



The State of New Jersey

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A Strategy for Safe Streets and Neighborhoods



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Governor

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I. INTRODUCTION

The Attorney General, pursuant to authority granted by N.J.S.A. 52:17B-97 et seq., and the Constitution of this State, issues this action plan as a blueprint to State, county, and local law enforcement for effective and focused efforts to combat violent crime, and in particular gang and gun-related violence. Although the strategies and tactics outlined in this plan advocate certain specific technologies and approaches, the plan also provides county and local law enforcement executives sufficient flexibility in implementation to allow modification consistent with the gang or gun violence problems of a particular jurisdiction. The Attorney General will issue directives implementing this strategy within 60 days.

The action plan has, at its core, several fundamental elements. First, it encourages and assists law enforcement agencies in moving towards intelligence-led, data-driven policing strategies. The plan mandates the collection and analysis of those data and statistics critical to effective law enforcement. However, the Attorney General recognizes that some agencies lack the technologies necessary to collect, analyze, and respond to the data they may collect. Accordingly, this plan provides for State technical assistance and guidance on the acquisition of such technologies in certain municipalities. Additionally, the plan requires the reporting of violent crime data to a central repository. Finally, the Attorney General will require that all law enforcement agencies in the State enter data about certain types of evidence, such as ballistics information, into the appropriate national databases.

Second, the plan calls for the establishment of county gang, guns, and narcotics task forces for targeted, strategic investigations of identified criminal gangs and violent gang members. Experiences of municipalities and regions throughout the State have demonstrated that the gang problem is not a problem limited or defined by locality and that it is a problem affecting suburban as well as urban areas. Those individuals and groups perpetrating gang and gun violence show no respect for municipal boundaries, particularly where vigorous enforcement efforts in one community displace gang activity to neighboring communities. Accordingly, a regional approach that brings together the resources, intelligence, and experience of county and local law enforcement will allow for rapid response and redeployment of forces in response to and targeting of gang and gun violence. Recognizing the substantial overlap between gang and gun violence and the illegal distribution of narcotics, the plan requires the transformation of existing county narcotics strike forces to gangs, gun, and narcotics task forces as described herein. Further, at a statewide level, the New Jersey State Police and the Division of Criminal Justice will continue to investigate and prosecute major gangs whose criminal conduct spans numerous counties. Additionally, the Attorney General will appoint a Statewide Gang, Gun, and Violent Crime Coordinator to encourage collaboration among local, county, and State agencies and to formulate and assess strategies for the investigation and prosecution of gangs and gun-related violence across New Jersey.

Third, the plan calls for law enforcement to concentrate on guns and gun violence. Through the State's historic partnership, described further below, with the federal Bureau of Alcohol, Tobacco, Firearms and Explosives, New Jersey law enforcement will gain additional tools and intelligence necessary to combat illegal guns and gun traffickers. Law enforcement will use these tools and other resources to focus their investigations on individuals that have committed or are most likely to commit gun violence. For example, in several areas around the state, law enforcement has had a significant impact on gun violence by creating multi-agency, collaborative shooting investigation teams that investigate each shooting with the same intensity and resources that would be afforded a

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homicide investigation. These efforts have increased public safety by reducing gun violence and enhancing investigations into shootings. Under this plan, each county prosecutor shall decide whether to create similar shooting response teams in their county, and the region within which it operates, based on their local gang assessment and shooting prevalence and distribution. The Governor and the Attorney General will also work with the Legislature to provide law enforcement with additional tools to combat gun violence and to provide for harsher sentences of those who possess illegal guns.

Fourth, the plan commits law enforcement to combating witness intimidation and retaliation. The Attorney General will work with others in law enforcement to evaluate existing witness protection programs to determine what changes, if any, are necessary to protect witnesses more fully. Additionally, the plan strongly encourages law enforcement to focus on investigations and prosecutions that reduce the need to rely on civilian witnesses.

Fifth, the plan is based on the recognition that the full and successful prosecution of and, to a considerable extent, the prevention of, violent crime requires the full participation and cooperation of the local community. Community participation in law enforcement efforts is central to the identification and prosecution of the perpetrators of such violence. Additionally, the community is the locus of the social pressures and resources necessary to discourage the resolution of disputes through violence and the participation of young people in criminal gang organizations.

Fundamental principles of accountability and evaluation unite the major elements of the plan. For instance, the action plan provides for assistance to certain police departments in identifying and implementing the basic technologies necessary to manage a police force and implement the analytically based principles of law enforcement set forth in this plan. However, any agency seeking such assistance must demonstrate not only a willingness to adopt such technologies, but also a commensurate willingness to accept those technologies that have proven cost-effective in other agencies and to restructure their agency, as necessary, to maximize the integration of the technologies into their policing strategies.

II. THE NATURE AND SCOPE OF NEW JERSEY'S GANG PROBLEMS

The issuance of a statewide action plan to combat gang and gun violence does not mean that the law enforcement problems facing our communities are all the same. Nevertheless, it recognizes that group violence, facilitated and fueled by the proliferation of illegal handguns and the sale of narcotics, has become a substantial problem in communities throughout the State, and that a coherent, unified approach to the issues is necessary to combat the violence. A coordinated, consistent, and targeted effort, bringing together the expertise, technology, and intelligence systems of law enforcement agencies throughout the State, will provide the tools to local agencies to pursue these law enforcement priorities as appropriate in their communities.

Gang-related cases prosecuted by the Division of Criminal Justice since January 2006 are indicative of the breadth and seriousness of the gang problem. Since 2006, the Division has brought indictments or accusations against more than 200 gang members from various sets of the Bloods Street Gang, Crips, Latin Kings, Netas, MS-13, 18th Street Gang, Cash Money Brothers, and the Warlocks, Hell's Angels, and Pagans Motorcycle gangs. These cases have grown out of State Police investigations in fourteen of the State's twenty-one counties: Atlantic, Bergen, Burlington, Camden, Cape May, Cumberland, Essex,

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Hudson, Mercer, Middlesex, Monmouth, Morris, Ocean, and Passaic. Offenses charged by the State's Division of Criminal Justice include murder, attempted murder, racketeering, conspiracy, kidnapping, theft, money laundering, leader of narcotics trafficking network, and leader of organized crime. Our county prosecutors have been similarly vigorous in prosecuting gangs within their counties. Nonetheless, gangs remain far too prevalent in our communities. There is much work to be done.

While this action plan refers generally to group violence as gang violence, it recognizes the varying degrees of hierarchy, cohesiveness, and control that the criminal street gang organizations existing in this State assert or possess over their members. In some municipalities, a given gang may be an informal and loosely-knit collective of individuals who not only engage in group-related violence against others outside of the gang but also engage in a substantial amount of violence among and between its own members. Additionally, while a given "set" may claim allegiance to a larger, even national, organization, such as the Bloods, they may show no affinity to or even peaceful coexistence with other sets claiming affiliation to the same organization. Furthermore, within a given municipality, a law enforcement agency might identify several gangs, each exhibiting a different level of cohesiveness and control over its membership.

The focus of the action plan is on the most dangerous individuals claiming gang affiliation and membership and on the most dangerous gangs in the state. These highly dangerous individuals and groups exhibit a relatively uninhibited willingness to engage in gun violence, with minimal provocation and subject to minimal mechanisms internal to the gang to control such violence. Dispute resolution by handgun has become, unfortunately, an increasingly common part of gang culture, driven in large part to the increasing availability of powerful handguns on the streets of our cities.

For those high-priority targets and groups, the plan encourages law enforcement agencies to engage in aggressive, coordinated, and enhanced investigation and prosecution efforts. Agencies should use all available technologies and resources, including electronic surveillance, to build cases against these individuals that rely on police witnesses rather than on witnesses with damaged credibility or witnesses subject to intimidation. Prosecuting agencies should subject these offenders to enhanced and expedited prosecution, including requesting bail source hearings to ensure that bail funds are not derived from criminal activity and employing specialized plea negotiation strategies that make certain that these offenders are held fully accountable for their actual criminal conduct and their harm to society.

The action plan recognizes that, while street gangs are criminal organizations engaging in a host of illegal activities, not every member of the gang represents an equally urgent threat to public safety. Within a given gang, a certain subset of that membership will warrant, for a variety of reasons, intensive law enforcement attention and focus. Those reasons warranting such efforts include, but are not limited to, an individual holding a leadership position in the gang or committing violent acts, or the threat thereof, including against witnesses or potential witnesses. Accordingly, the plan encourages law enforcement agencies to focus their enforcement efforts on the "worst of the worst," while remaining responsive to other crime patterns as identified through its analysis and by community stakeholders. Where a given gang has the capacity to control the violent acts of its members and fails to do so, despite warning by community leaders and law enforcement, the threat to public safety may warrant large-scale actions against all members of that gang. In other instances, however, enforcement actions based on intelligence-led determinations of the priority targets—as opposed to indiscriminate arrests of members peripheral or uninvolved to the gang's violent activities—will likely produce the maximum benefits in reducing gang-related violence. For the other gang members who are either peripheral to the

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gang's activities or not engaging in violent activities, the plan's goals are: (1) to reduce the incidence of weapons carrying and use; (2) inhibit gang recruitment; and, (3) facilitate the disassociation of current gang members from their groups.

The willingness to engage in gun violence, and an individual's affiliation—however loose it may be—with a criminal gang organization has a deleterious effect on witness cooperation with law enforcement efforts to prosecute these violent offenders. The problem of witness intimidation is real and substantial, part of an undesirable feedback loop where violence or the threat of violence deters witness cooperation and effective prosecution of the most dangerous gang members, thus permitting and encouraging these individuals to continue the violent criminal behavior that perpetuates witness intimidation. To address this situation, components of this action plan provide strategies and tactics designed to reduce, in certain instances, law enforcement's reliance upon civilian witnesses to prove a case.

III. DATA COLLECTION

A. Accurate and Timely Data Critical to Effective Policing

This action plan requires law enforcement agencies to develop, execute, and continually evaluate and refine their enforcement activities based on accurate and reliable information and intelligence. In order to do so effectively, the agencies must collect, analyze, and use local arrest and incident data, as well as surveillance and informant information, that will help to identify precisely problem individuals, groups, and locations. Local data, in conjunction with the input from the street-level officers and community stakeholders, will permit near-real time evaluations of local crime patterns, the identification of agency priorities, and review of the effectiveness and responsiveness of current law enforcement strategies to the crime patterns.

The mandate for local data collection is not intended to create hundreds of isolated data collections but, rather, to facilitate and enrich information sharing and management among law enforcement partners. The collection of local data, in conjunction with the careful coordination, sharing, and use of such information, will permit identification of local trends within the context of larger regional patterns, and will improve agency efficiency and effectiveness, as well as help to coordinate enforcement actions among agencies. Today, many different existing computer platforms perform adequately in police agencies across the State, and this plan does not envision a replacement of those systems. In this area, the priorities are compatibility, communication, and interoperability, not uniformity. To that end, the Attorney General is establishing a Law Enforcement Data Collection and Analysis Working Group. The Working Group, comprised of State, federal, county, and local law enforcement partners, shall advise the Attorney General on how to ensure that the law enforcement intelligence and analytical systems can communicate with one another and with the systems developed as part of the State Police Regional Operations Intelligence Center (ROIC). The group will advise the Attorney General on information sharing strategies consistent with the security designation given to a given piece of information by the reporting agency. The Group will provide the Attorney General their initial recommendations by March 1, 2008.

Of course, data and analysis is only as useful in targeting and combating gang and gun violence as the responsiveness of the agency to the analysis. Intelligence-led policing offers an effective model that relies upon data analysis and crime intelligence to facilitate crime reduction, disruption, and prevention strategies that target recidivist and serious offenders. Such an approach is evidence-based and analytically intensive, driven by and subjected to rigorous analysis and accountability. It is not simply

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the mapping of crime data. Although temporal and spatial analysis of data are vital components of the approach, they are part of a larger information management strategy that assists agency commanders in using the data to discuss the particular problems of a jurisdiction in detail, devise specific responses to those problems, and to assign tasks to implement these responses. Importantly, officials throughout the chain of command are held responsible for completing these tasks.

B. Technology

The effective collection and analysis of crime statistics requires that the police agency have a certain baseline of technologies. Modern computer-aided dispatch and record management systems (CAD/RMS) enable an agency to utilize its resources more effectively in responding to crime and to identify its priorities. Review of existing technological infrastructure in some of our State's larger municipal law enforcement agencies has indicated that many agencies are using obsolete or minimally functional technologies. Accordingly, the Attorney General is working with technology professionals from the State Police and the public sector and several municipal police agencies in developing a template for basic technologies necessary to support intelligence-led policing strategies. The Attorney General recognizes that municipalities operate under budgetary constraints. To that end, the Attorney General has also worked to locate funding sources at all levels of government, including, where available, urban enterprise zone funding. The Office of the Attorney General, the funding agencies, the State Police, the municipalities, and the recipient police agencies will work collaboratively to assess needs, identify solutions, and install and implement the upgraded technologies.

Additionally, a separate but related initiative, supported by the Department of Transportation ("DOT"), will award grants to municipalities and cities to acquire, install, and integrate traffic and surveillance cameras. The cameras will not only contribute to law enforcement but, with direct feeds to the DOT technology center as well as the ROIC, will contribute to general transportation requirements, homeland security, and emergency management. DOT will award the grants pursuant to a competitive bidding process.

C. Identification of Priority Targets and Locations

The rigorous collection and analysis of arrest and crime data, integrated with information and intelligence derived from investigative and community resources, will permit the local and county agencies to determine, with precision and timeliness, both the identity of a given jurisdiction's highest-priority targets (a "person-oriented" approach) and the location of various "hot spots" where crime problems (a "location-oriented" approach). This strategy will focus investigative, enforcement, and prosecution efforts on those individuals and locations where they will realize the greatest impact on public safety.

A person-oriented approach requires county and local law enforcement to identify those individuals worthy of intense scrutiny, enhanced prosecutions, and the lengthiest of sentences. Individuals who might qualify for such identification are those who operate across municipal and county borders; use or direct violence, especially gun violence; are identified by either investigative or community resources as leaders of a criminal organization; have intimidated witnesses from cooperating with law enforcement; or whose continuing presence cultivates or maintains witness fear and intimidation in their particular neighborhoods. The full and effective targeting of these individuals will require the coordination and cooperation of all aspects of an agency's enforcement functions, such as coordinating the work of the detective and patrol units in order to most intensely target an individual.

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A location-oriented approach requires law enforcement to identify those locations where the deployment of enforcement and investigative resources would best serve to deny a criminal organization a presence in a desired location and, additionally, to minimize the displacement effect of such actions on other locations. For instance, an agency may decide to deny a criminal organization a prime drug distribution location and, prior to such taking such action, anticipate and mitigate the consequences of enforcement operations and activities on other locations. Such planning not only serves to protect the quality of life and safety of residents in areas vulnerable to invasion by displaced street gangs, but also minimizes the turf conflicts and disruption of the status quo relationships between gangs that could likely lead to instability and a resulting increase in violent conflict.

D. Deconfliction

The intense, statewide effort to combat street gangs and gun violence, and a focus on gang-affiliated individuals and locations, requires that law enforcement agencies take steps to avoid interfering, undermining, or inadvertently disclosing other agencies' investigations and activities, a process known as deconfliction. Deconfliction ensures that no such interference will occur, and is familiar to law enforcement agencies in the context of search warrants. The expanded data collection and analysis capabilities required by the plan will enable a more expansive deconfliction process inclusive of a greater scope of the investigative process.

E. Guns

The action plan maximizes the collection and analysis of data regarding the trafficking, possession, and illegal use of firearms. Complete and accurate data regarding guns seized in connection with illegal or criminal activity in this State will allow federal, state, county, and local law enforcement agencies to better identify, investigate, and prosecute those who put guns in the hands of criminals in violation of federal or state law.

Additionally, gun data allows law enforcement agencies to connect weapons, and potentially shooters, to different offenses. Relatedly, ballistic analysis helps to connect assailants in different offenses to the same weapon.

The action plan requires that each law enforcement agency enter data about all recovered and seized guns into the federal Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF) eTrace system. A historic partnership between the State Police and ATF has facilitated the centralized submission and collection of the gun trace data, for use by both State and local law enforcement, in conjunction with their federal partners, in the investigation, reduction, and prosecution of illegal gun trafficking. The eTrace system allows a law enforcement agency to submit the necessary information to ATF regarding a recovered weapon and quickly receive a history of the weapon's initial purchase, including the name of the initial purchaser, the date of purchase, and the name and location of the initial retailer. The Attorney General and the State's law enforcement community will actively work with ATF and other federal law enforcement agencies to maximize collaboration and cooperation in suppressing gun trafficking, as well as its products of gun violence and illegal gun possession.

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The action plan also requires the entry of ballistics information of all guns recovered or seized by a law enforcement officer into the federal National Integrated Ballistics Information Network (NIBIN) system. The NIBIN database and analytical tools allow for the automated identification of potential matches between a given firearm and the casings or ballistic fragments recovered from any crime scene. A trained analyst then examines and validates any initial determinations of a match by the computer. Any match provides evidence of and investigative leads into connections between a weapon and additional crime scenes. Given the comparative nature of NIBIN, the system becomes increasingly effective as more law enforcement agencies enter the ballistic signatures of a greater number and proportion of firearms recovered into its database.

Accurate information about the incidence of gun violence is crucial to developing, assessing, and modifying anti-gun violence strategies. Currently, it is impossible to assess trends and patterns of gun violence at a State level because no reporting of such violence exists. Accordingly, the Attorney General will direct that all local, county, and State agencies promptly report all incidences of gun violence to a central repository within 8 hours of a shooting. Additionally, the Attorney General will mandate monthly centralized reporting of all violent crime incidences.

IV. ASSESSMENTS AND REPORTING

A. Problem Assessment

The strategies, tactics, and intensity of enforcement efforts in a given municipality or county will depend upon the magnitude of the jurisdiction's gang- and gun-violence problems. Accordingly, the action plan calls on the county prosecutors to conduct, in a coordinated and consistent manner and based on data collected and classified with common definitions and analyzed by standardized methodologies, an assessment of the group violence problem within their jurisdictions. Each assessment will assist not only in the development of enforcement strategies optimized for a given locality, but also will assist in investigating the connection between violence and given groups and locations. Additionally, the assessments will serve as baselines against which to test the success of law enforcement strategies. Data collected from the municipalities will support and supplement the initial assessment by the county prosecutor, as will any subsequent updates. The data collection will seek descriptions of a locality's problems and the data underlying those descriptions. Among the relevant considerations in the assessment are: the identification of all gangs and other cognizable groups operating in the jurisdiction; the specific identity of known members of each group; the group's hierarchy, leadership structure, and distinguishing characteristics, including membership eligibility criteria, if any; the specific areas or places where each group is believed to operate; specific gang affiliation and gang sets of those involved in gun-related crime; the type(s) of criminal activities (e.g., drug trafficking, robberies, auto theft) engaged in by each specific group; the number and identify of any members who are on probation or parole; open investigations and cases involving crimes suspected of being committed by a group member; and the group's relationship with other groups.

The county prosecutors will complete their initial assessments within six months of the issuance of the Attorney General's directive. The assessments will be subject to revisions and modifications as the gang and gun violence problems in the given counties change.

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B. Reporting

An accurate assessment of a locality's gang problems, an evaluation of law enforcement efforts to combat them, and any comparative analysis between municipalities requires the development of standard criteria concerning what constitutes criminality related to criminal street gangs. In addition, law enforcement officers in this State have a statutory obligation to indicate whether an offense is "related to criminal street activity." N.J.S.A. 53:1-15.1.

The fact that no such reporting has existed to date is indicative of the complexity of the issues involved. The complexity is two-fold: first, the lack of any existing workable definition of the term "gang" that reflects and permits differences in size, cohesiveness, hierarchy, and formality; and, second, the varying degrees of relationship between a criminal act and an individual's gang affiliation or association. A simple "yes/no" determination by a law enforcement officer as to whether an offense is gang-related provides no basis to assess the accuracy and appropriateness of the designation and contributes little to law enforcement's intelligence on and understanding of gangs in general and a given set or gang in particular. Various definitions of what constitutes a "gang" exist and should inform the development of our State's standardized identification process.¹ The process should then be continually reassessed and refined in light of any improvements in identification derived from experience or data analysis.

Thus, the necessary first step is the creation of a systematic, standardized identification process and reporting system that maximizes the information provided to local, county, and State law enforcement partners regarding criminal groups and their members while minimally burdening the reporting officer. To that end, and in consultation with law enforcement partners, the Attorney General will develop a standardized form for the reporting of gang-related incidents and for the identification of confirmed gang members. The form will allow the officer to indicate which criteria and circumstances that typically would indicate an offense or offender is gang-related are present. That reporting agency will then transmit the information to local gang detectives, the county's gang, guns, and narcotics task force, and the ROIC for review and analysis. The results of each of these levels of review will be shared among the agencies, as well as with the reporting agency.

The action plan goes beyond the requirements of N.J.S.A. 53:1-15.1 by requiring information gathering and reporting on shootings designated as gang-related – based, for instance, on the identity of the victim or other indicia – but where insufficient evidence exists to make any arrests. The reporting officer will provide as much detail as possible regarding the particulars of the shooting to the ROIC, which, in turn, shall provide the reporting agency all available information concerning the gang and gang members involved in the incident.

¹ See, e.g., Richard Greenberg, "Do No Harm: A Briefing Paper on the Reentry of Gang-Affiliated Individuals in New Jersey," *New Jersey Institute for Social Justice*, (August 2007) (identifying four widely accepted components of gang activity and structure: criminal behavior; group organization, continuing interaction among members, and identifiable leadership); California State Task Force on Gang Violence (defining a "gang" as group of people who interact at high rate among themselves to exclusion of other groups; have group name; claim neighborhood or other territory; and engage in criminal or other anti-social behavior on regular basis), cited in Greenberg, *supra*, n. 12. The New Jersey Department of Corrections, for example, requires that two of eight specified criteria be met before identifying an inmate as a gang member.

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V. STATE/COUNTY/LOCAL COOPERATION IN COMBATING GANGS AND GUN VIOLENCE

A. Operation CeaseFire New Jersey

Operation CeaseFire New Jersey, implemented initially in the Newark/Irvington area, is currently in varying degrees of implementation in 14 municipal areas in the State. The program will continue to be a vital component of gang and violence suppression in those communities where implemented. The program combines a law enforcement approach to all shootings and enhanced community outreach through coordination with designated social service groups.

When a shooting occurs in the CeaseFire zone that results in a victim, the strategic investigations unit will respond to the event with the vigor of a homicide investigation. The unit utilizes every reasonable resource to make an arrest and obtain a conviction, including the expertise and technologies necessary to conduct a full and proper crime scene investigation, canvassing the neighborhood for victims and witnesses immediately following the event, target area fugitives, and cooperating with partnering agencies such as Parole, the Juvenile Justice Commission, and other county and local law enforcement groups.

The law enforcement component has several additional aspects. First, the State Police's Office of CeaseFire Operations is developing and implementing law enforcement best practices in investigating violent crimes. Second, it is working to strengthen and maximize the capturing of street-level crime data into databases such as NIBIN (ballistics evidence), CODIS (biological evidence, such as DNA), and eTrace (firearms trace data). Third, the program seeks to ensure that law enforcement responds to acts of violence with certainty and severity.

Law enforcement also meets regularly with the outreach group to discuss recent events in terms of victim and community social service needs and to discuss how collaboration between law enforcement and outreach can work together to prevent further violence.

B. Statewide Gang, Gun, and Violent Crime Coordinator

The Attorney General will create the position of Statewide Gang, Gun, and Violent Crime Coordinator in the Office of the Attorney General. The coordinator, who will report directly to the Attorney General, will have a broad mandate to work with State agencies, county prosecutors, and local law enforcement agencies in developing and implementing the effective reporting and analysis of crime data, assessing the State's gang and gun violence problems, and developing and assessing local, regional, and Statewide law enforcement strategies.

Additionally, the coordinator will work closely with his or her counterparts in prevention and re-entry to promote collaboration and communication between the agencies and organizations crucial to the implementation of the different components of the Governor's statewide Strategy for Safe Streets and Neighborhoods.

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C. Gang, Gun, and Narcotics Task Forces

Multi-jurisdictional task forces allow law enforcement agencies to share information and pool resources to focus attention on a particular type of crime and enforcement initiative. In this state, county and local law enforcement agencies have worked cooperatively on narcotics task forces to combat the illegal drug trade since 1988. These task forces, supported in part by grant funding provided by the Attorney General, also provide the framework and pre-existing relationships to address the problems of gang and gun violence.

Accordingly, through Attorney General directives that will be issued within 60 days of the release of this action plan, the Attorney General directs the county prosecutors to reconstitute their narcotics task forces as county gang/gun/narcotics task forces. The task forces will continue to target drug enforcement where such enforcement is consistent with the task forces' larger mission of suppressing gangs and gun violence. Indeed, drug enforcement will remain, no doubt, a central component of their mission as the task forces work to target the drug trafficking of violent criminals in order to deny criminal gangs both the motivation and resources for their continued existence. The task forces will continue to work to deprive profit-minded criminal groups of their sources of income, whether the gang derives its income from the sale of controlled dangerous substances or profit-motivated acts of violence. The State's drug laws also provide additional tools for the prosecution of persons suspected of committing violent crimes, but who, for practical reasons, cannot be successfully prosecuted for those specific acts of violence.

The evolutionary transformation of the task forces likely will produce, however, changes in the identification of targets. In selecting drug distribution targets and cases, prosecutors should focus special attention on those dealers who use or carry firearms or otherwise employ violence as part of their drug-trafficking activities. In other words, the level of violence associated with a drug trafficking network should supplement, if not replace, the volume of drugs sold as the principle criterion for measuring culpability and for setting enforcement priorities and deploying discretionary investigation resources. Some counties have already begun to pursue this approach, acknowledging the link between gangs, guns, and drugs, and recognizing that illicit drug trafficking provides much of the revenues that sustain gangs and criminal groups that engage in gun violence.

In addition, the investigating and prosecuting agencies will work to effectuate asset seizure, forfeiture, and the imposition of penalties through the State's forfeiture laws, money laundering laws, and the Anti-Drug Profiteering Act, N.J.S.A. 2C:35A-1, *et. seq.*, for those individuals and groups targeted by their investigations. Similarly, agencies should consider the viability of seizing assets through the civil provisions of the Racketeer Influenced and Corrupt Organizations Act ("RICO").

C. Shooting Investigation Teams

The plan also requires that county prosecutors consider the establishment of shooting investigation teams. While the gang, gun, and narcotics task forces will pursue cases proactively, shooting investigation teams will respond to specific violent acts of shootings resulting in a victim. The shooting investigation teams, a collaborative effort by county and local law enforcement, are modeled after successful teams operating in the greater Newark area as part of Operation CeaseFire, as well as recent collaborations in Mercer County. Currently, five of the fourteen Operation CeaseFire municipalities

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have shooting investigation teams; we expect that the other cities will have fully functional teams within the next year. The shooting investigation teams bring to bear tremendous investigative resources on non-fatal shootings as well as fatal shootings, in conjunction with homicide investigation squads, as appropriate. In essence, the teams investigate every shooting resulting in a victim as if it were a homicide, engaging in full analysis of the crime scene and evidence, including full ballistic work-up of any recovered casings or fragment, and the canvassing of the area for witnesses and suspects. Additionally, highly experienced investigators from the participating agencies pool their resources and expertise in the investigation to improve the likelihood of a successful prosecution.

The State Police will make available a training program, developed in support of Operation CeaseFire, to all members of a shooting investigation team. To date, more than 140 investigators from county and local agencies have already completed the program, which covers a range of topics at an advanced level, such as crime scene investigation, criminal investigation, case management, interview and interrogation, and the law of arrest and search and seizure.

The shooting investigation teams' intensive response to shooting crime scenes will generate significant amounts of information regarding the victim, potential suspects, and the location of the shooting. The investigations and activities of the shooting response teams will complement the investigative efforts of the county gang, gun, and narcotics task forces, and the county prosecutors shall make certain that shooting investigation team shares with the task force all information that may be relevant to gang-related criminal activities. Similarly, the county task forces shall provide the shooting investigation teams all information possessed regarding the victim or otherwise relevant to the shooting.

The county prosecutor, in consultation with State and local law enforcement partners, will determine whether their jurisdiction, or certain parts of their jurisdiction, would benefit from a shooting investigation team.

V. COMMUNITY INVOLVEMENT

A. Community Participation

Critical to the success of any major law enforcement initiative is the active, collaborative involvement of community stakeholders in identifying priorities, assisting victims and their families, and marshalling of community resources against street gangs and gun violence. No one has a greater stake in reducing the criminality and gun violence of street gangs than the law-abiding members of the communities in which the gangs operate, and their active participation in anti-gang efforts helps to defeat the perception by violent gang members that civilians will be unwilling to cooperate with law enforcement for fear of retaliation. Additionally, recognizing that the membership of the gangs is largely young people who may remain susceptible to positive pressures and support by community leadership, the community stakeholders are a powerful and necessary component of efforts to prevent and discourage gang membership and gun violence.

Communities have chosen different ways to participate, depending not only upon the dynamics of the community's gang and gun violence problems, but on the structure, identity, and influence of the community's social support institutions. For example, in the Newark/Irvington area, members of the community have contributed greatly by intervening after a shooting incident to prevent any retaliatory shootings and to prevent the underlying dispute from escalating into a homicide. The

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community outreach workers work with the victim and the victim's family, friends, and neighbors to explain that police are working zealously to solve the crime and to bring the assailant to justice, emphasizing that escalation or private retribution is unnecessary and counterproductive. In other cities, the community participates with law enforcement agencies in delivering the message that gun violence by a given street gang will not be tolerated, that any violence will result in a massive law enforcement effort to eradicate the gang, and that community resources are available to members of the gang to stop the perpetuation of criminality and gun violence.

B. Minimizing Witness Intimidation

Witness intimidation by a violent criminal or his or her associates is a perversion of the criminal justice system and an unacceptable but real deterrent to the cooperation of witnesses with law enforcement. Investigating and prosecuting agencies share a strong interest in reducing the presence of intimidation and its effects on the administration of justice. This action plan takes two parallel approaches: (1) enhancing the protection and services provided to witnesses; and (2) encouraging, where possible, the use of police witnesses in the prosecution of targeted individuals.

1. Witness protection

The types of services and intensity of protection that any given witness or potential witness might require vary by individual, jurisdiction, and the nature of the prosecution. While one witness may require only short-term relocation and a new telephone number, another may need longer-term or permanent relocation, employment assistance, and family services. Additionally, witnesses and victims may lack education and employment skills, or may have criminal records, substance abuse problems, or gang affiliations themselves.

Any comprehensive approach to witness protection requires sufficient flexibility in its criteria, procedures, and administration to assist and accommodate the specific needs of such witnesses. Witness protection programs should cover relocation and other assistance, as well as providing guidance to law enforcement agencies on practices that minimize risks to witnesses. Such practices may include, for example, maintaining frequent contact with witnesses but in a manner that minimizes public disclosure of their status as a witness, providing witnesses with 24/7 contact numbers for the appropriate police officer or investigator, and educating witnesses about strategies to minimize their vulnerability to intimidation.

Currently, the State has two witness protection programs, one administered by the State Police and one by the Division of Criminal Justice. The Attorney General will ask law enforcement professionals to assess both existing witness protection programs to determine whether they are meeting the needs and demands of victims and witnesses, to review the programs in comparison to other states, and to advise as to their conclusions. The Attorney General will then modify existing programs, or create new programs, as necessary, to best provide witness protection services to victims and witnesses. The Attorney General will ask for a completed review by March 1, 2008.

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2. Maximizing use of law enforcement officers as witnesses

A prosecuting agency can prove numerous criminal offenses, such as gun possession offenses, without reliance upon civilian witnesses because the prosecutor can prove the elements of the offense relying solely upon police witnesses. Such a prosecution avoids any reliance upon private citizen witnesses who may be subject to intimidation.

Accordingly, where a law enforcement agency has identified an individual as a priority target based on the individual's violent actions, and where witness intimidation has presented or likely would present proof problems for the prosecution of the individual for those actions, the agency should target the individual for a proactive investigation designed ultimately to incapacitate the person for any other crime in which law enforcement officers are the primary or sole witnesses necessary for prosecution. The proactive investigation should employ all available resources, including electronic surveillance and directed stops. Working with the Legislature to legislate stiffer penalties for gun possession is critical to the success of this strategy.

VI. CONCLUSION

The Strategy for Safe Streets and Neighborhoods seeks to attack, on multiple fronts, the problems of gang and gun violence. Recognizing that the formulation and evaluation of effective anti-violence law enforcement strategies requires accurate data and the technology to collect, analyze, and share it, the plan establishes reporting requirements for violent crime. Where crime problems are substantial and technological capabilities are inadequate or obsolete, the Attorney General will assist the relevant agencies and the municipalities in assessing needs and identifying appropriate technologies. Recognizing the critical role of crime-scene data in investigations and prosecutions, the plan also requires law enforcement to use national databases, including eTrace for gun tracing data, to take advantage of all available tools in the fight against violence. Suppressing gang and gun violence will also require that State, county, and local law enforcement agencies collaborate in the effort. To that end, the plan reconstitutes the county narcotics task forces into county gang, gun, and narcotics task forces, targeted at gang- and gun-fueled violence. To direct additional resources at these violent individuals, the plan seeks to build on the efforts of Operation CeaseFire in the municipalities and offers the counties the opportunity to create shooting investigation teams within their county to leverage all available local and county resources to respond to shootings in high-crime areas. A newly appointed Statewide Gang, Gun, and Violent Crime Coordinator will work to implement these strategies. Lastly, recognizing that the active involvement and participation of the community is integral to the success of any law enforcement strategy, the plan requires continued emphasis on community outreach and support and increased efforts at minimizing witness intimidation.