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SUMMARY OF MAIN FINDINGS FROM THE 2ND ANNUAL WORKSHOP Convening of Prosecutor Research Collaborations

In October 2023, Wellbeing & Equity Innovations and Claremont Graduate University's Computational Justice Lab, co-hosted the 2nd annual Workshop Convening of Prosecutor-Researcher Collaborations in Santa Barbara, California. This event connected over 50 attendees representing over 20 agencies with a goal of generating fruitful knowledge and collaborative opportunities for prosecutors and researchers.

This report details major themes and policy implications that arose throughout the event and is organized by the nine main convening topics. Additionally, the report points to future research recommendations or areas that can meaningfully build on the momentum of the convening.



Prior to reviewing the nine focal topics, listed below are some of the overarching themes that were consistent throughout the event.

OVERARCHING THEMES

1. A desire for more **proactive solutions**.

Prosecutors explored actions their agencies could take to proactively reduce the likelihood of individuals having future contact with the legal system. Whether it be through diversion programs, community collaboration, educational programs, or the implementation of new roles within prosecutor offices, the two-day event continuously saw conversations eager for proactive solutions.

2. The shared sentiment of several **internal barriers** affecting prosecutorial work.

Across the diverse presentations, internal barriers associated with the prosecutorial field such as staff shortages, extensive caseloads, employee retention, equipment shortages, and available resources were expressed as barriers to their efforts.

3. The importance of increasing **community collaborations**.

Attendees shared attempts to reduce silos in their jurisdictions including collaborating with social service systems, child welfare agencies, victim advocates, and others. Collaboration efforts were further explored by the group as a means to increase the impact of prosecutorial actions, and to divert the workload to other experts as well as to promote the overall wellbeing of the community.

4. **Barriers to data collection** and complications with data accuracy.

Attendees repeatedly pointed to the need for enhanced data tracking abilities within their agencies and the desire to access this information to make more data-driven decisions.

5. The **incorporation of technology** to assist with reaching goals.

Whether it be new software for agencies, online assessment tools, or artificial intelligence programs, the topic of technology was consistently mentioned throughout the topics for its potential to increase efficiency and equity in prosecutorial response.

Main Findings by Theme



GENERATING STATEWIDE DATA

Using statewide data as a catalyst to increase the public’s awareness of what prosecutors do was an important theme from the Generating Statewide Data topic. Discussions explored how data could provide greater transparency to the role of prosecutors within the legal system and “soften” the stereotypical image of prosecutorial field. As one prosecutor at the event stated, it’s currently “not cool to be a prosecutor.” The hope is for this reimagined data push to encourage more people to consider a profession as a prosecutor, responding to the mass prosecutor shortages felt across the country. Additionally, statewide data would provide greater transparency on things like case numbers, outcomes, and charge types. this transparency of information could help increase public awareness of criminal/legal issues of their community, emphasize the responses utilized, and potentially increase public buy-in and trust. However, our team cautions that statewide data should be paired with detailed policies on dissemination of information to help minimize the risk of information being taken out of context and potentially bringing unintended consequence to prosecutors.

A second theme in the presentation and discussions on generating statewide data was the existence of barriers. Discussions pointed to two main deterrents to statewide data tracking. First, there is a lack of systems in place, including proper equipment, to accurately track data on a statewide scale. Unfortunately, the absence of up-to-date technology appears to be a common issue as a recent case study examining prosecutor agencies found that a lack of updated equipment was one of the major barriers to data tracking (Metcalf & Kuhns, 2023). This challenge represents a pressing issue that policy could respond to, without proper equipment the ability to understand, interpret, and respond on a statewide level is extremely flawed. The second deterrent to statewide data tracking was the lack of personnel needed to allocate the necessary time and energy toward this cause. With many prosecutor agencies facing staff shortages, tasks associated with data tracking may fall to the wayside.

Without the proper data tracking or the generating of data across regions, there are several impacts to prosecutors including an inability to properly illustrate and share progress. As one attendee shared, there is a call for prosecutors to reduce racial disparities, and there have been multiple efforts to do so, however without statewide data there is little the agency can do to objectively show any progress they are making toward this goal. Without this follow through, policies are not able to be reviewed for impact or necessary modifications that may be needed. Additionally, generating statewide data would provide evidence and context behind issues most aligned with their community’s needs, that way prosecutors can determine where their resources are best spent regardless of what external forces may pressure the agency to focus on.

There were three main recommendations for future research that came forward in the presentations and discussions on the statewide data topic. One of these topics was the desire for statewide data that could illuminate the impact of COVID-19 on prosecutors. For example, many staff and legal practices transitioned to remote and virtual work during the pandemic. There is a desire for research to investigate case outcomes for individuals that purely interacted with their prosecutor remotely versus those that engaged in-person. Secondly, it was recommended for a statewide tracking of client decisions surrounding diversion programs. Statewide data that tracks when and why people say “no” to diversion programs may provide critical information necessary to shape diversion policies and program development. For instance, information on declines to diversion participation may reveal client barriers and/or disincentives to program participation that could be modified.

The third area recommended for future research to collect statewide data on case outcomes, charge type, and the amount of experience of the prosecutor on the case. The goal of this research would be to identify the decision-making of prosecutors and how these decisions relate to their experience and case outcomes. The offices noted that internal buy in and equity in consistency in decision making is a significant hurdle facing progressive prosecutors. Additionally, this type of research could help agencies by pointing to the adherence to agency policies and practices, as well as consistency in decision-making across prosecutors. However, our research team cautions any causal interpretation of prosecutor outcomes based on years-of-experience. Professional experience is a very difficult variable to quantify because experience is not simply based on time, it’s also based on things such as exposure to cases, and the presence of mentorship at an agency. In other words, someone could have more years-of-experience but less hands-on experience, which may greatly influence their competency in the field. Regardless, this type of statewide investigation of prosecutor decisions, experience, and case outcomes would add valuable insight to goals of consistency and equity.



BAIL

The main findings from presentations and discussion on bail highlighted the support for bail reform from both prosecutors and their closely related stakeholders. The conversations that spilled from this topic emphasized that for prosecutors from across the country, it is not a matter of *if* bail reform should occur, but a matter of *how* bail reform should occur. The major theme that arose in contemplating bail practices and reform was that of balance. Findings emphasized that balance in bail reform is a goal that is actively being pursued but the solution for an ideal balance has yet to be determined. The theme of balance was showcased in several ways as attendees deliberated on ways to achieve a balanced bail reform as described below.

The support for a balanced bail reform was deeply rooted in a desire to prevent individuals remaining in jail simply because they are unable to pay their set bail. In fact, there was a real ethical motivation behind this desire voiced in concerns of systematic inequality that unfairly targets the poor.

The *how* of bail reform was further explored through presentations reviewing case examples on the impact of zero bail policies in one presenting jurisdiction. Findings from this presentation pointed to negative consequences specifically due to the observed increase in recidivism amongst individuals that were released with zero bail. An important finding from the presentations on zero bail was the absence of perceived benefit from zero bail. Attendees were unable to conclude concrete examples of whom may be benefiting from zero bail without signaling to the broad observed consequences. There appears to be an opportunity for research to add valuable insight on zero bail and its role amongst justice stakeholders and community members. For instance, the impact of zero bail on judges, law enforcement, prosecutors, public defenders, and defendants is an area that could benefit from further research. Zero bail policies are likely to affect each of these stakeholders in different ways. Understanding the nuances of this impact and how the polices interface with one another would

add valuable information to the enhancement of such initiatives and to comment on whether this jurisdiction's experience was isolated or could be attributed to other research or contextual factors.

Findings from the discussion on bail reform also emphasized that bail reform related tools, like certain risk assessment tools, appear to have mixed support from prosecutors. Some strongly against, some in favor but with adjustments. Two of the main criticisms that came forward in discussing risk assessment tools were:

1. Risk assessment tools do not place enough priority on history of repeated failure-to-appear (FTAs)
2. Risk assessment tools do not accurately capture the threat of an individual without a history or the threat between the individual facing charges and the victim.

Attendees also shared concern that risk assessment tools may be implemented, used, and interpreted differently depending on the jurisdiction. Results of risk assessment tools are often interpreted by each jurisdiction, and it seems invaluable to have consolidated guide on the policies and procedures behind the scoring. The guide could include how these scoring conversations occurred and who all was included in the decision-making process.

Prosecutors' offices indicated that they would benefit from exploratory reports on risk assessment implementation and utilization which they believe may be helpful to illustrate the different procedures associated with risk assessment tools and the potential impact of these tools. Jurisdictions indicated an interest in implementation guides that would address questions such as: How soon after arrest is the tool being conducted? Who is administering the tool? Who sees the results? What determines how to interpret the results? Other solutions that came forward included utilizing a third-party magistrate to weigh in on cases as part of the bail reform. Ensuring individual factors and case specifics are considered in bail decisions. Attendees appeared cautious of any blanket criteria that would funnel certain crime types toward zero bail and preferred a case-by-case assessment. However, attendees were unable to cite what this inclusion of prosecutor judgement could/should look like suggesting that our attendees are not currently experiencing the level of power and judgement that they wish.

Policy implications from the findings described above include: (a) prosecutors need more research backed evidence of the effectiveness of zero cash bail in order to support this level of reform; (b) bail reform broadly defined is supported by prosecutors and agencies are actively seeking solutions; (c) prosecutors desire to have their judgement and individual assessment included in pretrial decisions like bail; (d) there is a desire for failure-to-appears to be included in bail assessments.



DEFLECTION & DIVERSION PROGRAMS

A major theme of the presentations and discussions on deflection and diversion programs was the importance of collaboration with community social service and public health partners.

Deflection and diversion programs often rely on community collaborators for the operation and success of these programs, especially when connecting clients to community providers for mental health or substance related treatment. Without community treatment providers, some prosecutors are limited in their ability to divert individuals toward resources. Additionally, presenters emphasized a lesser acknowledged advantage of community collaborations, the collective first-hand insight from working with the same individuals. When prosecutors have strong ties with their community partners, the ability to strategize collective responses becomes possible. Insight from healthcare, treatment providers, law enforcement, and others can be consolidated into a robust gameplan that accounts for the community knowledge each possesses.

Another important theme of the presentations and discussion on deflection and diversion programs was the need for tailored programs that are culturally specific. Meaningful examples described by presenters included the development of programs that respond to Native American populations by incorporating things like Grandma circles and sweat lodges into program criteria. Achieving a culturally relevant program will inevitably require the inclusion of community feedback which our event uncovered as an area that needs greater clarity and insight, so

agencies feel equipped to navigate these conversations. As a result, we encourage research to take stock of how community perspectives are currently incorporated into the development of programs and the impact of cultural responsiveness on program enrollment, retention, and success.

An important policy implication that surfaced in the discussion on deflection and diversion programs was the external push onto prosecutors to implement more diversion programs without addressing the staffing needs of these programs. Prosecutors overwhelmingly supported the concept of diversion and deflection programs but expressed challenges with implementing and sustaining these programs due to staff shortages. It is critical that any policies mandating the implementation of these programs also addresses staffing needs. One possible solution shared at the event was the reliance on external agencies to operate diversion programs to alleviate the demand on the prosecutor agencies.

Another policy implication from these discussions was the definition of success. The service providers in attendance at this event emphasized that success for them and staff of diversion/deflection program overall is often quite different than the definition of success for a judge or other stakeholders. Specifically, success for diversion staff is harm reduction, whereas success for a judge primarily means never seeing the individual in court again. However, as powerfully depicted by presenters, most people go through treatment programs 8-9 times before long-term stability is achieved. As a result, policy on diversion and deflection programs may need to ensure that individuals are not capped at a one-time diversion enrollment and that relapse is a normal and likely occurrence of these individuals.

Another critical policy implication that came forward in the topic of deflection & diversion was the impact of treatment quality on individual success. Well intended policies may divert individuals to treatment programs but if there are not also policies monitoring the quality and conditions of these programs, they may have minimal at best or harmful at worst effects. Ideally, treatment programs should meet certain credentials and utilize the best data driven practices available in their treatment services. However, this is not always the case and prosecutors indicated that simply referring or connecting individuals to treatment does not necessarily mean treatment is occurring. This raises an important question on whom should be responsible for monitoring the quality of treatment programs, and what power should prosecutors have to hold these programs accountable to these standards. As deflection and diversion continues to become a widespread practice across the United States, it is imperative that policies on the standards and monitoring of these programs are enforced.

Future research should explore the operation of diversion programs within prosecutor agencies as compared to external diversion programs that prosecutors divert to. There is a need for research to explore the positives and negatives associated with these two diversion paths and the impact on prosecutors and their clients. Some additional questions for future research brought forward in the event discussions were how internal versus external diversion program operation may impact fees associated with the programs for clients, and how diversion staff (like certified mental health clinicians) in house at prosecutor agencies may affect the culture of the agency overall. Lastly, future research is needed to understand how to best coordinate a community-wide collaborative response to diversion programs and which programs are of greatest need - which is currently largely driven by the prosecutors' offices outreach and advocacy.



FENTANYL AND SUBSTANCE-USE

Presentations and discussion on substance-use and fentanyl emphasized the magnitude of this issue across communities, and the toll of the fentanyl and substance use crisis on prosecutors. Through shared stories of emotional interactions with clients and client families, it was profoundly clear that prosecutors are not only responding to the legal side of the fentanyl and substance-use crisis but are in desperate need for holistic solutions that address the complexities of this crisis for their communities.

A major theme that came forward in the topic of fentanyl was education. Education was a theme as both a proactive and reactive response to fentanyl issues in communities. As a proactive response, attendees deliberated on the incorporation of substance related education into school systems. Attendees brainstormed the idea of mandatory fentanyl courses for diversion programs and described it as being similar to mandated driving under the influence (DUI) courses that include educational components on the impact of driving intoxicated. Attendees suggested that mandated educational classes should be incorporated into the processing of substance-use charges. Further research is needed to investigate current trends in the educational components of drug-diversion programs and the impact of these educational courses on individuals. We encourage research that can track individuals over a significant course of time and include both quantitative outcomes like recontact with the criminal justice system and qualitative outcomes to assess things like increased knowledge, changes in thinking, and behaviors related to substance related criminal offending.

Another theme that arose in the topic of fentanyl and substance misuse related factors was the utilization of media by prosecutors. One presenting agency shared details of media strategies they had implemented to increase community awareness of the physical and legal dangers of using or distributing fentanyl. The prosecutors believed that such media strategies serve to proactively reduce future contact with the legal system by exposing individuals to the dangers of fentanyl. There is a need for future research to evaluate these types of media campaigns and their impact on individual behavior.

Discussions briefly considered the impact of community centers that offer free access to Narcan, but attendees quickly emphasized that there is no tracking of Narcan usage which greatly limits the understanding of the impact of these centers. The tracking of Narcan distribution is well intentioned because tracking could dissuade someone from seeking out the Narcan for fear of repercussions. However, the absence of data on Narcan usage may be limiting understanding of substance-use issues and the ability for tailored policy development. Statewide data on quantity of Narcan usage per law enforcement agency, ambulance, or EMS staff, and by hospitals could provide pointed insight on proper resource allocation and response strategies. Additionally, future research could use these quantified numbers to evaluate how outcomes like overdose rates, incarceration rates, crisis-unit utilization, and Narcan usage, fluctuate in communities.

Finally, there was lively debate on charging individuals who distribute fentanyl with murder when an end user dies. Some states consistently achieve convictions for drug distributors and attendees debated the culpability of the buyers versus the sellers. Cautionary tales of life sentences for crack cocaine convictions and mandatory minimums were raised pointing to an audible desire for research and direction on best-practices. Ultimately, there is an urgent need to research the deterrence effect or lack thereof, of such charging and conviction practices as well as trends in decision making factors for when this maximum charge is pursued or not.



VIOLENT CRIME AND GUN VIOLENCE

The presentations and discussions on violent crime and gun violence covered a range of ideas and concerns such as exploring at-risk groups for violent charge convictions and re-victimization amongst violent crime offenders. Throughout this dialogue, three main themes stood out: the need for proactivity, the value of collaboration, and the barriers associated with stigma.

A major theme of the violent crime and gun violence topic was the need for proactive approaches. Proactive approaches by prosecutors were identified as opportunities for prosecutors to engage with at-risk populations, individuals with a high likelihood to engage in future criminal justice involvement and find ways to minimize this likelihood. A group in particular that was identified as a critical group for prevention strategies was youth. Although youth and young adults overall were identified to be a group with heightened risk, youth in the foster-care system were believed to be extremely vulnerable to becoming involved with the legal system. Attendees shared examples of community events and activities in their regions that attempt to proactively intervene with these at-risk groups through positive programming.

Proactivity was also emphasized in conversations exploring victim outreach. Prosecutors may reduce future involvement in the legal system by targeting victims of crime. The victim-offender overlap is the widespread acknowledgement that individuals often experience the role of victim and perpetrator at different times in their lives. This entanglement of system involvement and violence is an important area for policy to deduce how to better intervene. Findings from this event suggested that proactive outreach to victims by a victim advocate on the prosecutor team is not common but is supported by prosecutors as a future policy change. Future research is needed to understand and evaluate the impact of victim advocates that are incorporated into district attorney offices as proactive strategies. Research may track individuals that receive services from victim advocates and measure outcomes like future contact with the legal system and successful connection to resources.

Secondly, stigma was explored as a barrier interfering with efforts to reduce violent crime and gun charges. Individuals who face these types of charges are often stigmatized as too dangerous or undeserving of diversion programs. However, two innovative diversion programs were highlighted that target this population. These diversion programs serve victims of nonfatal shooting victims who have become defendants as well as individuals who have engaged in violent or near violent behaviors providing comprehensive trauma focused treatment that focuses on violence reduction and retaliation prevention as well as enhancing community stability. Ultimately, there is need for research on programs that focus on alternatives to prosecution for first-time offenders and trauma responsive diversion programming for individuals facing violent crime and gun charges.

A third theme that emerged from this topic was the value of collaboration. Collaboration was discussed as a way to increase the knowledge of stakeholders about certain cases and individuals, reduce silos of the various criminal justice entities, and increase efficiency in response to the individuals and community areas driving violence. Presentations highlighted examples of how prosecutors in one jurisdiction had increased their collaboration with law enforcement through involvement with case-review teams. Further research is needed to understand the function of these collaborative teams and their impact at reducing violent crime.

Policy recommendations include: (a) prosecutors support the incorporation of victim advocates as a means to respond to needs of victims that extend beyond the legal issues of the case; (b) prosecutors support collaborative teams with law enforcement that combine their knowledge on issues to strategize effective responses; (c) there is a need to determine best practices in diverting individuals with violent charges to appropriate treatment services. Prosecutors acknowledge that individuals with violent charges are often left out of treatment and resource connection; there is a desire to incorporate programs for violent offenders that can minimize future contact with the legal system.



TRAUMA RESPONSIVE DIVERSION

Presentations and discussions on trauma responsive diversion centered around two main themes:

- a. The need to identify and divert individuals with past trauma.
- b. The need to see someone holistically and create diversion programs that are tailored to individual needs.

The need to identify and recruit individuals with past trauma was shared as a strategy to divert some individuals with gun charges toward diversion programming. The geographically diverse agencies that presented on these strategies pointed to success of their clients and buy-in from community stakeholders. These presentations offer critical findings to the field of prosecutorial work because gun charges are typically excluded from diversion programs. Initiatives, like those presented, are part of early work that is paving the way toward expanding treatment for trauma for those in the justice system regardless of the current charge.

Having programs that are tailored to the individual needs of a client rather than a one-size fits all may assist in the call for trauma-responsive programs. Research on the diversion programs has acknowledged the trend to

incorporate this individualistic approach. In a recent study examining the details of prosecutor-led diversion programs across eight states, the majority of programs reviewed allowed this individual tailoring which enables the programs to meet such specific needs like educational or therapeutic classes (Johnson et al., 2020). However, there appears to be a gap in understanding the impact of individualized initiatives. Future research is needed to explore how diversion programs that are tailored to individual needs may compare to uniformly standardized diversion programs. Research is needed to compare costs and benefits associated with both, including long-term factors associated with psychological well-being and stability of individuals.

There are several policy implications from the presentation and discussion on trauma responsive diversion including: (a) records of victims of crime should be tracked for future involvement with the legal system; (b) individuals that have been previously victimized may be at higher risk for involvement with the justice system and policies to proactively connect victims to service may minimize this future risk; (c) trauma responsive diversion may include culturally responsive practices that integrate individual needs into programming; (d) incorporating of peer-supports or persons with lived experience appears to be an emerging strategy at increasing trauma-responsiveness of a program.



VICTIM SERVICES AND DOMESTIC VIOLENCE

Presentations and discussions on the topic of victim services and domestic violence centered around one main question, how can the conversations between victims and prosecutor agencies be bolstered to better serve the victims and increase efficiency of prosecutors? In deliberating on this question, two main themes emerged. A desire for increased ease to connect victims to trained experts like victim advocates, and a desire for increased information on the types and quantity of resources that victims need.

Dialogue on this topic stressed that prosecutors spend a considerable amount of time talking with victims. There is a need for policy to support best practices in these conversations, and to connect victims to trained experts like victim advocates or peer support staff who can provide the type of comprehensive service assessments that prosecutors cannot or should not. Further research is needed on how to best make these handoffs as smooth as possible and the impact of doing so. For one, a warm handoff may reallocate agency resources in a way that increases efficiency by focusing on intended roles and skills of staff. Another potential benefit in the collaboration between victim advocate and prosecutor may assist the prosecutor by increasing the cooperation or communication from the victim about the criminal charge (Gaines, 2017). Attendees also shared a belief that an individual's willingness to engage in suggested programs or treatment is greater when the suggestion is provided by an individual with shared experiences such as a peer-support role.

Another finding that surfaced during this topic was the gap in societal awareness for the type and quantity of resources needed to adequately respond to the needs of victims of crime. Part of this gap may be due to the difficulty in capturing data on service recommendations compared to service received. In other words, it is relatively easy for prosecutor agencies to track the types of referrals they provide clients, but tracking whether clients engage with the recommended services is much trickier especially if contact with the client has been lost.

Although not heavily discussed at this event, policies requiring restitution from defendants are one way policy has responded to the financial needs of victims. Restitution, as a component of many diversion programs, can be seen as an important accountability piece. However, some attendees mentioned the challenges associated with defendants paying restitution and how this difficulty could potentially result in them remaining involved with the legal system longer. Beyond restitution, defendants may already struggle with paying diversion program and legal fees; adding on restitution may result in large outstanding fees that complicate an individual's ability to rehabilitate from justice involvement (Johnson et al. 2020). Due to the complexity of restitution and impact on both defendants and victims, future research is needed on policies surrounding restitution, impact on victim financial needs, and overall contact with the legal system.

Policy implications from the presentations and discussions about victim services and domestic violence include: (a) there is desire for warm handoffs between prosecutors and victim advocates but a lack of clarity on how to achieve this; (b) there is overall prosecutor buy-in that roles like victim advocates can increase client trust and engagement with the legal process; (c) there is a desire for informative guides detailing best practices for prosecutors when speaking with victims. Regardless of the incorporation of victim advocates, prosecutors will still speak to victims and their families. Pointed tactics for best ways prosecutors can navigate these conversations is perceived as extremely valuable.



RETAIL THEFT

Presentations and discussion on retail theft emphasized a sense of urgency to the issue due to the nearly a 30% increase in retail theft in 2022 for a large western region of the United States. The urgency to find solutions to the issue of retail theft led to policy-centered conversations on the severity of legal consequences, community impact, and police response to these crimes.

The severity of legal consequence was a prominent topic during the retail theft discussions. Attendees discussed the nuances of state policies that stipulated retail monetary values associated with misdemeanor versus felonies. There was a shared concern that retail theft, associated with a lesser stolen value, receives less priority of response compared to commercial burglary that is equated with a higher stolen amount. Importantly, attendees believed the less prioritization could be observed both in the lack of reporting from store owners, and in perceived slower response times from law enforcement.

There is a need for further research to explore how the severity of charge affects the dynamics between stores, law enforcement, and communities in their response to retail theft and impact on one another. For example, do understaffed law enforcement agencies respond to retail theft differently than fully staffed agencies, and do jurisdictions with stricter legal consequence for retail theft see a difference in reporting by store owners and response from law enforcement? Future research could provide needed insight into these questions by tracking 9-1-1 reports, retail theft policies, charge types, law enforcement response time, agency staffing trends, and outcome of 9-1-1 reports.

An important policy implication from the presentation and discussion on retail theft was the acknowledgement that retail theft statistics are often inaccurate because store owners are not reporting the crime. Attendees felt that store owners have been less inclined to report incidents of retail theft due to beliefs that nothing will occur. The gravity of response to retail theft may greatly impact the quantity of reports coming forward and the community perception of police buy-in and community safety. This has significant policy implications because a lack of data from missing reports means policies are potentially being developed without the totality of the issue being known. This puts communities at risk for ill-fitting or absent strategies.

Two main areas for future research emerged: (1) identify the procedural barriers and decision-making that hinder reporting of retail theft; (2) investigate non-law enforcement alternative responses to retail theft.

First, future research can identify the procedures involved in reporting retail theft, the barriers and facilitators associated with those procedures, and impact on retail theft reporting. It is imperative that this research track steps involved from the point that the theft is known up till the police report is finalized. For example, who typically reaches out to police to initiate the report; what preliminary information is acquired during this reach out to determine response; how long after this initial reach out does the formal documenting of a report occur; how is the information for a report gathered and what is the purpose behind that information collection method' etc. Following this step-by-step process may illuminate the biggest barriers and areas that could be streamlined for efficiency.

Secondly, future research could explore what actions, other than police response, are shown to minimize retail theft occurrence. Because law enforcement staff shortages are unlikely to be readily resolved, there is a need to document alternative response options that stores have implored to address issues of retail theft. Ultimately, this explorative guide may help illuminate strategies that have successfully minimized rates of retail theft. Future research may wish to implement some of these strategies in new locations to track implementation and casual outcomes.

Future research on alternatives to police response highlights one of the most prudent policy implications that came forward in this topic such as the suggestion to modify credentials of persons that could document a retail theft police report. Modifying credentials of who could fill out a police report would mean that individuals other than law enforcement could formally document retail theft incidents, thereby alleviating the demand on law enforcement to respond and allowing store owners to report quickly. This rethinking of report writing credentials responds to the identified issues of understaffed law enforcement and the desire for store owners to seek formal consequences and underscores research opportunities to further explore the existence and role dynamics of non-law enforcement civilians filling out police reports and how this alternative option affects case processing.



PROSECUTOR WORKLOAD

Prosecutors are facing staff shortages across the country and despite these challenges, the need for representation has not slowed and prosecutors find themselves responsible for burgeoning caseloads in addition to engaging in important, but time and resource intensive, alternatives to prosecution. A major issue contributing to this challenge is the lack of a concrete objective understanding of what is an “acceptable”, “standard”, or “sustainable” workload for prosecutors or how to measure when these workloads standards are met. Attendees discussed the plethora of factors that vary with each case that make it seemingly impossible to concretely quantify the exact time required. For example, the geographic location of the case, the number of victims involved, the economic status of a defendant, and the number of charges associated with a case, are just a few of variables that were determined to greatly impact the time and energy required by a case.

Attendees expressed how a tool specific to the prosecutor field that would help measure the time and energy associated with caseload would be extremely beneficial. Attendees pointed to the existence of such tools for public defenders which were believed to have received greater public monitoring of their caseloads, but the utter absence for such tools or insistence for the caseloads of prosecutors. A prosecutor workload tool could assist both prosecutors and the field in several ways. First, the staff shortages across the prosecutor industry have meant that many attorneys are responsible for significantly larger caseloads than their agency would have normally allocated to them pending robust staffing. However, without industry tools that have tracked the average number of cases, as well as the time and energy associated with them, the field is not able to objectively point to how far prosecutor caseloads have wavered from where they *should* be. The tool would directly respond to this gap by providing data behind the caseloads of staff over the course of time, thereby illustrating the impact of staffing or case demands. A second benefit to the tool would be to provide prudent insight to the industry on trends in prosecutor response.

The development of a prosecutor workload tool represents a vital area for future research and results could be invaluable to policy development around caseload and capacity. In order to fully understand the impact of prosecutor workload on things like case outcomes, there is a need to capture and quantify the variables that make up prosecutor workload. As described above things like incident location, characteristics of victim, and reporting agency information all impact the workload associated with a case. Policy should prioritize identifying and defining these variables as they play out on a micro and macro level. Doing so could help illuminate both the needs of a community and those of a particular district attorney’s office.

As reflected in the discussions of this event, prosecutors, like many agencies, are actively seeking ways to increase job satisfaction of their employees to support their wellbeing and increase job retention. One of the solutions an agency at our event expressed, was the hybrid work schedule. Where employees were able to work from home when their obligations did not require office resources or face-to-face meetings. Another solution discussed in the event to increase employee wellbeing was to monitor caseloads to ensure staff are not relegated to only working on one type of case for extensive periods. Instead, moving staff around occasionally to ensure their workload has a variety of case types can be a method to increase job satisfaction through the mental stimulation of responding to something new. With the urgency of attracting more individuals to the field as prosecutors and maximizing employee retention, prosecutors felt future research is needed to document strategies used across the country by prosecutor offices which could then be developed into a highly beneficial toolkit.

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We thank Arnold Ventures for their support and contributions that made this event possible.