CEP research had a dramatic effect of this kind all

across the country. In New York, under the guidance of Vera's core staff, CEP was completely re-designed so that it targeted substantially enhanced supervision and educational resources on more seriously charged youth who had penetrated the prosecution process more deeply before being diverted. CEP re-emerged in 1979 as an agency to which judges could sentence convicted young adults who, because probation could not adequately control them, would otherwise spend substantial time behind bars. By employing them in CEP's own work crews, by requiring them to attend remedial classes at its on-site school, by surrounding them with required and productive activity throughout the day, and by bringing absconders back to the sentencing judges for imprisonment, CEP

Judges used the new CEP program because they knew that sentencing these youths to prison would make them tougher when they emerge in their early twenties but that, without supervision as tight as CEP was delivering, there is no place but prison to send them

gradually demonstrated to felony court judges that sentencing high-risk youth to this form of intensive supervision was more likely than incarceration to produce law-abiding behavior in the future, and was consistent with the court's concern for public safety.

Judges used the new CEP program because they knew that sentencing these youths to prison would make them tougher when they emerge in their early twenties but that, without supervision as tight as CEP was delivering, there is no place but prison to send them. The intensity of CEP's new program and its enforceable threat of immediate imprisonment for failure to comply with supervision conditions was viewed by the judges (and by state and city executive branch officials as well) as holding much greater promise for turning young offenders away from crime than did the rather thin and casual contact typical of probation or conventional pretrial diversion programs.

CEP was not the only Vera project that required mid-course correction. The Institute's first program, the Manhattan Bail Project (described in the first section of this report), had been turned over to the city's Department of Probation in 1967. It was not a good marriage: Probation's overworked staff had other statutory priorities and could not keep up with the Bail Project workload. More and more defendants arrived at arraignment without anyone having gathered the required community ties information. Too often, the information was not verified before it was presented to the arraignment judges. In 1973, the city asked Vera to take back the functions of interviewing all defendants before arraignment and recommending release on recognizance when verified community ties were sufficiently strong. Vera created a pilot PreTrial Services Agency (PTSA) in Brooklyn. Much more sophisticated techniques were developed, including an on-line computer database to track current cases and retrieve prior court appearance history. The systems developed in the Brooklyn PTSA pilot were then extended to the entire city and, in 1977, Vera spun PTSA off into a free-standing non-profit corporation, the New York City Criminal Justice Agency. Under its annual contract with the city, CJA handles bail interviewing for every arrest coming into criminal court. Its computerized records have become the principal source of reliable data for management of the criminal justice system by the Office of the Deputy Mayor for Public Safety, and for a host of other agencies' research into the operations of the system and the likely effects of proposed new policies and practices.

Developing Knowledge About Court Process

The courts are not simple and, although conventional wisdom and convenient prescriptions abound, few of the problems courts face can be successfully attacked without a lot of preliminary gathering and analysis of data. In 1978, Vera published a landmark monograph entitled *Felony Arrests: Their Prosecution and Disposition in New York City's Courts*. This was the first systematic look, across a large and representative sample of the serious crime cases that are presented to urban courts, at the circumstances lying behind

the cases and at what actually happens to them as they proceed through the court to conviction or, almost as often, to dismissal. Two of its most telling findings: Strong cases involving serious crimes lead to conviction and imprisonment more often than even criminal justice professionals believe; but in half of felony arrests involving victims there are prior relationships between victim and defendant – a previously overlooked factor that explains a great deal of the dismissal

The findings from Felony Arrests helped pinpoint ways to dispose earlier of weak cases that clog court calendars and to strengthen and accelerate the prosecution of strong cases

rate and the charge deterioration of so many felony prosecutions during the plea bargaining process.

The findings from *Felony Arrests* helped pinpoint ways to dispose earlier of weak cases that clog court calendars and to strengthen and accelerate the prosecution of strong cases. The Early Case Assessment Bureaus created with Vera's help by New York City's District Attorneys have been widely replicated elsewhere, as have the improved case preparation techniques developed by Vera, the Police Department and the Bronx District Attorney.

In 1978, as Vera's study of the facts and dispositional process in adult felony arrests was beginning to pay off, another Vera team applied the research techniques developed for *Felony Arrests* to study the history of Family Court cases. The results of this work proved equally provocative – maybe more so, as the prosecution of juveniles is shielded from public and even professional view by the confidentiality of Family Court proceedings. For example, despite popular myth, the study showed that the vast majority of criminal cases against children did not involve violent behavior of any kind. The bad news was that the Family Court's dispositions were usually inappropriate – both when a case did arise from serious crime and when the level of criminality was more modest but the underlying problems of

the juvenile and his or her family were very serious indeed. Throughout the 1980s, the city and state agencies responsible for oversight of Family Court functioning relied on Vera's *Family Court Disposition Study* for a map of the Family Court's caseload, process and problems.

Cities are desperate to find ways to relieve the fiscal burdens of the nation's jail overcrowding crisis and the violence overcrowding spawns. Press and policy-makers everywhere tend to overlook the fact that the overcrowding crisis in local jails has been more the product of increasing delay in the disposition of criminal cases against those held in pretrial detention than it has been the result of more arrests or more jail sentences. In 1984, after Vera researchers helped the city identify court delay as the major cause of local jail overcrowding, the Institute was called upon to set up data systems for keeping track of backlog in the courts and to assist prosecutors and judges in the development and testing of new administrative techniques to dispose of cases more quickly. The resulting Speedy Disposition Program produced successes in some boroughs of the city, but met with frustration in others. Vera's research reports on this effort have, however, guided subsequent efforts by the judiciary as well as the prosecutors and the city's Office of Management and Budget, to reduce delay and pretrial jail overcrowding. Those reports also served as the raw material for a monograph addressed to the managers of urban court systems around the country.

Victims in the Courts – and in the Community

An important question for any criminal justice system is: How does it treat victims? There's a larger question too: What is done for victims when there's no defendant caught to put through the criminal justice system?

Twenty years ago, the short answer to how victims fared in the system was – badly. The larger question was not even asked. No one was opposed to helping victims, but no one had a mandate – or a budget – to try. In New York, Vera helped change that radically. And the work Vera did on this problem in New York has had profound effects throughout the country. Now,

over 130,000 victims get help each year from the Victim Services Agency, a Vera "spin-off" that grew out of a typical action-research project. Each year, VSA's counselors help roughly 30,000 victims and its 24-hour-a-day Crime Victim Hot Line is used by nearly 70,000. VSA finds emergency beds, food and financial aid for almost 15,000 victims every year, and it makes emergency repairs of thousands of commercial and residential premises left vulnerable after burglaries. The agency intercedes annually on behalf of more than 15,000 battered women and it collects over \$1 million in restitution payments.

Less dramatically, VSA eliminates some of the hassle victims endure when the criminal justice system uses them as witnesses: Each year the agency prevents almost 100,000 needless courtroom appearances, using the "alert" procedures Vera developed in the early 1970s to keep police officers on patrol. VSA also transports 10,000 victims to court and assists 20,000 by expediting their recovery of stolen property when it is being held as evidence of the crime.

The history of VSA began with the surfacing of a problem. In the mid-1960s, when rising crime rates focused national attention on criminal

Vera's project saved crime victims thousands of hours and provided services that they consistently told Vera they wanted. But about half of the victims continued to drop out of their cases.

The main reason was that many sought solutions which they did not believe would be provided by the criminal justice system – and they were often right

justice, researchers noticed that a surprising number of crime victims were refusing to cooperate with police and prosecutors. This worried prosecutors and policy analysts who believed that the failure of victims to appear in court to testify was the leading reason for

persistently high dismissal rates in criminal prosecutions. Why were victims opting out? The principal reason, further research suggested, was that the system treated all witnesses in far too cavalier a fashion.

By 1974, enough evidence was available on the extent of victim-witness non-cooperation, its consequences and its apparent causes, for the Law Enforcement Assistance Administration to intervene. LEAA awarded grants to nineteen jurisdictions to fund programs that would test the hypothesis that better treatment of victims would keep them involved in their cases and that their involvement would reduce the dismissal rate. The first and most comprehensive attempt to eliminate victim "disaffection" with the criminal justice system was Vera's Victim/Witness Assistance Project (V/WAP) in New York. Working out of offices on the second floor of the Brooklyn Criminal Court, the V/WAP pilot project staff provided victims with the full range of services called for by the "disaffection" hypothesis. The project risked something by inserting itself between the prosecutors and the victims, the source of precious testimonial evidence. But the staff gained credibility, and a measure of gratitude, by helping the prosecutors too – Vera designed and maintained a computerized database through which the District Attorney's office could inform itself daily about the availability of witnesses to testify the next day.

Charged with eliminating the mundane obstacles that defeated even devoted witnesses, Vera's staff began attending to victims' basic needs. They kept in touch with them between court dates and put them on "alert" whenever possible, so they wouldn't waste time coming to testify on days when no action would be taken. They opened and staffed a day-care center where victims' children could be safely deposited when their parents were needed in court. They provided free round-trip transportation to the courthouse for those who wanted it. They replaced locks and repaired the doors for the victims of night-time burglaries, so they would not be burgled again that night. And they ran a victims' hot line to provide something the rest of the system too often overlooked: an understanding listener and knowledgeable guide.

The results of all this effort were mixed. The project saved thousands of wasted hours and provided services that victims consistently told Vera researchers they wanted. But about half of the victims continued to drop out of their cases. Why? The main reason, further research disclosed, was that many victims sought solutions to their complaints which they did not believe would be provided by the criminal justice system – and they were often right. For example, a large proportion of crime victims either knew or were related to the defendants who had assaulted them or stolen from them. While these victims wanted and needed help, the help they needed was not forthcoming from a court process designed to establish guilt or innocence and to apply penal sanctions. What this group of victims wanted, the surveys showed, was mediated resolution of long-standing conflicts, or a court-ordered end to harassment, or a quick return of stolen property, or a round of therapeutic counseling for themselves or for the former friend or family member who the system saw only as a defendant.

At that point, Vera faced a dilemma. The Institute's research showed that V/WAP's founding hypothesis – an accepted truth in the field – was flawed: improving the lot of victims did not end the problem of non-cooperating witnesses. It did not reduce the dismissal rate that haunted prosecutors. But V/WAP did meet the pressing needs of an under-served and often ignored group of citizens who have a special claim on just treatment from society.

In pursuit of justice rather than prosecutorial efficiency, Vera expanded the range of services to victims: V/WAP added a unit to mediate cases – even felony cases – where the victims knew the defendants and wanted a mediated settlement. It added a unit to collect restitution payments. It added staff to help victims communicate with prosecutors, because the research showed that the prosecutors' tight focus on the evidence, rather than on the person who could give it, was a primary source of victim disaffection. And it started individual and group counseling for victims suffering special trauma. Perhaps the most needy of these were not victims at all, as the system defines victim. In a homicide case, it is too late to help the victim, and grieving

family members usually play no formal role in the criminal justice system except to identify the body and, perhaps, to serve as initial suspects. Through V/WAP, families of homicide victims were organized into support groups facilitated by staff therapists; in that forum – wholly outside the formal criminal justice system, they could help each other deal with their grief and begin rebuilding their lives.

In 1979, the Mayor and the City's other political leaders embraced V/WAP and funded it as a city-wide, non-profit corporation known as the New York City Victim Services Agency. What has become known as the "victims' movement" had been launched; the shape it took has been much influenced by the stream of research reports about the effects of V/WAP and VSA services.

As a Vera spin-off, VSA continues to maintain close ties to prosecutors' offices and continues to encourage and assist witnesses to testify. But cooperation with the authorities is often irrelevant: When a victim returns to find a home or store burglarized, or when a citizen is mugged by someone coming from behind, at night, there is usually no arrest that can be made. The majority of victims are not witnesses – there's no one to testify against. So VSA emphasizes practical assistance such as food, shelter, and counseling and has opened field offices throughout the city, in high-crime areas. In the mid-1980s, VSA broadened its work even further, trying to reach certain classes of victims before they are victimized further. VSA staffers now patrol the nasty underworld of Times Square, trying to spot and divert teenagers who are ripe to be victimized. VSA staffs the city's hot line for incest victims, and another hot line for runaways, who are easy pickings for pimps and scam artists. And VSA keeps open a string of safe houses where battered spouses and their children can retreat before they are attacked again. These efforts are a logical extension for an agency that has learned that humanizing the prosecution process is necessary, but is not a sufficient social response to victims' bitter experiences of crime.

CURRENT WORK ON COURT ADMINISTRATION AND THE ADVERSARIAL PROCESS

The Speedy Disposition Project

Despite earlier efforts by court administrators and prosecutors to decrease the backlog of cases pending, New York City's Supreme Court remained one of the slowest urban courts in the nation

The surge in New York City's detention population between 1977 and 1982 – the years just preceding the crisis that precipitated the Speedy Disposition Project – was substantially, and perhaps entirely, attributable to an increase in the length of time spent in jail by detainees awaiting disposition and sentence. According to data from the city's Department of Correction, detainee admissions to the city's main jail facility on Rikers Island fell eight percent (from 61,984 to 56,932) between 1977 and 1982, while the average daily population of detained inmates rose 51 percent, from 4,486 to 6,792. This increase was the product of a 69 percent increase (from 26 days to 44 days) in the average length of detention before disposition. The need for a novel approach to the problem became acute when, in November 1983, detainees were released by order of the United States District Court to alleviate what the court found to be unconstitutionally overcrowded conditions on Rikers Island. The city had discovered a substantial interest in addressing the problem of overcrowding and the attendant costs (to defendants and tax-payers) by attempting to shorten the pretrial period.

While it was clear that felony case processing times were too long and Supreme Court backlogs were too high and that both were primary causes of overcrowding and high detention costs, the city also had no direct way to influence the judiciary's activities or priorities. Furthermore, past efforts of the New York City Supreme Court had not been as successful as desired in bringing case processing times up to par with similar jurisdictions around the country. Despite earlier efforts by court administrators and prosecutors to decrease the backlog of cases pending, New York City's Supreme Court remained one of the slowest urban courts in the nation. According to National Center for State Courts, New York City's average time to disposition for felonies was higher than the average case processing times of all but one of the 18 metropolitan felony courts they studied in the mid-1980s. The research indicated further that the exceptional

slowness of the city's Supreme Court was not caused either by its having a higher proportion of serious cases than other courts (which it might have), or by its having more cases per judge (which it does not have).¹

For these reasons the New York City's Coordinator of Criminal Justice and Office of Management and Budget worked with Vera staff to devise a non-judicial strategy for bringing down disposition times and felony case backlogs. The result of this planning was the Speedy Disposition Project.

The Speedy Disposition Project was a test of: (1) the extent to which criminal case delay is within prosecutors' sphere of influence; and (2) how prosecutors go about the process of planning and executing attempts to intervene to cause improvements in the pace of the existing system. The incentive designed to engage prosecutors in trying to speed dispositions – something they otherwise had little reason to strive for – was money: The Office of Management and Budget created a fund which would be distributed annually in proportion to each District Attorney's Office's relative success in making the process more efficient.

Vera collected data to measure the impact of each District Attorney's case-processing reform efforts on the size of the target groups of older cases as defined in a formula that compared the number of older cases in each target group at the end of each year, in each District Attorney's caseload, with the corresponding number in that caseload at the end of the preceding year.

The Speedy Disposition Project (SDP) ran as described for two years. All the District Attorneys' offices developed and implemented some response to the city's initiative, making more or less substantial changes in their procedures. Each District Attorney devoted special efforts to the SDP. Their work, as recorded in Vera's annual reports, fell into several general categories:

- Efforts to introduce procedural changes, to shorten delay at specific points in the processing of cases, expediting paper and case flow.

The Office of Management and Budget created a fund to be distributed according to each District Attorney's Office's relative success in making the process more efficient. Vera collected data to measure the impact of each District Attorney's case-processing reform efforts on the size of the target caseloads

¹ The National Center's 1983 data on median processing times for the most serious cases disposed in each of the courts studied indicated that all but two of the courts had shorter median times for their most serious cases than did New York; in addition, all the courts had a higher number of criminal cases per judge than did New York's Supreme Court.

The city-wide impact of the Speedy Disposition Project was positive but very modest (although there were some small jail savings).

Vera continues to monitor and report on the measures devised for Speedy Disposition Project. That on-going activity, together with Vera's published accounting of the successful and unsuccessful management efforts to reduce court processing time informs current efforts of prosecutors, administrative judges, and the Office of the Deputy Mayor for Public Safety to further reduce times to disposition in New York

- Efforts to identify cases that had been pending for a long time, and to expedite their disposition by setting up special court parts and, usually, special units of prosecutors. Some of these efforts were temporary, to reduce the pre-existing backlog of cases.
- Efforts to encourage the disposition of cases at an early stage in the adjudication process. Usually this was done by having a senior level prosecutor determine within the first week or so after a case is filed what the District Attorney requires for an acceptable disposition, by communicating that determination to the defense attorney, and by obtaining the cooperation of the court in promptly processing a guilty plea when an agreement is reached.
- Efforts to identify the "fighting issue(s)" in a case, and to have the State's evidence and other prerequisites prepared ahead of time to avoid delay when the issue actually comes before the court.
- Efforts to expedite pretrial motions by consolidating them into one, rather than sequential, proceedings.
- Efforts to improve information systems, to better identify aging cases so that supervising Assistant District Attorneys could provide direct incentives to trial Assistant District Attorneys to move their cases, and to get both supervisors and trial prosecutors to accept the reduction of delay as a part of their professional responsibility.

For each period of the Speedy Disposition Project, Vera measured the size and age of the target groups. With assistance from the Research Department of the New York City Criminal Justice Agency (described above), Vera researchers developed the computerized databases to do so systematically and uniformly across all the District Attorney's jurisdictions.

In terms of the city's first concern -- the impact of the Speedy Disposition Project on the overall size of the program's target groups -- the citywide effect was positive but very modest in the first year of the SDP and negligible in the second year (although even in the second year there were some small jail savings).²

² The evaluative component of Vera's research on the SDP also showed that, in encouraging greater management attention to the problem of delay, the city did not influence the District Attorney's offices to alter basic policies with respect to charging, negotiating guilty pleas, or making sentence recommendations. Rather, the innovations that

The Speedy Disposition Project itself is over. But Vera continues to monitor and report on the measures devised for Speedy Disposition Project. That on-going activity, together with Vera's published accounting of the successful and unsuccessful management efforts undertaken in each country during the operational period of the Speedy Disposition Project, has informed the continuing efforts of prosecutors, administrative judges, and the Office of the Deputy Mayor for Public Safety to further reduce times to disposition in New York. In 1991, Vera staff have been working with officials from the Office of Management and Budget, the Deputy Mayor for Public Safety, and court administration experts from other jurisdictions, to devise a new (and more effective) Speedy Disposition Program, which was called for in Mayor Dinkins' *Safe Streets, Safe City* plan.

The Neighborhood Defender Service of Harlem

During the current period, Vera staff designed and launched a Neighborhood Defender Service, operating in Central Harlem with funding from the city and the state. The purpose of this project is to develop and demonstrate new techniques for the more effective and cost-efficient public provision of legal representation to indigent criminal defendants. The basic hypothesis is that, by restructuring the manner in which criminal defense services are delivered, the public provision of this constitutionally mandated service can be of higher quality, from the perspective of the indigent accused, and the cost-efficiency of the criminal justice process can be improved generally. Vera's Neighborhood Defender Service has been designed as a five-year action-research project. Funds for operations have been secured from the state (the Division of Criminal Justice Services) and from the city's budget for assigned private counsel. Research funds are being sought from several foundations and from the State Justice Institute (SJI).

By restructuring the manner in which criminal defense services are delivered, Vera's Neighborhood Defender Service seeks to demonstrate that public provision of this constitutionally mandated service can be of higher quality (from the perspective of the indigent accused) and that the cost-efficiency of the criminal justice process can be improved generally

footnote continued

emerged from the prosecutors in response to the SDP were procedural -- attempts, consistent with each District Attorney's perception of the public's interest, to reach the same results in cases in a shorter period of time.

The preliminary data from this research provided the basis for the city's decision to terminate the formal Speedy Disposition Project, with its budgetary incentives for prosecutors' offices, at the end of its second year.

The staff of the Neighborhood Defender Service provides direct legal representation to indigent clients who reside within the Central Harlem catchment area. NDS representation is distinguished from existing public defense services in four ways:

- Representation is organized around neighborhoods rather than around the centralized courts;
- Representation is provided by teams (as medical care is provided in HMOs) rather than by individual attorneys;
- Service focuses on all of any client's criminal justice involvements, rather than on discrete prosecutions; and
- The lawyers and community workers comprising the teams at NDS are engaged in outreach of various kinds to the community they serve -- doing crime prevention and educational work in the schools, churches and social institutions of the neighborhood.

The results so far have been encouraging, both because the dispositions suggest a higher quality of defense work is being delivered and because the dispositions are being achieved with a substantial savings of time and resources in the criminal justice system

So far, NDS has represented over 800 Harlem residents in over 1,000 criminal cases. The community has responded enthusiastically, and an ever increasing proportion of NDS cases come directly by telephone from family and friends of those who have just been arrested and are being held at the local precincts. NDS operates 24 hours a day, so it is able to intervene early, gather facts even before arraignment, and expedite the process from the start. The results so far have been encouraging, both because the dispositions suggest a higher quality of defense work is being delivered and because the dispositions are being achieved with a substantial savings of time and resources in the criminal justice system. A national Advisory Committee, consisting of leading academics and managers of public defender services in other cities, meets regularly. They, together with Vera's central program and research staffs, are helping NDS pursue the following goals:

- To develop a replicable model for the provision of high-quality defense services that improves the cost-efficiency of the overall criminal justice process;
- To test a variety of innovative techniques for criminal defense services to indigents, which could be adapted by existing providers of defense services, even if they do not adopt the complete model developed for this demonstration project; and
- To generate measurable improvements in the administration of justice through reorganization of defense services.

Research is integral to the continuing operations of NDS as well as to the evaluation of its effectiveness. The proposed research will employ a quasi-experimental, longitudinal design having two main components: (1) a process analysis; and (2) quantitative analyses of a series of case samples representing (a) cases from the NDS caseload, (b) all criminal cases involving defendants from the NDS target area, and (c) comparison cases selected from the same court in which NDS cases are processed and matched to the NDS sample. A third component of the research design, for which private foundation funding is being sought, consists of repeated in-depth interviews with judges, prosecutors, NDS staff, NDS clients, community leaders, and city officials.

Through the process analysis, the research will describe the target community and monitor over time various dimensions of NDS operations: how it gets cases, trains its staff, reaches out to the community, implements the team approach to defense, uses its sophisticated computer network for team representation, develops the concept of "client-centered" representation, and involves criminal defense staff in collateral civil matters. This part of the research will provide feedback to Vera's NDS managers, to assist them refine program design, and will serve as the basis for documenting the program for the national audience. The quantitative component of the research will assess the influence of NDS representation on the speed and depth of case investigations and case preparation, and it will provide measures of the program's impact on case processing times and outcomes. It will also produce statistical data on how various dimensions of the program change over time (e.g., the nature of the NDS caseload compared to all criminal cases involving target area residents, the frequency of staff involvement in collateral civil matters). Finally, as NDS develops, repeated in-depth interviews with key respondents will track changes in the way various NDS constituencies perceive the service, and will help the researchers evaluate the quality of representation and the ways it achieves what impact it is found to have.

The research commenced with the inauguration of NDS in August 1990, and will continue for four years if fully funded. Taken as a whole, the activities and products of this research effort will shape the evolution of NDS, provide a basis for evaluation of its overall impact on the courts and the community, and provide useful information to replication efforts.

***A national Advisory
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learn from the rest of the
country***

SENTENCING

Most of the small-time thieves, hustlers, reefer-peddlers and prostitutes paraded by big-city judges have been there before. Many have been jailed before, and the majority will be back. They present only one of the sentencing dilemmas confronting the typical urban criminal justice system. What are judges to do? In practice, after a guilty plea is taken, the dozens of sentences listed in the statutes reduce to two: maximum security confinement, which severely strains the public purse even at current levels of imprisonment, or doing nothing at all, which mocks justice and risks public safety. "Nothing at all" is how most judges see, and most offenders experience "probation," "conditional discharge", and the standard array of non-jail sentences which have been rendered unenforceable by huge, undifferentiated caseloads.

Vera's efforts to restore the powers of the sentencing judge began in 1968, with the development of techniques for more effective probation practice in misdemeanor cases — the Bronx Sentencing Project. By the end of the 1980s, Vera's work in this field spanned a half dozen active projects, as well as the retooling of CEP described in the "Court Administration" section of this report.

Community Service as an Alternative to Jail

Over the years Vera has developed and tested a variety of new sentences, and some administrative systems that help make the old ones more enforceable. The most prominent of these efforts in the 1980s was Vera's Community Service Sentencing Project which, each year since 1985, has supervised more than 1,500 petty recidivists in the performance of court-ordered, unpaid labor for the benefit of community groups. About 60 percent would have drawn short jail terms, if not sentenced to community service; the rest would have "walked," despite their prior convictions. Those who complete their sentences get help from project staff to find jobs or drug

treatment and other services; those who do not take the sentence seriously are tracked down and taken into custody by the project's enforcement staff, returned to court, and re-sentenced directly to jail.

Vera's pilot community service sentencing project was launched with a grant from the Edna McConnell Clark Foundation, at the end of the 1970s. The Foundation and Vera were committed the proposition that, notwithstanding the poor track records of earlier efforts to establish effective alternatives to incarceration, it is possible to enforce a non-jail punishment. In this case, the punishment and the enforcement mechanisms were designed to be effective with at least some of the roughly 8,000 offenders who were even then drawing jail sentences of 90 days or less in New York City each year, and for an equal number who "walked" because there were not enough jail cells. There was variety in the criminal records of the offenders in this group, but the bulk were petty thieves — they had long records for stealing a \$20 pair of pants from Macy's, copper pipes from an abandoned building, disco tapes from Crazy Eddie's or sneakers from Bloomingdale's. It was their persistence in thievery that provoked the periodic 30-day jail sentences, not the value of what any one of them stole and not a risk of future violence.

While short jail terms are only marginally effective at deterring future thefts by offenders of this type, long prison terms for all of them would be prohibitively expensive and doing nothing at all offends everyone's gut instinct that theft should be punished.

Beginning in 1979, the staff of Vera's pilot Community Service Sentencing Project gradually proved to grateful judges that there is a way to exact punishment in some jail-bound cases, without jailing. They did it by directly supervising every hour of each offender's court-ordered community service, by seeing to it that those who failed to perform were re-sentenced to jail, and by accepting for supervision only the

petty offenders whose prior convictions made them "jail-bound." Exacting punishment in this way paid a larger dividend: Working seven hours a day under Vera's supervisors, the sentenced offenders helped clean out senior citizens' centers, repaired neighborhood playgrounds and parks, assisted staff of recreation programs for mentally retarded children, and installed smoke alarms in apartments of the elderly.

The pilot project had proved itself by 1980-81, when over-crowding in New York City's jails reached crisis levels. Vera was asked to begin

Vera's pilot Community Service Sentencing Project gradually proved to grateful judges that there is a way to exact punishment in some jail-bound cases, without jailing. They did it by directly supervising every hour of each offender's court-ordered community service, by seeing to it that those who failed to perform were re-sentenced to jail, and by accepting for supervision only the petty offenders whose prior convictions made them "jail-bound"

expanding it and, by 1984, community service sentencing was available to judges city-wide. By the end of 1986, the project was operating in the four largest boroughs, and over 5,000 had been sentenced to it.

Vera's development of community service sentencing required a mix of practical knowledge and research sophistication. The research design, employing powerful but complicated statistical models, defies brief description in ordinary language. But it worked. (See, Douglas McDonald, *Punishment Without Walls: Community Service Sentences in New York City* [Rutgers University Press: New Brunswick, New Jersey, 1986].) Early on, when the data showed that only about 40 percent of those given this alternative sentence would have drawn jail terms, the researchers were able to identify ways to adjust the screening criteria so as to ensure that at least half the community service sentences would displace jail

sentences. Making those adjustments was crucial to the ultimate success of the effort: Enforcing any sanction requires cooperation and effort from prosecutors and judges, who do not take enforcement seriously unless the sentence is generally applied to cases they view as requiring a real penal consequence in the first place. Since Vera made the adjustments suggested by research, the program has grown but the "displacement rate" has been on target at 55 to 60 percent. This research also permitted Vera and the city to see whether or not sentencing offenders to community service had any less deterrent impact than sentencing them to jail (it did not), and whether the number of jail cells freed up for occupancy by more serious offenders justifies the program's costs. (It did.)

The way Vera's program development team built this noncustodial sanction, the way Vera applied its research capacity to that process, and the way the results were disseminated locally gave New York City's executive and judicial officials confidence in at least one non-custodial form of punishment, for one category of offenders. At Vera, this was viewed as the beginning, not the end of the process by which a robust array of effective intermediate sanctions might be built.

Nationally, the jail over-crowding crisis has sparked local expenditures on "alternatives to incarceration" of every description. But it has proved very hard to prevent the "alternatives" from being used exclusively for first (or minor) offenders who wouldn't be jailed in any event. When a new sentence is used exclusively as an alternative to "nothing at all", it gets watered down, becomes unenforceable, and increases the cost of the criminal justice system without remedying its most pressing deficits. In this context, it was encouraging that jurisdictions throughout the country have begun incorporating, into their own development of alternative sentences, elements of Vera's Community Service Sentencing Project and the action-research approach Vera took in developing it. Publication of McDonald's book by Rutgers University Press helped that process enormously, as did the Edna McConnell Clark Foundation's use of the New York project in educating grantees and agencies from other jurisdictions.

Restoring the Power of Economic Sanctions

During these years, Vera opened still other avenues to reform of the sentencing function. In 1981, Vera embarked on a series of studies on the use of fines. By 1986, the Institute had published a survey of how fines are levied and collected in 126 American trial courts, a detailed study of how and how well those judicial and administrative functions are executed in New York City, and an examination of certain unique features of fining in West Germany, Scandinavia and England. This work shaped amendments to the federal sentencing statutes, and excited interest around the country in testing features of the European "day-fine" techniques in an American setting. In 1986, the National Institute of Justice responded favorably to Vera's proposal for a pilot test of European day-fine techniques in the Staten Island court. This federal grant in support of the Staten Island Day-Fines Project was widely publicized by the Justice Department and by prominent researchers elsewhere in the country, focusing national attention on the effort. In New York State, as well, legislative, judicial and executive

branch interest emerged in the Vera experiment, reflecting general interest in whether better fining and fine enforcement can increase revenues to the public purse (and decrease expenditure on new jail construction), while making punishment more equitable.

Why Bother?

No society can rest easy when some of those it imprisons are locked up only because no reliable provision has been made to punish or control them in a more appropriate way. Nor is it comforting that many who walk from the courtroom will be neither punished nor controlled by the sentences imposed on them. Public safety, economy and justice require that judges be provided with a full spectrum of enforceable sentences. Vera's work in the sentencing field has aimed to restore integrity to the process by creating particular sentences that fill in parts of that spectrum, and by disseminating information about the program development techniques that others can follow to add more enforceable non-jail sanctions to the array.

VERA'S CURRENT WORK ON SENTENCING REFORMS

Creating The Center for Alternative Sentencing and Employment Services (CASES)

A decade of Vera's work with community service sentencing did more than produce one specific, credible punishment between probation and jail; it demonstrated how intermediate sanctions should be designed and introduced – it demonstrated that intermediate sanctions would be accepted if they were carefully targeted, rigorously enforced, and seriously designed to offer the sentencing court a response to one of its dilemmas at sentencing.

As a result, while the experimental phase of the community service sentencing project was drawing to a close, Vera began to look for ways to make this experience and expertise available for application to other sentencing dilemmas. Instead of creating yet another "spin-off", Vera staff built an old spin-off (the Court Employment Project, described earlier in this report) into an agency capable of administering several intermediate sanctions and of creating new ones. New York City's Office of Management and Budget and its Office of the Deputy Mayor for Public Safety worked closely with Vera staff for several years to make this happen.

The Court Employment Project (CEP) had been established by Vera in the 1960s as the nation's first pretrial diversion program, offering employment counseling, training, and job placement to young, first-time offenders in place of formal prosecution. The project succeeded admirably in its early years and was widely replicated around the country; but, ten years after the creation of CEP, research conducted by Vera on this and similar diversion programs revealed flaws in the original design. Whatever the quality services offered, these diversion programs were not reaching those who draw jail and prison time, and were doing little or nothing to reduce the recidivism of those diverted to them.

As a result of this research, staff at CEP halted their classic pretrial diversion program and, with help from Vera's planning staff, began to make much more intensive counseling and vocational training available to Supreme Court judges as an alternative to incarceration for young felony offenders who had been indicted and who, upon plea, faced felony prison sentences, but who showed some promise of being able to lead law-abiding adult lives if tightly supervised in the community now.

By 1988, the Court Employment Project had succeeded at repositioning its program as the only credible alternative-to-incarceration program available in felony cases, for use by judges of the Supreme Court throughout New York City. The effort remained relatively small, however, serving only 330 offenders annually. The CEP program was also hampered by the agency's lack of managerial capacity and lack of personnel skilled at monitoring and evaluating the accuracy of its efforts to target jail-bound and prison-bound offenders.

At the end 1988, Vera supplied CEP with new executive management in order to strengthen its operational capacity and to expand its program. Vera staff negotiated new agreements with the city's Department of Employment, allowing CEP's vocational training programs to serve many more offenders coming directly from the courts. Simultaneously, Vera staff helped to expand the case management and court staffs at CEP so that the program could supervise and assist twice as many offenders and, like the Community Service Sentencing Program, could restrict the court's use of the program to the offenders who faced more than a 50 percent chance of doing jail or prison time.

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These improvements set the stage for the consolidation of CEP with Vera's Community Service Sentencing Project, to form a new agency for the delivery of alternative sentencing services in New York – the Center for Alternative Sentencing and Employment Services (CASES). Vera staff designed CASES to contain the operational, managerial, and intellectual capacities necessary to apply Vera's approach to sentencing reform, as CASES expands its existing alternative sentencing programs and creates new ones. The Mayor endorsed the plan to consolidate CEP and CSSP (and to pool the state, federal and city funds supporting the separate program budgets), and committed substantial new funds to the consolidated enterprise so that, for example, drug treatment could be added to CASES' capacities.

The spin-off is complete, and New York City now has the most capacious ATI agency in the nation. Over the next few years, CASES can be expected to originate, demonstrate and champion new alternatives that other jurisdictions will want to emulate

The programs have now been consolidated within the \$10-million-per-annum non-profit agency. For the first nine months of CASES' existence, a Vera management team led the new agency, as it expanded substantially the services provided to the city's courts. In 1990, Vera was able to withdraw from direct management of the new enterprise, national searches having produced able personnel for the Executive Director and the Treasurer posts. They now guide the agency, but two of Vera's senior staff were left in place as Associate Directors of CASES. Today, Vera and CASES still work together – on the research and development tasks necessary to the generation of non-custodial penal measures for female offenders, drug offenders, and other sub-groups of the population for whom the courts still have no viable intermediate sanctions. But the spin-off is complete, and New York City now has the most capacious ATI agency in the nation. Over the next few years, CASES can be expected to originate, demonstrate and champion new alternatives that other jurisdictions will want to emulate.

Using the Powers of the Commercial Bailbondsman: New Techniques for Intensive Supervision of Offenders

During the past twenty-five years, since the early days of the bail reform movement sparked by Vera's Manhattan Bail Project, a growing body of research has documented the ability of pretrial release programs to secure the release of large numbers of detainees, without requirements for money bail and without creating greater risk of failure to appear (FTA) or of pretrial arrest than exists among defendants released by traditional means (posting bond or paying cash

bail, in full or in part). As a result, the nationwide adoption of ROR programs has greatly reduced the setting of bail in favor of release on recognizance in appropriate cases.

But bails continue to be set beyond defendant's means, and local jails throughout the country again face an overcrowding crisis, largely caused by the swelling of pretrial detention populations. In jurisdictions, like New York, where ROR practices are mature, those who are detained before disposition of the charges against them are likely to be viewed by bail-setting judges as individuals who present too great a risk of pretrial crime to be released without an intensity of community supervision that does not exist in practice. The techniques for exercising the requisite degree of control over offenders simply have not been developed and tested.

The result of this lack of knowledge about effective intensive supervision blocks further development of alternatives to pretrial detention, but it also limits severely the use of intensive supervision as a non-custodial sentence in cases that now draw jail or prison. The growing national enthusiasm for Intensive Supervision Probation, for example, can easily be understood as an expression of desire for jail-displacing intermediate sanctions, but there is precious little evidence that the techniques being used by probation departments to mount such programs either displace offenders from incarceration or provide more than a modicum of incapacitation in the community. When judges and prosecutors have no grounds for confidence that the supervision techniques will succeed in preventing criminal conduct, they naturally prefer the more certain incapacitation of jail.

Over the past few years, with support from the Edna McConnell Clark Foundation and from the jurisdictions involved, Vera has launched three Bail Bond Intensive Supervision projects, through which the Institute aims to develop the necessary practical knowledge about community supervision – knowledge that would permit judges to use non-custodial sentence in cases that present real concerns about an offender's commission of serious crime during the period of supervision. Vera planners chose to begin this exploration of intensive supervision techniques with a pretrial, rather than a sentenced population, because the unique common law and statutory powers of the bailbondsman seemed well-suited to such a test. These powers have not been used before to control the behavior of

Lack of knowledge about effective techniques of intensive supervision of offenders whose unsupervised behavior would worry us blocks further development of alternatives. When judges and prosecutors have no grounds for confidence that the supervision techniques will succeed in preventing criminal conduct, they naturally prefer the more certain incapacitation of jail

Instead of posting bonds for those who can afford it and who pose little or no risk, Vera uses the bailbondsmen's powers: first, to ensure that the individuals subjected to its intensive supervision are the ones who would otherwise have remained incarcerated; second, to provide the framework for individually-tailored programs of supervision so intense that criminal behavior is nearly impossible; and third, to return to jail those whose behavior cannot be adequately contained any other way

those released on bail, because the interest of the commercial bailbondsmen who have exercised those powers in the past is merely to secure the attendance of the defendant at court for trial. And commercial bailbondsmen protect that interest by securing adequate collateral and fees from defendants – if the defendant skips, the commercial bailbondsmen's bond can usually be covered in the ordinary course of business. Because bailbondsmen choose the individuals they free by posting bond, using their powers permits Vera to target intensive supervision on detainees who statistics show would otherwise be long-term detainees and would be likely to get jail and prison sentences. That way, the expense of truly intensive supervision is not wasted, and the burdens are not imposed, on individuals whom judges would free anyway.

Vera's use of the bailbondsmen's powers in these projects is, nevertheless, quite unusual – instead of posting bonds for those who can afford it and who pose little or no commercial risk, Vera uses the powers, first, to be nearly certain that the individuals subjected to its intensive supervision are the ones who would otherwise have remained incarcerated; second, Vera uses the powers to provide the framework for individually-tailored programs of supervision so intense that criminal behavior is nearly impossible; and third, Vera uses the powers to return to custody those whose behavior causes staff to believe that no modification of the conditions of supervision would adequately contain the risks the individual presents.

The first of the three demonstration programs was established in Nassau County, New York. Over the past year, Vera replicated the project in Bronx County, New York and in Essex County, New Jersey. The population targeted for release to these projects consists, in each county, of individuals still in custody at least 12 days after arrest and arraignment, who Vera's research show are statistically likely to be long-term detainees, but who are evaluated by program staff as presenting low risk of pretrial misconduct if they are subject to substantial levels of control. Although the projects secure defendants' release by having its own licensed bondswomen post bond, the projects do not require defendants either to put up collateral or pay fees for this service.

The projects screen detainees carefully to assess the likelihood that they can successfully complete a demanding program of intensive supervision and comprehensive, often

required, social services including drug treatment where appropriate. Once a detainee is selected for supervision, the bail bond is posted with the court, and the new bond principal is transferred to the projects' transitional residential centers, where he or she is supervised twenty-four hours a day and is provided a thorough assessment and orientation.

Bond principals remain for a few weeks in the semi-secure facility, where their behavior can be closely observed before they are allowed to return to their home communities. During this time, project staff work with each principal to develop an individually-tailored release contract, designed to meet the personal needs of the principal (including needs for employment, vocational training, education, and treatment for substance abuse), while assuring project staff sufficient opportunities for surveillance and contact. Project staff then assist each principal in securing whatever employment and social services are required under the terms of the individualized supervision contract.

Only after all the elements of the supervision contract have been secured is the principal allowed to return to the community. After release, project staff provide a high level of supervision including, at least, daily face-to-face contacts with each principal and urine testing to detect drug abuse.

Any lapse in compliance with a supervision agreement is met with a tightening of the conditions of supervision. Any substantial infraction or other indication of slippage from the constraints of supervision (such as a positive result on a urine check) results in return of the principal to the transitional residential center. If the project staff determine, on the basis of contract violations, that they cannot reasonably assure a principal's return to court or avoidance of crime, the principal is apprehended by the project's enforcement staff (with police backup if necessary) and surrendered back into the custody of the County Sheriff's Department.

So far, the track record of this experiment in intensive supervision includes an "appearance rate" of almost 99 percent (that is, almost no missed court dates out of several thousand court-ordered appearances), and a re-arrest rate of less than five percent for those under project supervision. There is no precedent for a track record like this, even with defendants facing minor charges and very short periods of pretrial detention, and even with the most intensive community supervision programs previously tested.

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In America, fine amounts are relatively low but are the same regardless of an offender's means. Middle class offenders can pay American fines without feeling much, if any, of their punitive weight, while the poor and indigent are unable to pay fines at the general tariff and are, ironically, subjected to more onerous penal consequences than offenders who are economically better-off. European day-fines, by contrast, require a preliminary calculation of any offender's discretionary daily income; then, by simple arithmetic, fines are imposed that work the same degree of punishment on offenders who commit similar crimes -- regardless of their dramatically different economic circumstances

Over the next two years, Vera will publish program descriptions, which make accessible to the field the intensive supervision techniques developed in these projects, and will be looking for probation departments with whom to work on the adaptation of these techniques to sentenced populations.

Further Development of the Fine as a Criminal Sanction

Vera's decade of research on fines, which led to the Institute's plan to experiment with the European "day-fines" in Staten Island, is sketched in the introduction to this chapter of the report. Before the Staten Island project could get underway, the National Institute of Justice, the State Justice Institute, and the National Institute of Corrections collaborated with Vera to assemble the funding necessary to plan and operate a similar demonstration project in Phoenix, Arizona, where the techniques could be tested on a different offender population and in a different legal setting.

Following the European day-fine concept, both these Vera projects provide a test of a simple method for considering an offender's means -- as well as the seriousness of his or her offense -- in determining the total amount of the fine to be imposed. If Vera's day-fine pilot projects succeed in this, they will provide a solution to the central problem of using fines in American criminal courts: In America, fines are almost always a kind of tariff, on which fine amounts are relatively low but are the same regardless of an offender's means. Middle class offenders can pay American fines without feeling much, if any, of their potential punitive weight, while the poor and indigent are unable to pay fines at the general tariff and are, ironically, subjected to more onerous penal consequences than offenders who are economically better-off.

European day-fines, by contrast, require a preliminary calculation of any offender's discretionary daily income; then, by simple arithmetic, fines are imposed that work the same degree of punishment on offenders who commit similar crimes -- regardless of their dramatically different economic circumstances. Not only does the European day-fine help make punishment more equivalent across offenders of differing income levels (thereby permitting more frequent and appropriate use of this non-custodial sanction), it also ensures that the resulting monetary penalty can be collected

(because it can in fact be paid by everyone on whom it is imposed). In concept, American adaptation of the European day-fine techniques could help enormously to increase the fairness of sentencing, to avoid unnecessary short jail terms, and to improve the revenues generated by fines. In practice, the concepts need to be demonstrated both in lower courts (Staten Island) and in courts of general jurisdiction (Phoenix).

The experimental year in Staten Island drew to a close in the summer of 1990, and Vera staff presented preliminary data to city and state officials. (The formal research report will be available at the end of 1991.) The preliminary data showed that fines were used at least as often after judges began using Vera's Day-Fine Manual to calculate fine amounts, and that fine collections were improved. The justice benefits – greater equity in the setting of fine amounts – were clear. And there was an increase in fine revenues. But there was a statutory obstacle to full realization of the justice and economic benefits of the day-fine system. For day-fines to work properly in New York, statutory caps on the permissible maximum amount of a fine need to be revised upward – they have not been modified at all since the mid-1970s. Vera staff have been meeting with legislative staff and officials from the Division of Probation and Correctional Alternatives, and the Governor's Office, to devise a statutory framework within which increases in fine maxima would be acceptable to all parties. A draft bill is circulating among officials of the Office of Court Administration, the Division of Probation and Correctional Alternatives, the City Office of Management and Budget, and the Office of the Deputy Mayor for Public Safety. If, as is expected, the bill ultimately passes, planning for a Queens County replication of the Staten Island Day-Fines project will get underway next, as a first step toward city-wide reformation of fine sentencing.

Meanwhile, planning for the Phoenix experiment was concluded in the summer of 1991. As the experiment got underway there, over twenty other jurisdictions asked for technical assistance from Vera to help implement day-fine reforms. Working with the Bureau of Justice Assistance, Vera's staff has selected three for federally-funded day-fines programs; the National Institute of Justice has funded evaluative research on the results in those jurisdictions and in Phoenix.

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CORRECTIONS AND PAROLE: EMPLOYMENT FOR CRIME PREVENTION PURPOSES

Every year, America sends more criminals to prison than the year before. As a consequence, every year we release more former inmates to the streets. They return in different emotional states – some seared and others bored, some bent on destruction and some not – but nearly all come back lacking any source of legitimate income. Released from a New York prison, they have \$40 in their pocket, less the price of a bus ticket to Times Square. Released from Rikers Island, they get only two subway fares, before being bused to the high-crime neighborhoods in which they were arrested when last at liberty. Before the first day is out, they have no cash, no job, no prospects, and only a prison record with which to try to gain entry to the labor force.

With public expenditures for imprisonment soaring, it is surprising how little attention has been paid to the public safety threat that arises from the conditions into which ex-offenders are released. Perhaps this neglect results from the conventional wisdom which holds that, even after long stretches in prison, the criminal life irresistibly beckons ex-offenders with an alluring mix of hustles and easy marks. But, since the early 1980s, a quarter of those released from State prison to the streets of New York City – over 3,000 inmates each year – have challenged this stereotype by seeking work at Vera's Neighborhood Work Project. NWP has enough business to hire only half of them. It offers a low wage, paid at the end of each working day, for four months of hard labor. A fifty-fifty chance of getting a very demanding, short-term job may not sound like much of a draw, but the inmate grapevine continues to bring twice as many recently released ex-offenders to NWP's door as can get inside.

Like many of Vera's demonstration projects, NWP has its roots in research. In 1978, Vera staffers interviewed prisoners on Rikers Island as the first step in a long research effort to uncover

the policy-relevant links between crime and employment. Several prisoners independently reported that, upon release, they were heading for New Jersey where they could get paid, day by day, for unloading freight cars. They wanted work and were prepared to seek it out, but they couldn't survive weeks of waiting for the first paycheck from a conventional employer – even if one were to offer a job. And they could not be certain that they would be able to work every day, from their first day back on the streets. Job programs for ex-offenders had not, until that time, taken any account of behavior of this kind – rational though it was, once it was described. With this serendipitous research finding in hand, Vera created NWP to provide short-term, low-skilled "secondary labor market" jobs for any newly released prisoner who wanted one.

There were no funds to subsidize such a quixotic venture, but a market niche quickly appeared: New York City, having seized hundreds of buildings abandoned by landlords, needed a low-cost, reliable work force to rehabilitate apartments scattered all over the city. Vera used its computers to develop an efficient way to schedule and track this kind of work, and the city contracted with NWP to do it. Over the years, as NWP has grown, it has renovated over 15,000 apartments, for occupancy by homeless families, and it has expanded to provide labor to the Port Authority, the Public Development Corporation and the city's Department of General Services. But each time Vera has succeeded in getting more business for NWP's work crews, the number of parolees seeking these jobs increases too. The good news for crime control is that more than 1,500 find work at NWP each year; the bad news is that more than 1,000 are turned away.

If an ex-offender applies when an NWP opening exists, he or she is hired – no questions asked – and is assigned to one of the four-day shifts. The fifth day of each working week is left

open to look for a permanent job. NWP work can be hard — draining heating oil from the basement in an abandoned building in the middle of July or rebuilding walls in a crumbling tenement in the cold of January. The rules are strict — no drink, drugs, fighting, or unexcused absences. But the pay is immediate. At the end of each shift, workers receive checks for the day's work, which Vera arranges for them to cash at neighborhood stores.

NWP offers legitimate income for only a short time — 75 days, beginning no more than 30 days after release from prison or jail. But any laborer who can abide this regimen shows signs of the motivation and discipline needed to enter the straight world and stay there. From the beginning, many NWP workers went on to find their own permanent, full-time jobs, but some sought Vera's help in making the transition. In 1979, Vera set up a related project to help NWP workers who are eager to move on. This Vocational Development Project (VDP)

offers a mix of job training, basic education and help in job placement. The secret of VDP's success — a job placement rate of about 75 percent — lies in its willingness to tailor programs to each ex-offender's strengths and weaknesses. In recent years, VDP has been able to place over 600 ex-offenders in good jobs each year.

Vera's development of programs to ease the transition of prisoners back into society has led to a natural alliance with the State Division of Parole. Continually understaffed and over-subscribed, Parole has been making more and more use of NWP and VDP. In the spring of 1986,

Vera and Parole formed a partnership to work together to expand the business base of NWP — and the number of parolees employed by it — and to re-structure Parole's own system of employment services.

While both NWP and VDP provide jobs and legitimate income to people who need them, it

remains to be determined what crime-control benefits flow from finding labor market slots for recently-released ex-offenders — or for any other crime-prone group — and how most efficiently these crime-control benefits can be gained. Vera's research department has been pursuing these issues ever since it conducted the interviews at the Rikers Island jail that led to the creation of NWP. Vera's economists, anthropologists and sociologists have dissected the complex interactions of crime opportunities, labor market opportunities, the criminal justice system and the myriad other influences on adolescents growing

up in high-crime neighborhoods. That work has been published in a series of articles, monographs and books. Some were published by the National Institute of Justice, and one was published by Cornell University Press (Mercer Sullivan's *Getting Paid: Youth Crime in the Inner City*).

Vera's work in this field has become central to the recent flood of analyses and prescriptions from the right and from the left in the crime control debate. This, too, is good news, because crime control strategies that do not take advantage of labor market forces, to help shape behavior, demand more of police and correctional

Vera created NWP to provide short-term jobs to any recently released prisoner who wanted one. New York City, having seized hundreds of buildings abandoned by landlords, needed a low-cost, reliable work force to rehabilitate apartments scattered all over the city. Vera used its computers to develop an efficient way to schedule and track this kind of work. NWP has renovated over 15,000 apartments, for occupancy by homeless families, and it has given transitional jobs to more than 15,000 recently released ex-offenders. But each time Vera has succeeded in getting more business for NWP's work crews, the number of parolees seeking these jobs increases too. The good news for crime control is that more than 1,500 find work at NWP each year; the bad news is that more than 1,000 are turned away

agencies than they can deliver unaided – and more than the public purse can bear.

Most of Vera's work in the corrections field can be labeled after-care, but the Institute has worked inside the prisons as well. In the mid-1970's, Vera staff helped draft and test the New York State system's first *Inmate Rule Book*. The ambitious effort, aimed at reducing arbitrariness in prison discipline (and the violence it can provoke), was grounded in the work of Vera-led task forces of wardens, guards, and inmates. Vera also designed an empirically sound, rational method for choosing which prisoners were to be sent to half-way houses and work release programs. This Temporary Release Project transferred to the corrections field the techniques Vera had used to equip the PreTrial Services Agency to make objective bail recommendations – using computers and statistical models to help identify the best bets for release.

Meanwhile, Vera turned its program development attention to the problems presented by offenders whose serious alcohol and

substance-abuse problems are related to their criminal activity. Statistics suggest the criminogenic properties of liquor and drugs: for example, more than half of New York State inmates are alcohol abusers and more than half of the most feared violent crimes are committed under the influence of alcohol; the statistics for drug abuse are similarly depressing. Since 1986, Vera has been working with city and state officials to define and respond to the treatment needs of alcohol- and drug-abusing offenders. As several state prisons were already running programs for alcoholic and substance-abusing prisoners, Vera undertook to help state, city and voluntary agencies design and operate program "bridges" to carry inmates from institutional treatment, to community-based treatment affording some continuity of care, and (it was hoped) into stable, sober lives on the outside. In conjunction with this state initiative, Vera designed and launched a research inquiry in search of better knowledge about what treatments work, with whom. (See "Drug Enforcement, Education and Treatment", later in this report.)

CURRENT WORK ON EMPLOYMENT AND EMPLOYMENT SERVICES FOR CRIME PREVENTION PURPOSES

Vera's core staff provide continuing management support to the Neighborhood Work Project (NWP). NWP employed, and thereby provided a source of legitimate income, to over 1,500 recently-released prisoners in New York City in the last calendar year alone. It is a complex enterprise, requiring sophisticated management support. Because NWP is more than a business, Vera's central staff is also involved in pursuing its development as an integral part of the state and city correctional systems. In 1990, much of this work focused on the way NWP and, particularly, the Vocational Development Program (VDP) works in harness with the state's Division of Parole. VDP placed in permanent jobs almost 75 percent – roughly 560 – of the 720 ex-offenders enrolled in the program during the year. This would have been a remarkable accomplishment for any jobs program, but it is particularly impressive for a program working with a population that faced as many barriers to employment as recently released prisoners face. And VDP did it during a period when its entire program was re-structured and expanded, to handle the increasing numbers of younger inmates graduating from the state's Shock Incarceration program at the upstate Boot Camps.

Vera built NWP on a business base that depends heavily on the city's Department of Housing Preservation and Development (HPD) for suitable work sites and for contract payments for the labor NWP crew workers provide. In 1989, for example, NWP crews worked on almost 1,500 sites for the HPD; the 1,927 ex-offenders who worked on these sites brought to more than 15,000 the total number of recently-released inmates who, since 1977, found a source of legitimate income at NWP.

At the end of calendar 1990, with the city facing a budget crisis, HPD began to cut back sharply the number of sites at which it would pay for the labor of NWP crews. With the economic future of NWP in peril, the state's Division of Budget and Division of Parole began a series of meetings at which NWP's capacities were put on offer to other state agencies with facilities in the New York City area. Vera and the state are trying to shift NWP's business base almost entirely to state agencies by the end of 1991, when there will be no more HPD work for the crews. If this effort succeeds, NWP and VDP will in due course become an independent non-profit or public benefit corporation, separate from Vera. If the business base cannot be restructured in time, Vera's role as the corporate home for NWP will have to give way, to whatever arrangements the state can make to handle the management and financial burdens of providing suitable transitional employment to recently released parolees. Whatever the outcome for NWP, the VDP staff who have mastered the daunting task of placing recently released Boot Camp inmates in permanent jobs will continue that work under some corporate or government aegis.

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DRUG ENFORCEMENT, EDUCATION AND TREATMENT

Vera's work on the criminal justice problems that arise from drug and alcohol addiction had their formal beginnings with the Manhattan Bowery Project, described in the "Court Administration" section of this report. Shortly after work on that project began, in 1966, the city asked Vera to develop the first large-scale ambulatory methadone maintenance program for the treatment of heroin addicts. Methadone maintenance had recently been developed and tested on an in-patient hospital ward, but the number of heroin addicts seeking treatment was far too great for simple expansion of that program.

Vera's tasks were to test the practicality of making methadone treatment available much more widely, to explore some of the unknowns about the drug, to provide a range of social services to addicts-in-treatment, and to experiment with techniques to transfer patients from ambulatory methadone maintenance to drug-free treatment.

Initially funded by the National Institute for Mental Health, the program Vera designed was administered by a spin-off non-profit – the Addiction Research and Treatment Corporation (ARTC). Under a separate grant from the National Institute of Law Enforcement and Criminal Justice, Vera coordinated the longitudinal research that accompanied the demonstration project's operations. The research, which centered on the medical, social and criminal justice effects of the treatment program, was carried out by individuals affiliated with the Yale Medical School, the Columbia School of Social Work, and the Harvard Law School.

Over the next twenty years, Vera's work has touched from time to time upon the City's efforts to mount effective drug enforcement strategies, to launch new treatment programs, and to develop innovative school-based and public drug education programs. Recently, the pace of this aspect of Vera's work has quickened dramatically.

WORK ON DRUG ISSUES IN THE CURRENT PERIOD

Neighborhood-Level Effects of Drug Enforcement: A Study of the New York City Police Department's Tactical Narcotics Teams (TNT)

The advent to crack cocaine markets in American cities sparked a nationwide renewal of interest in street-level narcotics enforcement by police. During the '70s and early '80s, this strategy was viewed as a labor-intensive, corruption-prone and finally ineffective method for reducing the volume of drug trafficking, and consequently fell out of favor with law enforcement officials. But neither the federal effort to interdict drugs at our borders nor the assaults by local police and prosecutors on domestic distribution networks prevented the rapid growth of crack cocaine markets across the nation. In focusing on the higher levels of drug distribution throughout the '70s and early '80s, law enforcement essentially "lost the

streets" to narcotics traffickers. The burgeoning crack trade of recent years further undermined order and eroded the quality of life in so many inner-city neighborhoods that local police departments across the country redirected their strategic attention -- and their resources -- to street-level narcotics enforcement.

The New York City Police Department's deployment of Tactical Narcotics Teams (TNTs) represents the nation's most fully elaborated street-level drug enforcement strategy. TNTs are a mobile, concentrated overlay of plain-clothes and undercover narcotics officers, supplementing the normal police activity for about 90 days in each TNT target area. TNT saturates a target neighborhood with drug enforcement personnel, generating a high number of quality arrests with rapid "buy and bust" tactics in an effort to eliminate street-level drug marketplaces and interior drug locations. The TNT objective is to restore a target community's own capacity to preserve order and the quality of life, so that TNT personnel can move on to the next drug-infested neighborhood.

The community problems which TNT was designed to address are reasonably well known, and they are not limited to New York City: the crack cocaine epidemic; the encroachment of street-level drug markets into formerly stable neighborhoods; escalating property crime in areas where trafficking takes hold; record-breaking numbers of drug-related homicides; street-level warfare among dealers; and fear and intimidation levels that keep local residents off the streets and away from the parks and playgrounds of their own neighborhoods.

New York City's deployment of TNTs represents a new level of strategic complexity in street-level narcotics enforcement. As such, it has attracted considerable national attention. TNT's shortcomings and successes will therefore have a substantial influence on the evolution of drug enforcement strategies. But the useful knowledge that can be extracted from New York's experience with TNT has much broader applications. TNT is grounded in a recognition that drug trafficking and a poor quality of life are mutually reinforcing problems: abandoned cars are used to stash drugs; abandoned apartments become crack-houses; street-level drug traffic inhibits legitimate public traffic. Traditional narcotics enforcement strategies have allowed this cycle of decline to entrench itself in vulnerable neighborhoods, causing many

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Because TNT's goals are defined, at least in part, in terms of a neighborhood's quality of life and its ability to reclaim its streets in partnership with police, knowledge about TNT's effects will have utility beyond the field of narcotics enforcement itself. Vera is conducting a two-year study of the community-level effects of the TNT strategy

communities to feel abandoned by the police. TNT was conceived as a way to disrupt and reverse this cycle, and to focus on some of the concrete problems associated with drug-trafficking in specific neighborhoods. Because TNT's goals are defined, at least in part, in terms of a neighborhood's quality of life and its ability to reclaim its streets in partnership with police, knowledge about TNT's effects will have utility beyond the field of narcotics enforcement itself.

Vera is conducting a two-year study of these community-level effects of TNT. The research focuses on the extent to which a complex enforcement strategy such as TNT can reduce disorderly conditions; reduce the street crime that often springs up around drug marketplaces; reduce fear of crime among community residents; increase their use of community amenities (e.g., streets and parks); improve attitudes toward police; and help the community "regain control" of its streets. Of course, it is not inevitable that TNT will achieve these benefits, nor that, if it achieves them, it will do so to the same degree in each of the rather different target neighborhoods; it is also possible that TNT creates new problems. Vera's research is designed to pick up important information about these effects as well.

The research employs a longitudinal design in two Brooklyn neighborhoods which were early targets for TNT and, for comparison, in a third neighborhood whose drug market won it designation as a future TNT site. By documenting community-level activities before TNT began in the target areas, Vera developed baseline information on drug trafficking and associated community attitudes and perceptions. Vera then continued observing community activity and gathering data -- during, and for months after, TNT's deployment in each target neighborhood.

The data collection techniques employed by Vera's TNT researchers over the fourteen-month data-collection period include: a multi-wave household survey of community residents; street ethnography which focuses on the local drug users and dealers; analysis of statistical record data; and a variety of qualitative research techniques, including panel interviews, which focus on community leaders, and interviews with and observations of the police themselves.

The household survey is intended to track the community's perceptions, attitudes and behavior before, during and after TNT is deployed. The presence of TNT is expected

to have direct effects on those who live or work in the target areas, but because TNT is expected to reduce non-narcotics crime and improve the quality of life in the target area, it is also expected to have indirect effects on local perceptions, attitudes and behavior. The statistical data Vera collected reveals community conditions, the volume and type of TNT activities, and the influence of TNT on criminal activity in the target areas. Vera researchers' interviews with TNT officers and other police officials, as well as Vera's field observations of their activities in the target areas, provide a detailed picture of how TNT operated in these neighborhoods and how it interacted with other units of the Police Department, other agencies of government, and community groups.

Most importantly, the continuous presence of Vera's field ethnographers on the streets of the study neighborhoods provide a rich record of observations and interviews about the nature of the drug trafficking and street conditions that characterize these neighborhoods, and how they change over time as a result of TNT's intervention.

Race, ethnicity and place of origin, socioeconomic class, and type of residence (home-ownership versus rental) turned out to be major cleavages in the TNT target neighborhoods, despite the fact that none encompassed more than a few square blocks. In seeking to describe the community effects of street-level narcotics enforcement in the TNT target areas it was necessary to record the many varied "voices" that speak in (and sometimes for) each of these neighborhoods. While most observers of the inner city are mindful of the complex nature of urban neighborhoods, policy makers addressing issues of drug enforcement often speak as though there were only one community, fully engaged in mortal combat with the ranks of drug traffickers. Vera's research is designed to record and document the underlying polyphony of several communities' responses to street-level drug enforcement, and to paint a picture of the complex position which drugs occupy in these neighborhoods.

Vera will make its final report to the city at the end of 1991 and will publish its final research reports in the summer of 1992. Vera intends to produce articles for journal publication as well, and, if the ethnographic component of this research project proves as productive as previous Vera ethnographic research, it is likely that a book will emerge

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from the project. For example, Mercer Sullivan's book, *Getting Paid: Youth Crime and Work in the Inner City* (Ithaca, New York: Cornell University Press, 1989), emerged from the ethnographic component of Vera's research on relationships between unemployment and crime.

Alcohol, Drugs and Crime -- Research and Technical Assistance on an Initiative by Four State Agencies

The first question is not "what is the effect of drug treatment on recidivism?", but "do the available treatments, when provided to substance abusers at high risk of committing crime, reduce their substance abuse?"

In the mid-eighties, Vera planners and researchers began revisiting the question whether (and, if so, how) more or better substance abuse treatment could reduce crime. Analytically, the first question is not "what is the effect of treatment on recidivism?", but "do the available treatments, when provided to substance abusers at high risk of committing crime, reduce their substance abuse?"

After an informal survey of New York City treatment providers, Vera staff focused on a handful of in-prison programs, run by New York State's Department of Correctional Services, that might be linked more directly to the handful of community-based programs in New York City that appeared best designed to work well with substance abusers of the types exiting the state prison system.

Linkage between the in-prison and the community-based treatment programs was missing and, without such a link, inmates in need of treatment were not likely to be much influenced by in-prison treatment once they hit the stresses and temptations of the streets.

In 1985, state officials concerned with the same program design issues secured Vera's technical assistance to design an initiative that would mesh the resources of criminal justice, substance-abuse treatment and mental hygiene agencies, to reduce recidivism among alcohol- and drug-abusing ex-offenders. In response, in the spring of 1986, legislation was adopted that engaged four state agencies and Vera in just such an effort, and financed the additional work required to implement it. The legislators called for a continuum of care in the treatment of substance-abusers populating the state prisons -- when they are inmates and when they became parolees. The linkage between institutional and community-based treatment was to be forged by the multi-agency initiative: four state agencies with a history of going about things their own way were to collaborate on this effort to produce a coherent whole. The Division of Correctional

Services (DOCS), the Division of Parole (DOP), and the state's drug and alcohol abuse treatment agencies (DSAS and DAAA) were all to provide staff, space and bureaucratic energies to the effort. Vera was engaged to monitor the progress of these agencies, to help them if and when they needed help, and to conduct formal, evaluative research on the project.

The multiple roles assigned to Vera are reflected in the three extensive interim reports Vera has issued on the Alcohol, Drugs and Crime project (at the end of state Fiscal Years 1988, 1989 and 1990). Included in these reports are a discussion of the progress of the pilot efforts, suggested solutions to implementation barriers, and preliminary results of Vera's research. Vera issued the final research report on the project in 1991. Under a related contract, begun in the fall of 1989, Vera staff have also been providing technical assistance, to these same agencies, as they plan and implement expanded treatment programming under the Omnibus Prison Act passed in the summer of 1989. These activities, as well as future directions of Vera's involvement in offender substance-abuse treatment, are described below.

The Treatment Continuum

The intent of the 1986 initiative was to develop and implement a pilot program in which a continuum of alcohol and drug abuse treatment services would reach offenders from the time they entered the state prison system through the difficult post-release period. The focus of Vera's monitoring, technical assistance, and research was on the treatment program, developed as a pilot by the state agencies, which was to be the "missing link". Located at the Lincoln Correctional Facility in upper Manhattan, DOCS's Community Preparation Unit (CPU) was intended to take advantage of "the release milieu" – inmates close to release, housed at a facility in the community to which they would be returning – and to build on these men's prior participation in upstate prison programs. Identified upstate and then transferred to the Lincoln program about three months prior to their projected release date, the first pilot participants entered the program in May 1987.

Lincoln's 37-bed program unit was designed to be "residential," meaning that one floor of the Lincoln facility was devoted exclusively to the pilot program and the participants resided there, apart from Lincoln's general

Vera was engaged to help the Division of Correctional Services, the Division of Parole, the Division of Substance Abuse Services, and the Division of Alcoholism and Alcohol Abuse, in their effort to mount a substance-abuse treatment continuum starting in upstate prisons and carrying over to the communities to which parolees return

population inmates. The program provided a twelve-week cycle of drug and alcohol treatment, with its participants active in programs throughout the day and evening.

Merging the approaches of DOCS' model programs upstate, the Lincoln unit was designed to blend 12-Step-oriented (AA, NA, CA, etc.) counseling, usually through group meetings, with educational approaches (e.g., films, audio tapes, lectures and seminars).

Two-thirds had significant drug problems just prior to entering prison; at the same time, a third had alcohol-abuse problems at the time of incarceration, and many of these also had a drug-abuse problem. Overall, one out of four were clearly polyabusers at the time they entered prison

Much of Vera's technical assistance to the Lincoln program stressed the development of linkages to treatment in the community after release, and the development of post-release relationships that would reinforce abstinence and recovery. As a result, the program increasingly imported agencies and people from the outside into the unit's day-to-day program life (e.g. regularly scheduled sessions with community-based treatment representatives, workshops by ex-offender vocational programs, Planned Parenthood and AIDS education groups, and AA and NA groups led by sponsors residing in the community). Similarly, Vera encouraged staff (with mixed success) to be more aggressive in engaging participants' families in their treatment and their preparations for release to the community. Finally, Vera encouraged expansion of the program's counseling curriculum in the direction of a relatively new drug treatment methodology called "Relapse Prevention". As a result, toward the end of the demonstration project, small group sessions were begun, led by staff trained in relapse prevention techniques, to focus on the "real life" situations that are triggers for relapse and will be encountered again upon release. The sessions seemed well-designed to help participants develop strategies and rehearse behavior for coping with these relapse cues.

The pilot program also addressed the last part of the treatment continuum -- referral, and post-release case management services. Counselors engaged in this part of the program usually met with each participant on three or more occasions, assessing post-release treatment needs, motivational issues, and post-release plans that could affect the outcome of treatment (residence, family, employment, etc.). Just prior to release, the counselors referred each participant to a particular treatment program located in the community in which the participant planned to reside. The community-based program was informed of the referral, and told to expect the parolee to appear for intake within days

after release. The counselor was then to monitor the participant's attendance in treatment and was to make additional referrals if necessary.

Though experiencing some implementation difficulties throughout, the pilot program made considerable progress in difficult areas: delineating agency roles and responsibilities; developing ties with treatment programs for better client access and follow-up information; and involving field parole officers, who are ultimately responsible for monitoring and enforcing attendance in treatment after release.

Research overview

Vera's research was designed to test for any post-release effects of inmates' participation in the pilot, while also providing detailed descriptive information on the participating inmates and the treatment they obtained. One important group on which Vera collected data is a large sample (N=678) of general population inmates interviewed just prior to their release; these men, screened for inclusion in the study's control group, are generally representative of the parolees returning to New York City from the state prison system. The rather sophisticated self-report techniques Vera used in interviewing them reveal that two-thirds had significant drug problems just prior to entering prison; at the same time, one-third had alcohol-abuse problems at the time of incarceration, and many of these also had a drug-abuse problem. Overall, one out of four of this sample were clearly polyabusers at the time they entered prison.

The roughly 70 percent who were identified as having significant drug or alcohol problems at the time they went to prison comprise the control group, which Vera followed and compared, on various post-release measures, to the participants in the special Lincoln program. Almost three out of five in this control group had been using powder cocaine, crack, heroin, or other major drugs daily before entering prison, or had been using at least two of these drugs weekly. Almost a quarter of them had been using two or more of these major drugs on a daily basis. And drug abuse had been compounded by problems with alcohol: About one-third had been consuming an average of four ounces of pure alcohol every day before going to prison – an amount roughly equal to six drinks of hard liquor, a quart of wine or eight twelve-ounce bottles of beer daily.

Evidence of the Impact of the "crack epidemic" was clear: While three percent of the men who went into prison before 1985 reported having used crack, 35 percent of those incarcerated in 1987 had been using crack

There was little evidence that inmates were screened in advance for available in-prison programs. Further, the absence of appropriate screening was most evident for the treatment slots that provide the most professional treatment, are also the most popular, and are fewest in number.

Similarly, parole conditions mandating attendance at a drug treatment program (a very scarce resource in New York City) were given to 32 percent of the inmates who did not exhibit a severe and recent drug history, while they were not given to 44 percent of those who did have such a history

Analyses of changes in drug use patterns among these inmates revealed some disturbing trends. Evidence of the impact of the “crack epidemic” was clear: While three percent of the men who went into prison before 1985 reported having used crack, 35 percent of those incarcerated in 1987 had been using crack. Unexpectedly, however, use of powdered cocaine (not crack) decreased somewhat in this period, from use by three-quarters of those incarcerated prior to 1987, to two-thirds of those who entered prison more recently. Heroin had also been used somewhat less frequently among those more recently incarcerated (35% compared to 45% of the earlier group). In addition, intravenous use of drugs was down significantly among those more recently imprisoned: More than half of those who entered prison prior to 1984 had been using drugs intravenously (53%), while less than a quarter of those incarcerated in 1987 reported intravenous use (24%).

Vera’s data were analyzed, first, to look at how the state prison and parole authorities were dealing with the drug and alcohol problems of those in their custody. In addition to providing descriptive information about proportions of inmates attending in-prison programs and being assigned drug- and alcohol-related conditions of parole, the research was structured to address a further question: Are these two strategies for helping ex-offenders to avoid relapse – treatment while in custody, and conditions to structure behavior in the post-release supervision period – targeted on the offenders who appear to need them the most? The findings suggest that some matching along these lines does take place, but it is also evident that both prison treatment resources and parole conditions could be better allocated. There is little evidence, for example, that inmates are screened in advance for available in-prison programs. Further, the absence of appropriate screening is most evident for those treatment slots that provide the most professional treatment available but which are also the most popular and fewest in number. Similarly, parole conditions mandating attendance at a drug treatment program (a very scarce resource in New York City) are given to 32 percent of the inmates who did not exhibit a severe and recent drug history, while they were not given to 44 percent of those who did have such a history.

The Future of Community-based Treatment for Offenders

In addition to conducting quantitative evaluation research, Vera staff have been gathering qualitative information on offender treatment, through readings and discussions with treatment experts, and in dozens of site visits to treatment providers in New York City. These experiences have been of considerable value in Vera's provision of technical assistance to the Division of Parole, which, under separate contract, has engaged Vera's staff to help it establish and expand a network of community-based treatment providers offering treatment that is appropriate for city-bound parolees.

Partly as a result of Vera's preliminary findings, the state's 1991 Executive Budget included an ambitious Parole "Relapse Prevention" initiative, designed to increase field officers' effectiveness in supervising parolees with histories of substance abuse, and to expand and improve community-based services for this burgeoning and under-served population. Vera staff have assisted the Division to plan for the re-training of its field officers in Relapse Prevention techniques, and have assisted in the development of a Division policy for drug testing and responding to signals of relapse among parolees. And Vera continues to work with the Division on its development of contracts with community-based treatment providers. The recommendations made over the past year by Vera staff, now being pursued by the Division, include: development of parolee-tailored, prevention-oriented outpatient programs for just-released parolees; one- to six-month transitional treatment programs for parolees who have been on the streets for some time and have seriously relapsed; case management procedures to retain parolees who are resistant to treatment; aggressive outreach to lapsing parolees; routine feedback on parolee progress to supervising officers; assessment of parolees' other needs and referral for residential, vocational and other services; use of urinalysis in a treatment context; and increasing access to treatment through the evening hour programs and elimination of fees.

Vera and the state's Division of Substance Abuse Services are now engaged in developing an ambitious relapse prevention program, specifically for the recently released parolee population, which Vera would run for the state as a demonstration project.

Vera and the state's Division of Substance Abuse Services are now engaged in developing an ambitious relapse prevention program, designed specifically for the recently released parolee population

HUMAN SERVICES

Vera has pursued its mission through precinct houses, holding pens, courtrooms, and prison cells. But even in the earliest days, it was clear that justice and injustice are not the exclusive province of the criminal justice system. And, because the problems confronting urban America defy subject-matter boundaries, Vera's action-research method kept bringing into focus new problems for which the Institute's approach seemed suited. An Institute that presumes to include Justice in its name, if it ventures into the streets as Vera does, cannot help but notice homeless people sleeping in the snow, or able-bodied adults branded "unemployable" and shut out of the labor market, or elderly and disabled people immobilized and trapped at home.

As early as 1967, when it pioneered medical detox in lieu of arrest for derelict alcoholics, Vera's mission was encompassing matters that lie beyond the justice system as it is conventionally understood. Action-research has led the Institute from one problem area to another ever since -- from projects to reduce child abuse in the foster care system to architectural designs that have made homeless shelters more humane. Some of this work is sketched in the following pages.

Self-Sufficiency for the "Unemployable" -- Supported Work

Derrick Bellfield is mentally retarded and has cerebral palsy. But for most of his life, the biggest handicap Bellfield faced was the low opinion of his prospects that the world held out and he was forced to accept. Today, thanks to his own formidable determination and Vera's Job Path program, Bellfield has a real job, pays union dues and, he's proud to add, pays state, local and federal taxes. Working as a porter at the main Bloomingdale's department store, Bellfield is contributing to a society that once was content to lock him away. In the process, he has achieved a status that anyone, disabled or not, would be proud to claim: Derrick Bellfield is living up to his potential.

Bellfield's trek began in a notorious state school for the retarded called Willowbrook. Doctors sent Bellfield there for "long term care" in a bucolic setting. What he got was an overcrowded and understaffed institution, where residents often stayed for long terms but could expect very little in the way of care. By the early 1970s, Willowbrook was under attack on several fronts. Crusading journalists indicted the institution with a series of unforgettable reports: "I can tell you what it looked like and what it sounded like," commented one, "but how can I tell you what it smelled like?" Less theatrically, some dedicated lawyers and social workers decided to make Willowbrook the focus of an effort to "deinstitutionalize" retarded people and transfer them to smaller, more manageable, group homes. To settle the resulting federal lawsuit, state officials established a more appropriate network of residences and services and began releasing Willowbrook's patients. Having kept Bellfield at Willowbrook for seven years, the state sent him to live with foster parents.

For Bellfield, life was better but his prospects were miserable -- a lifetime of welfare and child-like dependency on others. Like most retarded individuals living outside of institutions, he could look forward to spending his days in a "sheltered workshop." These protected labor markets were a great advance in their day, and they still serve a vital function for many disabled groups. They provide daily activity and some sense of pride for people who cannot make it in the competitive labor market. But for most of them, "sheltered workshop" usually means repetitive, low-skill tasks -- sorting buttons into glassine bags for less than the minimum wage, and the like. Once placed in a workshop job, few retarded people move on; in 1978, for instance, more than 6,000 individuals were in sheltered workshops in New York, but only 32 graduated to real, competitive jobs.

Officials of the New York State Department of Mental Hygiene, the agency charged with implementing the Willowbrook settlement,

worried that many of the individuals they had de-institutionalized were still destined for lives more sheltered and dependent than was necessary. This did not seem to them to be just, nor did it make economic sense. They brought their concerns to Vera where the problem had a familiar structure. In the early 1970s, Vera had piloted "supported work," a mix of job training and management techniques for getting hard-to-employ groups into the competitive labor market

As early as 1967, when it pioneered medical detox in lieu of arrest for derelict alcoholics, Vera's mission was encompassing matters that lie beyond the justice system as it is conventionally understood. Action-research has led the Institute from one problem area to another ever since -- from projects to reduce child abuse in the foster care system to architectural designs that have made homeless shelters more humane

and keeping them there. The Wildcat Services Corporation, a Vera spin-off, had demonstrated on a massive scale that many who are viewed as intractably "unemployable" can get off the dole and live economically productive lives.

Wildcat, financed in part by the welfare dollars that would otherwise have done no more than maintain its workers in idleness, was shown by Vera's controlled research to be a net economic gain to the taxpayer. Investing welfare dollars and other funds in a period of transitional work experience and training created new taxpayers out of long-term welfare recipients. This first supported work project inspired formal replication in 14 other jurisdictions, selected for a national demonstration by the federal government and the Ford Foundation. By 1986, Wildcat alone had taken almost 20,000 welfare-dependent New Yorkers through its program.

Vera's supported work techniques -- real jobs, gradually increased demands for productivity, sensitive management, and peer support -- had been successful, to varying degrees, for ex-addicts, alcoholics, ex-offenders and welfare mothers. Why not for some of the mentally retarded stuck in sheltered workshops?

In 1978, Vera launched Job Path -- a new supported work pilot. Derrick Bellfield came to Job Path after two years in a sheltered workshop. His Job Path training counselor assigned Derrick to a job as a porter at St. Barnabas Hospital in the Bronx, and visited him twice each week to review his progress and ease his adjustment. Bellfield, like the others in the program, needed a great deal of help at the beginning of his first real job. His particular problem was that, after a lifetime of segregation with other mentally disabled people, Bellfield didn't know how to relate to strangers and did not possess the social skills required in an unsheltered setting. Unintentionally, he would startle people by speaking too loudly; so the counselor taught him to lower his voice and relax his manner. He couldn't understand the details of the job demanded of him; so, clad in jeans and a work shirt, the Job Path counselor worked alongside Bellfield, showing him how to swab a floor without missing hard-to-reach corners and crevices.

The counselor also worked with Bellfield's boss at St. Barnabas. Job Path asks the supervisors at training sites to treat trainees pretty much like other workers -- it's the best way for them to learn about real work -- but these trainees are not just like other workers, and sometimes the supervisors need help too. In Bellfield's case, his boss was stymied when Derrick didn't understand an order to "take care of the fourth floor." So the counselor showed him that Bellfield could respond to specific instructions -- "go scrub the fourth floor" -- but not to genial colloquialisms.

After six months at St. Barnabas, Bellfield was ready to interview for a permanent job. Bloomingdales hired him as a porter. As is Job Path's practice whenever a trainee lands his first competitive, unsubsidized job, project staff kept a keen eye on Bellfield and supported him through the crucial period just after hire. It wasn't long before he needed help. Derrick kept reporting late

for his 5 A.M. shift. The problem: at that hour, few subways were running. The solution: his counselor got a subway schedule, determined which train would get him to work on time, and then (the easy part) made sure Bellfield didn't miss it. Before long, Job Path could withdraw the supports. Bellfield has maintained an excellent work record ever since. The fringe benefits that come with his job have replaced the welfare and Medicaid coverage that came out of the public purse when Bellfield was in the sheltered workshop. In May, 1987, he was chosen as Bloomingdale's employee of the month.

Vera's Supported Work Programs in the Current Period

Bellfield's success has proved to be the rule, not the exception, at Job Path. The program now enrolls about 100 mentally retarded individuals each year now, and consistently places 70 percent in permanent unsubsidized jobs. About three-fourths of them keep those positions at least one year. Clients who do not make it are counselled back into more sheltered settings. After thirteen years, more than 800 Job Path graduates can be found in clerical, messenger and custodial slots at major law firms, banks and corporations.

Job Path's future -- both as a service provider in New York City and as a model for reform and replication efforts elsewhere -- is clear. In 1987, New York's Private Industry Council

The U.S. Department of Health and Human Services declared Job Path an "island of excellence" and federal regulations were amended to create financial incentives for all states to start supported work programs for retarded and other "developmentally disabled" people

funded 11 other groups, including the city Board of Education, to create Job Path programs for individuals who are mentally ill or physically disabled as well as for those who are mentally retarded, and Job Path staff provided technical assistance to them all. New York State launched

similar efforts in Rochester and Yonkers, and Vera provided extensive start-up assistance there too.

Perhaps most important, the Job Path model has been adopted on a national scale. The U.S. Department of Health and Human Services declared Job Path an "island of excellence" and federal regulations were amended to create financial incentives for all states to start supported work programs for retarded and other "developmentally disabled" people. In the first round of state applications, forty-seven states submitted plans to shift the emphasis of their programs away from sheltered workshops and toward supported work. Vera staff have been providing technical assistance to the federal government, as this shift to supported work progresses. Meanwhile, Job Path and the State of New York have undertaken joint development of pilot projects to test innovative living arrangements for mentally retarded individuals who are, within the existing service plan, restricted to group homes.

As a demonstration project, Job Path has proved to be a powerful stimulus to change. A lot of Derrick Bellfields will be paying their own way in the future -- and will be proud of it.

Housing for the Homeless and Mobility for the Homebound

Most urban dwellers have some sense of the pressures bearing down on the housing market and on mass transportation systems. Most New Yorkers endure the burdens with characteristic sangfroid: they rail against rent-controlled apartments, but fervently hope to find one; they complain about delay of an A train, then rue its over-heated arrival. For two groups, however, the most basic problems have proved insurmountable. For some, it's finding any place to live; for others, it's finding any way to get around the city. Every night, more than 22,000 individuals are provided temporary shelter in New York City; there is no reliable count of those sleeping on the streets, on subway gratings and in doorways. A quite different set of forces traps thousands of disabled and elderly individuals in isolated apartments, keeping them from going to the store, to the doctor and to visit relatives or friends -- even though New York possesses the nation's largest mass transit system.

Vera projects have taken on these problems too. Vera has stepped in as real estate developer, in a series of demonstration projects, to assemble the financing and to oversee the construction and management of permanent housing for the homeless – housing that can be maintained at welfare-level rents. And Vera piloted and for a number of years directly operated the city's paratransit system; until 1990, when the city took direct responsibility for paratransit, the Vera demonstration program was serving the transportation needs of 10,000 homebound New Yorkers.

Vera began the paratransit bus company, called Easyride, as a pilot project in 1976. Federal law was requiring that cities make mass transit systems accessible to the handicapped, and advocates for the disabled and elderly were demanding that it be done. But putting elevators in subway stations and wheelchair lifts on buses was going to be hugely expensive, and a substantial body of opinion held that few of the homebound disabled and elderly could get to subway and bus stops.

Easyride was launched to test a cheaper, simpler idea: through a system of advance reservations and radio dispatching, specially designed vans would pick passengers up at their apartments, deliver them wherever they wanted to go, and return them at the appointed time. Simple though the concept was, it took nearly six years for Vera to cut through a knot of conflicting regulations, abutting payment plans, and competing political pressures, to build a properly functioning transportation system for this population.

In its demonstration project phase, which ended in 1990, Easyride operated throughout the West Side and the Lower East Side of Manhattan. With a sophisticated computer program helping staff to plot trips for efficient use of Easyride's fleet, with mobile radios to add last-minute pickups and returns to the drivers' runs, Easyride provided an average of about 90,000 trips a year, at a cost of just over \$12 a trip. It enabled the frail elderly to escape cruel isolation and dependency, it made employment possible for younger disabled individuals, and it did so at a cost the city could afford. In 1984, at the urging of the Mayor,

the New York State Legislature mandated the extension of paratransit services to the rest of New York City and set aside a portion of the annual transportation budget to support it. The plan was originally scheduled to go into effect in 1987, but it took the city until January, 1990, to put the service plan together and implement it. Vera

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formally ended its demonstration project in the Spring of 1991; the city is now directly responsible for delivery of paratransit service in Manhattan.

Vera's efforts to help alleviate the homelessness crisis are at a much earlier stage. And the problem is a daunting one. Over the last 15 years, New York City has lost more than 114,000 lower-priced housing units from its stock of "single room occupancy" hotels – some have been converted by developers of higher-priced housing, and some have been abandoned. Fortunes have been made, but the dislocation of the poor has been and continues to be devastating. New York's homeless population really began to surge in the late 1970s. By then, Vera was already working with city officials to improve the conditions and referral systems at public shelters – a logical extension of the work begun when Vera created the Manhattan Bowery Project in the 1960s. But improving the temporary shelter services provided to homeless people does not keep their numbers from rising. By the early 1980s, Vera staff became convinced of New York's need for programs that would preserve some of the housing stock as permanent housing for the city's poorest residents.

The Institute had little experience in this field, but neither had it known all the answers when it embarked on earlier pilot projects. Vera did have some relevant knowledge: Through its

Neighborhood Work Project, Vera had been supervising workers in the renovation of apartments in buildings abandoned by their owners and seized by the city. Other Vera projects gave staff the experience to handle particular problems presented by many of the subgroups within the homeless population – the elderly, the mentally impaired, the ex-offender recently released from confinement, the recovering drug addict or alcoholic, and foster children for whom the state's provision ends at age sixteen.

New York City has two major resources for development of low-income housing: land and money. The city owns thousands of vacant buildings which could be rehabilitated for occupancy by the homeless. And New York State and New York City have appropriated several billion dollars for the creation of housing units for low and moderate income households. What was missing was an efficient and effective mechanism to cut through the red tape, to combine public and private funds imaginatively, to negotiate the bureaucratic maze and to get the housing built. That's what real estate developers do well – it is not what government and non-profit agencies had yet done.

Between 1983 and 1986, Vera built a low-income housing development unit to provide not-for-profit groups with the kind of expertise that for-profit real estate developers bring to the conversion of properties to "higher" economic uses. Law firms, developers, general contractors and investment banking firms have helped tutor

the Vera staff. By 1986, the Vera housing unit was acting as the developer in ten projects around the city. Sometimes the client was a local community group trying to create housing to save from homelessness elderly neighbors whose current homes were being converted to condominiums or had been abandoned by the landlords. Sometimes the client was a not-for-profit agency mandated to care for a special sub-group of the homeless population.

In 1987, Vera's Housing Project was spun off as an independent not-for-profit corporation, Housing and Services, Inc. (HSI). One of Vera's Associate Directors acted as president of the new agency, as it matured. In 1991, she became the full-time president of a fully independent HSI.

HSI is still in its early days. It may or may not play a major part in the solution of New York City's homeless crisis. But it has so far developed over 400 units of permanent housing, occupied by more than 500 formerly homeless individuals. Currently under development are another 500 units, in projects sponsored by not-for-profits all over the city, which when completed will bring to roughly 1,500 the number of formerly homeless individuals placed in permanent housing through this project's efforts. HSI's successes have had, as was hoped, a ripple effect – giving other not-for-profit groups confidence that they can, with proper professional help, generate housing for populations in which they have an interest, and giving confidence to government agencies that these development efforts can be kept on track and within budget.

TECHNICAL ASSISTANCE TO OTHER JURISDICTIONS

Vera is an intensely local agency, but it aims for national impact. Solutions to the practical problems and policy dilemmas confronting New York City have a wide, eager audience. This is because human nature -- from which the problems flow and from which the solutions must arise -- is pretty much the same, no matter what the administrative, legal and economic context. Cities everywhere, in this country and abroad, suffer similar burdens and face similar constraints.

Vera was drawn into the larger arena as soon as the first research results of the Manhattan Bail Project were published. The elements of that story, sketched in the "Introduction" to this report, have been repeated at every stage of Vera's development: The Manhattan Bowery Project inspired national reform in the handling of public drunkenness.

The Court Employment Project sparked pretrial diversion programs across the country, and its redesign in the late 1970s has inspired efforts elsewhere to develop similar post-conviction intensive supervision programs. The Wildcat Services Corporation led to formal, federally-funded replications in 14 other cities, and to a host of additional state initiatives. The Victim Service Agency is the flagship of the victims' movement and the continuing source of research to move it forward. The Community Service Sentencing Project is being emulated elsewhere. Job Path, Vera's program to move mentally retarded individuals from sheltered workshops into the competitive labor market, has provoked a shift in federal law that in turn has generated fundamental change in the treatment of mentally retarded people across the country. And many of the innovative procedures developed jointly by

the New York City Police Department and Vera have become standard operating procedure in major departments.

Vera serves its wider audience in various ways. Sometimes, officials and non-profit agency staff from other jurisdictions come to New York to work alongside Vera staff; the purpose is for them to take back the analytic tools and practical lessons that characterize Vera's action-research approach to problem solving and program development. Sometimes, Vera technical assistance staff are sent to other cities for substantial periods, to serve temporarily as the nucleus of a

program development team. Over the years, this practice helped create the Hartford Institute of Justice, the Cincinnati Institute of Justice and Vera's own London Office. Providing technical assistance this way returns to Vera's New York staff a steady stream of program ideas and

research reports from other jurisdictions where problems similar to our own are being attacked differently.

Sometimes the demand for technical assistance in a particular field is strong enough for Vera to help set up a national agency to handle it. For technical assistance on bail, pretrial diversion and jail over-crowding, Vera first helped establish the New York State Association of PreTrial Services Agencies; a few years later Vera joined others in creating a National PreTrial Services Resource Center in Washington, D.C. To carry out the national supported work demonstration, the Ford Foundation, Vera and several federal agencies created a Manpower Demonstration Research Corporation; its early staff was leavened with Vera personnel. (MDRC more recently conducted a multi-site test of the techniques Vera

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developed in Job Path to get some of the mentally retarded out of sheltered workshops and into the competitive labor market.)

Five years ago, Vera set up and staffed a national Prosecuting Attorneys Research Council. PARC's mission is to bring together, from all regions of the country, metropolitan prosecutors who want to apply action-research techniques to the issues confronting them in criminal justice policy and in the efficient administration of their offices. A dozen DAs are involved in the council's evolving agenda, as PARC's Board of Directors. One clear objective is to establish, within the school of public administration at a major university, a center for the training of prosecutors and the personnel who staff their offices. Public policy and planning are disciplines they badly

need. Vera and PARC staff are now having promising discussions about the idea with two such schools.

Most of the time, Vera's own publications and the books and articles published by its staff are the vehicles by which the lessons learned in New York get into the nation's store of useful knowledge.

Over the last 29 years, Vera has moved from testing an unconventional idea about bail to testing a score or more ideas at any given time and exerting some useful force on the formation of public policy in this country and abroad. It has held on to the advantages of being relatively small, showing a rather low profile, and preserving flexibility in its agenda and its approach to problems.

Technical Assistance During the Current Period

The focus of Vera's recent technical assistance to other jurisdiction has been sentencing reform. The *Federal Sentencing Reporter*, designed to permit federal judges to develop a common law of sentencing in the aftermath of the promulgation of the new federal sentencing guidelines, was launched by Vera in 1988. *FSR* is now provided to every federal judge and magistrate, every United States Probation office, every United States Attorney's Office, and every Federal Defender office. The periodical, published six times a year, has achieved its substantive goals: It is the principal source of commentary and case law reports on sentencing issues in the federal system now, and has a steadily expanding subscription base among federal practitioners. In 1990, the Administrative Office of the Courts entered paid subscriptions for the copies that go to the federal Probation offices and the court libraries. At the end of the 1990 session of Congress, an appropriation was made to the AOC that will cover these subscriptions plus all of the judicial subscriptions. That makes *FSR* self-supporting in the 1991-1992 publication year, and establishes an adequate permanent financial base for the future. As a result, the University of California Press at Berkeley has entered a joint venture with Vera, and its journals department will handle all future printing, promotion and subscriptions. Vera's original team continues to handle the editorial work.

The other major element of Vera's technical assistance to other jurisdictions in the sentencing field, during this reporting period, has been an effort to replicate Vera's pilot Day Fines pilot project (described in the "Sentencing" chapter of this report). This has taken the form of ongoing assistance to Phoenix, Arizona, where the Institute's staff has helped local officials to plan, to launch and to monitor the effects of an adaptation to the felony court there of the day-fine system developed by Vera in Staten Island. Vera's Phoenix work was part-funded by the National Institute of Correction and by state and local funds from the Arizona Courts; the demonstration project, now launched by and running under the direct supervision of the local court staff, is part-funded by the State Justice Institute through a grant secured for that purpose by Vera.

Meanwhile, the day-fine concept is spreading among a network of jurisdictions which have been receiving technical assistance from the Vera staff:

California: An attorney from the Sacramento office of the State Judicial Council (which encompasses the administrative office of the courts in California) visited Vera's Staten Island pilot in 1990, to see day-fines in action and to report back. A day-fine bill was then submitted to the California legislature; it would authorize a one-county pilot project. Its prospects for passage look good. The State Judicial Council is actively looking for an appropriate pilot county.

Wisconsin: With Vera's help, the Wisconsin Correctional Service, a private non-profit agency, planned and administered an experimental day-fine project in Milwaukee. The pilot test was fairly successful (Milwaukee targeted a narrower range of cases than did Staten Island), but even this modest introduction of the day-fine technique permitted the court to double the rate of fine collection. The Wisconsin Correctional Service is now seeking resources for a broader test of the concept.

New Mexico: The New Mexico legislature, after hearing Vera testimony about day-fines in general and the Staten Island pilot in particular, passed a bill requiring the state Administrative Office of the Courts to develop specifications for a pilot test of day-fines in Class "A" counties. The Bernadillo County Council is considering whether it will provide seed money for a pilot. Vera staff has spent time with the Albuquerque Metro Court in discussion of the issues which must be addressed before a plan can be developed for submission to the legislature.

Oregon: The Oregon Sentencing Guidelines Commission is considering the role of day-fines in misdemeanor cases. Vera staff, supported by the National Institute of Corrections (NIC), travelled to Portland in 1990 to conduct a workshop on structuring day-fines within a Sentencing Guidelines System for the Oregon Criminal Justice Council (which staffs the Commission). Because some members of the Commission are reluctant to authorize statewide day-fine guidelines before the day-fine concept is tested, the current plan is for the Commission to sponsor a bill authorizing a day-fines pilot project in one county, with the expectation that day-fines can be worked into the misdemeanor guidelines if the pilot is successful.

Vera's Federal Sentencing Reporter, designed to permit federal judges to develop a common law of sentencing in the aftermath of the new federal sentencing guidelines, goes to every federal judge, magistrate, probation office, United States Attorney's office, and Federal Defender office. It is the principal source of commentary and case law reports on sentencing issues in the federal system

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Minnesota: The Minnesota legislature has passed a bill mandating that the state Sentencing Guidelines Commission develop guidelines for use of day-fines in felony cases. NIC sent Vera staff to Minneapolis in the summer of 1990, and to a Commission retreat in November, to provide technical assistance to that effort.

Pennsylvania: Vera staff provided a seminar for judges and court administrators in Pittsburgh, to report the results of the Staten Island pilot project. Staff attended from the Pennsylvania Sentencing Commission, but Vera has not yet heard whether the work is to be taken further in this state.

The United States Sentencing Guidelines: The Federal Sentencing Commission staff has met several times with Vera staff, to get assistance in the efforts of at least one Commissioner to meld day-fines into the federal guidelines. In May 1990, Vera hosted in New York a one-day seminar on day-fines for Commission staff working with on intermediate sanctions.

New York: Vera staff worked with gubernatorial, legislative and judicial branch officials on a series of bills, drafted and in some cases submitted to the last legislative session in Albany. Each of these bills took a different approach to authorizing day-fines state-wide in New York, and lifting the old statutory caps on fine amounts. Removing fine maxima would increase fine revenues in adopting counties, thus providing an incentive to adopt day-fine plans and making funds available for their implementation. (See the discussion of the issue in the "Sentencing" chapter of this report.) By the end of the legislative session, there seemed to be strong support for the idea, but consensus on the best means for accomplishing it eluded the negotiators at the last minute. Another bill will be introduced, in the coming legislative session.

In 1991, Vera entered a formal partnership with the federal Bureau of Justice Assistance, which will bring formal technical assistance funding to Vera's work with at least three other jurisdictions.