The following is a compendium of news reports over the past month that may be of interest to our AG offices who are involved in criminal law issues. Neither the National Association of Attorneys General nor the National Attorneys General Training & Research Institute expresses a view as to the accuracy of news accounts, nor as to the position expounded by the authors of the hyperlinked articles.

NOVEMBER 2015

State News

A recently enacted California law establishes harsher punishments for prosecutors who deliberately and intentionally withhold evidence from defense attorneys. The law requires judges to report such violations to the state licensing bar and also gives judges the ability to disqualify such prosecutors and, in some cases, an entire prosecutor’s office, from a case.

The Tennessee Senate Judiciary Committee plans to examine a number of criminal justice reforms, including changes to local prosecutorial discretion, civil asset forfeiture reform, juvenile justice, and the implementation of police body cameras, among others.

A group of 130 police chiefs, prosecutors, and sheriffs met in Washington, D.C., in late October to issue a statement of principles that the group said could be a “blueprint for ‘reducing incarceration and crime at the same time’” by “building a fairer and smarter criminal justice system that continues to protect public safety.” The group is known as Law Enforcement Leaders to Reduce Crime and Incarceration and members include New York City Police Commissioner William Bratton, Los Angeles Police Chief Charlie Beck, Chicago Police Chief Garry McCarthy, and Manhattan District Attorney Cyrus R. Vance, Jr. The Group’s four priority issues are increasing alternatives to arrest and prosecution, especially mental health and drug treatment; restoring balance to criminal laws; reforming mandatory minimums; and strengthening community-law enforcement ties.

Federal News

The U.S. Department of Justice announced a new guidebook on 21st Century Policing, called The President’s Task Force on 21st Century Policing Implementation Guidebook. The resource guide provides a number of recommendations to communities, law enforcement, and local government and is a
Attorney General Loretta Lynch is also launching Phase Two of the Justice Department’s Community Policing Tour, which will highlight six jurisdictions that are effectively implementing one of the six pillars outlined in the guidebook.

U.S. Representatives Bob Goodlatte and John Conyers, together with others, introduced a bill to the U.S. House of Representatives which focuses on sentencing reform and serves as a companion to the Senate Sentencing Reform and Corrections Act, which was also introduced in October. The bill reduces some mandatory minimums for drug crimes, decreases the punishment for “three strikes” offenders, retroactively applies sentencing reforms to those eligible, and, in some cases, gives sentencing judges more discretion.

Research and Training

AEquitas has posted a recording of a webinar for prosecutors, entitled “Introducing Expert Testimony in Domestic Violence Cases,” which can be accessed at the following link. The webinar discusses the underlying law, when such testimony should be presented, and how to work with an expert to prepare a case for trial even when such testimony will not be used.

The Center for Court Innovation has released the findings of a study of the Harlem Parole Reentry Court in New York City, which “compares participants in a neighborhood-based reentry program to similar parolees on traditional parole.” The report shows that the reentry court produced a 22% reduction in revocation rates and a 60% reduction in felony revocation rates over an 18 year follow-up period, using “a validated and reliable tool for assessing the risks and needs of individuals returning from prison.”

A survey published by the National Domestic Violence Hotline found that 25% of female victims of partner violence would not call law enforcement for assistance. Half of such respondents felt that reaching out to law enforcement “would make things worse,” while others doubted that they would be believed or felt that law enforcement would not do anything to help them.

This month, one of NAAG’s Research Fellows attended a Congressional Briefing entitled “Moving Mental Health Care from the Jails to the Community: Decriminalizing People with Mental Illness. The briefing examined the underlying problems and offered policy solutions from the perspectives of clinicians, local government leaders, law enforcement, and individuals with serious mental illness who have formerly been incarcerated. To learn more about the briefing, please email me at fliquori@naag.org.

Updates from the Attorney General Community

California Attorney General Kamala D. Harris is joining Manhattan District Attorney Cyrus R. Vance, Jr., and Jeremy Travis, President of the John Jay College of Criminal Justice, to form a partnership to launch
the Institute for Innovation in Prosecution (IPP). General Harris will serve on the Advisory Board of the IPP, which is funded by the Manhattan DA’s Office as the result of settlements with international banks that violated U.S. sanctions. The IPP will bring together experts in law enforcement to develop practical solutions to the critical issues facing the criminal justice system in the 21st century.

**General Harris** also announced a partnership between the California Department of Justice and the White House Police Data Initiative, which will “encourage law enforcement agencies across California to adopt open data policies and provide tools and resources to empower those agencies to better utilize their data to enhance public safety.”

**Delaware Attorney General Matt Denn** proposed a number of changes to the criminal justice system in mid-October, including revisions to the state’s mandatory minimum sentencing laws and the elimination of automatic life sentences for the state’s “three strikes and you’re out” rule. General Denn explained that the changes are not only morally correct but cut criminal justice system costs, which allows the state to pay for more resources for law enforcement, drug treatment, and education for low-income children. General Denn also proposed mandatory jail time for gun possession by those with previous violent felonies, among other changes, which can be found at this [link](#).

**Florida Attorney General Pam Bondi** joined Florida Governor Rick Scott and numerous state agency leaders to hold the 2015 Statewide Human Trafficking Summit from October 29-30. The Summit was attended by more than 700 participants and offered profession-specific breakout sessions and cutting-edge training opportunities.

**Massachusetts Attorney General Maura Healey** announced that the application period has opened for a grant program to fund training by local domestic violence and sexual assault prevention organizations in high schools across Massachusetts. The program is part of an anti-violence partnership between General Healey’s office and the New England Patriots, called “Game Change: The Patriots Anti-Violence Partnership.”

**New Jersey Acting Attorney General John J. Hoffman** announced that a New Jersey Supreme Court Judge issued a judgment ordering members of a Ponzi scheme to pay over $8 million in full restitution for the benefit of their elderly victims and over $5 million in civil penalties. The three defendants fraudulently offered and sold notes to 73 elderly investors, falsely claiming that the notes were “safe,” “secure,” and “guaranteed” to earn a 12% annual rate of return but, in reality, they used the funds in a Ponzi scheme-like manner to pay existing investors with new investor funds.

**In an effort to improve public safety and strengthen law enforcement partnerships, New Mexico Attorney General Hector Balderas** met with tribal leaders from across his state to discuss public safety and legal issues, including domestic violence, the Internet Crimes Against Children Task Force, court costs, gaming compacts, cross-commissioning of police officers, and emergency management.

**New York Attorney General Eric Schneiderman** and New York City Police Department Commissioner William Bratton announced the take-down of a high-volume gun ring that allegedly trafficked firearms
from South Carolina, North Carolina, and Tennessee to New York City, often aboard Greyhound buses. In addition to the arrests of four individuals, the investigation led to the seizure of 50 illegal guns.

Ohio Attorney General Mike DeWine announced that he is awarding more than $51 million to 307 crime victim service providers across Ohio as part of his “Ohio Attorney General’s Expanding Services and Empowering Victims Initiative.” The Initiative was created to determine how funds received as the result of a marked increase in the Victims of Crime Act (VOCA) grant funding from the U.S. Department of Justice could best be spent to help crime victims within the state.

On October 29-30, 2015, NAAG Eastern Region Chair Rhode Island Attorney General Peter F. Kilmartin and New York Attorney General Eric T. Schneiderman hosted the NAAG Eastern Region Meeting at New York University Law School in New York. Attendees discussed best practices for combatting the opioid epidemic in the Northeast United States and nationally. Law enforcement participants were also provided with the opportunity to tour the New York/New Jersey High-Intensity Drug Trafficking Area (HIDTA) headquarters on Thursday afternoon.

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