



THE FUTURE OF PROSECUTOR COMMUNITY OUTREACH: COMMUNITY ADVISORY BOARDS

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THE NATIONAL BEST PRACTICES COMMITTEE

Prosecutors' Center for Excellence's National Best Practices Committee (NBP) brings prosecutors together to share ideas, discuss challenges, and develop guidance on today's prosecution best practices.

The NBP includes experienced prosecutors from large and small offices in 34 states. The committee meets on a regular basis to collaborate on creating a vision for the prosecutor's office of the future and issuing papers related to that topic. This is the sixth NBP paper.

The mission of the NBP is to improve the criminal justice system by providing support, guidance, and considerations for prosecutors. The NBP addresses the challenging issues impacting victims, witnesses, the accused, and the community. The guiding principles for NBP's work are a commitment to justice, integrity, ethics, fairness, and equity for all.

See our work and our members at: [National Best Practices Committee Webpage](#)

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This paper was written by Senior Attorney Antonia Merzon, Senior Attorney Sophia Roach and Executive Director Kristine Hamann, all with Prosecutors Center for Excellence. The Yolo County District Attorney's Office Community Advisory Board is on the cover of this paper. The excellent work of several prosecutor offices are outlined in the paper as they were presented by:

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INTRODUCTION

This paper continues a series of papers issued by the National Best Practices Committee on community outreach by prosecutors. Prosecutor offices around the country have developed many ways of connecting with the communities they serve. In this paper, we explore the use of Community Advisory Boards for building stronger community partnerships and improving prosecutors' role in the criminal justice process. Offices interested in creating a Board will find information about how to create a Board, conduct its work, and evaluate the results. Examples of successful Community Advisory Boards are also discussed.

WHY ESTABLISH A COMMUNITY ADVISORY BOARD

Criminal activity, law enforcement response, and community concern are integral facets of a prosecutor's work. Yet prosecutor offices often lack a consistent channel of communication with the public to discuss these issues. As a result, elected prosecution leaders (and prosecutor offices as a whole) may not receive important feedback about their efforts or may be unable to convey their perspectives to the community. A Community Advisory Board (CAB) can help bridge this gap by providing a regular forum for community input and prosecutor communication. In addition, prosecutors may use CABs for guidance on specific prosecution issues. Offices can establish Boards to work on one topic in a defined capacity that aligns with prosecution needs.

PREPARING FOR A COMMUNITY ADVISORY BOARD

Developing a CAB involves several initial considerations. A prosecutor office must decide the purpose of the Board, as well as what format and process will be used to achieve this purpose. Laws and rules about advisory boards may impact these decisions. The first steps for creating a CAB are outlined below.

Research Laws and Regulations

- In some places, existing statutes or rules dictate how government agencies can create and use an advisory board. Before creating a CAB, prosecutor offices should:
- Determine whether there are legal obligations in the state, county, or municipality regarding how to form a CAB.

- Research whether the meetings, presentations, recordings, or notes will be subject to public access, freedom of information or sunshine laws.
- Based on these findings, decide whether a CAB would be feasible and useful for the office, and if so, what formats are available.

Establish the Purpose of the Community Advisory Board

As an advisory body, a CAB can serve a variety of purposes. A prosecutor office should determine its primary goals in creating a CAB. This decision will then inform how the CAB will be formed and operated. Some considerations in determining a CAB's purpose include:

General scope versus specific focus. Will the Board discuss many areas of interest to the office and the Board members, or is it being created to address a specific focus?

- The Yolo County (CA) District Attorney's Office, for example, created the Multicultural Community Council to consider a wide range of prosecution-related topics. [View video.](#) Similarly, the Alexandria (VA) Commonwealth Attorney's Office developed a CAB to better hear from the community about any issues of concern that might arise. [View video.](#)
- The Prosecuting Attorney's Office in Jackson County (MO) has a CAB to seek community perspectives about pressing policy questions, although the CAB was not established to discuss specified topics. [View video.](#)
- On the other hand, the Davis County (UT) District Attorney's Office uses a CAB for the specific purpose of reviewing the integrity of prior convictions. [View video.](#) Other offices have CABs specifically dedicated to youth issues, victim concerns, and other distinct topics or perspectives.

Advisory role. What role will the Board serve in advising the elected prosecutor and the prosecutor office? Some CABs exist to provide feedback and suggestions, either confidentially or in publicly available reports. Others are empowered to offer guidance on policies, criminal justice legislation, or specific prosecution decisions.

Number of Boards. Is one Board sufficient or is more than one necessary, especially if there are multiple issues to discuss? For example, if soliciting youth input is a priority, consider that a Board made up of many young people may encourage candid conversation among a group of peers that are close in age.

Create Guidelines for the Composition of the Group

Prosecutors also must consider what type of representation they would like to have on the Board and how to choose Board members. A new CAB requires decisions and guidelines about:

- **Membership Criteria:** Which community members will be eligible to serve on the Board? Many offices establish criteria for membership, such as residency within the jurisdiction and age parameters (for example, members must be over or under age 18).
- **Number of Members:** Will the CAB have a set number of members and, if so, how many? Although having more voices can improve discussion, a group that is too large can make it difficult to give everyone an opportunity to be heard. The CAB examples discussed in this paper have had success with groups of 10 or 15. Consideration can also be given to the fact that not every member will attend every meeting.
- **Length of Service:** How long will Board members be asked to serve? Limits on periods of service can allow for new voices to join at regular intervals. Some offices have asked CAB members to volunteer for one- or two-year terms.
- **Variety of Membership:** What CAB representation will reflect community perspectives? Offices should think about the purpose of the CAB and how to include a range of viewpoints.
 - This decision may involve considerations of race, ethnicity, national origin, age, faith, employment/experience, socio economic status, people impacted by mental or physical challenges, sexual orientation, gender identity and prior experience with the criminal justice system.
 - A CAB can represent different sectors of a community, such as schools, hospitals, businesses and non-profits.
 - Most successful CABs intentionally include individuals who are both supportive of the office and critical of past or present practices.
- **Process for Selection:** What will be the process for choosing members? Some prosecutor offices invite specific individuals to serve on the CAB, whereas others use an application procedure to find members.
 - *Invitation Method:* In many jurisdictions, the elected/chief prosecutor invites individuals to serve on the CAB. Invitations are typically made to community leaders or residents recommended by community leaders. In Jackson County (MO), the elected prosecutor selects most CAB members. Then, the selected members themselves choose additional members they believe will add important voices to the Board.
 - *Application Method:* Another approach is to find Board members using an application procedure. To solicit applicants, the Board can be publicized through the office website, social media, press releases, and community forums. Existing community resources also can be utilized to inform potential applicants about the CAB, such as community prosecutors, victim advocates, lived experience outreach workers, social service providers and other stakeholders impacted by the issues for the Board. This approach requires a consistent method for reviewing applications and selecting members. The Commonwealth Attorney's Office in Alexandria (VA) developed an application that included a short essay about why the applicant wished to serve. The elected Commonwealth Attorney reviewed these essays and then interviewed each applicant personally by phone to select the CAB members.

Create Guidelines for the Board

CAB members will require guidance on how the Board will function. Written materials that outline the purpose of the group, the expected time commitments, and expectations for participation may help ensure that all members are apprised of this basic information. Other topics to incorporate in guidelines can include:

- **Confidentiality:** Clear instructions on whether CAB meetings and discussions are confidential and the reasons behind the need for confidentiality.
- **Background Checks:** If background checks of members will be conducted, an explanation of how and why this process will be followed. Note: including people who have been formerly incarcerated can be very impactful and helpful for a CAB.
- **Number of Meetings and Attendance:** Schedule of meetings (monthly, quarterly, etc.), details about whether meetings will be held online or in-person, and protocols regarding required attendance.
- **Participation:** Expectations for respectful dialogue and debate. Willingness and desire to share different perspectives should be emphasized.

Conducting Meetings

Once a Community Advisory Board is formed, thought should be given to how the meetings will be conducted. Considerations include:

Leading the Group

Offices must decide how best to lead potentially contentious discussions in a productive and inclusive way. Some suggestions for appropriate language to use with various groups are provided by the American Psychological Association. [Read](#).

Leadership options include:

- **In-House Group Leader:** Someone from the prosecutor office – most likely the elected/chief prosecutor – may be the natural person to provide meeting agendas, initiate discussion, and facilitate debate.
- **Rotating Leadership:** Discussion leadership could rotate among CAB members, with each member having the opportunity to facilitate a meeting. This method may foster different approaches to group discussions and encourage members to invest in the group's process.
- **Professional Facilitator:** Consideration can be given to hiring a professional facilitator who can ensure that the discussions stay on topic and boundaries are respected during robust discussions of sensitive topics.

First Meeting

The first time the CAB meets is an important opportunity to impart the goals for the group and create the tone for discussions.

- **Setting the Stage:** Prepare a presentation that introduces the members and explains the purpose of the group.
 - The first meeting can be used to describe the role of the prosecutor.
 - Create an understanding and agreement for “confidential sessions” where warranted.
 - Establish ground rules and expectations for discussion. It is usually helpful to include the group in setting the ground rules so that everyone has input and feels that the process is fair and transparent.
 - Set clear beginning and ending times for the meeting.
- **Participation by All:** Be aware that some members of the group by status, age or experience may dominate conversations. A strategy for including all members can be developed. This may be as simple as rotating comments around a circle or calling on people who have not spoken.
- **Accommodations.** Some CAB members may require accommodations to participate in meetings (such as translation or transportation). Prepare ahead of time to determine what accommodations are needed, if they can be provided, and have them available at the first meeting.

Subsequent Meetings

Developing a consistent process for conducting CAB meetings will ensure the Board’s time is used effectively.

- **Agendas:** Topics for discussion can be planned to allow for a more purposeful CAB experience. Providing agendas to Board members ahead of the meeting will allow them time to prepare. The office also may develop a system through which CAB members can suggest agenda items, either during or between meetings.
- **Presenters:** A prosecutor office may invite presenters to CAB meetings to provide information on a variety of topics. Presenters may be chosen based on Board discussion and interests.
- **Policy Advice:** If seeking policy advice, consider using data and hypotheticals to present sensitive information. If there is a historical aspect to the purpose of the group’s formation, it may be beneficial to integrate a neutral presentation of that history and acknowledgment of the lack of consideration for community input in the past.
- **In-Person/Remote Meetings:** Meetings can be in person, remote or hybrid. Allowing for remote access may increase participation, though occasional in-person meetings are helpful to increase bonds between members. Serving food is always an advantage.

EVALUATE THE PROCESS

Creating a Community Advisory Board is not a static process. It will change and improve if the prosecutor is open to feedback. Approaches to strengthening a CAB over time include:

- **Informal Evaluations:** Conduct informal evaluations throughout the process and make improvements as needed. This can easily be done by simply asking the Board members for suggestions at the end of every meeting.

- **Formal Surveys:** Use formal surveys when the Board is first created and then at regular intervals to measure expectations and outcomes.

CONCLUSION

Community Advisory Boards can be incredibly helpful for prosecutor offices. A CAB provides an ongoing vehicle for community feedback, giving prosecutors access to perspectives and ideas they may not otherwise hear. At the same time, CABs offer the opportunity for prosecutors to provide information on criminal justice issues to community leaders. Offices also can use CABs for specific purposes where transparency with the community is desirable, such as the review of cases for conviction integrity or prosecutor-initiated resentencing. While establishing a CAB may take some initial planning and decision-making, prosecutor offices that have undertaken this process have experienced high levels of success, improved their community relationships, and gained important insights into prosecutor policies and decisions.