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.

DECEMBER 2015

State News

U.S. Department of Justice’s Bureau of Justice Assistance (BJA) Director Denise O’Donnell announced that it will provide technical assistance to state officials in Arkansas “who have demonstrated strong bipartisan interest in implementing the Justice Reinvestment Initiative.” Arkansas is one of six states who are receiving such assistance. For example, Montana will also “launch a comprehensive study of the state’s criminal justice system” through assistance from the Justice Reinvestment Initiative.

This article examines whether juveniles are competent to waive their Miranda rights. In California, the Supreme Court recently declined to review the case of a ten year old who confessed to murdering his father. The statement was given after the child waived his right to remain silent in the presence of his stepmother.

The City of Los Angeles has filed nuisance abatement lawsuits against the owners of an apartment complex that is allegedly the stronghold of the Be Bop Bloods gang and the owners of a residential property that has been the turf of the Family Swan Bloods gang for almost three decades. These properties have been the locations of many shootings and other criminal activity. The suits “ask for remedies including video monitoring, security guards, enhanced lighting, an injunction barring gang activity and . . . the closure of the property for as long as a year while the alleged nuisances are brought to an end.”

In New York, a man charged with murdering his wife has been barred by the presiding judge from speaking to anyone except his lawyer about the case while he is in jail awaiting trial, in order to prevent the man from tampering with witnesses.

The National Center for State Courts’ (NCSC) Center for Sentencing Initiatives recently released a report entitled, “Using Risk and Needs Assessment Information at Sentencing: Observations from Ten Jurisdictions.” In the report, ten initiatives are analyzed. The analysis relates to behavioral treatment
programs, evidence-based supervision programs, and partnerships between probation departments and courts.

**Federal News**

In early December, the U.S. Department of Justice announced that 16 high-ranking FIFA officials have been indicted on corruption charges, including racketeering, wire fraud, and money laundering. In total, 41 individuals and entities have been charged in connection with this investigation.

The White House recently held a forum on poverty and incarceration. Speakers included Grover Norquist as well as U.S. Attorney General Loretta Lynch. The attendees discussed ways to reform the monetary penalties practices currently used in our criminal justice system, including fines for infractions, fees for operational costs, and bail.

President Obama recently convened a meeting of more than twelve congressional Republicans and Democrats to discuss the possibility of passing legislation which would reform the criminal justice system.

**Research and Training**

The Center for Evidence-Based Crime Policy has updated its research on police body worn cameras. The report detailing all existing and ongoing research can be accessed at this link.

A new study authored by forensic scientists at the State University of New York at Albany states that testing done on fingerprinting can determine whether the print was made by a woman or a man, due to the levels of residual amino acids left behind when the print was made. The report has been published in the journal *Analytical Chemistry*. At this point, a larger sample is required to ensure statistical significance.

Recent Gallup poll results show that Americans believe that crime rates are increasing in the United States but that Americans are less worried about being the victim of theft-related crimes like muggings and car thefts and are more concerned about data breaches and terrorism.

**Updates from the Attorney General Community**

In November, California Attorney General Kamala Harris, together with law enforcement partners, announced two large firearms seizures. The operations that led to the seizures targeted individuals on the Armed Prohibited Persons System (APPS), which is a database of individuals who lawfully purchased
firearms “but later became prohibited from legally owning them because they were convicted of a felony or violent misdemeanor, placed under a domestic violence restraining order, or suffer from serious mental illness.” In Sacramento County, 82 firearms were seized and 10 people were arrested and, in Clovis, authorities removed 500 firearms from a single individual, including 209 handguns and 10 assault weapons as well as 100,521 rounds of various ammunition.

Delaware Attorney General Matt Denn, together with leaders of the state’s business and community reinvestment communities, urged the Delaware General Assembly’s Joint Finance Committee to meet to allocate $2 million in escrowed funds to assist the cities of Wilmington and Dover in addressing a surge in gun violence.

Florida Attorney General Pam Bondi released a statement in response to the unanimous passing of House Bill 179 by the Florida House Criminal Justice Subcommittee. General Bondi stressed the importance of “[h]aving a policy in place to assure victims of sexual assault that their kits will be tested,” in order to ensure that the evidence is captured and processed expediently and that public safety is secured.

Illinois Attorney General Lisa Madigan has asked the U.S. Department of Justice’s Civil Rights Division to initiate an investigation into practices of the Chicago Police Department to determine whether such practices violate the U.S. Constitution and federal law. The Civil Rights Division has agreed to launch the investigation.

Vermont Attorney General Bill Sorrell has invited the public to join him at three forums, each of which will take place in Vermont, to examine whether Vermont should “reduce its reliance on incarceration as a response to criminal conduct.” In particular, General Sorrell would like to know whether “Vermonters are ready to ask the Legislature to commit to a statewide policy regarding sentencing and release decisions that reduces reliance on incarceration or lengthy incarceration in response to criminal conduct.” These forums will include representatives from law enforcement, corrections and human services officials, prisoner rights groups, victim advocates, and others.

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