

CREATING AN ARREST ALERT SYSTEM IN YOUR JURISDICTION:

A WORKSHOP FOR PROSECUTORS AND OTHER PLANNERS



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I. The Workshop: An Overview

This half-day workshop will provide an overview of an arrest alert system and how it can be used as an intelligence-driven prosecution strategy that fights crime and enhances public safety. During this workshop, participants will learn key steps for planning, implementing, and maintaining an arrest alert system in their jurisdiction.

II. Background

While investigating and prosecuting crimes remain important prosecutorial responsibilities, there has been a significant movement in prosecutors' offices to look beyond individual cases and tackle the bigger picture of criminal activity affecting a community. Around the country, prosecutors have taken on new tasks that involve problem-solving, community engagement, and partnerships. By working closely with the community to identify local problems and partnering with neighborhood organizations and other agencies to find solutions, prosecutors are finding that they can improve public safety and boost confidence in the justice system. Instead of only responding to criminal activity, prosecutors are playing an active role in preventing crime by identifying patterns of criminal activity and addressing conflicts before they escalate.

In May 2010, New York County (Manhattan) District Attorney Cyrus R. Vance, Jr. created the Crime Strategies Unit (CSU) to develop and implement intelligence-driven prosecution strategies. Intelligence-driven prosecution focuses the collective resources of a prosecutor's office on one goal: reducing crime, particularly violent crime, through timely information sharing and close coordination with law enforcement and community partners. Among the new strategies the Unit developed was the Arrest Alert system: customized software that notifies prosecutors by email of priority arrests involving a specific individual, charge, or arrest location. By swiftly alerting prosecutors of high-priority arrests, the system ensures that prosecutors have detailed and updated information to make the most appropriate charging decisions, pretrial release or detention requests, and sentencing recommendations.

A key goal of the Manhattan Crime Strategies Unit is to make better use of the vast amounts of information that flow through a prosecutor's office. This model is based upon an understanding of a defendant's role in the criminal landscape of a community and using this intelligence to focus resources on those individuals most responsible for driving crime. The Arrest Alert system has started to revolutionize the way cases are handled in New York City. According to David O'Keefe, former head of CSU, it has allowed prosecutors to "break out of a reactive approach to prosecution to one that is focused on coordination and proactive measures."¹ Although traditional community prosecution is a few decades old, intelligence-driven prosecution is a concept that is just beginning to spark discussion in prosecutors' offices around the country.

III. Target Audience

This training is intended primarily for use in a prosecutor's office that has made the decision to implement an arrest alert system. Core participants should include the planning team, office leaders who will be responsible for the implementation, as well as other senior staff. For offices who have not yet made a decision to implement an arrest alert system, excerpts of the curriculum could be used and the training audience tailored appropriately.

IV. Estimated Time

This training workshop is designed to be presented in **3 hours**.

V. Materials Needed

1. Whiteboard and markers
2. PowerPoint presentation
3. Copies of Participant Handbook for all attendees (The handbook includes worksheets, a planning checklist, and fact sheets. The planning checklist and fact sheets are included to raise awareness and for post-course planning; however, they will not be used during this workshop.)

VI. Agenda 1-2

Part 1	Defining the Problem: What is an Arrest Alert System? <i>40 minutes</i>
Part 2	Creating an Arrest Alert System <i>40 minutes</i>
Break	<i>10 minutes</i>
Part 2 cont.	Creating an Arrest Alert System <i>40 minutes</i>
Part 3	Measuring Success <i>30 minutes</i>
Closing	Concluding Remarks and Next Steps <i>20 minutes</i>

Part 1: Defining the Problem: What is an Arrest Alert System? (40 minutes) 3

Goal

Participants will learn about intelligence-driven prosecution—particularly an arrest alert system—as a proactive approach to fighting crime and enhancing public safety. Participants will also explore the ways an arrest alert system would improve prosecution in their jurisdiction.

Overview for the Instructor

Before the surge of community prosecution in the early 1990s, prosecutors' offices were mostly reactive to the cases that police departments referred to them. Vital information about offender networks remained on prosecutors' legal pads without getting conveyed to the police or other prosecutors. Intelligence-driven prosecution focuses the collective resources of a prosecutor's office on one goal: reducing crime, particularly violent crime, through timely information

sharing and close coordination with law enforcement and community partners. The Manhattan D.A.'s Office's Arrest Alert system (a concrete example of an intelligence-driven prosecution strategy) allows prosecutors in New York City and elsewhere to make more deliberate and informed decisions regarding disposition of priority cases.

Lesson

A. Defining the Problem (20 minutes)  4

ASK participants to consider times during which having a notification system of current events (whether prosecution-related or more generally) would have been beneficial to decision-making.

Can anybody think of a time when additional information on a defendant, crime, or location would have helped a problem you were working on, but you only found out about it after it was too late to be useful to bring a certain charge, request a specific condition of pretrial release or detention, or make a particular sentencing recommendation?

ASK participants to consider what the results of three arrest scenarios would be. The following examples may be used, or you may develop your own.

For each of these scenarios:

- What could happen if the prosecutor from neighborhood A had the information from neighborhood Z?
- What would likely happen if the prosecutor from neighborhood A did not have the information from neighborhood Z?

EXPLAIN  6

The actions taken by a prosecutor post-arrest can have a huge impact on the effectiveness of the arrest in the criminal justice system as a whole. In this sense, a prosecutor's actions can have two outcomes:

- *Outcome A:*
By recognizing and responding to the "value" of a defendant's role in criminal activity, aggressive and appropriate prosecution can expand the positive effects of the arrest. For example, successfully prosecuting a major crime driver can have an immediate impact on a community by reducing victimization of particular people or the occurrence of particular crimes.
- *Outcome B:*
Not recognizing or responding to the "value" of a defendant's role in criminal activity more generally can be a lost opportunity.

Sample Scenarios  5

Scenario 1

- *A defendant is arrested for shoplifting in neighborhood A.*
- *In neighborhood Z, he is a suspect in a shooting and has not been able to be located for questioning.*

Scenario 2

- *A defendant is arrested for the first time for robbery in neighborhood A.*
- *In neighborhood Z, he was identified as a priority individual for being part of a violent gang and is suspected of participating in various assaults.*

Scenario 3

- *A defendant is arrested for shoplifting in neighborhood A.*
- *In neighborhood Z, she has an open case for robbery, but has been released on monetary bail bond pending trial.*

CONCLUDE  7

- An intelligence-driven prosecution model is based upon an understanding of a defendant's role in crime, as well as on data gathered about specific charges and arrest locations.
- This approach allows for smarter prosecutions by focusing resources on those individuals most responsible for driving crime.
- This approach minimizes the possibility that the arrests of crime drivers are overlooked.

Additional questions:

1. Is there a process in your jurisdiction to identify high-priority arrestees? If so, how are priorities set?
2. What is the current process in your jurisdiction to notify prosecutors of priority arrests?
3. Is that process sufficient to notify relevant prosecutors of all priority arrests?

B. What is an Arrest Alert System (20 minutes)

INTRODUCE the Manhattan D.A.'s Office's Crime Strategies Unit and its Arrest Alert system.

Key talking points:  8

- In May 2010, District Attorney Cyrus R. Vance, Jr. created the Crime Strategies Unit to develop and implement intelligence-driven prosecution strategies.
- Among the new strategies the unit developed was the *Arrest Alert system*: customized software that *notifies prosecutors by email of priority arrests involving (1) a specific individual, (2) a specific charge, or (3) a specific arrest location.*
- By swiftly alerting prosecutors of high-priority arrests, the system ensures that prosecutors have detailed and updated information to make

How It Works  9

The Manhattan D.A.'s Office identifies specific individuals, charges, and locations as priorities.



When a new arrest occurs, the Police Department enters the information into a statewide database, which then returns the arrestee's New York State Identification Number and full criminal history to the police. The NYPD sends arrest data to the D.A.'s Office, where it is fed automatically into the Arrest Alert system. The system uses the arrestee's unique identification number, type of crime, and exact address of the arrest to search for matches.



If a priority individual, charge, or location is flagged, the Arrest Alert system sends an alert via email to subscribing prosecutors and approved law enforcement partners. The email includes the arrestee's name, all other alert recipients, the categories and groups the arrestee is linked to, and notes that illustrate why the arrestee is included in a particular group.

DISPLAY an example of an arrest alert email message.  10

New Arrest Alert: (123456) Defendant John Doe
 ArrAlertMail Service (ArrestAlert@dany.gov)

You forwarded this message- on 12/25/2014 8:24AM.

Sent: Tues 12/24/2014 1:30 AM

To: Prosecutor A, PCT02_Arrest_Alert

The NYSID number **123456** of a defendant arrested on 12/23/2014 21:10, matches one being tracked by DANY as a member of the following group or groups:

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. GANGS: ABC 2. DANY INVESTIGATIONS: MAJOR CASES 3. FIO ALERTS 4. OPEN CASE ALERT 5. OPEN CASE ALERT 6. OPEN CASE ALERT | <p>(Note: Primary Target-ABC)
 (Note: On 1/1/2010 this def was shot in Times Square. Def not cooperative.)
 (Note: In 1/2014, this defendant was identified as a high-priority target by the FIO of the 19th pct.
 (Docket# 0000NY000001)
 (Indict# 00001/2014 View Case Detail)</p> |
|---|---|

Following is Arrest Information for this arrest. to see more details. click on Arrest ID # link:

<p><i>Arrest ID</i> <i>Defendant Name</i> <i>DOB</i> <i>Resident PCT</i> <i>Arrest Date/Time</i> <i>Arrest Location</i> <i>Arrest PCT</i> <i>AO</i> <i>AO Command</i> <i>Top Arrest Charge</i> <i>Occurrence Date/Time</i> <i>Occurrence Place</i> <i>Omni Narrative:</i></p>	<p>MTS0000001 JOHN DOE 01/01/1990 MTS PCT 12/23/2014 21:10 PENN STATION, NYC, NY MTS PCT DT3 ELLIOT STABLER MTS DET PL 2650100 [F] 06/23/2014 20:15 at PENN STATION NYC, NY AT T/P/O APPREHENDED PERP# 1 PLUS 2 OTHER (UNAPPREHENDED)</p>
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EXPLAIN the benefits.  11

An Arrest Alert immediately notifies prosecutors of priority arrests involving a specific individual, charge, or location. This information can assist the prosecutor to:

1. Decide whether bringing enhanced charges is appropriate;
2. Draft appropriate pretrial release or detention requests;
3. Make appropriate sentencing recommendations;
4. Alert the court about a new arrest;
5. Identify violations of curfews and other applicable conditions;
6. Receive timely notice of debriefing opportunities;
7. Use other opportunities for the gathering of intelligence; and
8. Improve the investigation of cold cases.

Part 2: Creating an Arrest Alert System 12 (80 minutes)

Goal

Participants will understand how to plan and implement an arrest alert system in their own jurisdiction.

Overview for the Instructor

The instructor will walk participants through the planning, implementation, and post-implementation phases of creating an arrest alert system, using the steps taken by the Manhattan D.A.'s Office as a reference. This section will provide the opportunity for participants to discuss and propose how they would carry out these steps in their own jurisdictions; what similarities and differences exist; what obstacles would have to be overcome; and which key players should be involved in planning and maintaining a system.

Lesson

A. Planning Phase: Identifying and Managing Priority Arrests (40 minutes)

EXPLAIN the importance of identifying priority arrests. The foundation of an arrest alert system is the identification of priority arrests. *How should a prosecutor's office identify the priority individuals, charges, and locations?*

- Priority individuals are often those responsible for a disproportionate amount of crime.  13
They might range from persistent lower-level offenders to those who commit violent felonies.
 - However, priority individuals can also include anyone who a prosecutor's office wants to track, such as defendants with open cases or uncooperative witnesses (e.g., gang members or other crime drivers who have been shot or stabbed and are not cooperative with law enforcement).
- Priority charges are usually crimes that have a major impact on community safety and well-being—for instance, weapons offenses, gang-related crime, or grand larcenies.  14
 - They may vary by neighborhood. For example, in a neighborhood with a central business district, retail theft might be a major concern. In another that has strong gangholds, weapons offenses might be a major concern.
- Priority locations may include “hot spots” where criminal activity frequently occurs.  15

The first step in identifying priority arrests is gaining an accurate understanding of local crime issues by analyzing data and reaching out to both community stakeholders and law enforcement.

As a group, ANSWER, REVIEW & DISCUSS questions on **worksheet #1**, which can be found in the Participant Handbook.  16

EXPLAIN to the participants that they will be discussing the answers to some of the questions as a group, but the information collected for any questions not discussed in detail can be saved for follow-up planning at home. (The worksheet questions and explanations are listed below.)

1. Gaining an accurate understanding of local crime issues to identify priority individuals, charges, and arrest locations 17

Question: In your jurisdiction, what data would you seek, and what community organizations, law enforcement, or other sources would you contact to learn about local crime issues?

SUMMARIZE the participants' answers on the whiteboard.

- Data
- Community stakeholders
- Law enforcement
- Other

Once the group has spent a few minutes reviewing the answers, **EXPLAIN** how Manhattan answered this question.

In Manhattan, Crime Strategies Unit leaders wanted to identify a) Where are the problem locations?, b) What are the crime issues most affecting each location?, and c) Who are the individuals most responsible for driving that crime? To achieve this goal, they:

- Conducted a comprehensive crime survey, which included:
 - Meeting with the *Field Intelligence Officer* (FIO) in each police precinct, who briefed them on local crime patterns and trends. An FIO is a sergeant assigned to each precinct who is responsible for understanding crime and gathering intelligence in each precinct.

- o Identifying and meeting with the *patrol officers* (“beat officers”) within each precinct who were most familiar with high-crime areas or entrenched crime issues.
 - o Requesting precinct commanders to identify their top 25 *crime drivers* and provide reasons why each was a priority.
 - o Meeting with *community leaders* and attending various community meetings.
- (**Emphasize** that the main sources of this information were the police department and the community.)
- Created a *briefing book*, managed by the Crime Strategies Unit, which summarized each precinct’s criminal activity.

EXPLAIN

This was the Manhattan D.A.’s Office’s starting point for identifying priority arrests and populating the Arrest Alert system. Since the program was launched, prosecutors are able to create new arrest alerts based on an individual, charge, or location they determine to be a priority.

While other communities may differ, in order to remain current on evolving local crime trends and priority arrests, prosecutors at the Manhattan D.A.’s Office can access the Arrest Alert system through a database on their desktop computers, which provides them with a wealth of information regarding homicides, shootings, and gangs. In addition to these continuous system updates that may be accessed at any time by prosecutors, the Crime Strategies Unit briefs the Office’s executives twice a year and will host briefings for the trial division as requested on crime trends observed throughout New York City, with a focus on Manhattan.

2. Coordinating with law enforcement and information technology teams to access arrest data 18

Questions:

- How does the process for fingerprinting and obtaining previous criminal history work for each law enforcement agency in your jurisdiction, and how is this information delivered to the prosecution?
- Who manages the associated systems?
- Does it feel like the right relationships are in place to coordinate information sharing in an arrest alert system?

ASK participants to share their answers.

EXPLAIN

- To access arrest data, planners should determine how their local criminal justice identification process works, who manages the associated systems, and what type of network the data transfer process would require.
- Accessing arrest data from law enforcement is a key step in implementing an arrest alert system. This data might be processed and stored by several law enforcement agencies in a given area. Some prosecutors’ offices might have to obtain information from one or more local police departments, while others might have additional agencies processing arrest data, such as a state or local criminal justice coordinating agency or a sheriff’s office. In these cases, the prosecutor’s office will have to coordinate with multiple offices to obtain this data.
- In addition to law enforcement buy-in, accessing arrest data requires collaboration between the prosecutor’s office’s information technology team and the other relevant agencies’ information technology teams (e.g., probation, pretrial, courts). This collaboration

is key to ensure that the connection is seamless and the information is transmitted swiftly and accurately. It is important for the information technology teams to participate in the planning process in order to ensure that the information is in a usable format and the transfer is efficient.

3. Identifying who will be part of the team that receives and analyzes arrest data 19

Question: In your jurisdiction, who would you want on the team that receives and analyzes the arrest data that could be made available through an arrest alert system?

ASK participants to share their answers.

EXPLAIN

- It will be important to identify the human capital needed to manage the data that will be processed through an arrest alert system and to determine which resources are currently available and which need to be acquired.
- A prosecutor's office should designate an individual or a department to *lead and manage* its arrest alert system and govern decisions regarding access and security on an ongoing basis.
- *Prosecutors with special skills in technology and crime analysis* are a great resource for this type of initiative. As an example of what takes place in another jurisdiction, the information technology director at the Baltimore City State's Attorney's Office is also a prosecutor.
- Also, a strong collaboration with the office's *information technology team* should be maintained.
- Additionally, prosecutors' offices can benefit from internship programs. In Manhattan, student interns—who sign confidentiality agreements and receive credit for participating in *internship programs* through local universities

and colleges—assist in identifying useful information from phone calls made from jail and other sources.

DISCUSS the importance of **organizing the data** in an arrest alert system.

EXPLAIN that for ease of managing information, setting up notifications, and generating reports, an arrest alert system should be able to categorize arrestees and their alerts.

For example, associating a priority individual's identification number with a group or folder system may increase effectiveness. The ability to categorize and subcategorize an identification number can help prosecutors' offices organize and access large amounts of data.

The Manhattan D.A.'s Office's Arrest Alert system database, available at each prosecutor's desktop, is organized into three different categories: My Alerts (e.g., a specific homicide case), Pre-Defined Alerts (e.g., bench warrants, open cases), and Team Alerts (e.g., Manhattan gangs). Within each category there are three levels of folders (e.g., Manhattan gangs > Gang ABC > Confirmed) under which an identification number (priority individual) can be housed. An individual can be located in multiple folders (e.g., individual X could be in an open cases folder, in a folder as a suspect in a specific homicide, in a particular gang folder, and in a housing location folder).

ENCOURAGE participants to keep this in mind when planning an arrest alert system.

Show example of categorization through folders:  20



4. Deciding who has access to arrest information and how to deal with sensitive information

Questions:  21

- Ideally, who should have access to arrest alert notifications?
- Whose access to arrest alert notifications should need special permission?
- Who should *not* have access to arrest alert notifications? Why?
- What specific privacy concerns exist in your jurisdiction?
- How could these privacy concerns be met?

ASK participants to share their answers with the group.

ASK: How can an arrest alert system manage confidentiality issues?

EXPLAIN

- Although arrest data is public information, care should be taken to ensure that an arrest alert system is only used for its intended purpose within prosecutors' offices.
- A prosecutor's office should establish an access policy, outlining clearly who will have access to what information on the arrest alert database as well as who will receive notifications and sensitive information.
- Within that framework, the user who creates an initial arrest alert should have the ability to set individual permissions, including who can receive the alert, what information is included in the alert, and who can edit the alert.
- However, the system should have a safety mechanism that prevents users from authorizing notifications to persons outside of the network without permission.

- In addition to overall permissions, the system should have the capacity to restrict sharing sensitive information to all recipients of an arrest alert.
- Users should be permitted to add notes to alerts when they are created and amend notes as needed.
- Creating two categories—public and private notes—will enable the owners of the alerts either to share important information with everyone who receives the alerts or to restrict the sending of a note to the arrest alert owner(s).

Break (10 Minutes)

B. Implementation Phase: Developing the Technology (20 minutes) 22

EXPLAIN

A prosecutor's office seeking to implement an arrest alert system should establish a team to manage and facilitate planning and implementation. The core planners should be prosecutors and information technology experts. Project partners and collaborators, such as members from the law enforcement agency that manages arrest data, should also be invited to join the planning team. To maximize efficiency, the planning team should appoint a project manager who is familiar with the technology that will need to be developed, who will coordinate and delegate tasks, and set deadlines.

As a primer to developing the technology, the planning team should formulate a problem statement and conduct a needs assessment.

As a group, COMPLETE worksheet #2, which can be found in the Participant Handbook.

Questions:

- In your jurisdiction, who might you include on an arrest alert planning team? (List specific names, titles, and organizations.)
- Draft a problem statement: Describe what crime problems you are facing in your community that an arrest alert system may address.
The instructor should choose whether to share the sample problem statement below before or after the participants' proposed problem statements.

DISCUSS answers.

- *Planning team:* At the Manhattan D.A.'s Office, the following people worked together to create the system:
 - o Information technology department (head of this department was the project manager)
 - o An Assistant District Attorney who was familiar with technology
 - o A tech-savvy paralegal
 - o Veteran ADAs also collaborated
- *Problem statement:* The following is an example of a sample problem statement:

“Having access to up-to-date arrest information pertaining to priority individuals, charges, and locations will help prosecutors make better-informed decisions. However, arrest data is gathered by Agency X (and possibly multiple agencies), and it is not shared with prosecutors in a timely or useful manner.”

EXPLAIN that the subsequent steps that a planning team will need to undertake to develop the technology include:  23

- Documenting how the system currently works
- Creating a design document for the new system
- Conducting a gap analysis and creating a work plan and budget
- Building the system
- Training users on the system

C. Post-Implementation Phase: Maintaining the System (20 minutes) 24

ASK participants how they believe the arrest alert system should be maintained.

1. Once the system is created, how do you think it should be maintained?
2. What challenges might arise in your jurisdiction as more prosecutors interact with it?

Be sure that at minimum the following ideas are discussed:

- *Conducting routine maintenance.*
 - E.g., invest in additional servers to handle an increase in arrest data.
 - This occurred when the Manhattan D.A.'s Office determined that their Arrest Alert system should include alerts in all five counties that comprise New York City.
 - E.g., delete alerts that are no longer priorities.
 - The Manhattan D.A.'s Office routinely audits groups in its Arrest Alert system and determines whether individuals are no longer crime drivers and should be removed from these groups. If an individual is removed from a group, and there are no other arrest alerts on this individual (i.e., defendant with an open case, defendant with a curfew in place), then that individual is entirely removed from the Arrest Alert system.
- *Creating standardized procedures* to help ensure that the system remains organized and effective.
 - E.g., design adjustments, trainings, oversight.

LIST other ideas that are proposed on the whiteboard.

Part 3: Measuring Success (30 minutes) 25

Goal

Participants will briefly learn about the techniques that can be used to conduct basic performance monitoring and evaluation of an arrest alert system.

Overview for the Instructor

Performance monitoring is a vital tool that can be used to determine if an arrest alert system is operating as intended and is producing the expected outcomes. Performance monitoring does not necessarily require complex statistical analysis; however, it does require the researcher to, at a minimum, be familiar with the program and general research methods.

Lesson 26

EXPLAIN

Performance measures are specific and quantifiable measures that indicate whether and to what extent the arrest alert system is accomplishing its pre-established goals. In general, performance measures should be identified early in the planning process. They should be easy to document and always take the form of numbers, percentages, proportions, or answers to simple yes/no questions regarding whether or not an activity is taking place.

Performance indicators can be established for:

1. Criteria for identifying priority arrests, such as whether office-wide or neighborhood-specific criteria were established.
2. Who identified priority arrests, such as the number identified by prosecutors, law enforcement, or community stakeholders.
3. Priority arrest volume, including the number of priority individuals, charges, and locations identified in a jurisdiction or neighborhood.
4. Partner engagement, including the number of meetings held with local law enforcement or the community and who attended.

5. Use of the arrest alert system by prosecutors, including whether there is a written policy or protocol, whether trainings are held and the number of prosecutors trained on using the system, and the number of supervisory reviews of line prosecutors that include the knowledge and use of the system.

Additionally, a prosecutor's office may want learn about the frequency of use, the stage in the criminal process it's used, and how often prosecutors adjust or "enhance" their decisions (e.g., on pretrial release or detention requests, plea offers, or sentencing recommendations) in response to arrest alerts.

Closing (20 minutes)

During the final 20 minutes of the workshop, the instructor should allow time for questions and discussion among the participants.

Suggestions for closing words:

Note that to carry this forward in your jurisdiction, we've provided a planning checklist and fact sheets in the Participant Handbook.

¹ Center for Court Innovation, David O'Keefe, Head of the Manhattan District Attorney's Crime Strategies Unit (May 2013), available at: <http://www.courtinnovation.org/research/david-okeefe-head-manhattan-district-attorneys-crime-strategies-unit>.