

**PUBLIC SAFETY INSTITUTE SPRING 2021**

# **A Report on the Shelby County District Attorney's Community Prosecution Program**

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## **COMMUNITY PROSECUTION IN MEMPHIS/SHELBY COUNTY**

According to the Association of Prosecuting Attorneys, community prosecution (CP) programs “[encourage] collaboration between prosecutors, criminal justice partners and the community to create safer neighborhoods” (Association of Prosecuting Attorneys, n.d.). This model specifically introduces a community-centered approach to identifying key problems in neighborhoods and determining how to best respond to and mitigate these problems. CP programs also require that participating prosecutors facilitate and encourage communication, coordination, and partnerships between each participating criminal justice agency from arrest to punishment (National District Attorneys Association, n.d.).

The CP program initiated by District Attorney Amy Weirich in Memphis/Shelby County is an objective under the Safe Community Plan that started in 2017 focusing on reducing crime, with a specific goal of reducing acts of violence. The Safe Community Plan is spear-headed by the Memphis Shelby Crime Commission, with the University of Memphis’ Public Safety Institute (PSI) serving as an independent evaluator of plan objectives. The Safe Community Plan is guided by the knowledge that law enforcement alone cannot stamp out issues related to violence and safety and that a joint effort from all agencies is required to solve these problems. As such, the Safe Community Plan outlines goals for crime prevention and reduction from arrest to punishment to release.

Under the local CP program, prosecutors from the District Attorney’s (D.A.’s) Office are to integrate themselves within assigned Memphis Police Department (MPD) precincts and are involved in addressing crimes (violent and property) in their assigned areas. This fully integrated post uniquely positions these prosecutors to help build strong cases through their knowledge of the community and to develop crime prevention practices with long term implications. Being embedded within the precinct gives each

prosecutor the opportunity to identify the issues the precinct is facing and to work closely with law enforcement in the precinct in order to develop effective strategies for mitigating crime-related issues (Crime Commission, 2020).

The present report addresses survey results about the CP program in the Austin Peay (Old Allen), Mt. Moriah, and Tillman MPD precincts with a specific focus on:

1. The level of awareness and understanding among officers from MPD, apartment community managers from the SafeWays program, and neighborhood watch leaders;
2. The extent that each of these groups used the CP program; and
3. Possible suggestions these groups have to increase the effectiveness and use of the CP program.

## **METHODS**

A brief survey was distributed to police officers (fifteen items) at MPD and to SafeWays community managers (fourteen items) in the Austin Peay, Mt. Moriah, and Tillman precincts, as well as neighborhood watch leaders in the Austin Peay and Tillman precincts.

SafeWays is a Memphis-based nonprofit 501(c)(3) organization that helps apartment community owners and managers reduce crime and improve the quality of life for their residents. A primary tool SafeWays uses to address risk conditions on a property is "Crime Prevention through Environmental Design (CPTED). It also works to (1) improve the amount and quality of information about crime and calls for police and (2) enforce the D.A.'s Anti-Trespass Program in its apartment communities. (To review a PSI assessment of SafeWays, go to [www.memphis.edu/psi](http://www.memphis.edu/psi).)

The Safe Community Plan calls for implementation of a Neighborhood Safety Initiative (NSI) to, in part, increase the number of neighborhood watch groups and ensure that they are active. The NSI has been implemented in the Austin

Peay and Tillman precincts. (The PSI has conducted one assessment of the NSI and is in the process of finalizing a second assessment. To review the first assessment, go to [www.memphis.edu/psi](http://www.memphis.edu/psi).) Through the MPD neighborhood watch coordinators, the survey was submitted to neighborhood watch leaders in each of the two precincts. (The survey was not submitted to neighborhood watch leaders in the Mt. Moriah precinct because it is not part of the NSI initiative. However, any follow up survey will include Mt. Moriah neighborhood watch leaders.)

The survey asked for respondents to (1) indicate how aware they were of the program (six-point scale; never heard of it – fully aware with a full understanding); (2) describe how the program had changed their perspective on prosecutors and working with prosecutors/law enforcement (five items; five-point Likert scale); (3) describe the program and suggest improvements (two items, open response); and (4) answer a series of demographic questions. Surveys to MPD officers and SafeWays managers were distributed and completed electronically through the University of Memphis Qualtrics system by providing a direct link to survey participants. Surveys to neighborhood watch leaders were sent electronically by MPD neighborhood watch coordinators. The survey ultimately resulted in a sample of 186 survey participants from law enforcement, 11 survey participants among the SafeWays community managers, and 31 survey participants among neighborhood watch leaders.<sup>1</sup>

At MPD, 83% of the respondents were male, and the majority were between the ages of 18 and 29. Fourteen respondents were assigned to the Austin Peay precinct, 45 to Mt. Moriah, and 117 to the Tillman precinct. The majority of respondents were assigned to Bravo shift (“day” shift; 7:00 AM to 3:30 PM). Just under 80% of officers were patrol officers, with the remaining respondents holding a higher rank (e.g., Sergeant, Lieutenant, Major, Lt. Colonel, and

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<sup>1</sup> The number of participants varies on the question. This is due to a skip pattern imbedded in the survey which sends the respondent to the end of the survey for demographic questions if they have not heard of the community prosecution program. Also, some respondents failed to complete the survey. As such, valid responses may create a range of sample sizes from question to question.

Colonel). Five respondents indicated that they were still police recruits. Twenty-five officers indicated that they were members of specialized tactical or investigative units. All respondents with valid responses from the SafeWays survey were female, with a majority of respondents indicating that they were between 40 and 49 years old. Approximately 66% managed communities in the Austin Peay precinct, and 16.7% managed units in the Mt. Moriah and Tillman precincts. Of the neighborhood watch leader respondents, 23 out of 28 were women, and most (20 out of 29) were 60 or older. Of 31 total respondents, 27 were from the Tillman precinct, and only four were from the Austin Peay precinct.

## **RESULTS OF MPD SURVEY**

A little over one-third of MPD officers had never heard of the CP program as it exists within their precincts (N = 63, 34.8%). Of the 63 respondents that indicated they had never heard of the CP model, 52 of these respondents were patrol officers. As patrol officers comprise the largest number of officers at all precincts, it is problematic that so many have not heard of the program. Patrol officers are the front lines in police work and are responsible for the majority of police work. As such, the role of the community prosecutor should be important to their day-to-day patrol activities. Given that the community prosecutor is, in part, to identify and create responses to problems in the community, the relationship between the prosecutor and the patrol officer should be more symbiotic. Patrol officers are going to be the most familiar with the problems in their precinct, as they are the first to respond to calls-for-service and may prove a valuable resource for community prosecutors as they are working to identify the problems in the community. The community prosecutor may be able to identify broader patterns within the precinct and then begin to work on strategies to mitigate and resolve these problems.

Further exploration into these data indicate that seven of these 63 patrol officers were members of a specialized task force, or investigative unit, within the precinct. While this is a small number, it is important to consider that many of the officers indicated that the community prosecutor specifically

worked with such specialized/investigative units on a regular basis to assist with cases.

Figure 1 displays the distribution of officers' awareness of the CP program. Nearly one in three respondents had only heard of the program, but that was about the extent of their awareness. About 20% were either "partly familiar" or "very familiar." Only about one in ten officers who had heard of it were completely aware of it and felt they understood it completely.

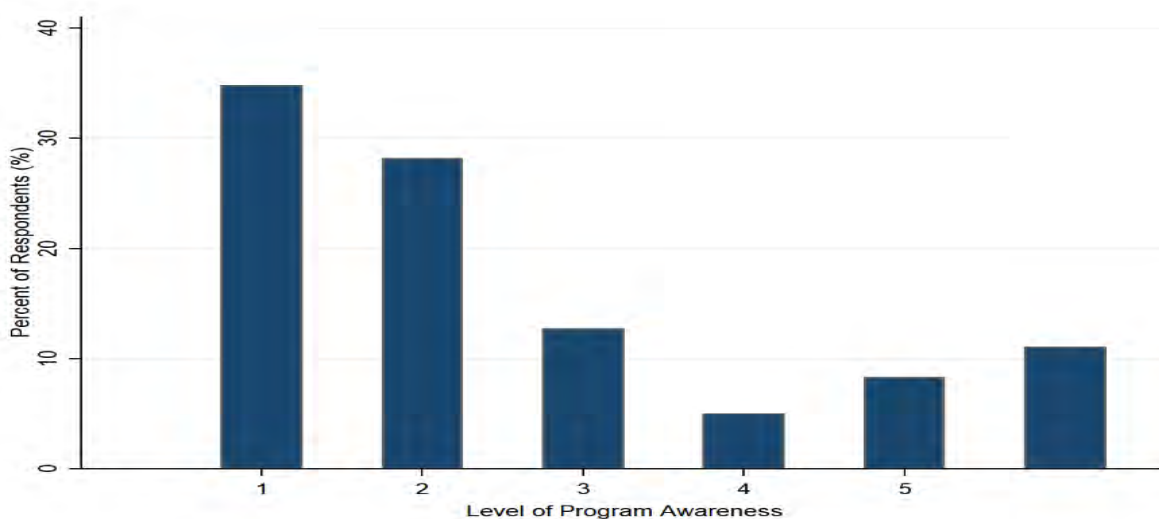


Figure 1. Distribution of program awareness scores among all respondents from MPD

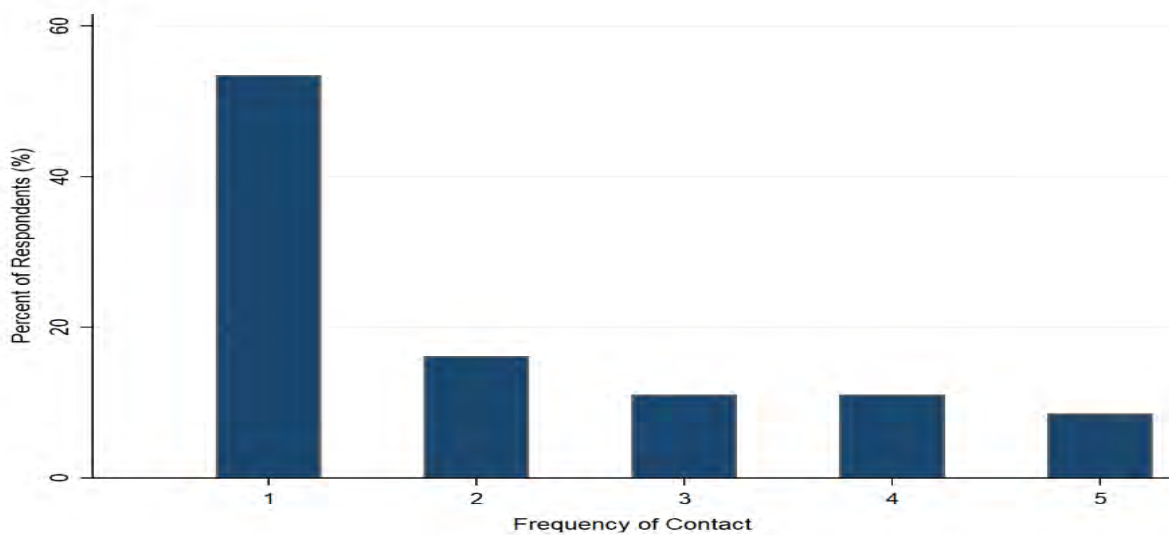
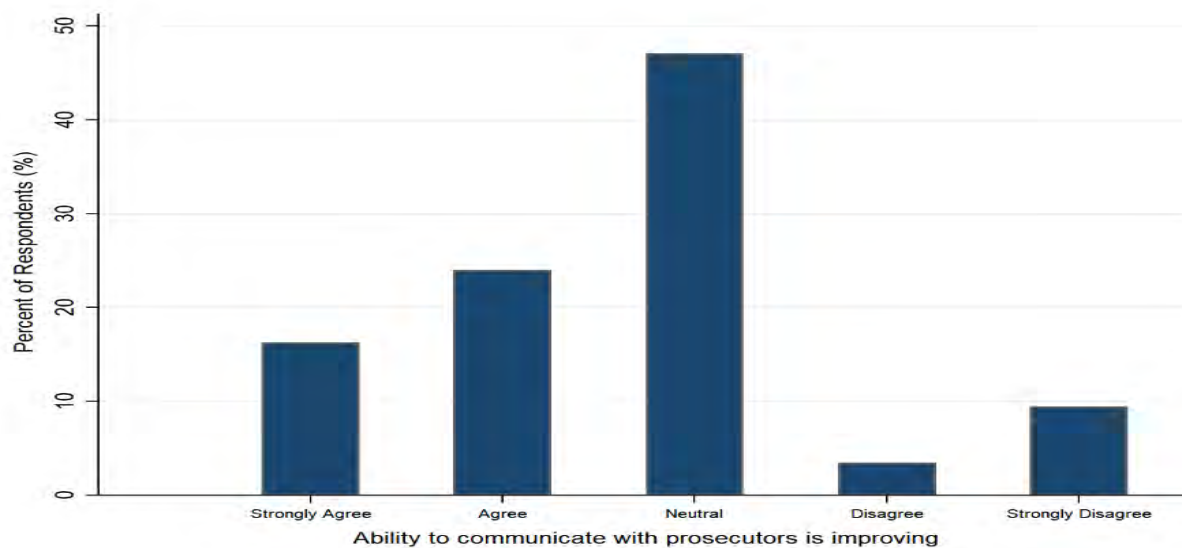


Figure 2. Distribution of the frequency of contact with the community prosecutor (MPD)

Only 10 officers total had daily contact with the community prosecutor. (See Figure 2.) Four of these officers worked in the Tillman precinct, three in Mt. Moriah, and one in Austin Peay. Two of these officers belonged to a specialized/investigative unit (Crisis Negotiation and Mt. Moriah General Investigations Bureau, or GIB). As far as rank is concerned, three of these officers were patrol officers, one was a lieutenant, one was a lieutenant colonel, and three were the colonels at each precinct. Seven of these officers were assigned to Bravo shift (7:00 AM to 3:30 PM), and one was assigned to Delta shift (5:00 PM to 1:00 AM). As such, there is no discernable pattern for regular contact with the community prosecutor among most MPD officers and, despite written indications that specialized units work with the prosecutor most often, only two of the officers who use the prosecutor daily were in these units. Of course, except for roll call, patrol officers are not routinely at the physical precinct station and should not be expected to have daily contact with the community prosecutor. Investigators assigned to the precinct are more likely to have daily contact.

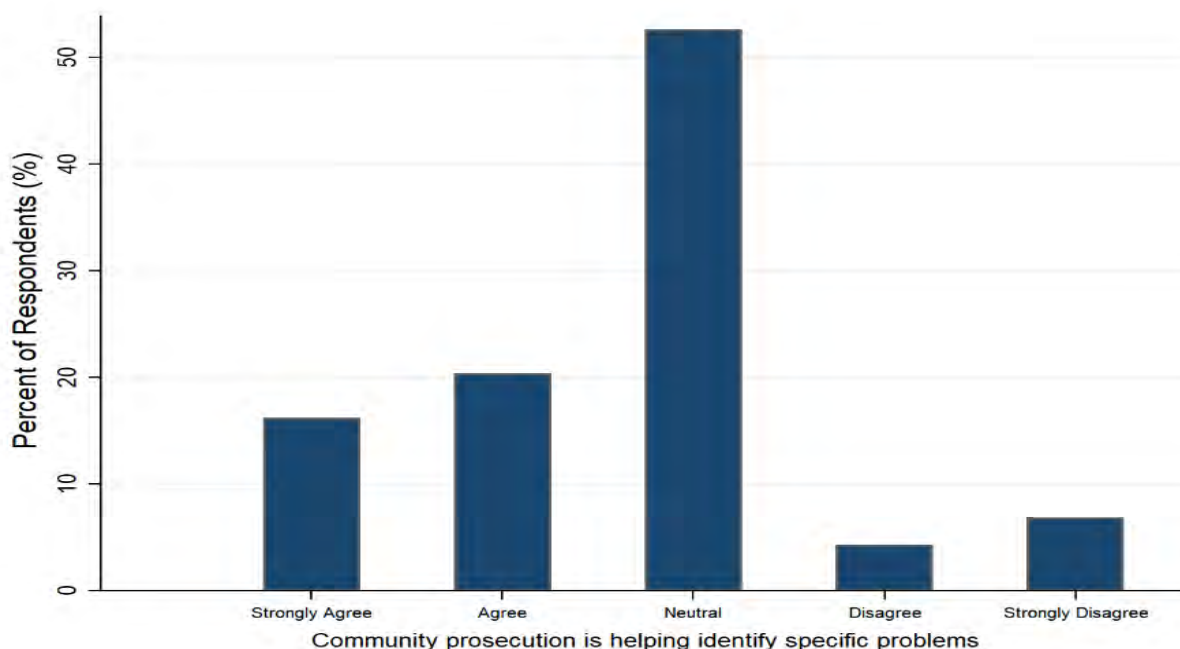


**Figure 3.** Distribution of responses to whether program is helping with officer/prosecutor communication (MPD)



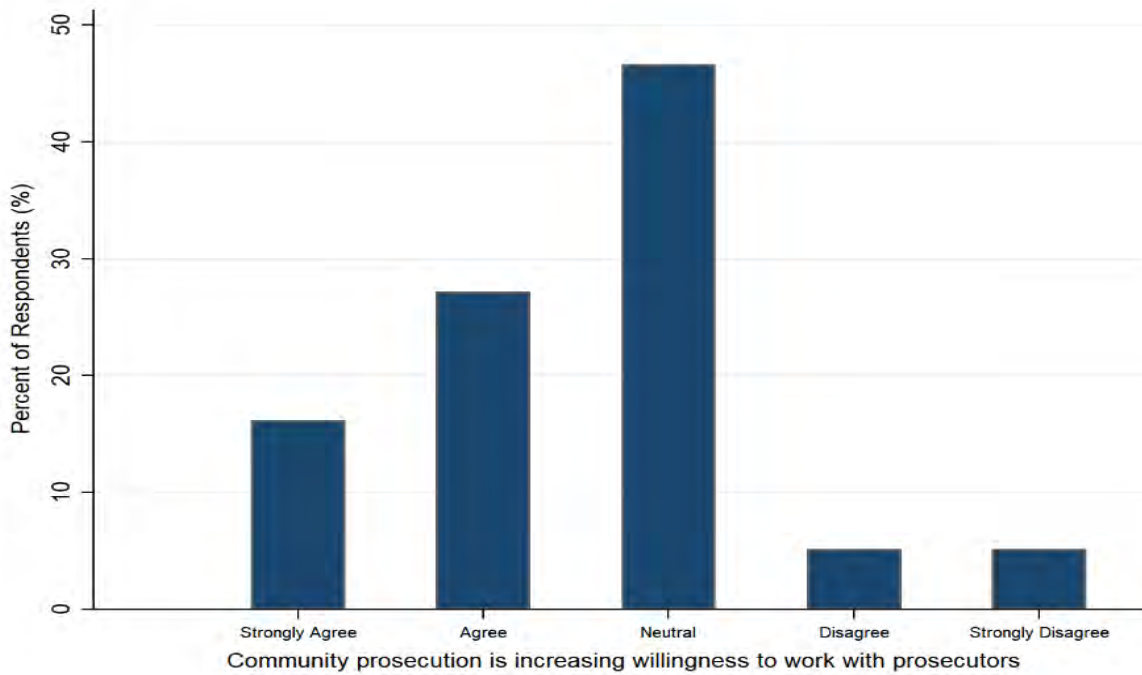
Because one of the central responsibilities of the community prosecutor is to facilitate communication, the survey asked respondents to provide their level of agreement with a statement indicating that the program has helped their ability to communicate with prosecutors. (See Figure 3.) Most officers expressed “no opinion” in their response (47.01%), but 40.17% indicated that they agreed or strongly agreed with this statement. This is a positive response, hopefully indicating that expanded use may be a valuable resource for increased communication between the D.A.’s Office and MPD.

The majority of officers were similarly of “no opinion” as to whether the CP program helped identify specific problems in the community (52.54%; Figure 4), if the program increased officers’ willingness to work with prosecutors to solve these problems (46.61%; Figure 5), and if the officers had a more favorable opinion of the D.A.’s Office because of the program (52.54%; Figure 6). However, each of these statements followed the same positive, hopeful pattern described above in that they agreed or strongly agreed that specific problems were being identified (36.44%), that they were willing to work with the prosecutor to resolve these problems (43.22%), and that they had a more favorable opinion of the D.A.’s Office because of the program (34.12%).

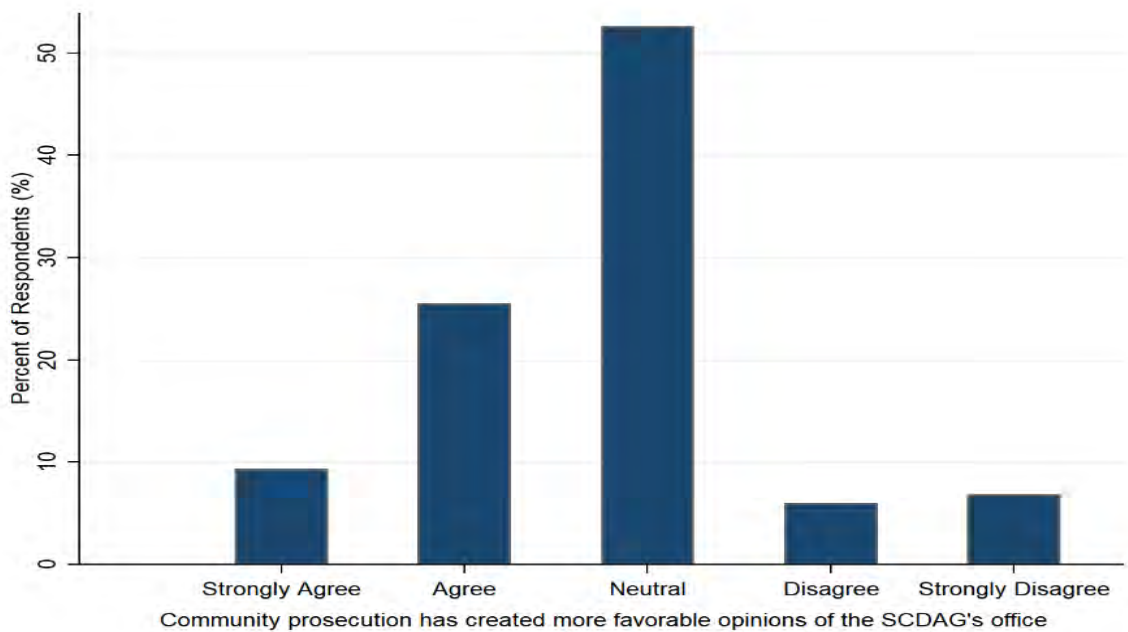


**Figure 4.** Distribution of responses to whether community prosecution helps identify problems in the community (MPD)





**Figure 5.** Distribution of responses to whether community prosecution is increasing a willingness to work with prosecutors to solve problems in the community (MPD)



**Figure 6.** Distribution of responses to whether community prosecution has provided the respondent with a more favorable opinion of the Shelby County District Attorney's Office (MPD)

Of the respondents who indicated that they had at least heard of the program, these respondents were asked to submit a written explanation of the role of the community prosecutor as they understand his or her purpose, to supplement the five quantitative items displayed in Figure 3 through Figure 6, and to determine if or how the model has adjusted to the needs of MPD officers.

Among the MPD respondents, several themes emerged from the qualitative responses. (See Table 1.) First, it should be mentioned that even though these officers had at least heard of the CP program, 16 officers indicated that they could not describe what the role was. Prominent reasons for this included that they did not interact with/use the community prosecutor, that they were on a shift in which the community prosecutor is not used (Delta shift), or that the community prosecutor primarily works with specialized units within the precinct (e.g., GIB).

The remaining officers who submitted written responses ( $N = 73$ )<sup>2</sup> indicated that the community prosecutor fulfilled several different roles within the precinct, but noticeable themes in the responses did emerge when each response was closely examined. The most frequently emerging themes were legal aid ( $n = 27$ ), charging ( $n = 20$ ), liaison ( $n = 19$ ), and processing ( $n = 10$ ). While variations of legal aid were described, most responses indicated that the community prosecutor was useful in explaining the rules of evidence to the officers and assisted with building their cases against offenders to ensure that the cases were as strong as possible. Tracking themes emerged when officers indicated the CP saw a case from beginning to end, processing themes emerged when officers discussed preparing a case or moving a case forward to court, and charging themes emerged when officers discussed the CP's input and recommendations for offense charging, each of which indicates that the prosecutor is meant to help build strong cases.

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<sup>2</sup> More than one theme may have been present in a comment. The total count of the themes in Table 1 and Table 2 are greater than the number of comments for this reason

Theme	Frequency
Advocate	3
Charging	20
Data Interpretation	1
Follow Through	1
Legal Aid	27
Liaison	19
Processing	12
Tracking	7
Total	90

**Table 1.** Frequency of themes within written descriptions of community prosecutor role

One respondent mentioned that the community prosecutors “deal directly with community complaints as they relate to blight, vacant property, homelessness, code violations, and criminal issues.” This respondent indicated that he/she uses the community prosecutor every day. Many of the responses from those who use the community prosecutor daily were similarly descriptive and seemed to display a better working knowledge of the position, which is expected given the frequency of contact. These responses were also the closest to the official description of the community prosecutor, though very few mentioned how the prosecutor develops strategies to resolve issues.

It is important to mention that one description was incredibly positive about the CP program, stating, “I love our community prosecutor. It is helpful to have him in the building or at least I can text him with a question. He checks on all the investigators when he gets here to see what is going on. Being able to ask him questions and understand more about the court system is amazing.” This respondent is a female officer on Bravo shift in the Tillman precinct. She is a patrol officer who is assigned to the GIB unit. This is a promising response, as it indicates that having the community prosecutor on site, and/or specifically assigned to a precinct, helps close the knowledge gap between policing policy

and practice and the case processing steps that follow in the court system. However, this officer indicated that the CP at the Tillman precinct takes a very hands-on approach to the position.

When asked how to make the CP program more effective, respondents were asked to either provide a suggestion, or to enter “N/A” if they were satisfied with the program as it currently exists. The majority of these respondents indicated that they were satisfied with the program as it was presently operating, though 19 offered suggestions to make the program more effective. Several themes emerged from these responses as well (Table 2). The three most common themes were increased communication (N = 8), having the community prosecutor be present at roll call (N = 6), and having a community prosecutor available to officers on all shifts (N = 5).

Theme	Frequency
Availability at All Shifts	5
Communication	8
Expanded Use to All Precincts	2
More CPs at Precinct Needed	1
Roll Call Attendance	6
Teamwork	2
Total	24

**Table 2.** Frequency of themes among what needs to be improved in community prosecutor role

## RESULTS OF SAFEWAYS MANAGERS SURVEY

Responses to the SafeWays managers’ survey were much fewer, resulting in only six to nine valid responses (the sample size depending on the question). Of these respondents, over 50% (N = 5) had not heard of the CP program, while other respondents had at least heard of the program. Only three respondents

provided responses to the statements qualifying their experience with the program. Expanding awareness of the CP program would be beneficial given how useful the SafeWays program (and other community-based crime prevention programs) can be to the CP model. In the same way that patrol officers are most familiar with the most common problems in their precincts, these managers are likely to be more familiar with the problems that their residents are having. They can similarly assist with helping to identify problems in these apartment communities, for which the prosecutor could then develop strategies, as well as facilitate communication of these problems to law enforcement.

Of the three respondents providing responses to the statements qualifying the experience with the CP program, one respondent had “no opinion” to all five statements about CP. Two respondents agreed that CP had improved their ability to communicate with law enforcement and prosecutors, that CP had helped identify specific problems in the community, and that they had a more favorable opinion of the D.A.’s Office because of the program. Only one respondent agreed that CP has increased a willingness to work with law enforcement and prosecutors, and that the CP program had resulted in a more favorable opinion of law enforcement.

Only two respondents provided a written description of the CP program as they understand it, both of which indicated that the community prosecutor is responsible for identifying community needs and problems, as well as “processing” of cases from the precinct to which they are assigned. While one of these respondents stated satisfaction with the current practices, the other indicated that law enforcement officers need additional resources to assist the prosecutors with addressing community issues. A third respondent indicated that the community prosecutor needed to take a more hands-on approach with the community.<sup>3</sup>

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<sup>3</sup> Figures and tables are not included in the description of the SafeWays survey as the response rate was so low that responses could be effectively described without visual aids.

## RESULTS OF NEIGHBORHOOD WATCH LEADERS SURVEY

The response rate among Tillman precinct neighborhood watch leaders represents a significant sampling, with 27 responses being submitted. However, in the Austin Peay precinct, only four responses were submitted.

Significantly, among the 27 Tillman respondents, only one had not heard of the CP program, while three of the four respondents in Austin Peay had not heard of it. Five of the 27 Tillman respondents had “some understanding” of the CP program, as did the one Austin Peay respondent who was aware of it. However, 21 of the 27 Tillman respondents expressed familiarity with the CP program, with six saying they were “very familiar” and four saying they “completely understand” the CP program. In addition, 20 of the 27 Tillman respondents indicated they had worked with the community prosecutor.

Not all of those surveyed responded to all five statements about the CP program. From the Tillman precinct, most had “no opinion” on whether the CP program improved their ability to communicate with law enforcement and prosecutors (15 out of 16 responses), increased their willingness to work with law enforcement and prosecutors (12 of 16 responses), resulted in a more favorable opinion of law enforcement (13 of 16 responses), and resulted in a more favorable opinion of the D.A.’s Office (14 of 16 responses). On the other hand, the vast majority agreed that the CP program had helped identify specific problems in the community (15 of 16 responses). The one respondent from the Austin Peay precinct indicated agreement with helping identify specific problems, increasing willingness to work with law enforcement, and resulting in a more favorable opinion of the D.A.’s Office, with “no opinion” on improving the ability to communicate with law enforcement and prosecutors or resulting in a more favorable opinion of law enforcement.

Of those who completed the demographic questions (from both precincts), 24 indicated they were neighborhood watch leaders (with 2 indicating “no”) and 14 out of 30 indicated that they participated in their local Police Joint Agency meetings.

Five respondents provided additional written comments, with three indicating the community prosecutor works with law enforcement to reduce crime in the precinct, one indicating the community prosecutor works to develop and implement a plan for safety, and one indicating that the community prosecutor is more aware of habitual offenders and can take appropriate action, while also noting that victims should be aware of possible plea bargains before they take place and the reasoning behind them.<sup>4</sup>

## DISCUSSION

This report serves to estimate the awareness and understanding of the community prosecution program in the Austin Peay, Mt. Moriah, and Tillman precincts through surveys of police officers, SafeWays managers, and neighborhood watch leaders (in the Austin Peay and Tillman precincts). Respondents were surveyed to determine (1) whether the community prosecutor was facilitating communication and relationships among key stakeholders, 2) the degree of awareness and understanding of the CP program, 3) whether the community prosecutor was identifying problems in the community, and 4) if the community prosecutor was working to identify possible ways to resolve these issues.

The results of this report indicate that, while respondents who were aware of the CP program were generally supportive of it, there needs to be a higher level of awareness of the CP program in the precincts where it is being implemented among all the groups surveyed. The majority of those who had at least heard of the program had rarely or never interacted with the community prosecutor. However, a significant number of the respondents provided positive responses regarding how CP has improved their ability to communicate and work with other stakeholders, and how the program has helped identify problems in the community.

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<sup>4</sup> Figures and tables are not included in the description of the neighborhood watch survey as the response rate was low enough so that responses could be effectively described without visual aids.



The themes that emerged from the written descriptions by MPD officers of the CP program touch on several of the goals of the D.A.'s Office. For example, many of the "processing," "tracking," and "legal aid" statements describe the idea of "vertical prosecution." The "liaison" statements describe the way that community prosecutors are meant to facilitate relationships among those involved in a case. There is an indication that a number of MPD officers understand that the community prosecutor is meant to help identify problems, with approximately 36% of officers agreeing or strongly agreeing that this program has helped to identify problems in the community and to develop strategies to address these problems. In general, law enforcement officers seem to use the community prosecutor for building cases and for legal aid within specialized/investigative units. This causes the role to change from a proactive approach to crime issues to a more reactive approach.

The National District Attorneys Association (NDAA) indicates that CP programs require facilitation and encouragement of communication, coordination, and partnerships between each participating agency. It can be determined from the results of the MPD survey that there is room for growth in meeting these definitional standards. While it is understandable that minor adjustments will be made by precinct-level officials to ensure that a program fits an individual agency's existing practices and policies, those adjustments should be made without jeopardizing the definitional standards. There is an indication that the prosecutor in the Tillman precinct is following these standards. Arguably, the number of MPD respondents to the survey from the Mt. Moriah and Austin Peay precincts was too small to reach a conclusion, especially in the Austin Peay precinct (with only 14 respondents).

The SafeWays program creates a unique situation given the description of the program. The overall goal of the SafeWays program is to use evidence-based and research-driven policies and practices to promote safety, crime prevention, and quality of life in apartment communities. This program facilitates a collaborative relationship with law enforcement, property managers, and social service providers (SafeWays, 2017). While the NDAA specifically states that a relationship must be facilitated between all entities

involved from arrest to punishment, it does not necessarily specify the relationship between crime prevention programming and the prosecutor. However, given the mission of the SafeWays program, it is surprising that so few managers are aware of the CP program.

Likewise, neighborhood watch groups offer concerned precinct residents an opportunity to convey to community prosecutors specific problems or concerns and jointly develop strategies or approaches to address them. It is encouraging that a sizable majority of neighborhood watch leader respondents from the Tillman precinct were aware of the CP program and had, in fact, worked with the community prosecutor. (The survey sampling of neighborhood watch leaders from the Austin Peay precinct was too small to draw any conclusions, and neighborhood watch leaders from the Mt. Moriah precinct were not surveyed as part of this study.)

The major limitation of this study is obvious, and that is the rate of survey responses. The response rate among both law enforcement and neighborhood watch leaders in the Tillman precinct is encouraging but still marginal. The response rate among SafeWays community managers and the neighborhood leaders in the Austin Peay precinct is insufficient to draw any conclusion. Additional information is needed to get a full picture of the CP program in all three precincts. Many of the conclusions can only be drawn about the program's implementation in the Tillman precinct among MPD personnel and neighborhood watch leaders and the Mt. Moriah precinct among MPD personnel. Otherwise, the very nature of the low response rate makes it impossible to draw conclusions.

Second, some surveys were started but abandoned after being started, resulting in a number of incomplete surveys. This was despite an effort on the part of MPD administration and SafeWays staff to ensure that surveys were being taken by available participants. Despite this, all necessary methodological and analytical precautions and measures were taken to ensure that the data presented in this report were as complete and valid as possible. This survey was also impeded by the COVID-19 pandemic, which

hindered data collection. This report was also intended to include data from citizen participants in Police Joint Agency (PJA) meetings. PJA meetings provide an avenue for citizens to bring to the attention of public officials crime and blight concerns in specific geographic areas. For the most part, PJA meetings were cancelled during the COVID-19 pandemic, making data collection from these groups impossible.

The survey generally explored the extent of knowledge officers and community stakeholders have about the program. While the survey did not evaluate the community prosecutors in any way, it did ask questions about the way that the program was working. So some process evaluation was conducted. However, a more complete evaluation should be conducted to determine if the program is being implemented as expected and to determine how effective it has been in these three precincts.

## **FINAL THOUGHTS**

The community prosecution program has the potential to be a valuable program in precincts and is a key objective in the Safe Community Plan. As the community prosecutor is tasked with identifying key crime problems and developing solutions for these issues at the precinct level, this could be an incredibly valuable tool in the Memphis and Shelby County crime prevention toolbox. In its current state, officers are largely unaware of the program, and it seems to be information that is provided on a need-to-know basis.

Supplemental analyses examining the relationship between officer awareness and rank paints a picture in which higher ranking officers are more aware and capable of explaining the program. This leaves most patrol officers much less aware and less able to explain the program, generally speaking, unless these officers belong to specialized units.

The CP roll calls for hands on prosecutors who provide open lines of communication with those involved from arrest to punishment. Ways to implement this among officers assigned to the precincts are (1) to have prosecutors on call at more hours (Delta and Alpha shifts – the “night” shifts –

had the lowest average awareness scores), and (2) to have them communicate findings and issues within the community at roll call. (Several officers indicated that communication needed to be improved. See Table 2.) This could be resolved simply with a weekly report that could be provided to officers at roll call, making the prosecutor's physical presence not fully necessary, but also increasing the communication aspect of the program.

Finally, while much of this report focuses on the law enforcement relationship with the CP program, it should be noted that expanded communications with neighborhood watch programs, citizen participants in the Police Joint Agencies, and the SafeWays program are a unique addition to the model that would provide additional solutions for crime prevention from the community perspective. If community prosecutors were to report their findings of community crime issues to these organizations on a regular basis, they could more effectively supplement the law enforcement role in reducing crime in specific neighborhoods.

## REFERENCES

- Association of Prosecuting Attorneys. (n.d.). *Community Prosecution*. Retrieved from <https://www.apainc.org/programs-2/high-performance-prosecution-project/community-prosecution/> on September 24, 2020.
- Crime Commission. (2020). *Safe Community Plan*. Retrieved from <https://memphiscrime.org/safe-community-plan/#sp-goal-a> on September 24, 2020.
- National District Attorneys Association. (n.d.). *Community Prosecution*. Retrieved from <https://ndaa.org/programs/community-prosecution/> on September 24, 2020.
- SafeWays. (2017). *About SafeWays*. Retrieved from <https://SafeWays.org/about-SafeWays/> on November 3, 2020.



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