

**One Less seat-of-the-pants
judgment,
One More judgment
informed by data**

Dave Chapman

**Charlottesville
Commonwealth
Attorney**

We are moving our community criminal justice system forward toward a model in which the discretionary judgments made by criminal justice professionals are better informed by data and more likely to contribute measurably to improved outcomes. We will improve public health and safety by utilizing evidence-based decision making at each critical stage at which we make choices about policies, practices, and, in individual cases, about people. These objectives can be accomplished without compromising our values or undermining the important principle of holding people accountable for their behavior.

As well-trained, motivated, and experienced as we might consider ourselves to be in our criminal justice-related capacities, we should not as individuals, nor should the community as a whole, assume that our decisions contribute as much to public health and safety

as we believe they do. A traditional or typical approach to a type of offense, even one that derives from an important principle such as holding people equally accountable for the same behavior, may not be the most effective one. There may be other approaches that not only uphold the principle of equal justice to the same degree, but also improve outcomes measurably in terms of the contributions they actually make to public health and safety.

There is reason to believe that we can improve outcomes in criminal cases by utilizing evidence-based decision making at each stage of the process where discretion is exercised by officials who work in the justice system. This is true at the system level when choosing among alternative policies, practices, and programs. It is also true at the individual level in the context of sentencing decisions or the consideration of appropriate alternatives to traditional prosecution. We can improve the justice system by keeping better data, by studying it regularly and rigorously, and by making intelligent choices that are supported by evidence.



Our transition to increased reliance on evidence-based practices is a collaborative process in which the experiences and good judgment of veteran criminal justice professionals are utilized to identify and implement an improved set of policies, practices, and programs that meet the needs of the community. This process is not taking place in a vacuum. Participants in this effort include a diverse cross section of professionals from every corner of the criminal justice system who are highly motivated to improve our local justice system while preserving overall confidence that the system is fair at its core and achieves outcomes that enhance public health and safety. We share a common desire to pursue data-driven policies and decisions while maintaining fidelity to the important principles of accountability and proportionality.



**One Less
Trauma to the
Community**

Maggie Cullinan

**Charlottesville
Victim Witness
Coordinator**

I have worked in the criminal justice system in some capacity for sixteen years. In that time I have worked with victims as an outreach coordinator for a domestic violence program and in my current position and with offenders as a probation officer. I have witnessed the violence, poverty and addiction cycles produce offenders out of victims and victims out of offenders. In my current position, not a week goes by that I don't see a former victim on the other side of the court room at the defense table.

Witnessing the production of offenders and victims through the criminal justice system over the years leads to the obvious conclusion that our current system is failing our community. It is disheartening to see generations of families

pass through the system over the years. There are generations of Charlottesville children who think having a family member charged with a crime or incarcerated is "normal."

Evidence Based Decision Making is our community's best chance at changing that. Through collaboration, those directly involved in the criminal justice field and its community partners will look at the system from arrest to post conviction, study it, analyze it with hard data and see what works and what doesn't. We will have the opportunity to set goals for change, takes steps to implement them and again analyze what we have put in place. If there is evidence some practice or policy we try isn't working, we will change it or get rid of it. In the past, policies were put in place because someone thought it was a good idea. This new approach enables us



to implement only policies we can show are effective in outcomes and cost.

We already know what isn't working. The system has been chewing up and spitting out victims, offenders, and families and the resulting trauma into the community for decades, resulting in re-victimization, recidivism and costs that effect us all. For years we have been sticking band aids on the leaky boat we call our criminal justice system. Evidence Based Decision Making is our best hope for building a "better boat."

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One Less Damaged Life

The Honorable Judge Robert Downer

District Court Judge, Charlottesville District Court

I embrace the concept of "one less damaged life" when I think about evidence-based decision-making. Whenever a criminal offense is committed at least one person's life is damaged. The criminal justice system reacts primarily to crime and dealing with the offender who commits it, however, the lives of victims, the lives of families of victims and offenders, and the lives of members of the community where a crime takes place are often damaged as a result of crime. All of the components of the criminal justice system should work together to reduce the number of lives damaged by crime as well as the severity and permanence of the damage suffered. One might question whether this is even possible in a justice system that is adversarial by design, but I believe evidence-based decision-making provides a means to achieving the goal of "one less damaged life" within the framework of our existing justice system.

Members of each component of our justice system: police, sheriffs,

commonwealth attorneys, defense attorneys, victim witness advocates, probation and parole officers, community corrections officers, jail personnel, magistrates, and judges are working together to examine each contact an offender, a victim, a family member, or a neighborhood may have with our justice system. Our effort is designed to better understand what we are doing now, to determine how to document and evaluate what we are doing now, to learn how we might improve our system by studying techniques that have been proven to succeed, to decide what steps we will take to try to improve our justice system, and to establish an evaluation process that will enable us to determine whether the steps we take are effective. By using evidence-based decision-making we hope to: heal and provide restitution for victims rather than have them feel victimized again by the system; resolve cases more quickly; improve fairness in accountability and punishment; provide better treatment programs for reentry into the community when appropriate; and reduce the number of repeat offenders.

Our community and our nation face difficult financial challenges today, and we spend too much of our resources in order to incarcerate offenders. Those who pose a threat to the safety of this community need to be confined until we are confident that the threat is gone, but too many low-risk offenders are confined longer than necessary. We need to



tailor the programs we fund to effectively reduce a high-risk offender's propensity to repeat criminal behavior. We as a community must do our part to see that former offenders have an opportunity to have employment, support their family, become productive, and earn respect, or we will doom them to re-offend and thereby repeat the cycle of damaged lives.

I look forward to a day when there is one less damaged life, be it that of a victim or an offender or a family member or a member of the community, because evidence-based decision-making has been implemented and embraced by all who serve our justice system.

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**One Less
Incarcerated
Person**

Linda Hamilton

**Senior Director,
Region Ten
Community Services
Board**

One might wonder why Region Ten has been included as part of the Policy Team for "The One Less Initiative." All of the other members of the team are directly connected to the criminal justice world: judges, prosecutors, probation officers, police, sheriffs, jail staff, victim advocates and defense attorneys.

So why is Region Ten included? Simple, really. The majority of individuals incarcerated are either mentally ill or have a substance use disorder. In a national survey done in 2002 it was shown that 51% of inmates in jails and prisons across the nation were under the influence of drugs or alcohol at the time of their current offense. An astonishing 78% of Virginia inmates scheduled for release

within the next 12 months reported a history of drug and alcohol abuse. It was further shown that 16% of state prison inmates, 7% of federal inmates and 16% of those in local jails reported either a mental condition or had spent time in a mental hospital. Sixteen percent of the individuals on probation were also reported to have a mental illness or had spent time in an institution for individuals with mental illness.

The Charlottesville-Albemarle region has a good and long history of collaboration among the various agencies and systems that work to protect our community and also assist our citizens. Region Ten has been engaged with the criminal justice system for many years and we are pleased to once again be involved with an initiative that recognizes the value of working together as a team.



The Community Intervention Team is one example of the excellent outcomes that result when all members of the team are knowledgeable and informed as they make decisions in difficult situations.

As the local Community Services Board, Region Ten has been incorporating and expanding the use of evidence-based practices for treatment of substance use and mental health disorders for several years and recognize their value. By using the same vigorous process for decision-making within the entire criminal justice system, we look forward to treating individuals with mental health and/or substance use disorders before incarceration becomes the only option

One Less Harm

**Chief
Tim Longo**

Charlottesville Police Department

For the last 30 years, I have been afforded the opportunity to be a bystander and many times a participant in the best and worst times of people lives. Policing has served as a source of pride and energy for me and has blessed me with the great privilege of touching people at their core.

While law enforcement is part of a broader criminal justice system, it more often than not serves as the initial point of contact for both a criminal offender and the victim or victims that are impacted by their behavior. Once put into motion, the wheels of justice can sometimes spin in a manner that creates a sense of frustration by those who become part of a seemingly complex, uncertain, and exhaustive process. Along the way, there are missed opportunities, that is ways in which those of us who influence the process can identify shortcomings and improve both our efficiency and effectiveness in a manner that best serves those who desire a just and equitable result.

Our regional collaborative aimed at identifying and arriving at an Evidence Based Decision Making Model is the means by which we can ensure that there is one less missed opportunity to ensure that justice ultimately prevails; that victims are treated with dignity and respect, that offenders are afforded fair, swift, and certain judicial proceedings, and that those who are committed to the hands of our correctional systems are provided with the structure and programming necessary to rehabilitate criminal behavior. How we accomplish this important work is the product of people, systems, and processes coming together to take a hard look at what we do and measure that work against what empirical research demonstrates to be the best criminal justice practices.

It is undisputed that the professional judgment of criminal justice decision makers within our community can best be informed through evidence-based knowledge; that is, what works best in accomplishing both a safe community and a fair and efficient criminal justice process.



Both data and experience strongly suggests that every interaction that takes places within the criminal justice system, be it interaction with a victim or offender, creates an opportunity to contribute to harm reduction. As criminal justice providers, and members of a broader community, we cannot miss this opportunity to learn and improve upon our work based on the collection, analysis, and use of data and information.

We are fortunate to live and work in a community that embraces collaboration across boundaries. The Charlottesville-Albemarle County's Evidence Based Decision Making Initiative (EBDM) is yet another example of demonstrating the power of partnerships in ensuring that there is one less missed opportunity to make our community safe.



One Less Victim

Susan Painter

Albemarle Victim Witness Coordinator

Victim advocates often half-heartedly speak of “putting ourselves out of business”. While that is certainly not a very realistic prospect, there is reason to hope that by employing evidence-based practices in our local criminal justice system that we can reduce the number of people physically, emotionally and financially harmed by the criminal actions of others. If we in the Charlottesville/Albemarle criminal justice community are able to base our decisions on research and available data we may actually realize our goal of fewer victims or may at least make the experience of crime victims in our system less unpleasant.

It is certainly no secret that many crime victims are frustrated by the criminal justice process—it can be lengthy, it can be confusing, and the results are often not what the victim was hoping for.

One of the greatest areas of frustration is the payment of restitution. Or maybe I should say the non-payment of restitution. Our local probation officers are extremely diligent in working to see that victims receive restitution as ordered by the Court. But, sometimes offenders do not abide by all of the conditions that are prescribed for them and must be brought before the Court again. This means that the victim will probably have to wait even longer to receive the restitution that they are owed. Is there a better way? By employing evidence-based practices we may discover that there is.

I am frequently told by victims that they just want their offenders “to get help.” They recognize that incarceration is not always the best option. But, how do we in the criminal justice system ensure that the “help” to which we are sending offenders is appropriate and that it meets their needs? Evidence and research may help us match offenders with programs that will, in fact, reduce the likelihood that they will re-offend. Of particular concern to me are perpetrators of domestic



violence. Are the programs we currently utilize effective? We need to study them so that we can make our homes safer for everyone.

We are fortunate to live in a community in which all the components of the criminal justice system work well together and this initiative has borne that out. However, we have also been made painfully aware of the information that each of us has that is not available to other parts of the system. I look forward to the day when all of our systems “talk” to one another as well as the individuals do.

While it is certainly daunting to think about the work ahead of us, the opportunities in front of us are exciting. I believe by utilizing evidence-based practices and following the action plan we have established we can achieve one less offender, one less crime, and one less victim.



**One Less
Crime, One Less
Victim**



**Colonel
Steve Sellers**

**Chief of Police,
Albemarle County
Police Department**

I have been in law enforcement for the last 29 years, most recently as the Chief of Police for Albemarle County, Virginia. Prior to coming to Albemarle, I served as the Deputy Chief of Police in Fairfax County, Virginia. Throughout my 29 years of law enforcement service, I've come to appreciate the concept of working smarter – not harder and the strength of solid

collaborations across disciplines. The combination of these two principles can move mountains as they relate to reducing crime in our communities. While serving in Fairfax County, I had the honor of working with the Center of Evidence-Based Crime Policy and have attended two US Congressional Briefings dedicated to this topic. Having worked with some of the top researchers and experts in the field, I have a profound appreciation for and strongly support the Evidence-Based Decision-Making initiative as sponsored by the National Institute of Corrections. I have been involved with all aspects of our local Criminal Justice system, through overseeing a Police Department that has adopted and operates under a Community Policing philosophy to managing a post-apprehension investigation and subsequent prosecution of the DC Snipers.

Throughout my career, I've observed that the best chances for successes in the reduction of crime, come from strong, multi-disciplinary partner-relationships such as exists within the Charlottesville-Albemarle area. The disciplines and jurisdictions within this region already enjoy a rich and time-tested relationship toward the common goal of using evidence-based data to support crime reduction efforts. As such, we certainly will serve as a worthy candidate to continue our efforts for the EBDM project. The Albemarle County Police Department is committed to continued support of this initiative.

S L Sellers

