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Prelude to Project Safe Neighborhoods: The Richmond, Virginia, Experience

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Introduction

The rate of violent crime in the United States is several times higher than that of any other industrialized country¹ and, more important, the level of gun violence in the United States also exceeds that of other advanced nations. A few statistics underline the gravity of gun-related violence in our nation. According to the 2001 *Uniform Crime Report* issued by the FBI, there were approximately 15,980 homicide victims in 2001, a 2.5 percent increase over the number of homicides reported in the previous year. A supplemental report on 13,752 homicides revealed, moreover, that 63.4 percent of those homicides involved the use of firearms and that 77.9 percent of homicides within this firearm category involved the use of handguns.

The staggering rate of gun violence and the media's copious coverage of violent crime have fostered public perception of violent crime as the nation's most serious problem and inspired widespread anger and frustration which have drawn the attention of our political leaders. In May 2001, President George W. Bush responded to public concern by announcing that his administration was launching "Project Safe Neighborhoods" to provide a comprehensive strategy for combating gun violence in America. The objectives of the new national initiative are to foster coordinated partnerships among federal, state, and local law enforcement, as well as prosecutors, for vigorously enforcing gun laws and creating safer neighborhoods by reducing gun violence through a comprehensive program based on five core elements:

1. Establish *partnerships* among federal, state, and local law enforcement officials to review and prepare gun cases for prosecution;
2. Design a *strategic plan* for combating gun violence that reflects the specific needs of the community;
3. Provide comprehensive *training* for federal, state, and local law enforcement officers, as well as prosecutors, on federal and state firearms violations and statutes;
4. Provide *public outreach* to increase popular awareness of a specific gun program and enhance its deterrent impact on the community; and
5. Instill *accountability* into program efforts by periodically assessing a program's success in reducing the level of gun violence.

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¹ D. Archer and R. Gartner, 1987. *Violence and Crime in Cross-National Perspective* (New Haven, CT: Yale University Press.)

One of the building blocks of the Project Safe Neighborhoods initiative was Project Exile's success in reducing gun violence within Richmond, Virginia. Project Exile's achievement has been largely attributed to productive partnerships among the participating agencies and coordinated use of innovative and aggressive policing strategies to reduce gun violence, two factors that were certainly important but did not fully explain the program's impact. Equally important was Project Exile's focus on obtaining popular support for an aggressive law enforcement approach to gun violence by constantly engaging the community in its efforts. Had Project Exile not made a deliberate effort to enlist community support, the communities that most suffer from gun violence could have undermined the program's efforts. These communities are often racially segregated and socially disenfranchised, and it is therefore crucial for policing strategies like Project Exile to focus on promoting the legitimacy of law enforcement and building a community coalition directed at the gun problem.

Facilitating the spread of Exile-type initiatives was a critical component of the nationwide commitment to reducing gun crime through Project Safe Neighborhoods. With this in mind, the Police Foundation, with support from the Office of Community Oriented Policing Services, held four symposiums across the country: Omaha, Nebraska; Phoenix, Arizona; Newark, New Jersey; and Detroit, Michigan. The symposiums were facilitated by the major players involved in the development of Project Exile: Jerry Oliver, former chief of police in Detroit, MI, and Richmond, VA; James Comey, Deputy Attorney General of the United States, former U.S. Attorney, Southern District of New York, and former Deputy Assistant U.S. Attorney, Richmond, VA; and David Hicks, Commonwealth Attorney, Richmond, VA.

The symposiums had several fundamental objectives. The first was to inform practitioners—such as police chiefs, sheriffs, district attorneys, correctional officials and administrators—about a model, interagency initiative to combat guns and violence. More important, however, was to provide insights on the strength of the partnerships that were established and the importance of building and maintaining community trust and support, factors that were ultimately critical to the success of Project Exile.

Project Exile Background

The concept of Project Exile arose out of a partnership formed in 1996 by the Richmond, VA, Police Department; the United States Attorney for the Eastern District of Virginia; and the Commonwealth's Attorney's Office for the City of Richmond. The three organizations envisioned Project Exile as an innovative and alternative strategy to address guns and violent crime, problems that centered in Richmond on the unusually high number of homicides associated with drug trafficking. This association between drugs and violent crime was not, of course, unique to Richmond, but unlike other large U.S. cities in the 1990s, Richmond had seen its crime rates climb rather than decline. The results, as former U.S. Attorney James Comey remarked to the Newark Symposium, was for U.S. Attorney General Janet Reno to euphemistically designate Richmond as one of America's "special cities" and for Richmond citizens to "Thank God for Gary, Indiana," the only U.S. city that had an even more abysmal crime rate.

Violent crime was ubiquitous in Richmond because it was commonplace for people to carry firearms in public places. The average criminal, as Comey quipped to the Phoenix audience, put on pants, shirt, socks, and gun with equal reflection. In a city where everyone on the street saw a gun as a "necessary article of clothing," firearms were used to settle everything from a minor spat over a girl to a major dispute over a drug deal. Though few people in Richmond deliberately set out to commit murder, Comey added, the widespread practice of carrying firearms led to many spontaneous gunfights and happenstance homicides, particularly among young African-American men.

When Richmond's homicide rate exploded in 1996, local and federal prosecutors, police officers, and the FBI formed a task force to implement Project Exile. In doing so, they relied on a long list of drug crimes that had largely been lying dormant on the books since Congress began passing them in 1987. According to the fundamental concept of the program, criminals who were found carrying guns by the police were exiled to out-of-state facilities rather than being permitted to serve out their sentences in a local

jail, in comfortable proximity to family and friends. Project Exile also provided for immediate, federal prosecution on the basis of federal statutes that imposed stiffer sentencing guidelines than state laws, imposed mandatory minimums for possession of firearms, and eliminated much of judges' sentencing discretion, as Comey related to attendees in Newark. These federal prosecutions, to be specific, were carried out under the following United States Codes:

- 18 USC § 922 that prohibits possession of firearms while possessing drugs; by convicted felons; if a person is a fugitive from another state; if an individual is under a felony indictment; if the person is the subject of a restraining order; by a drug user; if an individual has been involved in prior domestic violence; or if the gun is known (by the possessor) to be stolen.
- 18 USC § 924 (c) that carries a mandatory five-year incarceration term for carrying a firearm in connection with drug dealing or any prohibitions listed above; possession of a firearm in furtherance of a drug-trafficking crime or crime of violence.

Any criminal who was found in violation of federal laws relevant for Project Exile faced immediate federal prosecution. Criminals meeting one or more of those legal criteria were sentenced to an average prison term of sixty-one months. In thus raising the stakes, as Comey summed up, Project Exile imposed costs on crime in gun-happy Richmond that made people think more about guns than about their shoes.

Project Exile was indeed an effective deterrent as shown by a few statistics. In 1997, prior to the implementation of Project Exile, approximately 85 percent of Richmond's homicides were committed with guns, with more than 40 percent of them being drug related and more than 60 percent involving offenders with prior criminal records. By 1998, when the program had been in operation for ten months, the number of homicides decreased by 35 percent from the previous year and homicides committed with a firearm were down by 41 percent. Since the inception of Project Exile, 890 persons have been indicted, 64 percent of whom were detained without bond. As a result, 1,040 guns have been removed from Richmond's streets and kept out of the hands of criminals.²

PART I: Building and Maintaining Community Trust and Support for Gun Reduction Initiatives

The tremendous contribution that Project Exile made to Richmond's fight against gun violence significantly reflects three important components of the program:

1. A high degree of interagency cooperation and commitment among the various partners of the program;
2. Innovative public outreach/education to increase community awareness of the program; and
3. Commitment to building and maintaining community trust and support for an aggressive law enforcement campaign against gun violence.

The following discussion of the obstacles, challenges, and successes that Richmond experienced in implementing these components of Project Exile will hopefully serve as a guide for other law enforcement agencies interested in launching a similar strategy.

Interagency Partnerships

The success of Richmond's Project Exile has been largely attributed to the unique partnerships established among the federal, state, and local law enforcement agencies that participated in the initiative. The list of participants in the program included the Richmond Police Department; the U.S. Attorney's

² Richmond (VA) Police Department, "Summary Statistics—Project Exile Cases," http://www.ci.richmond.va.us/police/exile/pdxxr_exilestats.asp; accessed January 24, 2003.

Office for the Eastern District of Virginia; the Virginia Attorney General; the Richmond Commonwealth's Attorney's Office; the Bureau of Alcohol, Tobacco, and Firearms; the Federal Bureau of Investigation; and the Virginia State Police. Notwithstanding some of the differences in training, responsibilities, and agendas that distinguished these agencies, they all recognized that a high degree of interagency cooperation and commitment were essential to the viability of Project Exile. The high degree of interagency cooperation and commitment demonstrated by these participating agencies was essential to the success of Project Exile. As Commonwealth Attorney David Hicks emphasized to the Newark symposium, a strategy like Project Exile will falter unless participants form partnerships in which they work together, understand what the others are doing, and provide mutual support against detractors.

Unfortunately, it can be a difficult task to establish such strong and coordinated partnerships among various agencies, particularly when one considers that most multi-agency efforts are impeded by the conflicting agendas that frequently exist among partner agencies. Richmond's Project Exile was able, however, to overcome the barriers associated with forming partnerships and to establish a unique relationship based on the mutual dedication, commitment, and cooperation of its participating agencies. Richmond accomplished this feat by recognizing a number of factors that should also be acknowledged by other cities that want to ensure a uniform and comprehensive approach to reducing gun violence. These critical elements for forming and achieving a successful partnership include:

- *Agreement as to the expected roles*—To be effective, each organizational entity must examine its respective role in the partnership. Understanding the contributions of each organization in the mutual endeavor fosters a sense of credibility for the partnership's efforts and helps mitigate the conflicts in agenda that can occur among participating agencies.
- *Trust in each other*—Participating agencies in the partnership must learn to trust each other, be confident in the others' decision-making capabilities, and be willing to stand by those decisions. It's easy to claim part of the credit when an initiative is going smoothly, but an ideal partnership requires willingness to accept blame together as part of a team effort. This recognition that the sum is greater than the parts underlay the efforts that Commonwealth Attorney David Hicks made to counter municipal legislature's initial reluctance to support Project Exile, particularly where funding was concerned. With the support of the U.S. Attorney, the legislature changed its mind, however, and provided resources critical to the program's success. By working together to resolve a source of mutual concern, the participants in Project Exile came to know each other better, gain knowledge of the problem from different perspectives, and establish an enduring relationship premised on mutual trust.
- *Demonstrate support and commitment to the initiative*—Each agency must provide full support and commitment to the partnership to achieve success. The Richmond Police Department demonstrated its commitment to reducing gun violence by allowing the U.S. Attorney's Office to conduct training programs for all officers on federal firearms statutes and due process requirements for the investigation of gun cases prior to Project Exile's implementation. The police department also contributed invaluable resources by assigning three full-time officers to Project Exile. In addition, David Hicks, as he pointed out in his Omaha presentation, gave his support to Jerry Oliver when the chief was questioned about his department's clearance rate for homicides.
- *Communication*—Participating agencies in any partnership must communicate with each other on a continual basis to establish a good working relationship. Effective communication among the participating agencies encourages a sense of "ownership" in the initiative and enhances the credibility of the partnership's efforts.

Public Outreach/Education

The second key to the success of Richmond's Project Exile was its innovative public outreach program to educate the public about the enforcement strategy and to build a community coalition directed at the problem of gun violence. Law enforcement, as James Comey phrased it, ventured out into the marketplace "to sell deterrence and market fear to the criminal community." Its success in doing so was fostered by the financial support of Richmond's media and business community, both of whom cared deeply about the city's gun problem. Drawing on the tools of advertising, Project Exile launched a number of publicity campaigns to communicate its message to gun criminals or community residents who might have information about gun-related crimes. These efforts to modify the culture and behavior of city residents relied on the following marketing vehicles:

- Creation of a powerful Project Exile slogan which warned that "An illegal gun gets you five years in prison;"
- Laminated business cards distributed by police officers bearing the Project Exile slogan;
- Television and radio commercials;
- Billboards throughout the city that bore the Project Exile slogan and were supported by local business;
- A city bus, or "Death Bus" as it was nicknamed by local residents, that was wrapped with Project Exile's slogan and sent on a different route every day to make people think the city had a fleet of such buses.

Project Exile's outreach and education efforts thoroughly saturated the community, and this, in turn, resulted in increased citizen reports about guns, which consequently maximized the community's support of law enforcement's efforts to reduce gun violence. Fundamental to this approach was the effect the publicity campaign had on its target audience of gun-carrying criminals. By concentrating its marketing efforts on curtailing the accepted gun-carrying culture of criminals, the campaign persuaded many criminals to view carrying a gun as a liability that could lead to a long prison sentence if detected by the police. As a result of the change in criminal culture brought on by Project Exile's publicity campaign, gun seizures by the police decreased, as did homicides committed with a firearm.

Involvement of the Community

Equally important to the success of Project Exile was its emphasis on citizen involvement in the fight against gun violence. Project Exile's ambitious publicity campaign certainly contributed significantly to public knowledge of its enforcement strategy, increased collaboration between citizens and police, and promoted the legitimacy of law enforcement's efforts to end gun violence, particularly within a minority community that had historically mistrusted the police. For Project Exile to be truly accepted, however, it had to establish a new climate in which members of the community could actively partner with police to deter criminals from carrying guns and foster social norms that rejected gun violence. What was called for in effect, as Police Chief Jerry Oliver explained to the Detroit symposium, was "industrial strength community policing" or "community policing on steroids."

The policing model envisioned by Oliver required the Richmond Police Department to make community policing an integral and pervasive part of its agenda rather than a specialized unit or program within the agency. This entailed an ongoing effort to involve the community in the decision-making process and give Richmond's citizens the opportunity not only to identify problems but also to help police formulate strategies and tactics to resolve them. This approach had previously worked, as Oliver noted, to mitigate community outrage when a Richmond SWAT team accidentally shot an innocent woman in the course of a drug raid. What would have escalated into a major scandal under other circumstances dissipated in one day because Richmond citizens had been involved in purchasing the equipment responsible for the accident and had asked the department to rid the woman's neighborhood of drug dealers. Oliver encouraged similar community involvement in the development and implementation of Project Exile

because he knew that an aggressive program like Exile can easily create problems for a police agency that lacks a solid foundation of community trust and support.

Police chiefs, as Oliver has emphasized, need to know that their departments are continually investing in a community trust account and building relationships that will withstand the kind of trauma that Project Exile can provoke. The police chief needs to ensure members of the community that the department is aware of their problems, cares about addressing them, and has what Oliver describes as “the will to win.” The police department, in short, must clearly demonstrate to people that they are not alone in their struggle to make their community a safe place to live.

Oliver acted on these ideals by soliciting community involvement in Project Exile almost as though he were pursuing a political campaign, according to David Hicks’ account of the chief. Oliver asserted his commitment to community involvement at a series of small gatherings with community residents, meetings with civic leaders, and other public forums. In the course of these various meetings, Oliver and Richmond police made significant efforts to gain community support for Project Exile by:

- Defining the rationale justifying their aggressive strategy; and
- Delineating the benefits the community would derive by endorsing an aggressive approach to the problem of gun violence.

Project Exile’s exemplary success in building and maintaining community support required a strong commitment to the philosophy of community policing. By involving the community in the department’s practices and procedures, Richmond police gained the community’s trust in the department, as well as its cooperation in Project Exile. The community, in effect, acquired a sense of ownership in Project Exile, which ultimately caused it to embrace the program. All part of the game plan, for as Jerry Oliver remarked in Newark, “You can’t have an aggressive initiative like Project Exile without having a coexisting program of Project Embrace.”³

This sustained commitment on the part of the Richmond Police Department and the other participating agencies has resulted in notable triumphs for Project Exile, as we have shown. There are, however, significant challenges that must be overcome to strengthen the working relationships of the partnership. Some of these challenges are outlined below.

PART II: Overcoming Obstacles and Barriers to Successful Gun-Reduction Strategies

Resistance by Federal District Judges

One challenge was the initial resistance of federal district judges to increasing the workload of federal courts by making them handle gun cases that could technically be addressed by state courts. To overcome these reservations, the U.S. Attorney for the Eastern District of Virginia met with the judges to discuss the potential value of Project Exile for community safety and to solicit their support of the initiative. The Commonwealth Attorney’s Office, moreover, offered to assist by handling some of the gun cases provided that defendants could face federal prosecution. In the end, the joint efforts of the U.S. Attorney and the Commonwealth Attorney’s Office demonstrated the effectiveness of the Project Exile partnership by making the judges more aware of Project Exile’s beneficial impact on gun violence and deflecting their criticism of the initiative.

³ Under Project Embrace, former Exile offenders would have received resources to help them find a job, a place to live, and perhaps even the tools needed to start their own business, “Street Talk,” Richmond.com, <http://www2.richmond.com/styleweekly/output.cfm?ID=1660732>.

Loss of Continuity Resulting from Leadership Changes

Project Exile is now facing another challenge to the partnerships that were originally responsible for its genesis. As time has progressed, some of the individuals who were instrumental in development Project Exile have stopped working for the City of Richmond. The charismatic, managerial qualities of these individuals and their personal commitment to the program were invaluable components of the relationships established in the initial partnership. Their absence, as a result, has also weakened total commitment and support for Project Exile within the existing partnership, presenting Richmond with the challenge of somehow transferring the original enthusiasm and commitment of these individual players to an institutional level within the various partner agencies. A successful response to this challenge is important for ensuring the long-term success of Project Exile in continuing to reduce gun violence.

Lack of Resources

A significant challenge to Project Exile was the need to find available funding to support the initial development of its public outreach and education component. The Project Exile partnership rose to this challenge by holding meetings with local businesses, faith-based organizations, and civic leaders to describe the program and its anticipated impact on gun-related violence and to solicit their financial contributions. The Project Exile partnership also assisted them in fund-raising initiatives by establishing the Project Exile Citizen Support Group, a nonprofit organization designated to receive tax-exempt donations to Project Exile. These efforts proved to be vital to the success of the public outreach and education component to increase community awareness and commitment to Project Exile.

PART III: Recommendations for Implementing Successful Gun Reduction Programs

As noted earlier, one of the objectives of each of the four symposiums was to provide law enforcement officials with insights on the critical elements that contributed to the success of Project Exile in Richmond. The other objective of the symposiums, as of this report, was to provide guidance to federal, state, and local law enforcement agencies, as well as prosecutors, on the critical factors needed to introduce an Exile-type gun reduction program into their respective jurisdictions. Given that different communities experience their own distinct patterns of gun violence, providing specific guidelines is less important than giving law enforcement officials general guidelines for developing specific strategies to reduce gun violence in their communities. The following recommendations were based on the responses of symposium presenters to inquiries of attendees who were interested in implementing a similar strategy in their communities.

Recommendation 1: To ensure that a uniform and comprehensive approach is taken for the specific gun violence problem in a community, the police agency needs to develop close ties with local prosecutors and the U.S. Attorney's Office by directly involving them when initially formulating a specific program and by maintaining a continuing liaison on efforts to reduce gun violence. In light of the Project Safe Neighborhoods initiative, every U.S. Attorney is now required to coordinate all gun-related programs at the federal, state, and local level within their respective district. This requirement works to the advantage of police agencies by facilitating their collaboration with federal and local prosecutors in identifying the specific type of gun cases that will have priority for review and prosecution.

Recommendation 2: Establish an inter-agency task force among federal law enforcement agencies, such as the ATF, DEA and FBI, to assist in coordinated, gun-reduction programs. Inclusion of these agencies in such programs has the significant advantage of providing much-needed expertise and useful investigative resources.

Recommendation 3: The police agency should explore the possibility of state and federal grants as potential funding sources to supplement the gun-reduction program. Grant funding may be applied toward personnel expenditures, such as overtime costs, or technology, such as computers and computer mapping

software for tracking gun patterns, that will advance the goals of a given gun-reduction program. Other potential funding sources may include use of asset forfeiture funds or creation of a nonprofit organization, such as Richmond's Project Exile Citizen Support Group, to raise private funds in support of the gun-reduction program.

Recommendation 4: The established partnership agencies should work closely with business and community leaders to develop an aggressive marketing strategy and publicity campaign for the gun-reduction program. An effective marketing and publicity campaign will increase public awareness of a specific program and help enhance its deterrent impact on the community. To assist in this type of endeavor, the Project Safe Neighborhoods web site (www.projectsafeneighborhoods.gov) provides download posters, handouts, and other materials that neighborhoods and community groups may use to inform the public about efforts to reduce gun-related crime and violence.

Recommendation 5: Building and maintaining community support for a specific gun-reduction program is essential to its success. A police agency that wants to implement an Exile-type program must assume a leadership role in the process of building and maintaining community support and trust. A strong commitment to the concept of community policing is the catalyst for law enforcement's efforts to build bridges between police and the communities they serve. Engaging the community's involvement when implementing the initial stages of a gun-reduction program will lend the initiative an aura of legitimacy and give the community an opportunity to take an active role in ensuring its own safety and quality of life.

About the Police Foundation

The Police Foundation is a private, nonpartisan, nonprofit organization dedicated to supporting innovation and improvement in policing. Established in 1970, the foundation has conducted seminal research in police behavior, policy, and procedure and works to transfer to local agencies the best information about practices for dealing effectively with a range of important police operational and administrative concerns.

Our purpose is to help the police be more effective in doing their job, whether it is deterring robberies, intervening in potentially injurious domestic disputes, or working to improve relationships between the police and the communities they serve. To accomplish our mission, we work closely with police officers and police departments across the country, and it is in their hard work and contributions that our accomplishments are rooted.

The foundation has done much of the research that led to a questioning of the traditional model of professional law enforcement and toward a new view of policing—one emphasizing a community orientation. For example, research on foot patrol and on fear of crime demonstrated the importance to crime control efforts of frequent police-citizen contacts made in a positive, non-threatening way. As a partner in the Community Policing Consortium, the foundation, along with four other leading national law enforcement organizations, plays a principal role in the development of community policing research, training, and technical assistance.

Sometimes foundation research findings have challenged police traditions and beliefs. When police agencies employed routine preventive patrol as a principal anti-crime strategy, a foundation experiment in Kansas City showed that routine patrol in marked patrol cars did not significantly affect crime rates. When police officials expressed reservations about using women on patrol, foundation research in Washington, DC, showed that gender was not a barrier to performing patrol work. To address the intense debate about how police should respond to incidents of domestic violence, the foundation conducted the Minneapolis Domestic Violence Experiment—the first scientifically controlled test of the effects of arrest for any crime. Foundation research on the use of deadly force was cited at length in a landmark 1985 U.S. Supreme Court decision, *Tennessee v. Garner*. The court ruled that the police may use deadly force only against persons whose actions constitute a threat to life.

The foundation provides a wide range of services to law enforcement agencies and to state and local governments. These services focus on establishing trust through improved accountability, leadership, and professional development and on providing tools to help police more effectively manage resources. The Crime Mapping & Problem Analysis Laboratory operates with the goals of providing practical assistance and information to police departments and to developing the physical and theoretical infrastructure necessary for further innovations in police and criminological theory.

Motivating all of the foundation's efforts is the goal of efficient, effective, humane policing that operates within the framework of democratic principles and the highest ideals of the nation.



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