

MODEL COMMUNITY CORRECTIONAL PROGRAM

SAN JOAQUIN COUNTY, CALIFORNIA

Appendix Report

THE MODEL MISDEMEANANT
PROBATION PROGRAM

INSTITUTE FOR THE STUDY
OF CRIME & DELINQUENCY

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PROJECT SUPPORT

U. S. Department of Justice, Law Enforcement Assistance
Administration (Corrections Grant No. 227) with matching
assistance by San Joaquin County.

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PROJECT PROPOSAL
THE MODEL COMMUNITY MISDEMEANANT
PROBATION PROGRAM

SAN JOAQUIN COUNTY - CALIFORNIA

NOVEMBER 18, 1968

REVISED DECEMBER 17, 1968

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January 13, 1969

Room 403
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Honorable Vernon F. Lehman, Chairman
and Members, Board of Supervisors
San Joaquin County
Rm. 701, Courthouse
Stockton, California 95203

Dear Mr. Lehman:

We transmit copies of the proposal to create a "Model Community Misdemeanant Probation Project."

As you know, this project plan has been under development and review for the past six months. All local interests have been consulted and, to the best of our knowledge, are strongly supportive of the need for such a program.

At its last regular meeting on November 15, 1968, the MCCP Policy and Review Council unanimously approved the project proposal with the recommendation that it be forwarded to the Board of Supervisors for their consideration. This will involve, as you will note, commitment of new expenditure. It must be emphasized, however, that as structured, the project calls for substantial Federal funding available under the Safe Streets and Crime Control Act of 1968.

We would also note that in the period of two to three years, the project should result in an appreciable reduction in jail population and related costs. More importantly, however, an effective misdemeanor probation service should be expected to reduce crime and delinquency in San Joaquin County. Since over 60% of persons arrested have a prior arrest record, it follows that a major step in reducing crime is the improvement of rehabilitation and corrective services for those whose criminality or deviance is relatively minor. There is an abundance of data available to indicate that the uncorrected misdemeanor becomes tomorrow's felon.

What we propose for San Joaquin County is, incidentally, what most progressive counties in California have already provided. For example, in 1966, compare the number of probation referrals from Superior and lower courts in the following counties:

<u>County</u>	<u>Total Probation Referrals</u>	
	<u>Superior Court Referrals</u>	<u>Municipal and Justice Court Referrals</u>
Alameda	884	6,230
Contra Costa	1,013	1,605
Sacramento	310	650
San Mateo	277	1,399
San Joaquin	174	77

In other words, misdemeanor probation is clearly needed with or without outside funding assistance.

The judges of the Stockton Municipal Court have, of course, been extensively consulted in this matter and have collectively expressed support of the program through then Presiding Municipal Court Judge, the Honorable Maxwell Willens. In addition, others most involved with or effected by such a program are the Lodi Municipal Court, the two Justice Courts, Public Defender Robert Chargin, Sheriff Michael Canlis, Stockton Police Chief Jack O'Keefe, Chief Probation Officer F. S. Frederick and Judge Laurence Drivon (in his former capacity as District Attorney).

In endorsing this project proposal, the Policy and Review Council noted that there is a potential legal problem concerning the matter of whether or not persons who are not county employees or sworn deputy probation officers can provide the services indicated. We would hope that this can be resolved favorably, including, if necessary, an appropriate proposal for enabling State legislation.

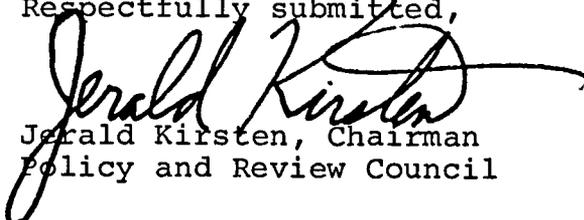
As indicated, it is important to try to establish the project as it is proposed, operated by the Institute for the Study of Crime and Delinquency, for an initial two-year period reporting directly to the Presiding Judge of the Municipal Court and an advisory council to be appointed by him. Such an organizational arrangement is desirable to start such an important new service, to achieve maximum service and accommodation to the lower courts, and to establish the rigorous research design features. Once the program is established, by the end of the second year, the program should be integrated under the Probation Department.

Finally, we would point out that the project as proposed is drafted for submission to the California Council on Criminal Justice for funding. This Council, which functions as the "State Law Enforcement Planning Council" as provided under the planning and action grant guidelines of the U. S. Law Enforcement Assistance Administration, has not yet issued instructions regarding the form for submission of such grant requests. Also,

Chairman and Members
Board of Supervisors
January 13, 1969
Page Three

if a San Joaquin County Law Enforcement Planning Council is established in the near future, this proposal should also have that agency's endorsement. In the interim, however, we believe it is appropriate to put the matter before you since under any conditions, it is first a policy and budget issue for the Board of Supervisors.

Respectfully submitted,



Gerald Kirsten, Chairman
Policy and Review Council

JK:ptn

Attachment

cc: Judges of the Stockton Municipal Court
Judge of the Lodi Municipal Court
Justice Court Judges of Tracy and Manteca
Chief Probation Officer
County Administrator
Members of the M CCP Policy and Review Council
Richard A. McGee, President
Institute for the Study of Crime and Delinquency
M. R. Montilla, Director, Model Community Correctional Project

CONTENTS

	Page
Transmittal	
I. Summary of Proposal.	1
II. Significance of Proposal and Expected Results.	2
III. Nature of the Problem and the Need to Be Met	5
IV. Project Methods.	18
V. Results Expected	29
VI. Resources.	33
Attachment A (Presentence Investigation Interview Forms)	41
Attachment B (Presentence Investigation Verification Forms)	44
Attachment C (Official Record Form).	46
Attachment D (Point Scale)	47
Attachment E (Presentence Investigation Report Form)	49
Endorsement of the Policy and Review Council	50
Proposed Project Budget.	52

MODEL COMMUNITY MISDEMEANOR PROBATION PROGRAM

Submitted herewith is a proposal for a pilot project to demonstrate the use of a short form, objective, presentence report and attendant probation type services for misdemeanor cases.

I. SUMMARY OF PROPOSAL

It is proposed to provide probation services for the misdemeanor offenders in San Joaquin County by:

1. Providing the lower court judges with adequate pre-sentence information through the use of a "short form" probation report.
2. Providing casework services to persons placed on probation through the use of: (a) Probation officers (b) case work aides, and (c) other forms of community involvement.
3. Providing case-manager and after-care services to offenders sentenced to jail.

The proposal requests full staff financing during the first 18 months to facilitate the starting of an almost totally non-existent program, with gradual transfer of obligation to the County Government as funds become available from savings in detention and other costs to be identified.

In addition to the innovative features indicated, the project involves comprehensive research plan directed not only to examination of correctional outcomes for those served by the project, but analysis of the effect of the program on other agencies of the criminal justice system.

Over the four year period, the plan calls for County contributions of about \$548,000 against the grant support request of \$411,933.

II. SIGNIFICANCE OF THE PROPOSAL AND EXPECTED RESULTS

Fill Existing Information and Manpower Gaps

There is substantial promise that the new short form misdemeanor probation report,* when coupled to misdemeanor probation services, will solve the great information and manpower gaps which exist in the administration of Criminal Justice at the local government level.

Quick, Economical Verified Information

Not only will the project provide the judge with verified information about misdemeanants, where none currently exists, but hopefully, it will provide information which will be germane to the sentencing decision. This information can be provided quickly and at nominal cost.

Utilize Existing Community Resources

The development and use of a misdemeanor probation service...a service which has its roots in existing community resources...will provide the judge with many sentencing alternatives where previously he had few.

Research Based

The impact these new resources have upon the local Criminal Justice System will be evaluated. Increased knowledge about the misdemeanant and various sentencing alternatives should aid the courts and others in determining what approach is most effective for each offender.

Broad Application of Results

While the project will serve only misdemeanant offenders, many of the conclusions drawn from the project will be applicable to felon and juvenile offenders. Since a large percentage of first time felony offenders have a misdemeanor record, a program aimed at dealing effectively with today's misdemeanants should reduce the number of tomorrow's felons.

Demonstration Project Design

The project is designed with the idea that it can serve as a prototype not only for California, but for the rest of the nation. A major emphasis of the project will be to ensure that it is designed and operated in such a manner that its methods and techniques can be placed in operation in any community desiring to improve its effectiveness in working with misdemeanants.

* Sample copy appears on Attachment E.

The research plan will examine the use of the point scale and the various treatment alternatives to answer such questions as:

*What Questions
Will Be
Answered:*

1. Does the short form misdemeanor probation report provide useful information germane to the sentencing decision? What information is relevant for a pre-sentence report? What procedures are most effective for gathering and presenting the information? In what way can the "factors" which make up the point scale be modified or weighted differently to create a more proficient predictive instrument?

Measurement: Judicial acceptance is the primary test. Other measurements include:
a. modification of the short form as the judges gain experience with it. b. simple re-arrest recidivism data related to sentence disposition which was recommended after use of the short form point rating scale. c. Assessment of the importance of each "factor" of the short form in predicting correctional outcome.

2. What is the effect of the present lack of information on the sentencing decision? In what ways does the availability of the short form misdemeanor probation report effect the judges selection of sentence dispositions?

Measurement: Misdemeanor probation services were not available to the court when the Model Community Correctional Project collected extensive "baseline" data about misdemeanants in San Joaquin County. These data provide a valuable "baseline" for comparing dispositions when such services are available.

3. When the court is provided with a wider range of sentencing alternatives, does the pre-sentence report and the increased knowledge about the offender aid the court in determining what approach is most effective for each offender?

Measurement:

(a) What proportion of offenders now being sentenced to jail can be safely and effectively treated and controlled in the

community under various form of probation supervision.

- (b) What proportion of those now being placed on probation could do just as well with limited supervision? What are their characteristics?
- (c) What proportion of those now being placed on probation could do just as well with a suspended sentence without any supervision. What are the characteristics of such individuals?
- (d) What proportion of those now being placed on probation need intensive supervision? What are their characteristics?
- (e) What effect does supervision by a volunteer or sub-professional have as opposed to supervision by a probation officer?

Measurement: Measurement will be provided by follow-up data on offenders who receive probation, jail or fines as a disposition.

4. Can the misdemeanor probation service be more closely integrated with jail administration and program activity?

Measurement: Some data will be developed to illustrate the interaction between jail administration and probation services. Narrative description of any problem areas that develop and recommended solutions will result.

5. Does the presence or absence of misdemeanor probation services have any significant effect on the success of the offender in avoiding re-arrest? Does a cost/benefit analysis of this difference support arguments for developing misdemeanor probation services?

6. Can significant manpower and training gaps be overcome by developing programs which can use aides, volunteers and other subprofessional classes?

These questions are discussed in more detail throughout the proposal and particularly in the Section IV Results.

III. THE NATURE OF THE PROBLEM AND THE NEED TO BE MET

A Judge, in order to sentence properly, needs verified information about the offender's background. Although presentence reports supply this information in felony cases, there are generally no presentence reports for misdemeanants:

"The outstanding single fact in the survey data on misdemeanor probation is the paucity of the service."¹

This survey conducted by the National Council on Crime and Delinquency also concludes that besides the many states which provide only minimal services, there are eleven states which have no probation services of any kind for misdemeanants.² San Joaquin County has, relatively speaking, no probation services for misdemeanants with 77 cases referred for probation investigation in 1966 out of 13, 854 dispositions of accused misdemeanants. The reasons for this lack of probation services for the misdemeanants are: (1) Present personnel do not have the time for additional investigations and (2) there is a shortage of additional qualified personnel to conduct the investigations, and (3) the lower court judges are not accustomed to having this information for ordinary misdemeanor cases.

Regular presentence reports are expensive (about \$100 per report) if prepared by a professional Probation Officer at a workload standard of 10 reports per month.

Providing all courts with enough probation officers to prepare presentence reports and to provide probation supervision in all felony and serious misdemeanor cases would impose great burdens on many States and/or Counties both in terms of initial financial costs and of the difficulty in obtaining trained personnel.³ On the other hand, the expense of probation investigations and probation services more than pays its way, it actually saves tax dollars.⁴ In the "Saginaw Project" prison commitments were reduced more than 50% through the expanded use of probation

1 "Correction in the United States," A Survey for the President's Commission on Law Enforcement and Administration of Justice by The National Council on Crime and Delinquency, in Crime and Delinquency, Vol. 13, No. 1, P. 121, January, 1967.

2 Ibid., P. 122-123.

3 Task Force Report: Corrections, Task Force on Corrections, The President's Commission on Law Enforcement and Administration of Justice, P. 19 (1967).

4 Saginaw Probation Project Report, 1963, Michigan Crime and Delinquency Council. NCCD.

yet probation violations resulting in prison commitments, during the 3 year test program decreased more than 50%. The use of this in 88 cases saved Michigan taxpayers almost one-half million dollars.

The Commission's national corrections survey showed (as is true in San Joaquin County) not only few misdemeanor courts have probation services available to prepare reports, but whatever background information lower court judges receive before imposing sentence is generally furnished by the police or prosecutor or is elicited from the defendant through a few brief questions. This leads to obvious dangers of incomplete, inaccurate and misleading presentation.⁵ Even if the probation officers were available to conduct presentence investigations it would not eliminate the need for experimenting with new and simpler forms of presentence reports:

"Experimentation with new and simpler forms of presentence investigation is important for reasons beyond the conservation of scarce resources of probation offices. Presentence reports in many cases have come to include a great deal of material of doubtful relevance to disposition in most cases. The terminology and approach of reports vary widely with the training and outlook of the persons preparing them. The orientation of many probation officers is often reflected in, for example, attempts to provide in all presentence reports comprehensive analysis of offenders, including extensive descriptions of their childhood experience. In many cases this kind of information is of marginal relevance to the kinds of correctional treatment actually available or called for. Not only is preparation time-consuming, but its inclusion may confuse decision-making."⁶

A. Application of Bail Project Experience as a Partial Solution

The Manhattan Bail Project and numerous other such projects around the country found some of the same problems discussed above when they set about developing Bail Projects. Some of their solutions may be relevant to the pre-sentence report area.

These Bail Projects have uniformly established that more defendants can be safely released on their own recognizance if verified information about their roots in the community can be presented to the court at the time of their initial court appearance. The typical plan requires use of law students to conduct the interviews in the detention cells and to verify the information through phone calls to references supplied by

⁵ Task Force Corrections, Op. Cit. P. 19.

⁶ Ibid., P. 19.

the defendant. Recommendations are made to the court on the basis of a point weighting system (which replaced a more subjective type of decision used in the early stages of the bail projects). The advantages of the point system is that it facilitates use by relatively untrained interviewers, it is impartial and provides a measurable design subject to evaluation. The entire procedure, from interview through recommendation, often takes less than one hour.

Applying the investigative procedures utilized in the bail area could solve the problems confronting the county and the courts in the sentencing area. While presentence investigations generally take about two or three weeks--and often longer--similar pertinent but less comprehensive information was gathered by the various bail projects in less than one hour. A point weighting system, similar to that used by the Manhattan Bail Project, can be used in determining what disposition to recommend. Use of the point system has now been widely accepted and is used successfully in the majority of bail projects throughout the country. The use of this point weighting system also has two other advantages. It means that interviewers with less training and skill than that of the probation officer can conduct the investigation; and because the time required to complete the short form is considerably less than the usual presentence investigation, a greater number of misdemeanor presentence reports can be completed.

The assumption that the availability of a presentence report on a particular misdemeanor increases his chances for a non-jail sentence is supported to some degree by the Manhattan Bail Project. During the first year of the Project, a control group was established. The interviewers checked each questionnaire number against a random number chart to determine whether the case was experimental or control. If the case fell in the experimental half, the recommendation or report to the judge was made. If the case was in the control group, no recommendation was presented. The control group demonstrated how accused persons who are considered good risks fare when they are not recommended for release on recognizance. While the court granted release on recognizance in 60% of the Project's recommended cases, it did so in only 14% of the parallel cases in the control group. In other words, judges released four times as many accused persons with the aid of verified information.

B. Alternatives to Incarceration - Misdemeanor Probation Services

A major thesis is that the misdemeanor short form presentence report will provide the court with verified information which tends to increase use of alternatives to incarceration--where they are available.

The short form presentence report should result in 1) an increase in probation dispositions, 2) a decrease in the use of jail as a disposition and 3) a search for other alternative dispositions.

1. PROBATION CAN BE SAFELY USED IN A LARGER NUMBER OF CASES

There can be little dispute of the advantage of probation as opposed to incarceration:

"While on probation the probationer can live a relatively normal life in his community where he has an opportunity to become a responsible, useful person; to have the experience of personal and family life; to engage in satisfying gainful employment; and to support his family. The unity of the family is preserved.

The probationer is spared the stigma of a jail or prison term which can be a handicap in finding suitable employment and in trying to live normally in the community. A prison record so often leaves a mark that is difficult to obliterate. Prisons, moreover, may breed bitterness, resentment, and a desire to "get even." Sustained institutional confinement may be required for some offenders, but for the majority, it is not only unnecessary, but also may adversely affect the probability of subsequent adjustment.

Probation, on the other hand, inspires self-respect without which no person can make a good social adjustment. Probation permits changes in attitudes and outlook through the counsel and guidance of a probation officer. A growing body of research has demonstrated that the problems and needs of many offenders are best solved in the community. In addition to the social advantages inherent in the community supervision, probation is economically sound. Excellent probation services can be provided at much less cost than imprisonment. Imprisonment costs 10 to 15 times more than probation."⁷

There is also consensus that in many jurisdictions probation can be more widely and effectively used than is now the case. This is illustrated by the provisions of the Model Penal Code and Model Sentencing Act which place

⁷"Trends in the Administration of Justice and Correctional Programs in the United States", prepared for the Third United Nations Congress on the Prevention of Crime and Treatment of Offenders, Stockholm, Sweden, pp. 18-19 (August 1965).

a presumption on probation rather than on incarceration.⁸ Section 2.3 (c) of the recently released "Standards Relating To Sentencing Alternatives and Procedures," a tentative draft of the American Bar Association Project on Minimum Standards for Criminal Justice provides that, "A sentence not involving confinement is to be preferred to a sentence involving partial or total confinement in the absence of affirmative reasons to the contrary."

2. PRESENTENCE REPORT WILL DECREASE USE OF JAIL DISPOSITION

What is the effect of this lack of information on the sentencing decision? This is difficult to answer, since almost nothing is known about the overall disposition of misdemeanors in this country.⁹ In San Joaquin County there is evidence to suggest that the mere fact a presentence report was completed on a misdemeanant increases his chances of not going to jail.

The following discussion illustrates this point:

3. INCREASE IN ALTERNATIVE DISPOSITIONS

First, where a presentence report is completed, a misdemeanant has the added possibility of receiving formal probation, besides the other alternatives now available: (1) fine or restitution; (2) summary probation (also known as court probation) and (3) a suspended sentence. The unofficial approximation of the Bureau of Criminal Statistics of the California Department of Justice, regarding the dispositions of misdemeanants other than drunks sentenced during the first six months of 1967 in San Joaquin County, was that approximately 61% (693/1132) were given a jail sentence. Only 11 misdemeanants in this sample were placed on formal probation, since there were few probation investigations conducted during this period. More detailed analysis of sentencing practices and probation use in San Joaquin County for misdemeanants, felons and juveniles follows. These data will demonstrate the need for a misdemeanant probation service and provide in part, a gross basis against which the performance of the project can be measured.

C. Analysis of Use of Existing Probation Services

Available data clearly illustrate the potential impact of misdemeanor probation services upon the existing Criminal Justice System in San Joaquin County. What this impact might be is best illustrated by analyses of the existing system's performance.

⁸ Model Penal Code 57.01 (Proposed Official Draft, 1962) and Model Sentencing Act 59 (1963).

⁹ Corrections in the United States, Op. Cit. p. 118.

1. Probation Is Under-Utilized in San Joaquin County

The Probation Department in San Joaquin County, in 1966, recommended probation about one-half as much as occurred in the other metropolitan counties. Since in all these counties, including San Joaquin, the court followed the recommendation that a felony defendant be given probation in 97-99% of the cases, the favorable recommendation of the Probation Department was crucial.

TABLE I

Comparative Superior Court (Felony) Use of County Probation Among Selected California Counties* - 1966

County	Population (1966 EST)	Referrals to Probation	Total Recommended for Probation	Percent Recommended for Probation
Superior Court ¹⁰				
San Diego	1,250,000	1476	855	57.9
Alameda	1,047,500	1142	616	53.9
Santa Clara	927,300	862	457	53.0
Contra Costa	531,000	465	301	64.7
Fresno	415,600	450	215	47.8
San Mateo	540,400	396	209	52.8
SAN JOAQUIN	278,800	387	98	25.3

A low rate of favorable probation recommendations is usually due to one or a combination of the following:

1. Planned control of probation workload to match available probation staff and related resources.
2. Planned control of probation workload to achieve the most favorable level of probation outcome (i.e. low recidivism rate) or selection of low risk cases for most favorable community exposure in case of recidivism.
3. Philosophically restricted view of the efficiency of probation by the judges or the Probation Department.

* Selection of counties was arbitrary; meant to include metropolitan counties with larger, more developed probation systems than in San Joaquin. Statewide average of all counties reveals 46.7% of referrals recommended for probation.

¹⁰ Source: Bureau of Criminal Statistics, Crime and Delinquency in California, 1966, Table VI-4, p. 137.

4. The presence of a relatively punitive - retributive attitude of the general public, local law enforcement agencies, and community leaders toward adult offenders.
5. A lack of information about or concern over the cost implications involved in excessive use of the most expensive correctional disposition available to the courts.

One method to further account for the reasons for the relatively low use of adult probation in San Joaquin County is to compare removal of cases from probation.

2. With More "Better Risk" Cases on Probation in San Joaquin County, the Violation Rate is Not Significantly Lower Than Other Counties With More "Problem Cases" on Probation.

TABLE II

Adult Defendants Removed From Probation by California Superior Courts

County	Total Removed	Total Removed by Violation	Total Removed by Termination	Violation Ratio ¹¹
San Diego	833	256	577	31%
Alameda	924	269	655	29
Santa Clara	493	147	346	30
Contra Costa	307	79	228	26
Fresno	199	62	137	31
San Mateo	230	60	170	26
SAN JOAQUIN	183	43	140	23

Table II Interpretation: As previously indicated, some counties recommend probation twice as often as San Joaquin County. This does not result in a significant increase in probation violation.

¹¹ Violation ratio is total number removed from probation by termination compared to number removed for violation.

Outcome of Adult Probation Referrals in California Municipal and Justice Courts, 196612

TABLE III

County	Total actions	Probation dispositions			Other dispositions			Court probation ^c	
		Total	Granted	Denied	Percent granted ^a	Total	Dismissed or Off calendar ^b		Reinstated to probation
Alameda	6,230	4,506	3,556	950	78.9	1,724	315	657	752
Contra Costa	1,605	1,371	1,083	288	79.0	234	119	27	88
Marin	382	255	229	26	89.8	127	-	25	102
Monterey	414	271	163	108	60.1	143	2	-	141
Napa	156	127	77	50	60.6	29	1	-	28
Sacramento	650	504	394	110	78.2	146	26	13	107
San Bernardino	1,359	990	700	290	70.7	369	52	89	228
SAN JOAQUIN	77	46	38	8	82.6	31	-	-	31
San Luis Obispo	129	90	72	18	80.8	39	2	-	37
San Mateo	1,399	1,040	846	194	81.3	359	25	47	287
Santa Barbara	964	899	804	95	89.4	65	18	45	2
Santa Cruz	174	162	128	34	79.0	12	-	4	8
Sonoma	902	799	516	283	64.6	103	15	28	60
Stanislaus	258	205	163	42	79.5	53	2	42	9
Ventura	986	842	528	314	62.7	144	1	25	118
STATEWIDE TOTALS	15,685	12,107	9,297	2,810	75.8	3,578	578	1,002	1,998

^a Percent omitted where total probation disposition is less than 25.

^b Includes 38 cases where referral was withdrawn; including 15 from Contra Costa County; 13 from Sacramento County; 5 from San Bernardino County; 1 from Santa Barbara County; and 4 from Sonoma County.

^c A type of disposition in which the defendant is on probation to the court only and the probation department has no responsibility for supervision.

¹² Ibid: Table VI-19, p. 161 (Note: Total referrals includes all referrals less those dismissed, reinstated to probation or granted court probation (suspended sentences)).

3. Preliminary Research in Development of the Short Form Presentence Report Plan

A more precise study conducted by the grant applicant in San Joaquin County is described on pages 33-35 of this Application entitled, "Qualifications and Facilities of Grantee." It indicated that of the 25 misdemeanants referred to the San Joaquin County Probation Department for presentence investigation whose cases were pending in Stockton Municipal Court, only 16% (4/25) actually went to jail after sentencing. It also indicated that presentence reports were requested for only the most serious misdemeanor offenses. Jail terms for misdemeanants who have not had presentence reports completed appear to be far more frequent.

Another phase of the Grantee study indicated that a large proportion of misdemeanants sentenced to jail, without the presentence investigation, had a prior record consisting of no more than one misdemeanor conviction, for which they had received a sentence of informal or court probation. Given the choice only between another sentence of informal probation and jail, the judges often chose the latter. If there had been a presentence investigation and the availability of a third alternative of formal probation the judges might have made this choice in more cases.

SPECIAL NOTES ON RECIDIVISM¹³

A highly pertinent study of adult probation violation rates was completed in 1964 by George F. Davis. The study included all persons granted probation in 56 counties in 1956, 1957, and 1958 and followed through December 31, 1962. Among his very interesting conclusions were:

1. "As a general rule, the revocation rates decreased with decreasing population size." "...A high percentage of (probation) grants was correlated with a low percentage of violations."
2. "Defendants placed on probation for forgery and checks, auto theft and burglary offenses had high rate of revocation; those convicted of manslaughter, sex offenses other than rape, vehicular offenses and bookmaking had low revocation rates."
3. "As a general rule, women are granted probation more often than men and are in turn revoked less often..."
4. "...Negroes had higher rates of revocation"...than White and White-Mexican groups."
5. "...Revocation rate increases as more conditions are applied, and that either fine or restitution, or both increase the revocation rate." Straight probation had the lowest revocation rate; probation and jail had a high revocation rate.

¹³ The Journal of Criminal Law, Criminology and Police Science, Vol. 55, March 1964.

4. Comparison of San Joaquin County Jail Population and Costs to Other Counties

The question to be explored: As a County which makes relatively little use of probation for misdemeanants, how does it compare in terms of crime rate and jail costs with counties which have a substantial misdemeanor probation program? Two such counties are Alameda and Contra Costa. (Data based on 1966 calendar year.)

Comparison of Basic Criminal Justice Processes for 3 Counties

TABLE IV

<u>Comparison items</u>	<u>San Joaquin</u>	<u>Alameda</u>	<u>Contra Costa</u>
County Population	278,800	1,047,500	531,000
Adult Felony Arrests	1,143	5,568	1,347
Misdemeanor Arrests	15,619	54,011	not reported
Jail Admission (sentenced and unsentenced)	22,284	24,988	6,030
Jail admissions as a rate per 100,000 county population	7,992.8	2,385.5	1,135.6
Average sentence of lower courts (days)	50.7	31.4	32.6
Lower Court Commitments to Jail	4,282	7,982	2,179
Lower Court Probation referrals	77	6,230	1,605
Lower Court Probation Granted	38	3,556	1,083
Total Jail and Camp population (9-22-66)	776	907	211
County Expenditure for jail and camps ¹⁴	\$788,576	\$1,859,050	\$581,753
Jail and camps costs per 100 county population ¹⁴	\$255.04	\$107.14	\$172.73

¹⁴Source: California Taxpayers Association, Department County Budgets, 1966. (Note also revenues such as work furlough not reflected in expenditure budgets reported. The fact that San Joaquin spent so much more for jail and camps is probably due to the number of misdemeanor offenders sentenced to jail).

Table IV Interpretation:

The above comparisons are meant to provide a profile of law enforcement activity, lower court dispositions and their effects on jail population and jail costs. It would be useful to have data to indicate the recidivism (new crimes) rate of those released from jail and those placed on probation, but unfortunately this is not available.

These comparisons may be questioned on the basis that either the offenses vary widely between the respective counties or that the personal characteristics of the offenders are different. The table below attempts to compare two factors, age and race, among the three counties:

3 County Comparison of Race and Age of Adult Offenders

TABLE V

<u>Comparison factor</u>	<u>San Joaquin County</u>		<u>Alameda County</u>		<u>Contra Costa County</u>	
I. Race of felony defendants convicted in Superior Courts (percent of those convicted)						
	No. released	%	No. releas.	%	No. releas.	%
White	2,354	69.3	4,653	51.0	1,724	71.6
Mexican-American	1,059	9.1	652	5.5	138	4.1
Negro	660	20.1	2,568	42.2	530	23.4
Other	420	1.5	522	1.3	28	0.9
Total sentenced prisoners released from jails (includes misdemeanants)	4,507		8,399		2,421	
II. Age of felony defendants convicted in Superior Courts						
		Percent of those convicted		Percent of those convicted		Percent of those convicted
Under 25		37.8		29.7		37.6
25-39		32.4		35.0		36.8
40 and over		28.9		35.3		25.6

Comparison factors (continued)

Lower Court Commitments to County Jail by Offense

TABLE VI*

	<u>San Joaquin</u>	<u>Alameda</u>	<u>Contra Costa</u>
Drunk & Disturbing peace	3,096	3,797	639 ¹⁵
Traffic	670	2,462	1,044
Assault	77	242	110
Theft	144	484	132
Joy-riding	9	50	18
Sex offenses	25	-	-
Drug Law violations	35	118	7
Non-support	22	102	40
Prostitution	204	25	-

* Source: The data reported above are from various reports of the Bureau of Criminal Statistics, State Department of Justice.

While more data are available than ever before, they are still inadequate for many purposes. This is especially true with misdemeanants. As a result, the above comparisons are both limited in scope and not always the most pertinent--as, for example, the reference to age and race of felony defendants rather than misdemeanant offenders, since misdemeanor data are not yet available.

¹⁵ Note that Contra Costa County operates an Alcoholic Detoxification Center so that most drunks are not arrested and do not appear in court for sentencing.

D. General Conclusions

Based on relative populations, one would expect San Joaquin County to have one-half the law enforcement, judicial and correctional workload of Contra Costa County, and about one-fourth of Alameda County's workload.

We find instead that San Joaquin County has nearly as many jail admissions as Alameda, and nearly four times the admissions as Contra Costa. Expressed as a rate per 100,000 population, Alameda has over twice the rate of Contra Costa, and San Joaquin has nearly three times the rate of Alameda; almost four times the rate of Contra Costa.

More significant, however, are the comparisons of average lower court sentences, and the number of lower court probation referrals. Considering the number of jail admissions one should expect to find about 2,000 San Joaquin County lower court probation referrals, rather than the 77 actually made in 1966.

PROJECT WORKLOAD PROJECTIONS

It is, therefore, a tentative projection that the Model Community Misdemeanor Probation Project should be, by the second year, prepared to provide 2,000 probation reports per year. It should expect to provide probation service and supervision to approximately 1,000. Of the 1,000, it is a very rough estimate that about 200 will be those who now receive "court probation" or suspended sentences, and that about 800 will be those who otherwise would receive a jail sentence. Using the average sentence of 50.7 days, the jail population should be reduced by 40,560 man days---111 man years. This seems to be a most conservative estimate since the average jail sentence is heavily influenced by the great number of short drunk sentences.

The Grantee has previously submitted a proposal for an NIMH grant (U. S. Public Health Service) for a research and demonstration project called the Model Community Alcoholism Treatment Program. The general design of this project would direct public inebriates from arrest, jail and process through the criminal justice system to a comprehensive medical program. Hospital detoxification, sheltered living facilities, out-patient clinic and other supportive community based services are to be provided.

IV. PROJECT METHODS

A. Project Description

San Joaquin County has four courts servicing misdemeanants. Municipal courts are located in Stockton and Lodi. These handle the great bulk of the cases. There are also Justice Courts located in Tracy and Manteca which handle misdemeanants arrested in those areas. Although it is anticipated that eventually the project will provide presentence information to all of these courts during the initial phase it will be simpler and more economical to deal only with the Stockton Municipal Court.

While it is also contemplated that the project will ultimately handle all misdemeanants, during the initial phase of the project, it will not service any defendants charged with 647 (f) public drunkenness. These defendants represent an enormous volume of cases and within the next year it is likely that the chronic drunk will not be treated as a criminal but as a medical problem. (MCCP is already working with various San Joaquin County officials in development of a detoxification center and related services to treat the alcoholic outside of the criminal justice system).

Thus, the initial phase of the project will operate in Stockton Municipal Court and service all the misdemeanants (other than "drunks"), who are not being serviced by the San Joaquin Probation Department.

B. Procedures

The procedures will be as follows:

1. When a person charged with a misdemeanor either pleads guilty or is found guilty by the court, the Model Community Misdemeanor Probation Project upon the request of the judge, will conduct a presentence investigation and submit a presentence report. Initially, the case will be adjourned for 24 hours to allow sufficient time for the investigation.
2. As the project staff gains experience, it should be possible to complete these investigations on the same day. The present procedure in Stockton Municipal Court is to handle all misdemeanors in the morning between 10:00 a.m. and 1:00 p.m. and felonies in the afternoon between 2:00 p.m. and 5:00 p.m. Thus, to present presentence reports on the same day would also cause a disruption in present scheduling practices. Once the project has established its usefulness and its ability

to provide information on the same day as requested, there is no doubt that the judges would be willing to adjust their schedules accordingly. This would be especially true if the defendant awaiting sentencing was incarcerated and a 24-hour adjournment would mean another day in jail. It should be possible develop a procedure initially whereby investigations on such defendants are completed and submitted the same day as requested, while those defendants who are out on bail or own recognizance are presented the following day.

3. The interview with the defendant will take place either in the County Jail, if the defendant is incarcerated pending sentencing, or in an office located in the County Court Building, set aside for the project. The structured interview will relate to residence, family ties, employment, support, education, health, present offense and prior record. (See Attachment A). The interview will last approximately 20 minutes.
4. Most of the background information collected will be verified by phone, through references supplied by the offender. (See Attachment B). Where necessary, the investigator will go out into the field to complete the verification. Verification of the offender's prior record will be made primarily through the Sheriff's Office, located in the County Court Building. Verification of the present offense will be made by checking the Arrest Report located in the District Attorney's Office, and through conversations with the complainant and arresting officer, where appropriate. The verification process will take anywhere from an hour to several hours, depending on the ease with which references can be contacted. All verification data will be recorded on a verification form (See Attachment B), a separate form being used for each person interviewed.
5. The defendant's prior record will be recorded on an "Official Record" form (See Attachment C).
6. After the interview with the defendant, the interviewer will total the defendant's points on the "Point Scale" (See Attachment D). He will circle the numerical value in the interview column ("int") corresponding to each item of information supplied by the defendant. After verification, the interviewer will repeat this process under the verification column ("Ver."). In no case can the number circled in the verification column exceed that circled in the interview column. In other words, if the defendant states that he has 2 misdemeanor convictions and his official record shows only 1, he will receive the points allocated under 2 misdemeanor

convictions. In some cases of discrepancy, it will be necessary to go back to the defendant and recheck the information he supplied. If the defendant receives a score of less than 5 points he will not be recommended for probation, although he might be recommended to some treatment facility, such as the Alcoholic Clinic. If the defendant receives a total 5-10 points, he will be recommended for probation, which will entail some type of supervision, although not necessarily by a probation officer. If the defendant receives a total of over 10 points, he will be recommended for a suspended sentence, which entails no supervision.

7. The short form presentence report (See Attachment E), which contains the recommendation and the verified information upon which it is based, will be presented to the court at the time of sentencing. A copy of this report will also be supplied to the District Attorney and the defendant (or his attorney) prior to sentencing. It should be noted that all forms attached to this application are suggested for initial use by the project, but, of course, are subject to alteration or modification at any time.
8. Any further contact with the defendant, after sentencing, will depend on the decision reached by the court. Even in cases where no supervision is indicated, however, the project may attempt some followup, particularly where the court has referred the offender to some agency.

Aside from maintaining a file of all forms completed on each defendant, systematic records will be kept of all defendants interviewed, the date of and time consumed by the interview, the time taken to complete the investigation, the recommendation made to the court, the disposition, and any followup concerning referrals and performance under supervision. These data will be used as a basis for a cost-effectiveness evaluation of the project.

C. Misdemeanor Probation Services and Research

The preceding sections have considered a) the need for providing sentencing information to the judge in misdemeanor offenses and a method of accomplishing this, b) the need to provide alternative dispositions to the court; there is also the need for a third element, c) the need for research and evaluation to aid the Judge in selecting specific types of sentencing dispositions:

"Sentencing is to a great extent a question of prediction. If the sentencing decision is to become more than a matter of educated guesswork, it will be necessary to identify the items of information which

bear directly upon the offender's responsiveness to correctional treatment. In order to achieve this result there is a need for extensive and continuing Prediction. Through the use of computers, which can store and process data about a great number of offenders, it is impossible to correlate offender characteristics with the outcome of particular types of treatment programs. Assumptions can be made as to the predictive value of certain kinds of background information. And as the results of sentences which rely on these assumptions are received and analyzed, the predictive value of sentencing information can be more carefully assessed. This research may enable probation officers to become more selective in their presentence investigations, and it may enable judges to sentence with greater confidence in the outcome of their decisions.¹⁶

The Model Community Misdemeanor Probation Project will also attempt to fulfill this need. One advantage of the point weighting system, aside from its use by relatively untrained interviewers and its impartiality, is that it creates a measurable design subject to evaluation. In other words, by looking at the "point scale" for a particular misdemeanor, the judge can determine exactly what factors resulted in the particular recommendation received. It is also possible to modify these factors, their weighting, and the point requirements for different recommendations as experience with the point scale indicates. Thus, it will greatly simplify the task of carrying through research along these lines. Once it is learned that offenders with particular types of characteristics do well on a particular type of program, the judge can authorize a greater point value to these characteristics thus insuring the desired recommendation. Under the subjective evaluation approach, currently in use in presentence investigations, this would not be as feasible since the judge could not be assured of the same recommendation, given the similar offender characteristics.

In order to conduct this research properly, the Project must explore alternate treatment programs, since some misdemeanants while failing under one program, may succeed under another.

D. Misdemeanor Probation Services -- Casework Strategy

1. Probation Officers (or Community Program Supervisors)

The basic casework activity for administering community supervision and reintegration for misdemeanants whose sentence is probation will be provided primarily by conventional, trained probation officers. However,

¹⁶ Task Force Report: The Courts, The President's Commission on Law Enforcement and Administration of Justice, p. 22 (1967)

certain variations are possible without undesirable complication to the research design. With the approval of the respective sentencing judge and the advisory council, these may consist of:

1. Minimization of extensive and extraneous conditions of probation.
2. Minimal involvement of the caseworker as a clinician or therapist and emphasis on his role as a community "broker", i.e. referral of the probationer to the appropriate existing community resource and seeing that he receives the services needed.
3. Emphasis on early discharge from probation at the point of demonstrated satisfactory performance.
4. Use of community aides or volunteers as a supplement to the probation officer.

It is postulated that the probation officer may function best--for some classes or cases--by serving primarily if not only as a broker of community services. In this role, the probation officer does not direct or advise, does not provide surveillance or enforce conditions of probation; instead he assists his client in locating the services he needs as he may consult with the client to the extent that he requests and needs assistance in his reintegration program plan.

A second postulate follows from the experiments with minimum supervision caseloads by Lohman, Wahl and Carter with Federal Probation service in San Francisco*: That there are classes of offenders who do as well on probation--or better--under the conditions of large caseload supervision. This involves minimal surveillance or controls over the probationer, while offering assistance primarily on a "service-on-demand" basis.

A third postulate to be examined is that prolonged probation control hinders rather than helps (or simply has no effect but to incur probation paperwork costs). In other words, if a misdemeanor probationer is making a successful adjustment, probation may be best terminated more nearly at the peak of that success curve. Many misdemeanor probationers (with a control group comparison) might be discharged after 3, 6, or 9 months of successful probation--rather than continued for the end of the typical 3 year maximum period.

* Lohman, Wahl and Carter, "The Minimum Supervision Caseload," Research Report No. 8, University of California, School of Criminology, September 1966.

A last postulate relates to the first, that is that the community may supply the probationer with needed guidance, support and assistance by volunteers; that such volunteers are not only able to achieve a superior rapport with and influence over the probationer's attitude, but that this volunteer activity works to effect modification of the community attitude towards offenders.

2. The Case Manager

A second casework strategy involves the misdemeanant who is sentenced to a straight jail sentence and/or to jail as a condition of probation. For this offender group, we would plan to develop the new class of "Case Manager"* who would:

1. Participate in the jail classification process, assist in developing work or educational furlough placements, and advise on release to probation or parole placement plans.
2. Carry out such community supervision and supportive assistance as indicated by the County Parole Board as desired for a jail inmate released to county parole.
3. Perform the general functions of a probation officer in all aspects of support to the former inmate as he attempts to achieve a satisfactory reintegration into the community.

Many jail inmates might benefit from a jail program if the classification process incorporates a general release plan which requires specific objectives to be achieved. The case manager (or whatever title is selected) would participate in this classification process for the relatively long term sentenced offenders--say 4 to 12 months. The case manager would assist in developing needed work furlough placements, and on conclusion of the sentence, provide "short term" assistance to the offender in achieving a satisfactory post institution placement.

* Tentatively, the general qualifications of a "Case Manager" would be (1) an experienced Deputy Sheriff with at least 6 months of jail experience, and demonstrated interest and aptitude for offender counseling and community liaison work. Candidates who have completed college level courses in sociology or closely related subjects would be desired. In addition, on selection, they would receive one-to-one training from a journeyman probation officer and participate in all project training groups.

We are indebted to the work of Mr. John Kilkeary, Director of the Federal Community Corrections Center in Oakland in development of the new class of positions they call the "Case Manager." The Oakland Correctional Case Manager is an experienced correctional officer (equivalent to Deputy Sheriff assigned to the jail) who has been provided with some special training in casework and community relations. He is concerned with the development of inmate motivation and confidence in the pre-release situation, and responsible for the development of a work-release plan with great emphasis placed on the inmate's participation and decision making in the process. Upon successful work release placement, the case is then assumed by the regular U. S. Probation and Parole Officer assigned to the case.

In the county setting for misdemeanants, we would like to experiment with the extension of the Case Manager's function to include normal probation type services which have been previously described.

Since all sentenced offenders will have had a probation report (short form) completed, the misdemeanor probation project can serve to meet the needs of the County Parole Board or the Judge when modification of sentence is being considered. The Case Manager will be expected to take an active part in the "modification of sentence" process.

3. Volunteers and Community Aides

After the completion of at least one year of the two general types of probation case management described above, the experience will be reviewed without completion of research findings on parole or probation outcomes. If justified to the satisfaction of both the project staff, the judges and the advisory council, consideration would then be given to selective variation of probation service involving:

1. Use of citizen volunteers only.
2. Use of paid Community Aides (C.A.C.* workers or former probationers or parolees).
3. Use of organization group volunteers (Salvation Army, C.A.C. groups, 7th Step Foundation, etc.).

Myrl E. Alexander, Director, U. S. Bureau of Prisons, in an address before the Ohio Probation and Parole Association in Dayton, Ohio on October 10, 1967 focused attention on the need:

* Community Action Council of San Joaquin County and various associated sub-groups financed under O.E.O. or related "anti-poverty" programs.

"In order to provide alternatives to incarceration, a number of new and exciting programs have been established. The one common denominator in all of these new projects is the involvement of community agencies and resources in the treatment of the offender. For the first time, corrections is beginning to look outside its own house and is utilizing the many resources which are available in the community. Rather than developing activities which duplicate programs already existing in the community, the new thrust in corrections is to integrate and focus these programs in order to maximize their impact on offenders."

As emphasized by the President's Commission, many of the answers to manpower needs must be found outside the existing system:

"There is, for example, great promise in employing subprofessionals and volunteers in community corrections. Much of the work performed today by probation and parole officers could be effectively handled by persons without graduate training in social work or the behavior sciences. In fact, organizing teams of workers within which the tasks of investigating, monitoring, helping, and guiding offenders are divided in a logical manner, would permit more specialized and individual attention. The use of subprofessionals and volunteers could significantly reduce the need for fully trained officers.

Citizen volunteers have been used with apparent success by some probation departments. Royal Oak, Michigan, for example, has utilized volunteers for 6 years and claims a high success rate for the probationers who have received supervision."¹⁷

The use of volunteer workers has been extensive and highly successful in operating treatment programs at the San Joaquin County Jail. The use of casework and recreation aides has been equally successful at the Youth Authority O. H. Close School located near Stockton.

The Stockton Police Department has demonstrated successful use of "Police Cadets" both as a recruiting and training technique and in the extension of police services. The California Department of Corrections, Division of Parole and Community Services, is experimenting with the use of Parole Agent Aides to provide both better communication with various racial or cultural groups and to free the parole agent for tasks he is best qualified to do.

¹⁷ The Challenge of Crime in a Free Society, The President's Commission on Law Enforcement and Administration of Justice, pp. 167-168 (1967)

San Joaquin County has a relatively well developed Community Action Council program which could be the source of case-aide assistance. The VISTA program volunteers and students from the University of the Pacific may also be expected to be a potential source of assistance in the project.

4. Caseload Size Variations

We have previously described a plan to experiment with variations in caseload size for probation officers, since there is indication from other research and demonstration projects that for some offender types, probation success is not influenced by the intensity of probation officer supervision.

For those probationers under professional probation officer supervision, we anticipate a caseload average of about 50; this would be much lower if we are successful in achieving early discharge of a substantial number of persons sentenced to probation. Conversely, a substantial number of probationers may as a result of "joint staffing plan"* be directly assigned to a minimum supervision caseload (100 to 200 level). Others may, after initial community placement requiring relatively intensive service be reclassified into a large caseload.

More precision on defining caseload level tactics cannot be made in advance of more knowledge of the offenders to be placed on probation and the attitude of the judges and various community interests as applied to specific cases.

5. Public Information

Many local officials in support of this project have cautioned about the need for positive attention to be given to relieving community anxiety regarding the effects of this project. There is no doubt that this is a crucial factor.

In addition to planning a relatively high level of community information by presentations to service clubs professional associations, and so forth, we contemplate the need for close communication with the news media and local law enforcement agencies. The specific form of achieving this will be developed with the advice of the Advisory Council and other community leaders who wish to see this project succeed.

* Joint staffing of parole or probation plans is contemplated. The joint staff will include the assigned probationer officer, his supervisor, and a professional representative of another agency as the case indicates (i.e. Alcoholic Rehabilitation Clinic Counselor, Public Assistance Caseworker, Therapist from the County Psychiatric Out-Patient Clinic.)

Developing the resources of the community will demand effective public information efforts. Lack of community resources for misdemeanants means the neglect of one of the most important lines of defense against serious crimes, since many misdemeanants become felons. In fact, a sample of first felony admissions to state prison in California in 1964 indicated that 73.5% had a history of previous misdemeanor offenses."¹⁸ In "The Community and the Misdemeanor Offender" the National Council on Crime and Delinquency concluded:

"The potentialities for prevention in the lower courts have not become visible. The misdemeanor story--rehabilitation opportunities missed, enormous expenditures of public money to process and keep offenders in "cold storage" for 10 or 30 or 90 days, the legion of wasted lives--this story has not been told well enough or often enough. Focusing attention on this submerged mass of the crime iceberg is an urgent necessity.

More involvement of citizens in one way to bring the offender and the community more closely together. It could open avenues of treatment in the community to offenders and, at the same time, increase public understanding of the problem through personal involvement."¹⁹

E. STAGES OF PROJECT

The project will be divided into three stages, two of one year duration, and the third of two years duration:

1. Stage I - Organization - The first stage of the project will include the following steps:
 - a) Development of advisory group (See page 39c)
 - b) Selection of project staff (1 - 1 1/2 months)
 - c) Training of staff, particularly investigators, in the interview and verification techniques used by the Manhattan Bail Project (2 weeks).
 - d) Evaluation of all potential treatment facilities in the community with arrangements made for appropriate referral of cases. Selected members of the community will be interviewed for possible volunteer service to the project (2-3 months).
 - e) During this 8-9 month period of initial operation, all forms will undergo close scrutiny and revisions made where appropriate. Procedures will be simplified and attempts made to conduct investigations

¹⁸ Task Force Report: Corrections, Op.Cit., pp. 73-74.

¹⁹ "Corrections in the United States" Op.Cit., p. 134.

within shorter and shorter periods of time in order to determine the minimal time required to do an adequate presentence investigation. The possibility of servicing the other lower courts in the county will be explored and the feasibility of handling some of the recalcitrant drunk offenders will also be examined.

2. Stage II - Experimentation - The second stage of the project will include the following steps:

- a) Expansion to the Municipal Court of Lodi and the Justice Courts of Manteca and Tracy.
- b) Expansion to the treatment recalcitrant segment of the drunk offender population. (See discussion of the Model Community Alcoholism Treatment Program Pages 25 and 26.)
- c) Controlled experimentation using various treatment alternatives that have been established and seem promising. For example, on a random basis, one misdemeanor needing supervision might be assigned to a probation officer and another to a volunteer in the community. One misdemeanor assigned to the probation officer or volunteer might receive minimal (large caseload, "service on demand") supervision, another normal or conventional (50 man caseload) supervision and another intensive (small caseload) supervision. In addition, the point scale criteria might be substantially lowered to allow recommendations for "poor risk" offenders in order to see how they fare under supervision.

3. Stage III - Conclusions and Dissemination of Results -

The third stage of the project will include the following steps:

- a) Conclusions will be drawn as to what information is most relevant for a presentence report and what procedures are most effective for a presentence investigation. Conclusions will be drawn as to what methods of treatment are most effective. Who does well under supervision by probation officer as opposed to supervision by a volunteer or subprofessional? What effect does incarceration have on rehabilitation and in what percent of the misdemeanor cases is incarceration the only available solution? What are the cost comparisons?

- b) Dissemination of results through publications, lectures and the news media. Where requested, and at the expense of other agencies, staff members will visit other communities to advise them on the procedures to be followed in establishing a similar project for their community.
- c) Specific and final arrangements for continuation of project. Note that local government will assume a growing proportion of the financial responsibility as the project progresses.

V. RESULTS EXPECTED

A. EVALUATION

The project, under the direction of the Associate Director - Research, will make the following determinations:

1. The primary questions to be answered as indicated under Significance and expected Results, pages 2-4 are:
 - (a) What is the short and relatively long term effect of providing probation service for misdemeanants? Will the courts use probation more, jail less in sentencing? What are the comparative outcomes in terms of recidivism? What are the comparative outcomes in terms of first offenders in particular? For recidivists, is there any change in severity of re-arrest crimes and sentence disposition?
 - (b) Can a short form probation report provide the information needed to make sentencing decisions? Under what conditions.
 - (c) What is the most effective role of a probation officer?
 - (d) For those denied probation or provided a jail sentence and probation, can probation services be effective in reducing jail sentence time and post-jail recidivism?
 - (e) How can misdemeanor probation services be more closely integrated with jail administration and program activities?
 - (f) How will misdemeanor probation services effect jail operations and related systems' costs?
 - (g) How will misdemeanor probation services effect the jail parole and work furlough programs?

2. During the second year, a small sample of misdemeanants will be randomly excluded from the project to assess the impact of the program. As part of the research design, the serviced and non-serviced misdemeanants will be interviewed both at the time they enter the criminal process and immediately after they complete it. Those placed on probation, either formal or informal, will be interviewed at selected intervals. This study should help determine the extent to which the misdemeanant is aided by the project, at what points the project encounters problems and the reasons for the problems.
3. There will also be an examination of how effective the community based resources are. Interviews will be conducted with the misdemeanant and with the agency providing the service to see how effective the agency is, their awareness of the misdemeanant's needs and their willingness to service him. Agency records will be examined to determine the time allocated to these misdemeanants and their promptness in providing services.
4. Information gathered from the above studies plus intensive interviews with staff and the misdemeanant should help determine whether the project is accurately and effectively assessing the needs of the misdemeanant.
5. The major emphasis in the research design, is as indicated, decision and program results and cost-effectiveness evaluation. The total cost of processing project misdemeanants will be analyzed carefully and compared with traditional processing. The cost of processing misdemeanants under the various approaches used by the project will be analyzed and compared with success rates to assess the extent to which the community and project resources are being employed effectively.

B. COST TRADE-OFFS

The economic considerations to be tested by the Model Community Misdemeanant Probation Project is that such a program can be locally financed by savings in other programs. It is an explicit goal to achieve a substantial surplus of savings some of which may be reallocated to their program development needs.

There are two types of savings to be identified - direct and indirect.

Direct savings are the costs of incarceration in the County Jail of those who might otherwise be placed on misdemeanant probation. The annual budget for jail and honor farm operations is about \$951,000 - less reimburse-

ment from work furlough and other sources at about \$100,000 per year. (In 1966-67 these revenues were nearly \$280,000 due to the high level of work furlough receipts.)

Savings in jail costs are very complicated to calculate due to two factors:

1) a relatively small increase or decrease in population does not affect overhead costs but tends primarily to reduce expenditures for food, clothing and medical care; whereas major reductions of, say, 200 to 300 average daily population would allow for capture of substantial overhead costs by eliminating an entire unit of operation. At such a point the savings may approximate \$1,000 per inmate or \$200,000 per year for 200 inmate population reduction.

2) The second factor involves the relatively high cost of handling unsentenced prisoners. As of September 22, 1966, for example, there were 169 unsentenced prisoners in the jail while there were 607 sentenced prisoners in the jail or honor farm. While no data has yet been developed to calculate the different costs, it may be expected that custody, care and escort costs for unsentenced prisoners is nearly twice that of sentenced prisoners. At the outset, no savings in jail costs for unsentenced prisoners is contemplated by the Misdemeanor Probation Project. (Some savings may develop out of the previously proposed Release-On-Own Recognizance Project, and a reduction of recidivism of misdemeanants placed on probation - as compared to discharged prisoners recidivism - might effect the unsentenced prisoner population.

Indirect savings are related AFDC welfare costs for dependents of incarcerated offenders if, when on probation they are employed and support their dependents. If only 20 dependent families can be kept off welfare for one year by use of Misdemeanor Probation, approximately \$40,000 per year might be saved. (It should be noted, however, that only about 17% or \$6,800 would be saved from the County share of the AFDC costs).

Other related savings include such items as unemployment compensation, job placement service, and medical care costs.

A major indirect savings is associated with the economic effect of wage-earning, consumer spending and tax paying by those on probation. This may be difficult to calculate but some effort should be made to assess the broad economic impact to the community by the action of enabling a person to be a producer rather than a consumer of taxes.

Direct and Indirect Costs Increases

In addition to the direct costs of support of the Misdemeanant Probation Project, there may be some minor workload problems involving the courts. This will be due to the somewhat increased sentencing time involving (1) a second appearance in court for sentencing for those who without the services provided by the project, would plead guilty, waive counsel, and be sentenced at the arraignment hearing, and (2) the time required to review and consider the probation report.

An example of an indirect cost increase might be the difficulty in maintaining the existing level of work furlough with its related revenue. This will be due to the fact that a high proportion of those now eligible for work furlough would likely be among those eligible for probation. Prisoners kept in jail would tend to be those presenting criminal characteristics or with personal or behavioral problems which preclude probation and make them problematic work furlough candidates until the later portion of their sentence.

Another indirect cost increase is related to jail overhead. Those remaining in jail will need a higher level of correctional-treatment programming. Also, to the extent that the total jail complex is unused, the great capital investment is a liability unless additional uses for it can be found. It is postulated that this resource can be effectively utilized. One possibility of some promise is the plan in development stages to use the jail as a branch State Prison under direct operation by the County Sheriff. (See MCCP Position Paper No. 5.01, "Adult Community Treatment Project").

C. CONTINUATION

The project aims at eventual community self-sufficiency by the third year. The community resources developed by the project can be utilized in carrying on the project. The savings accumulated from the sentence of misdemeanants to probation, rather than to the County Jail, should more than cover the costs of this service.

D. DISSEMINATION

The Project results will be disseminated by:

- 1) Report to the Grantor
- 2) Report to the Grantee

- 3) Reports or articles in professional journals by members of the project staff and participating agencies.
- 4) Community leaders in representation to their counterpart local, state, regional, and national organizations.

VI. RESOURCES

A. QUALIFICATIONS AND FACILITIES OF GRANTEE

1. Previous work done on the project

A small sample of 1967 presentence reports of the San Joaquin County Probation Department was studied to determine 1) the kind of information obtained and 2) the factors which appeared relevant to the type of recommendation made. The interview form and point scale developed by the Manhattan Bail Project were then modified accordingly.

The point scale was then applied to all 25 reports made by the San Joaquin County Probation Department to the Stockton Municipal Court Judge during 1966. Of the 25 cases, the point scale recommendation corresponded with the Probation Department's recommendation in 64% (16) of the 25 cases. The point scale recommendation also corresponded with the actual court disposition in 64% (16) of the 25 cases. Where there was disagreement, it was not extreme.

When the point scale recommendation, the Probation Department recommendations and the court dispositions are matched up with the three general categories of recommendation for disposition, the following comparisons are obtained.

	Informal	Prob. or Susp. Sen.	Prob.	Jail	
Point Scale Recommendation:	10	12	3	(25)	
Probation Dept. Recommendation:	9	9	7	(25)	
Court Disposition:	12*	9	4	(25)	

* 2 misdemeanants that were granted summary probation were required to report to the Alcoholic Rehabilitation Clinic and abide by their direction.

While there is no necessary virtue in having the point scale's recommendations correspond closely to those of the Probation Department and the dispositions of the Court, some correlation of the nature described above does indicate that the point scale has validity.

Recognizing that the study sample was very small, there is some significance in the dispositions of these 25 cases. Only 4 (16%) were sent to the County Jail, while 9 (36%) were given formal probation and 12 (48%) were given informal probation. This 16% jail figure is extremely low when compared to dispositions of cases where there is no presentence report. An analysis of the total of 126 non-traffic misdemeanors (excluding drunks) that had final dispositions during the month of September, 1967 showed that 86 were given a suspended sentence, informal probation and/or paid a fine, while 40 were committed to the County Jail. One misdemeanant, was given formal probation based on the only presentence report presented that month. Thus, where no presentence report was supplied to the judge, 31.7% (40/126) went to jail, while 68.3% (86/126) were given informal probation. Yet only 16% of the case where a presentence report was completed went to jail. Furthermore, the presentence reports were done on more serious misdemeanor cases (6 misdemeanor manslaughter, 6 involving acts of indecent exposure or sexual perversion, 5 resisting arrest, 3 thefts, 1 concealed weapon, 1 driving under influence of drug, 1 drunk driving involving the death of the victim, 1 hiding on real property and 1 disorderly conduct).

The reason for this discrepancy would appear to be lack of alternatives. Where there is a presentence report given to the judge, he has at least three choices available to him - summary probation, formal probation or jail. Where he has no presentence report, he has only two choices - summary probation or jail. Thus, some misdemeanants who might otherwise have been given formal probation, are sentenced to the County Jail or are given informal probation. Neither solution would seem to be desirable.

In order to test the point scale and interview form developed, and get a better understanding of the problems posed by the contemplated project, all inmates of the San Joaquin County Jail sentenced between 12/19/67 and 1/2/68 (2 weeks) for non-traffic misdemeanors were interviewed. Excluded from this sample were all misdemeanants sentenced on drunk charges or who had other criminal matters pending. Of the 11 interviewed (7 male and 4 female), 9 received a point rating of 5-10 ("probation") while 2 fell below 5 points. Upon verification of their criminal records, it was learned that 10 of the 11 had a record consisting of no more than 1 misdemeanor conviction. The 7 with 1 misdemeanor conviction (3 had no prior record) had all received a sentence of informal probation.

This indicated again the disadvantage or unfairness to a misdemeanor being sentenced without a presentence report. Assume that a person who has previously plead guilty to or been convicted of a misdemeanor and received informal probation gets in trouble again. A judge about to sentence this person, who has no presentence report available, has only two choices - informal probation and jail, and since informal probation has failed, the judge usually feels his only recourse is jail. If the judge has the third choice of formal probation, he might very well take advantage of it.

Based on the above study, the Interview Form, Verification Form, Official Record Form, Point Scale and Presentence Report Form were developed (See Attachments A, B, C, D, and E).

2. Community Selection

The community selected in which to develop this model program is San Joaquin County, California. Its citizens have demonstrated a readiness to participate in such a project and real concern for new and more effective correctional methods to prevent crime and protect the public. This is demonstrated by the community's support of the Model Community Correctional Project (MCCP).

3. Model Community Correctional Project

The MCCP has taken the position that better local correctional methods can be utilized, that the problem begins in the community and must be dealt with there.

MCCP is concerned with development of a total plan for community based correctional services. A general precept which underlies much of the project work is that a much larger number of offenders now incarcerated in jails and prisons can be rehabilitated more successfully and at a lower cost by use of probation and other services available in the community.

There are a number of innovative programs being explored, all aimed at the same objective - a reduction in the use of incarceration. These include: programs for care and treatment of the alcoholic outside of the criminal justice system; police use of citation after arrest; the increased court use of release on own recognizance in-lieu-of bail, etc.

The basic methods to make such program changes possible involves (1) providing the courts with more information about the personal characteristics of offenders and (2) providing more resources to make community correctional programming more acceptable as an alternative to jail or prison. In

addition to probation services, community correctional programs must develop closer coordination with public and private social service agencies, job training and placement services, and other resources such as O.E.O. Community Action Councils which can provide assistance to offenders as they do for other disadvantaged, vocationally, culturally handicapped persons or victims of discrimination.

This proposal for increased use of misdemeanor probation presents both an opportunity to provide an effective alternative to incarceration and the opportunity for innovation in probation investigation techniques and probation supervision.

Cooperation in this study and enthusiasm for it was expressed by various officials of San Joaquin County, including the presiding Municipal Court Judge (Criminal Branch) of Stockton and the Municipal and Justice Court Judges of the outlying communities; also the Chief Probation Officer, the District Attorney, the Public Defender, Sheriff, the Policy and Review Council of the Model Community Correctional Project and the Board of Supervisors (endorsement letters and resolutions attached).

B. STAFF AND STAFF ORGANIZATION

1. Staff Requirements:

Project Director

Primarily responsible for project organization and development. In general, he must see that all phases of the project run smoothly and efficiently and handle all problems that may arise in deciding what to do with particular cases under consideration. He must establish cooperative relationships with the District Attorney, Police Chiefs, Defense Counsels, Chief Probation Officer, Sheriff, Municipal Court Judges, and referral agencies so he can help solve problems which arise in the operation of the project. He must create a viable, effective staff organization with clearly established objectives and assignments.

The Project Director must be a person with proven executive abilities and capability for effective contact work at the highest level of governmental and community leadership. In addition, he must have broad professional experience in the criminal justice system with emphasis on the correctional subsystems. Familiarity with San Joaquin County, its local government, the services available in the community, and its criminal justice system is a most desirable asset.

Associate Director - Program

Responsible for project organization and development along with the Director. In general, he is responsible for coordinating all aspects of the project. He is responsible for the training of the project staff in the interview and verification techniques of the Manhattan Bail Project and in the continual evaluation of the effectiveness of the procedures and forms utilized by the project. He is responsible for coordinating the investigation and supervision aspects of the program and for the development of community resources.

The Associate Director - Program must be a person with broad professional experience in the criminal justice system, particularly in the correctional field.

Associate Director - Research

The research aspects of this project are critical to its success. This position carries primary responsibility for research design and evaluation. The Associate Director - Research must have solid social science research qualifications.

Probation Officers or (Community Program Supervisors)

Four probation officers are required to supervise average caseloads of fifty probationers. They will act as community brokers by proper referral of probationers to the appropriate existing community resources. They will train and supervise community aides and citizen volunteers. Candidates should have four years of college in the social science fields or experience in the social casework field which can be substituted for college on a year for year basis. Experience in the probation field in San Joaquin County would be preferred.

Case Managers (included in the budget as Probation Officers)

The two case managers are required to work in the jail with inmates who are serving part of their sentence in jail and part on probation. They will be responsible for the development of programming during the immediate period of transition from jail to residence in the community. The case managers will also work with a sample of sentenced offenders who will complete their sentence in jail and do not have any probation follow-up stipulations.

General qualifications are: 1) experience as a Deputy Sheriff or correctional officer with at least one year of jail or other institutional assignment; 2) demonstrated interest and aptitude for community liaison work and 3) interest and aptitude toward counseling of offenders.

Candidates who have completed college level courses in a related field would be desired.

Interviewers

Six part-time interviewers are needed to serve an initial caseload of approximately 50 misdemeanants a week (the figure of 50 is based on the unofficial approximation of the Bureau of Criminal Statistics, taken from their 1967 study of San Joaquin County, referred to under the "GOALS" section) as well as assisting on various research projects. They will be recruited from the Law School and/or Social Science Departments of the University of the Pacific. They will be primarily responsible for interviewing misdemeanants and verifying the information supplied by them. They may be used to supervise probationers. Their services are required 5 afternoons a week. Due to conflicts in class scheduling, it is possible that more than six investigators will be used on a rotating basis in order to cover all 5 afternoons (12:00 p.m. - 5:00 p.m.). They will be paid an hourly rate of \$2.50 per hour.

Clerical Staff

Three stenographer-clerks are required to serve the full-time staff plus other personnel employed temporarily or part-time. Aside from the clerical duties involved in typing up presentence reports and other data, they will also assist in the verification of information crucial to the report.

Other Staff

As indicated, we anticipate the use of volunteers from the community to supervise some probationers on an experimental basis.

C. PROJECT ORGANIZATION LOCATION

1. Initially, the Project should report directly to the Presiding Judge of the Stockton Municipal Court and an advisory panel or council. When the County assumes full financial support for the project, the organizational

placement will be determined by the Board of Supervisors. It is expected that placement will be under the Probation Department.

- a. Placing the MCMPP under the direction of the Presiding Judge of the Municipal Court, presents a problem of continuity. The Presiding Judge changes each year in January. If the Project were commenced in July, 1969, by the end of Phase II (two years) it will have reported to three different Presiding Judges. Also in this period, it will have served 4 separate Stockton, Municipal Criminal Court Judges as well as an equal number of Traffic Court Judges (assignments change every 6 months). In addition, the Project will also serve the Lodi Municipal Court and Justice Courts in Tracy and Manteca.

The need for close judicial overview in the initial two years is great. Perhaps this might be arranged with the consent of all judges involved that, for the initial two years of the Project period, one judge be provided with the general authority of the Presiding Judge for general direction of the Project.

- b. As proposed herein, the Model Community Misdemeanant Probation Project would be funded in part by a grant from the U. S. Law Enforcement Administration through the State of California Law Enforcement Planning Agency (The California Council on Criminal Justice). The County of San Joaquin would be the recipient of the grant and may chose to administer it without outside assistance.

The Institute for the Study of Crime and Delinquency is offering to conduct the project under contract with San Joaquin County. On this basis, the Project Staff funded would be employed by the Institute for the Study of Crime and Delinquency (with local agency advice and consent as to selection of staff). As the project phases into County funding the county funded positions would be under County Civil Service.

- c. As previously mentioned, to provide general policy and coordinating advice to the Project, an Advisory Council should be established. It is suggested that it might consist of several professional (e.g. President of the County Bar Association and a Professor of Sociology) and lay members plus the following ex-officio members:

- (1) A municipal and/or justice court judge.
- (2) The District Attorney, Public Defender, Sheriff, and a Police Chief.

(3) Director of Public Assistance and/or Manager
of the local Department of Employment Office.

PROJECT IMPLEMENTATION

As indicated, the project is needed with or without outside financial assistance. It is expected, however, that LEAA grant funds will be available for assisting the county in getting the program underway.

If the County Board of Supervisors desires to make application for such grant funding, an application will need to be prepared. Much of what is in this report would be a part of such application. Application procedures and format have not been prescribed by the State funding agency but their issuance is expected in the near future. We have no assurances, however, that the preliminary budget plan submitted will meet the requirements for an LEAA grant of the amount indicated.

A local "law enforcement planning agency" is needed to establish a county-aide comprehensive law enforcement plan, and to consider this project proposal as a part of the total plan. It is almost inconceivable that it would not be.

The question of County desire to implement this proposal will, in any event, reside with the Board of Supervisors as to funding the County (grantee) share and the method of execution.

ATTACHMENT A

PRESENTENCE INVESTIGATION INTERVIEW FORM

Date _____ Investigator _____ Questionnaire No. _____
 CII
 Docket No. _____ B. of I. No. _____ F.B.I. No. _____

I IDENTIFYING INFORMATION

Defendants full name _____ Alias _____
 Date of birth _____ Age _____ Birthplace _____
 Eyes _____ Hair _____ Height _____ Weight _____
 Race _____ Sex _____ Citizenship _____

II RESIDENCE - FAMILY TIES

	Home Address	Phone	From	To	With Whom	Relation
Pres.						
Past						
Past						

Time in state _____ Time in county _____

Family Contacts

Name	Address	Phone	Relation	How often see

Family Background

	Name	Age	Address	Occupation
Father				
Mother				
Sibling				

Age left home _____ Why _____

Family criminality or insanity _____

Further comment:

Marital History

Present status _____ No. of marriages _____

Spouse's Name _____ Age _____ Date of marriage _____

ATTACHMENT A

Address _____ Phone _____

Children	Age	Sex	Address	Supported by	Amount

Further comment:

III EMPLOYMENT - SUPPORT - EDUCATION - HEALTH - MILITARY

	Employer	Address	From	To	Position	Wage	Why left
Present							
Past							

If employed, do you have your job to return to? _____

If you do not work, do you stay home to care for the children? _____

Social Security No. _____ Savings _____ Debts _____ Income _____

Other form of support: Social security, pension, welfare, unemp. ins., spouse.

If unemployed, how long? _____

Further comment:

Education

	Name	Location	From	To	Highest Grade/Degree
Elementary					
High School					
College					

Grades _____ Problems _____ I.Q. _____

Why left _____ Desire for more _____

Further comment:

Health (Mental & Physical)

Problems _____

Hospitals _____ Doctors _____

Narcotics: No ___ Yes ___ Intoxicants: None ___ Moderate ___ Excessive ___

Religion _____ Church _____ Minister _____

Further Comment:

ATTACHMENT A

Military

Enlist _____ Induct _____ Date _____ Branch _____ Rank _____

Overseas _____ Discharge _____ Date _____ Number _____

Further Comment:

IV PRESENT OFFENSE - PRIOR RECORD

Court _____ Dept. _____ Judge _____

Where arrested _____ Date _____ Time _____ Officer _____

Codefendants _____ Ages _____

Date of arraignment _____ Date of hearing _____ Amount of bond & day posted _____

PG _____ FG _____ Date of sentencing _____ Days in jail _____

Complainant _____ Address _____ Condition _____

Attorney _____ Address _____ Phone _____

ATTACHMENT B

PRESENTENCE INVESTIGATION VERIFICATION FORM

NAME OF DEFENDANT _____
NAME OF VERIFIER _____ RELATIONSHIP _____
ADDRESS _____ PHONE _____ HOW OFTEN SEE D? _____

RESIDENCE - FAMILY TIES

PRESENTLY LIVING AT _____
FOR _____ WITH _____
PREVIOUSLY LIVED AT _____
FOR _____ WITH _____

STATE RESIDENT FOR _____ COUNTY RESIDENT FOR _____

FAMILY CONTACTS _____

FAMILY BACKGROUND _____

MARITAL STATUS _____

NO. OF DEPENDANTS _____

EMPLOYMENT - SUPPORT - EDUCATION - HEALTH - MILITARY

PRESENTLY EMPLOYED BY _____
FOR _____ AS A _____

IF UNEMPLOYED, HOW DOES HE SUPPORT HIMSELF? _____

PREVIOUSLY EMPLOYED BY _____

FOR _____ AS A _____
DOES HE SUPPORT ANYONE? _____

(FOR EMPLOYER ONLY) WHAT TYPE OF WORKER IS HE? _____

DOES HE HAVE HIS JOB TO RETURN TO? _____

ATTENDING SCHOOL? _____ HIGHEST GRADE _____

HEALTH? _____

DOES HE USE NARCOTICS? _____ TO WHAT EXTENT? _____

DOES HE DRINK? _____ TO WHAT EXTENT? _____

MILITARY RECORD? _____

REMARKS _____

ATTACHMENT B

Statement by defendant regarding present offense: What Happened?
(nature of act, circumstances, state of mind, etc.)

Were you ever arrested before? Yes ___ No ___

Arrest Date	Charge	Disposition	State

Were you ever on Probation or Parole? Yes ___ No ___ Now? Yes ___ No ___

Officer	Address	Phone	Ct. or Pr.	From	To

V. REFERENCES

Is there anyone we can call who knows about your background (and also knows that you are in jail?)

Name	Address	Phone	Relation to you

I agree to allow the Model Presentence Investigation Project to call the people mentioned above as references.

(Signature)

ATTACHMENT D

POINT SCALE

1. A defendant must be recommended for Probation if he receives a total of 5-10 points from the following categories.
2. A defendant must be recommended for a suspended sentence if he receives a total of 11-15 points from the following categories.

Int Ver

FAMILY TIES (in area of current residence)

- | | | |
|---|---|---|
| 3 | 3 | Lives with family <u>AND</u> has weekly contact with other family members |
| 2 | 2 | Lives with family <u>OR</u> has weekly contact with family |
| 1 | 1 | Lives with non family person, or supports family member voluntarily |

EMPLOYMENT

- | | | |
|---|---|--|
| 4 | 4 | Present job one year or more |
| 3 | 3 | Present job six months, or present and prior jobs one year, or person at home caring for children, or regularly attending school |
| 2 | 2 | Present job three months, or present and prior jobs six months, receiving pension, social security, or unemployable due to medical disability |
| 1 | 1 | Currently employed, receiving unemployment insurance, welfare, unemployed for three months or less with prior job of six months or more, or woman supported by husband |

RESIDENCE (in any area; not on and off)

- | | | |
|---|---|---|
| 3 | 3 | |
| 3 | 3 | Present residence one year or more |
| 2 | 2 | Present residence six months <u>OR</u> present and prior residences one year |
| 1 | 1 | Present residence four months <u>OR</u> present and prior residences six months |

TIME IN AREA OF CURRENT RESIDENCE

- | | | |
|---|---|------------------------|
| 1 | 1 | |
| 1 | 1 | Last ten years or more |

DISCRETION (may be used at discretion of interviewer)
Only one positive and/or one negative point may be used

ATTACHMENT D

Int Ver

POSITIVE

- +1 +1 Pregnancy
- +1 +1 Poor physical health
- +1 +1 Old age
- +1 +1 Time in jail awaiting disposition
- +1 +1 Excellent military record
- +1 +1 No juvenile record

NEGATIVE

- 1 -1 History of hospitalization for mental illness. (cannot be used where result would be to lower defendant's points below 5)
- 1 -1 Currently using narcotics
- 1 -1 Drinks to excess
- 1 -1 Currently on probation or parole and probation or parole officer dissatisfied with defendant's adjustment
- 1 -1 Very poor military record

OFFENSE TYPE

- 0 0 Offense committed under circumstances unlikely to cause physical injury to another person.
- 1 -1 Offense committed under circumstances that could have or did cause incidental or non malicious physical injury to another person.
- 1 -1 Offense had a pronounced assaultive quality, was deliberate and malicious, but committed either without a weapon against an individual capable of defending himself, or under mitigating circumstances.
- 2 -2 Offense had a pronounced assaultive quality, was deliberate, malicious and unmitigated, and committed either with a weapon or against a relatively helpless or intimidated victim.

PRIOR RECORD

- 3 3 Never arrested before
- 2 2 No convictions
- 1 1 One misdemeanor conviction
- 0 0 Two misdemeanor convictions
- 1 -1 Three misdemeanor convictions, or one felony conviction
- 2 -2 Four or more misdemeanor convictions, or two or more felony convictions
- 3 -3 Within last fifteen years, four or more misdemeanor convictions, or two or more felony convictions

ATTACHMENT E

IN THE MUNICIPAL COURT OF THE STATE OF CALIFORNIA

in and for the county of San Joaquin

....., Judge

THE PEOPLE OF THE STATE OF CALIFORNIA
vs.
.....
defendant

PRESENTENCE INVESTIGATION
REPORT NO.....
COURT NO.....
DATE.....

IDENTIFYING INFORMATION

NAME _____ ALIAS _____
last first middle
DATE OF BIRTH _____ AGE _____ BIRTHPLACE _____

RESIDENCE - FAMILY TIES

PRESENTLY LIVING AT _____
FOR _____ WITH _____
PREVIOUSLY LIVED AT _____
FOR _____ WITH _____
STATE RESIDENT FOR _____ COUNTY RESIDENT FOR _____
FAMILY CONTACT _____
FAMILY BACKGROUND _____
MARITAL STATUS _____ NO. OF DEPENDANTS _____

EMPLOYMENT - SUPPORT - EDUCATION - HEALTH - MILITARY

PRESENTLY EMPLOYED BY _____
FOR _____ AS A _____
PRESENTLY _____
MILITARY RECORD _____
HEALTH _____ HABITS _____
physical & mental liquor drugs
EDUCATION _____ ILLITERATE _____
highest grade completed

PRESENT OFFENSE - PRIOR RECORD

WHERE ARRESTED _____ DATE _____ TIME _____ ARR. AGENCY _____
CO-DEFENDANTS _____ COMPLAINANT _____
OFFENSE _____ DATE OF CONV. _____ MANNER OF CONV. _____
DAYS IN JAIL AWAITING FINAL DISP. _____ BAIL _____
PRIOR CONVICTIONS _____ MISDEMEANORS _____ FELONIES _____

RECOMMENDATION:

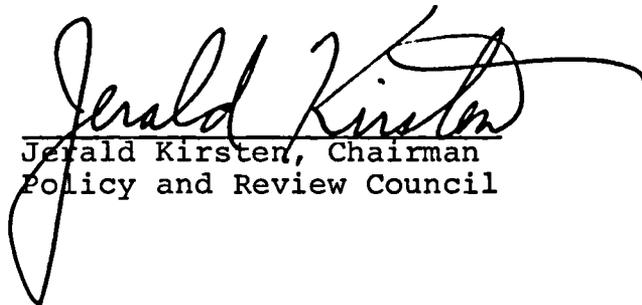
COURT ACTION:

ENDORSEMENT

At its regular meeting on November 15, 1968, the Policy and Review Council of the Model Community Correctional Project,* on motion of Mr. Laurence Drivon, seconded by Mr. Edward Harrington, unanimously approved the attached project proposal and recommended its submission to the Board of Supervisors, San Joaquin County, for its consideration of approval and commitment to funding as indicated in the financial plan.

In approving the Misdemeanant Probation Project Proposal, the Policy and Review Council was cognizant that legal barriers to such a proposal, if any, have not been officially resolved. In addition, it was noted that the project staffing does not evaluate or provide for any effect on clerical workload in the respective police agencies of the county.

CERTIFIED CORRECT
EXPRESSION OF THE RESOLUTION
AND INTENT OF THE POLICY
AND REVIEW COUNCIL ACTION


Gerald Kirsten, Chairman
Policy and Review Council

*List of members attached

ENDORSEMENT ATTACHMENT I

LIST OF MEMBERS, POLICY AND REVIEW COUNCIL,
MODEL COMMUNITY CORRECTIONAL PROJECT

Gerald Kirsten, Chairman
City Councilman, Lodi

Stevens J. Arnaudo, Member
San Joaquin Co. Planning Commission

Dr. Louis M. Barber, Administrator
San Joaquin General Hospital

Judge William Biddick, Jr.
Superior Court, Dept. 3

James Black
Police Chief, City of Escalon

Dr. Robert E. Burns, President
University of the Pacific

Michael Canlis, Sheriff
San Joaquin County

Robert Chargin
Public Defender

Harvey Douma
Police Chief, City of Ripon

Laurence Drivon, District Attorney
San Joaquin County

Robert M. Eberhardt, President
Bank of Stockton

Edward Freedman, Supervisor
California State Mental Hygiene
Bureau of Social Work

Russell Gray, Director
Department of Public Assistance

Harry Quail, Manager
California Department of Employment

James M. Reusswig, Superintendent
Stockton Unified School District

Arnold I. Rue, Mayor
City of Stockton

Judge Norman C. Sullivan
Municipal Court, Dept. 2

David Walsh, Vice Chairman
Police Chief, City of Manteca

Willard T. Hancock
District Superintendent
Lincoln Unified School District

Edward Harrington, District Supervisor
California Youth Authority
Parole and Community Services

D. L. Haskell, District Administrator
California Div. Vocational Rehabili-
tation

J. L. Hodges
Police Chief, City of Tracy

Ramond M. Jansen, Superintendent
Lodi Unified School District

Emil V. Keszler
Police Chief, City of Lodi

Sam Matthews, Publisher
Tracy Press

Dr. Gaylord Nelson
Superintendent of Schools
San Joaquin County

Jack O'Keefe
Police Chief, City of Stockton

Bob Biladeau, District Supervisor
Department of Corrections
Parole and Community Services

Raymond Procnier, Director
Department of Corrections

Mrs. Pearl West, Chairman
Juvenile Justice Commission

Fred Weybret, Publisher
Lodi News Sentinel

Robert Whittington, Publisher
Stockton Record

E. Keith Perryman, Director
Community Action Council

GRANT REQUEST SUMMARY
AND PROPOSED PROJECT
BUDGET PLAN

Note: The budget plan was prepared with a view towards obtaining grant financing under the U. S. Omnibus Safe Streets and Crime Control Act.

This act requires 60-40% matching; that is the local agency must finance 40% of the total project for which funding is sought. Whether the act permits achieving this matching basis over a three or four year project period is not known at this time. The 60-40% relationship is easily met over the first three years of the project as proposed.

If first and second year 60-40% matching is required, the county contribution would have to be made proportionately larger in these years.

GRANT REQUEST BUDGET PLAN SUMMARY

Summary for Total Project

CATEGORIES	1st Year	2nd Year	3rd Year	4th Year
Personnel (incl. employee benefits) ¹	\$121,000	137,160	59,213	63,173
Travel ²	4,000	6,000	900	400
Supplies, Communications, and Reproduction	-	-	-	-
Equipment ³	4,284	-	-	-
Indirect Costs ⁴	36,179	41,010	17,704	18,888
TOTAL FUNDS REQUESTED	\$159,863	184,170	77,817	82,061
TOTAL GRANTEE CONTRIBUTION	28,500	98,000	206,782	217,121

The total funds requested for the four year period are: \$503,911.

The total grantee contributions for the four year period are: \$548,064.

Footnotes:

¹ Includes 2 consultants: Legal Consultant (\$100/day) \$5,900; Training Consultant (\$100/day) \$1,500.

² Travel provided for grantor funded positions only.

³ Equipment budgeted only for grantor positions to be funded for 24 months or more.

⁴ Indirect costs computed at 29.9% of salaries and wages.

PERSONNEL BUDGET - FIRST YEAR

<u>Total Number Positions</u>	<u>Title</u>	<u>Number of months actual employment</u>	<u>Monthly Salary</u>	<u>Total Annual Salaries</u>
1	Project Director	12	\$1,500	\$18,000
1	Assoc. Director - Program	11	1,250	13,750
1	Assoc. Director - Research	11	1,250	13,750
1	Research Secretary	9	500	4,500
5	Probation Officers	30	833	24,990
5	Interviewers (Part-Time)	15 (FTE)*	450 (FTE)	6,750
1	Project Secretary	12	550	6,600
1	Inter. Stenographer	10	450	4,500
<u>17</u>				<u>\$93,840</u>
	Employee benefits (20%)			19,760
				<u>\$113,600</u>
	Consultants			<u>7,400</u>
	TOTAL PERSONNEL BUDGET			<u>\$121,000</u>

*FTE: Full Time Equivalent

PERSONNEL BUDGET - SECOND YEAR

<u>Total Number Positions</u>	<u>Title</u>	<u>Number months actual employment</u>	<u>Total Annual Salaries</u>	<u>Amount of Total by County¹</u>
1	Project Director	12	\$18,900	-
1	Assoc. Director - Program	12	15,750	-
1	Assoc. Director - Research	12	15,750	-
1	Research Secretary	12	6,300	-
4	Probation Officers	48	41,500	\$20,750
2	Senior Probation Officers	24	22,080	11,040
6	Probation Interviewers	36 (FTE)	9,000	4,500
4	Community Aides	48	24,000	12,000
1	Project Secretary	12	6,930	-
<u>2</u>	Inter. Stenographers	24	<u>11,340</u>	<u>5,670</u>
22			\$171,550	\$54,960
			<u>34,310³</u>	<u>13,740²</u>
			\$205,860	\$68,700

* FTE: Full Time Equivalent.

¹ Based on County assumption of support of indicated positions after 18 months of project commencement.

² Employee benefit costs estimated at 25% total salaries.

³ Employee benefit costs estimated at 20% of total salaries.

PERSONNEL BUDGET - THIRD AND FOURTH YEAR

No budget detail provided: All positions, except the Research Director and Research Secretary, will be under county support and under county civil service. Establishment of the entire program as a division of the County Probation Department is anticipated though other alternatives of departmental placement may be considered by the County Board of Supervisors.

OPERATING EXPENSES BUDGET

<u>Grant funded Equipment</u>	<u>Cost</u>
3 Executive desks (@ \$190)	\$ 570
3 Executive chairs (@ \$95)	285
5 Side tables (@ \$110)	550
2 Secretarial desks (@ \$217)	434
2 Posture chairs (@ \$75)	150
2 Electric typewriters (@ \$500)	1,000
1 Electric Calculator (@ \$600)	600
6 Side chairs (@ \$65)	390
2 File cabinets (@ \$90)	180
Equipment services agreements	125
TOTAL	<u>\$4,284</u>

<u>San Joaquin County Contributions</u>	<u>1st Year</u>	<u>2nd Year</u>	<u>3rd Year</u>	<u>4th Year</u>
Equipment: (1st year detail below)	\$9,300	\$2,000*	\$2,000*	\$2,000*

<u>Item</u>	<u>Unit Cost</u>	<u>Total</u>
6 Desks (Prob. Officers)	@ \$190	\$1,140
6 Chairs " "	@ 95	570
4 Desks (Comm. Aides)	@ 175	700
4 Chairs " "	@ 95	380
2 Secretary Desks	@ 217	434
2 Posture Chairs	@ 75	150
16 Side Chairs	@ 65	1,040
4 Work Tables	@ 110	440
2 Electric Typewriters	@ 500	1,000
1 Tape Recorder	@ 250	250
2 Black Boards	@ 30	60
1 Easel	@ 35	35
1 Ditto Machine	@ 150	150
6 File Cabinets	@ 90	540
1 Book Shelf	@ 75	75
6 Stenocord Dictating Machines	@ 292	1,752
2 Stenocord Transcribers	@ 292	584
Equipment service agreements (not calculated)		

* Subsequent year equipment requirements not itemized.

<u>Item</u>	<u>1st Year,</u>	<u>2nd Year</u>	<u>3rd Year</u>	<u>4th Year</u>
Transportation	none	\$ 3,000	\$ 6,000	\$ 6,000
Office Space (3,200 sq. ft.)	\$ 9,200	9,200	9,200	9,200
Telephone	2,400	3,400	3,400	3,400
Supplies	1,200	1,200	1,200	1,200
Postage	200	300	300	300
Duplicating Services	1,200	1,200	1,200	1,200
Data Processing	5,000	10,000	10,000	10,000
	<u>\$19,200</u>	<u>\$28,200</u>	<u>\$31,200</u>	<u>\$31,200</u>