

THE STRATEGIC APPROACHES TO COMMUNITY SAFETY INITIATIVE  
IN ALBUQUERQUE: PROJECT ACTIVITIES AND RESEARCH RESULTS

Paul D. Steele, Ph.D.  
Principal Investigator

Lisa Broidy, Ph.D.  
Co-Principal Investigator

Jerry Daday, Ph.D.  
Nell Damon, M.A.  
Kristine Denman, M.A.  
Kerry Edwards, M.A.  
Colin Olson, M.A.  
Teresa Schellhamer, M.A.  
Research Associates

Lisa Ortiz, B.A.  
Vanessa Salazar  
Salim Khouyami  
Research Assistants

New Mexico Criminal Justice Analysis Center  
Institute for Social Research  
University of New Mexico  
Albuquerque, NM

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## **CHAPTER I INTRODUCTION**

The Strategic Alternatives to Community Safety Initiative (SACSI) was established by the U.S. Department of Justice in 1998. Implemented in ten cities, SACSI was a coordinated effort to reduce and prevent firearm and firearm-related violent crime. The initiative was notable for its innovative organization and approach.

First, SACSI relied upon the participation of a core group of decision makers in each SACSI service area. These decision makers included local, state and federal law enforcement, prosecutorial, and corrections personnel as well as service providers and representatives from the community. Together, they constituted a working group that was charged with the responsibility of implementing new and potentially effective approaches to dealing with crime in the area served by the initiative.

Second, the working group was supported by the U.S. Attorney's Office, which was charged with the responsibility of facilitating and coordinating the working group's efforts. The U.S. Attorney's Office also had the opportunity to provide resources to local violence reduction strategies, and served as a member agency in the working group.

Third, a research partner also supported the working group. The research partner's role included providing information concerning general crime patterns in the community, more focused analysis in support of strategic and tactical planning, knowledge concerning best practices for reducing gun violence, and assessment of local efforts to deal with violent crime. Ten cities were selected as SACSI sites; the first five (Indianapolis, Memphis, New Haven, Portland, and Winston-Salem) were funded in 1998, and the second five (Albuquerque, Atlanta, Detroit, Rochester, and St. Louis) were funded in 2000.

From the perspective of the research partner, this report describes SACSI in the Albuquerque service area, which consists of Bernalillo County, New Mexico. Of particular note is the evolution of the local SACSI effort, including the development of the working group and various project initiatives in the community. Also highlighted are findings of research about criminal activities in the community, criminal justice responses to crime, and assessment of SACSI initiatives.

To address these topics, the report is organized into four sections. The current section is comprised of three chapters. The current chapter concludes with a review of relevant literature concerning firearm, firearm-related, and other violent crime that was useful in orienting the project. Chapter II describes the development and implementation of the SACSI working group and initiatives in the Albuquerque service area, and Chapter III discusses research activities in the service area. The next section of the report describes crime offender, victim and crime episode patterns within the service area, highlighting trends and spatial distribution of serious violent crimes. It also covers the movement of homicide and aggravated assault cases in the service area reported to or detected by the police through the criminal justice system. Section three describes and assesses the

various SACSI initiatives implemented in the community to respond to violent crime. The report concludes with a final section summarizing the findings and making recommendations for future activities.

## **Correlates of and Responses to Gun Violence**

SACSI research and activities in the Albuquerque service area were situated in the literature of the causes and correlates of firearm-related violence, and of the innovative, promising, and best practices used in other communities, including other SACSI sites. At the outset of their involvement in the project, the SACSI research team organized this literature and presented a brief overview to the working group in an effort to stimulate conversations about the ways in which gun violence in Albuquerque might both mirror and depart from national trends. Such conversations were intended to help steer local research efforts by identifying important questions for the research team to address locally. This, in turn, would help the working group to identify the types of interventions most relevant to Albuquerque's unique gun violence problems. As the SACSI initiative evolved, our knowledge of the key correlates of gun violence has increased. This chapter presents a brief overview of research findings appearing in academic sources and government reports that helped to guide local planning and strategies to reduce firearm, firearm-related, and other violent crime.

### ***Correlates of Firearm Violence.***

The literature on gun violence notes various structural- and individual-level correlates and causes, along with certain situational triggers, associated with gun violence. This literature also identifies a variety of targeted interventions, with some researchers suggesting that the gun violence problem has reached such epidemic proportions that the case for gun-oriented policing strategies is now much stronger than is the case for more commonly invoked strategies rooted in order maintenance (Wilkinson and Fagan 2000).

### **Macro-level Correlates and Causes of Gun Violence**

Much violence literature suggests that at the macro-level, a key correlate of violence in general, and gun violence in particular, is structural disadvantage. Gun violence is most prevalent in urban areas and is concentrated in those urban census tracts that are marked by structural disadvantage. Structural disadvantage and weak labor market networks have been linked to high levels of juvenile delinquency and gang activity (Sullivan 1989). Where young adults hold secondary sector occupations (low-skill, low-wage, service sector jobs), they are more likely to experience both job instability and criminal involvement (Crutchfield and Pitchford 1997). Deviance and crime in youth further diminishes life-course opportunities, as these individuals stand little chance of success in mainstream jobs and endeavors (Hagin 1993). This, in turn, may lead to weak conventional attachments and increased likelihood of later offending.

Homicides, the majority of which result from gun violence, are concentrated in urban areas with high poverty and unemployment rates, high population density, low home

ownership, and high rates of vacant property (Avakame 1997; Mencken and Barnett 1999; Messner et al. 1999; Morenoff and Sampson 1997; Tolnay et al 1996). Low-income areas are home to public housing projects, which are also associated with population instability and high crime rates (Kubrin and Weitzer 2003:386). Areas marked by racial segregation and those with an overrepresentation of young males are also characterized by higher rates of gun violence and correspondingly high homicide rates (Avakame 1997). These correlates are thought to be associated with increased violence as a function of the reductions in informal social controls that such disadvantage tends to trigger. Social disorganization theory, for example, suggests that structural disadvantages lead to weakened ties among residents and concomitant reductions in a community's ability to control its citizens (Bursik 1988; Sampson, 1986; Sampson and Groves 1989; Sampson and Wilson 1995; Shaw and McKay 1942). Subcultural theories further suggest that norms and values in these disorganized areas tend to promote rather than discourage violence, with violence often seen as an important mechanism for quelling shows of disrespect (Anderson 1994).

Research into urban gang involvement indicates that delinquent subcultures and criminality are not intergenerationally transmitted. Rather, they are cultural adaptations to a shifting economy and restricted access to wealth and employment (Sullivan 1989). Disadvantaged youth with few conventional opportunities for success instead invest their time and energy into delinquent subcultures and criminal behavior—activities offering immediate economic gain. Other researchers argue that structural disadvantages exaggerate individual level strain, increasing criminal and violent motivations among citizens in these areas and leading to inflated rates of crime and violence (Agnew 1999). Ecological analysis has verified these findings. In cities across the country, crime analysts have consistently discovered a tendency for crime to occur in “hotspots.” Invariably, these criminal hotspots are also areas of economic and structural disadvantage.

This link between structural disadvantage and gun violence is relevant to Albuquerque, which rates at or above the national average on virtually all measures of disadvantage. Census data from 2000 indicate that while the unemployment rate in Albuquerque, which stands at 5.8%, is consistent with the national average, the percent of individuals living in poverty in Albuquerque is higher than the national average (13.5% for Albuquerque, compared to a national average of 12.4%). Albuquerque is also the most densely populated region in the state with a high percentage of renter-occupied housing units (39.6% in Albuquerque, compared to a national average of 33.8%).

New Mexico youth contend with some of the worst economic conditions in the country. The Annie E. Casey Foundation's Kids Count project monitors child well-being across the nation (see <http://www.aecf.org/kidscount/>). In recent years, New Mexico has ranked near the bottom on most of their indicators. Kids Count found that New Mexico had the highest rate of children living in poverty in 2001; twenty-six percent of the state's children lived in poverty in 2001. New Mexico only out-ranked Louisiana and Mississippi in overall well-being of children. New Mexico made a poor showing in rankings of teen birth rate (38 births per 1000 females age 15 to 17, ranked 48<sup>th</sup>), percent

of teens who are high school dropouts (12% of youth 16 to 19, tied for 43<sup>rd</sup> with four other states), percent of children under 18 living in families where no parent has full-time, year-round employment (34%, ranked 50<sup>th</sup>), and percent of families with children headed by a single parent (36%, ranked 49<sup>th</sup> with Louisiana).

Though these data reflect state-wide trends and conditions, Albuquerque is of course situated within the same context. In fact, the only two counties in the state with poverty lines equal to or below the national average are Los Alamos and Santa Fe. Within Albuquerque, the two public high schools with the highest dropout rates are located in the highest crime neighborhoods. Highland High School (near the Trumbull-La Mesa area) had an annual dropout rate of 12.06% (from 1997-1998). Rio Grande High School (near the Westside Weed & Seed area) had an annual dropout rate of 12.66%. The district-wide annual dropout rate for the same time period was 9.35%.

Albuquerque youth growing up in economically distressed neighborhoods are forced to contend with the problems accompanying social, economic, and infrastructural breakdown. Evidence of concentrated disadvantage in Albuquerque helps to explain its correspondingly high rates of crime.

#### *Macro-Level Correlates and Crime: Ecological Analysis*

The research team also spent a significant amount of time researching the use of Geographical Information Systems (GIS) for crime mapping purposes. In the research team's review of best practices, they learned how GIS has provided police departments and other law enforcement personnel with real-time spatial information on crime patterns and trends. New York City's COMPSTAT program pioneered the use of GIS by targeting law enforcement resources to areas of the city with escalating violence or crime – areas referred to as “Hotspots.” Research has shown these “hotspots” are neighborhoods and areas of high population density, large numbers of multi-unit and subsidized housing with lower socio-economic levels and occupational attainment among its residents compared to others living in more affluent sections of the community (Sherman and Weisburd, 1995; Sherman, et al., 1989). Identifying these hotspots helps communities to target “weed and seed” and other law enforcement and community based initiatives in attempting to reduce levels of violent crime. Utilizing some form of crime mapping and GIS technology was an important goal of the research team from the outset.

#### *Micro-level Correlates and Causes of Gun Violence*

At the micro-level there are various demographic correlates of firearm violence. Young minority males commit a disproportionate amount of firearm violence. This same group is also disproportionately victimized by firearm violence. Inner-city youth gun violence is commonly attributed to the explosion in the crack-cocaine market, but researchers have searched for other explanations. High levels of persistent violence have resulted in a culture of fear in urban areas, leading otherwise law-abiding youth to carry firearms.



In particular, it appears that the urban environment has become so threatening even for youth not involved in the drug trade that many are arming themselves (and engaging in other nominally self-protective behavior such as joining gangs) for self-defense (Kennedy et al. 1996:153).

Thus, some of the youth violence is in a sense *reactive* to generally high levels of aggression and homicide. African-American males between the ages of 15 and 24 represent the demographic group at highest risk for involvement in gun violence and homicide (Cook and Ludwig 2000; Hashima and Finkelhor 1999; Moore and Tonry 1998). Gun violence among youth appeared to be on the rise at the time that SACSI was established, with juvenile arrests for weapons law violations doubling between 1987 and 1993 (Snyder 1998). Moreover, gun homicides by juveniles tripled from 1983 to 1997, while homicides involving other weapons declined (Snyder 1998). Firearm violence is largely a male phenomenon, with 92% of those arrested for weapons violations being male (Greenfield and Zawitz 1995). The overrepresentation of minorities in this group is also striking, with blacks being 5 times more likely than whites to be arrested on a weapons charge (Browning 1999; Greenfield and Zawitz 1995). Of particular relevance to Albuquerque is the fact that, like blacks, Hispanics are also at disproportionately high risk for involvement in firearm violence. The gun homicide rate for Hispanics males between the ages of 18 and 29 is about seven times the rate for white males in the same age cohort (Cook and Ludwig 2000).

The structural disadvantage discussed previously also impacts relationships and attachments, therefore potentially increasing likelihood of involvement in crime and violence. Where high-skilled, good paying jobs are unavailable, family stability may be threatened. Economic stress may lead to family disintegration, which may in turn lead to weak familial attachments and supervision (Bellair et al. 2003; Veysey and Messner 1999). As attachments are key to conformity (Hirschi 1969), children in these families may be more vulnerable to deviant or criminal influences (Sutherland 1939). As Bellair et al. (2003) state, “ties to peers who do not place value on following normative standards will be more likely where opportunity is constricted” (p. 12). The stresses of unemployment and poverty are significant; “the demands of family life are more overwhelming when both natural parents are not present and where household resources are depressed” (Bellair et al. 2003:12).

One explanation for the disproportionate involvement of minority male youth in gun violence stems from lifestyle/routine activities theory, which suggests that violent offenders and victims of violence represent a group of individuals engaged in a lifestyle that puts them at increased risk for involvement in violence (Hindelang, Gottfredson, and Garofalo, 1978; Sampson and Lauritsen 1990). From this perspective, victims and offenders are drawn from the same group. The fact that most victims and offenders involved in firearm incidents have a prior record is consistent with this explanation. Indeed, David Kennedy and his colleagues found that the majority (75%) of young homicide victims in Boston between 1990 and 1994 had a prior criminal record (Kennedy et al., 1996). Data from Philadelphia suggest that 93% of homicide victims have a prior

criminal record (Cook and Ludwig 2000). In fact, by some estimates, males with a prior criminal record are 22 times more likely incur a firearm related injury than males who have no criminal record (Cook and Ludwig 2000).

### *Situational Dynamics of Gun Violence*

While the structural- and individual-level correlates and causes of gun violence differ little from those of violence in general, gun violence does appear to have some unique situational elements that distinguish it from other forms of violence. Luckenbill (1977) was among the first to introduce the idea that homicides can be viewed as situated transactions in which the dynamics of the interchange between those involved are as important (if not more important) than any structural or individual level influences. From this perspective, firearms can be viewed as crime facilitators in aggressive interchanges and, if available during such an interchange, guns are likely to be used. A 1991 survey of prison inmates found that 90% of those who brought a weapon to a particular setting to commit a crime actually used it (Beck et al. 1993). This is consistent with interview data compiled by Wells and Horney (2002), which suggests that the presence of a gun increases the likelihood of an attack. Moreover, the majority of inmates arrested on a violent charge (murder, robbery, or assault) reported regularly carrying a weapon (Beck et al. 1993). All the more striking is the fact that interviews with incarcerated felons revealed that 76% of felons who used a gun during an offense reported that they had not intended to use the weapon (Wright and Rossi 1985). A more recent study indicates that the availability of illegal guns leads to increased rates of violent crime, gun crime, and juvenile gun crime (Stolzenberg and D'Alessio 2000). Notably, the findings do not show a similar association between legitimate gun availability and crime rates. These findings reinforce the idea that guns, especially illegal guns, can act as situational facilitators that often increase the seriousness of outcomes in violent encounters. Such findings also suggest that, among other things, an effective gun violence reduction initiative must interrupt the flow of illegal firearms.

### ***Gun Violence Intervention Strategies.***

As noted above, the literature identifies a variety of targeted interventions and gun-oriented policing strategies that were developed to deal with the significant increase in gun-related violence in communities throughout the United States (Wilkinson and Fagan, 2000). As the research team would eventually discover, many of the correlates of firearm violence identified in the review of the literature above are evident locally. At the beginning of the SACSI project, the research team reviewed the best practices utilized by other communities as intervention strategies for reducing firearm violence. Since Albuquerque was selected in the second round of SACSI sites, the research team examined the strategies utilized by the Boston Gun Project, the first five SACSI sites, and other communities throughout the United States.

The heart of the SACSI model is the use of a multi-agency working group and the participation of a research team to provide information for research based decision-making. Many of the “best-practice” interventions implemented to reduce violent crime

in communities around the country utilize this multi-agency and research-focused approach and therefore serve as useful models for the local SACSI working group to consider.

The Boston Gun Project, an important predecessor to the SACSI Program, was the impetus for many of the initiatives adopted by SACSI sites throughout the country. Boston mobilized a multi-agency working group and incorporated the resources of a research partner to combat the city's gun violence problem. They did this by utilizing several initiatives, including Operation Nightlight and Lever-pulling.

Operation Nightlight paired police officers with probation and parole officers to conduct random visits with probationers and parolees to ensure they did not possess illegal drugs or firearms. This program has been implemented in numerous communities throughout the country, including Indianapolis, IN, Baton Rouge, LA, Salinas, CA, and St. Louis, MO. At the Albuquerque SACSI Working Group Meetings, Mark Radosevich, director of New Mexico State Probation and Parole, stated that his offices had a program similar to Operation Nightlight operational in Albuquerque. This initiative was implemented as a part of the SAFE 2000 (Safer Albuquerque For Everyone, 2000) project promoted by the Mayor's Office in the late 1990's, and implemented by Albuquerque's Metropolitan Criminal Justice Coordinating Council. Members of the Council visited Boston, and had criminal justice representatives from that city come to Albuquerque to assist in implementing Operation Nightlight and other Boston initiatives. Nightlight was the only surviving initiative from SAFE 2000 at the time that SACSI began in Albuquerque.

Lever-Pulling was used in Boston, the first five SACSI sites, and in various communities throughout the United States in conjunction with other initiatives as a way of reducing violent crime in their communities. Lever-pulling is a process that utilizes the widespread and often disjointed resources of the criminal justice system in a collective and collaborative way to provide potential offenders and/or probationers/parolees with a "carrot" and "stick" message. At regularly scheduled lever-pulling meetings, violent individuals are told by members of the community, social-service agencies, and law enforcement officials that their violent ways will no longer be tolerated and that the collective weight of the criminal justice system will be utilized if they continue to engage in violent acts within the community. This initiative attempts to provide a choice for these individuals by introducing them to opportunities and resources to help them reform their criminal ways and lead a law-abiding lifestyle (i.e. the carrot). However, should these individuals choose to return to their violent lifestyles, law enforcement agencies work together to ensure that these individuals receive the maximum penalties under the law in response to their violent behavior. This initiative appeared to have some initial success in Boston and Indianapolis as a way of targeting potentially violent individuals who could benefit from the resources provided by the social service sector and who were provided an opportunity to reform their deviant ways.

In examining best practices from other communities, the research team discovered several other interventions that were useful to future initiative planning in Albuquerque. Project EXILE was an initiative developed by the United States Attorney's Office in

Richmond, VA with the goal of prosecuting convicted felons in possession of a firearm in US Federal Court, where a successful prosecution translates into longer prison terms for the felons in possession. EXILE was adopted by other United States Attorney's Offices throughout the country, including that in Albuquerque. At one of the first Albuquerque SACSI Working Group meetings, USAO Executive Assistant and original SACSI Program Manager Chuck Barth stated that the USAO office in Albuquerque had an EXILE program operational and was working with the local ATF and APD to evaluate potential EXILE cases.

Conducting regularly scheduled "Incident Reviews" was another innovative program examined by the research team at the beginning of the SACSI program. The first five SACSI sites utilized regularly scheduled incident reviews to discuss the most current violent incidents in their communities, to gather the most current tactical information on incident locations, offenders, victims, and witnesses, and to bring multiple agencies to the table to share information that could be used in a proactive way in reducing future violence. As the research team began to look at data sources throughout the county and state to help with their research design and planning, they quickly realized that much of the data was of a "macro" nature and did not contain specific "case-level" information on the incident itself. On-going incident reviews (as well as a larger "Grand Homicide Review") would provide the SACSI Albuquerque researchers with additional data points and to help the SACSI Albuquerque working group to develop initiatives in reducing the gun violence problem within the city.

The research team explored numerous other initiatives from cities throughout the country, ranging from Environmental Design Initiatives to Community Policing. All of the information gathered from this Best Practices literature review helped in the brainstorming activities within the research team and within the SACSI Albuquerque Working Group meetings in developing pro-active, effective initiatives for this community. Following, the data collection and data analysis activities of the SACSI Albuquerque program are discussed. The initiatives selected by the SACSI Albuquerque Working group were based on the analysis of these data and on the refinement of existing, smaller scale initiatives operational within the community.

## **CHAPTER II**

### **SACSI ACTIVITIES IN ALBUQUERQUE**

SACSI's broad conceptual approach and empirical foundation was presented in the introductory chapter. The purpose of this chapter is to discuss the manner in which the approach was adapted to fit Albuquerque's unique context while remaining consistent with the Initiative's general intentions and strategies. Based on a qualitative analysis of meeting notes, minutes, electronic and hard copy communications and reports, we present a narrative description of the development and implementation of local SACSI activities, followed by a discussion of multiagency collaboration and networking activities in Albuquerque.

#### **Development of the Initiative**

##### ***Site Selection.***

Albuquerque was an attractive implementation site, according to NIJ staff, for a number of reasons. First, it was the only SACSI site in the Southwestern United States, which allowed for the collection of information concerning a unique demographic population and ecological region. The area has a historical reputation of high rates of firearm ownership, popular support of Second Amendment rights, and lenient penalties for violation of firearm regulations.

Second, the service area had little history in multi-agency criminal justice collaboration, relative to other SACSI sites. While on-going collaborative structures (i.e., an intergovernmental criminal justice coordinating committee or policy council) might have accelerated the local working group's coalescence, it could have also resulted in SACSI's incorporation into some more general interagency justice partnership and the loss of its unique approach. Also, practically no sustained multi-agency, community-based justice strategic initiatives existed at the time SACSI was implemented. While other SACSI sites were able to quickly begin interventions by bundling together existing initiatives, Albuquerque had the potential to develop new efforts to address firearm-related crime based on research findings.

Finally, rates of firearm-related and other violent crime in the Albuquerque service area, and the state as a whole, were well above national averages. As a result, NIJ staff recognized that it was an area where the need for intervention was great, and that effective interventions were likely to produce empirically discernable results.

##### ***Early Activities.***

Albuquerque was one of the final SACSI implementation sites selected, due to turnover in the U.S. Attorney's Office, complications in selecting the research partner, and delays in processing the contract. SACSI activities were begun in Albuquerque in 2001, somewhat later than in other second wave sites. As a result, the research team did not participate in the inaugural meeting for second wave sites held in Washington, D.C. the previous October. However, in January of 2001, NIJ conducted a one day orientation

meeting in Albuquerque for members of the local working group. Presenters included NIJ staff, research partners and project coordinators from the first wave of SACSI sites. The meeting was particularly helpful in conveying the SACSI's mission and some of the innovative practices used in other sites. The training was immediately followed by a cluster group meeting of second wave sites, where the Albuquerque team benefitted from the technical assistance provided to all of the new sites.

After the planning meeting, the local working group did not meet as a whole for three months. However, the research team began operations (i.e., hiring and training staff, purchasing equipment and software), including one-on-one meetings with local agencies to acquire criminal justice data. Plans were also made during these meetings to visit other SACSI sites, particularly Indianapolis, but these visits were postponed due to conflicts in the schedules of team members and the feeling that we would not benefit fully from the trip until further local planning had been completed. Ad hoc meetings were also held between the research team members and the USAO Project Coordinator, roughly once per month. The research team's greatest concern at this time was that we would not be able to produce research results quickly enough to assist the local agencies in planning strategic and tactical gun crime interventions.

Beginning in April, 2001, the research team facilitated quarterly meetings of the entire working group. These were difficult to schedule, given the challenge of accommodating the schedules of many agency personnel, and because many of the targeted attendees did not participate in the original training and as a result had little or no knowledge of the initiative. It quickly became clear that agency representatives that had attended the initial training and orientation meetings did not share their knowledge with others within their agencies, a situation that has persisted throughout the local implementation. As a result, much of the time in the April meetings, and those that followed, was spent in providing basic information about the Initiative and activities previously undertaken on the local level. At the April meeting the research team also presented basic offender, victim and crime episode information to the working group.

During the next working group meeting, held in July, the research team expanded their presentation to include spatial analyses and crime maps, identifying crime hotspots in the community. They also presented information concerning innovative community policing practices employed in Boston and in other SACSI sites.

In August, the research team leaders (Drs. Steele and Broidy) traveled to Rochester, NY to observe the Police Department's COMSTAT meetings and to consult with the research team in that community, lead by Dr. John Klofas, concerning the logistics related to conducting a Grand Homicide Review. This information was reported to the working group in a general meeting held in October. We concluded that such a Review was feasible in Albuquerque, and might motivate agencies to become more aware of and engaged in SACSI.

### ***Planning Local Initiatives.***

A challenge facing the Initiative at this time was trying to translate research findings into specific local strategic initiatives. That is, while the research team had identified high risk groups, crime patterns, and neighborhoods that experienced firearm-related and other violent crimes on a relatively frequent basis, the working group was not actively translating this information into promising and feasible plans to intervene with crime. This could be attributed to a number of causes, which are addressed in greater detail in the following chapter. However, it is reasonable to say that the lack of progress towards specific tactical and strategic planning was undermining the participating agencies' commitment to the Initiative.

A two day meeting was held in Albuquerque in February 2002 to address this problem. A portion of this meeting consisted of a general orientation to the SACSI process and mission for those who were inexperienced with it. Then, several of the more commonly employed initiatives were described by NIJ staff, and by Project Coordinators and research team members from other sites. Based on the discussion of initiatives in other communities and local crime data (continuously updated and reflecting crime trends and patterns from 1996 – 2001), the Albuquerque working group committed to planning activities related to Lever-Pulling, Targeted Patrol, Monthly Incident Review, and VIPER. In addition, Exile was to be reviewed in a planning committee to see if it could be revised to potentially increase its effectiveness. Finally, the group agreed to conduct a Grand Homicide Review. The Review was conducted in April, and is discussed in detail in Chapter XIV. It was successful in stimulating attendees from participating agencies and increased their participation in the planning of specific local initiatives.

In late April, the research team convened a meeting of working group members to discuss each of the initiatives, and to construct planning subcommittees for each. A representative from the USAO and a member of the research team sat on each subcommittee to facilitate the subcommittee's work and provide research support. Subcommittees met for roughly three months, and were asked to produce a report detailing an initial plan for implementation. Most of the subcommittees completed this task within the proposed deadline, while others took much longer to finalize their plans and reports. In one instance, the committee chair wrote his own report. The chair person did not convene the subcommittee after the initial meeting.

### ***Implementing Local Initiatives.***

By the summer of 2002, the VIPER, Monthly Incident Review, and Lever Pulling (renamed Turning Point) committees were reconstituted as operating groups for each initiative. Exile had been operating prior to the advent of SACSI, and continued its work. The Targeted Patrol committee struggled for some time to develop a feasible plan, hampered primarily by the lack of human resources necessary to carry out the initiative. As a result, the Targeted Patrol plan was not fully developed until the Spring of 2003, and it was not implemented until that summer. Specific discussion of the operation of each initiative can be found in Section III of this report.

After the subcommittees became operational, much of the energy of the working group was directed to managing each initiative, and the majority of interagency collaboration occurred in these meetings. The research team participated as members of each group, and provided technical assistance to each. For example, the team coordinated meetings of the VIPER group. As a result of these meetings, the team prepared electronic photographic and textual layouts that were distributed as color handouts. Several hundred copies of these handouts were given to police substations and offices of Probation and Parole, District Attorney, and other justice professionals. Additionally, the team assisted members of the Monthly Incident Review Group in preparing lists of cases that were distributed prior to meetings. PowerPoint presentations of cases were prepared as were GIS maps of the crime location and residence of the offender(s) and victim(s). Team members took minutes of the meetings. The research team also began the process of assessing each of the initiatives.

Still, an ongoing concern was the level of communication and knowledge concerning the local initiatives, and SACSI as a whole. Meetings of the entire working group were sporadic. The research team created group list-serves for the full SACSI working group and for each initiative subcommittee, as well as a SACSI website. However, the consensus among members that they felt uninformed of new developments and that interest in the Initiative was flagging persisted. The Principal Investigator of the research team also felt that communication with the USAO and the Project Coordinator was less than optimal.

The Principle Investigator and Project Coordinator agreed to meet weekly to discuss new developments in the project. This small meeting grew rapidly to include others from the USAO, including the law enforcement initiative coordinator, Mr. Ron Lopez, other federal prosecutors on occasion, and other federal agency representatives such as Mr. Wayne Dixie, Special Agent in Charge for Alcohol, Tobacco, and Firearms (ATF), and local and state agency representatives. With the advent of Project Safe Neighborhood (PSN), Mr. Rinaldo Armijo, the Project Coordinator, then changed the schedule of the meetings to semi-weekly and invited a number of other people to attend. These became the formal PSN working group meetings, currently the primary means of interagency communication and collaboration.

## **Multi-Agency Collaboration**

### ***General Concepts.***

A principal means of addressing firearm violence promoted by SACSI is enhancing interagency communication, largely by establishing multi-agency collaborative groups. It is assumed that agencies working in concert can and will share information and resources to collectively address an issue of mutual concern. This approach is grounded in the belief that complex social concerns can best be solved through the involvement of several agencies, since each is legally mandated to handle only a limited set of the aspects, populations and/or processes constituting these concerns (Rosenbaum, 2004;



Schorr, 1988). For example, law enforcement, prosecution, courts and corrections all have legal mandates and jurisdiction to intervene in one part of the criminal justice response to suspected criminal behavior. Further, these agencies are themselves often made of several departments, divisions, and subunits with specialized responsibilities, depending on the characteristics of the case or the offender. Given the fragmentation of roles, resources, and personnel among these units, inter- and intra-organizational barriers to communication and collaboration inevitably occur, and reduce productivity. Collaborative structures can increase the intergroup communication necessary to more effectively address some of the problems emerging from hyperspecialization and group fragmentation (Rosenbaum, 2004).

Collaborative approaches have become quite popular in the business, government, and NGO sectors in the past fifteen years.

They “began in the late 1980s and early 1990s, primarily by national or community foundations. While varied, they all have the goal of promoting positive change in individual, family, and community circumstances in disadvantaged neighborhoods by improving physical, economic, and social conditions.... Moreover, most CCIs operate on the premise that the devolution of authority and responsibility from higher-level auspices to the neighborhood or community is a necessary aspect of the change process.” (Kubisch, et al., 1995).

There are many explanations for the collaboration movement. As noted by Kubisch, et al. (1995), human services professionals came to realize that fragmentation and categorization of social services and supports were limiting program success. Also, new research indicated the high cost and uncertain success of remediation, stimulating a search for effective prevention strategies. In general, organizations have become more specialized and interdependent upon each other. Related to this, organizational research and management science has stressed open-systems perspectives to understand how particular organizations cooperate, or are at least influenced by, the behavior of others in organizational fields. As a result, management practices have become more sensitive to the influence that outside groups can have on a particular organization.

The accountability movement in business and government has also affected the growth of collaborative efforts (Rosenbaum, 2004). An ever-growing evaluation literature has documented the problems that outside groups can pose for those trying to implement innovative programs or practices. In both cases, the mutual interdependence of groups has been made more clear, and decision-makers have come to recognize the importance of planning and developing structures that promote collaboration. Government agencies interested in addressing the complex issues of crime among multiple and complex mandated agencies are no exception to this.

One challenge to the implementation of collaborative models is developing a shared vision of what collaboration actually is. On the one hand, collaboration could consist of periodic meetings among administrators to avoid or resolve glaring policy contradictions between their agencies. On the other, collaboration might consist of street-level

professionals from different agencies assigned to work together on particular strategic or tactical initiatives. What passes for collaboration in one community or network of agencies might be unrecognizable as collaboration to another network or community.

In fact, collaborations vary according to several characteristics, both within the collaborative group itself, and between the collaboration and the members' host agencies from highly integrated to poorly integrated (Gray, 1985). Within the collaborative, some of these characteristics are:

Leadership and structure,  
Amount, networking, direction, and content of communication,  
Process, participation in, and support of group goal setting and decision making,  
Resource acquisition, allocation and utilization, and  
Member identification with and participation in group activities.

Between the collaborative and host agencies, the collaborative can be characterized by their:

- Acceptance and support by host agency leadership,
- Engagement and support from all levels of hierarchical organizations,
- Influence over host agency policies, procedures and decision-making, and
- Access to host agency resources.

There have been no examples of a fully integrated collaborative effort that was sustained for an extended period of time. If such a group operated in this manner over time, it is likely that it would become an independent, highly integrated organization separate from the original host agencies. While such a collaborative is not likely to occur, it is possible to use these categories to construct a typology of collaboratives, and potentially rank order collaboratives on one or more of these variables. Gray (1985) in fact has attempted to construct a rank-ordering system for organizations. From this perspective, levels of integration are indicated by distinct collaborative structures and interaction patterns (see Figure II.1). We could say that the more integrated the structure and communication network, the more collaborative the multi-agency group. Further, the SACSI project and other such initiatives share the general belief that the greater the integration, the greater the effectiveness and efficiency of collaborations. It is unclear if more is better when it comes to collaborative integration. The reality is, however, that historically, collaboration has been fairly limited among criminal justice agencies, so it is reasonable to assume that increased integration is likely to produce positive outcomes in addressing generally supported goals.

There are practical reasons why fully integrated collaboratives do not exist in the criminal justice field. One reason for this is that various agencies (law enforcement, prosecution, courts and corrections) have legally mandated roles to play in the implementation of justice. As such, they are statutorily limited in their ability to relinquish control of certain activities to the authority of the collaborative group. Criminal justice agencies are answerable to larger and more general governmental executive, legislative and judicial

bodies, and cannot overstep the parameters of conduct that each imposes on them by statute or policy. Also, jurisdictional restrictions between local agencies, state agencies and federal agencies, and within agencies at these levels, limits their ability to fully integrate with each other.

**TABLE II.1**  
**Stages of Collaboration**

<b>Level</b>	<b>Structure</b>	<b>Interaction</b>
Co-existence	Individual organizations, agencies.	Aware of the existence of other groups.
Communication	Network, Roundtable.	Have dialogue and common understandings.
Cooperation	Consortium, Coalition.	Discover shared interests and work together.
Coordination	Task force, Council.	Limit duplication of services, match and coordinate needs.
Collaboration	Long-term coalitions or collaboratives.	Develop shared vision and build interdependent system.

Adapted from Gray, 1985

From a resource standpoint, agencies are reluctant to share chronically limited resources with multi-agency collaborations. Tensions between adequately discharging traditional criminal justice activities and allocating human and financial resources to innovative approaches developed in a multi-agency environment consistently limit the host agency's willingness to invest in collaborative groups.

Another reason that full integration is difficult to achieve is that each agency participating in a collaborative effort has more general justice goals and responsibilities beyond those addressed by a particular multi-agency group, so it cannot reorganize itself in a manner that is optimally suited to the needs of the collaborative.

At the individual level, differences in perspective, knowledge and role responsibilities can inhibit full integration in goal setting and collaboration among working group members. In criminal justice professions, turnover and reassignment rates alone undermine the shared understanding of the goals and methods of a collaboration, since agency representatives are likely to change with some regularity.

For whatever reason, it is common that all members of the collaborative might not support an agreed-upon group decision, or participate in implementing it to the degree expected by others in the group. Collaborations are particularly vulnerable to individual dissent and deviation from group decisions. The group has very limited means for ensuring compliance. Conformity cannot be ensured by traditional authoritarian means,

since the consortium has no direct supervisory authority over its members, but must rely on the authority structures within the participating organizations to encourage its representatives to conform. Thus, the consortium can only induce conformity through negotiation and appeals to shared values, and not through traditional sanctions.

There are other factors that influence the level of integration and operation of collaboratives, such as past relationships and experiences, at both the individual and organizational levels. In an organizational field populated by complex and fluid agencies such as those in the criminal justice arena, consistent engagement and support of multi-agency collaboratives by several subdivisions within host agencies, and by individuals at widely varying levels of authority within each agency, is likely to be inconsistent. However, for complex multi-agency models to succeed, buy-in must occur at all levels and in all departments.

Finally, the issue of the breadth of collaboration must be considered in determining the level of integration in multi-agency groups. The more inclusive and diverse the membership of the group, the more difficult it will be to fully integrate the perspectives and styles of all members, and to create balanced interaction and decision making procedures. This is particularly the case when considering the inclusion of non-justice agencies and individuals in criminal justice coalitions. On the other hand, and consistent with the problem-oriented policing perspective, members of the community at the individual, neighborhood and grass-roots organizational levels, can contribute unique resources and approaches to crime fighting to multi-agency prevention and intervention efforts. Traditional interventions that rely exclusively on the resources and strategies of criminal justice agencies, to the exclusion of the community, have tended to be deterrent, incapacitative and retributionist in orientation (Rosenbaum, 2004). The SACSI approach expanded the notion of criminal justice partnerships to include community representation, based on the notion that crime must be addressed from multiple angles using multiple strategies by creating community partnerships or coalitions (Lavrakas, 1985; Rosenbaum, 1986, 1988).

In this context, we can look at the SACSI implementation in Albuquerque.

### **Collaboration in Albuquerque**

#### ***Prior Collaboration.***

There was little history of criminal justice agency collaboration prior to the SACSI initiative in Albuquerque. There was, and is, a Metropolitan Criminal Justice Coordinating Council (MCJCC), but it had failed twice prior to its current incarnation. It is best described as somewhere between Gray's (1985) Communication and Cooperation Levels, amounting to a monthly meeting of higher level agency City and County government officials. It is primarily focused on interagency communication, policy setting and problem solving, rather than focused on addressing a single issue as is SACSI. No formal connection has been developed between SACSI and MCJCC, although there is an overlap in membership between the two.

One strength of the MCJCC, however, is that it includes community representation, in the form of agency and NGO presence, in its organization. In spite of technical advice from NIJ and other SACSI site representatives, the Albuquerque SACSI site has not incorporated a community presence in the working group or subcommittee structure. The possible exception to this is the USAO's decision to include City of Albuquerque employees that serve as the Weed and Seed site coordinators. These individuals have a responsibility to communicate with the USAO and other law enforcement agencies, as well as to diverse grass roots organizations and citizens in these areas. They also have some insight into at least two of the traditional high-crime hotspots in the city. However, the Weed and Seed coordinators were not present at the time that the local initiatives were planned. As a result, those initiatives tend to serve criminal justice personnel as their primary constituency (i.e., Exile, Incident Review, VIPER), or engage in fairly traditional criminal justice practices (Targeted Patrol, Turning Point), and do not actively solicit the level of community engagement advocated by the problem-oriented policing approach (Rosenbaum, 2004). Albuquerque was the only SACSI site that did not include crime prevention as one of its primary strategies (Roehl, et al., 2004).

Even though Albuquerque has had limited experience with formal collaborative structures, several ad hoc joint efforts in crime fighting and community policing occurred prior to the advent of SACSI. Also, many local, state and federal criminal justice professionals knew each other well, and might have worked together on such efforts, or as employees in the same agency before one or the other relocated.

### ***Leadership and Structure.***

The leadership model and structure of the multi-agency collaborative developed within broad parameters set by the U.S. Attorney General's Office when SACSI was initiated. The SACSI model suggests that the leadership for the Initiative rests with a local working group. This consists of a multi-agency collaborative made up of local, state, and federal criminal justice agencies, and other community groups. It has the authority to make decisions for the community concerning gun violence prevention and intervention strategies, and to allocate resources from various sources to implement these strategies. Two other groups have important roles in support of the working group: the USAO and the research partner. The USAO is expected to facilitate the activities of the working group, as well as serve as a criminal justice agency member of that group. The research partner, as previously discussed, is responsible for providing the results of analyses to the working group to enhance their decision-making, and to assess the results of local strategies implemented by working group agencies to enhance their performance.

Leadership within the working group has been inconsistent, for a number of reasons. First, not all agencies were represented in the original training or subsequent cluster group trainings, so members had differing levels of knowledge concerning the SACSI approach. Second, and in a similar manner, agency directors were not consistently aware of the SACSI model, which affected their assignment of personnel to the original working group. Representation varied from agency directors to heads of divisions in

agencies, to subordinate administrators several levels below their organization's COO. In different instances, the unevenness of representation reflected the agency's understanding and commitment to the Initiative, affected the representative's ability to make commitments on behalf of their agency, and created power imbalances in the consensus decision-making approach adopted by the group. Third, the frequency of communication in group settings was low for the first eighteen months of the Initiative. While communication concerning SACSI doubtlessly occurred outside of formal group meetings, frequent face-to-face communication would have facilitated the emergence of a core leadership group at an earlier stage in the working group's existence. Fourth, there was a high rate of turnover in group membership. As noted earlier, this was due to retirements and reassignments, which were exacerbated by changes in executive branch administrations at the local, state and federal levels during the course of the project.

There were, however, particular champions of the Initiative that guided the efforts of the working group. APD Deputy Chief Ruben Davalos was critically important to local efforts prior to his retirement in December 2003. He understood and fully supported the collaborative model, was highly placed in a critical criminal justice agency and had been with the Department for many years. He was able to informally influence professionals within and outside the Department to be engaged in the Initiative, and was a persuasive speaker in group settings. Another key leader was Kathy Wright, Deputy District Attorney, who brought an appreciation of the conceptual aspects of the SACSI model and an understanding of best practices in other communities, as well as a high level of energy and personal commitment, to the project. After her retirement in February 2004, she was ably replaced by Deputy District Attorney Deborah DePalo, and by Mr. Bill Hoch, community liaison for that Office. Susan Page, supervisor with the Regional Office of the NM Corrections Department's Division of Probation and Parole, was a key spokesperson for the Initiative. She was centrally engaged in the early activities of the working group and planning subcommittees. After being reassigned, she was replaced by Barbara Johnson and others from her office who continue to actively support the Initiative.

The facilitator role was hampered to some degree by turnover in the USAO. In the summer of 2000, the U.S. Attorney who proposed the project, John Kelley, resigned to run for state office. He was replaced on an interim basis by Mr. Norman Bay, who was ultimately confirmed by Congress as the U.S. Attorney for the District of New Mexico. Mr. Bay was serving on an interim basis when SACSI was initiated in the District. When Mr. Bay was confirmed in late Spring 2001, the original SACSI site coordinator, Chuck Barth, was reassigned to other duties. For the remainder of 2001, there was no permanent Project Coordinator. Different federal prosecutors attended cluster group meetings and represented the USAO at various SACSI functions. During this period, Project Coordinator duties were temporarily assigned to six different prosecutors on an ad hoc basis. Given the temporary nature of their assignment and their lack of familiarity with the SACSI approach, most facilitative duties were carried out during this time by the research team.

Mr. David Iglesias was appointed acting U.S. Attorney for the District by the late

Summer of 2001. In the beginning of 2002, he was confirmed by Congress to the position on a permanent basis. At that time, Mr. Iglesias assigned Project Coordinator duties to Executive Assistant U.S. Attorney Mr. Rumaldo Armijo, along with several other responsibilities. Mr. Armijo went through a period of socialization concerning the SACSI initiative and local project activities, and in turn assigned some of the facilitating activities to others including Ron Lopez, law enforcement coordinator for the USAO. The administrative approach used at this time was somewhat different than that adopted in other SACSI sites, in that they were more likely to designate Project Coordinators whose responsibilities were limited solely to the Initiative and could devote more time to its implementation (Roehl, et al., 2004). The USAO hired a full-time assistant to Mr. Armijo in December, 2004 to support the coordination of Project Safe Neighborhood.

### ***Communication Patterns.***

While a systematic network analysis was not undertaken, it was clear that communication flowed among those who had prior working and personal relations. In this sense, SACSI capitalized originally upon existing interactional networks rather than creating new ones. People in positions of authority and with broad personal networks among the working group members, such as the SACSI champions mentioned above, served as initiators and loci of the original communication network. The research team quickly became another locus of communication, because they were funded with the expectation that they actively engage with criminal justice professionals, and because they had the responsibility to solicit research questions, access data from those agencies, and communicate results. Later, the research team communicated actively with local professionals as they engaged in assessment research. The research team also was engaged in an extensive dialogue with other members of the working group concerning the facilitation of meetings, producing more knowledge concerning the Initiative, and attempting to motivate members to stay engaged.

With the advent of PSN, which at least from a funding perspective overlapped the SACSI initiative, the structure and communication pattern changed somewhat. This shift affected the relationships and communication patterns within the network, reducing the relative authority of other working group members. With this reduction of authority, agency communication and participation was consequently diminished.

### ***Goal Setting and Decision-making.***

Some of the goals of SACSI activities in Albuquerque were defined prior to the advent of its local implementation. However, adaptation of national goals to the local scene was slow in coming, and was never completed in a systematic way; i.e., setting specific performance or outcome objectives, timetables, and other indications of specific goal setting. There were many reasons for this outcome.

Goal setting at the local level was slowed by lack of awareness of and familiarity with the Initiative's approach to strategic and tactical planning, and best practices using this approach to community intervention. This was due in part to turnover among working

group membership. Goal setting and other group decisions, such as the selection and planning of strategic local initiatives, was also limited by the lack of targeted research findings from which such decisions could be made. While the research team was able to produce background macro level information fairly quickly, little case-level information was available until the planning for the Grand Homicide Review commenced. Through experience, the research team learned that macro level data was of little value in planning specific strategic or tactical interventions, with the exception of identifying crime hotspots in the service area.

Even when information was presented to the working group, it seemed difficult for them to translate research findings into policy decisions. After many meetings, which were primarily occupied with trying to socialize new members into the intentions and approaches underlying the SACSI model, more experienced members began to express dissatisfaction and frustration with the lack of progress. Levels of Satisfaction and Cohesion were rated the lowest, and level of Problems the highest, among all of the SACSI sites by independent national evaluators (Roehl, 2004). Some members were thus mobilized to begin the planning for implementing specific initiatives, while others chose to withdraw from the working group. Since members of the research team were closest to the data, had received more training than others concerning the SACSI model, and had investigated best SACSI-type practices in other communities, they were able to share information and express opinions concerning which initiatives to consider. However, they had no authority to select them and limited knowledge concerning how these innovations could be carried out in addition to traditional criminal justice activities or adapted to fit local agency procedures and policies. A crisis point was reached in early 2002, which resulted in the visit of NIJ staff, both research partners and project coordinators from other more experienced SACSI sites. It had become clear that if concrete planning was not begun soon, the working group would fail. Toward the end of two days of meetings, a decision was made to at least explore, through planning subcommittees, VIPER, Exile, Lever-Pulling, Targeted Patrol, and Incident Review initiatives. These initiatives were adopted by the working group for implementation.

The engagement produced by the local initiative planning process, coupled with the energy generated from the Grand Homicide Review, resulted in a much stronger working group. Attendance improved and turnover diminished. Participation increased from lower levels in organizations, in staffing subcommittees and implementing initiatives. By the Fall of 2002, leadership and decision-making was more broadly dispersed among members of agencies represented in the working group.

Ultimately, however, decision making has once again become more concentrated. One reason for this is the loss of champions from the working group. Another reason is the emergence of the USAO in leading the working group. As noted earlier, turnover in that office had limited their engagement early in the project. With a more stable structure, their office became increasingly engaged in SACSI. Then, when SACSI was replaced by PSN, the nature of the relationship between the USAO and the working group changed, largely because of the manner in which the Attorney General's Office defined PSN. The latter project placed a greater emphasis on justice interventions rather than prevention



activities, and created more structured and centralized parameters guiding the project. Thus, the role of the USAO shifted. Under the more grass-roots approach of the SACSI initiative, the USAO was expected to facilitate the decisions and activities of the working group, while in the PSN model they were expected to place more emphasis on the intentions of, and be accountable to, the U.S. Attorney General's Office. By moving from a grass-roots to a relatively more centralized decision-making structure, the transition from SACSI to PSN moved the USAO away from a role of partnership and facilitation to one more of leadership and authority.

### ***Resource Allocation and Utilization.***

While SACSI provided resources to support research partner activities, it did not support the planning or implementation of specific crime-fighting initiatives. Instead, SACSI leverages a tremendous amount of in-kind services from local, state and federal agencies. These resources are limited, however. For example, the Targeted Patrol initiative was held up for some time before local agencies were able to find sufficient resources to cover the cost of the personnel to implement it. Traditionally, geographically-specific initiatives such as Targeted Patrol rely on high visibility traffic surveillance and contact as its foundation. In Albuquerque, however, the Traffic Patrol Division was significantly understaffed and heavily burdened with traffic accident scene investigation, much less routine traffic patrol. Thus, the Targeted Patrol approach in Albuquerque placed a much more significant emphasis on police investigative units (such as drug, crime and vice) in a crime hotspot, with the local area subcommand providing a small amount of high visibility patrol support. Since the area selected for the Targeted Patrol effort was in Weed and Seed areas, APD used some of the federal Weed and Seed monies it received to pay for police overtime to conduct the initiative.

A consistent challenge was finding local resources to conduct new efforts, when the perception was that traditional criminal justice work was under-funded. As Yin (1985) points out, an organizational innovation does not become fully routinized until the newer one replaces the more traditional approach. In the meantime, during the process of innovation, organizations are faced with having to support both the traditional and innovative approaches, which can place further strains on limited resources, and are disincentives to innovation.

As SACSI transitioned into PSN, more federal resources were made available to community service agencies. Some of these resources came with specific mandates, such as the support of firearms crime prosecutors for state district attorney's offices, and the mandate that one-third of the PSN resources be allocated to Project Sentry, which has become a primary prevention program in the District of New Mexico. Other resources are used to support an administrative assistant for the Project Coordinator, the mandated community outreach and awareness specialist, and the research partner. Still, some resources have become available to support direct services. This money has been used to support law enforcement's Targeted Patrol efforts in Albuquerque in 2004. Since PSN has broadened the service area to the entire State, there is likely to be additional competition from other communities for direct service resources in the future.

Decision-making concerning the allocation of resources has not been a major theme in the working group during the SACSI project, simply because there were little or no resources to allocate. Some agencies, however, have been more aggressive than others to commit their own resources to SACSI initiatives. Most of the contributions have come through the allocation of human resources to implement specific local initiatives. With the advent of PSN, a specific bidding and review process was implemented, which was used to assign those resources that were not earmarked (i.e., gun prosecutors, Project Sentry). Since some of the recipients of funding were members of the working group, they were barred from participating in the decision making process on the allocation of resources, as was the USAO. However, in the second round of federal continuation the USAO decided, without consulting with the working group, to extend the current funding for all agencies and groups supported in the first round, with a standard reduction in funding of roughly 20%, since the amount allocated to the District was reduced by this amount.

### ***Member Identification With and Participation in Group Activities.***

As mentioned earlier, participation among working group members varied considerably. A core group of individuals were highly committed to the success of the Initiative, and participated actively in the working group and subcommittees. They also were likely to generously commit resources from their organization in support of SACSI. These individuals were actively engaged with the Initiative until they retired, or were reassigned as a result of a change in status or rank in their agency.

Those who were not centrally involved in the Initiative fell into two categories. First, there were individuals, often highly placed in their agency, that were initially engaged with the working group, but became frustrated with its lack of progress and disengaged from the group. The second category were individuals who tended to be less highly placed in their organization that were assigned by their superiors to attend and participate in meetings. They had little personal interest in SACSI, and knew practically nothing about its intent or procedures. These individuals attended only a few meetings before being replaced by others.

### ***Relationships Between the SACSI Collaborative and Host Agencies.***

At the time that the original SACSI proposal was prepared, letters of support were generated from the Albuquerque Police Department, Bernalillo County Sheriff's Office, the Second District (Bernalillo County) Attorney's Office, and the Probation and Parole Division of the New Mexico Corrections Department. High ranking decision-makers from each agency were assigned to the original working group, including a Deputy Chief of Police (Ruben Davalos), the County Undersheriff (David Lithincum), Senior Deputy District Attorney (Kathy Wright), State Director of Probation and Parole (Mark Radosevich), as well as the Executive Assistant U.S. Attorney (Chuck Barth) and the research partner (supervised by Paul Steele and Lisa Broidy). The relatively high placement of working group members in their host agencies suggests a solid

commitment to the Initiative. Over time, the representation from agencies has diminished, to the level of Sergeant or Captain with APD, inconsistent membership from the BCSO (usually at the Sergeant level, if at all), first-line supervision level from Probation and Parole, and usually at the level of law enforcement coordinator from the USAO. There has been no change in level of representation from the District Attorney's Office or the research partner.

Support is also noted by resource commitment to the Initiative from the host agencies. Local law enforcement has provided a large amount of human resources, particularly to Targeted Patrol and Monthly Incident Review initiatives. Probation and Parole has made a notable contribution of human resources to the Turning Point (Lever Pulling) initiative. All agencies have committed time and personnel to attending working group and subcommittee meetings.

As noted earlier, building awareness of the Initiative proved to be a significant challenge. This is partly due to the fact that the SACSI method incorporated elements that were new to participating agencies. Also, the turnover in membership limited awareness of the Initiative. When turnover or reassignment occurred, it was often at short notice, and there was little time available to socialize replacements into the SACSI approach. In some cases, the turnover was so rapid that the previously designated representative had not been able to learn this method before being reassigned, so it would have been impossible for them to train their replacement on the working group or subcommittees. Also, designees often only worked with one aspect or local initiative, so they were limited in their ability to train their replacements. Apparently, agencies assumed that it was the working group's responsibility to train replacement members.

Even when the representation from a particular agency was relatively stable, information was not widely disseminated within the agency. Apparently this was not considered to be part of the role of the SACSI representative. Not surprising in such large and complex organizations, information did not naturally flow throughout the agency concerning SACSI, but was restricted to the subunits that had some engagement associated with the Initiative.

Some activities that did expand the number of informed members of an agency were participation on subcommittees, which often engaged front-line supervisors and some street-level professionals, and participation in actual initiatives such as Targeted Patrol and Monthly Incident reviews. However, the single activity that did the most to increase awareness among agency personnel was the VIPER initiative. This list was distributed to over 600 criminal justice professionals each quarter. One BCSO officer noted that while he had never heard of SACSI, he knew what the VIPER list was for, and had a copy in his patrol car. Similar experiences were had in other SACSI sites, such as Indianapolis (McGarrell, personal communication).

To this point, SACSI and PSN initiatives have not become routinized within participating agencies. That is, these national initiatives have had little influence on agency policies or the ways in which they execute their traditional criminal justice roles. SACSI has not

altered the more traditional ways of investigation, apprehension, allocation of personnel, prosecution, or supervision of offenders. Some minor exceptions to this might be that Exile has continued to increase the number of firearm cases that are referred to the federal system for prosecution, and the Targeted Patrol initiative has tended to include more agencies, when they occur, than was the case when community sweeps were conducted in high-crime neighborhoods prior to SACSII.

### **CHAPTER III**

### **RESEARCH TEAM ACTIVITIES**

While the activities of the research team have been referred to often in the preceding chapters, the intention of this section is to describe the work of the research partner in some detail. Team activities include accessing data and other information, analysis and dissemination of research findings, participation in planning and project administration, and assessment activities.

#### **Obtaining Data Access and Information**

##### ***Local Law Enforcement.***

The Albuquerque Police Department (APD) and Bernalillo County Sheriff's Office (BCSO) jointly maintain a computerized database that includes information on all incidents and arrests in Bernalillo County. These data were deemed vital to early and ongoing research efforts in support of the SACSI project. Using these data the research team would be able to identify general patterns of firearm violence in Bernalillo County. This information would then be disseminated to the working group to help the group begin to narrow its scope for developing interventions designed to impact the local gun violence problem. Gaining access to these data, then, became the immediate priority for the research team upon joining the SACSI working group.

Working with the original SACSI program coordinator, Chuck Barth, the research team began a series of meetings with APD and BCSO to secure access to the data. The first meeting was in early January 2001 with Chuck Barth, Ruben Davalos (APD Deputy Chief), and David Linthicum (BCSO Undersheriff). Deputy Chief Davalos and Undersheriff Linthicum both recommended that the research team make contact with APD's crime analyst, Curtis Cherne. Deputy Chief Davalos called Mr. Cherne to set up an appointment for the research team to meet with him to discuss the types of data that would be useful in the context of the SACSI research agenda.

Drs. Broidy and Steele met with Curtis Cherne on January 23, 2001. Mr. Cherne explained the AS400 data system on which APD and BCSO store the county's crime data. After discussing the analytic goals outlined by the research team, Mr. Cherne suggested that the data that would likely be of the most use to the team would come from incident and arrest data files. The arrest data files contain information on all arrests made in Bernalillo County. This includes the nature of the incident (arrest statute), offender (arrestee) demographics, and offender addresses. The incident data files contain information on the incident itself, such as crime code and statute, whether there was a weapon involved, where the incident occurred (type of location and specific address), time of incident, and responding agency. While these two files are not jointly maintained, such that the offense data have no information on case processing (i.e., whether an arrest was made) and the arrest data has limited information about the incident, the two files can be merged since both reference the APD or BCSO case number associated with the incident. The data also include addresses for the incident location,

along with victim and offender residence locations, in a format that is readily geo-coded for importation into a mapping/spatial analysis package like ESRI ARC View.

After discussing our analytic goals and the complexities of the data system we decided on a 5- year time frame for the data. It is important to note here that local crime data is maintained on a mainframe that houses multiple data entry and storage systems. Different types of data are stored in distinct systems and the information we were requesting would have to be drawn from a variety of data systems that, in the words of the data analyst “do not really speak to each other very well.” So, while it would take some time to write a program that would query the systems in such a way to produce the data we were requesting, Mr. Cherne indicated that he would be able to have the offense and arrest data for 1996-2000 available for the research team within the a couple of weeks.

On February 7, 2001, Dr. Broidy met with Mr. Cherne to pick up the data. They went over the file structure and data format as well as the codes used for the data fields. The databases contained information on close to 930,000 incidents and nearly 300,000 arrests. Much of this data reflected crimes of little import to the SACSI project. However, about 21,000 of the arrests in the arrest database were for Part One offenses (7.7% of all arrests in the database), and just fewer than 6,200 of these part one arrests were for homicide or aggravated assault (2.3% of all arrests). The database also contained information on arrests for 1,840 weapons violations over the 5-year period (1% of all arrests).

After acquiring this initial round of data from the APD crime analysis unit, the research team maintained close ties with Curtis Cherne, regularly calling on him for updates to the data and to clear up any questions or concerns that came up as the researchers worked with the data. Initial analyses with the data went smoothly, generating useful descriptive statistics to help the working group begin to think about and discuss the nature of the local gun violence problem. However, the researchers ran into some problems trying to merge the incident and arrest data. The problem first became apparent when the researchers reported to the working group that the clearance rate for homicide over the 5-year period covered by the data averaged about 57%. This statistic was met with suspicion on the part of the deputy police chief, who was certain that the clearance rate was closer to 80%. Initially the researchers suspected that the 80% figure reflected a clearance rate that simply divided the number of homicide arrests by the number of homicides, without controlling for the fact that some homicide incidents had multiple arrests associated with them while others had no arrests. The 57% figure reflected the number of homicides for which any arrests were made divided by the total number of homicides. The deputy chief, however, assured us that his 80% figure was correct. The researchers then compiled a list of all of the “open” and “closed” homicides in the database and went over it with the deputy chief. From that meeting it became clear that a significant number of homicide arrests were missing from the database. This led to concerns that other relevant arrest information was also missing.

The researchers met with Curtis Cherne to discuss the problem and he indicated that it had two likely sources. One, some homicides are cleared without an arrest (i.e., cleared by exception) and these cleared cases would not be counted in the calculations done by

the research team that based clearance solely on arrest data. However, it was clear that for some homicides there were in fact arrests made that were not included in the computerized arrest data that Mr. Cherne had initially compiled for the researchers. This problem presumably stemmed from the way in which he queried the system. After discussing various other types of queries he could run that would likely be less problematic, the group decided on a strategy that pulled data based on statute as opposed to year. Using this new strategy, Mr. Cherne used statutes to identify and pull all of the homicide and aggravated assault data for the same 5-year period. This time, the data was configured not as separate incident and arrest databases, but as one database in which each incident/offense had a data row for every person associated with it (i.e., victims, offender, suspects, and witnesses). Mr. Cherne also included in this new database a code for homicide clearance that indicated whether and how a case was cleared. While this new database was, in many ways, more difficult to manipulate for research purposes, initial analyses with the new data suggested it was much more complete, and all analyses were redone with the new database. Using this new database, the clearance rate for homicide, increased to 76%, a figure much closer the Deputy Chief's 80% estimate.

A second significant problem materialized in Spring 2002 when the research team began the grand homicide review (GHR) process (detailed in Chapter XIV). To prepare for the GHR, the research team acquired information on all homicides for 2001 from APD and BCSO detectives. The team had also updated the initial APD/BCSO database to include all 2001 homicides and aggravated assaults. However, there appeared to be more victims in the computerized database than were reported to the researchers by detectives. In talking to the APD crime analyst about this new problem, he suggested that the researchers might need to look at the homicides one by one on the system to figure out what the problem was. Mr. Cherne spent a day with the researchers helping them use the APD system to go through all of the 1996-2001 homicide incidents to check the data. After running through a couple of the cases for which the computerized data did not match the data provided by the detectives, it became clear that some of the homicide victims in the computerized database were individuals who were at the incident and hurt in the incident, but not killed in the homicide. In essence, these were assault or aggravated assault victims, whom the researchers had coded as homicide victims (therefore assuming that they were deceased) since the database identified them as victims in a homicide incident. By going through each case, researchers were able to distinguish between dead and living victims in homicide incidents and code each accordingly in the computerized database.

The working relationship that the research team developed with the APD crime analyst proved to be a fruitful one for SACSI. The researchers used this tie to help them gain access to other more restricted APD data, such as crime histories on all homicide victims and offenders. While Mr. Cherne was a civilian employee who does not have access to crime history data, he was able to put the researchers in touch with the APD officer who maintained the crime history database, Kathy Madrano. Working with Chief Deputy Davalos, the team was able to secure an agreement with Ms. Madrano to access these data. While she could not allow the researchers access to national NCIC crime histories, she was able to help them access the State's Computerized Criminal History (CCH)

database. Since the database is only accessible from the APD system, the research assistants spent a month in the APD crime lab using their computers to search for the criminal history records of all homicide victims and offenders from 1996-2001. Using a data extraction form (see Appendix A), the research assistants went through the criminal histories of victims and offenders and collected information on their past offenses that was then added to the database already being maintained by the research team.

The research team also discussed with Curtis Cherne the possibility of acquiring Calls For Service (CFS) data. Again, as a civilian, he did not have access to CFS data but suggested an APD communication supervisor who might be able to help. Upon further investigation, however, the research team learned that CFS data are not maintained over time and all of these data are regularly purged from the system, thereby limiting their analytic utility.

Mr. Cherne also proved helpful to the research team as it began its spatial analysis. Mr. Cherne did all of the crime mapping for APD. He met with Dr. Broidy and Mr. Daday early on to give the researchers some introductory lessons in how to use the ARC View mapping software and how to import the APD/BCSO data into the ARC View system for analysis. He also provided them with some basic shape maps of Albuquerque and Bernalillo County and put them in touch with the head of the city's planning department to secure other shape files that would be useful for spatial analysis (i.e., shape maps showing the distributions of schools, parks, businesses, single family and multi-unit housing in Albuquerque).

In short, the original relationship between the APD crime analysis unit and the SACSI research team proved invaluable to the analytic component of Albuquerque's SACSI program. It was through this tie that the research team acquired the data they used to help the working group identify the nature and scope of the firearm violence problem to be addressed via the local SACSI program.

Unfortunately, in May 2003, this relationship was disrupted when the supervisor of the Records Division found out that information concerning those who had been victimized in gun crimes and received emergency room services (see below) was being extracted from APD records. In this manner, it came to her attention that Mr. Cherne had been providing information to the research team, at the direction of Deputy Chief Davalos, without her knowledge. Since her division reported to another of the three Deputy Chiefs in the Department, this access was considered to be irregular and inappropriate. In July, after Dr. Broidy and Mr. Daday had left the research team, a meeting was held between Dr. Steele, Deputy Chief Silva (who oversaw the Records Division), Captain McCoy, and Ron Lopez from the USAO. A solution was reached by which the research team provided a letter describing the use of the data and notarized confidentiality forms from all members of the research team to APD. At this point, Mr. Cherne was permitted to provide additional information to the researchers in October 2003, which covered violent crime incidents and arrests through July 2003. He then left APD to assume another position in City government. Since this time, Deputy Chief Silva retired, and the Records Department formally reports to newly-appointed Deputy Chief Sauer. However, since



research analysis is considered in support of field activities, the Deputy Chief for Area Commands (Chavez) has the only personnel that are conducting internal analysis of APD data. As a result, our liaison for access is with Deputy Chief Chavez. Unfortunately, Mr. Cherne's replacement is less familiar with the system programming necessary to extract data for research needs. As a result, programmers from City government have been requested to write the necessary programs and supply the requested data to the research team. While several conversations have been held with various decision makers, and there appears to be no specific objections to providing the data, the research team has received no data updates since Mr. Cherne's last submission in October 2003.

In a similar manner, Ms. Madrano was reassigned within APD, and her successor was not briefed on the research team's need for criminal history information (CCH). This was exacerbated by tighter security procedures developed in response to the terrorist events of September 11, and an apparently less than optimal review of the handling of information in the APD unit from which we accessed criminal history reports. Since that time, we have held numerous meetings with seven different levels of decision-makers, provided letters of explanation, and submitted a new set of notarized confidentiality forms to the Department. We are yet to re-establish access to CCHs.

### ***Federal Law Enforcement.***

At the recommendation of members of the working group, the research team did not try to access information concerning firearm-related crime from several federal agencies that were not members of the group. However, the team did work with the U.S. Treasury Department, Alcohol, Tobacco and Firearms. Initially, the research team established a relationship with Alcohol, Tobacco, and Firearm (ATF) Resident Agent in Charge (RAC) George Dahl and ATF Agent Steve Beggs. In the first year of the project, Agent Dahl retired from ATF and Agent Beggs was transferred to another jurisdiction. The new RAC, Wayne Dixie, became the SACSI project's new contact at the local ATF office in December 2001.

At the onset of the project, the research team requested information from Agent Dahl on all gun traces performed by the local ATF office from 1996-2000, so the data could be linked with the homicide and aggravated battery data obtained from APD/BCSO. Agent Dahl provided the research team with an *ATF Crime Gun Trace Analysis Report* for Albuquerque, New Mexico between January 1, 1999 and July 31, 2000. The report contained aggregate information on:

- Requests for Crime Gun Traces
- Crime Gun Trace Requests by Age of Possessor
- Crime Gun Trace Requests by Type of Firearm
- Most Frequent Crime Gun Trace Requests: Type, Manufacturer, and Caliber by Age of Possessor
- Crime Types Most Frequently Associated with Crime Gun Trace Requests
- Results of Crime Gun Traces
- Results of Crime Gun Traces – Detailed Analyses

- Time-to-Crime Rates for Most Frequently Traced Crime Guns by Type, Manufacturer and Caliber
- Most Frequent Source States for Crime Guns Traces to a Firearms Dealer
- Crime Guns with Obliterated Serial Numbers

This report provided the research team with a broad understanding of firearm usage in Albuquerque. However, in order to conduct their own analyses that would link ATF data with APD/BCSO data, the researchers requested more detailed case-level gun trace data on the firearms used in homicide and aggravated assault crimes. The research team hoped that the case-level gun trace information, once linked to the APD/BCSO data, would provide a more complete picture of the type of firearm(s) used in each homicide and aggravated assault incident as well as their primary sources. Agent Dahl said that it would be impossible for the researchers to have access to more detailed level information and the aggregate level data in the Crime Gun Trace Analysis Report was the best data he could provide.

The research team did not have any additional contact with the local ATF office regarding data issues until the researchers began gathering data for the Grand Homicide Review (GHR), held on April 3, 2002. For the GHR, the research team compiled a 500+ slide MS PowerPoint Presentation, which presented detailed, in-depth information on the 44 homicide cases of 2001 in the city and county as well as an additional 3 “cold cases” from 1999 and 2000. For the presentation, the research team gathered as much information as possible on the location of each incident, the offenders and victims involved, weapons used, witnesses, and the motive of each incident. The researchers asked ATF to provide as much information as possible on the guns used in each of the firearm related homicide incidents in 2001. Wayne Dixie provided the researchers with a Microsoft Excel spreadsheet, which contained data on the firearm(s) used in each homicide incident. After reviewing the ATF data and based on the variables and information contained in the MS Excel file, the researchers realized that it was impossible to link the data provided by ATF to the APD/BCSO Incident Case Identifiers or to any other key variables provided to the researchers by either organization. Therefore, the researchers were unable to utilize the information provided by ATF for the Grand Homicide Review.

### ***State Prosecution.***

As noted in Section II, one component of the SACSI research agenda involved case-flow analysis to follow offenders through the system to help identify those places in the system where intervention might be most fruitful. Given this goal, the researchers deemed it important, early on, to establish a working relationship with the Bernalillo County District Attorney’s Office. On March 3, 2001, the research team met with Serapio Jaramillo (Chief Assistant to District Attorney Kari Brandenburg), Valorie Vigil (Community Liaison for the DA’s Office) and Haden Bowling (Director of Information Technology for the DA’s Office). At this meeting, the group discussed the possibility of the researchers obtaining access to relevant case processing data maintained by the DA’s Office. The researchers hoped to link the incident, victim and offender information

obtained from the Albuquerque Police Department and the Bernalillo County Sheriff's Department with the charge and sentencing data maintained by the DA's Office.

At the initial March 3 meeting, representatives from the DA's office made it clear that they were not entirely comfortable granting the research team access to their data files and wanted detailed information about how the data would be collected, maintained, used, and disseminated by the research team. Among their chief concerns was the possibility that the working group, based on analyses using data from the DA's office, would develop interventions that might target specific individuals identified in the dataset or specific racial or ethnic groups (i.e. racial profiling). The researchers tried to alleviate these concerns. They noted that SACSI is a federally funded project, conducted under the oversight of the National Institute of Justice (NIJ), thereby requiring researchers to comply with federal mandates to ensure the confidentiality of research subjects. Also, since the ISR is affiliated with UNM, the research team must comply with UNM's Institutional Review Board (Human Subjects) guidelines that prevent them from releasing any specific names contained in any dataset and require that any data with identifiable information be maintained in a secure environment accessible only by the research team. Researchers assured the DA representatives that the research team would never mention specific individuals in reports, publication, or evaluations to the working group, the Department of Justice, or any other audience. In conjunction with these statements, the researchers also reminded those present that research in support of SACSI is not intended to single out and target specific individuals, but instead to identify aggregate firearm violence trends within the community. Moreover, the research is intended to help the working group identify the key features of such violence in an effort to help them develop interventions that would reduce the need to rely on such crude tactics as racial or ethnic profiling. The researchers indicated that data acquired from the DA's office would be used primarily for tracking violent offenders and their cases through the system, from the point of arrest, through prosecution, and finally sentencing. Such information would not be assessed on a case-by-case basis, but in the aggregate, to identify patterns and trends in case processing that might be helpful to the working group as they try to identify key places in the system where intervention might be focused.

After this initial discussion about the nature of SACSI and its related research component, Haden Bowling, the Director of Information Technology at the DA's Office, discussed the office's database, identifying its strengths and limitations. The database contains multiple fields with information on the offenders and the progression of each case through the system. However, these data fields are often empty. The DA's office has no routinized strategy for data entry and as such, information is often entered improperly or not at all. Mr. Bowling noted that DA's are required to enter the case processing information themselves (either directly or via an administrative assistant) and most prefer to simply use text-based notes fields to enter information, rather than datafields that can be easily queried for analytic purposes. However, Mr. Bowling suggested that there may be enough information in the files to support the kinds of analyses that would be of use for the SACSI project. Since the District Attorney would have to make the final decision as to whether the researchers could have access to the data, Deputy DA Jaramillo suggested that the research team meet with District Attorney

Kari Brandenburg sometime in the near future to discuss SACSI and access to the DA's office database.

In March, April, and May of 2001, the research team made several efforts to obtain some information on the types of data contained in the DA's data system. The research team requested a "data dictionary" and "codebook" that could be used to begin brainstorming about the type of data the research team could collect from this database and how it would relate to the incident-arrest information received from APD/BCSO. Given the complexity of the system, such requests were hard to accommodate over the telephone or via e-mail. In April, Mr. Bowling met with the research team and walked them through the database. It was clear that there would be much of use to the team in the database. In a subsequent meeting on May 5, 2001, Valorie Vigil (the Community Liaison Representative at the DA's Office) met with Dr. Broidy and Jerry Daday to talk to them in more detail about the types of information and data collected by the District Attorney's Office. At this meeting, Ms. Vigil walked them through some actual case files on the system. The research team realized that much of the information and data that would be useful in the context of the SACSI research agenda were contained in "un-query-able" text fields within the database.

On June 26, 2001, the research team and SACSI USAO Program Manager Chuck Barth met with District Attorney Kari Brandenburg, Serapio Jaramillo and Haden Bowling. The group discussed with DA Brandenburg the key problem with the DA's Office Data System: many of the fields within the DA system are unpopulated, with most of the important case level information residing in the text-based "Notes Field" of the database or in hard copy files, both of which are considered Attorney Privileged Information. Dr. Steele and Dr. Broidy offered the services of the ISR to help the DA's office update the information in their data system so the research team could analyze it for the SACSI project. Both DA Brandenburg and Assistant DA Jaramillo were excited about the offer and asked Chuck Barth and members of the ISR to make a presentation to the Deputy District Attorney's at the DA's office on Wednesday June 27.

On June 27, 2001, Chuck Barth, Dr. Broidy and Mr. Daday briefed all of the department heads within the DA's office of the research team's plan to provide some undergraduate and graduate students and computer resources to help update the DA data system by entering the case-level information contained in the hard-copy files and in the "Notes-Field" of their database system into the query-able data fields. Assistant District Attorneys Kathy Wright and Julie Altweis offered their assistance to help with the training of ISR Personnel.

On the morning of September 7, 2001, Dr. Broidy and Mr. Daday spent the morning at the DA's office looking at hard-copy files and testing the research team's data extraction form. After reviewing four case files in a four-hour period, Dr. Broidy and Mr. Daday realized that working to resolve the DA Office's data problem would be a very labor-intensive process. Many of the case files could not be found in the file room at the DA's office, and much of the information contained in the file was incomplete or disjointed. After some discussion, the research team decided to explore another source of

information for the prosecution and sentencing information. The research team was aware of the State of New Mexico's Second District Court Website, which contained public information on the status of every case at the Second District Court between 1995 and 2001. After examining the website and the type of information available, the research team decided to initially download and print the court case status of all of the homicide offenders between 1996 and 2001 and a sample of the aggravated assault offenders during the same period of time. Later, information was consistently downloaded on all homicide cases, as well as an enhanced sample of aggravated assault cases. This information was extracted and entered into a Microsoft Access Database and linked to the list of homicide offenders and our sample of aggravated battery offenders. The research process and findings from the court data is discussed below.

In Fall 2004, we renewed our efforts to access basic information concerning the number of firearm-related and violent crime cases prosecuted by year from 2000 – 2004 in the Second District, to determine the impact of additional prosecutors hired with federal PSN funds, and to track changes in charging and time from referral to case disposition. Dr. Steele and other members of the research team met with Deputy District Attorney Deborah DePalo and two of the Office's IT staff. At that time, the records system was still unable to retrieve such information without extensive programming, and the office was in the process of converting its system to a standardized, State-wide District Attorney's Office Management Information System. Since the research team was unable to acquire the necessary information from the District Attorney's Office, Ms. DePalo and Dr. Steele requested the same information from the District Court's IT manager, Mr. Tom Cathey, who agreed to provide it. However, we have not yet received the data we requested.

### ***Federal Prosecution.***

Information was sought concerning the number of violent and firearm related offenses tried by the U.S. Attorney's Office from 1999 –2003. In March 2004, Dr. Steele met with Mr. Edmund Lee, data analyst for the USAO. Mr. Lee showed him the general configuration and operation of the LIONS system, the MIS used in USAOs throughout the United States. He explained that this information was uploaded each month to a central server at the Department of Justice. Mr. Lee was authorized to provide the aggregate information requested, and provided it in a matter of days. In addition, discussions were initiated with Rumaldo Armijo concerning collection of information regarding the prosecution of cases as a part of the Exile program. It was concluded that access to this information would require clearance from Washington. The research team prepared a letter describing the research model and a request for data, but we have not received a response as of this date.

### ***State Court.***

As discussed above, the research team experienced significant difficulties in obtaining access to the Bernalillo County District Attorney's Office case processing and sentencing information. Because of these difficulties, the research team explored the use of data

from the New Mexico Second Judicial District Court.

The Second Judicial District Court maintains a public website which provides the history and current status of every court case before the court. Visitors to the site simply enter a person's name and date of birth to obtain access to any cases in which that person is involved. The site provides information on the grand jury indictments, current charges, and the history and current status of each charge (i.e. found guilty, found not guilty, nolle prosequi, etc).

This website provided the researchers with a way to track offenders through the court system after they were arrested by APD or BCSO. Using the offender information provided by APD, the researchers could research the status of homicide and aggravated assault cases to determine the successful or unsuccessful prosecution of violent offenders and the types of sentences they were receiving.

The research team developed a data extraction form that could be used to collect selected information from the data available on the court website (see Appendix B). The research team piloted the data extraction form using the names and dates of birth of several of the homicide offenders arrested by APD and BCSO. Once the research team determined that the extraction instrument contained all of the questions and information they wished to gather from the court case files, the data extraction form was mass-produced so they could begin extracting case information on more than 400 offenders. Later data extraction from court records was expanded to over 1000 cases.

The researchers decided to initially find the court case information for all of the homicide offenders arrested by APD or BCSO between 1996 and 2000 (N=215). Also, since there were more than 6,000 individuals arrested between 1996 and 2000 for aggravated assaults, the researchers also selected at that time a random sample of 200 offenders arrested for serious aggravated assaults over the same time period. Later, the number of homicide cases and aggravated assault cases extracted from court records expanded for the analyses presented in Chapter VII.

In the Fall Semester of 2001, the researchers sought out the help of eight undergraduate students majoring in criminology from the University of New Mexico to help with the data extraction and data entry. They searched the District Court Website for all of the offenders arrested between 1996 and 2000 for homicide incidents in Albuquerque and Bernalillo County as well as those 200 offenders selected in the random sample of aggravated battery incidents. Once the individual was found in the system, the case information was printed. Each undergraduate student extracted information from these printouts using the data extraction form. Using a Microsoft Access Database, all of the information on the data extraction forms was entered into a computerized database for later analysis. Undergraduates hired as research assistants for the project completed later data collection.

The initial round of data extraction and data entry activities took three months to complete. After all of the information was entered into the database, these court data

were linked to the homicide and aggravated assault arrest data obtained from the Albuquerque Police Department to facilitate case flow analysis.

### ***Adult Corrections.***

Probation and Parole records represented another data source that was of potential value to the analytic agenda of the research team. Analysis using these data would allow the researchers to provide more information to the working group on the probation/parole experiences of violent offenders as well as their work, education, and family experiences and backgrounds. Drs. Broidy and Steele met with the Director of the State Probation and Parole Department (Mark Radosevich) and some of his team in Santa Fe on March 2, 2001 to discuss the kinds of data they maintain and how we might be able to use it to enhance SACSI's research efforts.

Unfortunately, the data systems maintained at the time by the Probation/Parole department in the State of New Mexico were very antiquated. At the time of the research team's initial meeting with Mr. Radosevich and his staff, all of the data was still being maintained on a WANG system. As such, it was unclear whether the research team would be able to use these data in a more modern computer environment. However, one of the probation/parole staff members, Gina Laiwakete, assured the researchers that she could download the WANG data in a form that could be read into an excel database. Much of the two-hour meeting was thus spent discussing the kinds of data stored in the system. While Mr. Radosevich and his staff did not have a data dictionary on hand, they did promise to send one to the researchers so that they could see, in more detail, what is on the system and identify the data fields that would be of use to them. Ms. Laiwakete promised to download any data the research team identified as potentially useful.

Mr. Radosevich also spoke with the researchers at length about current efforts to update the probation/parole department's data system so that it is automated and networked statewide. The department is adapting the Criminal Management Information System (CMIS) developed in Utah to fit New Mexico needs. The first operational benchmark was to get the system up and running statewide with basic client information that can then be updated and enhanced once the system is in place. Limited probation and parole data were already on the new system for Northern New Mexico Regional Office at the time of this initial meeting, and the department was in the process of getting the system running in Albuquerque. Mr. Radosevich noted that the biggest obstacle to getting the system operational is limited funding. The department has no designated data entry staff and was relying on probation and parole officers to enter the data on their downtime (of which there rarely is any) or through paid overtime. As such, they could not provide a reasonable estimate as to when the system would be operational, and even then, it would have only current data on it, with the fiscal climate making the entry of old cases prohibitive. This meant that to get probation/parole data that the research team could link to the 5-year database generated from APD/BCSO records would require the researchers to rely on WANG data.

The research team received a copy of the WANG data dictionary not long after this initial

meeting. Unfortunately it was largely indecipherable, written entirely in code with no code translations. In discussions with Ms. Laiwakete, who sent the dictionary, the researchers tried to articulate what information they would need to in order to identify the sort of data that would be helpful for SACSI project. The data description that followed indicated that there was little information of analytic integrity in the WANG system. Primarily the system held records of the demographic profiles of probationers and parolees, with no information on their criminal, work, education, or family backgrounds. In addition, no information was available concerning their probation/parole classification, risk assessments, technical or therapeutic conditions, or performance under supervision.

With the WANG and CMIS data both proving to be of limited use in 2001 for the SACSI project, the researchers began to pursue a third data option mentioned at the initial meeting with the director and his staff. This was a pre-sentence report (PSR) database, maintained by the head of the Probation/Parole offices in Albuquerque, Mr. Bob White. This database contains pre-sentence report data on felony offenders being processed in state court. Dr. Broidy contacted Mr. White in May, 2001 and set up an initial meeting to discuss these data. After several attempts, the two met on June 19, 2001 and the data that Mr. White showed to Dr. Broidy looked more promising than the other available Probation/Parole data. He agreed to pull together a database of all cases in the 1996-2000 calendar years that could be linked to the research team's existing APD/BCSO database. On July 30, 2001, Mr. White sent the database to Dr. Broidy. It contained 1,660 case files and, along with demographic and other descriptive data, included information on employment, substance abuse/use, and probation/parole history. However, upon initial review of the files, it turned out that aside from the demographic and descriptive data, which was entered for all offenders, only the first 44 offenders in the file had the additional data that would have been useful to the research team. In a follow up discussion with Mr. White, Dr. Broidy was informed that most of the agents did not take the time to enter this information in the files and that whatever is missing is simply unavailable. In 2001, then, despite a concerted effort to acquire probation/parole data, the research team was unable to secure the type of data that would have served as a useful addition to the data provided by APD/BCSO.

In 2003, we began our efforts once again to acquire data from the CMIS. At this point, we requested information to confirm that probationers participating in the Turning Point initiative met the criteria for inclusion. By 2004, we asked CMIS managers to provide lists of eligible probationers in the service area so they could be compared to Probation Officer nominees for Turning Point, and randomly assigned to either the intervention or comparison group (see Chapter XVII). In Fall 2004, we began negotiation to access other information from the CMIS system, including level of supervision, technical and criminal information, and progressive discipline procedures for those who had participated in Turning Point and the selected comparison groups. Now that the CMIS has been up and running for a few years, it should be able to provide researchers with the kind of information that would have been useful for this project.



### ***Juvenile Corrections.***

The APD/BCSO data initially provided to the research team by Mr. Cherne did not contain information on any offenders under the age of 18. However, much research, and the experience of earlier SACSI cities, would suggest that a firearm violence reduction initiative cannot overlook the role of juveniles in such incidents as both offenders and victims. The original Project Coordinator, Chuck Barth, set up a meeting with the research team and Mr. Leroy Garcia, assistant director of the Juvenile Justice Division of the Children, Youth and Families Department. This Division supervises residential facilities, probation and parole, and other alternative programs for juvenile offenders. The purpose of the meeting was to discuss the ways in which the Research Team might obtain access to juvenile records that pertain to firearm violence. Mr. Garcia was extremely helpful and seemed very willing to be an active member of the SACSI Project here in Albuquerque. Mr. Garcia asked Chuck Barth to send a letter to his supervisor, Mr. Art Murphy, requesting access to juvenile arrest and probation/parole data in support of the SACSI research agenda. Unfortunately, this request was made not long before Mr. Barth stepped down as project manager and no action was ever taken to secure these data. However, in later discussions with Mr. Cherne, the researchers learned that the APD/BCSO data do, in fact, contain information on juvenile arrests and that he simply did not know the researchers were interested in these. Upon learning that this information would be of use to the SACSI team, he compiled these data for the researchers and it was added to the database. At the present time, the research team has formalized an agreement to access information concerning violent juvenile offenders that are housed in residential facilities in the state.

### ***Emergency Medical Services.***

Another source of data that the research team deemed potentially useful is hospital data, in particular trauma data. It would be helpful, for example, to know what percentage of those involved in violent firearm incidents are seen in the Emergency Room, and what sorts of trauma histories these individuals have. Since the University of New Mexico operates the only Level I trauma unit in the state, it seemed like a reasonable potential source for such data. Dr. Arthur Kellerman, SACSI research partner from Atlanta, is an emergency room physician. He mentioned to Drs. Broidy and Steele that the head of the emergency medicine at the University of New Mexico (Dr. David Sklar) was a colleague and friend of his, and someone who would likely be interested in striking up research collaboration with them.

Dr. Broidy contacted Dr. Sklar and introduced herself. He seemed immediately interested and they set up a meeting. On August 20, 2001, Dr. Broidy and Mr. Daday met with Dr. Sklar to introduce the SACSI project to him and discuss the type of relevant data and information collected by the ER/Trauma Center at UNM Hospital. Dr. Sklar showed a strong and sincere interest in working with them on the SACSI project and on additional cross-disciplinary projects and research. The researchers met with Dr. Sklar again on October 1, 2001, along with his colleague and director of research for the department of emergency medicine, Dr. Cameron Crandall. At this meeting they

discussed the APD/BCSO data and began to brainstorm about ways to link trauma/ER data with these crime data. Drs. Sklar and Crandall indicated that the easiest way to link criminal and medical data would be to use the University Physician's Association (UPA) billing database, which tracks patients in the University of New Mexico Hospital (UNMH) system for billing purposes. While it is primarily a billing database, there is information in the system on the type of visit, diagnoses, and other potentially useful data. The group decided to focus on homicide victims and offenders since the matching process would be unwieldy and the aggravated assault database would likely prove unmanageable.

Matching on name, social security number and date of birth, the researchers were able to link homicide victims and offenders with the UPA system and document their usage of the UNMH system in the 3 years prior to the homicide event. After identifying those individuals from the APD/BCSO homicide database who were also in the UNMH system, research assistants extracted medical information from their hospital files, documenting their ER usage and the nature and extent of the illnesses and injuries that brought them to the ER as well as the timing of these visits relative to the homicide event (see data extraction form in Appendix C). It may be possible to use these data to develop a gun violence intervention strategy that links criminal justice and emergency medical personnel. At this point, however, UNM Emergency Medicine feels that such an intervention might be intrusive on the treatment process, and raises some important Human Subjects concerns that would need to be resolved.

### **Dissemination of Information**

When research findings were generated, they were disseminated to members of the working group and others in several ways. At the beginning of the project the research team scheduled meetings of the working group, and findings were presented. As noted earlier, these findings consisted initially of reports of best practices and the results of macro level analysis of law enforcement data. When the USAO began scheduling the working group meetings, presentation of research activities and new research findings then became a regular item on the agenda.

The research team also presented findings to the subcommittees planning and implementing the local SACSI initiatives. For example, the research team initially analyzed incident, arrest and criminal history information to set criteria for the VIPER list. Another example is that the research team conducted interviews with Turning Point participants and shared the results with the subcommittee so that they could continue to refine that initiative.

Information was also shared in local and national meetings. Dr. Steele presented results at the national Weed and Seed Conference in May 2003, and at the Albuquerque Violent Summit in July, 2003. He and other members of the research team presented findings at the Justice Research and Statistics Association/Bureau of Justice Statistics conference in 2003 and 2004. Dr. Broidy and Mr. Daday presented findings at the Academy of Criminal Justice Sciences meeting in May, 2003. In addition, the team has made a

number of presentations to local community and academic groups since the beginning of the project. Other information has been distributed in the form of regular SACSI and PSN update reports to the US Department of Justice, and ad hoc reports prepared in response to local agency requests.

Finally, a SACSI website was created in June, 2001. Basic information concerning crime in the service area and the local initiatives have been posted there. The site contains a proprietary section, requiring password access, for electronic distribution of the VIPER list and other information not available to the general public. The SACSI was renamed the PSN website, with the beginning of that project. The website can be accessed at <http://psn.unm.edu/>.

### **Participation in Planning Activities**

One of the activities expected of SACSI research partners was to participate in the planning of local strategic and tactical initiatives to reduce firearm and firearm-related crimes. As noted earlier, a great deal of activity was undertaken by the research partner to access, transform, analyze and report data to the working group. In this process, four points concerning the transition between research and action became clear.

First, research results do not necessarily point a clear pathway to action. For example, a research finding such as the identification of a neighborhood with persistently high rates of firearm-related violent crime, can be used to inform several different approaches to crime reduction, including neighborhood sweeps, high visibility patrols, primary prevention campaigns in schools and among community groups, economic development programs, and nuisance abatement programs. To focus the range of activities, the research partner attempted to employ “Kennedy’s Rules.” Developed by David Kennedy, a researcher closely associated with the Boston Gun Violence Reduction project, these rules create some parameters on the types of policy solutions that are the hallmark of the SACSI approach. These rules provide criteria by which potential tactical and strategic initiatives can be prioritized. Most important for our work are:

1. Is the initiative grounded in facts?
2. Is the initiative do-able?
3. Do we want to do it?
4. Is it likely to produce significant results?
5. Will it produce results in a reasonable period of time?

These parameters allow SACSI working groups to engage in innovative enhancements to traditional criminal justice practices. Their advantage is that they are knowledge-based, feasible, politically and ethnically supportable, measurably effective, and relatively short-term in their results. As such, SACSI initiatives avoid competing with traditional, long-term, and usually much more expensive crime reduction strategies. Kennedy’s Rules were helpful to the research team in suggesting possible solutions, and in assessing the potential of promising practices used in other communities for the Albuquerque area. The working group members that participated in the initial training sessions were

exposed to this approach for policy formation. Due to limited grasp of the approach and turnover in the group, Kennedy's Rules eventually ceased being used by participants to assess current initiatives or to develop new approaches.

Second, the research team found that some data was more useful than others in developing initiatives. While macro level findings helped to contextualize the firearm crime problem in the service area, it was of little value in the detailed planning and implementation of interventions. We had more success by "drilling down" through the data to case-level and, rarely, observational research to give a richer understanding of the dynamics of crime. A good example of this approach was the collection of case-level information concerning homicides, which allowed us to discover that many homicides resulted from long-developing disputes among antagonists. Unfortunately, access to secure information has been hard to come by, as reported earlier in this chapter. This presents a circular dilemma: the research partner would be better able to demonstrate the utility of this approach if we had access, but it is hard for agencies to see the wisdom of granting such access without seeing the results, especially since the increase in security concerns resulting from the terrorist attacks of September 11, 2001. Still, the more detailed information we have been able to access, analyze and report have been the most valuable in developing effective intervention strategies.

Third, policy solutions based on research findings are heavily constrained by resource limitations. The Albuquerque Police Department has been dealing with financial shortfalls and limited human resources throughout the time of the project. While their leaders have often been very interested in carrying out strategic plans, the local initiatives are often downsized, delayed, curtailed, or sporadic in their application. Other interventions just aren't considered because of the costs involved.

Fourth, the research team learned that we could not require agencies to maintain fidelity with the proposed and agreed-upon plans. Both with the Targeted Patrol and Turning Point initiatives, representatives from participating agencies agreed to an action plan to implement the initiative. In both cases, this involved participation from a large number of front-line professionals, who did not participate in the planning of the initiative. When the research team noted points at which personnel were deviating from the model, we shared this information with those in charge, we often heard that the front line professionals felt they could not adhere to the plan as designed, due to practical constraints such as limited human and other resources, or technical aspects of the work that we would not understand. This situation is an example of the limitations of a multi-agency consortium, in that no one except the authorities within a particular agency can formally control the actions of its employees. While we did not try to influence their work, we felt that it was within our role as evaluators to inform them of the conduct of the initiatives.

In summary, our participation in planning activities has been consistently high, but not necessarily as influential as we might like. The research team's impact on planning activities has been limited due to data problems, inconsistent socialization of the working group into the SACSI approach, and constraints placed upon agencies to implement

knowledge-based strategies and control their implementation. Still, the research team concludes that we have had a positive impact on local SACSI activities, and are convinced of the viability of the approach as it has been transferred to PSN.

### **Evaluation Activities**

The final responsibility of the research partner was to assess the process and outcomes of initiatives intended to reduce firearm-related violence in the service area. Those assessments are presented in Section III of the report. To set the context for assessment, descriptive analyses of firearm-related and other violent crimes are presented, beginning in Chapter IV.

## **CHAPTER IV TRENDS IN OFFENDING IN BERNALILLO COUNTY**

### **General Crime Trends in Albuquerque, New Mexico**

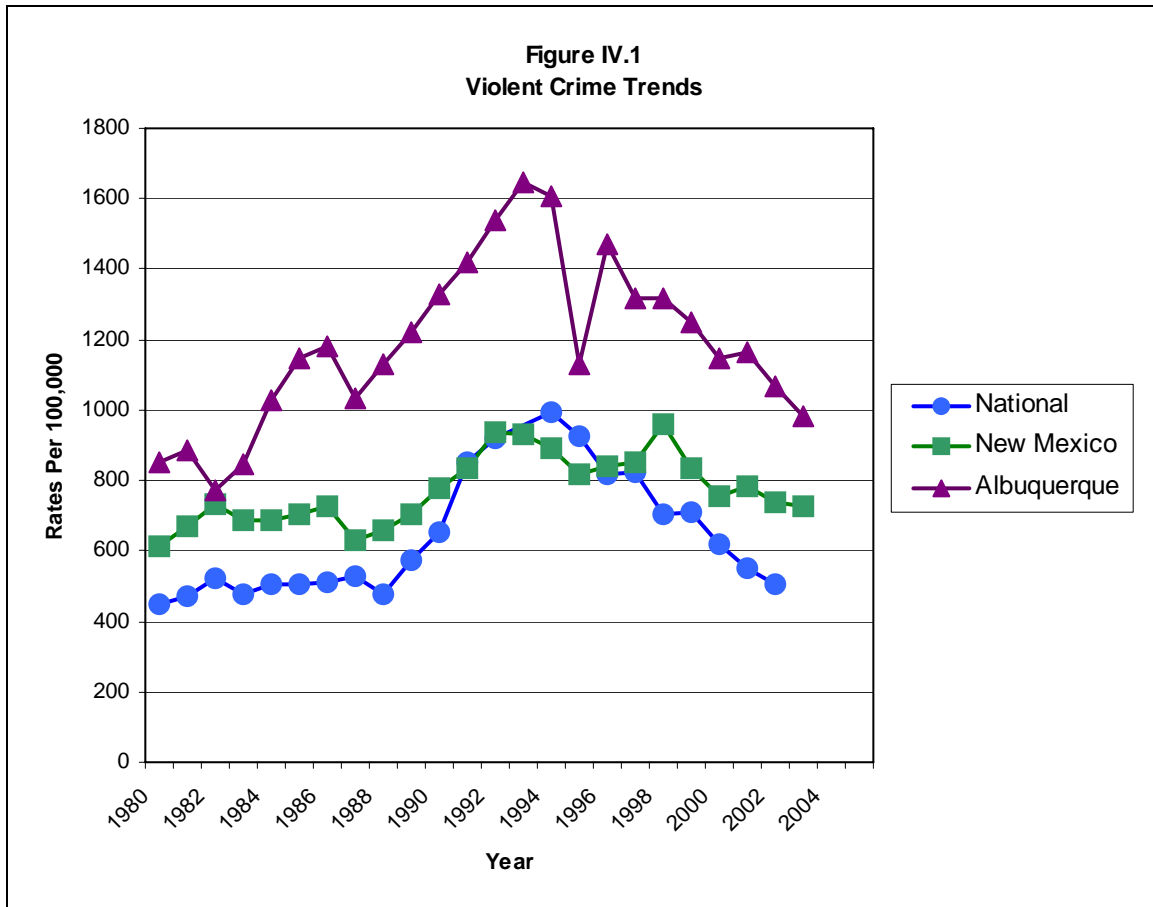
One of the cornerstones of the SACSI is the idea that successful interventions must respond to the unique needs of a given community and that these needs are only evident through focused analyses designed to articulate the specific nature of the crime problem in that community. As a starting point, the research team conducted several statistical analyses of macro level incident and arrest data. These analyses were designed primarily in consultation with the SACSI working group, and were intended to provide the kinds of information necessary to guide the group's planning of the local initiatives. The SACSI working group decided, early on, to focus their efforts on the crimes of homicide and aggravated battery/assault that involved the use of a firearm. The focus emerged from both the group's awareness of the high rates of these crimes (in general, and with the use of firearms) in the service area, and the perception that they were closely associated with the other serious criminal activities related to drug abuse (possession, sales, usage), gang behaviors, and domestic violence. Results of homicide and aggravated assault analyses are presented in Chapters V and VI.

In this chapter, we present some initial comparisons intended to place Albuquerque's violent crime rates in perspective. They show trends in the incidence of serious violent crimes by comparing rates for the Albuquerque service area to those in the state of New Mexico, and the nation as a whole. The charts indicate that Albuquerque's crime rates for Part I Offenses (both singly and collectively) are typically higher than those for either New Mexico or the nation.

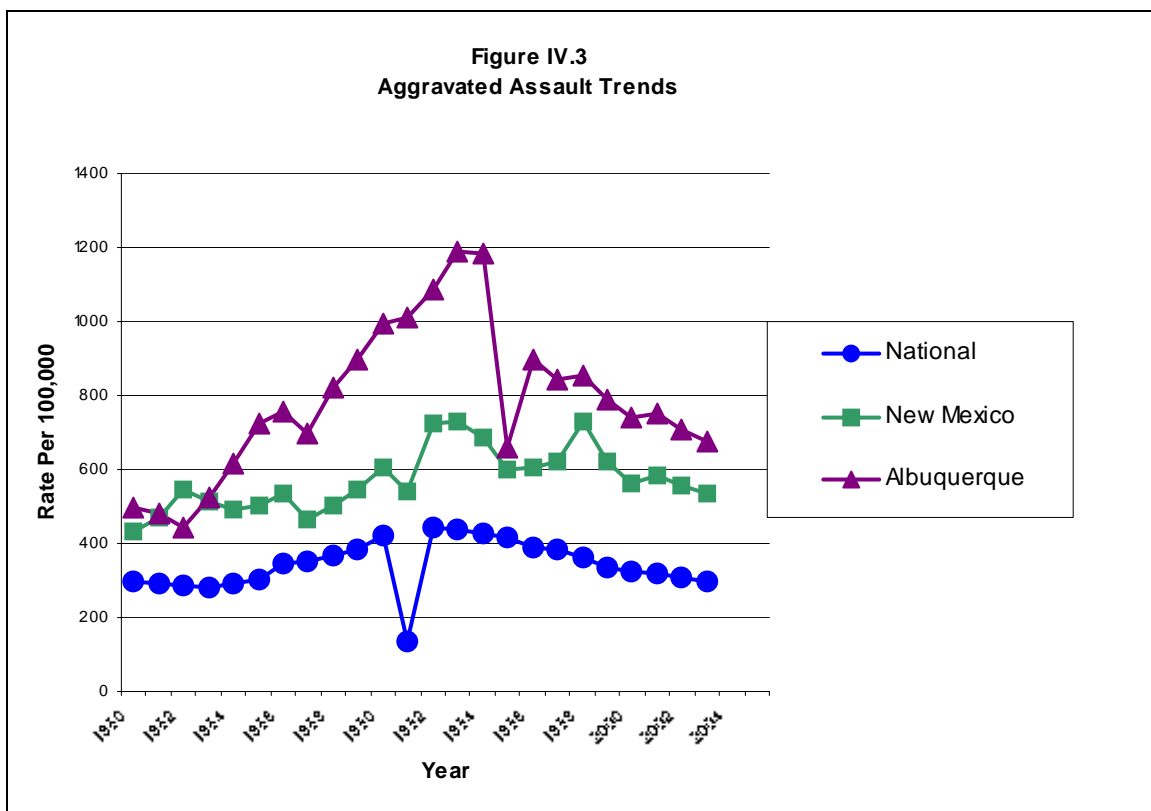
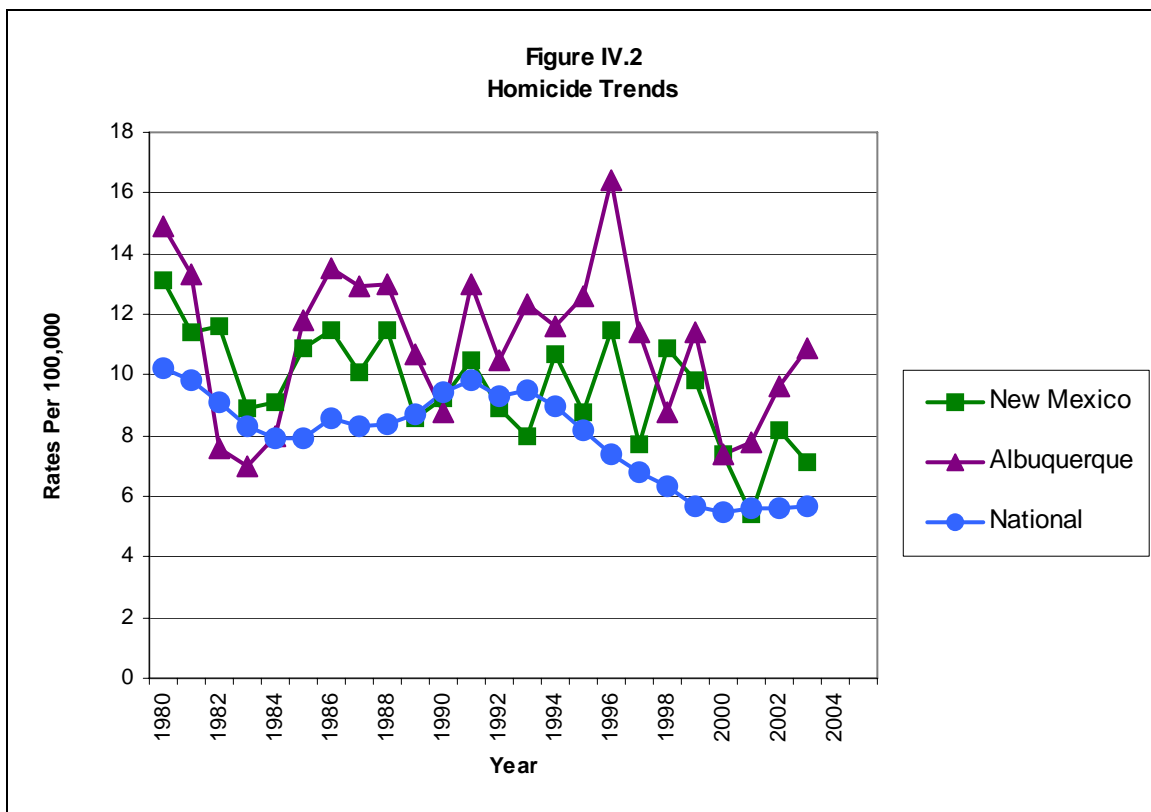
#### ***Violent Crime: Historical Trends.***

In general, data from the FBI's Uniform Crime Reports suggests that violent crime rates in Albuquerque, and New Mexico more broadly, are well above the national average. As Figure IV.1 reveals, the violent crime rate (aggregated homicide, rape, aggravated assault, and robbery) for Albuquerque is generally higher than that of the nation or the state as a whole. As the largest metropolitan area in the state, Albuquerque exerts a major influence on the state's relatively high rates.

Focusing specifically on homicide and aggravated assault, it is clear that in Albuquerque and New Mexico have rates that have been persistently above the national average (see Figures IV.2 and IV.3). With respect to homicide, it is especially notable that, while the homicide rate in the US has been dropping consistently since 1993 (and held relatively stable in the last few years), the homicide rate is very unstable in New Mexico and Albuquerque (attributable partially to the small number of cases). In Albuquerque the rate has since hovered between 8.5 and 11.5 per 100,000, but rose to a dramatic high in 1996 (11.5/100,00 in NM and 16.4/100,00 in Albuquerque). After steady declines, it began to rise again in 2002. The number of aggravated assault incidents rose from 1996

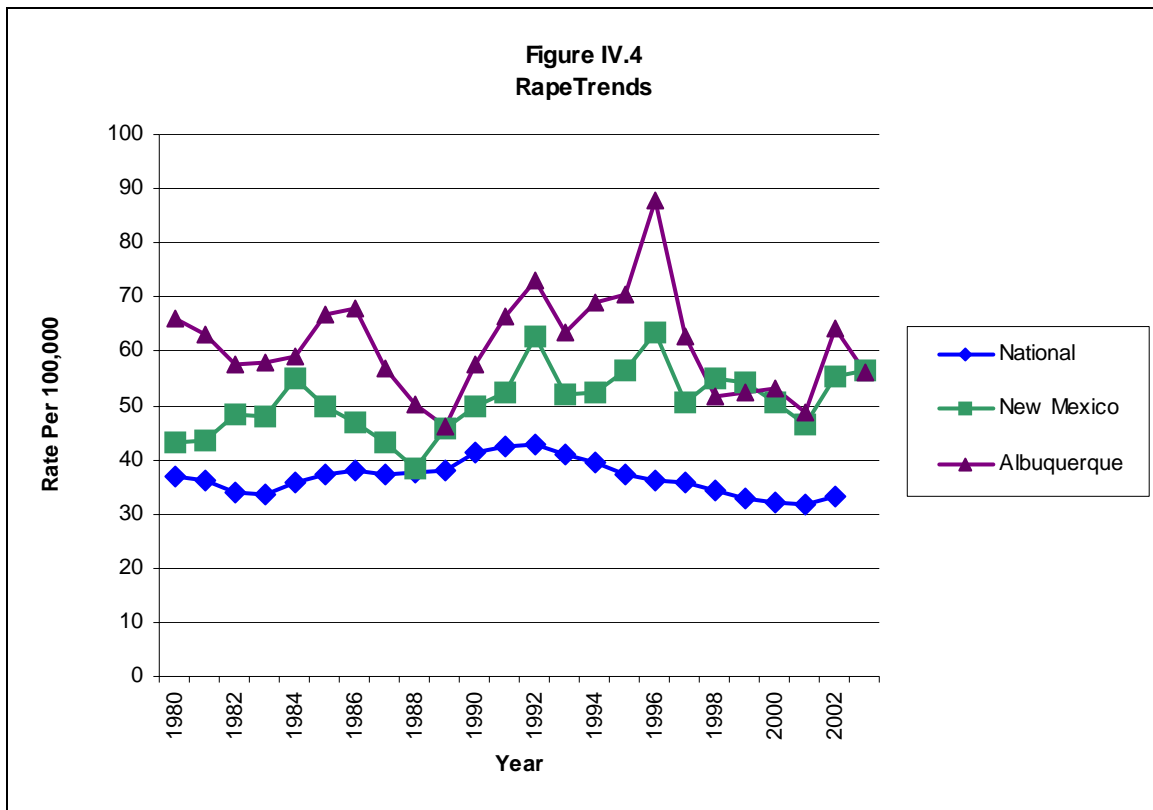


to 1998, and has gradually declined since. As discussed in Chapters V and VI, a large portion of homicides and aggravated assaults in Albuquerque and New Mexico involve the use of a firearm.



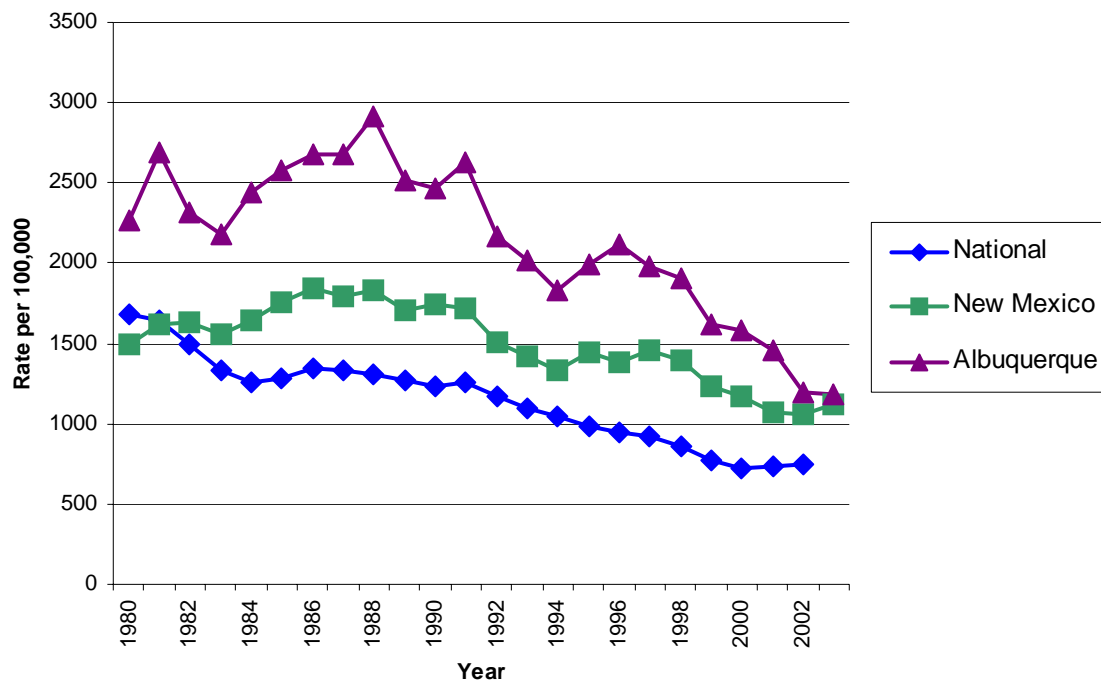


When examining other violent crimes, we find that New Mexico's rape rate is consistently in the top five in the nation. As presented in Figure IV.4, the national rate hovers between 30 and about 40 rapes per 100,000 population. New Mexico's rate shows even more fluctuation, ranging from about 40 to 60 rapes per 100,000. Albuquerque's rate is even more volatile. Though the rate did decline some in the mid 1990s, recently it has shown some increase.

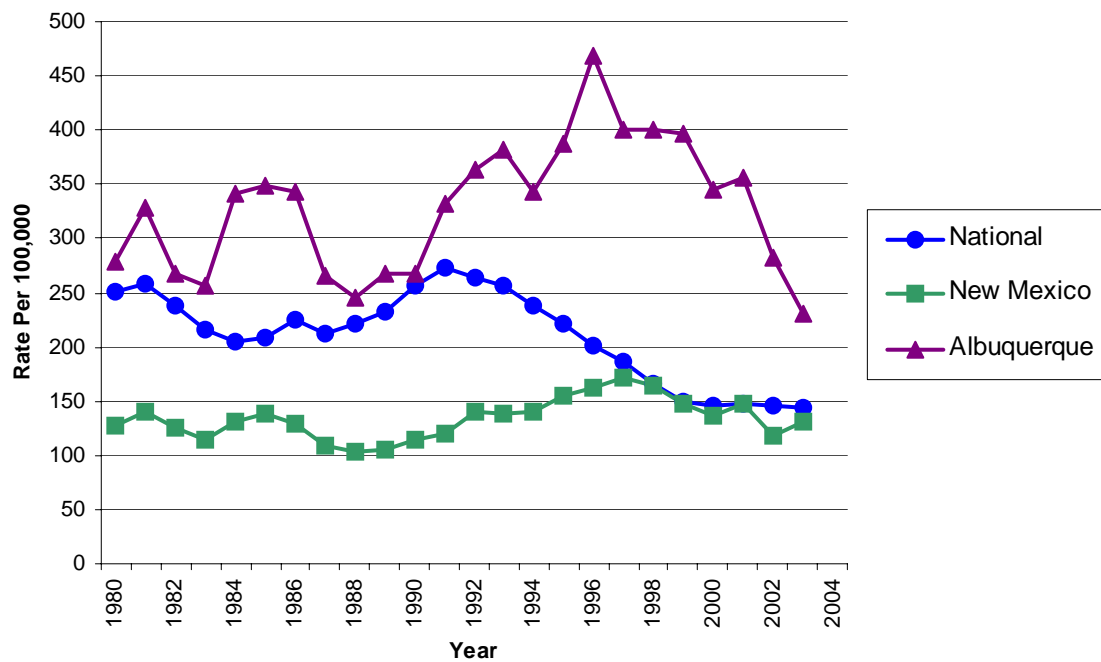


Historically, local and state burglary and robbery rates are also higher than those in the nation as a whole (Figures IV.5 and IV.6). Albuquerque's robbery and burglary rates have declined in recent years. The burglary rate showed a fairly steady decline in the 1990s, tapering off over the past few years. Albuquerque's robbery rate has decreased significantly. As the rate has declined, New Mexico's rate has approached the national rate.

**Figure IV.5  
Burglary Trends**



**Figure IV.6  
Robbery Trends**



### **Further Research: Albuquerque's Unique Trends**

America's violent crime decline has been the subject of great interest in recent years (Blumstein 2000, Conklin 2003). At the national level, homicide, rape, assault, robbery, and burglary rates all declined in the 1990s. Explanations given for the decline include the contraction of the urban crack market, changes in policing strategies, increased reliance on incarceration, the boom in the economy with an accompanying decrease in unemployment rates, and changes in firearm policy (e.g. background checks and waiting periods) (Rosenfeld 2002).

As our analyses in this chapter show, Albuquerque's (and New Mexico's in general) violent crime rates are somewhat different from national rates. Albuquerque's overall violent crime rate does show a decline, but this decline starts in the mid-nineties. Albuquerque's rates are more volatile, and—other than burglary—do not show the marked, steady decline witnessed in other metropolitan areas. Future research should explore the impact of the factors discussed above on Albuquerque crime. For instance, how have changes in policing and incarceration impacted crime in Albuquerque? The unique economy of Albuquerque and New Mexico (largely defense industry and tourism driven) is also significant. As one of the poorest states, unemployment and poverty are chronic problems for its citizens. How this relative poverty impacted local crime throughout the economic boom of the 1990s is another potential area for exploration. The contraction of the crack market seen in other American cities was also seen on a smaller scale in Albuquerque. But Albuquerque faces other unique issues in relation to drug trafficking. Located at the junction of Interstates 25 and 40, the city sits on a well-traveled interstate drug trafficking corridor. Drugs smuggled into the United States from Mexico often enter the country through New Mexico. Gang activity—which accompanies drug trafficking—has also increased in Albuquerque in recent years. Gangs from California migrated east, through Arizona and into New Mexico. Longitudinal analysis of Albuquerque crime should explore these important trends. Finally, the issue of gun control also has unique repercussions in the state. Part of the old “Wild West,” New Mexico is an open-carry state. Visible handguns are legal; a license must be obtained for those wishing to carry a concealed handgun legally. While the state has lenient gun-control laws, in recent years—largely as a result of Project Exile and other SACSI/PSN initiatives—the criminal justice establishment has cracked down on gun crime. In-depth study of the handling and case processing of gun related crime would help further our understanding of Albuquerque's crime trends.

## **CHAPTER V**

### **HOMICIDE IN ALBUQUERQUE**

As noted earlier, data from the FBI's Uniform Crime Reports suggest that homicide rates in Albuquerque, and New Mexico more broadly, are well above the national average. A large portion of these violence patterns in New Mexico and Albuquerque are directly attributable to firearms.

In these analyses, homicides include only those offenses that violate New Mexico State Statute 30-2-1, defined as murder in either the first or second degree. Murder is not further differentiated (such as child abuse resulting in death). These homicides do not include justifiable homicides, assisted suicides or manslaughter (the unlawful killing of a human being without malice, a third or fourth degree felony).

There were 427 cases of homicide between January 1996 and August 2003 reported in the Albuquerque SACSI site, with 495 individuals either arrested or identified as a suspect at the scene. There were 570 victims identified. Firearms were used in over half of these offenses. In this chapter, we explore the characteristics of the homicide cases, offenders and victims. Additionally, we investigate the relationship between these characteristics and the use of firearms. Finally, we present an example of a specialized analysis, conducted to support of the SACSI working group, which described the involvement of juveniles as offenders and/or victims in homicide episodes.

Data for this analysis comes from two sources. The Albuquerque Police Department (APD) and the Bernalillo County Sheriff's Office (BCSO) provided incident data from January 1996 through August 2003. The data provided by APD and BCSO contains information about the individuals involved in the case including offender, victim, witness and interviewee demographics. Additionally, case characteristics such as type of offense, date, time and location of the incident and the type of weapon used are included. Case level data gathered in support of the Grand Homicide Review and Monthly Incident Reviews is the second data source. Beginning in December 2000, the Institute for Social Research began collecting in-depth information on all homicides occurring in the Albuquerque area (cases processed by the Albuquerque Police Department and the Bernalillo County Sheriff's Office). These data allow for a richer analysis of homicide cases. The data detail victim and offender characteristics such as gang affiliation, prior drug and alcohol use, victim-offender relationship information and episode characteristics.

### **Results of Analyses**

#### ***General Characteristics of Homicide Cases.***

This section explores the general characteristics of the homicides that occurred between 1996 and 2003. We also examine the relationship between these characteristics and the type of weapon used in the homicide, particularly firearms as compared to other types of weapons.

### Firearm Use and Homicides

The majority (58%) of homicides were committed with some sort of firearm (see Table V.1). The next most common weapon used was a knife or other cutting instrument. Almost 12% of homicides occurred as the result of a personal weapon (hand or some other body part).

Table V.1  
Type of Weapon Used in Homicide

Type of weapon	%
Firearm	58.0
Knife/cutting instrument	17.5
Personal weapon	11.8
Blunt object	5.9
Other	6.8
N	424

### Gun Source Data

Gun trace data suggests that New Mexico is a source state for weapons used in criminal activities, both beyond and within its borders. ATF was able to identify the federal firearms license (FFL) for weapons used in twenty of the 33 homicides occurring in Bernalillo County in 2001, and found that 75% were licensed originally in New Mexico. The bulk of the guns used in these incidents were either pistols (30%) or revolvers (36%), most of which had identifiable serial numbers (94%). Also of note is the fact that, of the 17 guns for which ATF could identify the legal purchaser, only 4 of these purchasers were the identified possessor of the gun by homicide investigators. Seventy six percent of these guns, then, were in the possession of someone other than the purchaser when linked to a homicide incident.

### Location of Homicides

As noted in the preceding chapter, most homicides (45%) occurred at a residence (Table V.2). The next most common place (26%) was a highway/road/alley, followed by parking lots. Relatively few homicides occurred at a bar.

Table V.2  
Location of Homicide

Location	%
Residence	44.5
Highway/road/alley	26.1
Parking lot	10.6
Field/woods/mesa	3.5
Business	3.5
Hotel/motel	2.8
Bar	1.4
Other	7.5
N	425

Homicides occurring on the highway/road/alley, businesses and bars were more likely to include a firearm as compared to some other sort of weapon (Table V.3). Homicides occurring at a residence, fields/woods/mesa, at a hotel/motel and “other” locations were more likely to be committed with some other type of weapon. Thus, although the greatest percentage of homicides occur at a residence, these are less likely to be gun-related.

Table V.3  
Location of Homicide by Firearm Usage

Location	Firearm (%)	Other weapon (%)
Residence	37.7*	54.2
Highway/road/alley	33.2	16.8
Parking lot	10.7	10.6
Field/woods/mesa	3.3	3.9
Business	5.3	1.1
Hotel/motel	2.0	3.9
Bar	1.6	1.1
Other	6.1	8.4
N	244	179

\* $t^2 = 24.374$ , 7df,  $p=.001$

The type of weapon used during the commission of the homicide and the location is examined in more detail in Table V.4. We found that of the homicides occurring at a residence, a greater proportion were committed with a personal weapon, followed by some other sort of weapon (drugs, asphyxiation, etc.). Homicides with firearms represented the smallest proportion of residential homicides. Among homicides that occurred on a highway/road/alley, the greatest proportion was committed with firearms, followed by knives. Homicides occurring at a parking lot were associated with the use of a knife or blunt object. The greatest proportion of homicides occurring in a field/woods/mesa was committed with a blunt object.

Not only are these findings statistically significant, they are important to an understanding of the role of guns in homicides. While the majority of homicides occur in a residence, these homicides are less likely to include a gun. Thus, gun violence prevention efforts should be aimed at homicides occurring at locations other than the home, such as highways.

Table V.4  
Location of Homicide by Type of Weapon Used

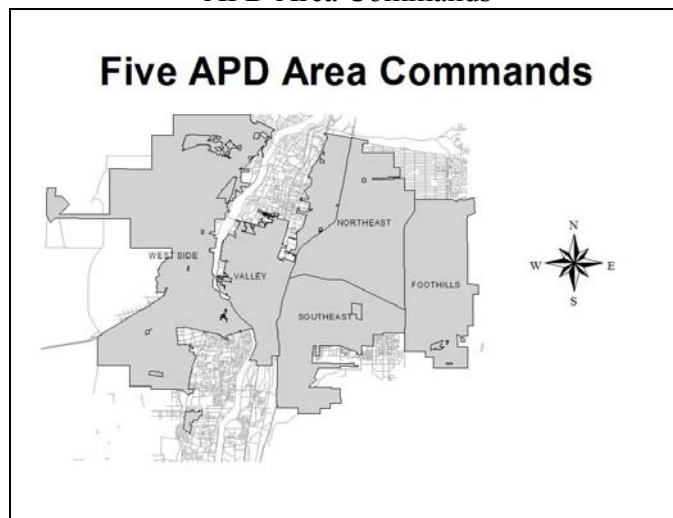
Location	Firearm (%)	Knife (%)	Personal weapon (%)	Blunt object (%)	Other (%)
Residence	37.7*	51.4	64.0	44.0	55.2
Highway/road/alley	33.2	18.9	16.0	12.0	17.2
Parking lot	10.7	16.2	4.0	16.0	3.4
Field/woods/mesa	3.3	2.7	2.0	12.0	0.0
Business	5.3	1.4	0.0	0.0	3.4
Hotel/motel	2.0	5.4	0.0	0.0	10.3
Bar	1.6	1.4	0.0	4.0	0.0
Other	6.1	2.7	14.0	12.0	10.3
N	244	74	50	25	56

\* $\chi^2 = 57.65$ , 28 df,  $p < .001$

#### Distribution of Homicides by Police Area Command

The Albuquerque Police Department (APD) has situated most of its sworn officers into five police Area Commands. Since the first year of the SACSI initiative almost all investigative activities, including homicide investigations, have been centralized in a single unit to serve the entire City, while routine patrol activity, first response to field service calls, community policing, and other “uniform officer work” is organized at the Area Command level. A map of the five APD Area Commands and their geographical territory is provided in Figure V.1.

Figure V.1  
APD Area Commands



The Albuquerque Police Department (APD) responded to most of the homicide offenses in the Albuquerque SACSI service area (Table V.5). The remainder, approximately 19% of the homicides, were within the jurisdiction of the Bernalillo County Sheriff's Office (BCSO). The most active areas for homicides were within the Southeast and Valley Area Commands, with thirty percent and twenty-three percent, respectively, of homicide cases responded to by officers assigned to these units. The fewest number of homicide cases were responded to by the "Other" and Foothills Area Command.

Table V.5  
Area Command in Which  
Homicide Occurred

Area Command	%
APD- Southeast	30.0
APD- Valley	23.4
APD- Northeast	10.3
APD- Westside	10.3
APD- Foothills	6.3
APD- Other <sup>1</sup>	0.2
BCSO	19.4
N	427

However, when focusing exclusively on homicides involving the use of a firearm, the picture changes (see Table V.6). The greatest proportion of homicides involving the use of a firearm occurred in the Northeast and Westside Command Areas, followed by the areas responded to by BCSO. Note that while the majority of homicides in the city occur in the Southeast and Valley Area Commands, these areas see the lowest proportions of firearm related homicides, relative to the remaining Area Commands. However, the difference in firearm use by Area Command is not statistically significant, given the small number of cases subjected to analysis.

Table V.6  
Firearm Usage and Area Command

	FH (%)	NE (%)	SE (%)	VA (%)	WS (%)	Other (%)	BCSO (%)
Firearm	55.6	70.5	52.3	52.5	65.9	100.0	63.0
Other	44.4	29.5	47.7	47.5	34.1	0.0	37.0
N	27	44	128	99	44	1	81

### *Spatial Distribution of Firearm Homicides*

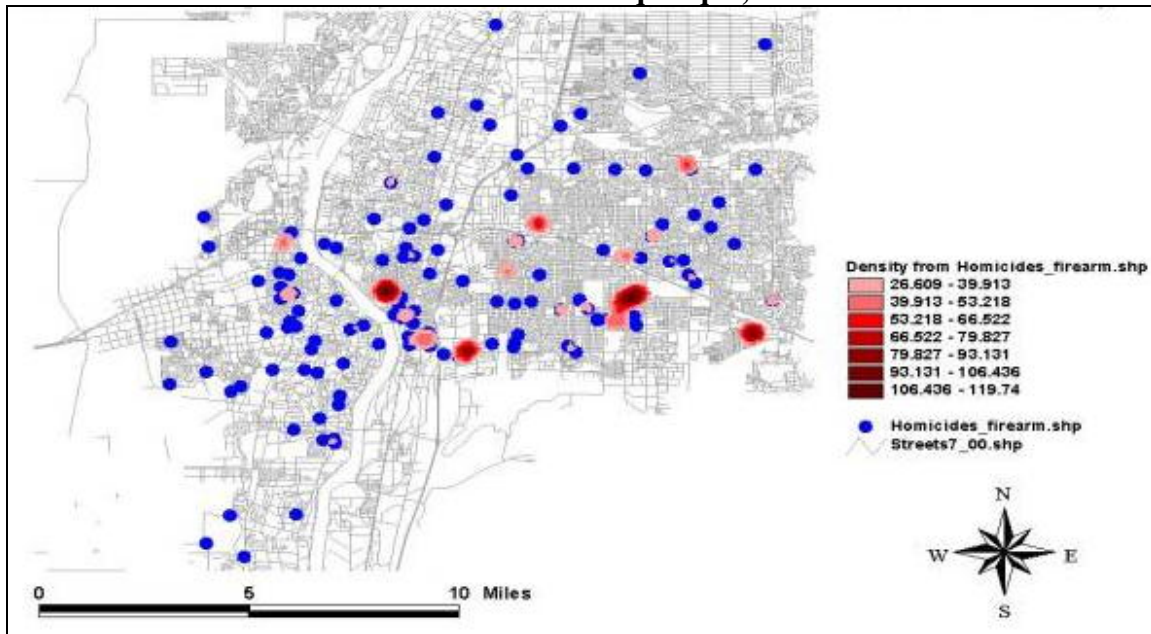
Law enforcement crime incident data allowed an examination of the spatial distribution of homicides. The following map (Figure V.2) depicts both individual firearm related homicide incidents (blue dots) and homicide incident "hotspot" concentrations (red).

<sup>1</sup> This area is listed as outside the five subcommand areas in the data, but was responded to by APD.



While homicides occur throughout the city, there are a few areas in which homicides tend to cluster. The red areas are locations in which there is a higher concentration of incidents. The largest red spots are primarily south of Interstate 40, which runs in an east-west direction across the city. However, the majority of firearm related homicides from 1996 to 2001 occurred outside of these hotspot areas. Only 13% of all firearm homicides occurred in the hotspot areas, suggesting that firearm violence is more geographically dispersed. However, the indication of hotspots warrants some attention.

**Figure V.2**  
**Firearm Homicides in Albuquerque, 1996 - 2001**



As with other contemporary cities in the Western region, Albuquerque is not ecologically patterned like a city in the East or Midwest. In the latter regions, metropolitan areas typically follow a concentric zone model, with a central business and industrial core surrounded by poor and socially disorganized residential areas (Park et al. 1925) noted for their high rates of crime and other social ills (Shaw and McKay 1942). In these types of cities, a relatively high proportion of serious criminal incidents tend to be concentrated in clearly defined “hot spots.” Albuquerque, like other cities developed largely after the widespread adoption of personal vehicles as the primary mode of urban transportation, lacks a single industrial and business core, but is rather made up of interconnected economic and residential zones. Further, due to evolving zoning regulations and the availability of plentiful low-cost space for development, city growth has not followed more straightforward patterns observable in the East and Midwest. As a consequence, low-income housing is distributed throughout the city. Perhaps the most definitive ecological characteristic of Western communities, in terms of crime dispersion, are the their major traffic arteries and thoroughfares. In Albuquerque, the three most pronounced crime hotspots straddle Central Avenue (old Route 66), which, runs from West to East

across the city, roughly parallel to and South of, Interstate 40. Many of the city's low-income housing areas, motels, and transient areas are located along Central Avenue, and high crime residential areas are located immediately off this thoroughfare. Central Avenue and its contiguous neighborhoods is the nexus of urban street crime in Albuquerque -- particularly consumer-level drug distribution, theft, prostitution, and quality of life crimes -- and thus has become a focal point for crime prevention and intervention initiatives, including the economic redevelopment, nuisance abatement, beautification, and local Weed and Seed efforts.

Further, maps of the resident addresses of the offenders and victims involved in these incidents (not shown) are virtually identical to those of the incidents themselves, indicating that the individuals involved in these incidents are also dispersed in residence throughout the county. However, while the maps of incidents, offenders, and victims look virtually identical, an analysis calculating the distance between where homicide incidents occur, and where the offenders and victims involved in these homicides live indicates that individuals involved in violent incidents in Bernalillo County are a very mobile population. While the median distance of travel from residence to crime location was slightly over one mile, homicide offenders on average travel 4 miles to an incident location, victims travel 4 ¼ miles, and victims and offenders live, on average, 6 miles away from one another. The conclusion of the working group was that many offenders were traveling, usually by automobile, with firearms that they ultimately used in taking the life of another. This suggested that wide-ranging traffic patrol operations might have relatively more impact in reducing firearm violence in Albuquerque than in other communities.

### Temporal Characteristics

Homicides more commonly occur during the nighttime hours (Table V.7). A little over 40% of homicides occur during the late night/early morning hours of 10 p.m. to 5 a.m. Over a quarter of the homicides occur between 10 p.m. and 2 a.m. Approximately 18% of homicides occur between 5 and 10 p.m.

Table V.7  
Time of Day of Homicide

Time of day	%
5 a.m. to 10 a.m.	15.1
10 a.m. to 2 p.m.	12.5
2 p.m. to 5 p.m.	13.7
5 p.m. to 10 p.m.	18.2
10 p.m. to 2 a.m.	26.5
2 a.m. to 5 a.m.	13.9
N	423

There is also a relationship between the time the offense occurred and the use of a firearm (Table V.8). Specifically, firearms were used in 70% of the incidents that occurred between the hours of 5 p.m. and 5 a.m., compared to 42% of homicides involving other

weapons. When we break down the late night hours to groups of 10 p.m. to 2 a.m. and 2 a.m. to 5 a.m., we find that about 34% of the firearm related homicides occur between 10 p.m. and 2 a.m. Approximately 16% of homicides occurring during this time period are committed with some other type of weapon. This relationship is statistically significant.

Table V.8  
Time of Day and Firearm Use

Time of day	Firearm (%)	Other weapon (%)
5 a.m. to 10 a.m.	10.2	21.8
10 to 2 p.m.	8.2	18.4
2 p.m. to 5 p.m.	10.7	17.9
5 pm to 10 pm	20.9	14.5
10 pm to 5 am	50.0	27.4
N	244	179

$$\chi^2 = 37.04, 4df, p < .001$$

Consistent with many other studies, most homicides in the Albuquerque area occur on the weekends. In this SACSI site, approximately 37% of homicides occur on Saturday and Sunday (Table V.9). When Friday is included, these three days account of almost half (48%) of these incidents. The fewest number of homicides occurred on Wednesdays.

Table V.9  
Day of Week of Homicide

Day of week	%
Monday	12.9
Tuesday	14.4
Wednesday	10.4
Thursday	14.1
Friday	11.1
Saturday	19.3
Sunday	17.9
N	425

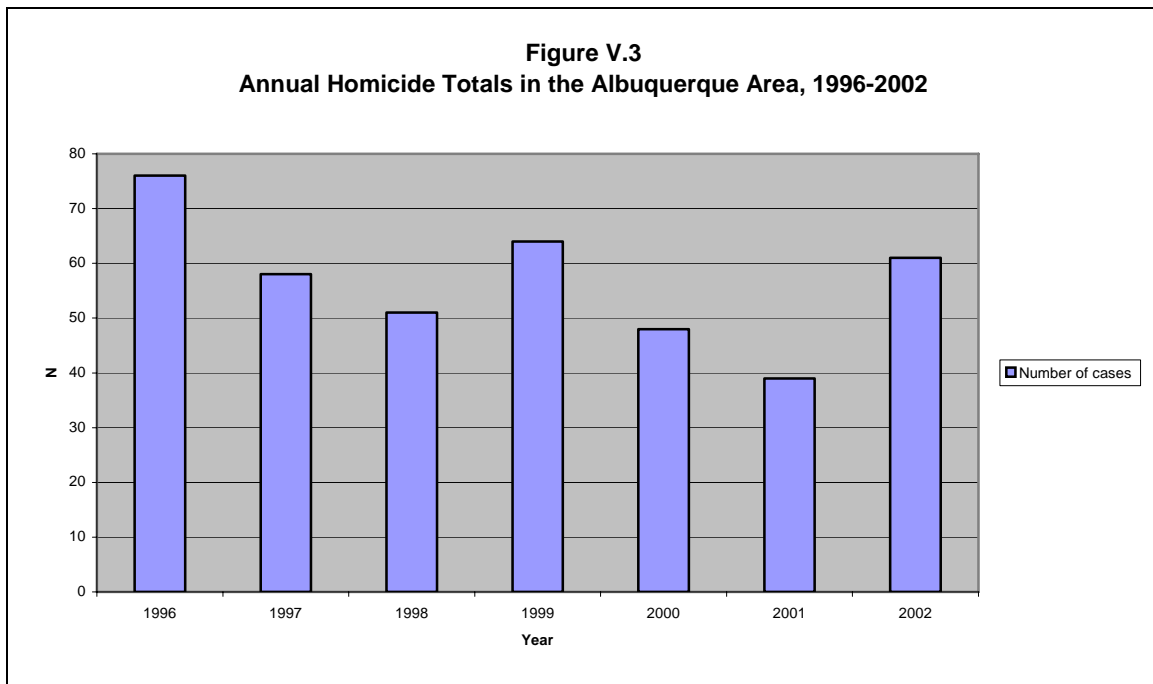
When we examined the use of a firearm by the day of the week, we did not find any significant differences (Table V.10). There does not appear to be any sort of clear pattern. For example, while there are a greater percentage of homicides committed with a firearm on Sundays, a smaller proportion of homicides occur with a firearm on Saturdays. If firearm usage were associated with the day of the week, we might expect there to be some similarity between weekend homicides and firearm usage.

Table V.10  
Day of Week and Firearm Use

Day of week	Firearm (%)	Other weapon (%)
Monday	12.3	14.0
Tuesday	19.9	15.1
Wednesday	11.5	8.4
Thursday	13.5	15.1
Friday	9.0	13.4
Saturday	18.4	20.7
Sunday	21.3	13.4
N	244	179

### Homicides Over Time

The number of homicides appears to be decreasing somewhat over time. However, there is a great deal of annual fluctuation. The graph below illustrates the number of cases between 1996 and 2002. Data for 2003 only includes homicides that occurred through August of that year and is therefore excluded from this graph.



### Firearm Use Over Time

As illustrated in Table V.11, there appears to be a decline in the use of firearms during the commission of homicides over time in Albuquerque. In 1998, there was a spike in the use of firearms, followed by a decline. However, these differences are not statistically significant.

Table V.11  
Firearm Use Over Time

	1996 (%)	1997 (%)	1998 (%)	1999 (%)	2000 (%)	2001 (%)	2002 (%)	2003 (%)
Firearm used	62.2	62.1	68.6	51.6	54.2	56.8	52.5	50.0
No firearm	37.8	37.9	31.4	48.4	45.8	43.2	47.5	50.0
N	74	58	51	64	48	37	61	30

### *Offender Characteristics.*

There were 495 individuals identified as a suspect or arrested at the scene of the homicide. Homicide offenders in Albuquerque are similar to homicide offenders in other SACSI sites, in that most offenders are young males, between the ages of 18 and 24 with a mean age of about 27 (Table V.12). Unlike other areas, however, the majority of offenders here are White, followed by Hispanic. Like most urban areas in the United States, when we compare the ethnic breakdown of offenders to the ethnicity of the population in Albuquerque, we find some disparities.<sup>2</sup> First, White offenders are relatively underrepresented; they comprise almost 50% of Albuquerque's population, but only 43% of homicide offenders. Conversely, African Americans are highly over-represented: they comprise almost 14% of offenders, but only 3% of the population. Hispanic and Native American offenders are about proportionally equal to the population of Hispanics in Albuquerque.

Table V.12  
Offender Characteristics

	All offenders/suspects identified at scene
Gender- male	89.2%
N	482
Ethnicity	
White	43.2%
Hispanic	39.5%
African American	13.5%
Native American	3.8%
N	468
Age	
Mean (s.d.)	27.45 (10.37)
Range	5-68
N	481

<sup>2</sup> Based on Census 2000 redistricting data for Albuquerque. See <http://www.unm.edu/~bber/census/plalb.htm>.

Table V.12 continued  
Offender Characteristics

	All offenders/suspects identified at scene
Categorical age	
Less than 18	12.9%
18 to 24	38.5%
25 to 34	26.6%
35 to 44	14.1%
45 to 54	6.4%
55 and over	1.5%
N	481

### Gender of Offender by Firearm Usage

As presented in Table V.13, males are more likely to use a firearm during a homicide offense, while one-half of the cases where the offender was a woman involved the use a firearm.

Table V.13  
Firearm Use by Gender of Offender

	Male (%)	Female (%)
Firearm	63.4	50.0
Other weapon	36.6	50.0
N	429	64

$\chi^2 = 4.23, 1df, p < .05$

### Ethnicity of Offender by Firearm Usage

The use of a firearm is associated with the ethnicity of the offender (Table V.14). Offenders who use firearms during the commission of the homicide are more likely to be African American (73.0% of all cases involving offenders in this ethnic group), followed by Hispanics (63.0%) and Whites (57.9%), respectively. On the other hand, homicides involving Native American offenders relatively rarely (27.8%) included the use of a firearm.

Table V.14  
Firearm Use by Offender Ethnicity

Type of weapon used	White	Hispanic	African American	Native American
Firearm	57.9	63.0	73.0	27.8
Other weapon	42.1	37.0	27.0	72.2
N	202	184	63	18

$\chi^2 = 13.27, 3df, p < .01$

### Age of Offender by Firearm Usage

Younger offenders are more likely to use a firearm than older offenders (Table V.15). The mean age of offenders who used a firearm is about 26; those who used other weapons had a mean age of about 30.

Table V.15  
Average Age of Offender by Firearm Use

	Mean (s.d.)	Range	N
Firearm	25.58 (9.93)	5 to 68	295
Other weapon	30.39 (10.42)	13 to 60	187

$F=25.85, 1, 480 \text{ df}, p<.001$

As can be seen in Table V.16, offenders involved in firearm offenses tend to be in the youngest age categories—less than 18 and the 18 to 24 age groups. However, only those between the ages of 35 and 44 were more likely to use a weapon other than a firearm.

Table V.16  
Age Category of Offender by Firearm Use

	Under 18 (%)	18-24 (%)	25-34 (%)	35-44 (%)	45-54 (%)
Firearm	72.6	70.8	56.7	35.3	55.3
Other weapon	27.4	29.2	43.3	64.7	44.7
N	62	185	127	68	38

$\chi^2 = 31.40, 4\text{df}, p<.001$

### Gender of Offenders Over Time

The proportion of male offenders varies over time from a minimum of 82% in 1998 to a maximum of 97% in 2003 (Table V.17). However, there does not appear to be any clear pattern of change over time. That is, homicides involving male offenders do not appear to be increasing or decreasing.

Table V.17  
Gender of Offender Over Time

	1996 (%)	1997 (%)	1998 (%)	1999 (%)	2000 (%)	2001 (%)	2002 (%)	2003 (%)
Male	84.4	87.8	82.4	83.3	93.5	84.6	91.9	96.8
Female	15.6	12.2	17.6	16.7	6.5	15.4	8.1	3.2
N	77	74	74	78	46	52	62	31

There were no significant differences found between gender and firearm use over time.

### Ethnicity of Offenders Over Time

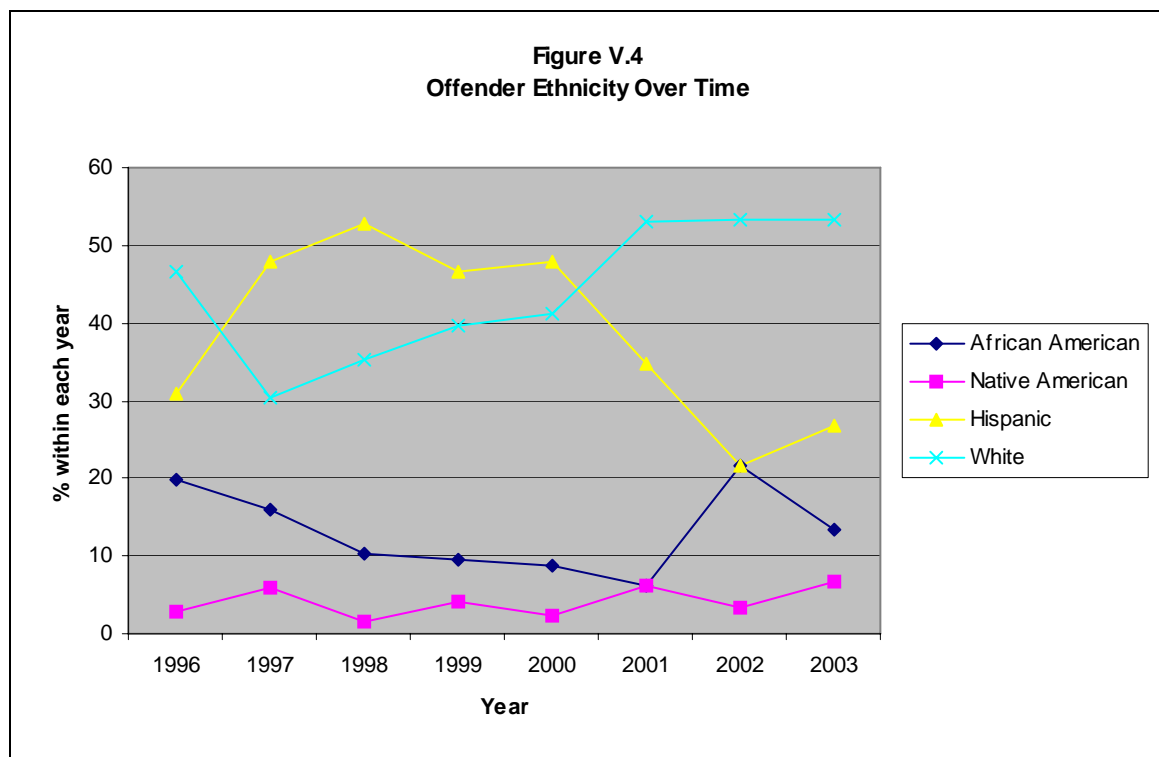
There are some variations in the ethnicity of the offender over time. As can be seen from Figure V.4, there is a decrease in the number of Hispanic offenders over time. There was

a significant drop in the proportion of Hispanic offenders from 2002 to 2003. 2002 is significantly lower than 1998, 1999, 2000, and the overall proportion. 2003 was significantly lower than 1998. The percentages range from 21% in 2002 to 53% in 1998.

The proportion of White offenders appears to be increasing over time. The proportion of White offenders in 2001 was significantly higher than in 1997, 1998, and 1999. The percentages range from a low of 30% to 54%.

The proportion of African American offenders decreased from 1996 to 2001. There was a spike in the number of homicides perpetrated by African Americans in 2002, followed by a decrease in 2003. Whether these proportions are statistically significant could not be tested due to the small number of cases.

While there is some fluctuation in the proportion of Native American offenders over time, there does not appear to be any clear increase or decrease over time. The number of Native American offenders was too small to conduct a proportions test to determine whether the changes were statistically significant.



When we looked at firearm use over time by offender race, we did not find any statistically significant differences.



### Age of Offenders Over Time

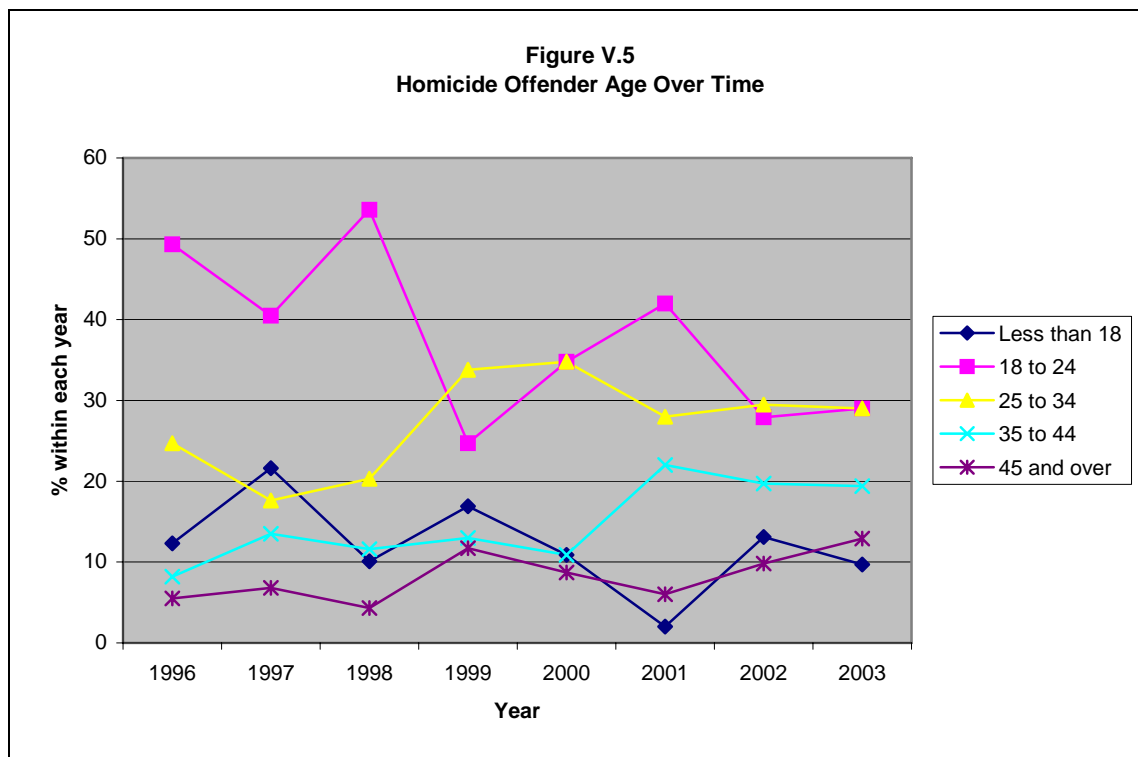
There does appear to be a change in the age of homicide offenders (Table V.18). Specifically, they appear to be getting older over time. In 1996, the mean age of offenders was about 25 years old. By 2003, the mean age had increased to almost 31 years old. However, there is some variation.

Table V.18  
Average Age of Offender Over Time

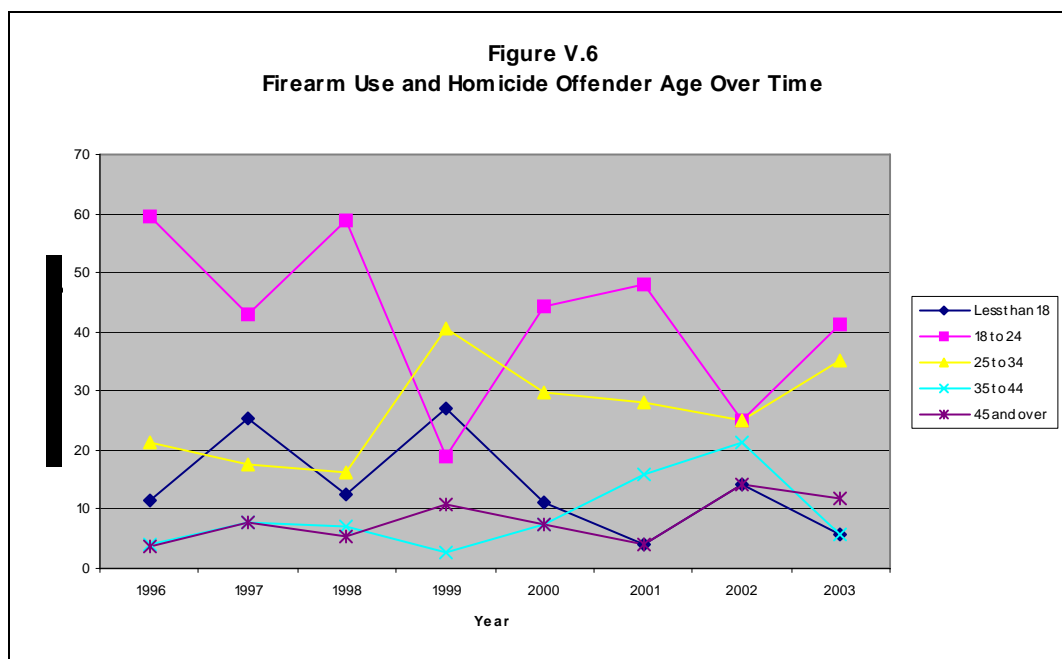
Year	Mean (s.d.)	Range	N
1996	25.42 (9.29)	15 to 54	74
1997	25.67 (10.59)	11 to 64	74
1998	25.36 (8.89)	14 to 55	69
1999	29.09 (11.54)	12 to 68	77
2000	27.52 (10.03)	16 to 51	46
2001	29.18 (9.43)	16 to 53	50
2002	29.10 (10.80)	5 to 56	62
2003	30.94 (11.68)	13 to 57	31

F= 2.37, 7, 475 df, p<.05

In order to get a clearer understanding of age changes over time, we also present the age categories over time in Figure V.5. In this illustration, it can be seen that there is generally a decrease in the proportion of homicide offenders in the 18 to 24 year old age group and those under 18. The proportion of 18 to 24 year olds in 1999 represented a significant decrease. This finding is consistent with national trends in the reduction of homicide among younger offenders. Conversely, the increase in the proportion of 25 to 34 year olds in 1999 was significantly higher than in other years. The proportion of those in the older age groups appears to be increasing over time.



When we looked at the relationship between weapon type and offender age over time, we found that there was a similar pattern to homicides overall (Figure V.6). In particular, younger firearm offenders seem to be decreasing while older offenders using firearms has increased. This relationship was statistically significant ( $t^2 = 47.35, 28df, p < .05$ ). However, there does not appear to be any change over time in offender age for those using other types of weapons.



### *Victim Characteristics*

Victims tend to be similar to offenders, although there are some differences (Table V.19). While most victims are male, there are more female victims than there are female perpetrators.

The greatest percentage of victims is Hispanic, followed by White. Note that this is opposite of perpetrators, who were most often White. Interestingly, all of the minority ethnic groups are over represented to some degree relative to the population in Albuquerque. For example, while Hispanics make up about 40% of the total Albuquerque population, 44% of victims are Hispanic. African Americans comprise about 3% of the Albuquerque population, but 9% of homicide victims. Native Americans make up about 4% of the population, but 5% of homicide victims. Like offenders, African American victims are disproportionately represented.

In terms of age, most victims, like offenders, fall into the 18 to 24 year old age bracket. However, the mean age of victims is older—about 30 years old.

Table V.19  
Victim Characteristics

	All victims at incident (live or dead)
Gender- male N	76.4% 563
Ethnicity White Hispanic African American Native American N	41.1% 44.3% 9.3% 5.4% 574
Age Mean (s.d.) Range N	30.39 (15.40) -.01 to 90 551
Categorical age Less than 18 18 to 24 25 to 34 35 to 44 45 to 54 55 and over N	14.3% 31.0% 20.1% 18.7% 10.3% 5.4% 551

### Gender of Victim and Firearm Use

Males are slightly more likely to be the victims when a firearm is used during the homicide (Table V.20). The relationship between gender and firearm use was not statistically significant, however.

Table V.20  
Firearm Use by Gender of Victim

	Male (%)	Female (%)
Firearm	66.2	59.4
Other weapon	33.8	40.6
N	429	133

### Ethnicity of Victim and Firearm Use

As noted in Table V.21, African Americans are more likely to die in a homicide as a result of having been shot (80.0%), followed by Hispanics (67.4%) and Whites (62.4%). Native Americans are the least often to die as the result of a gunshot (27.6%). These findings are consistent with information in Table V.13, hinting that most homicides are intra-racial in nature in the Albuquerque area. The relationship between victims and offenders is explored in detail in the discussion of Table V.27.

Table V.21  
Firearm Use by Ethnicity of Victim

Type of weapon used	White (%)	Hispanic (%)	African American (%)	Native American (%)
Firearm	62.4	67.4	80.0	27.6
Other weapon	37.6	32.6	20.0	72.4
N	221	239	50	29

$\chi^2 = 23.73$ , 3df,  $p < .001$

### Age of Victim and Firearm Use

As would be anticipated from the literature, victims of firearm related homicides are younger than victims from homicides in which some other type of weapon was used (Table V.22). The mean age of victims who died as the result of a gunshot wound was 28. The mean age of victims who died from some other type of weapon related injury was 34. This difference was statistically significant.

Table V.22  
Average Age of Victim and Firearm Use

	Mean (s.d.)	Range	N
Firearm	28.29 (12.73)	1.1 to 78	356
Other weapon	34.30 (18.80)	-.01 to 90	194

$F = 19.77$ , 1,548 df,  $p < .001$

When we look at the age of the victim in age groupings, we find that those between the ages of 18 and 24 are significantly more likely to be killed by a firearm than any other age group (Table V.23).

Table V.23  
Age of Victim and Firearm Use

	Less than 18	18-24	25-34	35-44	45-54
Firearm	58.2	85.9	60.4	53.4	48.3
Other weapon	41.8	14.1	39.6	46.6	51.7
N	79	170	111	103	87

$$\chi^2 = 51.82, 4df, p < .001$$

### Gender of Victims Over Time

Regardless of the year, male victims are more common. However, the proportion of male victims has varied over time (Table V.24). The proportion of male victims peaked in 1998. The smallest proportion of male victims occurred in 2003. Like offenders, however, there is no clear pattern of increase or decrease in the gender of the victim over time.

Table V.24  
Gender of Victim Over Time

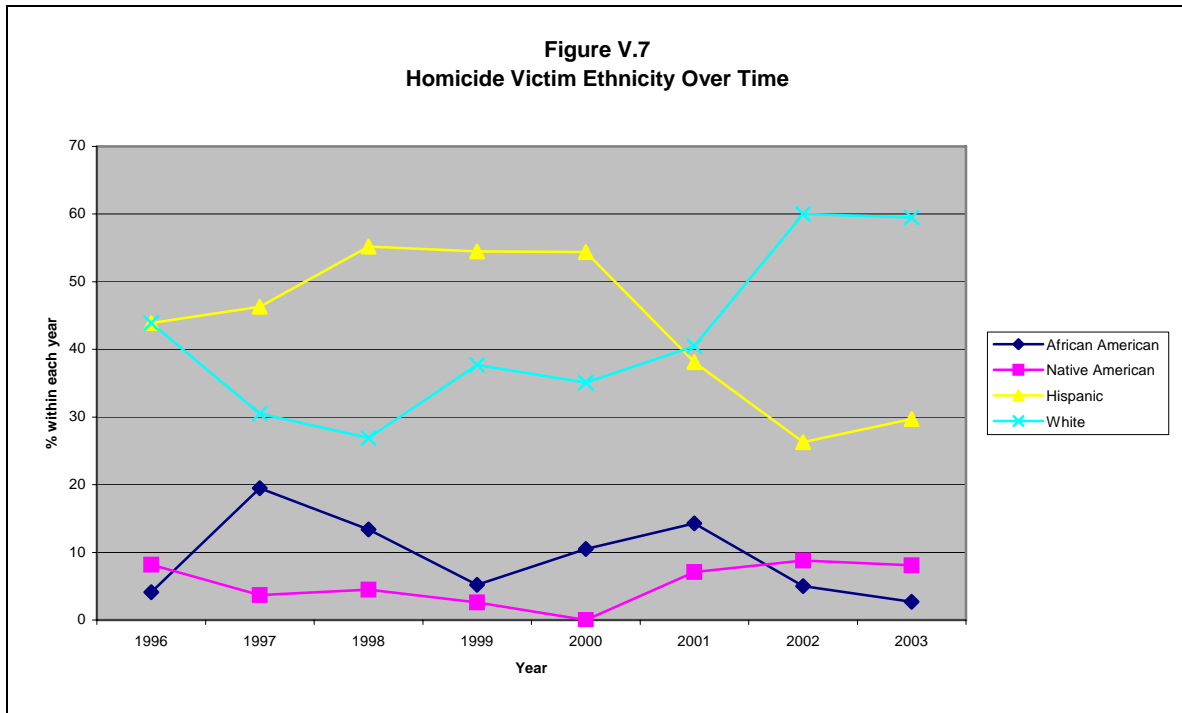
	1996 (%)	1997 (%)	1998 (%)	1999 (%)	2000 (%)	2001 (%)	2002 (%)	2003 (%)
Male	72.3	76.7	82.1	81.2	72.6	72.7	81.3	65.8
Female	27.7	23.3	17.9	18.8	27.4	27.3	18.8	34.2
N	101	86	67	85	62	44	80	38

Firearm use is not related to the gender of victims over time.

### Ethnicity Over Time

The greatest number of victims is either Hispanic or White. However, the percentage of Hispanic victims decreased significantly over time (see Figure V.7). The percentage of White victims has varied over time. In the last three years, the proportion of White victims has exceeded the number of Hispanic victims; this is especially evident in the last two years. The number of African American victims appears to be decreasing somewhat over time. In 1997, the number of African American victims peaked. There has been some fluctuation in the proportion of Native American victims over time.

This increase in the proportion of White victims and the decrease of Hispanic and African American victims is not related to firearm use.



### Age of Victims Over Time

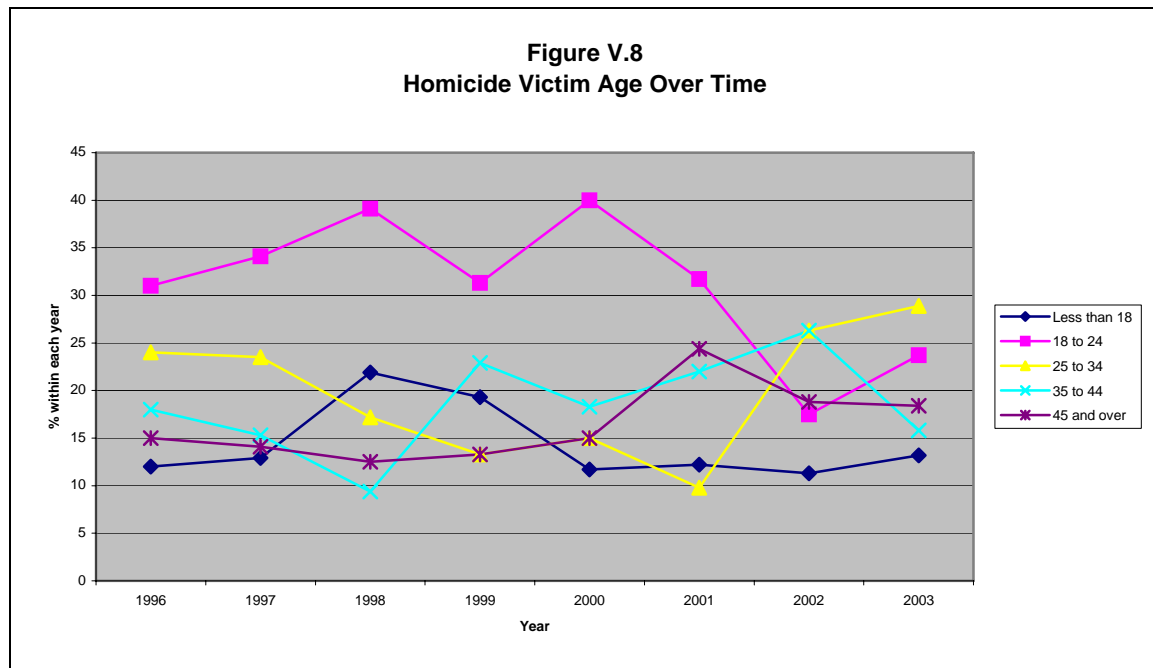
The age of the victim has fluctuated over time (Table V.25). While there did appear to be an increase in the age of the offender over time, this does not appear to be the case for victims. However, the increase in the mean age for offenders over time was not a strong relationship, thus accounting for the findings here.

Table V.25  
Age of Victim Over Time

Year	Mean (s.d.)	Range	N
1996	31.23 (16.84)	0 to 89	100
1997	29.35 (14.58)	.01 to 71	85
1998	25.92 (12.78)	.03 to 68	64
1999	29.55 (16.53)	-.01 to 80	83
2000	29.39 (14.19)	.89 to 73	60
2001	31.56 (17.01)	1.05 to 68	41
2002	33.98 (14.36)	1.94 to 90	80
2003	32.63 (15.78)	2.97 to 84	38

However, when we look at the categorical age of the victim over time, we find a clear decrease in the number of victims between the ages of 18 and 24 (Figure V.8). There also appears to be a decrease in the age group including victims under the age of 18. The number of victims from two of the older age groups (25 to 34 and 35 to 44) exceeded the number of victims from the remaining age groups in 2002. In 2003, the 25 to 34 year old age group exceeded the number of victims from the other age groups. While there is

fluctuation over time, there is no clear trend toward an increase in the number of homicide victims in these older age groups.



The use of a firearm versus some other type of weapon is not related to the age of the victim over time.

### ***Relationship Between Victim and Offender.***

In this section we look at the relationship between the offender and victims. When examining the relationship between the perpetrator and victim, we examined the case-level data.<sup>3</sup> We find that demographically, offenders and victims tend to be similar, although there are some variations.

### ***Number of Perpetrators and Victims***

The number of offenders involved in a single homicide incident range from 1 to 9.<sup>4</sup> The majority of offenses (67%) involve a single offender. The number of victims ranges from 1 to 6; a greater percentage of homicides involve a single victim (78%) rather than multiple victims. As might be expected, and illustrated in Table V.26, when a single victim is involved, it is more common to have a single perpetrator (83.6%). Conversely, when multiple victims are indicated, multiple offenders are more common (36.5%).

<sup>3</sup> Thus, in cases where multiple victims/perpetrators are involved, the characteristics are combined. For example, some homicides include only males (one or more), only females or both (in cases that include multiple victims or offenders). The age is the mean age of all victims/perpetrators.

<sup>4</sup> Note that this includes only offenders who were arrested at the scene or identified as suspects at the time of the offense.

Table V.26  
Number of Victims by Number of Offenders

	Single offender (%)	Multiple offenders (%)
Single victim	83.6	64.4
Multiple victims	16.4	35.6
N	214	104

$\chi^2 = 14.76$ , 1df,  $p < .001$

### Firearm Use and Number of Perpetrators

The number of perpetrators and the use of firearms are related. Specifically, we find that when multiple offenders are involved, the use of a firearm is more prevalent. The results are summarized in Table V.27.

Table V.27  
Number of Offenders and Firearm Use

	One offender (%)	Multiple offenders (%)
Firearm	53.1	68.3
Other	46.9	31.7
N	213	104

$\chi^2 = 6.65$ , 1df,  $p = .01$

### Firearm Use and the Number of Victims

The relationship between the type of weapon used and the number of victims is statistically significant. As can be seen in Table V.28, when a firearm is used, multiple victims are more likely. When another type of weapon is used, a single victim is more probable.

Table V.28  
Firearm Use and Number of Victims

	Single victim (%)	Multiple victims (%)
Firearm	50.9	82.6
Other weapon	49.1	17.4
N	330	92

$\chi^2 = 29.64$ , 1df,  $p < .001$

When looking at the relationship between the use of a firearm and the number of victims while controlling for the number of offenders, we find some interesting differences (Table V.29). When there is a single offender and a firearm is used, it is more likely that there will be multiple victims. When some other type of weapon is used, it is more likely that there will be a single victim. When there are multiple offenders and a firearm is used, it is more likely that there will be multiple victims. When some other type of weapon is used, it is more likely that there will be a single victim. Thus, regardless of the number of offenders, the number of victims is greater when a firearm is the weapon used.



Table V.29  
Number of Victims and Perpetrators by Firearm Use

		Single victim (%)	Multiple victims (%)
Single offender	Firearm	48.3	77.1
	Other weapon	51.7	22.9
	N	178	35
Multiple offenders	Firearm	58.2	86.5
	Other weapon	41.8	13.5
	N	67	37

$t^2$  for single offender and weapon type: 9.76, 1df,  $p < .01$

$t^2$  for multiple offender and weapon type: 8.80, 1df,  $p < .01$

### Demographic Relationship of Victims and Offenders

- *Gender of Victim and Offender*

When all of the victims are male, a greater proportion of the offenders include both males and females or all female offenders (Table V.30). When the victims are all female, a slightly greater percentage of the offenders are all male than all female. Relatively few include both male and female offenders. When victims are both male and female, a greater proportion of the offenders are both male and female or just male.

Table V.30  
Gender of Victim and Perpetrator

Gender of victim	Gender of perpetrator		
	All male (%)	All female (%)	Both male and female (%)
All male	65.6	69.2	85.7
All female	23.3	23.1	4.8
Both male and female	11.1	7.7	9.5
N	262	26	21

When we examined the relationship between gender of victim, gender of perpetrator and firearm use, there were no statistically significant differences found. That is, firearm use is not associated with the gender dyad of the perpetrator and victim. However, it is interesting to note that there are no cases of firearm use against a single female victim when the perpetrator includes at least one female. In the few cases of female-female homicide, only other weapons were used.

- *Ethnicity of Victim and Offender*

As would be expected, the race of the victim and offender tend to be related (Table V.31). Specifically, when the victim is White, the offender(s) tend to be White as well. When the victim is a minority, the offender(s) tend to be from a minority ethnic group.

Interestingly, when the victims include both White and minority victims, the perpetrators also tend to include a mix of White and minority individuals.

Table V.31  
Ethnicity of Victim and Perpetrator

Ethnicity of victim	Race of perpetrator		
	All white (%)	All minority (%)	Both white and minority (%)
All white	51.9	30.6	21.3
All minority	38.9	61.9	55.3
Both white and minority	9.3	7.5	23.4
N	108	147	47

$\chi^2 = 26.41, 4df, p < .001$

When controlling for firearm usage, this relationship remains. That is, the race of the victim and the race of the perpetrator tend to be the same, regardless of the use of a firearm.

- *Age of Victims and Offenders*

As noted in Table V.32, the age category of the victim and the age category of the perpetrator are typically similar. For example, when the victim is less than 18 years old, the perpetrator is most often also less than 18, followed by 18 to 24. Victims in the age category of 25 to 34 were slightly more likely to have perpetrators in a different age group: 35 to 44.

Table V.32  
Age of Victim by Age of Perpetrator

Age of victim	Age of perpetrator					
	Under 18 (%)	18-24 (%)	25-34 (%)	35-44 (%)	45-54 (%)	55+ (%)
Under 18	24.1	16.3	15.4	5.9	0.0	16.7
18-24	27.6	43.3	24.2	5.9	4.0	0.0
25-34	20.7	23.1	26.4	29.4	20.0	0.0
35-44	24.1	12.5	27.5	31.4	28.0	33.3
45-54	3.4	1.0	4.4	17.6	36.0	16.7
55+	0.0	3.8	2.2	9.8	12.0	33.3
N	29	104	91	51	25	6

$\chi^2 = 101.31, 25 df, p < .001$

Due to the large number of cells, we could not control for firearm use using the above age groupings. Instead, we compared three age groups: 24 or less, 25 to 44 and 45 and over. When we crossed the age of the victim by the age of the perpetrator controlling for firearm use, we found no differences related to weapon type. In other words, the victim age and perpetrator are similar, regardless of whether a firearm was used.

### Lifestyle Relationship of Victims and Offenders

The following victim-offender dyad relationship variables we examine were gathered from the Grand Homicide Review and Incident Review databases. This is a subset of all of the cases and encompasses the years 2001 to 2003.

- *Transient Status of Victims and Offenders*

The vast majority of cases do not involve transients (Table V.33). Occasionally, the victim of a transient perpetrator is not a transient. However, the transient status of the victim and perpetrator tend to be the same.

Table V.33  
Transient Status of  
Offender and Victim

	Offender	
Victim	Yes (%)	No (%)
Yes	75.0	0.0
No	25.0	100.0
N	12	82

$$\chi^2 = 68.01, 1df, p < .001$$

Very few cases involving transients included the use of a firearm. There were no cases in which the victim was a transient and a firearm was used. Most cases involving a transient offender did not involve a firearm. Only 2 of 12 cases that included an offender identified as a transient included the use of a firearm.

- *Gang Status of Victims and Offenders*

As one might expect, most cases involve victims and offenders who are similar in terms of gang affiliation (Table V.34). That is, either both are known gang members (89%) or both are not (96%). Cases are more likely to involve an offender who is a gang member and a victim who is not as compared to a victim who is a gang member and an offender who is not. There is a statistically significant difference in gang status of victims and offenders.

Table V.34  
Gang Status of  
Victim and Offender

	Offender	
Victim	Yes	No
Yes	88.9	4.1
No	11.1	95.9
N	27	74

$$\chi^2 = 76.69, 1df, p < .001$$

As illustrated in Table V.35, the gang affiliation of the victim and offender and their association with firearm use is related. We found that when controlling for firearm use, victims and offenders tend to have similar gang affiliation status. However, we also found that when gang involvement is indicated, either by the victim or the offender, the use of a firearm is much more prevalent. Further, when neither the offender nor the victim have ties to a gang, homicides using other types of weapons are much more common.

Table V.35  
Gang Affiliation and Firearm Use

	Firearm use (%)	Other weapon (%)
No gang affiliation	52.9	91.3
At least one party affiliated	47.1	8.7
N	51	46

$\chi^2 = 17.34$ , 1df,  $p < .001$

- *Criminal History of Victims and Offenders*

In general, homicide offenders are more likely than their victims to have prior histories of criminal offending. However, when the victim has a criminal history, the offender is also likely to have a criminal history (Table V.36). Conversely, when the victim does not have a criminal history, the offender is also likely not to have a criminal history.

Table V.36  
Criminal History of  
Victim and Offender

	Offender	
Victim	Yes (%)	No (%)
Yes	37.8	8.2
No	62.2	91.8
N	45	49

$\chi^2 = 11.86$ , 1df,  $p = .001$

There were not any significant relationships found between firearm use and the criminal history of the victims and offenders. Interestingly, when we looked only at the criminal history of perpetrators and firearm use, offenders with a criminal history were less likely to use a firearm. However, this finding was not statistically significant.

- *Alcohol/drug History of Victims and Offenders*

Offenders and victims are similar in terms of drug/alcohol history (Table V.37). Victims who have a history of drug or alcohol use are associated with offenders who have a similar background in about 77% of cases. When the victim does not have a history, neither does the offender (86% of cases).

Table V.37  
Substance Use History of  
Victim and Offender

	Offender	
Victim	Yes (%)	No (%)
Yes	76.9	14.5
No	23.1	85.5
N	39	55

$$\chi^2=36.87, 1df, p<.001$$

There was no significant relationship between the substance abuse history of victims and offenders and firearm use. Regardless of the type of weapon used, victims were similar in this respect. Further, victims with a substance abuse history were no more likely than those without a substance abuse history to be killed with a firearm. Offenders with a substance abuse history were no more likely to use a firearm as compared to another weapon during the homicide.

- *Substance Use at Time of Incident Among Victims and Offenders*

Most cases involving victims who are under the influence of alcohol or drugs also involve offenders who are under the influence at the time of the incident (Table V.38).

Table V.38  
Substance Use by Victim and Offender  
at Time of Incident

	Offender	
Victim	Yes (%)	No (%)
Yes	83.3	23.6
No	16.7	76.4
N	42	55

$$\chi^2 = 33.95, 1df, p<.001$$

When we looked at the relationship between substance use and firearm related homicides, we found that there was not a statistically significant relationship between the offender's substance use at the time of the offense, but there was with the victim. Specifically, if the victim is drunk at the time of the offense, he/she is more likely to be killed with a weapon other than a firearm (see Table V.39). If the victim is not drunk, a firearm is more likely to be involved. The victim's drug use at the time of the incident and firearm use was not related.

Table V.39  
Victim Drunk at Time of  
Incident by Firearm Use

	Firearm	
Victim drunk	Yes (%)	No (%)
Yes	20.0	41.3
No	80.0	58.7
N	50	46

$\chi^2 = 5.16, 1df, p < .05$

- *Emergency Room Utilization Among Victims and Offenders*

Similar sets of analyses were conducted to examine emergency room usage and trauma histories of these homicide victims and offenders prior to the homicide incident. These analyses also suggest that many homicide victims and offenders are involved in a risky lifestyle that precedes their involvement in homicide. In fact, 90% of the homicide victims linked to health care records (N=326) and 84% of the offenders (N=337) also linked. Of these, 50% of both groups (163 victims and 168 offenders) used the healthcare system sometime during the three years preceding the incident. Among this group, 64% of victims (N=104) and 69% of offenders (N=115) visited the emergency room sometime during that 3-year period. For both victims and offenders, about 31% of those who visited the emergency room were there for an injury-related visit. Also of note is the fact that 7% of offenders had visited the emergency room for a firearm related injury in the three years prior to their commission of a homicide. Only 2% of the victims had a firearm related emergency room visit in that time period. Analyses are currently underway to examine the extent to which these patterns of use differ from a control group of healthcare users matched to the on sex and date of birth.

***Relationship Between Offender and Homicide Episode Characteristics.***

In this section we examine the relationship between the offender characteristics and the characteristics of the homicide episode. First, we look at whether there are changes in offender characteristics over time. Next, we examine the relationship between the offender characteristics and firearm use. Third, we examine the location of the homicide and how it is related to the characteristics of the offenders. Finally, we examine the association between the temporal factors and offender characteristics.

*Offender Characteristics and Location of Incident*

- *Offender Gender by Location*

Females are more likely than males to commit a homicide at a residence (Table V.40). Males and females are about equally likely to commit a homicide on a highway/road/alley, while in the remainder of the locations males are more likely to be the perpetrators. These differences were statistically significant.

Table V.40  
Location of Offense by Gender of Offender

Location	Male (%)	Female (%)
Residence	40.4	57.8
Highway/road/alley	26.2	25.0
Parking lot	11.4	7.8
Other	22.0	9.4
N	428	64

$\chi^2 = 8.99, 3df, p < .05$

No significant differences were found when firearm use was included.

- *Offender Ethnicity by Location*

While there is not a statistically significant relationship between location of the offense and the offender's ethnicity, there do appear to be some differences (Table V.41). Specifically, when the offense occurs at a residence, Native Americans followed by Hispanics and Whites are most highly represented. African Americans are less likely than the other ethnic groups to offend at a residence. When the offense is on a highway, road or alley, African American offenders are more common.

No racial differences were found between the location of the offense and the use of a firearm.

Table V.41  
Location of Offense by Offender Ethnicity

Location	White (%)	Hispanic (%)	African American (%)	Native American (%)
Residence	42.5	43.8	38.1	55.6
Highway/road/alley	23.5	24.9	38.1	16.7
Parking lot	14.5	8.1	12.7	5.6
Other	19.5	23.2	11.1	22.2
N	200	185	63	18

- *Offender Age by Location*

Residential homicides are more likely to be committed by older offenders (Table V.42). The peak for residential homicides occurs for offenders between the ages of 35 and 44. Younger offenders more often commit offenses that occur on the highway/road/alley.

Table V.42  
Location of Offense by Age of Offender

	Less than 18	18-24	25-34	35-44	45-54
Residence	38.7	34.1	46.1	58.8	52.6
Highway/road/alley	33.9	30.3	22.7	16.2	13.2
Parking lot	8.1	14.1	8.6	10.3	13.2
Other	19.4	21.6	22.7	14.7	21.1
N	62	185	128	68	38

$\chi^2 = 21.59, 12 \text{ df}, p < .05$

### Offender and Temporal Characteristics

- *Day of Week and Gender of Offender*

Males are slightly more likely to offend on Tuesdays and Thursdays compared to females (Table V.43). Females are slightly more likely to offend on Sundays, Wednesdays and Fridays. However, these differences are not statistically significant.

Table V.43  
Day of Week by Gender of Offender

	Male (%)	Female (%)
Sunday	21.0	23.4
Monday	12.4	12.5
Tuesday	16.6	14.1
Wednesday	10.7	14.1
Thursday	12.9	7.8
Friday	8.4	10.9
Saturday	18.0	17.2
N	428	64

- *Time of Day and Gender of Offender*

As illustrated in Table V.44, females appear to be slightly more likely to commit homicide in the daytime hours from 5 a.m. to 10 a.m. and 10 a.m. to 2 p.m., in addition to the evening hours between 5 p.m. and 10 p.m. During all other times, males are more likely to commit homicide. However, this finding was not statistically significant.



Table V.44  
Time of Day and Gender of Offender

	Male (%)	Female (%)
5 a.m. to 10 a.m.	11.2	15.6
10 a.m. to 2 p.m.	10.7	14.1
2 p.m. to 5 p.m.	15.0	12.5
5 p.m. to 10 p.m.	18.7	26.6
10 p.m. to 2 a.m.	29.0	20.3
2 a.m. to 5 a.m.	15.4	10.9
N	428	64

- *Day of Week and Ethnicity of Offender*

Contrary to some anecdotal information suggested by criminal justice professionals, there was not a statistically significant relationship found between the day of the week and the ethnicity of the offender (Table V.45). There are some differences, however. For example, Whites are more likely than other ethnic groups to offend on Sundays. Hispanics offend more frequently on Tuesdays and Saturdays. African Americans are more likely to offend on Mondays and Thursdays. Finally, Native American offending is more common on Wednesdays and Fridays compared to the other ethnic groups.

Table V.45  
Day of Week by Ethnicity of Offender

	White (%)	Hispanic (%)	African American (%)	Native American (%)
Sunday	26.0	19.5	14.3	11.1
Monday	11.0	10.3	22.2	11.1
Tuesday	16.0	18.4	14.3	5.6
Wednesday	11.0	10.3	12.7	22.2
Thursday	11.5	13.5	15.9	5.6
Friday	7.0	9.2	7.9	27.8
Saturday	17.5	18.9	12.7	16.7
N	200	185	63	18

- *Time of Day and Ethnicity of Offender*

There does appear to be a relationship between the time of day that the incident occurred and the ethnicity of the offender, however (Table V.46). Between the hours of 5 a.m. and 10 a.m., there is a similar proportion of Whites, African Americans and Native Americans—these three groups are more likely to be represented at this time. Hispanic offenders are least likely to fall into this time frame. Between the hours of 10 a.m. and 2 p.m. and from 5 p.m. to 10 p.m., White offenders comprise the greatest proportion, particularly during the earlier time frame. Homicides committed between the hours of 2 p.m. and 5 p.m. are more likely to be committed by Hispanics. Native Americans disproportionately commit homicides occurring during the late night hours of 10 p.m. to

2 a.m. Finally, African Americans comprise the largest ethnic group committing homicides between the hours of 2 a.m. and 5 a.m.

Table V.46  
Time of Day and Ethnicity of Offender

Time of Day	White	Hispanic	African American	Native American
5 a.m. to 10 a.m.	15.0	6.5	17.5	16.7
10 a.m. to 2 p.m.	14.5	8.6	6.3	5.6
2 p.m. to 5 p.m.	11.0	20.0	11.1	16.7
5 p.m. to 10 p.m.	21.5	19.5	17.5	16.7
10 p.m. to 2 a.m.	25.0	29.7	25.4	44.4
2 a.m. to 5 a.m.	13.0	15.7	22.2	0.0
N	200	185	63	18

$\chi^2 = 27.83, 15df, p < .05$

- *Day of Week and Age of Offender*

As noted in Table V.47, the age of the offender is related to the day of the week. Specifically, younger individuals tend to offend more often on the weekends. The mean age of the offender is greatest on Fridays.

Table V.47  
Age of Offender by Day of the Week

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Mean	25.96	27.73	27.35	29.45	26.38	32.77	25.89
(s.d.)	(9.72)	(9.40)	(10.14)	(9.98)	(11.21)	(12.26)	(9.85)
Range	5 to 54	11 to 44	14 to 68	17 to 60	16 to 64	16 to 59	13 to 54
N	104	62	77	55	59	43	83

$F = 3.096, 476 df, p < .01$

- *Time of Day and Age of Offender*

The average age of offenders is youngest in the early morning hours of 2 a.m. to 5 a.m. and from 10 p.m. to 2 a.m. (Table V.48). The age of offenders in the remaining time periods is fairly similar- they tend to be around 29 to 30 years old. This finding is statistically significant.

Table V.48  
Time of Day and Average Age of Offender

	5 a.m. to 10 a.m.	10 a.m. to 2 p.m.	2 p.m. to 5 p.m.	5 p.m. to 10 p.m.	10 p.m. to 2 a.m.	2 a.m. to 5 a.m.
Mean	29.73	29.63	29.04	28.70	25.97	23.39
(s.d.)	(9.96)	(11.04)	(9.82)	(11.28)	(10.41)	(7.81)
Range	12 to 57	5 to 68	11 to 54	15 to 64	14 to 60	14 to 56
N	58	52	72	97	134	68

$F = 4.41, 5, 475 df, p = .001$

### ***Victim and Homicide Episode Characteristics.***

As would be expected, victim characteristics and their relationship to the homicide episode are very similar to the characteristics of the offenders. However, there are some differences. These are detailed below.

#### ***Victim Characteristics and Location***

- ***Location of Offense and Gender of Victim***

Females are more likely to than males to be victimized at a residence, in the fields/woods/mesa, at a business, and other locations (Table V.49). Males are more likely to be victimized on a highway/road/alley, parking lot, hotel/motel and bar.

Table V.49  
Location of Offense by Gender of Victim

Location	Male (%)	Female (%)
Residence	37.7	57.9
Highway/road/alley	33.7	13.5
Parking lot	10.7	6.8
Other	18.4	21.8
N	430	133

$\chi^2 = 25.83$ , 3df,  $p < .001$

- ***Location of Offense and Victim Ethnicity***

Whites and Native Americans are most often the victims when the homicide occurs at a residence (Table V.50). African Americans are less likely than the other ethnic groups to be victims at a residence. When the offense is on a highway, road or alley, Native American and Hispanic are more often the victims. Homicides occurring in a parking lot are most often associated with African American victims.

Table V.50  
Location of Offense by Victim Ethnicity

Location	White (%)	Hispanic (%)	African American (%)	Native American (%)
Residence	48.2	40.2	30.0	44.8
Highway/road/alley	23.9	33.5	30.0	34.5
Parking lot	9.5	8.8	16.0	10.3
Other	18.5	17.6	24.0	10.3
N	222	239	50	29

- ***Location of Offense and Victim Age***

Residential homicides include young (less than 18) and older (45 and older) victims most often (Table V.51). Note that this age breakdown is different for offenders. Offenders of

residential homicides were most often between 35 and 44. Victims of homicides occurring on a highway/road/alley were most often between the ages 18 and 24. Victims of homicides that occurred in parking lots were most often between the ages of 35 and 34. Very few were less than 18 years old or 45 and older.

Table V.51  
Location of Offense and Victim Age

	Less than 18 (%)	18-24 (%)	25-34 (%)	35-44 (%)	45 and older (%)
Residence	58.2	35.1	35.1	39.8	55.2
Highway/road/alley	29.1	36.3	26.1	30.1	17.2
Parking lot	2.5	9.4	17.1	12.6	4.6
Other	10.1	19.3	21.6	17.5	23.0
N	79	171	111	103	87

$\chi^2 = 37.48, 12 \text{ df}, p < .001$

### Victim and Temporal Characteristics

When we examined the day of the week and the characteristics of the victim, we did not find any significant relationships. Thus, those tables are not reproduced here. However, we did find a relationship between the victim gender and age with time of day (Table V.52).

Male victims are more common between the late night and early morning hours between 10 p.m. and 5 a.m. There is a slightly greater proportion of male victims between the hours of 2 p.m. and 5 p.m. as well. There is a greater proportion of female victims during the remaining time periods.

Table V.52  
Gender of Victim by Time of Incident

	Male (%)	Female (%)
5 a.m. to 10 a.m.	13.0	16.5
10 a.m. to 2 p.m.	8.6	18.0
2 p.m. to 5 p.m.	15.3	15.0
5 p.m. to 10 p.m.	17.9	23.3
10 p.m. to 2 a.m.	27.0	20.3
2 a.m. to 5 a.m.	18.1	6.8
N	430	133

$\chi^2 = 21.10, 5 \text{ df}, p = .001$

Like offenders, the youngest average victim age occurs during the late night hours of 10 p.m. to 2 a.m. and from 2 a.m. to 5 a.m. The mean age of victims decrease throughout the day, as can be seen in Table V.53.

Table V.53  
Age of Victim by Time of Incident

	5 a.m. to 10 a.m. (%)	10 a.m. to 2 p.m. (%)	2 p.m. to 5 p.m. (%)	5 p.m. to 10 p.m. (%)	10 p.m. to 2 a.m. (%)	2 a.m. to 5 a.m. (%)
Mean (s.d.)	35.78 (17.45)	34.16 (16.94)	33.07 (18.51)	30.02 (15.30)	27.17 (11.41)	26.05 (12.42)
Range	.06 to 86	.03 to 73	-.01 to 90	0 to 84	2 to 71	.01 to 89
N	76	62	81	107	139	86

F= 5.95, 5, 545 df, p<.001

### *Characteristics of Types of Homicide Offenses.*

Based on the information gathered at the Grand Homicide Review, the researchers were able to outline several patterns in the homicide incidents within Albuquerque and Bernalillo County. The result of this analysis is a typological model of homicide in the county and the characteristics of these different types of incidents. The analysis reveals 3 different types of homicide incidents: Homicides involving gang members (33%), homicides emerging from disputes (37%), and homicides involving transients (15%) (Table V.54). The remaining homicides that did not fall into one of these three categories, but in which the motive was known, were classified as “other” homicide types. These accounted for almost 16% of the homicides in this sample. Homicides resulting from a robbery or child abuse fall into this category. It should be noted that almost 19% of homicides did not fall into one of these categories. The type of homicide (motive) is unknown for these cases.

Table V.54  
Type of Homicide

Type of homicide	%
Gang homicide	32.9
Transient homicide	14.6
Dispute homicide	36.6
Other	15.9
N	82

### *Type of Homicide Offense and Location of Homicide*

Gang and transient homicides occurred more often on the street (Table V.55). Dispute homicides occurred most often in a residence, followed by a parking lot or garage. “Other” homicide types occurred most frequently in areas other than streets, parking lots or residences.

Table V.55  
Type of Homicide by Location

Type of homicide	Highway/road/alley (%)	Parking lot/garage (%)	Residence (%)	Other (%)
Gang homicide	41.2	33.3	31.7	27.3
Transient homicide	23.5	16.7	9.8	18.2
Dispute homicide	11.8	33.3	51.2	27.3
Other homicide	23.5	16.7	7.3	27.3
N	17	12	41	11

#### Type of Homicide and Area Command

While not statistically significant, it is interesting to note that there does appear to be some association between the type of homicide and the Area Command (Table V.56). Specifically, gang homicides occur most often in the Westside subcommand area, followed by other areas. They are least common in the Northeast and Foothills Area Commands. Transient homicides were most prevalent in the Valley Area Command. Dispute homicides were most common in the Foothills, Northeast and Other Area Commands. Other homicide types occurred most often in the Northeast and Other Area Commands.

Table V.56  
Type of Homicide by Area Command

Type of homicide	FH (%)	NE (%)	SE (%)	VA (%)	WS (%)	Other <sup>5</sup> (%)
Gang homicide	16.7	12.5	34.8	30.0	55.6	40.0
Transient homicide	16.7	0.0	17.4	30.0	11.1	0.0
Dispute homicide	66.7	50.0	34.8	30.0	22.2	40.0
Other homicide	0.0	37.5	13.0	10.0	11.1	20.0
N	6	8	23	20	9	15

#### Type of Homicide and Time of Day

While the number of cases is small, the results of presented in contingency Table V.57 are interesting and suggest that different types of homicides occur at different times of day. Gang homicides in this sample occur primarily in the nighttime hours between 10 p.m. and 5 a.m.<sup>6</sup> It is interesting to note that none of the gang homicides occurred in the morning hours of 5 a.m. and 10 a.m. A greater proportion of transient homicides occurred in the morning hours of 5 a.m. and 10 a.m. followed by the daytime hours of 10 a.m. to 5 p.m. Dispute homicides were most prevalent during the morning hours of 5 a.m. and 10 a.m. followed by the 5 p.m. to 10 p.m. hours. These homicides were least prevalent in the nighttime hours between 10 p.m. and 5 a.m. Other homicide types

<sup>5</sup> Note that in other portions of this chapter, APD-other and BCSO are separated. Due to the small number of cases, these two categories are combined here.

<sup>6</sup> Due to the small number of cases, the original time periods were collapsed.

occurred most often in the daytime hours of 10 a.m. to 5 p.m. followed by the evening hours of 5 p.m. to 10 p.m.

Table V.57  
Type of Homicide and Time of Day

Type of homicide	5 a.m. to 10 a.m. (%)	10 a.m. to 5 p.m. (%)	5 p.m. to 10 p.m. (%)	10 p.m. to 5 a.m. (%)
Gang homicide	0.0	18.2	15.4	60.0
Transient homicide	27.3	18.2	15.4	8.6
Dispute homicide	63.6	40.9	46.2	22.9
Other homicide	9.1	22.7	23.1	8.6
N	11	22	13	35

$\chi^2 = 23.22$ , 9 df,  $p < .01$

#### Offender Characteristics by Homicide Type

Exclusively male offenders committed gang homicides (Table V.58). Transient homicides and dispute homicides were more common among female offenders. Male offenders were more the perpetrators in other types of homicides compared to females.

Table V.58  
Homicide Type and Offender Gender

Homicide type	Male (%)	Female (%)
Gang homicide	45.8	0.0
Transient homicide	9.3	36.4
Dispute homicide	31.8	54.5
Other homicide	13.1	9.1
N	107	11

$\chi^2 = 12.83$ , 3df,  $p < .01$

When we look at the type of homicide by the ethnicity of the offender, we find that African Americans followed by Hispanics commit gang homicides more often (Table V.59). Native Americans and Whites are more common in transient homicides. Native Americans and Whites commit dispute homicides most often. Finally, other homicide types are more often committed by Hispanics relative to other ethnic groups.

Table V.59  
Homicide Type by Offender Ethnicity

Homicide type	White (%)	Hispanic (%)	African American (%)	Native American (%)
Gang homicide	30.0	47.9	54.5	0.0
Transient homicide	20.0	6.3	9.1	25.0
Dispute homicide	40.0	22.9	27.3	75.0
Other homicide	10.0	22.9	9.1	0.0
N	40	48	11	8

$\chi^2 = 20.34$ , 9df,  $p < .05$

Gang homicides tend to be committed by the youngest offenders (Table V.60). The mean age of offenders involved in gang homicides is 24, with a median age of 22. Transient homicides are committed by the oldest offenders—the mean age is 37.

Table V.60  
Homicide Type by Offender Age

Homicide type	Mean age (s.d.)	Range	Median	N
Gang homicide	24.14 (5.92)	16 to 45	22.0	42
Transient homicide	37.14 (11.93)	19 to 57	34.0	14
Dispute homicide	32.81 (10.57)	17 to 53	33.5	36
Other homicide	30.67 (12.18)	13 to 56	27.0	12

F=9.18, 3, 100 df, p<.001

While not statistically significant, it is interesting to note that multiple offenders rather than a single offender disproportionately commit gang homicides (Table V.61). Dispute homicides more often involve a single offender as opposed to multiple offenders.

Table V.61  
Homicide Type by Number of Offenders

	Single offender (%)	Multiple offenders (%)
Gang involved	25.5	48.0
Transient	14.5	12.0
Dispute	43.6	24.0
Other	16.4	16.0
N	55	25

### Victim Characteristics and Type of Homicide

As noted in Table V.62, victims of gang related homicides were more often male, although not exclusively so like offenders. Victims of transient and other homicides tend to be male as well. Only dispute homicide victims are more likely to be female, since this category includes those homicides typically defined as acts of domestic violence.

Table V.62  
Homicide Type and Victim Gender

Homicide type	Male (%)	Female (%)
Gang homicide	36.0	21.7
Transient homicide	16.0	8.7
Dispute homicide	30.7	60.9
Other homicide	17.3	8.7
N	75	23

Victims of gang related homicides were more often Hispanic or African American (Table V.63). Transient homicide victims were more often Native Americans, followed by



Whites. Dispute homicide victims tended to be African American or White most often. Finally, victims of homicides of other types were more often Native American or Hispanic. As presented above, the ethnicity of the offenders of gang related homicides and transient homicides was similar to the ethnicity of the victims. Dispute homicide offenders were more likely to be Native American or White, while offenders in “other” homicides were more often Hispanic. This suggests that there may be some relationship between the race dyad and homicide type. However, there are too few cases to yield meaningful results at this time.

Table V.63  
Homicide Type by Victim Ethnicity

Homicide type	White (%)	Hispanic (%)	African American (%)	Native American (%)
Gang homicide	16.7	45.1	37.5	0.0
Transient homicide	20.0	7.8	0.0	50.0
Dispute homicide	46.7	29.4	62.5	33.3
Other homicide	16.7	17.6	0.0	33.3
N	30	51	8	6

$\chi^2 = 20.09, 9df, p < .05$

The age of the victim is also related to the type of the homicide (V.64). As we found with offenders, the youngest victims are associated with gang homicides. The oldest victims are associated with transient homicides.

Table V.64  
Homicide Type by Victim Age

Homicide type	Mean age (s.d.)	Range	Median	N
Gang homicide	25.21 (7.91)	17 to 51	23.0	28
Transient homicide	40.64 (8.90)	21 to 54	39.0	14
Dispute homicide	36.81 (16.49)	1 to 68	38.0	37
Other homicide	26.92 (12.19)	1 to 42	29.0	12

$F = 7.13, 3,87 df, p < .001$

Shown in Table V.65, gang involved and transient homicides are slightly more likely to have a single victim versus multiple victims. Dispute and other homicides are slightly more likely to have multiple victims. These differences, however, are not statistically significant.

Table V.65  
Homicide Type by Number of Victims

	Single victim (%)	Multiple victims (%)
Gang involved	35.4	26.7
Transient	15.4	13.3
Dispute	35.4	40.0
Other	13.8	20.0
N	65	15

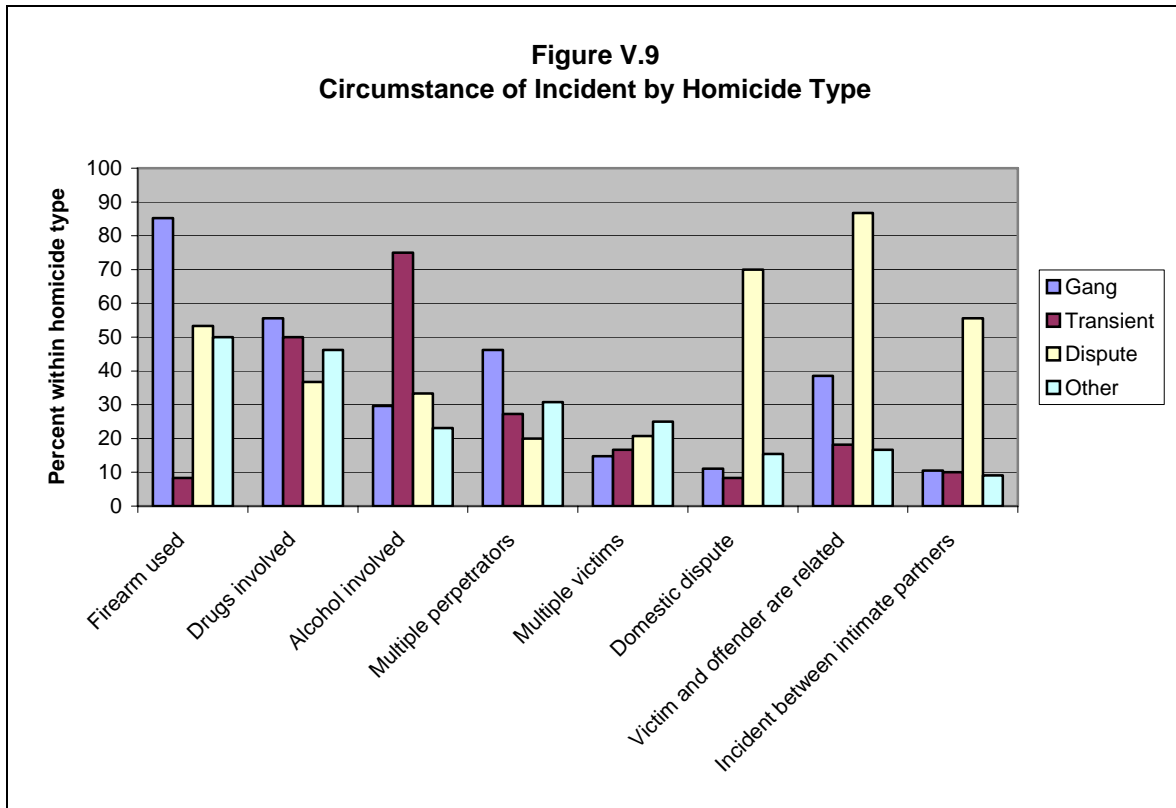
*Circumstance of Homicide and Homicide Type*

The graph below summarizes the relationship between the circumstance of the homicide and the type of homicide. Information concerning case characteristics is derived from case analysis conducted in support of the Grand Homicide and Monthly Incident Reviews. We can see that firearms are most often used in gang homicides (Figure V.10). Dispute and other homicides were less likely to include the use of a firearm. Transient homicides were the least likely to include the use of a firearm.

The use of some substance by either the offender, victim or both at the time of the incident is indicated in the graph by the variables labeled “drug involved” and “alcohol involved.” Drugs were indicated in gang homicides most often, and dispute homicides least often. Alcohol was involved most often in transient homicides and least often in other types of homicides.

Multiple perpetrators were most common in gang homicides, but these homicides were least likely to have multiple victims compared to other homicide types. “Other” homicide types followed by dispute homicides are more likely to have multiple victims.

The vast majority of dispute homicides involved some sort of domestic dispute. These homicides were also much more likely to involve offenders and victims who are related and who are intimate partners. It is interesting to note that gang homicides were the next most likely type of homicide to involve victims and offenders who are related, though this constituted less than half of this type of homicide.



#### Type of Homicide by Firearm Usage

There was a statistically significant difference found when we looked at the type of homicide and the use of a firearm (Table V.66). Only gang homicides were more likely to be associated with the use of a firearm than another type of weapon.

Table V.66  
Homicide Type by Firearm Use

Type of homicide	Firearm (%)	No firearm (%)
Gang homicide	50.0	11.4
Transient homicide	2.2	31.4
Dispute homicide	34.8	40.0
Other	13.0	17.1
N	46	35

$\chi^2 = 20.73, 3df, p < .001$

The use of “other” weapons followed by personal weapons was most prevalent in transient homicides (Table V.67). Dispute homicides were much more likely to include the use of a knife or other cutting instrument; relatively few of these homicides were the result of a personal weapon. Other homicide types, in contrast, were much more likely to include the use of a personal weapon.

Table V.67  
Homicide Type by Weapon Used

Type of homicide	Firearm (%)	Cutting instrument/knife (%)	Personal weapon (%)	Other (%)
Gang homicide	50.0	6.3	12.5	18.2
Transient homicide	2.2	18.8	37.5	45.5
Dispute homicide	34.8	62.5	12.5	27.3
Other	13.0	12.5	37.5	9.1
N	46	16	8	11

$\chi^2=31.66$ , 9df,  $p < .001$

***Specialized Analysis: the Involvement of Juveniles in Homicide Episodes.***

This analysis of juvenile<sup>7</sup> and adult homicide offender/suspect<sup>8</sup> and victim data from Bernalillo County for the years 1996-2001 was conducted to assist the working group in planning its local initiatives; this analysis has been updated to include homicides through August of 2003. It relies upon Incident-Based Reporting, where multiple offenders and victims, either adult and/or juvenile in age category, could be involved in a single homicide event. Incident-Based Reporting, the type reflected in the Law Enforcement Records Management System (RMS) for the City and County, contains considerably more information than earlier (Uniform Crime Reporting) systems, and understandably its presentation and interpretation is also more complex.

Table V.68 illustrates the association between victims and suspects/arrestees (hereafter referred to as offenders) and their age status. The unit of analysis here is the case. We further differentiate cases according to the number of individuals involved in a case. The number of juvenile offenders associated with a case ranges for 0 to 2 for most cases; only one case involved 8 juvenile offenders. The number of adult offenders varies from 0 to 9; however, only one case involved 9 adult offenders. The next greatest number of adult offenders involved in a single case is five. The number of juvenile victims varies from 0 to 3; the number of adult victims varies from 0 to 5. Most cases, however, involve two or fewer victims and offenders. Thus, these categories were collapsed into two or more individuals (either offenders or victims).

<sup>7</sup> The determination of status as a juvenile is that the individual was 18 years of age or younger, and does not reflect justice definitions of the legal status of the offender or suspect.

<sup>8</sup> We used data from the Incident-Based Records Management System maintained by Albuquerque Police Department and the Bernalillo County Sheriff's Office for this analysis. Our analysis reflects both homicide cases that had been cleared, by arrest or extraordinary means (thus having identified an offender) as well as incidents that had not been cleared (when a suspect was noted in the appropriate data field).

Table V.68  
Victim and Offender Age Status and Number Involved

		0 Adult offenders			1 Adult offender			2 or more adult offenders			
Victims		Juvenile offenders			Juvenile offenders			Juvenile offenders			
Juvenile	Adult	None	One	Two or more	None	One	Two or more	None	One	Two or more	
None	None	2*	0	0	1**	0	0	0	0	0	3
	One	80	13	5	138	6	1	42	3	2	290
	2 or more	13	1	0	29	1	1	20	0	0	65
One	None	6	5	2	23	0	1	5	0	0	42
	One	3	0	1	3	0	0	1	1	0	9
	2 or more	2	0	0	1	0	1	3	0	0	7
2 or more	None	2	0	0	0	0	0	0	0	0	2
	One	1	0	0	1	1	0	3	0	0	6
	2 or more	0	0	0	0	1	0	1	1	0	3
Total N		109	19	8	196	9	4	75	5	2	427

\*The age of the victims and offenders was missing in these cases

\*\*The age of the victim was missing in this case

Victims are listed on the row and are separated according to their adult or juvenile status. These are further differentiated according to the number of victims involved in the case. Likewise, offenders are listed in columns according to age and number of offenders involved. Note that there is one case in which the age of the victim is not known, but the offender is known to be a single adult; there were two cases in which the age of neither the offender nor the victim was known. In 107 cases, the age of the victims was known, but the age of the offender(s) was not known (illustrated in the first column of numbers). Of more interest are the relationships in which the age status of the offenders and victims are known.

A single adult offender (196 cases) or multiple adult offenders (75) were indicated in most of the homicides. Likewise, most homicides included only adult victims. Of interest are the homicides committed by juveniles. Next, we look more closely at the involvement of juveniles, both as offenders and victims.

#### Juveniles Offending Without Adults

As represented in the first section of the table, there were 27 incidents of the total 427 where juveniles, acting individually or with others, killed without adults. After eliminating the 109 cases where the suspects and offenders are unknown from the analysis, we see that 8.5% of the remaining 318 cases involve exclusively juvenile offenders/suspects.

When juvenile offenders commit homicide without the presence of an adult, the victim is more often an adult. As can be seen in the table above, of the 19 cases involving a single juvenile offender, 13 of these included a single adult victim. Similarly, when multiple juveniles are involved, there are more adult victims (of the 8 cases involving multiple juvenile offenders without an adult offender, 6 included an adult victim).

### Juvenile Offending with Adults

We can also use the table to determine the frequency with which juveniles act in association with adults. There are a total of 20 cases in which juvenile and adult offenders acted together.

There were 13 cases in which one or more juvenile offenders committed homicide with a single adult. In seven of these incidents, a single adult was victimized. In addition, there were two incidents where two adult victims were indicated. There was one incident where two juvenile offenders acted in concert with an adult offender to victimize a single juvenile. Finally, the remaining three cases, both adult and juveniles were victims.

Five cases involved a single juvenile offender who committed murder with two or more adults. In three of these cases, the victim was a single adult; one included a single juvenile and single adult victim; the last included multiple juvenile and adult victims.

The final two cases involved multiple juvenile and adult offenders against a single adult victim.

While it is difficult to reach a summary conclusion about the various combinations, it is safe to say that it is not uncommon for adults and juveniles to be working together to victimize both adults and juveniles. There were 20 incidents where there was some combination of adults and juveniles acting together. The victim included an adult in 19 of those cases. Of the total number of cases, 4.7% involved juveniles and adults acting together, 4.4% where the victim(s) includes an adult, and only 1.4% where the victim(s) includes a juvenile. When you eliminate the 97 cases where offenders/suspects information was missing, the percentage jumps to 6.3% of incidents where juveniles and adults act together.

### Juvenile Victims

Between 1996 and 2003, 570 people died in 427 homicide incidents in Bernalillo County, for an average of 1.33 deaths per incident. Eighty-four (14.7 %) of those victims were juveniles, who died in 69 (16.2%) of the homicide incidents during that period.

As noted in the table, a total of 44 incidents involved the death of juveniles without adult victims of the homicide incident. Of these, 42 incidents involved the death of a single juvenile victim, 2 involved two or more juvenile victims.

There were 25 cases involving the death of both juvenile and adult offenders. In nine of these cases, a single adult and single juvenile are indicated; in seven cases a single juvenile and multiple adults are indicated. Multiple juvenile victims in conjunction with a single adult offender are indicated in six cases; finally, three cases include multiple adult and juvenile victims.

In summary, when a juvenile dies in a homicide, they are more likely to have died alone or in the company of another juvenile victim (56% of juvenile victims, 66.6% of incidents) than in the company of an adult (44% of juvenile victims, 36.2% of incidents). Further, they are more likely to die at the hands of an adult than another juvenile.

### Conclusion

We can conclude that the majority of the homicides from 1996 to 2003 involve some combination of adult offenders: 91.5% of the homicides in which the age of the offender was known did not involve juveniles. Of the remaining 14.7% of homicide cases, we can see that 8.5% (n=27) involved juveniles acting without adults and 6.3% (n=20) of the cases where juveniles acted with adults. Further, we conclude that roughly sixteen percent of incidents involved juvenile victims, and that juvenile victims were most likely to die alone or in the company of another juvenile.

### **Summary**

The analysis presented here has offered some insight into the nature of homicide cases in Albuquerque in general, as well as homicide cases involving firearms in particular. The majority of homicide cases involve a firearm. While there does appear to be a slight decrease in the use of firearm related homicides over time, this trend is not significant.

Homicides are most common during the nighttime hours and weekends. While there was no difference in the day of week a homicide occurred and whether it was firearm related, time was an important factor. Firearm related homicides are particularly prevalent during the nighttime hours: half of firearm related homicides occur during the nighttime hours compared to 27% of non-firearm related homicides.

Homicide offenders and victims tend to be similar demographically. Offenders and victims are typically young, male, and White or Hispanic. While they comprise a small proportion of the offender and victim population, African Americans are vastly over represented in homicide offenses. This is true for firearm related homicides as well. African Americans are more likely to use a firearm during a homicide than other ethnic groups. However, Native Americans represent the only group of offenders who are more likely to commit a homicide that is not firearm related. Males are more likely than females to commit a firearm related homicide, as are younger offenders (those less than 24 years old). Females do not appear to have a weapon preference; they are equally likely to use a gun as to use some other sort of weapon when committing homicide. Those between the ages of 35 and 44 are the only group who are more likely to use a different type of weapon when compared to other age categories.

Most homicides over this time frame involved a single perpetrator and a single victim. The number of perpetrators and victims involved in an incident is related. Specifically, single perpetrators usually offend against a single victim, and multiple perpetrators offend against multiple victims. When firearms enter into the equation, we find that multiple victims are more likely to be involved, regardless of the number of offenders.

Over time, the proportion of Hispanic offenders has decreased, as has the proportion of offenders in the 18 to 24 year old age group. While weapon type does not appear to have a relationship with the decline in Hispanic offenders over time, there is a relationship with age over time. Specifically, among offenders who use firearms, the proportion of younger offenders has decreased, while the proportion of older offenders has increased.

Offender age and location are related. Older offenders tend to perpetrate at a residence, while younger offenders victimize on the streets.

Spatial analyses indicated that geographically focused firearm violence intervention programs would have limited impact on the local gun violence problem. Rather, it became clear that initiatives would need to take into account the mobility of Albuquerque's violent offender and victim population, and to focus on violence prone locations (i.e., particular traffic routes or types of residences) that attract the kind of individuals likely to be involved in firearm incidents. In general, we found that homicide cases in Albuquerque most often occur at residences, streets or parking lots. Conversely, homicides involving firearms occur most frequently on streets, businesses or bars. Residential homicides are more likely to be committed with some other weapon type.

The researchers also conducted some case level analysis of homicides to gain a better understanding of the circumstances involved in firearm-related homicides. Dispute homicides and gang homicides were the most common types of homicide. Gang homicides were most likely to involve the use of a firearm, while other homicide types were more likely to involve the use of some other weapon type. Thus, when looking at gun violence prevention, gang homicides are an important focus. Other findings regarding gang homicides include the following. Gang homicides are more likely to occur during the nighttime hours, be committed by males, minorities (but not Native Americans), and have multiple offenders.



## **CHAPTER VI**

### **ASSAULT IN ALBUQUERQUE**

As part of our exploration of law enforcement incident and arrest data in support of the SACSI working group, the research team analyzed aggravated assault rates for the city of Albuquerque for the years 1996 – 2003. These data are organized in an incident-based format, and allowed us to review the complex situations of multiple offenders, victims and offenses committed in a single criminal episode particular to aggravated assault cases. Pertinent information for the current report include ethnicity, sex, age, and ethnicity of victims, suspects, and those arrested on scene; police beat, time and address of incident; and type of crime location (e.g. restaurant, residence, or parking lot). Perhaps most importantly for SACSI, the data detail the type of weapon used—in particular, whether or not a firearm was used in the incident.

Aggravated assault can be generally defined as any reckless attack with intent to injure seriously (as with a deadly weapon). As a criminal category, aggravated assault may include assault with a deadly weapon, or assault with intent to rape, maim or murder, and is therefore more serious than simple assault. The aggravated assault data we received from Albuquerque Police Department includes the following offenses:

- Aggravated battery (both felony and misdemeanor)<sup>9</sup>
- Aggravated assault
- Assault with intent to commit a violent felony
- Assault by a prisoner
- Assault with intent to commit a violent felony on a peace officer
- Aggravated assault on a peace officer
- Battery on a peace officer
- Aggravated battery on a peace officer
- Shooting from a motor vehicle
- Shooting at a dwelling or occupied building; shooting at or from a motor vehicle
- Aggravated assault against a household member
- Assault against a household member with intent to commit a violent felony
- Aggravated battery against a household member
- Assault, battery against school personnel

Our general analysis of “aggravated assault” includes all of these criminal offenses. However, we empirically grouped them into five relatively homogeneous categories for the current analyses. These groups consist of:

- Aggravated battery
- Aggravated assault
- Assault or battery on a household member

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<sup>9</sup> Generally, if the victim has been actually touched by the person committing the crime, then battery has occurred.

Assault or battery against a peace officer  
 Assault against a school official

When we analyze differences among types of aggravated assault to provide greater detail concerning the nature of aggravated assault happening in Albuquerque, these five categories are used.

There were 30,030 cases of aggravated assault reported in the Albuquerque SACSI site between January 1996 and August 2003, with 28,722 individuals either arrested or identified as a suspect at the scene. There were 43,691 victims identified. Firearms were used in approximately one-quarter of these offenses. In this chapter, we investigate the characteristics of aggravated assault cases, offenders and victims.

## Results of Analyses

### *General Characteristics of Aggravated Assault Cases.*

This section explores the general characteristics of the aggravated assaults that occurred between 1996 and 2003. We also examine the relationship between these characteristics and the type of weapon used in the offense, particularly firearms as compared to other types of weapons.

### Firearm Use and Aggravated Assaults

According to our analysis of the APD data, firearms were used in 25% of all assault cases, while other types of weapons were used in 75% of incidents. Table VI.1 gives a more detailed breakdown of the type of weapon used by the type of assault.

Table VI.1  
 Type of Weapon Used in Assault Cases

Weapon used during offense	Aggravated Battery (%)	Aggravated Assault (%)	Assault/ battery against a HHM (%)	Shooting from a Motor Vehicle (%)	Battery against a PO (%)	Assault/ Battery against a school official (%)	All Assaults (%)
Firearm	10.7	53.3	8.4	99.2	4.7	0	25.4
Personal weapon	18.5	24.0	21.5	0.0	3.0	2.0	21.8
Knife	27.8	0.6	26.6	0.0	65.3	71.6	18.2
Blunt Object	3.3	8.6	4.0	0.0	13.4	7.8	16.3
Other	22.3	7.7	21.8	0.1	4.7	4.9	13.2
Motor Vehicle	17.4	5.8	17.8	0.7	8.9	13.7	5.0
N	10949	6600	8092	2080	1728	102	29551

$\chi^2 = 15718.61$ , 25 df,  $p < .001$

In order to get a better idea of patterns of weapon usage, we compared specific offense types to weapons used. For each offense type, we detail the percentage of cases in which particular types of weapons were utilized. Table VI.1 details our findings. Consistent

with overall rates, firearm usage is not the predominant weapon used in most offense types. The two exceptions to that are shooting from a motor vehicle (used in 99% of cases) and aggravated assault (used in 53.3% of cases). By definition, cases that include shooting from a motor vehicle should all include the use of a firearm. It is possible that this .8% is due to data-entry error in the APD database.

In the case of aggravated battery, the personal weapon (fist, foot, or some other body part) is the most common weapon used (28% of cases), while blunt object is the second most common weapon used (22%). Firearms are only used in 11% of cases.

As the above table details, firearm usage is fairly common in aggravated assault cases; guns were used in 53% of incidents. Knives were the second most common weapon (24% of cases), followed by motor vehicles (8.6%) and blunt objects (7.7%).

The most common weapon used in domestic assaults and batteries is the personal weapon (27%), followed by blunt objects (21.8%) and knives (21.5%). Firearms were used in 8.4% of domestic assault and batteries between 1996 and 2003.

Most altercations between prisoners and peace officers (police, corrections officials) involved the usage of personal weapons (65.3%). In a small percentage of cases, firearms were used (4.7%).

In our last (and smallest) assault category—assault against a school official—firearm use was not reported. The vast majority of these incidents were physical altercations involving personal weapons (71.6%).

Table VI.2 further summarizes the above findings. Aggravated assault and shootings from a motor vehicle are the offense categories most likely to involve a firearm.

Table VI.2  
Offense Type by Weapon

	Aggravated battery (%)	Aggravated assault (%)	Aggravated assault or battery on a household member (%)	Shooting from a motor vehicle (%)	Aggravated assault or battery against a peace officer (%)	Assault or battery against a school official (%)
Firearm	10.7	53.3	8.4	99.2	4.7	0.0
Other Weapon	89.3	46.7	91.6	0.8	95.3	100
N	10949	6600	8090	2080	1728	102

$\chi^2 = 11584.843$ ,  $df = 5$ ,  $p < .001$

### Location of Assaults

As noted in Table VI.3, the majority of assaults occurred in private residences (49.7%). Assault incidents also occurred on highways, roads or alleys (23.2%) and in parking lots or garages (10.7%).

Table VI.3  
Location of Assaults

Location	%
Residence/home	49.7
Highway/road/alley	23.2
Parking lot/garage	10.7
Businesses	5.3
Bar/night club	2.2
Hotel/motel	1.4
Fields/woods/mesa	0.5
Other/unknown	7.0
N	30022

As depicted in Table VI.4, while other weapons are most commonly used in aggravated assaults, firearm-related assaults are most prevalent in highways, roads, or alleys (35.8%), business (32.6%), and fields/woods/mesa (28.1%) locations. Firearms were least common in assaults taking place in bars or night clubs (12.5% of cases) and in other or unknown locales (13%).

Table VI.4  
Location by Weapon Type for All Assault Incidents

	Bar/ night club (%)	Business (%)	Fields/ woods/ mesa (%)	Highway/ road/ alley (%)	Hotel/ motel (%)	Parking lot/ garage (%)	Residence (%)	Other/ unknown (%)
Firearm	12.5	32.6	28.1	35.8	21.2	27.5	21.8	13.0
Other Weapon	87.5	67.4	71.9	64.2	78.8	72.5	78.2	87.0
N	656	1578	135	6876	429	3176	14678	2015

$\chi^2 = 768.948$ ,  $df = 7$ ,  $p < .001$

#### *Distribution of Aggravated Assaults by Police Area Command*

As noted in Chapter V, the Albuquerque Police Department (APD) has situated most of its sworn officers into five police Area Commands. Since the first year of the SACSI initiative almost all investigative activities, including felony violent crimes investigations, have been centralized in a single unit to serve the entire City, while routine patrol activity, first response to field service calls, community policing, and other “uniform officer work” is organized at the Area Command level. A map of the five APD Area Commands and their geographical territory is provided in Figure VI.1

**Figure VI.1**  
**APD Area Commands**

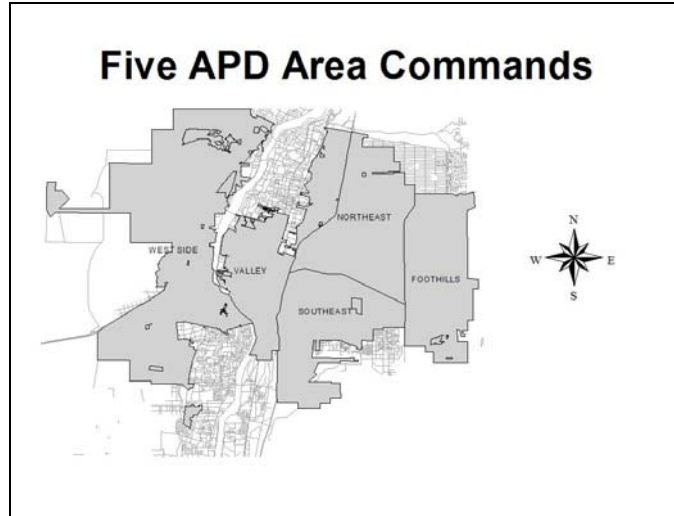


Table VI.5 depicts proportion of all reported aggravated assaults processed by each of the APD and BCSO Area Commands. The greatest proportion of cases are reported in the Southeast (24.6%), followed by the Valley (18.4%) and Northeast (16.7%) areas. Collectively, 16.1% of aggravated assaults are reported within BCSO command areas (North Valley, South Valley, East Side).

**Table VI.5**  
**Area Command Location in Which**  
**Aggravated Assault Occurred**

Area Command	%
APD- Southeast	24.6
APD- Valley	18.4
APD- Northeast	16.7
APD- Westside	14.5
APD- Foothills	9.0
APD- Other <sup>10</sup>	0.7
BCSO	16.1
N	30030

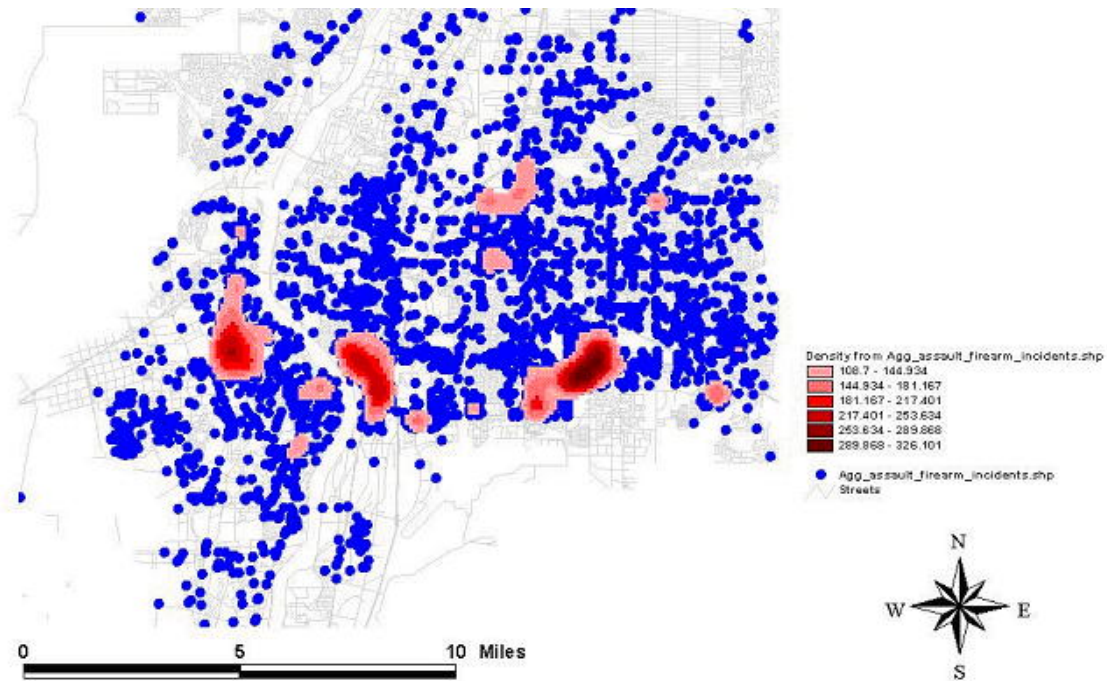
### *Spatial Distribution of Aggravated Assaults*

The following map (Figure VI.2) depicts the location of aggravated assault incidents (blue dots) and concentrations of these criminal acts in statistically-generated hotspots (red areas). A cursory look at the map reveals the widespread dispersion of assault incidents. Clearly, there are few areas of the city that are immune to aggravated assault. Though the assaults are fairly well dispersed, there are a few areas in which assault

<sup>10</sup> This command area did not conform to the five area commands.

incidents tend to cluster. The red areas are areas in which there is a higher concentration of incidents. The three largest red spots are clustered in a West-to-East line across the mid-section of the city, bordering Central Avenue (old Route 66).

**Figure VI.2**  
**Firearm Aggravated Assault Incidents and Hotspots (Albuquerque Area 1996-2001)**



### Temporal Characteristics

As Table VI.6 shows, the majority of assault incidents happen in the evening and early morning hours. Relatively few incidents happen in the morning hours.

Table VI.6  
Time of Day of Assaults

Time	%
5 am – 10 am	10.1
10 am – 2 pm	13.6
2 pm – 5 pm	13.4
5 pm – 10 pm	27.3
10 pm – 5 am	35.6
N	30015

Table VI.7 reveals that the use of firearms in the assault is more common between 10 pm and 5 a.m., while the use of other weapons is more likely to occur at all other times of the day.

Table VI.7  
Weapon by Time of Day

	Firearm (%)	Other Weapon (%)
5 am – 10 pm	10.0	10.1
10 am – 2 pm	11.7	14.2
2 pm – 5 pm	12.5	13.8
5 pm – 10 pm	26.4	27.5
10 pm – 5 am	39.4	34.4
N	7516	22018

$$\chi^2 = 72.838, df = 4, p < .001$$

Though in general the majority of incidents occur in the late evening, the type of assault is related to the timing of the event. Table VI.8 gives a more detailed depiction of the timing of assault events—broken down by type of assault. Clearly, the majority of aggravated battery, assault, domestic violence, shooting from a motor vehicle, and assault on a peace officer incidents happen in the evening and early morning. However, as one might expect, the majority of assaults against school officials happen during morning to early afternoon hours—the hours of school operation.

Table VI.8  
Offense Type by Time of Day

	Aggravated battery (%)	Aggravated assault (%)	Assault or battery on a household member (%)	Shooting from a motor vehicle (%)	Assault or battery against a peace officer (%)	Assault or battery against a school official (%)
5am – 10am	9.8	9.2	10.0	15.2	8.6	34.8
10am – 2pm	13.3	14.6	13.6	11.5	10.6	55.4
2pm – 5pm	13.1	16.5	13.0	9.7	10.2	8.9
5pm – 10pm	25.0	30.5	30.0	20.9	26.3	0.9
10pm – 5am	38.9	29.1	33.4	42.7	44.4	0.0
N	11099	6715	8209	2115	1765	112

$$\chi^2 = 749.364, df = 20, p < .001$$

As might be expected, the number of assault incidents increases on the weekend days (Friday through Saturday).

Table VI.9  
Day of Week Assaults Occurred

Day of week	%
Monday	13.1
Tuesday	12.2
Wednesday	13.2
Thursday	13.6
Friday	14.4
Saturday	17.2
Sunday	16.3
N	30030

Although there is a small increase in firearm usage on the weekend days, Table VI.10 indicates that this difference is not statistically significant.

Table VI.10  
Day of Week by Firearm Use

	Firearm (%)	Other Weapon (%)
Monday	12.8	13.2
Tuesday	11.9	12.3
Wednesday	13.8	13.0
Thursday	13.3	13.7
Friday	14.5	14.3
Saturday	16.7	17.5
Sunday	17.1	15.9
N	7518	22031

In summary, assault incidents tend to be more common late at night or early in the morning, and they tend to be more common on weekend days. This pattern was consistent across all types of assault, with the exception of assaults against school officials (Table VI.11). We would not expect to see weekend incidents, and indeed, there are none. Rather, these types of assault events were most common between Tuesdays and Fridays.



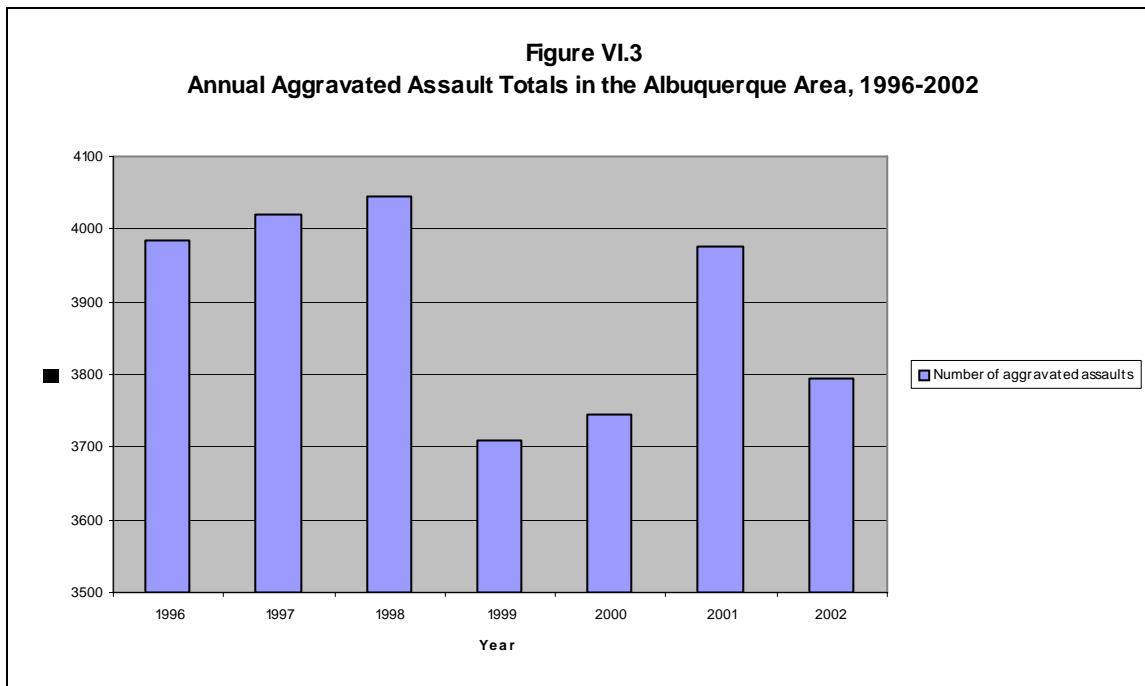
Table VI.11  
Offense Type by Day of Week

	Aggravated battery (%)	Aggravated assault (%)	Assault or battery on a household member (%)	Shooting from a motor vehicle (%)	Assault or battery against a peace officer (%)	Assault or battery against a school official (%)
Monday	13.2	13.0	13.4	12.3	11.9	11.6
Tuesday	12.1	13.1	12.0	11.5	11.1	20.5
Wednesday	13.6	13.8	12.2	13.5	12.3	20.5
Thursday	13.4	14.5	13.4	13.0	12.8	24.1
Friday	14.3	15.0	14.0	12.7	15.6	23.2
Saturday	17.4	15.3	18.1	18.3	19.5	0.0
Sunday	15.9	15.4	16.9	18.6	16.8	0.0
N	11107	6716	8211	2117	1767	112

$\chi^2 = 138.656$ ,  $df = 30$ ,  $p < .001$

### Aggravated Assaults Over Time

As illustrated in Figure VI.3, there were more than 3700 cases of aggravated assaults each year. The number peaked in 1998, with 4046 cases reported that year. Data for 2003 only includes assaults that occurred through August of that year and is therefore excluded from this graph.



### Firearm Use Over Time

The research team also compared the proportion of aggravated assaults that involved the use of a firearm over time (Table VI.12). We determined that, similar to homicide trends, the proportion of assaults with a firearm declined rapidly between 1996 (37.9%) and 2000 (21.5%), and has continued to decline slightly through 2003 (20.7%).

Table VI.12  
Firearm Use Over Time

	1996 (%)	1997 (%)	1998 (%)	1999 (%)	2000 (%)	2001 (%)	2002 (%)	2003 (%)
Firearm used	37.9	27.4	29.1	24.4	21.5	20.2	20.5	20.7
No firearm	62.1	72.6	70.9	75.6	78.5	79.8	79.5	79.3
N	3794	3998	4020	3682	3680	3942	3762	2671 <sup>11</sup>

$\chi^2 = 515.13$ , 7df,  $p < .001$

### ***Offender Characteristics.***

There were 28,722 individuals identified as a suspect or arrested at the scene of the aggravated assault incident. Assault offenders in Albuquerque are similar to those offenders in other SACSI sites, in that most offenders are young males, between the ages of 18 and 34 with a mean age of 28 (Table VI.13). Unlike other areas, however, the majority of offenders here are White, followed by Hispanic. Like most urban areas in the United States, when we compare the ethnic breakdown of offenders to the ethnicity of the population in Albuquerque, we find some disparities.<sup>12</sup> First, African-Americans are highly over-represented: they comprise almost 9% of offenders, but only 3% of the population. Likewise, Native American offenders are somewhat over-represented here; they comprise a little over 3% of the population in Albuquerque, but almost 6% of offenders. White offenders are about proportionally equal to their population in Albuquerque, and Hispanics are slightly underrepresented.

<sup>11</sup> 2003 cases only include cases through August 2003.

<sup>12</sup> Based on Census 2000 redistricting data for Albuquerque. Albuquerque's population is estimated at 49.9% white, 39.9% Hispanic, 3.3% Native American 2.8% African-American, and 2.2% Asian. See <http://www.unm.edu/~bber/census/plalb.htm>.

Table VI.13  
Offender Characteristics

	All Offenders/suspects Identified at Scene
Gender- male (%)	79.7
N	28319
Ethnicity (%)	
White	48.2
Hispanic	36.5
African American	8.7
Native American	5.9
Asian	0.8
N	27390
Age	
Mean (s.d.)	28.21 (11.37)
Range	1 to 94
N	25311
Categorical age (%)	
Less than 17	16.5
18 to 24	28.4
25 to 34	26.9
35 to 44	19.0
45 to 54	6.8
55 and over	2.4
N	22366

#### Gender of Offender Over Time

Table VI.14 specifies the gender of offenders involved in Albuquerque assault cases over time. As can be seen in that table, the proportion of male offenders has decreased over time. This change is statistically significant.

Table VI.14  
Gender of Offender Over Time

	1996 (%)	1997 (%)	1998 (%)	1999 (%)	2000 (%)	2001 (%)	2002 (%)	2003 (%)
Male	82.9	80.3	81.1	78.2	78.8	79.5	78.2	78.4
Female	17.1	19.7	18.9	21.8	21.2	20.5	21.8	21.6
N	3392	3738	3772	3604	3745	3790	3728	2550

$\chi^2 = 42.23$  7df,  $p < .001$

Table VI.15 illustrates the relationship between gender and the use of firearms. We found that males (22.5%) are significantly more likely to use firearms than females (10.5%). Males used firearms in 22.5% of assaults, while females used them in 10.5% of assaults.

Table VI.15  
Offender Gender by Weapon Used

	Male (%)	Female (%)
Firearm	22.5	10.5
Other Weapon	77.5	89.5
N	22179	5668

$\chi^2 = 404.271$ , df = 1, p < .001

The following table (VI.16) compares assault offense type by gender. In all individual assault categories, males are the more likely perpetrators. Females have the lowest representation in the shooting from a motor vehicle (10.8%), assault against school personnel (11.8%), and the aggravated assault (13.3%) categories. When comparing across these categories, females are most likely to be involved in the domestic assault and battery cases (25.4%).

Table VI.16  
Offense Type by Gender of Offender

	Aggravated battery (%)	Aggravated assault (%)	Assault or battery on a household member (%)	Shooting from a motor vehicle (%)	Assault or battery against a peace officer (%)	Assault Against School Personnel (%)
Male	79.9	86.7	74.6	89.2	75.8	88.2
Female	20.1	13.3	25.4	10.8	24.2	11.8
N 28319	N 9790	N 6194	N 8967	N 845	N 2371	N 152

$\chi^2 = 406.160$ , df = 5, p < .001

### Ethnicity of Offender Over Time

As we found for homicides, the proportion of White offenders appears to be increasing over time, while the proportion of Hispanic offenders is decreasing. There is no drastic change in the proportion of African American, Native American, or Asian offenders. When we looked at the offender ethnicity over time controlling for firearm use, we found no differences. That is, regardless of whether a firearm was used, Hispanic offenders are decreasing corresponding with an increase in White offenders.

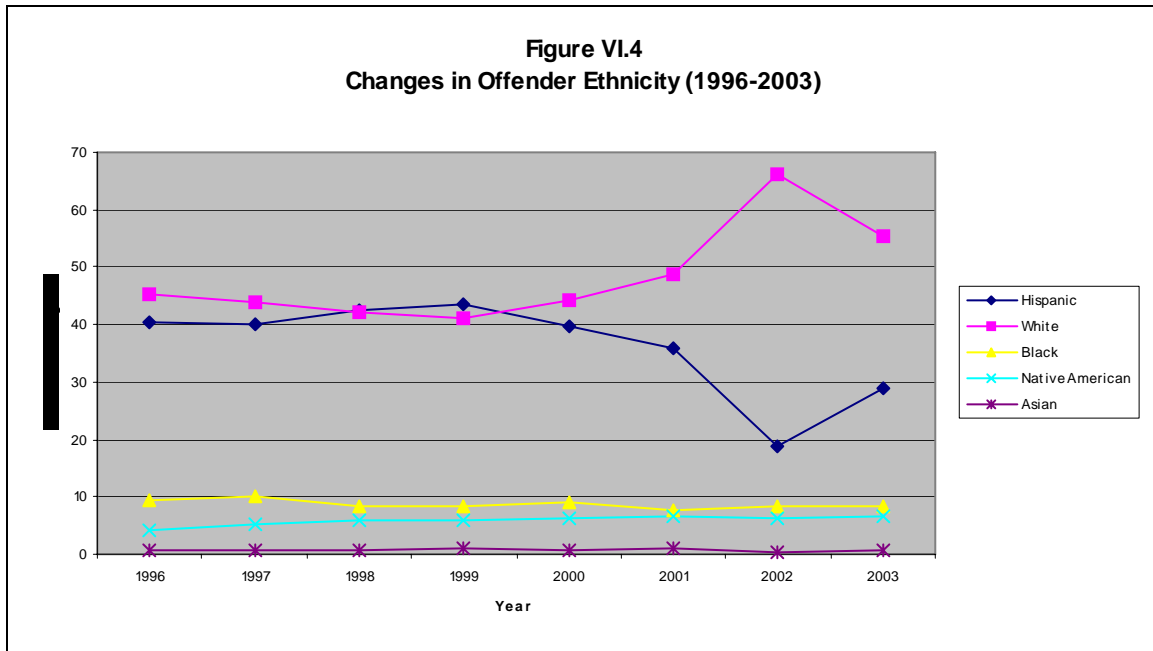


Table VI.17 examines the relationship between ethnicity and type of weapon used. African American offenders (23.6%) are more likely to use weapons in assault offenses than members of other ethnic groups, followed by Hispanics (22.0%) and Whites (19.6%), and Asian Americans (16.8%). Native American offenders rarely use firearms in assault offenses (4.7).

Table VI.17  
Offender Ethnicity by Weapon Used

	White (%)	Hispanic (%)	African American (%)	Native American (%)	Asian American (%)
Firearm	19.6	22.0	23.6	4.7	16.8
Other Weapon	80.4	78.0	76.4	95.3	83.2
N	13007	9804	2351	1580	202

$\chi^2 = 278.486$ ,  $df = 4$ ,  $p < .001$

### Age of Offender

Consistent with life-course theories of crime, the majority of offenders in the Albuquerque area fell into the 18-24 (28.4%) and 24-34 (26.9%) age deciles (Table VI.18).

Table VI.18  
Offender Age Groupings

Age	%
1 – 17 years old	16.5
18 – 24	28.4
24 – 34	26.9
35 – 44	19.0
45 – 54	6.8
55 +	2.4
N	22366

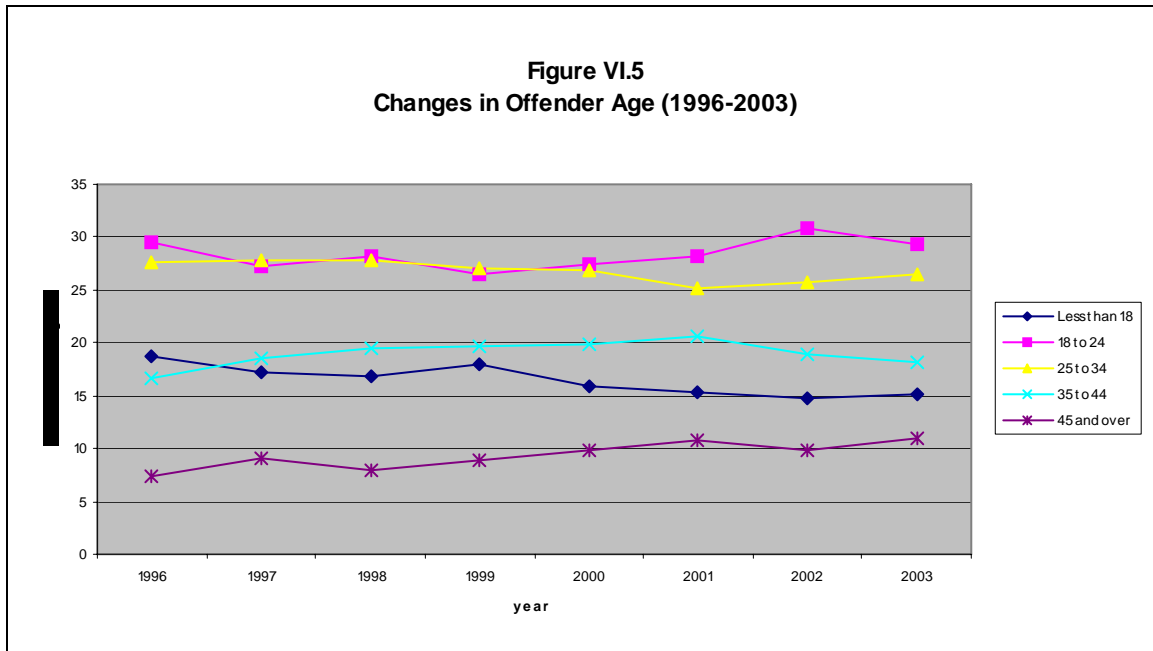
From 1996 to 2003, there is a slight increase in the average age of offenders, across all aggravated assault offense types.

Table VI.19  
Average Age of Offender Over Time

Year	Mean (s.d.)	Range	N
1996	27.11 (10.77)	6 to 82	3036
1997	28.17 (11.31)	3 to 85	3300
1998	27.91 (10.88)	4 to 89	3319
1999	28.19 (11.59)	3 to 91	3201
2000	28.50 (11.38)	2 to 79	3367
2001	28.74 (11.78)	1 to 83	3394
2002	28.46 (11.50)	7 to 94	3376
2003	28.62 (11.65)	4 to 79	2318

F= 6.48 7,25303 df, p<.001

Although there is an increase in the age of offenders over time, there is no striking difference between the age groups over time. There is a slow but steady increase in the proportion of older (45 and over) offenders, with a decrease in those under 18.



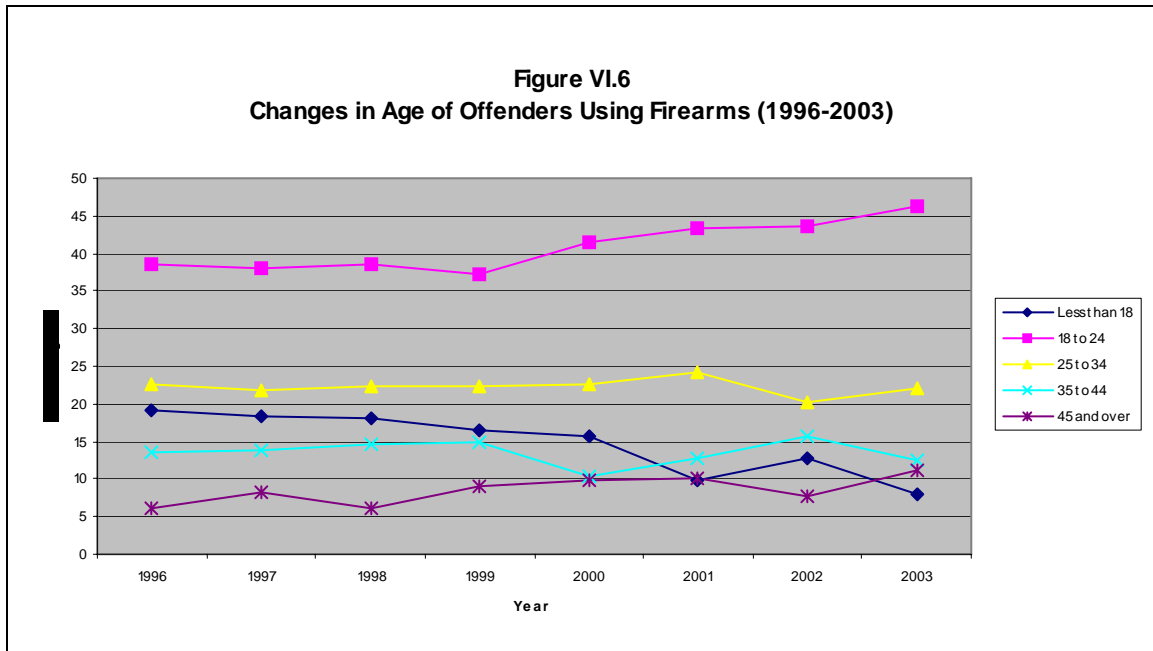
Further, the average age of offenders using firearms was slightly younger than for those individuals using other types of weapons (Table VI.20).

Table VI.20  
Offender Average Age by Weapon Used

	Firearm	Other Weapon
Mean Age (sd)	26.4 (11.08)	28.6 (11.42)
N	4711	20174

$F = 143.998, df = 1, 24884 \quad p < .001$

When looking at the age of the offender amongst those who used a firearm during the commission of the offense, we find an increase in the proportion of 18 to 24 year olds over time. This difference between age groups over time is statistically significant ( $\chi^2 = 72.03, 35 \text{ df}, p < .001$ ).



When comparing age of the offender with type of assault (Table VI.21), we found (not surprisingly) that assaults against school personnel involved much younger offenders (a mean age of 15.6 years) than with other offense types. The next oldest group was comprised of those offenders involved in a shooting from a motor vehicle (a mean age of 22.1 years), while for the remaining offense categories the mean age hovered in the upper twenties. The oldest offenders were those involved in domestic violence (mean age of 30.6 years).

Table VI.21  
Offense Type by Mean Age of Offender

	Aggravated battery	Aggravated assault	Assault or battery on a household member	Shooting from a motor vehicle	Assault or battery against a peace officer	Assault Against School Personnel
Mean Age of Suspect or Arrestee (sd)	26.8 (11.53)	27.7 (12.04)	30.6 (10.79)	22.1 (7.51)	28.01 (10.41)	15.6 (2.9)
N	8137	5290	8688	691	2352	153

$F = 185.108, df = 5, 25305 \quad p < .001$

### ***Victim Characteristics.***

Victims tend to be similar to offenders, although there are some differences (Table VI.22). Also consistent with literature on the demographics surrounding crime, victims of assault are more likely to be male (59%) than female (41%).

The majority of victims are either white (53.5%) or Hispanic (35.1%). These proportions are similar to Albuquerque's actual racial/ethnic composition. African Americans,



Native Americans, and Asians make up a minority of the victims of aggravated assault. However, African Americans are overrepresented among victims of aggravated assault, relative to the composition of the community.

The majority of crime victims are relatively young, although the rate is fairly constant below the 35-44 age group. Research generally indicates that youth are both the most likely to offend and the most likely to be victimized so, again, these findings are not surprising. The two largest subgroups here are those between 18 and 24 (25%) and those between 24 and 34 (23%). Older individual (those over 45) are the least likely to be victims of assault in this sample.

Table. VI.22  
Victim Characteristics

	All victims at incident
Gender- male (%)	58.9
N	38940
Ethnicity (%)	
White	54.0
Hispanic	34.5
African American	5.5
Native American	5.3
Asian	0.7
N	38793
Age	
Mean (s.d.)	28.30 (13.75)
Range	0 to 100
N	39283
Categorical age (%)	
Less than 17	20.1
18 to 24	24.9
25 to 34	23.6
35 to 44	18.8
45 to 54	8.4
55 and over	4.2
N	34792

#### Gender of Victim Over Time

Over time, the percentage of male victims of aggravated assault has decreased slightly, while the percentage of female victims has increased slightly. This change over time is related to the type of weapon used. Specifically, non-firearm related assaults are associated with a decrease in male victims ( $\chi^2 = 41.61$ , 7df,  $p < .001$ ). However, there is no change in the gender of the victim over time in firearm related assaults.

Table VI.23  
Gender of Victim Over Time

	1996 (%)	1997 (%)	1998 (%)	1999 (%)	2000 (%)	2001 (%)	2002 (%)	2003 (%)
Male	62.7	60.4	59.4	58.0	57.0	58.8	57.5	56.9
Female	37.3	39.6	40.6	42.0	43.0	41.2	42.5	43.1
N	5351	5189	5420	4951	5110	5252	4972	3595

$\chi^2=56.17$ , 7df,  $p<.001$

Gender of Victim and Weapon Type

Victim gender disparity in the type of weapon used is greatest in the instance of firearms (Table VI.24). Males are more likely to be victims in cases involving firearms (65.1%) and knives (63.0%). Females are more likely to be assaulted without a weapon (53.2%), or with a personal weapon (53.0%).

Table VI.24  
Weapon Type by Gender of Victim

	No Weapon (%)	Firearm (%)	Knife (%)	Personal Weapon (%)	Motor Vehicle (%)	Blunt Object (%)
Male	46.8	65.1	63.6	47.0	55.8	61.5
Female	53.2	34.9	36.4	53.0	44.2	38.5
N	79	11652	7152	6925	2032	6410

$\chi^2= 679.29$ , 5df,  $p<.001$

We also collapsed the weapon types into firearm versus all other types of weapons. The results were still statistically significant, indicating that males are more likely to be victims of a firearm related offense than females.

Table VI.25  
Weapon Type by Gender of Victim

	Male (%)	Female (%)
Firearm	32.8	25.3
No firearm	67.2	74.7
N	23101	16048

$\chi^2= 254.22$ , 1df,  $p<.001$

Gender of Victim and Type of Assault

As noted in Table VI.26, the majority of victims in assaults upon household members were females (66.1%). In aggravated battery cases, males were more likely the victims, (71.0%) as was the case with aggravated assault (66.7%), shooting from a motor vehicle (61.1%), assault or battery against a peace officer (59.8%), and assault against school personnel (59.0%). In each of these types of offense categories, males are the more likely victims.

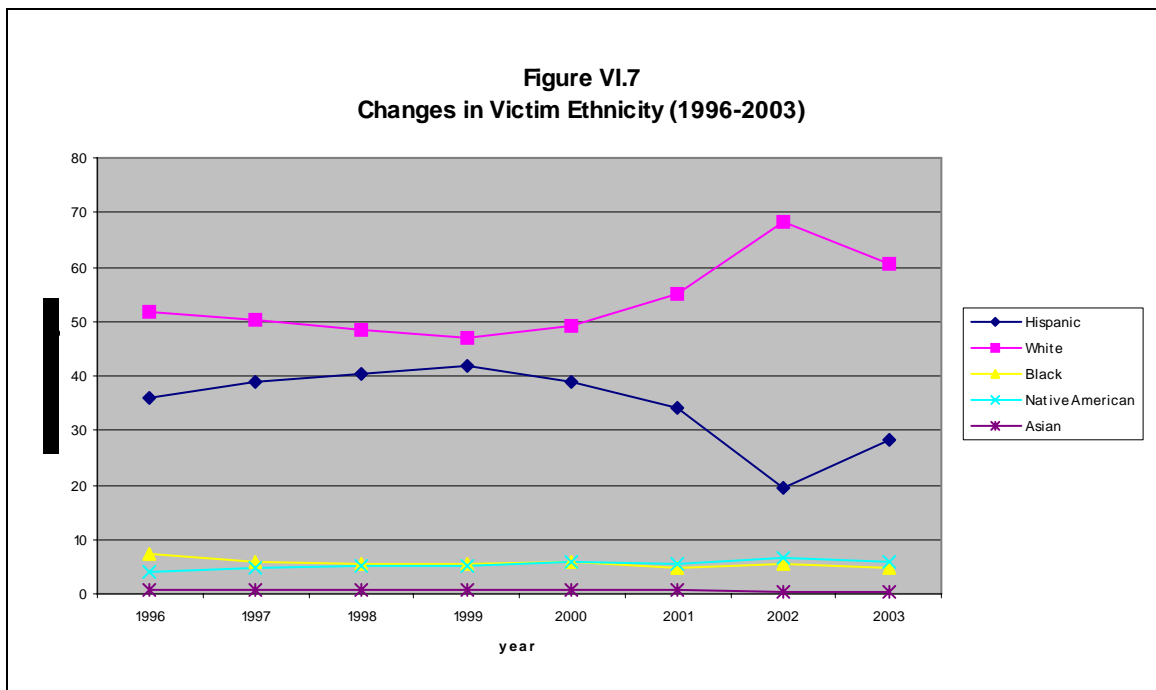
Table VI.26  
Offense Type by Gender of Victim

	Aggravated battery (%)	Aggravated assault (%)	Assault or battery on a household member (%)	Shooting from a motor vehicle (%)	Assault or battery against a peace officer (%)	Assault Against School Personnel (%)
Male	71.0	66.7	33.6	61.0	60.6	62.7
Female	29.0	33.3	66.4	39.0	39.4	37.3
N	13853	11023	10316	3657	841	150

$\chi^2 = 3856.67$ , 5df,  $p < .001$

### Ethnicity of Victim Over Time

Trends in ethnicity of victims parallel those of offenders. Around 2000, the proportion of White victims appears to increase, while that of Hispanic victims decreases. The proportions of African American, Native American, and Asian victims is relatively stable across the years sampled.



### Ethnicity of Victim and Type of Weapon

Shown in Table VI.27, firearms were most likely used in assault cases in which the victim was African-American (35.4%), followed by Asians (35.9%), Hispanics (33.5%),

and whites (28.6%). As with other analyses of violent crimes in Albuquerque, firearms were least likely in cases in which victims were Native American (10.3%).

Table VI.27  
Victim Ethnicity by Weapon Used

	White (%)	Hispanic (%)	African American (%)	Native American (%)	Asian (%)
Firearm	28.6	33.5	35.4	10.3	35.9
Other Weapon	71.4	66.5	64.6	89.7	64.1
N	20616	13120	2113	2021	262

$\chi^2 = 501.114$ ,  $df = 4$ ,  $p < .001$

#### Ethnicity of Victim and Type of Assault

Below, in table VI.28, we detail the ethnicity of victims, across all six offense types. African Americans, Native Americans, and Asians tend to make up a minority of victims overall. Whites are the most common victims, hovering around 50% in most categories. Hispanics comprise the next group, proportionately speaking. Interesting differences appear in the assault against a school official category. The percentage of white victims increases here to 74.1%.

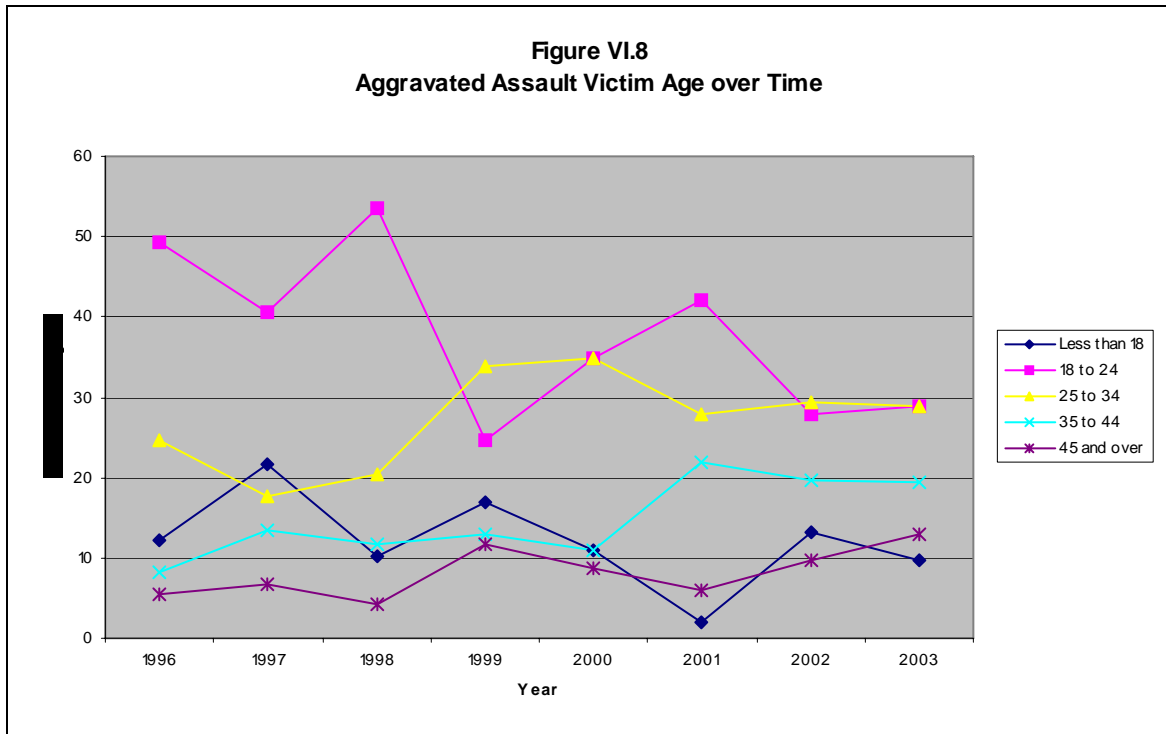
Table VI.28  
Victim Ethnicity by Offense Type

	Aggravated battery (%)	Aggravated assault (%)	Assault or battery on a household member (%)	Shooting from a motor vehicle (%)	Assault or battery against a peace officer (%)	Assault Against School Personnel (%)
White	54.3	56.5	51.1	51.2	58.7	74.1
Hispanic	32.5	35.0	34.9	40.6	32.0	21.8
African American	5.5	5.3	6.0	5.6	3.1	3.4
Native American	7.1	2.3	7.5	1.7	5.4	0.7
Asian	0.6	0.9	0.5	0.9	0.9	0.0
N	13442	10748	10125	3546	785	147

$\chi^2 = 596.43$ ,  $df = 20$ ,  $p < .001$

#### Age of Victim Over Time

According to Figure VI.8, the two age categories with the greatest fluctuation were those 18 to 24 years old, and those 25 to 34 years old. There is a decrease in the proportion of offenders aged 18 to 24, while there is a slight increase in the proportion of offenders aged 25 to 34.



### Age of Victim and Type of Weapon

The average age of victims attacked with a firearm was slightly lower than that of victims attacked with other types of weapons (Table VI.29).

Table VI.29  
Victim Age by Weapon Used

	Firearm	Other Weapon
Mean age	28.02	28.42
(sd)	(13.71)	(13.75)
N	27112	11498

$F = 6.72, df=1, 38608, p=.01$

The average age of victims of firearm related assault did not differ dramatically over the sample period (Table VI.30). Though there is some fluctuation between 1997 and 2000, there is no clear trend in age. Our last year, 2003, has a somewhat higher mean age.

Table VI.30  
Average Age of Victims of Firearm Related Assaults Over Time

Year	Mean (s.d.)	Range	N
1996	27.28 (13.3)	91	2520
1997	27.69 (14.2)	86	1944
1998	28.13 (13.8)	91	1993
1999	26.31 (12.6)	84	1557
2000	27.49 (13.9)	94	1322
2001	27.89 (13.6)	84	1297
2002	27.80 (13.4)	88	1264
2003	29.17 (13.8)	87	908

F= 4.537, df = 7, 12797 p < .001

Figure VI.9 suggests that there is a decrease in victims between the ages of 18 and 24, and those less than 18, with a corresponding increase in victims between the ages of 25 and 34 over time. There also appears to be an increase in the proportion of victims of firearm related assaults over the age of 45.

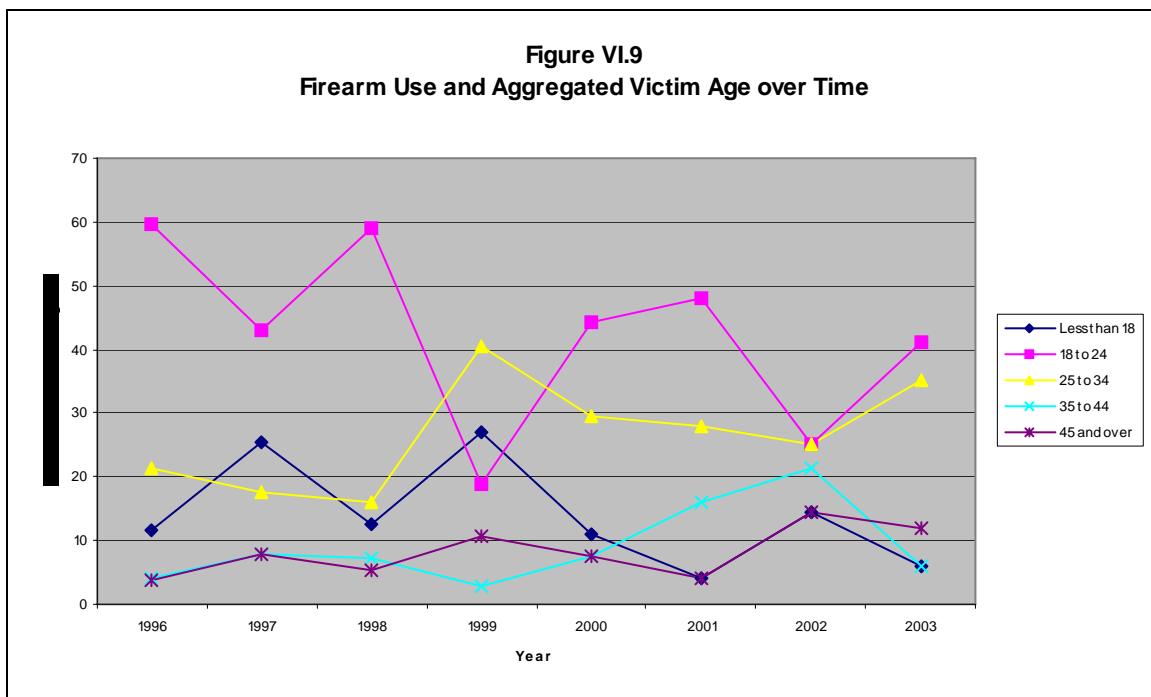


Table VI.31 indicates that the mean age for most victims of assault is between 25 and 35. The crime category with the oldest mean age was the assault against school personnel category (36.6 years), with the assault against a peace officer (31.4 years), which is sensible given the professional status of these victims. Of other assault types, shooting from a motor vehicle (30.6 years) involves the oldest victims, followed by victims in assaults against household members (29.0 years), aggravated assault (27.9 years) and aggravated battery (26.8 years).

Table VI.31  
Offense Type by Mean Age of Victim

	Aggravated battery	Aggravated assault	Assault or battery on a household member	Shooting from a motor vehicle	Assault or battery against a peace officer	Assault Against School Personnel
Mean Age (sd)	26.93 (13.24)	28.00 (12.99)	29.17 (13.81)	30.84 (16.50)	32.38 (14.44)	36.63 (13.33)
N	13706	10875	10211	3618	742	131

$F = 84.91$ ,  $df = 5$ ,  $39277$   $p < .001$

### ***Relationship Between Victim and Offender.***

#### *Number of Offenders and Victims*

Table VI.32  
Number of victims by number of offenders

	Single offender (%)	Multiple offenders (%)
Single victim	74.5	56.6
Multiple victims	25.5	43.4
N	17762	4310

$\chi^2 = 1554.163$ ,  $df = 1$ ,  $p < .001$

The above table indicates that in cases where only one victim is involved, in the majority of instances there is only one offender (74.5%). Where multiple victims are involved, multiple offenders are more common.

#### *Firearm Use and Number of Perpetrators*

As can be seen in Table VI.33, when a firearm is involved, it is more likely that there are multiple offenders. When some other type of weapon is used, a single offender is more common.

Table VI.33  
Number of Offenders and Firearm Use

	One offender (%)	Multiple offenders (%)
Firearm	15.8	25.9
Other	84.2	74.1
N	17502	4301

$\chi^2 = 239.012$ ,  $df = 1$ ,  $p < .001$

#### *Firearm Use and the Number of Victims*

The use of a firearm during an assault is more likely to include multiple victims. When some other sort of weapon is used, a single victim is more common.

Table VI.34  
Firearm Use and Number of Victims

	Single victim (%)	Multiple victims (%)
Firearm	22.2	32.7
Other weapon	77.8	67.3
N	20642	8815

$\chi^2 = 362.685$ ,  $df=1$ ,  $p < .001$

When we control for the number of offenders, we find that when a single offender is involved in the assault and a firearm is used, multiple victims are more common. When there is a single offender and some other sort of weapon is used, a single person is more likely to be assaulted. When there are multiple offenders, however, the number of victims does not appear to be associated with the type of weapon used. This indicates that only when a single offender is involved, the type of weapon associated with the number of victims significant.

Table VI.35  
Firearm Use by Number of Victims Controlling for Number of Offenders

		Single victim (%)	Multiple victims (%)
Single offender	Firearm	13.0	23.5
	Other weapon	87.0	76.5
	N	13013	4443
Multiple offenders	Firearm	25.9	25.1
	Other weapon	74.1	74.9
	N	1847	2413

$\chi^2$  for single offender and weapon type: 276.78, 1df,  $p < .001$

$\chi^2$  for multiple offender and weapon type: n/s

### Demographic Relationship of Victims and Offenders

- *Gender of Victim and Offender*

In Table VI.36, we discover that when there are only male or female victims, the perpetrator is about equally likely to be male or female. When there are both male and female victims, the perpetrators are more likely to include a mix of male and females. This result is somewhat surprising, as we might expect that the gender of the victim and the gender of the perpetrator would be the same in most cases. However, there are many domestic assaults included in this analysis, which may account for this finding.



Table VI.36  
Gender of Victim and Perpetrator

Gender of victim	Gender of perpetrator		
	All male (%)	All female (%)	Both male and female (%)
All male	46.4	48.7	35.2
All female	40.5	41.2	21.1
Both male and female	13.1	10.1	43.6
N	15960	3363	1359

$\chi^2 = 1016.37$ , 4df,  $p < .001$

We then examined the gender relationship controlling for the type of weapon used (firearm or no firearm). Here we found the similarities between gender of victim and offender. Specifically, when a firearm was used, males were more likely to be victimized by other males, females by other females and when both sexes were included as victims, both sexes were more likely perpetrators. However, when a firearm was not used, males were slightly more likely to be victimized by females, and females by males. When victims include both sexes, offenders were more likely to be both male and female.

Table VI.37  
Gender of Victim and Offender by Firearm Use

	Gender of victim	Gender of perpetrator		
		All male (%)	All female (%)	Both male and female (%)
Firearm used	All male	54.2	42.6	42.4
	All female	25.2	37.9	20.8
	Both male and female	20.6	19.6	36.7
	N	3204	235	245
No firearm used	All male	44.5	49.5	33.7
	All female	44.3	41.3	21.0
	Both male and female	11.2	9.3	45.3
	N	12476	3079	1096

$\chi^2$  with firearm: 55.10, 4df,  $p < .001$

$\chi^2$  no firearm: 1118.16, 4df,  $p < .001$

### *Ethnicity of Victim and Offender*

When we compared the ethnicity of the victim and offender, we found that they tend to look alike. When the victim is white, the offender is also white. When the victim is from a minority ethnic group, the perpetrator also tends to be minority. When the victims are both White and minority, the offenders also include White and minority individuals. We looked at the ethnic relationship between victims and perpetrators controlling for weapon

type. We found that the same relationship held, regardless of the type of weapon used during the assault.

Table VI.38  
Ethnicity of Victim and Perpetrator

Ethnicity of victim	Ethnicity of perpetrator		
	All White (%)	All minority (%)	Both White and minority (%)
All White	66.5	34.5	31.6
All minority	25.8	55.6	28.8
Both white and minority	7.7	9.9	39.5
N	8998	9402	1482

$\chi^2 = 3311.85$ , 4df,  $p < .001$

- *Age of Victims and Offenders*

Victims and offenders tend to be similar in terms of age as well. In table VI.39, we illustrate the categorical age of victims and offenders. Note that in cases where there are multiple offenders and/or multiple victims, the mean age is used. When we control for the number of victims and offenders, we find that this relationship holds. Further, when we examined the victim-offender age relationship in conjunction with firearm use, we find that the relationship generally remains. However, it should be noted that among firearm related assaults, we found that those between the ages of 35 and 44 and those between 45 and 54 more often included offenders from the same age group or the next age group up.

Table VI.39  
Age of Victim by Age of Perpetrator

Age of victim	Age of perpetrator					
	Less than 18	18-24	25-34	35-44	45-54	55+
Less than 18	49.8	17.7	12.2	10.5	11.2	14.2
18-24	15.8	44.2	20.5	12.2	9.6	9.4
25-34	14.3	21.8	42.8	27.0	21.9	15.7
35-44	12.6	10.7	17.1	37.0	27.9	21.0
45-54	5.2	4.4	5.6	9.7	22.4	18.6
55+	2.4	1.2	1.8	3.7	7.0	21.2
N	2886	4915	5376	3644	1289	415

$\chi^2 = 5920.87$ , 25df,  $p < .001$

## Summary

According to our analysis of assaults occurring between 1996 and 2003, these offenses incidents are fairly dispersed throughout the city of Albuquerque, although some statistical concentrations can be identified. Most assault incidents occur in private residences, on highways, roads, or alleys, or in parking lots. The majority of assault

incidents (except those against school officials) occur in the late evening or early morning hours. As to time of week, the number of assaults increases slightly on weekend nights (Friday through Saturday).

The proportion of assaults committed with a firearm has decreased significantly over time.

While firearms are used in only 25% of all assault cases, they are used in the majority of aggravated assaults and drive-bys. Firearms are most commonly used in the late evening or early morning, and in assaults occurring in businesses, on highways, roads or alleys, or in fields/woods/mesa.

In terms of the ethnicity of both offenders and victims, we found that the proportion of Hispanics decreased over the sample period, while the proportion of Whites increased over the period. This is true regardless of whether a firearm was used during the offense.

Our analyses of demographics indicate that males are more commonly the offenders and victims in assaults. Males are also more likely to use firearms during assaults. As to assault types, females are more likely to be victims in domestic assault cases; males are more likely victims in all other assault categories. Most offenders are between 18 and 44 years old, are likely either Hispanic or white. Among those who used a firearm, however, African Americans, Whites and Hispanics are most common; the average age of offenders was younger as well. Native Americans are the least likely to use firearms in the course of an assault.

## **CHAPTER VII**

### **THE FLOW OF HOMICIDE AND AGGRAVATED ASSAULT CASES THROUGH THE CRIMINAL JUSTICE SYSTEM**

SACSI's mission is to produce greater public safety, through enhanced crime prevention, detection and intervention efforts. From a deterrence perspective, SACSI attempts to specifically reduce violent crimes by bringing offenders to justice and imposing enhanced punishments upon violent, firearm-using criminals, leading to their restraint for often lengthy periods of time and subjecting them to corrections strategies intended to reduce their motivation to repeat their violent behaviors. Also, SACSI intends that citizens in general will notice that violent offenders are swiftly and surely punished for their wrongdoing, causing the general population to rationally avoid committing similar crimes in the first place.

The ability of the criminal justice system to effectively deter violent crimes, either specifically or generally, is directly related to its reputation among offenders and the citizenry for producing just outcomes when offending occurs. Related to SACSI, the outcomes of local initiatives in reducing firearm-related violence and improving public safety is mediated by perceptions of the credibility of the justice system. Specifically, if potential offenders come to believe that they will in fact be more likely to be detected, arrested, adjudicated, and punished for wrongdoing as a result of the SACSI initiative, then they are likely to be deterred from breaking the law. However, if they believe that SACSI is mere empty verbiage, they will continue to act as before. Demonstrated credibility gaps are likely to reduce the level of respect with which criminal justice agencies are held, by offenders and the general public alike. For this reason, initiatives like SACSI that pronounce that interventions are more likely to be swift, sure, and severe run the risk of negative impact if in fact they are not backed up with real change.

The message that if a person commits a crime with a firearm that they will in fact be subjected to significant punishment within the criminal justice system is not unique to SACSI, but underlies all innovative crime intervention strategies, not to mention traditional justice agency practices. In spite of the consistency and ubiquity of this message, violent offending continues at unacceptable rates in the United States. Social scientists have spent a great deal of time and effort trying to determine why deterrence approaches are less than highly effective in containing the prevalence of such crime. One explanation is that many offenders are not rational in their decision making, especially at the moment in which they are motivated to commit a violent act. Another possible explanation is that offenders do not perceive that the system is likely to detect the crime, associate them with the crime, and impose commensurate punishment. That is, they might rationally conclude that they will "Get away with it" and totally, or in large part, evade punishment for their actions.

Crime intervention, and thus deterrence, is dependent on cooperation among justice agencies. For example, a particular initiative intended to improve crime detection and arrest rates might not succeed in increasing public safety if suspected offenders are not

prosecuted, convicted, or punished appropriately in later stages of the justice system. Thus, the effectiveness of front-end law enforcement strategies, and thus their credibility, depends on the ability of middle- and back-end prosecutorial, adjudicatory and sentencing practices.

Because of the importance of inter-agency dependence in determining criminal justice outcomes, the research team explored the movement of violent crime cases through local and state agencies, who intervene with the vast majority of firearm-related cases in the SACSI service area.<sup>13</sup> In this chapter we present the results of the analysis of the flow of aggravated assault and homicide cases through the local criminal justice system. Case flow analysis seeks to understand system decision making by determining the progression of cases through the criminal justice system-- the number and proportion of cases dropping out at or moving forward from each of a series of critical decision points and mandated legal stages. Case flow analysis can be useful in determining what offender, victim, crime episode (including firearm use) and system characteristics are related to the legal decision-making and the outcomes of criminal cases.

## **Literature Review**

There has been a substantial amount of research conducted on the legal processing of criminal cases in general. There are three points in the processing of criminal cases that have garnered the most attention from researchers: arrest, prosecutorial decision-making and sentencing procedures. Prior research on felony cases has found that differential case processing can be attributed to the offender's characteristics (Fridell, 1990; Lizotte, 1978), the interaction between offender and victim characteristics (LaFree, 1980), characteristics of the case (Albonetti, 1987; Stanko, 1981-1982), and some combination of the above (Albonetti and Hepburn, 1996; Bourque, 1989; Frohman, 1996; Myers and Hagan, 1979). These and other factors can be classified as intrinsic to the case and legal system (legal factors), or extrinsic to the system and more social in nature (extralegal factors). Legal factors are any related to the particular offense, such as the seriousness of the offense, strength of evidence and defendant's prior arrest record. Extralegal factors generally are those related to offender and victim characteristics, such as race, gender, age, and social status. While extralegal variables act primarily in interaction with other variables, legal variables have both direct and indirect effects. The literature review that follows summarizes the findings of the impact of extralegal and legal variables on case decision making, particularly emphasizing prosecutorial decision-making and sentencing.

### ***Extralegal Factors.***

#### **Race**

Overrepresentation of minority groups has been consistently found at all stages of legal processing. In particular, while incarceration rates in general have increased dramatically across the country, the impact on minorities has been even more pronounced than for

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<sup>13</sup> While similar analyses have been proposed with the movement of cases through the federal system, it has not been undertaken in the Albuquerque site to this point.

majority whites. Whereas one in every 451 Americans was incarcerated in 1980, one in every 142 Americans was incarcerated in (BJS Statistics Bulletin 2001). Racial minorities, however, have experienced the greatest increase in incarceration rates. In 1930, 77% of American prisoners were white, while 22% were African American, and 1% members of other ethnic groups. By 2000, African Americans and Latinos comprised 62.6% of the federal and state prison population (IBID: 126). This shift occurred without a commensurate increase in the proportion of minority citizens in the United States.

Academics argue as to the ultimate explanation for these disparities; while some argue that there is evidence that members of racial minorities do offend at high rates, others argue that racial profiling and discrimination is to blame for the high proportion of minorities in American jails and prisons (Reiman 2004). Earlier commentaries usually concluded that the justice system was discriminatory in application of its laws (Hagan, 1974; Wilbanks, 1987; Williams, 1980). In the 1950s, Sutherland and Cressey (1956) wrote that African Americans were more likely to experience arrest and punishment—when committing the same offense as white individuals. Williams (1980) found that there is evidence of racial bias when analyzing data concerning cases prior to 1961. Hagan and Williams (1974) also found that bias was particularly evident in earlier capital offenses cases.

Numerous studies have shown that African-Americans are more likely to be arrested, indicted, convicted, and committed to an institution than are whites who commit the same offenses, and many other studies have shown that blacks have a poorer chance than whites to receive probation, a suspended sentence, parole, commutation of a death sentence, or pardon (Hagan and Williams 1974:133).

As particular offense categories come under public scrutiny—or as sentencing structures change—research into those areas increases. Scholars argue that bias can found not only in the actions of criminal justice professionals in applying existing laws, but also in the law itself. Legislation related to the War on Drugs has often been used as an example of institutionalized legislative bias (Zatz 2000).

The application of other drug laws has been exposed to similar criticisms of the law and its application. For example, after mandatory minimum sentencing was enacted in 1986, social scientists focused on the disparate sentences meted out for powder and crack cocaine (Meierhoefer 1992). A 1997 report issued by the United States Sentencing Commission noted that the quantity of drugs possessed at time of arrest triggers sentencing decisions. The Commission noted that the application of these penalties appeared to be overly harsh towards African Americans. According to the Commission,

Nearly 90 percent of the offenders convicted in federal court for crack cocaine distribution are African-American while the majority of crack cocaine users are white. Thus, sentences appear to be harsher and more severe for racial minorities than others as a result of this law. The current

penalty structure results in a perception of unfairness and inconsistency (USSC 1997:8).

Critics of such legislation, and the selective application of legislation, charge that the result is an overrepresentation of African Americans and Latinos in American prisons.<sup>14</sup> Carl Pope has written extensively on the issue of disproportionate minority confinement. In a 2002 meta-analysis of 34 empirical studies of the processing of minority youth through the juvenile justice system, the authors found that race effects did indeed exist (though they may be direct, indirect, or mixed) in 25 of the 34 articles analyzed (Pope et al. 2002). The 2002 study replicates a 1990 meta-analysis of 46 research articles; this original report found that in two-thirds of the articles, the youth's race was a factor in decisions made over the course of the juvenile justice process. In the 2002 study, the authors suggest that further research should be conducted on minorities other than African Americans; most of the existing research focuses on racial profiling and disproportionate confinement of African American youth. They also indicate that race effects may occur at a single stage in the system or at multiple decision stages, that race effects may emerge for certain types of offenses and not others, and that these effects may vary across jurisdictions (Pope et al. 2001: 8-9). In yet another report, Pope and Snyder (2003) point out the inconsistencies across existing research; while some researchers have found pronounced race effects in their research, others have found none. In this piece, Pope and Snyder analyze NIBRS data, in an effort to look at the differential processing of white and non-white youth arrested for violent offenses (including simple assault, aggravated assault, intimidation, rape, and robbery). The authors found no evidence that police were more likely to arrest non-white offenders when compared to white offenders (when controlling for other important incident attributes) (Pope and Snyder 2003).

Much of the research into mandatory minimum sentencing structures has focused on its disproportionate impact on the impoverished—which in many cases are people of color. A recent report commissioned by the National Council of La Raza (September 2004) found that Hispanics, like African Americans, have been disproportionately sentenced, and are now over-represented in American jails and prisons. The report also indicates that Hispanics experience discrimination at every stage of the criminal justice process—from arrest through sentencing.

Not all studies have simply implicated law makers and criminal justice professionals as biased. A recent meta-analysis of studies concerning the linkages between race and sentencing confirmed that while in some cases race has a direct effect on sentencing, this finding does not imply widespread or consistent racism throughout the American criminal justice system (Spohn 2000).

As indicated in the Pope report, it is possible that race may have an indirect effect rather than a direct effect on decision-making, both at the prosecution stage and sentencing (Albonetti and Hepburn, 1996; Fridell, 1990; Hagan, 1974 and 1975a; Swigert and

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<sup>14</sup> <http://www.csdp.org/>, <http://www.drugwarfacts.org/>

Farrell, 1977). For example, Swigert and Farrell (1977) found that among accused murderers, race interacts with social class to effect decision making. Additionally, they discovered that race influences stereotypes: minorities are more likely to be diagnosed as “normal primitive,” that is, as a stereotypical murderer.

Further, race appears to be associated with prior offenses more often than other variables. Specifically, Hagan (1974) found that among those offenders who have prior convictions, Blacks are more likely to receive harsher sanctions. Subsequent work by Hagan (1975a) illustrates that minorities were more likely to have prior offenses; therefore, they received harsher sentences. Likewise, Fridell (1990) found that the race of the defendant was important- 60% of White defendants were diverted from prosecution into treatment while only 32% of minorities were diverted. However, minorities were more likely to deny responsibility, have prior convictions, jail and prison sentences. Contrary to expectations based on bias towards minorities, Albonetti and Hepburn (1996) discovered that minorities with priors were more likely than White defendants with priors to be diverted from prosecution into drug treatment. The introduction of age confounded these results: younger minorities without priors were less likely to be diverted while younger minorities with priors were more likely to be diverted. Indeed, much of the most recent research into this area has verified this “interaction” effect. The impacts of race (as well as gender) are important in the processing of cases; nonetheless, they are “contingent” on other factors—both “legitimate” (prior record, bail status, offense type or category) and “illegitimate” (gender, occupational status, type of attorney) (Katz, 2000:506).

There is some evidence that the race of the victim or the victim-defendant race dyad is more important than the defendant’s race alone (LaFree, 1980; Myers and Hagan, 1979; Wilbanks, 1987; Zatz, 2000). Specifically, minority defendants accused of victimizing Whites are more likely to receive the harshest sanctions. Hagan (1974), however, found that victim-defendant race was important primarily in capital cases. Only one study of non-capital cases, a study on rape, found that the victim-offender race dyad influenced sentencing. LaFree (1980) found that processing decisions in rape cases are affected by the offender-victim race dyad and that the cumulative effect is substantial but varies by the type of decision being made. Those decisions relating to guilt (arrest, prosecutorial discretion, and verdict) are not as affected by the race dyad as decisions relating to seriousness (charge seriousness, sentence type, place of incarceration and sentence length). He concludes that black men accused of raping white women receive more serious sanctions than others. However, he could reach no conclusions regarding white offenders who rape black victims due to the limited number of such cases in his sample. Deming and Eppy (1981) point out that interracial rape involves victims and defendants who are strangers more often than acquaintances or intimates, and that stranger rape is often taken more seriously. Thus, the significance of the victim-defendant race dyad on decision-making could be a spurious relationship. Wilbanks (1987) found when looking at all types of crimes that those involving white victims are sentenced more harshly. Contrary to other findings, however, he states that since most crimes are intra-racial, white defendants are treated more harshly.



Finally, some studies have determined that the amount of racial bias varies by geographical location. For example, Williams (1980) and Hagan (1974) found that there is greater evidence of racial discrimination in the South (see also Zatz 2000). Bridges and Crutchfield (1988), however, determined that racial disparity is lowest in the South.

### *Socio-economic Status*

Among the studies that include some measure of socio-economic status (SES), the majority found that it was a consistent and important determinant of decision-making. Primarily SES's effect is in interaction with other variables, although Myers and Hagan (1979) found that defendants with court appointed counsel were more likely to be prosecuted.<sup>15</sup> Like race, socio-economic status has been found to have an effect with prior offenses (Swigert and Farrell, 1977). Additionally, the severity of offense is important: those with a lower socio-economic status are charged with more serious offenses and therefore receive harsher penalties (Hagan, 1974 and 1975a). Bridges and Crutchfield (1988) illustrate that there is an interaction between race and economic inequality in a state on the severity of sentencing. As Zatz (2000) states, we still face great difficulty in "unpacking" the effects of class and race, and in many cases people still assume middle class suspects (or victims) are white, while lower class suspects (or victims) are black. The importance of socio-economic status may vary according to the type of offense (capital or non-capital). Hagan (1974) found that those capital cases involving defendants from a lower socio-economic status were handled with greater severity, but that socioeconomic status had no bearing in non-capital cases. Zatz (2000: 511) also points out that it is also important to recognize the influence of socioeconomic status on an individual's choices and options before involvement in the criminal justice system. Wealthier individuals have greater access to psychiatric care, drug counseling and treatment, legal assistance, and alternative education programs.

### *Age, Gender, Defendant-victim Relationship and Victim Characteristics*

Age, gender, defendant-victim relationship and victim characteristics are included as predictors of decision-making much less often than race and socio-economic status. However, of the studies that did include these variables, most did not find any age effects, and two of four found gender effects only in interaction with other variables. Note that while Fridell (1990) included the gender of both defendant and victim in her study, it is possible that she did not find any significant effects due to the nature of her sample. Child sexual abuse is primarily committed by males against females. Therefore, the number of female perpetrators and male victims may have been too small to elicit any discernable differences. Overall, if there are any effects based on age and gender, they appear to be only in interaction with other variables, like race, as mentioned previously.

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<sup>15</sup> Court appointed counsel is often used to measure socio-economic status. This finding, however, could be, for example, a reflection of the quality of the defense or a reflection of prior involvement with the criminal justice system.

Victim-defendant relationship was included in two studies that examined felony cases in general and had conflicting conclusions. Albonetti (1987) found that defendants who are strangers are more likely to be prosecuted than those who are known to the victim. The level of intimacy among those who are known, however, made no difference in decision making. Myers and Hagan (1977) did not find that this variable was significant. However, in adult sexual assault cases, research indicates that rapes that occur between strangers is taken more seriously than rapes that occur between acquaintances or intimates. Further, this relationship affects the decision to prosecute (Deming and Eppy, 1981).

Victim characteristics other than race are also related to decision-making in the criminal justice system. Albonetti (1987) reveals that cases involving victims who are perceived as provoking an offense are less likely to be prosecuted. Further, Myers and Hagan (1979) found that cases involving White, employed, male victims were more likely to be prosecuted. Thus, the behavior and social standing of victims impacts decision-making. Research on adult sexual assault cases indicates that these cases are greatly influenced by victim's characteristics. The age of the victim, race, occupation, education, blame and believability all influence decision making (Horney and Spohn, 1996). Likewise, Myers and LaFree (1982) report that research indicates that rape cases involving women who are Black and of a lower socio-economic status are reacted to less severely.

### ***Legal Factors.***

There are four legal variables that are most often included in these studies. The first, and seemingly most important, is prior offenses. This variable, as discussed previously, has an interactive effect with other variables such as race. Additionally, most research shows that those with prior offenses are more likely to be prosecuted (Albonetti, 1987; Landau, 1978), receive a more serious final disposition (Hagan, 1975a), and are less likely to be awarded bail (Swigert and Farrell, 1977). Likewise, Horney and Spohn (1996) found that the defendant's prior felony conviction influenced the outcome of rape cases. Myers and Hagan (1979), however, did not find that those with prior offenses were more likely to be prosecuted than those without.

The seriousness and type of the offense may also be important. Offense seriousness has been associated with both a greater likelihood of prosecution (Albonetti, 1987; Myers and Hagan, 1979; Walsh, 1985) and a more severe final disposition (Hagan, 1975a; Myers and Talarico, 1987). However, Landau (1978) found that among those juvenile defendants without a prior record, the seriousness and type of offense had no bearing on the decision to prosecute. Similarly, Fridell (1990) found that the seriousness of the offense had no bearing on the decision to divert child sex offenders.

Hagan (1974) found that more serious offenses (capital vs. non-capital) are associated with greater sentencing disparity between Black and White offenders. Conversely, Blumstein argues that there is greater disparity in imprisonment rates as offense severity decreases. Therefore, while offense severity may interact with race, it is unclear whether race is associated with greater or lesser offense severity.

Finally, the number of charges and the amount of evidence should be considered. Very few studies include the number of charges as a distinct variable; Albonetti and Hepburn (1996) found that it was important in predicting diversion from prosecution. Both Albonetti (1987) and Myers and Hagan (1979) found that evidence indicating that the defendant committed a crime resulted in an increased likelihood of prosecution, and Albonetti (1987) discovered that exculpatory evidence decreased the likelihood of prosecution.

## **Methodology**

### ***Data.***

In these analyses, we examine the progression of cases through the criminal justice system for two offense types: homicides and aggravated assaults, both of which are often committed with the use of a firearm, especially homicides. There are many points at which decisions are made to sustain cases in or drop them out of the system prior to conviction and sentencing. We focus on four of these stages: entrance into the court system, arraignment, trial or plea proceedings, and sentencing. While most cases begin court proceedings upon being true billed by a grand jury, some cases involving juvenile offenders enter the court after the filing of any information, and in a few adult cases, grand jury proceedings are waived. No homicide cases were dropped between court initiation and arraignment, thus only three points of comparison are presented for that offense. Note that the law enforcement records made available to the research team only provide arrestee information when an arrest was made at the time of the incident report, and does not indicate if an arrest was made at a later time. As a consequence, we are unable at this time to determine whether any legal or extra-legal factors influence the decision to make arrest.

There were 30,032 aggravated assault cases between the years 1996 and 2003. A sample of 423 cases was randomly selected (with replacement) for this analysis. There were 427 cases of homicide over this time span. All homicide cases were included in the analysis.

We tracked cases through each stage in court processing using public data available on the New Mexico State Judiciary website.<sup>16</sup> These data document both the original and final disposition of charges, type of offense and all activity related to case processing including grand jury indictment and arraignment dates, hearings, and continuances. This website provided the researchers with a way to track offenders through the court system after they were arrested. Using the offender information provided on the incident report, we determined the status of homicide and aggravated assault cases to determine the status and outcomes of violent offender prosecutions, and the sentences determined by the court, when applicable.

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<sup>16</sup> <http://164.64.40.11/caselookup/jsp/CaseLookupSearch.jsp>

We obtained criminal history information for the aggravated assault cases from the Albuquerque Police Department. These data includes all prior arrests, regardless of whether a conviction occurred.

Beginning in December 2000, the Institute for Social Research began collecting in-depth data on all homicides occurring in Albuquerque (all cases processed by the Albuquerque Police Department and the Bernalillo County Sheriff's Office). These data allows for a richer analysis of homicide cases. Case level information for homicides details victim and offender characteristics such as gang affiliation, prior drug and alcohol use, victim and offender relationship information and episode characteristics. Additionally, criminal history information was provided for homicide cases that were discussed at Grand Homicide Review and Incident Review.

### ***Analytic Framework.***

The following analyses use three different units of analysis. The first is case-based analysis. A case is made up of a single criminal incident, and can involve multiple offenders, victims and statutory violations. By examining the data this way, we can determine how many incidents result in some sort of criminal prosecutorial and/or adjudicatory action. Additionally, we analyzed the data using individual victims and perpetrators as units of analysis in order to examine how characteristics of offenders and victims influence case decision-making. Since the primary purpose of this analysis is to follow cases as they progress through the criminal justice system, when feasible, the case is used as the unit of analysis and offender/victim characteristics are aggregated.

Contingency tables are used to examine bivariate relationships between categorical variables. Chi-square statistics are used to assess the statistical significance of the relationship. F-tests were used to determine statistical differences among means, such as average sentence length and average age.

## **Research Results for Cases of Aggravated Assault**

### ***Case Processing.***

There were 30032 cases of aggravated assault from 1996 to 2003. We randomly selected a sample of 423 cases to follow through the criminal justice system. An arrest was made or a suspect was identified at the scene in approximately 70% of cases.

Table VII.1 summarizes the progression of the aggravated assault cases in this sample. About 20% of the original cases were tracked to court opening.<sup>17</sup> Twelve percent of the cases in the sample had been convicted and sentenced when data collection occurred. Of the 20% that showed up at court, most (94%) were closed. Almost one-third of all cases that were tracked to court were subsequently dropped: 10 were dropped prior to arraignment and another 17 were dropped prior to plea or trial proceedings. Only 16 cases include information regarding why the case was dropped; reasons included lack of

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<sup>17</sup> It should be noted that more cases may have appeared in court after data collection occurred.

evidence, procedural violations, mentally incompetent defendants, and cases that were generally dismissed with or without prejudice.

Almost two-thirds of cases that showed up at court proceeded to plea or trial proceedings. Most cases were pled; only 3 cases definitively resulted in a jury trial.<sup>18</sup> Two of these resulted in at least one guilty verdict; only one was found not guilty. Fifty-one cases had been sentenced at the time that data were collected. Approximately 73% of cases that were arraigned and closed resulted in a sentence. Approximately 12% of cases in which an arrest was made at the scene or the suspect identified ultimately resulted in the imposition of some sort of criminal sanction (prison, probation or both).

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<sup>18</sup> There were fourteen cases in which it was unclear whether the case was pled or tried by jury, but resulted in a judgment of guilt and resulted in a sentence being imposed.

Table VII.1  
Aggravated Assault Caseflow

Stage	N	% of reported	% of cases that went to court
Report	423	100	
Arrest/suspect identified at scene	295	69.7	
Identified after initial offense	4		
Made it to court	84	19.9	100
Dropped prior to arraignment /Grand jury indictment	10		
Grand jury indictment or information	74 <sup>19</sup>		
Arraignment	74	17.4	88.1
Dropped prior to plea/trial	17		
Case still open- trial/plea pending	3		
Proceeded to Plea/trial	54	12.7	64.3
Cases pled	37	8.7	44.0
Case open- pending sentence	2		
Cases that went to jury trial	3	.1	3.6
Cases that resulted in NG	1		
Cases that resulted in at least one guilty verdict	2		
Unknown whether pled or trial, but sentenced	14	3.3	16.7
Sentenced	51	12.1	60.7

***Probability of Conviction.***

The probability that a case will be convicted is presented in Table VII.2. About one in eight of the cases that are reported by the police ultimately result in a conviction. This probability, however, should be interpreted with caution, as some cases may have still been under investigation at the time data were collected. More reliable is the probability of conviction once the case reaches the courts. Well over half of these cases result in a conviction. As cases progress through the system, the probability of conviction increases.

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<sup>19</sup> 54 cases went through Grand Jury proceedings. In the remainder, either an information was filed or the Grand Jury proceedings were waived.

Table VII.2  
Probability of Conviction

	N*	Probability of conviction
Incident	423	.121
Arrested/suspect identified at the scene	295	.173
Court initiation	84	.607
Arraignment	71	.718
Plea/trial proceedings initiated	53	.963
Sentenced	51	1.00

\*N adjusted for those cases that are still open

### *Length of Time in the System.*

Court proceedings were initiated for 98 individuals. As can be seen in Table VII.3, an offender formally entered the court system, either by a grand jury indictment or the filing of an information, within about four months from the time of the incident. Arraignment proceedings followed within a month of the indictment or information, on average. The average length of time from arraignment to trial or plea was a little less than six months. This varied greatly with a minimum of one day to approximately one and one-half years. The length of time between the initiations of trial or plea proceedings to sentencing averaged a little over two months.

Fifty-seven offenders in this sample were convicted and sentenced. The average length of time in the system from incident to sentencing was a little over a year. This varied from a minimum of 41 days to a maximum of 2.8 years.

Table VII.3  
Length of Time in System in Days

	Incident to court filing	Court filing to arraignment	Arraignment to trial or plea	Trial or plea to sentencing	Incident to sentencing
Mean (sd)	129.85 (255.69)	24.78 (44.15)	174.05 (107.83)	72.96 (93.75)	379.33 (208.16)
Range	0 to 2386	0-295	1-541	0-492	41-1022
N	98	82	60	57	57

### *Offender Characteristics*

There were 376 individuals either arrested or identified as suspects at the scene of the incident. An additional 22 persons who were initially identified as victims had charges subsequently filed against them as a result of the incident. Among those who were identified as the possible perpetrator, 38% were arrested at the scene.

In this section, we examine the characteristics of suspects and arrestees and compare these characteristics at each point in the system. Table VII.4 illustrates the attrition of cases through the system by offender characteristics.

- *Gender*

The majority of offenders/suspects are male; there is a slight increase in the percentage of males represented as cases progress through the criminal justice system (85% at time of incident compared to 92% at time of sentencing).

- *Race*

The majority of offenders/suspects at the time of the incident were either White (47%) or Hispanic (40%). Cases opened at court were slightly over-represented by White offenders (57%), but as the cases progressed through, the final proportions were more similar to the initial percentages.

- *Age*

The mean age of offenders was approximately 29 years old; the range of ages was much greater at the time of the incident (5 to 76 years old) than at subsequent points (12 to 56). This suggests that cases involving very young and very old defendants are more likely to be dropped.

- *Criminal Histories*

Very few offenders had prior criminal histories. Fewer than 9% of offenders/suspects were identified as having had a prior arrest at the time of the incident, and less than 3% had been indicted for an offense. Of those who had prior arrests, the mean number of prior arrests was approximately 8, with a range of 1 to 42. Of the 33 suspects who had prior arrests, the majority (67%) had at least one arrest for a violent offense. A little over one-quarter (27%) of the offenders who had previously been arrested had at least one grand jury indictment for an arrest. A slightly greater percentage of offenders (11%) entering the court system had a prior arrest as compared to offenders identified at the time of incident (9%). This was not a statistically significant difference. However, of those, almost all (91%) had a prior arrest for a violent offense. The attrition of cases by prior arrests did not vary greatly.



Table VII.4  
Characteristics of Offenders/Suspects

	At incident	At court		At arraignment		At trial/plea		At sentencing	
N surviving to each point	376	98		82		60		57	
		Yes	No	Yes	No	Yes	No	Yes	No
Gender- male	85.2%	85.7%	83.3%	92%	61.5%*	92.1%	91.7%	91.7%	100.0%
N	244	63	198	50	13	35	12	36	2
Race									
White	47.1%	57.1%	44.3%	57.1%	66.7%	46.2%	80.0%	50.0%	0.0%
Hispanic	40.2%	38.1%	41.4%	38.1%	33.3%	53.8%	0.0%	50.0%	100.0%
Other	12.6%	4.8%	14.3%	4.8%	0.0%	0.0%	20.0%	0.0%	0.0%
N	87	21	70	18	3	13	5	12	1
Age									
Mean	28.6	28.2	28.2	27.70	30.80	27.80	27.43	28.16	20.99
(s.d)	(10.9)	(10.8)	(11.0)	(11.11)	(8.61)	(11.31)	(10.74)	(11.46)	(5.5)
Range	4.9 - 76	12-56	4-75	12-56	17-47	12-56	15-52	12-56	15-26
N	316	98	240	82	16	60	22	57	3
Prior arrests	8.8%	11.2%	8%	12%	6.3%	11.7%	13.6%	12.3%	0.0%
N	376	98	300	82	16	60	22	57	3
Prior arrest for violent offense	66.7%	90.9%**	54.2%	90.0%	100.0%	85.7%	100.0%	85.7%	N/A
N	33	11	24	10	1	7	3	7	
Prior indictments	2.4%	3.1%	2.0%	3.7%	0.0%	0.0%***	13.6%	0	N/A
N	376	3	300	3	16	0	22	57	
Indictment for violent offense	44.4%	33.3%	50.0%	33.3%	N/A	N/A	33.3%	N/A	N/A
N	9	3	6	3			3		

‡there were 22 people who initially identified as victims who were subsequently arrested for the offense

\*  $\chi^2 = 7.82$ , 1 df,  $p < .01$

\*\* $\chi^2 = 4.52$ , 1df,  $p < .05$

\*\*\* $\chi^2 = 8.49$ , 1df,  $p < .01$

### Victim Characteristics

There were 619 victims identified at the time of the incident. Victim characteristics are presented in Table VII.5.

- *Gender*

Like offenders, the majority of victims are male. However, there are many more female victims than offenders. There is no difference in the gender of victims as the cases progress through the system.

- *Race*

The majority of victims are White; the proportion of White victims increases slightly among cases that proceed to court. Recall that a similar finding occurred among

defendants; that is, White defendants were more likely to be indicted or have an information filed. This finding reflects the suggestion made in the literature that cases involving White victims are more likely to be accepted for prosecution.

- *Age*

The mean age of victims is approximately 30 years old. Victims ranged in age from less than one year old to approximately 84 years old. The age range of victims associated with cases that went to court was slightly smaller: approximately 2 years old to 73. Consistently, although not significantly, cases dropped at each stage of the system involved younger victims on average than those that were sustained in the system.

- *Criminal History*

Most victims were not found to have any prior criminal history; only 5% had been arrested previously; fewer than 1% had any prior grand jury indictments. Among those, approximately 53% had at least one prior arrest for a violent offense. Approximately 13% of those who had prior arrests were indicted. Among cases that went to court, a slightly greater percentage (6.5%) of identified victims had been arrested for a previous offense. The proportion increased slightly as cases progressed through each stage.

Table VII.5  
Characteristics of Victims

	At incident	At court		At arraignment		At trial/plea		At sentencing	
N at each point	619	122		109		80		78	
		Yes	No	Yes	No	Yes	No	Yes	No ⊥
Gender- male	66.7%	66.7%	66.7%	70.6%	40.0%	66.7%	82.4%	66.7%	
N	384	78	306	68	10	51	17	51	0
Race									
White	52.7%	59.3%	51.2%	66.7%	0.0%	55.6%	100.0%	55.6%	
Hispanic	41.3%	40.7%	41.5%	33.3%	100.0%	44.4%	0.0%	44.4%	
Other	6.0%	0.0%	7.3%	0.0%	0.0%	0.0%	0.0%	0.0%	
N	150	27	123	85	3	18	6	18	0
Age									
Mean	29.7	30.36	29.50	30.58	28.58	29.64	23.21	30.00	
(s.d)	(13.5)	(12.96)	(13.62)	(13.39)	(9.10)	(13.34)	(13.44)	(13.36)	
Range	.98 to 84	2 to 73	.98 to 84	2 to 73	17 to 42	2 to 73	3 to 62	2 to 73	
N	567	107	460	95	12	70	25	68	0
Any prior arrests	5.2%	9.0% *	4.2%	8.3%	15.4%	10.0%	3.4%	10.3%	
N	619	122	497	109	13	8	29	8	0
Prior arrest for violent offense	50.0%	45.5%	52.4%	55.6%	0.0%	62.5%	0.0%	62.5%	
N	32	11	21	9	2	8	1	8	0
Any prior indictments	0.7%	0.9%	0.6%	1.0%	0.0%	1.3%	0.0%	1.4%	
N	595	114	481	103	11	75	28	73	0
Indictment for violent offense	50.0%	100.0%	33.3%	100.0%	N/A	100.0%	N/A	100.0%	
N	4	1	3	1		1		1	0

\*-.01 indicates an unborn child

\* $\chi^2 = 4.59$ , 1df,  $p < .05$

⊥ Victim demographics were not available for the two cases that were not sentenced.

### Case Characteristics

We examined case characteristics including the use of a firearm, the type of assault, location of the incident and whether any arrest was made in the case at the time of the incident. The unit of analysis here is case rather than offender. Results are presented in Table VII.6.

- *Firearm Usage*

Approximately 33% of cases involved a firearm. There was a slight decrease in the proportion of cases involving a firearm that were processed through the criminal justice system; however, the final percentage of cases involving a firearm that were sentenced was similar to all incidents.

- *Offense Type*

Aggravated battery (35%) was the most common offense type followed by aggravated assault (26%). Most cases of aggravated battery were committed without a firearm (86%). However, cases of aggravated battery involving a firearm were slightly more likely to be processed through the criminal justice system (these comprised 14% of all aggravated batteries at time of reported incident and 23% at the time of sentencing).

Cases involving aggravated assault/battery against a household member and aggravated assault/battery against a peace officer, are more likely to go to court as compared to other offenses at the time of incident. Specifically, aggravated assault/battery against a household member comprises 24% of all cases at time of incident, but comprises 32% of the cases that made it to court. Similarly, 5% of cases at time of the incident are assaults against a peace officer, but these comprise 11.9% of cases that made it to court. There is a decrease in the proportion of drive-by shootings from the time of incident to the time of court cases opening (10% versus 5%). Once cases make it to court, however, there doesn't appear to be a great difference in the proportion of type of offenses represented. It should be noted that aggravated assault/battery against a household member and aggravated assault/battery against a peace officer are more likely to involve an arrest at the scene than some other offenses, especially drive-by shootings (51.5% and 90.9% compared to 11.6%, respectively).

- *Location of Incident*

Almost half of the cases occurred at a residence (48%). The next two most common locations were highway/road/alley (27%) and parking lot/garage (11%). While some variation in location type is apparent as cases proceed through the various stages in the criminal justice system, there is no statistically significant difference based on the location of the incident and case attrition.

Approximately one-quarter of the aggravated assault cases that occurred were responded to by police in the Southeast police beat followed by the Northeast (16.5%). There was no difference noted in case processing based on location of the offense by the police area command.

Table VII.6  
Case Characteristics

	At incident	Went to court		At arraignment		At trial/plea		At sentencing	
Total N	423	84		74		54		51	
		Yes	No	Yes	No	Yes	No	Yes	No
Firearm involved	33.1%	26.2%	34.8%	28.4%	10.0%	31.5%	20.0%	33.3%	0
N	423	84	339	74	10	54	20	51	3
Offense type									
Aggravated battery	35.0%	27.4%**	36.9%	27.0%	30.0%	24.1%	35.0%	25.5%	0.0%
With a firearm	14.2%	17.4%	13.6%	20.0%	0.0%	23.1%	14.3%	23.1%	
Without a firearm	85.8%	82.6%	86.4%	80.0%	100.0%	76.9%	85.7%	76.9%	
Aggravated assault	25.5%	23.8%	26.0%	24.3%	20.0%	27.8%	15.0%	27.5%	33.3%
With a firearm	59.3%	55.0%	60.2%	55.6%	50.0%	66.7%	0.0%	71.4%	0.0%
Without a firearm	40.7%	45.0%	39.8%	44.4%	50.0%	33.3%	100.0%	28.6%	100.0%
Aggravated assault/battery against a household member	23.9%	32.1%	21.8%	31.1%	40.0%	31.5%	30.0%	29.4%	66.7%
With a firearm	10.9%	11.1%	10.8%	13.0%	0.0%	11.8%	16.7%	13.3%	0.0%
Without a firearm	89.1%	88.9%	89.2%	87.0%	100.0%	88.2%	83.3%	86.7%	100.0%
Shooting from a motor vehicle	10.2%	4.8%	11.5%	5.4%	0.0%	3.7%	10.0%	3.9%	0.0%
Aggravated assault/battery against a peace officer <sup>⊥</sup>	5.2%	11.9%	3.5%	12.2%	10.0%	13.0%	10.0%	13.7%	0.0%
Other <sup>⊥</sup>	0.2%	0.0%	0.3%	0.0%	--	--	--	--	--
N	423	84	339	74	10	54	20	51	3

Table VII.6 continued  
Case Characteristics

	At incident	Went to court		At arraignment		At trial/plea		At sentencing	
Location									
Residence	48.2%	53.6%	46.9%	51.4%	70.0%	55.6%	40.0%	52.9%	100.0%
Highway/road/alley	26.5%	26.2%	26.5%	25.7%	30.0%	24.1%	30.0%	25.5%	0.0%
Parking lot/garage	10.9%	10.7%	10.9%	12.2%	0.0%	9.3%	20.0%	9.8%	0.0%
Business	5.2%	0.0%	6.5%	--	--	--	--	--	--
Bar	1.7%	1.2%	1.8%	1.4%	0.0%	0.0%	5.0%	--	--
Hotel/motel	1.4%	1.2%	1.5%	1.4%	0.0%	1.9%	0.0%	2.0%	0.0%
Other	6.1%	7.1%	5.9%	8.1%	0.0%	9.3%	5.0%	9.8%	0.0%
N	423	84	339	74	10	54	20	51	3
Police location									
Foothills	13.2%	14.1%	13.0%	12.2%	30.0%	14.8%	5.0%	13.7%	100.0%
Northeast	16.5%	16.7%	16.5%	14.9%	30.0%	14.8%	15.0%	13.7%	0.0%
Southeast	25.3%	25.0%	25.4%	24.3%	30.0%	18.5%	40.0%	19.6%	0.0%
Valley	14.7%	13.1%	15.0%	14.9%	0.0%	14.7%	25.0%	1.8%	0.0%
Westside	13.7%	15.5%	15.0%	14.9%	0.0%	14.7%	25.0%	1.8%	0.0%
BCSO	13.7%	9.5%	13.3%	13.7%	10.0%	13.7%	10.0%	17.6%	0.0%
Other	9.2%	6.0%	9.1%	9.2%	0.0%	9.2%	0.0%	9.2%	0.0%
N	7.3%	84	7.7%	7.3%	0.0%	7.3%	5.0%	7.3%	0.0%
N	423		339	74	10	54	20	51	3
Arrest status									
Arrest made	29.1%	60.7%***	21.2%	63.5%	40.0%	66.7%	55.0%	64.7%	100.0%
Suspect identified, no arrest made	3.5%	1.2%	4.1%	1.4%	0.0%	1.9%	0.0%	2.0%	0.0%
No suspect identified, no arrest made	67.4%	38.1%	74.6%	35.1%	60.0%	31.5%	45.0%	33.3%	0.0%
N	423	84	339	74	10	54	20	51	3

⊥ These offenses were not committed with a firearm; all drive by offenses included a firearm

\*\* $\chi^2 = 17.17$ , 5df,  $p < .01$

\*\*\*  $\chi^2 = 51.05$ , 2df  $p < .001$



### *Sentencing.*

As noted in Table VII.7, most offenders (59%) were sentenced to probation or parole only. The mean length of time on probation/parole was a little under 2 years. Among the 34% of cases that resulted in a split sentence (incarceration and probation), the average length of incarceration was 4.4 years followed by a 4.5 year period of probation. Among those who were sentenced to incarceration only, the average length of time was 3 years. Very few offenders received a sentence of incarceration only.

Table VII.7  
Sentence Type

	Probation or parole only	Split sentence		Prison only
		Prison <sup>20</sup>	Probation	
Mean (s.d.)	1.87 (1.47)	4.42 (5.61)	4.54 (2.2)	3.01 (1.17)
Range	.25 to 6.5	0 to 17.6	.75 to 7.00	2.0 to 4.05
N	31	19	19	4

### *Sentence Severity, Offender and Victim Characteristics*

We examined the sentence severity (whether any prison time was imposed) and its relationship with offender, case and victim characteristics. Note that very few variables were found to have a statistically significant relationship with sentence severity. This may in part be due to the very small number of cases that received any sentence and had complete data.

- *Gender of Perpetrator and Sentence Severity*

About half of the males received prison time. None of the females received prison time. However, there were only three female offenders; thus, this relationship was not statistically significant.

Table VII.8  
Incarceration and Gender of Offender

	Female	Male
Some prison time	0.0%	50.0%
N	3	30

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<sup>20</sup> Prison time reflects the amount of time the offender was sentenced to minus the time suspended, so a person may have 0.



- *Race of Perpetrator and Length of Sentence*

Approximately one-third of White offenders received some time incarcerated, while none of the Hispanic offenders did (Table VII.9). However, the number of offenders whose race was known was so small, that these results should be interpreted cautiously.

Table VII.9  
Incarceration and Gender of Offender

	White	Hispanic
Some prison time	33.2%	0.0%
N	6	5

- *Age of Perpetrator and Sentence*

The average age of offenders who received some prison time was slightly younger than those who did not (Table VII.10). However, this was not significant.

Table VII.10  
Incarceration and Age of Offender

	Mean (s.d.)	Range	N
Some prison time	26.59 (7.93)	15 to 39	23
No prison time	28.34 (13.22)	12 to 55	31

- *Firearm Usage and Sentence*

Over half of the offenders who used a weapon other than a firearm during the commission of the assault received some amount of time in prison (Table VII.11). Only about 17% of offenders who used a firearm during the offense were sentenced to some incarceration time. Thus, use of a firearm in the commission of the crime was negatively associated with sentencing severity. This difference was statistically significant.

Table VII.11  
Incarceration and Firearm Use

	Firearm used during offense	Other weapon used
Some prison time	16.7%	55.6%
N	18	36

$\chi^2 = 7.42$ , 1df,  $p < .01$

- *Offense Type and Sentence*

Most offenders who were convicted for aggravated battery and aggravated assault against a peace officer received some incarceration time (Table VII.12). A smaller percentage of offenders convicted of aggravated assault were incarcerated. These differences were not statistically significant.

Table VII.12  
Incarceration and Offense Type

	Aggravated assault	Aggravated assault against a HHM	Aggravated battery	Aggravated assault against a PO	Shooting from motor vehicle
Received some prison time	14.3%	38.9%	69.2%	57.1%	50.0%
N	14	18	13	7	2

- *Victim Gender and Sentence*

As noted in Table VII.13, the gender of the victim had very little apparent influence on sentence severity. Approximately 43% of offenders whose victim(s) include at least one female received some prison time, while 44% of those with only male victims were imprisoned.

Table VII.13  
Incarceration and Victim Gender

	At least one female	Male only
Received some prison time	42.9%	43.8%
N	21	16

- *Victim Race and Sentence*

Approximately one-third of offenders who assaulted at least one White victim was sentenced to some period of incarceration (Table VII.14). When all of the victims were non-White, the offenders received only probation. However, there were very few cases in which the ethnicity of the victim was identified. Thus, these results should be interpreted cautiously.

Table VII.14  
Incarceration and Victim Race

	At least one white victim	All minority victims
Received some prison time	33.3%	0.0%
N	6	4

- *Victim Age and Sentence*

Among offenders who received some prison time, the average age of their victim(s) was 28 (Table VII.15). Among offenders who did not receive any prison time, the average age of their victim(s) was slightly older—an average of 32 years old. This difference was not statistically significant.

Table VII.15  
Incarceration and Victim Age

	Mean (s.d.)	Range	N
Some prison time	28.25 (14.28)	12 to 73	20
No prison time	31.78 (12.66)	12 to 54	28

## Research Results for Cases of Homicide

### *Processing of Homicide Cases.*

Shown in Table VII.16, there were 427 cases of homicide between January 1996 to August 2003, with 495 individuals either arrested or identified as suspects at the scene. In the course of tracking the cases to court, we found additional individuals who were arrested subsequent to the incident. Seventy-five percent of cases (320) resulted in an arrest or the identification of a suspect at the time of the incident. While 47% (202 cases) of all cases went to court, of those cases that resulted in an arrest, 63% were seen at court as of September, 2003.<sup>21</sup> The majority of cases (90.6%) that went to court were closed as of August, 2004. The majority (89%) of closed cases resulted in some sort of sentence. Fourteen cases were dropped prior to plea or trial proceedings. The most common reason cited was insufficient evidence.

Almost half (47%) of all cases showed up at court. Of those, the majority (86%) moved forward to plea or trial proceedings; 7% of cases were dropped after arraignment and the remaining 7% were still open at the time of data collection. Most cases (70%) that proceeded to plea or trial proceedings were pled. Almost 9% of cases that proceeded to a jury trial resulted in a verdict of not guilty; thus, in most cases the defendant was found guilty.<sup>22</sup>

<sup>21</sup> Collection of data to the point of Grand Jury indictment was collected through September, 2003; there may be more cases that were indicted by the Grand Jury subsequent to that date. Cases that were in court as of that date were subject to ongoing data collection through August of 2004.

<sup>22</sup> It is possible that some cases included in our sample were prosecuted federally (through Project Exile), but we do not have access to that data. Only one homicide case was dropped due to a change in jurisdiction; that case was a military case.

Table VII.16  
1996 to 2003 Homicide Caseflow

Stage	N	% of incidents	% of cases that had court filing
Report	427	100.0	
Arrest/suspect identified at scene	320	74.9	
Arrested after initial offense			
Grand jury indictment or information*	202	47.3	100.0
Arraignment	202	47.3	100.0
Dropped prior to plea/trial	14		
Case still open- trial/plea pending	14		
Proceeded to Plea/trial	174	41.1	86.1
Cases pled	122	28.8	60.4
Joined with another case for sentencing	1		
Went to sentencing	121		
Cases that went to jury trial	46	10.8	22.8
Cases that resulted in NG	4		
Dropped**	2		
Cases found guilty	40		
Unknown whether pled or trial	6	1.4	3.0
Pending sentence	5		
Proceeded to sentencing	1		
Sentenced***	162	37.9	80.2

\*It may be that more cases may have been brought to the DA and proceeded to the Grand Jury, but it appears that the data is not available on line when the GJ returns a no bill; additionally, some cases are initiated only with an information- 198 cases were indicted by a grand jury.

\*\*Cases were dropped due to mistrial and insufficient evidence

### Likelihood of Conviction

Using the data above, we calculated the probability that an offender would be convicted (Table VII.17). At the time of the incident, over two-thirds of the cases are likely to result in a conviction. Among those who are arrested or identified as a suspect, about

half of the cases will result in conviction. The likelihood of conviction is quite high once the case is opened at court- over 85% of cases result in conviction.

Table VII.17  
Likelihood of Conviction

	N	Probability of conviction
Incident	427	.38
Arrested/suspect identified at the scene	320	.51
Court initiation/arraignment	188	.86
Plea/trial proceedings initiated	169	.96
Sentenced	162	1.00

N adjusted for those cases that are still open

### Length of Time in the System

Table VII.18 shows that the length of time between incident to grand jury indictment was an average of 75 days. Many offenders did not go through a grand jury indictment, either because it was waived or because the case was originated in the juvenile justice system, where an information was filed. Thus, we also analyzed the time between the incident and the arraignment- the average here was approximately 94 days. Typically, once arraignment occurs, case processing slows down due to continuances, scheduling, etc. The average length of time from arraignment to trial or plea was a little over a year. However, this varied greatly, with a minimum of 0 days up to 4.4 years. The length of time between the initiation of the trial or plea proceedings to sentencing was relatively short: an average of 87 days. Again, there was a wide range, from zero days to over one and one-half years.

There were 196 offenders who were convicted and sentenced in this data set. The average length of time from incident to date of sentencing was about 1.6 years. The shortest time recorded was 104 days, with a maximum of 5.4 years.

Table VII.18  
Length of Time at Each Stage in the Criminal Justice System

	Incident to grand jury	Incident to arraignment	Grand jury to Arraignment	Arraignment to trial or plea	Trial or plea to sentencing	Incident to sentencing
Mean (sd)	75.17 (177.74)	93.52 (199.35)	16.34 (60.47)	405.19 (238.73)	86.78 (86.64)	571.26 (300.46)
Range	-13 to 1498 *	-9 to 509*	0 to 795	0 to 1593	0 to 618	104 to 1988
N	252	260	250	212	200	196

\* The negative number reflects an individual who was apparently indicted on one murder charge, was still out on the streets, committed a second offense- these two incidents appear to have been combined into one case.

### Offender Characteristics

There were 495 individuals either arrested or identified as suspects at the scene of the incident. An additional two persons were subsequently charged in connection with the incident in two cases.<sup>23</sup> Among those who were identified as the possible perpetrator, approximately 58% were arrested at the scene.

In this section, we examine the characteristics of suspects and arrestees and compare these characteristics at each point in the system. Table VII.19 illustrates the attrition of cases through the system by offender characteristics.

- ***Gender***

The majority (89%) of offenders/suspects identified at the time of the incident are male. There does not appear to be any change in the gender of the perpetrator as they progress through the criminal justice system.

- ***Ethnicity***

The majority of offenders/suspects at the time of the incident were either White (43%) or Hispanic (40%). There is a slight increase in the percentage of Hispanic perpetrators from the time of the incident (40%) to intake at court (44%). This increase is not statistically significant. There is no difference in the ethnicity of the perpetrator at subsequent points in the system.

- ***Age***

The age of the offender ranges from a low of five years old to a maximum of 68, with a mean of about 27 years old at the time of the incident. While the mean age remains the same throughout case processing, the range lessens to 12 or 13 to 59 at subsequent points in the system.

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<sup>23</sup> It should be emphasized here that the number of arrestees, with the exception of these two cases, reflects only those arrested at the scene. Subsequent arrests are not included here.

Table VII.19  
Offender Characteristics

	At incident	At GJ/arraign		At trial/plea		At sentencing	
N at each point	495	262		219		202	
		Yes	No	Yes	No	Yes	No
Males	89.2 %	89.8%	85.2%	90.1%	88.4%	90.8%	82.4%
N	482	256	236	213	43	196	17
Race							
White	43.2%	40.5%	45.6%	41.2%	36.6%	40.2%	52.9%
Hispanic	39.5%	43.7%	34.65	43.6%	43.9%	44.3%	35.3%
Other	17.3%	15.9%	19.8%	15.2%	19.5%	15.5%	11.8%
N	468	252	217	211	41	194	17
Age							
Mean	27.45	27.38	27.61	26.77	30.39	26.60	28.89
(s.d.)	(10.37)	(10.12)	(10.81)	(9.74)*	(11.51)	(11.24)	(10.79)
Range	5-68	12-59	5-68	13-59	12-54	13-59	17-51
N	482	257	227	214	43	198	16

\*F=4.65, 1,255 df, p<.05

### Victim Characteristics

There were 570 victims identified at the time of the incident (Table VII.20). It should be noted that this includes victims identified as deceased at the time of the incident as well as victims who had not expired at that time. Those victims who were not deceased at the time of the incident may or may not have died later. At the time of the incident, 404 (70.3%) victims were identified as deceased.

- *Gender*

Most victims at the time of the incident are male (76%). This does not vary over the course of the case progression.

- *Ethnicity*

Victims are most likely to be Hispanic (44%) or White (41%). Like the ethnicity of the offender, there does appear to be a slight increase in the proportion of Hispanic victims (48%) when cases enter the court system. However, this difference is not statistically significant.

- *Age*

The mean age of victims is approximately 30 years old at the time of the incident. The mean age decreases slightly as the case is processed, ending with a mean age of about 29. This difference is not statistically significant.

Table VII.20  
Characteristics of Victims

	At incident	At GJ/arraign		At trial/plea		At sentencing	
N at each point	570	291		249		239	
		Yes	No	Yes	No	Yes	No
Males	76.4%	76.7%	76.1%	77.5%	71.8%	77.2%	83.3%
N	570	283	280	244	39	232	12
Race							
White	41.1%	38.0%	44.2%	37.2%	43.2%	37.2%	36.4%
Hispanic	44.3%	48.3%	40.1%	48.3%	48.6%	48.9%	36.4%
Other	14.7%	13.6%	15.6%	10.5%	8.1%	13.9%	27.3%
N	540	271	269	234	37	223	11
Age $\pm$							
Mean	30.39	29.71	31.07	29.30	32.16	28.87	37.32
(s.d.)	(15.40)	(14.37)	(16.36)	(14.61)	(12.72)	(14.49)*	(15.10)
Range	-.01 to 90	.01 to 80	-.01 to 90	.01 to 80	1 to 68	.01 to 80	.99 to 54
N	551	276	275	237	39	225	12

$\pm$ -.01 indicates an unborn child

\*F=3.86, 1, 235 df, p=.05

### Case Characteristics

Here we examine some of the characteristics that may be associated with case attrition. Note that the unit of analysis here is the case, rather than the offender. The findings are summarized in Table VII.21.

- *Firearm Usage*

Most cases involve the use of a firearm (58%). Cases that are processed through all stages of the criminal justice system appear to have about equal proportions of firearm use as those at the time of the incident. That is, the use of firearm during the commission of the homicide does not appear to increase likelihood of prosecution or adjudication.

- *Location of Homicide*

Most homicides (45%) occur at a residence. The next most common place (26%) is a highway/road/alley. Among cases that were indicted, 50% had occurred at a business. Homicides that occurred at other locations (such as a church, jail, lake, etc.) comprised 7.5% of the total homicides at the time of the incident but only 3% at the time of arraignment. There was a statistically significant difference by location between cases that went to court and those that did not.

In terms of police area command, most cases occurred in the Southeast part of Albuquerque, followed by the Valley area. Area in which the crime occurred did not influence retention of the case in the system, however.



- *Arrest Made at the Scene*

In just under half (48.7%) of the cases at incident, an arrest was made at the scene. This proportion increased significantly to 87% at the time of arraignment. This suggests that when an arrest is made at the time of the incident, the case is much more likely to be filed at the court. This, however, does not appear to influence subsequent decision making.

Table VII.21  
Case Characteristics

	At incident	At arraignment/gj		At trial/plea		At sentence	
		Yes	No	Yes	No	Yes	No
Firearm involved	57.6% 423	56.5% 200	58.7% 223	57.3% 171	51.7% 29	59.5% 158	30.8% 13
Location							
Residence	44.5%	49.5%*	40.0%	50.3%	44.8%	50.0%	53.8%
Highway/road/alley	26.1%	24.0%	28.0%	23.4%	27.6%	24.1%	15.4%
Parking lot	10.6%	12.0%	9.3%	10.5%	20.7%	9.5%	23.1%
Field/woods/mesa	3.5%	2.5%	4.4%	2.9%	0.0%	3.2%	0.0%
Business	3.5%	4.5%	2.7%	5.3%	0.0%	5.7%	0.0%
Hotel/motel	2.8%	2.5%	3.1%	2.3%	3.4%	2.5%	0.0%
Bar	1.4%	2.0%	0.9%	1.8%	3.4%	1.3%	7.7%
Other	7.5%	3.0%	11.6%	3.5%	0.0%	3.8%	0.0%
N	425	200	225	171	29	158	13
Police location							
Foothills	6.3%	8.4%	4.4%	8.7%	6.9%	8.0%	15.4%
Northeast	10.3%	11.4%	9.3%	12.7%	3.4%	13.6%	0.0%
Southeast	30.0%	28.2%	31.6%	28.3%	27.6%	29.6%	23.1%
Valley	23.4%	23.3%	23.6%	22.5%	27.6%	20.4%	46.2%
Westside	10.3%	11.9%	8.9%	11.0%	17.2%	11.7%	0.0%
BCSO	12.6%	11.4%	13.8%	11.6%	10.3%	11.7%	7.7%
Other	7.0%	5.4%	8.4%	5.2%	6.9%	4.9%	7.7%
N	425	202	225	171	29	160	13
Arrest made at the scene	48.7% 425	86.1%**	14.7% 225	88.9% 171	75.9% 29	88.8% 160	76.9% 13

\*  $\chi^2 = 17.011$ , 7df,  $p < .05$

\*\*  $\chi^2 = 217.69$ , 1df,  $p < .001$

\*\*  $\chi^2 = 3.99$ , 1 df,  $p < .05$

### Sentencing

The vast majority (84%) of perpetrators who were sentenced received both incarceration and probation/parole (Table VII.22). The average length of incarceration (minus time suspended by the court) was 20.5 years, followed by a 3.9 year period of probation/parole. Among those who were sentenced to incarceration only, the average prison sentence was 39 years. Six percent of perpetrators were sentenced to probation only; the average length of probation was 3 years. Finally, a handful of offenders were given an alternative sentence; all of these perpetrators were juveniles. Their average sentence was 2.5 years. Most offenders (92.1%) were sentenced to some time in prison.

Three offenders received an alternative sentence- all of these were juveniles. Note that for two offenders, the amount of time sentenced to incarceration is zero, this reflects the fact that we are looking at real time sentenced (sentenced minus the amount of time suspended).

Table VII.22  
Sentence Type

	Probation only	Split sentence		Prison only	Alternative
N	12	170		17	3
		Prison	Probation		
Mean (s.d.)	.03 (1.73)	20.45 (22.04)	3.90 (2.32)	39.14 (66.83)	2.50 (1.80)
Range	0 to 5	0 to 125	0 to 10	.99 to 2.58	1 to 4.5

We look at the length of time the offender was sentenced to serve in a correctional facility in several ways. First, in Table VII.23, we analyze the actual sentence. The mean sentence was about 27 years with a range of less than one year to about 258 years in prison. The majority of offenders (57%) received some reduction from their original sentence. This ranged from less than one year to 43 years, with an average of about 8 years (s.d.=6.64). For two offenders, this resulted in no incarceration time. Among the remaining 185 offenders, the average sentence was about 22 years.

We then looked at the sentences among those who received some amount of time incarcerated. We found that the original sentence length averaged about 27 years. The average time suspended was about four and one-half years, resulting in an average of 22 years of actual incarceration. The range of sentences varied from a minimum of less than one year to 258 years.

Table VII.23  
Length of Incarceration Sentence

	Mean (s.d)	Range	N
Original sentence	26.67 (28.91)	-1 to 258*	187
Suspended amount	4.53 (6.37)	0 to 43	187
Real time	22.08 (29.21)	0 to 258	187
Real time w/o 0	22.32 (29.27)	.34 to 258	185

\*-1 indicates less than one year of incarceration

In order to determine whether extra-legal or legal characteristics influence sentence length, we examined the length of the sentence by various characteristics of the offender. Those results are presented summarized in Table VII.24.

- ***Gender of Perpetrator and Length of Sentence***

While no significant difference was detected, the mean sentence length was greater for female offenders. The minimum amount of incarceration time was also greater for female offenders (5.5 years compared to less than one year for males). Again, however, this difference is not statistically significant, due primarily to the small number of females convicted.

- ***Race of Perpetrator and Length of Sentence***

White perpetrators were sentenced to a longer period of incarceration as compared to the other ethnic groups. Perpetrators identified as having an “other” ethnicity (including Native Americans, African Americans, Asians and others) were sentenced to the shortest period of incarceration. This difference was statistically significant at the .05 level.

- ***Age of Perpetrator and Length of Sentence***

No statistically significant differences were found in average incarceration sentences by categorical age. Those perpetrators who were in the youngest age category (less than 18 years old) had the shortest average prison sentence.

- ***Firearm Usage and Length of Sentence***

The use of a firearm during the commission of the homicide did not appear to influence sentence length. No statistically significant differences were found.

Table VII.24  
Length of Incarceration by Offender Characteristics

	Mean prison sentence (s.d)	Range	N
Gender			
Male	21.88 (29.09)	.34 to 258	174
Female	32.33 (35.08)	5.50 to 105.5	9
Race			
White	29.38 (41.88) *	.99 to 151.5	92
Hispanic	20.26 (22.72)	.34 to 258	56
Other	14.07 (12.77)	1.00 to 49	30
Age			
17 and under	15.92 (16.80)	.34 to 60	21
18-24	21.82 (25.63)	.99 to 151.5	74
25-34	25.36 (38.20)	1 to 258	58
35-44	19.69 (23.80)	1 to 105.5	20
45 and over	27.60 (29.88)	1 to 76	10
Firearm used			
Firearm	21.97 (29.65)	.34 to 258	109
Other weapon	22.16 (29.95)	1.00 to 151.5	69

\* $\chi^2 = 5211.71$ , 2 df,  $p < .05$

### *Victim Characteristics and Prison Time*

Next we looked at the influence of victim characteristics on length of incarceration (real prison time). It should be noted that in cases involving more than one victim, the victim characteristics were aggregated. Table VII.25 summarizes the results.

- *Gender*

Cases involving at least one female tended to result in longer incarceration times. The average sentence for cases with only male victims was 15 years as compared to 31 years for cases with at least one female victim. This difference was statistically significant.

- *Race*

Cases involving at least one White victim resulted in slightly longer sentences: 24 years compared to 21 years. It should be noted, however, that the range of sentences is much greater for White victims, which may account for this difference.

- *Age*

The age of the victim was constructed using the mean age of all victims involved. While the length of the sentence does vary some by the age group of the victim, there is not a statistically significant difference. We also conducted a bivariate correlation between the continuous mean age of victim variable and the length of the sentence. We did not find any significant relationship when looking at the variable this way either.

- *Number of Victims*

The number of victims was related to the length of the sentence. Specifically, the greater the number of victims, the longer the imposed sentence. This relationship was statistically significant.

Table VII.25  
Length of Incarceration by Victim Characteristics

	Mean prison sentence (s.d)	Range	N
Gender			
All male	14.59 (17.90)*	0 to 138.3	112
At least one female	31.00 (33.17)	1.00 to 181.8	45
Race			
At least one white	24.42 (34.22)	.99 to 258	87
All minority	20.67 (24.33)	.34 to 151.5	95
Age			
10 and under	15.37 (6.80)	1.00 to 24	8
11 to 20	13.58 (11.76)	.34 to 47	41
21 to 30	19.49 (20.54)	.99 to 107	38
31 to 40	29.22 (33.73)	3.00 to 151.5	39
41 to 50	31.33 (61.27)	1.0 to 258	19
51+	22.60 (15.87)	5.00 to 49.5	10
Number of victims			
1	16.79 (17.20) **	.34 to 107	129
2	27.83 (20.86)	.99 to 76	28
3 or more	44.06 (60.25)	.99 to 258	26

\*F = 15.96, 1,155 df, p<.001

\*\* F = 10.95, 2,180 df p<.001

### **Homicide Subset Analysis**

Beginning in the Spring of 2002, law enforcement agencies in conjunction with the Institute for Social Research staff began reviewing homicide cases in Albuquerque. The first of these reviews, the Grand Homicide Review, included a discussion of all homicide cases that had occurred in 2001. Subsequent reviews (referred to as Incident Reviews) occurred regularly from July 2002 to March 2004. The data gathered from these reviews allowed the researchers to gather much more detailed information about the homicide cases, including developing a typology of homicide cases. Additionally, information regarding the victim-offender relationship, gang affiliation of offenders and victims, as well as substance abuse histories were gathered.

In this analysis, we include only the homicide cases that were reviewed at this meeting and for which we have follow up data (court data). This leaves us with 101 cases. There were 153 individuals identified as suspects and 117 victims. The analysis that follows uses the case as the unit of analysis.

- **Caseflow**

Approximately half of the cases that were reported went to court (Table VII.26). Almost one-third of all reported cases of homicide in this sample resulted in at least one offender being convicted and sentenced for the crime.

Most cases (69%) that went to court were closed at the time this analysis was completed. Almost all (94%) of the closed cases proceeded to trial or plea.

Table VII.26  
Status of Cases

	N	% of total	N of closed cases	% of closed cases that went to court
Report	101	100.0%		
Case went to court	51	50.5%		
Case still pending	16	31.4%		
Case closed	35	68.6%		
Case dropped	3	3.0%	3	8.6%
Case to trial/plea	36	35.6%	33	94.3%
Case to sentencing	32	31.7%	32	91.4%

35 cases were closed- 2 dropped prior to trial/plea, 1 prior to sentencing

- **Offender Characteristics**

In this section we examine the characteristics of the offenders by case. Results are presented in Table VII.27.

As would be expected, the majority of cases involved all male offenders (79%). The remainder of the cases included all female offenders (12%) or a mix of male and female offenders (9%).

As cases progress through the criminal justice system, we find that the gender of offenders tends to remain the same. That is, there is no significant difference in case processing in terms of gender of the offender.

In terms of race, these cases involved all non-minority offenders in 23.5% of the cases and both minority and non-minority offenders in 11.2% of the cases. The majority of cases (65%) involved only minority offenders. When we examine this variable using the offender as the unit of analysis, we find that 33% of offenders are White, 40% are Hispanic and the remaining are of another ethnicity (Native American, Asian, other). Cases involving all White offenders tend to appear more often at court than cases involving all minority offenders or both minority and White offenders. This finding is statistically significant. As cases progress through the system, however, there is not a significant difference detected in terms of race of the offender.

We found that in almost 27% of the cases, at least one offender was clearly identified as being a member of a gang. The remaining 73% did not have any gang affiliation or had not been identified as a gang member. While gang affiliation did not appear to be statistically related to decision-making at various stages in the criminal justice process, it is interesting to note that the proportion of cases involving offenders with gang affiliation increases as the cases progress through the system.

Approximately 41% of cases involved at least one offender who was known to use drugs or alcohol. In a little less than half of the cases (44%), the offender was either drunk (10%), on drugs (17%), or both at the time of the incident (16%). Cases involving offenders with a drug or alcohol history were more likely to appear at court (57%) as compared to those who dropped out at this point. Similarly, cases involving offenders who were under the influence of some substance at the time of the incident were more likely to go to court. Neither the history of alcohol or drug abuse nor use at the time of the incident appears to influence case processing at subsequent stages.

About 12% of cases involved an offender who was identified as a transient. This proportion increases to almost 20% at the time of entrance into the court system. Only 4% of cases involving transients were dropped at this point. This difference was statistically significant. Cases involving a transient offender were also more likely to progress to trial or plea proceedings as compared to those that did not. This difference was also statistically significant.

Almost half of cases involved at least one offender who had some sort of criminal history. Of the 45 cases that involve an offender with a criminal history, 73% include a violent offense. Cases involving an offender with a criminal history were more likely to proceed to court. These cases were about equally likely to go trial or plea proceedings, but were more likely to be sentenced.

Table VII.27  
Offender Characteristics

	All cases	At court/ arraignment		Trial/plea		Sentencing	
		Yes	No	Yes	No	Yes	No
Gender							
All female	12.0%	13.7%	9.8%	13.9%	13.3%	12.5%	25.0%
All male	79.3%	82.4%	75.6%	80.6%	86.7%	81.3%	75.0%
Mixed	8.7%	3.9%	14.6%	5.6%	0.0%	6.3%	0.0%
N	92	51	41	36	15	32	4
Race							
All non-minority	23.5%	33.3%*	12.8%	33.3%	33.3%	34.4%	25.0%
All minority	65.3%	58.8%	72.3%	55.6%	66.7%	56.3%	50.0%
Mixed	11.2%	7.8%	14.9%	11.1%	0.0%	9.4%	25.0%
N	98	51	47	36	15	32	4
Gang affiliation indicated							
Yes	26.7 %	31.4%	22.0%	36.1%	20.0%	40.6%	0.0%
No	73.3%	68.6%	78.0%	63.9%	80.0%	59.4%	100.0%
N	101	51	50	36	15	32	4
History of alcohol/drugs	40.8%	56.9%**	23.4%	61.1%	46.7%	59.4%	75.0%
N	98	51	47	36	15	32	4

Substance use at time of incident							
Drunk	10.2%	17.6%***	2.1%	19.4%	13.3%	21.9%	0.0%
Drug use	17.3%	19.6%	14.9%	25.0%	6.7%	25.0%	25.5%
Both drunk and on drugs	16.3%	23.5%	8.5%	25.0%	20.0%	18.8%	75.0%
Neither drunk or on drugs	56.1%	39.2%	74.5%	30.6%	60.0%	34.4%	0.0%
N	98	51	47	36	15	32	4
Transient	12.2%	19.6%*⊥	4.3%	27.8%⊥	0.0%	25.0%	50.0%
N	98	51	47	36	15	32	4
Criminal history							
Identified as having some prior criminal history	45.9%	68.6%*⊥⊥	21.3%	72.2%	60.0%	78.1%⊥⊥	25.0%
N	98	51	47	36	15	32	4
Prior is a violent offense	73.3%	77.1%	60.0%	73.1%	88.9%	72.0%	100.0%
N	45	35	10	26	9	25	1

\* $\chi^2=6.18$ , 2df,  $p<.05$

\*\* $\chi^2=11.34$ , 1df,  $p=.001$

\*\*\* $\chi^2 = 14.882$ , 3df,  $p<.01$

\*⊥ $\chi^2=5.37$ , 1df,  $p<.05$

\*⊥⊥ $\chi^2=22.08$ , 1df,  $p<.001$

⊥  $\chi^2 = 5.18$ , 1df,  $p<.05$

⊥⊥  $\chi^2 = 5.00$ , 1df,  $p<.05$

- *Victim Characteristics*

Cases most often involve only male victims (Table VII.28). Less than 18% of cases involve only female victims, and 7% involve both male and female victims. As cases progress through the system, there is very little change in the gender of the victim.

Approximately two-thirds of the cases include all minority victims. Very few (2%) of cases involve both minority and White victims. The proportion of cases involving only White victims increases as cases progress through the system. However, the difference is not statistically significant at each stage.

Almost 27% of cases involve victims who have some sort of ties to a gang. This proportion increases as cases progress through each stage of the criminal justice system. However, the differences are not statistically significant at any given stage.

Approximately 41% of cases involve victims with some sort of alcohol or drug history. In approximately half of the cases, at least one of the victims was drunk, on drugs, or both. This is interesting when compared to offenders. While many cases (44%) involve offenders who are under the influence of some substance, slightly more homicide victims are under the influence. The proportion of cases involving a victim who was under the influence increases at the time of court entry to about 60%. This percentage fluctuates some over each stage, but remains relatively constant.



Approximately 10% of cases involve victims who are transients. This increases to about 16% of cases at the time of court intake. This increase is not statistically significant. Almost 22% of cases that progressed to trial or plea proceedings involved a victim who was a transient. This represents a statistically significant difference when compared to cases that did not progress to this stage. There was not a significant difference noted in the transient status of the victim for cases that progressed to the sentencing stage.

Less than one-quarter of the homicide cases involved victims who have a criminal history. This proportion increased to almost 30% at time of entry into the criminal justice system. However, this was not a statistically significant increase. Approximately half of those who had some sort of criminal history had a violent offense in their history.

Table VII.28  
Victim Characteristics

	All cases	At court/ arraignment		Trial/plea		Sentencing	
		Yes	No	Yes	No	Yes	No
Gender							
All female	17.5%	17.6%	17.4%	16.7%	20.0%	15.6%	25.0%
All male	75.3%	70.6%	80.4%	72.2%	66.7%	71.9%	75.0%
Mixed	7.2%	11.8%	2.2%	11.1%	13.3%	12.5%	0.0%
N	97	51	46	36	15	32	4
Race							
All non-minority	32.0%	33.3%	30.4%	38.9%	20.0%	40.6%	25.0%
All minority	66.0%	66.7%	65.2%	61.1%	80.0%	59.4%	75.0%
Mixed	2.1%	0.0%	4.3%	0.0%	0.0%	0.0%	0.0%
N	97	51	46	36	15	32	4
Gang affiliation indicated							
Yes	26.7%	25.5%	28.0%	27.8%	20.0%	31.3%	0.0%
No	73.3%	74.5%	72.0%	72.2%	80.0%	68.8%	100.0%
N	101	51	50	36	15	32	4
History of alcohol/drugs	41.2 %	49.0%	32.6%	55.6%	33.3%	53.1%	75.0%
N	97	51	46	36	15	32	4
Substance use at time of incident							
Drunk	11.3%	13.7%	8.7%	13.9%	13.3%	15.6%	0.0%
Drug use	19.6%	19.6%	19.6%	22.2%	13.3%	21.9%	25.0%
Both drunk and on drugs	18.6%	25.5%	10.9%	27.8%	20.0%	21.9%	75.0%
Neither drunk or on drugs	50.5%	41.2%	60.9%	36.1%	53.3%	40.6%	0.0%
N	97	51	46	36	15	32	4
Transient	10.3 %	15.7%	4.3%	22.2%*	0.0%	18.8%	50.0%
N	97	51	46	36	15	32	4
Criminal history							
Identified as having some prior criminal history	22.7 %	29.4%	15.2%	27.8%	33.3%	31.3%	0.0%
N	97	51	46	36	15	32	4
Prior is a violent offense	54.5%	46.7%	71.4%	30.0%	80.0%	30.0%	---
N	22	15	7	10	5	10	

\*  $\chi^2 = 3.95$ , 1df,  $p=.05$

- *Case Characteristics*

As presented in Table VII.29, less than one-third of cases were gang related. The proportion of gang related cases slowly increases at each point in the system, suggesting that gang related cases are slightly more likely to sustain through each stage of the criminal justice system. However, this was not a statistically significant finding.

Transient related homicides represented about 15% of cases at the time of the incident. The greatest percentage of transient related homicides occurs at the time of trial or plea. None of the cases that dropped out at this point were transient related. This was a statistically significant difference.

Over half of the cases were identified as being dispute related. This proportion increases at each stage of criminal justice processing, ending with 70% of cases sentenced identified as dispute related. The proportion of dispute related cases remaining in the system relative to those that drop out at any given point is not statistically significantly different.

Among cases that are dispute related, over half are identified as domestic disputes. There appears to be a pattern of these cases dropping out at each point in the system, though there is no statistically significant difference at any one point.

A little less than one-quarter of cases in this sample were identified as being committed between intimate partners. There is some fluctuation in the proportion of these cases at each point. At the time of court intake, the percentage increases to almost 29%. This decreases again at subsequent stages.

Very few cases were considered random incidents. Only 3% were identified as being random at the time of the incident. This proportion remained about constant throughout case processing.

Table VII.29  
Case Characteristics and Court Processing

	At incident	To court		Trial/plea		Sentencing	
		Yes	No	Yes	No	Yes	No
Gang related N	32.2% 87	31.9% 47	32.5% 40	36.4% 33	21.4% 14	40.0% 30	0.0% 3
Transient related N	14.9% 87	19.1% 47	7.5% 40	27.3%** 33	0.0% 14	23.3% 30	66.7% 3
Dispute related N	55.1% 89	60.4% 48	48.8% 41	67.6% 34	42.9% 14	70.0% 30	50.0% 4
Dispute is domestic N	56.3% 48	51.7% 29	63.2% 19	43.5% 23	83.3% 6	42.9% 21	50.0% 2
Incident between intimate partners N	23.8% 80	28.6% 42	18.4% 38	24.1% 29	38.5% 13	24.0% 25	25.0% 4
Random incident N	3.2% 95	2.0% 50	4.4% 45	2.8% 36	0.0% 14	3.1% 32	0.0% 4

\*  $\chi^2 = 5.84$ , 1df,  $p < .05$

\*\*  $\chi^2 = 4.72$ , 1df,  $p < .05$

## Summary

### *Comparison of Aggravated Assault and Homicide Cases.*

There were some interesting differences between the aggravated assault and homicide cases. We found that at the time of the incident, more homicide suspects are arrested the scene as compared to aggravated assault suspects (48.7% compared to 29.1%). Additionally, homicide cases were much more likely to involve the identification of a suspect (26%) as compared to aggravated assault cases (3.5%). In one-quarter of homicide cases, neither an arrest was made nor was a suspect identified at the time of the incident. This percentage is significantly lower than aggravated assault cases, in which 67% of the cases involved neither an arrest nor the identification of a suspect at the scene.

Next, we found that homicide cases are much more likely to make it to court. Almost 20% of aggravated assault cases appeared at court while just under half (47%) of homicide cases proceeded to court.

When examining the cases that went to court, we find that aggravated assault cases are about three times as likely to be dropped at some point after entering the court system compared to homicide cases. Approximately 32% of aggravated assault cases were dropped after court initiation while less than 10% of homicide cases were dropped.

Of the cases that proceeded to a trial or plea proceedings, we found that 5% of aggravated assault cases went to a jury trial. Slightly over one-quarter of homicide cases were tried by a jury. One reason for this may be because the penalties are so much greater in homicide cases that the accused offenders are less likely to accept a plea bargain.

The length of time that it takes for a case to proceed through the court system is much longer for homicide cases (570 days) than aggravated assault cases (380 days). However, the time between the incident and court filing is much quicker for homicide cases (an average of 75 days) compared to aggravated assault cases (130 days). The process slows down for homicide cases between arraignment and trial or plea proceedings. The time from arraignment to plea or trial proceedings is shorter for aggravated assaults (less than six months) as compared to homicide cases (more than one year).

### **Legal Variables and Case Processing**

We found that for both aggravated assault and homicide cases, whether an arrest occurred at the time of the offense had a statistically significant relationship with the entrance of the case into the court system. Specifically, if an arrest was made at the crime scene, it was more likely that these cases showed up at court. Cases in which a suspect was identified, but no arrest was made at the time of the incident were more likely to drop out.

The type of offense had a relationship with the appearance of the case at court in aggravated assault cases as well. In particular, aggravated battery cases were more likely to drop out at this point compared to other types of aggravated assaults.

The criminal history of the offender appears to have an influence in the decision prosecute in both aggravated assault and homicide cases. Cases involving aggravated assault offenders who have prior arrests for violent offenses and homicide offenders who have a prior criminal history were more likely to appear at court. Additionally, aggravated assault cases involving victims who have prior arrests were more likely to be prosecuted.

The criminal history of the offender also appears to have some influence in whether a homicide case is sentenced. We found that offenders with some prior criminal history were more likely to be sentenced.

The number of victims has a relationship with the length of incarceration time in homicide cases: the greater the number of victims, the greater the average length of incarceration.

### **Extra-legal Variables and Case Processing**

Only at the point of arraignment did any extra-legal factors have any relationship with case processing for aggravated assault cases. At arraignment, it was found that males are more likely to be arraigned while females are more likely to drop out.

Extra-legal factors did appear to influence homicide case processing decisions at several points. At the point of entrance into the court system, it was found that when the perpetrators were all White, the case was more likely to be prosecuted. Cases involving offenders who are all minorities or offenders who include both minorities and non-minorities are more likely to drop out at this point. The race of the offender also has a relationship with the sentence severity. White offenders had the longest average length of incarceration relative to Hispanic offenders and offenders of other ethnicities.

A history of alcohol or drug use had a relationship with the entrance of homicide cases into the court system as did whether the offender was under the influence of some sort of substance at the time of the offense. Cases involving these offenders were more likely to be prosecuted.

Cases involving transients were more likely to enter into the court system and were more likely to proceed to trial or plea.

The age of the offender and victim were related to case processing. Cases involving younger offenders were more likely to proceed to trial or plea. Cases involving younger victims were more likely to be sentenced.

Finally, gender appears to have a relationship with sentencing. Cases involving female victims were associated with longer sentence lengths.

### **Firearms and Case Processing**

The use of a firearm was much more common in homicide cases compared to aggravated assault cases. Over half (58%) of homicide cases included the use of a firearm while approximately one-third of aggravated assault cases were firearm related.

When we tracked cases through the system, we found that the aggravated assault cases involving firearms were not processed differently from those that were not firearm involved. Similarly, homicide cases involving a firearm were no more or less likely to be processed through the criminal justice system than incidents that did not involve a firearm. This suggests that firearm related offenses are no more likely to be prosecuted at the state level than offenses committed with other types of weapons. It should be noted, however, that is possible that some cases included in our sample were prosecuted federally (through Project Exile), accounting for this lack of relationship between firearm use and case processing. However, we do not have access to the Federal data.

## **Conclusion**

This analysis of the movement of aggravated assault and homicide cases through the criminal justice system in Albuquerque indicated that both legal and extra legal variables do appear to have some influence on case processing, particularly in the processing of homicide cases. The use of a firearm during the commission of the offense does not

appear to influence decision-making at the state level. That is, the presence of a firearm does not appear to increase the likelihood for prosecution or sentencing in these cases. In homicide cases, this may be because the crime is already so severe that the use of a firearm does not increase the gravity of the case. It could be that a few aggravated assault cases were federalized through the Exile initiative. Alternatively, it may be that firearm usage influences case decision-making in conjunction with other variables. Due to missing data and a limited number of cases, it was not reasonable to conduct a multivariate analysis of the influence of extra-legal and legal variables on decision-making at each point. Future analyses should explore this alternative explanation.

## **CHAPTER VIII**

### **GRAND HOMICIDE REVIEW**

As noted in Chapter II, a Grand Homicide Review (GHR) was conducted on April 3, 2002 at the Albuquerque Police Department's Training Academy. Members of the SACSI working group determined that there were four primary ways in which the GHR could facilitate the Initiative. First, the Review could provide a forum for the sharing of information between participants concerning cases still open for investigation that might lead to their clearance and adjudication. Second, the case level information generated from the Review process could yield valuable information concerning the dynamics of homicides in Albuquerque that were not contained in macro-level data, and could be analyzed and disseminated to the working group by the research team. Information could be used to construct typologies of homicide cases, toward the end of developing targeted strategies for their prevention and intervention. Third, the GHR could increase awareness of local SACSI activities among a wider range of justice professionals in the community. Finally, the GHR could enhance commitment and participation in the SACSI efforts and stimulate the development of local initiatives. The GHR was generally successful in reaching each of these goals.

#### **Planning**

Based on SACSI cluster group presentations of Indianapolis' and Rochester's experiences with case reviews, the research team first presented the idea of a Grand Homicide Review (GHR) to the working group in Albuquerque on April 23, 2001. The researchers discussed how GHR could lay the foundation for ongoing Incident Reviews. These would allow local, state, and federal law enforcement personnel to gather on a regular basis to discuss in greater detail specific recent cases (usually those involving serious violent crimes such as homicides, serious aggravated assaults and batteries). At this meeting, the Coordinator and other members of the SACSI working group encouraged the research team and local law enforcement representatives to pursue this initiative.

On July 24, 2001, the research team met with Ruben Davalos (APD Deputy Chief) and David Linthicum (BCSO Deputy Sheriff) to discuss the GHR process in more detail and to determine the resources these two agencies would be able to provide for the GHR effort. Meeting participants discussed GHR logistics and addressed concerns over protecting the confidentiality of case-level information in both open and closed police investigations. Both Deputy Chief Davalos and Deputy Sheriff Linthicum voiced their support for this initiative and promised to commit resources to its success.

In order to get a better idea of the GHR process, Drs. Broidy and Steele went to Rochester, NY to meet with Dr. Klofas, the researcher for the Rochester SACSI site. They spent three days (August 8-10, 2001) with the Rochester team, gaining insight into the process by which they compiled their GHR. In addition to meeting at the research offices, the Rochester visit also involved meeting with key members of the Rochester

Police Department who were instrumental in implementing the GHR there. Detective Mark Case was especially central to GHR efforts in Rochester. Not only did he gather all of the necessary police level intelligence on each case, he was actively involved in compiling power point slides for each case and securing the buy-in of all officers and other necessary criminal justice agents. He walked Drs. Broidy and Steele through the process and agreed to come to Albuquerque to help train detectives. From his perspective, the GHR had significant value for all participants.<sup>24</sup>

At the next meeting of the Albuquerque working group on August 15, 2001, the research team summarized what they learned in Rochester about how to prepare for the GHR. They also presented several case examples taken from the Rochester GHR to illustrate what preparations it would involve. Members of the working group expressed great interest in Rochester's experience, and were curious about what could be compiled in Albuquerque.

On September 14, 2001, the research team met with Ruben Davalos and David Linthicum to further discuss logistics of the GHR. One month later, on October 17, the research team met with APD and BCSO homicide detectives to talk about the purpose of the GHR, the positive things that have occurred as a result of this event in other cities, and to get their buy-in for the process. The October 17 meeting was an important step in the GHR planning process because the Homicide Detectives at APD and BCSO were now committed to helping the research team assemble case-level information for presentation at the GHR.

With several transitions in leadership at the United States Attorney's Office in late 2001, the GHR planning was put on hold until January 2002. At the first working group meeting of 2002, the SACSI Working group met the new USAO SACSI Program Manager, Rumaldo Armijo, and recommitted itself to conducting the GHR in the near future. The group set a date of April 3, 2002 for the day of the formal GHR.

## **Implementation**

### ***Preparation.***

Preparation for the Grand Homicide Review in Albuquerque proved to be a labor-intensive process. One of the biggest issues that the research team had to overcome was associated with the decentralization of homicide investigations in the Albuquerque Police Department. Due to Albuquerque's large geographical area, the Albuquerque Police Department (APD) has five Area Commands, which at the time were responsible for all

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<sup>24</sup> Drs. Broidy and Steele also attended a critical incident debriefing meeting held in a high-risk neighborhood. The meeting was held in response to a recent homicide in the area that involved a child victim, and was intended to mobilize residents to develop gun violence reduction strategies that would be effective in their neighborhood. Dr. Klofas demonstrated an additional use of GHR data in that some of the research findings he presented were based on data collected for the Rochester GHR.



law enforcement activities within their designated geographical area. This structure was an innovation imposed in the late 1990s by Gerald Galvin, APD Chief of Police at the time. Prior to his tenure, all routine police activities were conducted out of the area commands, but a centralized unit conducted homicide and other serious violent crime investigations. Under Galvin's direction, the Department disbanded their Centralized Violent Crimes Unit and reassigned detectives to the Area Commands. While there are arguments that can be made in favor of and against the decentralization of specific specialized law enforcement functions, one consequence of the decentralization of violent crimes investigation was that the research team had to meet with each set of homicide investigators in all five area commands to collect the data necessary to prepare for the GHR.<sup>25</sup>

Beginning in early February 2002, the research team began meeting with the homicide investigators in each APD area command and the Violent Crimes Unit at the Bernalillo County Sheriff's department. At each meeting, the researchers provided the detectives with a detailed data extraction form that could be used by the detectives to summarize the information contained in each homicide case file. The researchers also discussed the types of information needed for the GHR presentation, including digital pictures of the crime scene and any pictures of offenders and victims they might possess.

Over the next two months, members of the ISR research team assembled information from diverse sources and organized it in an electronic format (Microsoft Powerpoint) for presentation. This proved to be a very labor-intensive process because the researchers not only had to coordinate with different area commands, but also with several different agencies (APD, BCSO, District Court, ATF, etc) to obtain as much data and as many documents as possible for 44 separate homicide incidents. The result was a visual description of cases amounting to more than one thousand graphics. The researchers also publicized the event and encouraged professionals not only to attend the GHR but to actively prepare background information concerning the homicide cases to be reviewed. The research team also arranged the Review's location, and planned and underwrote a buffet lunch and refreshments for attendees.

### ***Presentation.***

On April 3, 2002 approximately 100 law enforcement professionals attended the Grand Homicide Review at the Albuquerque Police Department's Training Academy. Representatives from the Albuquerque Police Department, the Bernalillo County Sheriffs Department, the United States Attorney's Office, the District Attorney's Office, New Mexico State Probation and Parole, the Federal Bureau of Investigations, the New Mexico State Corrections Department, the Bureau of Alcohol, Tobacco and Firearms, and the University of New Mexico's Institute for Social Research participated in a seven hour review of the 44 homicide incidents/cases from the year 2001. The ISR research team facilitated the lengthy process by serving as the Master of Ceremonies and official

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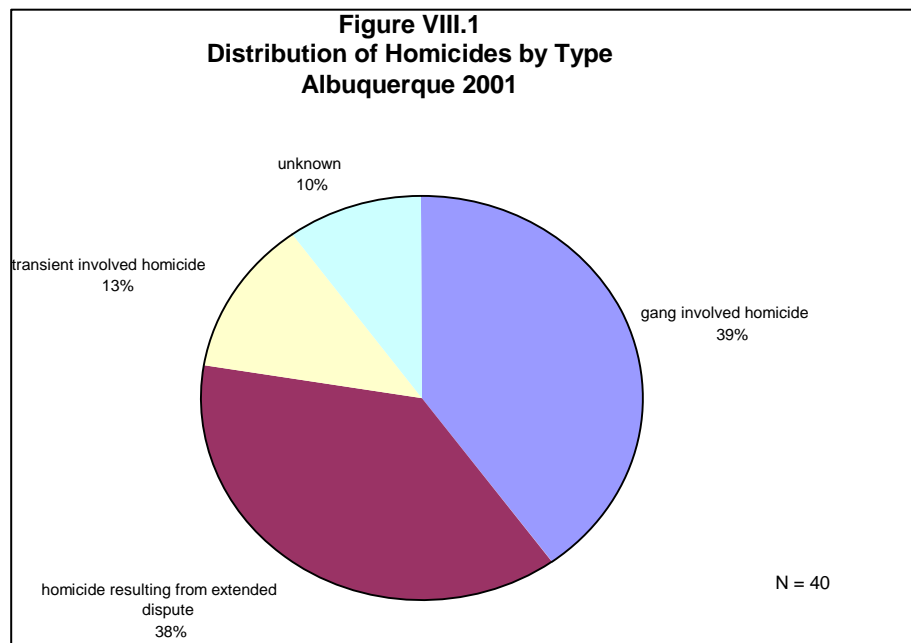
<sup>25</sup> As noted earlier, local elections resulted in the installation of a new APD administration. They decided to re-centralize the Violent Crimes Unit.

recorders throughout the day. Mark Case and Christopher Delaney from the Rochester, NY and John McCloskey from the Detroit, MI SACSI sites attended the SACSI Albuquerque GHR and provided the research team with valuable feedback following the day's events.

The research team gathered a significant amount of case level data and feedback from the review, providing the working group with a much more complete understanding of the homicide incidents in Albuquerque. The GHR revealed to those in attendance the frequency of gang member involvement in Albuquerque's homicide incidents as well as the large number of individuals on drugs or intoxicated at the time of the incidents.

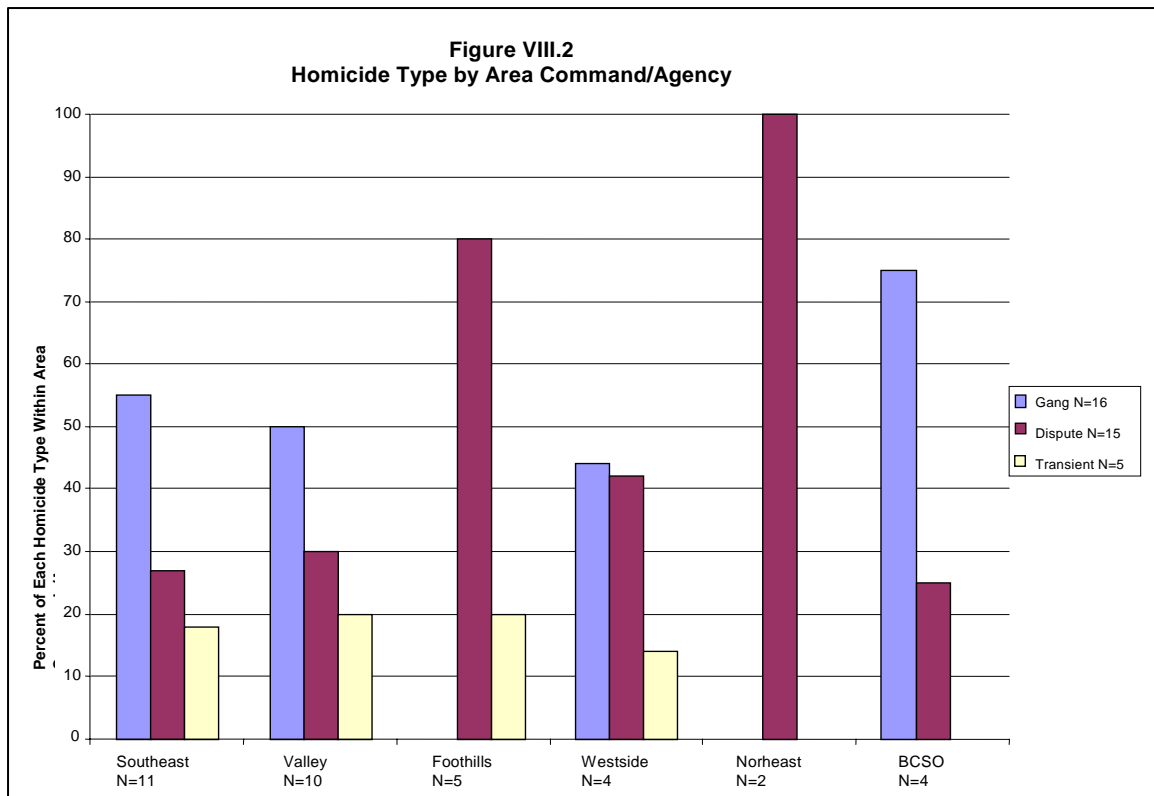
The eleven open homicide investigations were discussed at the end of the GHR. One promising development occurred when representatives from different agencies and law enforcement units began talking in depth and sharing information on their current investigations. The discussion provided these investigators with new leads in these open cases, and demonstrated the value of broader communication among justice professionals to the attendees.

Based on the information gathered at the Grand Homicide Review, the researchers were able to develop a typology of homicide incidents within Albuquerque and Bernalillo County. As depicted in Figure VIII.1, the typology grouped incidents into three categories: homicides involving gang members (39%), homicides emerging from disputes between acquaintances (38%), and homicides involving transients (13%).



Homicide types were differentially distributed throughout the County (Figure VIII.2). Those incidents occurring within APD's Southeast, Valley, and Westside area commands, and those occurring outside of the City limits but within the County (BCSO's

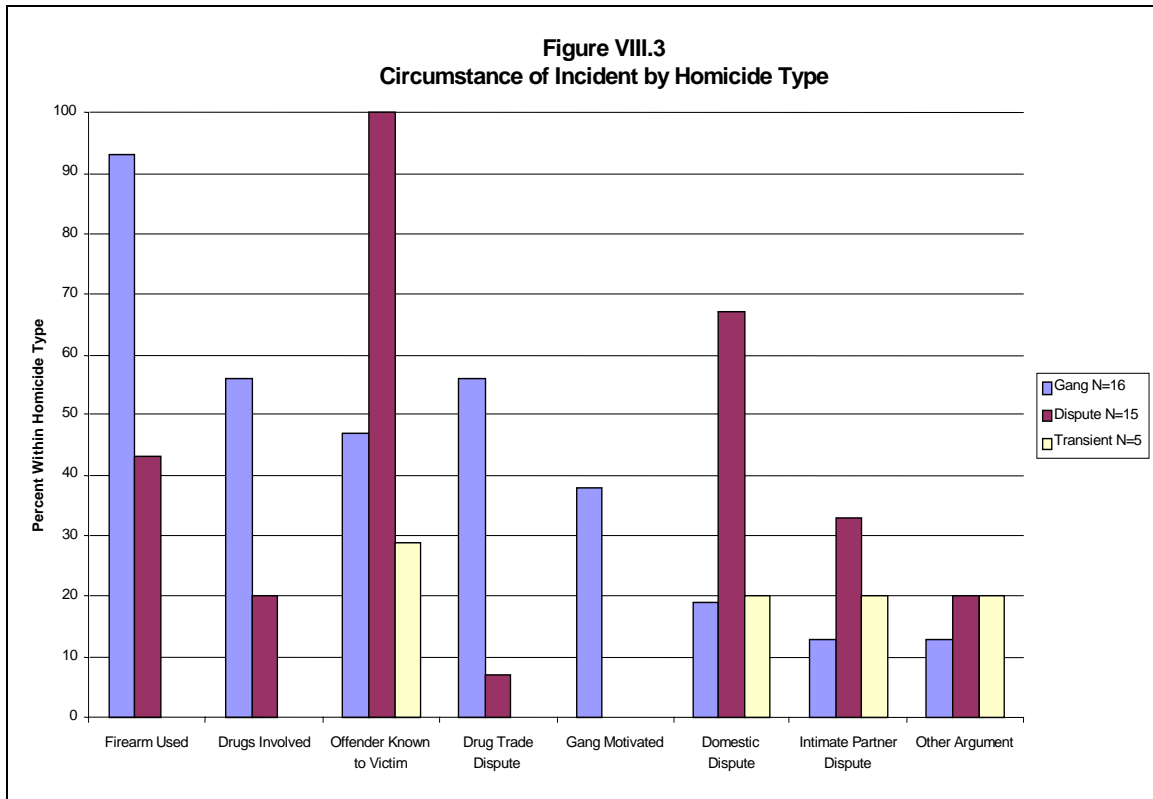
jurisdiction) are most likely to involve gang members. Homicides resulting from disputes between acquaintances<sup>26</sup> are most likely in Foothills and Northeast area



commands. Transient involved homicides are the least common in all jurisdictions, but are equally common in the Southeast, Valley, Foothills and Westside area commands and did not occur at all in the Northeast or in the BCSO jurisdictions. This suggests that while violence is geographically dispersed throughout the county, it may have distinct dynamics in different regions that the working group will need to be sensitive to in developing and implementing any firearm violence reduction initiatives.

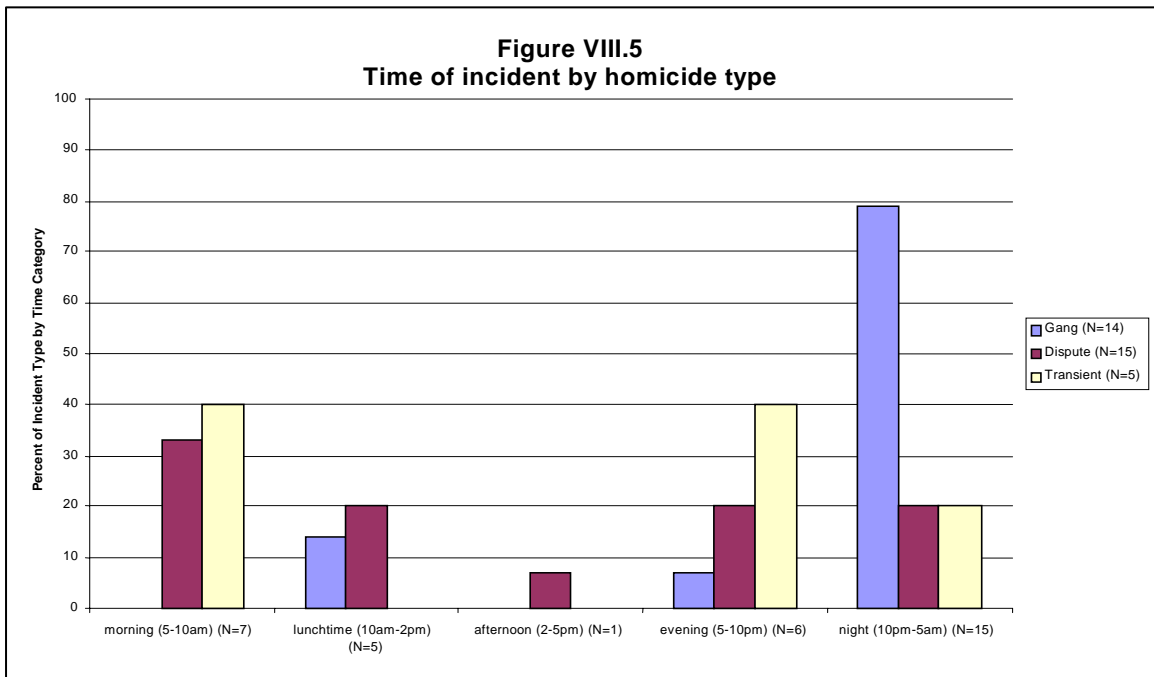
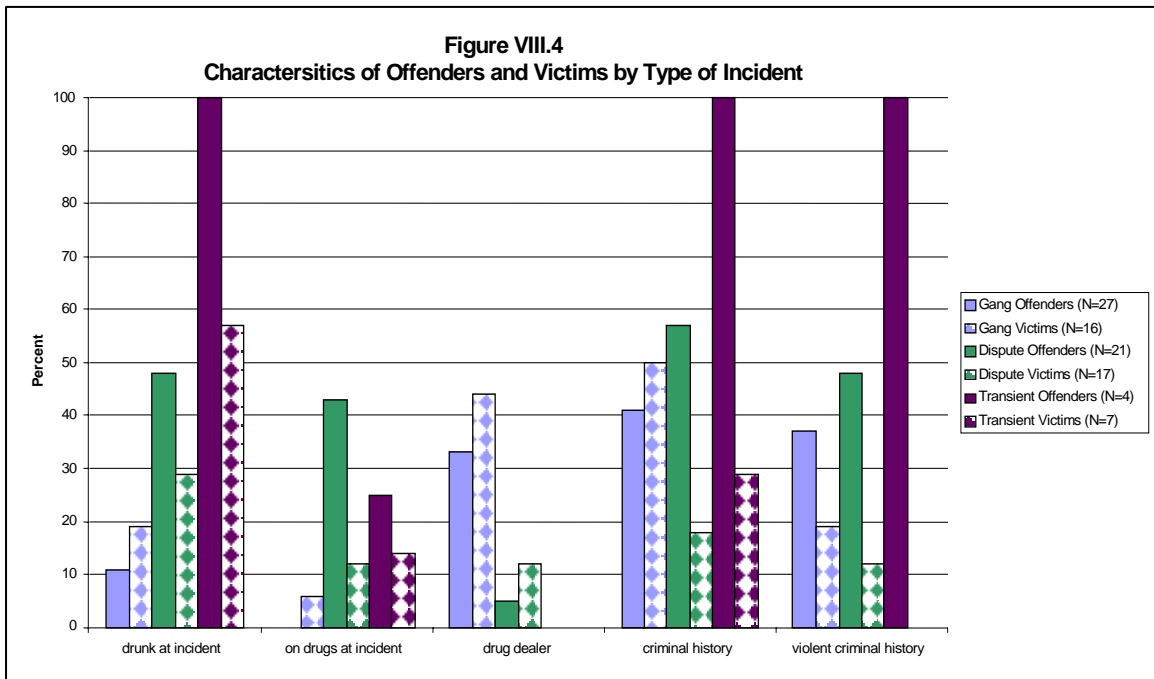
The distinct nature of homicide in various regions of the county becomes more evident when we examine the circumstances surrounding the different types of homicides identified in the Grand Homicide Review (Figure VIII.3). Firearms were involved in all but one of the homicide incidents involving gang members, less than 50% of those emerging from disputes between acquaintances, and none of the incidents involving transients. As such, it appears that the gang-involved homicides deserve special attention in an initiative aimed at reducing gun violence. These gang member involved homicides are also the most likely to be drug related homicides and, in particular, homicides resulting from disputes over drug trade. In fact, homicides involving gang members more commonly emerge from drug related disputes than from gang motivated disputes.

<sup>26</sup> Acquaintance disputes that escalate into homicides often occurred between domestic partners.



Gang member involved homicides exhibit some distinct features compared to the other two types of homicides in the county. Homicides involving gang members are disproportionately more likely to occur at night. About half of these incidents (48%) involve offenders and victims who know one another, oftentimes via criminal networks. Seventy nine percent of the homicides that occurred between 10 pm and 5 am involved gang members (Figure VIII.4). Offenders and victims in homicides involving gang members are unlikely to be drunk or on drugs at the time of the incident (Figure VIII.5). Nonetheless, they are more likely than offenders and victims in other types of homicides to be involved in the drug trade. These offenders and victims also have criminal histories that look very similar. In fact, victims in gang member involved homicides are more likely to have a criminal history than offenders, but the criminal histories of offenders in these incidents are more likely than those of victims to involve past violence. This is in contrast to individuals involved in homicides resulting from disputes between acquaintances and transient homicides. In these incidents, offenders are about three times more likely than their victims to have a criminal history.

These patterns could not be determined simply by analyzing the macro level data the ISR obtained from APD and BCSO. The Grand Homicide Review provided researchers and the working group with a much clearer and deeper understanding of homicide patterns within the Albuquerque Metropolitan Area. It also became the impetus for developing Monthly Incident Reviews, discussed in the next chapter.



## **CHAPTER IX MONTHLY INCIDENT REVIEWS**

### **Introduction**

Based on the success of the Grand Homicide Review, the SACSI working group began ongoing reviews of recent homicides and other serious non-lethal firearm crimes as one of the local SACSI initiatives. The goal of Monthly Incident Reviews (MIR) was to convene front-line professionals so that they could share the most current information concerning recent homicide and aggravated assault cases within Bernalillo County. Similar to the Grand Homicide Review, the Monthly Incident Review process sought to facilitate constructive communication by broadening the network for disseminating strategic and tactical information within and among participating law enforcement agencies, providing more current information to MIR participants, and sharing relevant information to other local SACSI initiative subcommittees (especially VIPER, Targeted Patrol, and Turning Point). The working group members felt that if these objectives could be met, the MIR would be an effective approach for realizing the SACSI general mission of facilitating proactive law enforcement strategies. The logic model describing the MIR program theory and process is presented graphically in Figure IX.1.

### ***Organization and Planning.***

The SACSI Working Group assembled a subcommittee in April 2002 to develop a strategy for implementing the Monthly Incident Reviews. Representatives from the Albuquerque Police Department (Lt. Greg Sanchez and Sgt. Doug Shawn), the Bernalillo County District Attorney's Office (Prosecutors Julie Altweis and Joe Paone), the United States Attorney's Office (Executive Assistant Rumaldo Armijo), Bernalillo County Sheriff's Office (Lt. Roy Dennis and Sgt. David Gallegos), New Mexico State Corrections Department (William Jaramillo), and the research team (Jerry Daday) were responsible for developing the Monthly Incident Review initiative.

### ***Participants.***

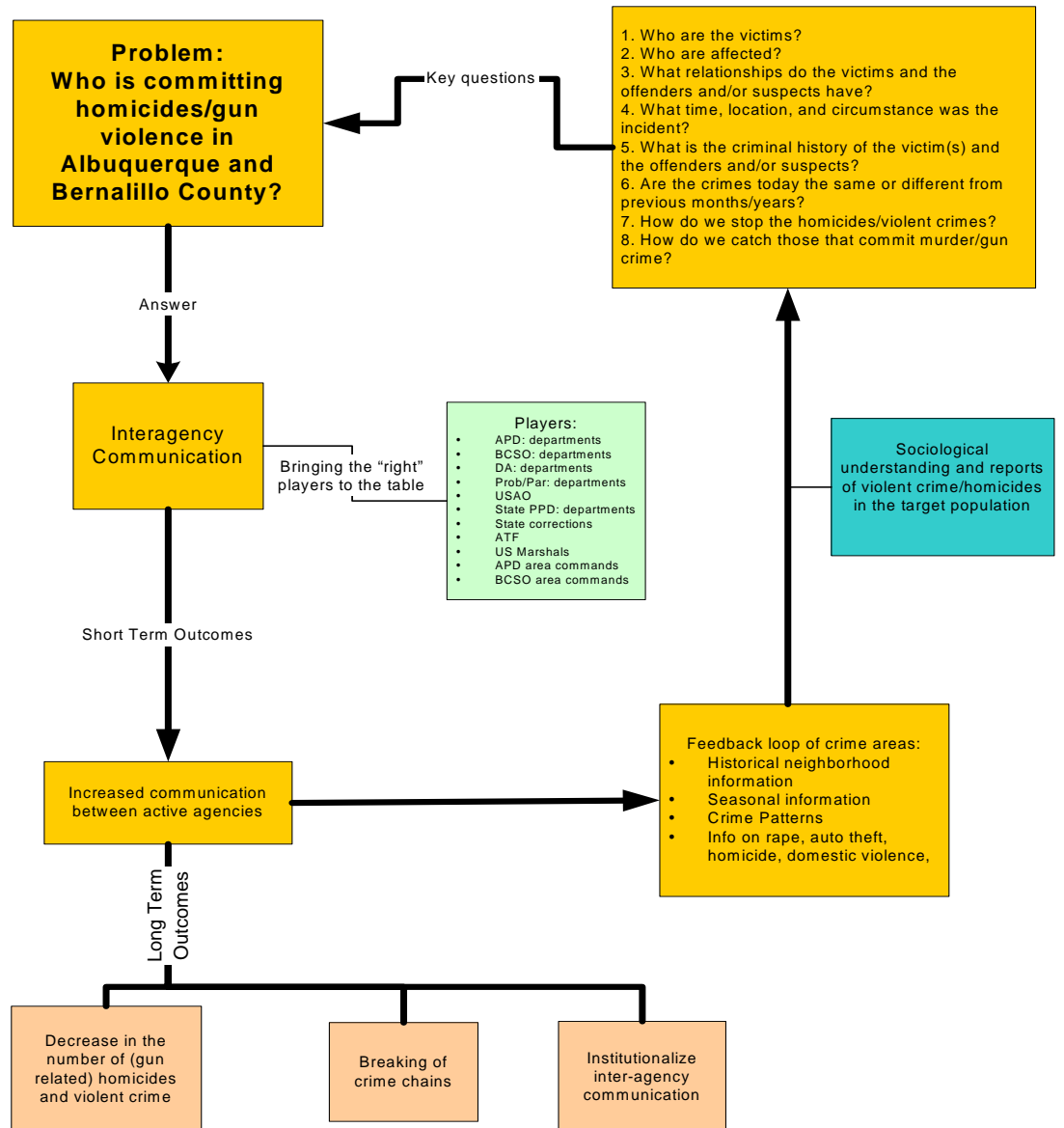
The MIR planning subcommittee members spent a significant amount of time discussing the number and type of people who would best contribute to the Incident Review meetings. The goals were to ensure that the appropriate professionals attended each month so the group could present the most useful and timely information possible, while also trying to keep the group small enough to facilitate good communication. With these goals in mind, the subcommittee determined that Monthly Incident Review meetings should include about 15-20 APD and BCSO detectives and approximately 10-15 individuals from other law enforcement organizations. The subcommittee concluded that the following agencies should be represented at the MIRs:

- APD (Centralized Homicide Unit, and Area Command Violent Crimes Units)
- BCSO (Violent Crimes Unit)
- State Police Department

- ATF
- DEA
- District Attorney's Office
- United States Attorney's Office
- Corrections Department (Probation and Parole, and Institutions)
- New Mexico Gang Task Force
- Research partner (Institute for Social Research)

Figure IX.1

# INCIDENT REVIEW Logic Model





### ***Meeting Preparation.***

Prior to the event, the detectives and members of the research team prepared and entered all of the data into a Microsoft PowerPoint presentation for the incidents from the previous calendar month. Fortunately, APD re-centralized its homicide investigations unit in May of 2002, which facilitated preparations for the Monthly Incident Reviews. As was discussed in the previous chapter, obtaining data for the Grand Homicide Review was much more difficult since the homicide detectives were decentralized and working out of five different APD Area Commands. Therefore, obtaining data on homicides in the city required the researchers to visit all five area commands and to discuss cases with detectives residing in each one.

For each case/incident, the detectives complete a 6-page data extraction form (Appendix A) that was used by the research team to create the Microsoft PowerPoint Presentation for each case. Once the forms were completed they were either faxed to the ISR or a member of the research team retrieved them from the detectives. As with the GHR, each case presented and discussed at the monthly incident reviews contains a map of incident location with the offender and victim address(es), crime scene information (i.e. weapon used, events leading up to the crime, motives), offender information (violent crime history, gang affiliation, drug/narcotics information, relationship to victim), victim information (violent crime history, gang affiliation, drug/narcotics information, relationship to offender), prosecution information, and questions to stimulate discussion.

The director of APD's Centralized Homicide Unit, Lt. Greg Sanchez, was the clear champion of the Monthly Incident Review process. He provided the research team with unlimited access to his detectives, the homicide case files at APD, and his personal thoughts and experiences of how the process should work. Sgt. David Gallegos and Lt. Roy Dennis in the BCSO Violent Crimes Unit also provided ISR with unlimited access to information. In both cases, the research team had earned the trust of the APD and BCSO detectives and administrators. This was clearly seen in that they provided the researchers with sensitive information on cases currently under investigation in order to prepare material for the MIR meetings.

### ***Location.***

The incident reviews were initially held in a conference room at the Albuquerque Police Department's Crime Lab, but later changed to the APD Training Academy. One of the considerations before the subcommittee was to find a location that had adequate parking and was relatively centralized within the city. The APD Crime Lab fulfilled both of these criteria but was later abandoned for a room that would accommodate refreshments. The subcommittee considered rotating the meeting site between the various agencies participating in the incident reviews; however, after discussing this option, the group felt that a rotating meeting site might create too much confusion each month.

### ***Cases Reviewed.***

On average, 15 homicide, attempted murder, and serious aggravated battery incidents with a firearm were discussed at each MIR. At the first incident review, all of the homicide incidents and attempted murder cases from the previous calendar month were discussed. The group also reviewed several firearm related aggravated battery incidents that occurred in one of the five APD Area Commands. Each month, according to the original design, one APD or BCSO Area Command was to be selected to present up to 6 of the most violent aggravated battery cases from the past month. APD's Crimes Against Children Unit was later added to this rotation.

In summary, crimes that were covered in the incident review process were:

- Homicides – all from the previous month in the service area
- Attempted Murder – all from the previous month in the service area
- Aggravated Battery with a Firearm – Rotating each month through the APD Area Commands, Crimes Against Children Investigative Unit, and BCSO. Below is a list of the area commands in the order in which they were to present, on a rotating basis, their serious firearm related aggravated battery cases.
  - APD - Westside Area Command
  - APD - Southeast Area Command
  - BCSO – Aggravated Battery Cases
  - APD – Valley Area Command
  - APD – Foothills Area Command
  - APD – Northeast Area Command
  - APD – Crimes Against Children

### **MIR Implementation**

Since its inception, the MIR format, for the most part, has stayed the same; i.e., with PowerPoint presentations led by the principal investigative detective on the case. The detective usually briefly reviews the events that led up to the incident, describes the principal participants, and summarizes the key events in the investigation including the issuance of warrants and clearance of the case. A brief question and answer period follows the presentation of each case, at which time representatives from the other participating agencies have the opportunity to offer information relevant to the case or to the investigative procedure used, and the status of detention and prosecution, if applicable.

The first Incident Review meeting was held on Wednesday, July 17, 2002 from 1-3pm at the APD Crime Lab Facility in Albuquerque. During this Incident Review, the group reviewed all of the homicide incidents and attempted murders within Bernalillo County between June 1 and June 30, 2002. Sgt. Levi Anaya, director of violent crimes investigations for the APD Foothills Area Command, also volunteered to present six of his most serious violent aggravated battery cases.

To prepare for the first MIR, Mr. Daday from the research team met with Lt. Sanchez, Sgt. Gallegos, Lt. Dennis, and Sgt. Levi Anaya from the Violent Crimes Unit at the APD Foothills Area Command. They provided Mr. Daday with their data extraction forms for the cases they wished to discuss at the Monthly Incident Review on July 17<sup>th</sup>. He entered the information contained in the data extraction forms into a Microsoft Powerpoint Presentation. Three weeks prior to the MIR, Mr. Daday distributed a list containing offender and victim information to all of the individuals and agencies invited. This list contained information on the offenders and victims involved in these 16 incidents (with names, date of births, and social security numbers). Invitees were asked to review their records and to pull any information they had on these cases to share with the group on the day of the Incident Review.

Several e-mails were sent to the SACSI Working Group and the individuals and agencies invited to the MIR reminding them of the date, time, and location of the meeting. Unfortunately, only representatives from APD, BCSO, and the District Attorney's Office attended this first Incident Review meeting. Each investigating detective presented his/her case, and took questions from the group. A total of 15 cases were reviewed: six homicide cases from APD, two homicide cases from BCSO, two aggravated battery cases from BCSO, and five aggravated battery cases from the APD Foothills Area Command. Similar to the data collected from the Grand Homicide Review, it appeared that many of the homicide cases discussed at this first incident review were either drug, alcohol, or gang related.

Following our First Incident Review meeting, Lt. Sanchez from APD was reassigned to another position, and was no longer the director of the APD Centralized Homicide Unit or a member of the SACSI Incident Review Subcommittee. Sgt. Doug Shawn from APD was assigned to take his position until another Lieutenant was appointed.

Sgt. Shawn was also a great help to the research team in pulling information together for future incident reviews. Unfortunately, due to the change in the APD's Centralized Homicide Unit administration and because of some problems in communication, the incident review scheduled for August 18, 2002 had to be postponed. Therefore, the second Monthly Incident Review was held on Wednesday, September 18, 2002. During this Incident Review, the group reviewed all of the homicide incidents and attempted murders within Bernalillo County between July 1 and September 1, which totaled 15 cases. The same process discussed above was utilized for this incident review as well. Unlike the first Monthly Incident Review, individuals from numerous agencies attended the second MIR. Individuals from Federal Probation and Parole, the New Mexico State Corrections Department, APD's and BCSO's Vice, Gangs, and Narcotics Units, two prosecutors from the Bernalillo County District Attorney's Office, and two prosecutors from the United States Attorney's Office attended the meeting along with the detectives from the APD Homicide Unit and the BCSO Violent Crimes Unit. One of the most positive and exciting developments of the Monthly Incident Review in September was the United State Attorney's Office's offer to consider several of the homicide offenders for the SACSI EXILE program. During and after the meeting, Assistant USAO Roberto Ortega and Assistant DA Julie Altweis discussed several cases with the homicide

detectives from APD and BCSO to determine if the offenders could be prosecuted in Federal Court under the EXILE program.

Subsequent MIRs have followed a similar structure. As of this date, twelve MIRs have been held. Information concerning cases reviewed to this point is presented in the following section.

Table IX.1  
Number of Cases Reviewed at  
Each Incident Review Meeting

MIR Date	Number of Cases Reviewed
7/17/02	15
9/18/02	15
1/28/03	11
2/25/03	7
3/25/03	3
4/29/03	8
5/27/03	5
7/29/03	9
8/26/03	8
10/30/03	13
1/28/04	15
3/31/04	3
N	112

As is clear in Table IX.1, the frequency with which Reviews were conducted declined after August 2003. At this point, members of the implementing subcommittee were concerned about attendance and the timeliness by which materials were submitted by detectives for preparing the review. In June 2004, the subcommittee began to assess the usefulness of the initiative. Based on those meetings, some significant changes have been proposed to create a more useful incident review. These changes are discussed later in the chapter.

The working group formed a planning subcommittee to develop a strategy by which Monthly Incident Reviews would be conducted. From those initial talks, the MIR process has continued to evolve, both contracting and expanding in mission, scope, and participation. At the moment, the working group is currently refining the initiative in an effort to regain the original agency commitment and energy with which it was infused following the Grand Homicide Review.

Over the course of nearly two years, 107 new cases have been presented (see Table IX.1). Five cases were presented at more than one MIR when new investigative information

emerged (the “N” of 112 in the table above includes these five replicated cases). These cases involved a total of 147 offenders and 122 victims.

### ***Case Characteristics.***

#### **Victim and Offender Characteristics**

As illustrated in Table IX.2, offenders and victims were most commonly males. Females were 2.63 times more likely to be victims than offenders in cases reviewed.

Hispanic offenders and victims in the cases reviewed were overrepresented, relative to their proportion of the population in Albuquerque. Hispanics constitute approximately 40% of Albuquerque’s population, but 55% of offenders and 56% of victims are Hispanic. African American and Native Americans were also over represented. African Americans and Native Americans each comprise approximately 3% of Albuquerque’s population.

The mean age of offenders was slightly lower than the mean age of victims. Offenders averaged approximately 30 years old and victims averaged 32 years old. The greatest percentage of offenders were between 18 and 24; the greatest percentage of victims was between 25 and 34.

Table IX.2  
Offender and Victim Characteristics

	Offenders	Victims
Gender- male	91.5%	75.4%
N	128	118
Ethnicity		
White	22.8%	26.5%
Hispanic	55.1%	56.4%
African American	9.4%	8.5%
Native American	8.7%	8.5%
Other/mixed	3.9%	0.0%
N	127	117
Age		
Mean (s.d.)	29.70 (11.62)	32.27 (13.16)
Range	12 to 68	1 to 84
N	119	111
Categorical age		
Less than 17	11.8%	10.6%
18 to 24	31.1%	23.9%
25 to 34	27.7%	25.7%
35 to 44	16.8%	21.2%
45 to 54	7.6%	14.2%
55 and over	5.0%	4.4%
N	119	113

## Weapons Used

Firearms were the most common weapons used in cases, consistent with MIR selection criteria (Table IX.3). The next most frequent weapon cited was a knife or other cutting instrument. In 14% of the cases, the type of weapon used during the offense was unknown or could not be determined.

Table IX.3  
Type of Weapon Used

Weapon type	%
Firearm	47.7
Cutting instrument/knife	14.0
Blunt object	9.3
Personal weapons	5.6
Motor vehicle	1.9
Drugs/narcotics	0.9
Other	6.5
Unknown/missing	14.0
N	107

## **Evolution of the Incident Review Model**

Early on, it became clear that full implementation of the MIR model would be difficult. Issues that emerged included addressing violent crime in specific areas, pre-meeting preparation, and participation.

By the third MIR, it was clear that the more proactive portion of the incident review, the discussion of non-lethal cases in each law enforcement Area Command, was an overwhelming obstacle. Area commanders and their investigators had difficulty identifying a significant violent crime problem, preparing case information and suggesting tactical approaches to resolve the problem. Several explanations were proposed to address these problems. One obvious limitation was that the Albuquerque Police Department significantly reorganized its administrative assignments at the time that MIRs were initiated, promoting many of the original area commanders that the planning group was in contact with initially. Reassignment of law enforcement personnel in the service area has continued to be an issue in promoting the continuity of MIRs and other SACSI initiatives.

On several occasions, specific information was not conveyed to the research team in time to prepare PowerPoint presentations and distribute lists to attendees. This problem could also be attributed to turnover among APD and BCSO supervisors. Lack of timely information was the most common reason for postponing MIRs.

It was also noted that both attendance and participation in the MIRs was uneven. Poor attendance was a particular problem in that professionals who might have contributed

useful case information for investigative, prosecutorial and research purposes were simply absent from the meeting. Further, from the time of the original GHR, many professionals did not review their files concerning suspects, victims, locations and/or associates prior to the meeting. Thus, even many of the attendees were passive participants. Finally, case presentations devolved to rather pro forma behaviors by the lead investigators, possibly due to the perception that little useful information would be provided by other attendees or, with closed cases, none was needed.

One complaint about the MIR was that it was not helpful to investigators. Small law enforcement teams that interacted intensely immediately following the incident report investigated cases, and the case was often closed by the time that the MIR was held. On the other hand, comments made by participants concerning cases that were still open were often taken as critical of the investigator's decisions. Only occasionally were cases linked to other criminal activities or groups in the community. Thus, with a few exceptions, the MIR was not seen as useful or positive for participants.

### **Refinement of the MIR Model**

Due to these issues and a growing general perception of the lack of utility of MIRs, a new planning subcommittee began meeting to consider an overhaul of the original model. Two meetings were held in June 2004 to discuss changes. The research team proposed to the subcommittee that it might be valuable to have law enforcement professionals meet on a regular basis to discuss case-level information about violent criminal incidents. The subcommittee members agreed that this was the case. They then discussed how to refine the original model of the MIR to be of the greatest value to participants. The following approach evolved from subcommittee discussions:

- Meetings will begin with cases open to police investigation that have not been quickly cleared. Detectives assigned to the case will have a chance to share details (as they see fit) regarding ongoing investigations, and to get new leads or other feedback from meeting participants. The goal of this portion of the meeting is to resolve cases through networking.
- Participants will then focus on proactive planning in six APD and two BCSO area commands. As in the original MIR model, a different command will have the floor each month to discuss current concerns (e.g. a rash of auto thefts or rapes, changes in gang behavior) in their area. Problems with the original implementation will be overcome by working most closely with Impact Teams (i.e., investigative teams assigned to area commands) to identify the topic of concern, prepare background information, and disseminate it in advance of the meeting so that a tactical response might be planned.

- The meeting will conclude with a brief review of homicides cleared in the previous month, and update participants concerning prosecutor activities, offender custody status, and other relevant information.
- As in the original model, PowerPoint maps and basic case information will be used to support the discussion of all aspects of the meeting.
- The APD Forensic Lab would join the other organizations attending the reviews. APD Forensic Lab would add their technicians into the process, so that detectives and forensic specialists can communicate about ongoing investigations. On a periodic basis (every three to six months), technicians may make a brief presentation of new forensic technology.
- The “Monthly Incident Review” name will be changed, as it may have a negative connotation for the officers. As noted earlier, investigators indicated that the idea of being “reviewed” at these meetings puts them in a defensive posture and less inclined to participate.
- The working-group also decided to draft a “Memorandum of Understanding,” which participating parties would sign that details the goals and agenda of the Incident Review Process.
- Finally, it was decided that the ISR staff would assist with data gathering to help the review run smoother. ISR will send a staff member to the Homicide Unit of APD and Violent Crimes Unit of BCSO to meet with the detectives who will be presenting open cases. The goal is to make preparations for the meeting as simple as possible for the participating detectives. The ISR staff will use formal data extraction forms to get basic background information on the case, and will use these forms to compile the PowerPoint presentation and required maps.

A third meeting of the planning subcommittee was held in July 2004. At this meeting, APD Deputy Chief Paul Chavez attended. He was asked to meet with the subcommittee specifically because he is responsible for the area commands, and his support was sought for the proposed meeting structure, particularly the portion concerning proactive policing in the area commands. He suggested that the topic of the meeting be changed from homicides to aggravated assaults. He asserted that clearance rates for homicides in Albuquerque were approximately 80%, well above national averages. He did not see a reason to meet to improve a part of police work that was succeeding well. On the other hand, Albuquerque was experiencing an increase in aggravated assaults in 2004, and had begun a multi-agency operation called Project Nemesis that shared some similar characteristics with the MIR, including regular meetings using PowerPoint presentations, sharing of intelligence among units, and tracking of crime rates. The research team attended a Nemesis meeting in August 2004, and discussed the model with members of the working group in September.



When the working group and subcommittee agree on and implement changes to the incident review model, the research team will monitor their effect on concerns expressed by MIR participants. Working group and subcommittee members hope that refinements of the model will help to regain the energy and commitment with which the MIR was launched following the Grand Homicide Review.

## **CHAPTER X**

### **VIOLENT IMPACT PROGRAM ENHANCED RESPONSE**

#### **Introduction**

The purpose of the Violent Impact Program Enhanced Response (VIPER) initiative is to prevent firearm-related crimes by a select group of individuals who are perceived by criminal justice professionals to be most likely to commit a violent crime in the near future. This is accomplished in two ways:

- Promoting widespread awareness among criminal justice professionals of these individuals, achieved through the production and widespread dissemination of a list and photo array that provides identifying characteristics that can be discerned at the time of a police contact in a community setting.
- Encouraging professionals who encounter VIPERs (i.e., an individual designated as a subject of this initiative) to give them special attention, within appropriate legal mandates.

VIPER is consistent with lever-pulling strategies adopted in this and other SACSI sites, and with the Initiative's overall community approach of involving virtually all law enforcement and judicial agencies in the service area. As the initiative's name suggests, an "enhanced response" is considered critical with this small but extremely high-risk group of individuals. The response can occur in several ways. First, the initiative encourages street officers to exercise special caution when encountering VIPERs in the community, such as occurs in routine traffic stops. Second, when a community encounter with a VIPER occurs, officers are encouraged to document and communicate it to other law enforcement professionals, to build a collective awareness of the VIPER's activities. Third, when law enforcement and other front-line professionals (i.e., probation/parole officers and prosecutors) hear suspects, victims, offenders, citizens or other professionals make reference to the VIPER this information should be documented and shared with other professionals. For example, when a probationer indicates that he associates with an individual designated as a VIPER, this statement should be considered significant, and the information should be noted in the probationer's file and disseminated. Fourth, criminal justice professionals are encouraged, when exercising their legitimate professional discretion, to take into account that a VIPER is considered by highly informed colleagues representing all branches of the justice system to be one of the persons in the community most likely to engage in violent criminal behavior in the near future. As such, professionals are encouraged to make the most restrictive legitimate response in a professional encounter with a VIPER, even if the activity in question might result in a more informal, lenient response by the professional to the common citizen or suspect. For example, law enforcement would be encouraged to cite, arrest or take into custody the VIPER (rather than warn, ticket, or release), prosecutors would be encouraged to prosecute even lesser charges (rather than dismiss, not prosecute or bargain to lesser charges and penalties), and judges would be encouraged to use their

discretion in custody decisions, protection orders, restrictions in community supervision plans, and sentencing decisions to restrain the VIPER, within their range of legitimate authority. It should be noted that all professionals are strictly informed that designation as a VIPER does not constitute probable cause for selective investigation or prosecution. Rather, the intent of the initiative is to make professionals aware of the extreme risk these individuals pose to public safety, and encourage the use of legitimate authority to lessen that risk.

## **Organization and Planning**

### ***Planning Activities.***

Efforts to plan the VIPER program in Albuquerque drew upon similar programs implemented in Indianapolis, and Rochester, NY. Drawing on these earlier programs, representatives from the Albuquerque Police Department (Terry Ward), the Bernalillo County District Attorney's Office (Kirsten Anderson), the United States Attorney's Office (Louis Valencia) and the Institute for Social Research (Dr. Lisa Broidy) developed the model for Bernalillo County's Violent Impact Program Enhanced Response (VIPER) SACSI initiative, and a plan for its implementation. Planning activities began in April 2002 and resulted in the implementation of the program by August 2002.

The VIPER Subcommittee focused on three key issues for developing an implementation plan:

- What should be the criteria for including someone on the VIPER list?
- How should the list be assembled for dissemination?
- How should the list be maintained?

Once the list was produced, another issue arose, namely:

- How should the list be used?

### **Criteria for Inclusion**

For selection of individuals for the VIPER list, the subcommittee sought nominations from APD detectives and District Attorneys asking them to identify those offenders who they felt posed an immediate threat to the community. Additionally, APD/BCSO arrest records for the last three calendar years were screened by the research team to identify the most active violent offenders in the system based on their recent arrest histories for homicide, aggravated battery and aggravated assault. These three lists were then combined and individuals who were currently in custody were dropped from the list. Of the remaining offenders, various criteria were used to designate the final list of 15 offenders. The 15 offenders on the first VIPER list were the only ones to meet a minimum of 3 of the following criteria:

- 2 or more violent arrests in the last 3 calendar years
- Documented firearm use in the commission of a violent crime
- Documented gang membership
- Documented history of violent offending
- Documented history of narcotics related offending
- Minimum of one conviction for a violent offense
- Nomination by local, state, or federal criminal justice agencies

### *Production of the List*

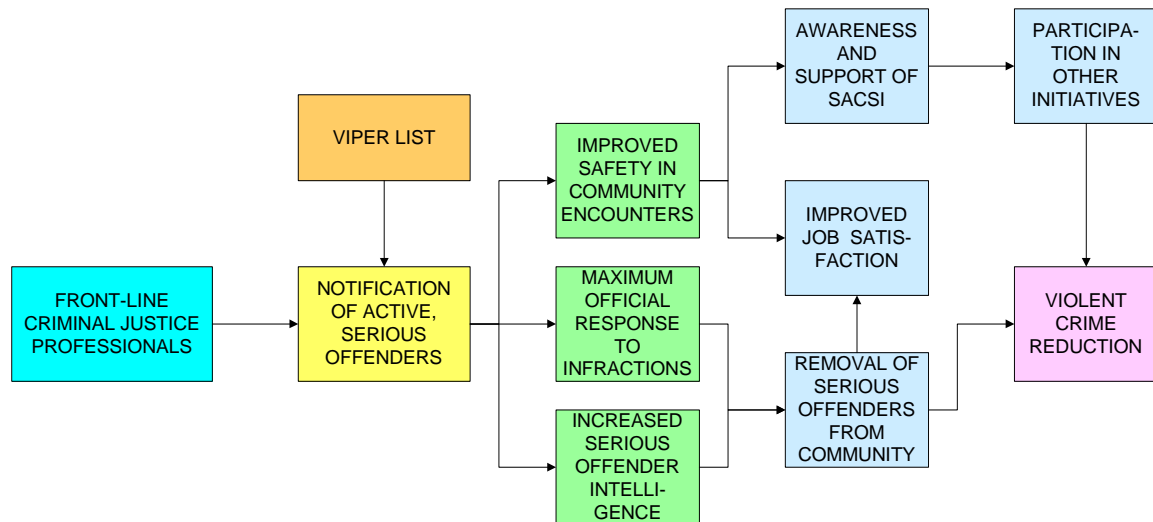
The physical layout and dissemination of the VIPER list was an important consideration for the planning subcommittee. The primary issue with respect to the list's layout was ease of use. The subcommittee felt it was important that this list be of manageable size (i.e., 15-20 names), as field officers needed to have ready access and familiarity with it. If the lists were too long, this would be less likely to occur. Moreover, because computer and database resources in the state are so limited, it was unrealistic to think such a list could be linked to various databases that field officers and other criminal justice agency personnel accessed on a daily basis. As such, it was important to develop a distribution mechanism that would be easily disseminated and easy to read. Given these concerns, the subcommittee decided that the list should fit on the front and back of a single sheet of standard 8 ½ x 11 inch paper. The VIPER list layout ultimately included photos of the offenders as well as key identifying information (name, alias, age, DOB, SSN, description, APD#, and arrest history).

The VIPER subcommittee agreed to work closely with identified agency contacts to track any interactions between agency operatives and the individuals on the VIPER list. They planned to update the list at regular intervals. An exact time frame for updates was not determined, but subcommittee members agreed that the timing of new lists would be determined based on how quickly the initial list became obsolete. Updates to the list would involve tracking the status of those currently on the list and deleting those who are no longer active due to arrest, conviction, incapacitation, death, or apparent desistance. The same criteria used to select the initial offenders would be used to select new members of the list.

The working model for the initiative was finalized in June, 2004. This model is presented graphically in Figure X.1. As noted there, front-line criminal justice professionals are notified of serious violent offenders active in the community through the distribution of the VIPER list. Professionals are thus able to respond in the safest, most rigorous legally allowable manner when directly encountering these individuals. This should increase awareness and approval of SACSI among front-line professionals and in turn increase their willingness to actively participate in other local SACSI efforts. Also, intelligence concerning the community activities of VIPER list members generated through direct encounters and reports from informants and is collected. Improved intelligence, along with official responses in community encounters should result in a higher rate of removal of violent offenders from the community, thus reduce the incidence of violent crime. A planning report summarizing this model was produced by

the subcommittee and submitted to the entire SACSI Working Group on July 3, 2002 for approval. This approval was granted on July 10.

**Figure X.1**  
**VIPER Logic Model**



### Implementation

The first VIPER list was compiled in July for dissemination in early August 2002. The list was distributed to all individuals within the criminal justice system (including APD, BCSO, State Police, US Marshals, FBI, ATF, DEA, Probation/Parole, DA, USAO) on a need to know basis. In cooperation with the SACSI working group, the subcommittee selected key contacts within each agency. In turn, these individuals identified those who should receive copies of the VIPER list (i.e., supervisors and front-line personnel who might come into contact with individuals on the list). In all, approximately 800 professionals were identified who should receive a copy of the list.

Those receiving the list also received a cover letter that briefly outlined the goals of the VIPER initiative. The letter stressed that appearance on the list did not constitute probable cause for arrest. It described the importance of not handling any legal infractions informally and of recognizing the threat these individuals posed to personal safety, especially in a community contact. The cover letter also requested that they notify a subcommittee designee if they come into contact with VIPER individuals. This information was intended to be directed to the subcommittee so it could track the offender's involvement with the system, both to monitor the effectiveness of the VIPER initiative and to keep the list up to date. The letter also encouraged agencies to contact a VIPER subcommittee member with any nominees for future updates to the VIPER list.

The Research Team found that while each agency contact received copies of the list, only about 200 – 300 copies reached the target audience of professionals. Most success occurred in distributing the list to front-line law enforcement personnel. Based on this information, the subcommittee convened to refine its methods to enhance distribution. Some important changes were made in the VIPER list process at this time. First, the original list was printed in black and white to conserve costs. By the second printing, the research team made the list available in color, based on the belief this would make the photos more recognizable and better capture the interest of professionals. Second, agencies were provided a master copy of the list electronically so that they could duplicate additional copies and distribute them to relevant agency personnel as needed. Third, individuals were designated as contacts in each distribution location. These individuals received the copies and were charged with the responsibility of getting copies in the hands of the appropriate professionals in each location.

### *Updating the List.*

The VIPER subcommittee determined that the list should be updated every 90 days, based on a balance between turnover rates of those on the list and the time and cost of producing a new list. Since the first list was compiled in July for dissemination in early August 2002, there have been five additional lists: May 20, 2003; September 8, 2003; January 30, 2004; June 7, 2004, and November, 2004. Thus far, we have had 30 individuals selected for the VIPER list, with 14 people removed over that time.

The process of updating the list is as follows. “Days” refers to the number of days prior to the distribution of a new VIPER list. For example “20 days” is the period before new copies of the list will be provided to law enforcement professionals or, ideally, seventy days since the last list was distributed, assuming quarterly VIPER list updates.

- 20 Days: Schedule the next meeting of the VIPER subcommittee. At the same time, request updates on the status of the current individuals on the list from the District Attorney and Probation/Parole. Finally, request that APD, BCSO and Probation/Parole representatives solicit nominees that meet criteria for inclusion on the VIPER list from professionals in their agency. Background information (i.e., criminal histories, intelligence) should be assembled for these nominees.
- 10 days: Convene the subcommittee to determine if any individuals can be removed from the current list. If any are removed, review and prioritize nominees, and select new members for the list.
- 7 days: Collect mug shots or DMV photos in electronic format for inclusion on the list. Confirm other information (i.e., social security number, aliases and nicknames, height and weight, identifying marks, and types of prior criminal behavior). Notify those responsible for the distribution of the list that it will be provided to them in one week.
- 4 days: Complete and proof the electronic layout of the list. Post the revised list on the research team’s VIPER website. Begin printing the list in hardcopy.

- 1 day: Distribute the list to contact persons at each location.
- Target day: Distribute the list to law enforcement professionals.

### **Future Activities**

As a part of Project Safe Neighborhoods in the District of New Mexico, the research team will continue to provide technical support to the VIPER initiative and assess its effects. VIPER's impact on safety issues, officer awareness, and job satisfaction, will be studied through the administration of a survey to a sample of front-line professionals and supervisors. The actions of front-line professionals in sharing intelligence derived from direct contact and indirect reporting will be of particular interest; anecdotal comments suggest that such information is not being reported to a central VIPER authority and disseminated to front-line professionals and investigators. Finally, when the number of individuals selected for the VIPER list increases to a reasonable size, a descriptive analysis of the reasons and circumstances for removal will be conducted. At this time, the impact of inclusion on the list upon rates of removal from the community will be estimated. Hazard analysis will be used to compare time to arrest and detention for VIPER list members and a sample of others not on the list but who meet the criteria for inclusion.

## **CHAPTER XI TARGETED PATROL INITIATIVE**

### **Introduction**

The purpose of Targeted Patrol (TP) is to reduce firearm and firearm-related crime in a selected geographical area. In Albuquerque, Targeted Patrol is the name that was given to a broad initiative that plans, coordinates, monitors and refines several simultaneous location-specific tactical operations. It engages professionals from several criminal justice agencies at a heightened level of activity in the selected area for a limited period of time to suppress crime. It then involves criminal justice and other government agencies, nonprofit groups, and members of the community to provide services and engage in practices to sustain improvements in public safety within the area.

This chapter describes the planning of Targeted Patrol at strategic and tactical levels and its first implementation in the Albuquerque SACSI site. It also describes events since that time, and concludes with an assessment and observations of the initiative to date.

### **Research Basis for Targeted Patrol**

As noted in earlier chapters, crime mapping and spatial analysis research conducted by the SACSI research partner found that serious violent crime was not randomly distributed in Bernalillo County. By constructing crime maps for homicide, aggravated assaults, rapes, and narcotics offenses, researchers found that these crimes tended to be more prevalent in similar areas of the County. However, the research team found that these concentrations, or crime hot spots, were less dense than in metropolitan areas in the eastern United States.

The research team analyzed the location of crimes and residences of offenders and victims. Based on this research, members of the working group and the research team reached several conclusions regarding the patterns of crime in Albuquerque. Relative to other metropolitan areas, offenders and victims in Albuquerque are more likely to travel by car to crime locations, to be transporting weapons and/or drugs, or to engage in gang-related behaviors. PSN law enforcement partners agreed that targeted, high visibility patrol could generate closer legal surveillance of drivers and traffic patterns. It was determined that this method could be more successful in reducing violent crime within Bernalillo County than might be the case in Eastern metropolitan areas.

### **Planning Activities and Outcomes**

A Targeted Patrol (TP) planning subcommittee was formed in April 2002. Based on the conclusion that many offenders were traveling by automobile to crime hotspots to engage in criminal activity, the original TP strategy was high visibility traffic surveillance. Rather than trying to intercept mobile offenders throughout the city, traffic surveillance was to be concentrated around the “destination location,” i.e., places where they were heading to commit criminal acts. TP rapidly grew in an attempt to incorporate and



coordinate other specific tactical activities, including investigative and intervention activities occurring in those locations. Thus, the TP overall strategy incorporated several high-intensity, location-specific approaches to crime intervention.

The planning subcommittee also recognized, based on past experience, that crime suppression operations should not be sustained indefinitely in a selected location. These operations place a burden on limited law enforcement resources and may result in negative reactions from residents in the targeted area. On the other hand, crime suppression can increase the likelihood of success for long-term crime prevention efforts. As Richard Janikowski, research partner for the Memphis SACSI site, stated in a cluster group meeting, “Crime suppression can create a fire wall that will give your long-term prevention programs a chance to succeed.” As a result, the subcommittee incorporated other less intrusive and costly prevention activities into the plan to sustain the successes resulting from high-intensity interventions.

The TP planning subcommittee moved from general discussions to the development of a strategic plan. Six framing principles guided the plan. Specifically the strategic plan intended to:

- Be consistent with SACSI’s overall principle of multi-agency participation by engaging several local, state and federal criminal justice agencies;
- Incorporate the use of data in planning, monitoring and refining the TP strategy;
- Coordinate investigative activities conducted by several tactical teams and operations within the area;
- Coordinate surveillance and case investigation tactics with state and federal prosecutors to maximize short- and long-term justice outcomes;
- Plan new activities in the area to sustain public safety; and
- Learn ways for improving the TP model so that it could be effectively and efficiently applied in other crime hotspot areas within Bernalillo County.

The TP Subcommittee developed a strategy that would be implemented in three phases.

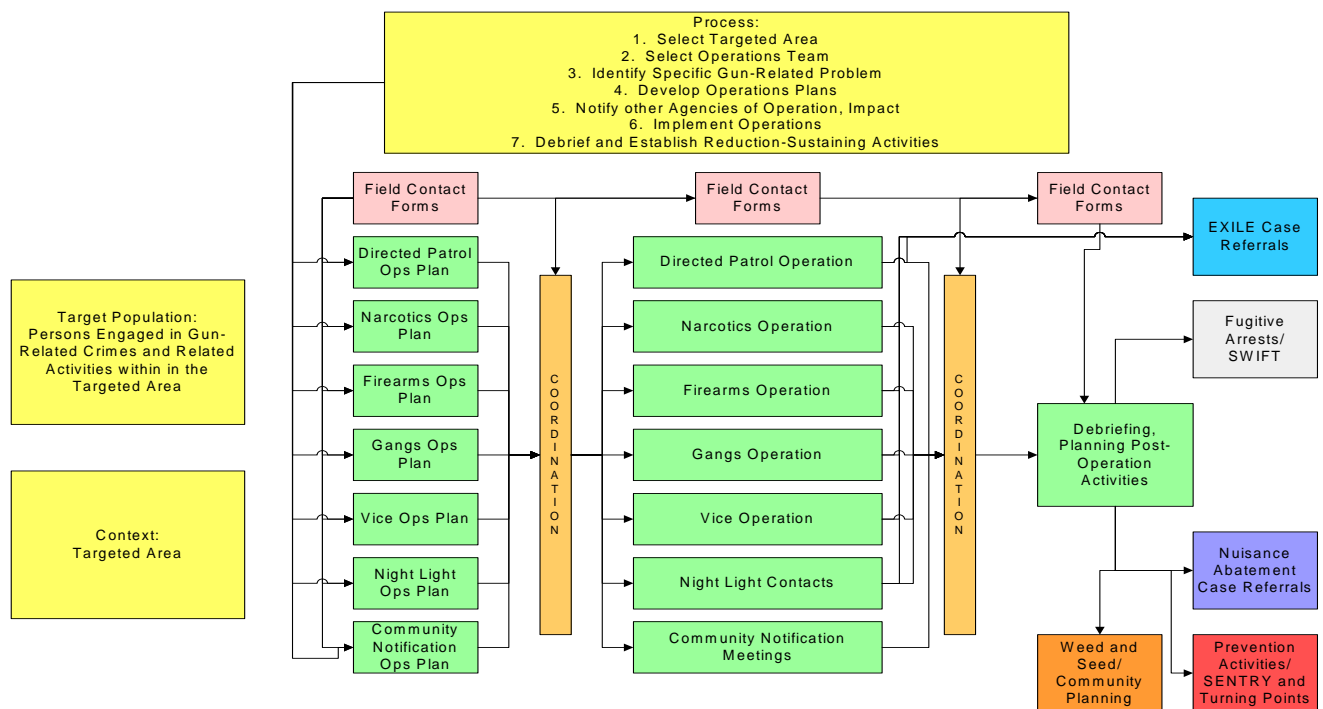
Phase I: A 30-day planning period, in which a site of operations is selected, the nature of firearm-related crime is determined, tactical operations are chosen and coordinated with each other, and tactical team members are selected.

Phase II: A 60-day period of high intensity crime suppression activities, which are constantly coordinated between various tactical groups, prosecutors and administrators. In the latter portion of this period, active planning for sustaining the gains from the crime suppression activities is undertaken, based on knowledge generated through research and intelligence garnered from the tactical operations.

Phase III: A 30-day period in which the tactical teams meet to collectively debrief their operations, determine their successes and areas for improvement, and refine the overall model for its next implementation. During this period, plans to permanently sustain public safety in the targeted area are implemented.

The full TP model is presented graphically in Figure XI.1. As noted there, the planning subcommittee developed a comprehensive Phase II crime suppression response that would be comprised of high visibility directed traffic patrol, narcotics, firearms recovery, gangs, vice, fugitive arrest, probation and patrol home visits (Night Light) and neighborhood-based meeting operations. These operations were to be closely coordinated to maximize de-confliction and share intelligence between operations. The plan was also intended to engage prosecutors early in the case investigation so that cases would be quickly routed to state or federal prosecution, resulting in effective justice outcomes (i.e., successful prosecution and commensurate sentencing for convicted offenders). Leaders of each tactical team were to meet weekly to discuss the implementation of the strategy, and communicate more frequently to share time-sensitive information.

**Figure XI.1: Overview of Targeted Patrol Initiative**



## Implementation

### *Phase I pre-operation activities.*

The TP Initiative moved from strategic planning to the tactical operation level in March and early April, 2003, with the selection of a site for the operation, identification of the specific nature of firearm and firearm-related crime in the area, and the selection of tactical teams and their leaders. Specifically, the area served by the Weed and Seed project, comprised of the La Mesa, Los Altos, South San Pedro, and Trumbull neighborhoods, was selected for TP activities.

While this area was selected partially due to the relatively high concentration of serious crime in these neighborhoods, the decision to begin TP here (and the design of the model itself) was based on practical and organizational issues as well. From a resource standpoint, since this was a designated Weed and Seed neighborhood, APD had federal funds available to conduct Weed activities there. Thus, Weed and Seed monies were used to pay for police overtime to conduct some parts of the initiative.

As noted in Chapter II, resource availability for this and other initiatives was a consistent issue in local SACSI planning. TP implementation was delayed before APD was able to find sufficient personnel resources. The subcommittee originally planned to rely on high visibility traffic surveillance and contact as its foundation. In Albuquerque, however, APD's centralized Traffic Patrol Division was significantly understaffed and heavily burdened with traffic accident scene investigation and routine traffic patrol. Since this division was not available, the Targeted Patrol model placed a significant emphasis on police drug, gang, vice and other investigative units in a crime hotspot, with the local area subcommand providing a small amount of high visibility patrol support. It is also relevant that the APD investigative units engaged in the TP initiative were under the supervision of Deputy Chief Ruben Davalos, a SACSI champion, while the Area Commands reported to another Deputy Chief.

Once the area was selected, the subcommittee and research team concluded that much of the violent and serious crime in the area was associated with drug and gang-related criminal activities. They also found that a number of probationers and parolees, many of whom had a history of violent offenses, resided in the area. Subcommittee members also suspected that there were many individuals with outstanding warrants living or spending time in the area. Finally, the selected area is well-known in the community for its concentration of prostitutes. Since prostitution is closely linked to drug and other crimes, suppressing prostitution was viewed by the subcommittee as an effective tactic for dealing with drugs, and a means for collecting intelligence about other criminal activity, and for generally reducing undesirable behavior in the area.

A meeting was held on March 20, 2003 at ISR to brief representatives from the various agencies and departments concerning the strategic plan. Since not all key participants were able to attend, the briefing was repeated at the U.S. Attorney's Office, on March 26. The Deputy Chief convened another meeting on April 7 to brief APD mid-level supervisors and begin the development of tactical plans. The Deputy Chief, tactical team leaders and the research team met again on April 21 to discuss the development of the operation's plans. Many were in attendance at a meeting of one of the targeted area's community groups the following evening, where intelligence concerning suspected drug locations, offenders, and suspicious activities was collected. In the meantime, the U.S. Marshall's Office requested and received a list of fugitives who were suspected to be in the targeted area, so they could plan their operation. Plans were then developed in written form and submitted to the Deputy Chief. Subsequent conversations were held between District Attorney prosecutors and law enforcement, which resulted in weekly

meetings during Phase II of the initiative. The TP initiative became operational on May 1.

**Table XI.1**  
**Tactical Operations and Activities: May 1 - June 30, 2003**

TYPE OF ACTIVITIES	WEEK	ACTIVITIES
<b>Vice</b>		
	Week 1 (May 1 – 11)	-Arrested 2 black adult males and 3 white adult males -Seized crack (1 rock) -Residential citation on one male
	Week 2 (May 12 – 18)	-Arrested 5 white adult males, 2 Hispanic adult males, and 1 Native American adult male -1 Felony arrest -Seized cocaine powder (1 small bag), methamphetamine (2 grams), marijuana (2 x < 1 ounce)
	Week 3 (May 19-25)	-Arrested 2 White males, 2 Hispanic males -Purchased 11 rocks of crack
	Week 4 (May 26 – June 1)	-Arrested 5 adult males, 3 Hispanic adult males -1 semi-automatic pistol
	Week 6 (June 9–5)	-Arrested 2 adult Hispanic females
	Week 8 (June 23-30)	-Arrested 1 adult white male and 2 adult white females
<b>Gangs</b>		
	Week 1 (May 1 – 11)	-Arrested 1 black adult male -Residential citation on 1 male -Issued 6 gang cards
	Week 2 (May 12 – 18)	-Arrested 3 Hispanic adult males, 1 juvenile male -6 gang members identified -Issued 18 gang cards -1 residential citation -1 marijuana (1 dime bag) -Seized 2 semi-automatic pistols -Citations, 2 Hispanic adult males
	Week 3 (May 19-25)	-Identified 5 previously unknown Juarito gang members
	Week 4 (May 26 – June 1)	-Seized 2 dime bags marijuana (with Narcotics) -Issued 9 gang cards
	Week 6 (June 9– 15)	-Arrested 1 adult male Cuban gang member (with Narcotics) -Residential arrest: 1 male adult -Seized crack (1 rock) -Seized marijuana (1 dime bag)
<b>Narcotics</b>		
	Week 2 (May 12 – 18)	-Arrested 6 white adult males, 3 black adult males, and 7 Hispanic adult males -12 Residential arrests -Seized ½ ounce of crack
	Week 3 (May 19-25)	-2 black adult females arrested -2 adult females arrested
	Week 5 (June 2-8)	-Arrested 1 white adult male, 2 black adult males, 2 Hispanic adult males, 1 black adult female -Residents arrested: 3 adult males, 1 adult female -Seized ¼ ounce of crack
	Week 6 (June 9–5)	-Arrested 1 Hispanic adult male (With Vice) 1 residential arrest of adult male -Seized 2 rows crack

TYPE OF ACTIVITIES	WEEK	ACTIVITIES
Probation and Parole		
	Week 2 (May 12 – 18)	-Arrested 1 Hispanic male -1 residential citation
	Week 5 (June 2-8)	-Arrested 26 adult males, 9 adult females, 1 juvenile female, made 1 CYFD referral -Arrested 8 absconders -Issued 12 gang cards -Seized 26 rocks of crack, 2 grams of cocaine, 16.2 grams of methamphetamine, 1 ounce of marijuana, 18 grams of marijuana, 12 pills illegal prescription drugs -Seized drug paraphernalia: 2 bongs, 12 pipes, 3 scales -Seized 1 9mm handgun, 1 crossbow, 6 knives -Seized other evidence: stolen and fake checks, laptop computer, printer, scanner, and fake i.d. cards, equipment to produce fake checks

### ***Phase II Operation Activities.***

During Phase II, several tactical operations occurred. Specific operations were identified chronologically and by operation for APD Vice Unit, APD Gang Unit, APD Narcotics Unit, and NM Corrections Probation and Parole. These activities are detailed in Table XI.I. Table XI.2 summarizes the outcomes of the initiative. The first implementation of TP resulted in the arrest of 96 suspects, citations being issued to 6 individuals, and gang cards written on 50 individuals. In addition, 16 separate drug seizures were documented, and 4 guns (as well as other weapons) were seized. After Phase II was completed, some participants suggested that these results underestimated the success of the operation. First, some arrests and seizures were not specifically identified on incident and arrest forms as resulting from TP activities. Second, some arrests and seizures resulting from TP intelligence gathering occurred outside the targeted area, and were not attributed to the initiative. Finally, some large-scale drug and gang initiatives were begun as a part of TP, but were not likely to result in the arrest of higher level drug network and gang leaders until some time after the results were compiled.

Attempts were also made to coordinate with the City of Albuquerque concerning the implementation of Phase II activities, such as graffiti clean-up, hauling away abandoned cars, nuisance abatement, community beautification, health services, and similar activities intended to build upon high intensity tactical operations.

**Table XI.2**  
**Summary of TP Activities: May 1 – June 30, 2003**

Week	Arrest Citations	Gang Cards	Seizures	Drug Seizures	Gun Seizures
Week 1	6	2	6	1	0
Week 2	29	4	18	5	2
Week 3	6	0	5	1	0
Week 4	5	0	9	1	1
Week 5	43	0	12	6	1
Week 6	4	0	0	2	0
Week 7	0	0	0	0	0
Week 8	3	0	0	0	0
Total	96	6	50	16	4

***Phase III Post-operation Activities.***

Some specific activities such as Nuisance Abatement, graffiti removal and abandoned auto removal were discussed with working group agencies and the City government. However, no comprehensive Phase III plan was developed. Planning of this phase was hampered for two reasons. First, it was not clear who would take responsibility for completing and implementing the plan. Second, it was difficult to identify community needs and successes during Phase II so that specific requests for Phase III interventions could be developed. Some planning was underway as a part of PSN's Project Sentry to implement crime prevention programs in the neighborhood's schools, but they were not implemented soon enough to benefit from Phase II activities.

**Assessment**

It is clear that a great deal of planning occurred prior to beginning the TP initiative. The amount of human resources invested and range of activities were great. The research team was able to reach some conclusions concerning the planning process through direct observation, and the first implementation of TP from documents generated by participating agencies.

***Tactical Planning.***

Feedback from subcommittee members indicated that planning was delayed and incomplete. For example, the administrative planning meeting needed to be repeated, since many key participants did not attend the first meeting. No tactical operations plans were delivered by the intended date of April 21. The research team was given a copy of the calendar of all planned operations, and during the first three weeks of Phase II activities, it appeared as if the calendar was followed. Afterward, activities did not follow the calendar. However, this could be attributed to lessons learned and intelligence gathered in the early weeks of Phase II. Another explanation, though, is that written tactical operations plans were not drafted for all of the teams despite the requests of the Deputy Chief. While some tactical teams might have laid informal plans. However, the

TP model is so complex and involves so many groups that written plans are necessary to assure de-confliction in a small geographical target area, and to avoid gaps in intervention.

### ***Information Sharing.***

Tactical teams were expected to meet on a weekly basis to share information (in addition to informal communications as necessary), and to produce weekly operations worksheets so the research team could prepare and distribute current outcomes information for planning purposes. These meetings were not held, and the research team struggled to retrieve worksheets in a timely manner. By July 10, the research team was current with worksheets from all of the tactical teams, with two exceptions. One was not transmitted from an APD team, and the other concerned the U.S. Marshall's SWIFT (fugitive felony warrants) operation. As far as we can tell, the research team was eventually able to get the worksheets.

Still, word-of-mouth information, reports at SACSI working group meetings, and the calendar of operations suggest that there might have been some operations that occurred but were never documented. For example, while Vice and Gang operations were scheduled in Week 7, they apparently did not occur, or did not result in any arrests, seizures, etc. We have no documentation for activities in that week from any unit, and limited information for Week 8. Without documentation, it is possible that activity and successful outcomes of the TP were underestimated. The research team was unable to produce summaries that were as complete and current as intended.

### ***Documenting Field Contacts.***

Part of the original plan was to begin collecting Field Contact Forms during Phase I and throughout Phase II in the target area to provide better intelligence in support of the tactical operations. This aspect of the model was not implemented by the local area command or by any investigative or tactical units.

### ***High Visibility Traffic Patrol.***

Ironically, while the TP initiative was founded in traffic surveillance and intervention, there is no documentation that this occurred during Phase I or II. Some anecdotal information suggests that some marked vehicles from the Southeast area command were present in the targeted area during the early weeks of Phase II, but this could have been a routine activity by officers assigned to this duty. The Deputy Chief had intended to have training for officers engaged in high visibility patrol during Phase II. It would have included how to conduct traffic stops and how to increase the likelihood that firearms, if present in the vehicle, would be detected and seized. However, this training did not occur.

### ***Community Notification Meetings.***

While the original plan called for holding notification meetings with residents of the targeted area, none were planned or conducted. Some officers were reluctant to discuss their activities while tactical operations were underway, but no meetings occurred after that time (i.e., in Phase III).

### ***Coordination Between Police and Prosecutors.***

Law enforcement participants expressed some complaints concerning delays in communicating with state and federal prosecutors. These problems were resolved during Phase II, however.

## **Outcomes and Recommendations**

At the completion of Phase II, some members of the working group expressed disappointment in the results of the first Targeted Patrol implementation, but were hopeful that it would become more effective in the future. To explore the outcomes, the research team conducted a debriefing meeting for the operation on July 14, 2003. Members of the subcommittee, tactical team leaders and unit supervisors were invited.

Attendees agreed that many lessons were learned from the first implementation that would be valuable in refining the model. Above all else, more communication between agencies and within agencies about the specific goals and implementation of the operation is needed. A representative from APD felt that there were not enough street level officers involved in the intelligence process and that the process needed to be more formalized. Echoing this sentiment, U.S. Marshals felt that their SWIFT (felony warrants) activities were not as effective as they had hoped because the intelligence provided by APD was dated. Some members of the subcommittee felt that the operation was too short while others felt that the extra burden of the intervention taxed their already overextended officers.

Another important assertion voiced at the meeting had to do with the willingness of front-line officers, tactical team leaders and unit supervisors to participate in the TP initiative. Comments expressed in the meeting and to the researchers outside of the meeting indicated that some individuals were not inclined to fully participate, since they viewed TP as merely a political activity created as “window dressing” by some federal partners intended to gain them “some good publicity.” Members of the subcommittee and the research team in attendance at the meeting stressed that TP originated from studies of national best practices and local law enforcement incident and arrest data, and had been proposed by APD administrators.

The research team asked attendees for their recommendations to improve Targeted Patrol in its next implementation. The group concluded that:

- A formal process needs to be in place to reduce uncertainty and misunderstanding;
- Sergeants and lieutenants need to be at the table during the planning phase; and



- Frank and open discussions to coordinate activities need to occur before the operation.

From this meeting the research team received feedback from the attendees that the program did not go as smoothly as justice professionals had planned and hoped.

### **Conclusion**

Targeted Patrol is an ambitious and multifaceted local initiative. Its strengths include applying basic SACSI principles of engaging multiple criminal justice agencies in practical crime-fighting activities, and relying on data to develop and monitor the plan.

Given its complexities, it is not surprising that in some aspects TP did not operate perfectly in its first implementation. There were communication breakdowns between and within agencies, a failure to connect specific interventions in the target area with the overall initiative, and a failure to get the coordination and vision of all the necessary law enforcement agencies involved. Still, many things went as planned, and participants not only learned about the complex approach but seemed willing to further develop future operations.

TP was implemented a second time in the West Side Weed and Seed site in the summer months of 2004, and reports from participating criminal justice agencies indicate that it was successful. However, since repeated requests from the research partner to participate in planning, data collection, support and assessment were not acted upon, we cannot document the activities of the second implementation, the degree to which it was consistent with the original plan, or the successes it might have achieved. We conclude that the second implementation was at least satisfying to the participating agencies, since reports at the working group meeting indicate that planning for a third implementation is underway.

## **CHAPTER XII PROJECT EXILE**

### **Introduction**

While other SACSI initiatives in Albuquerque were adapted from innovative practices in other sites (i.e., Monthly Incident Reviews, Turning Point, VIPER) or local research findings (i.e., Targeted Patrol), Project Exile activities predated the SACSI initiative. Project Exile was begun in July 2000, roughly six months before SACSI activities in Albuquerque.

Project Exile attempts to deter violent crime by increasing the penalties for such acts.

“Many jurisdictions attempt to deter criminals from using guns illegally by threatening a sentence enhancement. A relatively new version of this approach is for state officials to exploit the stiffer sentences available in the federal system, singling out defendants accused of using or carrying a gun for prosecution on federal charges. This approach has been implemented with great fanfare in Richmond, Virginia, as a part of ‘Project Exile,’ which has served as a model for proposed law-enforcement interventions in other cities as well” (Cook and Ludwig, 2000: 126).

The Project is an innovative program intended to reduce firearm-related crime, specifically homicide and other crimes of violence, through the arrest and conviction of persons who illegally possess a firearm. It is designed to coordinate law enforcement efforts at the local, state, and federal levels, in the hope of expediting arrests in these cases. It also promotes coordination of decision-making between local and federal attorneys with the intention of increasing the prosecution and punishment of qualified offenders. The purpose of this chapter is to discuss the foundation of Project Exile as a local initiative in the Albuquerque SACSI site, its activities to date, and plans for further research to determine its effects on the response to firearm-related offenses and public safety in the area.

### **Project Exile: An Innovative National Approach**

Project Exile was initiated in February 1997 under the guidance of the U.S. Attorney’s Office for the Eastern District of Virginia, and in coordination with the Commonwealth of Virginia’s Attorney’s Office and the Richmond Police Department.

“It was named after the concept that if the police catch a criminal with a gun in Richmond, the criminal has forfeited his right to remain in the community. The criminal will face immediate federal prosecution and stiff mandatory federal prison sentences (often five to ten years), and will be ‘exiled’ to federal prison” (Comey and Miller, 2002: 12).

The agencies involved in Project Exile at the time that it was announced included the U.S. Attorney's Office for the Eastern District of Virginia; the Richmond Police Department; the Commonwealth of Virginia's Attorney's Office; the Bureau of Alcohol, Tobacco and Firearms (ATF); the Federal Bureau of Investigation; the Virginia Attorney General's Office; and the Virginia State Police (Johnson, 2003).

The United States Department of Justice (1998) reports that the federal firearm statutes used to convict offenders under Project Exile generally target the following:

- Persons previously convicted of a felony that are in possession of a firearm,
- Persons previously convicted of domestic violence that are in possession of a firearm, and
- Persons that are in possession of both illegal drugs and a firearm.<sup>27</sup>

Project Exile can be considered a sentence enhancement program, since the federal penalties for the firearm offenses within the scope of the Project are more severe than those that are generally in effect in the states (including in Virginia when the program was implemented in 1997). This was particularly the case with felon in possession cases, which make up the majority of such prosecutions (Raphael and Ludwig, 2003).

Under the original design of this initiative, when an arrest is made involving a firearm the arresting officer pages an ATF agent. Together, they decide whether a federal statute applies and, if so, federal criminal charges are brought against the defendant (USDOJ, 1998). In more recent applications of the model, cases are referred to a multi-agency review group for screening. For example,

“(w)hen an officer finds a gun during the course of his or her duties, the officer completes standard police department paperwork describing the weapon and the circumstance of the seizure. That paperwork is routed to the Project Exile task force, which determines whether a federal prosecution is possible. The seizing officer may also page an ATF agent twenty-four hours a day” (Comey and Miller, 2002: 12).

After detention, federal bail statutes that are designed to keep high-risk detainees in custody place the defendant in the position of justifying his/her pretrial release. As a result, suspected firearm offenders diverted into the federal system are denied bail at a higher rate than those processed in state courts. If the defendant is eventually tried and found guilty, s/he will be sentenced to serve time in a federal prison that is likely to be located out of state (Schiller, 1998). Federal firearm statutes carry stiff sentences that generally range from 5 – 10 years, although some offenses carry terms of 20 years or more.

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<sup>27</sup> Crimes involve the violation of U.S. Code Title 18, 922(g) (1); U.S. Code Title 18, 924 (c). In principle, the local U.S. Attorney also has the option of prosecuting those who sell a handgun or ammunition to juveniles [U.S. Code Title 19, 924 (x)], although in practice federal prosecutors have been less likely to take such cases, in part because the penalty for the first conviction of this offense is simply probation.

Other characteristics of the program include:

- Full coordination from the officer on the beat to the federal prosecutor;
- Full coordination with the local District Attorney's Office and state Attorney General's Office, with each office assigning a staff prosecutor to the U.S. Attorney's Office to assist in prosecutions;
- Active coordination of all police agencies using a simplified reporting system; and
- Coordinated use of innovative and aggressive policing methods, such as traffic checkpoints, to locate drugs and guns (Comey and Miller, 2002).

To enhance the effectiveness of law enforcement investigations, the USAO conducts training activities within the District with local and state law enforcement officers. Training sessions review federal firearm statutes; describe the goals and procedures of Project Exile; and discuss issues related to search, seizure, and reporting. When Project Exile was initiated in Richmond, one hundred selected officers completed a Gun Recovery Initiative training, which was intended to improve law enforcement's ability to detect firearm violations and apprehend offenders (Comey and Miller, 2002).

Project Exile also includes an intensive public awareness campaign that uses television, radio, and other media to relay its message to the community. The campaign sends a clear message of zero tolerance for gun offenses and informs potential offenders of swift and certain federal sentencing (Raphael and Ludwig, 2003). Public service announcements also encourage members of the community to report illegal firearms to law enforcement, and discourage the illegal use of firearms, particularly by felons.

### **Review of Related Research**

Project Exile attempts to reduce firearm-related violence in communities through mandatory sentencing enhancements that serve to restrain and specifically deter gun offenders by lengthening their period of incarceration, training local law enforcement officers to facilitate the implementation of the program, and public awareness campaigns intended to generally deter potential firearm offenders.

#### ***Mandatory Minimum Sentences.***

Modern efforts to reduce the social costs of firearm-related violence are generally grounded in one of two perspectives: gun control and increased punishment for gun crimes. Supporters of gun control policies advocate that gun owners should relinquish certain firearms rights in the interest of reducing gun-related injuries and fatalities (Cook and Moore, 1995). On the other hand, those opposed to gun control suggest that, in addition to being a constitutional right, gun ownership serves to reduce crime when used as a tool for self-defense (Lott and Mustard, 1997). Lengthened mandatory sentences for

gun crimes can be described as a “non-gun control” method of reducing gun-related violence (Cook and Moore, 1995). These methods have gained relatively strong support from lawmakers because they purport to reduce gun violence without infringing upon the constitutional rights of law-abiding gun owners (Loftin, Heumann and McDowall, 1983).

Mandatory minimums have two main objectives: deterrence of potential offenders and incapacitation of current offenders by incarcerating them for relatively longer periods of time. They are also intended to reduce judicial discretion, thereby decreasing disparity in sentencing for similar crimes (Parent, et al., 1997). The widespread use of mandatory minimums is an outcome of changing perspectives concerning criminal sentencing that has occurred in the past thirty years. In the 1970’s, criminal justice employed a sentencing approach “in which legislatures set maximum authorized sentences [and] judges chose among imprisonment, probation, fines and set maximum sentences’ (Tonry, 1999a). Tonry suggests, however, that the present justice system is characterized by three decades of growth in jail and prison populations; reduced judicial discretion in sentencing decisions; lengthened sentences for violent offenders; and a reluctance to promote “soft” policies, such as rehabilitation, in light of the popular “tough on crime” stance that has become the concern of many elected officials (Tonry, 1999b). Parent, Dunworth, McDonald, and Rhodes (1997) suggest that many researchers and political observers believe such a perspective is favored politically because it communicates to the public that there are certain crimes that deserve more stringent punishment. Indicative of an increasingly punitive response to crime, every state had adopted mandatory minimum sentencing laws by 1994.

Despite the positive impression such mandatory sentencing has made on constituents, punishment may not fully produce the desired public safety outcomes “because officials circumvent [mandatory sentences] if they believe the results are unduly harsh,” particularly with offenders who have little criminal history or mitigating circumstances surrounding the offense (Parent, et al., 1997). A National Institute of Justice review of mandatory sentencing found that arrest rates, indictments, and convictions actually declined for the types of crimes that would typically receive a mandatory sentence (Parent, et al., 1997). Studies indicate that this result is due to the reactions of police, prosecutors, and judges who do not support the mandatory minimum approach to offender punishment (Kleck, 1991; Kopel, 1994; Lizotte and Zatz, 1986; Loftin, et al., 1983; McDowell, et al., 1992; Parent et al., 1997; Tonry, 1999a).

Other adverse effects of mandatory punishment have also been documented. In his state-level analysis of sentencing policies and prison populations, Wooldredge (1996) found that “sentencing policies focused on ‘getting tough’ with felons may contribute to prison crowding by increasing the number of prison inmates serving more than one year, thereby slowing prison population turnover.” In general, any policy that is designed to reduce judicial discretion, increase the number of felons sent to prison, lengthen the duration of their incarceration, and limit parole board discretion is likely to produce similar outcomes (Joyce, 1992; Langan, 1991). Increases in the prison population, more marked in federal than state prisons in recent years, can lead to inequity in the treatment of inmates, limit access to treatment and rehabilitative programs, and increase the likelihood that inmates

will become violent offenders or victims (Wooldredge, 1996). According to several studies (e.g., Gainsborough and Mauer, 2000; Hagan and Dinovitzer, 1999; Petersilia and Tonry, 1999), criminal justice officials may become more reluctant to enact mandatory sentencing policies as they gain a greater awareness of the collateral effects of imprisonment on prisoners' lives, their families, and the larger community.

The United States Sentencing Commission was mandated by Congress to examine federal mandatory minimum sentencing laws, and published the findings of its wide-ranging study in 1991. Consistent with other evaluations of mandatory minimums, the Commission discovered that federal prosecutors exercised discretion in the types of charges filed, resulting in the non-prosecution of some crimes that would be eligible for the more rigid sentences. The Commission determined also that judges in some instances imposed prison terms that were less than the mandatory minimums prescribed (United States Sentencing Commission, 1991).

### ***Mandatory Minimum Sentences and Firearm Violence.***

A study of the Bartley-Fox Amendment in Massachusetts (which mandated a one-year prison sentence for anyone carrying a gun without a license) indicated that the statute had a short-term effect of reducing assaults and robberies involving firearms, and homicides in general. After passage of the law, offenders were more likely to commit crimes with other types of weapons, with the result that victims were less likely to die in violent attacks (Pierce and Bowers, 1981). In a more general study of mandatory sentence enhancements in six cities located in three states, McDowall, Loftin and Wiersma (1992) found that such enhancements resulted in reduced rates of homicide, but did not appear to be effective in reducing the prevalence of other types of gun crimes. This somewhat counterintuitive finding might be explained methodologically, in that homicide data is often compiled by criminal justice agencies in a more accurate and comprehensive manner than is comparable information concerning robberies and assaults. Similar to Pierce and Bowers, the researchers concluded that such mandatory sentence enhancements might influence some offenders to replace guns with other types of weapons, resulting in fewer fatal violent crimes.

### ***Public Awareness Campaigns.***

Awareness campaigns are popular options used in many efforts to produce improved health and social behaviors. While the effect of awareness campaigns has been studied closely in other fields, there is a limited body of literature concerning their benefits in reducing criminal behaviors. A complication in such studies is that criminal justice awareness campaigns are usually part of a larger initiative, which might involve new statutes or justice agency procedures (Kovandzic, 2001). This is the case with the Project Exile initiative, so it would be difficult to separate the effect of the Project's efforts to impose federal mandatory minimum sentences and train officers from that of community awareness efforts.

One independent criminal justice public awareness campaign that has been evaluated is the McGruff program. The program does not target a particular crime or group of offenders, but rather encourages community action such as neighborhood watch programs. Studies conclude that the McGruff public campaign has some effect in deterrence, community cooperation, and surveillance behaviors (O’Keefe, 1985).

### **Project Exile in Albuquerque**

As noted in the introduction, Project Exile has been in operation in Albuquerque and the federal District of New Mexico since July 2000. When it began, the USAO established a Task Force,

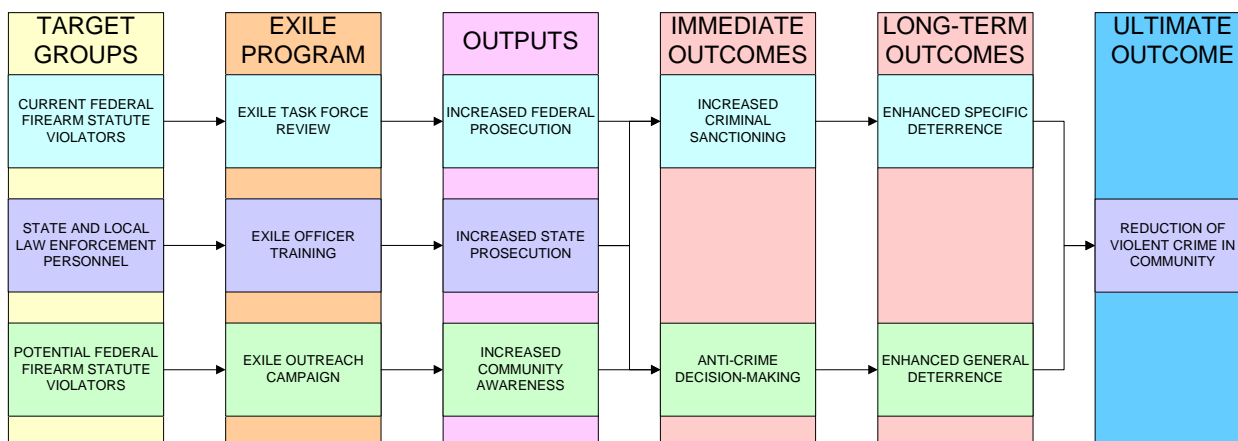
“(T)o manage local efforts which employs the Exile prosecution strategy to reduce gun violence in New Mexico by targeting certain cases for federal prosecution. (The USAO) has established certain prosecutorial guidelines that enable prosecutors and law enforcement officers to determine whether the cases are prosecuted in the federal system” (Ortega, 2002).

The task force includes prosecutors from the USAO and Second Judicial District Attorneys Office, ATF agents and APD officers who meet to review and discuss cases. The task force applies the USAO prosecutorial guidelines to determine whether they should be prosecuted in state or federal court. Since the beginning of 2001 the task force has met regularly. Meetings are held on alternating Thursdays, with the frequency depending upon the number of cases to be reviewed and the availability of task force members.

#### ***Project Design.***

A logic model of Project Exile as implemented in New Mexico is presented in Figure XII.1. As noted there, the program intends to restrain violators of federal firearms laws by reviewing cases and subjecting them to federal prosecution. As those convicted receive more severe mandatory minimum prison sentences, they are specifically deterred from future offending, which will reduce violent crime in the service area. Consistent with the national model, Project Exile in the District of New Mexico trains local and state law enforcement officers concerning federal firearms statutes and procedures for submitting cases for review by the Exile task force. Training should also result in more complete and effective police investigations, which should enhance the likelihood of prosecution of cases that have not been federalized in state courts. Finally, potential offenders are targeted by the local initiative. Through media outreach and word-of-mouth communications, community awareness (particularly among high risk groups) should be enhanced, which will influence individuals to avoid the illegal use of firearms, or avoid crimes altogether. General deterrence will also contribute to the reduction of violence within the service area.

**Figure XII.1  
Project Exile Logic Model**



### ***Project Refinements.***

Members of the Project Exile subcommittee and participating professionals consistently report that the initiative has been a success in the Albuquerque area, and has been from the outset. However, in May 2002 the subcommittee found four areas where the local initiative could be refined to improve its scope and effectiveness: task force meetings, law enforcement officer training, data collection and analysis, and community outreach.

First, the subcommittee determined that including representatives from United States Probation and New Mexico Probation and Parole to review and present cases could improve the task force. Members predicted that this would increase the number of Exile referrals since these two agencies regularly locate and identify violators who are in possession of firearms and ammunition. It would also help to identify the repeat offenders who continue to commit crimes in their communities. The subcommittee also suggested that the task force establish a tracking system to document the referral source for cases. For example, using a one-page checklist the Task Force members can determine if the case arises from probation or parole (state or federal), from a traffic stop, from a new offense, or from an existing state prosecution. One member has further suggested that the checklist include a box for a referral from a law enforcement officer who has been through the Project Exile officer training. Subcommittee members anticipated that this tracking system would have an impact on staffing and planning, fiscal resources and the education and public relations processes performed under the auspices of Project Exile.

Second, the USAO and the Exile task force developed an officer training program in which one of the Project Exile AUSAs and an ATF agent provide training across the state of New Mexico to law enforcement officers, probation officers, and state prosecutors on federal gun crimes. During training they provide a PowerPoint presentation on federal



firearms laws and federal prosecution of these crimes, show examples of prohibited weapons and ammunition, hand out a two-sided federal firearms law reference card, and conduct a question and answer period. Training has occurred in virtually all New Mexico counties. The subcommittee recommended that additional training opportunities be made available for law enforcement officers in Sandoval and Valencia counties (i.e., areas surrounding Bernalillo County), since many individuals travel from those areas to engage in criminal acts in Albuquerque. An APD Detective also suggested that the USAO and ATF offer the training at APD citywide briefings that occur regularly at sub-stations, and at the APD Academy for new cadets. Additionally, they suggested that Exile training be offered to the New Mexico Probation and Parole Department so that those officers are aware of the Project and general federal prosecution guidelines. Probation and parole officers should also be trained on Fourth Amendment search and seizure issues. Finally, the subcommittee suggested that the USAO continue to offer training to state prosecutors and local law enforcement across the state on an as-requested basis. The subcommittee encouraged the USAO Law Enforcement Coordinator to contact those state agencies and inform their management about the availability of the Project Exile officer training.

Third, the subcommittee concluded that the task force, and other law enforcement officials, could perform their tasks more effectively if they had more timely and complete information. The New Mexico Probation and Parole Department is a frequent source of referrals for Exile cases. NMPPD Director Mark Radosovich asserted that if the collection and dissemination of information were improved, it would increase the number of prosecutions and convictions of felons in possession (as well as other violators). Mr. Radosovich suggested a three-pronged approach: make sure law enforcement has the most current crime data available in order to make an initial determination as to whether the arrestee is subject to federal prosecution; link the various state agency data bases so that law enforcement has the most current information; and share the data on the success of Project Exile so that probation officers can present it to their clients. To implement this approach, the NMPPD volunteered to provide access to its crime data for constituent law enforcement agencies. The initial recipients will be APD and BCSO, with U.S. Probation and U.S. Pretrial Services to follow. NMPPD also attempted to determine if it could obtain links to other law enforcement agency databases within the state of New Mexico. The subcommittee suggested creating a central repository of potential Exile cases to circulate to Task Force members before a case review meeting. The repository would improve the review process by providing task force members with the best information available when they sit down to discuss potential cases. Members predicted that the repository would also promote efficiency if, for example, a state prosecution is well along in the prosecution process or already resolved. The USAO has served as the repository and disseminator of information. Finally, the subcommittee suggested that another data collection enhancement would be the creation of a research tool to help the USAO and the Task Force to determine whether the Project Exile training is resulting in case referrals from law enforcement officers who have attended the training.

Fourth, the subcommittee suggested that community awareness and outreach efforts engage in a renewed public relations campaign targeting multiple audiences. All subcommittee members agreed that outreach campaigns must effectively communicate

the Project Exile message to the criminal community. However, they recommended that law-abiding citizens in neighborhood associations, schools, and church groups not be overlooked. Likewise, they recommended increased efforts to promote awareness in the law enforcement community, since it was less than what the subcommittee desired.

### **Project Outcomes**

From July of 2000 to March 10, 2003, the USAO prosecuted 369 firearms cases under the Project Exile guidelines. At the end of this period, an additional 88 cases were under investigation, for a total of 457 cases accepted by the Exile task force. Out of those cases, law enforcement officers seized 328 handguns, 366 long guns, 14 fully automatic guns, and 74 explosive devices from felons and drug traffickers. In the fall of 2004, the District of New Mexico was selected as one of fifteen districts to receive additional support to implement a Violent Crime Impact Team, an enhanced firearm violence initiative coordinated by ATF. This team was made up of federal, state and local law enforcement officers and state and federal prosecutors, and has targeted a high-risk neighborhood in Albuquerque (the Trumbull-LaMesa area that constitutes the Eastside Weed and Seed neighborhood, and was the location for SACSI's first targeted patrol implementation). During recent months, the cases generated by this team have been prioritized for review by the Project Exile task force and screened for acceptance for federal prosecution.

Concerning officer training activities, fifteen training sessions were completed around the state between July 2000 and May 2002. During this time the presentation was also offered twice at law enforcement conferences held in the Albuquerque area, including ■Policing in the 21<sup>st</sup> Century• in December 2001. A laminated ■Quick Reference to Federal Firearms Laws• card was produced for dissemination to officers attending Project Exile trainings. The task force also developed a set of business-sized interrogation cards for police officers to use when they stop or arrest a suspect who is carrying a firearm. Officer training has been curtailed in recent months due to a reduction in the USAO's operating budget.

When Project Exile was introduced in the Albuquerque area, Rick Johnson and Associates was contracted to conduct a targeted media campaign to publicize the program. The campaign's slogan was ■Felons with guns will do federal time." The campaign included television commercials, roadside billboards and wallet-sized reproductions of the billboards for general distribution. The New Mexico Police and Sheriff's Association raised \$50,000, plus an additional \$200,000 of in-kind contributions, to finance the entire media campaign. The electronic media campaign ran for six months during which time 1,800 thirty-second television spots were broadcast in the Albuquerque area.

As SACSI transitioned into Project Safe Neighborhoods, additional resources were made available to conduct professionally designed local awareness campaigns. Mark Mathis and Associates were hired to conduct the campaign, and were successful in gaining the attention of the press and electronic media until their relationship with the Project was

terminated at the end of 2004, at which time Rick Johnson and Associates succeeded them.

### **Assessment of the local Project Exile initiative**

On several occasions, attempts have been made to assess the impact of Project Exile activities in Albuquerque and throughout the District of New Mexico. A number of complications have been raised that relate to lack of documentation, issues of access to data, and complexities of the model as implemented. The remainder of this chapter describes a research approach that is currently under consideration by the USAO that could result in determining the process and outcomes of Project Exile as implemented at the local level.

#### ***Orientation.***

As noted earlier, the amount and quality of research studies assessing the impact of firearm policies is limited (Sherman, 2001). There is some evidence to suggest that Project Exile could be an effective approach to reducing violent crime. While not definitive, general research concerning the impact of mandatory minimum sentencing procedures (McDowall, et al., 1992; Pierce and Bowers, 1981) suggests that they may be effective in deterring violent crime, especially homicide, within jurisdictions. More closely related to Project Exile, however, might be the evaluation results of Operation Ceasefire, a portion of the Boston Gun Project. Implemented in 1996, Operation Ceasefire intended to reduce violence through promoting offender awareness by connecting the crime with publicly declared consequences. While the program was directed towards youthful gang members, it was implemented in a manner similar to that being used in Project Exile. Evaluation efforts, while not particularly rigorous in design, did control for other contextual influences and concluded that Operation Ceasefire produced a significant reduction in gun assaults and youthful homicides in Boston (Braga, Kennedy, Piehl and Waring, 2000; Braga, Kennedy, Waring and Piehl, 2001).

Consistent with this finding, the United States Attorney's Office for the Eastern District of Virginia reported that rates of violent crime decreased substantially in Richmond, VA after the implementation of Project Exile (Comey and Miller, 2002), a multi-faceted initiative that applies mandatory federal minimum sentences to selected firearm offenses, particularly felons in possession of a firearm and the possession of illegal weapons. Further reports from the United States Department of Justice indicate that since Project Exile has been implemented, in all federal Judicial Districts the number of successful firearm prosecutions has increased dramatically (Johnson, Heineman, Smith, Walko-Frankovic, Willard, 2003). Rich anecdotal information from prosecutors, and even offenders, suggests that Project Exile has had an impact in communities in which it has been implemented (Schiller, 1998).

On the other hand, extant scientific research has been unable to document that Project Exile is effective in producing greater public safety in communities. For example, a report completed by the Pacific Center for Violence Prevention (PCVP, 2002) presents a

number of criticisms about Project Exile. The authors do not feel that the claims made for its effectiveness have been supported with rigorous research, and that the program does not prosecute gun crimes *per se*, but rather cases of other types of offending when committed by felons in possession of a firearm. The PCVP report disputes the claim that crime rates can be reduced by merely increasing the length of incarceration, without developing other strategies in concert with longer sentences. In a more sophisticated analysis Raphael and Ludwig (2003) determined that the reduction of violence in Richmond, Virginia's program could not be fully attributed to the implementation of Project Exile, and that other explanations for the reduction in crime reported there should be considered as well. Reanalysis of Raphael and Ludwig's data estimates that the impact of Project Exile in the Richmond, VA was 2.5%, considerably less than the 40% reduction attributed to the program by federal officials (Levitt, 2003). Finally, an assessment of the State of Virginia's version of Project Exile determined that the crime rate actually increased in several areas of the state after its implementation (Johnson, et al., 2003).

In summary, criminal justice professionals who are experienced with implementing Project Exile assert that it is effective in reducing crime, and some general research concerning mandatory minimum sentences provides some empirical support for their impressions. On the other hand, existing assessments of the Project do not support its effectiveness. One explanation for the discrepancy can be found in the research approach adopted in assessments of Project Exile. Summative assessment conclusions by Johnson, et al. (2003) and by Levitt (2003) and Raphael and Ludwig (2003) were reached by analyzing macro-level crime trends for a particular jurisdiction. Levitt, and Raphael and Ludwig examined crime trend data for Richmond, VA and Johnson, et al., examined similar macro crime trends for six Virginia sites where the state version of Exile was implemented. This methodological approach is appropriate for addressing a basic policy research question, i.e., "To what degree does Project Exile improve the level of public safety in a jurisdiction where it has been implemented?" However, while determining the answer to this question is important at the local level, the analysis of macro level crime trends does not allow researchers or policy makers to determine the incremental improvement in community safety brought about by federal prosecution of a single firearms case. Without this sort of information, we cannot separate out the influence of program effectiveness from its breadth of implementation in trying to understand how the program affects community safety, an important distinction to program administrators and policy makers.<sup>28</sup> Also, macro analysis creates uncertainties in research as investigators must rely on estimations and assumptions of generalizability in their attempt to control for factors that might influence gross macro crime trends, other than the program under review. Finally, macro analysis cannot distinguish the relative contributions of the multiple components of Project Exile -- enhanced penalties (specific deterrence), community outreach (general deterrence) and officer training (an aspect

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<sup>28</sup> In some cases, a program can be highly effective but serve so few cases that its impact on a widespread community problem is negligible. Conversely, a widely implemented program that is less effective can have a larger impact on a community problem. Since macro-level crime trend data can only measure changes in the prevalence of crime in a jurisdiction, it cannot determine if the result was due to the program's effectiveness or the scope of its application. Efforts to improve community impact must be informed by more specific effectiveness and implementation data if they are to be refined.

facilitating the scope of program implementation) – to reductions in community violence rates. As noted above, such findings are useful in a formative analysis of the Project so that decision makers can improve its performance.

### ***An Alternative Approach to Research.***

An alternative approach to determining the consequences of Project Exile relies on case-level analysis. From this perspective, it is possible to compare the effect of federal prosecution and sentencing outcomes with those resulting from prosecution in state courts, to estimate the “value-added” of federalizing firearms cases. This approach could also provide a more accurate determination of the Project’s specific deterrent effect on overall violent criminal behavior within a jurisdiction, since it would rely less on statistical estimations based on national averages (i.e., arrest and prosecution rates, and sentencing patterns) that might not reflect practices and outcomes in the Albuquerque area. Further, case level analysis would allow for a more process-oriented approach to understanding the effect of federalizing a case by examining the sustainment or dismissal of cases at various stages in the justice system, including investigation, arrest, acceptance for prosecution, initial charging, grand jury indictment, adjudication, conviction, and sentencing.

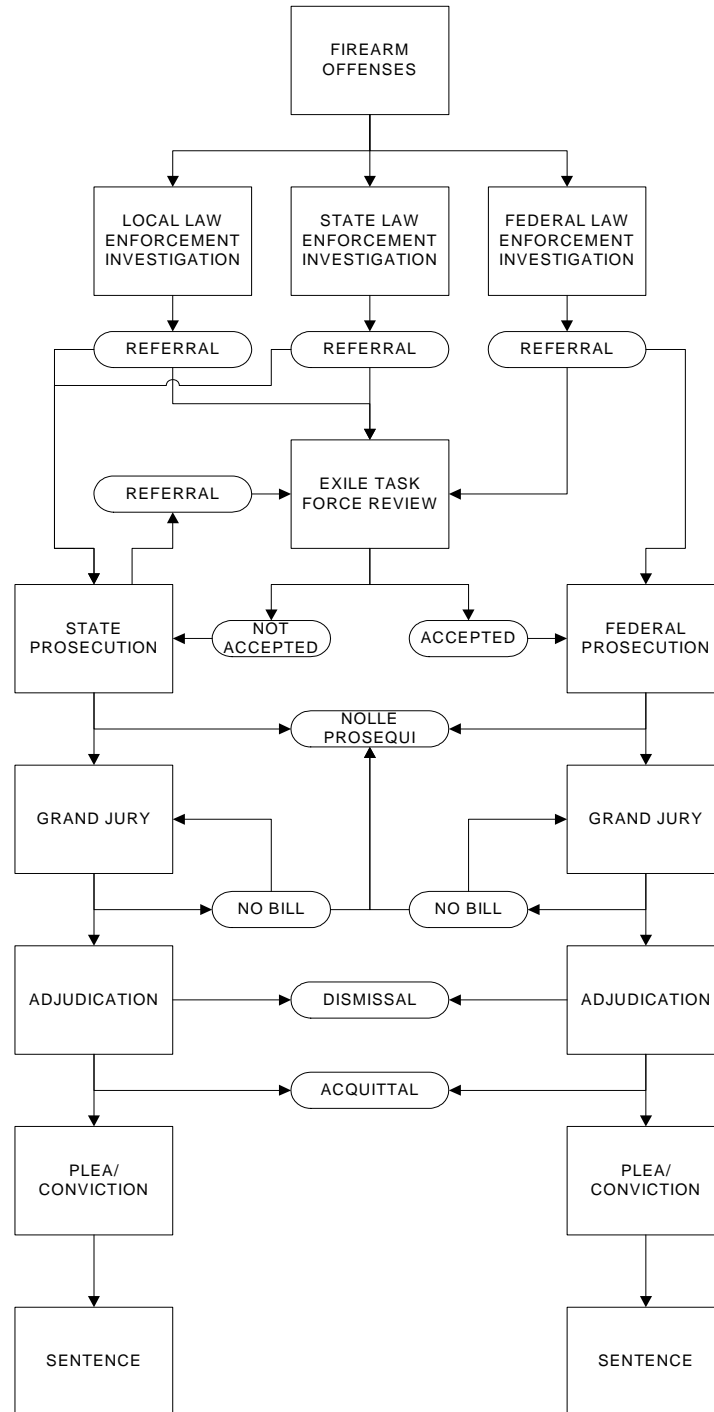
Tracking cases through federal and state systems would allow us to understand the effect of prosecutors’ decisions to terminate cases, or court decisions to dismiss cases, on community outcomes. Keeping in mind that much of Project Exile’s activities are oriented toward front-end investigation, screening, and referral activities, it might be inappropriate to hold it responsible for subsequent practices in federal and state courts that also influence conviction and sentencing patterns.

It is also possible that the perceived amenability of the case for prosecution could influence the decision to federalize a firearm case. Obviously some cases are not prosecutable in either state or federal courts, due to lack of evidence or other factors, but differences in prosecutor decision-making could also influence overall community safety, as could changes in police practices and community awareness resulting from the Project’s activities. Without more finely delineated research, the Project’s contribution to community crime deterrence could be under- or overestimated.

### ***Research Design.***

As with the assessment of other local SACSI activities, it is possible to track relevant cases from their agency of origin to referral for possible acceptance into the federal system, and to their conclusion. A schematic depicting the flow of firearm cases referred and accepted for federal prosecution under Project Exile, and those that are not accepted and enter state courts, is provided in Figure XII.2.

**Figure XII.2**  
**Flow Of Firearm Cases**



We have proposed to collect case-level information concerning actions that constitute violations of federal laws from local and state law enforcement agencies, and determine the movement of resulting cases through the Project Exile process and the federal and

state courts. In this manner, we can determine the likelihood that a relevant case is referred to the Project Exile Task Force for deliberation, the number of such cases that are accepted for federal prosecution, and the adjudicatory outcomes for cases that are handled in state and federal courts. Also, we will be able to determine the differences in sentencing type and duration resulting from each system. By comparing conviction rates and sentences, we can determine the total and average increase in incapacitation derived from federalizing firearm offense cases. The analysis of statistical information will be supplemented with qualitative research to assist us in interpreting the findings. Interviews will be conducted with state and federal law enforcement professionals, prosecutors, and judges. A sample of firearm offenders will also be interviewed to determine their perceptions of the impact of the Project.

Project Exile also has set goals concerning the training of law enforcement personnel throughout the District. Information will be collected concerning the dates and content of training in each location. By comparing the dates of training with the number and dates of referrals from various law enforcement agencies, we can ascertain whether there is an increase in referrals. Finally, information concerning community awareness campaigns, by type of media and date of activities, will be collected and analyzed. The results of the analysis just described can be integrated with the findings related to these other components to provide a complete understanding of Project Exile activities and effects in this service area.

We requested the following support from the United States Attorney's Office (USAO) in the District of New Mexico facilitate this research:

1. Access to information concerning the cases reviewed by the Project Exile Task Force. Information requested consists of the referring agency, aggregate number of cases reviewed by the committee, the number accepted for prosecution, and the number reaching various outcomes (i.e., accepted for prosecution, true billed by Grand Jury, dismissed by the court, convicted, sentenced). Individual case information is also requested, so that we can track specific outcomes of cases that are prosecuted in federal court and those that return to state courts for prosecution. This information will allow us to compare case outcomes at each stage of adjudication, and calculate the relative enhanced effect of federalization.
2. Access to federal prosecutors and to federal law enforcement and judges to complete interviews concerning their experiences with and perceptions of the effects of Project Exile.
3. While we anticipate no difficulties in accessing information from local and state agencies, the support and encouragement of the USAO in facilitating and maintaining access among these agencies is requested.

Since Project Exile has been in operation in the District for almost five years, its impact on law enforcement, prosecution, and court practices will be analyzed. Changes in

offender restraint, criminal justice awareness and public community opinion concerning the Project and public safety will also be determined.



## **CHAPTER XIII**

### **THE TURNING POINT INITIATIVE**

#### **Introduction**

Turning Point (TP) is a program that targets violent felony offenders currently under supervision as probationers and probationer/parolees in the Albuquerque area. The TP approach is consistent with SACSI's core principle of lever pulling, in that it has identified a group of individuals at high risk for future criminal acts, and mobilizes the resources of several governmental and non-profit groups to reduce the risk that they pose to the community. The name itself indicates the purpose of the program: to turn the lives of offenders from crime to more socially productive behaviors. The core component of the TP initiative is a face-to-face meeting between targeted individuals, government professionals, community representatives, and service providers.

As with the other local initiatives, Turning Point emerged as an application of program models developed in other communities and adapted to the conditions and contexts of the Albuquerque metropolitan area. A subcommittee established in February 2002 planned the implementation of the program. In its report, the subcommittee stated that:

“It is the belief that providing offenders with pro-social alternatives (carrot) to criminal behavior, while at the same time demonstrating that the law enforcement community will come down hard on them [stick] if they do continue in anti-social ways, that we can reduce the number of people returning to the criminal justice system. Lever pulling is designed to offer them the choice of social services (i.e., jobs, training, education, counseling, drug treatment, housing), while at the same time letting them know of the fact that they are likely to end up in prison, hurt or dead if they do not change their ways.” (Page, et al., 2002: 1)

The subcommittee also encouraged offender participant monitoring and other justice system refinements to reinforce these messages. These included honing offender selection, tracking program participants closely, and sanctioning non-conforming participants in a rigorous and consistent manner. The subcommittee strongly supported an enhanced and coordinated multi-agency commitment to intervene with Turning Point participants, based on the premise that providing them with both positive and negative motivations and structured opportunities to turn their lives around would result in the reduction of violent and other criminal recidivism.

#### ***Program Precedents.***

As noted in the introductory chapter, SACSI sites modeled much of their intervention activities on strategies developed and implemented as part of the Boston Gun Project (see Operation Ceasefire in Table XIII.1).

[One] part was what the Gun Project's interagency working group eventually came to call a “pulling levers” strategy: deterring violent behavior by chronic gang offenders by reaching out directly to gangs, setting clear standards for their

behavior, and backing up that message by “pulling every lever” legally available when those standards were violated. (Kennedy, 1998: 5)

Lever pulling in Boston included warning offenders that every possible method and resource of law enforcement would be used in response to their illegal behavior: conducting crackdowns and raids, notifying offenders of the unified efforts of multiple agencies, and identifying and categorizing offenders as more or less severe in their criminal patterns (and encouraging less serious offenders to avoid association with their more severe criminal associates). Kennedy explains that directly communicating these efforts to targeted offenders might be the key to effective deterrence. This message, articulated during meetings of Boston’s Operation Ceasefire working group held in 1996, was that:

The city is not going to put up with violence any longer. We know who’s behind the gang violence. We’re warning gangs to stop; if they don’t, there are going to be consequences. There are people here who want to help you—we can offer services, job training, protection from your enemies, whatever you need—but the violence is going to stop. (Kennedy, 1998: 11)

Summarizing “Pulling Levers” Kennedy (1998) cites six key points:

- Select a ‘target category’ of behavior to be addressed.
- Assemble an array of agency capacities that can be deployed in the service of the strategy (i.e., law enforcement agencies, corrections, prosecutors, outreach workers, clergy, and neighborhood groups).
- Deliver a direct and explicit deterrence message to a relatively small target audience regarding what kind of behavior will provoke a special response and what that response will be.
- Follow through with frequent working group meetings to assess the violence problem in the city and craft necessary responses.
- Continue to communicate with the target audience.
- Adjust targeted behavior, or offenders, once one area is controlled.

In summary, the Boston strategy suggests a comprehensive multi-agency approach to crime deterrence, indicating severe and immediate sanctions for offenders while offering needed services to those motivated towards positive change. This approach is based on the premise that a small percentage of offenders commit a disproportionate amount of crime. “Not all chronic offenders are violent offenders, but a large proportion of violent crimes are committed by chronic offenders, who commit not only crimes of violence but also property crimes, drug crimes, disorder offenses, and the like” (Kennedy, 1998: 6).

All of the initial SACSI sites (Indianapolis, Memphis, New Haven, Portland, and Winston-Salem) ultimately employed the lever-pulling strategy in some form. For example, in Indianapolis:

One of the primary strategies employed by the violence reduction initiative is aimed at those known chronic offenders who are most likely to be either the victims or perpetrators of homicide.

The tactic involves “lever-pulling meetings,” at which probationers and parolees living in a certain area are ordered to attend a gathering of law enforcement personnel, neighborhood residents and social service representatives. The meetings take a two-pronged approach: getting out the word about violence and providing a link to needed services (McClurg, 1999).

At the Indianapolis meetings, offenders are warned to discontinue violent criminal behavior and are offered services to help them change for the better. The meetings consist of presentations by representatives from the U.S. Attorney’s Office, District Attorney’s Office, police, State Probation and Parole Office, and from a local neighborhood leader. Presenters outline the possible consequences of continued illegal behavior, explain the coordination between justice agencies and the community, and offer services such as “substance abuse, education, job placement, etc.” intended to help participants. Participants are required to attend a follow-up meeting. Of the 160 offenders who attended the initial lever-pulling session, 150 attended follow-up meetings (IVRP, 1999).

New Haven’s SACSI program includes Monthly Offender Meetings. As with Boston and Indianapolis, New Haven working group kept their meetings small. Similar to Indianapolis, they target “probationers and parolees who are thought to be at risk for recidivism” (NIJ, 2000: 202). The meetings focus on federal gun laws and deterring the offenders from “using or even carrying a gun” (NIJ, 2000: 202), by convincing participants that the federal prosecutors have the resources to “Exile” them (i.e., detain, prosecute, and incarcerate them in a federal prison far from their home and families). As with the similar interventions, the positive incentive portion of the meeting includes opportunities to interact with education, employment and other service providers.

Portland, Oregon’s efforts focus on youth violence. As a consequence, selected high-risk youth attend “Stop the Violence” offender meetings. Offenders are advised to stop their violent and gun related activities or face legal consequences. At the same time, they are advised that if they choose a peaceful and productive lifestyle, the program will help them find opportunities for training, education and employment (NIJ, 2000: 376). After the first round of meetings, Portland’s SACSI team developed a more systematized and comprehensive follow-up program for the offenders to obtain the services they needed. The follow-up program, “Community-Based Strategies” (CBS), utilizes professionals who work closely with the youth regarding education, counseling, employment and

training, in addition to such things as assistance in clearing up driver's license issues and removing tattoos.

The Winston-Salem SACSI team developed "notification sessions" that target both juvenile and adult violent offenders under supervision. Sessions for juveniles include community leaders that warn the youthful participants about the destructive paths that they are on. Participants are then led into another room where law enforcement, community groups, faith groups, school representatives, and other agency representatives present both carrot and the stick messages. Sessions for adults are somewhat different in that community leaders express their concern that the adult participants are leading vulnerable youth down the wrong path and the devastating effects of that behavior. Adult participants then meet with law enforcement, and prosecution speakers who warn them to discontinue involving juveniles in their illegal activities.

Table XIII.1  
Lever-Pulling Interventions

<b>Location</b>	<b>Targeted Offenders</b>	<b>Message</b>	<b>Intervention Location</b>	<b>Intervention Size</b>	<b>Followup Meetings</b>
<i>Boston Operation Ceasefire</i>	Gang members	Carrot and Stick	Unknown	Small Groups	Yes
<i>Indianapolis SACSI</i>	Probationers and Parolees	Carrot and Stick	Courthouse	15-30 Offenders	Yes
<i>New Haven SACSI</i>	Probationers and Parolees	Carrot and Stick	Location within a chosen police district	20-25 Offenders	Yes
<i>Portland STACS (SACSI)</i>	Youths on supervision recently involved in violent incident	Carrot and Stick	Unknown	Unknown	Yes
<i>Winston-Salem SACSI</i>	Juveniles	Carrot and Stick	Police Department	20-40	Yes
	Adults	Stick	Police Department	20-40	No

## **Planning and Initial Design**

### ***Turning Point Planning.***

In February 2002, Albuquerque's SACSI Working Group formed a planning subcommittee to develop a lever-pulling intervention for young adult male probationers and parolees. The subcommittee -- comprised of representatives from the District II Probation and Parole Office of the New Mexico Corrections Department, the District Attorney's Office, and members of the Research Team -- named the initiative "Repeat Serious Violent Probationers", or R.S.V.P. The program was designed as a:

...mechanism for identifying high risk offenders who are either actively engaged in violent crime, or have the potential to be actively engaged in such crimes, and to target them for group notification meetings and increased supervision. The meetings should take a carrot and stick approach with this target population, identifying services available to help them get on the "right track" and emphasizing that, if they choose not to take advantage of these services and continue to engage in crime/violence, the full force of the justice system will be employed against them. These meetings will be followed by increased surveillance of the targeted population on the part of both PO's and APD/BCSO to make sure they got the message, and if not, to follow through on the threats made in the meeting. This latter part will require the cooperation of the DA's, PD's and judges involved with these offenders. (Page, et al., 2002: 1)

During the planning process, three important questions were raised and resolved. These were: "Would the initiative have a neighborhood/geographical focus similar to community notification programs implemented at other SACSI sites?", "Who would the program serve?" and "Would the initiative result in enhanced services and outcomes for participants beyond those currently provided by Probation and other criminal justice agencies?"

Concerning the first question, based on spatial analysis completed by the research team, the subcommittee decided that while other SACSI sites selected program participants based on geographical criteria, Albuquerque would select participants based on the probationers' personal characteristics. The rationale for this was that Albuquerque does not experience the same patterns of spatial concentration of criminal behavior that has been identified in cities in the Eastern portion of the United States. That is, while the service area does have crime hotspots (i.e., statistical concentrations of criminal behavior), they capture a relatively small percentage of the total volume of violent crime in the community. Albuquerque -- due to patterns of residential and commercial development, high reliance on personal transportation, and dispersion of older, multiple unit, low-income and subsidized housing -- has no area where a high concentration of high-risk probationers and parolees reside. In light of this research finding, the subcommittee chose to select offenders who were young, had a violent history and were deemed the "worst of the worst" by their Probation-Parole Officer.

In order to identify program participants, each Probation-Parole Officer from Regions 2 & 5 of the state's District II Office was asked to identify the five highest-risk probationers on their caseload who had a violent history and were under 30 years of age. This approach generated a list of approximately 150 offenders. To narrow the list to an initial participant group, the subcommittee chose to focus TP exclusively on probationers who were second-time felons and thus eligible for a habitual offender enhancement on proof of probation violation. This decision is based on the idea that the habitual offender enhancement provided a powerful "lever" for authorities to "pull" with this group if they failed to comply with the initiative. The result was a participant group of a size (N = 25) that could be easily be accommodated in the program model.

Probation and Parole personnel posed the final question to the subcommittee. They were concerned about how the initiative would make a difference, indicating that the initiative's message and level of monitoring were already provided to probationers. In response, the subcommittee asserted that the program would be of value because it would focus additional resources on a select group of high-risk offenders, standardize inter-agency responses to probation violators, and develop mechanisms for coordinating their sanctioning.

In subsequent meetings, the planning subcommittee focused on the practical implementation of the program. They discussed bringing other professionals into the planning process, including law enforcement professionals and a district attorney that was involved in community issues. The committee also identified many organizations to provide the carrot options. These covered such areas as counseling, education, mentoring, housing assistance, legal defense, faith-based, and ethnic rights groups. The committee selected State District Court Judges and representatives from Albuquerque Police Department, Bernalillo County Sheriff's Office, State Probation and Parole Department, State Community Corrections, and the District Attorney's Office to present the stick portion of the program.

The subcommittee also developed plans to promote justice system credibility by closely monitoring TP participants and ensuring that those who committed new crimes or significantly violated their conditions of supervision would be surely and swiftly sanctions. Committee members suggested system innovations such as:

- Have officers from high crime areas attend the TP sessions so they would recognize the offenders should they encounter them offending on the streets,
- Keep the DAs office apprised of which offenders have been given the opportunities and warnings included in the intervention so that they could follow through with aggressive prosecution of recidivists and probation violators,
- Convey to judges the importance of aggressively sentencing these offenders, given their inclusion in the TP initiative, and

- Consider selecting offenders for the intervention whose cases are assigned to judges that would likely support the program.

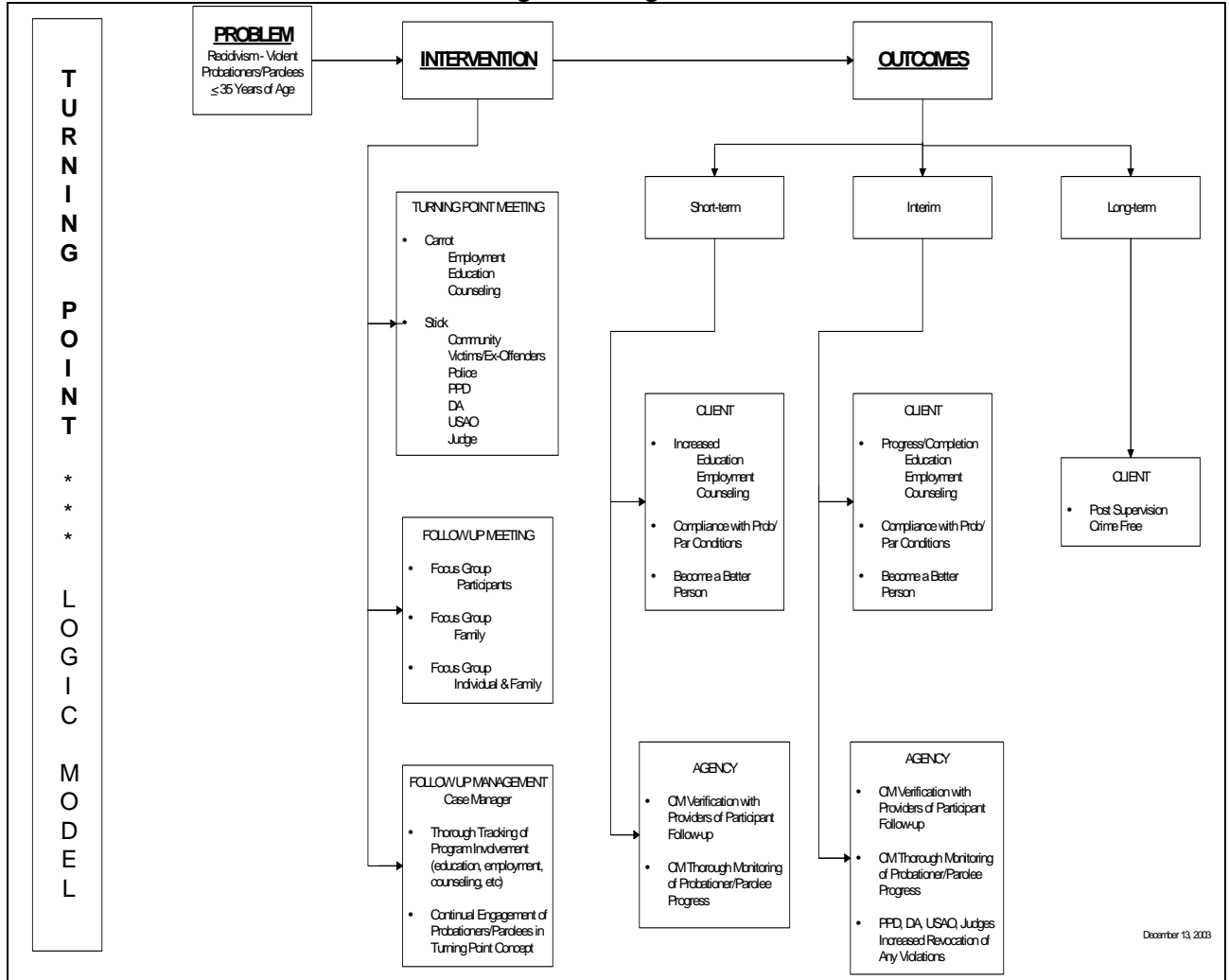
The subcommittee submitted their report to the SACSI Working Group in June 2002, and it was approved within two weeks. The first Lever-Pulling – R.S.V.P. session took place on September 12, 2002 at the District Office of the State Probation and Parole Department. Since the first session there have been three additional meetings (roughly one every six months). The initiative was renamed Turning Point in August of 2003, just prior to the initiative's third session.

### ***Program Design.***

The program design has undergone many refinements. The current program design is depicted in the Turning Point logic model in Figure XIII.1. In summary, Turning Point intends to serve relatively young offenders in Albuquerque with a history of violent offending who are under community supervision by the District II (Regions 2 & 5) Probation and Parole Office of the New Mexico Corrections Department.

Clients are screened for participation and are notified that they are required to attend the meeting. When they arrive they have been subject, on some occasions, to unannounced urine screenings. They then listen to presentations made by criminal justice professionals and community representatives, and engage in participatory activities such as completing questionnaires and meeting with service providers. After the initial meeting, program personnel intend to track attendees to determine if they receive enhanced services, relative to similar probationers, based on their TP session contact with service providers. They are also tracked to determine if they are less likely than similar probationers to violate their conditions of supervision or to commit new crimes. The TP program is overseen by a multi-agency implementation subcommittee, which is expected to constantly review and refine the program model.

Figure XIII.1  
Current Turning Point Logic Model



### Selection of Participants

Probationers under active supervision at the District II office, including those on parole who are also on probation, are screened from a central Department database to determine if they meet criteria for inclusion that were set by the subcommittee (i.e., under age 30, have a history of violent offending, under active supervision, with at least two prior felony convictions). Since more probationers meet the criteria than can be accommodated by the initiative, they are further screened through a nomination process by which probation officers recommend high-risk individuals for inclusion in the program. From this list of probationers, Turning Point participants are randomly selected, up to the initiative's capacity. Those selected are notified at least two weeks in advance of the meeting that their attendance is required.



### Meeting Participation

Probationers are subjected to unannounced urine screenings; positive urines result in the immediate arrest and placement in detention of some program participants. The remaining participants then listen to warnings concerning the consequence of current and future criminal behavior (stick) presented by community members, victim advocates and criminal justice professionals; and opportunities for engaging in conventional lifestyles (carrot) presented by community service providers and agencies.

### Meeting Content

The core of the Turning Point meeting consists of presentations made by justice professionals, service providers and community members who share carrot and stick messages. Carrot messages consist of making participants aware of services that can help them change their life towards more conventional, pro-social behaviors. These services include employment assistance, educational opportunities, and counseling services. Stick messages encourage participants to end their criminal activities. Representatives of neighborhood associations, crime victims, ex-offenders, police, probation and parole officers, State and Federal prosecutors, and State District Judges provide these messages. Participants are expected to engage in activities during the meeting, as well. They complete a questionnaire titled “Write Your Obituary”, where they state how they will be remembered in the community at the time of their death, and a “Stop and Think” questionnaire, where they are expected to reflect on how their criminal behavior impacts family members. They are also expected to meet with at least four of the programs that offer services such as counseling/treatment, education, employment, mentoring, and housing assistance. The participants are able to get literature and information from the service providers on programs that might aid them in their efforts to change their behavior. TP sessions run, on the average, about two and one-half hours.

### Post-meeting Activities

After the initial Turning Point activities participants engage in a post-meeting interview conducted by a member of the research team, to debrief them concerning their perceptions of the TP session.

Participants also have a follow-up meeting with their Probation Officer (PO) to determine specific treatment and service needs. Follow-up meetings are intended to reinforce the messages delivered in the initial TP session. At least one family member/significant other is expected to attend a follow-up meeting, and they are encouraged at this time to support the individual in changing their life.

Case managers assist the TP participant in following up with providers he contacted during the Turning Point meeting, and connecting with other service providers that might meet the participant’s needs. The case manager tracks the participant’s engagement and progress with service programs, and continually reminds and encourages the offenders to make positive changes.

Finally, probation officers are expected to closely monitor the participant's compliance with conditions of supervision and compliance with TP goals. Additionally, the POs partner with other law enforcement agencies to monitor their activities in the community.

### *Intended Outcomes*

The initiative seeks positive short-term, interim, and long-term improvement in the activities of Turning Point participants. Short-term goals are that the client progresses in pro-social behaviors and complies with supervision requirements (including no new offenses), and that case managers effectively monitor the participant's progress and utilization of services. Interim goals include continuation of participant progress and case monitoring as well as immediate and forceful response by corrections and courts to new offenses and violations of conditions of probation (as indicated in the Turning Point meeting). The long-term goal of the initiative is that the participant does not recidivate after release from supervision.

### **Assessment of the TP Process**

The design of evaluation research allows for assessment of the initiative's process, outcomes, and community impact. Process evaluation consists of determining the degree to which the model has been implemented in a manner consistent with its design (program fidelity), and the degree to which the design itself has been refined based on research findings and experience. Assessment of the initial and refined model relies on qualitative findings based on subcommittee meetings, interviews of participants and professionals, and observation of the TP sessions themselves. Quantitative analysis of secondary records and survey results were also used in the process evaluation.

### ***Participant Selection and Characteristics.***

With the first three Turning Point groups of participants, the selection process varied somewhat from the current model. In these instances, Probation Officers were merely provided the criteria for inclusion, and then nominated participants. No effort was made to determine if the nominated probationers actually met program criteria, or if the participant group was a representative sample of all those in the District that met the program criteria. This strategy was adopted as an expedient since selecting participants from the centralized data system had not yet been arranged and because no one had been delegated to engage in constructing the list of potential participants as planned in the TP model. The subcommittee accepted the Probation Officer nomination approach at the time, because they recognized the practical constraints of implementing the agreed upon selection process, and they believed that allowing POs to nominate TP participants might promote a sense of engagement with and acceptance of the program.

As noted in Table XIII.2, the Probation Officer nomination approach used with the first three cohorts resulted in the selection of participants that largely met the selection criteria. For all participants in the first 3 cohorts, the age criterion, finalized in December 2003, was met in 92% of cases. Note that after the first TP session, the subcommittee decided to increase the maximum

age of participants to 35 years. The violent crime history was met in 92% of cases, and the criterion of two prior felony convictions was dropped from the model prior to the third cohort. For purposes of comparison, a group of fifty probationers were selected from Department records that met program criteria but were not selected as participants.

Table XIII.2  
Characteristics of Program Participants in  
Cohorts 1, 2 and 3, and Comparison Group Members

	<b>Turning Point Participants</b>			
	<b>Cohort 1</b>	<b>Cohort 2</b>	<b>Cohort 3</b>	<b>Comparison Group</b>
N	21	26	40	50
TP Selection Criteria				
35 years old and younger	85.7%	84.6%	100.0%	100.0%
Unknown age	14.3%	7.7%	0.0%	0.0%
Violent History	85.7%	92.3%	95.0%	100.0%
Unknown History	14.3%	3.8%	0.0%	0.0%
Violent Felony*				
Homicide related	4.8%	0.0%	5.0%	8.0%
Agg Assault/Battery	52.4%	50.0%	42.5%	32.0%
Assault/Battery	33.3%	7.7%	12.5%	6.0%
Armed Robbery	9.5%	7.7%	12.5%	4.0%
Robbery	4.8%	11.5%	15.0%	10.0%
Aggravated Burglary	4.8%	3.8%	0.0%	4.0%
Sexual/Family Violence	33.3%	7.7%	5.0%	6.0%
Weapons Crime	9.5%	7.7%	5.0%	8.0%
Intimidation/false imp.	14.3%	11.5%	12.5%	16.0%
Felony escape	0.0%	3.8%	0.0%	12.0%
Non-violent Felony				
Property Crime	4.8%	19.2%	15.0%	24.0%
Drug Crime	0.0%	11.5%	10.0%	10.0%
Missing	14.3%	19.2%	0.0%	0.0%
Gender -Male	100.0%	96.2%	100.0%	94.0%
Ethnicity				
White	23.8%	19.2%	15.0%	26.0%
Hispanic	52.4%	65.4%	65.0%	64.0%
African American	4.8%	3.8%	12.5%	4.0%
Native American	0.0%	0.0%	7.5%	6.0%
Other/Missing	19.0%	11.5%	0.0%	0.0%
Mean Age in years	24.8	26.3	25.4	28.1
Median Age in years	25.0	24.0	25.0	27.5

\*Previous Criminal Offenses Listed by Probation and Parole Department (Conspiracy is Coded the same as Completed Crime) % of subjects that have been charged with the crime.

In addition, other information was available from Corrections Department records that described the characteristics of TP participants. For the first three cohorts, differences in age and violent history were, for the most part, accounted for in “unknown” data. Therefore, we cannot determine if these differences represent real variation. Ethnic differences between the groups are not statistically significant. The controls are significantly older.

With the selection of the fourth Turning Point cohort, the criteria and method of selecting subjects was refined. For this group, potential participants were defined as probationers who were 35 years of age and younger, with a violent criminal history, and who have at least one year of probation supervision remaining in the Albuquerque area. The characteristics of Turning Point participants in the fourth cohort and probationers of the control group are presented in Table XIII.3. Consistent with the finalized model, the Information Technology Office of the New Mexico Corrections Department provided a list of all probationers meeting these criteria that were in their central management information system. Some were eliminated from this list since they had already been selected as TP participants.

Table XIII.3  
Characteristics of Program Participants in Fourth Cohort,  
and Control Group Members

	<b>Turning Point Participants- Cohort 4</b>	<b>Comparison Group</b>
N	22	43
TP Selection Criteria		
35 years old and younger	100.0%	100.0%
Violent History	100.0%	100.0%
Violent Felony*		
Homicide related	4.5%	9.3%
Agg Assault/Battery	45.5%	62.8%
Assault/Battery	18.2%	23.3%
Armed Robbery	9.1%	4.7%
Robbery	18.2%	2.3%
Aggravated Burglary	4.5%	2.3%
Sexual/Family Violence	22.7%	14.0%
Weapons Crime	9.1%	9.3%
Intimidation/false imp.	31.8%	11.6%
Felony escape	4.5%	0.0%
Non-violent Felony		
Property Crime	0.0%	16.3%
Drug Crime	0.0%	4.7%
Missing	0.0%	0.0%
Gender -Male	90.9%	79.1%
Ethnicity		
White	40.9%	20.9%
Hispanic	54.5%	53.5%
African American	0.0%	4.7%
Native American	4.5%	14.0%
Other/Missing	0.0%	7.0%
Mean Age in years	26.0	26.4
Median Age in years	24.5	25.0

\*Previous Criminal Offenses Listed by Probation and Parole Department (Conspiracy is Coded the same as Completed Crime) % of Subjects that have been charged with the crime

The list of remaining potential participants was then distributed to those Probation Officers who had individuals from their caseload on the list. Officers were asked to identify probationers who were “teetering,” i.e., were thought to be at risk of non-compliance with probation conditions. Probationers so identified were included in a refined list of possible Turning Point participants. Then, members of the research team randomly selected participant and control groups of equivalent size.

One outcome of this selection process adopted for the fourth TP participant cohort was that more District II Probation Officers were encouraged to become engaged in the program than was the

case with the first three cohorts. Using this new approach, it was more likely that each Probation Officer would have at least one member of their caseload on the list from which to choose potential participants. The research team had determined it likely that the earlier selection process engaged only a limited number of POs that supervised several TP participants, while other POs supervised only probationers included in the comparison group. The refined approach was useful for research purposes in that it produced a more equitable distribution of participants and thus helped to neutralize the impact of personal variations in Probation Officer supervision style and intensity of client supervision on case outcomes. Also, the refined selection process resulted in a better match between participant and control group characteristics.

Despite the research team's efforts to randomly assign participants and controls, cohort four and control group four had apparent differences; the most noticeable differences were in gender and ethnicity. Of course given the small sample size, these differences may have been resolved had the participant group been larger.

#### *Other Participant Characteristics*

As noted earlier, during the Turning Point meeting, the offenders complete two questionnaires entitled "Stop & Think" and "Write Your Obituary." The former sensitizes participants to the consequences of their behaviors for their family, while the latter intends to get participants to think about what they want to accomplish during their life. The third and fourth cohorts completed both questionnaires, while the second cohort completed only "Write Your Obituary".

The "Write Your Obituary" questionnaire asks the following open-ended questions: Who did you leave behind? How did you die? What will you be remembered for? What did you accomplish in your life? The data for cohort 4 also included the responses of two participants who were not selected according to the design, but were instructed by POs to attend. Though their participation is not included in the data collection and analysis in general, they did complete the questionnaires and therefore their responses are included in the following two tables. Several consistent responses have been detected in participants' responses (see Table XIII.4). Between 78 and 100% of the respondents across the cohorts replied that they were survived by family members; only 10% of all the responders referred to friends. Thirty-six percent of all responders expected to die of old age; 50% cited more violent or tragic reasons, 10% of these referenced health problems other than old age. Thirty percent stated that they would be remembered in relation to their role in a family; 50% cited positive personality or character; 6% doing good deeds; 6% learning from mistakes / changing their lives; and 12% stated negative things such as "don't know," "not nice," and "nothing." In response to lifetime accomplishment, 41% cited positive family impact, 14% referred to work-related success, and only 12% responded negatively with statements such as "not much."

Table XIII.4  
Responses to Write Your Obituary

Question		Cohort 2 n=23	Cohort 3 n=39	Cohort 4 n=24
1. Who Did You Leave Behind?	Family	18 (78.3%)	38 (97.4%)	24 (100%)
	Friends	1 (4.3%)	6 (15.4%)	2 (8.3%)
	Pets	1 (4.3%)	2 (5.1%)	1 (4.2%)
2. How Did You Die?	<i>Violence</i>	0 (0.0%)	9 (23.1%)	1 (4.2%)
	<i>Gang related</i>	1 (4.3%)	0 (0.0%)	0 (0.0%)
	<i>Old age/natural causes</i>	7 (30.4%)	16 (41.0%)	8 (33.3%)
	<i>Car related (e.g., wreck, hit by car)</i>	5 (21.7%)	4 (10.3%)	6 (25.0%)
	<i>Overdose/suicide</i>	1 (4.3%)	0 (0.0%)	2 (8.3%)
	<i>Health related (e.g., cancer)</i>	2 (8.7%)	2 (5.1%)	1 (4.2%)
	<i>Other (e.g., being stupid, fighting for freedom, heartbreak, plane crash)</i>	6 (26.1%)	3 (7.7%)	3 (12.5%)
	<i>Unknown</i>	0 (0.0%)	6 (15.4%)	3 (12.5%)
3. What Will You Be Remembered For?	<i>Learning from mistakes</i>	3 (13.0%)	0 (0.0%)	2 (8.3%)
	<i>Good father/husband/son</i>	8 (34.8%)	10 (25.6%)	8 (33.3%)
	<i>Good deeds</i>	0 (0.0%)	2 (5.1%)	3 (12.5%)
	<i>Positive personality (e.g., funny, caring)</i>	6 (26.1%)	22 (56.4%)	15 (62.5%)
	<i>Work related/business</i>	2 (8.7%)	8 (20.5%)	5 (20.8%)
	<i>Negative personality (e.g., unhappy, not nice)</i>	0 (0.0%)	4 (10.3%)	1 (4.2%)
	<i>Nothing</i>	1 (4.3%)	3 (7.7%)	1 (4.2%)
4. What Did You Accomplish In Your Life?	Positive qualities	3 (13.0%)	1 (2.6%)	2 (8.3%)
	Positive family impact	3 (13.0%)	6 (15.4%)	6 (25.0%)
	Lived life well	1 (4.3%)	3 (7.7%)	2 (8.3%)
	Children and family	4 (17.4%)	8 (20.5%)	8 (33.3%)
	Positive changes	5 (21.7%)	4 (10.3%)	1 (4.2%)
	Work related	0 (0.0%)	8 (20.5%)	4 (16.7%)
	Contributing to community	0 (0.0%)	1 (2.6%)	1 (4.2%)
	Material assets	2 (8.7%)	4 (10.3%)	1 (4.2%)
	Education	3 (13.0%)	6 (15.4%)	3 (12.5%)
	Everything	0 (0.0%)	4 (10.3%)	2 (8.3%)
	Not much/nothing	1 (4.3%)	7 (17.9%)	3 (12.5%)
	Other (e.g., survival, religion, art, etc.)	0 (0.0%)	0 (0.0%)	3 (12.5%)

The Stop & Think questionnaires yielded interesting results as well (see Table XIII.5). The following questions are asked: Who are the people who are most important to you? What do they think about you and your criminal lifestyle? How does your lifestyle hurt the people you care about? If you have children, do you want them to follow in your footsteps? What will it take for you to change? In response to the first question, 100% of the responders cited their families, whereas only 11% mentioned their friends. Twenty-four percent of the offenders expressed denial of a criminal lifestyle in response to the second question; 19% indicated their families are supportive or care about them; 22% say those they care about are understanding; 33% are concerned or critical; and 6% suggest their families are angry, disappointed, or hurt. In response to the third question asking how their lifestyle hurts others, 27% denied that anyone is hurt due to their lifestyles; others stated that those they care about are caused to hurt due to their absence from jail-time, that others are made sad, relationships are hurt, finances are made difficult, makes others hurt, makes others worry, or causes others general hurt and disappointment (21%). Only 32% of those responding stated without qualification that they would not want their children to “follow in their footsteps”; 11% stated they would want their children to be like themselves. To the final question, 51% of the responses indicated the offenders felt they had already changed their behavior; 14% refer to family being a motivation to change; 19% referred to themselves or internal motivation.



Table XIII.5  
Responses to Stop and Think

		<b>Cohort 3 n=39</b>	<b>Cohort 4 n=24</b>
1. Who Are The People Who Are Most Important To You?	Family	39 (100%)	24 (100%)
	Friends	7 (17.9%)	0 (0.0%)
	God	1 (2.6%)	0 (0.0%)
2. What Do They Think About You And Your Criminal Lifestyle?	<i>In denial</i>	8 (20.5%)	7 (29.2%)
	<i>Supportive/care about</i>	9 (23.1%)	3 (12.5%)
	<i>Understanding</i>	11 (28.2%)	3 (12.5%)
	<i>Concerned/critical</i>	14 (35.9%)	7 (29.2%)
	<i>Angry/disappointed/hurt</i>	4 (10.3%)	0 (0.0%)
	<i>Other</i>	0 (0.0%)	3 (12.5%)
3. How Does Your Lifestyle Hurt The People You Care About?	<i>Denial</i>	10 (26%)	7 (29%)
	<i>Absence hurts</i>	8 (20.5%)	6 (25.0%)
	<i>Makes them sad</i>	2 (5.1%)	3 (12.5%)
	<i>Hurts relationship(s)</i>	2 (5.1%)	1 (4.2%)
	<i>Hurts financially</i>	1 (2.6%)	2 (8.3%)
	<i>Makes them angry</i>	1 (2.6%)	0 (0.0%)
	<i>Makes them worry/stress</i>	3 (7.7%)	1 (4.2%)
	<i>General disappointment/upset/hurt</i>	9 (23.1%)	4 (16.7%)
4. If You Have Children, Do You Want Them To Follow In Your Footsteps? Why Or Why Not?	<i>No unqualified</i>	6 (15.4%)	14 (58.3%)
	<i>Yes, unqualified</i>	0 (0.0%)	6 (25.0%)
	<i>No, partly</i>	0 (0.0%)	0 (0.0%)
	<i>Yes, partly</i>	0 (0.0%)	1 (4.2%)
	<i>Evades question</i>	0 (0.0%)	1 (4.2%)
5. What Will It Take For You To Change?	<i>Already Changed, Changing</i>	20 (51.3%)	12 (50%)
	<i>Family/friends</i>	5 (12.8%)	1 (4.2%)
	<i>Self motivation</i>	8 (20.5%)	3 (12.5%)
	<i>External help (e.g., money, God, etc.)</i>	4 (10.3%)	3 (12.5%)
	<i>Futility (tried to change, don't know)</i>	1 (2.6%)	1 (4.2%)
	<i>Change is not necessary</i>	1 (2.6%)	1 (4.2%)
	<i>Everything</i>	0 (0.0%)	1 (4.2%)
	<i>Losing so much</i>	0 (0.0%)	1 (4.2%)
	<i>Other (e.g., time, school, etc.)</i>	0 (0.0%)	2 (8.3%)

In summary, offenders do not consistently perceive the therapeutic value of the two questionnaires, and some might consider them a waste of time or discomforting. However, some have expressed appreciation that the questionnaires make them more aware of their lifestyles. Additionally, analysis of the results provides useful information to the TP subcommittee. First, it is clear that Turning Point participants place great value on two things - family and on having a good character. The Write Your Obituary also reveals an underlying fatalism among many Turning Point participants; one-half of them expect to die from violence or tragedy, as opposed to natural causes. The Stop and Think instrument indicates some degree of denial, in that approximately one-quarter of the participants believe they are not truly living a criminal lifestyle and therefore that their criminal offending does not harm those they care about.

***Program Intervention: The Turning Point Session.***

This section describes the natural development of the TP initiative, based on observations of TP sessions, subcommittee meetings and discussions with members of the subcommittee. In general, it represents the use of research and experiential information to refine the program. A summary of session activities and interventions is listed in Table XIII.6.

Table XIII.6  
Session Activities

	Session 1	Session 2	Session 3	Session 4	Session 5
Carrot					
	Counseling Employment Assistance/Training Community College Family Services (Counseling) Religious Based Charity Organization	Counseling Employment Assistance/Training Community College	Counseling Employment Assistance/Training Community College Family Services (Counseling) Religious Based Charity Organization	Counseling Employment Assistance/Training Community College Family Services (Counseling) Public Transportation	Counseling Employment Assistance/Training Community College Family Services (Counseling) Public Transportation Recreation/Leisure Services
Stick					
	Judges (2) Probation and Parole Supervisor USAO Police Officers (2) DA Public Defenders	Judge Probation and Parole Supervisors (2 total –1 MC) USAO Police Officer DA	Probation and Parole Administration (2 total – 1 MC) USAO Police Officer Adult Parole Board	Judge Probation and Parole Administration (2 total – 1 MC) USAO Police Officer DA Adult Parole Board	Judge Probation and Parole Administration (2 total – 1 MC) USAO (3 total) Police Officer DA
Community					
	Ex-Offender	DA on Nuisance Abatement Neighborhood Association Victim Ex-Offender Police Chaplain	Neighborhood Association (2) Family Member Ex-Offender Police Chaplain	Neighborhood Association (2) Ex-Offender	Neighborhood Association (1) Ex-Offender Police Chaplain

	Session 1	Session 2	Session 3	Session 4	Session 5
Format					
	Stick Carrot-Service Providers (8) Written Instruments Stick	Stick – Intro Stick Carrot Written Instruments Community Stick-Closing	Written Instruments Stick-Intro Community Stick Carrot Stick-Closing	Written Instruments Stick-Intro Community Stick Community Carrot Stick Stick-Closing	Stick – Intro Written Instruments- Stick Carrot-Intro Stick Community Stick Community Carrot Stick-Closing
Intervention					
	Write Your Obituary	Write Your Obituary	Write Your Obituary Stop & Think PO Questionnaire-Goals	Write Your Obituary Stop & Think PO Questionnaire-Goals	Write Your Obituary Stop & Think PO Questionnaire-Goals

### Activities Before Session One

A subcommittee meeting was held prior to the first session to make final preparations. More members of the participating agencies attended this meeting, including six representatives from probation/parole, two local law enforcement representatives (from APD and BCSO), three district attorneys, two public defenders, and a representative from the research team. Several practical decisions concerning TP sessions were made at this time:

- The list of presenters was expanded. Family services and employment opportunities were added to the carrot service provider list. They also considered adding criminal attorneys and neighborhood associations to represent the stick.
- TP sessions should occur once every four months.
- Parolees could be included in the future if they are on probation as well.
- Success criteria should include participant engagement in opportunities offered them by service providers and re-offending. To ensure TP participants speak with service providers, they should have a minimum of four provider representatives sign a “contact form.” This form would be turned in at the end of the session
- The stick message should include information on federal gun laws, that probation is a privilege relative to incarceration, that participants should take advantage of the opportunity to turn their life around, and that re-offending will result in maximum enforcement of the law.

The order of the meeting was also established, beginning with service providers discussing their programs. This was followed by law enforcement stick message, the public defender’s presentation, and commentary from a successful probationer. Other session activities, such as having a drug detection canine in the parking lot, giving the participants urine tests (followed by placing the nametags of those who failed the urine tests in their empty chairs) were finalized.

### Activities Between Sessions One and Two

After the first Turning Point session, two probation/parole department administrators became involved in the subcommittee, but overall attendance at meetings declined somewhat until just prior to the second TP session. Meetings were dedicated to refining the sessions based upon members’ impressions of the first session. Changes were made to the content, the order of events, and the criteria for selecting the participants. These considerations included such things as audio/visual difficulties, the effectiveness or ineffectiveness of presenters (including speaking styles and length of presentations), identifying invitees closer to the intervention so as to make sure they are appropriate (high risk status), informing the offenders why other offenders had been arrested at the intervention, and adding additional service providers. Attention was also given to developing procedures for following up with the participants. The subcommittee decided to have individual three-month-post-intervention follow-up meetings with the offender-participants, their POs, members of the subcommittee, and a member of the research team.

Subcommittee meetings held subsequent to de-briefing the first cohort of TP participants by the research team also stimulated changes in the model. These included:

- Initiating a post-session survey of Probation Officers. A self-administered questionnaire sought information for each TP participant on whether they followed up with service providers, had accrued new violations or crimes and, if so, what justice consequences had occurred. It also solicited offender and PO perceptions of the program, and whether the offender might serve as a positive role model speaker at the next session.
- Enhancing community presence in the TP sessions. In addition to reaffirming the subcommittee's intention of including faith-based organizations, suggestions of having crime victims and representatives from neighborhood associations and recreational/leisure service programs participate in the sessions were proffered.
- Dropping public defenders from subsequent sessions. They had demanded to speak with TP participants in private (i.e., separate from other officials, session presenters and observers). The subcommittee concluded that this was disruptive of the session process and inconsistent with the program's goals.
- Increasing of the age criterion of TP participants to 35 years.
- Adding a "job fair" after the service provider presentations. This job fair would allow the offender-participants to visit with the service providers to gather more information on their services.
- Eliminating urine tests, and making arrests only if absolutely necessary. These activities required many additional personnel, and were considered to be contrary to the spirit of the TP session.

#### Activities Between Session Two and Three

The community outreach and media specialist who had arranged media coverage of the second session began attending the subcommittee meetings, but otherwise subcommittee attendance decreased significantly after the second Turning Point session. For example, the first meeting after the second TP session was intended to discuss the session's successes and areas for improvement, but feedback was limited due by low attendance. On a positive note, informal subcommittee opinion leaders who had emerged throughout the planning and implementation of the TP initiative continued to be highly involved and completed the necessary tasks and procedures to keep the program on track. In addition, a Probation Officer and the District Attorney's Office community liaison also became very involved in the program at this time.

Experiences with the second intervention led to further refinements of the program model.

- Altering the order of session presentations and including new activities. The session was changed to begin with the stick message, representatives from the

service providers, the community, prosecutors, and probation officers. These breakout meetings would focus on what it would take to change their behaviors; these would be designed using motivational interviewing techniques. The intervention would end with a “job fair” focusing on jobs and education.

- Increasing emphasis on stick messages and job support. Several members of the subcommittee expressed concern that the stick component had become underemphasized, and that services should focus on jobs rather than treatment because the latter is normally offered to the offenders through regular probation services.
- Including a new questionnaire activity. The subcommittee developed another questionnaire to be used as an intervention similarly to the Write Your Obituary. This second questionnaire, Stop & Think, encourages TP participants to consider the effect of their criminal behavior upon their families. Both of these questionnaires, along with the provider contact forms, are turned in at the end of the session.
- Developing a service provider list. A comprehensive service provider list is included in packets provided to each TP participant.
- Establishing a Wall of Fame/Shame. The subcommittee designed a “Wall of Fame/Wall of Shame” where pictures of previous TP participants are displayed. Those who have been successful in meeting program goals are posted on the Wall of Fame, while those who have violated conditions of supervision or committed new crime are posted on the Wall of Shame.
- Providing Certificates of Participation. These will be given to participants upon completing the TP session.
- Implementing participant surveys. The research partner will administer a survey of participants concerning their perceptions of the TP session. Also, a survey regarding their goals and challenges is given to each participant to complete and return to their supervising Probation Officer. The survey is designed to help the PO to assist the participant in turning his life around.
- Renaming the program. The subcommittee renamed the program “Turning Point,” to emphasize its intent.

#### *Activities Between Sessions Three and Four*

By July 2003 a stable and engaged subcommittee membership had emerged. It was comprised of State District Attorneys, a United States Attorney, State Probation/Parole Officers and supervisors, the media consultant, and a member of the research team. However, soon after the third intervention in August 2003, significant changes in the subcommittee occurred. Reasons for turnover ranged from reported burn out, time constraints imposed by other work duties, and retirement. For example, the district attorney who had emerged as a key group leader withdrew from the subcommittee due to time constraints, and soon another of the district attorneys retired.

However, a new prosecutor joined the group, as did the law enforcement coordinator from the US Attorney's Office. Also, another supervisor from the probation and parole office became involved.

The addition of the law enforcement coordinator from the US Attorney's Office was of particular significance. His inclusion was timely in that the subcommittee had become discouraged and burdened by the additional tasks they had taken in support of Turning Point (in addition to their ongoing job commitments). Although he assumed the role vacated by a previous core member of the subcommittee, his participation resulted in more time and resource investment from a key SACSI partner agency.

Another consequence of subcommittee turnover was that the two remaining original members were cast in the role of "trainers" for the new members. This caused them to take stock of the program, consider its larger role in the response to violent crime in the community, and adopt a broader perspective concerning Turning Point. In summary, while the membership of the TP subcommittee has changed significantly the lessons learned from early experience have not been lost and new members have helped to situate the program in the larger context of other SACSI initiatives and the broader community response to violent crime.

The third session inspired additional changes to the program design. The subcommittee members noted that placing the service provider visits (job fair) at the end allowed TP participants to speed through that portion in order to leave the session sooner. The format was altered to have the District Court Judge present closing comments so that the participants would take more time to gather information from the provider groups. In addition, the crime victim presenter who delivered a very hostile message at the previous intervention was advised to make a more constructive presentation.

An issue arose concerning the selection of participants. This third participant cohort was quite diverse in their offense histories (see Table XIII.2) and many participants expressed confusion over why they were invited. The subcommittee decided to implement the original selection criteria, i.e., that the research partner would ensure, through identification by the State Corrections Department, that potential TP participants met the violent offense history and other selection criteria. From among these potential participants, Probation Officers were asked to indicate those offenders who are "teetering" on the brink of re-offending or violating conditions of probation. From the resulting list of probationers both meeting program criteria and referred by POs, the research team randomly selected probationers into the participant and control groups.

#### Activities After Session Four

Participant attendance at the fourth session was compromised due to a last minute change in its location; not all of the 45 invited participants were notified of the change. The victim speaker was not able to participate at the intervention, so an ex-offender employed by one of the service provider groups was asked to fill in. She was so well received that the subcommittee decided to include her in future interventions and eliminate the crime victim presenter role. The subcommittee members identified other presentations that



reflected the intent of the program and were well received by participants. The media consultant offered to coach the speakers on the content and style of their presentations.

It was apparent from some participant feedback that they had expected the program to be a reward for doing well. The subcommittee suggested that the Probation Officers explain the TP program in more detail so that participants would not be surprised by the session's content. The subcommittee also suggested that the service provider participation be expanded to include money management and recreation service providers in future sessions.

By this time, however, the subcommittee agreed that the sessions had evolved into an engaging and effective program of activities and that only minor changes were likely to be needed in the future. As such, members of the subcommittee judged that outcome assessments of the fourth and following cohorts would best represent the program's future efficacy. The next session was scheduled for August 2004.

### ***Program Intervention: Follow-up.***

As noted earlier in this chapter, several activities after the TP session were proposed in the original design and its refinements. These include:

- Post-session interviews. Members of the research team, to determine participants' satisfaction with the session and what changes they might like to make in their life, conduct these interviews;
- Follow-up meetings between Probation Officers, participants and their family. Meetings are intended to identify needs for service and to motivate the participant and their family to invest in pro-social behaviors;
- Delivery of services. Providers and speakers attending the TP session address needs determined at the session and in the follow-up meeting;
- Case management. A case-manager residing in the Probation Office facilitates service delivery and makes sure the participant is maintaining their treatment/service plan;
- Increased compliance monitoring. Probation Officers more closely monitor that the participant was in compliance with conditions of probation and not engaging in subsequent criminal behaviors, and
- Justice system intervention. Swift and sure intervention by Probation Officers, prosecutors and the Court with TP participants that violate/recidivate, consistent with the message presented in the TP session.

### **Post-session Interviews**

Post-intervention interviews serve two purposes: to ascertain the participants' opinions about the Turning Point session, and to determine what their needs are in order to turn their lives around. Several open-ended questions are posed concerning changes they

might like to make in their education, employment, family, and social circumstances, as well as their leisure activities and compliance with the law. They are also asked what would help them to make these changes.

TP participants mentioned several issues that, if addressed, would increase their likelihood of improving their lives and sustaining a conventional lifestyle. These include the lack of affordable housing, limited access to mental health care and medication, problems with family/relationships (including paternity issues, pregnancy, day care, custody battles, and interpersonal difficulties with ex- and current partners), financial hardships (including money/debt management and lack of car insurance), limited employment opportunities, barriers to educational and vocational training (including jobs that will accommodate a class schedule), and limited transportation options.

These data contribute to the identification of treatment needs and to guide service provider selection. The post-session interviews have also assisted the subcommittee in refining their list of service providers invited to the Turning Point sessions. The subcommittee has identified two issues that will be addressed in the next Turning Point session: financial difficulties, and recreational and leisure activities. Concerning the latter issue, participants expressed concern about how to stay away from old criminal friends and associates, and how to find “new legal hobbies.” Subcommittee members asserted that developing pro-social recreational and leisure activities may prove to be an effective path to mainstream behavior.

At the same time, the subcommittee is seeking ways to incorporate services that speak to other needs in upcoming sessions. Some providers that are already in place may be able to provide other types of service needs identified by participants. Fortunately, many are already equipped to meet these needs.

### *Follow-up Meetings*

To this point, the follow-up meeting has not been implemented, due to resource limitations.

### *Delivery of Services*

Close monitoring of service delivery has not been tracked. Post-session interviews indicate that most areas of need are being addressed. A few remain to be implemented, but have been planned (i.e., recreational and financial needs).

### *Case Management*

The subcommittee would like a case manager strictly assigned to the TP participants. Funding seems to be an obstacle to implementing this part of the design. This case manager should be responsible for tracking the participants progress in obtaining services, education, training, etc., as well as providing support and focus for the offender to turn his or her life around.

### Compliance Monitoring

Due to already high caseloads, the POs are unable to devote additional monitoring efforts towards the TP participants.

### Justice System Response

The research team has encountered much difficulty in arranging data collection procedures from the judicial system. The team continues to pursue data resources to ascertain compliance with conditions of probation as well as the process of revocations regarding TP participants.

## **Outcome Evaluation**

Successful outcome assessments compute the degree to which program goals and objectives have been achieved. This is usually measured by comparing the improvement achieved by program participants, relative to a similar group of probationers that have not participated in the program under evaluation. In the case of the Turning Point initiative, the research team determined the satisfaction of both the participants and the providers/speakers with the TP sessions and its immediate impact on them. The team aimed to measure the program's effect on participant's achievement of short-term, intermediate, and long-term goals, relative to the success of comparison and control group members. Specifically, we sought to determine the degree to which the TP initiative was responsible for change in:

- Services provided to participants.
- Monitoring by Probation Officers and others.
- Violations of conditions of supervision.
- Criminal recidivism.
- Justice system response to participants who violated conditions of supervision or committed new crimes.

### ***Satisfaction With and Impact of Turning Point Sessions.***

#### Participants' Perceptions

During the post-session interviews, conducted within three weeks after the session, participants who attended the third and fourth TP sessions were asked to rate each presenter, the writing activities, and the session as a whole. Respondents were also encouraged to explain their ratings, and indicate whether they believed TP would help them to become law-abiding citizens.

Participants rated each presenter and activity on a scale of zero (poor) to three (excellent). As noted in Table XIII.7, some presentations were made at only one of the sessions. Among those made at both sessions, the presentations made by ex-offenders, service providers, and the police officer were rated most highly, while the presentations made by the Probation and Parole Officer, a particular neighborhood association representative, and the United States Attorney received the less favorable responses. The writing activities received the lowest ratings, on average.

The immediate impact of the session on TP participants was determined by assessing their relative agreement with three items: “The people from the agencies that were at the meeting want to help me succeed,” “The purpose of the meeting was just to punish or threaten me,” and “I would recommend Turning Point to other probationers or parolees.” Respondents answered these questions on a scale from 1 to 5, ranging from strongly disagree to strongly agree.

Table XIII.7  
Offender Post-Intervention Interview Results

	Cohort 3	Cohort 4
Ex-offender	2.5	2.8
Probation/Parole Supervisor (MC)	2.0	2.3
Police Officer	2.5	2.5
Family Member	2.6	N/A
Neighborhood Associations	2.2	2.5
USAO	2.4	2.2
DA	N/A	2.0
Adult Parole Board	N/A	2.1
Judge	N/A	2.9
Service Providers	2.7	2.8
Written Assignments (Write Your Obituary/Stop&Think)	1.7	2.0
Police Chaplain	2.6	N/A
Would recommend Turning Point to other probationers or parolees.	4.1	4.5
The People from the agencies that were at the meeting want to help me succeed.	4.2	4.2
The Purpose of the meeting was just to punish or threaten me.	2.0	2.2

The respondents’ explanations of their ratings were also illuminating. Session 3 participants were struck with the presenters’ sincerity and genuineness, as well as what the message meant to them personally. Regarding the family member who spoke, an offender referred to her presentation as “pretty deep”. Another noted, “she made the best of a bad situation...she didn’t go down with him.” The police chaplain’s presentation was considered to be especially genuine. Typical responses referred to him as “sincere,” stated “he was not there to preach,” and noted that he “didn’t contradict himself.” Sincerity was also mentioned regarding the police officer, in that he was “straight up” and “wasn’t putting us down.”

Respondents who attended the fourth session agreed that the highly rated presenters were quite sincere. They expressed regard for the judge, the ex-offender, and the police officer. One offender stated of the judge, I “respect that man.” Several recalled the specifics of his presentation; one offender paraphrased the judge saying that he gathered from him “we have the power to live our life as long as we don’t abuse others.” Another paraphrased him saying “if you want to give up that power, then screw up and give it to someone else.” Another offender explained that the ex-offender made him think of the trauma suffered by his son and made him want “to turn my life around.” To others she

represented an example that one can turn their life around. One offender expressed gratitude that “the police want to help” and surprise that “he’d really help you.” Another offender, commented on his speaking abilities, replied that the officer “got his point across.”

Many respondents in both cohorts indicated that the program reinforced what they already knew, or would help to get them/keep them on the right path, by mobilizing their own resources and personal strengths. One offender stated “[y]eah it can help me ... but, nobody can change you but yourself.” Another indicated that the program could be helpful, but that he “was already was in the process of turning around.” Still another respondent recalled a helpful, if cautionary, message presented by the federal prosecutor, saying that it reminded him not to be “stupid about carrying weapons.”

Interviews with TP participants also provided information about the types of messages that were not well received. Messages that labeled the offenders as “the worst of the worst” or that indicated they were permanently flawed and not welcome in the community were, not surprisingly, ill regarded. It is possible that these unpopular messages might have a positive influence on subsequent behavior, but some of the respondents indicated that they “shut down” after hearing these types of messages and were inattentive to many of the subsequent presentations.

#### *Presenter’s and Service Provider’s Perceptions*

Opinions of the twelve professionals who participated in the fourth TP session were also solicited. Self-administered mailed survey instruments were distributed, and one-third were returned. Although the return was low, the responses were favorable to the program. Professionals indicated the program seemed “somewhat motivating,” and that the mix of messages was “the right amount”. The subcommittee will continue to send the surveys after each session as a method of seeking information from presenters and further engaging them in the TP program.

#### ***Program Effect on Service Provision and Compliance Monitoring.***

##### *Delivery of Services*

At this point, no information is available concerning the effect of the TP program on delivery of services to participants. This portion of the research has been hampered by the fact that Probation Officers have not apparently tracked the services provided to those on their caseloads, other than those mandated by the court as conditions of probation. Due to large caseloads, the subcommittee has determined that it is unlikely that POs will be able to provide this information concerning participants. The subcommittee has suggested the creation of the position of case manager to arrange services and determine if the participant is in fact receiving them. However, lack of resources has prohibited the hiring of a case manager for the program. It is conceivable that some participants voluntarily sought services from agencies they became aware of at the TP session, but no records have been kept or reports made by POs to suggest that this is the case. Thus, it is not possible to determine if the program has had any effect on the delivery of services to participants.

### Compliance Monitoring

In spite of the message provided in the TP session, there is no evidence to suggest that participants receive closer supervision or monitoring concerning their compliance with conditions of supervision. This is also attributed to the lack of resources and large Probation Officer caseloads.

### ***Program Effect on Compliance with Conditions of Probation.***

The research team is working with representatives of the Corrections Department to determine what data resources may exist that would inform the changing supervision statuses and compliance of participants. At first examination it seems there is not a readily available data source to track this information.

### ***Program Effect on Criminal Recidivism.***

Arrest records compiled by law enforcement agencies in the service area were consulted to determine the relative effect of the program on criminal recidivism. Results are presented in Table XIII.8. As noted there, recidivism rates have been collected at six-month (180 days) intervals, from the date of the TP session in which each cohort participated. Since the initial comparison group was constructed following the second session, recidivism was determined from that date.

At this point, the findings must be considered preliminary in nature, and should be interpreted cautiously. First, many of the data for the four cohorts and comparison groups are not available, given the short time since the TP sessions were held, and delays in arrest data availability. Second, the original research design includes two analytical approaches: measurement of recidivism at six- and twelve-month intervals, and a continuous survival analysis. However, given the desire of the subcommittee to know of the effect of the program on re-arrest, this preliminary analysis was conducted for a six-month period to provide them with some feedback until sufficient data are available to complete the original design.

The most reliable finding to this point is that at 180 days after the TP session, recidivism (a dichotomous variable representing if an offender has been arrested for a new crime) among members of the first three cohorts (14.9%) is similar to that of the comparison group (16.0%). However, there is considerable variation in recidivism rates between the three cohorts. Given the small cohort sizes, it is not possible at this point to reliably explain this variation.

Table XIII.5  
Recidivism by TP Participant Cohort

	Total N	Recidivism at 180 Days Post TP Session	
		N	%
TP Cohort 1	21	1	4.8
TP Cohort 2	26	8	30.8
TP Cohort 3	40	4	10.0
Cohort 1 to 3 total	87	13	14.9
Comparison group	50	8	16.0

***Program Effect on System Response to Violators and Recidivists.***

The research team is continuing to pursue these data resources and systems; the District Attorney's office has recently undergone a computer systems change that may have impacted the data system personnel's available time to work with the research team. Regardless, the research team is presently pursuing these data through other means.

**Impact Assessment**

Impact assessment consists of research to determine the relative effect of the program on a group larger than those who are the direct recipients of program services. With Turning Point, this type of assessment could determine the program's influence on the reduction of violent crime among probationers, and in the Albuquerque service area as a whole.

At this time, there is no evidence to suggest that the Turning Point program has had a positive impact on the re-arrest of probationers with violent histories. This conclusion is reached on two accounts. First, as noted in the previous section, the program's effectiveness has not been definitively assessed, and preliminary results indicate only a modest positive effect on participants. Second, the program has enrolled only 109 participants since its inception in 2002, a relatively small proportion of violent offenders that have come under probation supervision during that time. This implies that if the program is to have a significant impact it must demonstrate an increasing effect on participants and serve more probationers that meet the program criteria.

As discussed in Chapter IV, the Albuquerque service area has experienced an overall reduction in violent crime rates since 2002. However, given the relative limited effectiveness and small service population of the TP program, it is not likely that the observed reduction of crime in the community can be attributed in significant degree at this time to the program.

## **Summary, Discussion and Recommendations**

### ***Summary.***

Turning Point is a program that targets violent repeat felony offenders who are under community supervision as probationers and probationer/parolees in the Albuquerque area. Planning for the Turning Point program began in February 2002, based on similar models developed in earlier SACSI sites and other communities. A planning subcommittee consisting of representatives from Probation and Parole, the District Attorney's Office, law enforcement, the United States Attorney's Office, and the research team guided the development of the program model. The model relies on positive (carrot) and negative (stick) messages to program participants to produce greater compliance with conditions of probation supervision and lower rates of criminal recidivism among participants, and improved public safety in the community.

The original TP program model has been refined since its inception. It consists of an initial TP session, in which representatives from neighborhood groups, criminal justice and service provider agencies and others present information to the participants. The participants engage in completing educational and sensitizing questionnaires and meeting service program staff. The model also entails follow-up meetings with Probation Officers, service delivery from selected providers, close monitoring, and rigorous response to probation violators/recidivists. To this date, the only portion of the TP program that has been fully implemented is the initial TP session. This session has been administered to four cohorts of probationers, beginning in September 2002.

### ***Discussion.***

#### ***Development and Implementation of the TP Model***

We conclude that the Turning Point program is, at this point, an initiative that has shown promise but has yet to reach its full effect in promoting public safety in the Albuquerque service area. The program has been successful in implementing SACSI's basic principles of multi-agency cooperation and reliance on research. Turning Point began with a review of relevant programs in other communities, and technical support provided by NIJ staff and other SACSI participants. The subcommittee used local criminal justice data to make critical decisions in contextualizing the model to fit the target population and local service area. Primary among these decisions was that of using a client-focused approach rather than an area-specific one. Given the many but small crime hotspots in Albuquerque, the dispersion of probationer's residences, mobility of the citizenry, and that probation officers do not have their case loads geographically defined, a client-focused approach seems to be a reasonable one for the program.

TP has realized the core SACSI principle of multi-agency collaboration. Law enforcement, prosecution, court and corrections professionals actively participate in the planning and implementation of the program, particularly in the TP sessions. As with many programs, TP has "survived" the initial enthusiasm of the original planning subcommittee, has weathered a period of transition in membership, and has found a stable group of core members committed to implementing the model. Particularly



significant were the addition of the U. S. Attorney's law enforcement coordinator and other experienced members of the criminal justice community after the third TP session.

From an organizational perspective, Turning Point progressed through several stages of development, which can be generally described as problem identification, planning for organizational innovation, resource planning in support of innovation, implementation of a pilot model of the innovation, and refinement of the model based on experience with the pilot implementation. At this time, Turning Point verges on routinization of the TP sessions, as they have changed little since the third session. Other aspects of the program that follow the session are less well developed, however.

However, while the program has progressed important challenges to its success remain. Most significant are that major components of the model have not been implemented, including the follow-up meetings of the participant and family with probation officers, three-month post-session meetings, close case monitoring, oversight of service provision, and no-tolerance responses by corrections, prosecution and the court. As it is, Turning Point consists of a one-shot conditioning program, with possibly some unsupported service delivery for self-motivated offenders. Program assessment literature consistently demonstrates that this approach is not particularly effective in producing desired attitudinal and behavioral change among offenders, or any other client populations.

Members of the subcommittee point to a lack of resources, in various forms, as the cause for an incomplete program implementation. For example, the subcommittee's plan to track service needs and utilization providers was to hire a Case Manager. To date, there has been no money allocated from PSN or agency budgets to support this position. As another example, there has been little or no follow-through from Probation Officers in providing closer supervision of participants. Similarly, communication with the research team had been scarce concerning participant status when sought by the research team after TP sessions one and two. Officers and supervisors point out that large caseloads and bureaucratic responsibilities prohibit them from focusing additional human resources on the cases. Other administrative tasks such as the compilation of agencies that provide money management services, and preparation of certificates of participation have been slow in development by the subcommittee, also apparently because of lack of human resources.

The most obvious example of how limited resources are an obstacle to program implementation, and likely to impact, is the infrequency with which the sessions are scheduled and, hence, the number of probationers that participate in Turning Point. When the program was initially planned, monthly TP sessions were proposed, on the grounds that this frequency was needed to reach a substantial proportion of eligible probationers and thus impact the risk they pose to the community. Resource limitations resulted in a plan to hold sessions on a quarterly basis. By the time the first session was held, session frequency was reduced to one every four months. The subcommittee has recently determined that there were not sufficient human resources to maintain this schedule, and have implemented semi-annual sessions. The subcommittee has also expressed apprehension over the availability and commitment that could be maintained from the speakers who have presented. The continued involvement of the most dynamic speakers is especially concerning.

### *Program Effectiveness and Impact*

It is too early in the program's implementation to estimate its effectiveness or impact. While over 100 probationers have attended the TP sessions, and anecdotal feedback suggests that some of the speakers at TP sessions have impact on the thoughts and feelings of participants, too little time has elapsed to statistically determine the program's effectiveness in reducing violations of conditions of probation or recidivism. Further, the program has not matured to the point that a summative outcome evaluation is appropriate. Various program components have not been implemented thus far, and even the most developed parts are just beginning to be finalized and implemented in a consistent manner that would justify the pooling of outcome data across participant cohorts.

In terms of program impact, however, it is unlikely that the program will have a positive influence on public safety in the service area unless substantial changes are made. Even assuming the development of an effective program model, it must begin to involve more participants for it to have an impact among violence-prone probationers. Further, since only a portion of firearm-related crimes are committed by those who are, or have been, on probation and meet the criteria for inclusion in the program, Turning Point would have to practically saturate the target population to result in a discernable reduction of violent crime in the service area.

### ***Recommendations.***

#### *1. Implement All Aspects of the Turning Point Model*

Several components of the refined Turning Point model have not been implemented to this point. While a great deal of attention has been given to the admittedly most complex portion of the program; i.e., the TP sessions, less attention has been directed to the development and implementation of other aspects. The consequence is that the realized program is essentially an example of one-shot classical conditioning. Given the length and persistence of contradictory criminogenic influences in the TP participant's lives, it is not likely that such an approach will have a significant effect on altering their lifestyles, beyond what has been accomplished by traditional probation supervision consistent with their risk classification. Some form of follow-up is in order; to collect additional information concerning the participant's needs, plan and implement a targeted intervention plan, monitor compliance, and reinforce the messages presented in the TP session. Program-enriched follow-up contacts (i.e., contacts that exceed those routinely ordered as a condition of supervision) could occur in several contexts. They could consist of individual meetings between the Probation Officer and Turning Point client, or could include these individuals as well as service providers and/or family members. Follow-up could also be conducted as group meetings (as in Winston-Salem). Follow-up could combine both individual and group meetings, as well.

#### *2. Maximize Deterrence Through Program Credibility*

TP participants are told that any violation of their conditions of supervision, particularly involving the commission of new crimes, will be dealt with in a swift and severe manner.

To maintain the credibility of the program and thus deter undesired behaviors, the program should ensure that violations are detected when they occur, are dealt with swiftly, and in a manner harsh enough to deter the offender (specific deterrence) and other participants and probationers that become aware of the violation (general deterrence). Since many violations are not detected by routine probation supervision or result in speedy and severe consequences, the TP program needs to develop specific plans for enhanced surveillance and zero-tolerance responses to violations. These plans are likely to enlist law enforcement, probation, prosecution and court personnel.

### 3. Address Human Resource Issue

The common reason proposed for the lack of full program implementation is lack of resources. Follow-up (carrot) services cannot be provided because of the lack of a Case Manager. Increased deterrence (stick) activities cannot be implemented because of overwhelming workloads experienced by criminal justice personnel. These resource challenges, while very real, might be addressed in several ways. One would be to generate additional resources. These could come from federal PSN funds, since other direct services (i.e., law enforcement activities in support of the Targeted Patrol initiative) have been supported in this way. Other federal formula or block grant resources might be used to support this position, as well. Funding from state and/or local government agencies could also be sought. To this point, no systematic effort has been taken to seek additional resources.

Another approach to support both the Case Manager position and additional human resources to support deterrence monitoring and intervention is to reallocate resources within participating agencies. The estimated number of active program participants (i.e., number participating in TP sessions, less those removed from probation supervision through completion of sentence, re-incarceration, or extraordinary discharge) is dependent on, among other things, the frequency with which TP sessions are held. This estimation has not been determined, but cannot exceed the number of probationers in the service area that meet program criteria. At the moment, the number of active participants is less than one hundred. Probation has a program of intensive supervision, and a step-wise determination of risk and monitoring. One approach to increase surveillance is to add TP participants to the caseloads of Probation Officers conducting intensive supervision. A second approach is to raise their level of supervision in the step system based upon their inclusion in the TP program. A third approach is to conduct unannounced home visits, similar to the Night Light program originated in Boston and emulated in several communities including Albuquerque. This approach requires the shared participation of law enforcement and probation personnel, consistent with the SACSI philosophy of multi-agency cooperation. Another approach is to distribute TP lists, similar to VIPER lists, to law enforcement personnel. Given that TP enrolls considerably more participants than those on the VIPER list, TP lists might be restricted to particular law enforcement area commands where the TP participant lives or is likely to spend time.

#### 4. Improve the Sharing and Use of Critical Information

The response to TP participants who violate conditions of parole or commit new crimes is less of a resource issue and more of an informational one. Revocation hearings involving TP participants for new crimes would not add to the court's caseload, since they would have to be conducted in any case. It is possible that a zero-tolerance policy for other violations would slightly increase the number of hearings, but this would not appreciably increase the large number held in the District Court each year. Rather, the challenge for the program to maximize its deterrence effect and credibility is to actually have prosecutors and judges rigorously implement the strict policy for violators described at the TP sessions. Subcommittee members have oriented judges and prosecutors to the TP program, but it is unclear if they know which cases involve TP participants, and if they are willing to implement this aspect of the program model. Efforts should continue to fully engage this portion of the program model.

#### 5. Maintain and Expand Research Activities

As more participants enter the program and additional components are implemented, assessment research should also be expanded. Further, research should be conducted using Probation and Parole Department and law enforcement data to assist in planning new directions for Turning Point. For example, qualitative and anecdotal information suggests that probationers with lengthy criminal histories and/or histories of long periods of incarceration might be resistant to the strategies used in the program. Analysis of outcome data should allow the research team to determine if this is a valid concern and, if so, suggest changes in the intervention or participant selection criteria. Research could also support planning of a geographically specific approach, such as the community notification meetings used in other SACSI sites. Such meetings might support other spatially limited efforts such as Targeted Patrol and proposed tactical efforts in law enforcement area commands such as those contemplated as part of a refined Incident Review approach.

#### 6. Expand the TP Program to All Eligible Probationers

This recommendation should not be acted upon in the short term. The program should first be fully implemented. Sufficient research information should be produced to determine the program's effectiveness should be generated, and the program should be refined as necessary. Finally, resource issues should be addressed. At this point, however, if the program is to have a reasonable impact on community safety, it should be expanded to serve all eligible probationers.

## **CHAPTER XIV SUMMARY**

### **Introduction**

The Strategic Alternatives to Community Safety Initiative (SACSI) was established by the U.S. Department of Justice in 1998. SACSI was a coordinated effort to reduce and prevent firearm and firearm-related violent crime. The initiative was notable for its innovative organization and approach, in that it relied upon a core group of decision makers in each SACSI service area. Local, state and federal law enforcement personnel, as well as service providers and representatives from the community, were formed into working groups for each site. The working groups were responsible for implementing new approaches to dealing with crime in each SACSI service area. Each working group was supported by the U.S. Attorney's Office (USAO), which was charged with the responsibility of facilitating and coordinating the working group's efforts. The USAO also provided resources to local violence reduction strategies, and served as a member agency in the working group. A research partner supported each working group by providing information concerning general crime patterns in the community, more focused analysis in support of strategic and tactical planning, knowledge concerning best practices for reducing gun violence, and assessment of local efforts to deal with violent crime. Ten cities were selected as SACSI sites; the first five were funded in 1998, and the second five (including Albuquerque) were funded in 2000. From the perspective of the research partner, this report describes SACSI in the Albuquerque service area, which consists of Bernalillo County, New Mexico. Of particular note is the development of the working group and various project initiatives in the community. Also highlighted are findings of research about criminal activities in the community, criminal justice responses to crime, and assessment of local SACSI initiatives.

### ***Causes of Firearm-related Violence.***

Local efforts in Albuquerque were informed by the literature on gun violence and promising interventions used in other communities. Much literature suggests gun violence is associated with structural disadvantage and its consequences (i.e., limited opportunities, violent subcultures, personal strain, deteriorated neighborhoods, weakened community ties and limitations in the ability of the neighborhoods to engage in social control). Homicides, the majority of which result from gun violence, are concentrated in urban areas with high poverty and unemployment rates, high population density, low home ownership, and high rates of vacant property. The link between structural disadvantage and gun violence is relevant to Albuquerque, which rates at or above the national average on virtually all measures of disadvantage.

Young minority males commit, and are victimized by, a disproportionate amount of firearm violence. African-American males between the ages of 15 and 24 represent the demographic group at highest risk for involvement in gun violence and homicide. The overrepresentation of minorities in this group is striking, with blacks being 5 times more likely than whites to be arrested on a weapons charge. Of particular relevance to Albuquerque is the fact that, like blacks, Hispanics are also at disproportionately high risk for involvement in firearm violence. The gun homicide rate for Hispanic males

between the ages of 18 and 29 is about seven times the rate for white males in the same age cohort. One explanation for the disproportionate involvement of minority male youth in gun violence stems from lifestyle/routine activities theory, which suggests that violent offenders and victims of violence represent a group of individuals engaged in a lifestyle that puts them at increased risk for involvement in violence. Victims and offenders are drawn from the same group, and most victims and offenders involved in firearm incidents have a prior criminal record. In fact, by some estimates, males with a prior record are 22 times more likely to incur a firearm related injury than males who have no criminal record.

Gun violence among youth appeared to be on the rise at the time that SACSI was established, with juvenile arrests for weapons law violations doubling between 1987 and 1993. Moreover, gun homicides by juveniles tripled from 1983 to 1997, while homicides involving other weapons declined. Inner-city youth gun violence is commonly attributed to the explosion in the crack-cocaine market, but researchers have also identified a culture of fear in urban areas, leading otherwise law-abiding youth to carry firearms. Thus, some youth violence is reactive to high levels of aggression and homicide.

While the structural- and individual-level correlates and causes of gun violence differ little from those of violence in general, gun violence does appear to have some unique situational elements that distinguish it from other forms of violence. Homicides can be viewed as situated transactions, in which the dynamics of the interchange between those involved are as important (if not more important) than any structural or individual level influences. From this perspective, firearms can be viewed as crime facilitators in aggressive interchanges and, if available during such an interchange, guns are likely to be used. Such findings also suggest that, among other things, an effective gun violence reduction initiative must interrupt the flow of illegal firearms.

### ***Gun Violence Intervention Strategies.***

The Boston Gun Project was the impetus for many of the initiatives adopted by SACSI sites. Boston mobilized a multi-agency working group and incorporated research activities to combat the city's gun violence problem. They implemented several community-based initiatives, i.e., Operation Nightlight and Lever-Pulling. Operation Nightlight paired police officers with probation and parole officers to conduct random visits with probationers and parolees to ensure they did not possess drugs or firearms. This approach was used in Albuquerque prior to the advent of SACSI. Lever-Pulling provided high risk individuals with a "carrot" and "stick" message. At regularly scheduled lever-pulling meetings, members of the community, social-service agencies, and law enforcement tell them that their violent ways will not be tolerated and that the weight of the criminal justice system will be mobilized against them if they continue to engage in violent acts. However, this initiative also provides a choice in life by introducing them to opportunities and resources to help them reform and lead a law-abiding lifestyle.

Several other community interventions were considered. Project EXILE was developed by the USAO in Richmond, VA with the goal of federalizing the prosecution of felons in possession of a firearm. USAOs throughout the country, including that in Albuquerque,

adopted Project EXILE before the beginning of SACSI. Regularly scheduled Incident Review was another innovative program examined by the research team and working group. Other SACSI sites utilized incident reviews to discuss the current violent incidents, and plan tactical and strategic responses to reduce future violence. Other initiatives, ranging from Environmental Design to Community Policing, were reviewed and information gathered was used to plan pro-active initiatives in Albuquerque.

### **SACSI Activities in Albuquerque**

Albuquerque was an attractive SACSI site since it was the only SACSI site in the Southwestern United States, which allowed for the collection of information concerning a unique demographic population and ecological region. The area has a historical reputation of high rates of firearm ownership, popular support of Second Amendment rights, and lenient penalties for violation of firearm regulations. It also had little history in structured multi-agency criminal justice collaboration, relative to other SACSI sites. While on-going collaboration might have accelerated the working group's coalescence, it could have also resulted in SACSI's assimilation into a more general interagency justice partnership and the loss of its unique approach. Also, practically no sustained multi-agency, community-based justice strategic initiatives existed at the time SACSI was implemented. While other SACSI sites were able to quickly begin interventions by bundling together existing initiatives, Albuquerque had the potential to develop new efforts to address firearm-related crime based on research findings. Finally, rates of firearm-related and other violent crime in the Albuquerque service area, and the state as a whole, were well above national averages. As a result, it was an area where the need for intervention was great, and effective interventions could produce discernable results.

#### ***Early Activities.***

In January 2001, NIJ conducted a one day orientation meeting in Albuquerque for members of the local working group, which conveyed SACSI's mission and innovative practices used in other sites. The training was immediately followed by a meeting of second wave sites, where the Albuquerque team benefitted from technical assistance provided to all of the new sites. The local working group did not meet again until April, but the research team began operations, including discussions to acquire criminal justice data. Meetings were also held between the research team and the Project Coordinator.

Beginning in April 2001, the research team facilitated quarterly working group meetings. It was clear that information gained at the initial training and orientation meetings had not been disseminated to other agency professionals, a situation that has persisted throughout the project. As a result, much of the time in the April meeting, and those that followed, was spent in providing orientation about the Initiative and local activities previously undertaken. The research team did, however, present macro level offender, victim and crime episode information to the working group at the April meeting.

During the next working group meeting, held in July, researchers expanded their presentation to include spatial analyses and crime maps, identifying crime hotspots in the community. They also presented information concerning innovative community policing practices employed in Boston and in other SACSI sites. In August, the research team

leaders traveled to Rochester, NY to observe the Police Department meetings and to consult with the researchers concerning their Grand Homicide Review. This information was reported to the working group in a general meeting held in October.

### ***Planning Local Initiatives.***

A challenge facing the Initiative was translating research findings into specific local initiatives. That is, while the research team had identified high risk groups, crime patterns, and neighborhoods that experienced violent crimes on a relatively frequent basis, the working group was not using this information to formulate promising and feasible interventions. The lack of progress in tactical and strategic planning undermined some participating agencies' commitment to the Initiative. A two day meeting was held in Albuquerque in February 2002 to address this problem. In discussion with NIJ and other site leaders, the working group committed to adapting Lever-Pulling, Targeted Patrol, Monthly Incident Review, and VIPER initiatives to the local site. In addition, the group agreed to review Project Exile to see if it could increase its effectiveness. Finally, the group agreed to conduct a Grand Homicide Review. The Review was conducted in April. It was successful in producing greater participation in local planning activities.

In late April, the research team convened a meeting of working group members to discuss each of the initiatives, and to construct planning subcommittees. Representatives from the USAO and the research team sat on each subcommittee to facilitate their efforts. Subcommittees met for three months, and were asked to produce an implementation plan.

### ***Implementing Local Initiatives.***

By the summer of 2002, the VIPER, Monthly Incident Review, and Lever Pulling (renamed Turning Point) committees were reconstituted as operating groups for each initiative. The Project Exile group continued its work. The Targeted Patrol committee struggled for some time to develop a feasible plan, hampered primarily by the lack of human resources necessary to carry out the initiative. As a result, their plan was not fully developed until the Spring of 2003, and it was not implemented until that summer.

After the initiatives became operational, the working group's energies were directed to managing them. Most interagency collaboration occurred in group meetings. Still, the level of communication and knowledge concerning the local initiatives, and SACSI as a whole, was an ongoing concern. Meetings of the entire working group were sporadic and interest in the Initiative flagged. Members felt uninformed of new developments. Communication between the USAO and the Project Coordinator was less than optimal.

The Principle Investigator and Project Coordinator agreed to meet weekly to discuss new developments in the project. This small meeting grew rapidly to include other local, state and federal justice professionals. With the advent of Project Safe Neighborhood (PSN), the Project Coordinator changed the meeting schedule to semi-weekly and invited a number of other people to attend. These became PSN working group meetings, currently the primary means of interagency communication and collaboration.



## ***Multi-Agency Collaboration.***

### **Leadership and Structure**

While there were few formal collaborative structures prior to the SACSI initiative in Albuquerque, professionals had engaged in several joint crime fighting and community policing efforts. Also, many justice professionals knew each other well, and might have worked together on such efforts, or as co-workers. The SACSI model suggests that the leadership for the Initiative rests with a local working group. Leadership within the working group has been inconsistent, for a number of reasons. First, not all agencies were represented in the original training or subsequent cluster group trainings, so members had differing levels of knowledge concerning the SACSI approach. Second, agency directors were not consistently aware of the SACSI model, which affected their assignment of personnel to the original working group. Third, the frequency of communication in group settings was low for the first eighteen months of the Initiative. Fourth, there was a high rate of turnover in group membership. There were, however, particular champions of the Initiative that guided the efforts of the working group. The facilitator role was hampered to some degree by turnover in the USAO, until the current USA was confirmed.

### **Communication Patterns**

Communication flowed primarily among those who had prior working and personal relations. People in positions of authority and with broad personal networks among the working group members, such as the SACSI champions mentioned above, served as initiators and loci of the original communication network. The research team quickly became another locus of communication, because they were funded with the expectation that they actively engage with group members and because they had the responsibility to solicit research questions, access data from agencies, and communicate results. Later, the research team communicated actively with professionals as they engaged in assessment research. The team also was frequently engaged with other group concerning facilitating of meetings, producing more understanding of the Initiative, and motivating member engagement.

### **Goal Setting and Decision-making**

The general goals of SACSI activities were defined prior to local implementation. Adaptation of national goals to the local scene was slow in coming, and was never completed in a systematic way. Goal setting at the local level was slowed by lack of awareness of and familiarity with the Initiative's planning approach and its best practices. After many months, more experienced members began to express frustration with the lack of progress. Levels of Satisfaction and Cohesion were rated the lowest, and level of Problems the highest, among all of the SACSI sites by national evaluators. Some members persisted, while others withdrew from the working group.

Meetings in February 2002 stimulated local planning. Coupled with the energy generated from the Grand Homicide Review, a much stronger working group developed in Spring 2002. Participation also increased from lower levels in organizations, in staffing

subcommittees and implementing initiatives. By the Fall of 2002, leadership and decision-making was more broadly dispersed among members of agencies.

Decision making has once again become more concentrated, due to the loss of champions from the working group. Another reason is that when SACSI was replaced by PSN, the nature of the relationship between the USAO and the working group changed, largely because of the manner in which the Attorney General's Office defined PSN. The latter project placed a greater emphasis on justice interventions rather than prevention activities, and created more structured and centralized parameters guiding the project.

#### *Resource Allocation and Utilization*

While SACSI provided resources to support research partner activities, it did not support the planning or implementation of specific crime-fighting initiatives. Instead, SACSI leveraged a tremendous amount of in-kind services from local, state and federal agencies. Some agencies have been more aggressive than others to commit their own resources to SACSI initiatives. Most of the contributions have come through the allocation of human resources to implement specific local initiatives. A consistent challenge was finding local resources to conduct new efforts, when the perception was that traditional criminal justice work was under-funded. Decision-making concerning the allocation of resources was not a major theme in the working group during the SACSI project, simply because there were little or no resources to allocate. With the advent of PSN, a bidding and review process was implemented to assign resources that were not mandated (i.e., gun prosecutors, Project Sentry).

#### *Member Identification With and Participation in Group Activities*

As mentioned earlier, participation among working group members varied considerably. A core group of individuals was highly committed to the success of the Initiative, and participated actively in the working group and subcommittees. They also generously committed resources from their organization in support of SACSI. These individuals were actively engaged with the Initiative until they retired or were reassigned in their agency.

Those who were not centrally involved in the Initiative fell into two categories. Some individuals, often highly placed in their agency, were initially engaged with the working group but became frustrated with its lack of progress and withdrew. Others tended to be less highly placed in their organization and were assigned to SACSI by their superiors. They had little personal interest in SACSI, and knew little about its goals or procedures. They usually attended only a few meetings before being replaced by others.

#### *Relationships Between the SACSI Collaborative and Host Agencies*

As noted earlier, building awareness of the Initiative proved to be a significant challenge. This is partly due to the fact that the SACSI method incorporated elements that were new to participating agencies. Also, turnover in membership limited awareness of the Initiative. Even when the representation from a particular agency was relatively stable, information was not widely disseminated within the agency. Not surprising in such large

and complex organizations, information did not naturally flow throughout the agency concerning SACSI, but was restricted to the subunits that had some engagement associated with the Initiative.

Some activities that did expand the number of informed members of an agency were participation on subcommittees, which often engaged front-line supervisors and some street-level professionals, and participation in actual initiatives such as Targeted Patrol and Monthly Incident reviews. The single activity that did the most to increase awareness among agency personnel was the VIPER initiative. This list was distributed to over 600 criminal justice professionals each quarter. One officer noted that while he had never heard of SACSI, he knew what the VIPER list was for, and had it in his patrol car.

To this point, SACSI and PSN initiatives have not become routinized within participating agencies. That is, these national initiatives have had little influence on agency policies or the ways in which they execute their traditional criminal justice roles. Some minor exceptions to this might be that Exile has continued to increase the number of firearm cases that are referred to the federal system for prosecution, and the Targeted Patrol initiative has tended to include more agencies, when they occur, than was the case when community sweeps were conducted in high-crime neighborhoods prior to SACSI.

### **Trends of Offending in Bernalillo County**

Violent crime rates in Albuquerque, and New Mexico, are well above national rates. As the largest metropolitan area in the state, Albuquerque's violent crime rate exceeds that of the state, and it exerts a major influence on the state's overall rates. While the homicide rate in the US has been dropping consistently since 1993 (and held relatively stable in the last few years), the homicide rate is very unstable in New Mexico and Albuquerque, attributable partially to the small number of cases. In Albuquerque the rate has since hovered between 8.5 and 11.5 per 100,000, but rose to a dramatic high in 1996 at 16.4/100,000 residents. After steady declines, it began to rise again in 2002. The number of aggravated assault incidents rose from 1996 to 1998, but gradually declined since. A large portion of homicides and aggravated assaults involve the use of a firearm.

When examining other violent crimes, we find that New Mexico's annual rape rate is consistently one of the highest in the nation, fluctuating between 40 and 60 incidents per 100,000 residents, as compared to national rates of 30 and about 40 incidents per 100,000. Though the rate did decline some in the mid 1990s, recently it has shown some increase. Historically, local and state burglary and robbery rates are also higher than those in the nation, but Albuquerque's rates have declined in recent years. The burglary rate showed a fairly steady decline in the 1990s, tapering off over the past few years. Albuquerque's robbery rate has decreased significantly. As the rate has declined, New Mexico's rate has approached the national rate.

Spatial analyses indicated that geographically focused firearm violence intervention programs would have limited impact on the local gun violence problem, relative to other communities. Rather, it became clear that initiatives would need to take into account the mobility of Albuquerque's violent offender and victim population, and to focus on violence prone locations (i.e., particular traffic routes or types of residences) that attract

the kind of individuals likely to be involved in firearm incidents.

### ***Homicide In Albuquerque.***

There were 427 cases of homicide, with 570 victims, between January 1996 and August 2003 reported in Albuquerque. 495 individuals either arrested or identified as a suspect at the scene. The majority (58%) of homicides were committed with some sort of firearm. The next most common weapon used was a knife or other cutting instrument (18%), followed by the use of a personal weapon (12%). There has been a decrease in the use of firearms in homicides, but this trend is not significant.

Homicides are most common during the nighttime hours and weekends. Day of the week and use of a firearm were not related, but time of day and firearm use were related. Firearm related homicides are particularly prevalent during the nighttime hours: half of firearm related homicides occur during the nighttime hours compared to 27% of non-firearm related homicides.

Homicide offenders and victims tend to be similar demographically. Offenders and victims are typically young, male, and White or Hispanic. While they comprise a small proportion of the offender and victim population, African Americans are vastly over-represented in homicide offenses, regardless of the use of a firearm. African Americans are more likely to use a firearm during a homicide than other ethnic groups. Native Americans represent the only group of offenders who are more likely to commit a homicide that is not firearm related. Males are more likely than females to commit a homicide with a firearm, as are younger offenders (those less than 24 years old). Females do not appear to have a weapon preference; they are equally likely to use a gun as to use some other sort of weapon when committing homicide. Those between the ages of 35 and 44 are the only group who are more likely to use a different type of weapon when compared to other age categories.

Over time, the proportion of Hispanic offenders has decreased, as has the proportion of offenders in the 18 to 24 year old age group. While weapon type does not appear to have a relationship with the decline in Hispanic offenders over time, there is a relationship with age over time. Specifically, among offenders who use firearms, the proportion of younger offenders has decreased, while the proportion of older offenders has increased.

Most homicides involved a single perpetrator and a single victim. The number of perpetrators and victims involved in an incident is related. Specifically, single perpetrators usually offend against a single victim, and multiple perpetrators offend against multiple victims. When firearms enter into the equation, we find that the number of victims increases, regardless of the number of offenders.

The majority (91.5%) of the homicides involve some combination of adult offenders. In twenty cases (6.3%) juveniles acted with adult offenders. Only 8.5% of the homicides analyzed involved juveniles acting without adults. Juveniles were victims in 16% of homicide cases. They were most likely to die alone or with another juvenile.

Homicide cases in Albuquerque most often occur at residences, streets or parking lots. Those involving firearms occur most frequently on streets, businesses or bars. Residential homicides are more likely to be committed with some other weapon type. Older offenders tend to kill at a residence, while younger offenders kill on the streets.

Case level analysis allowed for distinction among types of homicides. Dispute- and gang-homicides were the most common types of homicide. Gang homicides were most likely to involve the use of a firearm, while other homicide types were more likely to involve the use of some other weapon type. Gang-related homicides are also more likely to occur during the nighttime hours, be committed by males, minorities (but not Native Americans), and have multiple offenders.

### ***Aggravated Assault in Albuquerque.***

According to our analysis of assaults occurring between 1996 and 2003, 30032 assault incidents occurred in Albuquerque, of which 25.4% involved the use of a firearm. Assault incidents are fairly dispersed throughout the city of Albuquerque, although some statistical concentrations can be identified. Most assault incidents occur in private residences, on highways, roads, or alleys, or in parking lots. The majority of assault incidents (except those against school officials) occur in the late evening or early morning hours. As to time of week, the number of assaults increases slightly on weekend nights (Friday through Saturday).

While firearms are used in only 25% of all assault cases, they are used in the majority of aggravated assaults and drive-bys. Firearms are most commonly used in the late evening or early morning, and in assaults occurring in businesses, on highways, roads or alleys, or in fields/woods/mesa.

The proportion of assaults committed with a firearm has decreased significantly over time. The proportion of Hispanics decreased over the research period, while the proportion of Whites increased. This is true regardless of whether a firearm was used during the offense.

Males are more commonly the offenders and victims in assaults, and they are also more likely to use firearms during assaults. Females are more likely to be victims in domestic assault cases, but males are more likely victims in all other types of assault. Most offenders are between 18 and 44 years old, and are likely either Hispanic or white. Among those who used a firearm, however, African Americans, Whites and Hispanics are most common; the average age of firearm offenders was younger as well. Native Americans are the least likely to use firearms in the course of an assault.

### ***Homicide And Aggravated Assault Cases in the Criminal Justice System.***

Literature suggests that a combination of factors intrinsic and extrinsic to the case and legal system influence decision-making and case outcomes. Analysis of the movement of aggravated assault and homicide cases through the criminal justice system in Albuquerque indicated that both intrinsic, case-related legal factors and extrinsic factors of a more social nature have some influence on (particularly homicide) case processing.

Criminal investigations resulting from 423 randomly selected aggravated assault incidents that occurred between 1996 and 2003 were tracked through the justice system. About 20% were sustained in the system to the point of being opened as state court cases, and roughly 12% resulted in conviction and sentencing.

Investigations resulting from 427 homicides that occurred between 1996 and 2003 were also tracked in the criminal justice system. 320 cases resulted in arrest or identification of the suspect. Of those, 202 (63%) were seen at court as of September 2003. The majority of cases (91%) that went to court by that time were closed by August 2004. The majority of closed court cases (89%) resulted in some sort of conviction and sentence. Fourteen cases were dropped, primarily due to lack of evidence.

There were some interesting differences between the aggravated assault and homicide cases. At the time of the incident, more homicide suspects were arrested at the scene as compared to aggravated assault suspects (48.7% compared to 29.1%). Additionally, homicide cases were much more likely to involve the identification of a suspect (26%) as compared to aggravated assault cases (3.5%). In one-quarter of homicide cases, neither an arrest was made nor was a suspect identified at the time of the incident. This percentage is significantly lower than aggravated assault cases, in which 67% of the cases involved neither an arrest nor the identification of a suspect at the scene.

As noted above, homicide cases are much more likely to make it to court (47%, as compared to 20% of aggravated assault cases). Of those that went to court, aggravated assault cases are also about three times more likely to be dropped at some point after entering the court system. Of the cases that proceeded to a trial or plea proceedings, only 5% of aggravated assault cases went to a jury trial, while a little more than one-quarter of homicide cases were tried by a jury.

The length of time that it takes for a case to proceed through the court system is much longer for homicide cases (570 days) than aggravated assault cases (380 days). However, the time between the incident and court filing is much quicker for homicide cases (an average of 75 days) compared to aggravated assault cases (130 days). The process slows down for homicide cases between arraignment and trial or plea proceedings. The time from arraignment to plea or trial proceedings is shorter for aggravated assaults (less than six months) as compared to homicide cases (more than one year).

### Legal Variables and Case Processing

For both aggravated assault and homicide cases, if an arrest was made at the crime scene, it was more likely to result in court charges. Cases in which a suspect was arrested at a later time were less likely to be prosecuted.

The type of offense had a relationship with the appearance of the case at court in aggravated assault cases. In particular, aggravated battery cases were less likely to be charged in court compared to other types of aggravated assaults.

The criminal history of the offender appears to have an influence in the decision to prosecute in both aggravated assault and homicide cases. Cases involving aggravated assault offenders who have prior arrests for violent offenses and homicide offenders who have a prior criminal history were more likely to appear at court. Additionally, aggravated assault cases involving victims who have prior arrests were more likely to be prosecuted.

The criminal history of the offender also appears to have some influence in whether a homicide case is sentenced. We found that offenders with some prior criminal history were more likely to be sentenced.

The number of victims has a relationship with the length of incarceration time in homicide cases: as one would expect, the greater the number of victims, the greater the average length of incarceration.

#### *Extra-legal Variables and Case Processing*

Only at the point of arraignment did any extra-legal factors have a relationship with case processing for aggravated assault cases. At arraignment, it was found that males are more likely to be arraigned than females.

On the other hand, extra-legal factors are associated with homicide case processing at several points. Upon entering the court system, it was found that when the perpetrators were all white, the case was more likely to be prosecuted. Cases involving offenders who are all minorities, or groups of offenders who include both minorities and non-minorities, are more likely to drop out at this point. The race of the offender also has a relationship with the sentence severity. White offenders had the longest average length of incarceration relative to Hispanics and offenders of other ethnicities.

The age of the offender and victim were related to case processing. Cases involving younger offenders were more likely to proceed to trial or plea. Cases involving younger victims were more likely to result in sentencing. Also, gender is related with sentencing, in that cases involving female victims resulted in longer sentence lengths.

Cases involving offenders under the influence, or with a history of alcohol or drug use were more likely to be prosecuted. Finally, cases involving transients were more likely to enter into the court system and were more likely to proceed to trial or plea.

#### *Firearms and Case Processing*

The use of a firearm was much more common in homicide cases compared to aggravated assault cases. Over half (58%) of homicide cases included the use of a firearm while approximately one-third of aggravated assault cases were firearm related.

Aggravated assault cases involving firearms were not processed differently from those that were not firearm involved. Similarly, homicide cases involving a firearm were no more or less likely to be processed through the criminal justice system than incidents that did not involve a firearm. This suggests that firearm related offenses are no more likely

to be prosecuted at the state level than offenses committed with other types of weapons. It should be noted, however, that it is possible that some cases included in our sample were prosecuted federally (through Project Exile), accounting for this lack of relationship between firearm use and case processing.

### **Local SACSI Initiatives**

#### ***Grand Homicide Review.***

A Grand Homicide Review (GHR) was conducted on April 3, 2002 at the Albuquerque Police Department's Training Academy, with approximately 100 law enforcement officers in attendance. The working group determined that there were four ways in which the GHR could facilitate the Initiative. First, it could provide a forum for the sharing of information concerning open cases that might lead to their clearance. Second, case level information generated from the GHR could yield valuable information that was not contained in macro-level data, and could be analyzed and disseminated by the research team, toward the end of developing prevention and intervention strategies. Third, the GHR could increase awareness among a wider range of justice professionals of SACSI activities in the community. Finally, the GHR could enhance commitment to SACSI efforts and participation the developing local initiatives. The GHR was generally successful in achieving each of these goals.

Based on the information gathered at the Grand Homicide Review, the researchers were able to develop a typology of homicide incidents in Albuquerque. The typology grouped incidents into three categories: homicides involving gang members (39%), homicides emerging from disputes between acquaintances (38%), and homicides involving transients (13%). Further analysis identified different temporal and spatial patterns among these types, as well as the involvement of the use of firearms, as noted above. These patterns could not be determined simply by analyzing macro level crime data: the GHR provided researchers and the working group with a more complete understanding of homicide patterns within the service area at a time that other initiatives were being planned. It also became the impetus for developing Monthly Incident Reviews.

#### ***Monthly Incident Reviews.***

The goal of Monthly Incident Reviews (MIR) was to convene front-line professionals so that they could share the most current information concerning recent homicide and aggravated assault cases. Similar to the GHR, the Monthly Incident Review process sought to facilitate constructive communication by broadening the information sharing networks within and among participating law enforcement agencies, providing timely information to MIR participants, and sharing relevant information with other committees (especially VIPER, Targeted Patrol, and Turning Point). The working group members felt that if these objectives could be met, the MIR would be an effective approach for realizing the SACSI general mission of facilitating proactive law enforcement activities.

As of this date, twelve MIRs have been held. Over the course of nearly two years, 107 new cases have been presented, with five cases were presented at more than one MIR



when new investigative information emerged. These cases involved a total of 147 offenders and 122 victims.

### *Refinement of the MIR Model*

Early on, it became clear that full implementation of the MIR model would be difficult. Issues that emerged included difficulties in planning proactive strategies to intervene with violent crime in specific area commands, lack of pre-meeting preparation, and limited attendance and participation. The frequency with which Reviews were conducted declined after August 2003.

A new planning subcommittee began meeting to consider an overhaul of the original model. Two meetings were held in June 2004 to discuss changes. Among other suggestions, police felt that the topic of the meeting be changed from homicides to aggravated assaults since clearance rates for homicides was already well above national averages. APD did not see a reason to meet to improve a part of police work that was succeeding well. On the other hand, Albuquerque was experiencing an increase in aggravated assaults, and had begun a multi-agency operation called Project Nemesis that shared some characteristics with the MIR, including regular meetings using PowerPoint presentations, sharing of intelligence among units, and tracking of crime rates. When the working group and subcommittee agree on and implement changes to the incident review model, the research team will monitor their effect on concerns expressed by MIR participants. Working group and subcommittee members hope that refinements of the model will help to regain the energy and commitment with which the MIR was launched following the Grand Homicide Review.

### ***VIPER.***

The purpose of the Violent Impact Program Enhanced Response (VIPER) initiative is to prevent firearm-related crimes by a select group of individuals who are perceived by criminal justice professionals to be most likely to commit a violent crime in the near future. This is accomplished by promoting widespread awareness among criminal justice professionals of these individuals, and encouraging those who encounter VIPERs to give them special attention, within appropriate legal standards.

VIPER is consistent with lever-pulling strategies adopted in this and other SACSI sites, and with the Initiative's overall community approach of involving virtually all law enforcement and judicial agencies in the service area. As the initiative's name suggests, an "enhanced response" is considered critical with this small but extremely high-risk group of individuals. The response can occur in several ways. First, the initiative encourages street officers to exercise special caution when encountering VIPERs in the community, such as occurs in routine traffic stops. Second, when a community encounter with a VIPER occurs, officers are encouraged to document and communicate it to other law enforcement professionals, to build a collective awareness of the VIPER's activities. Third, when law enforcement and other front-line professionals (i.e., probation/parole officers and prosecutors) hear suspects, victims, offenders, citizens or other professionals make reference to the VIPER this information should be documented and shared with other professionals. Fourth, criminal justice professionals are encouraged, when

exercising their legitimate professional discretion, to take into account that a VIPER is considered by highly informed colleagues representing all branches of the justice system to be one of the persons in the community most likely to engage in violent criminal behavior in the near future. As such, professionals are encouraged to make the most restrictive legitimate response in a professional encounter with a VIPER, even if the activity in question might result in a more informal, lenient response by the professional to the common citizen or suspect.

Seven updates of the VIPER list have been completed. As with other initiatives, its production and distribution has been supported through technical assistance provided by the research team. Barriers to the process are associated with turnover among agency representatives to the subcommittee, since new members are uninformed of the selection criteria and process for production and dissemination of the list. Further, the research team has not been able to confirm that information concerning encounters with those on the VIPER list has been collected and disseminated, or that professionals are more likely to respond to those on the list in an enhanced manner.

### ***Targeted Patrol.***

The purpose of Targeted Patrol (TP) is to reduce firearm and firearm-related crime in a selected geographical area. In Albuquerque, Targeted Patrol is the name that was given to a broad initiative that plans, coordinates, monitors and refines several simultaneous location-specific tactical operations. Crime mapping and spatial analysis research conducted found that serious violent crime was not randomly distributed in Bernalillo County. By constructing crime maps for homicide, aggravated assaults, rapes, and narcotics offenses, researchers found that these crimes tended to be more prevalent in similar areas of the County. Researchers then analyzed the location of crimes and residences of offenders and victims. Based on these studies, the working group concluded that offenders and victims in Albuquerque are likely to use cars to travel to crime locations, transport weapons and/or drugs, and engage in gang-related behaviors. Law enforcement partners agreed that targeted, high visibility patrol could deter such behavior more effectively than might be the case in Eastern metropolitan areas.

The TP Subcommittee developed a strategy that would be implemented in three phases. Phase I is a 30-day planning period, during which a site of operations is selected, the nature of firearm-related crime is determined, tactical operations are chosen and coordinated with each other, and tactical team members are selected. Phase II consists of a 60-day period of high intensity crime suppression activities, which are constantly coordinated between various tactical groups, prosecutors and administrators. During the latter portion of this Phase, active planning for sustaining the gains from the crime suppression activities is undertaken, based on knowledge generated through research and intelligence garnered from the tactical operations. Phase III is a 30-day period in which the tactical teams meet to collectively debrief their operations, determine their successes and areas for improvement, and refine the overall model for its next implementation. During this period, plans to permanently sustain public safety in the targeted area are implemented.

Phase I activities resulted in the selection of the East Side Weed and Seed area as the location of the first TP effort, and the planning of several tactical operations involving justice agencies. During Phase II, several tactical operations occurred involving APD Vice Unit, APD Gang Unit, APD Narcotics Unit, NM Corrections Probation and Parole, state prosecutors, and U.S. Marshals. These activities resulted in the arrest of 96 suspects, citations being issued to 6 individuals, and gang cards written on 50 individuals. In addition, 16 separate drug seizures were documented, and 4 guns (as well as other weapons) were seized. Some agencies suggested that these results underestimated the success of the operation, since some arrests and seizures were not specifically identified as resulting from TP activities, and some arrests and seizures resulting from TP intelligence gathering occurred outside the targeted area. Also, some large-scale drug and gang initiatives were begun as a part of TP, but did not result in arrests and seizures until some time after the results were compiled. Efforts were made to coordinate the implementation of Phase III activities, such as graffiti clean-up, hauling away abandoned cars, nuisance abatement, community beautification, health services, and similar activities intended to build upon high intensity tactical operations.

### Assessment

Researchers concluded that a great deal of planning occurred prior to beginning the TP initiative, and the investment of human resources in Phases I and II was substantial. However, the first implementation of TP did not demonstrate high fidelity with its plan, which resulted in more modest outcomes than were hoped for.

Feedback from subcommittee members indicated that planning was delayed and incomplete. The TP model is so complex and involves so many groups that written plans are necessary to assure de-confliction in a small geographical target area, and to avoid gaps in intervention. During Phase II, tactical teams were expected to meet on a weekly basis to share information (in addition to informal communications as necessary), and to produce weekly operations worksheets so the research team could prepare and distribute current outcomes information for planning purposes. These meetings were not held, and the research team struggled to retrieve worksheets in a timely manner. Word-of-mouth information, reports at working group meetings, and the calendar of operations suggest that there might have been some operations that occurred but were never documented. Without documentation, it is possible that activity and successful outcomes of the TP were underestimated.

Part of the original plan was to begin collecting Field Contact Forms during Phase I and throughout Phase II in the target area to provide better intelligence in support of the tactical operations. This aspect of the model was not implemented by the local area command or by any investigative or tactical units. Ironically, while the TP initiative was based on traffic surveillance and intervention, there is no documentation that this occurred during Phase I or II. Some anecdotal information suggests that some marked vehicles were present in the targeted area during the early weeks of Phase II, but this could have been a routine activity by officers assigned to this duty. APD administrators intended to have training for officers engaged in high visibility patrol during Phase II on how to conduct traffic stops and how to increase the likelihood that firearms, if present in the vehicle, would be detected and seized. However, this training did not occur. Also,

the original plan called for holding notification meetings with residents of the targeted area, but none were planned or conducted. Some officers were reluctant to discuss their activities while tactical operations were underway, but no meetings occurred after that time (i.e., in Phase III). For that matter, none of the planned Phase II activities were undertaken.

Researchers conducted a debriefing meeting for the operation on July 14, 2003. Members of the subcommittee, tactical team leaders and unit supervisors were invited. Attendees agreed that many lessons were learned from the first implementation that would be valuable in refining the model. Above all else, better communication between and within agencies about TP's goals and procedures is needed. Not enough street level officers were involved in intelligence gathering and it needed to be more formalized. U.S. Marshals felt that their felony warrant sweeps were not as effective as they had hoped because the intelligence provided was out of date. Some members of the subcommittee felt that the operation was too short while others stated that the extra burden posed by TP taxed their already overextended officers.

Concerns were also voiced about the willingness of front-line officers, tactical team leaders and unit supervisors to participate in the TP initiative. Some individuals apparently were not so inclined, since they viewed TP as merely a political activity created as "window dressing" by some federal partners intended to gain them "some good publicity." Subcommittee members and researchers assured attendees that TP originated from national best practices and local incident and arrest data, and had been proposed by APD administrators.

Given its complexities, it is not surprising that TP did not operate perfectly in its first implementation. Still, many things went as planned, and participants not only learned about the complex approach but seemed willing to further develop future operations. TP was implemented a second time in the West Side Weed and Seed site in the summer months of 2004, and anecdotal reports from participating criminal justice agencies indicate that it was successful. However, since repeated requests from the research partner to participate in the implementation were unheeded, we cannot document its activities, fidelity with the original plan, or successes. We conclude that the second implementation was at least satisfying to the participating agencies, since reports at the working group meeting indicate that planning for a third implementation is underway.

### ***Project Exile.***

While other SACSI initiatives in Albuquerque were adapted from innovative practices in other sites or local research findings, Project Exile was begun in July 2000, predating SACSI activities by roughly six months. The Project is an innovative program intended to reduce firearm-related crime, specifically homicide and other crimes of violence, through the arrest and conviction of persons who illegally possess a firearm. It is designed to coordinate law enforcement efforts at the local, state, and federal levels, in the hope of expediting arrests in these cases. It also promotes coordination of decision-making between local and federal attorneys with the intention of increasing the prosecution and punishment of qualified offenders.

Project Exile was initiated in February 1997 under the guidance of the U.S. Attorney's Office for the Eastern District of Virginia, and in coordination with the Commonwealth of Virginia's Attorney's Office and the Richmond Police Department. The federal firearm statutes used to convict offenders under Project Exile generally target persons previously convicted of a felony that are in possession of a firearm (FIP), persons previously convicted of domestic violence that are in possession of a firearm, and those that are in possession of both illegal drugs and a firearm. Project Exile can be considered a sentence enhancement program, since the federal penalties for the firearm offenses within the scope of the Project are more severe than those that are generally in effect in the states. This is particularly so in FIP cases, which constitute the majority of prosecutions.

In more recent applications of the model, reporting officers refer cases to a multi-agency task force for screening. The task force determines if the case will be investigated and prosecuted in the federal system. To enhance reporting and investigations, the USAO conducts training activities within the District with local and state law enforcement officers. Training sessions review federal firearm statutes; describe the goals and procedures of Project Exile; and discuss issues related to search, seizure, and reporting. Project Exile also includes an intensive public awareness campaign that uses television, radio, and other media to relay its message to the community. The campaign sends a clear message of zero tolerance for gun offenses and informs potential offenders of swift and certain federal sentencing. Public service announcements also encourage members of the community to report illegal firearms to law enforcement, and discourage the illegal use of firearms, particularly by felons.

#### *Project Exile in Albuquerque*

The task force includes prosecutors from the USAO and Second Judicial District Attorneys Office, ATF agents and APD officers who meet to review and discuss cases. The task force applies the USAO prosecutorial guidelines to determine whether they should be prosecuted in state or federal court. Since the beginning of 2001 the task force has met regularly. Meetings are held on alternating Thursdays, with the frequency depending upon the number of cases to be reviewed and the availability of task force members.

#### *Project outcomes*

From July of 2000 to March 10, 2003, the USAO prosecuted 369 firearms cases under the Project Exile guidelines. At the end of this period, an additional 88 cases were under investigation, for a total of 457 cases accepted by the Exile task force. Out of those cases, law enforcement officers seized 328 handguns, 366 long guns, 14 fully automatic guns, and 74 explosive devices from felons and drug traffickers. In the fall of 2004, the District of New Mexico was selected as one of fifteen districts that received additional support to implement a Violent Crime Impact Team, an enhanced firearm violence initiative coordinated by ATF. This team was made up of federal, state and local law enforcement officers and state and federal prosecutors, and has targeted a high-risk neighborhood in Albuquerque (the East Side Weed and Seed area). During recent

months, the cases generated by this Team have been prioritized for review and federal prosecution by the task force.

Fifteen training sessions were completed around the entire state between July 2000 and May 2002. A laminated ■Quick Reference to Federal Firearms Laws• card was produced and distributed to officers attending Project Exile trainings. Trainers also disseminated wallet-sized interrogation cards for use when officers stop or arrest a suspect who is carrying a firearm. Officer training has been curtailed in recent months due to a reduction in the USAO's operating budget.

When Project Exile was introduced, Rick Johnson and Associates was contracted to conduct a media campaign to publicize the program. The campaign's slogan was ■Felons with guns will do federal time." The campaign included television commercials, roadside billboards and wallet-sized reproductions of the billboards for general distribution. The New Mexico Police and Sheriff's Association raised \$50,000, plus an additional \$200,000 of in-kind contributions, to finance the entire media campaign. The electronic media campaign ran for six months during which time 1,800 thirty-second television spots were broadcast in the Albuquerque area. As SACSI transitioned into Project Safe Neighborhoods, additional resources were made available to conduct professionally designed local awareness campaigns. Mark Mathis and Associates was hired to conduct the campaign, and was successful in gaining the attention of the press and electronic media.

### ***Turning Point.***

Turning Point (TPt) is a program that targets violent repeat felony offenders who are under community supervision as probationers and probationer/parolees in the Albuquerque area. Planning for the Turning Point program began in February 2002, based on similar models developed in earlier SACSI sites and other communities. A planning subcommittee consisting of representatives from Probation and Parole, the District Attorney's Office, law enforcement, the United States Attorney's Office, and the research team guided the development of the program model. The model relies on positive (carrot) and negative (stick) messages to program participants to produce greater compliance with conditions of probation supervision and lower rates of criminal recidivism among participants, and improved public safety in the community.

The original TPt program model has been refined since its inception. It consists of an initial TPt session, in which representatives from neighborhood groups, criminal justice and service provider agencies and others present information to the participants. The participants complete educational and sensitizing questionnaires and meet with service program staff. The model also entails follow-up meetings with Probation Officers, service delivery from selected providers, close monitoring, and rigorous response to probation violators/recidivists. To this date, the only portion of the TPt program that has been fully implemented is the initial TPt session. This session has been administered to four cohorts of probationers, comprising 109 subjects, beginning in September 2002.

### Assessment

With the first three TPt groups of participants, the selection process varied somewhat from the current model. In these instances, Probation Officers were merely provided the criteria for inclusion, and then nominated participants. No effort was made to determine if the nominated probationers actually met program criteria, or if the participant group was a representative sample of all those in the District that met the program criteria. This approach resulted in the selection criteria being met in 92% of cases. With the fourth TPt cohort, the selection approach was refined, which produced 100% convergence with the sampling criteria, and a randomized control group for assessment purposes.

### Satisfaction With and Impact of Turning Point Sessions

During the post-session interviews, conducted within three weeks after the session, participants who attended the third and fourth TPt sessions were asked to rate each presenter, the writing activities, and the session as a whole. The presentations made by ex-offenders, service providers, and the police were rated most highly for content and impact, while the presentations made by the Probation and Parole Officer, a particular neighborhood association representative, and the United States Attorney received the least favorable responses. The writing activities received the lowest ratings, on average. Surveys of participating professionals indicated a positive response to TPt. Professionals indicated the program seemed “somewhat motivating,” and that the mix of messages was “the right amount.”

### Effect on Service Provision and Compliance Monitoring

At this point, no information is available concerning the effect of the TPt program on delivery of services to participants. This portion of the research has been hampered by the fact that Probation Officers have not apparently tracked the services provided to those on their caseloads, other than those mandated by the court as conditions of probation. In a similar manner, there is no evidence to suggest that participants receive closer supervision or monitoring concerning their compliance with conditions of supervision. This is attributed to the lack of resources and large Probation Officer caseloads.

### Effect on Recidivism

Arrest records compiled by law enforcement agencies in the service area were consulted to determine the relative effect of the program on criminal recidivism, six months following the TPt session. At this point, the findings must be considered preliminary in nature, and should be interpreted cautiously. However, given the desire of the subcommittee to know of the effect of the program on re-arrest, a preliminary analysis was conducted. The most reliable finding to this point is that at 180 days after the TPt session, recidivism among members of the first three cohorts (14.9%) is similar to that of the comparison group (16.0%). However, there is considerable variation in recidivism rates between the three cohorts.

### Conclusions

We conclude that the Turning Point program is, at this point, an initiative that has shown promise but has yet to reach its full effect in promoting public safety in the Albuquerque service area. The program has been successful in implementing SACSI's basic principles of multi-agency cooperation and reliance on research. However, while the program has progressed important challenges to its success remain. Most significant are that major components of the model have not been implemented, including the follow-up meetings of the participant and family with probation officers, three-month post-session meetings, close case monitoring, oversight of service provision, and no-tolerance responses by corrections, prosecution and the court.

It is too early in the program's implementation to estimate its effectiveness or impact. While over 100 probationers have attended the TPt sessions, and anecdotal feedback suggests that some of the speakers at TPt sessions have impact on the thoughts and feelings of participants, too little time has elapsed to statistically determine the program's effectiveness in reducing violations of conditions of probation or recidivism. Further, the program has not matured to the point that a summative outcome evaluation is appropriate.



## **CHAPTER XV**

### **CONCLUSIONS AND RECOMMENDATIONS**

#### **Conclusions**

Based on results summarized in the preceding Chapter, we conclude that local SACSI activities have resulted in positive changes in Albuquerque. Primarily through the efforts of the working group and initiative subcommittees, changes have occurred in the planning of violence prevention and intervention strategies, and in the interaction pattern, among criminal justice professionals. While local, state and federal agencies have had a lengthy history of operation-specific collaboration, SACSI has created an environment in which front-line to administrative-level professionals can regularly communicate. The result is a more inclusive multi-agency social network. The USAO has entered into a new relationship with agencies, as a coordinating and facilitating agency. The engagement of a research partner has altered, to some degree, the identification of crime patterns, planning and selection of possible interventions, and management of local initiatives. Such changes, when coupled with other trends during this period,<sup>29</sup> suggest the emergence of more systemic, collaborative, and accountable responses to crime within the organizational field of justice agencies in Albuquerque.

Some indirect evidence indicates that SACSI has, at least, the potential to improve public safety. For example, professionals have expressed satisfaction with several of the initiatives, particularly Turning Point, VIPER, and Project Exile. Convicted felons have been impressed with the content and delivery of anti-crime messages during Turning Point sessions, and have acknowledged to police and prosecutors their concern about Project Exile's enhanced sentences for possession of firearms. Other anecdotes suggest that the initiatives have contributed to successful outcomes in some cases:

- A gang detective and a violent crimes detective, both from APD, met for the first time at a Monthly Incident Review. In the following week, a homicide occurred in which the suspects were thought to be gang members. In addition to beginning a routine homicide investigation process, the violent crimes detective contacted his new acquaintance from the gang unit. Based on the descriptions provided by witnesses at the crime scene, the gang unit immediately identified primary suspects, associates, their residences and locations where they spent time each day. Three suspects were arrested and charged in the homicide within 24 hours, quicker than was likely to have occurred using more routine approaches.
- At the GHR, a detective presented a homicide case that had been under investigation for several months. State prosecutors and law enforcement officers were able to provide new leads concerning the location of the primary suspect in another state, resulting in the arrest and extradition of the suspect. In another case presented at the GHR -- a homicide that had been under investigation for four years -- officers engaged in a separate

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<sup>29</sup> For example, increases in community policing and information sharing, and the improvement of automated records management systems.

undercover investigation and shared intelligence with the lead homicide investigator, resulting in the identification of new suspects.

- Law enforcement professionals report that the VIPER list has, in some cases, resulted in shortening the offenders' time in the community prior to arrest and detention, increasing bail denials and amounts, and increasing the revocation of parole/probation.
- In a similar vein, state prosecutors report that the potential for federalizing cases through Project Exile has increased their ability to reach plea bargains with offenders that involve significant state penalties.

However, analysis of incident and arrest data shows that the substantial reduction of violent crime rates reported in Boston, Richmond, and some other SACSI sites has not occurred in Albuquerque. There are many possible explanations for this outcome, including the following four possibilities:

First, the dramatic reductions in crime reported in other communities are not actually attributable to SACSI-like initiatives in those communities, so SACSI efforts in Albuquerque are also not likely to yield dramatic reductions in crime.

Second, the SACSI approach is in fact effective, but it hasn't been in operation for a long enough period of time in Albuquerque to realize its potential. Even though SACSI was established here in 2001, it took some time to implement the local initiatives. All, with the exception of Project Exile, have been in operation for less than three years, and one (Targeted Patrol) for less than two years. In a larger sense, Albuquerque had less experience with multi-agency criminal justice planning and oversight, relative to other SACSI sites. It is very possible that the local initiatives have not matured to their full effectiveness, especially since personnel involved in the initiatives is perpetually changing, and the interventions are of low frequency and intensity.

Third, the initiatives in Albuquerque are effective, but resources have not been committed to implement the initiatives on a scale that is likely to produce discernable changes in community-wide rates of violent crime. A corollary of this explanation is that the service area for the intervention is too large for the resources invested, diluting the program effect to the point that its benefits are not empirically discernable. One reason for not increasing programs to scale could be that the initiatives have not been proven through research to be successful and cost effective, at least at this point in time.<sup>30</sup>

Fourth, the approach to planning and implementation of initiatives in Albuquerque is flawed. Analyses of localities that have enjoyed dramatic reductions in crime rates in recent years (i.e., Boston, Indianapolis, New York City, Richmond, Rochester, NY,) suggest that these successes did not require the expenditure of a great amount of human or financial resources, relative to the overall expenditures for criminal justice activities in those communities. Rather, they resulted from the development and application of a

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<sup>30</sup> However, it should be noted that even if local initiatives were empirically supported, there is no guarantee that agencies would be swayed by research to divert limited resources into the expansion of these initiatives.

strategy that was well adapted to the nature of offenders and the problem, engaged the right professionals and community members to implement the strategy, and fit the community context at a particular point in time and in community readiness (Gladwell, 2002; Kelling and Coles, 1996; Kennedy, 1998; Oetting, et al, 1995). Developing such approaches requires close interaction between data analysts, planners, and the front line professionals who both contribute their experience to planning and then implement the new approach. The result is a kind of “agility” in strategic and tactical responses to crime, which involves a focused approach to research, quick turnaround in the analysis of crime intelligence and other data, cooperative multi-agency planning, and the ability to mobilize the appropriate human resources necessary to carry out new tactical and strategic approaches. Similar connections and activities have not yet emerged in Albuquerque.

None of these possible explanations have been definitively supported or refuted through research at this time. However, the fact remains that the promise of SACSI has not been realized so far in this site. We offer the following recommendations in the hope of improving SACSI and PSN efforts in Albuquerque.

## **Recommendations**

### ***1. Increase engagement in the SACSI working group and its subcommittees.***

Stable and committed working group and operating subcommittee membership is likely to enhance their operation, by increasing member commitment, agency leadership and shared decision-making. At the present, engagement in SACSI activities has been hampered by member turnover, lack of participation among some of those assigned to the groups, and limited interest among agency administrators. Turnover in membership creates a constant need for orientation and training. *We recommend that administrators be reacquainted with SACSI’s (now PSN’s) goals and methods, in the hope that they would make engagement in the SACSI working group and its operating subcommittees a priority for their agency representatives. They should also be urged to limit turnover in membership, to the degree that it is in their power to do so. Since turnover will inevitably occur, it is recommended that its impact be minimized by implementing transition planning and orientation of new representatives, including the development of training methods and materials.*

### ***2. Improve the contribution of research to SACSI planning and monitoring.***

While macro level analyses have been helpful in identifying trends and outcomes of violent crime, locations where crimes are more prevalent, and the characteristics of victims and offenders, they are of little utility in planning tactical approaches to crime prevention and intervention. Some case level information has been collected in support of initiatives such as the Grand Homicide Review, Monthly Incident Review, and Turning Point. However, access to these data is dependent on the frequency with which these meetings occur, and is limited to the individuals who are the object of the initiatives.

The research team has met federal and institutional safeguard standards established by the Government Office of Accountability, by federal statute, and by the University’s Institutional Review Board since the beginning of the Project. Still, agencies have been unwilling to accept

these assurances and grant data access. In some cases, agencies have been unable to fill data requests, as they feel their own needs and standards for security and confidentiality take precedence over federal standards. In other instances, agencies have been unable to provide access or necessary information in a useable format because of limitations and flaws in their records management systems, or a lack of staff with sufficient technical skills necessary to provide the information to the research team. *We recommend that full access to data, within appropriate security and confidentiality guidelines, be granted to the research team.* This can occur in the form of access to original documents, to redacted documents, and/or to electronically stored information in complete or partitioned formats.

Also, only the most current information is useful in generating tactical plans. Criminal justice professionals use this information but, at present, only in the form of personal experience or the most superficial analysis. Other intelligence within law enforcement agencies is unavailable, ignored, or not sought by tactical planners. The research partner is capable of supplementing current information by situating patterns (say, location of crime scenes) within larger historical data, or in non-crime data sets (such as census and economic information). At the moment, there are some important structural obstacles to timely analysis of information. The primary one is that information takes approximately one month to move from an incident report to entry in the records management system. Once it is there, the research partner must wait for the next transmission of information, which has occurred on an irregular basis. *We recommend that information concerning violent crime be collected from substations and other locations where responding officers file incident reports, and that it be entered directly into an electronic system for rapid analysis and dissemination of findings to tactical planners.*

We have also learned that some forensic units have information concerning the location and activities of primary suspects. However, the utilization of this information is limited by their ability to complete analyses, tactical planners awareness of the information, and the latter's willingness to use it. *We recommend that crime analysis units, within participating agencies, be supported and expanded, and that partnerships with the SACSI research group be explored. Further we recommend that regular procedures be developed to increase the use of the results of analysis in tactical planning.*

### ***3. Increase the effectiveness and scope of local SACSI initiatives.***

A summative assessment of each of the local initiatives is not desirable, or possible, at this time. In some instances, access to definitive data has not been granted. In all instances, the initiatives have not matured to a high degree of program fidelity, so local planners and administrators have not been able to determine their full potential. The following recommendations are made based on the current status of each initiative.

#### **Grand Homicide Review**

This initiative was successful in generating a significant amount of case level information for the analysis of homicides in Albuquerque. It also contributed to increasing awareness of SACSI and motivating professionals to participate in planning and implementation. *We recommend that the working group consider conducting a GHR on an annual basis.* One way to reduce the time necessary to plan and implement the GHR is to streamline the process by which the research team collects and prepares case information for presentation by lead investigators.

### Monthly Incident Review

The Monthly Incident Review has produced some successes in case investigation and team building, but has devolved into a rote activity in which officers and others are not motivated to participate. Several meetings of the operating subcommittee have been held to discuss refinements to the approach, and a report of their findings and recommendations has been produced. There has been no further action by the working group to modify the MHR and resume regular meetings. Independent of the working group, the USAO has substituted “Intelligence and Information Sharing” for the MIR, although the methods of this approach are not clear. The USAO has also advocated for the implementation of a shared electronic data system used in other communities that allows criminal justice personnel to access intelligence information stored in records management systems of other agencies. *We recommend that this system for sharing intelligence information be implemented among local agencies.* However, we also recognize that the system will carry with it significant start-up costs (both in design and training of personnel), and is not likely to be implemented or fully used by professionals in the near future (including data entry and quality control activities). A system accessed by professionals from their own office cannot address the MIR’s goal of building peer communication and support. *As a consequence, we recommend that the working group consider implementing a refined form of the Monthly Incident Review in the near future.*

### Targeted Patrol

To this point, two Targeted Patrol operations have been implemented in the Albuquerque area, but only one has been documented. Arrest and seizure results were somewhat less than what planners anticipated. *We recommend that an improved degree of program fidelity be sought in the implementation of future operations. Specifically, tactical operations should be systematically planned and documented in advance, operations should proceed with more current intelligence information, and procedures intended to improve communication among participants should be followed. Also, activities to follow up on the temporary successes of crime suppression activities within a particular targeted area should be implemented, to sustain Targeted Patrol’s successes in reducing criminal activities.*

### Turning Point

A great deal of effort has been devoted to the Turning Point initiative. The result is a carefully orchestrated multifaceted meeting held three or four times per year with groups of relatively young probationers with histories of violent offending. Reactions to the meeting from participants and professionals are generally positive. However, research has not been able to discern any program effect on participants’ behaviors, such as increased compliance with supervision conditions, or reduction of recidivism rates. One plausible explanation for this finding is that none of the follow-up services planned in the original program design have been implemented to this point. Further, plans to increase monitoring of participants by probation officers and sanctioning of violators by officers and the court have not been implemented, potentially limiting the program’s deterrent effect. *We recommend that the program employ a case manager to coordinate follow-up support services, and probation officers more closely monitor Turning Point participants. We also recommend that probation officers and court*

*personnel be re-oriented to the program, and that they engage in a higher level of sanctioning for violations of supervision conditions, including the commission of new criminal acts.*

### *Project Exile*

Project Exile predated SACSI in Albuquerque. It intends to deter firearm-related crimes, particularly Felons in Possession, by federalizing some cases involving weapons offenses. Specific deterrence is sought through the imposition of substantial mandatory minimum prison sentences, while general deterrence is promoted through community outreach efforts. Secondly, the federalization of cases is enhanced through the training of local and state law enforcement professionals. Since the establishment of Project Exile, the rate of firearms prosecutions and convictions in federal court has increased substantially. However, it is difficult to determine the effectiveness or net impact of the Project. *We recommend that research, as described in this report, be conducted to determine the impact of federal prosecution, relative to the benefits of prosecuting cases in state courts.*

### *VIPER*

This initiative has been popular with law enforcement professionals, and anecdotal information suggests that it has contributed to officer and public safety by speeding the removal of active violent criminal offenders from the community. However, at this time the program has not been fully implemented as designed. The collection of information concerning the activities of those on the VIPER list from field contacts, and the dissemination of this information, has not occurred. Collection of information will require additional training of front-line professionals, and establishing a point of contact to gather reports and disseminate information to the field. *We recommend that the working group and VIPER subcommittee develop the procedures necessary to collect and disseminate information concerning those on the VIPER list. Further, research should be conducted to determine VIPER's impact on officer and community safety.*

## ***4. Continue efforts to engage in collaborative, data-driven responses to firearm-related violence in Albuquerque.***

To this point, we cannot empirically demonstrate that SACSI has had a substantial impact on community safety in Albuquerque. However, discernable progress has been made in developing a culture of collaboration and a number of local initiatives in response to firearm-related violence. *Given this success, we recommend that the data-driven collaborative approach to violent crime prevention and intervention embodied in the SACSI approach be sustained and supported in Albuquerque.*

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## APPENDIX 1

# CCH Extraction Form

Last Name \_\_\_\_\_  
First Name \_\_\_\_\_  
Middle Name \_\_\_\_\_  
DOB: \_\_\_\_\_  
SSN: \_\_\_\_\_  
Gang Affiliation: \_\_\_\_\_

## Arrest information

# Arrests \_\_\_\_\_  
First Arrest \_\_\_\_\_  
Last Arrest \_\_\_\_\_

# Arrest Charges \_\_\_\_\_

# Homicide Charges \_\_\_\_\_  
# Agg. Assault Charges \_\_\_\_\_  
# Agg. Battery Charges \_\_\_\_\_  
# Drug Charges \_\_\_\_\_  
# Robbery Charges \_\_\_\_\_  
# Burglary Charges \_\_\_\_\_  
# Firearm Charges \_\_\_\_\_  
# Assault/Battery on a PO \_\_\_\_\_  
# DV Charges \_\_\_\_\_

Sex Offender Y/N \_\_\_\_\_

# Probation Violations \_\_\_\_\_  
# Parole Violations \_\_\_\_\_  
# Failure to Appear Charges \_\_\_\_\_  
# Failure to Comply w/conditions \_\_\_\_\_

Additional Juvenile Record Y/N \_\_\_\_\_

## Grand Jury Indictment

# Grand Jury Indictments \_\_\_\_\_  
First GJI \_\_\_\_\_  
Last GJI \_\_\_\_\_

# GJI Charges \_\_\_\_\_

# GJI Homicide Charges \_\_\_\_\_  
# GJI Agg. Assault Charges \_\_\_\_\_  
# GJI Agg. Battery Charges \_\_\_\_\_  
# GJI Drug Charges \_\_\_\_\_  
# GJI Robbery Charges \_\_\_\_\_  
# GJI Burglary Charges \_\_\_\_\_  
# GJI Firearm Charges \_\_\_\_\_  
# GJI Assault/Battery on a PO \_\_\_\_\_  
# GJI DV Charges \_\_\_\_\_

GJI for Sex Offender Charges? Y/N \_\_\_\_\_

**APPENDIX 2**  
**Turning Point CCH Extraction Form**

Reviewer's Initials: \_\_\_\_\_ Review Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
CCH Report Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Last Name \_\_\_\_\_ DOB: \_\_\_\_\_

First Name \_\_\_\_\_ SSN: \_\_\_\_\_

Turning Point Date: \_\_\_\_\_ Group: \_\_\_\_\_

*Arrest Information*

1. Arrest Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Charge 1: \_\_\_\_\_

Code: \_\_\_\_\_ M or F V N O

Charge 2: \_\_\_\_\_

Code: \_\_\_\_\_ M or F V N O

Charge 3: \_\_\_\_\_

Code: \_\_\_\_\_ M or F V N O

Charge 4: \_\_\_\_\_

Code: \_\_\_\_\_ M or F V N O

Charge 5: \_\_\_\_\_

Code: \_\_\_\_\_ M or F V N O

Charge 6: \_\_\_\_\_

Code: \_\_\_\_\_ M or F V N O

2. Arrest Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Charge 1: \_\_\_\_\_

Code: \_\_\_\_\_ M or F V N O

Charge 2: \_\_\_\_\_

Code: \_\_\_\_\_ M or F V N O

Charge 3: \_\_\_\_\_

Code: \_\_\_\_\_ M or F V N O

Charge 4: \_\_\_\_\_

Code: \_\_\_\_\_ M or F V N O

Charge 5: \_\_\_\_\_

Code: \_\_\_\_\_ M or F V N O

Charge 6: \_\_\_\_\_

Code: \_\_\_\_\_ M or F V N O

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**APPENDIX 3**  
**COURT DATA EXTRACTION FORM**

<b>REVIEWER'S INITIALS</b> _____ (Your initials, First, Middle, Last)	<b>Review Date:</b> ____/____/____ <i>Mo Day Yr</i>
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*Part I: Case Identifiers*

1. Case ID# (court): D-202-CR  
\_\_\_\_\_
  
2. Judge: \_\_\_\_\_
  
3. Case Type: \_\_\_\_\_
  
4. Case Status: \_\_\_\_\_
  
5. Filing Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Mo Day Yr
  
6. Status Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Mo Day Yr
  
7. Court: \_\_\_\_\_ Albuquerque District Court  
\_\_\_\_\_ Other: (specify:) \_\_\_\_\_
  
8. Defendant's **Last** Name: \_\_\_\_\_  
\_\_\_\_\_
  
9. Defendant's **First** Name(s): \_\_\_\_\_
  
10. Defense Attorney's Name: \_\_\_\_\_  
\_\_\_\_\_
  
11. District Attorney's Name (atty for state): \_\_\_\_\_  
\_\_\_\_\_

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## Part II: Case Tracking Information

### *Criminal Charge Details*

1. (a) Count: \_\_\_\_\_ b) Seq: \_\_\_\_\_

(c) Statute: \_\_\_\_\_

(d.) Charge: \_\_\_\_\_  
\_\_\_\_\_

(e.) Charge Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Mo Day Yr

(f.) Plea: \_\_\_\_\_  
\_\_\_\_\_

(g.) Disposition: \_\_\_\_\_  
\_\_\_\_\_

(h.) Disposition Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Mo Day Yr

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2. (a) Count: \_\_\_\_\_ b) Seq: \_\_\_\_\_

(c) Statute: \_\_\_\_\_

(d.) Charge: \_\_\_\_\_  
\_\_\_\_\_

(e.) Charge Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Mo Day Yr

(f.) Plea: \_\_\_\_\_  
\_\_\_\_\_

(g.) Disposition: \_\_\_\_\_  
\_\_\_\_\_

(h.) Disposition Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Mo Day Yr

---

3. (a) Count: \_\_\_\_\_ b) Seq: \_\_\_\_\_

(c) Statute: \_\_\_\_\_

(d.) Charge: \_\_\_\_\_

(e.) Charge Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Mo Day Yr

(f.) Plea: \_\_\_\_\_

(g.) Disposition: \_\_\_\_\_

(h.) Disposition Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Mo Day Yr

---

4. (a) Count: \_\_\_\_\_ b) Seq: \_\_\_\_\_

(c) Statute: \_\_\_\_\_

(d.) Charge: \_\_\_\_\_

(e.) Charge Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Mo Day Yr

(f.) Plea: \_\_\_\_\_

(g.) Disposition: \_\_\_\_\_

(h.) Disposition Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Mo Day Yr

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### Part III: Critical Dates

**If the case has not yet proceeded to grand jury check here: \_\_\_\_\_ and STOP.  
Otherwise, proceed to Q. 1**

1. Date of First Grand Jury Indictment: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Mo Day Yr

2. Date of Second Grand Jury Indictment: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Mo Day Yr

(if no second indictment check here \_\_\_\_\_)

3. Date of Third Grand Jury Indictment: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Mo Day Yr

(if no third indictment check here \_\_\_\_\_)

4. Date of Fourth Grand Jury Indictment: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Mo Day Yr

(if no fourth indictment check here \_\_\_\_\_)

**If case has not yet proceeded to arraignment check here: \_\_\_\_\_ and STOP.  
Otherwise, proceed to Q. 5  
(NOTE: Arraignment is  
distinct from the case being  
officially dropped and  
closed)**

5. Is case officially dropped before proceeding to arraignment? \_\_\_\_\_ (0= no, 1 = yes)

5a. If yes to Q.5, reason(s) listed: \_\_\_\_\_

5b. Date dropped: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Mo Day Yr

6. Date of First Arraignment or waiver of arraignment: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Mo Day Yr

6a. Is this a waiver of arraignment? \_\_\_\_\_ (0=no, 1=yes)

6b. Plea at First Arraignment or waiver of arraignment: \_\_\_\_\_

7. Date of Second Arraignment: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Mo Day Yr

(if no second arraignment check here \_\_\_\_\_)

7a. Plea at Second Arraignment: \_\_\_\_\_

8. Date of Third Arraignment: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Mo Day Yr

(if no third arraignment check here \_\_\_\_\_)

8a. Plea at third Arraignment: \_\_\_\_\_

9. Date of Fourth Arraignment: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Mo Day Yr

(if no fourth arraignment check here \_\_\_\_\_)

9a. Plea at Fourth Arraignment: \_\_\_\_\_

**If case has not yet proceeded to trial or final plea check here: \_\_\_\_\_ and STOP.**

**Otherwise, proceed to Q. 10.  
(NOTE: Trial or final plea is  
distinct from the case being  
officially  
dropped and closed.)**

10. Is case officially dropped before proceeding to trial or final plea proceedings?  
\_\_\_\_\_ (0 = no, 1 = yes)

10a. If yes to Q. 10, reason(s) listed: \_\_\_\_\_

10b. Date dropped: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Mo Day Yr

11. Date of Trial or Final Plea Proceedings: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Mo Day Yr

11a. Check one: \_\_\_\_\_ jury trial \_\_\_\_\_ bench trial \_\_\_\_\_ plea proceeding \_\_\_\_\_ unknown

**If case has not yet proceeded to Sentencing check here: \_\_\_\_\_ and STOP.**

**Otherwise, proceed to Q. 12**

12. Date of Sentencing: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Mo Day Yr

#### Part IV: Judgement/Sentencing Information

1. Prison/Jail time: \_\_\_\_\_ (0 = no, 1 = yes)

1a. If yes, length of sentence:  
\_\_\_\_\_ years \_\_\_\_\_ months \_\_\_\_\_  
days

2. Sentence Suspended: \_\_\_\_\_ (0 = no, 1 = yes)

2a. If yes, length of suspended sentence:  
\_\_\_\_\_ years \_\_\_\_\_ months \_\_\_\_\_ days

3. Time Served Credit (PSC): \_\_\_\_\_ (0 = no, 1 = yes)

3a. If yes, length of credit:  
\_\_\_\_\_ years \_\_\_\_\_ months \_\_\_\_\_  
days

4. Alternative Sentencing (i.e. Home Arrest, Electronic Monitoring): \_\_\_\_\_ (0 = no, 1 = yes)

4a. If yes, length of sentence:  
\_\_\_\_\_ years \_\_\_\_\_ months \_\_\_\_\_ days

5. Parole time: \_\_\_\_\_ (0 = no, 1 = yes)

5a. If yes, length of sentence:  
\_\_\_\_\_ years \_\_\_\_\_ months \_\_\_\_\_ days

6. Probation time: \_\_\_\_\_ (0 = no, 1 = yes)

6a. If yes, length of sentence:  
\_\_\_\_\_ years \_\_\_\_\_ months \_\_\_\_\_ days

7. Sentences to be served: \_\_\_\_\_ consecutively \_\_\_\_\_ concurrently \_\_\_\_\_ not  
specified

8. Restitution Ordered: \_\_\_\_\_ (0 = no, 1 = yes)

8a. If yes, amount: \_\_\_\_\_

9. Fine Ordered: \_\_\_\_\_ (0 = no, 1 = yes)

9a. If yes, amount: \_\_\_\_\_

10. Costs Ordered: \_\_\_\_\_ (0 = no, 1 = yes)

10a. If yes, amount: \_\_\_\_\_

11. Community Service Ordered: \_\_\_\_\_ (0 = no, 1 = yes)

11a. If yes, # of hours: \_\_\_\_\_

12. Specified Treatment conditions (i.e., drug treatment, anger management,...):

\_\_\_\_\_ (0 = no, 1 = yes)

12a. If yes, specify: \_\_\_\_\_

13. Limits on activities (i.e., no alcohol/drugs, firearm possession,...):

\_\_\_\_\_ (0 = no, 1 = yes)

13a. If yes, specify: \_\_\_\_\_

14. Required activities (i.e., get GED, full time job, random drug testing,...)

\_\_\_\_\_ (0 = no, 1 = yes)

14a. If yes, specify: \_\_\_\_\_

**CONGRATULATIONS!**

**YOU HAVE FINISHED WITH THIS CASE. CLIP THE CASE RECORD TO THIS EXTRACTION FORM, AND PLACE IT IN THE “COMPLETED” BOX.**

**OR, IF YOU HAVE QUESTIONS AND HAVE *NOT* BEEN ABLE TO COMPLETE THIS CASE:**

1. Circle, in ink on this extraction form, the items where you have a question, and
2. Place this form and the attached case record in the “QUESTIONS” box.

*Thanks!*

## APPENDIX 4

### Probation and Parole Data Extraction Form

Name _____	Case number 2 _____
Age _____	Offense 2 a _____
DOB: _____	Offense 2 b _____
Race/Ethnicity _____	Offense 2 c _____
Gender _____M_____F	Case number 3 _____
SSN _____	Offense 1a _____
Address _____	Offense 1 b _____
_____	Offense 1 c _____
_____	Social [Employment] History
Education: ? 8 , 9 – 11, 12, Trade School	_____
13, Associates, B.A./ B.S., M.A. / M.S.	_____
Current Judge _____	M/O[Preponderance of Offense Type]
_____ Probation _____ Parole	_____
Current PPO: _____	_____
History of violence: _____Y_____N	Identified Gang Member: _____Y _____N
Case number 1 _____	Gang Name: _____
Offense 1a _____	Weapon: _____
Offense 1 b _____	Drug use _____Y _____N
Offense 1 c _____	Drug/s: _____
	Own Vehicle _____

## I Case Information

10. Motive:

11. Name of the Detective Investigating the Case: \_\_\_\_\_

II Offender or Suspect Information  
(Please Circle either "Offender" or "Suspect" Below)

**Name Offender or Suspect # 1:** \_\_\_\_\_

a. Address: \_\_\_\_\_

b. Race (please circle):

Hispanic	Native American
White	Black
Cuban	Asian / Pacific Islander

c. Sex (please circle):      Male                      Female

d. Date of Birth: \_\_\_\_\_

e. Age: \_\_\_\_\_

f. Social Security Number (if known) \_\_\_\_\_

g. Name of Gang: \_\_\_\_\_

h. Drug Abuse History (please circle):      Yes      No

i. Alcohol Abuse History:	Yes	No
---------------------------	-----	----

j. On drugs at time of Incident:	Yes	No
----------------------------------	-----	----

k. Under influence of alcohol at Incident:      Yes                      No

1. Relationship to other offender(s):

m. Relationship to victim(s):

Name **Offender** or **Suspect** # 2: \_\_\_\_\_

a. Address:

b. Race (please circle):

Hispanic	Native American
White	Black
Cuban	Asian / Pacific Islander

- c. Sex (please circle):            Male                            Female
- d. Date of Birth: \_\_\_\_\_
- e. Age: \_\_\_\_\_
- f. Social Security Number (if known) \_\_\_\_\_
- g. Name of Gang: \_\_\_\_\_
- h. Drug Abuse History (please circle):            Yes                            No
- i. Alcohol Abuse History:                            Yes                            No
- j. On drugs at time of Incident:                    Yes                            No
- k. Under influence of alcohol at Incident:    Yes                            No
- l. Relationship to other offender(s): \_\_\_\_\_
- m. Relationship to victim(s): \_\_\_\_\_

Name **Offender** or **Suspect** # 3: \_\_\_\_\_

- a. Address: \_\_\_\_\_
- b. Race (please circle):            Hispanic                            Native American
- White                            Black
- Cuban                            Asian / Pacific Islander
- c. Sex (please circle):            Male                            Female
- d. Date of Birth: \_\_\_\_\_
- e. Age: \_\_\_\_\_
- f. Social Security Number (if known) \_\_\_\_\_
- g. Name of Gang: \_\_\_\_\_
- h. Drug Abuse History (please circle):            Yes                            No



- i. Alcohol Abuse History:                      Yes                      No
- j. On drugs at time of Incident:                      Yes                      No
- k. Under influence of alcohol at Incident:    Yes                      No
- l. Relationship to other offender(s): \_\_\_\_\_
- m. Relationship to victim(s): \_\_\_\_\_
- 

### III Victim Information

**Name Victim # 1:** \_\_\_\_\_

- a. Address: \_\_\_\_\_
- b. Race (please circle):              Hispanic                      Native American
- White                      Black
- Cuban                      Asian / Pacific Islander
- c. Sex (please circle):              Male                      Female
- d. Date of Birth: \_\_\_\_\_
- e. Age: \_\_\_\_\_
- f. Social Security Number (if known) \_\_\_\_\_
- g. Name of Gang: \_\_\_\_\_
- h. Drug Abuse History (please circle):              Yes                      No
- i. Alcohol Abuse History:                      Yes                      No
- j. On drugs at time of Incident:                      Yes                      No
- k. Under influence of alcohol at Incident:    Yes                      No
- l. Relationship to offender(s): \_\_\_\_\_
- m. Relationship to other victim(s): \_\_\_\_\_

**Name Victim # 2:** \_\_\_\_\_

a. Address: \_\_\_\_\_

b. Race (please circle):	Hispanic	Native American
	White	Black
	Cuban	Asian / Pacific Islander

c. Sex (please circle):            Male                            Female

d. Date of Birth: \_\_\_\_\_

e. Age: \_\_\_\_\_

f. Social Security Number (if known) \_\_\_\_\_

g. Name of Gang: \_\_\_\_\_

h. Drug Abuse History (please circle):      Yes      No

i. Alcohol Abuse History:	Yes	No
---------------------------	-----	----

j. On drugs at time of Incident:	Yes	No
----------------------------------	-----	----

k. Under influence of alcohol at Incident:      Yes                      No

1. Relationship to offender(s): \_\_\_\_\_

m. Relationship to other victim(s): \_\_\_\_\_

**APPENDIX 6**  
**TURNING POINT**  
PROBATIONER/PAROLEE QUESTIONNAIRE

O Use Only
CMIS #

Name: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ 2003

Turning Point Meeting Date: August 21, 2003

**What is the most difficult thing in your life?**

---

---

**What is the most positive thing in your life?**

---

---

**What is the most difficult condition of your probation/parole?**

---

---

**What will help you to improve your life?**

---

---

**Name one goal for this week:**

---

**Name one goal for next month:**

---

**Name one goal for one year from now:**

---

**What can you do to accomplish these goals?**

---

---

---

**How can your P.O. help you to accomplish these goals?**

---

---

**APPENDIX 7**  
**TURNING POINT**  
**PROBATIONER/PAROLEE INTERVIEW**

Turning Point Meeting Date: August 21, 2003

Hi, my name is \_\_\_\_\_. I'm from the Institute for Social Research, at the University of New Mexico.

We are studying the Turning Point Program. Do you recall the Turning Point meeting?

**YES**

**NO**

(GO ON WITH DESCRIPTION)

(DESCRIBE THE MEETING)

I would like to ask you some questions about that meeting. Before we start, I want you to know that this interview is covered by all confidentiality standards that apply to federal research. We aren't going to talk about any really personal matters. But I want you to know that since our talk is confidential, none of the information you share with me today will go back to your Probation Officer, or anyone else in a way that could be connected to you. What we are trying to do is get your personal opinions about the Turning Point program, so we can make it as useful as possible.

Do you have any questions before we start?

1. OK. Before we start, I want to make sure I have your name right. I have (READ RESPONDENT'S NAME). Is that correct?
  
2. How old are you? \_\_\_\_\_ years of age.
  
3. Good. Now I want to ask you a few questions about the Turning Point meeting you went to on August 21<sup>st</sup>. (NOTE: MANY OF THESE QUESTIONS START WITH A YES OR NO ANSWER. IF THEY SAY YES, BUT DO NOT ELABORATE, PROBE WITH: *What stood out about the meeting?*, *What was your impression?*, *etc.*)
  - 3a. Was there anything about the meeting that stood out to you?
  
  - 3b. What was your overall impression of the meeting?

3c. Is there anything you learned from the meeting?

3d. What do you remember most about the Turning Point session?

3e. Was there anything you thought particularly helpful?

3f. Was there any part of the meeting that you thought was a waste of time?

3g. Will this meeting help you to turn your life around?

---

4. OK. Let's go on to another topic. Now, I'd like to ask about how things are going for you, and your plans.

4a. Would you say you life is going pretty well, or pretty poorly? (PROBE WITH: *Why do you feel your life is going [well/poorly]?*)

4b. Are there changes you would like to make in your life? (PROBE WITH: *What changes would you like to make?*)

(AFTER THEIR RESPONSE, UNLESS THEY HAVE ALREADY MENTIONED IT, PROBE WITH : *Would you like to make changes in your employment?*)

(*Would you like to make changes in your education?*)

*(Would you like to make changes in your family life?)*

*(Would you like to make changes in your social or leisure time?)*

*(Last of all, would you like to make any changes in obeying the law?)*

- 
5. OK. You mentioned some things that you would like to do differently in your life. What do you think you need to make this change? (PROBE FOR EACH TOPIC RAISED AS AN AREA THE RESPONDENT WANTS TO CHANGE)

*Employment*

*Education*

*Family life*

*Social and Leisure Time*

*Obeying the law*

- 
6. Do you need any help to make changes in: (FOR EACH OF THE AREAS IN WHICH THE RESPONDENT WANTS TO CHANGE, PROBE WITH *Who or what would help you make this change?*).

*Employment*

*Education*

*Family life*

*Social and Leisure Time*

*Obeying the law*

---

7. Have you tried to make changes to improve your life before?

7a. Did your life improve when you tried to change it? (PROBE, DEPENDING ON THE RESPONDENT'S ANSWER, WITH *Why?/Why not?*)

8. Do you feel differently about making changes in your life since you went to the Turning Point meeting?

---

9. OK. This next part will go really quickly. I am going to ask you about some of the speakers and activities in the Turning Point meeting. I want you to rate each of these parts. You have the same choices of answers to all of the questions. The answers you can choose from are on this card (HAND CARD TO THE RESPONDENT, AND GO THROUGH EACH OPTION). You can rate each of the parts I mention from "3", which is the best score, to "0", which is the worst score. The better you think that part of the meeting was, the highest score it should get. Is that clear?

(NOTE: MAKE SURE THAT THE RESPONDENT CORRECTLY IDENTIFIES EACH OF THE PRESENTERS OR TASK BEFORE THEY RATE THEM/IT.)

Do you remember \_\_\_\_\_? How would you rate him/her?

- |  |              |
|--|--------------|
| A. The men who spoke that were criminal offenders.       | _____ Points |
| B. Barbara Johnson (the woman from Probation and Parole) | _____ Points |
| C. The police officer                                    | _____ Points |
| D. The wife of the criminal offender                     | _____ Points |
| E. The speakers from the community                       | _____ Points |
| F. The United States attorney                            | _____ Points |



G. The providers from service agencies \_\_\_\_\_ Points

H. The written assignments (writing your Will) \_\_\_\_\_ Points

I. The Police Chaplain \_\_\_\_\_ Points

---

10. Now I am going to ask you three questions. For each of the questions, the answer choices are: strongly agree, agree, disagree, or strongly disagree (HAND CARD TO THE RESPONDENT, AND GO THROUGH EACH OPTION). So, if you really strongly agree with the question or statement, say so. If you sort of agree, choose “agree”. If you mildly disagree, choose “disagree”. And, if you really disagree with the statement, say “strongly disagree”. Is that clear? Ok, here’s the first one:

10a. I would recommend attending Turning Point to other probationers or parolees.  
Strongly agree      Agree      Disagree      Strongly Disagree      DK

10b. The people from the agencies that were at the meeting want to help me succeed in life.  
Strongly agree      Agree      Disagree      Strongly Disagree      DK

10c. The purpose of the meeting was just to punish and threaten me.  
Strongly agree      Agree      Disagree      Strongly Disagree      DK

---

Well, this is the last part.

11. Is there anything else about the Turning Point meeting that we didn’t talk about that you want us to know?

12. Is there anything about the research that you would like to know?

THANKS FOR YOUR TIME. YOUR ANSWERS WILL HELP US MAKE TURNING POINT A BETTER PROGRAM FOR OTHERS IN THE FUTURE.

## *SCORECARD*

3 Points: This person's talk was very interesting, and it really impressed me.

2 Points: This person's presentation, was good, but it could have been better. It had some impact on me.

1 Point. This person's talk was poor. It was OK, but pretty dull and uninteresting.

0 Points: This person's talk, was boring, stupid, and a total waste of my time.

## *SCORECARD*

Strongly Agree

Agree

Disagree

Strongly Disagree

## APPENDIX 8

### Turning Point Provider Survey

- 1) The law enforcement message that the offenders would suffer consequences if they did not change their behavior was communicated

too frequently                      the right amount                      not enough

- 2) The message that the offenders were capable of changing their behavior was communicated

too frequently                      the right amount                      not enough

- 3) The messages communicated to the offenders seemed

very motivating    somewhat motivating    not very motivating    not  
motivating at all

- 4) The program would be better if it included

---

---

---

---

- 5) The program would be better if it did not include

---

---

---

---

- 6) The experience for me as a speaker or as a service provider would be better if

---

---

---

---

- 7) Other Comment:

---

---

---

---

*Thank You For Your Response*

**APPENDIX 9**  
**TARGETED PATROL – PROJECT SAFE NEIGHBORHOODS—**  
**FIELD CONTACT FORMS**

Date of Operation: \_\_\_\_\_

Operational Supervisor(s): \_\_\_\_\_  
\_\_\_\_\_

Location of Operation (Must be in Targeted Area): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Participants (Check all that apply):

Albuquerque Police Department	_____
Bernalillo County Sheriffs Department	_____
New Mexico State Police	_____
DOC—Probation and Parle	_____
DEA	_____
US Marshal	_____
DPS—SID	_____
INS	_____
Region 1 Task Force	_____
United States Attorney’s Office	_____
District Attorney’s Office	_____
UNM-ISR	_____
Other	_____

**Targeted Patrol – Project Safe Neighborhoods—Field Contact Forms (Page 2)**

Type of Operation (see below/check all that apply)

Gun \_\_\_\_\_  
Buys \_\_\_\_\_  
Search Warrant \_\_\_\_\_  
Other \_\_\_\_\_

Narcotics \_\_\_\_\_  
Buys \_\_\_\_\_  
Search Warrants \_\_\_\_\_  
Reversals \_\_\_\_\_

Gang \_\_\_\_\_  
Intelligence Patrol \_\_\_\_\_  
Surveillance \_\_\_\_\_  
Graffiti \_\_\_\_\_  
Search Warrant \_\_\_\_\_  
Arrest Warrant \_\_\_\_\_

Vice \_\_\_\_\_  
Prostitution \_\_\_\_\_  
John Ops \_\_\_\_\_  
Other \_\_\_\_\_

Probation and Parole \_\_\_\_\_  
Home Visit \_\_\_\_\_  
Search \_\_\_\_\_  
Surveillance \_\_\_\_\_  
High Intensity Debriefing \_\_\_\_\_

Warrant (Mark All That Apply) \_\_\_\_\_

State \_\_\_\_\_  
Felony \_\_\_\_\_  
Misdemeanor \_\_\_\_\_  
DV \_\_\_\_\_  
Juvenile \_\_\_\_\_  
Traffic (Non-DWI) \_\_\_\_\_  
Traffic (DWI) \_\_\_\_\_

Federal \_\_\_\_\_  
Felony \_\_\_\_\_  
Misdemeanor \_\_\_\_\_

## Targeted Patrol – Project Safe Neighborhoods—Field Contact Forms (Page 3)

### 1. Guns Seized and Type (Totals)

Pistol—Revolver	_____
Pistol—Semi Auto	_____
Pistol—Auto	_____
Rifle—Bolt Action	_____
Rifle—Semi Auto	_____
Rifle—Sawed Off	_____
Rifle—Auto	_____
Shotgun—Pump/Breech	_____
Shotgun—Semi-Auto	_____
Shotgun—Auto	_____
Shotgun—Sawed Off	_____

### 2. Persons Information

#### Arrested Persons (Totals)

Male	Adult	_____	Gang Members	_____
	Juvenile	_____	Gang Members	_____

White	_____
Black	_____
Hispanic	_____
Asian	_____
Native American	_____
Other	_____

Female	Adult	_____	Gang Members	_____
	Juvenile	_____	Gang Members	_____

White	_____
Black	_____
Hispanic	_____
Asian	_____
Native American	_____
Other	_____



**Targeted Patrol – Project Safe Neighborhoods—Field Contact Forms (Page 4)**

**Cited Persons (Totals)**

Male Adult \_\_\_\_\_ Gang Members \_\_\_\_\_  
Juvenile \_\_\_\_\_ Gang Members \_\_\_\_\_

White \_\_\_\_\_  
Black \_\_\_\_\_  
Hispanic \_\_\_\_\_  
Asian \_\_\_\_\_  
Native American \_\_\_\_\_  
Other \_\_\_\_\_

Female Adult \_\_\_\_\_ Gang Members \_\_\_\_\_  
Juvenile \_\_\_\_\_ Gang Members \_\_\_\_\_

White \_\_\_\_\_  
Black \_\_\_\_\_  
Hispanic \_\_\_\_\_  
Asian \_\_\_\_\_  
Native American \_\_\_\_\_  
Other \_\_\_\_\_

**3. Resident Information (totals of arrested/cited persons who are of the target area):**

Male Adult \_\_\_\_\_  
Juvenile \_\_\_\_\_

Female Adult \_\_\_\_\_  
Juvenile \_\_\_\_\_

**4. Drug Seizure/Purchase Information—Totals**

<u>Type</u>	<u>Amount</u>
Crack	_____
Marijuana	_____
Cocaine Powder	_____
Methamphetamine	_____
Heroin	_____
Other	_____

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