

Research Department Alumni Take Varied Career Paths *Robin Campbell*

When Sally Hillsman joined Vera's research department in the late 1970s, she was leaving a job in academia so she could apply her Ph.D. toward shaping public policy. Dylan Conger came to the department in 1997 with a master's degree in public policy and a desire to work more closely with the projects she'd previously studied only from afar. Last summer, when Jake Horowitz interned with the department, he had just left a job at an alternative to incarceration program and was preparing to begin graduate school.

The rare opportunity to combine independent research and direct services has attracted talented women and men at different stages in their careers to Vera's research department ever since the Institute was founded more than 40 years ago. Many of these researchers look back on their time at the Institute and the opportunities it presented to learn and grow professionally as among the most memorable and fruitful of their career. For some, the connection never really came to an end; even after they left, their relationship with Vera continued through associations with former colleagues and spin-offs. In a few instances, they

even returned years later in a new capacity.

Jake Horowitz came to Vera in 2002 from the woods of New Hampshire, where for the previous three years he had been on staff at an alternative to incarceration program for teenage offenders. With six months to fill before beginning a master's program in public policy at the Kennedy School of Government, he joined Vera as an intern in the research department and an intake interviewer for Adolescent Portable Therapy (APT), a demonstration project that provides counseling to drug-using teens involved with New

detention of arrested foster children and which is now part of the Administration for Children's Services.

"I loved working at Vera," recalls Conger. "It was a time in my life when I grew the most, in terms of my intellect and confidence. [Vera director] Chris [Stone] gave me a lot of responsibility, and I learned by doing." Unlike Horowitz, who came to Vera from a direct service role, Conger arrived with a background in research. With a master's degree in public policy from Wagner and two years of experience at a private Massachusetts research organization, she was looking for work that would get her closer to the programs she was studying and the communities they served. "We would go in without any relationships developing, and I felt very uncomfortable about it," she says of her previous job. "At Vera, I found that I could be objective but also be really invested in the program."

Jerome McElroy and Michele Sviridoff began working at Vera on the same day in 1977. McElroy had come to know Vera and its then-director, Herb Sturz, while distributing federal funds at the New York State Planning Agency. He was hired as research director and later became associate director of the Institute in charge of research. Sviridoff, who would eventually become a senior researcher at the Institute, was a dissertation short of a Ph.D. in English at Yale and working as a baker on Martha's Vineyard before she arrived at Vera as a research associate.

One of their first projects together was a federally funded, multi-year pure research initiative examining the correlation between employment and crime. The final report, published in 1984, found that young people do not

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Alumni continue to influence criminal justice research and to work closely with Vera.

York State's criminal justice system. In his work with the research department, Horowitz compared the effectiveness of different intake screening tools in identifying detained youths' drug use. "In a lot of ways, Vera's an ideal place for someone heading into public policy," he says, reflecting back on the experience. "You can get in and do hands-on work and do nice, independent research."

Dylan Conger, now a Ph.D. candidate at the Wagner School at New York University, worked as a research associate at Vera from 1997 to 2001. Among her responsibilities, she worked closely with Molly Armstrong while carrying out process and impact evaluations on Project Confirm, a demonstration Armstrong headed that aimed to reduce the unnecessary

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From the Director: Working Inside the Grid

In the middle of the recent blackout in New York City, I listened on a portable radio as New York's governor demanded to know how certain safeguards had all failed simultaneously. He was talking about safeguards in the electric grid that were supposed to prevent a single problem from cascading into a catastrophic blackout. But those are not the only safeguards that can fail all at once.

Justice, it seems, is like electricity in this regard. Both depend on complex safeguards to prevent their catastrophic failure. Just as electrical engineers in the United States have designed systems that aim to prevent a recurrence of the blackouts that darkened New York in 1965 and 1977, legal engineers around the world have designed safeguards to prevent the recurrence of catastrophic injustice. In South Africa, for example, the 1994 constitution is designed to prevent the recurrence of apartheid, just as the European Court of Human Rights is part of the system to prevent the recurrence of fascism on that continent. In the United States, the safeguards designed to prevent the recurrence of tyranny and slavery include the Bill of Rights and Civil War Amendments to the Constitution.

In modern democracies, safeguards of justice are so good they induce an understandable complacency. We citizens believe that our legal safeguards will prevent any freak occurrence from shutting down liberty and justice for all. Until, of course, lightning strikes, all the safeguards fail, and we are plunged into a different kind of darkness.

American democracy stands today in the midst of a veritable lightning storm. Terrorism and the prevention of terrorism are testing the essential safeguards of justice. I know that some federal judges, legal scholars, and thoughtful officials believe hopefully that the military tribunals in Guantanamo, secret proceedings in federal courts, and open discrimination on the basis of national origin will turn out to be temporary measures, used only in isolated cases to combat an awesome, immediate threat. But it is at least as likely that these drastic measures will cascade past all our carefully constructed safeguards, corrupting the administration of justice everywhere and inviting us into a new age of tyranny. Around the globe, the friends of liberty are all asking the same question: will the safeguards hold? The answer, of course, depends on us. Will we apply what we already know to strengthen our safeguards?

We know that public safety and the rule of law depend as much on strengthening mutual respect between police and citizens as on reducing crime, and we know the strategies that can achieve both together. Our challenge is to implement those strategies across thousands of separate law enforcement agencies in the United States, especially those policing communities of recent immigrants.

Another example: We know that the quality of legal representation available to people in poverty varies widely from case to case and is sometimes worse than having no lawyer at all. Moreover, we know an array of strategies through which to deliver high quality defense. The practical and political challenge is to implement those strategies in thousands of federal, state, and county courts where budgets are tight and any change threatens the privileges of local judges and lawyers.

At Vera, we have a special role in ensuring that the basic safeguards of justice are working as designed. We identify the best friends of justice among our potential partners in government and work alongside them to put knowledge into practice. There are other important methods, of course, for protecting democracy and liberty, but this one is our particular strength. When the electricity goes out, we at Vera are mere spectators, dependent on the experts to restore our lights. But where justice is concerned, we work inside the grid, finding the faults early and building a stronger system, one piece at a time.

CHRISTOPHER STONE

JUST'CAUSE

The Vera Institute of Justice is a private nonprofit organization dedicated to making government policies and practices fairer, more humane, and more efficient. Working in collaboration with government officials, Vera designs and implements innovative programs that expand the provision of justice and improve the quality of urban life. Vera operates demonstration projects in partnership with government, conducts original research, and provides technical assistance to public officials and communities in New York and throughout the world.

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For the Police, a Good First Impression Could be Crucial *Jennifer Trone*

The morning hours are the busiest. Put together the individuals who come to report crimes committed the night before with those who have waited until daybreak to seek help for some other problem and you have a steady flow of people walking through the door of the Citizen Assistance Center. This bright but small office is where they arrive after deciding to go to the police and entering Sovetskaya Station in Nizhny Novgorod, Russia—first passing photos of “wanted” criminals and posters illustrating how to operate automatic firearms. Newcomers follow signs directing members of the public to the Citizen Assistance Center. Repeat visitors know which corridors to take and call the staff by name.

The center is an experiment, testing whether it’s possible to build public confidence in law enforcement by improving the very first contact between police and a crime victim or citizen seeking help. The ambition—and, to some extent, the strategy—is becoming common around the world, from Rio’s *favelas* to remote areas of the Punjab to this relatively prosperous city about 600 kilometers northeast of Moscow on the banks of the Volga River.

In Russia, public attitudes about the police reached an all-time low in 2002, mainly because officers were known to be rude and unhelpful, especially to victims of crime. At that time, a person mugged on one of the sleepy side streets in Nizhny who decided to report the crime was in for a frustrating, insulting experience. The police officer on duty would undoubtedly ask the victim to write and rewrite the account of what happened, rejecting each version for having too much, too little, or the wrong kind of detail. Many victims gave up and went home.

A study released in 2002 showed that police in Russia failed to register more than seven out of every ten

crimes that people tried to report. They weren’t being malicious, just naïvely self-interested. Typically, police officers are judged by their ability to clear cases, so they have a logical but perverse incentive to under-record crime. Fewer crimes recorded mean fewer cases to investigate and solve.

The Moscow-based Center for Justice Assistance (CJA), a joint project of Vera and the Russian nonprofit INDEM, produced that research, and the results compelled the staff of CJA to find a way to make a person’s first contact with the

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police a better experience.

Instead of trying to change the behavior of the “duty” officers, they worked with police researchers to create special centers within police stations to take complaints. Cadets from the local police academy and law school students in Nizhny Novgorod volunteer their time to listen patiently to each person’s story, document it, and then submit the complaint to the duty officer. Today, recorded crime in the three police districts with Citizen Assistance Centers more closely matches reported crime—thanks also to the police department’s decision to base performance on more than just clearance rates. A preliminary “exit” survey suggests that people who seek help from the police are more satisfied with the service they receive. And, equally important, the thoroughly documented complaints are helping police solve crimes.

While the law students and cadets focus on improving the first contact between citizens and police, they commonly are called upon to provide ongoing assistance and support—usually if the police process stalls or the

victim questions a decision by the police department, but sometimes just to provide a sympathetic ear. One of the challenges of running the centers is helping the staff understand and accept the limits of their role—hard to do when a case is compelling and the risk of injustice looms large.

Project Coordinator Valentina Kosyreva is rallying her staff at Sovetskaya Station to help a woman whom they believe was brutally beaten by a neighbor after she testified against him in court. The police have twice refused to open an investigation and a civil court judge is unwilling to hear her case, so the staff are trying to figure out what to do next.

Their tenacity is admirable but possible only in a few cases. And every day, residents present problems the police view as outside their scope of responsibility. An elderly woman who shares an apartment with her granddaughter and the young woman’s husband is convinced that her relatives are trying to force her out and take over the lease. The woman’s predicament is a common one in Russia today. During a recent visit to the center, she was crying as she reported that her granddaughter slapped her. But there were no visible marks of an assault and, therefore, no reason to believe the police would open a case.

If the centers survive beyond their pilot phase—which depends on the station commanders viewing the centers as integral to police operations—the cadets and law students will figure out how much advocacy they can afford to provide, and they will learn even more about the value of the respect and empathy they can offer. More interesting, what these young criminal justice professionals learn through their work could begin to shape police policy. Maybe next year the police will have a strategy for preventing elder abuse.

Jennifer Trone is senior writer and editor in the communications department.

Focus On: Senior Research Analyst Don Stemen

Don Stemen, a senior research analyst with Vera's State Sentencing and Corrections Program, joined Vera in January 2001. He has an M.A. in criminal justice from the University of Illinois at Chicago and is a Ph.D. candidate at New York University's Institute for Law and Society. His prior work includes research projects evaluating the implementation of community policing programs and the effectiveness of school-based drug education programs. Don spoke with Brenner Brown of Vera's communications department.

Brenner: You're working on a project called "Of Fragmentation and Ferment," which is analyzing all 50 states' sentencing and corrections reforms since 1975 and assessing their impact on state prison populations. How did the idea for this study come about?

Don: States were coming to Vera with a lot of questions about sentencing policies—what policies other states had adopted, what policies they had adopted and then abandoned, what policies neighboring states had. There were no resources to find the answers to their questions. If they had a question about truth in sentencing laws in neighboring states, we'd have to look at the laws in all those states. It became very time consuming, and we found that more and more states were asking us questions like this.

We had also read a lot about rises in incarceration rates. Since the '70s, state incarceration rates have increased dramatically, and many criminologists have argued that the increases are due to the tough-on-crime sentencing policies that everyone enacted over the past 28 years—mandatory sentencing laws, truth in sentencing laws, habitual offender laws, abolition of parole. No one has looked at the effects of these policies on incarceration rates.

We decided to collect data on state

sentencing reforms since the mid-'70s to build a historical overview that could help states design their own reform efforts. Then we decided to use this information to see what effects those policies may have had on incarceration rates.

Brenner: You and your colleagues at Vera are the first people to do this, right?

Don: People have surveyed states for the policies they may have at a particular time. But no one has described how particular sentencing policies may be different across states, when states

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adopted them, or whether they changed after they were adopted. And certainly no one has tried to look at the effects on incarceration rates across a whole collection of policies.

Brenner: And why do you think no one has tried to do this before?

Don: Because it's really hard and it's time consuming. It involves looking through archived versions of state codes, and every state has a different way of writing its criminal law so it's hard to compare policies across states. Cataloging the policies and trying to come up with a new conceptual framework for understanding them and then writing some history of policy adoption and alteration across all the states takes an incredible amount of time. It is particularly tough to develop methods for understanding the effect of a particular policy on incarceration.

Brenner: You've completed 20 states so far. Tell me what is interesting about what you've learned.

Don: We're really in the middle of this, and it's hard to step back while you're collecting all this information and see

what's interesting about it. We haven't looked at it closely enough yet. So far we've seen that all states have adopted some type of sentence enhancement or mandatory sentence for offenses—in the '80s it was drug offenses, then it was a lot of sex offenses and then weapons offenses—and what states do is they either increase the penalties for these offenses or they mandate incarceration. What we're finding is that states are taking very different approaches to doing that. At one end of the spectrum are states that want to increase the severity of the sentence but leave the decision about whether and how much to increase it to the judge. At the other end, states are taking it completely out of the judges' discretion; they're mandating incarceration for a particular number of years. In the middle you have states taking different approaches. Some mandate an increased sentence, but not necessarily incarceration; others just mandate incarceration without increasing penalties. The interesting thing now is to figure out what effect that's had on the prison population, which is the next year of the project.

Brenner: Describe a little of the nuts and bolts of this study—how are you and your colleagues going about it?

Don: We have three graduate students working at the law library at New York University. They're going through every year of the state codes—criminal codes, criminal procedure law, drug policies—to see if particular policies are in place. Then they code certain things into the database we built for the project. It's basically like filling out a survey about the code in each state.

Brenner: How long does it take to do 28 years of each state?

Don: It takes about 25 hours. It's incredibly tedious. State codes are terribly uninteresting to read for the most part, and certainly when you're looking at the same one for 28 years.

Public Defenders Need Public Support in U.S. and South Africa *Robin Campbell*

Brenner: How will policymakers use this research when you're done?

Don: One way, I hope, is that if they're thinking of reforming their sentencing policies and they're thinking of adopting a particular policy, they'll look to how other states have structured that policy in the past. And then the second part—looking at the effect of these policies on incarceration rates—hopefully policymakers who are trying to contain their prison populations will look at policies that we may find are associated with higher incarceration rates in other states and think twice before they adopt those policies in their state.

Brenner: Before you came to New York you lived in Illinois. I understand that you're an expert on Chicago-style hot dogs.

Don: Yes, I am. I'm an expert on most Chicago food.

Brenner: How do Chicago hot dogs compare with New York hot dogs?

Don: New York hot dogs are these little skinny hot dogs with a gross, hard casing. And I don't know what the deal is with that ketchup-onion stuff—it's disgusting. So, a Chicago dog: first it has to be a Vienna beef hot dog and it has to have a poppy-seed bun. Then it definitely doesn't have ketchup on it—it has mustard and onions and green relish and a pickle. And tomatoes. And celery salt. The celery salt is key.

Brenner: You're about to become a father for the first time. What's more scary—studying all 50 states' sentencing reforms over three decades or becoming a new dad?

Don: Becoming a father is terrifying. Because it just doesn't end after the birth. I've got 18 years before I can leave my house. And it's a boy, so I've already told my wife that everything is going to be set on fire or broken, or the cat won't survive.

When Vidhu Vedalankar, head of South Africa's Legal Aid Board, visited Vera this summer, the Institute invited leaders of several American public defender organizations to join in a roundtable discussion on the role of these organizations in both nations and how they can learn from each other to advance their effectiveness and public support.

The Legal Aid Board (LAB) was created in 1969 to provide representation to indigent South African defendants, and it met its mandate for nearly three decades by paying private legal practitioners on a case-by-case basis. After the end of apartheid, however, South Africa's new constitution guaranteed citizens a right to counsel regardless of ability to pay, and demand for legal representation ballooned as formerly disenfranchised citizens began seeking legal help.

By the time Vedalankar joined LAB in 2002, the old model of service was being eclipsed by an ambitious new network of Justice Centres with their own legal staff who provide representation, primarily in criminal cases. Now she is working to help South Africans develop realistic expectations of the new centers and to enhance public understanding of the justice system's relevance to democracy in general.

The challenges Vedalankar identified were familiar to her American counterparts. In both countries, for example, poor defendants have historically felt estranged from the justice system. The apartheid legal system was overtly biased against blacks, who were disproportionately poor. Meanwhile, in America, as Leonard Noisette, executive director of the Vera spinoff Neighborhood Defender Service of Harlem, put it, "The system has failed poor people for a long enough time that they are no longer convinced of the rhetoric." The critical difference now is that South Africa started over in 1994.

"Because we are a new democracy and in a reconstruction phase, we can build a new understanding of human rights and confidence in public service

delivery in South Africa from a grassroots level," said Vedalankar.

She is reaching out to the public using education, public relations, and the media. She described LAB plans to leverage the same grassroots communications networks that mobilized opposition to apartheid to begin teaching citizens about their rights and responsibilities under the new system.

Her American colleagues agreed that a similar initiative could be justified in the United States. The dominant sense was that too many Americans feel, as one participant put it, that "the defense function is about providing welfare to people charged with crime and getting the guilty back on the street." Former Vera project director James Bredar, who served as a public defender manager before assuming his current position as U.S. Magistrate Judge in the District of Maryland, recalled the resistance he used to encounter when explaining his defender job. "When I was trying to 'sell' the work I was involved in and the legitimacy of the role, I sold the adversarial process," he recalls, noting that many people were disposed to support public defense only as an integral part of the larger legal structure.

Such attitudes translate into inadequate political and financial support for defender services, said Theodore J. Lidz, chief of the Defender Services Division of the Administrative Office of the U.S. Courts. They also threaten to undercut the credibility of initiatives like the Bureau of Justice Assistance's Access to Justice project, a joint venture of Vera and the South African Ministry of Justice, which is drawing on American experience to help South African courts develop fair and effective plea bargaining practices. "I have been assisting in rule of law negotiations around the world, and I'm still struck by the fact that while we are encouraging other countries to adopt elements that we have long had in the area of rule of law, we still have a ways to go [ourselves]," said Lidz. "It was only 40 years ago that we had for the first time reimbursement of counsel. Forty years later, we are still struggling for fair compensation for them."

Researchers Take Varied Career Paths *(continued)*

necessarily commit crimes because they cannot find work, and that most “age out” of criminal behavior as they mature.

Both researchers remained at Vera for more than a decade. McElroy left in 1989 when the opportunity arose to head the Criminal Justice Agency (CJA), a private organization the city founded drawing on the lessons of Vera’s first demonstration project, the Manhattan Bail Project. CJA interviews defendants to aid judges in release decisions, so it has a body of data that keeps McElroy active in research initiatives. The agency also is frequently asked to share its data with other agencies—including Vera. “In some ways,” says McElroy, “I have never really left Vera.” He currently serves on Vera’s Institutional Review Board.

Sviridoff departed Vera in 1992. After a short stint with the National Center on Addiction and Substance Abuse, she was asked to serve as research director for the brand-new Center for Court Innovation (CCI). A decade later, after overseeing CCI’s research, planning, and development, she accompanied the agency’s founder, John Feinblatt, into city government, when he was tapped by Mayor Bloomberg to serve as the Criminal Justice Coordinator. As department coordinator for research and policy, Sviridoff—like McElroy—continues to influence criminal justice research throughout the city and continues to work closely with Vera.

Sally Hillsman initially worked at Vera for 15 years. Lured away from academia—she had been an assistant professor in the sociology department at Queens College—Hillsman began by working on a complex, experimental design analysis of Vera’s Court Employment Project, which had been launched in 1967 to keep young offenders out of court. But in conducting the research with her colleague Orlando Rodriguez, she uncovered troubling results. “The findings themselves were not very positive with regard to the outcomes that were desired by the program,” she

recalls. Fortunately, the combination of the experimental design and a lot of supplemental qualitative work allowed the researchers to understand why the program was falling short. It was a classic Vera example of action research, in which findings are brought directly to bear on policy.

“All along the way, we fed [CEP] the information we were getting,” says Hillsman. With that information “the program...was able to restructure itself to fit better into the way that the real criminal justice system was working.” That restructured program lives on today as the Center for Alternative Sentencing and Employment Services.

After leaving Vera in 1991, Hillsman served as vice president for research and technology at the National Center for State Courts. Then, when President Bill Clinton appointed Jeremy Travis, another Vera alumnus, to head the National Institute of Justice, Travis asked Hillsman to lead the Office of Research and Evaluation, which she did until 2002, when she became executive officer of the American Sociological Association (ASA).

In much the same way that she returned to her academic roots by joining the ASA, Hillsman returned to Vera earlier this year when she joined the board of trustees—along with Rodriguez, her former colleague, who now serves as chair of the Sociology and Anthropology Department at Fordham University. Hillsman sees her new role as a sign of Vera’s continuing commitment to high quality research and to developing research careers.

“Vera opened an enormously important world for me in terms of the access to do the kinds of research I wanted to do with people who took that research seriously,” she says. “It gave me an opportunity to develop a lot of skills I had not developed as highly before and I’m very grateful. It’s a wonderful place to mature as a scientist.”

Robin Campbell is writer/editor in the communications department.

News and Announcements

- Director Chris Stone and Francis James, head of Vera’s international department, traveled to South Africa in August to participate in a Bureau of Justice Assistance (BJA) board meeting chaired for the first time by Constitutional Court Justice Yvonne Mokgoro. The BJA board was appointed last fall as one step in the ongoing transition of BJA from a joint project of Vera and the South African Ministry of Justice to an independent nonprofit organization.

In Pretoria, Chris spoke at a press conference with National Director of Public Prosecutions Bulelani Ngcuka to officially release a Vera/BJA report commissioned by the National Prosecuting Authority. The report made several recommendations, including ways to better support the front-line work of the prosecution service. In addition, the report highlighted the successes of the NPA and the challenges facing prosecutors in South Africa today. The report was written by Chris, BJA Director Cheslan America, and former Director Michelle India Baird with contributions from many staff members at Vera and BJA.

- Newly available on Vera’s web site is *Common Ground and Crosscutting Themes on Funding Public Security Initiatives in Latin America* by Emma Phillips and Todd Foglesong of Vera’s international department and Cecilia Ales and Gustavo Palmieri of Centro de Estudios Legales y Sociales in Argentina. Also available is *Dollars and Sentences: Legislators’ Views on Prisons, Punishment, and the Budget Crisis* by Robin Campbell.

- The following people have joined Vera since June: *At Vera Central:* Jesus Quinones is information technology manager and Van Luu is communications assistant. *At APT:* Alathia Barnett and Mario Gonzalez are intake interviewers. *At Esperanza:* Ingrid Salas is an intake interviewer.