

**Comprehensive Gang Assessment:
A Report to the Durham Police Department and
Durham County Sheriff's Office**

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PREFACE

This report is the result of a comprehensive assessment of gangs in Durham – a study undertaken in mid-2006 with funding from the Durham Police Department and the Durham County Sheriff’s Office.

This assessment and report support the *Comprehensive Gang Model*, a set of guidelines for gang problem assessment and program implementation. The assessment and report draw upon the *Comprehensive Gang Model* – a guideline developed by the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP). This model calls for a continuum of programs and strategies in three core components: prevention, intervention and suppression. These elements are also core in two grants awarded to Durham – one by the U.S. Attorneys Office and another by the N.C. Department of Juvenile Justice.

The first strategy of the Comprehensive Gang Model is Targeted Suppression, which focuses on serious property and violent gangs and gang members, particularly those who are chronic offenders. The second strategy, Gang Intervention, targets gang involved youth through the use of an *Intervention Team*. In the third strategy, high-risk youth are targeted in what typically are called Secondary Prevention programs, designed for youth who already are involved in delinquent behaviors. Last, various Primary Prevention programs are intended to reach all youth in a community and thus do not target specific youth. For example, G.R.E.A.T. programs are provided to all students in selected classrooms. The Comprehensive Anti-Gang Initiative also has a reentry component.

By November 2007, Durham had made little progress in implementing the administrative structure of the Comprehensive Gang Model for the DJJDP Gang Violence Prevention Program (GVPP).

- A Project Coordinator is essential yet no one has been selected to fill this position. Because of this delay, project implementation has been delayed. It is understood that the new Anti-Gang Coordinator in the City Manager’s office will assume responsibility for all gang coordination activities.
- A Steering Committee is needed to oversee implementation of the gang program. The Community Advisory Committee established for this assessment (see Appendix 9) could function in this capacity, but it would need restructuring to include the heads of all the Durham agencies that have responsibility for dealing with gangs and gang members. Several key leaders such as the Durham Public School Superintendent are not currently members of this committee. Active participation of key officials such as these is essential because the Steering Committee must make needed prevention, intervention, and suppression resources available without delay and approve recommended policy changes on the spot.

- Once an Intervention Team is established, the group must develop a protocol for selecting very high-risk youth and gang involved youngsters. Next, procedures for developing comprehensive treatment plans must be developed.
- An Assessment Team should be formed to move forward with an ongoing assessment of Durham's gang problem that has been initiated with this study. The Juvenile Justice Institute at NCCU has been designated to perform this role for Durham's Gang Violence Prevention Program.

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EXECUTIVE SUMMARY

The city and county of Durham have proactively taken steps to thoroughly examine the prevalence and nature of gang-related problems and have taken positive steps of which officials and citizens can be proud.

- Despite expectations of an increase, violent crime rates in Durham are holding relatively steady and there has been no major surge of serious crime.
- Durham law enforcement are increasingly sharpening their focus – taking a proactive approach to focus on the geographic areas where gang crimes are concentrated. The Liberty/Holloway Street area is the target area for DPD’s recently-launched Operation Bull’s Eye – an initiative to provide sustained multi-agency efforts to reduce violent crime.
- An effective anti-gang curriculum, GREAT, is delivered at DPS middle and elementary schools. The Customer Satisfaction Survey fielded annually by Durham Public Schools provides an important and valuable measure of perceptions of safety in schools.
- Durham has a designated Assistant District Attorney assigned to handle specialized gang cases – a key component of a vertical prosecution model widely recommended but not used elsewhere in North Carolina.
- DPD and DCSO have led the state in launching a gang intelligence database known as GangNet, assisting law enforcement in sharing criminal intelligence information.
- Durham has committed to implement the Comprehensive Gang Prevention, Intervention, and Suppression Model – a collaborative approach that provides a balanced continuum of sanctions and services for juveniles and adults.
- Durham has recently received a major infusion of resources as the jurisdiction was selected to share with Raleigh a \$2.5 million federal grant to address gang problems.

Despite these positive steps, Durham has a serious and substantial gang problem – a problem evident in high-profile violent crimes, the rising official counts of gang members and widespread public perception of gang prevalence.

- It is well established that Durham has gangs but there has been little agreement – until recently – on exactly how many gang members are in the jurisdiction. Recent counts put the cumulative total of verified gang members at just over 1,000 yet this can be misleading. Not all gang members are criminally active – in

2006, only about half of identified gang members had formal contact with the police. In 2005, about 40% had official police contact.

- Recent analyses by DPD confirm that gang members are involved in a substantial amount of violent crime in Durham. At least 40% of violent crime with guns was linked to gangs in the Operation Bull's Eye area just north of N.C. 47 near Holloway and Liberty streets. This is the jurisdiction's highest concentration of violent crime and its densest concentration of gang member residences.
- An incredible two-thirds of citizens believe Durham has a gang problem based on their "personal experience" yet 85% of residents feel quite safe in their own neighborhood. Perceptions of gang prevalence gathered from focus groups identified a limited number of gang areas that are highly congruent with law enforcement data. It seems clear that gangs in Durham have a distinctive signature behavior – they do not blend into the environment but are highly visible to members of the public.

Durham's Response to Adult Gang Members – Balancing Perceptions and Reality

While it is convenient to speak about a monolithic gang problem, there are two distinct gang problems in Durham – one involving adults, the other involving juveniles.

For criminal adult gang members, the justice system in Durham has largely failed to address serious violent crimes associated with gangs.

- Suspects who commit a crime with a gun are threatened with federal prosecution but this is largely an empty threat in Durham– federal prosecution occurs in only one of 10 gun crimes. Gun involvement in crime is higher in Durham than elsewhere and it is assaults with guns – sometimes fatal – that characterize much gang crime in Durham.
- The time from arrest to prosecution of serious gang crimes in Durham takes far too long – three major gang homicide cases tried in 2007 took place – on average – nearly three years after the crime. As cases have lagged, guilty pleas have declined and resource-intensive trials have increased.
- Court delays tragically crowd the detention center. Durham's detention center is filled beyond capacity with criminals awaiting trial – the detention center posted a 36% increase in average daily population from 2002 to 2006, and a 500% increase in assaults on detention officers.
- Court delays not only tax public resources but also contribute to other serious problems in Durham, including intimidation of witnesses and juries in gang cases. As their cases lag, gangs become more cohesive, this gives rise to witness and jury intimidation, and public confidence in the justice system is seriously eroded.

While it is well established that the courts are under funded across the state of North Carolina, Durham's situation is far worse than the rest of the state and it is declining more rapidly.

The resource problems of the court system do not carry over to local law enforcement. The Durham Police Department fields a 30-person gang unit – by far the largest gang unit among agencies of similar size in the nation. The large size suggests that the scale of gang problems necessitates this level of staffing but the unit does not concentrate only on gang problems. Instead, gang officers participate in a wide range of tasks, including prostitution operations. Consequently, many law enforcement officers – including other officers in DPD, school resource officers and others – were unable to describe specific activities of the gang unit.

While courts and police play a central role in responding to adult gangs in Durham, effective interventions for gang members are sparse and the needs are high – particularly for education and employment.

- Among offenders interviewed in this study, not a single gang member had completed high school as virtually all had dropped out of school. This is consistent with evidence that only two-thirds of the 2002 Durham County freshmen completed high school in 2006.
- Employment of Durham's gang members is fragmented and sporadic and the capacity of programs designed to address that need are limited. There is a critical need for job readiness, training and jobs. While there are noteworthy programs such as Project Restore, which assists adult offenders with vocational training, and CJRC's Employment Assistance Program, additional support is needed for adult gang members who wish to leave gangs. Without employment, it is unlikely that adult offenders who want to abandon the gang lifestyle will be successful.
- During custody or upon release, there are few resources to assist gang members in leaving the gang. Durham gang members released from detention center go back to the same setting that gave rise to their arrest and this contributes to recidivism and long-term criminal involvement – about 17% of gang members were arrested ten or more times during the seven-year period for which data are available and 2% have 20 or more arrests.

Juveniles – Opportunity for Prevention and Intervention

As seen in this report, Durham has a wide variety of gang suppression strategies in place. While there is much attention focused on adult gang members in Durham, scant official attention is focused on the early signs and symptoms of gang membership where intervention is most critical—preventing juveniles from joining gangs or separating those who do.

Gangs have a long history in Durham, dating back to at least the late 1970s—or approximately 30 years (Garrett, 1997). Virtually all of the criminally active gang members documented in GangNet have Durham addresses. Thus, it is apparent that Durham’s gangs are homegrown, and they quite likely have continuously regenerated themselves for at least 3 decades. This means that new members are constantly recruited and they come from the ranks of youngsters who—at least at one time—attended Durham schools.

Law enforcement officers have observed a substantial gang presence in DPS middle schools where gang prevention and intervention programs could be most effective. Up to 8 out of 10 gang-involved youth who are referred to juvenile court are disconnected from school (by suspension, dropout, or expulsion). Yet DPS has avoided efforts to empirically determine the prevalence of gangs in middle schools – a key step to positioning effective interventions.

- Durham’s official response to juvenile gang members is largely to ignore or down play them – 81% of School Resource Officers in Durham Public Schools (DPS) said gang problems are down-played.
- School Resource Officers perceive a gang presence at all grade levels in DPS; almost two thirds of officers perceive “gang problems as worsening” in schools.
- School staff perceptions of safety in gang-vulnerable schools have dropped dramatically in the last year. By the end of the 2006-07 school year, less than half of faculty and staff at three DPS middle schools said they feel safe. It is no coincidence that the assignment zones of these schools encompass the areas of highest gang concentration and violent crime hot spots.
- Further, these three schools were among the four lowest in attendance ratios (a measure of school truancy) among DPS middle schools, and each of them ranked in the bottom 10% of school attendance statewide.

While DPS has a clear opportunity for gang prevention and intervention, law enforcement agencies and service providers in Durham are largely impotent to address juvenile problems before they become engaged in criminal or delinquent activity.

- Numerous Durham citizens complain about truancy – school-age youth students who skip school. While truancy courts address these problems, police observing a student “out of school” have little recourse as there is no resource to determine a student’s “official” status and no quick way for an officer to handle the problem.
- Evidence shows that gang members in Durham’s juvenile justice system are more likely to be identified as gang members than any other jurisdiction in the state. More than one-fourth of juveniles adjudicated in Durham were identified as gang members – a rate triple the state’s rate and nearly double the rate in Charlotte, the jurisdiction with the second highest rate of juvenile gang members.

- Juvenile gang members in Durham face the highest risk of recidivism yet there is no systematic method to identify juvenile gang members and no programming specifically designed to help gang members separate from their gang.

The major gap in Durham’s existing continuum is prevention and secondary prevention services that reach potential gang members. Many at-risk youth in Durham are disconnected from—or at least not strongly bonded to—the two core institutions in our society that are expected to nourish and socialize children: families and schools.

Durham’s gang intervention initiatives are not well developed nor centrally coordinated. We found only three programs that work exclusively with actual youth gang members or children and adolescents at risk of gang involvement: Gang Resistance Education and Training, Boys and Girls Clubs (B&GC) Targeted Gang Outreach, and the DJJDP Gang Violence Prevention Program. The latter program supports an Outreach Worker, B&GC Targeted Gang Outreach, and Project Maximized Outreach for Redirection and Enrichment (M.O.R.E.), at the Durham Parks and Recreation. In addition, gang youth are currently served in numerous other Durham programs, notably the PROUD Program, the New Horizons alternative education program, and the New Day Reporting Center.

Each of these programs should be reviewed for potential expansion and more precise targeting of gang-involved youth and the highest-risk youth. The court risk and needs assessments that show elevated risks and needs clearly indicated the priorities that need to be addressed: particularly family, school, alcohol and other drug use, and mental health problems. Last, the work of Durham’s three Outreach Workers needs coordinating in relation to Intervention Team operations. These Outreach Workers are employed by Project Safe Neighborhoods, the Boys and Girls Club, and Durham Parks and Recreation. They also have an important role to play in Durham’s early intervention strategy, which is addressed below.

Window of Opportunity: Comprehensive Anti-Gang Initiative

At the end of 2007, Durham is in a unique position to re-design its gang strategy as a result of substantial funding from two sources:

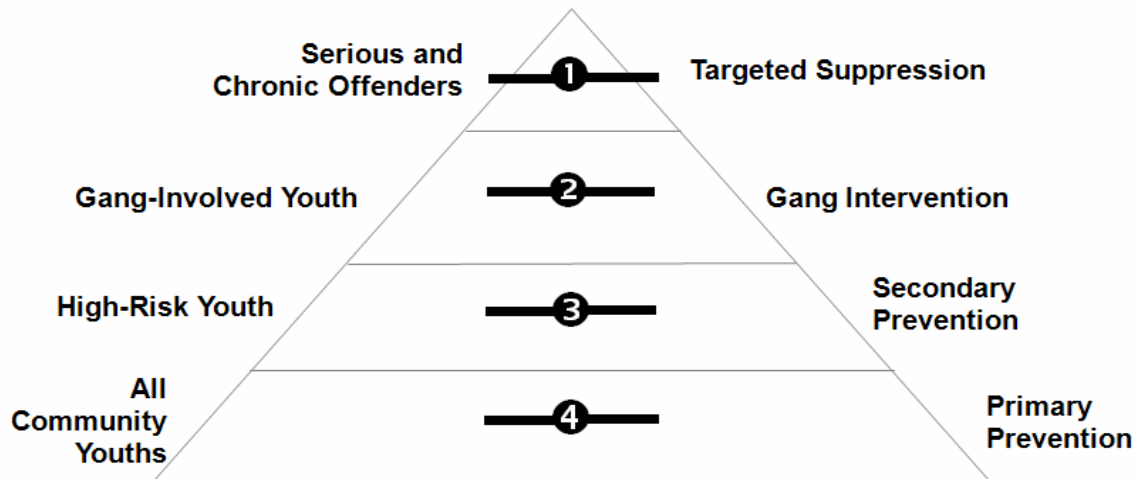
1. The NC Department of Juvenile Justice and Delinquency Prevention (DJJDP) Gang Violence Prevention Program (GVPP), funded in 2006, and
2. The U.S. Attorneys Office, U.S. Department of Justice, Comprehensive Anti-Gang Initiative (CAGI), funded in 2007.

The DJJDP GVPP project uses the *Comprehensive Gang Model* of the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP). This model calls for a continuum of programs and strategies in three core components:

- Prevention programs that aim to prevent youth from developing problem behaviors and later joining gangs. These programs need to address the predominant risk factors for gang involvement and intervene early with high-risk youth—particularly in the school and community settings where gangs form.
- Intervention programs that divert high-risk youth from joining gangs or help active gang members get out. Such intervention is best done with case management of criminally-active youth combining graduated sanctions and intensive services to rehabilitate juvenile and young adult offenders who are actively involved in gangs.
- Suppression activities by law enforcement, prosecutors and courts target the most violent gangs and violent gang members or high-rate criminal offenders.

The CAGI project expands the Comprehensive Gang Model from three strategies to four, dividing prevention programs and strategies into Primary Prevention and Secondary Prevention, as shown in Figure 1, and adds a Reentry component.

Figure 1: Focusing Anti-Gang Strategies in the Comprehensive Anti-Gang Initiative



Both of these funding sources are complementary in their programmatic objectives and comprehensive in nature – a key element to effectively addressing gang problems by providing a continuum.

The following recommendations are intended to strengthen families and schools and re-connect alienated youth to them to strengthen Durham’s response to gangs. Prevention efforts can reduce the number of youths who join gangs at the same time that intervention in gang careers with treatment/rehabilitation removes youths from gangs, while

suppression strategies weaken gangs and thwart their recruitment efforts, serving to diminish the presence and influence of gangs in the community.

Criminal Justice System Recommendations: Suppression

- Hold courts accountable.

Durham should request emergency assistance from the State of North Carolina to reduce the backlog of felony gang cases and establish a mechanism to identify, prioritize and routinely track the disposition of these cases. Two police investigators should be assigned to the District Attorney's office to assist in case preparation and monitor cases for witness and jury intimidation, and educate prosecutors and court personnel about gangs.

- Use civil injunctions to reduce visibility and opportunity for violent gang crime.

As a tool, civil injunctions focus anti-gang efforts where they are most critical; this tool focuses geographically on the most troublesome hot spots, focuses on specific individuals criminally involved in gangs, and blocks crime opportunities, such as preventing gang members from associating with each other in the injunction areas. Durham should pursue an injunction in the Holloway/Liberty Street area that is the current focus of DPD's Operation Bulls Eye. The District Attorney should take the lead on this effort.

- Reorganize the police gang unit.

DPD has dedicated sufficient resources to gangs, but the agency's gang unit should be reorganized to sharpen its focus on gang intelligence, by working closely with SROs, juvenile detectives and other key and knowledgeable personnel. Specialized detectives should be assigned to conduct follow-up investigations of gang crimes, emphasizing rapid clearance to reduce the likelihood of retaliatory violence and monitor the quality of arrests to facilitate convictions.

DPD should also systematically track gang member involvement in violent crime – examining suspect and victim characteristics such as age, gender, ethnicity, number of suspects and victims, and status of correctional supervision including pre-trial release, case and disposition outcome. On a quarterly basis, these data provide an important measure of effectiveness, show where more resources may be needed, hold other agencies accountable and reveal emerging patterns and opportunities for intervention.

- Use GangNet data strategically.

The main purpose of GangNet is to share intelligence information, aiding law enforcement in follow-up investigations. While it would be difficult to formally

assess the usefulness of GangNet (or any intelligence database) in meeting this objective, its summary data could be used strategically.

GangNet provides a mechanism to examine changes in the nature of gang problems. While cumulative counts of gang members will inevitably rise, data can offer important insight into geographic concentration of members, the age of new members, onset and cessation of criminal activity. These measures can reveal which gangs are growing larger, whether gangs are attracting younger members, and whether some gang members do drop out of the gang.

As the use of GangNet expands, the system should be subject to an independent review to ensure that the rights of individuals are protected. This review, known as a 28 CFR Part 23 review, ensures compliance with all federal regulations on criminal intelligence and will preempt concerns about violations of due process rights.

Juvenile Justice System Recommendations: Prevention and Intervention

- Coordinate all Durham services for troubled youth.

All Durham services for troubled youth need to be better coordinated among agencies and leadership is needed immediately for the Intervention Team. This team can then be used to link at-risk and gang-involved youth to needed services, review referrals and approve all project participants, coordinate the activities of all team members, participate in case planning for youth, discuss all interactions with the youth by all the team members, and discuss community issues and safety issues.

- Employ graduated sanctions.

The Intervention Team should also employ graduated sanctions and intensive services for gang-involved offenders in a multiple-agency case management format. Comprehensive treatment plans should be developed and outreach should play a crucial role of the case management in conjunction with the rest of the team.

- Create a one-stop assessment center.

A one-stop assessment center (AC) should be created to performs comprehensive assessments and links youths to services. In the future, it should house the proposed new juvenile detention center for Durham.

Once it is fully developed, the AC would serve all individuals under age 18, and have secure (detention) and non-secure (shelter) twenty-four hour operations (at a later point). The AC would provide assessment services and (later) serve as a drop-off site for law enforcement. The AC would also provide gap-bridging services for those young people (ages 16-17) who straddle the juvenile justice and criminal justice systems because of their ages. Services likely would include GED preparation,

vocational education, tattoo removal, transportation, day treatment, and evidence-based services.

- Use Outreach Workers to connect with the most troubled youth.

Outreach Workers should be involved in connecting the most troubled youth to services by reaching out to them in key service delivery locations, including the New Horizons School, PROUD, John Avery Boys and Girls Club's three locations, Lakeview School, the Criminal Justice Resource Center, Durham Parks and Recreation Department programs and multiple locations, and Durham Housing Authority locations.

- GVPP and CAGI efforts should connect all these services and supports in a countywide network. The countywide network should:
 - Provide training for all community service agencies, and criminal justice and juvenile justice agencies and staff on youth gang recognition, gang member identification and classification, and existing programs and resources.
 - Identify applicable resources in the web-based "Network of Care" <http://durham.nc.networkofcare.org/family/home/index.cfm>.
 - Automate the inventory of gang-related programs in the web-based Helping America's Youth Community Guide (<http://helpingamericasyouth.gov>) to facilitate service access and expansion.
 - Consider incorporating other research-based programs and services from the web-based National Youth Gang Center Strategic Planning Tool: <http://www.iir.com/nygc/tool/> (Appendix 4 lists programs rated as effective or promising)
 - Provide services and resources to victims of gang violence and intimidation with top priority given to mediation services and referrals for services.
 - Ensure that early intervention programs are focused on at-risk families by increasing referrals to the Child Response Initiative from a variety of sources including rape crisis and women's centers, domestic violence shelters, schools and social service organizations.
 - Institute "no gang" contracts with clients with attached graduated sanctions for non-compliance in the juvenile detention center.
 - Educate parents on gang lifestyle and dynamics including warning signs of gang activity and indicators that youth are involved in gangs. Expansion of GREAT programming to families can address this need. GREAT now has a separate component for families.

- Identify more services to provide to parents/caregivers of juvenile offenders, particularly those who are gang members. Juvenile court assessments indicate that many of these parents are unwilling or unable to supervise their children. Focus groups with School Resource Officers and community groups also suggest this is a serious problem. Needed services include parent training, mental health treatment, family strengthening, parental empowerment, and treatment for substance abuse.
- Screen parents/caregivers for criminal involvement, and drug and alcohol abuse, and link them to needed services. In addition, poor family management, including low parental supervision, parents' pro-violent attitudes, and child maltreatment are established predictors of gang involvement. Service referrals are likely needed for these problems.

School Recommendations: Prevention and Intervention

DPS has a wide range of very worthwhile programs (see Appendix 2). One of these is the Gang Resistance Education and Training Program (G.R.E.A.T.). Collectively, there is little doubt that this program and others make significant contributions to preventing a wide variety of child and adolescent problem behaviors. But more should be done.

- Students should be reconnected to schools by reducing suspensions, truancy and drop-out.

DPS should consider implementing the NC Project ReSET (Response to Suspension and Expulsion Trends) in the middle schools that have the highest suspensions, drop-out, and truancy rates. Initially, it would be advisable to implement ReSet in two schools and make preparations to compare results in two other schools where it is not implemented.

Services should be concentrated on high-risk youth in the transitions from elementary to middle school and from middle school into high school because these are critical junctures at which youngsters are likely to join gangs.

Disciplinary removals should be reserved for only the most serious and severe behaviors, such as weapons offenses, and define these behaviors explicitly (Skiba et al., 2006). Inflexible disciplinary strategies should be replaced with graduated systems of discipline, with consequences geared to the seriousness of the infraction (Skiba et al., 2006). While DPS states it does not have a zero tolerance policy, suspensions in DPS mirror the state's "one-out-of-every-10 students" (NC Child Advocacy Institute, 2005, p. 8). This strongly suggests DPS uses suspensions excessively by *practice* if not policy.

Two additional initiatives should be undertaken to reduce truancy rates: 1) begin an early truancy enforcement program (Louisiana's Truancy and Assessment Service

Centers is a good model to replicate) and 2) create a truancy drop-off site (which later should be located in the Assessment Center).

Functional behavior assessments should be performed on apparently troubled youth for mental health, drug, and gang involvement and make warranted referrals to Outreach Workers. Begin this process in middle schools near the Operation Bull's Eye area.

- Implementation of the Positive Behavioral Support program should be accelerated in DPS.

The highly acclaimed Positive Behavioral Support (PBS) program, sometimes referred to as Positive Behavior Intervention and Support (PBS) or School-Wide Positive Behavior Intervention and Support (SWPBS), is a promising process for matching troubled youth with programs that prevent gang activity and related delinquent behaviors.

Either of these models typically organizes programs for students who are classified in one of three levels: primary (e.g., receive basic educational material), secondary or “at-risk” (e.g., receive enhanced involvement with school counselor), and tertiary or “high-risk” (e.g., receive intensive behavior contracting or group intervention). Although the PBS framework is not yet recognized as an “evidenced-based practice,” it has helped focus interventions on students with serious behavioral problems and this has shown some promising results (Kutash et al., 2006, p. 32).

Several recommendations would help accelerate implementation of PBS in Durham.

First, two middle schools should be selected that appear to need selective-level implementation of PBS as soon as possible, because of school safety problems, gang presence, and elevated suspensions. Funds should be provided to accelerate implementation of PBS in two such schools.

Second, there should be annual school-based surveys of delinquency, gang involvement, and gang-related risk factors among Durham students, particularly in the middle schools. Work is underway elsewhere to tailor a survey of this sort to the PBS system. Such a tool could enable schools to classify students into one of three levels. While DPS is participating in the Center for Disease Control's Youth Risk Behavior Survey (YRBS), this survey is not adequate for assessing delinquent involvement or risk factors for gang membership. It is designed to measure mainly physical health-related factors and the YRBS version for middle schools has only three questions about violence-related behaviors. Further, the YRBS does not distinguish between schools – a critical step in assessment.

Third, using a similar instrument, PBS researchers suggest that youth could then be reassessed at regular intervals that vary on a continuum from less frequent to more frequent depending on which level of prevention services they are receiving (e.g., less frequent reassessments for the primary group and very frequent

reassessments for the tertiary group) to monitor progress and ensure involvement in the appropriate level of prevention programming.

Fourth, students in the third category who have been suspended or are at high risk for suspension or dropping out of school should be assigned top priority for services. Students in this group who are actively involved in gangs would be referred to the Intervention Team for more intensive services.

In addition, a new program that is currently under development as a pilot project in two Durham schools, the “Student Suspension Alternative” (SSA), might also be appropriate for suspended students in the two-school initiative recommended here for accelerated PBS implementation. It is designed to give immediate attention to students in the tertiary or “high-risk” category who have already been suspended—at the specific point when suspension occurs.

Community Recommendations

The Durham County Juvenile Crime Prevention Council (JCPC) should ensure that all gang-related programs in Durham are evaluated using the DJJDP Standardized Program Evaluation Protocol. Durham has already begun using this instrument to evaluate other JCPC programs.

This assessment report should be published for widespread use in expanding and improving Durham’s Comprehensive Gang Model and the Comprehensive Anti-Gang Initiative. However, this product is a dynamic document that must be constantly updated and revised as Durham’s gang problem continues to change due to successful strategies and environmental and economic conditions.

INTRODUCTION

This report is a comprehensive assessment of gang-related problems in the City of Durham and Durham County. The assessment followed the *Guide to Assessing Your Community's Youth Gang Problem*, a model developed by the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP) and its National Youth Gang Center. In brief, the assessment consisted of a systematic and comprehensive data collection process, analysis and interpretation of findings, and examination of the relationship or fit between documented gang-related problems and existing programmatic responses employed by the community, schools, service providers, and the criminal justice system.

This narrative report describes positive aspects of Durham's current response to gangs, and identifies opportunities for improvement by comparing the operations and practices of Durham with well-established and recognized best practices related to gangs in other jurisdictions. On balance, the findings will assist the city and county in making informed decisions about how to most effectively address gangs and respond to the needs of citizens.

Although this assessment is comprehensive, it should not conclude the process of examining gang-related problems in Durham. This assessment provides a *current* snapshot of the landscape and context for gang problems – a landscape that will continue to evolve. But the assessment provides an important benchmark to guide prioritizing responses to gangs, communicating these priorities and evaluating improvements.

Assessments inherently focus on shortcomings – that is, identifying operational practices and programs in need of improvement. We have identified many of these in Durham and they are described in the following pages.

We feel certain that Durham is well-positioned to take a leading role *in the nation* in developing and implementing a model approach to gangs. In part, this is feasible because many good programs and practices have already been put into place. Durham policymakers and citizens have already struggled with many of the issues that are obstacles in other jurisdictions.

The foundation for Durham to build on more effectively addressing gang problems arises from a number of factors:

- The political reality of a single municipality within a single county contrasts sharply with the political dynamics in other jurisdictions, even Wake County, which has 12 municipalities. The difficulties of cooperation and communication are much easier in Durham.
- Durham already has many good collaborative efforts underway – even this assessment was jointly funded by the county and city. Durham is also a relatively small and compact jurisdiction, which helps with coordination and collaboration.
- Despite the acute needs described in this assessment, Durham has many good programs developed to address existing needs. In program after program, we were struck by the “good intentions” of policymakers, agency officials, community leaders and citizens. Many programs represent the influence of an active and involved citizenry and an increasingly open or transparent approach to policymaking.
- In recent years, Durham has moved emphatically toward an emphasis on data-driven decision making, even for complex problems such as gangs. Egregious crimes can often provoke over-reaction rather than approaches that are more reasoned. We encourage Durham to continue its emphasis on “measured” responses, with more attention to asking and getting answers to hard questions – does it work and, if so, how well? Good intentions are not sufficient.

- We find that Durham has taken a balanced approach to gangs – there is widespread interest in the critical needs of prevention and intervention programming, such as providing jobs. This is a sharp contrast to other jurisdictions that have adopted “wars on gangs,” often at the expense of impoverished communities.
- Importantly, Durham is particularly well-positioned as it has recently received a \$2.5 million grant from the U.S. Department of Justice, shared with Raleigh, to address gang problems. This is an important opportunity for Durham.

Despite the positive environment for improving Durham’s response to gangs, there are serious challenges that Durham must face. These include:

- Durham has a long-standing reputation as a high-crime city with well-entrenched gangs. Further, the economic needs of Durham’s citizens are long-term and complex, and poverty is deeply rooted in an on-going discourse about race – a discourse that may become more divisive as the population continues to diversify.
- One-fifth of Durham’s children live below the poverty level and this concentrated economic disadvantage is deeply entrenched in geographic areas where violent crimes, guns, drugs and gang members intersect. Poverty and crime puts children at a greater risk of gang involvement and only long-term economic development initiatives can alter this chemistry.
- Durham has a highly politicized environment. During this study, we saw extensive micromanagement of government agencies by elected officials – a political style more typical of very large mayoral cities in the U.S.
- Openness and extensive collaboration have a price – excessive, time-consuming and redundant meetings are not an efficient use of resources; the need to vet and approve decisions can stymie leadership and innovation. Further, by trying to meet everyone’s needs, Durham’s efforts become scattered and diffused.
- A major finding in our assessment is the critical need to build public confidence in the justice system and its response to gangs. While our assessment was entirely detached from the Duke lacrosse scandal, we cannot discount its contribution to further deterioration in public confidence.

This report is organized in three major sections. We first provide descriptive information about gangs, gang members and gang-related problems in Durham, reconciling diverse sources of data.

Next, we describe the current response to gangs in Durham, focusing predominately on the criminal and juvenile justice systems, schools and the community. These findings draw on a range of data collected and analyzed from Durham.

Last, we enumerate a range of recommendations that arise from the findings. These recommendations are put within the context of our findings and national studies on gangs, and the experiences of other jurisdictions. References, resources, data sources and research methodology used, are described in appendices.

WHAT WE KNOW ABOUT GANGS IN DURHAM

How Many Gangs and Gang Members?

There has been much controversy and debate in recent years about the number of gangs and the number of gang members in Durham. Much of the controversy has arisen due to varying definitions of “gang member” and “gang” used by different agencies and to varied techniques for counting and recording these data.

A key purpose of this comprehensive assessment was to reconcile different counts and establish a reliable benchmark of gang members and gangs. Benchmarks provide a metric of how well a jurisdiction is faring with its problem. Benchmarks permit a jurisdiction to reliably determine if a problem is worsening, improving or static. Without reliable and well-established benchmarks, policymakers are vulnerable to public perceptions shaped by rare events and anecdotal evidence. The best policymaking is driven by solid evidence – including counts of gangs, gang members and gang crime.

Defining and Validating Individual Gang Members

What agencies identify gang membership in Durham? There are varied organizations using varied definitions and the identification occurs at varying points in an agency’s contact with an individual.

The most critical agencies identifying gang membership in Durham are the Durham Police Department and the Durham County Sheriff’s Office. Durham police and sheriff began using a joint intelligence database, known as GangNet in 2005; this system

standardized the definition of gang memberships between these two law enforcement agencies.¹ Further, a uniform method for validating, and thus counting, individual gang members was established when GangNet was launched. While GangNet provides some clarity on counting gang members, it does not fully resolve definitional issues with other agencies:

- The N.C. Department of Corrections Community or Security Threat Group Program supervises probationers and post-release offenders in Durham and targets offenders “exhibiting gang behavior or affiliation.”
- Juvenile court counselors in the N.C. Department of Juvenile Justice and Delinquency Prevention have no definition of “gang.”
- Durham Public Schools defines a gang as “any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of criminal acts and having a common name or common identifying sign, colors, or symbols.”²

Varied Gang Counts and their Sources

Different sources have suggested differing numbers of gangs in the city and county of Durham, and these discrepancies have been widely reported in the media. There have been differing sources of gang member counts. The Governor’s Crime Commission reported results from a 2004 survey of law enforcement agencies and erroneously included national membership from the Hell’s Angels, attributing 1,620 gang

¹ The Durham District Attorney’s Office also uses this definition and system.

² Durham County schools does not prohibit students from belonging to gangs, but prohibits conduct that further “gangs or gang-related activities.” This includes wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs or other items which may be evidence of membership or affiliation in any gang; Communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.), to convey membership or affiliation in a gang; Tagging, or otherwise defacing school or personal property with gang or gang-related symbols or slogans; Requiring payment of protection, insurance, or otherwise intimidating or threatening any person related to gang activity; Inciting other students to intimidate or to act with physical violence upon any other person related to gang activity; Soliciting others for gang membership; Committing any other illegal act or other violation of school district policies that relates to gang activity.

members for Durham (Hayes, 2005). In 2005, an unnamed juvenile justice court counselor estimated gang membership at 5,000 but the N.C. Department of Juvenile Justice and Delinquency Prevention does not assess and record these numbers. A Durham District Attorney reported 3,000 gang members in Durham at a conference in 2003; this number was later repeated by other agencies. In contrast to these counts of more than 1,000 gang members in Durham, counts from the National Youth Gang Center's annual survey were reported for several years by the Durham's police department and sheriff's office. All these counts were well below 1,000. (See Figure 2.)

Once articulated or published, "counts" or "estimates" of gang members become part of the mythology about gangs in Durham. As recently as August 2007, DPD still had a report posted on the departmental website citing the erroneous GCC count of 1,620 gang members in Durham. http://www.durhampolice.com/pdf/gangs_in_nc.pdf.

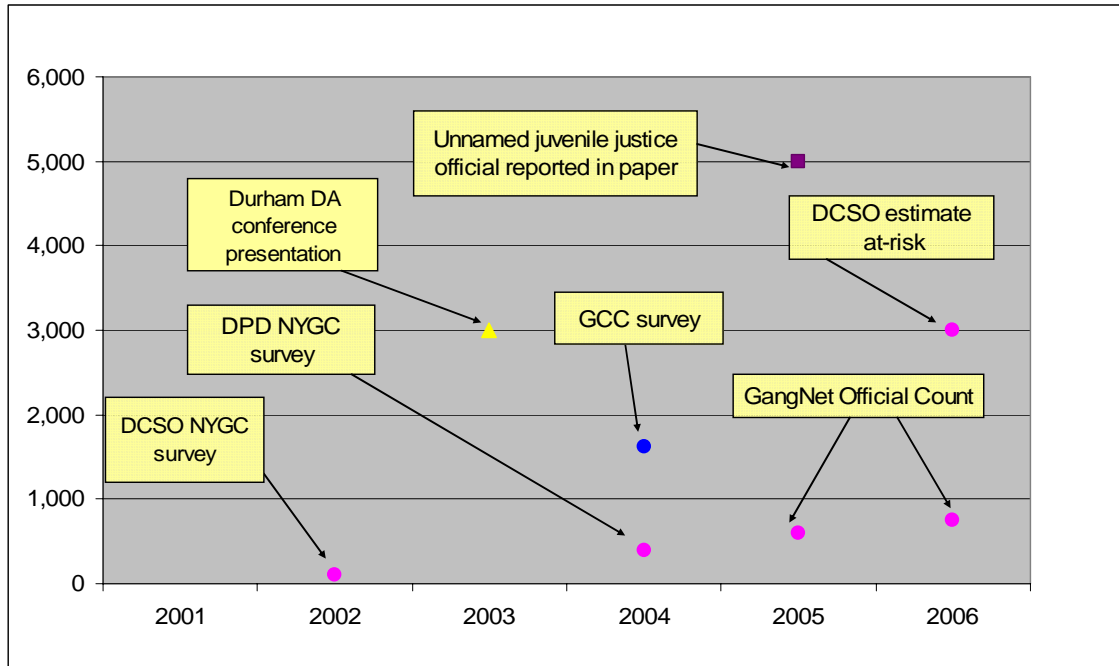
The figures displayed in Figure 2 represent the varied views and perspectives over time. Since 2001, the definition of gang and gang member has evolved in Durham, and operational practices for counting have become more consistent.

Current Gangs and Gang Members

DPD began its gang unit and a database of gang members around 2002 and gang intelligence personnel estimate there were about 100 members that year and about 200 by 2003 but these are informal estimates. By 2004, there were about 400 gang members in the two primary gang types that were operating in Durham.³

³ Many jurisdictions around the United States use the names of gang nations to describe the umbrella affiliations of numerous gangs or locally-based gang sets. In Durham, these terms are often used

Figure 2: Estimated Gang Members in Durham by Source



By mid-2006, the number of gang members validated in Durham had nearly doubled, rising by 93% to reach 758 in August 2006. These numbers represented the total number of gang members in 33 gangs. The count further increased to nearly 1,000 members by August 2007.

Although the numbers represent validated gang members, these counts tend to overestimate gang membership in Durham; the National Youth Gang Center advises that law enforcement agencies should not count Extremists gangs, or gang affiliates to calculate total gang membership. Eliminating those groups reduces the gang count by nearly 100 members and by six gangs. For the remainder of this report, we will use the

interchangeably and gang nations are often used to refer to specific gangs. Occasionally, descriptions of the type of gang also include the name of the locally-based gang set. In this report, we do not use specific names of gangs or gang types. It is widely recognized that identifying specific gangs is not a good policy and this is addressed in the section of the report on perceptions.

GangNet counts, including Extremists and affiliates, relying on data provided by law enforcement.

Size of Gangs

The size of a gang – usually considered a count of its membership – does not necessarily reflect the amount of criminal activity or problems a gang causes. Small gangs can cause big problems. The *number* of validated gang members in Durham increased steadily from 2001 to 2006 (See Figure 3), however, the majority of gang sets in Durham are very small. Only seven gang sets had more than 25 members⁴ and these gangs comprised 76% of gang membership (756) in Durham. There were, however, two very large gang sets in Durham and these two comprised about half of Durham’s total gang members. The size of gangs and their growth – increases in membership – are important in developing best policies and practices relating to gangs. As members within a gang grow older and there is attrition, a gang must attract new members to maintain its size or grow larger.

From 2004 to 2005, the number of validated gang members in Durham rose from 410 to 601 – a 47% increase as 191 new gang members were added. This trend in gang counts initially seems particularly worrisome. But the reader should note that the percentage increase in new members added to the database each year – has begun to slow (See Figure 5).

⁴ In 2006, 10 gangs had fewer than five members and another five had between 5 and 10 members each.

Figure 3: Cumulative Count of Gang Members in Durham, 2001-2007

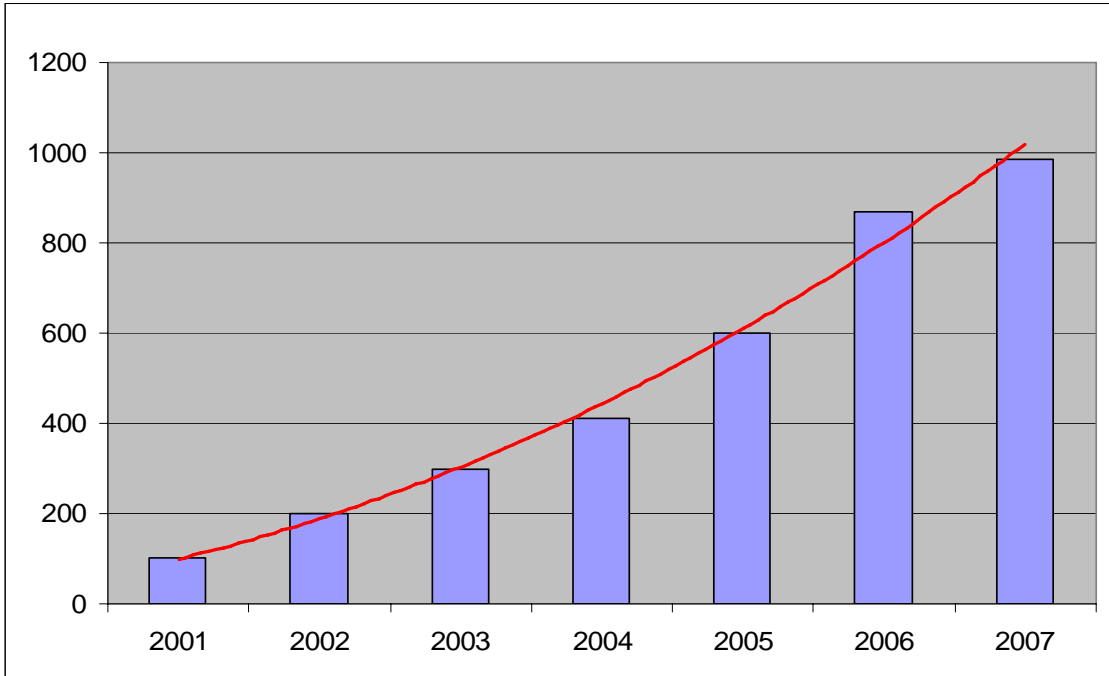


Figure 4: Annual Increase in New Gang Members, 2002- 2007

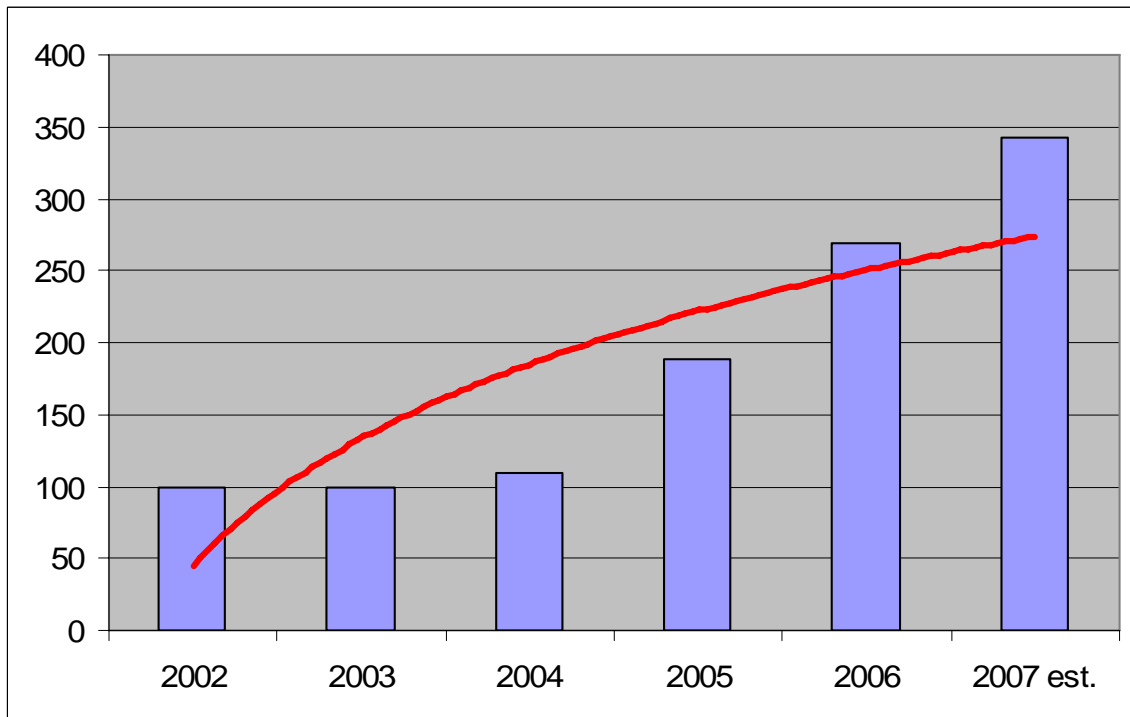
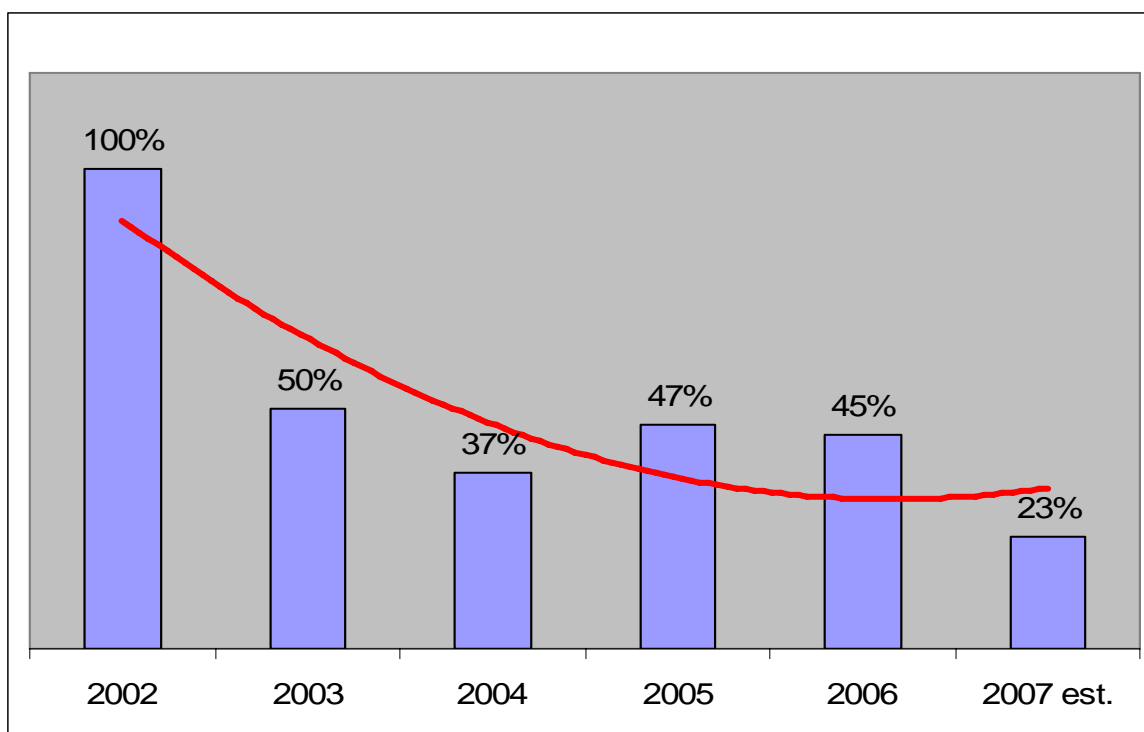


Figure 5: Annual Percentage Increase in Gang Members, 2002- 2007



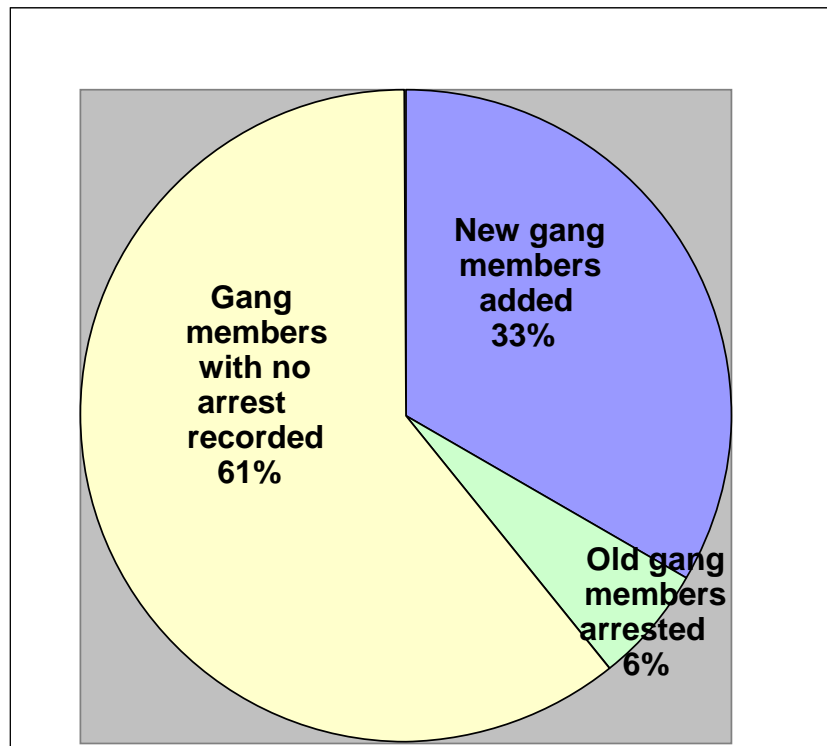
The data in these figures suggest that the rate of increase in gang members validated by law enforcement is slowing. This trend is consistent with other studies that have shown that counts of gang members within a jurisdiction at least partially reflect the amount of effort applied to counting (Weisel and Shelley, 2004). In other words, more police counting gang members initially yields more gang members in a database. Further, GangNet is a cumulative database – new members are regularly being added to the database, but old members – those who have become inactive – are only purged after five years without official contact. Since GangNet only became operational in 2005, few members will have been purged from the system.

Despite the substantial addition of new gang members to GangNet, not all gang members are active. In 2005, there were no formal police contacts (arrests) recorded for many of the gang members already in the gang database.

- Among 610 documented gang members in 2005, there were active contacts with only 235 – 39% of the total gang members in the dataset at that time (See Figure 6).
- Among 707 documented gang members in 2006, 409 or slightly more than half (53%) were arrested that year

Of course, the absence of an arrest does *not* ensure that a gang member is *not* active; some will avoid detection, others may be in custody or dead, and still others may become less active or even leave the gang. Once GangNet begins to actively purge inactive members, Durham can expect to see a decline in the cumulative count of members.

Figure 6: Documented Gang Members with Arrests Recorded, GangNet, 2005



Cumulative counts of gang members can also be misleading because some gang members are much more active than others. An examination of the “criminal careers” of validated gang members in Durham in 2006 showed that some – about 12% - were persistent offenders; 92 have criminal careers spanning 2000 to 2007. Other gang members are particularly prolific: 131 individuals were arrested 10 or more times between 2000 and 2007, representing 17% of gang members and 13 of these individuals were arrested 20+ times (2% of gang members).

Age of Gang Members

For any jurisdiction, it is critical to examine the age of gang members – existing gang members, active gang members and “new” gang members. Age provides important guidance to policymakers in determining what interventions will be most effective. For example, if the majority of new gang members are older than 18, efforts devoted to improving school attendance and performance will not be effective. If the majority of new gang members join gangs at age 10, offering educational programs at age 12 will not be effective.

Until 2005, data about gang member ages in Durham were “guestimates” collected in survey responses submitted by DPD and DCSO to the National Youth Gang Center for 2002 and 2004.

As Durham has moved from an informal intelligence database (2002 and 2004) to formally documenting and recording gang members, the average age of “official” gang members appears to increase (See Figure 7).

Data obtained from GangNet in 2006 revealed that the average gang member was 22 years old and the most common age of gang members was 19. About 25% of gang members were 18 or younger, while 30% were 19 to 21 years old. The categorical data displayed in Figure 7 mask some of the key characteristics of the age distribution of gang members; Figure 8 shows the count of gang members at each age.

The age of gang members included in GangNet in 2006 differed from the distribution of gang members arrested or victimized in 2006; nearly one-third of arrested gang members (89 of 315) were 17 years old or younger and half (158 of 315) were 19 or younger. The average age of a gang member arrested or victimized was 19 while there were two most common ages of gang member arrested or victimized – age 17 and age 20.

These findings indicate that GangNet is biased towards older gang members. In other words, the average gang member victimized or arrested in Durham is substantially younger than the average gang member documented in the GangNet database. This is an artifact of the cumulative nature of the database but it also reflects policymaking – there is no standard policy on including juveniles in GangNet and the North Carolina Governing Board has left this decision up to local jurisdictions. Although some juveniles are included in GangNet, there has been no emphasis on identification and, as discussed in the section of this report on juvenile justice, there is no standard definition of gang or standardized assessment process used to validate juvenile gang members. The absence of this information limits the usefulness of GangNet for strategic planning; the implications for this are discussed later in this report.

Figure 7: Age of Gang Members in Durham, 2002-2006

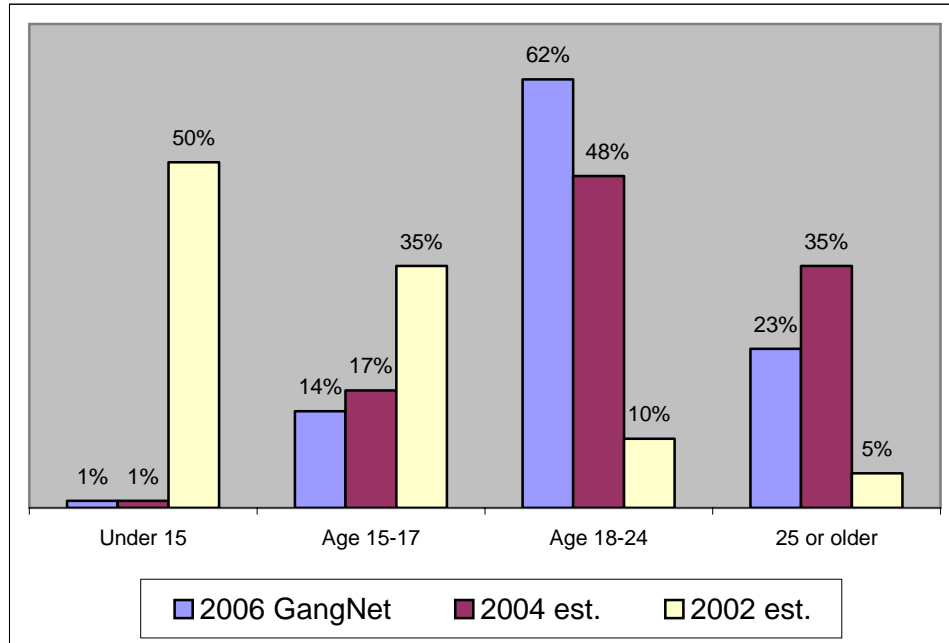
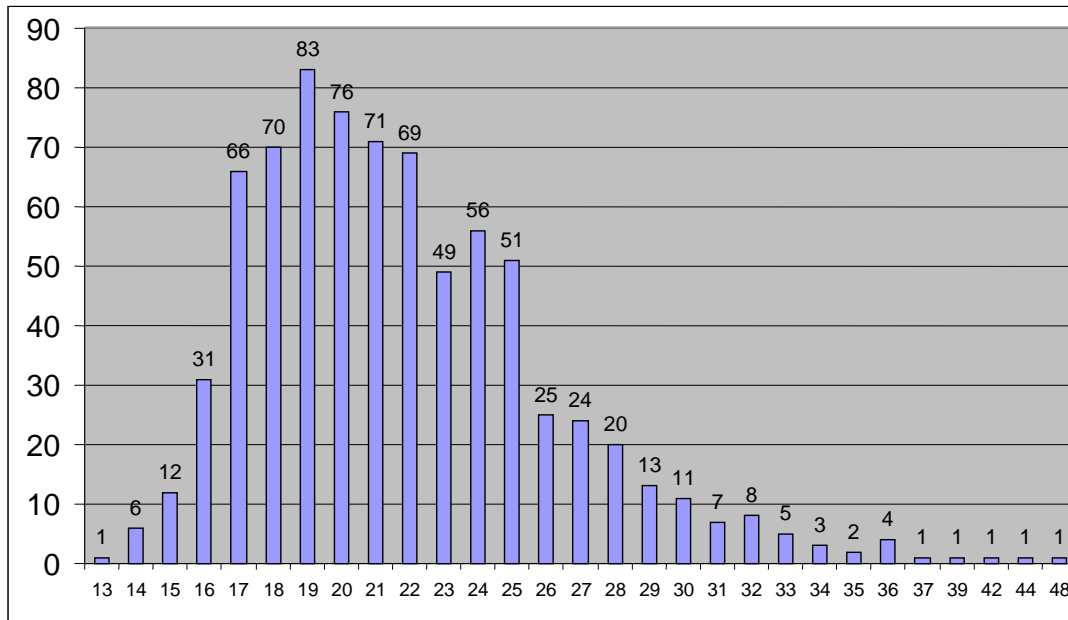
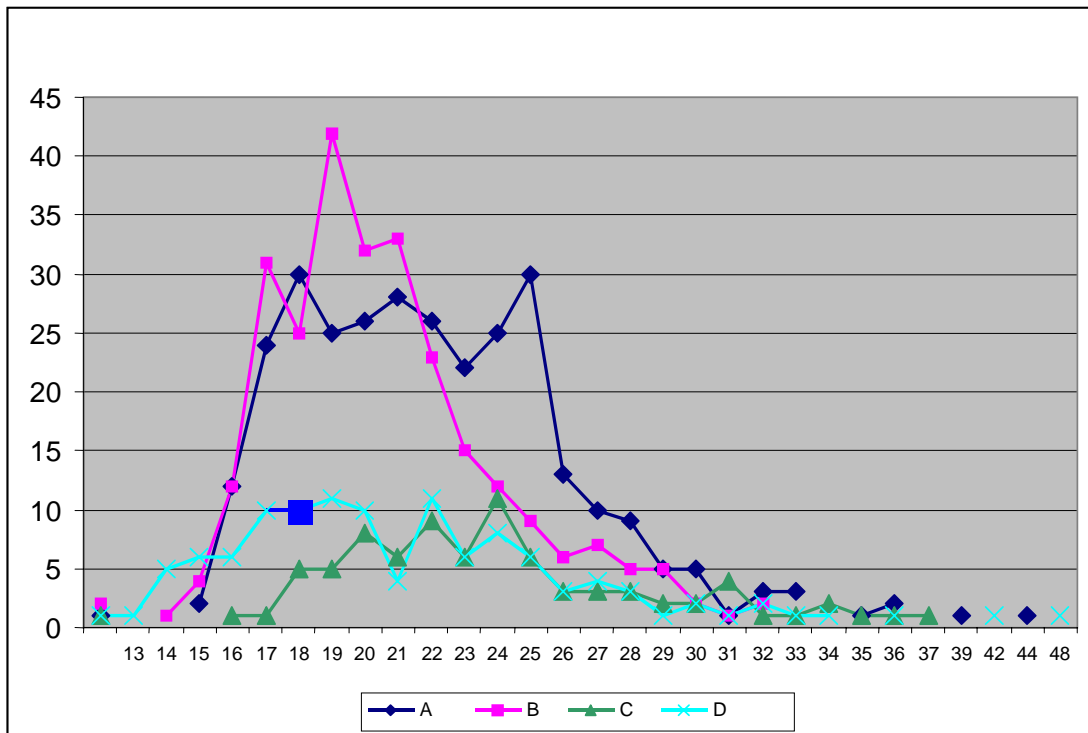


Figure 8: Age of Gang Members in GangNet, 2006



Despite these limitations, GangNet does provide important and reliable descriptive information about the variations in age composition between differing gangs in Durham. Looking at the age of gang members by gang type (see Figure 9), Gang A is the largest gang type in Durham, and the age of members in this gang tends to be somewhat older. Half of all members in this gang (52%) are older than 21. In contrast, the modal age of Gang B, the second largest gang type in Durham, is 19; only 32% of members are older than 21.

Figure 9: Gang Member Age by Gang Type



Ethnicity of Gang Members

Just as age is critical for policymakers to examine, race and ethnicity of gangs and gang members is an important issue for policymakers. For example, as the ethnic composition of groups changes, the types of interventions and resources needed must also change; interpreters may be needed and cultural sensitivity or awareness may enhance the effectiveness of interventions. For example, if a large portion of young gang members have parents who do not speak English, educational materials must be provided in different languages.

Historically, the majority of documented gang members in Durham have been identified as African-American. In 2002, law enforcement estimated that 70% of gang members were African American but this percentage increased to 82% by 2006. Analysis of arrested gang members in 2006 showed that 94% were African American.

In contrast, the prevalence of Hispanic gang members in Durham appears to have declined. In 2002, law enforcement estimated that 20% of gang members were Hispanic and analysis of GangNet data showed the proportion was about 15% in 2006.

These findings again raise some doubts about the reliability of GangNet data for some types of data; indications from extensive interviews indicate that Hispanic gang membership is increasing in Durham. Indeed, the Hispanic population of Durham County is 11% (2005 census) – substantially higher than North Carolina’s 6%. We anticipated an increase rather than a decline in Hispanic gang membership in Durham; however, it is likely that language barriers and cultural practices of Hispanics in Durham may mask gang membership in official records. Hispanic gangs are often more highly structured

than other gangs and studies have shown that there are serious consequences for Hispanic gang members who talk to law enforcement officers (Decker, Bynum, & Weisel, 2004). Since gang members are primarily identified through street-level contacts recorded by DPD and DCSO, it seems reasonable that current validation practices may tend to underestimate the number of Hispanic gang members. This view is supported by analysis of the Hispanic population of the Durham County Detention Center; admission of Hispanic inmates increased from 9% in 2000 to 14% in 2005 (Pulitzer/Bogard, 2007).

Figure 10: Ethnicity of Gang Members in Durham, 2002-2006

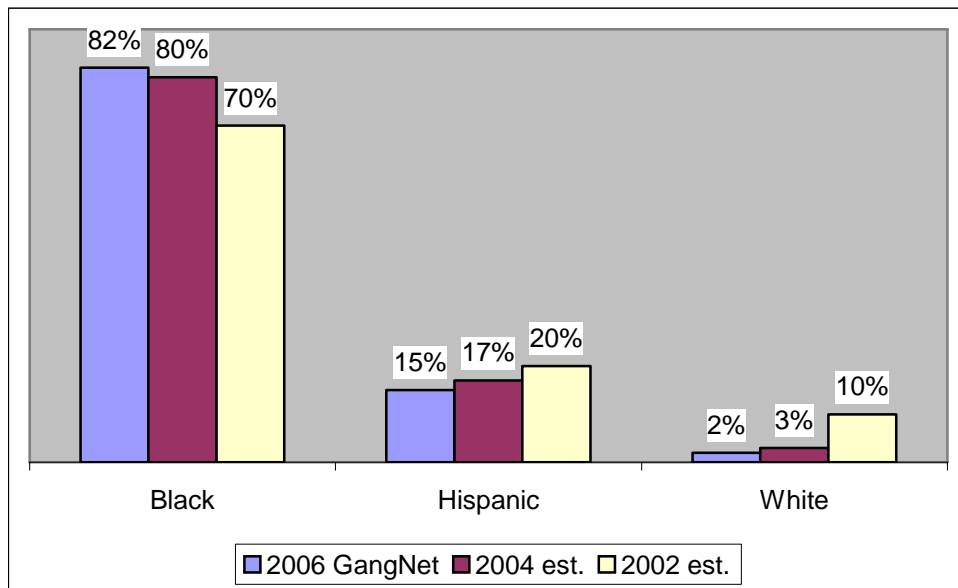
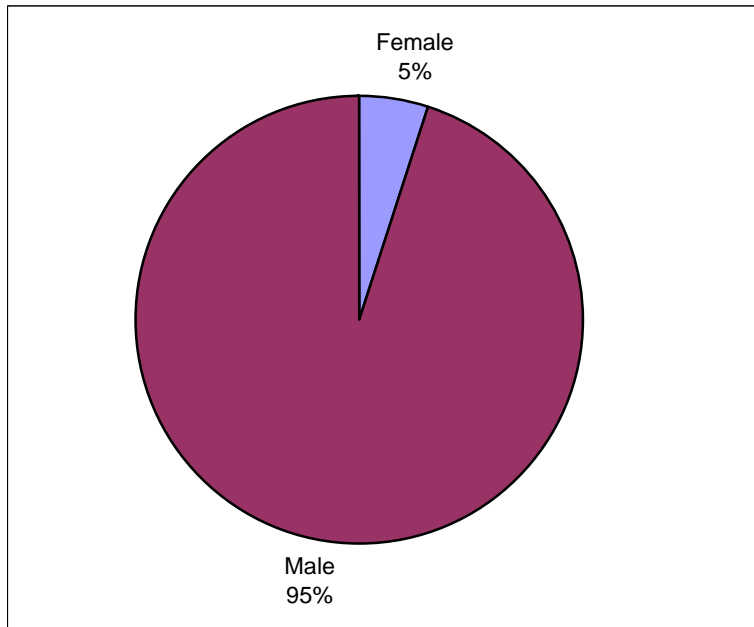


Figure 11: Gender of Gang Members in Durham, 2006



Just as we must be attentive to changes in the age and ethnic composition of gangs, there is increasing awareness that females are playing an important role in gangs, including committing more violent crimes. While Durham has not tracked *changes* in the gender composition of gangs over time, analysis of GangNet data in 2007 show that 3% of gang members arrested were female. In contrast, the proportion of females admitted to Durham County Detention Center climbed from 14% in 2000 to 16% in 2005 – a small but significant increase (Pulitzer/Bogard, 2007). These divergent measures suggest that more attention be paid to documenting female gang members.

Durham's Gangs Compared to Other Jurisdictions

While there is no reliable way to compare a jurisdiction's gang problems, Durham has what might be considered an average number of gangs for a city of its size. We obtained survey responses from the National Youth Gang Center's (NYGC) annual survey of law enforcement agencies from 2002 to 2004.⁵ Although these data are somewhat dated now, they provide a rough basis of comparison for Durham. Each year, the highest count for the measure is used for comparison. Among 22 similarly-sized jurisdictions⁶ across the Southeast, there was an average of 24 gangs, with jurisdictions reporting between 7 and 83 gangs each. Durham reported 40. In contrast, among the same jurisdictions, there was an average of 608 gang members, with counts ranging from 50 to 3000. Durham reported 410. Among the 22 jurisdictions, Durham ranked 9th in the number of gang members and 10th in the ratio of gang members to population.

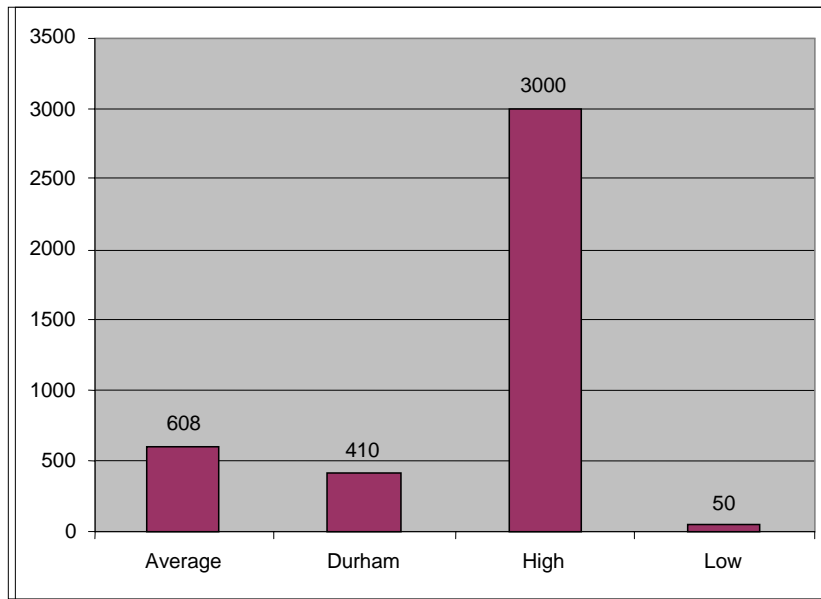
Durham Crime Comparison

Many jurisdictions might not be as concerned about gangs and gang membership if gang members did not participate in criminal activity, especially violent criminal activity. In most jurisdictions, counts of violent crime – murder, robbery and aggravated assault – are the primary indicators of a community's safety. Counts of these three crimes are widely used to fire police chiefs, lobby for more police officers, and have a major influence on the public's perception of safety.

⁵ Findings and a description of the methodology for this well-recognized national survey are available at the NYGC website: www.iir.com/nygc.

⁶ Jurisdictions included municipalities of 150,000 to 250,000; county level data were not available.

Figure 12: Gang Members in 22 Southern Cities, 2002-2004

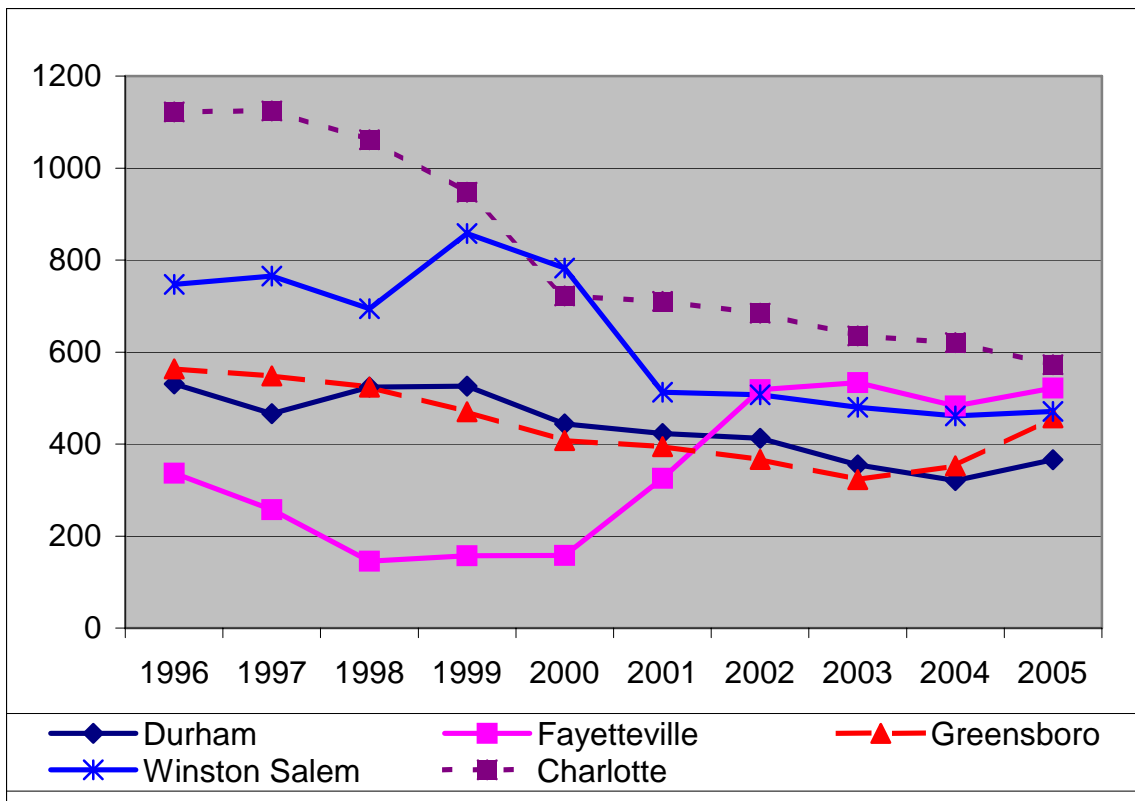


How does Durham compare with other jurisdictions in terms of crime, gangs, gang members, and gang-involved crime? This is an important question to be answered.

For a variety of reasons, crime rates are difficult to compare reliably between jurisdictions. Policymakers in Durham often compare Durham's crime rate with that of neighboring Raleigh but this jurisdiction is not an appropriate comparison for Durham. The comparison is inappropriate, not because Durham is worse in terms of crime but primarily because Raleigh has historically fared much better than other jurisdictions in its crime experience. It is likely that the sound employment rate, driven largely by the prevalence of state government jobs, and the large middle class population in Raleigh have suppressed crime; in contrast, Durham has historically maintained a higher poverty rate and the loss of key employers have made it difficult to sustain economic improvements.

For purposes of comparison, other jurisdictions in North Carolina are more appropriate for Durham. These jurisdictions include Greensboro and Guilford County; Winston-Salem and Forsyth County; Fayetteville and Cumberland County; and even Charlotte in Mecklenburg County. As seen in Figure 13, the trend in Durham's aggravated assault rates compares favorably to these other jurisdictions.

Figure 13: Durham Aggravated Assault Rate in Durham and other NC Cities



Durham's position relative to other jurisdictions is not as favorable in terms of gun crimes. While we do not know how many involve gang members, Durham has a higher rate of aggravated assaults with guns than other jurisdictions in North Carolina.

Statewide, about 22% of aggravated assaults are aggravated assaults with firearms. In Durham, 39% of aggravated assaults involved firearms in 2005. This suggests that suspects in aggravated assaults in Durham are more likely to use a gun, and thus more likely to result in serious injury, even lethality.

These numbers are of particular concern because gun crimes are less likely to be solved. The statewide clearance rate on aggravated assaults is 55% while the clearance rate for aggravated assaults with firearms is only 39%. Generally, we anticipate that clearance rates may be lower for offenses involving gang members because of uncooperative victims. Potential witnesses may also be unwilling to come forward.

Gun-related aggravated assaults are an important crime to track because they are less likely to be cleared by arrest than aggravated assaults where guns are not used. Further, aggravated assaults are a crime in which gang members are often involved and guns are used in the vast majority of these crimes.

Tracking Gang-Related Crime

In Figure 13, we compared Durham's crime rate for aggravated assault with that of other North Carolina jurisdictions. Although counts of violent crime are fairly accurate between jurisdictions, it is difficult, if not impossible, to reliably gauge or measure the precise amount of violent crime involving gang members even within a single jurisdiction. Jurisdictions that do monitor the volume of gang-related crime use these data only for internal comparisons as different approaches to counting and recording the nature of *gang involvement* make it impossible to compare jurisdictions. There are no reporting requirements and no standardized definitions or methods for

counting and scoring crimes involving gang members in the United States. In general, we see law enforcement agencies distinguish two types of gang crimes: *gang-motivated* crimes are considered to be offenses which result from gang activity, while *gang-related* or *gang-affiliated* crimes are those that involve gang members but do not arise from gang activity (Egley, Howell and Major, 2006). To illustrate this distinction, a domestic violence dispute that resulted in the death of a gang member would typically be counted as a *gang-affiliated* crime but not a *gang-motivated* crime.

Efforts to track gang-involved and motivated crime have evolved in recent years in Durham. Since about 2003, DPD and DCSO have been able to manually review homicides and record the number of gang-related homicides. Counting other gang-related crimes is inherently more difficult and most agencies do not do this; only 47% of large enforcement agencies report tracking gang involvement in crimes (Egley and Major, 2003).

Since the debut of GangNet, DPD has made efforts to routinely track gang-involved crimes in addition to homicide. From 2005 through 2006, DPD generated summary counts about gang incidents on a monthly basis by examining names of victims and suspects arrested or victimized as recorded in DPD incident reports. These data were extracted from DPD's Records Management System (RMS) by matching victim or suspect names against names recorded in GangNet. This process represented the initial effort of police to document gang involvement in criminal activity.

During the period, there have been periodic and substantial increases in the number of gang incidents but there have also been declines. To examine the reliability of

DPD's data on gang incidents we compare these incidents with the number of reported aggravated assaults in Durham. Aggravated assaults are an offense often associated with gang members. As seen in Figure 13, aggravated assaults also show much variation. If the counts of gang incidents were a reliable indicator of gang-related crime, we might expect gang incidents and aggravated assaults to move in the same direction. They do not. Thus, we conclude that trends in counts of gang incidents primarily reflect variations in the amount of police effort related to gang members and not the true amount of gang crime.

Recognizing limitations in its counts of gang-involved crime, DPD in 2007 began routinely tracking the proportion of gang members identified as victims and suspects in robbery and aggravated assaults each month, and the number of cases cleared. This is a more useful metric than previously used because it relates the number of gang member suspects and victims to the total number of suspects and victims of that crime type. This is inherently useful as well because it sheds light on the prevalence of multiple victim and multiple suspect cases. While this analysis will continue to undercount gang-related crimes – particularly when there is no suspect information – it begins the practice of regularly monitoring gang crime.

The recording is innovative, also, because it not only tracks gang members who are suspects in crimes but also gang members who are *victims* of crime (See Figure 15). This is an important metric because analysis suggests that numerous gang members who are victimized will later become suspects – evidence of seeking retaliation. Thus, a gang member victim is an opportunity for police to intervene and prevent a retaliatory crime

from occurring. It is well known among law enforcement that today's victim is tomorrow's suspect.

Figure 14: Gang Incidents Relative to Aggravated Assaults

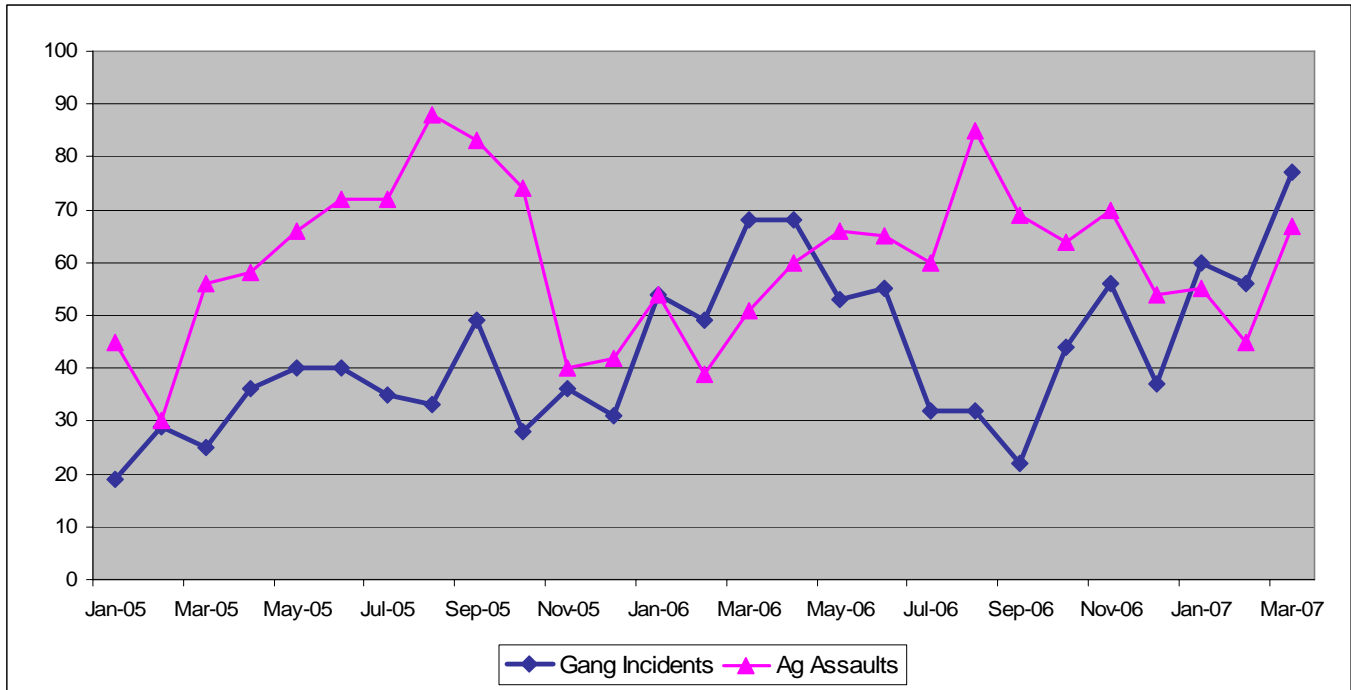
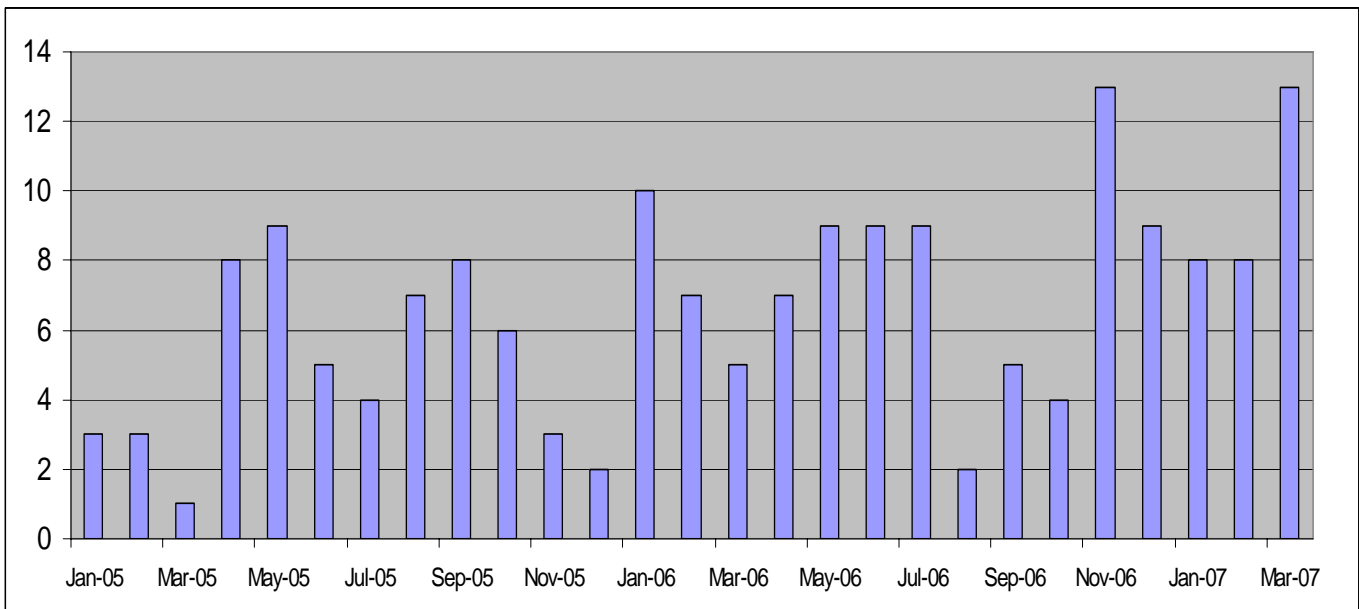


Figure 15: Count of Gang Members who were Victims of Crime



The gang member-victim information also provides an indicator of solvability for the police and it may influence the likelihood of prosecution. It is inherently difficult to make an arrest in a case with an uncooperative victim, and such cases are even more difficult to prosecute.

There is little doubt that this recording measure still misses much gang-related crime, especially offenses with no identified suspect. However, the process involves a close inspection of criminal offenses that “considers the totality of the crime,” according to DPD’s Crime Analysis Supervisor. This is an appropriate method for counting the volume of gang-related crime. DPD has also amended its crime incident report to include a check-off box for patrol officers to indicate their suspicion that a crime was gang-related. Other police agencies around the nation use this data element on crime reports; while it does not produce reliable counts, it flags cases for review by the department’s gang unit.

Gang Homicides

Many jurisdictions track gang-related homicides to evaluate their gang problems. Since homicides are well-reported, and are usually cleared through arrest, they provide a fairly reliable measure of comparison between jurisdictions. Although the annual volume of murders in Durham has varied since 1991, there has been a slight decline over time. Gang involvement in murders has only been reported since 2002 (see Figure 16) and it is unlikely that the scoring practices used have been consistent. Despite these inconsistencies in counting, it appears that as many as half of Durham’s homicides – for

the city and county combined – may have been gang-related. (The data and method used for computing these counts is described in Appendix 7.)

Figure 16: Homicides, 1991-2006, and Gang Involvement, 2002-2006 reported by DPD and DCSO

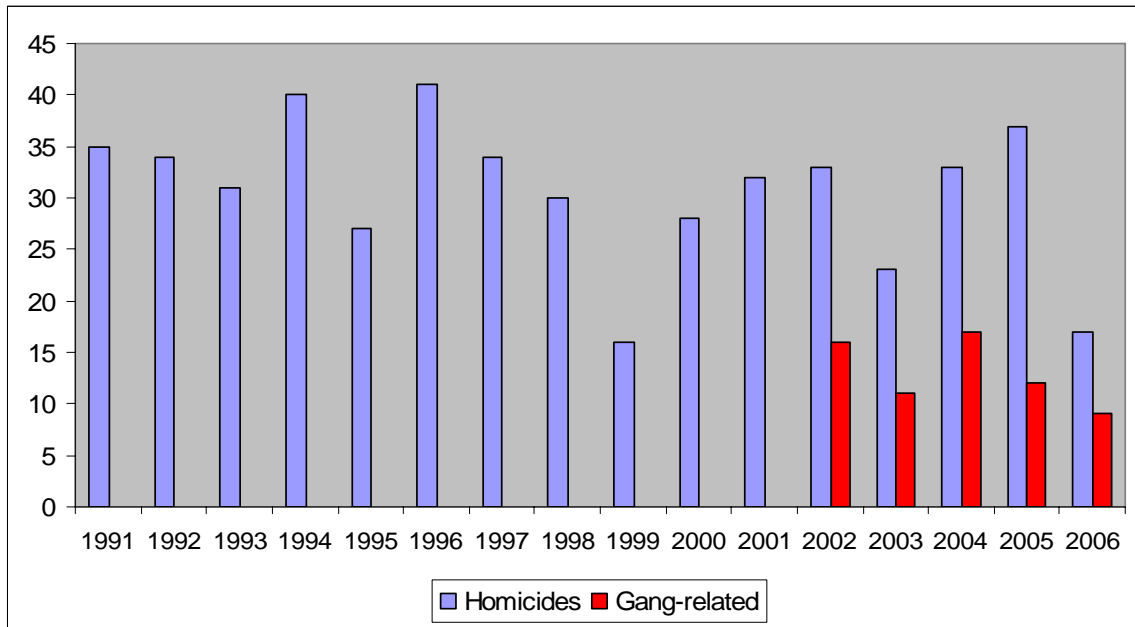
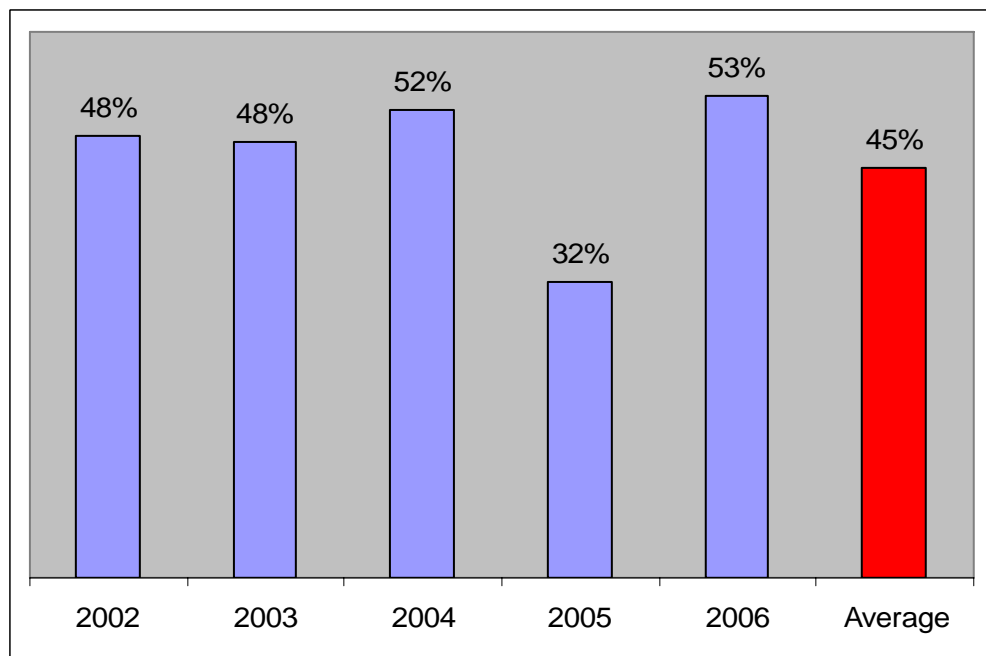


Figure 17: Percent of Durham Homicides Classified as Gang-Related



Although there are limitations in the data, an average of 45% of Durham homicides each year were gang-related, and the proportion has varied from a low of 32% to a high of 53%.⁷ In contrast, about 20% of homicides in 2001 were identified as gang-related in a national survey of law enforcement agencies (Egley and Major, 2003).⁸ The evidence is convincing that Durham has a remarkably high number of gang homicides. Further, DPD reported the largest number of gang-related homicides between 2002-2004 among the 18 Southeastern jurisdictions reporting gang-related homicides (See Table 1).⁹

The use of homicide data for evaluating gang problems is problematic. Jurisdictions such as Durham have relatively few homicides. While few observers would say Durham has too *few* homicides, there are *statistically* too few in any year to reliably establish trends. Whenever there are few data points, it is difficult to reliably separate emerging trends from normal fluctuations in crime. This statistical problem can cause local jurisdictions to react to what appears to be a dramatic increase.

The crime of aggravated assaults is a more robust measure for evaluating rises or falls in violent crime or gang crime¹⁰ – primarily because there are more of these offenses. Some experts consider aggravated assaults and homicides to be closely related. It is obvious that an aggravated assault with a firearm can easily be a homicide, or vice versa, simply depending on the accuracy of the shooter and timely medical treatment.

⁷ Although this proportion is quite high, it is likely that this count is somewhat conservative. See Appendix 7 for a description of this count.

⁸ The reader should note that more than half of law enforcement agencies reported that they did not classify or count crimes as “gang-related.”

⁹ The reader is cautioned that these data include only agencies that responded to the survey and relies upon the agency’s accuracy in accurately reporting the number. There is no way to validate or confirm the counts.

¹⁰ Whenever possible, domestic assaults should be excluded from aggravated assault counts as these offenses are substantially different.

Table 1: Gang-Related Homicides, Maximum Reported 2002 - 2004

| Agency | Count |
|-----------------------------------|--------------|
| Durham Police Department | 15 |
| Little Rock Police Department | 14 |
| Knoxville Police Department | 10 |
| Richmond Police Department | 6 |
| Huntsville Police Department | 5 |
| Greensboro Police Department | 4 |
| Norfolk Police Department | 4 |
| Laredo Police Department | 3 |
| Orlando Police Department | 3 |
| Garland Police Department | 2 |
| Chattanooga Police Department | 2 |
| Columbus Police Department | 2 |
| Fort Lauderdale Police Department | 2 |
| Amarillo Police Department | 2 |
| Chesapeake Police Department | 1 |
| Hialeah Police Department | 1 |

DPD has recently begun to examine aggravated assaults and robberies for gang involvement. Analysis of gun crimes in a one-square mile area of Durham where gang problems are concentrated – the location of DPD’s current initiative known as Operation Bull’s Eye – showed that 18% of violent crimes with guns involved validated gang members either as victim or suspect (Schiess, 2007). While this proportion may not seem particularly high, it is likely an undercount – these crimes often lack suspect information because the suspect is unknown to the victim. While it is also difficult to reliably identify gang suspects in these crimes because the victim may be uncooperative, DPD counts a crime as gang-involved even if there is no suspect information but the victim is a

validated gang member. This is a clever use of available data that we have not seen used in other police agencies across the nation which focus almost exclusively on offenders.

Given the limitations of suspect information, DPD also analyzed the involvement of gang members in cleared crimes in the Bull's Eye target area and found that validated gang members were involved in 39% of the solved violent offenses with guns. This proportion is more consistent with the homicide average of 43% reflecting gang-involvement.

The high rate of gang involvement in violent crimes with guns in Durham puts greater emphasis on the clearances of crimes. Analysis of these crimes in the Bull's Eye area showed that clearance rates were lower than the city – only 25% of the gun crime cases were cleared in contrast to the city's 45% clearance rate for 2006 (Schiess, 2007).

Taken together, these measures offer a cogent story about gang involvement in aggravated assaults and homicides with guns in Durham. The evidence shows that gang members in specific geographic areas are responsible for a substantial share of violent crimes with guns and the clearance rate for these crimes is lower than citywide. There is little doubt that an unsolved violent gang crime sets the stage for retaliatory violence.

THE CURENT RESPONSE TO GANGS

In this section, we examine three major components of Durham’s experience with and response to gangs: the criminal justice and juvenile justice systems; schools; and community-based prevention and intervention programs.

Criminal Justice System

The primary response to gangs in Durham falls to the responsibility of local law enforcement agencies including the Durham Police Department and the Durham County Sheriff’s Office. State agencies, including the Durham District Attorney’s Office and the N.C. Department of Corrections, also have a role. This section of the report describes the key role of these agencies and analyzes data relating to their handling of gangs. Because of its key role in addressing gangs, the juvenile justice system is described separately. It should be noted that there are other key components of the justice system that address gangs, particularly the magistrates and judges in Durham. Their role in gangs, however, has not been explicit but the potential for their role is also described in this report.

Police Department

The primary response of DPD to street-level gangs in Durham is a 30-person gang unit – a uniformed unit comprised of three squads, each supervised by a sergeant, and two intelligence officers.¹¹ The gang unit was initially formed in 2000 but has grown and morphed in recent years, most recently reflecting a reformulation of the agency’s CATT

¹¹ DPD also responds to more organized gangs through its involvement in federal task forces, described under the section on federal law enforcement.

teams – street level tactical units. Officers in the unit wear a uniform, distinctly different from that of DPD patrol officers with the words, Gang Unit featured prominently (See Figure 18) and on the marked patrol units assigned to these officers.

Figure 18: Detail of DPD Gang Officer Uniform



DPD's gang unit is large; in 2004, it was the largest among a comparison group of 11 cities in the National Youth Gang Survey (2004) (See Table 2). But DPD's gang unit does not focus exclusively on gangs. A review of monthly reports from the gang unit shows that most activities are *not* related to gangs. The unit's activities include probation operations, street prostitution undercover operations, buy bust operations, directed patrols related to reports of graffiti, citizen complaints, warrant service and attending community meetings. While personnel in the unit do make contacts with gang members, and validate new members, our review of activity reports suggests this is not the exclusive or even the primary activity. This unit is better described as a street tactical unit – their functions include but are not focused on addressing gangs. Although the unit's officers are

classified as investigators, they are not assigned cases and have no investigative responsibility for follow-up investigations.

In terms of gang units in American police agencies, there is no established standard or recommended “model” gang unit. Instead, gang units vary in terms of organizational locus, staffing and function. Police gang units typically perform one or more of the following functions:

- Investigations, either follow-up investigations where officers are assigned cases or proactive investigations, such as undercover operations, targeting specific gangs or criminal activities;
- Intelligence functions, which focus on collecting and disseminating information about gangs, usually in support of investigations;
- High visibility uniformed patrol functions, including directed patrol, assisting detectives, gathering intelligence and community outreach.

Most new gang units in law enforcement agencies commence with an intelligence function – usually a single officer – and may expand to include other functions.

During the year-long assessment process in Durham, numerous law enforcement personnel – both within and outside DPD – said they did not know what the DPD gang unit does. These comments often came from personnel who *should* be very familiar with the activities of the gang unit, including juvenile investigators, SROs, GREAT officers and patrol officers.

Notably, we did not hear similar comments from community leaders. During the assessment process, one or more gang officers attended most of the PAC meetings and provided high visibility to community and business leaders. During focus group meetings with citizens, there were numerous positive remarks about DPD’s gang unit. In

examining the functions and activities of DPD’s gang unit, we conclude that its primary purpose is to provide a visible symbol of the department’s concern about gang problems and a way for citizens to access police attention. The designation of an officer belonging to the “gang unit” appeared to reflect on the status of the officer and elevate citizen satisfaction with police responses.

Table 2: Gang Personnel by Law Enforcement Agency, 2004

| Agency | Total gang personnel |
|--------------------------------|-----------------------------|
| Durham Police Department | 25 |
| Huntsville Police Department | 16 |
| Norfolk Police Department | 11 |
| Richmond Police Department | 10 |
| Laredo Police Department | 7 |
| Garland Police Department | 5 |
| Columbus Police Department | 3 |
| Greensboro Police Department | 3 |
| Irving Police Department | 3 |
| Newport News Police Department | 3 |
| Hialeah Police Department | 2 |

The gang intelligence functions in DPD and DCSO focus on the use of GangNet, mentioned previously in this report. GangNet is a limited access database in which intelligence information on gang members is maintained and can be accessed by investigators and others who have been trained and meet requirements. The system is statewide, permitting law enforcement personnel in Durham to easily share information with others across North Carolina. DPD and DCSO lead the launch of the GangNet

initiative with funding from the Governor’s Crime Commission and a statewide advisory board provides policy and operational guidance.

The primary purpose of GangNet is to assist with criminal investigations – it provides officers with detailed descriptive information about individuals who may be suspects, victims or witnesses in a crime. Ideally, GangNet provides important investigative leads and is particularly valuable at the critical moments after a crime has occurred. A wide range of data elements are included such as the residence and place of employment of gang members, vehicles and license plate information, known associates and common hang-out locations. In addition to assisting with investigations, GangNet provides a way to count and track the number of gangs and gang members within a jurisdiction, providing an important and consistent benchmark.

To be entered into GangNet, individuals must be “validated” or meet two or more standardized criteria such as a self-admission of gang membership and wearing gang clothing or using of gang hand signals or symbols.¹² Similar criteria are used in GangNet-type databases in other states, such as CalGang in California, for documenting gang members, however, the reliability of these criteria and the consistency with which they are applied is not known. As an intelligence database, GangNet must comply with federal regulations that control use of the information. Such procedures include regularly purging data to eliminate gang members who have not been updated for five years.

¹² Only one criterion – self-admission at detention center or prison intake – is considered to be sufficient for validation. The presumption is that gang members want detention officials to be aware of their affiliation to avoid potential conflict, such as assigning rival gang members to a single cell.

Although increasingly used for planning purposes, gang databases will never be completely accurate. More sophisticated gang members are likely to avoid street-level activity that exposes them to greater likelihood of police contact and validation. It is also more difficult to identify and validate ethnic gang members due to language barriers or gang laws that place an emphasis on not collaborating with police. Further, young adults are highly mobile and may often relocate but remain in the database for many years and studies show that gang membership of juveniles is often transitory and may even be falsely claimed (See, for example, Weisel, 2002).

The primary benefit of GangNet – solving gang-related crimes – has not been evaluated and the frequency of its use for investigative purposes in Durham has not been documented. Further, GangNet has not been subject to a 28 CFR Part 23 review to ensure compliance with federal regulations on multiagency criminal intelligence databases. This type of review would alleviate concerns that GangNet might be used in a way that would violate the due process rights of individuals.

Police Interaction with Gang Members

Beyond its gang unit, the primary response of DPD to gangs is represented by the agency's recorded arrests of gang members.¹³ While arrests only represent recorded police interactions with gang members¹⁴, these data reflect on the prevalence and nature

¹³ These arrests are not limited to those made by the gang unit but include patrol officers, detectives and other law enforcement personnel.

¹⁴ The arrest data thus do not reflect the actual number of gang members nor the true amount of gang activity – a shortcoming of arrest data described in Appendix 7.

of police contacts with gang members and provide some descriptive information about these individuals.

Arrest data obtained from DPD's Records Management System suggest that gang members in Durham are keeping police officers busy – in other words, official contacts between police and gang members as represented by arrests – are numerous. From 2001 through 2007, a total of 770 individuals were arrested one or more times by DPD. These validated gang members were arrested 4,447 times and charged with 8,199 offenses. This is an average of six arrests per gang member and 12 charges per gang member.

A substantial proportion of arrests of gang members were for serious offenses. About 25% of the 4,447 arrests are for serious crimes, including burglary, robbery, aggravated assaults and threats.¹⁵

Figure 19: Nature of DPD Serious Crime Arrests of Gang Members, 2001-2007

| Offense Type (Highest Charge) | Percentage |
|--------------------------------------|-------------------|
| Robbery | 7% |
| Aggravated assaults | 5% |
| Other assaults, including threats | 9% |
| Burglary | 4% |
| Total | 25% |

Among the workload of police officers, serious crimes are relatively uncommon, usually comprising less than 10% of an officer's time.¹⁶ Thus, most officers make

¹⁵ The arrest of a suspect often includes multiple charges as it is customary for a law enforcement officer to make as many charges as possible – this provides a tool for prosecutors and presumably increases the likelihood that the suspect will be prosecuted for at least one charge. For analysis, we used only the highest charge. The data thus represent the number of suspects arrested rather than the total number of charges against those individuals.

¹⁶ Officers' time is vastly dominated by alarm calls, collisions and other traffic problems, disturbances and minor offenses.

relatively few arrests for serious crimes – whether the suspect is a gang member or not. Since 25% of arrests of gang members are for serious crimes, this seems a relatively high proportion of official police contacts. The data suggests that officers are effective in apprehending gang members for serious criminal activity.

Because of workload, arrests for serious crimes should not comprise the majority of arrests of gang members. If officers are proactive in responding to gang-related problems including citizen complaints, we anticipate that police will engage in many proactive arrests – arrests that require an officer to initiate rather than respond to a crime that has already been committed. For example, DPD officers respond to nearly 3,000 “shots fired” calls annually but few of these calls will evolve into a serious crime. Instead, as Figure 20 shows, Durham officers make many proactive charges such as drug, firearms, trespassing and vandalism. These proactive charges represented nearly one-third (31%) of all arrests.

Despite the arrests for serious crime and proactive arrests, the prevalence of one arrest type punctuated our analysis. Among gang members, arrests for failure to appear (FTA) were common and represented 16% of arrests. This statistic unfortunately illustrates that police must do much of their job twice – each FTA arrest represents the second time that police have apprehended a suspect for the same crime (This analysis counts only FTAs that were the highest charge; there were many more FTAs among the 8,199 charges examined).

While many of the FTAs may be for misdemeanor or minor offenses – and we cannot determine this from the data – discussions with personnel across the justice

system in Durham suggest that it is common for defendants – even those charged with serious crimes – to commit other crimes while on pre-trial release. This issue is addressed further later in this report.

Figure 20: Nature of DPD Other Crime Arrests of Gang Members, 2001-2007

| Offense Type (Highest charge) | Percentage |
|--------------------------------------|-------------------|
| Drug-related offense | 18% |
| Firearms offense | 7% |
| Trespassing | 4% |
| Vandalism | 2% |
| Failure to appear | 16% |
| Total | 47% |

Equity and Effectiveness of the Gang Unit

We would be remiss in this assessment if we did not discuss major problems that have been issues for law enforcement gang units in other jurisdictions – complaints about excessive use of force and unfairly targeting minorities, and police corruption. We find few complaints about police in Durham. During numerous focus groups with citizens and even during interviews with suspects who had been arrested by police, there were no characterizations of police as brutal, racist or corrupt. A review of Durham Internal Affairs further suggested that bias and corruption are not major issues in Durham.

Despite the positive feedback regarding fairness of the gang unit, unfortunately there are no standardized methods for evaluating the effectiveness of the gang unit. Monthly activity reports provide counts on a range of activities, such as number of traffic stops, amount of drugs, money and number of firearms seized, number of prostitution operations, traffic stops, gang presentations and buy/bust operations. While the reports

also include some narrative description about “significant events” for each squad, it is not possible to gauge their effectiveness.

While it is not unusual for police gang units to lack standardized methods for assessing the effectiveness of their efforts in improving gang problems (Weisel and Shelley, 2004), the size and prominence of this unit in DPD make it critical to develop meaningful and reliable reports that address these issues and provide a benchmark over time.

Sheriff

The Durham County Sheriff’s Office has an important role in addressing gangs in Durham, however, the agency’s role varies substantially from that of the police department. In terms of crime, DCSO has only a minor portion of the county’s serious crime – DCSO records less than 1/10th of the violent crime reported by DPD – and limited areas for responding to calls for service.

DCSO Gang Unit

In terms of dedicated gang personnel, DCSO has a gang unit comprised of three personnel: two detectives and a lieutenant. This unit was established in January 2005 and the personnel were assigned to gather intelligence information, as well as to investigate and clear gang-related crimes. Along with DPD personnel, DCSO’s gang lieutenant has taken a lead role in development and implementation of GangNet in Durham. DCSO hired two civilian employees in 2007 to manage the database. In contrast to DPD, DCSO’s gang unit is more conventional or typical for an agency its size – intelligence

and investigation functions are the dominant functions, although personnel are also involved in coordination with other agencies and community outreach or prevention. Unfortunately, the reputation of DCSO's gang unit was undermined when one of its deputies, subsequently fired by DCSO, was implicated in a drug trafficking case in October 2006.

Durham County Detention Center

An important role of the sheriff's office related to gangs involves running the Durham County Detention Center (DCDC). The population in the detention center has steadily increased in recent years, rising from 417 Average Daily Population (ADP) in 2002 to 568 in 2006. This represents a 36% increase in population over a four-year period.

It is tempting to think that the population increase in the detention center reflects a rising number of arrests. But it does not.

The number of bookings at the detention center declined from 12,743 in 2005 to 12,591 in 2006 – about a one percent decrease. Detention center admissions – that is, the actual number of persons “sent upstairs” in the detention center – also declined during the period. This number decreased from 9,492 in 2005 to 8,648 in 2006.¹⁷ So, fewer persons were booked at the detention center in 2006 than in 2005, and fewer persons were sent upstairs in 2006 than in 2005.

¹⁷ About 26% of persons booked at the detention center were released and never ‘went upstairs’ in 2005; this proportion increased to 31% in 2006.

Despite these declines, the ADP of the detention center increased during the period, rising from 528 to 568 – an 8% increase from 2005 to 2006. Fewer inmates went upstairs in 2006, yet the detention center’s population continued to rise. The average length of stay for inmates appears to have increased modestly in recent years, according to a recent consultant’s study of Durham’s Detention Center (Pulitzer/Bogard, 2007). In 2005, inmates were confined for an average of 18.6 days.¹⁸ The use of the statistical average, however, masks a more important finding: a substantial number of pre-trial inmates remain in custody in Durham’s detention center for years awaiting disposition of their cases.

While 92% of inmates served 60 days or less (see Figure 21), this proportion consumed only 39% of all detention days; the remaining 8 % of inmates were in detention center for 61% of all detention days. These counts show how a small group of inmates dominate detention days.

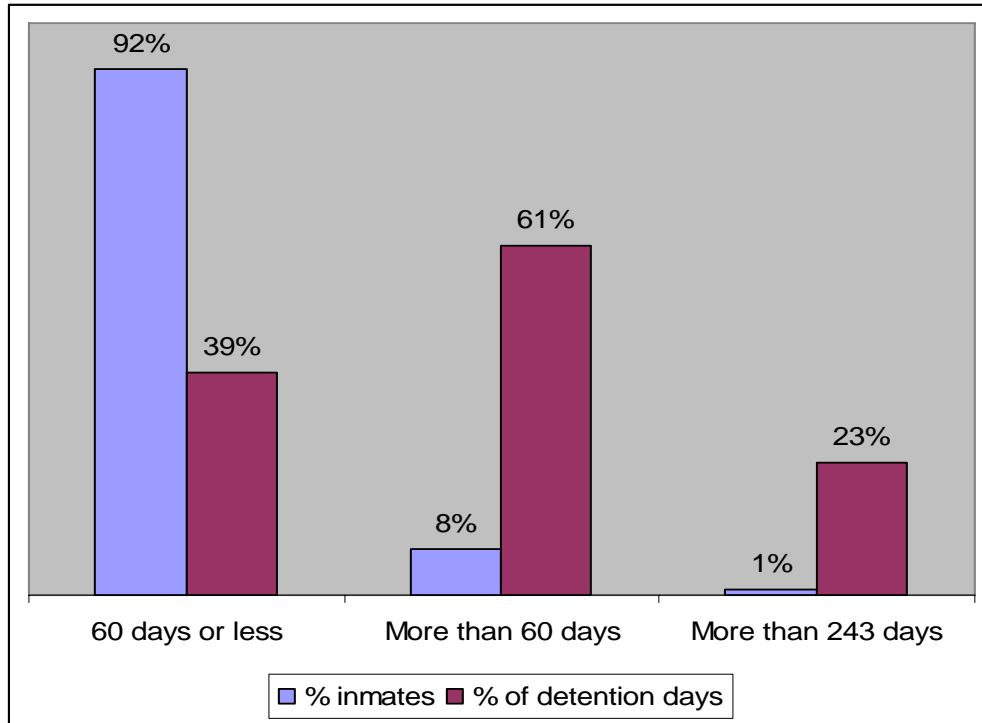
More disturbing, however, is that the contribution of an even smaller portion of the detention center population to a large share of detention days.

- 118 (1%) of inmates in 2005 were responsible for 21% (44,769) of all detention days – an average of 379 days.
- 47 (½ of 1%) of inmates were in the detention center for 13% (24,800) of all detention days – an average of 528 days each.
- 2 inmates occupied the detention center for more than two years – an average of 750 days.¹⁹

¹⁸ The consulting report does not report the average length of stay in 2000 however the report states that a larger portion of inmates were confined for one to two years in 2005 than in 2000.

¹⁹ We assume these inmates are pre-trial.

Figure 21: Length of Stay in Durham County Detention Center, 2005



We assume that the two inmates detained for more than two years were pre-trial murder. Indeed, the overall report showed that murder comprised 2/10 % of all charges in the detention center and inmates on these charges served an average of 159 days before release. Two other offenses – trafficking of cocaine and robbery – also showed lengthy average stays in the detention center of 99 and 98 days, respectively. Curiously, aggravated assault charges were not included on the list of most frequent charges based on detention days (p. 23).

These empirical data about inmate length of stay are consistent with pre-trial actions taken at first appearances.

In 2006, the bond of about 3.5% of pre-trial detainees was increased at first appearance (see Table 3). This was an increase from 2.7% in 2005, and suggests that an

increasing portion of detainees would not be able to make bond. Further, in 2005, 79% of first appearance actions resulted in reductions of bond – including changing bond requirements from secured to unsecured. This percentage dropped to 73% in 2006. Both types of actions will tend to keep suspects in the detention center pre-trial for a longer period of time – further contributing to the rising ADP. Further, the average stay of pre-trial detainees may also be influenced by the age of cases at disposition. This is an issue discussed in the next section of this report.

Table 3: Bond Changes at First Appearance, 2005 to 2006

| Type of bond change | 2006 | 2005 |
|---------------------------------|-----------------|-----------------|
| Reduced or changed to unsecured | 72.8% (2741) | 78.7% (3140) |
| Bond increased | 3.5% (133) | 2.7% (107) |

As the inmate population has grown at the detention center, assaults within the detention center – assaults on officers and assaults between inmates – have also increased, rising 45% from 2001 to 2005, reflecting an increase from 83 to 120. Assaults on officers increased 500% during the period, rising from 3 to 18. Detention center staff began monitoring gang-related assaults in January 2006, and these numbers also showed steady increases (See Figure 22). National studies show that jail overcrowding caused by longer stays of pre-trial detainees increase violence because inmates are bored, frustrated and the larger population further reduces the availability of scarce services such as drug treatment (Davis et al., 2004).

Increasing assaults in Durham’s detention center further reflect the declining officer-to-inmate ratio; as the number of inmates increases and staffing remains the same,

the officer to inmate ratio increases. In other words, each officer is responsible for more inmates; in 2006, the ratio was 52:1 or 52 officers for each inmate.

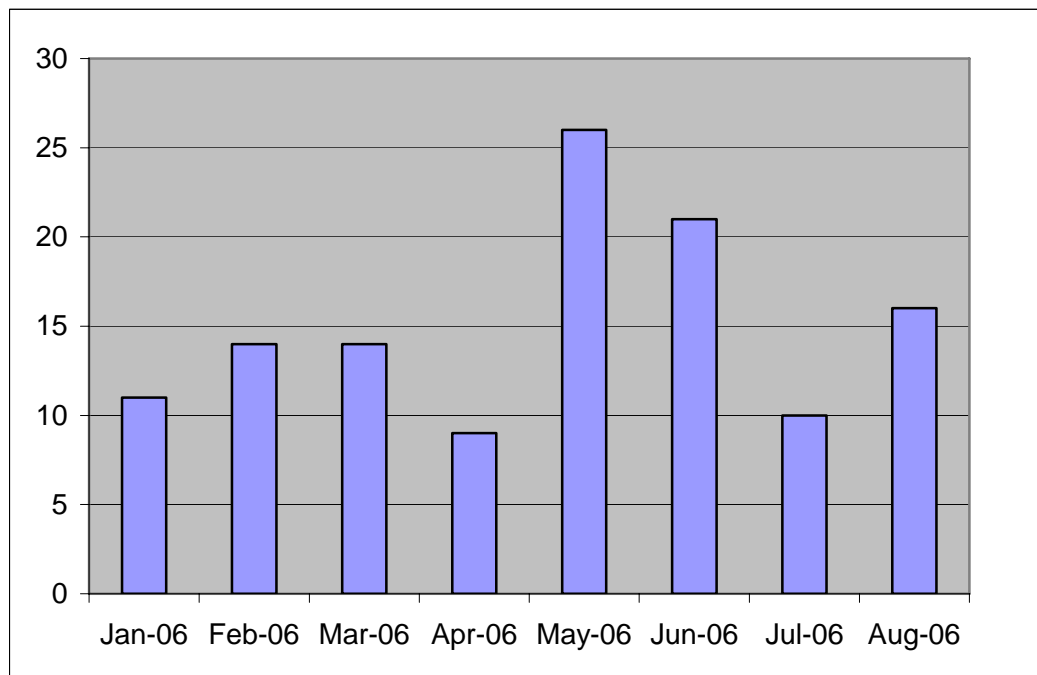
The inmate population in the detention center also reflects the prevalence of gangs in the community. In September 2006, there were 83 gang members in the Durham County Detention Center, representing approximately 15% of the detention center's inmates. This percentage is similar to prevalence of gang members reported in a national study (Ruddell, Decker & Egley, 2006). That study found that 13% of detention center inmates were thought to be gang-involved. A key finding from national studies – well-supported by descriptions from detention personnel in Durham's detention center – is that inmates who are gang members are more likely to be involved in assaults within the detention center, whether these are assaults on other inmates or assaults on officers. Thus, an increasing presence of gang members in the detention center also contributes to increases in assaults in the detention center – suggesting the need for more and better-trained detention officers to manage this population.

Although it is widely believed that detention centers segregate gang members, most – including Durham County – do not. Indeed, many detention centers cannot segregate gang members because of space limitations, and the frequent entry and exit of inmates.

New inmates at DCCC are routinely evaluated or classified to detect gang membership. Classification or identification of gang membership at detention center admission is considered the single most reliable indicator of gang membership; it is at this point during processing in the criminal justice system that a gang member is most

likely to be honest about his or her membership. False claims of membership in a gang will lead to reprisals from the claimed gang while failure to identify gang membership may result in the inmate being inadvertently placed in close proximity to rival gang members. Detention officers are increasingly becoming aware that gang initiation may occur *while* an inmate is in custody – during a lengthy pre-trial confinement, inmates may have both opportunity and incentive to join a gang.

Figure 22: Gang Related Incidents in Durham County Detention Center



Further, it is reported that gang initiation may require new members to assault a law enforcement officer. While we did not observe cells during our study of the detention center, cells in DCDC reportedly contain much gang-related graffiti. Because of the frequent entry and exit of inmates, and the current large population at the detention center, it has not been possible to remove graffiti. Further, there are no programs to assist

inmates in leaving gangs – there are no programs while they are in custody and none at reentry.

Court Security

DCSO assumed responsibility for building security of the judicial building and annex in 2004. This includes x-ray searches of all visitors to these buildings, operation of a card access system for employees, operation of a camera surveillance system and providing deputies in the courtrooms. In recent years, courtroom security has become an issue particularly as it relates to gang cases with some noteworthy cases of jury and witness intimidation by suspects and persons in the gallery. Issues with building security are not limited to the courtroom – problems related to intimidation have also occurred in hallways and outside the courthouse. Addressing this range of gang-related security problems is beyond the scope of DCSO’s day-to-day building security and the gang units of DPD and DCSO have been called for assistance in some cases.

Juvenile and School Programs

In addition to its gang unit, detention center and courthouse security, DCSO addresses gang problems by focusing on juveniles – regardless of gang affiliation. These functions include providing SROs in most DPS high schools and middle schools, delivery of the GREAT curriculum in most of Durham’s middle and elementary schools,²⁰ and two detectives who focus on truancy problems. Delivery of the GREAT curriculum is a

²⁰ DPD also provides GREAT training in middle and elementary schools in Durham.

positive feature of prevention programming in Durham. In contrast to DARE, which was previously provided in Durham, GREAT has been carefully evaluated and found to be successful (Esbensen et al., 2001). Thus, resources devoted to GREAT are well-spent in DPS.

District Attorney

Durham County comprises the 14th Prosecutorial District for North Carolina's Administrative Office of the Courts (AOC). Although the judicial function is a state responsibility, the City and County of Durham supplement this function. Since 1998, the city has used federal grant funds to support one full-time assistant district attorney to prosecute cases for the "Gang and Habitual Felon Task Force." While it is unusual for local governments to support state agencies, North Carolina law permits District Attorneys to enter into contracts with local government when there is a backlog of criminal cases or an "overwhelming public interest" necessitating the "speedy disposition" of "offenses representing a threat to public safety" (NCGS 7a-64).

It should be recognized that gang cases are highly specialized cases. The gang district attorney notes that it is often difficult for police to locate witnesses in gang cases; even then, witnesses – including victims – are "generally uncooperative" (Ellis, 2007). In major jurisdictions, prosecutors have declined to prosecute gang-involved cases unless there is more than one witness, unless there is extensive corroborating evidence. In other words, prosecutors are increasingly requiring that cases have reliable witnesses who are not accessories to the crime (Kocieniewski, 2007).

While the gang ADA works closely with the DPD gang unit on cases, DPD does not have specialized detectives assigned to its gang unit. Gang detectives are an essential ingredient of vertical prosecution – a close collaboration between prosecutors and law enforcement. While uniformed gang personnel in Durham provide valuable assistance in locating witnesses and suspects, gang cases are currently assigned to generalist detectives in Durham’s five police districts for follow-up investigation.

The ADA on gangs provides quarterly reports on prosecuted cases, including a description of which defendants were prosecuted and sentences. The report does not include the date of offense, the date of arrest, nor the case disposition. This information is necessary to ensure that cases are handled in a timely manner. In an ideal world, we expect all arrested suspects to be prosecuted, dispositions to occur in a timely way, and cases to result in convictions. But this is not a reality of the contemporary criminal justice system, in Durham or elsewhere.

Case age is a key concern in criminal cases and it is particularly a concern for gang cases. In the first six months of 2007, three major gang-related homicides went to trial in Durham.²¹

- In March 2007, Tyrone Dean was tried for a May 2004 shooting but the trial ended in hung jury. The case was 35 months old. The case was retried in July 2007 and resulted in a conviction.
- In April 2007, Mario Davis was tried for a homicide that occurred in January 2005 – the case was 28 months old; it too ended in a hung jury.
- In August 2007, Michael Goldston was prosecuted for a fatal shooting in February 2004 – the case was 42 months old and resulted in a conviction.

²¹ One homicide was retried so there were actually four trials for the three homicides.

These three cases were an average of 35 months old or nearly three years from the crime to disposition. These cases contrast dramatically with a recent gang-involved trial in Raleigh. That case, a fatal drive-by shooting with multiple defendants, occurred in June 2006 and went to trial in July 2007 when the case was 13 months old.

Convictions are increasingly less likely as cases age – witnesses recant or become fuzzy on the details of a crime, victims or witnesses can be intimidated; both the public and those affected directly by the crime lose confidence in the justice system (Johnson, 2006; Finn and Healey, 1996). Further, lags in prosecution contribute to jail overcrowding with pre-trial detainees. Lags also increase gang cohesion, permitting defendants on lengthy pre-trial release, to commit other crimes.

Of the four gang homicide trials in 2007, two resulted in a hung jury and jury intimidation was prominent. Obviously, these are very negative outcomes for jurisdictions concerned about gang problems and public confidence.

Felony Case Age

Felony case age is the standardized measure used to track the age of cases that are disposed of in court; two descriptive statistics – median or average case age and 90th percentile – are used to monitor court performance. The term “90th percentile” is used to report the age in days of cases when the court has disposed of 90% of filed cases.

Felony robbery and assaults are two crimes often associated with gang members. Court statistics show that robbery cases are substantially older in Durham than the rest of North Carolina (See Table 4.)

- The median age for disposed robbery cases for Durham is 57% higher than for North Carolina – 336 days compared to 214.
- The 90th percentile on disposed robbery cases for Durham is 55% higher than the state average – 798 days instead of 514.
- While the median age of disposed robbery cases increased 10% for North Carolina from 1999-00 to 2005-06, the median age for Durham’s cases increased 51% during the same time period.
- Similarly, the 90th percentile in NC increased 10% compared to 47% in Durham.

Table 4: Disposition and Age of Felony Cases in Days: North Carolina and Durham

| | Disposed cases | | Pending cases | |
|-----------------------|-----------------|-----------------------------|-----------------|-----------------------------|
| | Median case age | 90 th percentile | Median case age | 90 th percentile |
| North Carolina | | | | |
| Robbery 05-06 | 214 | 514 | 236 | 613 |
| Robbery 99-00 | 194 | 467 | 197 | 535 |
| % increase | 10% | 10% | 20% | 15% |
| Assault 05-06 | 223 | 550 | 308 | 718 |
| Assault 99-00 | 217 | 506 | 245 | 555 |
| % increase | 2% | 2% | 26% | 17% |
| Durham | | | | |
| Robbery 05-06 | 336 | 798 | 253 | 556 |
| Robbery 99-00 | 223 | 543 | 247 | 423 |
| % increase | 51% | 47% | 2% | 31% |
| Assault 05-06 | 303 | 735 | 322 | 681 |
| Assault 99-00 | 223 | 418 | 266 | 491 |
| % increase | 36% | 76% | 21% | 39% |

The same trend in older cases in Durham holds true for assault:

- The median age for disposed cases in North Carolina is 223 while Durham's age is 303 – Durham is 36% higher than the state.
- For the 90th percentile, the state reported 550 days and while Durham reported 798 – Durham is 45% above the state's rate.
- As with robbery, Durham's performance on median and 90th percentile assault case ages worsened more than North Carolina. The state's median and 90th percentile on assault increased 2% from 1999-2000 to 2005-06 while the same measures increased 36% and 76%, respectively, in Durham during the period.

On pending cases, Durham's performance is more consistent with the state averages and 90th percentile.

Felony Case Dispositions

The rate of disposition of felony cases in Durham's Superior Court is fairly consistent with the state average but averages mask much variation within the data. For example, like the state of North Carolina, about one-third of robbery and assaults and about 22% of burglary charges are dismissed without leave in Durham. For controlled substances – the largest category of felony charges accounting for about 1/3 of all felony charges in Superior Court – about 1/3 are dismissed without leave at the state level, while nearly 60% (58%) are dismissed in Durham.²²

No doubt, dismissals without leave are a way to manage a workload that outpaces resources; overall, 32% of disposed cases in North Carolina were dismissed without leave; while 41% were in Durham (See Table 5). Felony cases may be dismissed for a

²² Felony cases reflect charges against defendants and a single defendant may face charges in several categories; for example, a defendant may be charged with both robbery and controlled substances. When there are multiple charges, there is probably greater likelihood that lesser charges will be dismissed.

variety of reasons, including poor case quality such as unreliable witnesses. Prosecutors use their ability to reduce or dismiss charges as a way to achieve the best outcome in cases, such as negotiating pleas or making agreements with co-defendants to testify.

Table 5: Cases Dismissed without Leave
Felonies in Durham Superior Court 2005-2006

| | Controlled substance | Robbery | Assault | Burglary | Total |
|----------------|----------------------|---------|---------|----------|-------|
| North Carolina | 32% | 27% | 34% | 22% | 32% |
| Durham | 58% | 30% | 36% | 22% | 41% |

Dismissals also represent a method to handle a large volume of cases and Durham clearly has a large and increasing volume of cases with few resources. For example, murder filings in Durham increased from 17 to 40 from 1999-00 to 2005-06 – an increase of 135%. Murder filings in the state increased 13% during the same period (see Figure 23) again reflecting that the rising pace of filings in Durham is much higher than the state.

Ironically, as murder filings have steadily increased for Durham’s District Attorney, the number of murders has steadily declined in Durham County despite the county’s increasing population. The number of filings has increased more than the number of homicides because some, such as gang homicides, increasingly have more than one defendant. The increased murder filings for the Durham District Attorney have had a negative impact on dispositions. From 1999-00 to 2005-06, disposed murder cases dropped from 82% to 50% in Durham compared to a decline from 100% to 85% in North

Carolina for the time period. Durham also had a larger percentage of murder filings go to trial than North Carolina and this percentage increased during the period. This is in contrast to the general trend of fewer trials in the state. All these factors in Durham's court workload affected the outcome of cases as Durham experienced a substantial decline in guilty dispositions, dropping from 93% to 40% (See Table 6). The convictions do not reflect trial outcomes, but represent cases disposed of as charged and disposed with lesser charges.

Increased filings reveal a distinctive trend – Durham's contribution to murder filings in North Carolina has also increased during the period. Durham comprised 2.6% of North Carolina's murder filings in 1999-2000; this proportion rose to 6% in 2005-06 – a substantial increase representing the severity of serious crime in Durham relative to the rest of the state. The 1999-00 proportion of 2.6% was proportional for Durham as it represented 1/39th of the state's murders and Durham is one of 39 judicial districts. The number in 2005-06 was substantially disproportionate.

In Durham, more murder filings have resulted in older cases and fewer dispositions, more trials and fewer guilty dispositions. No doubt, these factors have undermined public confidence in the criminal justice system in North Carolina.

Figure 23: Murder Filings in Court

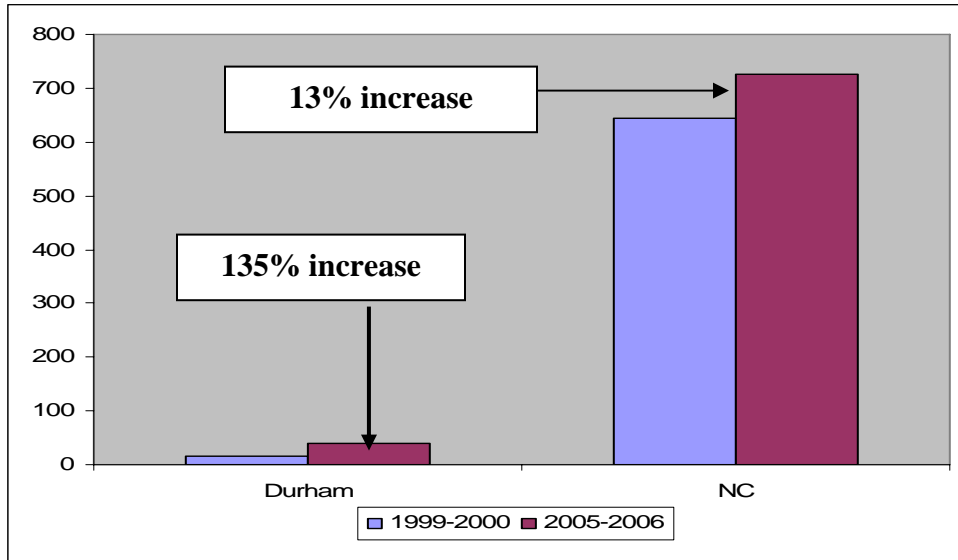


Figure 24: Homicides in Durham County and Murder Filings in Superior Court

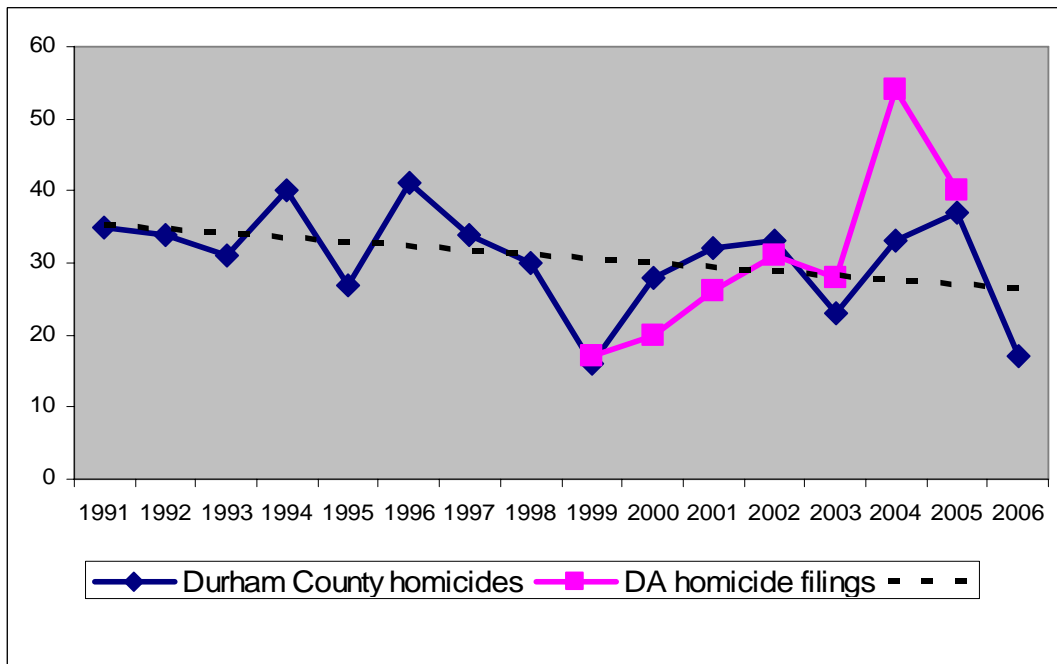


Table 6: Superior Court Murder Filings and Dispositions, Durham and North Carolina

| | Durham | NC | Durham | NC | Durham | NC | Durham | NC |
|---------|---------------------------|-----|-------------------|------|------------------|-----|-------------------|-----|
| | <i>Median Age in Days</i> | | <i>Disposed</i> | | <i>Trial</i> | | <i>Guilty</i> | |
| 2005-06 | 607 days | 437 | 50% (20 of 40) | 85% | 25% (5 of 20) | 15% | 40% (8 of 20) | 53% |
| 1999-00 | 389 days | 384 | 82% (14 of 17) | 100% | 7% (1 of 14) | 23% | 93% (13 of 14) | 58% |

Federal Law Enforcement and Prosecution

Numerous federal law enforcement agencies – including the FBI, Bureau of Alcohol, Tobacco and Firearms, U.S. Marshal, DEA and Immigrations and Customs – operate task forces in Durham to address crime problems, particularly those associated with narcotics, gangs and violent crime. Local law enforcement agencies assign sworn personnel to participate on these teams. For example, DPD has:

- Two officers assigned to a BATF Task Force
- One officer assigned to a U.S. Marshall’s Task Force, focused on apprehending fugitives
- Two officers assigned to a DEA task force focused predominately on drug trafficking, recently this has focused on Hispanic groups
- Six officers assigned to FBI Violent Crimes Task Force, including two assigned to Safe Streets, one focused on cyber crime, one focused on terrorism, and two focused on drugs (Narcotics Task Force), and
- One DPD contract employee is tasked to Immigration and Customs.

In addition to the involvement of local law enforcement with federal task forces, the U.S. Attorney for North Carolina’s Middle District has an important role in

addressing gang-related problems. Threats of federal prosecution for gun-involved crimes are a central feature of the jurisdiction’s STARS initiative and the focus of quarterly Gun Crime Reviews in Durham’s Project Safe Neighborhoods (PSN). Media campaigns, including flyers, bus signs, posters and newspaper advertisements feature this theme (See Figure 25.)

Durham invests substantial efforts in its Gun Crime Reviews – monthly meetings in which local law enforcement officers meet with federal and state prosecutors to review each case and determine whether it should be prosecuted federally. Prosecution by the U.S. Attorney is desirable since convictions result in longer sentences for defendants.

The multi-agency Gun Crime Review meetings have been routine since 2004 and provide an important opportunity for local and federal collaboration. The meetings also provide an important mechanism for insuring case quality – and presumably the likelihood of both prosecution and conviction for gun crimes.

Table 7: DPD Gun Cases Adopted for Federal Prosecution

| | Gun cases | Adopted federally |
|------|------------------|--------------------------|
| 2005 | 231 | 26 (11%) |
| 2006 | 296 | 36 (12%) |

While the federal conviction rate is high, very few gun crimes in Durham are prosecuted federally. In 2006, nearly 300 gun cases were reviewed in Gun Crime Reviews yet only 12% were adopted for federal prosecution. The federal adoption rate was similar in 2005 (See Table 7). While the U.S. Attorney may perceive Durham as receiving its “fair share” of gun prosecutions relative to other jurisdictions in the Middle

District – including Greensboro, Winston Salem and High Point – Durham has a higher rate of gun crime (described previously), including a high rate of gang-involved homicides involving firearms.

Figure 25: Ads in Durham threaten Federal Prosecution of Gang Members

**Think
Protecting
Your Turf**

Without a 9mm is Tough?

Try Doing it
from a
Federal Prison.

**PROJECT
SAFE
NEIGHBORHOODS**
America's Network Against Gun Violence
www.ProjectSafeNeighborhoods.gov

Among the remaining 89% and 88% of gun cases not adopted for federal prosecution, the dispositions are unknown. DPD does not monitor the prosecution rate of arrests for gun crimes or other crimes.²³ While it is difficult to monitor state prosecution, it is well established that threats of prosecution must be *real* in order to be effective; offenders must perceive risks as elevated and the public must have confidence in the justice system.

Other Components of the Criminal Justice System

There are other components of the Criminal Justice System that address gang problems in Durham. For example, the N.C. Department of Corrections (DOC) provides supervision for offenders released on probation in Durham. This probation function is known as Community Corrections. Among adult probationers, Durham's Judicial District Manager maintains a Security Threat Group (STG) unit, which monitors individuals identified as members of gangs or other criminal enterprises. DOC further collaborates with DPD on periodic probation sweeps. While these efforts have not focused on gang members, they include gang members.

Magistrates are also important officials in the justice system related to gangs, although their role does not involve identifying gang members. In Durham, magistrates have been criticized both for releasing felons and for bond-setting practices. An August 2007 report to the Durham Crime Cabinet described the resource constraints that make identity resolution at the Durham County Detention Center difficult for magistrates and

²³ Across the nation, very few police departments monitor these outcomes but some law enforcement agencies benefit from this information being regularly reported to them by the prosecutor.

their inability to access criminal records – a key step in determining bond or release conditions (Aguiar, French, & Yarbrough, 2007). While the magistrates are not directly involved in gang-related matters, their release decisions of gang members have caused outrage among Durham citizens, according to Aguiar. Such incidents no doubt further undermine public confidence in the criminal justice system.

To redress the situation, the Crime Cabinet and the Durham Roundtable on Crime have lobbied for additional personnel and technology for magistrates. There is little doubt that such resources are urgently needed. Authorized staffing for magistrates, and other AOC personnel including the District Attorney's office, are set by N.C. General Statutes 7A-41 (Superior Court Judges), 7A-60 (Assistant District Attorneys) and 7A-133 (District Court judges and magistrates) – that is, staffing is not determined by formula, need or workload and there is strong evidence that Durham is unfairly penalized by the absence of an algorithm to distribute resources equitably among the judicial districts.

Judges, particularly those in Superior Court, also are involved in gang-related matters, from bond revisions through a variety of pre-trial steps, and trial and disposition. In March 2006, a Superior Court judge reduced bonds in two major felony cases, dropping one bond amount from \$4 million to \$10,000 and another from \$200,000 to \$25,000. Community leaders were outraged that the judge would do so, in light of serious gang problems in Durham. Further, judges must also manage trials in which gang violence may erupt in the courtroom, or witnesses and jury members may be intimidated by defendants or others.

Juvenile Justice System

A key source of information on the scope and nature of Durham's youth gang problem is juvenile justice system data. The best juvenile justice system data source is the North Carolina Department of Juvenile Justice and Delinquency Prevention's (NC DJJDP) NC-JOIN information system.²⁴ At the same time, any official data such as those presented here have important limitations that are discussed in Appendix 8.

We analyzed data on juvenile offenders in two components of the NC juvenile justice system for the analysis reported here, the Durham Juvenile Court and the state-operated juvenile detention center. The sample includes all juvenile offenders on whom court complaints were filed in 2005 in Durham County.

Two research questions guided this analysis. First, we sought to assess the seriousness of the juvenile component of Durham's gang problem. Second, we hoped to identify priority service needs for gang-involved offenders in Durham's program continuum.

Gang Members and Characteristics

In calendar 2005, a total of 532 children and adolescents (ages 7-17) were referred²⁵ to the Durham juvenile court. Among these, 22% were reported to be gang-involved, which we refer to as gang members.²⁶ This figure is quite likely an

²⁴ We gratefully acknowledge NC DJJDP's permission to access and analyze the excellent NC-JOIN data and Stan Clarkson's professional expertise. We also express our appreciation to Ms. Christina O'Donnell, National Youth Gang Center, who expertly performed the statistical analysis and prepared the graphics.

²⁵ As indicated in court complaints filed upon them.

²⁶ Our data source is the court needs assessment instrument which court staff across the state use to identify gang-involved offenders, either as known members of a gang or one who associates with a gang.

underestimate of the actual proportion²⁷ because a gang member identification and validation procedure that is currently under development at the NC DJJDP has not yet been implemented.²⁸ Nevertheless, this figure is twice as high as the statewide figure of 10% based on court needs assessments (NC DJJDP, 2007, p. 19).

Although gang member classification methods may vary among district courts, county data for 2005-2006 show that Durham had the highest proportion (26%) of gang members or associates among offenders in juvenile courts among the top NC gang-problem cities (See Table 8).

**Table 8: Gang Membership among Adjudicated Youth, 2005-06
Selected Juvenile Courts**

| City | County | % Gang Members |
|---------------|-------------|----------------|
| Durham | Durham | 26% |
| Charlotte | Mecklenburg | 15% |
| Raleigh | Wake | 14% |
| Fayetteville | Cumberland | 10% |
| Greensboro | Guilford | 7% |
| Greenville | Pitt | 6% |
| Wilmington | New Hanover | 5% |
| Winston-Salem | Forsyth | 4% |
| Gastonia | Gaston | 3% |

²⁷Judge Marcia Morey, a District Court Judge who hears juvenile cases, indicated that she has subsequently verified during the course of court proceedings a number of gang members who had not been classified on the needs assessment instrument (Personal communication, 2/13/07). In some cases, little is known about the juvenile in the early stages of court involvement. Donnie Phillips, retired Durham Chief Court Counselor, stated that court counselors informally reviewed active probation clients in 2005 and determined that approximately half of them were gang members (Personal communication, 7/19/07).

²⁸ Completion is pending legislative action on gang bills.

Thus gang involvement in Durham among juvenile offenders is considerably higher than in other NC cities that consistently report gang problems. This finding suggests that juvenile-aged youngsters are well-represented in Durham's gangs. This observation is supported by a survey we conducted of a small sample of 22 school law enforcement officers (to be discussed shortly).

Demographic Characteristics of Gang Members

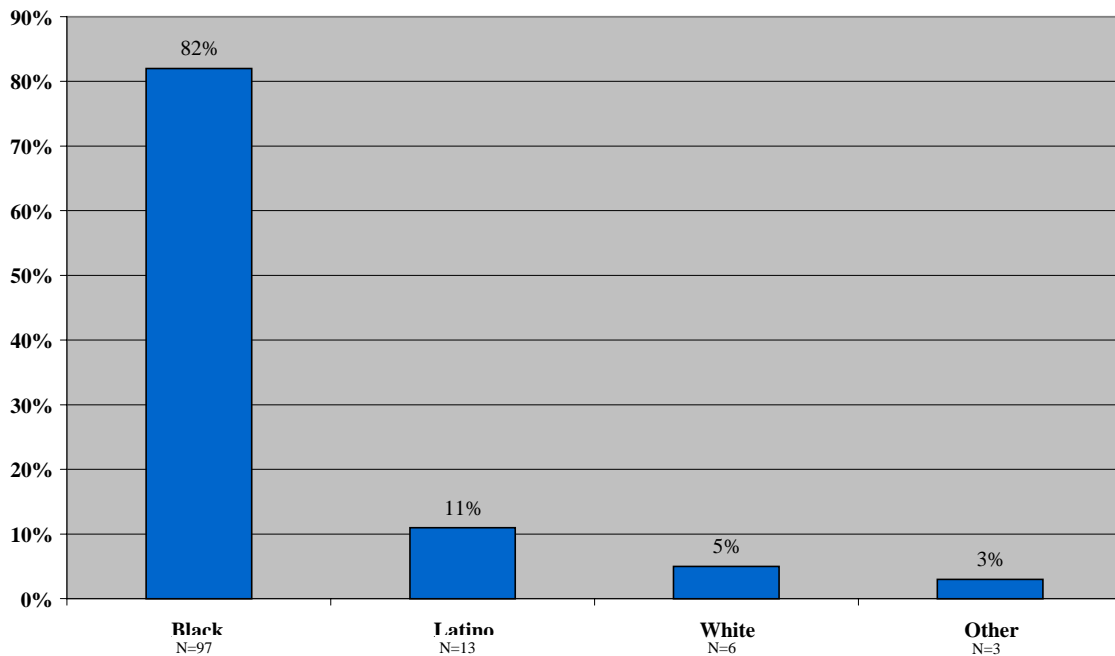
More than 9 out of 10 of the court-referred gang members are children of color, and 8 out of 10 are African-American (Figure 26). However, this does not mean that 82% of Durham youth who are actively involved in gangs are actually African-American. It appears certain that African-Americans are disproportionately classified as gang members among court-referred youth because in 2006-2007 they comprised a significantly smaller proportion (54%) of all enrolled Durham students (versus 24% for whites and 16% for Hispanics) (Durham Public Schools enrollment data).

The overwhelming majority of the court-referred gang members is male (84%); however, the 16% female representation is noteworthy. Nationwide, law enforcement officials estimate that only about 10% of all gang members are females (Egley, Howell, & Major, 2006), thus female involvement appears to be elevated in Durham. However, females account for one-fourth to one-half of the members in middle- and high school-aged gangs nationwide (Esbensen & Lynskey, 2001; Gottfredson & Gottfredson, 2001).

By age 13, gang members represent an equal proportion of all court-referred youth (Figure 27), and by age 14 the proportion of gang members exceeds the percent of

non-gang members. These data suggest that Durham youth begin joining gangs at a young age. Figure 27 shows that membership almost doubles from ages 12 to 13 among court-referred youth, from 8% to 14%.

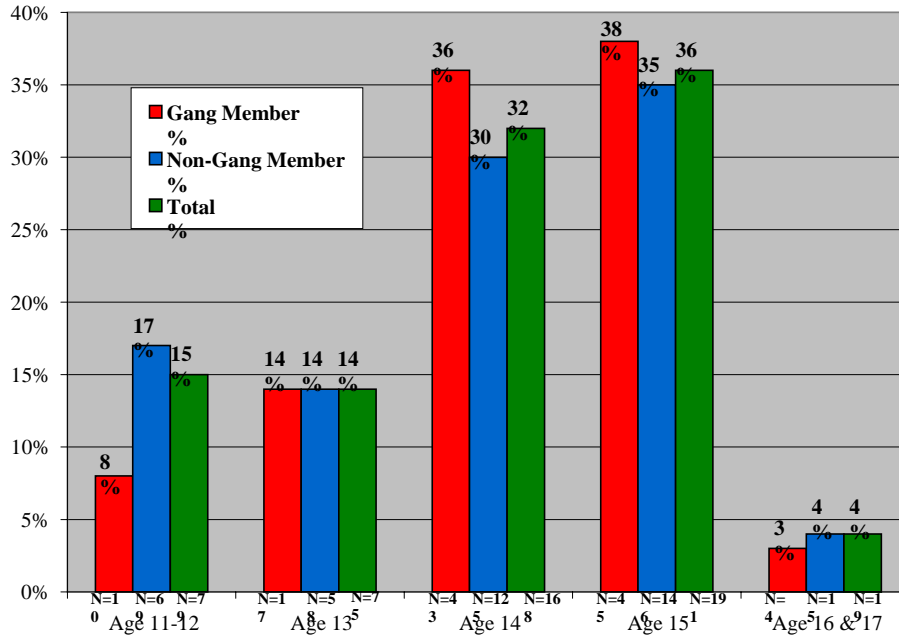
Figure 26: Race of Juvenile Gang Offenders, Durham Juvenile Court Data, 2005



Other studies show that children typically begin hanging out with gang members at age 12 or 13, and join the gang between ages 13 and 15—typically taking from six months to a year or two from the time of initial associations (Decker & Van Winkle, 1996; Esbensen & Huizinga, 1993; Huff, 1996, 1998). Thus it appears that many of the youngest gang members in Durham are not effectively served early. This is important because delinquency involvement—almost without exception—precedes gang membership (Thornberry, Krohn, Lizotte, et al., 2003). Therefore, more effective

delinquency prevention programming is needed in Durham, to prevent this behavior and gang involvement before youth reach juvenile court.

**Figure 27: Age of Gang vs. Non-Gang Members
Durham Juvenile Court Data, 2005**



Offense Charges

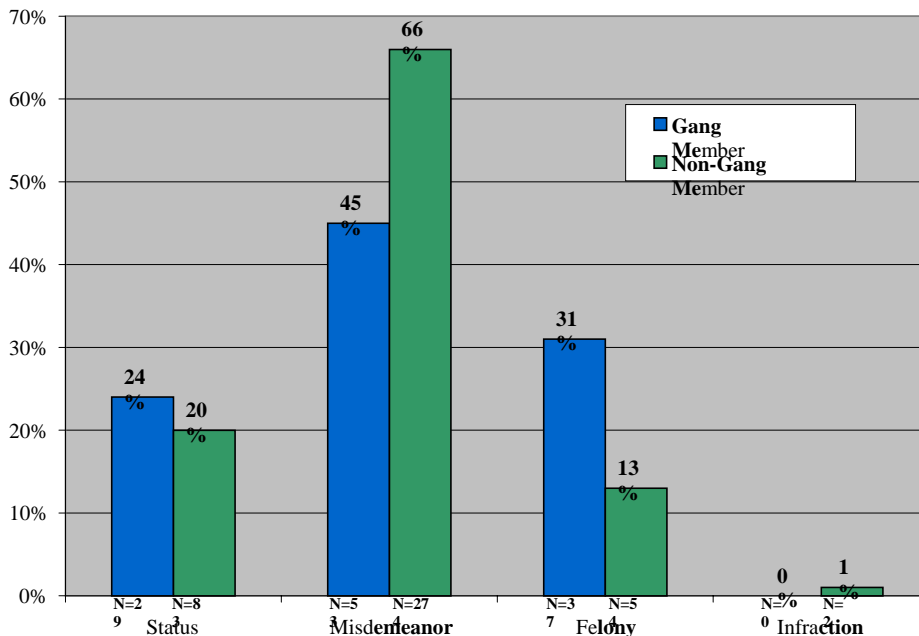
As seen in Figure 28, Durham gang members are far more likely than other juvenile offenders to be charged with more serious and violent (felony) crimes—in fact almost three times more likely (31% versus 13%). Non-gang juvenile offenders are more likely to be charged with status offenses (undisciplined behavior) and misdemeanor offenses.

Why are gang members far more likely to be brought to court for serious and violent crimes than non-gang members? Answers may be found in their recidivism risk and treatment needs. These are examined next.

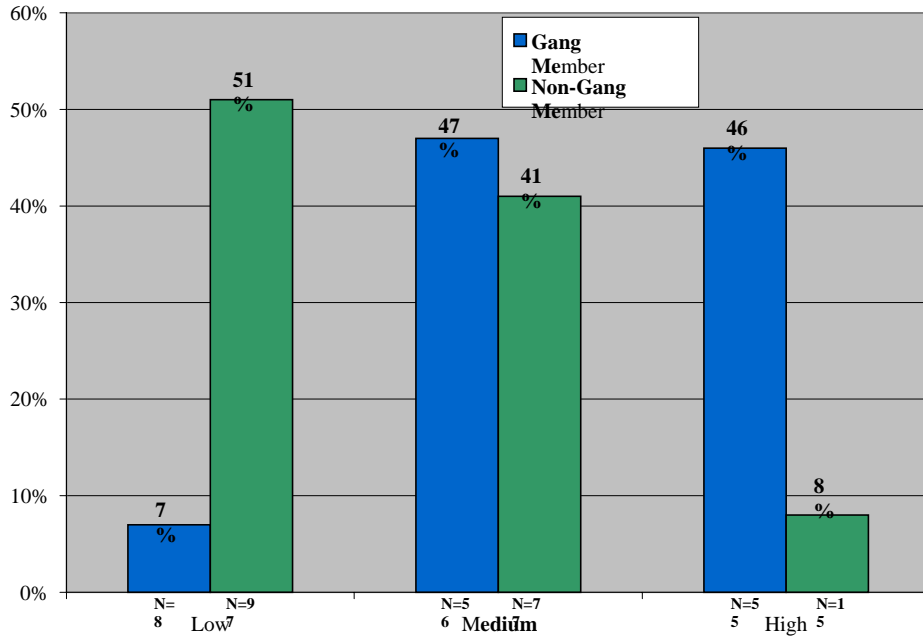
Risk of Recidivism

Figure 29 shows that gang members are much higher risks for recidivism than non-gang members—as scored in the NC DJJDP risk assessment instrument administered by court staff. This is particularly evident at the extreme ends of the risk continuum that is represented in Figure 29. Only 7% of the gang members scored at low risk versus 51% of non-gang members. In contrast, 46% of the gang members scored at high risk for recidivism versus only 8% of non-gang members. The actual recidivism for these two groups will be examined shortly.

Figure 28: Initial Complaint Offenses for Gang vs. Non-Gang Members, Durham Juvenile Court Data, 2005



**Figure 29: Risk of Recidivism for Gang vs. Non-Gang Members
Durham Juvenile Court Data, 2005**

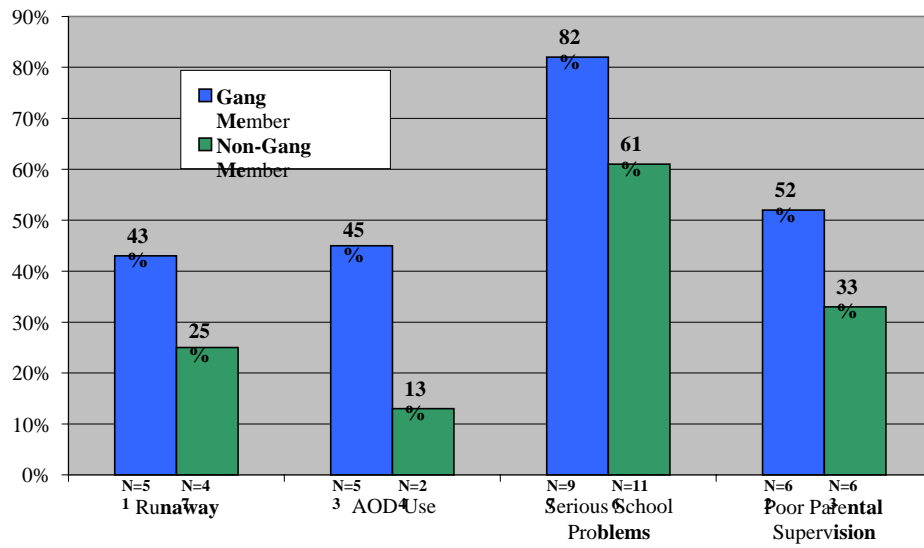


Elevated Risk Factors

Having seen that gang members are much higher risks for recidivism than non-gang members raises the question of which particular risk factors are contributing most to the extremely high risk level of gang members. These factors are seen in Figure 30. A key factor is “serious school problems,” experienced by 82% of the gang-involved offenders. (Offenders are scored high on this particular risk factor if they have multiple suspensions, or chronic truancy, or have dropped out of school. Thus any one of these conditions results in a high score on the school risk factor.) Other elevated risk factors for gang member recidivism are poor parental supervision (52%), alcohol or drug (AOD) use (45%) and having run away from home (43%). In sum, Durham gang members’ high risk

of recidivism is mainly attributable to school, family (including running away), and individual problems (alcohol/drug use).

**Figure 30: Elevated Risks for Gang vs. Non-Gang Members
Durham Juvenile Court Data, 2005**

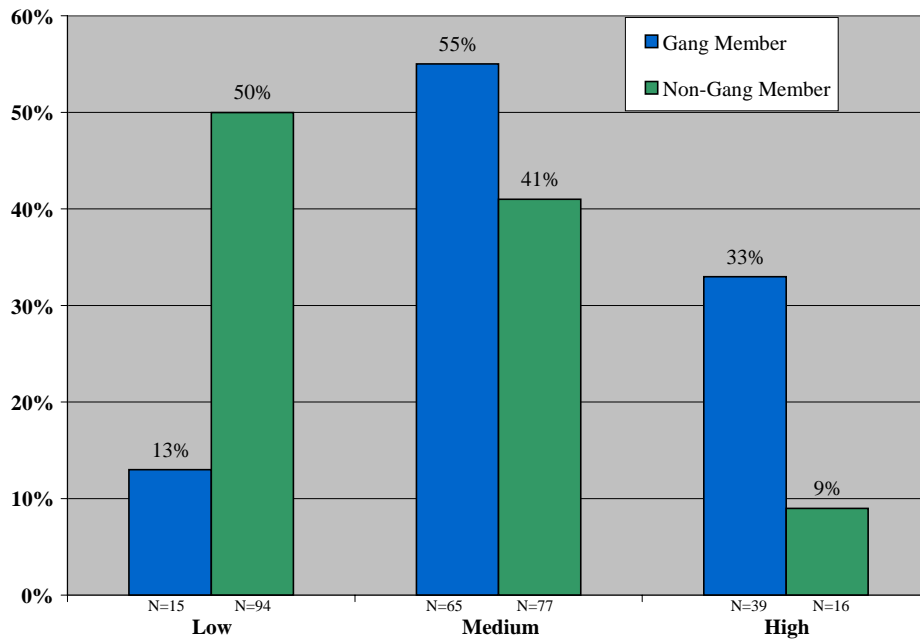


Treatment Needs

The NC DJJDP needs assessment instrument measures similar factors in assessing treatment needs. For convenience and planning treatment, separate instruments are used to assess risk and needs. Figure 31 summarizes the treatment need profiles of gang and non-gang offenders in Durham. As expected—given the risk assessment results—the gang-involved offenders evidence sharply elevated treatment needs in comparison with non-gang members. Nearly 9 out of 10 (88%) of the gang members score “medium” (a score in the range of 13-22 on the instrument) or “high” (23 or above) on treatment needs. In contrast, just half (50%) of the non-gang offenders evidence medium or high

treatment needs (which in itself is cause for concern). The specific elevated treatment needs among gang members are examined next.

**Figure 31: Needs of Gang Members vs. Non-Gang Members (% High or "Yes")
Durham Juvenile Court Data, 2005**



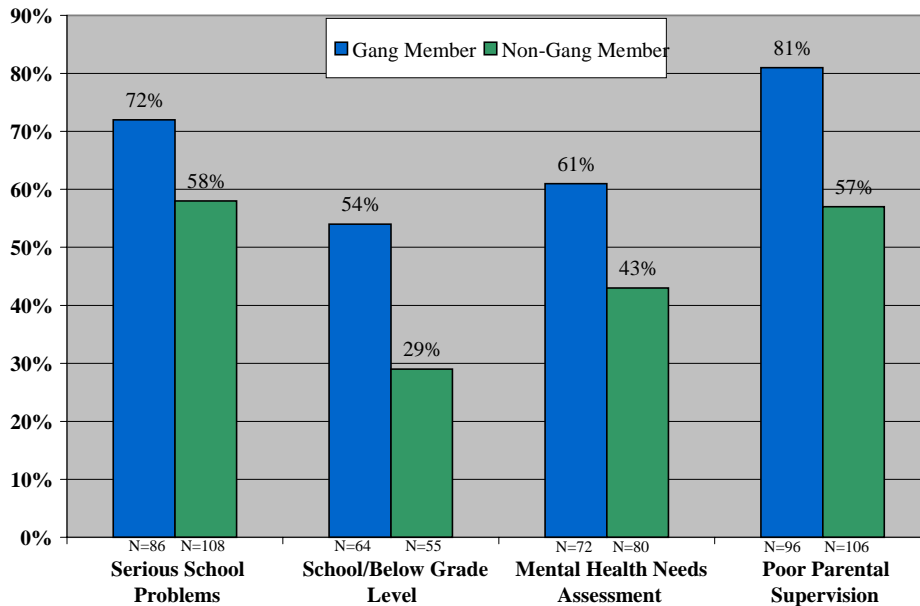
Elevated Treatment Needs

Figure 32 contains the four treatment need factors on which gang members had the highest average scores. These factors cluster under three important developmental domains for young people: school (again, multiple suspensions, chronic truancy, or dropout; and performing below grade level), family (poor parental supervision), and individual problems (mental health problems indicating a need for additional assessment). The single most elevated treatment needs for gang members are poor parental supervision (81%), “serious school problems” (73%), mental health problems (61%) and performance below grade level in school (54%). Substantial proportions of the

gang members also evidence much needed treatment and support for substance abuse (49%), family conflict (40%), and family criminality (39%).

Implications of these elevated treatment needs or support will be discussed shortly. The high detention rates among gang members are examined next.

**Figure 32: Elevated Needs of Gang vs. Non-Gang Members
Durham Juvenile Court Data, 2005**



Detention

It is clear that priority in Durham is placed on using secure detention mainly to protect the public. First, gang members are far more likely to be detained than non-gang members. During 2005, 92 gang members were placed in the detention center²⁹ (Durham County Youth Home) versus 79 of the non-gang members. This means that 77% of the

²⁹ Detention centers are short-term secure care facilities for youth who are waiting to go to court or awaiting placement.

119 gang members were detained versus only 19% of the 413 non-gang members (Figure 33). In addition, gang members represent a much larger proportion of the total number of detention admissions. Gang members were placed in detention an average of 3.75 times versus 2.97 detention stays for non-gang members.

The totals were 345 multiple detention stays for gang members versus 175 for non-gang members. These numbers represent an extremely high total volume of detention stays in a 14-bed facility (called the Durham Youth Home³⁰), and this condition is exacerbated by the reality that most of them are gang members who must be segregated from other opposition gang members. The building design and space limitations do not allow for offender classification or appropriate segregation. In addition, status offenders and minor offenders are not separated from serious offenders, and there is very little space for conferences with families and providers. An assessment of Durham's needed detention beds should be conducted, ideally by the Annie E. Casey Foundation—which has a renowned detention assessment process in its Juvenile Detention Alternatives Initiative.

Recidivism

The gang member recidivism³¹ rate is very high in this one-year sample (60%, Figure 34). It is more than double the rate for non-gang members (28%). This differential is not surprising given both the elevated risk level and extensive treatment needs for gang

³⁰ This facility was built in the 1980s as a treatment facility for violent juvenile offenders.

³¹ Recidivism was measured in this analysis by the filing of a subsequent court complaint for any offense category—a status offense, a misdemeanor, or a felony; and at any point following the initial court complaint and up to May 2007.

members. Nevertheless, such a high recidivism rate should be of great concern to Durham stakeholders and responsible agencies and institutions. It is apparent that many Durham youth are regularly subjected to three of the most potent contributing factors to gang problems (Moore, 1998): school problems, troubled families, and service/control agencies that fail to meet the needs of youth.

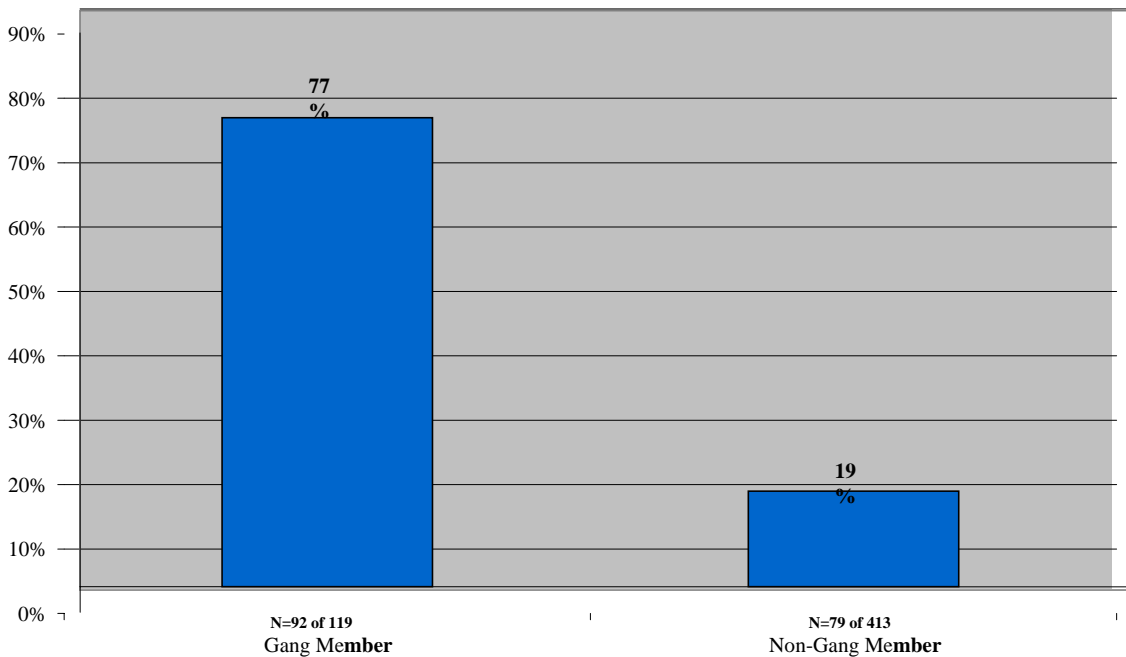
How does this 60% recidivism rate for Durham gang members compare with other high-rate delinquents? Two comparisons can be made. A two-year follow-up on a 2004 statewide sample of adjudicated NC delinquents (Beck et al., 2007) showed a 55% overall recidivism rate. However, the methods used in that study may have produced an inflated recidivism rate.³² In contrast, a lower statewide recidivism rate was developed in a follow-up study that sampled only juvenile offenders charged with felony offenses in North Carolina, approximately 28% (N.C. Department of Juvenile Justice and Delinquency Prevention, 2004). These two comparisons suggest that recidivism rates for gang-involved youth in Durham should fall within that range of 28%-55% and certainly could be reduced to a level much lower than 60%. Better targeting of gang members with sanctions and effective services is needed in Durham to lower the recidivism rate. But very intensive supervision and services will be required to successfully ameliorate the multiple problems of high risk gang members and potential members.

³² The study used a low-threshold outcome measure of recidivism—adult arrest—instead of court convictions, which would serve to inflate the recidivism rate.

Key Findings

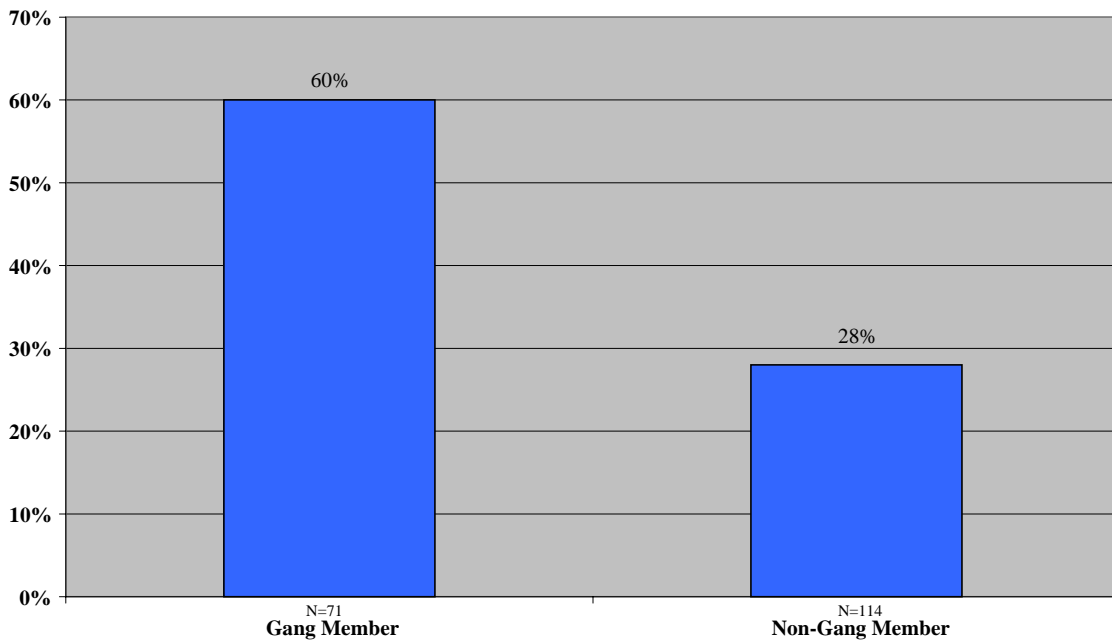
- Based on juvenile court records, juvenile-aged youngsters are well-represented in Durham’s gangs, particularly among the middle school- and high school-aged adolescents (aged 13-15). Direct data could not be obtained to substantiate this finding.³³
- More than one in five court-referred youth in calendar 2005 were gang members and this figure is likely an underestimate.
- In 2005-2006, Durham had the highest proportion of gang-involved offenders in juvenile courts among all NC cities that have reported serious gang problems.

**Figure 33: Detention Placement of Gang versus Non-Gang Members
Durham Juvenile Court Data, 2005**



³³ Ideally, a survey of Durham’s youth population or students should be conducted.

**Figure 34: Gang versus Non-Gang Member Recidivism by May 2007
Durham Juvenile Court Data, 2005**



- Gang members in Durham are far more serious juvenile offenders than non-gang youth.
- Specific attention should be given to female gang members; they may well be well-represented in certain Durham gangs.
- The race/ethnic composition of Durham gangs needs careful examination for disproportionate minority representation. Given the composition of Durham's population, it is doubtful that more than 9 out of 10 of the actual gang members are children of color, and that 8 out of 10 are African-American.
- Earlier intervention with delinquent members of criminal gangs and at-risk children is needed, before they reach juvenile court.
- Nearly half of all court-referred gang members are at high risk for recidivism.

- Up to 8 out of 10 of the gang members are disconnected from school, by suspensions, truancy, or dropout.
- Similarly, up to 8 out of 10 of the gang-involved offenders are weakly tethered to their families.
- Nearly 9 out of 10 gang members show “medium” or “high” treatment needs.
- The most elevated treatment needs for gang members are poor parental supervision, serious school problems (multiple suspensions, chronic truancy, or dropout), mental health problems, alcohol and other drug use, and below grade level performance in school.
- It is clear that priority is given to using scarce detention beds for gang members. This is remarkable given the current absence of a formal protocol for identifying and validating gang members.
- Recidivism rates for court-referred gang members are very high in Durham. More targeting of gang members with sanctions and effective services is needed in Durham to lower the recidivism rate.
- Such services should better connect troubled youth to schools by addressing their school-related problems, including low academic achievement, school truancy; and suspensions, expulsions, and dropout.
- Other treatment priorities are poor parental supervision and mental health problems experienced by the young offenders.
- More detention beds are needed and so is a more modern facility. This need is addressed in more detail in the juvenile justice system recommendations section. Additional detention beds should increase public safety and reduce the number of Durham juveniles that are admitted to the NC DJJDP secure youth development centers.

Safety in Durham Public Schools

Most school-aged children in Durham County attend a school operated by the Durham Public Schools (DPS) system. In 2006-2007, DPS had nearly 32,000 students enrolled in 46 schools. While there are other schools in Durham – private and charter

schools – DPS educates the vast majority of school-aged children. Of Durham County’s 247,000 population, 16% are aged 5 to 17 years old – 39,500.³⁴ Thus, we estimated that DPS educates about 82% of the county’s youth. Nearly half of DPS students are in grades K-5; 22% are in middle school, grades 6-8; and 31% are in high schools, grades 9-12.

Law Enforcement Officers in DPS

Several approaches are used to address safety on DPS properties: A DCSO lieutenant, located in a DPS administration building, serves as liaison between the school system and law enforcement.

In addition to the liaison officer, DPS has a complement of School Resource Officers (SROs) and GREAT officers through DPD and DCSO; off-duty DPD and DCSO personnel also staffed in some DPS schools and there are dedicated security personnel in other schools. The assignment of officers and their duties is somewhat complicated because both DCSO and DPD fill full-time positions, but some positions serve more than one school; further, additional DPD and DCSO officers also work off-duty in schools. Thus, asking a DPS staff member or student about the SRO in their school may be comparing apples and oranges – law enforcement presence in DPS schools is something of a patchwork. The system, however, permits DPS to make security decisions on a school-by-school basis, and use law enforcement resources – an expensive resource—efficiently where they are most needed.

³⁴ <http://quickfacts.census.gov/qfd/states/37/3719000.html>

The patchwork is further complicated by the use of two different law enforcement agencies.

- SROs are officers in DCSO and assigned full-time to three of the county's six high schools (Riverside, Northern and Southern). DCSO also has six deputies assigned as SROs at six middle schools (Brogden, Carrington, Chewning, Githens, Lowe's Grove and Neal).
- DPD has four GREAT officers assigned full-time to middle schools (DSA, Brogden, Rogers-Herr, and Shepard). Although these officers are called GREAT officers, they function as SROs and remain in the school beyond delivery of the GREAT curriculum.
- Both DCSO and DPD both have officers assigned to deliver the GREAT curriculum at elementary schools. At last count, DCSO deputies teach at 13 schools and DPD officers are assigned to 13 schools.

Thus, while DCSO and DPD share the functions of SROs and GREAT curriculum delivery in DPS schools, the approaches of different agencies vary. A DCSO supervisor, housed on-site at DPS, serves as liaison between the law enforcement agencies and DPS to coordinate program delivery.

School Recorded Crime and Violence

Durham Public Schools, as do all public school systems in North Carolina, records and reports the number of "crime and violent" acts or offenses – acts – occurring each year.³⁵

³⁵ The data in these tables were reported in Table 6b: Total Number of Acts for Individual Schools in each LEA, 2005-2006, by the North Carolina Department of Public Instruction. The offenses include homicides, assaults, kidnapping, robbery, bomb threat or burning of a school building and possession of alcohol, a controlled substance or weapon, including a gun. The definitions are available at <http://www.ncpublicschools.org/docs/schoolimprovement/alternative/reports/schoolviolence/2005-06schoolviolence.pdf>

- In 2005-06, DPS reported a system wide “rate” of 9.19 acts of crime and violence per 1,000 students. The rate in Durham’s middle schools was 17.78 per 1,000 – a figure nearly double the system rate – 9.19. (See Table 9.)
- The eight middle schools in DPS account for 21% of the system’s student population, but generated 39.9% of all acts. (See Table 9.) (The system-wide rating of 9.19 was improved from the 9.560 rating in 2004-1005.)³⁶

Table 9: Crime and Violence in Durham Public Schools 2005-06

| | Durham Public schools | Middle Schools (MS) (n=8) |
|-----------------------------------|------------------------------|---------------------------------------------------------------|
| # students | 31,130 | 6,413 20.6% of students |
| # acts | 286 | 114 39.9% of acts |
| Acts per 1,000 students (rate) | 9.19 | 17.78 |
| # possess weapon (PW) | 160 56% of acts | 75 46.9% of PW 65.8% of MS acts 26% of all acts |
| # possess drugs (PD) | 69 24% of acts | 15 21.7% PD acts 13% of MS acts 5.2% of all acts |
| Assaults with weapons (AW) | 13 4.5% of acts | 8 61.5% of AW acts 7% of MS acts 2.79 % of all acts |
| Assaults on school personnel (AP) | 11 3.85% of acts | 5 45.5% of AP acts 9.65% of MS acts 1.7% of all acts |

³⁶ In this analysis, data are not included from Lakeview School and Durham School of the Arts. Although both these schools include middle school students, they also include high school students. Thus these two schools are only excluded for purposes of comparison.

- Nearly two-thirds of the acts reported in middle schools (75 of 114) were for possession of a weapon.³⁷ Further, these offenses represented 46.9% of all weapons offenses in DPS – disproportionate to the 21% of the student population represented. (See Table 9.)
- Corresponding with the prevalence of weapons among offenses, the eight middle schools in Durham accounted for 61.5% of all assaults with weapons (8 of 13) – the most serious offense that occurs on most school properties. (See Table 9.)
- Overall, the rate of crime reported in seven of the system’s eight middle schools exceeded the system-wide rate of 9.19 per 1,000 students; in four of the schools, the rate was more than double the system’s rate. (See Table 10.)
- Only two high schools in Durham – Lakeview and Southern, with 29.9 and 23.2 per 1,000 rates, respectively – exceeded the average rate of the middle schools (17.78). (See Table 10.)

Table 10: Crime and Violence by Durham Middle School and Number of Students

| Middle School | 2005-2006 | | 2004-2005 | | # students 2005-06 |
|----------------------------------|------------|------------------|-----------|---------------------------|-----------------------|
| | # acts | # acts per 1,000 | # acts | # acts per 1,000 | |
| Brogden | 2 | 2.38 | 1 | 1.279 | 839 |
| Chewning - magnet | 18 | 23.3 | 24 | 33.058 | 774 |
| Carrington | 20 | 15.9 | 19 | 14.84 | 1,253 |
| Shepard – magnet | 7 | 16.4 | 4 | 9.501 | 428 |
| Lowe’s Grove | 17 | 24.4 | 10 | 14.164 | 698 |
| Neal | 16 | 19.6 | 4 | 4.819 | 817 |
| Githens | 23 | 23 | 17 | 18.028 | 1,000 |
| Rogers-Herr year round/magnet | 11 | 18.2 | 5 | 8.489 | 604 |
| Total | 114 | 17.78 | 84 | 13.38³⁸ | 6,413 |

³⁷ This offense category excludes firearms; while there were 6 offenses for possession of firearms in Durham during the year, none of these occurred in the middle schools.

³⁸ The 2004-2005 rate per 1,000 students is computed using 6,277 students, the ADM number reported for the eight schools.

Law Enforcement Recorded Crime in DPS

We requested data from DPD and DCSO for all incidents logged at DPS schools during 2006. A total of 919 incidents were recorded.³⁹ DPD responded or recorded 12% of these incidents while DCSO handled the majority – 808 or 88% of incidents. Many of these incidents were minor in nature, such as disorderly conduct or lost property.

Of the total 919 incidents recorded:

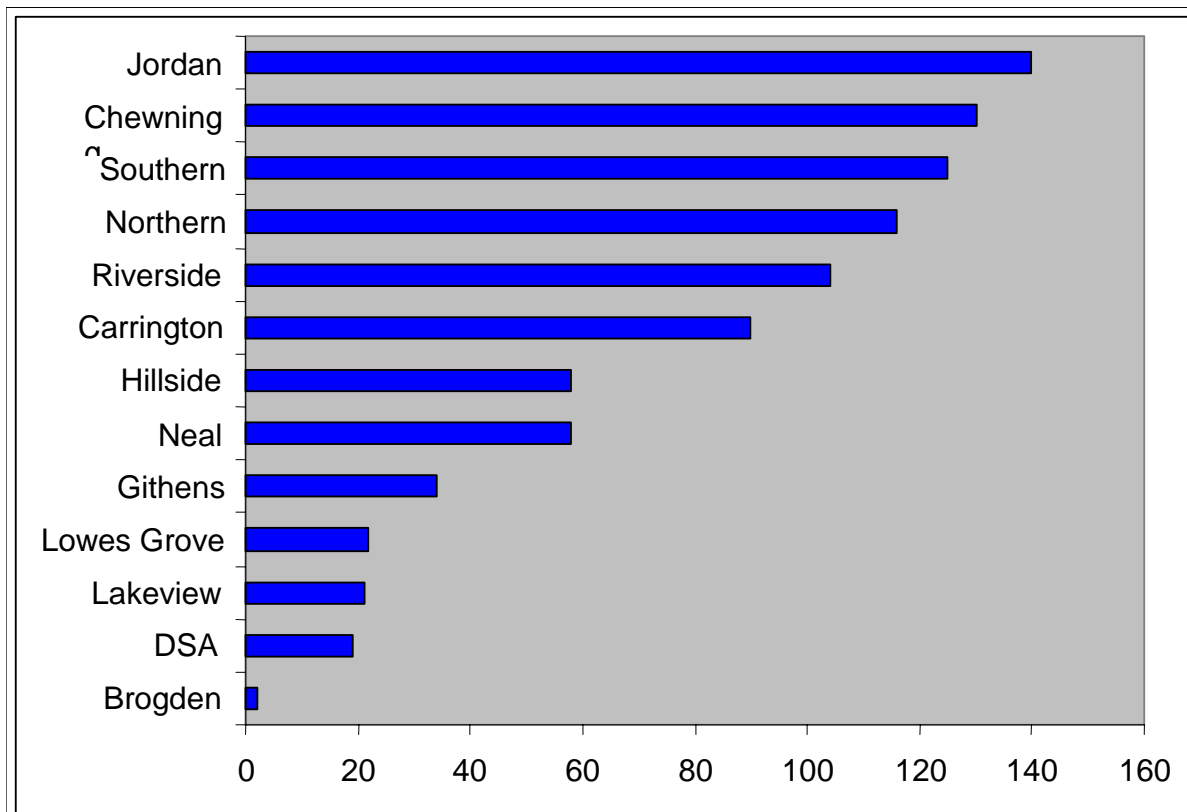
- 57 were classified as “assaults” (6%)
- 41 were classified as weapon (5%)
- 33 were classified as vandalism or property damage (4%)
- 24 were classified as “gangs” (3%)
- 94 (10%) were larcenies
- Only 27 incidents were classified as controlled substance or drugs (3%)

Numerous incidents at DPS facilities were classified as “transport” – there were 198 calls classified this way. This number represented 25% of all the incidents recorded by DCSO in 2006. Upon investigation, the researchers learned that this classification is typically used by SROs to document transporting students from school to home – typically when a student is suspended or expelled from school and a guardian is unable to pick up the student from school. These data suggest that sworn officers are being used inappropriately – transporting students home is not the best use of a sworn officer’s time.

³⁹ These calls and incidents are inclusive by address and may include incidents such as collisions or other non-school related public safety problems.

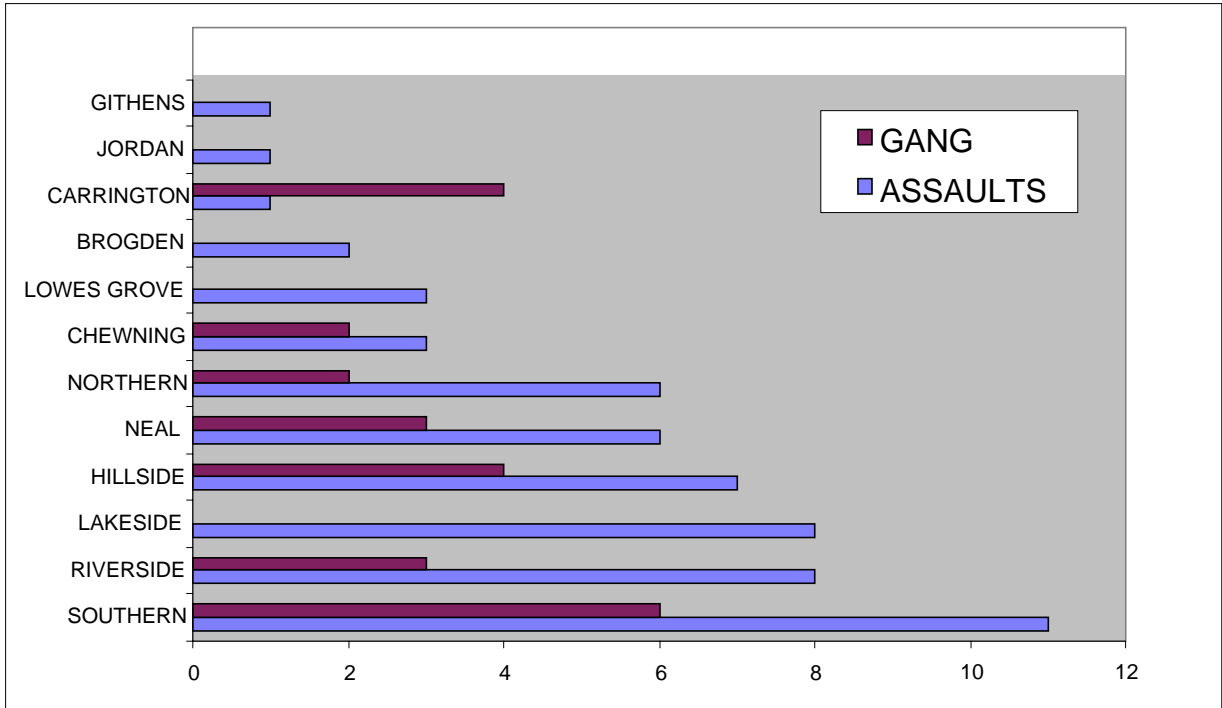
The school crime and gang counts in Figure 35 vary considerably from those reported three years ago. In 2002-2003, DCSO reported that there were 193 gang-related incidents in DPS. In the first semester of 2002-2003, DCO reported that there were 132 gang-related incidents. The 132 gang-related incidents included 87 fights, 32 drugs sales or use and 13 weapons offenses. Since those data were reported in 2003, they seem to no longer be available.

Figure 35: Total Incidents Recorded by DPD and DCSO at DPS, 2006⁴⁰



⁴⁰ These numbers reflect counts not rates; thus, they are not adjusted for varying population at each school.

Figure 36: Gang and Assault Incidents Recorded by DPD/DCSO in DPS Schools, 2006



Perceptions of School Safety

In addition to tracking reported crime, DPS also conducts an annual Customer Satisfaction Survey of parents, students and staff to gauge perceptions of safety.⁴¹ The 2006 surveys, reported on the DPS website, showed that parent and staff perceptions of safety among eight middle schools were very similar (see Table 11). In the 2006 survey, staff in the middle schools consistently gave the highest safety ratings followed by parents⁴². Students consistently rated their safety as lower than staff or parents (except

⁴¹ This is an important annual survey that provides valuable information about the climate in individual schools. It would be more helpful if the survey were expanded to include more grades and include questions related to youth violence, such as experiences with victimization and bullying.

⁴² Except at Carrington, where parents rated school safety higher than staff.

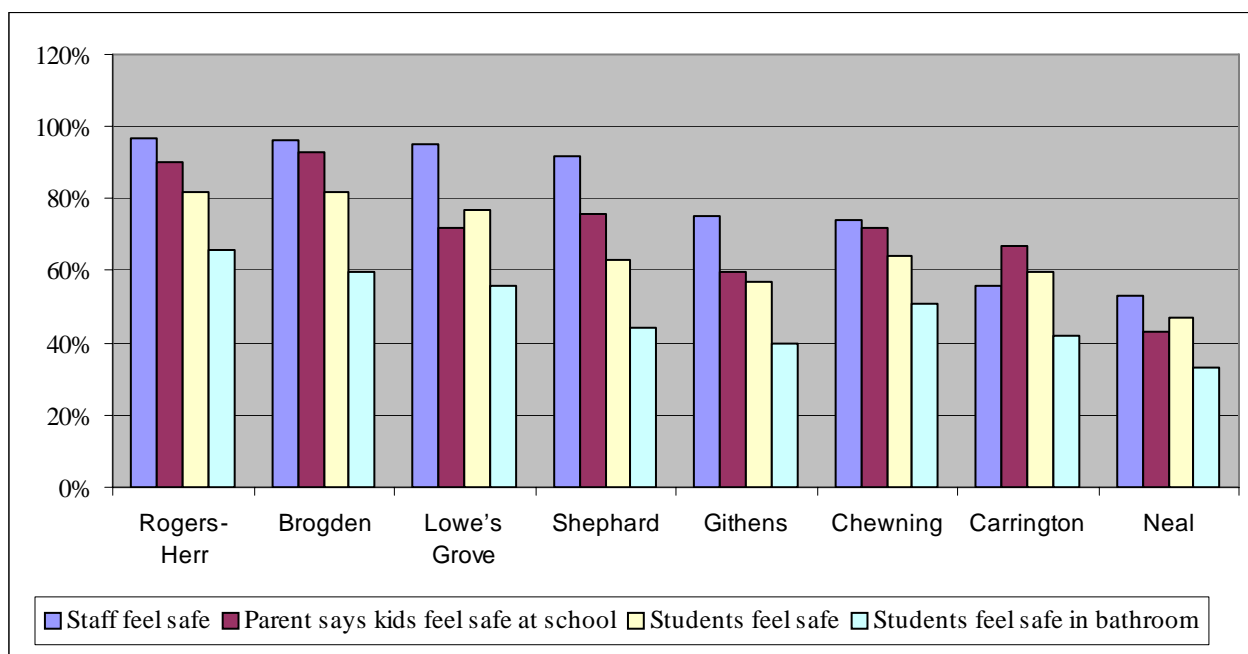
for Neal, where students' perceptions of safety were higher than parents). (See Figure 37).

Based on these findings, it seems reasonable to assume that staff and faculty are best positioned to reliably gauge their school's safety and – importantly – identify changes in safety over time. This is because students come and go from the school (as do their parents) while staff continuity will tend to be more consistent.⁴³ Further, parents who participate in the survey are not selected scientifically and this likely biases the responses in some way that cannot be determined. Only 7th grade students are included in the student sample whereas faculty and staff respondents are selected from across all grades.

To examine the reliability of the two major data sources about school safety – reported crime and survey data, we compared school crime (Table 11) with the surveys (Figure 37), using the more reliable staff ratings of safety rather than ratings by students or parents. In 2006, more than 90% of staff at four of the middle schools rated their school as safe or very safe – Brogden, Shepard, Lowe's Grove, and Rogers-Herr were rated this way. Carrington and Neal middle schools received the lowest safety ratings with slightly more than 50% of staff respondents rating the school environment as safe or very safe. Unfortunately, the safety perception ratings are not consistent with reported school crime shown in Table 10.

⁴³ The survey may be completed by any parent who wishes to respond, thus the sample cannot be considered representative. The survey is administered to a random sample of students and faculty/staff and we assume the samples to be fairly representative of these populations.

Figure 37: Perceptions of Safety in DPS Middle Schools 2006



Crime may be over-reported or under-reported by the schools and staff perceptions may be unduly influenced by events that coincide with the time at which the survey was conducted. If the crime data reported by schools were reliable we would expect to see the two data sources to move in the same direction over time. While neither data source is totally reliable, there are fewer than 25 crime “acts” reported at each of the schools, a number that makes it difficult to reliably establish statistical trends for any data source. Thus, we feel that staff perceptions provide a more reliable and consistent measure of the school environment.

It is an important finding that staff safety rankings declined in seven of eight DPS middle schools (See Table 11 and Figure 38).⁴⁴

⁴⁴ The reader should note that some of reported percentages are based on a small number of responses. When the response numbers in the table are low, a footnote calls attention to this issue.

**Table 11: Perceptions of Safety in Durham Middle Schools
DPS Customer Satisfaction Surveys 2006-06 to 2006-07**

| Middle School | | Parent says kids feel safe at school | Students feel safe | Students feel safe in bathroom | Staff feel safe |
|---------------|------|--------------------------------------|--------------------|--------------------------------|-----------------|
| Brogden | 2006 | 93% | 82% | 60% | 96% |
| | 2007 | 81.3% ⁴⁵ | 77% | Not asked | 78% |
| Chewning | 2006 | 72% | 64% | 51% | 74% |
| | 2007 | 64% ⁴⁶ | 55% | Not asked | 34% |
| Carrington | 2006 | 67% | 60% | 42% | 56% |
| | 2007 | 63% ⁴⁷ | 67% | Not asked | 62% |
| Shepard | 2006 | 76% | 63% | 44% | 92% |
| | 2007 | 80% ⁴⁸ | 82% | Not asked | 82% |
| Lowe's Grove | 2006 | 72% | 77% | 56% | 95% |
| | 2007 | 50% ⁴⁹ | 67% | Not asked | 42% |
| Neal | 2006 | 43% | 47% | 33% | 53% |
| | 2007 | 55% ⁵⁰ | 100% ⁵¹ | Not asked | 33% |
| Githens | 2006 | 60% | 57% | 40% | 75% |
| | 2007 | 67% ⁵² | 61% | Not asked | 63% |
| Rogers-Herr | 2006 | 90% | 82% | 66% | 97% |
| | 2007 | 73% | 81% | Not asked | 91% |

There were dramatic declines in faculty/staff perceptions of safety for Lowe's Grove and Chewning – a 53% decline at Lowe's Grove and a 40% decline at Chewning. Neal dropped 20% and Brogden, 18%. Declines for Githens, Rogers-Herr and Shepard were more modest while Carrington was the lone school in which an increased number of staff rated the school as safe or very safe. Among these eight middle schools, an average

⁴⁵ Based on only 16 responses.

⁴⁶ Based on only 27 responses.

⁴⁷ 27 responses.

⁴⁸ Based on only 20 responses.

⁴⁹ 4 responses.

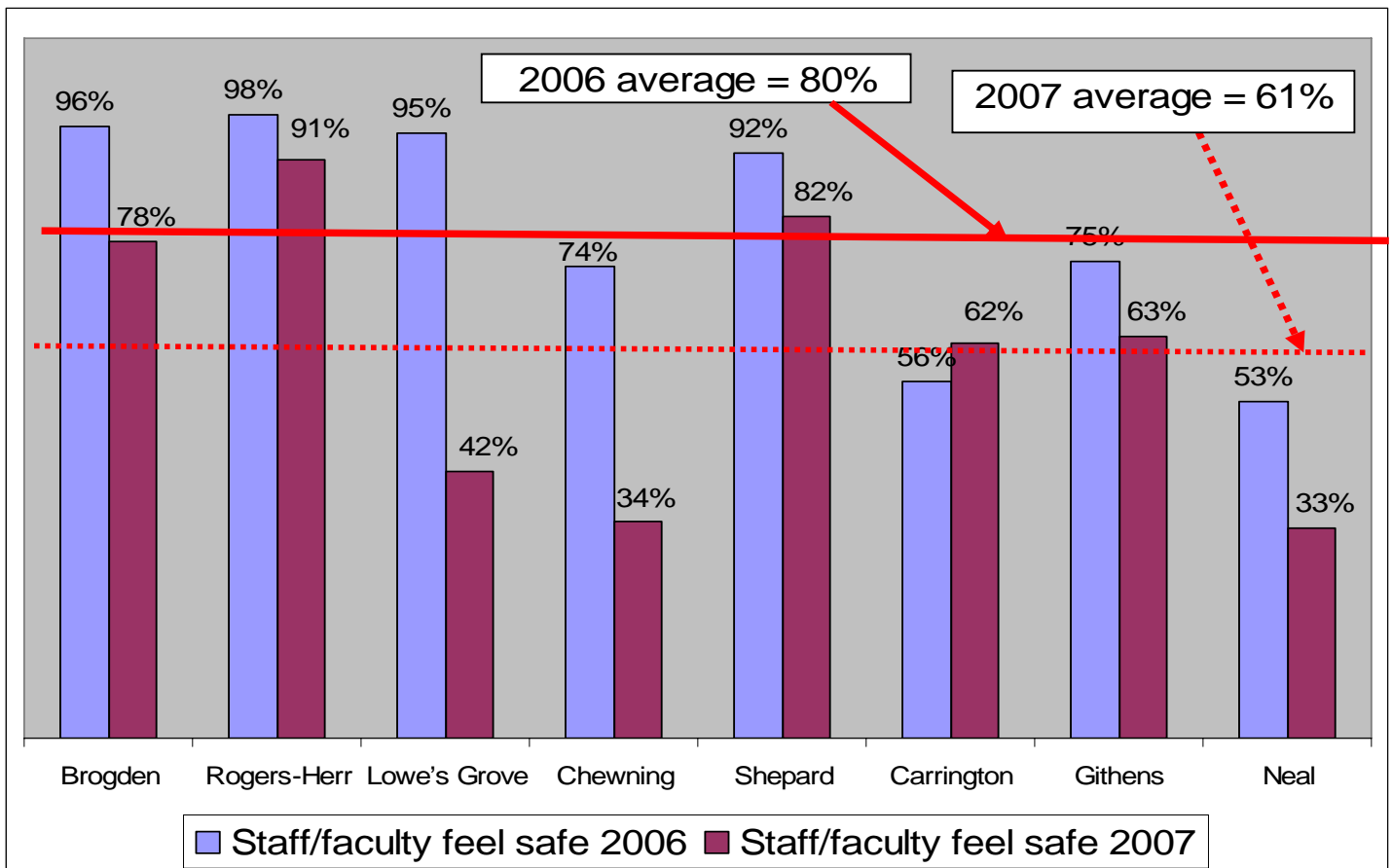
⁵⁰ Based on 11 responses.

⁵¹ Based on one response.

⁵² Based on 21 responses.

of 80% of staff rated the school safety as safe or very safe in 2006; this number dropped to 61% by 2007 – a substantial decline.

Figure 38: Staff Perceptions of Safety in DPS Middle Schools: 2006 to 2007



We have used different data sources to assess safety in DPS schools. None of the data are completely reliable, however, these data strongly suggest that the school safety climate at middle schools – from the source that seems to be most reliable – is worsening. In other words, some aspect of the current responses to safety in these schools does not appear to be working very well.

Evidence of Gangs in Durham Public Schools

Because of the youthful nature of gang problems, a key component of a comprehensive assessment involves perceptions of youth. In Durham, we recommended conducting a survey of DPS middle school students regarding their perceptions of gangs. Because DPS elected not to participate in the survey, we were told to gather other data on indicators of gangs in schools.⁵³

We conducted a focus group with 22 sworn officers from DPD and DCSO who work as SROs or GREAT officers in DPS. The findings (in Table 12) show that officers believe there are gang members in school and this varies by the school level.

In many cases, students may face greater exposure to gangs in the neighborhoods where they live rather than at school. The officer focus group appeared to support this view as only 14% said that gang pressures are greater at school than in neighborhoods.

The first three sections of Table 12 permit comparisons of school police officers' views of gang problems in DPS high, middle, and elementary schools. It is clear that gang presence is low in elementary schools but substantial in middle and high schools. Two-thirds of the officers said that "some students" are members in both high and middle schools. Yet, the police officers did not suggest that a large proportion of Durham students are involved in gangs. Among the police officers assigned to high schools, 22% said that "many" students are gang members and middle school police officers gave a similar response (17%) to this question.

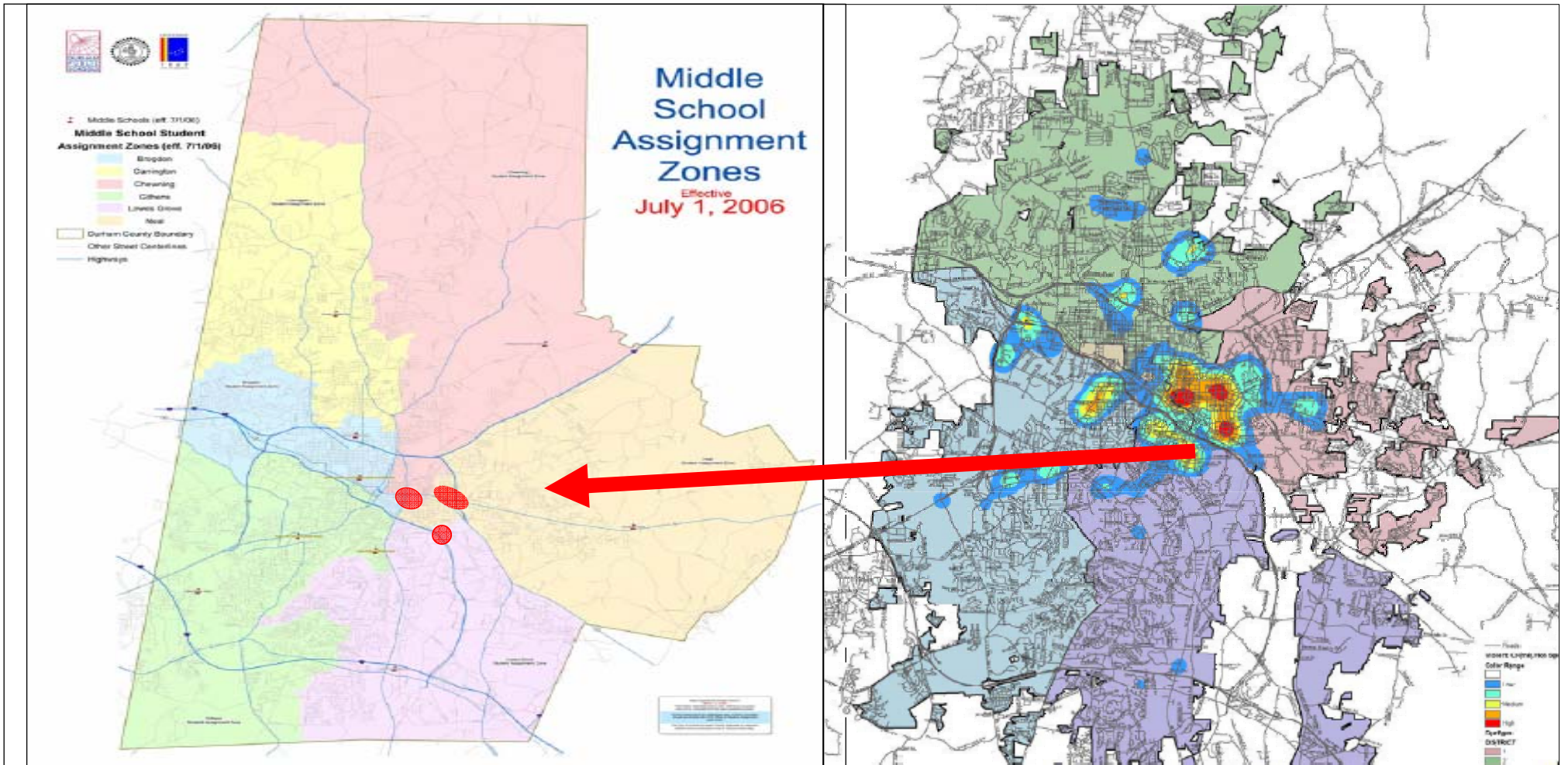
⁵³ This is detailed in a memorandum from the authors, "Gang assessment and status of school survey with DPS officials, March 20, 2007."

Table 12: SRO/GREAT Officer Views of Gang Problems in DPS in %

| | |
|-------------------------------------------------------------------------------------------|-----|
| Among officers assigned to high schools | |
| Many students are gang members | 22% |
| Some students are gang members | 67% |
| Few students are gang members | 11% |
| Very few students are gang members | 0% |
| Among officers assigned to middle schools | |
| Many students are gang members | 17% |
| Some students are gang members | 67% |
| Few students are gang members | 17% |
| Very few students are gang members | 0% |
| Among officers assigned to elementary schools | |
| Many students are gang members | 0% |
| Some students or few students are gang members | 66% |
| Very few students are gang members | 33% |
| Among officers assigned to middle schools | |
| Many students admire gangs | 67% |
| School does not tolerate gang-related behavior. | 83% |
| Among all officers | |
| Gang problems are worsening in schools | 64% |
| Gangs are down-played in the school and this view is prevalent even in elementary schools | 81% |
| Gang problems are exaggerated | 5% |
| Parents are naïve or unaware of signs of gangs | 86% |
| Students join gangs at age 13 or younger | 86% |
| More in-school suspension (ISS) options needed | 73% |
| More community-based programs are needed | 77% |

The focus group produced other noteworthy findings. Almost two-thirds of the school police officers perceived that “gang problems are worsening” in Durham’s public schools and 86% said that parents lack awareness of gang indicators. Almost three-fourths (73%) of the school police officers said that more in-school suspension options are needed and 77% said more community-based programs are needed.

Figure 39: DPS Middle School Assignment Zones and Proximity to Gang Hot Spots



To further examine the neighborhood vs. school gang influence, we compared the geographic boundaries of DPS school assignment districts⁵⁴ with the distribution of crime and gang members in Durham (See Figure 39).

A side-by-side comparison of the school assignment map with a hot spot crime map shows that many students in parts of the assignment zones of Neal and Chewing face a particularly high risk of exposure to gangs and violent crime after they leave school. The hot spot map is highly consistent with maps of gang crimes and gang member residences. These schools are also the schools rated lowest in safety by school staff in 2007 (See Table 11). There is little doubt that either or both neighborhood risks and gang presence in schools influence perceptions of safety in schools.

Truancy

The prevailing perception in Durham is that school attendance has improved considerably in Durham in recent years, yet available data show little change. In 2005-2006, Durham ranked 82nd among 115 local education authorities (LEA) in the state – a position that improved slightly from its 2003-04 ranking of 92nd (See Table 13.)⁵⁵ DPS attendance measure, relating Average Daily Attendance to Average Daily Membership, was relatively flat during this period – increasing slightly to 94.61 in 2004-2005 and dropping slightly to 94.44 in 2005-2006.

⁵⁴ School officials state that school assignment boundaries do not reflect the reality of where students live as students are allowed to transfer to different schools and often do. Despite this, it seems reasonable to assume that many of the students who live in an assignment zone are likely to go to that school.

⁵⁵ The data in this table were obtained from the N.C. Department of Public Instruction's website <http://www.ncpublicschools.org/fbs/accounting/data/> reporting Average Daily Attendance (ADA) and Average Daily Membership (ADM) for individual schools and the overall school system (LEA) for three years, 2003-04, 2004-05, and 2005-06. The numbers reported in the tables reflect the rates and ranking over this three-year period.

Table 13: Durham County School Attendance Ranking in North Carolina

| Durham County | ADA: ADM ratio | NC Rank (of 115) |
|----------------------|-----------------------|-------------------------|
| 2003-04 | 94.42 | 92 |
| 2004-05 | 94.61 | 85 |
| 2005-06 | 94.44 | 82 |
| Three-year average | 94.49 | 89 |

Truancy is a major concern that relates to crime and gang-related problems in jurisdictions and truancy among Durham’s eight middle schools is problematic; of these schools, four ranked in the bottom 10% of 2,113 schools across the state of North Carolina (See Table 14.) Only two Durham middle schools were ranked in the top 10% (Shepard and Rogers-Herr). Among the eight schools, Chewning had the lowest Average Daily Attendance at 91.80 while Shepard had the highest at 96.73.

Table 14: Attendance Ratio at Durham Middle Schools and State Ranking⁵⁶

| Middle School | Rate | NC Rank (of 2,114 schools) |
|----------------------|-------------|---------------------------------------|
| Brogden | 93.59 | 1,865 |
| Chewning | 91.80 | 2,029 |
| Carrington | 93.67 | 1,849 |
| Shepard | 96.73 | 63 |
| Lowe’s Grove | 92.51 | 1,991 |
| Neal | 92.40 | 2,000 |
| Githens | 92.14 | 2,018 |
| Rogers-Herr | 96.44 | 155 |

While the Durham Sheriff’s Office launched a “Truancy Hotline” in December 2005 to encourage citizens to call in and report children who are not in school, only 10

⁵⁶ The data in this table were obtained from the N.C. Department of Public Instruction’s website <http://www.ncpublicschools.org/fbs/accounting/data/> reporting Average Daily Attendance and Average Daily Membership for individual schools and the overall school system (LEA) for three years, 2003-04, 2004-05, and 2005-06. The numbers reported in the tables reflect the ranking and ratios over this three-year period.

calls were received in the first six months of 2006.⁵⁷ The “hotline” consists of two cell phones provided by DPS to two DCSO detectives. While there seem to be some perceptions that the Truancy Hotline provides a mechanism for citizens to report students skipping a day of school, the detectives investigate truancy of a more long-term nature, that is, truancy of ten days or more.

School Suspensions, Expulsions, and Dropout: Problems and Solutions

This section of this report describes the experiences of Durham Public Schools with suspensions, expulsions and dropouts. As we saw in Figure 30, “school problems” are closely associated with gang membership among juveniles.

Suspension Trends

From the outset of this study, Durham stakeholders often spoke of a seemingly high suspension rate for Durham students and expressed concern about the negative effects this might have on many students. Indeed, the 2003-04 Annual Study of Suspensions and Expulsions (North Carolina Department of Public Instruction [NC DPI], 2005) showed steady increases statewide in the number of suspensions and expulsions over the four years prior to 2003-04. Then, marked decreases in both suspensions and expulsions were reported across the state between 2003-04 and 2004-05, as the number of out-of-school short-term suspensions was reported to have decreased 19%- from 311,482 to 252,030 (NC DPI, 2006). However, those reported data were in error. The corrected statewide short-term suspensions total for 2004-05 is 289,752 (NC DPI, 2007a). Thus, between 2003-04 and 2004-05, the number of out-of-school short-term suspensions decreased only 7%; not 19% as shown in the 2006 NC DPI report. Statewide, a total of

⁵⁷ Reported in the RBA Safety Committee interim report, January 2006.

302,303 school suspensions were reported for 2005-06, representing a one-year increase of 4.3% and an annual rate of 10.6%. Over the five-year period (2000-01 to 2005-06), the increase was 10.4%.⁵⁸

How many students were suspended statewide? A total of 302,303 short-term suspensions were reported in 2005-06 (NC DPI, 2007a p. 7) and these were given to 152,459 different students (i.e., some students were suspended more than once), for an average of 1.98 short-term suspensions per suspended student (p. 7). The state short-term suspension rate is 10.9% for 2005-06.⁵⁹ The average total duration of short-term suspensions for students who received at least one such suspension was 6 days, and the average duration of a single short-term suspension was three days.

Durham schools reported a total of 6,459 short-term and long-term out-of-school suspensions in 2005-06 (NC DPI, 2007a, pp. 68-69). This number had decreased 23% since the 2002-03 school year, when 8,431 suspensions were reported. Yet the Durham rate of short-term and long-term out-of-school suspensions for 2005-06 (10.4%)⁶⁰ remains near the statewide average (10.9%) shown above and well above the national average.

How many students are represented in the suspended group? The 6,424 total suspensions could mean that more than 3,000 separate students received out-of-school suspensions in 2005-06—if one were to apply the NC DPI's estimated ratio of 1.98

⁵⁸ The U.S. Department of Education (2003) reported a rate of 9.6% in North Carolina for the 2000-01 school year. The DPI reported 302,303 suspensions for 2005-2006, an annual rate of 10.6%. Thus, the difference in suspension rates between the two referenced years is 1.0% or an increase of 10.4%.

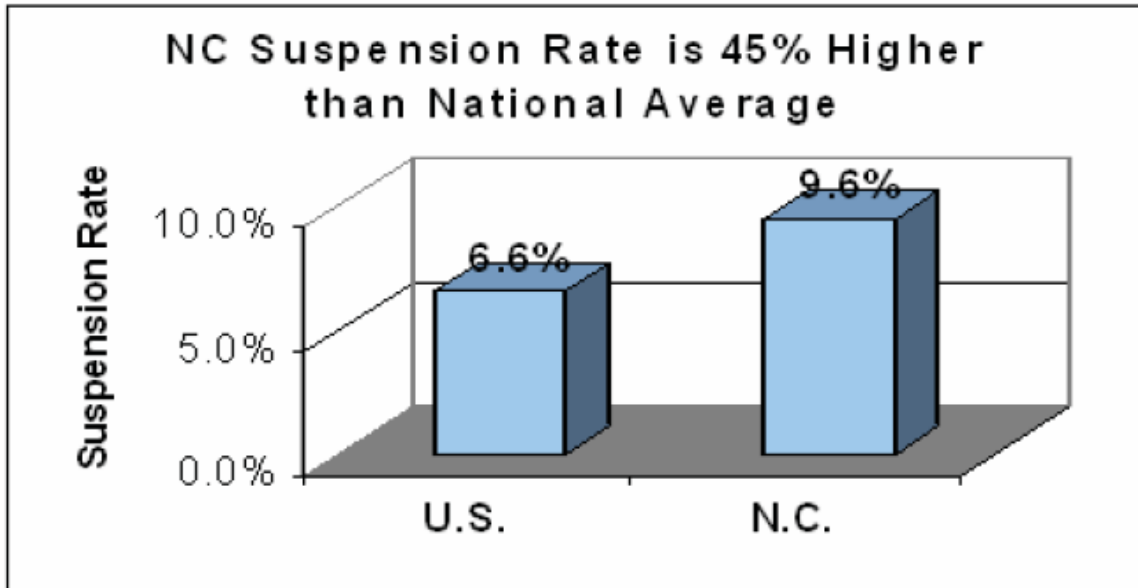
⁵⁹ Based on a student population of 1,396,522 for the 2005-06 school year (NC DPI Facts and Figures, online).

⁶⁰ Enrollment was 31,981 for the 2005-06 school year and Durham had 6,424 suspensions involving approximately 3,244 students (using the 1.98 ratio). The rate is 10.4.

suspensions per suspended student statewide, as noted above. We could not determine whether or not the statewide NC DPI figure applies to Durham.⁶¹

Figure 40: North Carolina and U.S. School Suspension Rates

(Source: U.S. Department of Education, 2003; North Carolina Child Advocacy Institute, 2005, p. 2).



Assuming Durham does have a higher ratio of suspensions per student, it is still likely that approximately 3,000 students needed adult supervision or services on one or more occasions (i.e., more than once for some students) as a result of having been disconnected from Durham schools during the 2005-06 school year. This drop in Durham's school suspension rate must be considered in the context of the overall state rate which must be considered an epidemic level.⁶² In the most recent nationally reported data, North Carolina schools ranked 6th among states in the nation in the number of suspended and expelled students, and 5th nationally with its rate, which at that time was

⁶¹Durham public school officials did not provide data but stated in a public meeting that Durham has a higher ratio of suspensions per student than the state as a whole. In other words, DPS contends that suspended Durham students accumulate more than two suspensions each.

⁶²Public health scientists use the word "epidemic" to refer to particular health problems that affect numbers of the population above expected levels, but they do not specify what constitutes an epidemic level.

almost 10% (9.6%, U.S. Department of Education, 2003). North Carolina's rate was 31% higher than the national average, 6.6%, reported by the U.S. Department of Education for the year 2000.

Reasons for the inordinately high suspension and expulsion rate in our state are not well understood (North Carolina Child Advocacy Institute, 2005). One might assume that a large number of NC students are suspended or expelled for serious offenses such as bringing a gun to school. This is not the case.⁶³

What about the seriousness of student misbehaviors on school campuses? Earlier, we showed data on the prevalence of crime incidents in DPS schools; however, the number of these incidents would not be sufficient to explain the large volume of school suspensions in Durham.

Why, then, is the NC school suspension rate extremely high? Having observed that in some states, the number of suspensions exceeded 10% of the number of enrolled students, the NAACP offers a plausible explanation.

[T]he perception persists among the public that school violence is a growing problem. In response to these sometimes irrational fears of school violence, school administrators have developed a variety of over-zealous discipline policies—including mandatory “zero tolerance” policies—that remove students deemed to be “problem children” from their schools (National Association for the Advancement of Colored People, 2006, p. 2).

The American Psychological Association's (APA) Zero Tolerance Task Force (Skiba et al., 2006) examined the research conducted to date on the effects zero tolerance policies have on children in schools. Its report on the school discipline research shows

⁶³ Few students in North Carolina are expelled from school under the Gun-Free Schools Act. In the most recent status report (U.S. Department of Education, 2006), only 69 NC students were expelled in the most recent reported school year (2002-2003). However, NC did rank 11th in the nation.

that zero tolerance policies in schools are not as successful as initially thought in creating safer environments to learn. Others contend that zero tolerance policies have the unintended effect of actually increasing delinquent behaviors. OSEP Center on Positive Behavioral Interventions and Supports (2004, p. 8) contends that “occurrences of antisocial behavior in school (e.g., aggression, substance use, dropping out, attendance, and insubordination/noncompliance) are more severe and complex.” The OSEP explains teachers’ use of “zero tolerance” policies (p. 8):

School attempts to respond to these challenges often result in an over-reliance on the use of aversive and exclusionary consequences. For example, teachers respond to student displays of chronic problem behavior by increasing their use of verbal reprimands, exclusionary consequences (e.g., in school detention and out-of-school suspensions), and loss of privileges. If student behavior does not improve, school systems increase their reactive responses by establishing zero tolerance policies, increasing surveillance, posting security personnel, and excluding students from school. This over-reliance on reactive management practices is a predictable outcome because teachers, parents, and administrators experience immediate reductions or removals of the problem behavior when they use strong aversive consequences. Having experienced reductions and relief from student problem behavior, they are more likely to use reactive management practices when future student problem behavior occurs, which can be described from a classic negative reinforcement perspective.

However, OSEP cautions that over-reliance on reactive management practices tends to be the least effective for students with the most severe problem behaviors. Moreover, OSEP acknowledges that the exclusive use of reactive approaches to discipline can produce unintended consequences, including: 1) a punishing climate can become a staging setting for problem behaviors, 2) a school climate relying on punishing consequences can provoke problem behaviors—for example, increases in antisocial behavior, breakdown of student-teacher relations, and decreases in academic achievement (pp. 8-9).

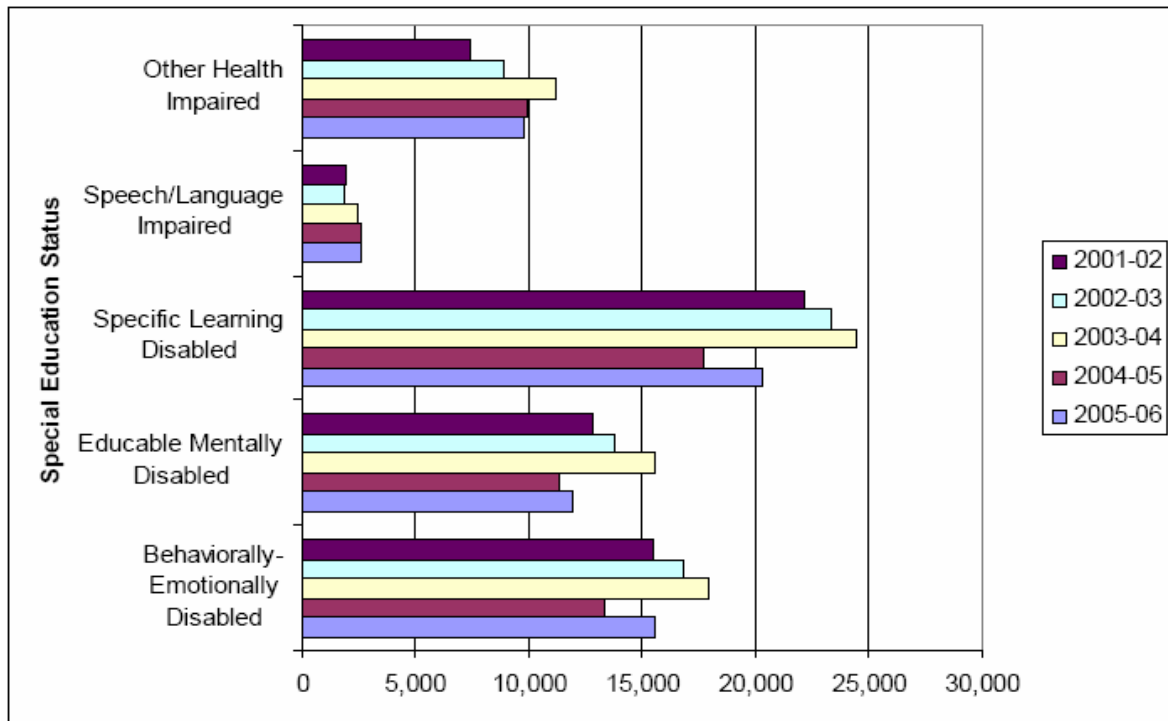
Characteristics of Suspended Students

Figure 41 shows the number of students suspended in the past five school years who were Exceptional Children (EC) or Special Education Students. These categories appear to total approximately 60,500 suspensions, or about 20% of the total number of short-term school suspensions in the 2005-06 school year (302,303). The 2007 NC DPI report does not give reasons for the remaining 80% of suspensions in the 2005-06 school year. However, some dispositional data are provided—but only for Alternative Learning Placements (ALP).⁶⁴ A total of 15,387 individual students received an ALP (NC DPI, 2007a, p. 52). This number—which has decreased each year since the 2003-04 school year (p. 52)—represents 10% of the estimated 152,459 different students who received short-term suspensions. What services, if any, the remaining 90% of suspended individuals received is not reported by NC DPI for the state as a whole.

As seen in Figure 42 (North Carolina Child Advocacy Institute, 2005, p. 4), school principals and superintendents are vested with authority to make suspension decisions under state laws and one federal statute (the 1994 Gun-Free Schools Act) that governs bringing weapons to school. In addition, school officials are empowered to implement school conduct codes that are posted online and in a student handbook.

⁶⁴ Suspended and expelled students in North Carolina are sometimes placed in Alternative Learning Programs (ALPs) on a case-by-case basis, based on processes and procedures developed by each of the 117 Local Education Agencies (LEAs) and the nearly 100 charter schools. Students are often placed in ALPs for disciplinary reasons, sometimes after being expelled or suspended. However, not all ALPs serve suspended and/or expelled students. Every district has complied with legislation requiring an ALP or a specific waiver granted by the State Board of Education. (Source: N.C. DPI, 2003-2004 Suspension and Expulsion Report) (North Carolina Child Advocacy Institute, 2005, p. 8)

Figure 41: NC School Suspensions of Special Education Students, 2001-2006

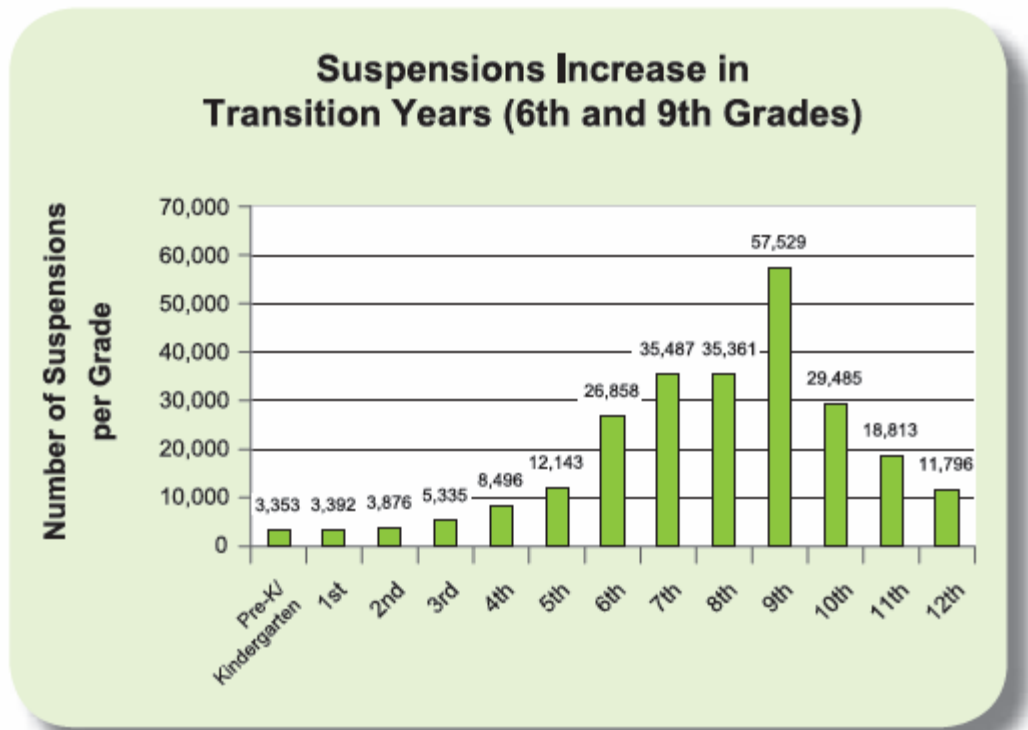


**Figure 42: North Carolina Suspension Policies
Short-Term Suspension, Long-Term Suspension and Expulsions**

Current Suspension Policies: Short-Term Suspensions, Long-Term Suspension and Expulsions

North Carolina statutes authorize principals of our public schools to suspend children who violate prescribed codes of conduct for up to 10 days. These are short-term suspensions which require no intervention from the superintendent. School principals, with the approval of the superintendent, have the authority to suspend a student for more than 10 days (long-term suspensions) up to a suspension for the remainder of the school year. For certain serious offenses, such as a student bringing a weapon onto a school campus, principals may recommend a student be suspended for the remainder of the school year or for 365 days. Superintendents have the final authority to sanction a long-term suspension or expulsion; however, the child's parent has the right to appeal both the decision of the principal and the superintendent. In addition, children with special needs have a right to a "free appropriated education" which is guaranteed by federal law.³

Figure 43: School Suspensions by Grade, North Carolina, 2005⁶⁵



www.ncchild.org

A recent report (Action for Children, 2007), updates Action for Children's 2005 report (then called the North Carolina Child Advocacy Institute) with school district data and policies regarding short-term suspensions. The findings of this report include the following:

- Many school district suspension policies are working to keep far too many children out of the classroom.
- Suspensions double between fifth and sixth grade, peaking in ninth grade.

⁶⁵ Source: Action for Children North Carolina. (2007). Short-Term Suspensions; Long-Term Consequences; Real Life Solutions, p. 7).

- There is wide variation in short-term suspension rates by district, by race and by gender.
- More than 3,300 pre-kindergarten and kindergarten students were suspended in North Carolina in 2005 (see Figure 43)
- Disparate school suspension policies most affect black and American Indian students.
- Simple steps can be taken by schools to reduce the number of suspensions.

Figure 43 shows statewide suspension rates by grade level. The rates increase sharply between the 5th and 6th grades, during the transitions from elementary to middle school), and between the 8th and 9th grades, during the transition into high school. The initial transition is a key point at which youngsters are likely to join gangs, therefore if school suspensions could be reduced at this juncture, gang joining might also be reduced.

Softening zero tolerance policies and practices would be worth pursuing because these contribute to elevated school suspension rates (Skiba & Knesting, 2001) and they have a racially biased impact. In Durham, the suspended youths are overwhelmingly African Americans (NC DPI, 2007a). Along with office discipline referrals, suspension is among the most widely used disciplinary techniques and it is used in greater frequency in urban areas than elsewhere, ostensibly to provide better opportunities for other students to achieve academically by removing so-called troublemakers from the school (Gagnon & Leone, 2001). “For at-risk students, the most consistently documented outcome of suspension and expulsion appears to be further suspension and expulsion, and perhaps school dropout” (Skiba & Knesting, 2001, p. 35).

Figure 44: The Origins of Zero Tolerance

The term "zero tolerance" means that certain behaviors will not be tolerated. In the school setting, "zero tolerance" is a disciplinary policy that sends this message by punishing all offenses severely, no matter how minor. There is no room for discretion. Zero tolerance policies are also referred to as "One strike and they're out."

"Zero tolerance" grew out of state and federal drug enforcement policies in the late 1980s. The Reagan administration promoted "aggressive" enforcement of anti-drug laws. In 1986, the "zero tolerance" term was used as the title of a policy developed by a U.S. attorney in San Diego, to justify impounding sea craft that were caught carrying any amount of drugs—no matter how small.

By February 1988, the program had received national attention, and U.S. Attorney General Edwin Meese authorized customs officials to seize the boats, automobiles, and passports of anyone crossing the border with even trace amounts of drugs and to charge those individuals in federal court.

In late 1989, school districts in Orange County, California, and Louisville, Kentucky, promulgated zero tolerance policies that called for expulsion for possession of drugs or participation in gang-related activity.

In New York, a school superintendent proposed a sweeping zero tolerance program as a way of taking action against students who caused school disruption. With its restricted school access, ban on hats, immediate suspension for any school disruption, and increased use of law enforcement, the program contained many of the elements that have come to characterize zero tolerance approaches in the past decade.

By 1993, zero tolerance policies were adopted by school boards across the country, often broadened to include not only drugs and weapons but also tobacco-related offenses and school disruption. Originally intended to restrict drug use, gang involvement, and gun possession, zero tolerance had evolved into an instrument to punish minor student misconduct.

In 1994, the federal government stepped in to mandate a zero tolerance policy in schools nationwide when President Clinton signed the Gun-Free Schools Act into law. This law mandates an expulsion of one calendar year for possession of a weapon and referral of students who violate the law to the criminal or juvenile justice system. It also provides that the one-year expulsions may be modified by the "chief administrative officer" of each local school district on a case-by-case basis (Source: Skiba & Noam, 2001).

The NAACP contends that "many schools are further expediting the flow of children out of the schools and into the criminal justice system by doling out a double dose of punishment for students who misbehave" (NAACP , 2006, pp. 2-3). The "double dose of punishment" is this: "In addition to being suspended or expelled, students are also increasingly finding themselves arrested or referred to law enforcement or juvenile court and prosecuted for behavior at school" (p. 3). Studies have shown that a child who has

been suspended is more likely to be retained in grade, to drop out, to commit a crime, and/or to end up incarcerated as an adult (NAACP, 2006, pp. 3-4). This study did not address gang involvement but risk factor studies show that disconnection from schools significantly increases the risk of gang joining (Howell & Egley, 2005).

The NAACP, of course, expresses its concern that schools may feed the “school-to-prison” pipeline for African-American students when they are removed from school altogether through zero tolerance and other harsh discipline policies. This reality is seen in North Carolina data on students suspended and expelled during 2005-2006 (North Carolina Department of Public Instruction, 2007a). Statewide, there are more than six suspensions for every 10 enrolled black male students in school in any given year (North Carolina Child Advocacy Institute, 2005, p. 4). A similar pattern is seen for those placed in secure detention and juvenile confinement (NC DJJDP, 2007). Durham is no exception, particularly for gang members. As seen in the juvenile justice system section of this report, African-Americans are disproportionately classified as gang members among court-referred youth (82%), and the overwhelming majority of these gang members are characterized as out-of-school youngsters. School suspension increases the likelihood of detention, followed by a greater probability of secure confinement in a state juvenile correctional facility, and next a greater risk of imprisonment; dubbed the “school to prison pipeline” (Christle, Jolivette, & Nelson, 2005). Approximately two-thirds of prisoners are high school dropouts (Thornburgh, 2006).

A variety of problems with DPI’s implementation of ZT policies in Durham and elsewhere across the state have been noted (Palasek, 2004), including inconsistent enforcement and the sharp rise in suspensions and disproportionate suspension of black

males. In addition, DPI has acknowledged that ZT policies have contributed to the large volume of suspensions statewide (NC Department of Public Instruction, 2005). Improvements in suspensions from 2003/04 to 2004/05 were reported in four Durham Elementary schools and two secondary schools that met criteria for “developed” teams in previous years (Irwin & Algozine, 2007, see Figure 6 and Figure 7, p. 17), and 32 Durham schools (78%) were in some stage of team-based Positive Behavior and Intervention Support (PBIS) programming by 2005/06 (p. 10). In reality, the Durham Public School system is in the early stages of PBIS implementation, and the suggestion that observed drops in suspensions in some schools might be attributable to PBIS (Action for Children North Carolina, 2007) seems premature.

It is important to recognize that DPS has a wide range of very worthwhile programs (see Appendix 2). Collectively, there is no doubt that these (and other programs) make significant contributions to preventing a wide variety of child and adolescent problem behaviors. Readers should be advised that we did not attempt to assess all such programs. Rather, our aim in this limited assessment was to identify potential shortcomings and ways in which efforts could be focused more specifically to produce better results.

Expulsions

After two years of decreases in expulsions statewide in North Carolina—from 353 in 2002-03 down to 68 in 2004-05—the number of expulsions increased to 95 in 2005-06 (NC DPI, 2007a). This report indicates that Durham schools expelled no students in the 2005-06 school year.

Dropouts

High schools in North Carolina reported 22,180 dropout events in 2005-2006 (NC DPI, 2007b).⁶⁶ The grade 9-12 dropout event rate in 2005-2006 was 5.04%, an increase from the 4.74% rate reported for 2004-2005. The increase in dropout rate was 6.3%. The high school rate was the highest since the 2001-2002 school year, when it was 5.25%. Durham's dropout rate decreased 9.8% between the 2004-05 and 2005-06 school years, from 5.71% to 5.15%.

All these dropout data are subject to question. In fact, State School Superintendent June Atkinson has characterized them as "absolutely meaningless, useless pieces of information. If I could, I would expunge those numbers" (quoted in Hui, 2007). For the first time, the NC DPI has tracked all high school freshmen, the 2002 class, to see how many of them graduated in 2006; about a third (32%) of them did not. Durham's rate (68.8%) was just above the state average of 68.1%.

Other data indicate that over the past five years, Durham schools have seen an average of 530 students drop out (Khanna, 2007). However, "Durham's dropout rate improved last year, but it's still the worst in the Triangle and worse than the state average" (p. 12A).

Relationship between Dropout, Suspensions, Delinquency, and Gang Problems

How do suspensions and dropouts contribute to gang activity? A nationwide survey of young people by the Centers for Disease Control (1994) found that out-of-school youth of school age are significantly more likely to become involved in physical

⁶⁶ The "event" (annual) dropout rate is the number of students in a particular grade span dropping out in one year divided by a measure of the total students in that particular grade span.

fights; carry a weapon; smoke; use alcohol, marijuana and cocaine; engage in sexual intercourse; and to have had four or more sexual partners than “in school” youth.

Durham’s 2004-05 school drop-out rate of 5.71% was higher than the statewide average (4.74%) highest among NC counties that have consistently reported gang problems and a high number of gang members in the past several years: New Hanover, Gaston, Forsyth, Wake, Cumberland, Mecklenburg, and Guilford. A similar comparison of Durham’s school suspension rates in the 2005-2006 school year indicated that Durham’s rate (17.15%) was slightly lower than the state average (17.99%) and, with only two exceptions, was very similar to other gang problem counties in North Carolina. These crude comparisons suggest a stronger correlation between Durham’s dropout rate and its gang problem than between its school suspension rate and its gang problem, but this needs to be researched further.

Durham Public School Solutions for Keeping Students Connected to Schools

We asked Durham Public School officials to identify the main early intervention programs to which DPS refers disruptive and moderate/high risk elementary and middle school students.⁶⁷ The DPS responded as follows. “Durham Public Schools has a comprehensive, evidenced-based behavior system that offers a continuum of positive behavior supports and interventions for students including the Positive Behavior Intervention and Support Program, Behavior Support Teams, separate programs, Acute-Behavioral Emotional Disability programs, and the COPE (Community Outreach for Education) program. In addition, the System of Care plays an important role in the

⁶⁷ There are also other Durham programs that serve troubled students, some of which are found in the prevention section of Durham’s program continuum (see Appendix 3).

continuum of services for students and families.”⁶⁸ The DPS provided descriptions of these programs; these are included in Appendix 2.

The Positive Behavior Intervention and Support Program is DPS’s main solution for problems with troubled and trouble-making students.

School-Wide Positive Behavior Support (SW-PBS) is comprised of a broad range of systemic and individualized strategies for achieving important social and learning outcomes while preventing problem behavior with all students. SW-PBS is not a specific “model” but a compilation of effective practices, interventions, and systems change strategies that have a long history of empirical support and development and individually have been demonstrated to be empirically effective and efficient. In addition, SW-PBS has relevant applications to educating all students in schools, not just students with disabilities. SW-PBS is the integration of four elements:

- Operationally defined and valued outcomes,
- Behavioral and biomedical science
- Research-validated practices, and
- Systems change to both enhance the broad quality with which all students are living/learning and reduce problem behaviors.

The PBIS program is fundamentally a prevention program, according to the PBS literature disseminated by the US Office of Special Education Programs (see OSEP Center on Positive Behavioral Interventions and Supports, 2004, and Freeman et al., 2006).⁶⁹ The basic thesis of the PBS model is that effective prevention efforts necessarily include primary, secondary and tertiary intervention levels (OSEP, 2004, p. 17; Freeman et al., 2006, p. 4):

⁶⁸ Personal communication, Deborah Pitman, Assistant Superintendent, July 27, 2007.

⁶⁹ See additional information that can be accessed online: <http://www.pbis.org/main.htm>.

- Primary prevention involves all students and adults within the school and is implemented across all school and school-related settings. This component is school-wide and is expected to reach 80% of the students.
- Secondary prevention is intended to support students who have learning, behavior, or life histories that put them at risk of engaging in more serious problem behavior. This component is expected to target only 15-20% of the students, who display at-risk behavior.
- Tertiary prevention strategies focus on the smaller number of students who engage in serious and/or chronic problem behavior (only 5%), and whose needs are more individualized and require comprehensive plans to address their unique needs.

The OSEP Center on Positive Behavioral Interventions and Supports acknowledges that schools that are implementing PBIS are just beginning to design systems for students with “the most challenging behaviors”, and that when students need additional services “beyond school-wide programs aimed at primary prevention of problem behavior, their needs are identified in the same ways as their general education peers (e.g. teacher referral)” (pp. 3 & 5). It is also acknowledged that successful integration of the three-part strategy has not yet been “empirically validated” (p.7).

This observation does not detract from the strength of PBIS. It appears to be a useful infrastructure and systematic process for preventing minor problem behaviors via a school-wide initiative, and DPS appears to be progressing quite well in implementing it (Irwin & Agozzine, 2007). But the large number of Durham students who are suspended, truant, and drop out of school and involved in gangs appears to exceed by a considerable margin the approximate proportion of all students (5%-15%) that the PBIS is designed to serve.

As noted in the PBIS literature, students needing additional services would normally be teacher-referred for them. While it is possible that over time, the capacity of

the PBIS to handle a larger number of severe-problem youth may increase, services are needed now for a large proportion of students in Durham elementary, middle, and high schools. Moreover, PBIS cannot be expected to produce immediate and large reductions that are needed in the suspension, dropout, and truancy rates. Durham needs to act now with a comprehensive assessment of these problems that will produce solutions that will reduce them markedly and immediately. Steps that need to be taken immediately or in the near future that will help reduce suspensions, truancy, dropout and gang joining are made in the school recommendations section of this report.

In sum, schools can provide “lifelines” for youth to help them avoid deviant pathways and destructive outcomes, but for schools to play this role, they need to protect and hold on to all their students and help them develop the academic, social, and emotional competencies they will need to succeed as adults (Osher et al., 2001, p. 149). In other words, to succeed academically and therefore in life, students need to be re-connected to schools and bonded to teachers, other school officials and a network of adult sources of support.

Prevention, Intervention, and Suppression Programs and Services

Durham’s current continuum of Prevention, Intervention, and Suppression Programs and Services is arrayed in Appendix 1. Key reentry and comprehensive programs are also shown. The latter cut across the Prevention, Intervention, and Suppression continuum.

Readers are advised that this is by no means an exhaustive listing of potentially gang-related programs in Durham. These were brought to our attention as the main ones that either currently address youth gang activity in Durham or serve youth at-risk of gang

involvement. We asked contributors to identify programs that do not exclude persons because of gang affiliation. Our search also included programs that were described in recent assessments of Durham gang and juvenile crime prevention resources. Our contributors mainly comprised the members of the Durham Crime Cabinet and a Community Advisory Committee.

After reviewing this continuum, readers surely will share our observation that Durham is “resource-rich” in the sense that a wide variety of programs are available to serve both youth at risk of gang joining and those youth who are active gang members. Given the main task at hand—linking youth in need to program services—the first priority is to improve matching of services to youth that need them. We make a number of recommendations that are intended to facilitate this process.

Another goal in compiling this continuum was to give Durham stakeholders a jump-start in developing an electronically maintained repository of applicable programs. As noted in our Community Recommendations, all conceivable resources in the Durham continuum of services and supports for gang-vulnerable and gang-involved youth should be catalogued in the electronic web-based Community Resource Inventory (CRI) that can be maintained through a free account in the federal Community Guide to Helping America’s Youth website: <http://helpingamericasyouth.gov/>.

Potential of Intervention and Prevention Programs

Juvenile justice officials in Durham view the youth gang problem in two ways. On the one hand, they are skeptical of the large estimates of the city’s gang problem; indeed the numbers have been exaggerated in the past. On the other hand, Durham JJS

officials have taken the youth gang problem seriously. Notably, Durham has embraced the Comprehensive Gang Model and is poised to begin implementing an intervention team that will provide intensive services and supervision for gang members. This development raises the question of the availability and effectiveness of existing programs for this specific groups of offenders.

Here, we review Durham's prevention and intervention programming in terms of program potential for targeting at-risk youth and active gang members. The County has only three programs that are dedicated to exclusively working with actual youth gang members or children and adolescents at risk of gang involvement:

- Gang Resistance Education and Training
- Targeted Gang Outreach
- Gang Violence Prevention Program⁷⁰

However, it is apparent from interviews we conducted with service providers that gang youth are currently served in numerous other Durham programs, particularly those listed below (notably the PROUD Program and New Horizons). Unfortunately, data were not available on the gang status of youth served in Durham prevention and intervention programs. Thus we are limited here to examining the extent to which services are available for at-risk and active gang members in terms of the degree of client penetration of the juvenile justice system.

We simplified this examination by dividing program clients served during 2006-07 into two groups, those who were pre-adjudicated (at risk) or adjudicated (on probation) status. This procedure reveals only a rough estimate of the availability of

⁷⁰ This program funded by the NC DJJDP is not yet fully operational. Moreover, it is expected to develop and coordinate a continuum of prevention and intervention programs while providing an intervention team noted above linked with outreach services that have begun.

services for the most important target group youth who either are at risk of gang involvement or already placed on probation. As seen in our analysis of gang members in Durham's juvenile justice system (earlier in this section), a high proportion of gang youth are adjudicated delinquent and detained, and studies show that detained youth are at greater risk for long-term secure confinement. Therefore, it is important to consider the availability of services for offenders who are adjudicated versus those who are not yet classified as delinquent offenders.

Six prevention and intervention programs funded by the Juvenile Crime Prevention Council (JCPC) in 2006-07 served a meaningful number (five or more) of at-risk or adjudicated (delinquent) offenders. These are:

- PROUD Program
- Teen Court & Teen Court Restitution
- Rites of Passage Program (Rites of Passage)
- New Horizons
- New Day Reporting Center
- Parenting Of Adolescents

There are six additional 2006-07 prevention and intervention programs⁷¹ for which information on the adjudication status of clients was not available or they served a negligible number of delinquent offenders.

The total number of youth served in the existing continuum of Durham County delinquency-related prevention and intervention programs during fiscal year in 2006-07 totaled 898. Of this total, only 14% (124) were adjudicated (delinquent) offenders placed

⁷¹ Support our Students, Youth Life Learning Center, Mediation Services, Victim-Offender Services, Lakeview school, and Project Teach-Empower-Achieve-Motivate (T.E.A.M.). One other program (Durham Youth Enrichment) was discontinued. It served 88 clients in 2006-07 and all of them were at-risk youth.

on probation; therefore, there's room for improvement in the targeting of higher risk offenders. Simultaneously, these data suggest that if Durham's juvenile justice programs are expected to serve all gang members that need services, the capacity of existing prevention and intervention programs needs to be expanded.

Complete data are not available to specify the full range of risk factors for gang involvement that should be addressed in prevention programs. A student/youth survey is needed for this purpose. Such a survey would also assist the Juvenile Crime Prevention Council in determining the adequacy of existing programs in Durham for addressing elevated risk factors and also point to program gaps. It is clear at this time, however, that school-related problems (truancy, suspension, dropout) is a major risk for gang involvement in Durham—based on our assessment of court-referred gang members. Once a school/student survey is done, the above primary and secondary prevention programs should be examined for 1) the extent to which they address specific risk factors for gang involvement, 2) the primary service⁷² they provide, and 3) their client capacity.

Many other worthwhile community programs are described in our compendium of Durham programs (see Appendix 1). Numerous prevention and intervention programs brought to our attention serve as a resource for the Durham community as a whole. Many of these are small organizations that are successfully strengthening the community and need to be integrated into Durham's comprehensive gang strategy. Lead responsibility for coordinating this effort rests with the Durham Anti-gang Coordinator.

⁷² It is critical to give close attention to the primary service (the major therapeutic element) in programs to ensure that services match client needs. The primary service is not always apparent. For example, the John Avery Boys and Girls Club operates a Targeted Gang Outreach program. Whether this program implements the parent organization's (Boys and Girls Club) Gang Prevention Through Targeted Outreach program or B&GCs Gang Intervention Through Targeted Outreach program is an important question. One must first know the actual services that are delivered to clients to assess them against evidence-based services in the research literature.

Adequacy of Durham's Response to Gangs

As a general observation, it must be said that Durham's JJS response to gangs is disjointed. This is evident in several areas.

- Gang members are not formally identified and this classification, when appropriate, is not communicated from one JJS component to another. An active gang member could be documented as such by police, yet court intake staff, detention center workers, prosecutors, and youth development center staff may never be informed of the youth's gang membership.
- Durham has no formal juvenile justice gang policy that governs the handling of gang members who by virtue of their ages are under the jurisdiction of the JJS. The absence of a youth gang definition is a critical factor. Such a definition appears to be forthcoming from DJJDP and it will be incorporated in a comprehensive set of procedures for processing gang members.
- The specific services to which gang-involved youth need to be linked are serious school problems (multiple suspensions, chronic truancy, or dropout), mental health problems, alcohol and other drug use, and below grade level performance in school. In addition, a large proportion of gang members referred to court for delinquency experiences poor parental supervision; thus their parents/guardians need parent training and family strengthening services.
- These treatment needs should be shored up by prevention and early intervention programs in order to prevent delinquency and reduce the number of gang members in Durham.
- There is no overall coordinating mechanism or supporting management information system. Thus case management is rarely provided for gang members.
- Many programs exist in Durham County that could effectively serve at-risk and gang involved youth, yet it appears that many of the youth who need those services are not connected to them.

In conclusion, although Durham has only three programs that are dedicated exclusively to dealing with gang prevention and intervention in the county's juvenile justice system, many other programs are available to serve this group of youth. In general, Durham's current JJS response to gangs needs to be expanded and better

organized. Several recommendations to help accomplish this are offered in this study report.

Perceptions of Gangs in Durham

Durham has a reputation for being a high-crime city and a city with serious gang problems. This reputation has likely been exacerbated by media coverage, including the documentary films, “Welcome to Durham” released in 2004. Further, national media have highlighted Durham’s gang woes in programming such as the September 2006 airing of CourtTV’s program “Menace on Main Street” hosted by Al Roker.

Media

On a day-to-day basis, it is the local media that offer the dominant source of information and shape perceptions about crime and gang problems in Durham. Our observation of media coverage in Durham was that policymakers were highly concerned about coverage and interpretation by local media – particularly the newspapers, *The Durham Herald-Sun* and *The News and Observer*.

Our examination of media coverage in Durham was not scientific but observational. During the course of a year-long assessment of gangs, no reporters from Durham sought to gather information about the assessment. We find it unusual that the local media does not question or dig into information presented in order to verify its validity. For example, *The Durham Herald-Sun* reported the number of gang members in Durham as released by the Governor’s Crime Commission in 2004, but did not make any effort to verify or validate the counts – counts that were in contrast to those recorded by DPD and DCSO.

The Durham Herald-Sun is the primary newspaper in Durham but it faces stiff competition from the larger circulation *The News and Observer* based in nearby Raleigh. Newspapers in general are facing economic pressures and there is pressure to “sell newspapers.” Since Durham’s media market is faced with competition from larger television and newspaper outlets in nearby Raleigh, it is likely that this competition increases the pressure for Durham media to make headlines.

It is noteworthy that Durham Convention and Visitor’s Bureau (DCVB) has an initiative known as Image Watch which uses volunteer “Watch Keepers” to monitor negative and erroneous or misleading press coverage of Durham. The Watch Keepers then respond to such coverage through tactics such as phone calls or writing letters to the editor. DCVB notes that misperceptions about a community can make newcomers fearful and demoralize residents. DCVB cites research that claiming that 89% of Durham residents have a positive image of Durham, while only half of residents from Wake and other counties within 100 miles of Durham share this positive image.

Media coverage of gang crimes in Durham typically includes the names of individual gangs and identifies the specific gang with which crime suspects are affiliated. We find no public good served by providing specific gang information. While it certainly important to provide information about the crime, research suggests that media attention to the specific gang is negative.⁷³ Such coverage:

- Increases the notoriety of gangs and individuals, further emboldening groups
- Fuels conflict between groups, sparking retaliation
- Increases cohesion of gangs by publicizing their criminal activity

⁷³ Klein, 1995; Conly et al., 1993.

- Provokes fear among citizens, further reducing public confidence in the justice system and creating a panic that can misdirect policymakers

To reduce the likelihood of these negative outcomes arising from coverage of gangs, some print and broadcast outlets across the nation voluntarily block specific “gang names” from articles and broadcasts. This voluntary action is necessary since crime and arrest reports, as well as court cases, are public documents that contain gang names and are available to the media.

Citizens

There are three primary sources of information used to gauge public perceptions of gangs in Durham:

- Citizen survey conducted by the Durham County Convention and Visitors Bureau for 1005, 2006 and 2007
- Focus groups conducted as part of the assessment with PACs 1, 2, 3 and 4 as well as Durham Businesses Against Crime
- Visual surveys, also known as environmental assessments, conducted as part of this assessment process.

Citizen Surveys

Since 2005, the Durham County Convention and Visitors Bureau has conducted an annual survey and included a group of questions for the Durham Police Department as part of the survey. The DPD questions are part of the agency’s Results Based Accountability (RBA) effort. It is noteworthy that DPD commissions this annual survey – it provides an important benchmark about various crime and public safety issues.

Questions about citizen perceptions of their own personal safety and views about the police agency are included in the survey. These questions are important and typical

for public safety surveys conducted by law enforcement agencies across the nation (Weisel, 1999).

In 2007, only 26% of Durham residents rated Durham police as doing a good job. This is a substantial decline from the 2006 survey in which 58% of respondents felt DPD was doing a good job.⁷⁴ (See Table 15.) It is the 2006 response of Durham citizens that is most consistent with national surveys – the Gallup Poll’s 2006 survey shows that 58% of American citizens have a great deal/quite a lot of confidence in the police.⁷⁵ Of note, however, African-American citizens in Durham have more confidence in the police than do Caucasians – a finding contrary to national rankings which generally show African Americans as having less confidence in the police.

Regardless of the ethnic/racial dimensions of public confidence in the police, Durham policymakers should be greatly concerned about the precipitous decline. Such a loss of confidence might be attributed to an increase in crime or victimization. There is some evidence that suggests victimization decreases citizen confidence in and satisfaction with the police. We were concerned whether declining perceptions of safety might have influenced satisfaction with police. Overall, however, Durham residents feel relatively safe: 76% of respondents feel safe in Durham (and 85% feel safe in their own neighborhood).⁷⁶

⁷⁴ But the 2007 evaluation of police was similar to a rating of 28% in the 2005 survey.

⁷⁵ See the Gallup Poll results at <http://www.galluppoll.com/content/?ci=1597>

⁷⁶ This response was very similar in 2006.

Table 15: Durham Citizen Survey, 2006-2007

Percentage rating police as doing a good job “protecting and serving Durham residents”

| | 2007 | 2006 | Change |
|-------------------|-------------|-------------|---------------|
| African Americans | 30% | 63% | -33% |
| Caucasian | 25% | 52% | -27% |
| Hispanics | 13% | 64% | -51% |
| Total | 26% | 58% | -32% |

- Among African Americans, 69% feel safe in Durham (down from 75% in 2006)
- Among Caucasians, 84% feel this way (similar to the 86% in 2006)
- Among Hispanics, 90% feel this way (up from 77% in 2006)

These findings suggest that Durham citizen perceptions of their own safety, including their personal experience with gangs, do not reduce their confidence in police. In fact, 44% of survey respondents in 2007 think Durham police need more resources – again, this response was virtually identical to the 2006 survey results.

If crime and safety do not explain the differences, what does explain the substantial decline of public confidence in the police in Durham? Normally, we would expect to see such a huge decline in confidence only after a major scandal – such as the police corruption cases in Los Angeles in 2004 or the Rodney King incident.⁷⁷ While DPD has not experienced this type of scandal between the 2006 and 2007 surveys, the jurisdiction has faced huge turmoil because of the Duke lacrosse sexual assault case and the subsequent resignation of the District Attorney.

⁷⁷ While the survey findings do include narrative responses provided by respondents, the explanations are quite varied and reveal no distinctive pattern responsible for the decline of confidence in the police. For example, fraud – the most common response among those who lacked confidence in the police - was mentioned by less than 2% of respondents; there were even fewer mentions of use of force – a complaint that might accompany proactive policing.

Public attitudes about the Duke case are the only logical explanation we can find for the dramatically reduced confidence in Durham police from 2006 to 2007. This strongly suggests that citizen perceptions about one part of the criminal justice system are transferred to other parts of the criminal justice system. In other words, citizens perceive that criminal justice operates as a *system*; thus, failure of a *part* reduces public confidence in the *entire* system.

In addition to gauging public perceptions of the police and their safety, the DPD survey questions also include an important benchmark question about citizen perceptions of gangs in Durham. In 2007, 64% of Durham residents responded that Durham has a gang problem based on their *personal* experience.

- Among Hispanics, 79% felt this way (80% in 2006)
- Among African Americans, 71% felt this way (72% in 2006)
- Among Caucasians, 52% felt this way (50% in 2006)

The survey responses were virtually identical in 2006, suggesting much consistency in public perceptions about gangs. The widespread perceptions about gang prevalence in Durham seem to be particularly high. While there are no standardized measures regarding public perceptions of gang prevalence in other jurisdictions, a finding that nearly two-thirds of Durham residents have “personal experience” with Durham’s gang problems is remarkable.

Citizen Focus Groups

A key part of the Comprehensive Gang Assessment included conducting focus groups with citizens. Five community focus groups were conducted: one with PACs 1, 2,

3 and 4 at their regular monthly meetings, and one with Durham Businesses Against Crime. Approximately 250 attended these five meetings and discussed their views of gangs in their neighborhood, and the response of police and other Durham institutions. At each focus group, residents were provided with a map of Durham and asked to mark the three areas in which they were confident that gang problems existed. Citizens were highly localized in identifying specific gang locations and describing the activities that occurred in these areas. Figure 45 is a map of Durham's police districts with a composite identification of gang areas identified in the focus groups. The citizen-generated hot spot maps were highly consistent with police-generated hot spot maps (see Figure 45 and Figure 46).

It is noteworthy that many citizens did not mark on the maps at all – they were unable to identify any specific areas where there were gang related problems. Despite the widespread perceptions of gang problems as indicated in the citizen survey, the actual knowledge of citizens of gang areas appears more anecdotal.

In addition to marking maps of gang locations, citizens described the visual activity of gang members in such areas. These descriptions included⁷⁸:

- Young students getting off the school bus in the afternoon are often met by older youth who are gang members. The older youth lure younger kids into the gang, sometimes by buying them clothing.
- Gang members hang out together at corners and ride in “packs”. They hang out together, drink and smoke dope and engage in menacing behaviors that intimidate many citizens.
- Drug dealing – everybody knows what they’re doing.
- Sneakers hanging over power lines.

⁷⁸ These comments reflect the notes recorded at the focus groups. They are not verbatim responses but represent the ideas brought out by participants.

- Shots fired – you know what’s going on.

It was noteworthy that citizens did not mention graffiti – a common sign of gang problems in neighborhoods. When asked about graffiti in their neighborhood, virtually all participants agreed that graffiti goes up – but is quickly taken down by the city of Durham through Durham One Call to Neighborhood Improvement Services Impact Team. The city’s graffiti eradication program, run by Mitchell Archer, was known and well-regarded by virtually all the participants at these meetings. The city’s approach to graffiti eradication – prompt reporting and prompt removal – is considered key to controlling graffiti. Durham’s approach is particularly innovative in that the city bears the cost of removal even from private property. Many jurisdictions in the U.S. that are proactive in responding to graffiti require that private property owners quickly remove graffiti from their property, or the owners must pay for removal by an eradication team or be fined (Weisel, 2002). In many cases, placing this burden on the property owner results in prompt removal but there are inherent difficulties in gaining compliance from varied property owners including absentee landlords, elderly residents, and others. Thus, we have determined that Durham is very proactive – and no doubt more effective in graffiti eradication – than the vast majority of jurisdictions across the nation. Since gang graffiti often contributes to public fears about gangs, and gives rise to violence and retaliation between gangs, Durham’s progressive approach is an exemplary response and should be recognized and promoted as a model for replication across the nation.

Figure 45: Citizen Perceptions of Gang Areas Composite from Focus Groups

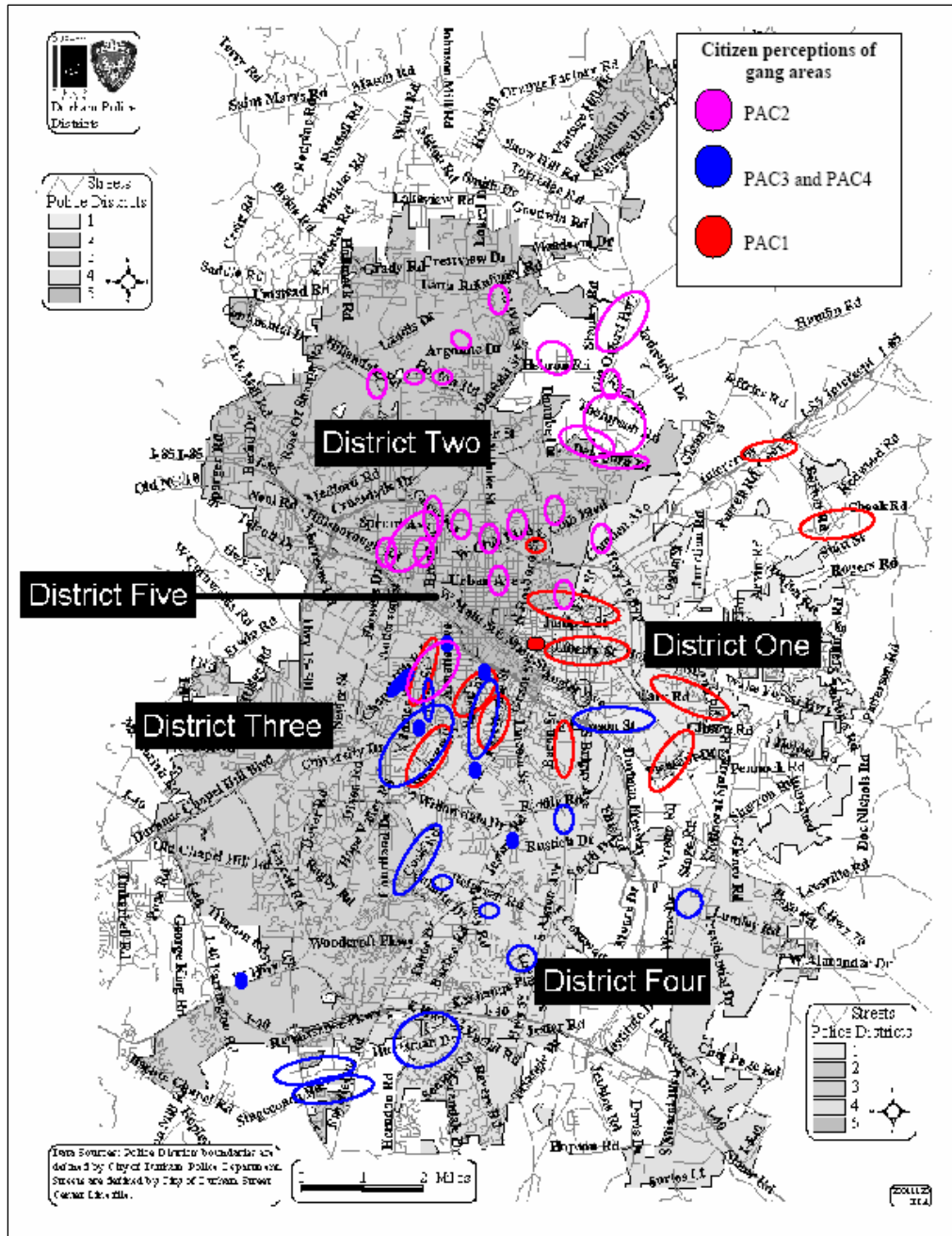


Figure 46: Violent Crime Hot Spots in Durham

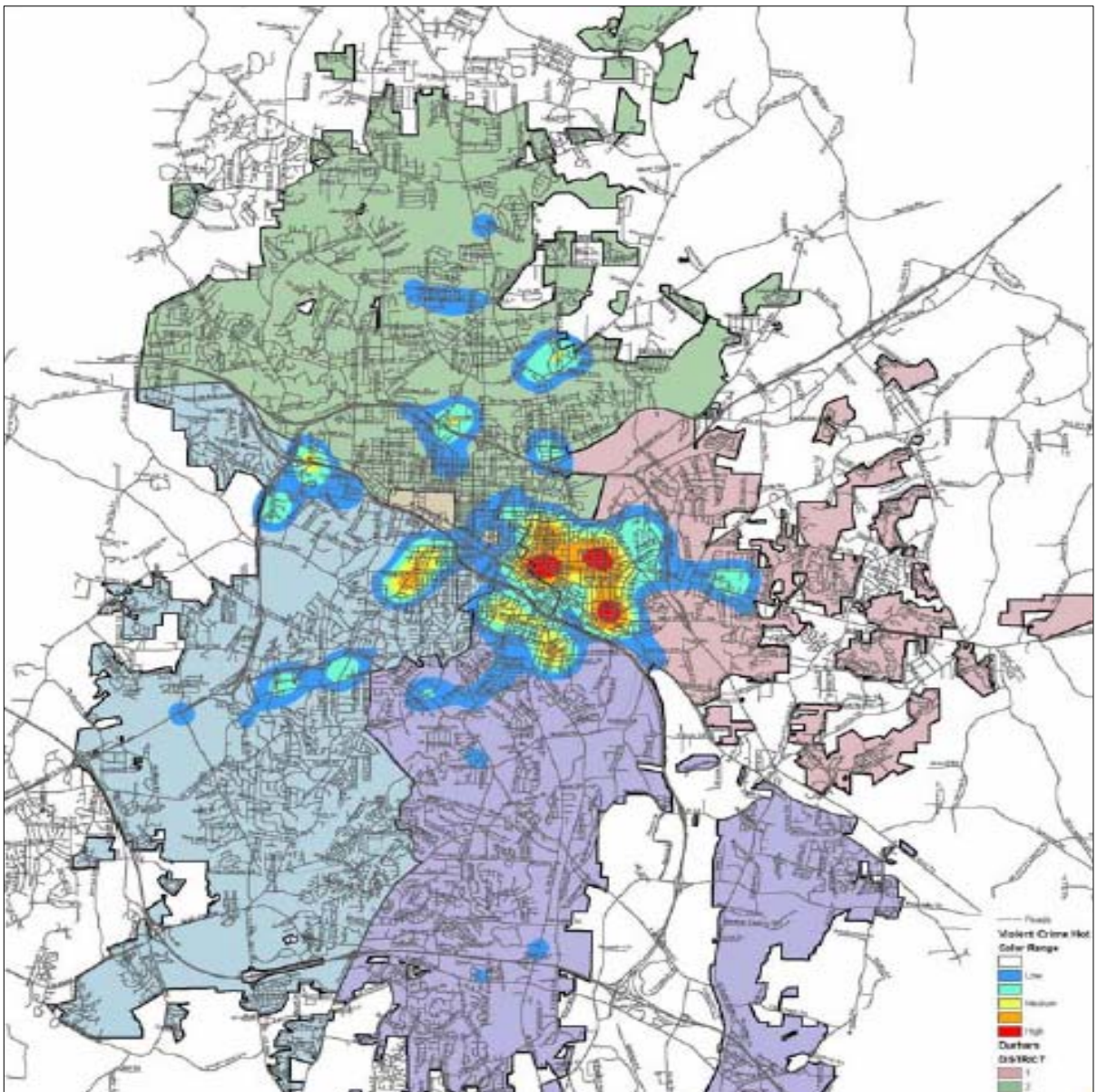


Figure 47: Graffiti in Wake County



The most important finding arising from focus groups with Durham residents were issues that were notably absent from the public discussion: there were no discussions of racial issues, such as police mistreatment of minorities – a common complaint in jurisdictions with high gang prevalence. Similarly, there was no mention of use of force by police or corruption, such as planting evidence on suspects – complaints that can emerge in citizen assessments of police actions.⁷⁹ Durham should acknowledge its success in avoiding these problems – problems that have troubled law enforcement agencies in other jurisdictions.

Environmental Surveys

Gang problems are usually highly visible in urban areas. Graffiti blight is one of the most common signs of gangs. Scenes such as that in Figure 47 are common in many jurisdictions with gang problems, including Durham's neighbor – Wake County.

⁷⁹ Interviews with offenders also failed to identify such problems with law enforcement.

In addition to the damage to property, graffiti instills fear among residents – not just those who live in an area but others who may drive through locations with graffiti. Graffiti thus reduces property values, and conveys a loss of informal and formal social control – making it seem as if neither law enforcement nor residents are in control of an area. While graffiti eradication appears effective in most public locations in Durham, there were numerous reports during the assessment that graffiti was present in Durham Public Schools and in the Durham Correctional Center.

Policymakers

It is inherently difficult for policymakers to accurately gauge the prevalence of gangs and the extent of gang problems in any jurisdiction. The techniques for counting and recording gang membership and gang crime are inconsistent from one jurisdiction to another, and, as described in Part I of this report, also vary within a single jurisdiction.

Some observers in Durham perceived that DPD’s previous police chief Teresa Chambers was “in denial” about the presence of gangs and gang members in Durham during her tenure from 1998 to 2002.⁸⁰ The “denial” position has been attributed to several jurisdictions around the United States in recent years; however, an equally hazardous position is “over-reacting” to gangs – feeding public fears about crime.

In October 2006, a brief survey was administered to attendees at the Durham Crime Cabinet to identify factors that influence gang problems in Durham and gauge perceptions of gang prevalence. The Durham Crime Cabinet includes key policymakers and government officials in the jurisdiction, representing interests of both the county and

⁸⁰ It should be noted that DPD’s DRAGON unit (Durham Resistance Against Gangs On-set) was established during Chief Chambers tenure.

the municipality. This survey can best be considered as a focus group because it was not a scientific survey. There were 24 respondents, including five individuals representing law enforcement; four representing the court system; four elected officials; four service providers; and seven community members. Because there were a larger number of community members responding than other groups, the distribution of survey responses were examined to ensure that this larger group did not disproportionately influence responses to individual questions. Any exceptions are noted in Table 16.

Overall, only a slight majority of the respondents (53%) felt that gang problems in Durham were not worsening but holding relatively steady. Responses on scaled items permit us to validate the survey and compare high and low rankings. For example, policymakers rated “low bonds” for arrestees and “witness intimidation” as important factors affecting gang problems in Durham (See Table 16.) while “graffiti removal too slow” was rated the lowest among the factors listed in the survey. This spread from high to low suggests that the respondents’ views were relatively consistent with other qualitative evidence gathered during the assessment. That is, the bonding process and witness intimidation were frequently mentioned during interviews and meetings, while Durham’s graffiti eradication efforts were often described as effective.

The rating on these factors influencing gangs were also examined in subsequent meetings with a Community Advisory Committee (CAC). This committee was convened in January 2007 to discuss issues about gangs and gang-related problems in Durham. The committee was chaired by Wendell Davis, Durham County Deputy Manager, and Ted Voorhees, Durham Deputy City Manager, and included a variety of expertise from the

community. (See CAC membership list in Appendix 9.) The advisory group met monthly from January through August 2007 to provide input.

Table 16: Policymaker Perceptions of Factors affecting Gang Problems in Durham

| Factors | Big or relatively big factor |
|-----------------------------------------|-------------------------------------|
| 1. Bonds are set too low. ⁸¹ | 87% (20) |
| 2. Witness intimidation | 83% (19) |
| 3. Schools need more in-school options | 71% (17) |
| 4. Not enough community-based programs | 67% (16) |
| 5. Media coverage glamorizes gangs | 63% (15) |
| 6. Too few DA resources ⁸² | 63% (15) |
| 7. Lax landlords | 54% (13) |
| 8. Community programs not accessible | 52% (12) |
| 9. Weak federal prosecution | 46% (11) |
| 10. Poor police investigations | 41% (10) |
| 11. Graffiti removal too slow | 12% (3) |

⁸¹ All community members rated this as a big factor.

⁸² *Only* community members rated this as not a factor.

WHAT SHOULD BE DONE

Assessment findings are not useful to jurisdictions unless they have practical implications that can guide policymakers, citizens and others in prioritizing and taking action. Based on the assessment findings in Part II, this section of the report interprets findings from the assessment, and makes action recommendations based upon the findings as well as evaluation research and practical experience of other communities across the nation.

Recognizing Current Strengths

A comprehensive assessment of gangs inherently focuses on weaknesses within a jurisdiction's responses and continuum of programs and services. After all, most jurisdictions want a problem assessment so they can make improvements to existing operations. This assessment does identify numerous weaknesses and gaps in Durham.

That said, it is equally important to recognize that Durham has made positive steps in addressing community gang problems. Every effort should be made to insure that these positive steps are not discarded but maintained and used as a foundation for building future efforts. Some of the positive elements in place in Durham include its proactive response to graffiti, growing experience using the intelligence database GangNet, and a district attorney dedicated to prosecuting gang cases. Further, there is no evidence of systemic problems with police corruption, abuse of force, or exacerbated racial conflict between police and citizens.

Criminal Justice System Recommendations

Recommendation 1: Use GangNet data for strategic planning.

If information in GangNet is accurate and up-to-date, data in this intelligence database can also be used for strategic planning. We strongly recommend that GangNet be subject to a 28 CFR, Part 23 review to ensure compliance with federal regulations on multiagency criminal intelligence databases.⁸³ This review has important relevance to consideration of including or excluding juveniles from the database.

As a strategic planning tool, GangNet can shed important light for example on the initial age at which individuals become involved in gangs, rising involvement of girls in gangs, the rising prevalence of Hispanics, the length of an individual's criminal "career," and the geographic dispersion of gang members and their activities. This important information will assist in focusing gang prevention, intervention and suppression efforts, and provide a reliable metric for monitoring changes in the problem.

GangNet should be used to routinely report more than the *cumulative* count of gang members as a basic count provides no context for understanding the changing nature of gang problems. On a quarterly basis, reports should track the demographic characteristics of new additions to the database, including the age, gang type, residential location by reporting area and gender of newly identified gang members. Routinely reported, these data should show where new gang members are being identified and point to opportunities for interventions related to gender, age group, school, geographical area or ethnicity. Over time, these descriptive data can provide evidence of improvements. For example, if intervention programs are effective, the *age* at which youth join gangs should increase and this should be reflected in the age of new additions to GangNet.

Further, GangNet should be used to routinely report the rate of gang activity by gang members. Since analysis showed that some gang members are not currently active – that is, they are not in official contact with law enforcement – reports should distinguish the counts of currently active gang members, and gang types, as these are the most problematic. Moving individuals from active to inactive status provides an important metric of successful intervention.

GangNet should also be used to routinely report the prevalence of gang activity; DPD has made an important step toward this by making monthly reports of gang involvement in violent crime. Once identified as gang crimes, these data should be carefully monitored to measure time to warrant, arrest, time to and type of case clearance, time in custody, time to and type of case disposition, conviction and sentencing.

⁸³ There is no cost for this review. It is provided upon request by the Institute for Intergovernmental Research (IIR) under contract with the Bureau of Justice Assistance (BJA). Information can be obtained at 28cfr23info@iir.com.

In analyses, close attention should be paid to the nature of gang crimes, including the involvement of multiple suspects in crimes, use of vehicles and settings for offenses. These analyses will provide guidance to DPD and DCSO in developing alternative approaches to gangs, such as making environmental changes, altering traffic flow or bus routes, and other proactive approaches to steps that reduce the opportunity for gang crime to occur.

Recommendation 2: Integrate approaches to guns and violence with gangs and drugs.

DPD and DCSO should integrate analysis and responses to guns, violence, drugs and gangs. While the nexus between these is not complete there is much overlap—drug and gun charges are the most common tool available for police to disrupt gang activity. Joint meetings between DCSO and DPD gang unit personnel are critical and the agencies should collaborate on proactive investigations, such as drug investigations.

Studies have shown that proactive gun seizures have a positive effect on gun-crime however there is some evidence that a specialized team of officers dedicated to gun seizures may be more effective than a police agency’s normal complement of sworn officers (Dunworth, 2000).

Proactive steps need to be taken to reduce the availability of firearms—particularly handguns—in Durham because it has a higher rate of aggravated assaults with guns than other jurisdictions in North Carolina, and a phenomenally high number of gang-related gun homicides. Anti-gun advocacy groups have recommended several measures that should be considered, including limiting handgun purchases to not more than one per month, mandating background checks on all purchases, regardless of the outlet, and mandatory reporting to police any lost or stolen guns.

Further, there have been recommendations that North Carolina should improve its racketeering statute – known as little RICO (Racketeering Influenced and Corrupt Organizations statute) to permit investigations into more organized criminal activity of some gangs. The ability of local law enforcement and state prosecutors to use the criminal enterprise investigations may assist in targeting gangs that engage in more systematic drug trafficking.

Recommendation 3: Use civil injunctions to reduce predatory behaviors of gangs.

Durham should move quickly to implement a civil injunction process to focus on the highly visible and criminogenic behaviors of gang members in identified gang hot spots. These injunctions should be geographically limited, and focus on known gang members and behaviors, such as congregating together, violating curfews, riding in cars, and other specific behaviors.

Injunctions are a crime control technique that provides citizens with a way to address gang intimidation and other public behaviors that contribute to community fears. Gang

injunctions prohibit the specified criminally-involved gang members from behaviors such as associating with each other in public settings, wearing certain colors or engaging in other group activities. Injunctions have been shown to be effective, and result in immediate although modest improvements in community safety (Maxson et al., 2005). Injunctions have withstood court challenges and differ from the anti-gang loitering ordinances that were used in some locations. Developed strategically, injunctions help police focus efforts on the most likely offenders, thus mitigating concerns about police targeting large groups of minority youth. Police are highly supportive of injunctions because it provides a meaningful way to disrupt visible street activity and provides immediate relief to citizens who live in neighborhoods where gang activity is blatant and highly visible – a perception articulated during the PAC focus groups in this study.

Recommendation 4: Reorganize and refocus DPD gang unit.

We did not find that DPD has erred in its response to gangs. There is no “model” police gang unit but we recommend a reorganization of the gang unit. The reorganized gang unit should include at least two detectives assigned to handle follow-up investigations of gang-involved crimes, particularly aggravated assaults and robbery, and assist with homicide investigations. These detectives should make good use of GangNet as its major purpose is to assist in criminal investigations. Thus, the detectives should focus on rapid clearances but emphasize case quality over clearances, and track case dispositions, ranked by case quality, including time to disposition, case age, convictions and sentence, such as probation or active sentence. Centralized detectives are needed because analysis of arrests from 2000-2007 show that gang members arrested multiple times typically offend in different police districts. This is an artifact of the way district boundaries dissect problem areas in Durham and any future boundaries developed for police should give consideration to the way crime clusters and an offender’s typical “journey to crime.”

Among DPD’s three squads of uniformed gang officers, one squad should be designated to focus exclusively on gang problems. Their focus, and that of the DCSO, should be intelligence gathering, including building close relationships with patrol personnel by periodically attending roll calls; they should also routinely meet with SROs, GREAT officers and juvenile detectives from the police department and DCSO, and DCSO detention staff to gather intelligence information and to provide training in gang recognition. The street gang squad should provide investigative support to detectives. A lieutenant may be needed to assist the reorganized gang unit and provide a key contact point for the gang prosecutor, DCSO gang unit, and other agencies. This approach will permit Durham to adopt a system known as “vertical prosecution” in which case continuity and consistency improve case quality and disposition outcomes.

The purpose and priorities of gang units (DPD and DCSO) should be clearly articulated throughout the jurisdiction. An annual report of the unit’s accomplishments – including the collaborative efforts – should focus on providing indicators of effectiveness, not an activity report. Such reports can, for example, document the nature of gang-related crimes and report how quickly cases are cleared.

We recommend that assistance in crime analysis be provided to DPD's gang unit and reporting should draw from the format used for PSN's quarterly reports. Part of the analysis should involve monitoring the detention center log and arrest records. This unit should develop a system to identify incidents of pre-trial release offenders being rearrested – data that can be used to identify problems with pre-trial release.

Recommendation 5: Seek emergency assistance to reduce the backlog of gang cases.

It is not hyperbole to classify the backlog of felony prosecutions in Durham as a state of emergency. We have described in detail the backlog of cases in the Durham District Attorney's Office, and its contribution to detention center overcrowding, increased workload for police because of additional crimes committed by persons on pre-trial release, witness and jury intimidation and declines in convictions. The situation in Durham is egregious and is tantamount to a state of emergency. We recommend that the City and County of Durham ask the Governor to provide immediate if temporary assistance in terms of judges, prosecutors and other court personnel to redress the problem – particularly for gang-involved offenders. While we cannot determine the proportion of pending cases that are gang-involved, for the safety of the community, witnesses and victims, these cases should be prioritized and expedited. Further, a permanent staffing solution should be sought to ensure that felony cases can be handled in a timely way.

For all gang-involved cases, a system should be developed for tracking and reporting on the progression of gang-involved felony cases by defendant; neither cases nor charges should be the primary unit of analysis. Quarterly reports are sufficient and should routinely include information about the time from arrest to disposition, the disposition outcome and sentence.

Recommendation 6: Increase federal prosecution of gun crimes.

There should be more federal prosecution of gun crimes in Durham so that this threatened sanction is meaningful to would-be offenders, particularly gang-involved offenders. The use of threats without viable consequences seriously undermines public confidence in the criminal justice system and more priority should be given to gun crimes.

Gang-involved gun crimes not adopted for federal prosecution should be carefully monitored for dismissal and conviction rates and timeliness; this monitoring will provide accountability to ensure that adequate prosecutorial resources are available and that cases are of good quality for prosecution.

Recommendation 7: Follow progression and outcome of gang-related crimes.

The Durham DA should make the gang DA position a permanent position with benefits in order to ensure that experienced personnel can be attracted and retained in this important role. Since gang-involved crimes induce much fear in the community, and may be complex to prosecute, these cases need focused and experienced prosecutorial attention. It is egregious that the current gang prosecutor receives no benefits in her position.

It is unusual for a police agency to take responsibility for monitoring case outcomes as prosecutors usually perform these functions. Given the backlog of gang cases, we recommend that DPD establish a clear method to monitor all gang-involved cases, including the time from offense to clearance, from arrest to disposition, and conviction rate as a clear measure of effectiveness of the justice system in handling these cases. Since DPD supports a dedicated gang prosecutor with grant funds, this task can be carried out under the grant and DPD should assist in developing a useful reporting format that will not be labor intensive.

Pending violent gang cases should be prioritized to improve public confidence in the criminal justice system – as cases age, they become more susceptible to witness problems that reduce the likelihood of conviction.

Recommendation 8: Address witness intimidation.

To enhance successful prosecution of gang cases and minimize witness and jury intimidation, up to two experienced investigators from DPD should be assigned to the DA's office. These investigators should be available for all arraignments, work with DCSO to closely monitor gang presence at the courthouse, and educate bailiffs, judges and court personnel about gang behaviors and develop protocols that may require ID, ban cell phones and other paraphernalia that may be construed as gang-related or intimidating.

While DCSO has responsibility for building security of the courthouse, DPD investigators should closely monitor court dates for gang-involved cases to permit them to take proactive steps – in collaboration with DCSO – to prevent even a hint of intimidation. The investigators should be highly familiar with gang members and alert to the presence of any known gang members, and should assist the judge and the prosecutor in monitoring the courtroom for potential problems. Since DOC-identified STG members are prohibited from appearing in court unless they are directly involved in a case being heard, the investigators should also be very familiar with STG offenders under DOC supervision. These proactive steps to prevent witness and jury intimidation will assist in restoring public confidence in the justice system, consistent with national research (Finn and Healey, 1996; Johnson, 2006).

Recommendation 9: Improve inmate classification and increase STG investigations.

There is an inmate classification process at the Durham County Detention Center at intake, however, more emphasis should be placed on classification during intake and detention, as gang membership has important implications for inmate violence while in custody and reentry. Similarly, there should be more attention to graffiti within the detention center, and this should be closely monitored and quickly removed despite the obvious need for additional resources to do so. The detention center would benefit from additional staff to investigate STG membership and activities to address the greater prevalence of assaults associated with gang members.

Recommendation 10: Improve identity resolution and bail process at detention center.

There are numerous complaints of problems with identity resolution at the Durham County Detention Center. While there has been much attention focused on resource problems with magistrates, identity resolution is an important issue that should be prioritized. Positive identification is an issue that will become more difficult as Durham's population continues to diversify; other jurisdictions have experienced increased difficulties resolving identity because of unfamiliarity with the cultural practices of Hispanic surnames.

The Durham Roundtable began tracking release of offenders from detention center in 2007, but this process to review bonding and release decisions has been informal and recent checks of the web site suggest it has lapsed. Justice Xchange is an important tool for monitoring release and attention to this issue will increasingly hold the court system accountable for decisions. As part of using data strategically and tracking gang-related cases, bond adjustments and pre-trial release of gang members should be carefully monitored.

Consideration should be given to improving the bonding process as it relates to gang members. Because criminal organizations can aid in meeting high bonds, some states require the source of bonds to be established from legitimate sources. Judges can require bail sufficiency or surety hearings to ensure that bail money is from a legitimate source – that is, not the proceeds from criminal activity. Judges in New York and Illinois routinely make use of state statutes that permit such review.

Recommendation 11: Closely monitor probationers.

Studies shows that persons under correctional supervision are at high risk of recidivism and those involved in gangs are particularly at high risk. In Durham, the N.C. Department of Corrections (DOC) has designated personnel for supervising probationers and post-release offenders who have been identified as gang-involved. DOC classifies these individuals as members of Security Threat Groups (STG), and currently is often alerted to a probationer's gang status by the District Attorney upon sentencing. Prisons alert the county when a DOC inmate is released from prison. For probationers of school age, school attendance is mandatory and DOC has a probation officer who handles a case load of gang-involved high school students.

DOC currently works closely with DPD to carry out probation operations periodically. We recommend that DOC collaborate with DPD to map the addresses of gang-involved probationers and post-release to facilitate and focus efforts on persons of highest risk of reoffending.

Recommendation 12: Expand rehabilitation programs.

Durham has a limited number of programs and services available for offenders in custody and leaving custody. While in custody, services such as substance abuse treatment and mental health programming are needed. Upon release, offenders need housing assistance, education assistance such as helping offenders get their GED, job skills development and training and employment assistance. For gang-involved offenders, the risk of recidivism is particularly high. Therefore, intervention services need expanding. The most pressing need is to expand the capacity of existing programs, especially in the area of job readiness, placement, and job creation. Additional support is also needed for Project Restore, case management services for adult gang members who wish to leave gangs, and CJRC's Employment Assistance Program.

Because of the backlog of cases in Durham detention center, there are violent offenders – often gang-involved – who remain in custody for years before disposition. While we have recommended that these cases be fast-tracked, there is also a need to provide services to persons on long-term pre-trial detention. Mental health counseling would be particularly useful for these offenders and additional responses are described in the consulting report of the detention center.

CJRC and DCSO are launching a Detention center Reentry initiative to provide services—primarily job readiness, cognitive behavior and employment assistance—for sentenced offenders serving active time in the detention center. This is primarily focused on persons sentenced to 30-60 days. Such programming is needed and should likely be expanded in the future to include pre-trial detainees.

Juvenile Justice System Recommendations

Administrative Issues

Recommendation 13: Implement a systematic method to identify juvenile gang members.

A systematic protocol for identifying gang members in the juvenile justice system is needed because they are often unidentified—at least not immediately. The juvenile justice system needs more structured decision making tools (Wiebush, 2003) for handling gang members. Emphasis is placed in the Community Recommendations on the critical importance of developing a specific youth gang definition, and also defining a gang member (including identification criteria) and a gang incident.

At intake, all court-referred youth should be assessed for gang involvement using the NC DJJDP risk assessment instrument, which includes an item on gang involvement.⁸⁴ If gang membership is indicated, an in-depth gang assessment should be done to make a security risk classification.⁸⁵ A new instrument must be developed for this purpose. To ensure the safety of everyone, gang membership should be noted at each transition point in the juvenile justice system, adjudication, detention, and placement in a secure juvenile correctional facility. The Management Information System (MIS) recommended in the Community Recommendations would identify only those for whom gang membership has been verified in a more in-depth assessment. This designation must be removed when periodic re-assessment indicates that the youth is no longer a gang member. This is critical because sentencing statutes enhance criminal penalties for gang members in NC. Research shows that less than half of children and adolescents who join a gang will be in the gang a year later; thus it would be unjust to impose an enhanced sentence on an offender who is no longer in a gang.

The NC DJJDP had begun developing policies and procedures for identifying and processing gang members but completion of them was postponed, pending anticipated legislative action on gang bills in both houses of the legislature. However, gang definitions in state and federal gang legislation are typically very broad, thus the NC DJJDP likely will need to promulgate a more specific definition than the forthcoming legislation provides. Such a definition is offered in the Community Recommendations.

Recommendation 14: Separate juveniles from adults in GangNet.

Juvenile gang members should not be entered into GangNet until a review is done to ensure compliance with federal regulations on criminal intelligence data (28 CFR, Part 23). Only following this review can we recommend whether juveniles should be included in this database. Even when included in GangNet, it is necessary to use special procedures to separate juveniles from adults. Juvenile gang members are distinctively

⁸⁴ North Carolina Assessment of Juvenile Risk of Future Offending

⁸⁵ Updated security classifications should be made in the event of detention or secure correctional facility placements; ideally using the same risk instrument.

different from adult gang members; they are not as criminally active and their membership in gangs is often transitory. Juveniles are also likely to falsely claim membership. For these reasons, juvenile entries must be purged more frequently than for adults. Separating juveniles from adults in GangNet permits the use of juvenile data for investigations or strategic planning purposes.

Recommendation 15: Add juvenile court counselors.

More juvenile court counselors are needed in Durham. A recent statewide study (NC DJJDP, 2007, p. 7) documented the increased workloads of juvenile court counselors across the state. Durham juvenile court is no exception, and the increased targeting of gang members that is recommended here will further increase workloads because of the elevated and multiple treatment needs of this subgroup of offenders. More intensive supervision of this offender subgroup is also needed to protect the public. Thus Durham's court counselor needs should be reassessed.

Equality Issues

Recommendation 16: Examine disproportionate minority representation.

The disproportionate minority representation of African-Americans in the Durham juvenile justice system needs to be researched. Such a study must first examine the relative proportion of Children of Color that are referred to court. Nationwide, children of color are more likely than white youths to be arrested for similar offenses; hence they are overrepresented in police, court, and correctional data. Therefore, children of color are likely to be exaggerated in official gang data compiled in criminal and juvenile justice systems. According to law enforcement respondents to the National Youth Gang Survey, nearly half (49%) of all gang members are Hispanic/Latino, 34% are African American/black, 10% are Caucasian/white, and the remainder are of some other race/ethnicity (Egley, Howell, & Major, 2006). In contrast, surveys of young gang members show a much more even racial/ethnic representation. A large survey of middle school-aged students in 11 diverse cities in the United States found that, overall, 25% of the gang members were Hispanic, 31% were African-American, and 25% were white (Esbensen & Lynskey, 2001). However, this study revealed considerable variation across the 11 sites, leading the researchers to conclude that gang composition is a reflection of the racial/ethnic makeup of their communities.

System Efficiency and Effectiveness

Recommendation 17: Target juvenile gang members with graduated sanctions and intensive services.

Better targeting of gang members with a system of graduated sanctions and effective services is needed in Durham to lower the high juvenile offender gang member recidivism rate. The Durham juvenile court will need to exercise strong leadership to change practices in the county and its social service agencies to accomplish this

recommendation. Gang members are predominant among Durham’s serious, violent, and chronic juvenile offenders—which typically is the case elsewhere (Howell, 2003, pp. 83-84). The extensive presence of multiple problem behaviors in gang offenders calls strongly for active intervention teams that integrate intensive supervision with equally intensive treatment. The most elevated treatment needs for gang members are poor parental supervision, serious school problems (multiple suspensions, chronic truancy, or dropout), mental health problems, alcohol and other drug use, and below grade level performance in school.

Intensive supervision and services must be linked to address gang members’ (and their parents/guardians) treatment needs in each of the above identified areas. Up to 8 out of 10 of the gang members are both disconnected from school (by suspensions, truancy, or dropout) and weakly tethered to their families. Three interagency protocols are recommended to ensure that these specific problems are ameliorated in individualized treatment plans.

The first new inter-agency procedure will be to conduct a comprehensive assessment of treatment needs once the preliminary juvenile court needs assessment has been completed, and these court-referred youth have been assessed for gang involvement. At this point, a comprehensive or in-depth assessment must be made of the tentatively identified treatment needs as revealed in the court needs assessment.⁸⁶ A protocol and schedule of instruments must be agreed upon by the juvenile court, the Durham System of Care and other partners. This is also called an on-site dual-diagnosis assessment.

The second new procedure is the joint development of comprehensive treatment plans that are to be implemented with shared funds and rotating agency case management. An ideal strategy is for the mental health, child welfare, education, and juvenile justice systems to make it a priority to integrate services for the troubled clients they share at any given time (Howell et al., 2004), including those who are gang-vulnerable or gang-involved. The utility of such an initiative is supported by the following common realities:

- Gang members are not qualitatively different from other similarly criminally active offenders except that, on average, they may have more multiple-problem behaviors and they tend to be on a trajectory of worsening behavior.
- The families of gang members are not qualitatively different from other troubled families. The most troubled families tend to spawn more gang members and gang members tend to have more risk factors and treatment needs (Howell & Egley, 2005).
- Both NC DJJDP’s Juvenile Justice System and Durham’s System of Care should be guided by a “no eject; no reject” policy of service delivery (regardless of the level of severity of the child’s symptoms or disturbance, level of care needed, or other complicating circumstances), promulgated in the

⁸⁶ North Carolina Assessment of Juvenile Needs

original system of care model and successfully demonstrated with violent and seriously emotionally disturbed youngsters in the NC Special Populations (Willie M.) Program (Behar, 1986; Howell, 2003, pp. 228-232).

The third new procedure in this collaborative effort is what is characterized as “braided” or “blended” funding, also called pooled funding of services. This innovation will greatly facilitate integrated services, and has an excellent chance for success in Durham because of its council-manager form of government. There are examples of success with this flexible funding approach using “wraparound” service delivery principles, for younger clients in Milwaukee (Kamradt et al., 2004) and for slightly older youth in the Norfolk Interagency Consortium (Howell, 2003, pp. 237-38). A precedent has been set in Durham with the pooled mental health, juvenile justice and social services funds for the Durham eight “rapid response” beds that can be accessed for youth that need a short-term placement (see the Durham System of Care program description). Many other jointly funded initiatives can be found in the Durham program continuum.

This last point of emphasis is not a new one: Improve providers' ability to address youth delinquency, and alcohol and drug problems, concurrently with mental health issues. This is an ongoing concern of Durham's Juvenile Crime Prevention Council. The key point here is delivery of evidence-based services (see the Community Recommendations section for a definition) to the most difficult clients. Most juvenile justice service providers in Durham probably use effective services that are readily available (see the Community Recommendations section). Durham's key juvenile justice services have received an initial evaluation using a new tool for comparing existing services to best practices seen in rigorous program evaluations: A *Standardized Program Evaluation Protocol* (SPEP) was developed for this purpose (Lipsey, Howell, & Tidd, 2003). Ongoing evaluations of the full range of prevention and treatment services for all juvenile offenders and at risk youth can be made using this practical tool. The SPEP also contains guidelines for program improvements, which can incrementally make existing programs more evidence-based.

Detention and Confinement

Recommendation 18: Commit to a new juvenile detention center.

A new detention center is needed and it appears that Durham's detention beds need expanding. The limited capacity (14 beds) makes segregating youth and administration of therapeutic services very difficult. Of course, caution must be exercised in the use of detention; particularly to ensure that it does not contribute to the school-to-prison pipeline. A report recently released by the Justice Policy Institute found that the detention of juveniles is associated with a number of negative outcomes, including higher rates of future offending (Holman & Ziedenberg 2006). On the other hand better targeting of gang members for sanctions and services may require more detention beds if the juvenile gang component of Durham's gang problem is not reduced. Another key consideration is the pending legislation that would raise the upper age of juvenile court jurisdiction in

North Carolina from 15 to 17, thus bringing far more juvenile offenders under the purview of the Durham juvenile court.

The new detention center should be placed in a new building that would jointly house the Assessment Center proposed in the community recommendations. Such a combined operation could well be the linchpin for well coordinated and integrated services that re-connect troubled youth to juvenile justice, social services, child welfare, schools, mental health, and other agencies with case management in a wraparound process. Such a one-stop center will, of course, be costly but well worth the costs. However, this facility and the programming can be developed incrementally, beginning with service coordination and integration. The cost burden should be shared by numerous entities, including Durham city and county, the Durham Sheriff's Office, the Durham Police Department, Project Safe Neighborhoods, Durham economic development funds, and foundations.

The Annie E. Casey Foundation should be contracted to conduct a rigorous assessment of Durham's juvenile detention needs. The Foundation has a renowned detention assessment process, its Juvenile Detention Alternatives Initiative (JDAI), which has been implemented in 80 sites in 21 states. JDAI promotes changes to policies, practices, and programs to:

- reduce reliance on secure confinement;
- improve public safety;
- reduce racial disparities and bias;
- save taxpayers' dollars; and
- stimulate overall juvenile justice reforms.

<http://www.aecf.org/Home/MajorInitiatives/JuvenileDetentionAlternativesInitiative.aspx>

In the meantime, to alleviate overcrowding in detention (the Durham Youth Home), stays for youths awaiting court appearances should be shortened, and cases bound over to Superior Court need to be expedited. An additional Level IV group home would also help address the overcrowding.

School Recommendations

As seen in the "Crime and Perceptions of Public Safety in Durham Public Schools Safety" section of this report, middle schools experience a considerably higher amount of crime than other schools (Table 9). Further, data we have gathered in this assessment (see Table 12, Figure 36) suggest gangs have a substantial presence in these grades.

- Two-thirds of the officers assigned to middle schools and high schools perceived "some" students to be gang members. Among school-based officers, almost two-thirds (64%) think gang problems are worsening.
- Citizen perspectives on locations of gang prevalence and crime hot spot maps show that students in some school assignment zones live in close proximity to areas where gang members and violence are substantial (Figure 39).

Recommendation 19: Assess and prioritize specific schools for gang violence.

The most urgent recommendation is to assess more specifically as quickly as possible the extent and nature of gang activity in Durham schools, so that interventions and resources can be targeted sooner and more strategically. Public and student safety is the paramount consideration. Because inter-gang conflicts could easily escalate with little provocation, prevention and early intervention are advised measures. A student survey is needed to determine the level of gang membership and school locations. School officials, teachers, and School Resource Officers should be consulted regarding the survey design and use of results to determine the specific locations where community-school connections need to be addressed. Community gang problems typically are more serious than in adjacent school settings and tend to spill over into schools.

Recommendation 20: Reduce suspensions, drop-out and truancy.

Reducing school suspensions, dropout, and truancy is the second most urgent action that needs to be taken in Durham. If successful, this will help to diminish Durham's gang growth. Each of these problems serves to un-tether or disconnect youth from school and thus leads to other problem behaviors including gang involvement. The need for attention is urgent because of the large numbers of Durham youth that are un-tethered from adult supervision. For example, a total of 6,459 short-term and long-term out-of-school suspensions were issued in 2005-06, and for multiple days: an average of 3-6 days each. School truancy and dropout are related problems that can be addressed in the same systematic process.

The North Carolina Child Advocacy Institute (2005) noted that school suspensions increase sharply between the 5th and 6th grades (during the transitions from elementary to middle school) and between the 8th and 9th grades, during the transition into high school. We noted that the initial juncture is a key point at which youngsters are likely to join gangs; therefore if school suspensions could be reduced at this juncture, gang joining might also be reduced.

An effective method for accomplishing these goals has been developed in North Carolina, and it has been applied in 27 Local Education Agencies. The Center for the Prevention of School Violence (CPSV) has developed a systematic process by which the schools can address the challenge that high suspension rates present. It's called Project ReSET (Response to Suspension and Expulsion Trends). The Center has created a Tool-Kit which gives school districts step by step instructions on how to create an alternative

program for suspended kids. It incorporates valuable lessons learned from prior CPSV work in this area. For example,

LESSON ONE: Understand the school climate

As CPSV notes, research indicates that students in a school with a positive school climate are more likely to attend regularly, cooperate fully, contribute more frequently, and achieve better than students from a school with a less desirable school climate. Creating such a climate starts with the administrator, in identifying opportunities to positively change practices, programs, and policies to ensure success for all youth. Ten issues should be addressed at the outset:

Ten Questions Every School Should Answer

In understanding the school climate, gaining the perspective of students and staff is critical. Here are ten initial questions that can start the process of determining the nature of the school climate.

1. Do students / teachers feel safe at school?
2. Do students feel connected to the school?
3. Do students / teachers feel that they are treated with respect?
4. Do students feel that teachers care about their success?
5. Do students have opportunities to be meaningfully involved in the school community?
6. Do teachers expect the best from all students?
7. Do students feel engaged in the learning process?
8. Are parents given an opportunity to be involved in the school?
9. Are teachers given an opportunity to integrate innovative teaching strategies?
10. Is the community a viable part of school activities?

CPSV officials have offered to help DPS officials implement a balanced strategy for reducing school suspensions.

Other solutions to the inordinately high school suspension rates in North Carolina include (Action for Children, 2007):

- Using data to drive decisions and accountability;
- Altering class change schedules during the school day;
- Implementing Positive Behavioral Supports throughout the school;
- Creating Ninth Grade Academies to help students with the transition to high school;
- Drawing on existing community resources and supports to ensure students' needs are being met;
- Changing policies so that suspensions are not the "first course" of action; and
- Linking troubled students with physical and mental health services.

Two other key recommendations come from a national study of zero tolerance policies and outcomes (Osher et al., 2001).

- Reserve zero tolerance disciplinary removals for only the most serious and severe behaviors, such as weapons offenses, and define these behaviors explicitly.
- Replace inflexible disciplinary strategies with graduated systems of discipline, with consequences geared to the seriousness of the infraction.

Two specific measures should be taken to reduce truancy rates: early truancy enforcement and creation of a truancy drop-off site. The truancy drop-off site is discussed in the community recommendations. Multiple community initiatives to address truancy rates early are underway in Durham (see the Durham Program Continuum). For early intervention purposes, the school district redirected social workers to work more closely with school staff and families who were experiencing attendance problems. The District Attorney's Office created a warning letter to parents of students who accrue six unexcused absences and were in jeopardy of violating the compulsory attendance law. To assist these students and families, Truancy Court—conducted within the school, presided over by municipal judges or attorneys, and organized by school-based counselors and social workers—was developed in order to provide interventions before truancy cases enter the legal system.

Other creative measures need to be taken, particularly options that assist in very early intervention. Louisiana's Truancy and Assessment Service Centers (TASC) provide early identification and assessment of truant children and families to prevent continued unauthorized school absences. The TASC centers aim to reduce truancy for children in K-5th grade with prompt delivery of coordinated services. (Link: <http://www.socialwork.lsu.edu/ossrd/taschome.htm>)

Special attention should be paid to students with numerous short-term suspensions. The odds are very high that these students are experiencing problems in other life domains—especially in their families and communities—that are contributing to school problems. In-school options to suspension and alternative education opportunities must also be increased.

Wherever we went in Durham, we were told that the school district has far too few in-school options to suspension and it is obvious that there are only two main alternative education opportunities in the county: the Lakeview and New Horizons alternative schools.

Recommendation 21: Increase referrals of the most troubled youth to services.

The simplest and quickest way to accomplish this, which also will help reduce suspensions, dropout, and truancy is to establish an Assessment Center to serve the middle schools that have the highest rates of gang activity, drug use and alcohol use. The

best model is the school-based Norfolk Assessment Center. It is staffed by several agencies, including the community mental health agency, public schools, the court services unit, the Department of Human Services, and the Boys and Girls Club. Each of these agencies makes referrals of youths who are experiencing mild to moderate emotional and/or behavioral difficulties to the center. Each referred youth first receives a comprehensive mental health assessment, after which center personnel develop an individual service plan for the youth to address his or her needs in the areas of mental health, substance abuse, medical attention, education, human services, court services, recreation, and employment. The center also provides follow-up and case management services for the youth and family. The case managers facilitate interagency service delivery, empower clients, offer emotional support, arrange appointments, monitor compliance, make home/school visits, and perform other needed services.

The highly acclaimed Positive Behavioral Support (PBS)—also called Positive Behavior Intervention and Support (PBIS) or School Wide-Positive Behavior Support (SW-PBS)—is a very promising framework with the potential of improving school climate and linking students with serious behavioral problems to needed services—although results to date do not qualify PBS as an evidenced-based practice, (Kutash et al., 2006, p. 32). Most experts in the field agree that PBS is in its infancy, and the most promising results to date have been found when PBS was implemented in conjunction with functional behavioral assessments for serious behavioral problems (p. 32). Several recommendations would help accelerate full implementation of PBS in DPS.

First, we suggest selecting two middle schools that appear to need all three levels of PBIS implementation as soon as possible, because of school safety problems, gang presence, and elevated suspensions.

Second, an annual survey of all students in the Durham middle schools should be performed. This tool would enable DPS to classify students into one of three levels: primary (e.g., receive basic educational material), secondary or “at-risk” (e.g., receive enhanced involvement with school counselor), and tertiary or “high-risk” (e.g., receive intensive intervention services).

Third, youth placed in each of these three levels should then be reassessed for progress at regular intervals to monitor progress and ensure involvement in the appropriate level of prevention programming.

Fourth, students in the third category who have been suspended or are at high risk for suspension or dropping out of school should be assigned top priority for services. Students in this group who are actively involved in gangs or at high risk could be referred for more intensive services to the gang Intervention Team or the Durham System of Care.

Those students not referred to the Intervention Team or SOC could be referred to a new program that is currently under development as a pilot project in two Durham schools, the “Student Suspension Alternative” (SSA). It might also be appropriate for suspended students in the two-school initiative recommended here for accelerated PBS implementation. It is designed to give immediate attention to students in the tertiary or “high-risk” category who have already been suspended—at the specific point when suspension occurs.

Recommendation 22: Expand gang awareness training.

Gang awareness activities that educate children, and train parents in gang prevention and child supervision skills must be undertaken in all Durham schools. Because gang membership doubles from ages 12 to 13 in Durham (as seen in juvenile justice assessments), gang awareness education should be provided in elementary school. Gang Resistance Education and Training (GREAT), was developed as a middle school curriculum, but curricula have been developed for third/fourth graders and fifth/sixth graders. An evaluation of a previous version of GREAT showed a “small but systematic beneficial” program effect (Esbensen, Osgood, et al. 2001) on participants in terms of reduced victimization, more negative views about gangs, improved attitudes toward police, more pro-social peers, and less risk seeking, but not on gang involvement, drug use, or delinquency. An improved version of GREAT is currently under evaluation in multiple cities.

Recommendation 23: Involve outreach workers.

Durham currently has three Outreach Workers (employed by Project Safe Neighborhoods, Boys and Girls Clubs and Durham Parks and Recreation). Their work is vitally important for two main goals, to prevent youth from joining gangs and helping gang members abandon the gang lifestyle. For gangs to grow, they must add new gang members. If Durham’s Outreach Workers and programs can delay the age at which juveniles join gangs – for example, pushing the age of joining from 12 to 14, or 13 to 15 – this will reduce the size of Durham’s gangs. So will successful efforts to separate youth from gangs. Potential members can be identified at the earliest point of associations with gangs and gang members. Thus, priority neighborhood locations should be identified where these associations occur, including schools, youth service programs, juvenile court, the Durham County Youth Home, community recreation programs, and the like. These are also priority locations for the Outreach Workers’ intensive work with active gang members, in conjunction with The Intervention Team, helping them find pathways from gangs. The role of SROs and GREAT officers also needs to be strengthened, to address problems that are “simmering” in the school setting and anticipate escalation of problems in the community—and vice versa. Durham Outreach Workers and other Intervention Team members would benefit from additional training by Mr. Victor Gonzalez, who provides training on the Comprehensive Gang Model in conjunction with the National Youth Gang Center.

Recommendation 24: Revise the Code of Student Conduct.

The Code of Student Conduct on Prohibition of Gangs and Gang Activities (Policy 4301.10, Rule 10) should be revised to incorporate a more specific gang definition. The definition⁸⁷ that DPS recently added to its anti-gang policy is so broad that it could lead to over-identification of presumed youth gang activity in schools. That definition is

⁸⁷ “A gang is any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of criminal acts and having a common name or common identifying sign, colors, or symbols.”

typically used by law enforcement to identify adult criminal organizations along with street gangs. A more specific *youth* gang definition is provided in Recommendation 27 for community-wide use. In addition, community definitions of gang members and gang incidents should be incorporated in the Code of Student Conduct.

Recommendation 25: Review and revise local safe school plans.

North Carolina General Statutes (§ 115C-105.47) require schools to develop local safe school plans. Law enforcement input in the development of these is recommended, “to ensure that schools are safe and laws are enforced” (sec. 10). These plans provide an important mechanism for DPS and law enforcement to develop shared objectives and communicate these to the public.

Community Recommendations

The “community” domain has two main dimensions. First, it covers the entire county, like an umbrella and embraces community-based agencies as well as the various governmental entities that are covered in more detail in separate recommendations (schools, juvenile justice system, and criminal justice system). Second, program emphasis in the community domain is on prevention, particularly for Durham’s youngest residents, children up to age 16 and their families.⁸⁸

Recommendation 26: Implement the Comprehensive Gang Model.

Top priority should be given to completing the implementation of the Comprehensive Gang Prevention, Intervention, and Suppression Model in Durham. The basic infrastructure has already been established with funding for the “Gang Violence Prevention Program” by the N.C. Department of Juvenile Justice and Delinquency Prevention and the Governor’s Crime Commission. Additional funds are now available under the U.S. Department of Justice Raleigh-Durham project, “The Comprehensive Anti-Gang Initiative.”⁸⁹

- An Anti-Gang Coordinator position that we earlier recommended has been established. This position is under the general direction of the City Manager’s Office and a Durham Anti-Gang Violence Initiative Steering Committee.

⁸⁸ In North Carolina, persons aged 16 and above are considered adults under the juvenile code and criminal law. Herein, persons under age 16 are called “juveniles” or “adolescents,” persons aged 16-21 are referred to as “older adolescents” (and intervention programs apply mainly to them), and persons aged 18 to approximately 24 are referred to as “young adults” (and suppression programs apply mainly to them).

⁸⁹ Each of these two titles refers to essentially the same basic program design - the Comprehensive Gang Prevention, Intervention, and Suppression Model, with varying degrees of emphasis on each of the three components. Herein, the overall program design is referred to as the Comprehensive Gang Model.

- The prevention component of the Comprehensive Gang Prevention, Intervention, and Suppression program must be focused on reducing or postponing youngster's involvement in gang activity. For gangs to grow, they must add new gang members. To reduce gang problems, Durham can delay the age at which juveniles join gangs – for example, pushing the age of joining from 12 to 14, or 13 to 15 will reduce the size of gangs. This objective should mainly be located in the schools (see the school recommendations) and community locations where children and adolescents can be engaged with gang awareness education and outreach services.
- Preliminary steps have been taken to establish an Intervention Team in the GVPP to target active gang members whom professionals believe can be separated from gangs. However, this Intervention Team has not been activated. Several Durham agencies with responsibilities for gangs and gang members, including police and sheriff's agencies, adult and juvenile probation, community-based youth agencies, and street outreach workers are active members of the Intervention Team. The core staff is those who are expected to have daily contact with targeted youth. In addition, a tattoo removal service is needed to help gang members extricate themselves from gangs.

Recommendation 27: Adopt a uniform gang definition.

A specific gang definition must be developed and adopted in Durham. While law enforcement have a uniform definition, a rather specific one that is recommended for community-wide use follows:

- The group has three or more members
- Members share some sense of identity, especially symbols and a name
- Members view themselves as a gang and they are recognized by others as a gang
- The group has some permanence and a degree of organization
- The group uses verbal and nonverbal forms of communication, and
- The group is involved in an elevated level of delinquent activity.

This definition is offered as a preliminary one, subject to review and discussion by community stakeholders. Reaching consensus on a practical gang definition that will be used county-wide is extremely important. In addition, definitions of a gang member (including identification criteria) and a gang incident must be developed and agreed upon.

Recommendation 28: Inventory existing resources in Durham’s continuum of services and programs.

Supports for gang-vulnerable and gang-involved youth must be inventoried. Our compilation, the “Durham County Continuum of Programs for At-Risk and Gang Involved Youths” (Appendix 1) is a preliminary inventory. It should be catalogued in the electronic web-based Community Resource Inventory (CRI) that can be maintained through a free account in the federal Community Guide to Helping America’s Youth website: <http://helpingamericasyouth.gov/>

All conceivable resources in the Durham continuum of services and supports for gang-vulnerable and gang-involved youth would be catalogued in this inventory. After the main continuum services brought to our attention and inserted in the above report are entered, the inventory should next be populated with information on programs and services that already are in the Network of Care for Children & Family Services: <http://durham.nc.networkofcare.org/family/home/index.cfm>.

The Network of Care is an online information place for the individuals, families and agencies involved with children and youth ages 0-18, that provides critical information, communication and advocacy tools with a single point of entry. These two electronic tools can be linked, which would greatly assist service providers in finding the best and most appropriate services for families.

Recommendation 29: Expand the use of evidence-based programs.

For prevention and intervention efforts, the Community Guide to Helping America’s Youth website, <http://helpingamericasyouth.gov/> includes a searchable program database with descriptions of over 180 youth-serving programs that have demonstrated effectiveness in addressing a wide range of risk factors and problem behaviors such as gang activity, violence, and drug use. A similar database that contains delinquency and gang program information is available at the National Youth Gang Center (www.iir.com/nygc/tool), connected to the gang Strategic Planning Tool. A key feature of this database is that—in addition to evidence-based programs—it contains information on gang program structures⁹⁰ (e.g., detention or graduated sanctions) that are necessary in the graduated sanctions component of the juvenile justice system. A good example is “no gang contracts” recommended in the juvenile justice system recommendations that follow.

There is another important source for evidence-based program information. Systematic research synthesis, known as meta-analysis⁹¹ provides general guidelines about effective

⁹⁰ A program structure is a setting or context that fulfills specific intervention needs or requirements other than service delivery (e.g., child protection in a group home) but may incorporate a service (e.g., individual counseling).

⁹¹ Meta-analysis is a technique for statistically representing and analyzing findings from a set of empirical research studies (Lipsey, 2002).

practice. The synthesis approach is thus similar to the model program approach in its reliance on previous research conducted someplace other than the local implementation. It differs from that approach by typically drawing on a larger body of research and providing less rigid guidelines for program practice (Lipsey, 2005). Program guidelines based on systematic research syntheses are available in professional journals. The Duke Center for Child and Family Policy should be consulted for these references. (Because of the paucity of rigorous gang program evaluations, meta-analyses have not yet been conducted in this area.) A list of repositories of evidence-based programs is found in Appendix 5 and a listing of the top rated programs appears in Appendix 4.

Recommendation 30: Create a one-stop assessment center.

Durham should create a one-stop Assessment Center (AC) for children and adolescents who are gang-vulnerable or gang-involved—and non-gang offenders as well—to connect these groups to needed services and supports.

The AC would serve all individuals under age 18, and have secure (detention) and non-secure (shelter) twenty-four hour operations (at a later point). Youth would be referred by law enforcement, schools, parents, juvenile courts, criminal courts and other agencies.

The AC would provide assessment services and (later) serve as a drop-off site for law enforcement. Law enforcement data demonstrate that sworn officers in Durham are often involved in transporting or monitoring suspended school-age students whose parents are unable to pick them up. Truant students and those with out-of-school suspensions place a further burden on law enforcement resources in the community.

The AC would also provide gap-bridging services for those young people (ages 16-17) who straddle the juvenile justice and criminal justice systems because of their ages. Services likely would include GED preparation, vocational education, tattoo removal, transportation, day treatment, cognitive-behavioral treatment, and other research-based services.

Comprehensive assessments would identify critical services to address treatment needs (e.g., mental health problems and substance abuse) that could be provided in the physical location of the AC and also be delivered by representatives of other agencies. However, certain types of treatment are in short supply, including mental health therapy, substance abuse treatment, family counseling, vocational education, employment training, and job placement.

The Management Information System (MIS) would be housed in the Assessment Center. Free software is available at the National Youth Gang Center (850-385-0600; nygc@iir.com). This software can be adapted to other applications such as web-based systems. The MIS would link all participating agencies on the Intervention Team and facilitate Case Management of clients. The MIS would support case management and produce monthly reports on client status for the Intervention Team.

Recommendation 31: Continue to emphasize the role of the community.

Partners Against Crime (PAC) is an important mechanism for obtaining community input on crime problems and for collaborative efforts in solving the reported problems. We've not seen such an effective mechanism in another city. The most comparable structure is Chicago Alternative Policing Strategy (CAPS) (Skogan & Steiner, 2004), but the PAC initiatives involve far more analysis of crime problems than Chicago's CAPS. Addressing issues about crime and gangs appears to have a very positive impact in communities—particularly in terms of reducing fear and countering efforts to “reduce snitching.”

There have been some efforts in Durham to reach out to the community after a crime occurs. This provides important reassurance to the public, and assists law enforcement officers in locating witnesses and/or suspects. To expand these efforts Tiplines such as CrimeStoppers are important for gathering information about crime and efforts should be expanded to solicit more information from the public. Churches, in particular, can play a role and can operate tip boxes for citizens to share leads to help law enforcement identify suspects.

Recommendation 32: Provide services and resources to victims of gang violence and intimidation.

Victimization is a key risk factor that can lead to gang involvement. Victims of gang violence need services and resources and they need these in varied settings.

- Families in which abuse and neglect, and family violence are prevalent. Needed services include medical and psychosocial assessment, mental health trauma treatment, family and individual counseling, and legal services to affected children and their families.
- School-based services to victims of gang violence and intimidation. These would include conflict resolution, gang resistance counseling, tutoring, and mentoring.
- An emergency room intervention for victims of gang violence to break the cycle of retaliation and victimization. Staff would assess the victim's condition and situation and refer them for services.

Recommendation 33: Increase gang awareness activities that educate the media, parents, and children.

The public is particularly susceptible to misconceptions about Durham’s gang problem and needs to be reminded that Durham is not the center of all gang, criminal, or drug activity in the state. To combat this on-going image problem, the gang issue needs to be put in the broader context of a thriving community that is moving forward on many fronts and quite capable of resolving episodic problems. Recommended strategies include inviting media to community forums on Durham gang realities (that disseminate information in the first section of this report, What We Know about Gangs In Durham), reaching parents and youths in public housing units, convening community town hall meetings for parents and reaching students in schools.

The three audiences represented in these strategies—media, parents, and their children—need to be educated on certain unique aspects of gangs.

- Media should be discouraged from using gang names. Electronic and print media should be strongly discouraged from including the names of gangs or gang members in their coverage. While it is advisable to mention that a crime was gang-involved, reporting the name of the gang serves to increase the notoriety of that gang and increases the likelihood of retaliation. Moreover, the added attention helps gangs recruit new members.
- Parents should be educated on gang dynamics. Durham parents should be educated on gang structure and dynamics, including gang signs and symbols. Parents need clear advice on steps to prevent their children from joining gangs, and/or how to intervene after joining. Communities can also play a role in preventing gangs from attracting and recruiting new members.
- Children (especially elementary and middle-school aged youngsters) need to understand that the key motivations for joining gangs (presumed protection and social reasons) are seriously misguided, and that gang life potentially carries high risk of violent victimization and imprisonment.

It would be advisable for the incoming Project Coordinator to conduct a review of the wide variety of gang awareness material that is currently being distributed in Durham and develop a distribution plan that targets the above audiences with material that is tailored specifically for them, and a follow-up strategy. Important points of emphasis in gang awareness information include:

- Dispelling myths about gangs (see Howell, 2007a, 2007b)
- Conveying realities about gangs in Durham and other large cities (see Howell, 2006)

- The differences between gang symbols and non-gang graffiti (see Weisel, 2004).
- The variety of gang structures and their constantly changing nature (see Weisel, 2002).

Recommendation 34: Continue graffiti abatement efforts.

The City of Durham’s Department of Neighborhood Improvement Services immediately removes graffiti after the DPS Gang Unit has collected the necessary evidence. The City is doing an excellent job in identifying and quickly removing graffiti. Based on our experience, this is one of the leading initiatives in the nation. Durham would be well-served to carefully evaluate this effort, to provide some empirical evidence of its effectiveness. Durham County may wish to adopt an equally proactive effort in addressing graffiti problems if they should worsen in the county. Further, DCSO should closely monitor and remove graffiti in the detention center and DPS should do so on school property.

Recommendation 35: Limit use of juvenile curfews.

Studies consistently report that juvenile curfews have no impact on crime (Adams, 2003) and we do not recommend that curfews be adopted. Adopting curfews increases public expectations of police for gaining compliance yet these ordinances are inherently difficult to enforce and easily evaded by youth. Thus, curfews can further erode public confidence in the police. It should be noted that “there is some scant evidence to suggest that short-term, highly focused, and geographically limited curfew enforcement can reduce juvenile crime” (p. 156). We recommend that curfews be imposed and compliance carefully monitored on all court-involved juveniles in areas such as DPD’s Operation Bull’s Eye target area in East Durham, where gangs and gun crimes are most prevalent. Further, parents should be strongly encouraged to set their own guidelines for juveniles to ensure the safety of their children and it seems reasonable that juveniles do not need to be unsupervised on the street after 9 p.m.

Recommendation 36: Increase attention to Hispanic gangs and the needs of Hispanic residents.

In addressing gang problems, Durham officials need to be keenly aware of the rapid growth of the Hispanic population in Durham City and County. This growth is already reflected in the large increase in Hispanic population in Durham Public Schools. Although police and sheriff’s agencies are monitoring the growth of Hispanic gangs, there are unique challenges in responding to problems related to such groups, including language and cultural barriers. All agencies have challenges in recruiting personnel with Spanish language skills and this should be given attention in Durham, including providing financial incentives for personnel to obtain fluency in Spanish.

Recommendation 37: DPD should continue its annual citizen survey.

Durham should continue to contract for the annual Citizen Satisfaction Survey currently fielded for the police department by the Durham Convention and Visitors Bureau. This provides an important benchmark of citizen satisfaction with police service, and also captures residents' perceptions of crime and safety, as well as their views about gangs.

Close attention should be given to the subtle messages about crime in Durham that are conveyed through this survey and publication of the survey findings. While the survey specifically asks respondents about their perceptions of gangs and of safety, they are not asked about their views of other public safety problems. Citizen surveys typically show that citizens are as much concerned about traffic problems, such as speeding, as they are about serious crime (Weisel, 1999). Thus, a survey that embeds questions about gangs *among* other public safety problems will provide a more reliable metric of how gang problems fit among the broader public concerns about safety. Further, continuing investments in a citizen survey may be more valuable if the survey can be adapted to permit analysis relative to the respondent's geographic residence.

In continuing the survey, attention should be given to the methodology employed. The dramatic declines in public confidence in the police merit close examination into this issue. Although the surveys in 2006 and 2007 were carried out during an unusual climate of public safety – that is, in the midst of the Duke lacrosse case – we find it highly unusual that public views would seesaw so dramatically over three years and consider that such a dramatic seesaw may reflect an issue related to survey methodology, administration or analysis.

Recommendation 38: Capitalize on non-governmental resources.

Durham should mobilize other community sectors to become more actively involved in providing alternative opportunities for Durham's gang-involved young adults, particularly job training and employment opportunities.

Project STRIKE has been a focal point of job training and employment for offenders who wish to abandon the gang lifestyle and ex-offenders (Crime Cabinet, July 14, 2006 minutes) – however, a very limited number of offenders are served in this effort and fewer than 10 were participating. The need for job training also is currently addressed by the Men of Vision and Tarheel Challenge, and on an ongoing basis by the Durham Workforce Development Board and other organizations that have made commendable progress, but the enormity of the challenge exceeds existing resources.

The study conducted by MDC Inc. (An interview with David Dodson, 2007, "Disconnected Youth") recommended a first step, a symposium in which business, government, nonprofit, and youth leaders can sit down and talk about the realities of the youth unemployment problem. The study author said "Business and government could begin to think differently about employing young people – with apprenticeships, job shadowing programs, subsidized employment – all leading to real-wage employment so

that there's a developmental continuum that moves young people into work in a conventional setting.”

Recommendation 39: Expand use of N.C. Child Response Initiative.

Durham should increase utilization of the services of the North Carolina Child Response Initiative. This collaborative effort between the Durham Police Department and the Center for Child and Family Health (CCFH) and others ensures rapid responses to calls in which a child is involved in or exposed to domestic or community violence. Services include medical and psychosocial assessment, mental health trauma treatment, family and individual counseling, and legal services to children and their families. More referrals should be made to the Child Response Initiative from a variety of sources including rape crisis and women's centers, domestic violence shelters, schools and social service organizations.

Recommendation 40: Insure that early intervention programs are focused.

Early intervention programs need to be examined for the extent to which they target families and troubled children in East Durham. It appears that delinquency involvement begins early in this city. More than a third of the children referred to court in 2005 were age 13 or younger when their first court complaint was filed. Several 0-5 age programs already exist. The Durham Family Initiative (DFI)—a Duke University affiliated partnership between the Center for Child & Family Health and the Center for Child & Family Policy—reduces the incidence of child abuse and neglect by promoting healthy parenting in families with children ages 0-6 years. Healthy Families Durham, a service of Child & Parent Support Services, another early intervention program, provides home visiting program for new parents with multiple risk factors and stressors. The Parents as Teachers program sponsored by the Eagle Village Community Development Corporation is also a key program. In addition to Smart Start, Durham's Partnership for Children (“the Partnership”) coordinates these and numerous others that target infants and children ages 0-5. Each of the research-based programs noted here needs to be reviewed for the feasibility of expansion or more provision of services in the East Durham target area. Programs for elementary and middle school-aged children are considered in the school recommendations.

Recommendation 41: Increase informal social controls.

Community-based research shows that levels of informal social control are important factors in reducing victimization in a community (Lauritsen, 2003). Most research and practice emphasize increasing levels of informal social control (e.g., adult monitoring of children's playgroups and residents' willingness to intervene in youth disturbances) rather than promoting more formal social control (e.g., increased policing). Informal social control takes advantage of both natural surveillance and residents' local networks to help maintain peace and order in a community. Such networks can become extensions of Partners Against Crime (PAC).

Recommendation 42: Expand role of faith organizations.

The ecumenical organizations in Durham should be more actively involved in preventing and reducing gang problems because religious orientations and moral beliefs are powerful forces in individual's lives. Ecumenical involvement should be expanded in several initiatives. First, in their natural community role of promoting informal moral and sacred social controls, the ecumenical organizations can be very effective, in directing their influence and attention to gang activity. Second, outreach work can have an enormous impact. Durham Congregations in Action, the Ministerial Alliance, CAN, the Fayetteville Neighborhood Association, and other coalitions of congregations, associations, and neighborhoods have accomplished significant community mobilization in the Durham community around lead poisoning, day care, and other issues related to children. Their involvement in addressing gang issues more directly should be welcomed. Third, a unique direct involvement opportunity is available to members of the clergy and congregation members to participate in the Disciple Bible Outreach Ministries' *Rings of Fellowship* program currently underway in the NC DJJDP Youth Development Centers, and in mentoring teams that visit the offenders before their release after their return to the community.

Recommendation 43: Focus on gun culture.

Provide additional support to community initiatives in Durham to counter the gun and gang-driven culture of violence. North Carolina ranked 7th in the U.S. in 2003 in firearm deaths of children and teens and gun homicides (Children's Defense Fund, 2006, p. 6). As seen in the assessment report, gun violence rates are elevated in Durham; so is gang activity. The Children's Defense Fund (2006, p. 4) points out that "Gangs, drugs, and gun dealers are available to children 24 hours a day, seven days a week." It recommends several steps that can be taken to keep children and teens safer from gun violence (pp. 4-5):

- Support common sense gun safety measures
- Remove guns from your home
- Foster a climate of nonviolent conflict resolution in your home, children's school, congregation, and community
- Monitor the television programs your children watch and how they use the internet, and don't buy them violent video games
- Help focus public attention on child gun deaths.
- Engage in Child Watchsm visitation programs (Visit hospital trauma units and support the families who have lost children)
- Provide children positive alternatives to the streets so they can feel safe and protected
- Organize a ceasefire initiative in your community

The Durham Police Department is currently launching Operation Bull's Eye in East Durham where shots fired calls, violent gun crimes, and gang membership overlap. There

are numerous other worthwhile initiatives in Durham that address the gun and gang-driven culture of violence, including:

- The Religious Coalition for a Nonviolent Durham
- Men of Vision
- The Million Mom March
- Mothers Against Gang Wars
- Mothers Against Guns
- The Million Man March
- Rhyme Against Crime
- Campaign4Change
- Students Against Violence Everywhere (SAVE)
- Durham Congregations in Action
- Inter-Neighborhood Council
- Partners Against Crime
- Citizen Observer Patrol
- Reentry Entrepreneurial Partnerships Aimed at Individual and community Restoration (REPAIR)
- Reconciliation and Re-entry Ministry
- Child Advocacy Commission
- North Carolinians Against Gun Violence Education Fund

Recommendation 44: Adopt other supportive approaches to gangs.

Other community initiatives to combat gangs were developed in the 2001 Partners Against Crime Community Forum on Gangs. Each of the “Community Suggestions” codified in that Forum remain relevant, as presented in the following categories:

- Housing Code Improvement
- Decreasing Vacant/Dangerous Properties
- Community Reporting on Housing Code Violations
- Property Owner Accountability
- Youth Training on Building Community
- Substance Abuse Treatment Facilities for Youth
- Public Access to Information on Group Home Facilities
- Faith-Based Outreach Programs
- Faith Strategies in the Community
- Community Leadership
- Employer Outreach
- Linking Education to Future Employment
- Community-based Recreation Opportunities

Recommendation 45: Continue assessment and implementation process.

The findings of the comprehensive assessment should be published for widespread use in expanding and improving Durham's Comprehensive Gang Model. However, this product is a dynamic document that must be constantly updated and revised as Durham's gang problem continues to change due to successful strategies and environmental and economic conditions. The Juvenile Justice Institute at N.C. Central University is a likely research partner to continue this process.

Durham stakeholders should take the immediate next steps to review and discuss key findings, recommendations and proposed action steps and the Community Advisory Committee (CAC) is an appropriate forum for continuing this process.

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Appendix 1: Durham Gang Continuum – Programs that Address Gang Activity or At-Risk and Gang-Involved Youth and Adults⁹²

Durham Gang Assessment Project

PREVENTION PROGRAMS

1. **ZT in Da Basement** is sponsored by Zion Temple United Church of Christ in partnership with the City of Durham's Park and Recreation Department. It is a free program that is provided every Friday from 7 to 11pm for young people between the ages of 13 and 21 years old who are looking for a free safe and nurturing environment. ZT in Da Basement is designed to counter the influence of gang violence and drug abuse among area teens. The program provides young people with an alternative to hanging out in the streets and possibly engaging in violent and destructive behavior. ZT in Da Basement provides its participants a hot meal and a place to express their feelings and have fun. Rap sessions are conducted every Friday on topics that directly affect Durham's young people. These topics include: Why young people join gangs, the history of gangs, safe sex, HIV/AIDs and STDs, influence of videos on young people, wars and incarcerations, to name a few. Participating youths are also exposed to activities around Durham that they have not had opportunities to indulge in such as bowling, roller skating, baseball games and local universities. A career and education component provides tutoring and exposure to career options. A therapist and a professional counseling agency provide services to individuals or families free of charge.
2. **Youth Life Learning Center of Durham** is an outreach program originally founded by King's Park International Church. The center benefits children and families living in low-income environments through after-school programs and leadership clubs. It addresses the educational, social, vocational and spiritual needs of the Cornwallis Community. The Center is staffed with a program director, certified teachers, student volunteers (college), community leaders and other volunteers who assist young people with their academic, social and spiritual needs.
3. **Project Safe Neighborhoods** – The Durham Police Department (DPD) Partners with NCCU and the Durham Parks and Recreation Department to provide mentoring and after-school activities for at-risk youths. Numerous other PSN activities promote prevention of gang involvement, including outreach work with gang-involved and at-risk youths; anti-gang publicity programming, including billboards and gang

⁹² This is not an exhaustive listing of potentially gang-related programs in Durham. These programs were identified as the primary programs that either currently address gang activity in Durham or serve youth at-risk of gang involvement. The programs described here do not exclude persons because of gang affiliation. Our search drew upon three recent assessments of Durham gang and juvenile crime prevention resources: 1) The Durham Police Department ("Durham Combats Gangs," 2005), 2) The Durham County Juvenile Crime Prevention Council's 2005 Strategic Plan for funding, and 3) the Durham JCPC gang assessment for the DJJDP Gang Violence Prevention Program.

awareness brochures; a wide variety of community activities, such as the Hoops and Hope program and the Field of Dreams Football Camp.

4. **Youth After School Program** — The Durham Parks and Recreation (DPR) Department operates after school programs citywide for youths ages 5-12. These normally follow the traditional school calendar but some programs are open during school breaks and others are specifically offered to community residents. A large variety of recreation programs are also provided for this age group and older youths and adults, especially in DPR's Play More initiative at its recreation centers.
5. **Encore! Durham Public School's After School Program** —Encore! programs offer students the chance to take part in enrichment programs, including arts and crafts, clubs, intramural sports, and computer instruction in small class settings. Programs operate Monday through Thursday, starting immediately after school dismisses at all Durham middle schools. The program also features free snacks and beverages, free transportation home at each school except Shepard Magnet and Durham School of the Arts, and interaction with adult volunteers. Tutoring is offered to students who need or want extra help.
6. **Gang Resistance Education and Training (G.R.E.A.T.)**—This school-based gang prevention curriculum, a 13-week course for girls and boys, is taught in entire classrooms of mainly middle school students by uniformed law enforcement officers. Modified curricula have been developed for fifth/sixth graders and third/fourth graders. In Durham, G.R.E.A.T. is taught in selected 3rd, 4th, and 6th grades, and a G.R.E.A.T. Summer Camp is offered for 11-14 year-olds.
7. **School Resource Officer Program**—The Durham Sheriff's Office provides SROs for all middle and high schools. These certified law enforcement officers are trained to perform three roles: law enforcement officer; law-related counselor; and law-related education teacher. The SROs also make gang awareness presentations to school faculty, parents and children, one of which is titled: "TARGETS, PLAGUE & CHANGE."
8. **Targeted Gang Outreach, John Avery Boys and Girls Club**—This is a community-wide gang prevention and intervention program that works with youths at risk of gang involvement. B&GC programming is driven by four objectives: community mobilization, recruitment, mainstreaming/programming, and case management. Police departments, schools, social service agencies, and community organizations recruit at-risk youths and some others in the "wannabe" stage or current gang members into club programs in a non-stigmatizing way.
9. **Tutoring & Mentoring for At-Risk Youth, John Avery Boys and Girls Club**— By providing programming for youth in a positive atmosphere, the B&GC aims to steer participants away from the negative influence of gangs and ensure that they are surrounded by pro-social adults and peers. Through nationally accredited programming, the B&GC ensures that youth receive training in interpersonal skills, and develop both personally and socially positively. Through the B&GC "Partnering

with Parents” program, it ensures that the entire family prevents youth from joining gangs. Through mentoring, tutoring, and high-yield learning activities, the B&GC also ensures that youth develop academically and find school to be a positive experience.

10. **Project Teach-Empower-Achieve-Motivate (T.E.A.M.)** at the Durham Parks and Recreation is designed to develop life skills such as conflict resolution, teamwork, and healthy communication in Durham youth. It is also designed to help improve academic performance of students. The academic enrichment portion of Project T.E.A.M. includes tutoring, computer skills development, and use of the internet. Tutoring will be facilitated by an instructor but also by program participants for their peers. The program is offered Mondays through Thursdays from 4 p.m. to 7 p.m. It is anticipated that at least five court-involved youth will be served in the program in addition to non-court youth from high schools such as Hillside, Jordan, Riverside and the Durham School of the Arts.
11. The **Student Suspension Alternative (SSA)** is a pilot project in two Durham schools (one middle school and one high school) that works with students with poor academic, attendance and behavior performance records in grades 6 and 9. The overall purpose is to keep students in school and increase the number of students who graduate from high school and go on to higher education, or otherwise lead productive lives. A school-based committee is the key program component, consisting of the principal/designee, school social worker, teacher (who knows the student), guidance counselor, Exceptional Child (EC) facilitator and EC teacher (if appropriate), and school psychologist work closely with the parent and child to achieve the above goals.
12. **YMCA Turning Point Street Intervention**—Turning Point is geared toward the reduction of gang activity by providing alternative programming for those identified as gang-involved. Participants of Turning Point can also participate in Y-Life (recreational) and Y-Learning (academic) Monday-Thursday, as well as in Black Achievers (career mentoring) on Saturdays. During the summer months Camp High Hopes is offered. This is a 10-week life skills enrichment program that focuses on workforce preparedness, violence prevention, money management, and leadership development along with cultural activities and field trips.
13. **Men of Vision**—This is a collaboration of caring, talented, and resourceful men in the Durham community who have organized to create a brighter, more promising future for at-risk youth. The goal is to reverse the high rates of dropout, incarceration, homicide and unemployment among this population that is in desperate need of hope, strong guidance and viable opportunities to become productive, contributing members of society.
14. **Rites of Passage**—This program immerses young men in a comprehensive nine-month program of enrichment that includes intensive mentoring, learning seminars

and field trips emphasizing traditional African rites of passage that mark the progression from childhood to manhood. Target youth are ages 13-16.

15. **Partners Against Crime (PAC)**—This is a coalition of residents, organized in five districts, in which community members have the opportunity to address crime and other issues related to quality of life with representatives from the police department and other city and county agencies. Specific issues include violence and crime perpetrated by gangs, weapon violence, and drug trafficking. A recent initiative undertaken by the PAC leadership council is a truancy abatement project. Over 30 individuals have received training in Systems of Care Child and Family Teams to assist families that are struggling with truancy issues. PAC II is the District 2 division of Partners Against Crime. As members of PAC II, responsible citizens become part of the team finding solutions to community problems. Citizens work with law enforcement, as well as city and county departments, to achieve common goals – safer neighborhoods and an improved quality of life. PAC meetings and discussion groups provide a forum for citizens to alert law enforcement, city and county departments of problems as they arise. Neighborhood safety is a priority for PAC II, including drug dealing and drug use, vandalism, robberies, violent crime, gun shots and children’s safety.
16. **Parenting Of Adolescents** — The Exchange Clubs' Family Center provides a 12-36 weeks, home-based family counseling program for at risk and court-involved youth ages 7-17 and their families. The program emphases include developing healthy parent-child/family relationships, improve family management skills, problem solving and understanding, adolescent development, and behavior. The main program goal is to strengthen families and reduce the likelihood of an adolescent’s involvement in the court system. Services are offered in English and Spanish.
17. **Greater Durham Mentoring Alliance**—The Volunteer Center of Durham has created the Greater Durham Mentoring Alliance to carry out the City’s comprehensive strategy for meeting the mentoring needs of Durham youth in a partnership with the City, the County, the Chamber of Commerce, the Police Dept. and the faith community. The purpose of the Alliance is to bring the approximately 50 identified programs in Durham that utilize mentors under one umbrella in the interest of sharing resources, maximizing efficiency and identifying gaps in service. The Alliance will offer a one-stop portal of entry for prospective volunteer mentors: anyone interested in mentoring will be able to call one number or visit the website and be matched with an appropriate program.
18. **Cities in Communities** Mentoring Program — Cities in Communities (**CIC**) operates this program at the Eastway Elementary School for ten 4th-5th graders who are hanging out with pro-gang peers. Mentors are recruited from the congregation of a local church that has adopted that school and neighborhood.
19. **Teen Career Academy**— The Teen Career Academy at the Durham Literacy Center is a program specifically designed to help out-of-school youth aged 16-18 attain their

General Education Development (GED) diploma and/or improve basic educational and literacy skills. Classes are held at the John Avery Boys and Girls Club. Of course, gang members are eligible.

20. **Durham Workforce Development Board Youth Council**— The City of Durham's Office of Economic & Employment Development (OEED), on behalf of the Durham Workforce Development Board, is funding local community organizations that support Durham's youth through a program called "Youth Employed and Succeeding" (YES). The purpose of the YES Program is to reach at-risk youth and connect them with services in the community to help them break through barriers to success. The program accomplishes this by providing at-risk youth with adult mentoring, tutoring, alternative secondary school services, leadership development opportunities, paid work experience, and supportive services. Other supported programs include the Community Partnership, Inc. (CPI), a non-profit organization that provides direct case management services to a variety of individuals, including at-risk youth; Durham Literacy Center (DLC), which works with out-of-school youth between the ages of 16 and 18 to provide assistance with improving literacy, GED completion, and adult mentoring services; the Center for Employment Training provides occupational skills training for out-of-school youth between the ages of 17 and 21; and the Achievement Academy that enables hard-working students living in poverty to earn a GED and access postsecondary education opportunities.
21. **Project Restoration Institute for Leaders (RIL)** was an educational and leadership enrichment opportunity for over 40 of Durham's youth in the summer, 2006. It was initiated by Mayor Bell to provide academic credit, vocational options and incentives for youth 13-18 years old who were deemed "in crisis," that is, entangled in pathways that could lead to failure and possible victimization. Low academic achievement, truancy, disruptive behaviors, gang involvement and those in the Juvenile Court system were the targeted population. They attended school for seven weeks during the summer at the Durham Public School System's "Durham School of the Arts". Certified teachers, teacher assistants and vocational instructors worked collaboratively to equip them for academic improvement, real life work preparation and keep them off the streets in a positive environment. Numerous individuals, companies and the public sector collaborated to make this program possible.
22. **Durham Police Department—Citizens Programs.** 1) The Citizens Police Academy, offered in English and Spanish, is the premiere program for any Durham resident wanting to know more about the operations of the Durham Police Department. The six week academy, which is free of charge, provides first-hand knowledge and front line experiences. Classes feature a ride-a-long with an officer on patrol, K-9 and DWI demonstrations, gang awareness and domestic violence information. 2) National Night Out is a unique crime and drug prevention observance sponsored nationally by the National Association of Town Watch and coordinated locally by the City of Durham Police Department. It is observed annually on the first Tuesday in August. The NNO observance is designed to: heighten crime, drug and violence prevention awareness; generate support for, and participation in, local anti-crime programs;

strengthen neighborhood spirit and police-community partnerships; and send a message to criminals letting them know that neighborhoods are organized and fighting back.

23. **Students Against Violence Everywhere (SAVE)**—Students at West Charlotte Senior High School formed SAVE in 1989. It has expanded across the country and its national headquarters is in Raleigh. SAVE serves youth in elementary schools, middle schools, high schools, colleges, and community youth-serving organizations with the vision that all students will be able to attend a school that is safe, secure, free of fear, and conducive to learning. SAVE engages students in meaningful violence prevention efforts within their school and community; empowers youth with knowledge and skills necessary to provide service to their community and school; encourages positive peer influences within the school and community through violence prevention efforts; and educates students about the effects and consequences of violence as well as safe activities for students, parents, and the community. Northern Durham High School was recently selected as the SAVE Chapter School of the Year, and it has addressed gang activity with a student awareness initiative, support for students who wish to leave gangs, and intervened with gang leaders.
24. **Durham Family Initiative (DFI)**—Beginning in 2002, the Center for Child and Family Policy, in partnership with Duke University and the Durham Center for Child and Family Health, has supported an initiative to promote healthy parent-child relationships and the health and well being of children in Durham. A main goal of this initiative is to reduce child-abuse rates in Durham through a comprehensive community and family-based approach. Services include home-visiting for high-risk mothers, professional therapy for families in which child maltreatment has already occurred, enhancement of social support for mothers of toddlers, neighborhood development, and systems capacity building.
25. **Last Stop**, at the Criminal Justice Resource Center, provides daily classes and individual sessions addressing the wide range of the needs of young adults ages 16 to 18 on probation or under pretrial release supervision. Parent and guardian involvement in services is requested and communication between staff and parents is highly valued and encouraged.

Curriculums are used that research indicates are effective with the target population. *A New Day* staff are certified in Relational Healing, a research-based curriculum. Staff are also trained to provide the Cognitive Behavior Intervention (CBI) curriculum *Thinking for a Change*. Staff partners with other experts in their areas of focus, such as the County Health Department, licensed mental health providers, and North Carolinians Against Gun Violence. *A New Day* is recognized as a model program by the Governor's Crime Commission.

Classes and individual sessions include:

- Cognitive Behavior Intervention (CBI)
- Career Choices, Preparation, and Experience (staff and employers)

- Healthy Sexual Relations (County Health Department)
- Communication, Anger, and Conflict Resolution at home, work, school, and community (group and individual sessions provided by licensed mental health private providers)
- Dating and Intimate Relationships (Science Based Curriculum)
- Hands on Learning and Problem Solving (making projects)
- Intergenerational Story Telling collaboration with Senior Center
- Street Law: housing, employment, civil, and domestic laws (curriculum)
- Substance Abuse Education class and individual sessions
- Family Counseling and Relational Healing* (Science Based curriculum and licensed mental health counselors.)
- ABE/ GED instruction (Durham Technical Community College)

INTERVENTION PROGRAMS

26. The Center for Child & Family Health (CCFH-NC) focuses on prevention, early intervention, and treatment services. This includes medical and psychosocial assessment, mental health trauma treatment, family and individual counseling, and legal services to children and their families. Most of its clients are referred for concerns of maltreatment or mental health trauma. Each year, CCFH-NC directly serves about 3,000 children and their family members. Preventative and early intervention services include a home visiting program for at-risk first-time mothers based on the Nurse–Family Partnership program model, and a multidisciplinary team comprising pediatrics, social work, psychology, and special education that assesses and treats families. The North Carolina Child Response Initiative involves a collaborative effort with the Durham Police Department to provide rapid responses to calls in which a child is involved in or exposed to domestic or community violence. In addition, training for patrol officers in child posttraumatic stress and child-oriented community policing strategies is provided.

27. Personal Responsibility to Overcome with Understanding and Determination (PROUD).

The PROUD program serves mainly at-risk adolescents 13-17 referred by the juvenile justice system, providing services that aim to reduce the criminal activity of the juveniles and gang participation. Life skills training is offered in 16-week increments throughout the year. Each class serves 7-10 youth who meet twice each week and receive tutoring, and training in anger management, decision making, career development, goal setting, peer pressure, self confidence, and violence prevention. In addition, a Work Readiness Program is provided. It is a five-session job education program that focuses on filling out applications, developing interviewing skills, personal appearances, and communication skills development. Intervention programs are aimed at younger students, and these programs are focused on self esteem, violence prevention, peer pressure, healthy family relationships, and tutoring. These programs are held in the community and are designed to be fun and engaging for the

young people involved. Saturday Academy and Summer Camp programs give students healthy alternatives in their time away from school. Tutoring and other educational programs are provided in these programs. Students work individually and in small groups to develop their research, writing and presentation skills.

28. Project Maximized Outreach for Redirection and Enrichment—Project M.O.R.E., created by the Durham Parks and Recreation Department, signals that the DPR has made abatement of teen gang activity one of its major priorities. Project M.O.R.E. provides outreach and enrichment programs for teens that will help them avoid negative behaviors, including gang affiliations. This project has been designed specifically to help teens aged 14 – 17 avoid and/or stop involvement in gang activity. The Outreach Worker in Project M.O.R.E. works in conjunction with the Street Outreach Workers employed by John Avery Boys’ and Girls’ Club and the Durham Police Department Project Safe Neighborhoods Initiative. The three individuals are part of a Gang Prevention and Intervention Team comprised of front-line staff from law enforcement, Durham Public Schools, social service agencies, mental health providers and other youth development agencies. The Outreach workers will identify youth in need of services and work with the team to redirect youth into positive activities at DPR facilities, the John Avery Boys’ and Girls’ Club, the Durham Public Schools and others.

29. School Truancy Initiative—This is a collaborative effort involving Durham magistrates, the Durham Sheriff’s Office, and the county’s middle schools. The major goal is to improve school attendance and enforce state law that prohibits multiple unexcused absences. Judges convene Truancy Courts in makeshift courtrooms in classrooms. Students and their parents must face officials about the unexcused absences in the "court" setting.

30. Truancy Unit—The County Sheriff’s Office operates this, in which two full-time deputies investigate and enforce violations of the Compulsory School Attendance Law. Truancy cases originate through referrals from the school system or by self-initiation. These cases are then assigned to the officers who find absentee students, take them back to school, and make juvenile and family contacts to inform those involved of their legal obligations and consequences for violating the law.

31. Truancy Court Liaison—This program at the Criminal Justice Resource Center (CJRC) works with truant youths by assessing their needs and linking them to the services that will assist them. Low school attachment and academic performance are addressed by working with the school staff to determine the issues that lead to truancy and the school interventions that will help. By addressing unmet needs and low school attachment, CJRC also hopes to address gang membership and affiliation.

32. Sheriff's Office Juvenile Assistance Program (S.O.J.A.) This new mentoring program is a cooperative effort between Durham County Sheriff's Office, Social Services and Durham Juvenile Services. It is designed to provide a structured, fun and educational alternative to beginning a life of crime. S.O.J.A. matches at-risk juveniles

(evidence by poor school attendance and performance, with high potential for dropping out of school) with mentors who are dedicated professionals experienced at working with young people.

- 33. Striving to Regain Individuality, Knowledge, and Excellence (STRIKE)** — This project is a partnership between the City of Durham, the Police Department, Durham Technical Community College, the Greater Durham Chamber of Commerce and the Durham County Criminal Justice Resource Center to provide education and job training opportunities for gang members who desire to leave the gang lifestyle. The Police Department’s case manager screens applicants and refers eligible candidates to Project Restore for special consideration. Individuals not eligible for or interested in Project Restore will receive referrals to other applicable community resources.
- 34. Teen Court & Teen Court Restitution**— Teen court provides first time misdemeanor youth offenders and middle and high school student volunteers opportunities to develop skills, insight and contribute to their community in a responsible and positive manner through participation in Teen Court, community service, and educational workshops. The Restitution Program provides community service opportunities for adjudicated youth. This program also assists adjudicated youth with repaying victims of their crimes.
- 35. Youth Life Foundation**— Sponsors after-school and literacy programs which provide academic, technical and moral training for K-5 students, particularly students with an individualized educational plan (IEP). Each enrolled student receives a minimum of eight instructional hours a week. The goal of the after-school program is to have each child increase his/her reading ability by two grade levels in one year and, to have parental participation. All students, K-5th grades, and their parents in the Cornwallis Road Community are eligible to participate in the program. Teen Leadership Club and juvenile crime prevention activities are for youth ages 12-19. This Program is designed to teach Leadership, Education, Accountability and Discipline to teens in “at-risk” environments. In addition, parental enrichment activities include educational seminars on leadership, parenting, home ownership, and financial development.
- 36. Weed and Seed Initiative**—This is a program that aims to prevent, control and reduce violent crime, drug abuse and gang activity in targeted high-crime neighborhoods across Durham. Law enforcement agencies and prosecutors “weed out” criminals who participate in violent crime, drug activities and gang involvement by attempting to prevent their return to a targeted area. Human services agencies then “seed” programs in a targeted area, encompassing prevention, intervention, treatment and neighborhood revitalization. The program includes a Special Emphasis Initiative on gang prevention and intervention utilizing existing programs in Durham's Hayti community.
- 37. A New Day, Criminal Justice Resource Center** —This is an alternative day reporting center for at-risk teenagers (mainly court-involved middle school students).

It aims to increase school performance and decrease the delinquency of middle school students ages 11-17 who are suspended short-term or long-term. Short-term suspended youth are referred by Durham Public School Administration, Assistant Principals, School Social Workers, and/or Guidance Counselors. Long-term suspended youth are referred by their Court Counselors. The school system also has a couple of slots for non court-involved students; those referrals are made by the alternative school Principal. Four main program formats are provided by CJRC Counselors/Case Managers: 1) academic instruction for middle school youth with a certified Durham Public School teacher, 2) an after-school program with tutoring and counseling for middle and high school age youth, 3) a Saturday Program that uses documentary skills to develop youth leadership, and 4) a therapeutic regimen that includes family counseling using “Relational Healing” and interpersonal skills training called “Peer Governance” that teaches leadership and conflict management skills.

38. New Horizons—This alternative school offers services to students who have been suspended from school for 365 days, and who are court-involved. Students in the New Horizons Program continue to receive credit for their coursework. Additional slots may be added for students suspended for shorter periods who also have been identified as potentially benefiting from this setting.

39. Substance Abuse Treatment and Recidivism Reduction (STARR) Program—This program is a 28 day substance abuse program designed for individuals who are incarcerated in the Durham County Detention center. Upon completion of the 28 day program, individuals who remain incarcerated may participate in the STARR Grad program for an additional 28 days.

40. Drug Courts—The NC General Assembly appropriated funds to establish a pilot Drug Treatment Court (DTC) Program in 1995. In 1998, it appropriated recurring funds to operate Adult DTCs in seven Judicial Districts. These later were expanded to include Youth Drug Courts. Durham County’s Youth DTC was established in 2000 and serves post-adjudication youth. Graduation rates for adult DTCs are 35%, which is considered good, given the truly chemically dependent target population. Graduation rates for the Youth DTCs are 28%.

41. Day Reporting Center (DRC)—This is an alternative to incarceration for high risk adult offenders. It is considered an Intermediate Sanction under Structured Sentencing, and is a highly structured program that includes curfews and close supervision. Services include substance abuse treatment, cognitive behavior treatment, GED preparation, and employment training.

42. Project Restore—This is a comprehensive vocational training course that provides wraparound programming to assist adult offenders in rebuilding their lives while making a positive contribution to the community. This 12 week course begins with an intense 216 hours of various courses in Human Resource Development and finishes with 204 hours of hands-on learning from several live project construction

sites. During the program, participants receive a daily allowance to sustain them financially while they focus on learning and improving their lives. The project is a collaborative effort between CJRC, the City of Durham, Durham Technical Community College and the Greater Durham Chamber of Commerce.

- 43. Second Chance Program**—CJRC’s substance abuse treatment program is an important resource for paroled inmates. It is designed for individuals who are sentenced to a community punishment under structured sentencing, are on parole, have a DWI conviction or are on deferred prosecution.

SUPPRESSION PROGRAMS

- 44. Strategies to Alleviate and Reduce Senseless Violence (STARS) Program.** Part of Project Safe Neighborhoods suppression component is the violent, high rate juvenile and adult offenders who are targeted for legal suppression. The criminals, including gang members, are called into community meetings with law enforcement and service providers and given only two options: shape up with the help of the community or face harsh penalties for subsequent criminal involvement. A case manager works directly with STARS offenders to help them find employment and vocational training to prevent relapse into gang life.

- 45. Night Light**—This activity is intended to hold juvenile probationers accountable for compliance with conditions of probation imposed by the court. Law enforcement and probation officers team up in surveillance. The targeted offenders are also quite likely to be on Intensive Probation Supervision, which is structured as a graduated sanction system. DJJDP intermittent detention—The intermittent detention authority of the court is used to control gang members by restricting their freedom to commit crimes.

- 46. Community Policing program**—The Department of Community Corrections (14th Judicial District) is the lead agency in a collaborative effort between law enforcement in which monthly operations target violent offenders on probation or parole. Probation officers conduct warrantless searches and law enforcement officers assist and provide backup.

RE-ENTRY PROGRAMS

- 47. Reentry Program**—Reentry is a collaborative effort between local law enforcement, human services, and community organizations for individuals returning to Durham County from NC prisons. The available services include Adult Basic Education and GED instruction, comprehensive substance abuse treatment services including intensive outpatient treatment, halfway house placement and relapse prevention, employment services (including employment skills training and individual placement assistance), cognitive behavioral interventions, and assistance and referrals to various community resources.

COMPREHENSIVE PROGRAMS

48. Durham’s Gang Violence Prevention Program—Funded by the NC Department of Juvenile Justice and Delinquency Prevention, the long-term goal of this project is to develop a continuum of gang prevention, intervention, and suppression programs and strategies. It is housed at the Criminal Justice Resource Center. DJJDP funding also supports the Boys and Girls Club’s Targeted Outreach program, and a Street Outreach Worker at Durham Parks and Recreation. In addition, the DJJDP project is developing an Intervention Team to provide the necessary services, supports, and sanctions to separate active gang members from gangs. Existing Durham programs will continue to target at-risk youth, provide services for gang-involved youth, and suppression strategies.

49. Durham’s System of Care (SOC). This is an integrated network of community services and resources supported by collaboration among families, professionals, and the community. The local SOC integrates the work of education, juvenile justice, health, mental health, child welfare, family court, and other community organizations with families through team decision-making structures that require shared responsibility and accountability to assure that children and families have access to the services and supports they need. A main resource is a web-based “Network of Care” that the Durham System of Care provides for the city and county (<http://durham.nc.networkofcare.org>). This is a comprehensive database that anyone can use to find services in their community.

As a result of the collaborative SOC effort, there was a need identified for short-term residential options for youth in the mental health, juvenile justice and social services systems. These beds were needed in order to meet best practice service delivery and mandates in each system (e.g., to keep juveniles that committed status or nonviolent offenses out of detention). These three systems pooled resources to contract with an agency that has eight “rapid response” beds that can be accessed for youth that need a short-term placement. Youth and adults in crisis also have access to a Facility based-Crisis Unit 24-hours per day, 7 days per week. Durham County recently received a planning grant from the Department of Justice, the Justice and Mental Health Collaboration Program. This planning project will develop a strategic plan to addresses the needs of youth and young adults that have or are suspected to have severe mental illness at each of the points of interception in the criminal justice system or juvenile justice system. This plan will lead to improved interventions at each of these points.

Appendix 2: DPS Referral Programs for Disruptive and Moderate/High Risk Students and Indicators Used to Select Troubled Students for Services

Provided by Dr. Deborah Pitman, Assistant Superintendent, Durham Public Schools

Durham Public Schools Response

Durham Public Schools is aligned with national research in providing programming that supports students who have multiple factors that risk high school completion and success in life beyond high school.

In 2006, the Durham community celebrated a decrease in the high school dropout rate. Of the top ten largest school districts in North Carolina, Durham Public Schools was the only district to experience this decrease. Further, this is the third consecutive year that DPS has realized a decrease in the number of dropouts while the overall population of DPS has steadily increased.

Much of this success is attributed to the partnership between the Durham community, parents, and Durham Public Schools. Considerable energies and resources have been dedicated to combating risk factors that may lead a student to drop out of high school. Committees comprising parents, teachers and administrators have been meeting over the past two years to identify innovative methods and best practices for keeping students engaged in school, while continuing to increase rigor for those already achieving. Significant and varied reform efforts at the middle and high school levels hold promise for continuing to reduce the number of students who leave school before graduating.

High School Completion Plan for Durham: Dropout Prevention, Intervention, and Student Recovery is a comprehensive plan for ensuring all students complete high school. In 2005-2006, the High Five Regional Partnership for High School Excellence recognized that dropout prevention (and high school completion) was a comprehensive issue that required collaboration between school districts and their communities. To that end, High Five sponsored a series of Human Services Summits for the five school districts with their community partners to examine the issues preventing high school completion and to generate a regional dropout prevention plan. Each county was asked to create its Dropout Prevention Plan to target issues facing its community. The *High School Completion Plan for Durham* is the product that resulted from the work of the Durham team.

To create the Plan, the Durham team examined data, identified risk factors and barriers students faced to complete high school, reviewed national reform models in “best practice,” and generated a framework of strategies to promote high school completion. Within the High School Completion Plan, strategies are in place to reduce suspensions, decrease the number of students dropping out of school, and decrease the truancy rate.

Suspensions

In February 2007, *Action for Children* published its report Short-Term Suspensions; Long-Term Consequences; Real Life Solutions in which Durham Public Schools received recognition for “a steep drop in suspension rates between 2004 and 2005.” Capturing Kids’ Hearts and Positive Behavioral Support are credited for this decline.

Durham Public Schools has a comprehensive, evidenced-based behavior system that offers a continuum of positive behavior supports and interventions for students including the Positive Behavior Intervention and Support Program, Behavior Support Teams, separate programs, Acute-Behavioral Emotional Disability programs, and the COPE program. In addition, Capturing Kids Hearts, Teen Leadership, Freshman Academy, Save Our Students, and smaller learning communities increase the personalization of schools for students. System of Care plays an important role in providing a continuum of services for students and families.

Positive Behavior Intervention and Support (PBIS) is designed to improve academic and behavioral outcomes, reduce school suspensions, increase the ability to assist with the maintenance of students in general education, decrease dropout rates, increase student attendance, and decrease disciplinary referrals. In 2007-2008, PBIS is offered in every school. PBIS is a behaviorally-based systems approach to enhance the capacity of schools, families, and the community to design effective environments that improve the link between research-validated practices and the environments in which teaching and learning occurs. Attention is focused on creating and sustaining primary (school-wide), secondary (classroom) and tertiary (individual) interventions (US Office of Special Education Programs). Each school identifies a Positive Behavior Support Team that may consist of regular education teachers, special education teachers, administration, guidance, support staff, parents, and students. The Team operates in concert with the district’s Positive Behavior Support coaches to support behavioral and academic success for every student.

Positive Behavior Intervention and Support Teams provide (1) short-term, classroom management and behavioral strategies in the school settings, (2) meet with school staff and individual students to develop data driven strategies to address behavioral needs; (3) engage and motivate the student(s), (4) address family concerns and assists with the linkage of community services if needed; (5) promote behavioral change through external/internal rewards and various psychosocial strategies; and (6) support generalization of learned skills and behaviors.

Behavioral Support Teams provide short-term support services to assist schools in stabilizing a student and to help remediate behavioral problems that interfere with the student achieving success. A Behavior Support Assistant (BSA) works cooperatively with teachers, school staff, parents, social workers, and others to ensure that the student receives a free and appropriate public education in the least restrictive environment. The BSA may be assigned after an initial assessment has been made by the Behavior Support Team. A meeting is scheduled with the BSA supervisor, the BSA and the school team to

identify appropriate interventions and support strategies. The BSA may work with the student depending upon one of three situations: (1) crisis in which the student indicates that an injurious consequence to self or others may result; (2) planned situation in which a student's behavior is consistently disruptive and the staff has taken measures to address the behavior, yet additional intervention is needed; (3) transition for a student who is moving from one school setting to another setting, and there is indication that support services are needed for a smooth transition.

Separate Programs (Self-contained) are available to students in grades Pre K-12. The needs of the child determine the appropriate separate placement. These programs are located at various schools across the district. The Behavioral and Emotionally Disabled (BED) separate program supports students who need a more restrictive classroom environment to address their challenging behaviors.

Acute-BED Programs are short-term, stabilization placements designed for students whose behaviors appear more situational and/or time bound, have fewer or less pervasive psychological or psychiatric needs and demonstrate some degree of success in interactions with others and in their present educational setting. This separate placement is designed to be short-term, ranging from one semester to one year. The Acute-BED classes are available to either help children immersed in situational difficulties gain control of their behavior and return to a least restrictive placement or provide data that indicates that a longer term placement is needed.

COPE (Community Outreach for Education) is a partnership with families, educators, mental health providers and community agencies collaborating to provide a consistent, emotionally and behaviorally therapeutic setting within an educationally and socially enriching environment. The program is designed to teach alternative behaviors for better social adjustment, to provide academic support, and to work with families toward improvement of the home environment. COPE provides individualized programming to enable and empower students and families towards achieving personal and interpersonal growth.

Students in COPE typically have more chronic and pervasive behavior problems, intense and immediate psychiatric/psychological needs, and limited success - educationally and socially - in their present educational setting. A Program Manager coordinates with outside agencies to provide collaborative care. Monthly Child and Family Team meetings are scheduled and students and families have access to consultative or direct psychiatric support from the Duke Partnership with Durham Child Development and Behavioral Health Clinic.

Capturing Kids Hearts is an initiative implemented in every middle school that equips teachers to develop effective relationships with students. The program provides on-going support for implementation of the program that empowers teachers and engages all students with developing positive relationships. The Teen Leadership companion course is an elective in some of the middle schools for students to nurture their leadership potential, promote positive self-concept and personal responsibility.

The Middle College High School at Durham Technical Community College expands opportunities for academically eligible high school juniors and seniors to earn a high school diploma and receive credit toward a post-secondary certificate, diploma or associate's degree.

Hillside New Tech High School opened in the fall of 2007. Its mission is: "To create a 21st century learning environment that will ensure that every student achieves at high levels as measured by local, state, and national standards and be prepared for any post-secondary endeavor. We commit to developing a comprehensive system of support to attain this outcome." New Tech High promises to effectively engage students in preparing for careers in engineering by using project-based learning with technology embedded in the projects. The school will incorporate Hillside's current computer engineering and electronics courses and offer advanced science courses in a variety of areas. The new school will fulfill all graduation requirements.

Southern School of Engineering is an innovative partnership with the New Schools Project of North Carolina with support from the NC General Assembly, the State Board of Education and the Bill and Melinda Gates Foundation. The goal is to expand the scope of high school innovation by developing and carrying out a strategic plan that ensures competitiveness of students in the global economy by accelerating student achievement in engineering and related areas. The school's small size, starting in 2007-08 with 100 students, will provide the opportunity for students to fulfill DPS graduation requirements through individualized instruction. Students will graduate with a high school diploma, plus up to one year of college credit towards a bachelor's degree. Southern School of Engineering is designed to substantially increase the number of underrepresented students who will pursue advanced studies and careers in Science, Technology, Engineering and Mathematics. By creating an environment of collegiality, high expectations, experimentation and trust, Southern High School of Engineering will have a goal of 100% graduation with every student being college ready and better prepared for entry into high-skill careers.

Durham's Performance Learning Center (CIS) is an innovative partnership with Communities in Schools that meets the needs of students who are struggling in a traditional academic setting. Features include: professional training environment for students, self-managed performance, positive school climate, High Teach/High Touch curriculum, and internships for students. The school will open in fall 2007.

Save Our Students (SOS) is a data-driven accountability system for school counseling services that uses the four major areas of the American School counseling Association model that are Foundation, Delivery System, Management System and Accountability. Every middle and high school counselor monitors and supports at least thirty students who have multiple risk factors. SOS is at the center of the district's efforts to close the achievement gap and develop strategies to identify students who are most in need of services, select resources to help students, identify the strategies that work best, and measure results objectively.

Restoration Institute for Leaders (RIL) originated as collaboration among the mayor's office, Durham Public Schools, the faith community and the business community to assist Durham's most at-risk students in developing leadership skills while earning additional academic credits and a stipend for participation. Approximately fifty youth participate in the eight-week summer program that is seeking to expand the number of participants.

Dropouts

High School Completion Plan for Durham: Dropout Prevention, Intervention, and Student Recovery is organized in to five focus areas: (1) Student Trends & Dropout Prevention, (2) Instructional Reform, (3) Student Support Initiatives, (4) Parental & Community Leadership, and (5) Data Quality. Each focus area includes strategies to address specific barriers to high school completion including attendance, behavior and suspensions, compulsory attendance age, structure of high school and credit recovery, family support and engagement, business and industry engagement, cultural and language differences, instilling hope and vision for the future, school and community connections, and community poverty. Strategies include specific action steps, person(s) responsible, timeline, evaluation methods, and resources needed.

Truancy

Aggressive efforts to address truancy rates are a multiphase community effort. The school district redirected social workers to work more closely with school staff and families who were experiencing attendance problems. The district attorney's office created a warning letter to parents of students who accrue six unexcused absences and were in jeopardy of violating the compulsory attendance law. To assist these students and families, Truancy Court—conducted within the school, presided over by municipal judges or attorneys, and organized by school-based counselors and social workers—was developed in order to provide interventions before truancy cases enter the legal system. The sheriff's office assigned two full-time deputies to assist social workers with home visits, court, and issues related to truancy. A Truancy Hotline was created for the community to report school-age youth who were not in school. Part of the work of the district in the future will be to address the fluctuating attendance rates by examining effective strategies that continue to include community support and engagement.

Elementary, middle, and high school counselors provide supportive programming for students in the transitions from elementary to middle school and from middle school into high school. During the first weeks of school, counselors focus on personalization and connecting students to school. Special care is provided who have been identified with multiple risk factors. Counselors from the sending schools ensure counselors at the receiving school are made aware of students with multiple risk factors so students will receive additional supports and care throughout the year.

Futures4Kids is an on-line portal that includes career exploration for middle school students in preparation for the development of electronic four-year high school plans.

Eighth graders develop their four-year high school course of study that is then updated annually throughout high school to guide further planning and course selection.

Freshman Academy is a transitional program that is provided for students in their first year of high school that places smaller groups of students with a small interdisciplinary team of teachers. All high schools offer a Freshman Academy program that includes a full-time counselor. Freshman Academy teachers share the responsibility of finding solutions to individual student attendance, discipline and learning problems. Good student attendance becomes a priority to set the foundation for serious student work.

Counselors and Career Development Coordinators work with high school seniors to ensure every student graduates with High School and Beyond Plans. School counselors and Career Development Coordinators ensure that seniors have mapped out and implemented all the necessary steps to fulfill the student's plan for college or work beyond high school.

Transitions to Opportunity Forums are offered students who recently dropped out of school. These forums provide individual counseling about opportunities both within and outside DPS. This major dropout reduction initiative was largely made possible through a partnership with the City of Durham Office of Economic Opportunity and funding from a federal grant, which also provided summer school tuition, credit recovery tuition and tuition for the Certified Nursing Assistant training program at Durham Technical Community College. Upon reentry into high school, counselors monitor continuously these students to ensure supports are in place for the student.

Durham Public Schools has high standards for the behavior of our students. The safety of students and staff is our top priority. Zero tolerance is referenced in Board Policy 2200, Weapons on Campus, which is consistent with the national recommendation on zero tolerance.

Principals use a graduated system of discipline in accordance with § 115C-391. Most disciplinary matters can be handled by the teacher or principal without use of out-of-school suspension.

Every school operates a Student Assistance Program that utilizes a school team whose purpose is to provide resources and supports for students that have been identified by teachers and/or parents as having problems that are interfering with the learning process. The problems may be of an academic, behavioral or social/emotional nature. Counselors lead the SAP teams. School social workers complete the Social Developmental History form with the parent either at school or the parent's home. The SAP process takes a step-by-step organized approach to assessing, planning, implementing and evaluating strategies to improve student performance.

System of Care (SOC) is evidenced-based practices of collaboration with agencies in the community. All middle and high school counselors and social workers have been trained on SOC principles. DPS is expanding this training into elementary schools. The goal of

System of Care is to make comprehensive, flexible and effective support available for individuals and families throughout the community and through this assistance make the community a better place to live for all. The comprehensive and effective support and services children and their families need require a public/private, multi-agency and community effort.

Durham Public Schools assists with Community Collaborative and Care Review for decision involving students in the district. Community Collaborative is a community-wide public forum of partners who support System of Care and contribute to the success of Child and Family Teams. Care Review is a forum to review a child's program and services to ensure the specific needs of the child and family are met. Members of the team may include agency personnel, staff from the school district, hospital staff, and others.

10 indicators that DPS uses to select troubled students for services such as the Durham System of Care—Durham Public Schools is implementing a data-driven accountability system for school counseling services that uses the four major areas of the American School Counseling Association model which are Foundation, Delivery System, Management System and Accountability. The role of the school counselor is vital in supporting at-risk students. Counselor teams at each school receive data on students with multiple risk factors to determine which students would benefit most from intervention services. **Every** counselor identifies 30 students from the data to provide intervention throughout the school year. Counselors develop strategies to identify students who are most in need of services; select resources to help students; identify the strategies that work best and; and measure results objectively. Academic tutoring, mentoring, social/emotional supports, and community resources are some of the interventions students may receive. If it is determined that the student would benefit from a Child and Family Team, counselors work with social workers, psychologists, PBS staff, or other staff to contact appropriate agencies to work with the child and their parents. However, if a student already is involved in System of Care, counselors may serve as the school liaison to ensure appropriate school personnel are involved on the team. The following risk factors are considered:

1. Absenteeism (more than 20 days)
2. Failed End-of-Course test
3. Failed on End-of-Grade test
4. Failed High School Competency test
5. Number of in-school suspensions
6. Number of out-of-school suspensions
7. Retention(s)
8. Behavior referrals
9. Failing courses/classes
10. Special program status

Appendix 3: Prioritized Recommendations from the Final Report

**Comprehensive Gang Assessment:
Prioritized Recommendations from the Final Report**

| Recommendation | Lead Agency | Implementation time horizon | Cost level | Funding source |
|--------------------------------------------------------------------------------------|---------------------------|------------------------------------|-------------------|-----------------------|
| Recommendation 1: Use GangNet data for strategic planning. | DPD/DCSO/GCC/CAGIA | Short-term | None | NA |
| Recommendation 2: Integrate approaches to guns and violence with gangs and drugs. | CAGIA | Intermediate | None | NA |
| Recommendation 3: Use civil injunctions to reduce predatory behaviors of gangs. | AOC (DA) | Long-term | Moderate | AOC |
| Recommendation 4: Reorganize and refocus DPD gang unit. | DPD | Short-term | None | NA |
| Recommendation 5: Seek emergency assistance to reduce the backlog of gang cases. | City/County seek from AOC | Intermediate | High | AOC |
| Recommendation 6: Increase federal prosecution of gun crimes. | DPD/CAGI | Intermediate | None | CAGI |
| Recommendation 7: Follow progression and outcome of gang-related crime. | DPD/AOC (DA) | Short-term | Low | DPD |
| Recommendation 8: Address witness intimidation. | DCSO/DPD/AOC (DA) | Intermediate | Moderate | DPD/DCSO |
| Recommendation 9: Improve inmate classification and increase STG investigations. | DCSO | Intermediate | Low | DCSO |
| Recommendation 10: Improve identity resolution and bail process at detention center. | AOC/magistrates | Intermediate | Moderate | AOC |
| Recommendation 11: Closely monitor probationers. | DOC/DPD/DCSO | Intermediate | None | NA |
| Recommendation 12: Expand rehabilitation programs. | DOC/CJRC | Long-term | High | CAGI |
| Recommendation 13: Implement a systematic method to | DJJDP | Short-term | Low | NA |

| | | | | |
|--------------------------------------------------------------------------------------------------------------------------|------------------------|--------------|----------|------------------|
| identify juvenile gang members. | | | | |
| Recommendation 14: Separate juveniles from adults in GangNet. | GCC | Short-term | Low | NA |
| Recommendation 15: Add juvenile court counselors. | DJJDP | Long-term | High | Legis. |
| Recommendation 16: Examine disproportionate minority representation. | NCCU | Long-term | Unknown | GCC |
| Recommendation 17: Target juvenile gang members with graduated sanctions and intensive services. | CAGIA | Short-term | None | GVPP CAGI |
| Recommendation 18: Commit to a new juvenile detention center. | Durham City & Co. | Intermediate | High | Multiple sources |
| Recommendation 19: Assess and prioritize specific schools for gang violence. | DPS | Intermediate | Low | NA |
| Recommendation 20: Reduce suspensions, drop-out and truancy. | DPS | Long-term | Moderate | CAGI |
| Recommendation 21: Increase referrals of the most troubled youth to services. | DPS | Short-term | None | CAGI |
| Recommendation 22: Expand gang awareness training. | CAGIA | Long-term | Moderate | CAGI |
| Recommendation 23: Involve outreach workers. | CAGIA | Short-term | None | 3 already funded |
| Recommendation 24: Revise the Code of Student Conduct. | DPS | Intermediate | None | NA |
| Recommendation 25: Review and revise local safe school plans. | DPS | Intermediate | None | NA |
| Recommendation 26: Implement the Comprehensive Gang Model. Hire Anti-Gang Coordinator and activate the Intervention Team | City of Durham GVPP | Short-term | None | CAGI |
| Recommendation 27: Adopt a uniform gang definition. | DJJDP | Intermediate | None | NA |

| | | | | |
|------------------------------------------------------------------------------------------------------|-------------------|--------------|----------|---------|
| Recommendation 28: Inventory existing resources in Durham's continuum of services and programs. | AGP Administrator | Intermediate | None | NA |
| Recommendation 29: Expand the use of evidence-based programs. | CAGIA | Long-term | Moderate | Various |
| Recommendation 30: Create a one-stop assessment center. | CJRC | Long-term | High | CAGI |
| Recommendation 31: Continue to emphasize the role of the community. | CAGIA | Short-term | None | NA |
| Recommendation 32: Provide services and resources to victims of gang violence and intimidation. | CAGIA | Short-term | Low | CAGI |
| Recommendation 33: Increase gang awareness activities that educate the media, parents, and children. | AGP Administrator | Intermediate | Low | CAGI |
| Recommendation 34: Continue graffiti abatement efforts. | DPR | Short-term | Low | DPR |
| Recommendation 35: Limit use of juvenile curfews. | Juvenile court | Intermediate | None | NA |
| Recommendation 36: Increase attention to Hispanic gangs and the needs of Hispanic residents. | CAGIA | Intermediate | Low | CAGI |
| Recommendation 37: DPD should continue its annual citizen survey. | DPD | Long-term | Moderate | DPD |
| Recommendation 38: Capitalize on non-governmental resources. | CAGIA | Long-term | | Various |
| Recommendation 39: Expand use of N.C. Child Response Initiative. | CAGIA | Intermediate | None | NA |
| Recommendation 40: Insure that early intervention programs are focused. | CAGIA | Intermediate | None | NA |
| Recommendation 41: Increase informal social controls. | CAGIA | Long-term | None | NA |
| Recommendation 42: Expand role of faith organizations. | CAGIA | Intermediate | None | NA |

| | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|------------|------|----|
| Recommendation 43: Focus on gun culture. | CAGIA | Short-term | None | NA |
| Recommendation 44: Adopt other supportive approaches to gangs. | CAGIA | Long-term | None | NA |
| Recommendation 45: Continue assessment and implementation process. a) Review programs for effectiveness b) Review programs for precision in targeting high risk youth c) Engage NCCU in ongoing assessment | CAGIA JCPC Gang Intervention Team AGP Steering Committee | Short-term | None | NA |

Legend:

- AOC — N.C. Administrative Office of the Courts
- CAGI—Comprehensive Anti-Gang Initiative funded by the U.S. Attorneys, U.S. Department of Justice
- CAGIA— Anti-Gang Program Administrator
- CJRC—Criminal Justice Resource Center
- DJJDP—NC Department of Juvenile Justice & Delinquency Prevention
- DPR—Department of Parks & Recreation
- GVPP—Gang Violence Prevention Program funded by DJJDP
- GCC—Governor’s Crime Commission
- JCPC—Juvenile Crime Prevention Council
- NA—Not applicable
- NCCU—North Carolina Central University (Juvenile Justice Institute)

Appendix 4: Gang-Related Programs Rated as Effective or Promising

The following programs are rated as L-1, L-2, or L-3 reflecting the following:

Level 1: model or exemplary, evidence-based programs

Level 2: effective or research-based programs

Level 3: theory-based, pilot, or promising programs

Prevention Programs

Preventive Treatment Program (L-1) *

Gang Resistance Education and Training (L-2) **

Gang Resistance is Paramount (L-3) *

B&GC Gang Prevention Through Targeted Outreach (L-3)*

Movimiento Ascendencia (“Upward Movement”) (L-3)*

Intervention Programs

Aggression Replacement Training (L-2)*

Lifeskills '95 (L-2)*

Philadelphia Youth Violence Reduction Partnership (L-3)*

Multidisciplinary Team Home Run Program (L-3)*

B&GC Gang Intervention Through Targeted Outreach (L-3)**

Broader Urban Involvement and Leadership Development Detention Program (L-3)*

Suppression Programs

Hardcore Gang Investigations Unit (L-2)*

Chicago Alternative Policing Strategy (L-2)*

Tri-Agency Resource Gang Enforcement Team (L-2)*

Operation Ceasefire (L-3)*

Dallas Anti-Gang Initiative (L-3)**

Comprehensive Programs

Comprehensive Gang Model (L-2)*

Gang Violence Reduction Program (L-2)**

* For program information: <http://helpingamericasyouth.gov>

** For program information: www.iir.com/nygc/tool

Appendix 5: Repositories of Evidence Based Programs

Helping America's Youth Community Guide:

<http://helpingamericayouth.gov>

OJJDP Model Programs Guide:

http://www.dsgonline.com/mpg2.5/mpg_index.htm

The Campbell Collaboration

The Campbell Crime and Justice Coordinating Group:

<http://www.aic.gov.au/campbellcj/reviews/titles.html>

Blueprints for Violence Prevention:

<http://www.colorado.edu/cspv/index.html>

National Registry of Effective Programs and Practices (Substance Abuse and Mental Health Services Administration, U.S. Department of Health and Human Services)

<http://modelprograms.samhsa.gov>

Exemplary and Promising Safe, Disciplined and Drug-Free Schools Programs (U.S. Department of Education):

<http://www.ed.gov/>

U.S. Department of Education's What Works Clearinghouse:

<http://www.whatworks.ed.gov/>

National Youth Gang Center: Strategic Planning Tool:

<http://www.iir.com/nygc/tool/>

Appendix 6: Research Methods and Data Collection

Varied methods of data collection were used for this assessment. This appendix describes some of the major data collection efforts.

1. Scheduled meetings
 - a. Attended monthly RBA meetings
 - b. Attended bi-monthly Crime Cabinet
 - c. Attended monthly CAC meetings
 - d. Updated City Council (twice)
 - e. Presentation to County Commissioners
2. Met extensively with police
 - a. Collected and analyzed gang and crime data
 - b. Reviewed staffing and responses to gang problems
3. Collected data including
 - a. National gang survey data (NYGC)
 - b. Crime data from comparable jurisdictions
4. Developed protocol and conducted focus groups with citizens
 - a. PACs 1, 2,3, and 4, DBAC
 - b. Obtained, reviewed and analyzed citizen survey data (DCVB) re gangs and crime
5. Collected existing data about schools and analyzed
 - a. School crime as reported by schools (DPI)
 - b. School crime/calls recorded by police and sheriff
 - c. Customer satisfaction survey results by school
 - d. School data re attendance, suspensions, dropout
 - e. Developed and pilot tested a student survey
6. Developed offender interview and interviewed offenders
 - a. Obtained juvenile justice data
 - b. Focused on juvenile court processing and detention of gang members
7. Conducted observations, including
 - a. Environmental assessment in problem areas
 - b. Juvenile court
 - c. Gang unit
 - d. Detention center intake and classification
8. Conducted extensive interviews, observations and focus groups with
 - a. DPS DCSO liaison
 - b. DPD and DCSO gang officers
 - c. DCSO truancy detectives

- d. DCSO detention staff
 - e. DPD juvenile investigator
 - f. Juvenile court counselors
 - g. Juvenile detention center director
 - h. Program providers
 - i. Gang ADA
 - j. Community Corrections personnel
 - k. GREAT officers and SROs from DPD and DCSO
 - l. Various DPD and DCSO command staff and personnel
 - m. Governor's Crime Commission
9. Collected and reviewed extensive reports
- a. Crime Cabinet minutes
 - b. Annual reports from many of the agencies including DCSO, DPD, DJJDP
 - c. Reviewed grant applications including DOJ grant for AOC position, U.S.
 - d. Attorney gang grant
 - e. Monthly and annual PSN reports
 - f. Durham Roundtable reports
 - g. And others

Student Survey

A key part of the assessment of gangs in Durham focused on conducting a survey of middle school students. The views of students are important because studies show that students' perceptions of gang activity are quite accurate. This information from students, combined with the indicators of issues that lead to gang activity in and around schools (e.g., bullying, victimization), would have provided guidance in determining allocation of resources. Nevertheless, DPS refused to conduct this survey.

We believed the survey would be useful to DPS for the following reasons:

- Public perceptions about crime and victimization in Durham Schools are likely derived from anecdotes and ad hoc events, well-covered by the media, which may reflect exceptions rather than the norm. It is likely that students are *much safer* during school than at other times; the survey provides a reliable metric and benchmark to establish the prevalence of crime, victimization and gangs.
- To the extent that some students have needs that are currently unmet, reliable data will be useful for linking resources with those students most at need. To a great extent, survey findings may be used to leverage grant funding, attract additional local resources, evaluate the impact of varied programming, and for other purposes.
- The survey would provide a baseline measure of victimization, fearfulness and gang prevalence and thus provide a way to monitor changes over time.

- The survey would also have provided the Durham School System with an opportunity to include questions of unique interest in Durham; a draft instrument was circulated, however, DPS did not participate in question development.

Survey Content

Questions in the survey were drawn from three national sources: the National Crime Victimization Survey, School Crime Supplement; National Youth Gang Center Student Survey; and the National GREAT program evaluation, while others were specifically developed to address concerns unique to Durham. By using questions from other national surveys that have been validated, the survey would have provided a mechanism to compare Durham's experiences with national survey findings while locally-developed questions permit tailoring the survey to meet local needs.

- The National Crime Victimization Survey, School Crime Supplement, is administered to nationally representative samples of elementary, middle, and high school students. Findings from this survey about gangs are described in: Howell, J. C., & Lynch, J. (2000). Youth gangs in schools. Juvenile Justice Bulletin. Youth Gang Series. Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention. And in Dinkes, R., Cataldi, E. F., Kena, G., & Baum, K. (2006). Indicators of School Crime and Safety, 2006. Washington, DC: U.S. Department of Justice, National Center for Education Statistics, Bureau of Justice Statistics.
- The national GREAT program evaluation was administered to all 8th graders in 11 cities and findings are described in Esbensen, F., Winfree, L. T., He, N., & Taylor, T. J. (2001). Youth gangs and definitional issues: When is a gang a gang, and why does it matter? Crime and Delinquency, 47(1), 105-130.
- The National Youth Gang Center Student Survey is an instrument developed and used for strategic planning in jurisdictions to develop comprehensive responses to gang-related problems. There are no published reports on this student survey.

Specific questions contained in the draft 58 item student survey were derived as follows:

- The National Crime Victimization Survey (NCVS) School Crime Supplement was the source for questions: 7-11 on bullying, 12 – 19 on gangs at school, and 38 – 42 on victimization. The NCVS gangs at school questions are replicated in questions 20-27 about the student's exposure to gangs in their neighborhood.
- The national GREAT evaluation was the source for questions 28 – 37.
- Questions 1 – 42 are contained within the National Youth Gang Center Student Survey and recommended for inclusion in surveys of students.

- Questions 1-6 collect demographic information about students and questions 43-51 were specifically developed for Durham to obtain insights regarding how students feel about gangs, and to gain insight into students' fearfulness - a major reason for joining gangs.
- Questions 52-58 were developed specifically for Durham to obtain useful feedback from students about SROs, GREAT officers and the GREAT curriculum.

Research Approach and Timeline

We recommended that the survey be administered to all students at Durham Middle Schools.

- While gang prevalence is no doubt higher in high schools, high school students are more difficult to reliably access in schools, due to higher rates of absenteeism, drop out, truancy and suspension in these grades.
- Further, our assessment is focused on prevention and early intervention, and studies show that youth risk of joining gangs is highest around ages 11-15.
- Due to limited resources, only public school students would be surveyed; the public school system educates the vast majority of youth in this age group in Durham at eight locations making administration of the survey efficient.
- This would comprise a population of 6,500 students at eight schools in the Durham Public Schools System.

| School | # students |
|---------------|-------------------|
| Brogden | 844 |
| Carrington | 1,304 |
| Chewning* | 781 |
| Githens | 1,025 |
| Lowe's Grove | 694 |
| Neal | 840 |
| Rogers Herr | 613 |
| Shepard | 443 |
| Total | 6,544 |

- The entire population of middle school students at eight middle schools should be surveyed at the same time.⁹³

⁹³ No effort will be made to survey students who are absent on the day of the survey.

- While it would be less expensive to select a sample of students, such as a random sample, experience with victimization surveys (particularly the NCVS) show that reliable samples cannot easily be developed to insure representative results. This is because the extent of victimization, exposure to gangs and gang membership is unknown, although prevalence is likely to be low in any individual school.
- While it might be possible to survey students in only one grade, victimization studies suggest that there are important differences in developmental experiences during the three years of middle school and these differences provide a key opportunity for developing effective interventions, at the right time for the right youth.
- It is likely that this survey can establish reliable population parameters sufficiently so that samples can be used for future surveys.
- Findings from the survey should be public as the survey is intended to guide public policy decisions about resources and programming.

To be part of the current assessment, the survey of students should have occurred during the current school year of 2006-2007.

- The optimal time to conduct the survey was April or May 2007; the survey should have been timed in order to include Chewning's 450 year-round students and to avoid interfering with EOG testing.
- The survey was quite brief; pre-tests of the draft instrument suggested that middle school students can easily complete the survey in about 15 minutes.

Appendix 7: Methods for Counting Gang-Related Crime and Outcomes

The gang-related homicides in Figure 16 were compiled from data reported by DCSO to the NYGC in 2002, 2004 and 2005, and by DPD in 2003, 2004 and 2005. To compute gang-related homicides in 2002, we used the DCSO data as DCSO reported 3 homicides and all were gang-related; DPD did not report gang-related homicides that year however a study by Frabutt and Reddy (2003) states that 42% of DPD homicides in 2002 and the first quarter of 2003 were gang-related. To separate 2002 from 2003, we have used the 42% to estimate that 13 of 30 homicides reported by DPD in 2002 were gang-related.

Most observers would not think it so difficult to count gang-related homicides but it is a complex issue. (There are the same complexities in counting domestic violence; consider that an ex-husband may break into his former wife’s house and steal money or vandalize her vehicle. This is not counted as domestic violence, yet the offense was motivated by the relationship of the victim and suspect.)

Gang-related or gang-affiliated crime is generally considered as a crime in which suspects or victims in the offense are identified as gang members. Gang-motivated crimes are offenses in which suspects were motivated to commit the crime for the benefit of or promoting criminal conduct by gang members.

Unfortunately, the motivations or circumstances of a crime are often difficult to determine – in many cases there may be no known suspect. This is particularly true for property crimes such as burglary or motor vehicle theft.

| Gang Motivated, Motive Based Definition | Gang-Related or Gang-Involved, Member Based Definition |
|-------------------------------------------------------------------------|-------------------------------------------------------------------|
| Gang member shoots a rival gang member | Gang member shoots his girl-friend after they have a disagreement |
| Gang member shoots innocent bystander | Gang member shot in a drug deal gone bad |
| A group of gang members get together and commit a robbery | A gang member commits a robbery |
| A gang member assaults a detention officer as part of a gang initiation | A vehicle is stolen and a gang member arrested |

For example, Frabutt and Reddy (2003) evaluated 36 homicides in Durham during 2002 and the first quarter of 2006, concluding that 15 of the homicides – 42% – were gang-related.

Frabutt’s analysis provides some important insights –

- It is not surprising that there are more suspects than victims. The 2002-03 data suggest that there were 1.2 suspects per homicide (41/36). This seems even more likely in gang-related homicides.
- There was no suspect information – not even gender – for 27% of suspects (11 of 41 total suspects).

| | |
|-------------------------------------------------|-------------|
| Total victims | 36 |
| Gang member victims | 9 (36%) |
| Total suspects | 41 |
| Gang member suspects | 10 (24%) |
| Total victims and suspects | 77 |
| Total gang member victims and suspects | 19 (25%) |
| Cases with victim <i>or</i> suspect gang member | 15 (42%) |
| Suspects of unknown gender | 11 (27%) |

Appendix 8: Limitations of Data Sources

Law enforcement data

Law enforcement agencies are one of the best available and most widely used sources of information for national gang surveys and other criminal justice research. Typically, they are centrally organized with developed systems for routine recordkeeping and reporting. Within jurisdictional boundaries, law enforcement records may serve as one of the primary tools in assessing the extent of the local gang problem. The Durham Police Department and Durham Sheriff's Office records are no exception.

However, law enforcement data do have some important limitations. Most important, arrest data indicate society's *responses* to crime, not the actual level of crime. Police choose to make both adult and juvenile arrests depending on local policies, and arrest rates vary from community to community for the same kinds of offenses. For a number of crimes, no arrests are made, because many crimes are not reported to law enforcement. On the other hand, multiple persons are often arrested for the same crime. Importantly, not everyone who is arrested actually committed the offense for which he or she was arrested. Equally important, arrest data exaggerate juveniles' criminal involvement—by as much as 40%- because of the fact that most juveniles who commit crimes do so in groups, and each of the group members generally is not directly involved in each and every crime that the group commits.

It is important to recognize that the *UCR* data reflect the numbers of arrests each year, but neither the numbers of persons arrested nor the numbers of crimes. As noted above, juvenile arrest data greatly exaggerate the number of involved juveniles. In those cases, one crime may result in multiple arrests. In addition, a person can be arrested more than once in a year. With respect to the total number of crimes, each arrest is counted separately in the *UCR* data, and one arrest can represent many crimes. If a person is arrested for allegedly committing numerous crimes such as burglaries, the arrest would show up in the *UCR* data as one arrest, with no indication of the number of burglaries.

The volume and type of crimes represented in arrests also depends on a number of other factors such as policies of particular law enforcement agencies, the cooperation of victims with police, the skill of the perpetrator, and the age, sex, race/ethnicity, and social class of the suspect. In addition, the accuracy and completeness of the data are affected by the voluntary nature of *UCR* reporting, and all states and localities do not report data every year. In addition, *UCR* arrest data reflect only the most serious offense for which a person was arrested.

UCR data also capture the proportion of crimes that were "cleared" (solved) by an arrest. Assessments of the juvenile contribution to the U.S. crime problem are often based on this proportion. Arrest and clearance statistics give a very different picture of the juvenile contribution to crime. A crime is considered cleared if someone is formally *charged* with the crime.

GangNet

This is the database in which law enforcement intelligence on gang members is maintained. It is computer software that allows investigators to track gang members, gang affiliates/associates, suspected gang members, vehicles, and locations for gang members and gang activities. A number of factors may affect the reliability of GangNet information. First, the validation process requires little substantiation. Individuals are considered validated gang members when two criteria are met, for example, self admission of gang membership and wearing of gang dress or use of gang hand signals or symbols. Similar criteria are used in other states for documenting gang members, however, the reliability of these criteria is not known.

Second, no purging of the database has occurred as of yet. Although GangNet requires data be purged after five years without updating, the initial data entering into GangNet dated to 2001. This is of particular concern with respect to juveniles, because several studies show that the majority of youth who join a gang stay in the gang less than one year.

Third, constitutional issues have been raised about the management of gang intelligence databases because official recognition as a gang member in them often carries with it increased probability of a criminal conviction, prison time, and sentence enhancement. This may violate the due process requirements in the Fifth (due process) and Fourteenth amendments (due process and equal protection of the laws). A properly managed database might attend to due process requirements, but an assessment has not been made of GangNet's compliance with federal regulation 28 CFR Part 23.

This regulation applies to any multagency intelligence systems supported by federal funds. Such a review might well address other issues with GangNet data and procedures: the gang definition is rather inclusive, system contributors may use inconsistent validation procedures, no purging has occurred, it undercounts younger gang members and Hispanics, and some non-gang groups such as "extremist groups" are in the database.

National Youth Gang Survey (NYGS)

This is the only annual nationwide survey of gang problems, and it is conducted by the National Youth Gang Center. The nationally representative sample of 2,563 respondents includes the following agencies:

- All police departments serving cities with populations of 50,000 or more ($n=627$).
- All suburban county police and sheriffs' departments ($n=745$).
- A randomly selected sample of police departments serving cities with populations between 2,500 and 49,999 ($n=699$).
- A randomly selected sample of rural county police and sheriffs' departments ($n=492$).

Annual response rates are excellent, ranging from 84% to 92%. For the purposes of the NYGS, a "youth gang" is defined for the law enforcement agency as:

A group of youths or young adults in your jurisdiction that you or other responsible persons in your agency or community are willing to identify or classify as a 'gang.' DO NOT include motorcycle gangs, hate or ideology groups, prison gangs, or other exclusively adult gangs.

Thus, the NYGS measures youth gang activity as an identified problem by interested community agents. This approach is both less restrictive and self-determining, allowing for the observed variation across communities in gang definitions. There are several other important limitations of the survey. First, law enforcement agencies are nearly always inextricably tied to the governing political institutions in the jurisdiction. Official positions regarding the presence and magnitude of the gang problem may be influenced by concerns of political leaders. Second, definitional issues surround the term "youth gang"—and by extension, "gang member" and "gang crime." Gang characteristics that guide local definitions often vary among law enforcement agencies. Third, while many law enforcement agencies maintain informational databases, computerized or otherwise, pertaining to gangs and gang members, their primary purpose for doing so is often for intelligence purposes, not for survey purposes. Therefore, respondents may rely on informed estimates to respond to survey items. Fourth, survey information is obtained from agency representatives (i.e., unit of observation) for the agency's jurisdiction (i.e., unit of analysis). Thus, an individual provides information for an entire agency and its service area.

Another limitation is that the broad gang definition used in the survey might elicit responses that include groups other than bona fide youth gangs. Indeed, a majority also included taggers and drug gangs, and nearly a quarter included posses, crews and other assorted groups. However, an NYGC experiment with a more restricted gang definition did not produce significantly different results.

Governor's Crime Commission gang surveys

These are statewide surveys (in 1999 and 2004) of mainly law enforcement agencies and School Resource Officers, and the initial survey also included court officials, directors of detention centers and juvenile correctional facilities. For purposes of this survey, gangs were defined by four criteria: 1) youths who hang out in groups, 2) a group commitment to criminal activity, 3) self-identity as a group and display of identifying symbols (dress, language, signs, logos, names, graffiti, or tattoos), and 4) restriction of activities to certain geographical areas. Other questions allowed survey respondents to use their own perceived and/or locally adopted definition of what constitutes a gang. The main limitations of this survey are those noted above for the National Youth Gang Survey—the NYGS uses a narrower definition. However, the very low response rates for the GCC survey (38% in 1999 and 58% in 2004) raise concerns regarding the generalizability of the results.

Juvenile court information

Data on court adjudicated juvenile offenders are considered to be very valid for measuring delinquency and describing the serious delinquent segment of the youth population. This is because the adjudication process in juvenile court is geared toward finding the truth and bringing forth all testimony that has relevance to determining whether or not the charged youth is guilty. Nationwide, more than half are formally processed and two-thirds of these are adjudicated delinquent. In contrast, in the adult system, which is purely adversarial, a great deal of pertinent evidence is withheld by successful defense attorneys. Moreover, only 5-10% of all cases go to trial in criminal courts. In our State's juvenile courts, slightly more than half are formally processed and approximately three-fourths of these are adjudicated (judged) "delinquent."

Information on the risk characteristics and treatment needs of juvenile offenders has shortcomings, however. Separate, relatively short instruments are used in the North Carolina juvenile courts to assess risk factors for recidivism and treatment needs: 1) North Carolina Assessment of Juvenile Risk of Future Offending, and 2) North Carolina Assessment of Juvenile and Family Needs. In Durham County, information is entered by court counselors on both of these instruments immediately prior to adjudication hearings. Because staff lack intimate familiarity with cases at this juncture, the reliability of these information sources suffers and to an unknown extent. The loss of accuracy varies from one court to another, depending on caseloads, staff levels, and training.

Appendix 9: Community Advisory Committee members

Community Advisory Committee

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Appendix 10: About the Authors

Deborah Lamm Weisel and James C. (Buddy) Howell are co-authors of this report. Dr. Weisel is on the faculty of the School of Public and International Affairs at N.C. State University, where she has been Director of Research on Policing since 1999. She teaches crime analysis and applied research in the university's Administrative Officers Management Program and Law Enforcement Executives Program, two nationally recognized educational programs for law enforcement executives. She was previously a senior researcher with the Police Executive Research Forum in Washington D.C. for 12 years.

Dr. Weisel is a nationally recognized gang expert. She has authored numerous publications based on her research on police responses to crime problems such as gangs, street drugs and graffiti, as well as community policing, safety and security in public housing, and repeat victimization from burglary and robbery. Her work has been published in *Justice Quarterly*, *Public Management*, the *National Institute of Justice Journal* and the *American Journal of Police* as well as by the U.S. Department of Justice for dissemination to practitioners.

Dr. Howell is a Senior Research Associate with the National Youth Gang Center, in Tallahassee, FL. He previously was Director of Research and Program Development at the Federal Office of Juvenile Justice and Delinquency Prevention in the U.S. Department of Justice, where he worked for 21 years.

Dr. Howell is a nationally recognized expert on youth gangs and juvenile justice. He has published more than 70 works in these two fields, in publications including *Crime and Delinquency*, the *Journal of Research in Crime and Delinquency*, and in

Criminology. His youth gang publications have covered such topics as modern-day gangs, hybrid gangs, homicides, drug trafficking, gangs in schools, and evidence-based programs and strategies for dealing with gangs. Dr. Howell also has authored three books. His latest book is titled Preventing and Reducing Juvenile Delinquency: A Comprehensive Framework. He also has received three lifetime achievement awards.