Far too often people feel that there is nothing they can do to prevent or stand up to gun violence in their communities. This is not only untrue but also erects a dangerous obstacle to community empowerment. CeaseFirePA believes that dedicated community members who work to improve the quality of life in their neighborhoods have a critical role to play not only on the streets but also in the courtroom.

Often, gun-related crimes like illegal gun possession or sales and purchases (trafficking) which do not involve an actual shooting are viewed as "victimless crimes." Defendants use the fact that the gun was not used and that "no one was hurt" to argue to judges for sentences on the lower ends of the guidelines, with minimal or no jail time. When sentencing defendants convicted of these crimes, judges are supposed to include in their calculus the impact of the crime on the community.

To enable judges to effectively consider community impact, it is necessary to provide evidence of the impact and to communicate to the court that there are no victimless gun crimes. The most effective way to do this is for members of the community to explain how they are struggling to improve the safety of their streets and how the mere presence of illegal guns in their communities puts everyone at risk. Until recently, there was no way for such evidence to be presented directly during sentencing hearings.

In Philadelphia, the courts are broken down by district, and many of the cases are managed by the Gun Violence Task Force of the Philadelphia District Attorney’s office. About a year ago, the Task Force and CeaseFirePA began working together in a program that brings CeaseFirePA representatives to attend sentencing hearings and represent the community by presenting testimony about the community impact of illegal guns. As a result, in those hearings, the judge has direct evidence of community impact to weigh in the sentencing calculation.

Because that evidence powerfully supports the district attorney's arguments at sentencing and is useful to the judge in the sentencing calculation, CeaseFirePA began to directly engage communities affected by gun violence by bringing community members to court to share how they are personally affected by the prevalence of illegal guns in their neighborhoods. Task Force prosecutors notify CeaseFirePA when the sentencing for illegal gun possession approaches so we can organize residents of the neighborhood where the crime occurred to be present in the courtroom during the sentencing. These residents are available to observe the proceedings, and where permitted, give testimony on the impact of illegal guns in their neighborhood.

The people of Philadelphia have responded enthusiastically and demonstrated their willingness to come into the courtroom to share with sentencing judges their personal experiences with gun violence. These community members want judges to know how strongly they feel about the safety of their neighborhoods and their determination not to back down to intimidation by criminals who break the law by carrying guns illegally on their streets. One community activist from South Philadelphia, Amy Henson, expressed her personal experience of living in a neighborhood struggling with gun violence and her concern about the sentencing in a case of illegal gun possession:

“I live a few blocks away from where this man was arrested. I walk by that intersection all the time. On a daily basis, members of our community hear gun shots, and we feel victimized. I have grand children, but I have to beg my children to let them come visit me. I refuse to back down from the situation.”  
  
“It doesn’t matter whether a person carrying an illegal gun is caught before or after they have a chance to pull to trigger – we do not want anybody carrying an illegal gun on our streets. We ask for the Court’s support because if people know carrying an illegal gun is no joke, it will help us take a stronger position.”

This heartfelt testimony, which is echoed by so many of our community volunteers, demonstrates clearly that there are too many communities struggling to deal with the prevalence of criminals carrying illegal guns. When a criminal carrying a gun illegally is perceived to have committed a "victimless" crime and receives a more lenient sentence, it not only puts the community at risk by putting someone with no respect for the law back on the city streets prematurely, it tragically disenfranchises community members who feel hopeless about the rise of gun violence where they live. People have the right to walk out of their house without fear of being caught in gun crossfire. They should be empowered and supported in their efforts to protect and improve their communities and this City. Their voices are powerful, and it is crucial that they bring come to court where their stories will be treated with respect and given real impact. One Philadelphia Judge, Charles Erlich, addressed the heart of the issue after hearing how gun violence affected a local community:

*This business of dealing drugs out of places like Blumberg housing projects has got to stop. There are people there who just want to live in peace and the drug dealing and the thuggery doesn’t allow them to live in peace. They are the people that no one cares about in the city because they just live up there. They are what I call in some ways the “forgotten people” because they just have to cope with it. They don’t have guns and arsenals, and they are not involved in drug organizations. They are just trying to make it in this world, and no one really cares about those people. Well, we are going to start caring about those people, because they have the right to live in peace.*

CeaseFirePA is committed to bringing direct evidence of community impact to every Judge who must impose a sentence for a non-violent gun crime. We believe that it is a powerful and necessary step to combat the belief that there are not serious consequences for a defendant who violates the gun laws but who doesn't pull the trigger. Armed with this direct evidence from the community, judges are able to give greater weight to community impact in their sentencing calculations.

CeaseFirePA hopes to send a simple message to three distinct audiences: defendants in gun cases, community members, and Judges. The message is: there are no victimless gun crimes. We want people who are considering carrying guns illegally to know that that they will face an appropriate sentence if they choose to break the law and put the community at risk. We want communities that are battling with the prevalence of illegal guns on their streets to know that they can come to court and represent their communities. We want Judges to know how hard it is for communities to strive and prosper when their residents are afraid to walk out their front door because of the fear of gun violence. Our goal is to empower the people of Philadelphia to stand up for their safety and the safety of their neighborhood and to send the message that everyone who is affected by gun violence deserves their voices to be heard.

To date we have been successful. A small but growing dedicated group of community members attend sentencing hearings when they can. Press attention has been positive and has helped to encourage more Philadelphians to participate in the project. (See attached articles).

CeaseFirePA is requesting financial support to expand, formalize and strengthen the Courtwatch Project. The volume of sentencings in the Philadelphia courts has outstripped the ability of our small staff to handle. Funding will support the dedication of staff resources to this project. This work involves not only attending sentencing hearings, but also recruitment, training and support for community members who bravely attend and testify during sentencing hearings. This involves attending community meetings throughout Philadelphia every week, to reach out to and engage as many community members as possible.

In addition to recruiting and training, CeaseFirePA is committed to supporting the community volunteers who attend sentencing hearings. We accompany the volunteers to sentencings so they are not standing alone. We introduce them to the Assistant District Attorneys presenting the cases, we remain present for their testimony, and we debrief after the experience.

But we also need to provide support in advance of the sentencing hearings. We plan to develop a structured Courtwatch training program. The goal is to ensure that each community member willing to attend court and testify feels as comfortable as possible with the process. The training will include a basic overview of the program logistics, including reviewing the key facts about a case, how a sentencing hearing works, preparing a community impact statement, how to address the court, what to expect from the defense counsel and the defendant, and the support that CeaseFirePA Representative will offer. We also would like to produce a simple guide to Courtwatch that community members can use as a reference tool as they are preparing for a hearing.

A crucial element of the training will be having a community member who has already attended a sentencing and testified in court talk about his or her experience. We have found that once members of the community hear that their neighbors have participated in our Courtwatch Project they are not only reassured about the credibility of the program but are motivated to do their part to ensure that their community is more safe. This in itself demonstrates how community members are empowering each other and working together to improve their neighborhoods and our City.

Following sentencing hearings, CeaseFirePA staff write and post detailed reports on our website so that viewers can follow what happened in court on a weekly basis. With support, we would like to begin writing and disseminating a monthly newsletter summarizing all of the sentencings that CeaseFirePA has attended with the community. We want community members in Philadelphia as well as civic associations and town watch organizations to be assured on a regular basis that Courtwatch continuously activates community members to come to court in a way that affects the safety of their neighborhoods.

As the number of sentencing hearings continues to grow and outstrip the ability of CeaseFirePA staff to operate the program alone, we plan to reach out to law students in Philadelphia to attend the sentencings with community members. This will require training for law students as well.

We also would like to bolster community involvement with CourtWatch Project by acknowledging the service and commitment of community members who participate in the program. We plan to organize an annual or semi-annual press conference inviting everyone in the city who has participated in the program to be recognized. Also, to provide a more immediate source of acknowledgement , we plan to issue Certificates of Appreciation to new Courtwatch participants that we hope to have signed by the Mayor. We want to pursue every means possible to empower the community and to show our appreciation and respect for their action. To that end, we would also use additional funding to reimburse travel expenses for participants who come to court. This will remove some barriers to participation.

CeaseFirePA is very excited about the initial success of the Courtwatch Project and is actively pursuing funding so that the project can expand and reach its full potential. We believe that given sufficient funds our Courtwatch Project can empower many more community members and ultimately significantly impact the consequences of nonviolent gun offenses.

Finally, our long-term goal for the project is not only to make a real difference in how non-violent gun crime is viewed in Philadelphia, but to also set up a model for how other cities can work within the community to empower people to take a stand against gun violence.