

# STAR Criminal Justice Bibliography



## TABLE OF CONTENTS

<i>Pg</i>	<i>Section</i>
2	<b>Background</b>
3	<b>Criminal Law Deserts</b>
4	<b>Legal Deserts (General)</b>
5	<b>Technology</b>
6	<b>Prosecutors</b>
7	<b>Public Defense &amp; The Right to Counsel</b>
8	<b>Court Systems and Court Personnel</b>
9	<b>Crime and Policing</b>
10	<b>Juvenile Justice</b>
11	<b>Pretrial</b>
12	<b>Rural Incarceration</b>
14	<b>Probation, Parole, and Reentry</b>
15	<b>Mental Illness and Substance Use Disorders</b>
17	<b>Victims' Services</b>
18	<b>Practice Guides and Models for Innovation</b>
19	<b>Native and Tribal Jurisdictions</b>
20	<b>Civil Access to Justice</b>

## **Background**

### **Courts Need to Enhance Access to Justice in Rural America. COSCA Policy and Liaison Committee. 2018.**

This policy paper explores rural justice in the civil and criminal contexts. It offers an excellent overview of how rurality impacts court systems. Materials include proposals to improve rural residents' access to justice, such as court appearances by video or telephone; online dispute resolution; and court consolidation.

### **Rural Justice in New York State: Challenges and Recommendations. 17 Gov. L. & Pol, J. 2018.**

This 2018 publication addresses rural justice in New York, but is relevant to rural communities nationwide.

### **Addressing the Access to Justice Crisis in Rural America, ABA Hum. Rts. Mag., 40:3 (2014).**

This article describes rural America's access-to-justice crisis and its intersection with race and poverty. Runge surveys contemporary efforts to improve rural access to justice and offers new solutions to the problem.

### **Strengthening Rural Courts: Challenges and Progress: Nat'l Ass'n for State Cts. 2011.**

This publication offers an overview of the challenges facing rural courts. The report identifies several key areas of need, including enhanced technology; increased access to interpreters; readily-available treatment services for substance use disorder and mental illness; improved transportation alternatives; and the upgrading of public defense services.

### **Rural Rhetoric, 39 Conn. L. Rev. 159. Pruitt, Lisa. 2006.**

This article explores the legal relevance of rurality in a wide range of contexts, including criminal law. The article critiques a nostalgic rhetoric about safe, self-sufficient, and self-contained rural communities. It warns judges against relying on stereotypes and encourages closer attention to rural realities, including the differences among rural people and places.

### **Rural Criminal Justice: Conditions, Constraints & Challenges. McDonald, Thomas et al. 1996.**

This book supplements criminal justice course materials by providing commentary on the often-neglected topic of criminal justice in rural America.

## **Criminal Law Deserts**

### **Legal Deserts: A Multi-State Perspective on Rural Access to Justice. 13 Harv. L. & Pol’y Rev. 15. Pruitt, Lisa et al. 2018.**

This study examines rural legal systems in California, Georgia, Maine, Minnesota, South Dakota, and Wisconsin. The article offers a detailed demographic picture of rural lawyering in each state, explores common themes, and encourages continued study of rural areas’ legal needs.

### **Law Stretched Thin: Access to Justice in Rural America. 59 S.D. L. Rev. 466. Pruitt, Lisa and Showman, Bradley. 2014.**

This data-rich article discusses a wide range of rural legal issues, including access to justice in criminal cases. The article chronicles the ethical and economic challenges that confront rural lawyers. It also covers how paralegal support, technologic innovations, non-profit community support, and collaboration between rural and urban lawyers might help meet the rural communities’ legal needs.

### **Rural Incentive Programs for Legal and Medical Professionals: A Comparative Analysis. 59 S.D. L. Rev. 585. Alsgaard, Hannah. 2014.**

Written for a South Dakota Law Review symposium about the rapidly declining number of rural attorneys, this article offers a comparative analysis of the incentive programs designed to recruit medical and legal professionals to practice in rural areas. It includes an in-depth discussion of South Dakota’s Project Rural Practice program for lawyers.

### **Confidentiality and Conflicts of Interest: A Guide for South Dakota Lawyers. 59 S.D. L. Rev. 557. Meierhenry, Judith. 2014.**

Sparsely populated rural communities inherently create conflicts of interest for lawyers who practice in those communities. This article offers practical guidance for South Dakota lawyers who must address those conflicts.

### **When Clinics Are “Necessities, Not Luxuries”: Special Challenges of Running a Criminal Appeals Clinic in A Rural State. 75 Miss. L.J. 721. Courselle, Diane. 2006.**

A shortage of experienced rural criminal defense lawyers can mean that law school clinical programs shoulder a substantial part of the burden of providing Sixth Amendment representation. This article describes the challenges of limiting clinical workloads in the face of political pressure from judges and the state bar. It also discusses the difficulty of providing conflict-free representation in rural areas. Further,

this article also includes suggestions for recruiting new lawyers to rural law practices and developing holistic models for rural representation.

**Status of Indigent Defense in Georgia: A Study for the Chief Justice's Commission on Indigent Defense. The Spangenberg Group. 2003.**

This study of Georgia's public defense system concludes that insufficient funding and a lack of program oversight are two significant obstacles to the delivery of indigent defense services. Although the study looks at public defense in a wide range of contexts, it identifies issues of special concern for Georgia's rural communities.

## **Legal Deserts (General)**

**Spreading Justice to Rural Montana: Expanding Local Legal Services in Underserved Rural Communities. 77 Mont. L. Rev. 235. Wandler, Hillary. 2016.**

This article explores the substantial barriers that confront new law graduates who want to enter rural practice. It describes the population, isolation, and poverty of Montana's rural communities, and calls for further research into their legal needs. It identifies programs that encourage new lawyers to enter sustainable rural legal practices and urges the development of post-graduate legal incubators to support and mentor them.

**Access to Legal Services in Rural Areas of the Northern Rockies: A Recommendation for Town Legal Centers. 90 Ind. L. J. 1683. Lynch, Brian. 2015.**

This article proposes the Northern Rockies states (Idaho, Montana, and Wyoming) create statewide networks of "Town Legal Centers" that can operate as virtual law offices, allowing local residents to meet with legal professionals from around the state.

**Improving Legal Aid to Rural Communities in California. 20 La Raza L.J. 191. Villareal, Nancy. 2015.**

This article analyzes the legal needs of California's rural communities and recommends new ways to meet those needs. Recommendations include exposing law students to rural practice; incentivizing rural private practice; and reallocating state and federal funding for rural legal aid.

**Project Rural Practice: Its People & Its Purpose. 59 S.D. L. Rev. 444. Goetzinger, Patrick and Morris, Robert. 2014.**

Written as part of a South Dakota Law Review symposium, this article describes the history of South Dakota's Project Rural Practice ("PRP"). It summarizes PRP's key

features and notes the national interest in implementing similar programs.

**Confidentiality and Conflicts of Interest: A Guide for South Dakota Lawyers. 59 S.D. L. Rev. 557. Meierhenry, Judith. 2014.**

Sparsely populated rural communities inherently create conflicts of interest for lawyers practicing in those communities. This article offers practical guidance for South Dakota lawyers who must address those conflicts.

**Country Lawyers: The Impact of Context on Professional Practice, 1990.**

Based on interviews with 201 attorneys from 116 different communities, this book identifies the structural influences that shape small-town and rural practice as well as the rural bar.

## **Technology**

**Courts Need to Enhance Access to Justice in Rural America. COSCA Policy and Liaison Committee. 2018.**

As part of its broader assessment of ways to improve rural justice, this policy paper proposes that courts consider allowing lawyers and litigants to make appearances by video conference or by telephone. The paper expresses some reservations about whether these technologies should be used in criminal cases.

**Remote Access: Using Video Technology to Treat Substance Users on Probation and Parole in South Dakota. Vera Institute for Justice. Shames, Alison and Subramanian, Ram. 2016.**

This policy brief focuses on a South Dakota program that uses video technology to increase access to substance use treatment services for people on probation and parole, especially in rural areas. The brief describes the program's implementation process and includes suggestions for other jurisdictions seeking to launch similar programs.

**Identifying the Needs and Challenges of Criminal Justice Agencies in Small, Rural, Tribal, and Border Areas. RAND Corp and the Justice Innovation Center. 2016.**

This report assists policymakers and practitioners interested in the unmet technological needs of small, rural, tribal, and border criminal justice agencies. The key findings explore general challenges and the advantages of better technology for rural criminal justice systems.

**Access to Legal Services in Rural Areas of the Northern Rockies: A Recommendation for Town Legal Centers. 90 Ind. L. J. 1683. Lynch, Brian. 2015.**

This article proposes that Northern Rockies states (Idaho, Montana, and Wyoming) create statewide networks of “Town Legal Centers” that operate as virtual law offices, allowing residents to meet with lawyers from around the state.

**Using Technology to Enhance Access to Justice. 26 Harv. J.L. & Tech. 241. Cabral, James et al. 2012.**

This article comprises six papers prepared for the Legal Services Corporation’s summit on Summit on the Use of Technology to Expand Access to Justice. It describes the successful use of technology to deliver information and services related to access to justice and discusses barriers that may prevent poor or unsophisticated persons from using these new technologies.

## **Prosecutors**

**Viewing Access to Justice for Rural Mainers of Color Through a Prosecution Lens. 71 Me. L. Rev. 2. Romero, Maybell. 2019.**

This article considers how Maine prosecutors can help ensure access to justice for rural Mainers of color. It urges prosecutors to collect data about their offices’ racial composition and discretionary choices and standardize their training on racism, bias, and cultural competence.

**Criminal Punishment and the Politics of Place. 45 Fordham Urb. L.J. 571. Pfaff, John. 2018.**

This article explores how geography shapes the politics of punishment and advocates for the election of prosecutors at a local – rather than county – level.

**Guardian of the Public and/or the Child: Policy Questions and Conflicts for the Juvenile Court Prosecutor. Sanborn, Joseph. 2014.**

In this study, 100 juvenile court workers (judges, prosecutors, defense attorneys, probation officers) from three juvenile courts (urban, suburban, rural) were interviewed to determine how prosecutors were operating in juvenile court and what these workers perceived to be the proper role for prosecutors.

**Pain Relief, Prescription Drugs, and Prosecution: A Four State Survey of Chief Prosecutors. Ziegler, Stephen, et al. 2007.**

This article highlights the discretionary power of prosecutors to pursue action

against those using prescription drugs for pain relief through four interviews of rural prosecutors.

## **Public Defense and The Right to Counsel**

### **Access to Counsel in Local Courts in Rural New York State. 17 Gov. L. & Pol. J. 15. Clark, Alyssa and Davies, Andrew. 2018.**

Rural courts in New York are under-resourced and geographically dispersed. This article discusses two challenges in providing criminal defendants in rural court with the assistance of appointed defense counsel – establishing the defendant’s financial eligibility for services and securing defense counsel’s physical presence at first appearances.

### **Tribal Courts and Access to Counsel: The Breaking of Gideon’s Promise in Indian Country. 17 Gov. L. & Pol. J. 26. Wood, Patrick. 2018.**

This article explores the benefits, feasibility, and drawbacks of guaranteeing the right to counsel across all of Indian country by providing indigent Indian defendants with defense attorneys at federal or state government expense in criminal cases conducted in tribal court.

### **Access to Justice in Rural Arkansas. Pruitt, Lisa, et al. 2015.**

A report on the access-to-justice crisis in rural Arkansas.

### **Justice Deserts: Spatial Inequality and Local Funding of Indigent Defense. 52 Ariz. L. Rev. 219. Pruitt, Lisa and Beth Colgan. 2010.**

This article explores inequality in the delivery of rural public defense services. Through an in-depth assessment of five Arizona counties, the article exposes how county-funded public defenses systems disadvantage rural defendants. It advocates centralized state funding of the Sixth Amendment right to counsel. Litigation strategies invoking the Sixth Amendment right to counsel and the Fourteenth Amendment Equal Protection Clause are also proposed.

### **When Clinics Are “Necessities, Not Luxuries”: Special Challenges of Running a Criminal Appeals Clinic in A Rural State. 75 Miss. L.J. 721. Courselle, Diane. 2006.**

In rural states, law school clinical programs shoulder a substantial part of the burden of meeting poor people’s legal needs. This article describes the challenges of setting, and maintaining, reasonable limits on clinical workloads in the face of political pressure from judges and the state bar. The article also discusses the challenge of

providing conflict-free representation in areas where there are very few experienced criminal defense attorneys.

**Status of Indigent Defense in Georgia: A Study for the Chief Justice's Commission on Indigent Defense. The Spangenberg Group. 2003.**

This study of Georgia's public defense system concludes that a lack of program oversight and insufficient funding are two significant problems in the delivery of indigent defense services. Although the study looks at public defense in a wide range of contexts, it identifies issues of special concern for rural communities.

## **Court Systems and Court Personnel**

**Courts Need to Enhance Access to Justice in Rural America. COSCA Policy and Liaison Committee. 2018.**

This policy paper describes how rurality impacts criminal and civil courts. It explores strategies to improve rural residents' access to justice. Those strategies include video (or telephone) court appearances; online dispute resolution; and court consolidation.

**Rural District Court Judicial Travel In Nevada, Fiscal Years 2011-16. Sup. Ct of Nev., Research and Statistics Unit. 2017.**

This rural judicial travel report (the third published by the Nevada Supreme Court) demonstrates that rural judges who "ride circuit" have notably less time available for their judicial obligations than their urban counterparts. On average, these judges spend 6.1 hours per week on the road and out of the courtroom.

**Reengineering Rural Justice in Minnesota's Eighth Judicial District: A Case Study in Improving Efficiencies, Reducing Costs, and Enhancing Operations in Rural Courts. Nat'l Center for State Cts. 2010.**

This detailed report analyzes the issues facing Minnesota's Eighth Judicial District and other similarly rural courts. Those issues include declining population and workload; diffusion of resources over a number of counties and court facilities; special problems of access; and challenges in providing clerical and administrative services. The report makes recommendations for how to reengineer court processes in the District.

**Administering Justice in Montana's Rural Courts. 70 Mont. L. Rev. 201. Hon. McKeon, John and Hon. Rice, David G. 2009.**

Two Montana judges describe the day-to-day rewards and risks that confront rural courts handling civil and criminal matters. Topics include transportation, access

to treatment substance use and mental health treatment, court staffing, court infrastructure, technology, and conflicts of interest.

## **Crime and Policing**

**Violent Girls in the United States: Urban, Suburban, and Rural Differences. 4 Int'l J.L. Rural Crim. 27. Rennison, Callie Marie and Dekeseredy, Walter S. 2018.**

This article examines the evolution of rural criminology, notes the dearth of research about violence among rural girls, and proposes a research agenda.

**Identifying the Needs and Challenges of Criminal Justice Agencies in Small, Rural, Tribal, and Border Areas. RAND Corp and the Justice Innovation Center. 2016.**

This report assesses the unmet technological needs of STAR and border criminal justice agencies. The report focuses primarily on law enforcement and corrections agencies, but its findings may be relevant to other rural stakeholders.

**The Social Organisation of the Rural and Crime in the United States: Conceptual Consideration. 39 J Rural Stud. 160. Donnermeyer, Joseph. 2015.**

Existing models of criminology fail to account for rural crime. The author argues that the robust development of rural criminology will pave the way for new policies that address crime in the rural United States.

**Intersectionality, Rural Criminology, and Re-imagining the Boundaries of Critical Criminology, 22 Crit. Crim. 463. Carrington, Kerry, Joseph F. Donnermeyer, and Dekeseredy, Walter S. 2014**

This article exposes the urban-centric bias of modern criminology. It challenges the myth that rural communities are relatively crime free places and urges a new “criminology of crime and place,” that is grounded in the disciplines of sociologically and criminology.

**Explaining Crime in Metropolitan and Non-Metropolitan Communities. 1 Int'l J.L. Rural Crim. 153. Wells, Edward and Weisheit, Ralph. 2012.**

This article argues that urban theories of crime are insufficient to explain rural crime patterns. The authors propose alternative research strategies that might be well-suited to rural areas.

**Extending the Hyperghetto: Toward a Theory of Punishment, Race, and Rural Disadvantage. 16 J. of Poverty 274. Eason, John. 2012.**

The author extends the concept of the hyperghetto (defined by the dual stigmas of class and racial segregation) to rural regions. He offers a new understanding of the confluence of race, punishment, and rural disadvantages in the prison-building boom.

**Prevalence of Rural Intimate Partner Violence in 16 US States. 25 J. Rural Health 240. Black, Michele C. et al. 2009.**

This article reports on a large-scale study of rural Intimate Partner Violence (“IPV”). The authors conclude that while IPV affects a similar portion of the population in rural and non rural areas, rural areas are less-well equipped to address IPV. The study identifies relevant rural resource disparities, including fewer domestic violence shelters, fewer physical and mental health professionals, and fewer law enforcement personnel per capita.

**Law Enforcement Tech Guide for Small and Rural Police Agencies. Romesburg, William. 2007.**

This report focuses on the best practices for successfully implementing technological changes in rural law enforcement agencies.

**Crime and Policing in Rural and Small-Town America, 3rd Edition. Weisheit, Ralph and David Falcone et al. 2005.**

This book evaluates the distinctive features of crime and policing in rural communities. It presents practical information for those interested in the day-to-day operations of rural police agencies. It also highlights the dearth of research about rural crime and policing and emphasizes the importance of closing this research gap.

**Do Career Criminals Exist in Rural America? 33 J. of Crim. Just. 317. Berg, Mark and DeLisi, Matt. 2005.**

This study concludes that rural career criminals exist, and that their criminal careers are characterized by relatively few arrests, short-lived criminal justice system involvements, and a paucity of violent crime. The study notes that most chronic rural career offenders suffer from problems such as alcoholism, substance abuse, mental health difficulties, early onset of antisocial behavior, and low educational attainment.

## **Juvenile Justice**

**Geographic differences in substance use screening for justice-in-**

**involved youth. Marks, Katherine et al. 2019.**

Geographic location (i.e., living in an urban versus rural area) is an understudied factor that can be associated with differences in service and resource availability. System-wide improvement is contingent upon implementation strategies that identify and acknowledge geographic differences to more adequately address the common and unique needs of the justice-involved youth they serve.

**Examining the Influence of Risk Factors Across Rural and Urban Communities. Blackmon, Bret. Et al. 2015.**

The purpose of this study is to examine the differential influence of demographic, behavioral, and school-related factors on juvenile offending in rural and urban settings.

**Justice by Geography: Urban, Suburban, and Rural Variations in Juvenile Justice Administration. Barry, Feld. 1991.**

This article explores the implications of “justice by geography” for juvenile justice policy.

## **Pretrial**

**Probation Semi-Annual Report, Jan. – July 2019. State of Neb. Jud’l Br. 2019.**

This semi-annual report on Nebraska’s probation system documents differences in rural and urban caseloads and outcomes across a wide range of services provided by the Probation Department. Relevant services include pretrial supervision.

**The Impact of Counsel at First Appearance on Pretrial Release in Felony Arraignments: The Case of Rural Jurisdictions. Worden, Alissa. 2019.**

This article examines how the early provision of counsel impacted judges’ pretrial release decisions in two rural New York counties.

**Geographic differences in substance use screening for justice-involved youth. Marks, Katherine et al. 2019.**

Geographic location (i.e., living in an urban versus rural area) is an understudied factor that can be associated with differences in service and resource availability. The authors argue that successfully addressing the needs of justice-involved youth requires implementation strategies that identify and acknowledge geographic differences.

**Exploring the Urban–Rural Incarceration Divide: Drivers of Local Jail Incarceration Rates in the United States. Riley, Rachael, et al. 2018.**

Preliminary analysis conducted by the Vera Institute of Justice uncovered geographical disparities in county jail incarceration rates. Contrary to assumptions that incarceration is an urban phenomenon, Vera discovered that, in recent decades, pretrial jail rates have declined or remained flat in many urban areas, whereas rates have grown in rural counties.

**Examining the Influence of Risk Factors Across Rural and Urban Communities. Blackmon, Bret. Et al. 2015.**

The purpose of this study is to examine the differential influence of demographic, behavioral, and school-related factors on juvenile offending in rural and urban settings.

**The Delivery of Pretrial Justice in Rural Areas: A Guide for Rural County Officials. Pretrial Justice Institute and National Association of Counties. Vetter, Stephanie and Clark, John. 2013.**

Drawing on existing pretrial justice programs, recognized best practices, and national pretrial standards, this guide explains how to improve existing rural pretrial practices and develop successful new programs.

**Justice by Geography: Urban, Suburban, and Rural Variations in Juvenile Justice Administration. Barry, Feld. 1991.**

This article explores the implications of “justice by geography” for juvenile justice policy.

## **Rural Incarceration**

**Rural Jail Reform in Big Sky Country. Nat’l Conf. of State Legis. Online Resources. 2019.**

This website contains a wide range of resource materials from a May 2019 meeting on rural jail reform.

**Big Changes for Small Towns: Pretrial Justice Reforms to Improve Public Safety and Right-size Jails in Rural Areas. Levin, Marc. 2019.**

Presentation on potential reform measures in rural areas.

**Open Roads and Overflowing Jails: Addressing High Rates of Rural Pretrial Incarceration. Right on Crime. Levin, Marc and Haugen, Michael. 2018.**

This paper explores the growth in pretrial jail populations, particularly in rural areas and makes recommendations about how to reduce the number of people held in jails.

**Exploring the Urban–Rural Incarceration Divide: Drivers of Local Jail Incarceration Rates in the United States. Riley, Rachael, et al. 2018.**

Preliminary analysis conducted by the Vera Institute of Justice uncovered geographical disparities in county jail incarceration rates. Contrary to assumptions that incarceration is an urban phenomenon, Vera discovered that, in recent decades, pretrial jail rates have declined or remained flat in many urban areas, whereas rates have grown in rural counties. Factors contributing to this growth were analyzed and reported.

**Big House on the Prairie: Rise of the Rural Ghetto and Prison Proliferation. Eason, John. 2017.**

This book explores the causes and consequences of the U.S. prison boom from the perspective of rural southern towns directly affected by prison placement. The author takes a close look at Forrest City, Arkansas and the social, political, and economic shifts that associated with increased prison construction.

**Out of Sight: The Growth of Jails in Rural America. Vera Institute of Justice. 2017.**

This data-rich report examines the growth of rural jail populations and marks two important drivers: an increase in pretrial detainees and the use of rural jails to house detainees for other agencies.

**Mass Imprisonment Across the Rural-Urban Interface. 672 Annals of the Am. Acad. of Pol. and Soc. Sci. 202. Eason, John et. al. 2017.**

Using a decade of data about Arkansas prisoners, the authors document imprisonment rates and racial disparities in imprisonment across metropolitan and nonmetropolitan counties. The authors conclude that nonmetropolitan rates of imprisonment are higher than local risk factors would suggest.

**In Our Own Backyard: Confronting Growth and Disparities in American Jails. Vera Institute of Justice. 2015.**

This data-rich report provides a snapshot of jail growth in the United States between

1970 and 2014. The report describes how this jail growth has disproportionately affected women and certain minority groups. The report includes findings about the rapid increase in incarceration rates in small and mid-sized counties.

**Trouble in the Heartland: Challenges Confronting Rural Jails. 1 Intl. J. Rural Crim. 105. Ruddell, Rick and Mays, Larry G. 2011.**

This article examines some of the key challenges facing small and rural correctional institutions. The article explores policy options for rural jails, including: regionalization; centralization; privatization, and alternatives to incarceration.

**The Jail and the Community: Comparing Jails in Rural and Urban Contexts. 88 Prison J. 252. Applegate, Brandon and Sitren, Alicia. 2008.**

This article addresses the operational differences between rural and urban jails and notes the paucity of research about rural jails.

**Community Justice in Rural America: Four Examples and Four Futures. Bureau of Justice Assistance. 2001.**

This report describes how four rural counties implemented community justice initiatives such as: customized juvenile diversion programs; community mediation; and, citizen oversight committees.

## **Probation, Parole, and Reentry**

**Probation Semi-Annual Report, Jan. – July 2019. State of Neb. Jud’l Br. 2019.**

This semi-annual report on Nebraska’s probation system documents differences in rural and urban caseloads and outcomes across a wide range of services provided by the Probation Department. Relevant services include pretrial supervision.

**Rural Jail Reentry: Offender Needs and Challenges. Ward, Kyle. 2018.**

This book assesses earlier studies on rural jail reentry and explores rural reentry challenges through the lens of different stakeholders in the criminal justice system.

**Roles and Services of Probation Officers Among Rural Female Juvenile Offenders. Warmingham, Amy Marie. 2017.**

This dissertation on attitudes towards female juvenile offenders considers probation officers’ perceptions of success and identifies enhanced service approaches to reduce

female juvenile delinquency.

**Probation Officers' Perceptions of Supervising Probationers with Mental Illness in Rural and Urban Settings. 43 Am. J. Crim. Just. 276. Van Denise, T.B. 2017.**

This article reports on a survey of probation officers who supervise people with mental illness, emphasizing differences between probationers in rural and urban settings.

**Remote Access: Using Video Technology to Treat Substance Users on Probation and Parole in South Dakota. Vera Institute for Justice. Shames, Alison and Subramanian, Ram. 2016.**

This policy brief from the Vera Institute focuses on a South Dakota program that uses video technology to increase access to substance use treatment services for people on probation and parole, especially in rural areas. The brief describes the program's implementation process and includes suggestions for other jurisdictions seeking to launch similar programs.

**An Examination of Rural Prisoner Reentry Challenges. The Ctr for Rural Penn. Zajac, Gary, et al. 2014.**

A study of reentry in rural Pennsylvania, this report reviews existing programs and their success rates. Data come from Pennsylvania's Department of Corrections and Board of Probations and Parole, as well as from interviews and surveys. Gaps in rural reentry services are also discussed.

**The Challenges of Prisoner Reentry from a Rural Perspective, 7 West. Criminology Rev. 32. Wodahl, Eric. 2006.**

This study focuses on the challenges of rural reentry. The author identifies how barriers to rural reentry harm ex-offenders and their communities. The study compares rural reentry data with data from urban and suburban communities and highlights successful rural reentry strategies.

**RISE Program.**

This program in rural Nebraska tries to reduce recidivism through improved employment and educational opportunities. The skills-based curriculum includes interviewing, resume building, and financial aid applications.

## **Mental Illness and Substance Use Disorders**

**Geographic differences in substance use screening for justice-in-**

### **Involved youth. Marks, Katherine et al. 2019.**

Geographic location (i.e., living in an urban versus rural area) is an understudied factor that can be associated with differences in service and resource availability. System-wide improvement is contingent upon implementation strategies that identify and acknowledge geographic differences to more adequately address the common and unique needs of the justice-involved youth they serve.

### **Opioid Use Disorder: Challenges and Opportunities in Rural Communities. Pew Trusts. 2019.**

This Pew Trusts fact sheet describes some of the challenges rural communities face in accessing evidence-based treatment and strategies to combat the opioid epidemic. It includes a case study of how one rural community responded to the opioid epidemic by addressing the specific needs of its residents.

### **Justice Involvement and Treatment Use Among Rural Veterans. 42 Journal of Rural Mental Health, 46. Finlay, Andrea K. et. al. 2018.**

This study examines the effect of rural residence and justice involvement on veterans who need mental health and substance use disorder treatment. For justice-involved veterans, rural residence was associated with lower access to mental health or substance use disorder treatment. The article proposes using telehealth, outreach services, and integrated treatment approaches to improve access to treatment for rural veterans.

### **Reducing Mental Illness in Rural Jails. The Stepping Up Initiative. National Association of Counties. 2016.**

Stepping Up is a national initiative that seeks to reduce the number of people with mental illnesses in jails. This publication offers strategies for county leaders to reduce the population of mentally ill people in their jails. Case studies are drawn from counties in California, Iowa, Minnesota, New Mexico, New Hampshire, Ohio, South Dakota, Virginia, and Wisconsin.

### **Remote Access: Using Video Technology to Treat Substance Users on Probation and Parole in South Dakota. Vera Institute of Justice. 2016.**

This report examines a South Dakota program that provides accessible treatment services to those on probation and parole in rural areas. It also highlights ideas for implementing new programs in rural regions.

### **Mental Health Services in Rural Jails. Cutler Institute for Health and Social Policy Muskie School of Public Service University of Southern Maine. Hartley, David et. al. 2010.**

This study explores the how rural jails manage mental health and substance use problems among inmates. It identifies barriers to providing inmates with mental health and substance treatment and makes recommendations about how rural communities can better serve this population.

**Treatment Retention Predictors of Drug Court Participants in a Rural State. Mateyoke-Scrivner, Allison, et al. 2009.**

This study focuses on examining mental health, drug use, criminal activity, and education/employment as factors that are associated with treatment retention, which is measured by graduation from a rural and urban drug court.

**Mental Health Court Programs in Rural and Nonaffluent Jurisdictions. Stephen S. Goss**

September 1, 2008. This article argues that our jails have become de facto mental health treatment centers for cases that crowd court dockets, filling the jails and state hospitals at taxpayers' expense. Goss reports on mental health court programs that are responding to these issues. Success is measured by decreased arrests and mental hospital stays, and the overall well-being of such patients.

**Rural and Urban Women's Perceptions of Barriers to Health, Mental Health, and Criminal Justice Services: Implications for Victim Services. 19 Violence & Victims 37. Logan, T.K. et al. 2004.**

The authors studied eight groups of rural and urban women to examine how they viewed their access to criminal justice, and mental health services.

## **Victims' Services**

**Intimate Partner Violence in Small Towns, Dispersed Rural Areas, and Other Locations: Estimates Using a Reconceptation of Settlement Type. DuBois, Kathryn, Callie Marie Rennison, et al. 2019.**

This article challenges the validity of past victimization survey research methodology and questions whether geographic isolation is a factor in intimate partner violence in rural areas.

**IPV in Rural Pennsylvania and Magisterial Courts: Case Study. 19. J. of Interpersonal Viol. 1. Poteyeva, Margarita and Wasileski, Gabriela. 2019.**

Research on the criminal justice system's response to the problem of intimate partner violence (IPV) largely focuses on police and prosecutorial decision making. Fewer studies are dedicated to exploring how IPV cases are processed by the courts. This

study examines the perspectives of judges in the Magisterial Courts in rural counties of Pennsylvania. Semi-structured interviews were conducted with 27 magisterial court judges. The findings shed light on magisterial court judges' experiences with IPV cases, the challenges that they face and the factors that influence their determination whether the cases will be prosecuted, dismissed, or proceed to the Court of Common Pleas.

**Prevalence of Rural Intimate Partner Violence in 16 US States. 25 J. Rural Health 240. Black, Michele C. et. al. 2009.**

This article reports on a large-scale study of rural Intimate Partner Violence ("IPV") conducted in 2005. The authors conclude that while IPV affects a similar portion of the population in rural and non rural areas, rural areas are less-well equipped to address IPV. The study identifies many relevant rural resource disparities, including fewer domestic violence shelters, fewer physical and mental health professionals, and fewer law enforcement personnel per capita.

**Place Matters: Domestic Violence & Rural Difference. 23 Wis. J.L. Gender & Soc'y 347. Pruitt, Lisa. 2008.**

Pruitt's article explores how rurality influences the reporting, policing, investigation, and prosecution of rural domestic violence.

**Rural and Urban Women's Perceptions of Barriers to Health, Mental Health, and Criminal Justice Services: Implications for Victim Services. 19 Violence & Victims 37. TK, Logan, Evan Stevenson, et al. 2004.**

This article presents the results of a study of eight groups of rural and urban women to examine how they viewed their access to health and criminal justice services.

**Rural Victim Assistance: A Victim/Witness Guide for Rural Prosecutors. American Prosecutors Research Institute. 2003.**

This guide provides an overview of the challenges that rural prosecutors face in providing assistance to crime victims. It also includes tips and strategies for overcoming these challenges based on a survey of rural prosecutors.

## **Practice Guides and Models for Innovation**

**Community Justice in Rural America: Four Examples and Four Futures. Bureau of Justice Assistance. 2001.**

This report examines four jurisdictions where rural communities have implemented community justice and provides the challenges and strategies.

### **Project Rural Practice: Its People & Its Purpose. 2014.**

This article describes the creation of South Dakota's Project Rural Practice, which recruits attorneys to practice in rural communities through incentives.

### **Rural Pro Bono Delivery: A Guide to Pro Bono Legal Services in Rural Areas. American Bar Association. 2003.**

This guide is a resource for legal service providers, bar associations and volunteer lawyer programs in rural areas. It includes an analysis of the barriers to rural legal services delivery and examples of successful service-delivery strategies. There are also descriptions of successful grant projects.

### **A Toolkit for Legislative Reform: Improving Criminal Justice Responses to Mental Illness in Rural States. Pierce, Barbara. Crime and Justice Institute. 2017.**

This toolkit is designed for rural lawmakers seeking a new statewide, legislative approach to improve how the criminal justice system responds to mental illness.

## **Native and Tribal Jurisdictions**

### **Tribal Courts and Access to Counsel: The Breaking of Gideon's Promise in Indian Country. 17 Gov. L. & Pol. J. 26. Wood, Patrick. 2018.**

This article explores the benefits, feasibility, and drawbacks of guaranteeing the right to counsel across all of Indian country by providing indigent Indian defendants with defense attorneys at federal or state government expense in criminal cases conducted in tribal court.

### **Tribal Injustice: The Past, Present, and Future of the Violence Against Women Act "The rights of every man are diminished when the rights of one man are threatened." 17 Gov. L. & Pol. J. 25. Sgroi, Marcella. 2018.**

This article addresses the administration of tribal justice, specifically as it relates to the Violence Against Women Reauthorization Act ("VAWA"). The article analyzes the effectiveness of VAWA's pilot programs that have authorized VAWA enforcement in tribal justice systems. The article concludes with an assessment of a recent Supreme Court ruling on tribal misdemeanor arrests.

### **Bush Justice: The Intersection of Alaska Natives and the Criminal Justice System in Rural Alaska. 77 Or. L. Rev. 1. King, Rachel. 1998.**

The author reflects on her experience as an assistant public defender serving native communities in rural Alaska, using it as the chance to explain the challenges facing public defenders and their clients in rural communities.

## **Civil Access to Justice**

### **Rural Access to Justice in the Golden State, U.C. Davis Sch. of L. Legal Stud. Res. Paper Series (2018).**

An overview of access to justice issues in rural California. The article provides information about the current shortage of lawyers in rural counties and suggests increased involvement from California's public law schools.

### **Canadian Forum on Civil Justice, Rural and Remote Access to Justice (infographic), Rural and Remote Access to Justice Boldness Project (July 2015).**

An infographic about the access-to-justice issues in rural and remote areas of Canada.

### **Access to Justice in Rural Arkansas, UC Davis Legal Stud. Res. Paper No. 426 (2015)**

This policy brief, written for the Arkansas Access to Justice Commission, reports on two data sets about the shortage of lawyers in rural Arkansas. It also reports on the results of a survey investigates how Arkansas lawyers and law students think about rural practice.

### **Accessing Justice in the Contemporary USA: Findings from the Community Needs and Services Study (2014). Rebecca L. Sandefur, Am. Bar Ass'n.**

This report examines findings of widespread incidence of events and situations that have civil legal aspects, raise civil legal issues, and have consequences shaped by civil law (e.g. debt, employment, and insurance issues were among the most common situations reported). Further, the report looks into why rural residents do not seek legal assistance for these situations and what they do instead, what they understand of the civil justice system, and what they believe about the justice system in the U.S. today.

### **Law Stretched Thin: Access to Justice in Rural America, 59 S.D. L. Rev. 466 (2014).**

This data-rich article discusses a wide range of rural access-to-justice issues. The authors focus how rural legal deserts impact vulnerable populations, such as veterans, seniors, children, disabled people and the poor. The article offers strategies for

funding rural legal services; ideas about how technology might improve rural justice; and suggestions for reducing legal deserts.

### **Improving Civil Justice in Rural California (2010)**

This report by State Bar of California offers recommendations about how to increase access to legal services for rural Californians. While the report only addresses civil legal needs, it offers suggestions and insights that may also be relevant to rural criminal practice.

### **Rural Pro Bono Delivery: A Guide to Pro Bono Legal Services in Rural Areas (2003)**

This guide is a resource for legal service providers, bar associations and volunteer lawyer programs who are searching for new ways to serve clients in rural areas and support those lawyers already working in rural areas. It includes an analysis of the barriers to rural legal services delivery and examples of successful service-delivery strategies.

### **Lessons from the Country: Serving Self-Represented Litigants in Rural Jurisdictions. National Center for State Courts. 2002.**

This publication studies twenty-five pro se assistance programs in rural jurisdictions with a wide range of program models. While these programs focus on civil legal issues, the report highlights a wide range of program models. For each program, the report provides a detailed operational narrative. The report also includes local stakeholders' first-hand assessments of each program. These program models may inspire innovation or inform program development for rural criminal justice initiatives.

### **The Opportunities and Challenges of Providing Equal Access to Justice in Rural Communities, 28 William Mitchell L. Review 367 (2001).**

This article calls for comprehensive approach to increasing access to justice in rural America. The author includes program examples discusses available data about the costs of providing services. The author takes a firm stance against tele-representation, arguing instead for attorneys to be physical present in rural communities.

## Join the STAR Criminal Justice Coalition to connect with criminal justice stakeholders and engage in STAR justice conversations about research, best practices, and reform.

Read the full Greening the Desert report



[deasoncenter.smu.edu/star-justice/greening-the-desert-publication/](https://deasoncenter.smu.edu/star-justice/greening-the-desert-publication/)

Looking for STAR contacts, advice, or leads on project funding?



[resources@ruralcjr.org](mailto:resources@ruralcjr.org)

Contact us:



**P.O. Box 750116**

**Dallas, Texas 75275-0116**



**(214) 768-2837**



**[deasonjusticecenter@smu.edu](mailto:deasonjusticecenter@smu.edu)**

Follow us:



**[www.deasoncenter.smu.edu](http://www.deasoncenter.smu.edu)**



**[www.facebook.com/SMULawDeason](https://www.facebook.com/SMULawDeason)**



**[@SMULawDeason](https://www.instagram.com/SMULawDeason)**



**[@SMULawDeason](https://twitter.com/SMULawDeason)**