Office of Criminal Justice Services

Criminal Justice Bulletin

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News/Announcements

Nov. 6th

NCJA Surveys States About SAA/SAC Relationship: In an effort to better understand the working relationship that exists between State Administrating Agencies (SAAs) and their research partners, earlier this year, NCJA created and distributed a short survey to the 56 SAAs. The survey examined the types of services that Statistical Analysis Centers (SACs), universities and outside research agencies provide to SAAs and detailed the types of activities and partnerships undertaken to enhance state justice systems. NCJA received 23 responses for a 50 percent response rate.

Overall 60 percent of SACs are located within the SAA or its umbrella organization, 35 percent were in an outside agency and 5 percent (select territories) do not have a SAC. Of the 23 SAA respondents to NCJA's survey, 70 percent indicated that the SAC was in their office. The remaining 30 percent reported that the SAC was located in an outside agency. Although not perfectly representative, the survey provides a fuller understanding about the type of collaboration between the SAAs, SACs, universities and other research partners.

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NASADAD Report Highlights State Practices Aimed at Combatting Prescription Drug Abuse: Ninety-six percent of states view prescription drug abuse as a critical issue, according to a report released by the National Association of State Alcohol/Drug Abuse Directors (NASADAD) earlier this month. The report, which gathered information from State Substance Abuse Agencies (SSAs), assessed the prevalence of abuse, obstacles states face in enacting policy, and promising practices states have implemented to combat prescription drug abuse and its byproducts.

Respondents included representatives from 46 states and the District of Columbia, approximately 96 percent of the population. For the purposes of the survey, prescription drugs were defined as being inclusive of, but not limited to, opioids for pain, central nervous system depressants, and stimulants. The most common actions taken by SSAs to address prescription drug abuse included convening task forces, providing education, collaborating with other agencies, and enacting legislation.

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Report Highlights Reentry Initiatives in Several States: Several states have experienced significant reductions in recidivism rates over the past seven years, according to a report released by the National Summit on Justice Reinvestment and Public Safety. The report described various practices that states have implemented to reduce reentry, including focusing resources on high-risk offenders, incorporating evidence based practices, and emphasizing alternatives to incarceration.

Data was collected from Kansas, Michigan, Mississippi, Ohio, Oregon, Texas and Vermont. Each state measured post-release recidivism among prisoners released in 2005 and 2007, tracking both groups for three years following their release. The highest reductions in recidivism rates occurred in Michigan (-18 percent) and Kansas (-15 percent). Among these states, there were many common themes in successful practices.

Michigan, which used funds derived from the closing of 21 correctional facilities in the state, established a statewide council devoted to reentry initiatives. The implementation of standardized risk assessment tools coupled with the availability of transitional housing for parolees was instrumental in the decline. Additionally, Michigan provided subsidies for employers who hired parolees, and collaborated with local agencies to provide transportation services. Officials from the state reported that prisoners who were able to take advantage of these services were 38 percent less likely to be re-incarcerated than the baseline average.

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Training/Technical Assistance Con't.

Sequestration 101 - What You Need to Know (Webinar): NCJA and the Vera Institute for Justice announce a special webinar on the sequestration process:
Sequestration 101- What it is and What it Means for Federal Funding
When: November 9 from 1 p.m. - 2:30 p.m. EST
NCJA Members: Free
NCJA members must enter the coupon code "ww46" to register for free.
Non Members: $25

Hear from experts about sequestration – what it is; what it means for your federal justice assistance funding for public safety and law enforcement; what Congress may do to avoid the "fiscal cliff;" and, what policymakers in DC need to know about how these future cuts will impact your work. This special presentation, offered right after the election, will offer insights into White House and congressional strategy on sequestration and the timing for completing the annual appropriations bills.

Click here to register.

Grants Training in Cincinnati: Cincinnati Police Academy and Grant Writing USA will present a two-day grants workshop in Cincinnati, **January 3-4**, **2013**. This training is for grant seekers across all disciplines. Attend this class and you'll learn how to find grants and write winning grant proposals. Beginning and experienced grant writers are encouraged to attend. Tuition is $425 and includes all materials. Seating is limited, online reservations are necessary.

Where: Spinney Field Complex, 800 Evans St., Cincinnati, 45204
Complete event details including learning objectives, class location, graduate testimonials and online registration are available here.
This event is hosted by the Cincinnati Police Academy.

Tools to Investigate White Collar Fraud Cases - Finding the Evidence to Prosecute the Fraudsters: The United States Attorney for the Southern District of Ohio invites you to attend a half-day, no-cost, training opportunity for agents and investigators of white collar crime.

When: November 15 from 8:30 a.m. - 12:15 p.m. (Registration begins at 8 a.m.)

Where: ATF Training Center, 230 West St., 4th Floor Conference Rm., Columbus, 43215

Cost: FREE

Topics Covered: ▪ Overview of Bankruptcy Fraud and its connection with other federal fraud crimes
▪ Tax Fraud trends
▪ Mortgage Fraud and beyond
▪ Health Care Fraud

To register:
1) E-mail the following information to usaohs.atac-lecc@usdoj.gov, OR
2) Print out and fax to the United States Attorney's Office,
ATTN: Laura Strubbe at (513) 684-6385 by November 5, 2012.

Please place "White Collar Fraud Training" in the subject line. You will thereafter receive a confirmation email with a detailed agenda.

"Do You Know Lacy?" A Domestic Minor Sex Trafficking Training: "Do You Know Lacy?" is a two-day training designed to raise awareness about the dynamics of domestic minor sex trafficking and increase coordination among justice system professionals. The track is designed to explore the complex issues faced by prosecutors through practical case evaluation, mini-lectures, demonstrations, and group discussions. Topics will include the identification of victims and offenders, investigating the case, assessing the case, identifying and responding to witness intimidation, working with non-participating victims, establishing forfeiture by wrongdoing, trial strategies, sentencing, restitution, asset forfeiture and ethical considerations. Federal, state and local prosecutors are encouraged to attend.

When: November 29-30

Where: Washington, D.C.

Approximately 10 continuing legal education credit hours, including one hour of ethics are pending state approval.

For additional information and to register, please click here or contact Elizabeth Scaife, Director of Training, Shared Hope International, elizabeth@sharedhope.org

Grant Funding

Residential Substance Abuse Treatment Funding (RSAT) Request for Proposal: RSAT funds assist state and local governments to develop and implement substance abuse treatment programs in state and local correctional and detention facilities. OCJS recommends applicants target high-risk offenders as program participants. The funds may be used to support treatment services in addition to the services the prison or jail is already required to provide. A minimum of 10 percent of Ohio's RSAT allocation must be available for local correctional and detention facilities for either of the two following program areas:

Residential Substance Abuse Treatment
- Six to 12 months in duration
- Residential correctional or detention facility
- Residents set apart from the general correctional population
- Focus on substance abuse problems of inmates
- Utilize urinalysis or other proven reliable forms of testing conducted
- Substantially focus on the substance abuse problems of the inmate
- Develop cognitive, behavioral, social, vocational, and other skills necessary to solve a substance abuse or related problem

Jail-Based Substance Abuse Treatment
- Program must last at least three months
- Treatment population set apart from general correctional population if at all possible
- Focus on substance abuse problems of inmates
- Science-based

Eligibility
All RSAT applicants must have an organization, or subgrantee, that will serve as the fiduciary agent and assume overall responsibility for the grant. Eligible RSAT subgrantees include:
1. A unit of local government or council of governments. A unit of local government has legislative autonomy, jurisdiction, and authority to act in certain circumstances. Units of government include a city, county, township, or village. If two or more organizations jointly apply, they must designate one body to take the lead role and identify that agency's fiscal officer.
2. State agencies, state-supported universities.

Format and Submission
Applications are submitted online through the OCJS Grants Management System, by 5 p.m. on November 30, 2012. Visit: www.ocjsgrants.com. Late applications will not be reviewed or considered for funding. Failure to follow the specified requirements will also result in the application not being reviewed or considered for funding.

IMPORTANT: Applications must be in the APPLICATION SUBMITTED STATUS in the OCJS Grants Management System to be considered for funding.

Click here for additional information.

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Grant funding

Family Violence Prevention and Services Act (FVPSA) Grant Program: The purpose of the federal FVPSA Program is to prevent incidents of family violence, and to provide immediate shelter and related assistance for family violence victims and their dependents.

Federal Definitions

- Family Violence: Any act or threatened act of violence, including any forceful detention of an individual, which (a) results or threatens to result in physical injury and (b) is committed by a person against another individual (including an elderly person) to whom such person is or was related by blood or marriage or is otherwise legally related, or with whom such person is or was lawfully residing.
- Shelter: The provision of temporary refuge and related assistance in compliance with applicable state law and regulation governing the provision, on a regular basis, which includes shelter, safe homes, meals and related assistance to victims of family violence and their dependents.
- Related Assistance: The provision of direct assistance to victims of family violence and their dependents for the purpose of preventing further violence, helping such victims gain access to civil and criminal courts and other community services, facilitating the efforts of such victims to make decisions concerning their lives in the interest of safety, and assisting such victims in healing from the effects of the violence.

Projects may apply under one or both of the following program areas. **Agencies may submit only one application per agency**, and may apply for both program areas with one application.

Core and Shelter Services

- Crisis Hotline Management (the operation of a 24-hour telephone service, 7 days a week, with trained staff providing counseling, guidance, emotional support, information and referrals, etc.)
- Essential Support Staff
- Residential Staff (staff that provide for the basic needs of victims in the shelters)
- Case Management Staff (staff that provide referrals, advocacy and crisis counseling)
- Supervisory Staff (24-hour management of the shelter and staff)

Prevention and Related Assistance

- Prevention services such as outreach and prevention services for victims and their children, assistance for children who witness domestic violence, employment training, parenting and other educational services, preventive health services within domestic violence programs (including nutrition, disease prevention, exercise, and prevention of substance abuse), domestic violence prevention programs for school age children, family violence public awareness campaigns and violence prevention counseling services to abusers;
- Counseling with respect to family violence, counseling or other supportive services by peers (individually or in groups), and referral to community social services;
- Transportation and technical assistance with respect to obtaining financial assistance under federal and state programs, and referrals for appropriate health-care services (including alcohol and drug abuse treatment), but not including reimbursement for any health-care services;
- Legal advocacy to provide victims with information and assistance through the civil and criminal courts and legal assistance; or
- Children's counseling and support services, and childcare services for children who are victims of family violence or the dependents of such victims, and children who witness domestic violence.

Note: This is a very detailed grant opportunity. Please visit http://www.ocjs.ohio.gov/solicitations.stm for additional information, requirements and resources.

Arrest Policy and Survivors report

Arrests and Survivor Safety

The arrest of offenders is the principal tool of law enforcement to keep survivors of intimate partner violence (IPV), sexual assault and stalking safe and financially secure. Removing the offender allows a survivor to maintain economic security by helping her continue work or school and stay in her home without fear or danger, in addition to preventing further physical or economic abuse and the resulting costs. By protecting a survivor's economic security, the risk of future victimization is also drastically decreased.

Furthermore, an arrest for domestic violence, sexual assault or stalking is a critical entrance to the criminal justice system, which can provide further protections. It opens the door to criminal protection orders and restitution for victims.

Unfortunately, it took many years for law enforcement to recognize intimate partner violence and sexual assault as serious criminal issues and for courts to feel comfortable addressing what were previously regarded as private matters. In the 1970s and 1980s, only **7% to 15%** of domestic violence incidents resulted in arrest and by 1998 arrest still only occurred around 20% of the time. Fortunately the concurrence of the women's rights movement, "tough on crime" criminal justice system reform, and several high profile domestic homicides led to the creation of specific policies that address law enforcement action in intimate partner violence cases.

Policies that Impact Survivors

The criminalization of domestic violence culminated in the passage of the Violence Against Women Act of 1994 (VAWA). Among many important new provisions, VAWA mandated that police make warrantless arrests of offenders of domestic violence if the officer witnesses or has probable cause that a crime occurred. VAWA's 2005 reauthorization, however, changed the language from "mandatory arrest" to "pro-arrest" following divisive research.

While federal policy no longer mandates arrest, state policy varies widely. Policies may mandate arrest, encourage arrest or leave it to officer discretion, though all authorize warrantless arrests with probable cause. States can add special conditions like time limits for making an arrest (ranging from on site to 48 hours after the incident) or limiting coverage to certain types of relationships. State policies may also define whether arrest policy is applicable to all IPV-related crimes, just for felonies or for protection order violations, and if mandated arrests produce automatic protection orders.

- 22 states and the District of Columbia require arrest.
- Eight states have preferred or pro-arrest policies.
- Time or "noticeable injury" limits exist in nine discretionary arrest and ten mandatory arrest states.
- In 11 states, officers must write an incident report if neither or both parties were arrested.

In addition to mandatory arrest, survivors are also impacted by dual arrest and state-based policies on verifying primary aggressors, no-drop prosecution and record expungement, all detailed below.

Please click here for the full report.

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Research, Evaluation & Statistics

Information on Public Safety Consolidation Available:
Researchers at the Michigan State University School of Criminal Justice are working with the Office of Community Oriented Policing Services (COPS Office) to develop information regarding public safety consolidation. Consolidation has been receiving greater attention in recent years as municipalities struggle with fiscal constraints. In their first bulletin, the researchers explain what public safety consolidation is and how it works. The bulletin features preliminary data and insight from research aimed at developing evidence-based lessons about this form of consolidation, including case studies from three sites that demonstrate the variation in implementation of the model.

Click here to read the bulletin.

Influence of the Strength of Eyewitness Testimony on Plea Bargaining Decisions:
A preliminary study funded by the National Institute of Justice (NIJ) of how plea bargaining decisions by prosecution and defense attorneys are affected by eyewitness factors was recently released. The study involved defense attorneys and prosecutors from California, who were presented with four scenarios involving eyewitnesses that varied in the factors of same-versus cross-race identification and prior contact (or not). Participants were asked questions regarding their estimate of the probability that the defendant was guilty, the probability that they would win if the case went to trial, whether they would plea bargain the case, and the lowest or highest plea bargain they would offer or accept. A discussion of the findings and their implications for policy, practice, and research are provided.

Click here to read the complete report.

Evidence-based practices

Midwestern Prevention Project:
Program Goals
The Midwestern Prevention Project (MPP) was a comprehensive, community-based, multifaceted program intended to prevent or reduce gateway substance use (alcohol, tobacco, and marijuana) during adolescence. The program strived to help youths recognize the social pressures to use drugs and to provide them with assertiveness skills to help refuse peer pressure and avoid drug use. MPP was designed to eliminate gateway substance use in middle school students and to reduce the risk of delinquency along the lifespan.

Target Population/Eligibility
The program was targeted at youths in the transitory period from early adolescence to middle adolescence, as this age presents a high risk for gateway drug use. The program was intended for use in a school-based setting for middle school students, specifically, sixth and seventh graders.

Program Components
MPP disseminated an antidrug message to students through a system of coordinated, communitywide strategies that involved various areas that influence a middle school student's life, including school, community, family, and mass media.

School. The central component for drug prevention programming is the school. The school component used active social learning techniques (modeling, role playing, and discussion with student peer leaders assisting teachers). It was included in teachers' curricula for middle school students and included homework that requires participation from parents in assignments.

Community/policy. A consistent message supporting a non–drug use norm was delivered through community organization and training, as well as through changes in local health policy regarding tobacco, alcohol, and other drugs. This component entailed training community leaders and government officials to plan prevention goals and strategies for implementation.

Parent. The parent education and organization component involved a parent–principal committee that met to review school drug policy and parent–child communications training, and was designed to occur within the school and the school neighborhood. This component was intended to motivate parents to participate in the furtherance of program goals.

Mass media. The mass media component was intended to promote the program's antidrug message through various media, such as television, radio, and newspaper. Mass media programming was used to support the other components by introducing the program's concepts to the entire community.

These components were introduced to the community in sequence at a rate of one a year with the mass media component occurring throughout all the years. All components involved regular meetings of respective deliverers (for example, community leaders for organization) to review and refine programs. Overall, the interrelated components were intended to promote a comprehensive curriculum that disseminated a zero-tolerance attitude toward substance use.

Please click here to view this highly rated strategy.

OCJS CONTACT

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