

# Where We Stand

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# RIGHT AGAINST CRIME

Governors' Mutual Assistance Program  
for Criminal Justice



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# *Where We Stand*

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IN THE

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# FIGHT AGAINST CRIME

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*Governors' Mutual Assistance Program  
for Criminal Justice*

May, 1973

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## FOREWORD

Crime and its attendant ills are among the most important problems facing the nation today. In towns, cities and other communities in almost every state, people are concerned with their safety in the streets and in their homes.

In 1968, this country decided it had had enough of violence, disrespect for the law and fear of criminal activity. Congress enacted the Omnibus Crime Control and Safe Streets Act with the express purpose of helping state and local governments mount an effective war on crime. This Act also established the Law Enforcement Assistance Administration to administer the program and to build an appropriate framework for intergovernmental cooperation in this effort.

This report, being compiled five years hence, is a testimony to the success of this endeavor. Considerable progress has been made in the criminal justice field and the record can be viewed with pride.

Crime rates are declining, and the states are leading the way. Innovative legislative and administrative action to strengthen police, courts, corrections, and community crime prevention program has been undertaken. Professional training has been accelerated, and now virtually every state is upgrading the level of its criminal justice personnel. Improved communication networks and procedures have been developed to reduce the time it takes law enforcement officials to respond to the scene of a crime. Court reforms have reduced backlogs. Statewide public defender systems have been established to help indigents. Legislative and administrative actions have been taken to protect the civil rights of suspects and prisoners, and the state and local prisons and jails are reflecting the use of new and more appropriate methods for preparing inmates to return to society. These and many more examples included throughout this report reflect the progress made by state and local governments.

In good part, this progress is a reflection of the work of the Law Enforcement Assistance Administration. It has not been an easy task for a federal agency to break tradition and relinquish authority for the determination of priorities and direction for dealing with state and local problems. But this has been accomplished, and the results are rewarding.

As Governors, we recognize our responsibility to help lead the offensive against crime and the criminal and to rid our states of both. This report provides specific examples of how this is being done by state and local governments. Much more work remains to be done, and there is no intention to slacken these efforts.

It is hoped that all citizens of this country can become informed of the progress in their states, and that their confidence in the criminal justice system can be reinforced. The future appears brighter than it has been for some time; and working together, the citizen and his government can bring the crime problem under control.

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## SUMMARY

This study was undertaken by the staff of the National Governors' Conference Mutual Assistance Program for Criminal Justice in an effort to identify and report on the progress that has taken place in the states and cities of the nation during the years following the passage of the Safe Streets Act. The report was prepared with the cooperation of the following national organizations of criminal justice officials:

- Conference of Chief Justices
- Conference of State Court Administrators
- National Association of Attorneys General
- Association of State Correctional Administrators
- Parole and Probation Compact Administrators' Association
- National Association of State Juvenile Delinquency Program Administrators
- Association of Juvenile Compact Administrators
- National Conference of State Criminal Justice Planning Administrators
- International Association of Chiefs of Police, Division of State and Provincial Police
- National Sheriffs' Association

Information was obtained from police, judicial, correctional, delinquency, parole, probation and state planning officials throughout the nation. The report cites their statements as to what changes have taken place in their organizations, programs and procedures. It is not a complete tabulation, for responses were not received from all agencies in every state, but it illustrates the nature of changes taking place and highlights the improvements being made.

In reviewing these illustrations, it must be kept in mind that criminal justice agencies in the United States are at many different stages of development. What is a new and important change in one jurisdiction may have been adopted in other places long ago. But that fact does not diminish the importance of the change in the region in which it has just taken place. Improvements must be measured against the base from which one starts and not merely against the best practices in existence elsewhere.

Criminal justice systems operate in conformance with the laws in effect *only* in their respective states. These laws are primarily the result of state legislative actions, and system reforms are often

dependent upon legislative determinations. State legislatures are enacting new and necessary legislation. There has been a high level of activity, both in constitutional reform and crime-related legislation during the past few years, and it is apparent that this will continue in the future. Laws pertaining to the criminal justice system of each state vary, appearing in either the state constitution, criminal code, criminal procedures, or special legislative enactments. Wherever they may be found, however, changes are taking place. Among the many legislative actions are those which authorize uniform court systems; non-partisan election of judges; juries comprised of less than 12 people in certain cases; establishing qualifications of individuals to hold office; establishing public defender systems; decriminalization of acts involving the use of alcohol as well as of sexual acts of consenting adults; reduction of penalties for possession of certain drugs; community based centers in lieu of prisons; and many other actions which have resulted in improving the criminal justice systems of the states.

Contrary to the generally accepted concept that policy is dictated from the state level, the membership of the Governors' committees (commonly called Supervisory Boards) represents a wide variety of concerned interest groups. In the aggregate, State Supervisory Boards—which are the policymaking groups for the states—are predominantly comprised of local government interests; 61 percent of the cumulative memberships of the state boards constitutes representation from local governments. Of the total membership, 52 percent are from non-criminal justice fields and 21 percent, the single most representative group, are from the courts (judicial, prosecution and defense).

In reviewing how police agencies have responded to the demands placed upon them in recent years, several things become evident. Police agencies are better managed and police officers serve under improved personnel practices and procedures. Today's officer is better educated and trained. He performs his duties on a reasonably well-planned basis and is more successful in carrying out those duties than was his predecessor of several years ago. He has more modern equipment and resources available to him than in the past, and he is concerned with improving his image by taking positive steps to develop a closer rapport with the community. Police progress is a continuing process, and though much has been done to improve their services, there exists a self-imposed concern for continued improvement in the future.

Court systems throughout the country are being revised to bring about unification, develop better administrative procedures to expedite trials and reduce backlogs, improve prosecutorial and defense activities, and incorporate modern management techniques. Standards for court personnel are being upgraded, and special training and educational programs are being offered in greater numbers. Many states have evaluated their court systems to determine their relationship to the standards of criminal justice promulgated by the American Bar Association and have adopted new practices and procedures where appropriate. Bail systems, pre-trial release and diversion programs are being improved and expanded to minimize the need for incarceration; the use of legal interns as assistants to judicial, prosecutor and defense offices has greatly helped in the judicial process, as has the wider use of professional court administrators.

Correctional systems of the states are transferring their emphasis from institutional incarceration to other alternative programs for dealing with offenders. Probation and parole activities are getting substantially more attention than has been the case in the past. Additional staff has helped considerably in reducing the caseloads of probation and parole departments to provide more personal counseling to offenders at liberty; community based facilities for both juveniles and adults are being established to ease the transition back to social freedom; active recruitment of minority group members in professional positions has taken place; drug research and treatment programs are being made available in increasing numbers; work-release and education-release programs are permitting inmates to better prepare themselves for effective reintegration into society; initial diagnostic reception centers, offering medical, psychological and vocational assistance for new inmates, help in the development of individually oriented programs within institutions; pre-release centers are being established to prepare inmates for successful adjustment in their home communities; educational programs directed toward the reduction of racial or minority group tension are in effect; and special emphasis is being given to programs which protect prisoner civil rights. Greater use of community-based facilities appear to be reducing the rate of recidivism.

The citation of many accomplishments and achievements reflected in this report is not intended to present a rosy picture in criminal justice activities. There are still significant deficiencies in the criminal justice system that cannot be taken lightly. Crime

rates are too high as judged by any acceptable standard; courts still move too slowly; prison uprisings are becoming common; and individuals on bail are still being apprehended for criminal activity while they are awaiting trial for previous offenses. These are conditions which must be alleviated. But this report provides some evidence that these problems *are* being dealt with. Serious and concerted effort is being directed to reduce crime and improve the criminal justice system. It is not likely that this effort will be reduced until much greater improvement is realized.

Crime rates are coming down and the state and local government officials are hard at work to bring them down faster. The impetus of the Omnibus Crime Control and Safe Streets Act has been of great assistance in aiding these officials. It is hoped that this report will provide the reader with some assurance that the public monies spent for this purpose has had some measurable impact on the crime problem of this country.

## BACKGROUND

Criminal justice professionals—the policemen on the beat, the correctional administrators, the probation officers, and the chief justices of our courts—have been working hard over the past several years to strengthen their respective activities and make them more responsive to current demands. They are working longer hours, incorporating modern management techniques, getting better training, streamlining administrative procedures, utilizing modern technology, and adapting their approaches to today's conditions. Nevertheless, the criminal justice system is under attack as never before. Police and other law enforcement officials are accused of being poorly trained and insensitive to social conditions; the judicial system is accused of having archaic procedures which produce backlogs and of clinging to practices and precedents which result in decisions which are unfair and inequitable; and prison officials are accused of running institutions which are merely temporary way stations between crimes. Further, the charge is made that these three major elements—police, courts, and corrections—are not talking to each other, except to blame one another for today's increase in criminal activity.

And that is not the only thing we hear. Since the U. S. Congress enacted the Safe Streets Act and provided federal funds to the state and local governments, most of the talk is about how these funds were used to buy unnecessary equipment which had little or no use. Critics of the federal program have been quick to seize upon the "horrible example" technique, which is to examine a long list of items and select the one having the least apparent justification and, by inference, apply the criticism to everything else.

There are significant deficiencies in the criminal justice system that cannot be taken lightly. Crime rates are too high as judged by any acceptable standard; courts move too slowly; prison uprisings are becoming common; and individuals on bail are being apprehended for criminal activity while they are awaiting trial for previous offenses.

But one factor cannot be overlooked. We are moving to correct these deficiencies. There is measurable progress, and the Omnibus Crime Control and Safe Streets Act of 1968 has been, in great part, the vehicle by which this progress has been brought about.

Passage of the Safe Streets Act did not alter basic intergovernmental relationships in this area. Funds were provided as "block grants" to states and localities to be used in accordance with comprehensive plans prepared by each state. Unlike most other federal grant programs, neither the legislation nor regulations under it specified in detail the exact use to be made of the federal funds. This was a new concept in federal-state relations. The federal government was providing financial assistance to the states to deal with a serious nationwide problem, but to a large extent, decisionmaking authority, with respect to the expenditure of the funds, was left to the states and their local units.

#### ABOUT THIS REPORT

This study was undertaken by the staff of the National Governors' Conference Mutual Assistance Program for Criminal Justice in an effort to identify and report on the progress that has taken place in the states and cities of the nation during the years following the passage of the Safe Streets Act. The report was prepared with the cooperation of the following national organizations of criminal justice officials:

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- Association of Juvenile Compact Administrators
- National Conference of State Criminal Justice Planning Administrators
- International Association of Chiefs of Police, Division of State and Provincial Police
- National Sheriffs' Association

The report seeks to identify significant developments in the criminal justice system. What types of projects have been undertaken? What new programs have been developed? What changes have occurred in the practices and procedures of police agencies, the courts and corrections? Have there been significant changes in the structure and organization of criminal justice agencies? Is the total criminal justice system functioning more effectively? To what extent have the recommendations of such recognized

national studies as those of the President's Commission on Law Enforcement and the Administration of Justice (1967) and the National Commission on Criminal Justice Standards and Goals (1973) been reflected in changes which have taken place in the states and localities?

Information was obtained from police, judicial, correctional, delinquency, parole, probation and state planning officials throughout the nation. The report cites their statements as to what changes have taken place in their organizations, programs and procedures. It is not a complete tabulation, for responses were not received from all agencies in every state, but it illustrates the nature of changes taking place and highlights the improvements being made.

In reviewing these illustrations, it must be kept in mind that criminal justice agencies in the United States are at many different stages of development. What is a new and important change in one jurisdiction may have been adopted in other places long ago. But that fact does not diminish the importance of the change in the region in which it has taken place. Improvements must be measured against the base from which one starts and not merely against the best practices in existence elsewhere.

Not all of the changes which have occurred will stand the test of time and not all of the expenditures which have been made under the Safe Streets Act have been wise, but important progress has been made. As never before, *change* is the watchword of the day in law enforcement, the courts, corrections, delinquency and parole and probation. Old practices are being questioned; new procedures are being instituted in the common effort to reduce crime in the United States.

#### SOME FACTS AND FIGURES

As we have been told so many times in the past, there is more that we do not know about crime and criminal activity than we do know. Information systems in this area have only recently been given the attention necessary for an understanding of its complexity. Nevertheless, we are not completely in the dark. There are sufficient data which, if not as precise as we would like, still provide us with a reasonable insight into the scope of the problem.

In the fiscal year 1971, the latest year for which complete figures are available, the combined outlay of state and local governments for criminal justice functions amounted to \$9.0 billion. This

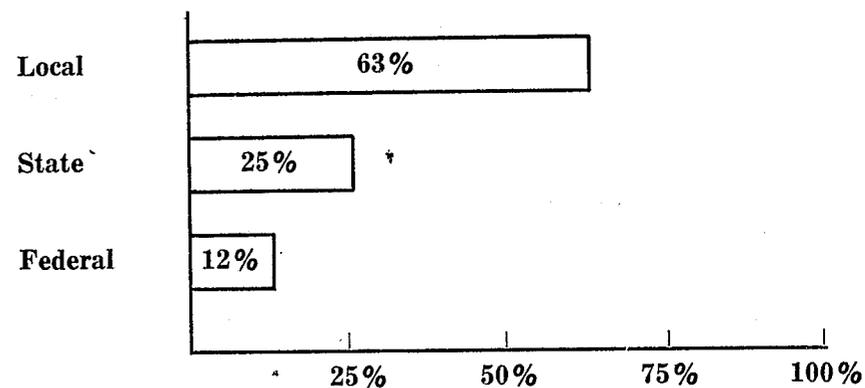
compares to federal outlays in that same year, according to the federal budget, of \$1.4 billion. This means that for every \$1 the federal government spent for criminal justice, about \$6.50 was spent by state and local governments. To make this disparity even more dramatic, assistance by the federal government to state and local governments for criminal justice activities amounted to approximately \$500 million, which is only \$1 of federal money for every \$18 of state and local money allocated for this purpose.

Since 1971, expenditures at all levels have been increased considerably, but the fact still remains that state and local governments, from their own tax sources, have paid the lion's share of criminal justice expenditures and will continue to do so in the future.

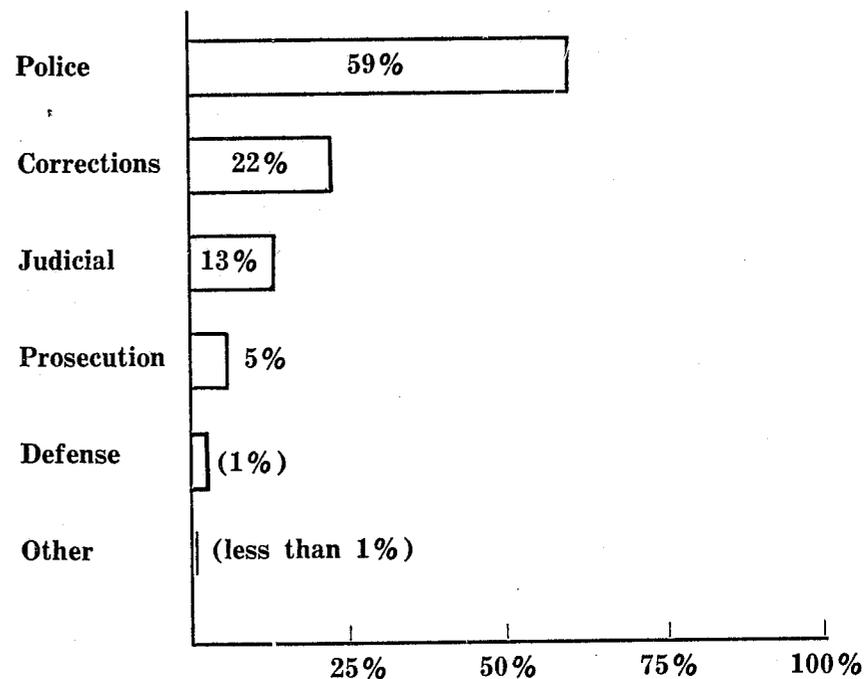
Regardless of the level of government providing funds for criminal justice, one thing is patently clear, *whenever a crime is committed, a thief is putting his hand in your pocket. This is true whether or not you are a victim.* Increases in crime must be met with increases in countermeasures, and these countermeasures invariably cost money—money which comes from taxes. The following tables indicate the percentage of expenditure for criminal justice by level of government and by major program:

## NATIONAL EXPENDITURES FOR CRIMINAL JUSTICE 1971

### PERCENTAGE BY LEVEL OF GOVERNMENT



### PERCENTAGE BY MAJOR FUNCTION



SOURCE: Expenditure and Employment Data 1970-71, Dept. of Justice/LEAA and Dept. of Commerce/Bureau of the Census, April 1973.

The relationship between outlays for crime prevention and control and their effect on crime rates is a tenuous one at best. As in so many publicly supported areas, we are attempting to do the kinds of things that we hope will have an impact on the problem at hand, but there can be no guarantee that the payoff will be realized. In fact, it has been said by some that if all the recommended reforms and improvements in the criminal justice system that have been made were implemented, there is still no assurance that criminal activity would be eliminated. Humans are not machines whose actions can be predicted with computer-like preciseness. We are a highly complex form of life and not easily molded into a common form with similar ideas, beliefs and values. There will always be a small fraction of the population who will resort to criminal activity, even though the highest ideals of man are incorporated into social and economic relationships. And so, there will always be a need to establish and maintain some form of response to protect ourselves from one another.

To place the blame for much of the increased criminal activity on "social and economic conditions" is to run the risk of overlooking a critical point. *The commission of a crime is a positive act by a particular individual who, for whatever reason, made a conscious decision to inflict bodily or economic harm to another person.* Of course, bad environments have an adverse effect on people. And those same social and economic conditions have been blamed for poor education, poor housing, poor health, and poor opportunities. And, of course, if those conditions were changed many of today's problems would be greatly reduced. Government efforts at all levels are attempting to improve the social and economic conditions which contribute to these problems, and these conditions are being changed, slowly and surely. In the interim, however, existing circumstances must be dealt with.

To the extent that we can observe results of our attempts to deal with crime and the criminal, what can we conclude regarding our efforts to reduce crime? Again, as in the case of financial information, we must deal with the data we have, even though we recognize their shortcomings. To begin with, the only information we have is the information that is reported—first by the victim of crime to the local authorities; secondly, by the local authorities to either the state or federal agencies for compilation purposes; and lastly, by the processors of information who attempt to apply a degree of consistency to data which has been submitted in many varied forms.

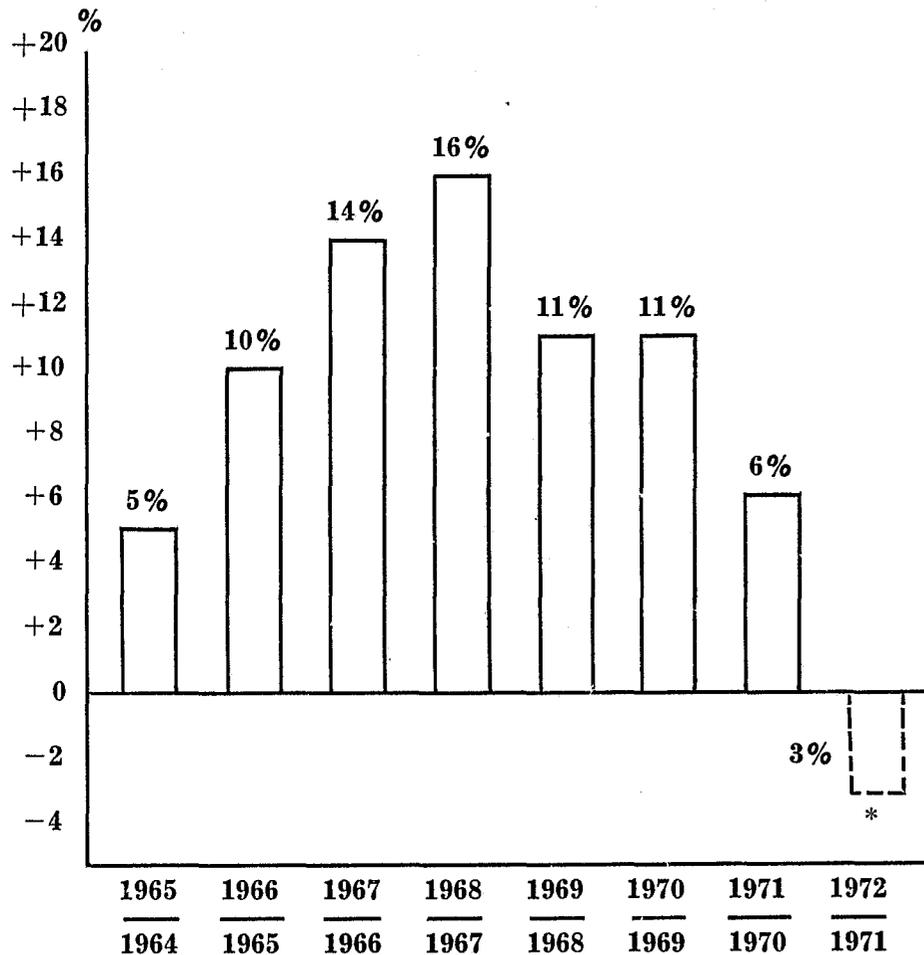
The Federal Bureau of Investigation annually releases a report, *Crime in the United States*, compiled from Uniform Crime Reports submitted by law enforcement agencies throughout the nation. In its latest complete report, the 1971 edition, major crimes, as reflected in the total crime index have increased each year since 1961, but at a decreasing rate. Major crimes include murder and non-negligent man-slaughter, forcible rape, robbery, aggravated assault, burglary, larceny \$50 and over, and auto theft. Some see hope in this trend and feel that measurable improvement is being reflected. Others see only continued failure of law enforcement, judicial and correctional systems, with crime being more prevalent than ever before. When is the absolute level of crime going to recede, they ask, and when are we going to do the kinds of things—whatever they are—which will lessen the incidence of crime?

Data for 1972 are not yet firm, but preliminary releases from the FBI dealing with that year are enlightening. Based on available statistics, the Bureau reports that the percentage change from 1971 marks a three percent *decrease*, the first time that an absolute reduction has been experienced in many years.

The following table indicates the trend, since 1964, of the *total crime index*:

**PERCENTAGE CHANGE FROM PREVIOUS YEAR IN  
REPORTED NATIONAL CRIME RATE**

**TOTAL CRIME INDEX**



\*Preliminary.

**SOURCE: 1964-1971 data: 1971 FBI Uniform Crime Report, p. 61.  
1972 data: "Preliminary Annual Release, Uniform Crime Reporting," Mar. 28, 1973.**

Equally significant, the preliminary data for 1972, released by the FBI, indicates that the major cities throughout the country reported decreases in crime rates below that of 1971. Urban areas, with their historically high incidence of crime, have for many years been considered the most difficult—if not impossible—areas in which to combat crime. The reductions in some of the larger cities are as follows:

	Percent Decrease
Washington, D. C. ....	27%
San Francisco .....	19%
New York City .....	18%
Detroit .....	17%
Indianapolis .....	16%
Honolulu .....	15%
New Orleans .....	15%
Kansas City .....	13%
Newark .....	10%
Baltimore .....	6%
Chicago .....	4%
Los Angeles .....	4%
Philadelphia .....	4%
St. Louis .....	4%

A closer look at the make up of the total crime index is equally enlightening. Within the total index are those crimes which are called "violent crimes." These include murder, forcible rape, robbery and aggravated assault. It is these types of crime that are considered most serious. They comprise a small fraction of the total—approximately 13 percent—but their impact is far beyond their proportion. When we think about the reasons for unsafe streets, when we fear personal injury from a mugger, when we are filled with revulsion by news of cold-blooded murders and the attacking and robbing of citizens in their own neighborhoods, it is violent crime that is the cause.

The trend of violent crime is following the same pattern as that of total crime. As can be seen from the following table, the violent crime index rate peaked in 1968 and then started its turn downward. In 1971, the percent of change did not reflect as steep a drop from 1970 as did the total index (see previous chart), but there are indications that it is dropping.

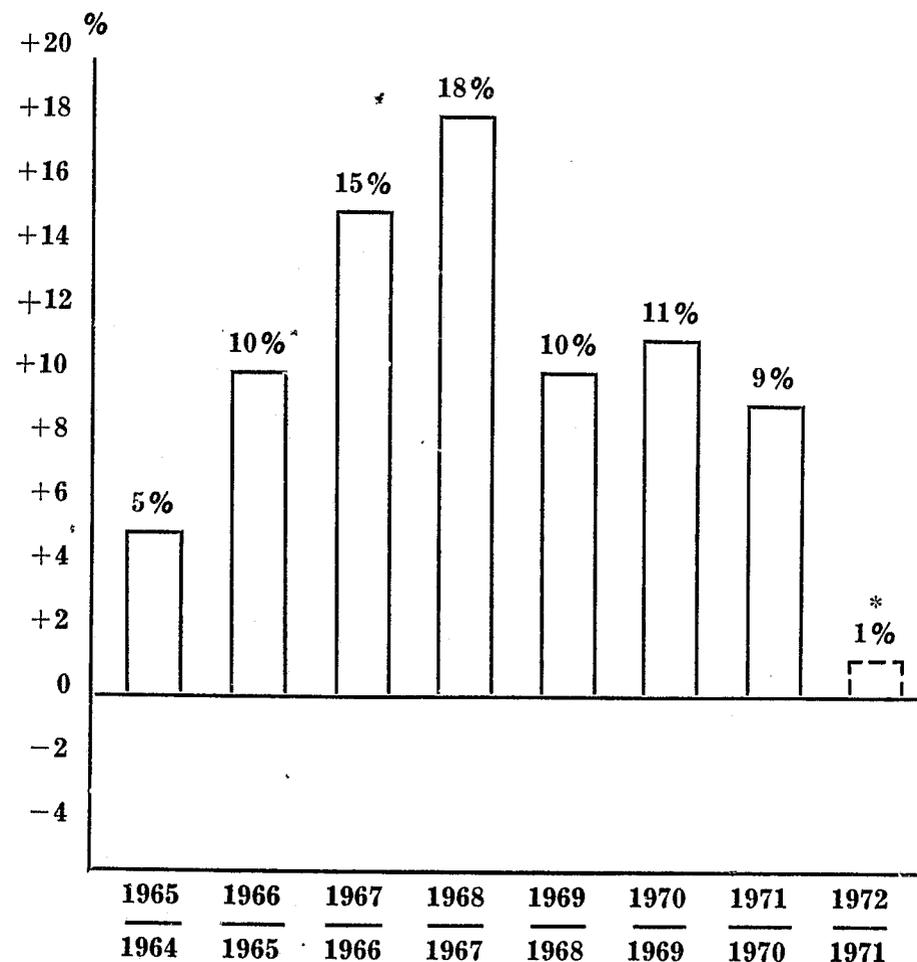
The preliminary data released by the FBI for 1972 reflects an estimated increase of only one percent above 1971, the smallest increase in many years.

Without reflecting undue optimism, it appears safe to conclude that something is definitely happening and it is favorable. Crime rates are coming down. The major cities, where most attention to combat crime has been centered, are the beneficiaries of the reduced crime rates, and there exists some evidence that this concentrated attention is paying off.

The following table indicates the trend, since 1964, of the *violent crime index*:

**PERCENTAGE CHANGE FROM PREVIOUS YEAR IN REPORTED NATIONAL CRIME RATE**

**VIOLENT CRIME INDEX**



\*Preliminary.

SOURCE: 1964-1971 data: 1971 FBI Uniform Crime Report, p. 61.  
 1972 data: "Preliminary Annual Release, Uniform Crime Reporting," Mar. 28, 1973

# THE CRIMINAL JUSTICE SYSTEM IN TOTALITY

According to the past national commissions, the following reflects:

## What Should Be Done

- Establish a single criminal justice agency in every state and city responsible for planning and encouraging improvements in criminal justice.
- Coordinate the actions of all components of the criminal justice system—police, courts, and corrections—to reduce crime and criminal activity.
- Implement changes by involving all levels of government, private citizens and groups, every American, as well as the police, courts, and corrections, in courses of action to deal with crime and criminality.

## What Has Been Done

The central theme of the recommendations of past commissions is the need to insure that the widest array of interests are incorporated into the planning and implementation of approaches to deal with the problem of crime. Particular emphasis has been directed by these commissions to the need for the involvement of the general public, or the non-criminal justice officials—not because those officials are to be distrusted but to insure that the vested interests of the system are minimized.

There are few absolutes in this world, if indeed there are any, and most certainly no panaceas have been discovered to solve the crime problem. Criminal justice agencies are staffed with professionals who often have spent a lifetime dealing with crime and who know more about the intimate details of criminal activity than those who have not had close contact with this area. But as is often the case, professionals tend to correlate most human actions with their own orientation. A policeman sees crime differently than does a sociologist; a lawyer sees justice differently than a moralist of any persuasion; and a warden sees incarceration quite differently than does a civil rights advocate.

## COMPOSITION OF STATE AND REGIONAL PLANNING AGENCIES

In enacting the Omnibus Crime Control and Safe Streets Act, Congress recognized the needs reflected in the recommendations

of the national commissions. In authorizing funds for combatting crime, the legislation stated that a State Planning Agency ". . . shall be created or designated by the chief executive of the State and shall be subject to his jurisdiction." It went on to say that:

"The State planning agency and any regional planning units within the State shall, within their respective jurisdictions, be representative of the law enforcement agencies, units of general local government, and public agencies maintaining programs to reduce and control crime."

State and local governments have taken action to implement the above.

- \* Every state and territory of the United States has enacted legislation or issued Executive Orders affirming its commitment to combatting crime and improving its own criminal justice system. This included the establishment of a Governor's Crime Committee (by whatever name) and a single State Criminal Justice Planning Agency for carrying out these objectives.
- \* Contrary to the generally accepted concept that policy is dictated from the state level, the membership of the Governor's committees (commonly called Supervisory Boards) includes a wide variety of concerned interest groups. In the aggregate, State Supervisory Boards—which are the policymaking groups for the states—are predominantly comprised of local government interests; 61 percent of the cumulative memberships of the state boards constitutes representation from local governments. Of the total membership, 52 percent are from non-criminal justice fields and 21 percent, the single most representative group, are from the Courts function (judicial, prosecution and defense).
- \* The membership of Regional Planning Boards also includes a wide variety of concerned interest groups. These Regional Planning Boards determine priorities within subdivisions of the state. Each submit plans for dealing with crime to the State Board. Regional Planning Boards are comprised entirely of individuals concerned with local government planning; a slight majority, 52 percent, are criminal justice representatives; constituting 27 percent, the police services function is the single most representative group.

- \* Approximately 15,000 individuals from State and Regional Planning Boards are directly involved in the planning process and in determining the purpose for which crime reduction funds are to be used within the states and territories of the United States. Never before have so many concerned individuals been involved in a total effort to deal with this problem. Composition of the Boards is *heavily local government oriented (96 percent); almost equally split between those employed in criminal justice functions and those who are not (51 percent vs. 49 percent), with police officials representing the most identifiable group (27 percent)*. This indicates that no single interest group represented on either the state or regional agencies, constitutes a majority.

The following three tables indicate representation nationally on State Supervisory Boards, Regional Planning Boards, and a total of both.

## NATIONAL COMPOSITION OF STATE SUPERVISORY BOARDS

### PRIMARY AREA

<b>Criminal Justice System Officials</b> .....	677 (48%)	
<b>COURTS</b> .....	289 (21%)	
<i>Judicial</i>		
Trial Judges .....	51	
Juvenile Court Judges .....	26	
Supreme Court Justices .....	14	
Magistrates, J.P.'s .....	13	
Court Administrators .....	9	
Appellate Judges .....	7	
Federal Judges .....	1	
<i>Prosecution</i>		
Local .....	64	
State (Attorneys General) .....	50	
Federal (U.S. Attorneys) .....	6	
<i>Defense</i>		
Private Attorneys (Court Appointed) .....	30	
State .....	10	
Local .....	8	
<b>POLICE SERVICES</b> .....	258 (18%)	
City Police .....	115	
Sheriffs .....	72	
State Police .....	71	
<b>CORRECTIONS</b> .....	130 (9%)	
<i>Adult</i>		
State .....	51	
Local .....	5	
<i>Adult &amp; Juvenile</i>		
State .....	31	
Local .....	13	
<i>Juvenile</i>		
State .....	18	
Local .....	12	
<b>Citizen Representatives</b> .....	510 (36%)	
<b>ELECTED OFFICIALS</b> .....	244 (17%)	
Local Government (Legislative) .....	85	
State Legislators .....	80	
Mayors .....	66	
Governors .....	13	
<b>PRIVATE CITIZENS</b> .....	266 (19%)	
<b>Other Public Agency Officials</b> .....	228 (16%)	

### RECAPITULATION

Local Representation	860	(61%)
State Representation	539	(38%)
Federal Representation	16	(1%)
<b>Total</b>	<b>1,415</b>	<b>(100%)</b>

## NATIONAL COMPOSITION OF REGIONAL PLANNING BOARDS

### PRIMARY AREA

<b>Criminal Justice System Officials</b> ..	6,009 (52%)	
<b>COURTS</b> .....	1,923 (17%)	
<i>Judicial</i>		
Trial Judges .....	395	
Juvenile Court Judges .....	118	
Supreme Court Justices .....	6	
Magistrates, J.P.'s .....	317	
Court Administrators .....	.....	
Appellate Judges .....	56	
Federal Judges .....	13	
<i>Prosecution</i>		
Local .....	625	
State (Attorneys General) .....	37	
Federal (U.S. Attorneys) .....	6	
<i>Defense</i>		
Private Attorneys (Court Appointed) .....	187	
State .....	10	
Local .....	153	
<b>POLICE SERVICES</b> .....	3,262 (28%)	
City Police .....	1,858	
Sheriffs .....	1,257	
State Police .....	147	
<b>CORRECTIONS</b> .....	824 (7%)	
<i>Adult</i>		
State .....	159	
Local .....	115	
<i>Adult &amp; Juvenile</i>		
State .....	67	
Local .....	176	
<i>Juvenile</i>		
State .....	79	
Local .....	228	
<b>Citizen Representatives</b> .....	4,130 (36%)	
<b>ELECTED OFFICIALS</b> .....	2,219 (19%)	
Local Government (Legislative) .....	1,536	
State Legislators .....	67	
Mayors .....	616	
Governors .....	0	
<b>PRIVATE CITIZENS</b> .....	1,911 (17%)	
<b>Other Public Agency Officials</b> .....	1,430 (12%)	

Sub-total	11,569
No Designation	2,000
<b>Total</b>	<b>13,569</b>

**NATIONAL COMPOSITION OF ALL CRIMINAL JUSTICE  
PLANNING BOARDS**  
(State and Regional)

**PRIMARY AREA**

**Criminal Justice System Officials.. 6,686 (51%)**

**COURTS ..... 2,212 (17%)**

*Judicial*

Trial Judges .....	446
Juvenile Court Judges .....	144
Supreme Court Justices .....	20
Magistrates, J.P.'s .....	330
Court Administrators .....	9
Appellate Judges .....	63
Federal Judges .....	14

*Prosecution*

Local .....	689
State (Attorneys General) .....	87
Federal (U.S. Attorneys) .....	12

*Defense*

Private Attorneys (Court Appointed) .....	217
State .....	20
Local .....	161

**POLICE SERVICES ..... 3,520 (27%)**

<i>City Police</i> .....	1,973
<i>Sheriffs</i> .....	1,329
<i>State Police</i> .....	218

**CORRECTIONS ..... 954 (7%)**

*Adult*

State .....	210
Local .....	120

*Adult & Juvenile*

State .....	98
Local .....	189

*Juvenile*

State .....	97
Local .....	240

**Citizen Representatives..... 4,640 (36%)**

**ELECTED OFFICIALS ..... 2,463 (19%)**

<i>Local Government (Legislative)</i> .....	1,621
<i>State Legislators</i> .....	147
<i>Mayors</i> .....	682
<i>Governors</i> .....	13

**PRIVATE CITIZENS ..... 2,177 (17%)**

**Other Public Agency Officials ..... 1,658 (13%)**

Sub-total	12,984
No Designation	2,000
<b>Total</b>	<b>14,984</b>

State and local planning agencies conduct their deliberations for the development of criminal justice programs and activities in open sessions. By law, meetings held to discuss and determine what should be done and how it should be done are open to the public, thus resulting in a greater involvement of private citizens. Last year, the State Boards met on the average of eight times per year, not including special meetings held by functional task forces and executive committees. Regional Planning Commissions met on the average of 11 times per year, also exclusive of special or functional task forces. For those who could not attend, public press or other news media covered and reported on many of these meetings. Every effort was made to keep the public informed and to solicit the views of any responsible group which desired to be heard.

The plans of both the State and Regional Planning Agencies go to great depths to describe both short-range (annual), and long-range (five year) efforts to deal with state, regional and local crime problems. Priorities are established, planned efforts or projects are decided upon, past efforts are identified, and progress reports of past achievements are shown. What is included in these plans—generally more than a single volume of explanation—represents the views and best judgments of state and local individuals concerned with all aspects of the criminal justice system as well as of citizen representatives.

**ADMINISTRATION OF THE STATE CRIMINAL JUSTICE PROGRAM**

The Omnibus Crime Control and Safe Streets Act established a new approach to intergovernmental relations with respect to the administration of federal assistance programs. It recognized that crime in the United States was essentially state and local in nature, and that approaches to deal with this problem were best conducted at those levels. The complexity of the problem, as well as the tremendous variety of social and economic conditions existing throughout the nation required an equally varied effort among the towns, cities, counties, and states to deal effectively with criminal activity. While the Act in no way represented an abdication of federal responsibility, it gave primary authority to the chief executives of each state to organize and administer the program. Coupled with the authority provided to the chief executives was the responsibility to insure that federal funds were effectively administered and that fiscal and program integrity were maintained.

All states have responded to this charge. Within the structure of each State Supervisory Board, a full-time director was appointed and given the responsibility to see that policies and standards established by the Board were effectively implemented. This State Planning Director was asked to develop guidelines and criteria for marshalling the state's resources in a coordinated effort to reduce the incidence of crime. Staff were selected for their knowledge of criminal justice practices, as well as for their ability to establish administrative machinery.

The urgency to deal with the crime problem throughout the country was a motivating force in establishing State Planning Agencies. They were instructed to get on with the job as quickly as possible, and simultaneously to develop administrative practices and procedures. This often resulted in compromising administrative details for expediency. Pressures were building from many quarters to try new approaches and techniques in dealing with many facets of the criminal justice system, and information regarding the potential success or failure of these approaches was often non-existent. The years of accumulated, unfunded or underfunded activities and needs of the police, courts and corrections agencies were often the easiest areas with which to begin, and the newly available federal resources were used for those purposes. In the vast majority of cases however, these funds strengthened the criminal justice system and accelerated the attack on crime.

In such circumstances, it was inevitable that there would be instances where some funds would not be wisely spent. This is not unique to criminal justice. Virtually all new efforts are vulnerable to new-found enthusiasm or opportunists who seek only personal gain. Criminal justice program administrators, however, have been alert to such possibilities, and they have developed effective controls to minimize the misuse of funds. The experience of the last few years indicates considerable success in doing so.

In 1971, the Directors of all State and U. S. Territory Supervisory Boards formed a national association, the National Conference of State Criminal Justice Planning Administrators, and became a cooperating association of the Council of State Governments. Their objectives were to focus attention on national issues and developments related to the reduction of crime, revenue sharing and the block grant concept of federal programming; to improve state administration of the Safe Streets Act through the sharing and exchange of information and personnel among the states;

to inform the Governors, Supervisory Boards and the Congress of demonstrated needs and accomplishments under the Safe Streets Act; to give specific attention to the unique crime and justice problems of the nation's cities; and to provide an orderly and effective means of determining and expressing the collective view of the Administrators on criminal justice matters.

Among the more outstanding contributions this association has made is the self imposed adoption of standards of performance for State Planning Agencies. These standards include:

- \* **Planning**—Each state plan shall present a complete and accurate assessment of the crime and delinquency problem in the state; fairly portray the services and deficiencies of its criminal justice system; outline a detailed short-range (one year) and long-range (five years) coordinated attack on crime and the system deficiencies in the state.
- \* **Auditing**—Insure audit of every grant within the state within one year of its completion; order a special investigation immediately in any case where mismanagement is evident; request external audit of its own operation.
- \* **Monitoring**—Each project shall be monitored at least once a year; each regional or local planning unit shall be visited at least once a month; more frequent monitoring will occur in projects involving larger amounts of funds. (Grant activity in excess of \$25,000 shall be monitored at least once every six months; in excess of \$100,000, every three months.)
- \* **Evaluation**—To insure that each project is meeting its objectives, it will be evaluated against the following criteria: if the project proposes to reduce the incidence of a specific crime or crimes; if it purports to produce quantifiable improvement of some aspect of the criminal justice system; if there is potential for technology transfer (making results available to other jurisdictions).
- \* **Grants Management Information Systems**—Have operational a manual or automated system providing fast and accurate information regarding funds received, awarded and disbursed by all state and local agencies. Such system will indicate the status of each subgrant, reporting compliance and stage of development.
- \* **Grant Administration**—Each state agency will act on each project application within 90 days of receipt, informing the

requesting agency of appeal, denial or other action; instructions for processing applications will be clear and concise; modifications of projects will be acted on within thirty days.

- \* **Fund Flow**—Funds will be disbursed to subgrantees as quickly as possible, but only as related to expenditure needs of recipient; no more than thirty days shall elapse between time of valid request and issuance of check or warrant; state agencies shall maintain an amount of federal funds on hand at a minimum consistent with effective program management.
- \* **Organization of State Planning Agency**—Each state shall have a full-time professional director; all staff personnel shall be professionally qualified; staff levels should be related to workloads and limited only to proven needs.
- \* **Technical Assistance**—The National Association of State Planning Administrators shall work together and with the Law Enforcement Assistance Administration toward the transferring of technical expertise among the states. Expertise in one state shall be made available to other states; by helping each other, experiences of the individual states will accrue to the benefit of the entire country.
- \* **Training and Staff Development**—Each planning agency shall provide a minimum of twenty hours of in-service training to all of its professional personnel. In addition, national or special training programs will be utilized to keep all professional staff adequately trained and informed of the needs of and approaches by the criminal justice systems.

The above standards, self-imposed, serve to illustrate the intensive effort that is being conducted throughout the country to upgrade and improve state and national planning in dealing with the problems of crime. These efforts have been aided in good part by the support and assistance of the federal agency, the Law Enforcement Assistance Administration.

Within the context of the foregoing standards of performance, the following specific achievements are illustrative of the cooperative arrangements initiated by the states. These examples indicate how all the states, working together, are helping in a mutual effort to raise the level of program administration.

- \* Each state has installed accounting and reporting systems to meet their own needs. In addition, a project committee com-

posed of twelve State Planning Directors was formed to design a model system that all states could install (generally with minor modification of their existing system) to record and report on the status of approximately 40,000 individual grants issued by all states to their local agencies.

- \* **Louisiana, Kentucky and Florida** joined together to develop necessary qualifications for individuals best suited to assist State Supervisory Boards in the development and implementation of programs and projects.
- \* **Utah, Connecticut and New Hampshire** consulted with one another in the development of Grants Management Information Systems.
- \* More than 100 staff members of the Governors' State Criminal Justice Planning Agencies, including several directors, representing 42 states, convened in Baltimore, Maryland, in March 1973, for a Public Affairs Training Conference. Attention was devoted to the practical aspects of the public affairs function of a State Planning Agency. Standards are being developed for public affairs activities in each state to better inform the public and state officials of the progress being made in improving the criminal justice system.
- \* **Pennsylvania and Ohio** staff exchanged information regarding each state's alcoholic detoxification program in an effort to deal more effectively with the problem of public drunkenness, the largest single category of police arrests.
- \* **Massachusetts, Minnesota and Ohio** shared information regarding public information programs and practices, to help each other best inform their publics of the need for public involvement in criminal justice projects.
- \* **Missouri, Iowa, Kansas, Nebraska, South Dakota, North Dakota, Montana, Wyoming, Colorado, and Utah** cooperatively initiated and conducted a workshop for State Supervisory Board members. This was done with the objective of strengthening the administration of the Omnibus Crime Control and Safe Streets Act at the state level.
- \* **South Carolina and Maryland** met to develop procedures for improving their community corrections programs.
- \* **California** has shared with every State Planning Agency information pertaining to crime specific planning techniques.

- \* **South Dakota, North Dakota, Wyoming and Montana** cooperatively conducted a study regarding correctional programs.
- \* **Alaska and Wyoming** have consulted with one another on improving the planning process and strengthening their state organizations.
- \* **Kentucky, Tennessee, North Carolina, South Carolina, Mississippi, Alabama, Georgia, and Florida** meet routinely to exchange current information regarding program activities.
- \* **Arkansas** has provided direct technical assistance to thirty-one State Planning Agencies regarding the operation of an automated accounting system.
- \* **Massachusetts, Minnesota, California and Michigan**, in cooperation with LEAA, studied the operation of eight other states (New Mexico, Arizona, Oklahoma, Texas, Idaho, Montana, Pennsylvania, and Indiana) to refine and improve the administrative capability of all State Planning Agencies.

## ACTION BY STATE LEGISLATURES

There is only one reason why there is a "criminal justice system,"  
*. . . people violate laws.*

There is only one reason why there are criminal laws,  
*. . . to protect us from each other.*

There is only one way that laws are made,  
*. . . our elected representatives make them.*

The above statements, though overly simplified, provide the necessary perspective for an examination of the criminal justice system. Certain conditions must exist before law enforcement officers can apprehend a suspect, place him in custody and then introduce him into the rest of the system, not the least of which is the existence of a law.

The word, *law*, is perhaps one of the most commonly used words today, and quite likely, one of the most commonly misunderstood words as well. Seek its definition in a dictionary and you will find at least a half dozen different explanations. Any single illustration would mislead a reader, or perhaps provide him with only a narrow view of its meaning. A law can be embodied in a document such as a constitution; it can be unwritten, but commonly accepted because of long time use; it can be ordained by some authority; it can be legislated by people representing community or regional interests; it also can be a combination of any of these.

Regardless of its definition, or how it came into being, the *law* in the United States of America is the result of positive action by people chosen from the general public to fill elected offices in communities, cities, counties, states and federal legislative bodies. Though criminal law, the focus of this report, results primarily from the action of state legislatures, it is—through the democratic process—the people who make the law.

The need for laws has been with us since the beginning of time. Since man began to beget, there was evidence that some inherent human behavior, if not controlled, would react unfavorably upon others. Without social controls, without a code by which to live, without a recognition that groups of people living in close proximity to each other must abide by certain rules of conduct for the common good, only chaos would result.

An historical analysis of the evolution of crime will not be made in this report; the magnitude of such an undertaking is prohibitive and exceeds the purpose of this report. Further, crime or criminal activity is, in many instances, a relative matter. What was considered criminal in the past may not be so regarded at this time. What is thought to be a crime in some parts of the world may be considered otherwise in other areas. The one statement that can be made with certainty is that crime, however defined, has been with us since the beginning of time and will continue to be with us in the future.

*Our system of criminal justice, or "non-system" if that would be considered more appropriate, is serving the needs of more people throughout the United States in a better manner than ever before.* This does not overlook the fact that more crimes are being committed today than in the past; it does not ignore the log jams in our courts; it does not disregard the horrors of life in prisons; and it does not forget the fact that public opinion conceives crime and violence to be items of the highest priority with which the American society must deal. Those facts are known all too well to anyone who reads a newspaper, or watches television, or has been apprehended for alleged breaking of the law.

But, are all these manifestations a result of the failure of the police, courts and corrections, or are they the results of conditions far beyond the control and responsibility of criminal justice agencies? In subsequent sections of this report, it will be shown that today's professional in all criminal justice agencies is better trained, is complying more with recommendations of blue ribbon commissions on what should be done, and is, in many instances, leading the demand for reform. Unless the most respected and impartial members of society appointed to national commissions were wrong in their recommended reforms—reforms which have been and are still being carried out—it would be grossly unfair to be unduly critical of criminal justice agencies.

#### MODERNIZATION OF STATE AND LOCAL CRIMINAL LAWS AND PROCEDURES

"Criminal Justice" is relatively recent terminology, coming into common use in the 1960's when crime rates began to accelerate to an intolerable level and when all professionals in the police, judiciary and corrections fields began to recognize, as never before, the interrelationship of their activities.

As previously noted, laws pertaining to criminal justice are of various origins within each state's system of government; there is no single pattern that applies throughout the country. In some states, the number of people required to serve on a jury is prescribed in the constitution, while in other states, it is found in separate legislation. Laws on gambling may be found either in the constitution or in the criminal codes of the state; likewise, the organization of courts and judicial selection and tenure are specified in the state constitution or by a series of statutes relating to judicial procedures. Regardless of where they may be found, criminal laws and their modifications reflect considerable modernization in the last several years.

#### CONSTITUTIONAL REFORMS

Constitutions are intended to reflect the fundamental principles of a nation, state, or body politic. They determine the powers and duties of the government and guarantee certain rights to the people. The key word in describing constitutions is *fundamental*. As such, a constitution must be free of implementing measures and not encumbered with excessively detailed prescriptions for action. Today, state constitutions are replete with painstaking statutory provisions thus obscuring the distinction between constitutional law and statutory law. This situation has accelerated the demand for constitutional revision to allow flexibility in governmental operations.

The states are attempting to differentiate between statutory and constitutional law. Most constitutional changes relative to criminal justice have been organizational in nature, this being especially true with regard to new statewide offices and court reorganization. While many proposed amendments have yet to be decided upon by the electorate, the intent and effort to modernize the state constitutions are readily visible.

\* In South Dakota, several constitutional amendments were approved last year. These amendments revise the judicial article to provide for a unified court system, non-partisan election of judges, and a judicial qualifications commission; empower the people to propose a constitutional convention and initiate omnibus constitutional amendments; allow local options on forms of local government; reduce the number of executive agencies to 25; allow the Governor to reorganize the executive branch—subject to legislative veto; establish four-

year terms for constitutional officers, and permit team election of Governor and Lieutenant Governor.

- \* Constitutional amendments extending jury duty to include women and enlarging the jurisdiction of the New Orleans traffic court were rejected by the electorate in **Louisiana**. The vote was not against the substance of the proposals; rather, it was viewed as a call for an entirely new constitution. A Constitutional Convention will be held in 1973.
- \* The electorate in **Arizona** passed a constitutional amendment permitting eight member juries to try all civil cases as well as cases with criminal charges carrying penalties of less than thirty years in prison.
- \* A new judicial article was approved by the voters of **South Carolina** in 1972. It directs the Chief Justice to appoint court administrators, creates a unified court system, establishes a circuit court, and allows the Legislature to create such other courts as may be necessary.
- \* The **Iowa** General Assembly passed and the voters approved a constitutional amendment to remove the prohibition against gambling.
- \* Voters in **Kansas** approved a constitutional amendment creating a unified court system, requiring the appointment of Supreme Court justices and allowing non-partisan election of district judges. The citizens also endorsed a revised executive article providing four-year terms for executive officers, team election of Lieutenant Governor and Governor, gubernatorial succession, and executive branch reorganization by the Governor subject to legislative veto.
- \* The creation of a Court of Appeals was granted by constitutional amendment in **Indiana**. The amendment authorizes selection of judges by appointment, subject to subsequent voter approval.
- \* A constitutional amendment, approved in 1972, by the electorate, created a more powerful judicial review commission allowing for the discipline and removal of judges and the abolition of probate courts in the State of **Minnesota**. In addition, it created a unified court system under the Supreme Court consisting of district and other courts to be provided by law.

- \* In **Nebraska**, constitutional amendments recommended by the Constitutional Revision Commission and subsequently approved by the voters included a guarantee to the right of appeal in all felony cases; changes in the composition and procedures of the judicial nominating commission; and the provision that a simple majority legislative vote could make changes in judicial districts.
- \* Amendments in **Oregon** allow the Legislature to set qualifications for county sheriffs and authorizes juries of less than 12 persons, but not less than six.
- \* In **Wyoming**, a provision was approved by the voters allowing for appointment, removal and retirement of judges, and permitting the Legislature to set the size of the Supreme Court. This provided for a Judicial Supervisory Commission and stipulated that judges retire at age seventy.
- \* In 1972, the electorate in **Florida** approved a new judicial article which created four uniform levels of courts, allowed the Governor to fill judicial vacancies based upon recommendations of judicial nominating commissions, and designated all judgeships as full-time positions.
- \* In **New Jersey**, a state constitutional amendment provides that the Attorney General shall serve at the pleasure of the Governor.
- \* In **Alabama**, two constitutional amendments were approved by referendum in January 1972. The first created a Judicial Commission with power to discipline, remove and retire judges upon cause, while the other abolishes all justice of the peace courts.

While many of these changes seemingly are small, they are significant. These revisions do not reflect all of the work being done in changing state constitutions. Many of the ongoing reforms are outside the criminal justice system. Legislation dealing directly with criminal and procedural code revisions, law enforcement, the courts, and corrections is being considered everywhere across the nation. In endeavoring to keep statutory and constitutional law separate, state legislatures are contemplating measures relating specifically to certain segments of the criminal justice system.

## STATE CRIMINAL CODE REVISIONS

Just as any other institution or industrial concern, the criminal justice system of a state can benefit from the application of modern management techniques. It would seem obvious that it is necessary to periodically evaluate and revise any organization and its procedures of operation, but historically this has not been the case in the field of criminal justice. Worse, an outmoded system can provide injustice for the citizen. Enforcement of archaic laws could well be counter-productive and result in considerable public unrest and discontent. Changing times bring changing patterns of human behavior and tastes, and the definition of criminal activity must be constantly updated and incorporated in the criminal codes of each state to insure that the laws are realistic and relevant to citizen needs. Because of new interest in modernization, an accumulation of laws, many of which have been on the books over one hundred years, are being updated. For example, though seemingly absurd, until 1971, it was a *criminal* offense in one state for a man to shave on Sunday.

These efforts to modernize criminal codes have evidenced great strides in most states in the past decade and notable changes are readily visible. More importantly, the revisions do more than delete archaic statutes; they streamline the complete criminal code. This not only removes duplication of the laws, but also creates fewer classifications by combining similar offenses into homogeneous groups. Among those offenses most frequently removed from the criminal codes during the past few years are non-violent or "victimless crimes". One effect of this has been the lessening of prosecutorial discretion in determining what charges should be brought against a supposed offender. A more standardized set of penalties has also resulted from the revisions.

Historically, the states have not ignored criminal code revision, though most changes in the past have been piecemeal in nature rather than comprehensive. Updating the codes has been sporadic, with little being done in the early twentieth century. However, since 1940, there has been a flourishing of efforts in this area. The following chart indicates the status of criminal code revision in the states since that time:

State	Effective Date of Revised Code	Needs Legislative Approval	Studies for Code Revision in Progress
Alabama			X
Alaska		X	
American Samoa			X
Arizona			X
Arkansas			X
California		X	
Colorado	7/1/72		
Connecticut	10/1/71		
Delaware	7/1/73		
District of Columbia			
Florida			X
Georgia	7/1/69		
Guam			
Hawaii	1/1/73		
Idaho		X	
Illinois	1/1/62		
Indiana			X
Iowa			X
Kansas	7/1/70		
Kentucky	7/1/74		
Louisiana	1942		
Maine			X
Maryland		X	
Massachusetts		X	
Michigan		X	
Minnesota	9/1/63		
Mississippi			
Missouri			X
Montana		X	
Nebraska			X

<i>State</i>	<i>Effective Date of Revised Code</i>	<i>Needs Legisla- tive Approval</i>	<i>Studies for Code Revision in Progress</i>
Nevada			X
New Hampshire	11/1/73		
New Jersey		X	
New Mexico	7/1/63		
New York	9/1/67		
North Carolina			X
North Dakota			X
Ohio	1/1/74		
Oklahoma		X	
Oregon	1/1/72		
Pennsylvania	6/6/73		
Puerto Rico		X	
Rhode Island			X
South Carolina		X	
South Dakota			
Tennessee			X
Texas		X	
Utah	7/1/73		
Vermont		X	
Virgin Islands			
Virginia			X
Washington		X	
West Virginia			
Wisconsin	7/1/56		
Wyoming	1972		

As can be seen from the preceding table, nineteen states have revised their codes, with seventeen of these having occurred since 1960. Twelve codes will have gone into effect during the early seventies, including five this year and two in 1974. This number could change rapidly as many legislatures will be tackling this issue during their 1973 and 1974 sessions.

Four states, Delaware, Hawaii, Kansas and Kentucky, enacted completely new codes in 1972.

- \* The **Delaware** criminal code was comprehensively revised. The Superior Court was authorized to approve wiretapping for gambling. Explosives were strictly regulated and the Uniform Controlled Substances Act was adopted. The State was given the right to appeal dismissals of criminal charges based on the suppression of evidence. This code will go into effect in July, 1973.
- \* In **Hawaii**, the new criminal code stipulates life imprisonment without parole as the maximum penalty under law. Prostitution, social gambling, and sexual activities between consenting adults were lessened as to the degree of crime, while at the same time, penalties were increased for activities involving organized crime. A controlled substance act brings the state drug laws into conformity with federal legislation.
- \* The **Kentucky** General Assembly enacted a new criminal code effective July, 1974. It authorized work and study release; community residential centers for prisoners; a statewide public defender system; and a payment of \$5,000 to survivors of law enforcement officers killed in the line of duty.
- \* Legislation in **Massachusetts** eliminates the crime of public drunkenness and substitutes a program of detoxification and rehabilitation. Currently, seven states and the **District of Columbia** have enacted such legislation with the belief that the problem of alcohol abuse belongs in the domain of medicine and mental health.
- \* **Oregon's** code provides new sentencing options for courts, removes the degree distinction in murder cases, and abolishes all criminal penalties for private sexual conduct between consenting adults.
- \* Lawmakers in the State of **Washington** provided for the treatment of alcoholism as a disease rather than as a crime.
- \* New statutes completely eliminate criminal penalties for certain consensual sexual acts in the State of **Colorado**.
- \* A Criminal Code Study Commission is engaged in drafting a new substantive criminal law which, hopefully, will be presented to the **Indiana** General Assembly sometime in 1973.
- \* A study on revision has been completed in **Maryland**, although legislative action has not been initiated.

- \* There is expectation that the 1973 session of the Legislature will enact new substantive criminal statutes for **Massachusetts**. A study in support of this was completed in 1972.
- \* In the State of **Missouri**, the Committee for a Modern Criminal Code has been working on a comprehensive reformation of the basic criminal laws. The work of the Committee should be completed this summer and the final draft will be incorporated in a bill to be presented to the 1974 session of the Legislature.
- \* During 1973, the State of **Arizona** will undertake a complete revision of Rules of Criminal Procedure, commence criminal code revision, and begin to establish a base information system for the Arizona Judiciary. It is planned that the information system be implemented in 1974. Various lesser, but equally important, systems have been promoted.
- \* A new criminal code is being prepared in **American Samoa** and will be submitted to the Legislature in its general session this July.
- \* A study is underway in **Indiana** to create, for the first time, a comprehensive municipal penal code. The size and complexity of this task has precluded the establishment of a target date.
- \* The State of **Texas**, which failed to act on revision in 1971, is looking at a comprehensive change in the penal code. Committee hearings are near completion and action by both Houses is forthcoming; also the proposed code revision has been printed and distributed to State Legislators.
- \* The **Rhode Island** Legislature provided for cash awards up to \$25,000 for victims of violent crimes or their dependents. This plan takes effect if federal funds become available to help pay the cost.

The drug situation in today's society has prompted action by legislative bodies. Many states, while in the process of code revision, have enacted new legislation concerning the possession and distribution of dangerous drugs and narcotics. The new criminal codes in other states have pertinent sections addressing the problem. The trend seems to be a lessening of the penalties for simple possession and personal use of marijuana, while the punishment for sale of drugs and narcotics has been increased.

Many recent changes have occurred:

- \* In the State of **California**, drug control laws were strengthened, and an examination for drug substances in the bodies of traffic victims over 15 years of age is required.
- \* Legislators in **Delaware** greatly relaxed criminal penalties on first-time drug offenders and abusers who now can be placed on probation without pleading guilty. The Uniform Controlled Substances Act is incorporated in the new criminal code.
- \* A new narcotics law in **Mississippi** makes possession of less than one ounce of marijuana a misdemeanor instead of a felony. Judges were given discretion in setting penalties for persons convicted of possession of more than one ounce of marijuana.
- \* The **New Mexico** Legislature approved a new Controlled Substance Act reducing penalties for marijuana users while increasing punishment for sellers. Amphetamines, barbituates, heroin and other prescription drugs are regulated strictly. Manufacturers of prescription drugs are required to register with the State Board of Pharmacy. Both receivers and manufacturers must keep shipping and receipt records to help detect and prevent the diversion of drugs into illegal channels.
- \* New legislation in **Pennsylvania** established a Governor's Council on Drug and Alcohol Abuse. The Council was given jurisdiction over all treatment and enforcement of drug and alcohol programs throughout the State. The penalty for possession of marijuana was lowered from five years to 30 days by the Pennsylvania General Assembly. In the same legislation, the penalty for illegal drug sales was raised from five years to fifteen years.
- \* **Kentucky** Legislators reclassified marijuana from a narcotic to a dangerous drug and increased the penalties for pushers of dangerous drugs.
- \* Possession of less than 25 grams of marijuana or five grams of hashish is considered disorderly conduct under a new law in **New Jersey**. Court proceedings may be waived if first offense drug abusers agree to enter rehabilitation programs.
- \* A revised drug abuse law in **South Carolina** reduces penalties for first offense possession of marijuana.

- \* Drug treatment was made a private matter by forbidding doctors and hospitals to report to police the names of persons seeking treatment and rehabilitation for drug addiction in the State of **Iowa**.
- \* The possession or use of marijuana in **Maryland** was made a misdemeanor, and appropriate penalties were provided. The Legislators also stipulated that statements of persons seeking treatment or examination for any form of drug abuse are not admissible in any subsequent legal proceedings.
- \* In **Kansas**, simple possession of marijuana was reduced from a felony to a misdemeanor for first offenders. However, a second or subsequent conviction for possession, as well as possession with intent to distribute remains punishable as a felony.
- \* Legislation in **South Dakota** substantially revised the state's drug and narcotic laws and established an Office of Commissioner of Drugs and Substances Control within the Office of the Attorney General.
- \* Marijuana has been reclassified as an hallucinogenic drug by **Ohio** lawmakers. This legislation made first offense possession a misdemeanor and increased the penalties for the sale of illegal drugs.
- \* Drugs are classified in six categories under a new comprehensive drug control law in **Tennessee**. Simple possession, if for the first time, has been reduced to a misdemeanor. Penalties for peddlers were stiffened, and the punishment for an adult selling narcotics to an individual under 18 may be doubled.

#### PROCEDURAL REFORMS IN THE JUDICIAL SYSTEM

Efforts in many states to streamline procedural rules in criminal law are underway to supplement substantive criminal code revision. Procedural rules are being revised to reduce the time spent in the courts and, hopefully, decreasing the time between arrest and court appearance. Most states now allow plea bargaining in order to help the overburdened judicial structures. Many states are studying their procedural rules with a view toward revision. Procedural rules can be changed by either the courts in states where courts have rule-making powers, or by the legislature, or by a combination of both. This is dependent upon the judicial powers as prescribed in the constitution of each state.

- \* New legislation has given the Supreme Court of **Alabama** the exclusive power to promulgate rules for procedures, practice, and pleading for all trial courts. It also authorized the Supreme Court to adopt a new system of rules to govern appellate procedures. This is all being done in conjunction with a study on the revision of the state criminal codes.
- \* A **New York** law was enacted requiring the prosecution to be ready for trial within six months in all felony cases, except those involving the death penalty, or risk releasing the defendants. The State abolished three-judge panels for misdemeanor cases in the New York City criminal court. Another procedural change reduced from 12 to 6 the number of jurors required to hear cases tried in the New York City Civil Court. The Legislature enacted a new Code of Criminal Procedures in 1971.
- \* In **Arizona**, the Supreme Court has designated the State Bar Committee on Criminal Practice and Procedure as its statutory advisory board on revision of the Rules of Criminal Procedure. This study has been completed and rules were adopted in April, 1973.
- \* A six-member jury may hear civil and misdemeanor cases in the State of **Minnesota**.
- \* The State of **Indiana** established a Criminal Code Study Commission which has proposed a new State Code of Criminal Procedure. This has been presented to the General Assembly for action. The Commission is also engaged in drafting a new substantive criminal law to complement the procedural code and, likewise, this will be presented to the General Assembly.
- \* The Supreme Court in **Ohio** proposed new Rules of Criminal Procedure in 1972, but the General Assembly failed to approve them. The Rules will be resubmitted for consideration in 1973.
- \* With certain exceptions, a new **Oregon** law requires trial or release from custody of individuals within sixty days of their arrest.
- \* A proposed set of Rules of Criminal Procedure has been prepared for the State of **Washington** and is awaiting legislative action.

- \* Recent legislation provided for a complete recodification of the **Wisconsin** Procedure Code which streamlined appellate review, eliminated the concept of a magistrate in criminal procedures, codified recent important rulings by state courts, and corrected various legal pitfalls in the criminal statutes.
- \* Less than 12-member juries are permitted to hear misdemeanor cases in **Michigan**.
- \* The **Arkansas** State Supreme Court was empowered to prescribe rules of pleading, practice, and procedure for criminal proceedings in the state's lower courts.
- \* The number of jurors was reduced from 12 to 6 in all civil cases where a right to trial by jury exists in the State of **Connecticut**.

#### OTHER LEGISLATIVE ACTIONS—POLICE SERVICES

Legislation affecting the various components of the criminal justice system has increased immensely during the past few years in all of the states. Expenditures for law enforcement have risen rapidly as states strive to upgrade personnel through more rigorous training, salary incentives, and better equipment. In certain situations, the police have been granted greater discretion.

- \* A handgun control law was passed in **Maryland** making it illegal in most cases to carry a handgun without a permit. Police officers were permitted to search persons for weapons on "reasonable suspicion" rather than for "probable cause."
- \* In **Florida**, a special session of the Legislature passed numerous acts aimed at curbing street violence. Local law enforcement officers were empowered to declare a state of emergency whenever a "clear and present danger of riot or public disorder exists." Emergency measures which automatically become effective upon such declaration include a prohibition on the display and sale of firearms. Police can also restrict public assemblies and the sale of alcohol and gasoline, provided a notice is filed with the local court clerk and the news media. Violation of this act is a misdemeanor punishable by a fine up to \$500 or one year in prison or both.
- \* An **Alaska** Police Standards Council was created with the power to establish minimum education and training standards for all law enforcement personnel in the State.

- \* The Human Relations Commission in **North Carolina** has begun a program to train law enforcement officers to deal more positively with the public.
- \* Police in **Maine** were authorized to arrest, without warrants, persons suspected of possessing or using marijuana.
- \* Legislators in **Georgia** passed a statute stipulating that law enforcement officers attend a mandatory 114-hour training course. Police in the State have been given the power to search for and seize drugs during drug-related investigations.
- \* A mandatory statewide police training program was adopted in **Michigan**. Also, the State will develop crime laboratories and a criminal information system.
- \* Minimum standards for law enforcement officers and minimum curriculum requirements for police training schools were established by a commission directly responsible to the Attorney General in **South Dakota**.
- \* In **Massachusetts**, Legislators passed measures to improve police departments. Pay was raised for officers earning college credits and degrees; tuition free courses were arranged, and police were granted full pay for a twenty-hour workweek while obtaining an advanced education.
- \* The **Oklahoma** Legislature enlisted the aid of computers and a statewide communications network to keep track of information on criminals. They also approved a uniform crime reporting system.
- \* The State of **Missouri** has expanded the power of the highway patrol with special emphasis on pursuit and search. It also requires each county, city, or town in St. Louis County to provide 24-hour police service or to contract for such services with the County.
- \* A new **Wyoming** controlled substances law permits no-knock entry, with court approval, by law enforcement officers searching for illegal drugs.

#### OTHER LEGISLATIVE ACTION—COURTS

Criminal code and procedural code revisions have been supplemented by recent enactments by state legislatures in attempting to modernize the courts. Many measures have been adopted which

provide for additional personnel and which stipulate the manner in which they are selected. In some instances, a statewide court system was instituted. Other legislation created new courts, some with limited jurisdiction. Certain changes were mandated by state constitutional amendments.

- \* **Massachusetts** established the first court in the nation designed to deal exclusively with housing matters (Boston Housing Court). State lawmakers created an intermediate appellate court to serve as a buffer between the Superior Court and the State Supreme Court. A bail reform act guarantees a person quick bond hearings. Defendants unable to meet bail, other than those accused of capital crimes, are entitled to an immediate appeal to the Superior Court. The electorate approved a proposal mandating that judges retire at age 70.
- \* **Virginia's** General Assembly passed a comprehensive package of bills completely reorganizing the state's judicial system. The legislation provides for a unified court system, with the Chief Justice of the State as its head. It also provides for an expansion of the duties of the statewide court administrator. In addition, the Legislature established a Public Defender Commission and charged it with establishing three pilot public defender programs in three localities. The Commission is to report on the results after two years of operation.
- \* **Wyoming's** larger counties were required, and smaller counties permitted, to establish a county court system to replace the present justice of the peace courts. In 1973, legislation was passed authorizing statewide grand juries; reorganization of the Office of the Attorney General; jurisdiction of county and prosecuting attorney; and creation of a state Division of Criminal Investigation in the Office of the Attorney General.
- \* In **Connecticut**, a Judicial Review Council, aided by the state police, county detective or investigators on the staff of the state's attorney, will review complaints against judges.
- \* Penalties were increased for individuals held to be in contempt of court in the State of **Texas**.
- \* **Michigan** Legislators have revised and consolidated the laws relating to the jurisdictions and organization of the state's probate courts. Also, probate judges' salaries were set at \$20,000, at local option.

- \* The Family Courts System in **Delaware** underwent total revision. Three courts were merged, the number of judges was doubled, and authorization was granted for appointment of a chief administrator.
- \* In **Minnesota**, a new law allows for the removal of disruptive defendants from a courtroom.
- \* An office of State Court Administrator was established in **Oregon**, and an increase in the number of circuit court judges was authorized.
- \* Lawmakers in **Florida** have opted for a nonpartisan method of selecting judges and have streamlined the court system into a two-tier system of trial courts. Also, the Legislature has provided that in counties with populations over 450,000 and whose judicial circuits encompass complete counties, grand jury commissions will include circuit judges.
- \* **Alaska** transferred the responsibility of the preparation of jury lists from the clerk of the superior court in each judicial district to an administrative director of courts. In addition, restrictions were placed on the extra-judicial compensation received by the state's judges.
- \* **North Dakota** upgraded its court system by implementing a constitutional prerogative of the State Supreme Court to supervise the entire state judicial system. A court administrator was authorized to assist the court.
- \* The **Iowa** General Assembly established a position of court administrator of the judicial department in 1971. Subsequent legislation created a unified trial court (Iowa District Court), charged with general and original jurisdiction of all actions and proceedings including probate and juvenile matters. This act abolishes all justice of the peace courts, mayor's courts, police courts, and superior and municipal courts as of July 1, 1973, the effective beginning date for the Iowa District Court.
- \* An emergency felony court was created in **New York City** by the State Legislature, and the powers of the State Court Administrator were expanded.
- \* In **Nebraska**, the Legislature established a system of regional county courts and abolished justice of the peace and police magistrate courts. The cost of operating the courts was assumed by the State.

- \* A recent enactment in **Maryland** provides judicial salary increases similar to the regular raises of merit system employees, eliminating the necessity for judges to seek raises directly from the Legislature. Another act has modernized the state district court system.
- \* Under a new law, persons in **Colorado** charged with a misdemeanor may receive a jury trial, provided a 25 dollar bond for jury fees is posted.
- \* A small claims division of the **Hawaii** district court system was established by the Legislature. The jurisdiction of the small claims court was extended to include non-liquidated claims.
- \* A new **Pennsylvania** law provides for the training of judges of minor courts and the creation of a Minor Judiciary Education Board.
- \* In **New Jersey**, a commission was established to study the need for a court of claims. Other court related acts set causes and procedures for removal of judges from office by the Supreme Court and provide that county juvenile and domestic relations judges must have practiced law at least ten years in the State before taking office.
- \* Legislators in **Ohio** have authorized a study of the organization of the courts below the appeals level.
- \* The General Assembly has created a state appellate defender office to represent indigent persons appealing criminal cases in **Illinois**. The agency grew out of a three year appellate defender project sponsored by the State Criminal Justice Agency.
- \* In **Kentucky**, a statewide public defender system was created. Many other states have also instituted similar programs.

#### OTHER LEGISLATIVE ACTIONS—CORRECTIONS

Philosophical changes are readily visible in recent legislation concerning corrections. Older statutes frequently are of 19th century vintage and are directed more toward personnel administration than avoidance of repeated crime after release. Programs geared toward rehabilitation, training, education and restitution of civil rights are now being enacted in many states. Correctional facilities are being renovated and redesigned reflecting a change from the days when prisons were viewed as punitive lock-up places.

- \* The **California** Legislature established an 11 member Commission on Correctional Manpower Development in the State Human Relations Agency. The Commission will set standards for recruiting and training correctional personnel and help local law enforcement agencies develop programs to raise the competence of correctional personnel.
- \* A new unified code of corrections in **Illinois** permits many correctional reforms. For example, the new code provides for special handling of juvenile offenders, allows prisoner furloughs, work and educational release, and removes the licensing restrictions for the employment of offenders in many professions.
- \* Legislation in **Kansas** has created a department of corrections to become effective in July, 1974. The enactment stipulates the initiation of inmate work release, education and training programs and includes a new statement of goals of rehabilitation which requires that records of inmate progress be kept.
- \* In **New York**, inmates in New York City's jails may receive 72-hour furloughs for job and family reasons. Other state legislation authorized rehabilitation centers and emergency furloughs for prisoners and established a mental health program at the penitentiary.
- \* Work release programs in **Tennessee** were extended by the General Assembly to second-term inmates. Further legislation created a full-time pardon and parole board.
- \* The State of **Washington** enacted a comprehensive work release program. Inmates have been granted great freedom through work release, yet, if they willfully fail to return, they will be deemed escapees or fugitives from justice, this punishable as a felony. Another law stipulates that an ex-offender cannot be automatically refused a license solely because of a prior conviction unless the crime committed is related directly to that field of employment.
- \* A new prison reform bill in **Massachusetts** provides for inmate halfway houses, a furlough program, work release programs, prison industries, and training for correctional officers. Bail reforms make provision for early release on personal cognizance to individuals meeting statutory tests and a prompt review of bail determinations. Parole is now permitted by

majority vote of the parole board rather than by unanimous approval.

- \* The **Vermont** General Assembly revised the corrections legislation emphasizing rehabilitation rather than punishment. The corrections commissioner was authorized to place prisoners in facilities best suited for them. Under another new law, sentences may be deferred for up to five years if the judge and state's attorney agree that a convicted person is not likely to commit another crime. If the person maintains a clean record for the required five years, the offense may be stricken from the records.
- \* The **Missouri** General Assembly authorized the transfer of incorrigible youth from the state training school to the intermediate reformatory or other adult penal institutions, providing that a court hearing is held.
- \* In **Arkansas**, the Department of Corrections was authorized to operate a work release program for inmates and establish a youth rehabilitation treatment facility. The legislators recently approved "an act authorizing the establishment of the criminal detention facilities board; to enable the board to promulgate minimum jail standards by rule; to empower the board to assist local governments in complying with such standards; to further empower the board to close those facilities which do not comply, subject to appropriate judicial review; and for other purposes."
- \* The **Virginia** General Assembly authorized furloughs for inmates of certain penal institutions, outside employment of convicts, and attendance at outside educational programs.
- \* In **Indiana**, the corrections department was permitted to operate community pre-release centers. A corrections commissioner may grant temporary leave for inmates to prepare for their lives after release. Legislation also provided for the creation of a Probation Standards and Practices Committee and a probation service fund.
- \* A separate department of corrections was established focusing on rehabilitation rather than punishment in the State of **Rhode Island**.
- \* Counties in **Iowa** were authorized to have minimum security rehabilitation centers. Prisoners assigned to the centers are

permitted to participate in work release programs instead of going to jail.

- \* The commissioner of **West Virginia's** public correctional institutions was given authority to transfer inmates of prisons from one facility to another.
- \* Legislation in **New Jersey** has created a full-time parole board.
- \* An Office of Ombudsman was established in the **Minnesota** Corrections Department to handle inmate grievance procedures.
- \* Transfers of certain **South Carolina** inmates to correctional institutions in other states for confinement, treatment, or rehabilitation were authorized by the Legislature. Juveniles under the age of 17 are to be sent to separate correctional facilities.
- \* A **Maryland** inmate grievance commissioner was employed to consider problems of prisoners in the state's penal institutions.
- \* New laws in **Kentucky** authorized the Department of Corrections to establish community residential centers for convicted felons and stipulated that parole board members have a minimum of five years experience in penology. The law requires the Department of Corrections to provide assistance to the parole board.
- \* A major change in **New Hampshire's** prison parole system permits credits for good behavior, makes parole a possibility for lifers, and establishes an independent parole board.
- \* The **Hawaii** Legislature authorized construction of modern facilities to improve the conditions under which inmates are kept. It also directed the Board of Pardons and Parole to review and refix the sentence of all prisoners sentenced prior to June 7, 1967.
- \* The **Louisiana** Legislature created a juvenile reception and diagnostic center within the Department of Corrections and authorized the Department to establish community rehabilitation centers.
- \* Currently **49 states and the District of Columbia** have adopted the Interstate Compact on Juveniles, and **16** have ratified the Interstate Corrections Compact. **All 50 states** have adopted the Interstate Compact for Supervision of Parolees and Probationers.

## POLICE SERVICES

According to past national commissions, the following reflects:

### What Should Be Done

#### IMPROVE PERSONNEL

- Adopt fair, equitable, and professional personnel standards and practices; improve recruitment and hiring procedures; increase employment of minority group members; provide adequate training and education opportunities.

#### IMPROVE PERFORMANCE

- Upgrade planning and evaluation; obtain better allocation and distribution of manpower resources; implement programs for prevention of crime and programs to deal with organized crime; improve use of investigative resources; improve arrest procedures; recognize civil rights of suspects.

#### IMPROVE COMMUNITY RELATIONS

- Improve the police image and gain the confidence of the community through positive efforts to relate to community needs and interest; coordinate police activities with the public; implement public relations programs; encourage community involvement; improve communications with public.

#### IMPROVE MANAGEMENT

- Adopt modern management techniques; develop dependable integrated records systems; expand cooperative arrangements among police agencies and where appropriate, consolidate police units; insure access to broadly based criminal information systems.

#### IMPROVE TECHNOLOGY

- Assist police in responding to sites of crime and in investigating criminal activity through the acquisition and utilization of better communications equipment; have readily available crime laboratory facilities; improve training equipment and facilities; outfit police officers with modern equipment.

### What Has Been Done

This chapter of the report describes some of the successful projects implemented by police agencies throughout the country, particularly as they relate to the above standards. Not all such projects can be included, however, as they are too numerous to list. Perhaps not even the most successful ones are described as

success is difficult to define. But the examples given have been identified by those people directly involved with their implementation and administration and who are in a position to measure success against the above standards.

It is important, too, to remember that each illustration cited is an improvement of a situation in a particular region, and because each locale differs in development, the programs and progress realized cannot be measured one against the other; each must be viewed as an accomplishment in its proper perspective.

The last few years have seen a remarkable change in the police profession. In most parts of the country, personnel practices and the quality of law enforcement personnel are meeting rigid professional standards. Management techniques have been upgraded and refined and compare favorably with those of industry and private enterprise. Operational programs of the police have been greatly enhanced, and a more effective and efficient use of resources has been experienced.

Progress in the police profession, as in virtually all professions, must be viewed as a continuing process. It does not occur overnight nor in a simple statement of intent. It takes time. For the most part it is generated from within, the desire for self-improvement being a strong, natural tendency of all professionals. Change is also prompted by external influence, and it is fair to say that the recommendations of the national commissions have had a definite impact in producing many of the improvements which have taken place.

Police agencies today are testing new ideas. They have incorporated advances in data processing techniques into their operations and have greatly increased utilization of crime laboratory skills. Police agencies have entered into numerous cooperative arrangements such as regional procurement and storage of equipment and combined radio and dispatching activity. Police have also entered into cooperative efforts with other components of the criminal justice system as well as with other agencies concerned with the safety and well being of the community. Police departments throughout the country are working more closely with all segments of the population, and police-community relations are being improved through better communication and public information programs.

Police agencies have been the subject of considerable criticism by the various national commissions on crime. Though some is duly

deserved, much of the criticism is disproportionately applied or misdirected. Such is natural in that the police are the most visible segment of the criminal justice system. Police perform their duties in open view of the public. Police agencies serve as the buffer between socially accepted standards of behavior (as defined by the law) and individual transgressions. Police deal directly with the victims of crimes. These same victims sometimes react by holding the police responsible for a crime because an otherwise tangible cause or person is not at hand. Police frequently work in emotionally charged situations requiring prompt and direct action; their errors, no matter how few, are quickly and readily identifiable. The police are monitored continually both by government agencies and by informal citizen observation.

In reviewing how the police agencies have responded to the demands placed upon them, and in particular to the several commissions' recommendations, numerous things become evident.

Today's officer is better educated and trained. Today's officer is properly equipped and has resources available undreamed of only a few years ago. The modern policeman is concerned with improving his image and is taking positive steps to develop a close rapport with members of his community. Police agencies are better managed and police officers enjoy improved personnel procedures and techniques. Today's policeman performs his duties on a well-planned basis and is infinitely more successful in the execution of these duties than was his predecessor. Although police progress is a continuing process, it is satisfying to see that much has already been accomplished, and that there exists a concern and potential for continued improvement in the future.

#### IMPROVE POLICE PERSONNEL

Police work is largely social in nature in that policemen deal with people on a one-to-one relationship. These people may be the victims of crimes, witnesses to crimes, suspects in crimes, or, more usually, persons in need of one of a variety of miscellaneous services provided by the police. And, a policeman's work is usually conducted in a public situation of one kind or another; for this reason the key to successful police work rests primarily with the quality of the individual police officer. Accordingly, improvement of police personnel is *the* most important facet of improving the police function.

Professionalization of police personnel has always been of concern within the police field. Efforts to improve the quality of individual officers through the development of standards and through the implementation of good personnel practices and adequate training have long been in existence. In the past few years additional resources have greatly accelerated activities toward meeting these objectives.

### Getting the Right Man on the Job

Traditionally, standards for employment have been set by individual police agencies. Although many of these agencies were successful in implementing high standards, others were not. Today, most police agencies have adopted professional personnel practices for recruitment, basic training, and promotion designed to attract, retain, and promote the best qualified individuals, independent of political pressures.

The recruitment of qualified young men into the police service has historically been tenuous and difficult. Salaries are generally inadequate, the prestige of police work is low, and advancement is slow. Great efforts have been made, however, with significant progress being shown in the area of recruitment of persons from minority groups.

- \* Of the fifty states and the District of Columbia, all but eighteen have adopted mandatory minimum standards for the basic training of police recruits. Of the remaining eighteen states, eleven have either voluntary state training programs or mandatory training for specified state agencies. Most states have adopted minimum standards which include the requirements of at least 240 hours of basic training and that recruits have graduated from high school, have not been convicted of a crime, are U. S. citizens, complete an interview process, and submit to a background investigation.
- \* The **Tennessee** Legislature, in 1970, passed a minimum standard law establishing employment qualifications for every police officer in the State. Standards included a minimum education requirement prior to employment, completion of a certified basic police training course, and proof of high moral character of applicants. As a result, a higher caliber of individual, professionally trained, is now employed in law enforcement activities throughout the State.

- \* In **North Dakota**, the Highway Patrol has established minimum standards for recruitment and employment which require educational achievement of at least two years of college.
- \* In **Minnesota**, there has been a major expansion in the development of basic police training. In the four-year period from 1967 to 1971, 37 separate training sessions were conducted and approximately 1,400 students received training. Developed by the State, this eight-week basic training course with a uniform curriculum is benefitting all of the 503 local law enforcement agencies.
- \* In **New York**, funds were provided for an internship program wherein law students were employed in a number of criminal justice agencies on a full-time basis during summer vacations. Those agencies included police departments, sheriffs' departments, and probation departments. Largely as a result of this positive exposure to criminal justice agencies, many of these students have subsequently taken permanent employment in the field.
- \* The **Massachusetts** Department of Public Safety has implemented a minority recruitment program designed to attract, on a continuing basis, capable, qualified, interested candidates from minority communities throughout the State.
- \* In **New York**, the State Police have invested a considerable amount of money in conducting an intensive recruitment campaign designed to increase the number of minority-group representatives on the New York State Police. This program not only includes recruitment but is designed to identify administrative requirements that tend to dissuade minority-group members from entering the police service.
- \* The states of **California, Michigan, New Jersey** and **Texas** have implemented a project to improve the performance of criminal justice personnel. This project, entitled STAR (Systems and Training Analysis of Requirements for Criminal Justice Participants), has successfully identified roles, tasks, and performance objectives for the police as well as for courts and corrections. Additionally, requirements for knowledge, skills, education and training have been established for the police. Training packages are being developed to meet identified needs.
- \* The **Alabama** Department of Public Safety initiated a long-range cadet training program designed to provide in-depth

training for a minimum period of one year to young men who are interested in pursuing a police career with the Alabama Department of Public Safety. The program in Alabama included not only training in a classroom setting, but on-the-job training as well.

- \* In **Florida**, the Duval County Sheriff's Department developed a cadet program designed to attract high school graduates into the police service. This system included cadet attendance in college classes for 12 hours a semester while working 20 hours a week. Cadets in this program work in a variety of law enforcement jobs such as police dispatching and clerical duties. In addition, police cadets ride with regular patrol units. At the end of two-years' participation in this program, police cadets earn an Associate of Arts degree and, upon reaching age 21, can become sworn police officers.
- \* In **Massachusetts**, a program was designed to provide professional psychological assistance to the personnel section of the Boston Police Department in an effort to eliminate bias from their procedures for performance evaluation.
- \* In **Texas**, the Department of Public Safety has improved their personnel selection process by evaluating the validity and effectiveness of the screening process used in the recruitment of state patrolmen. As a result, the screening process was strengthened, and higher quality recruits have been selected with greater probability they will remain employees of the agency.
- \* In **Puerto Rico**, a clinical psychologist has been employed to develop and refine procedures for psychological testing of police candidates. As a result, it is reported that better screening of police candidates has been achieved and a higher potentiality for employing better qualified personnel has been realized.
- \* In **Virginia**, the Law Enforcement Officers Training Standards Commission has established regional law enforcement training programs to provide the required 240 hours minimum basic training to every law enforcement officer. There are also numerous other regional training academies providing up to 800 hours of basic training for larger departments.
- \* The development of statewide basic recruit training programs has had some unexpected ancillary benefits. For instance, in

**Idaho** it is reported that a reduction in the rate of turnover among Idaho police officers resulted subsequent to instituting basic recruit training. As an example, the Boise Police Department traditionally had experienced an annual turnover rate of up to 20 percent; in 1971, following implementation of basic recruit training, the turnover rate dropped to less than five percent.

### Training and Education

Training in the police service does not end after a policeman is given his initial assignment. It continues throughout all phases of an officer's career. Much of it is conducted by staff employed by the agency who have accumulated considerable experience and have developed areas of specialization. Much of it is provided by colleges and universities which have developed curricula designed to help an officer deal with the many and varied demands placed upon him. Many agencies have encouraged their personnel to attend college and to work toward the attainment of academic degrees. With the financial assistance provided by the federal government for student loans, an increasing number of educational institutions have initiated a law enforcement oriented degree program. In 1967, only 184 institutions offered degree programs in law enforcement or criminal justice education. Today, 515 institutions are offering degree programs in the profession, including 211 with baccalaureate programs, 41 with master's degree programs and nine with programs leading to a doctorate.

Among the numerous programs being conducted by the states are:

- \* **Utah** has established the Peace Officers Standards and Training Unit which provides every officer in the State with 40 hours of certified in-service training annually. Classes on law, police techniques and procedures, criminal investigation, traffic control, and community relations are given as a part of the program.
- \* The **Colorado** Law Enforcement Training Academy and the Colorado State Patrol have developed a pursuit driving course designed to assist officers in learning the safest and best methods to use in high-speed pursuit driving.
- \* In **Oregon**, a training course was prepared to instruct officers on how to deal with family arguments. Entitled "The Family

Crisis Project," it instructs officers in the sensitive area of domestic disturbances.

- \* **Illinois** developed a specialized civil disorder training program, which was presented to over 1,000 local police officers and university security police. The program, consisting of 40 hours of classroom and field training exercises, was carried out by a special detail of Illinois State Troopers at the local officers' headquarters.
- \* In **Alaska**, an unusual, though ambitious, program was launched to provide training for native Indian and Eskimo village police officers.
- \* In an innovative program, the State of **Kansas** in 1972 became the first to impose a minimum training requirement for all newly elected sheriffs. These officers are now required to satisfactorily complete a minimum training program of no less than 120 hours.
- \* In **North Dakota**, Minot State College received federal support to implement a two-year police-science course. This was the first such degree program in that State.
- \* The **California** Commission of Peace Officers' Standards and Training has developed a statewide model training program.
- \* The **Texas** Department of Safety has developed 47 multi-media programmed courses for police training in law enforcement. The training modules developed in this program can be used for in-service training by local communities within the State or by other state law enforcement agencies.
- \* The Metropolitan Police Academy in Portland, **Oregon**, conducts a special 40-hour program on "understanding people." Emphasis is on practical and applied psychology.
- \* The **Illinois** State Police have developed a specialized training program targeted on training law enforcement officers to better respond to unusual or stressful situations. This training, using a series of films which simulate various stress conditions, prepares officers to handle occurrences of personal, emotional, or group stress.
- \* In **Texas**, evaluation of the present training program to improve, modify, intensify, and restructure, if necessary, the entire curriculum for recruiting, in-service and specialized training programs is presently underway.

A major problem exists for smaller communities in providing officers with basic or in-service training conducted away from the community in which they work. Small departments frequently cannot relieve a man from duty for long periods of time to attend these courses and at the same time maintain an adequate level of police service within the community.

- \* In **Kentucky**, this problem was met head on through the development of a mobile training unit. The facility is designed to bring courses to the local police agency, as opposed to having members of those agencies attend regionalized training classes.
- \* In **Ohio**, Lorain Community College, through its police-science program, received funds for a 35-foot house trailer to be used as a mobile classroom for conducting in-service training for officers of smaller police departments in the State. This program will allow individual municipal agencies, which cannot deplete manpower resources by sending officers away to school, to provide community-based, in-service training.
- \* In **Puerto Rico**, a correspondence course for police officers was initiated. The course averages 15 subjects and a total of 27 lessons. Between May of 1971 and April of 1972, 5,547 police officers of varying ranks enrolled in this program of home study.
- \* In **Minnesota**, the Attorney General's Office, working in concert with a midwestern educational television station, developed video tape police training programs. The programs were sent to thirty-five stations throughout the State where they are shown and retained for use in continuing training programs.
- \* In **California**, a number of regional criminal justice training centers have been established. One such center is located at the west campus of Modesto Junior College and provides a training center for the counties of Mariposa, Merced, San Joaquin, Stanislaus, Calaveras, Alpine, Amador, and Tuolumne. During the 1972 academic year, 674 students were enrolled in the training center and participated in 92,500 hours of instruction.
- \* In **California**, the Office of the Attorney General, Department of Justice, has developed a series of television and movie film presentations designed to provide law enforcement personnel in the State with a legal education needed to fulfill their

responsibilities as members of the criminal justice system. Approximately 5,000 law enforcement personnel receive training monthly through this program.

One of the major steps taken to encourage qualified candidates to enter and remain in the police service has been the implementation of salary incentive programs wherein officers who have attained a certain level of academic achievement receive additional compensation.

- \* In **Kentucky**, a program has been designed to provide a salary supplement to police officers who complete 400 hours of basic training and 40 hours a year of in-service training. Other similar programs are concerned not only with training received by officers but academic accomplishment either prior to or during employment.
- \* In **Oklahoma**, Oklahoma City and the city of Lawton received grants to provide partial funding for incentive pay to officers who have completed academic work. This program has resulted in an increase in the number of college graduates recruited into the police service in these two communities.
- \* In **Utah**, the Salt Lake City Police Department has implemented a salary incentive plan for police officers who have completed some academic work. As a consequence of this program, the number of officers attending college classes increased in approximation from 25 to 80.
- \* The police department of **Wilmington, Delaware**, through use of federal funds, has developed an educational incentive program wherein officers are paid an extra \$10 a year for each college credit obtained (to a maximum of 50 credits). At least 122 officers have received incentive pay as a result of this program. It is reported that the quality of police officers has progressively increased as an effect of the incentive program for attending college classes.
- \* The **Marietta, Georgia**, Police Department received grant support for a salary incentive program heavily emphasizing educational achievement. Twenty percent of the officers of the department had obtained college credit in anticipation of the salary incentive awards.

As has been indicated, the importance of improvement of police personnel cannot be understated. In contrast to the police officer

of a few years ago, today's officer is in all probability a highly educated, well-trained professional who not only is able to perform well in a police role, but performs his duty with empathy and professional demeanor that exist nowhere else in the world.

## IMPROVE POLICE PERFORMANCE

Police duties are extremely diverse and difficult to define fully. They vary from city to city, between counties and cities, and among levels of government within the state. The broadest definition of the scope of their duties includes crime prevention and patrol; investigations (general as well as specialized investigative activities such as those related to crime problems and narcotics problems); and the area of traffic safety. Police duties also involve the apprehension of violators of the law, and in the process, the assurance that suspects' rights are closely guarded. An additional feature relating to police operations is the faculty for police units to involve the public in crime prevention and other police operations.

All of the commissions concerned with the criminal justice system in the United States have addressed themselves to the adequacy of police performance in terms of operational efficiency. This is particularly true of the recent Peterson Commission which set standards and goals for police operations and of the Eisenhower Commission of 1969, which recommended an increased number of foot patrols within the city areas, increased police community relations programs and improved police preparations for anticipating, preventing and controlling disorders.

Police agencies have made significant progress in improving police performance and operations during the past few years. The availability of additional resources from the federal government under the Omnibus Crime Control and Safe Streets Act has aided in the implementation of a number of innovative programs and in the expansion of traditionally successful programs across the nation.

### Preventing Crime

The most effective means of dealing with crime is to prevent it. However obvious that concept, however uncontroversial the statement, prevention is the most difficult part of law enforcement activities to accomplish.

The police are no more gifted as a group than are any other component of government or society. They do not have exclusive insight into the root causes of crime, nor do they have the secret for correcting the causes which produce the criminal. And they certainly cannot apprehend a potential criminal before he becomes involved in some form of criminal activity.

Poverty, poor housing conditions, lack of meaningful employment, and all the manifestations of frustration which come from such environments are fertile fields in which criminal activity is spawned. But police activities did not create these conditions, nor can they easily correct them; they must deal directly with the results of such situations.

In spite of the enormity of the problem, police agencies do recognize that only by gaining an appreciation of the elements which encourage criminal activity can they deal effectively with it. They also realize that they need the cooperation of other segments of the criminal justice system and of all citizens in the community to reduce the opportunities for criminal acts. The list of programs and activities in which police are engaged to prevent crime throughout the United States is far too long to be included in this report. However, the following illustrations provide examples of what is being done.

- \* In Highland Park, Michigan, a specially formed Crime Prevention Bureau was established, consisting of one police lieutenant, one police officer, a civilian crime prevention specialist, a Highland Park community relations coordinator, and two civilian crime prevention assistants. This Bureau conducts inspections of business and residential buildings and provides advice concerning burglary prevention measures which should be taken. In addition, members of the Bureau engrave equipment with identifying marks, thereby reducing the potential for burglary by making such equipment readily identifiable if stolen. The impact of this program—based on a six-month period—was a 21.4 percent decrease in robbery; a 16.2 percent decrease in larceny; and a 5.5 percent decrease in burglary.
- \* In California, an intensive effort has been made to reduce the incidence of burglaries. In Monterey Park (one of several areas involved in this program), "Operation Identification" is in effect. Decals were placed on windows and doors warning potential burglars that the property in the home has been identified and is easily traceable by the local police. Results

are impressive: of the 4,000 participating residences, only three were burglarized; of the 7,000 non-participating residences, 1,800 were victims of burglary (0.0007% as compared to 25.7%). Throughout the State, burglaries have been reduced by an estimated 30 percent.

- \* The cities of Richmond and Norfolk and Fairfax County, Virginia have initiated a special burglary prevention program called High Incidence Target (HIT), which concentrates added police resources in a specified high-crime area of each locality. The goal is the reduction of burglary by 25%. Eight more cities and counties will be added to the program in the next several months.
- \* In Jefferson County, Kentucky, police officers were permitted to take their police vehicles home and use them for personal business while off duty. The presence of these visibly marked vehicles, whether on official or unofficial duty, has a tendency to reduce violations and crimes. Results indicate a marked decrease in crime and accidents: in a 12-month period, robbery was reduced by one-third; burglary by 30 percent; auto theft by 42 percent; and larceny by five percent. Even the number of traffic accidents was reduced by 14 percent.
- \* In Takoma Park, Maryland, crime control teams are working with local merchants to prevent crime by improving security measures in high-crime areas. This program has been credited with reducing major crimes by almost 12 percent in that city.
- \* In Springfield, Missouri, 23 additional officers were added to the patrol force. Springfield had been unable previously to provide full police coverage to the established 12 geographic patrol districts in the community, but the addition of these officers will enable the police department to better service the community through crime prevention activities of the patrol force.
- \* In Phoenix, Arizona, special attention was given to the Marcus Denza section which was experiencing a high-crime rate. Three two-man foot patrols, specially chosen and trained for this undertaking, were assigned to provide service and at the same time to develop a closer rapport with the citizens in the area. While working in the community, they solicited citizen complaints, discussed local problems and made serious efforts to demonstrate police interest in helping everyone. This pro-

gram has resulted in an improved citizen attitude toward police work, a better understanding of police service to the people and a decreased incidence of crime.

- \* In **Oklahoma City, Oklahoma**, a "Community Service Cruiser Program" has been initiated. Police cars are manned by a specially trained community service officer as well as by an experienced police officer. These men were selected from the neighborhoods to which the cruisers are assigned. They respond to calls for assistance involving many situations including family disputes, lost children, potentially unruly gatherings, and the like. This police effort was coordinated with the Youth Corps, the NAACP, local poverty agencies, and other interest groups in an excellent example of common interest cooperation.
- \* In **Isla Vista, California**, a "store-front" police office was set up, and its officers placed on foot patrol to obtain a closer relationship with the citizens. This city is serviced by the Santa Barbara County Sheriff, who reported a 24 percent reduction in crime in 1971.
- \* In **Holyoke, Massachusetts**, a team policing concept has been organized. Twelve patrolmen, two sergeants and a captain have been assigned to handle all police responsibilities within a given geographical, high-crime area. They operate from a "store-front" office and are assisted by community service officers in their efforts to reduce crime potential. Initial successes have encouraged the Mayor and Police Department to expand the program city-wide.
- \* In **Washington, D.C.**, a youth courtesy patrol, organized by the police, has been credited with a marked reduction in crime in target neighborhoods. Young people between the ages of 14 and 18 are given special training to patrol their home neighborhoods. They are provided with two-way radio equipment and are responsible for reporting violent crimes to regular uniformed police officers.
- \* In **Baltimore County, Maryland**, a Baltimore Tactical Unit has been developed to target their operations against burglary and robbery. These specialists are assigned to work only in these fields with their efforts not diverted by other assignments. They work in locations of high-crime incidence and

have helped to reduce the number of crimes of burglary and robbery throughout the county.

- \* **Syracuse, New York**, has concentrated on high-crime areas by assigning a crime control team, provided with specialized training, to concentrate on felonies. These men have been accepted as part of the community by the residents, and through this close relationship between the police and the community, street crime has been reduced.
- \* **Salt Lake City, Utah**, has reported a 12 percent reduction in serious crime as a result of a special tactical team patrolling high-crime areas. In addition, through a specially designed program, there has been a 20 percent decrease in burglaries.
- \* **Jersey City, New Jersey**, and **Wilmington, Delaware**, also report successful efforts by utilizing special police/community teams in selected areas of their cities.

#### Reacting to Reported Crime

In spite of all the preventive measures that can be taken to reduce the level of criminal activity, crimes will occur. An individual, intent on committing a crime, has a distinct advantage over any police program simply because he selects the victim, he selects the location of the crime, and he plans the situation to insure that nothing will stop him from committing the crime.

In those instances where a crime has occurred, the community and the police must respond in the best way they can, but it is, by definition, an action taken "after the fact." It is here where investigative skills are most required and most directly applied, and where citizen pressures for effective police work are felt. Arrest of alleged violators is the measure by which success is judged. Programs designed to increase arrest potential are found throughout the country.

- \* The **New Hampshire State Police** have implemented a police emergency telephone system, wherein anyone in the State can be put in direct contact with the State Police communications center at no cost to the individual. This toll free telephone number will result in more rapid police response to calls for citizen assistance and thereby increase the probability of the apprehension of suspects.
- \* In **Wayne County, Michigan**, a helicopter patrol program has been adopted. These helicopters will be used in assisting

local police to respond more rapidly to situations requiring the apprehension of fleeing suspects, crowd control monitoring, emergency needs, and a host of other specialized needs. A helicopter can patrol in only 15 minutes the territory it would require a patrol car six hours to cover.

- \* Tuscaloosa, Alabama, has established a program called TIP (Turn in a Pusher) designed to encourage citizens to call the police and provide information on criminal use or traffic of narcotics and dangerous drugs. If the TIP results in the conviction of a guilty person, a reward is given the individual who reported it. A system has been developed whereby the citizens providing the TIPs remain anonymous.
- \* In Massachusetts, there are a number of cooperative efforts between the community and the police involving the patrolling of high-rise public housing projects. By being close at hand, police are able to respond to residents' calls for assistance more rapidly.
- \* In Texas, a State Motor Vehicle Theft Section has been organized to provide investigatory services to local police agencies. During the first three months this unit was in operation, 225 car theft cases were investigated and 69 criminal charges filed.
- \* In Tennessee, Georgia, and New Hampshire, there has been an upgrading in polygraph investigative activities. These services have been made available to local law enforcement agencies upon request.
- \* In Connecticut, funds were provided to assist in the establishment of a newly formed state police troop at Bradley International Airport. This troop is responsible for security and investigations at the airport facilities.
- \* In Texas, the Department of Public Safety established a state-wide organized crime intelligence unit. The unit utilizes all intelligence sources available in the State to collect, analyze and disseminate investigative and prosecutorial intelligence on organized crime. This unit has been able to identify more than 500 individuals engaged in organized crime activities in the State, isolate those areas where organized crime flourishes, and estimate the amount of money involved in organized crime in Texas.

- \* A similar unit was established in the State of New Jersey. This unit was developed to provide a facility in which intelligence information relating to organized crime can be gathered, centrally filed and properly disseminated to all law enforcement and related agencies of that State.
- \* In Pennsylvania, the State Police received funds to organize a strike force of state police officers to assist local jurisdictions in their efforts against organized crime. In 1972, this strike force made 2,227 narcotics arrests, 513 of which were of dealers in narcotics.
- \* In New York, the Attorney General's Office established a state-wide organized crime task force. The task force has been involved in a wide variety of activities including investigations of fraudulent bond cases, multi-state burglary rings, gambling, cases involving stolen securities and efforts aimed at arresting and prosecuting high level crime figures in the State.
- \* In Rhode Island, an organized crime unit has been established. It is reported that this unit has been extremely successful and that a number of highly placed organized crime figures have been sent to prison. Additionally, organized gambling rings have been interdicted, with over 200 arrests resulting from the efforts of this unit.
- \* In Michigan, the Attorney General's office has developed a viable unit aimed at attacking the structure of organized crime in the State. Helped by federal funds in the early stages, the organization is in the process of phasing out federal support and will be funded totally from the state budget in the future.

A problem of major concern in the country for the past few years has been the increase in use and abuse of narcotics and dangerous drugs. A number of projects have been funded throughout the country aimed at dealing with this problem.

- \* In Iowa, the Division of Narcotic and Drug Enforcement was established in early 1971. Members of this unit have identified and secure evidence against more than 200 major traffickers in drugs throughout the State.
- \* In Mississippi, a state Bureau of Narcotics was established within the Department of Public Safety. This Bureau which became operational in October of 1971, was developed in re-

sponse to a rapidly increasing caseload involving drug abuse within the State. In its report to the Legislature for calendar year 1972, the Mississippi Bureau of Narcotics reported having opened 523 cases involving 720 defendants and having seized or purchased over \$700,000 worth of illegal drugs. Additionally, and perhaps most importantly, the Bureau boasts a conviction rate of 99 percent of those persons arrested for narcotics and dangerous drugs violations.

- \* In **Tennessee**, a narcotics task force was initiated in 1971. The task force, consisting of a six-man mobile team working undercover throughout the State, has been largely responsible for an increase in the arrest rate by 349 percent. The conviction rate for the narcotics task force stands at 97 percent.
- \* In **Oregon**, federal funds were used to create and operate a narcotics and dangerous drug enforcement unit. This unit directs its attention primarily to gathering intelligence data and infiltrating groups of drug users.
- \* In **Washington**, a Drug Control Assistance Unit was organized and is primarily responsible for assisting local law enforcement agencies in the detection and apprehension of drug law violators, providing training for local law enforcement officers, developing and maintaining an intelligence system relating to drug law violators, and providing crime laboratory services for local agencies.
- \* The **Texas** Department of Public Safety established a specialized unit to concentrate enforcement efforts on the control of the flow of legitimately manufactured narcotics and dangerous drugs which are diverted to illegal street sales. This specially funded unit, working in concert with local law enforcement officials, has been successful in initiating criminal prosecutions against both doctors and pharmacists involved in diverting legitimately manufactured drugs into illicit channels. A similar program with a parallel goal has been funded for the **Alabama** Department of Public Safety.
- \* In **Baltimore, Maryland**, a narcotics task force, using combined resources of the State's Attorney and the Baltimore Police Department, has been formed. The strike force, consisting of a director, three teams of specifically trained prosecutors, and seven police investigators, has the responsibility for targeting efforts at distributors of dangerous drugs in the Baltimore

area, particularly at the higher levels of distribution. During the initial period this strike force was in operation, they were responsible for more than one dozen arrests and the seizure of approximately 50 pounds of marijuana and hashish. This unit has been involved in over 60 cooperative investigations with local agencies which resulted in more than 400 arrests for possession of narcotics. Emphasis by this unit is placed on the arrest and prosecution of street sellers of narcotics.

- \* In **Wyoming**, a drug law enforcement investigator was added to the Office of the Attorney General. During the 2½ years that this program has been in existence, 136 cases were initiated, 95 of which have been cleared with a total of 152 arrests. Additionally, the investigator has provided assistance to local law enforcement agencies both in training and investigative efforts.
  - \* In **Richmond, Virginia**, a grant was received by the Bureau of Police to fund a drive against high echelon drug traffickers. Three officers comprise a special task force to concentrate on the problem.
- The Katzenbach Report of 1967 reiterated the recommendation included in the Wickersham Report of 1931 that police departments should employ legal advisors. Largely as a result of the availability of federal resources, police legal advisors have been employed by a number of communities throughout the country. Most legal advisors programs are designed to provide a full time civilian attorney as an employee of the police department to advise the department of such questions as legal decisions, warrants and warrant procedures, proposed legislation, and new statutes.
- \* In **Missouri**, the state highway patrol received federal funds to employ a legal advisor. The program proved so successful that the Missouri Legislature has continued the program at state expense.
  - \* In **Wichita, Kansas**, a state legal advisory program, which provides 24-hour-a-day technical advice to police officers, has been implemented.
  - \* In **Kentucky**, the cities of Lexington, Covington, and Louisville and Jefferson County have employed legal advisors. These advisors have assisted local agencies in such matters as the development of a multi-county regional narcotics program, revision of departmental rules and regulations, development

of publications on criminal law, provision of legal classes during in-service training programs, and establishment of legally acceptable police line-up procedures.

- \* In **Washington, D.C.**, the police department has benefitted from legal advisors for several years.
- \* In **Davis County, Utah**, a legal advisor has been hired to work with all law enforcement agencies within the county, as opposed to most programs wherein legal advisors work for only one jurisdiction. The legal adviser in Davis County provides consultation concerning individual investigations, field assistance at crime scenes, training, and other services. As a result of this program, a reduction has been realized in the number of cases lost by not guilty verdicts and in court dismissals due to improper arrests, searches, or line-ups.
- \* In **Michigan**, through the Attorney General's Office, a legal advisor has been provided to the State Police. Initiated in order to eliminate confusion and facilitate communication between the Attorney General's Office and the Department of State Police, the legal advisor program also was intended to establish an effective means of determining priorities for legal services rendered to the State Police. As a consequence of this program, improved legal services are now available to the Department of State Police, and an improved relationship between the Attorney General's Office and the police has resulted.
- \* In **Florida**, since an "Attorney General's Telephone Hotline" was installed, it has responded to more than 750 requests for information and assistance. The Hot Line is available to assist local law enforcement officers and local prosecutors by providing an immediate telephone response to requests for information concerning technical or legal problems relating to search and seizure, arrest procedures, right to counsel, and other intricate legal problems.

Federal funding, coupled with detailed state planning and the efforts of farsighted state and local law enforcement officers has resulted in a vast improvement of police performance during recent years. Police work is better planned, crime prevention programs have been successfully implemented, and patrol and investigative functions are carried out in a more modern and successful manner. Crime rates are receding from the rapid growth during the 1960's, this primarily due to the increased facility for modern law enforcement performance.

## IMPROVE POLICE-COMMUNITY RELATIONS

Though almost every commission investigating police functions in this country has made recommendations toward improving the police image, this need for improvement is probably one that will remain constant. This country was built on the basic concept of protecting an individual's rights to freedom in virtually all areas of social and economic activity—free from the imposition of governmental or authoritarian rule. "The government that governs least governs best," is but one slogan that epitomizes our heritage. Further, many of our citizens came to this country to escape persecution in their original homelands, and they were conditioned to respond with suspicion to a police force established to protect them.

Beyond the philosophical rationale for the need to continuously present the police image in a more favorable light is a practical reason: many people feel that the total criminal justice system is not concerned with their well-being and, in their judgment, is acting overtly against them. The police are seen as the symbol of such a system and, therefore, are not to be trusted.

Police are people too. Their backgrounds and traditions are not far different from those of the general public. They share the same problems seeking an education for their children, maintaining their homes and families in the best manner they can, and having concern with safety for themselves, their families and their communities. And because of the responsibilities of their position, they are the first to recognize their need to develop a positive image with the public they serve. They know that information relating to crime is easier to obtain from the public when police officers have a good image within the community. Moreover, numerous aspects of their job are made easier where this condition exists, and they have sought to encourage it.

For many years, police have sponsored activities, such as the Police Athletic League, which have sought to encourage a better understanding between young people and themselves. There have been many instances where police officials and officers have been active in community affairs in both their professional and personal capacity. But, as has been stated, more is expected of them and, indeed, more is needed.

Though other sections of this report include many references to

activities that help to upgrade police-community relations, this section will identify several specific efforts in this direction.

### Informing the Public

Police programs designed to inform the public about crime and about the operations and activities of law enforcement agencies serve two purposes. The public becomes aware of crime patterns and, therefore, is better able to guard against becoming victims of offenses; and the police image is enhanced through their efforts to help the community avoid injury or loss. The increase in resources over the past few years have helped to expand this effort.

- \* In Glendale, Arizona, a program has been in operation which provides, among other projects, a parent workshop on drug education; visits by police officers to newly established businesses in the community to give advice on security and self-protection; ride-along programs wherein citizens ride in patrol cars with regular officers; tours of the police station; programs involving the identification of personal property; and an interesting program wherein police officers have lunch at elementary schools with the school children.
- \* In Wisconsin, a film has been produced entitled, "You be the Cop." The film demonstrates the many daily problems of the policeman and the fact that many decisions must be made under difficult situations.
- \* In Los Angeles, California, an extensive police-student program has been implemented by the police. It includes the assignment of 30 fulltime officers as teachers in junior and senior high schools within the Los Angeles City Unified School District. As faculty members, the officers teach a course, "The Police Role in Government." It includes sections on the administration of justice and criminal and juvenile law. California court systems, the California motor vehicle code, narcotics, crime prevention and dangerous weapons laws. This course is now a required subject in junior high schools and is an accredited elective in senior high schools. All 30 officers hold California teaching credentials. In addition to classroom responsibilities, they serve as counselors to individuals or groups, sponsor student clubs and participate in social activities. Some officers assist in coaching athletics and all attend faculty and parent-teacher meetings.

- \* In Texas, a public education program concerning organized crime in the State was conducted by the Department of Public Safety. It was designed to inform the public about organized crime activities and to generate concern about criminal behavior of all kinds.
- \* in the city of Valdosta, Georgia, the program, "Operation Crime Curb," consists of week-long activities intended to inform the public about police department efforts to combat crime and how the public can assist the local police. The initial Operation Crime Curb included the printing and distribution of brochures and bumper stickers throughout the community, as well as the development of educational films and radio announcements. A second week-long effort, similar to the first, was repeated after a six-month period.
- \* In Flagstaff, Arizona, a police cadet program involves visits to the Guadalupe Elementary School by police officers who speak to the seventh and eighth grade pupils about various phases of police activities.
- \* In Lancaster County, Nebraska, a school resources officer program is in operation. This program has as a primary objective the building of positive attitudes toward the criminal justice system. Law enforcement is given priority attention, but prosecution, courts, and corrections become an integral part of the project by virtue of classroom presentation and field trips. Eight officers (six Lincoln police and two Lancaster County deputy sheriffs) are responsible for 80 rural, urban, public and parochial schools. The officers average 250 presentations per month and spend additional time with junior high and elementary school students in non-academic activities. The officers also patrol school areas before and after school, which is the protective feature of the project. Child molestation and traffic safety are given considerable attention during patrol time. A criminal justice institute for teachers, held during the summer months, augments the program. The fact that there is a joint police-sheriff program operating on a county basis makes the project unique. It is also significant that the project is directed by a civilian.
- \* In Missouri, an educational program which informs the public of the availability of treatment for drug users has been effective in directing addicts to treatment centers.

- \* In Missouri, a "Lock It and Pocket the Key" program has been implemented to reduce auto theft, thereby informing the public of the need to remove ignition keys from parked vehicles. As a result of this program, auto thefts were considerably reduced (1,160 in one year) and the number has continued to decrease.
- \* In St. Louis, Missouri, community action has been directed to crime prevention through such programs as the "Women's Crusade Against Crime." Ten thousand women were recruited for this anticrime program and 5,000 block watchers were enlisted as crime spotters.
- \* In Charlotte, North Carolina, a seminar is being conducted as part of a total community relations program which discusses personal civil rights and responsibilities of citizens.
- \* Almost every police department in the country has conducted formal educational programs designed to assist members of the community in protecting their personal property and individual safety.

#### Responding to Public Concern

One of the characteristic traits of American society is the apparent need of its citizens to group together in associations of common interest. In observing the American scene, Alexis deTocqueville said:

The Americans of all ages, all conditions and all dispositions constantly form associations. They have not only commercial and manufacturing companies in which all take part but associations of a thousand other kinds, religious, moral, serious, futile, restricted, enormous, or diminutive. The Americans make associations to give entertainments, to found establishments for education, to send missionaries to the antipodes. Wherever at the head of some new undertaking you see the government of France or a man of rank in England, in the United States you will be sure to find an association.

It might also be said that most of these groups, regardless of their reason for being, have expressed their views regarding crime and the criminal justice system. This applies not only to formally established organizations and associations, but to those groups which have been formed because of common grievances or demands for equal opportunities and justice from the "Establishment." Too

often, however, these views reflect more emotion than understanding of the police aspect of the crime problem.

Only a few years ago, the United States suffered from an eruption of civil disorders. These situations are particularly tragic in that many stem from reasonable complaints by minority group members about the situation in which they find themselves or the conduct of some institutions within society.

The police have taken various steps which will allow for legal and proper demonstration against unjust social conditions while at the same time reduce tensions and anxieties which might escalate into disturbances. A number of agencies have become involved in disorder prevention activities wherein frequently the police themselves work closely with minority group members to diffuse tension and reduce the likelihood for illegal disturbances. Some of these programs are conducted by a third party.

- \* In Massachusetts, the Department of Public Safety has initiated a Community Assistance Group which is responsible for acting as mediator between dissident groups and law enforcement officials in volatile situations. They are charged with providing liaison between demonstrators and police in potential conflict situations throughout the State.
- \* In New Jersey, the Department of Public Law and Safety, Division of the State Police, has instituted a State Special Services Bureau which is responsible for providing technical assistance in potential civil disturbance situations. A feature of this program has been the creation of citizen groups for the prevention of such disturbances.
- \* In Georgia, the Department of Public Safety has established a Civil Disorder Tactical Assistance Unit to provide the means whereby hostilities may be avoided and lines of communication opened between law enforcement officers or agencies and volatile community groups. This unit deals with potential racial disturbances and potential riot situations involving youths.
- \* In Dayton, Ohio, a conflict management bureau within the police department is charged with the responsibility for maintaining lines of communication between the police and the community and for improving relations through the identification and reduction of tension-causing conditions. Dayton reports a significant drop in the number of disturbances and

reports of malicious destruction as a result of the activities of the conflict management unit.

- \* Prince Georges County, **Maryland**, has developed a police-community relations unit which works closely with an established citizen advisory board in municipalities of that county. The board consists of representatives from police agencies, civic associations and the general public.
- \* New Castle County, **Delaware**, has employed a community-relations officer who acts in liaison between police agencies and various segments of the community. He is responsible for attempting to bring the police into closer contact with the public through two-way communications with neighborhood councils, public schools and the like.
- \* In Columbus, **Ohio**, approximately 300 police officers attended an 18-hour course in "understanding human behavior" offered by the Ohio State University Office of Consulting Education.
- \* In Charlotte, **North Carolina**, locally based social services units were established to receive community grievances.

#### Lending a Helping Hand

One of the surest ways that policemen can win the confidence of the public is to provide some kind of personal assistance to those who need it. This service can be considerably more than the protection of individuals or places of business. Participation in athletic programs for younger people is one such method that has long been an example of such involvement. Through such programs as the Police Athletic League, many youngsters from all walks of life have been introduced to organized sports. Baseball, football, basketball and boxing are the major areas where the PAL has been involved.

Though it is an especially effective manner of having young people get to know policemen as individuals rather than as impersonal or unfriendly cops, athletics are not the only outlet for bringing together police and the general public in "non-official" relationships. Adults have seen many examples of policemen collecting food and clothing for distribution to the poor during holidays as well as other times during the year. Policemen often serve as scout leaders or as members of community groups concerned with improving the quality of life in the neighborhoods in which they work and live. The list of such activities is varied, and though no

records are kept which illustrate the wide array of personal involvement of policemen, the following indicate some examples of what is now taking place.

- \* In Phoenix, **Arizona**, the local police department works in concert with the Boys' Club of Phoenix on Project AWARE, which is designed to improve police-youth relations. As facets of this undertaking, police officers conducted a football clinic, and 15 officers each took five Boys' Club members to a college football game. The project has been credited with reducing male juvenile offenses in the community.
- \* In Fort Worth, **Texas**, five store-front centers have been established. These centers are open from 10:00 a.m. to 6:00 p.m., Monday through Friday, and are staffed by experienced police officers, specially trained in the area of community relations. Among the many activities of the store-front centers in Fort Worth is a program wherein officers tutor members of the community who are preparing to take drivers' license examinations. Officers assist citizens by providing transportation to the areas where drivers' license tests are given. Through these efforts, over 7,000 drivers' licenses have been issued to minority members of the community.
- \* In Salt Lake City, **Utah**, the police department supports a sports program involving approximately 300 youth in the community. Consisting of soft-ball, swimming, and basketball activities, this program has provided positive contacts between young people and police officials in a non-confrontation situation.
- \* In Rock Hill, **South Carolina**, a program has been initiated to employ, train and utilize community service officers. Community service officers work with youth in selected neighborhoods in an attempt to build better rapport with young people of the community. This program is reported to have improved the overall image of law enforcement officers in the community.
- \* In High Point, **North Carolina**, a community relations unit was formed with primary responsibility for working with juveniles. Officers assigned to this unit work as youth counsellors and make numerous public speaking appearances at schools and before civic organizations.
- \* In Davis, **California**, funding was provided for a program to improve community relations between the local police depart-

ment and students attending classes from kindergarten through the ninth grade. Classes are taught by police officers, and uniformed men visit schools during recess and lunch period. Additionally, high school students ride patrol with police officers to observe the police in action. It is reported that a greatly improved police image has resulted from this program.

- \* Policemen in Louisville, Kentucky, are offering an at home check cashing service to elderly residents who fear being robbed and mugged while returning from the bank. Several police officers go to a low income housing project for the elderly in order to cash their checks once a month. This service is sponsored by the Louisville Police Officers Association using funds from its bank account.

### IMPROVE POLICE MANAGEMENT

Most commissions examining the police structures in the country have recognized the need for improving police management. The Wickersham Report in 1931, addressed the problem of management in rural areas, advising that state police forces with responsibility for rural police protection be established. The Katzenbach Report of 1967, recognized the need for improved police management and recommended that states provide assistance for management surveys of local communities. The Peterson Commission made broad recommendations concerning the consolidation of police activities and departments, contracting for police services, and police cooperative efforts. The need for improved management techniques, development of adequate police records and information systems, and the proper utilization of police personnel are major areas of concern.

### Financing Police Services

Behind the need for improved police management is the recognition that public monies, raised by taxes, are supporting police activities. Every effort must be made to deliver police services at the minimum cost and to realize maximum payoff from every dollar spent.

There are approximately 35,000 law enforcement agencies throughout the country, varying in size from a one or two man operation serving a small village to a several thousand man force serving a large city. Though the functions performed by each

depend on their capacity to perform as well as on the demands of their constituency, invariably, they all seek to do more than their limited resources enable them.

Like so many other public agencies, each police agency has tended to develop an in-house capability to conduct or support its operations. This has led to the establishment of many departments and facilities which have not been fully utilized. More importantly, even if an in-house resource was being fully utilized, its service was frequently duplicated by neighboring police agencies.

Additional resources for law enforcement in the last few years have brought with it not only the means to do more, but also the public demand that these funds be efficiently used. Public attention to crime and the criminal justice system has been directed to management operations as well as to effective law enforcement. Police officials have also been concerned with realizing the most from their available funds. Among some of the more productive steps having been taken to minimize spending are a greater use of cooperative arrangements with other police agencies; consolidations of police forces; community contacts with larger police agencies for expanded services; reliance on other public agencies for functions formerly performed by the police; and the use of civilian personnel for non-police functions. For example:

- \* In New Jersey, seven small police departments in Hunterdon and Morris Counties were able to combine dispatching operations. These communities serve approximately 40,000 people and cover 250 square miles. Dispatching is provided on a 24-hour-a-day basis.
- \* In Maricopa County, Arizona, a similar effort to combine dispatching operations of five local police agencies has resulted in a substantial reduction in cost. These five agencies have formed a multi-jurisdictional police communications network with one of the participating agencies, the El Mirage Police Department, responsible for all dispatching.
- \* In Illinois, Lee County and the city of Dixon have cooperated in the construction of a new police facility to be shared by these two agencies. By eliminating the need for two separate buildings, there will be a considerable savings to taxpayers.
- \* It was recognized by officials in the state of Missouri that small police agencies could not equip themselves for all potential problems. Accordingly, cooperative equipment pools have

been established and the necessary equipment required during emergency situations is available to all agencies in a respective area.

- \* The State of **Washington** has established five regional equipment pools, wherein specialized equipment is available on a 24-hour-a-day basis. As a part of this project, necessary training is provided to users in the use, care and repair of such equipment.
- \* **Connecticut** has developed similar equipment pools on a cooperative basis with resulting savings and improved management of equipment needs.
- \* In **Minnesota**, four cities and eight counties have combined to form a metropolitan area narcotics squad to serve the entire area. It is reported that this unit is largely responsible for reducing the availability of drugs in the area by at least 20 percent.
- \* In **Broward County, Florida**, a Narcotics and Dangerous Drug Intelligence Unit has been established to serve the county as well as eight municipal police agencies. During its first six months of operation, over \$800,000 worth of narcotics were seized by officers assigned to this unit.
- \* The **New England Organized Crime Intelligence System** is working to develop an exchange intelligence information system regarding organized crime among the six states in the New England region.
- \* In **Illinois**, a multi-state command officer training program has been undertaken. In this program, 415 command officers from four different agencies attend training programs concerned with State Police organization and development.
- \* A metropolitan drug unit was developed for the greater **Toledo, Ohio**, area which also provides drug law enforcement efforts in both **Ohio** and **Michigan**. Administered through the local council of governments, the consolidation of drug enforcement efforts by these communities has been successful. It is reported that the unit has been responsible for seizing an estimated \$11 million worth of illicit drugs and narcotics.
- \* In the **Mid-Monongahela Valley of Pennsylvania**, police agencies have consolidated records, dispatching, and some investigative functions. This effort is administered by the local council

cil of governments and enables law enforcement personnel in the Valley to better perform their duties with increased efficiency.

- \* In **Yuma, Arizona**, the city of Yuma and the Yuma County sheriff's department have consolidated law enforcement efforts in narcotics work. During its first year of operation, 188 arrests were made for narcotics and dangerous drug violations.
- \* In **Barrien County, Michigan**, seven police departments have consolidated law enforcement efforts into a metro-narcotics drug enforcement unit, administered and operated from the sheriff's department.
- \* In **Kentucky**, the city of Louisville and Jefferson County are consolidating police departments in order to provide better, more efficient law enforcement to members of the community.
- \* In **Utah**, Salt Lake City and Salt Lake County have consolidated their jail operations. This project will result in increased economy and efficiency of the law enforcement effort in that community.
- \* In **North Dakota**, the Ward County Sheriff's Department, under contract, provides for law enforcement services to 12 cities, the County Park Board and six townships.
- \* In **Kentucky**, Davies County has contracted with the Kentucky State Police to provide police coverage as a county police force. It has been reported that this project resulted in much improved police coverage for the county and eliminated the necessity for the creation of an additional police organization.
- \* In **Edwards and Cass Counties, Illinois**, the Sheriff's Departments are providing police services to smaller municipalities under contractual arrangements. These are both county-wide police forces, the first in Illinois' history.
- \* In the city of **College Park, Maryland**, the community has contracted with the Prince Georges County Police Department for use of their juvenile officer.
- \* In **Maryland**, the towns of Kitzmiller, Grantsville, and Frittsville contracted with the Garrett County Sheriff's Department for the services of a resident deputy in each community.
- \* In **Minnesota**, the Goodhue County Sheriff's Department provides law enforcement by contract for the village of Pine Island.

- \* In Dallas, Texas, the city police helicopter patrol is provided to other police agencies.
- \* In North Dakota, there have been a number of contract police programs to provide adequate police service to rural areas of the state on a continuing basis. In Kidder County, North Dakota, individual communities have contracted with the county for police services.
- \* In Wheaton and Niles, Illinois, a pioneer effort in diversion from the criminal justice system was undertaken between the police departments and the University of Illinois' Jane Adams Graduate School of Social Work. This project involved the creation of social service units in the two police departments to assist non-violent misdemeanor offenders—juvenile and adult—in dealing with social problems without resorting to the usual criminal sanctions of arrest and adjudication. This project operates on the concept that some criminal behavior is the result of marital and/or social problems. Since the inception of the Wheaton site in June 1970, and the Niles site in May 1971, the project staff have counselled approximately 650 misdemeanor offenders referred to them directly by the police.
- \* The Scottsdale, Arizona, Police Department has implemented a successful program wherein civilian police assistants are assigned to perform many non-sensitive police duties, such as the preliminary investigation of minor crimes, investigation of traffic accidents, and traffic regulation activities. The Department reported an annual savings of 6,000 police manhours, a cost saving of \$13,000. Better utilization of uniformed officers has resulted in a 9.8 percent drop in major crime.

Local police agencies frequently find it necessary to share personnel resources when responding to special emergency problems. In these instances, police officers from one jurisdiction often work in neighboring jurisdictions. Normally, this work is performed under a mutual aid compact, but the arrangements can be more complex than is generally realized.

Such things as liability for officers' actions, health and accident insurance for the individual officers, and administrative responsibility for officers' conduct must be determined. The National Sheriffs' Association is developing a model Law Enforcement Mutual Aid Compact, designed to deal with these problems and to provide guidance to individual local police agencies when developing mutual aid compacts.

## Information Systems

Perhaps the most dramatic progress in the police area has been through the development of criminal justice information systems. Almost every state has an information system of some type available. Many of these systems have been designed on regional bases within the state; most are interfaced with other states and the national criminal justice information system (NCIC) run by the FBI. Some systems are being expanded to include not only wanted persons, wanted vehicles and stolen property but criminal history files and intelligence information. It is important to note that these programs have been developed after considerable planning efforts, often with the assistance of private consulting firms. In order to be most useful to police agencies, these systems must be designed to eliminate false, misleading or incomplete information in that this kind of information would hinder rather than assist law enforcement efforts.

It is not unusual today for a police officer working at the local level to have criminal information available within minutes from anywhere in the nation.

- \* The Texas Department of Public Safety has developed a system designed to facilitate a communications network of all Texas law enforcement agencies, state, local and federal. The system provides a common communications switching system interfaced to other state and national criminal justice information and communications systems. Since 1970, the number of terminals feeding information into and receiving information from this system has increased from 90 to 303. The average response for receipt of information has been reduced from as much as several hours in 1970, to a few minutes in 1972. This information system provides direct access to motor vehicle records, driver's license records, criminal history and the FBI's NCIC. The system, in 1972, reported a total of 1,307 "hits." (A hit is when an officer's request for information concerning a person, property or vehicle results in identification of either stolen property, a stolen vehicle or a wanted person.) Most other states have implemented or are developing systems such as that described in Texas.
- \* In Los Angeles, California, a Pattern Recognition and Information Correction System has been developed. This system is computerized to predict crime patterns throughout a community and pinpoint the times and places where crimes most

likely will occur. Input for this system comes not only from previous crime reports but from field interviews and other data. Coupled with the Pattern Recognition and Information Correction System is a Law Enforcement Management Resource Allocation System. This computerized system is dedicated to allocating police personnel based on predicted police problems.

- \* In **New Jersey**, the Department of Law and Public Safety, Division of State Police, expanded their crime reporting programs to provide documentation for police planning efforts and to allow for refined analyses of the type and time of criminal operation of concern to individual local agencies.
- \* In **Kentucky**, a statewide Uniform Crime Reporting system has been developed. This system will enable state officials to better assess statewide criminal activities based on increased local reportings.
- \* In **Delaware**, a uniform field reporting system for use by all local agencies has been designed and implemented. This is an automated statewide criminal justice records system which currently includes only police information. Subsequent plans call for the inclusion of courts and corrections information as well.
- \* A model records system was designed by the Law Enforcement Planning Agency to be implemented by all small police agencies in the State of **Utah**. Involving the tape recording of police reports, the system is designed to satisfy internal management and operational needs, supply Uniform Crime Report data, decrease officers' report writing, and improve the quality of police reports. One result of this program has been a substantial increase in the number of incidents reported to the Utah Bureau of Investigations. Incident reports increased from 400 to 1,200 per month.

#### Upgrading Administrative Practices

Running a police agency requires administrative support comparable to that of other professional organizations. Records must be accurate and up to date, reports must be timely, manpower must be efficiently utilized, and accounting systems must insure the integrity of funds spent. These and all other administrative functions must satisfy professional standards.

Planning systems play an important part in providing police officials with definitive objectives and targets. Often, the success or failure of police activities is a direct consequence of the degree to which planning systems are effectively utilized. Most state police agencies have had planning capability for some time, though effort in this area has been greatly aided by the increase in available resources.

- \* In **Massachusetts**, the Department of Public Safety established a Research and Development Bureau responsible for conducting administrative and operational research activities and for implementing plans which result from research findings.
- \* In **Alabama**, a planning and research branch was established within the Alabama Department of Public Safety to develop efficient and effective operational efforts for the department.
- \* In **Tennessee**, the Department of Public Safety established a Division of Research and Planning to develop improved programs for dealing with crime.
- \* **Illinois** and **New Jersey** have established police consulting services to provide management consulting and assistance to local law enforcement agencies. Several other states also provide this service. The Illinois agency exists as an arm of the Illinois Association of Chiefs of Police.
- \* In **Delaware**, a series of police-manpower allocation studies was conducted by a professional consulting organization. This study of police forces in Newark, New Castle County, and the Delaware State Police resulted in an upgrading of the organizational structures of the agencies and an identification of the needs for additional police personnel.
- \* In **Salt Lake County, Utah**, the Sheriff's Department has received funding for a planning and research unit. A primary assignment of this unit will be the design of an improved manpower utilization system.
- \* The **Salisbury, Maryland**, Police Department is engaged in a complete reorganization of that agency.
- \* In **Kalamazoo, Michigan**, a series of management workshops included sessions on participatory management wherein police officers were able to establish on-going communications processes between line and management personnel.

- \* In **Florida**, the Department of Law Enforcement is developing a system to better deploy their manpower resources and to plan for and evaluate selected and coordinated law enforcement efforts.
- \* In **Montgomery County, Maryland**, a computerized system for improving manpower allocation and distribution for the County Police Department is being instituted. Geographical coding and mapping of reported incidents will be used to allocate police manpower resources in accordance with recorded needs for police services.
- \* The city of **Sacramento, California**, is reorganizing the Sacramento Police Department to include the areas of field operations, crime scene investigation, juvenile delinquency prevention, narcotics enforcement and drug abuse education, records improvement, intelligence activities and training.

### IMPROVE POLICE TECHNOLOGY

The technological explosion of the past decade has been unparalleled in our history, and the future holds even greater possibilities for continuing and accelerating this pace. This technology affects all facets of life: the production of goods and services, the construction of new and different types of facilities, the development of instructional technology, electronic computers held in the palm of a hand, and the landing of men on the surface of the moon—many advancements conceivable only in the recent past.

The impact of new technology has also been felt in law enforcement activities, especially in the application of computer techniques to the wide array of information systems discussed elsewhere in this report. In this section, attention will be given to other technological improvements such as crime laboratories, new or improved equipment, and facilities.

Commissions studying the criminal justice system in general, and the police in particular, have recognized the need for improved technology. As early as 1931, the Wickersham Commission recommended the establishment of state bureaus of criminal investigation and identification, the installation of wide-area coverage communication systems and the use of technology for maintaining complete and accurate information systems. More recently, the Katzenbach Commission reiterated the need for area-wide communications and information systems, the development of com-

puter-assisted command and patrol systems, and the pooling and coordination of crime laboratory facilities.

### Crime Laboratories

Virtually all police agencies utilize crime laboratories in their investigative activities. This practice has been an integral part of police operations for some time, though the influx of additional funds in recent years has provided for expansion of this resource. Some agencies have operated such facilities for their own internal requirements, while others, smaller in size, have obtained such services from state or regional facilities. All agencies have greatly benefitted from the use of crime labs whose work, such as ballistics, fingerprint or blood analysis often is accepted as commonplace.

An important tool in investigation, the laboratories play a large role in solving crimes, and their need in the future will be even greater. To meet the increasing need:

- \* In **Colorado**, the Bureau of Investigation has established a laboratory which will provide Colorado law enforcement agencies with laboratory services for the examination and evaluation of physical evidence.
- \* In **Iowa**, the Bureau of Criminal Investigations has received funding assistance for the establishment of a full criminalistic laboratory available to all law enforcement agencies in the State.
- \* In **Georgia**, a special effort has been initiated to update antiquated equipment and add new facilities.
- \* Crime laboratory operations in **Missouri, Texas**, and many other states have been established, increased, or modernized as a direct result of the increase in funds.
- \* In **Texas**, the Department of Safety has expanded its laboratory facilities to provide more rapid and complete services to municipal and state law enforcement agencies. Additional equipment, not previously available to the lab, has been procured and is being utilized.
- \* In **Maryland**, the Baltimore police laboratory received funds for new equipment and for employing skilled civilian scientists to relieve regular police officers from laboratory duties.
- \* In **Virginia**, a state division of consolidated laboratory services has been established to provide a statewide system of

forensic science and laboratory services to all law enforcement agencies and prosecutors. There are three regional crime labs and a central crime lab, each with a full range of services.

It is important that laboratory facilities be accessible to local agencies. To meet this need, many states have developed a system of satellite laboratories. These small labs, located strategically throughout those states, are equipped and designed to provide most of the services individual police agencies need. In addition, larger facilities are established in at least one location in the state to provide expanded laboratory services.

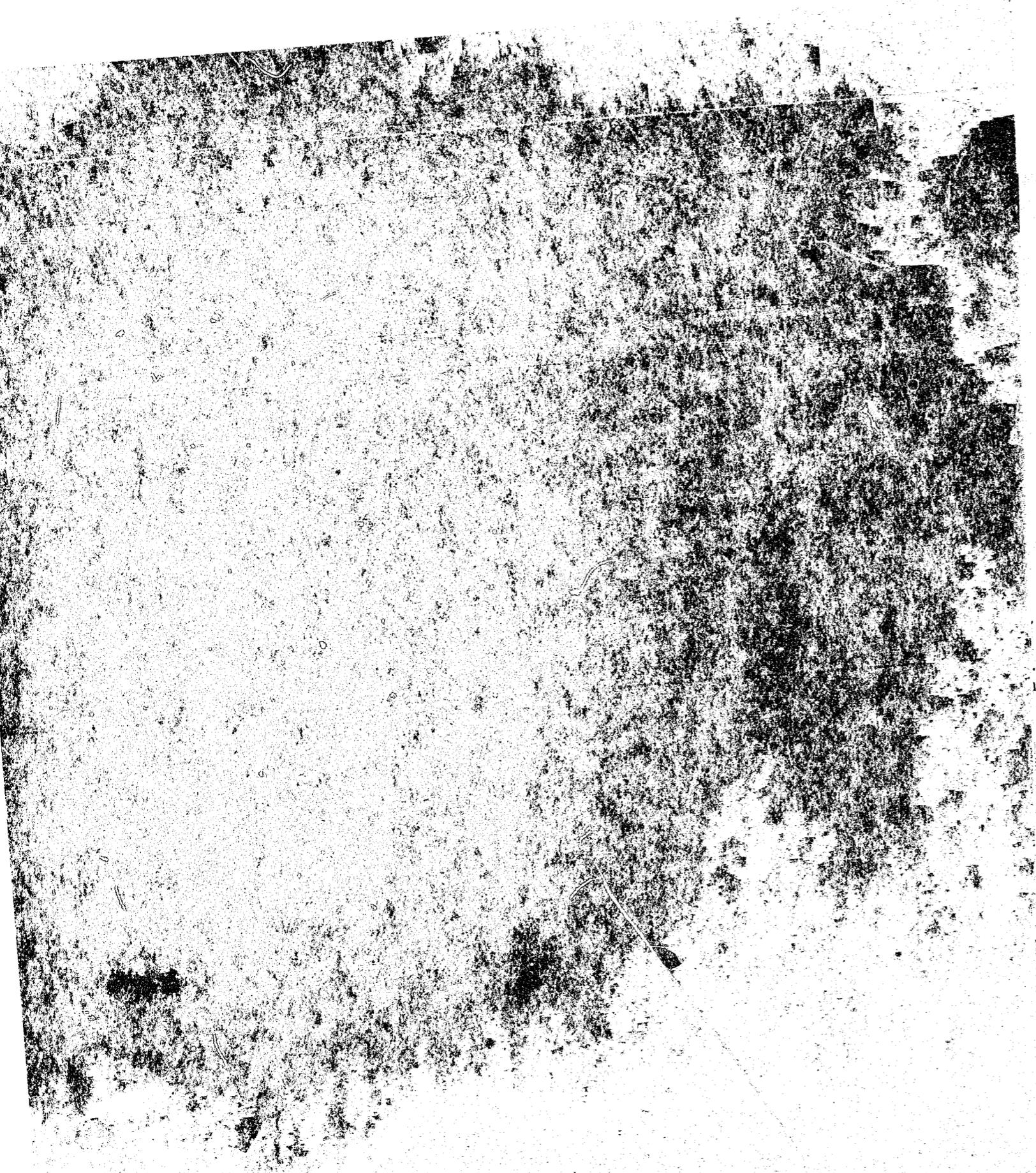
- \* In **Pennsylvania**, the State Police have established regional crime laboratories in Erie, Wyoming, Bethlehem, and Greensburg with a central crime lab in Harrisburg.
- \* In **New Jersey, Washington, Oregon, and Illinois**, similar satellite crime laboratory systems also have been installed.
- \* In **Maryland**, the State Police has been equipped with a number of mobile evidence collection units. These vans are designed to provide limited laboratory resources at the site of a crime. During the first six months of 1972, mobile evidence collection units responded to 697 State Police investigations and to 130 cases investigated by other police agencies.
- \* In **Arkansas**, crime scene search kits for field investigators were purchased to better enable police investigators to collect and preserve evidence at the scene of the crime.
- \* In **New York**, the State Police are evaluating the use of scanning electron microscopy on evidence for criminal investigations and prosecutions. The State has also directed attention to the development of a bioluminescent bomb detection device.

#### **Police Equipment**

Equipping a police agency for effective operations is a costly undertaking. A police agency needs vehicles to patrol large areas; they need communications equipment to keep each officer in touch with a central point, as well as to dispatch appropriate staff to the scene of a crime; and they need electronic surveillance and tracking devices. Though these represent only a portion of the necessary inventory, they are a significant part of a law enforcement agency's budget.

# CONTINUED

# 1 OF 2



A crucial aspect of police operations is the need to respond to the scene of a crime or to obtain information from data banks or other central points in the minimum amount of time. Time is the critical element. Because one of the best ways to reduce the time involved is to have the best available communications systems adapted to police operations, radio communications systems have constituted a major portion of procurement.

- \* In **Illinois**, a statewide emergency radio network for police vehicles (ISPERN) is designed so every police vehicle in the state will have the radio capability to communicate during emergency situations with all other police vehicles within the state. It is reported that this system has lessened the tendency of the departments to act independently in the apprehension of criminals and resolution of criminal offenses with an appreciable number of multi-jurisdictional apprehensions resulting within ten minutes of the occurrence of a crime.
- \* In **Minnesota**, a statewide radio communications system is employed that will enable every police car and dispatcher in the State to reach every other car and dispatcher immediately and directly during emergency situations.
- \* In **New Jersey**, a project was initiated allowing emergency radio communications between different law enforcement units at riots or civil disturbances.
- \* In **Arkansas**, the State Police are replacing antiquated, single frequency communications equipment with modern multi-channel facilities. This will greatly increase the communications capability throughout the State.
- \* The **Baltimore City Police Department in Maryland** is improving its radio communications by providing portable transceivers to officers and patrolmen. This undertaking will also allow the department to coordinate their frequency assignment with those throughout the State.

A variety of other equipment purchases has been made to improve police operations.

- \* The **New York State Police** are operating a mobile digital terminal to be used as direct link between police officers on patrol duty and centralized computer facilities. The mobile terminal installed in a police vehicle will allow the officer to obtain information on wanted persons, stolen vehicles and other stolen property in a very short period of time.

- \* In Allen County, **Indiana**, a similar network was installed wherein a unique mobile teleprinter system is being utilized. This system provides a direct radio link between the officers on patrol duty and regional, state and federal criminal information files. Utilizing this equipment, officers make radio requests to the dispatcher for information and a printed hard-copy response is automatically returned to the officer from the Indiana Regional Criminal Information System Computer.
- \* In Salem, **Oregon**, the State Police have obtained equipment to provide specialized bomb disposal assistance on a statewide basis. Similar equipment has been procured in a number of other states.
- \* In New Orleans, **Louisiana**, a bullet-proof personnel carrier was purchased and is available for use during special emergency situations. Recently this vehicle was used by police officers during a lengthy gun battle with a suspect in a hotel in downtown New Orleans. This vehicle can be credited with saving the lives of some of the police officers involved in this emergency.
- \* In 1968, **South Carolina** had its first major civil disorder. At that time it was discovered that neither state nor local law enforcement agencies were adequately equipped to deal with this type of problem. Necessary equipment to meet such emergencies has been procured.

#### **Police Facilities**

The increasing cost of real property, as well as the construction of physical facilities, has placed a severe burden on state and local police agencies. Through increased funding over the last few years, some locales have been able to meet their needs.

- \* In **Maine**, the Department of Public Safety received fiscal support to purchase and operate a former college campus as a state training school.
- \* In **Texas**, the Department of Public Safety was able to increase the state training facility to accommodate 435 students where previously only 200 students could be trained at one time.
- \* In Newark, **New Jersey**, a former church building was re-designed for use as police headquarters. Additions to the existing structure were made to accommodate a communications center and temporary holding facilities for prisoners.

- \* In Clayton County, **Georgia**, funds were received to assist in the construction of a badly needed police headquarters and to obtain furnishings and equipment for the facility.
- \* In the city of Charleston, **South Carolina**, federal funding was used to supplement local funds in replacing an antiquated police facility with a larger, modern and more serviceable building.
- \* In **South Carolina**, a Criminal Justice Academy was constructed for the training of all criminal justice personnel within the State. As a result, personnel employed in all disciplines of the criminal justice system will receive professional level training.

## COURTS

According to past national commissions, the following reflects:

### What Should Be Done

#### IMPROVE PERFORMANCE

- To protect the rights of individuals, initiate programs or procedures which insure prompt and just disposition of cases. Revise the bail system to avoid, where possible, unnecessary imprisonment and its impact on the poor. Provide early and adequate counsel for indigents.
- Reduce inordinate court delays and backlogs. Remove various non-criminal offenses, such as public drunkenness and traffic violations, from the criminal justice system and refer such cases for administrative determination. Improve pre-trial processes such as screening, possible diversion, and consolidation of defense motions into a single hearing. Have realistic pre-trial discovery provisions which are binding on both prosecution and defense. Recognize and formalize existing plea negotiation practices; eliminate plea negotiations at the earliest possible time.
- Separate adjudication procedures from disposition procedures. Revise sentencing procedures. Modernize procedures for review and appeal of cases.
- Increase judicial control over trials with the determination of competency of witnesses and jurors to be made only by judges. Permit juries of less than twelve to serve. Eliminate need for grand jury hearings in every felony case.
- Establish standards for all court activities, such as use of evidence, immunity and use of witnesses, publicity in criminal cases, and disposition procedures.

#### IMPROVE ADMINISTRATION

- Unify the court system in each state. Abolish or revise Justice of the Peace courts and undertake reform of all lower courts. Centralize administrative responsibility for all state courts, giving administrative authority over the entire court system to the Chief Justice. Increase personnel including judicial manpower and full-time court administrators. Provide for state financing of all courts. Provide for a single trial court of general jurisdiction.
- Establish complete professionalism of the judiciary, prosecutors and public defenders as well as of their support personnel. Toward this, reform the selection process for profes-

sional personnel; develop continuing training programs; provide adequate compensation, tenure, and retirement for all professional and supportive staffs.

- Obtain better utilization of available resources through improved scheduling of facilities and personnel. Incorporate use of more modern equipment such as computer services for docketing and scheduling functions. Provide adequate office and library facilities for court officials as well as improve facilities for witnesses and jurors; develop plans to accommodate emergency overloads for such situations as civil disorders.
- Develop and enforce standards of ethics and competence; establish commissions to review judicial conduct.

## What Has Been Done

The repeated similarity among the recommendations of the various commissions having reviewed our criminal justice system over the past half century would indicate that little credence has been given them, that little progress in judicial reform has been realized. In fact, numerous improvements have been made. As with many of our institutions, however, reformation has not kept pace with the increasingly rapid growth and demands of our sophisticated society. Though much has yet to be done, the attempt to correct this disparity through an infusion of federal monies into the states for the implementation of comprehensive state plans has indeed been helpful.

There is no question that the major investment has been made by state governments, but at the same time, there is overwhelming testimony from state officials that the combined investments of state and federal resources have provided a synergistic effect not otherwise possible:

- \* "... advancements have been made in **Maryland**, both with and without federal funding assistance, in such areas as gun control legislation, a major effort to revise the Criminal Code, development of a planning and evaluation capability in the State Administrative Office of the Courts, provision of prosecutors in the misdemeanor courts, expansion of available diagnostic services for the court, and other areas of significance."
- \* "... the Courts of the State of **Maine** feel that, without this outside source of monies, the progress that has been made

over the past two years would have come at a much slower pace than has been achieved."

- \* "... each project in its way has had an important impact on the improvement of criminal justice activities in **Missouri**."
- \* "All of these programs are working well and have greatly improved the administration of justice in the **Missouri** Court of Appeals, St. Louis District."
- \* "Between 1966 and 1972, the crime rate per 100,000 inhabitants in **Rhode Island** has doubled, but increased prosecution more than kept pace in spite of soaring court backlogs. Furthermore, it appears that the crime rate is at last beginning to decline. Beyond doubt LEAA funds have assisted . . . to achieve these successes. . . . We regard LEAA assistance as critical in the struggle against crime in Rhode Island."
- \* "... while a proposed amendment of the Judicial Article, incorporating a modified Missouri plan, failed to win legislative approval in 1972, a broadly representative committee was convened by the Chief Justice in May 1972, and is already at work on a draft and program for 1973-74 presentation, looking toward judicial modernization and an easing of the restrictions imposed by **Kentucky's** eighty-year-old Constitution. As such, although Kentucky appears to share with her sister states the problems of overcrowded dockets, which tax the capacities of its judicial system, and while recent trends forecast a continued increase both in trial and appellate caseloads, nevertheless there is believed to be emerging the popular demand, the governmental response, and the broad, interested, professional and civic leadership and involvement necessary to provide to the judiciary the facilities, personnel, staff and legislative amendments which are required. Cautiously we report that the outlook for judicial modernization in Kentucky has begun to take something of an encouraging turn."
- \* The Law Enforcement Assistance Administration became initially involved in the **South Dakota** criminal justice system upon the development of a comprehensive plan in 1969. A committee was made at that time to "insure uniform and speedy prosecution" and to "review case loads and court activities where prosecution of criminal cases have developed."

Throughout the country, court systems have been revised, personnel standards have been established and implemented, and

modern methods so long employed by the business community have been introduced into court administration. It must be recognized, however, that in many jurisdictions, before these changes can be made, it is necessary that local ordinances be altered, that state legislation be passed or that other legal procedures be followed. These obviously introduce an element of delay in the process, so in some regions it might appear that little actual improvement has been realized. For this reason, several of the examples cited in this chapter are for programs in progress; though not yet having made an impact, they cannot be omitted in that they and their potential issue comprise a significant part of what has been accomplished in the states. An additional factor must also be considered as one evaluates the various programs among the states. Progress is relative in nature in that standards are local—standards can be generalized, but they cannot be uniform throughout the country because the level of sophistication upon which those standards are based differs from place to place.

### STANDARDS OF PERFORMANCE

Problems of outmoded, overlapping court systems, of delay and choked court calendars, of complex and frequently confidential rules of procedure, and of unequal considerations within the judicial process are not new. Historically these problems have grown in magnitude and assumed a new complexion more rapidly than reforms have been instituted. A recent renaissance of awareness and interest in the deficiencies and inequities of our judicial system has led to a massive, action-oriented program of judicial reform across the country. Simultaneously, the establishment of professional standards for every facet of the system has been undertaken.

Evaluation of the history and needs of the state as well as a comparison of established or recommended standards of other political jurisdictions, government commissions, and professional associations is necessary to develop a viable judicial system, and this has been undertaken in almost every state.

Addressing these standards, once established, applicable codes of procedure can be practically determined. Important to any procedural reform is the understanding that the system must be adaptable and flexible to the demands of discreet cases; it must be modern, uncomplicated, and not restricting in the disposition of justice. Much evidence of this understanding and the impetus to apply it has been offered.

\* The **Massachusetts** Supreme Judicial Court has adopted, by rules and with certain amendments, the American Bar Association Cannons of Ethics and Disciplinary Rules regulating the Practice of Law and the Code of Judicial Conduct. **New Hampshire** also has adopted the Code of Judicial Conduct by court rule.

\* A comparative analysis of the American Bar Association Standards with **Missouri** Law, Rules, and Legal Practice was conducted and distributed to all members of the Judicial Conference, law schools, public defenders and interested public.

\* The Judicial Council of **Kansas** conducted a study which compared state laws with standards of administration of criminal justice promulgated by the American Bar Association. Wide distribution of this book was also made throughout the State.

\* The **Indiana** Supreme Court has provided partial funding for a comparative analysis of the present Indiana procedure with that of a proposed criminal code and with the American Bar Association standards. This work will undoubtedly help the General Assembly in reaching an appropriate decision on a new code.

\* The Supreme Court of **Arizona** has designated the State Bar Committee on Criminal Practice and Procedure as its statutory Advisory Board on revision of the Rules of Criminal Procedure. The Committee has organized and redrafted the Arizona Rules of Criminal Procedure. The American Bar Association Standards for Criminal Justice will be examined with comparative studies of Arizona and federal rules. New rules will be drafted for consideration by the Committee to then be submitted to the Supreme Court for approval.

\* In cooperation with the American Bar Association and the State Bar of **Texas**, a Courts Subcommittee conducted a statewide meeting on the proposed American Bar Association Standards in 1970. This provided a forum and a base for continued discussion and implementation of those standards where practicable.

\* A comparative analysis of **Virginia** statutes and the American Bar Association Standards for Criminal Justice is currently in progress.

- \* The State Crime Commission funded a grant to the University of Arkansas Law School for preparing a comparative analysis of the Arkansas Statutes and Case Law and the American Bar Association's Minimum Standards for Criminal Justice. These research analyses were used by judges and prosecutors in workshops on the standards.
- \* At the Washington Judicial Conference in September 1972, two days were devoted to the comparative analysis of the ABA Standards with the Washington law and practices. This analysis was funded in part with federal funds.
- \* The California Judicial Council has recently studied the feasibility of implementing the standards and procedures adopted by the American Bar Association.

### COURT DELAYS AND BACKLOGS

Almost every court system in the country has been burdened in the past several years with problems of crowded court dockets, backlogs of cases, and inadequate personnel and facilities. These and other adverse conditions are frequently compounded, e.g., with the increase in disposition of cases in the lower courts and an increase of defense counsel for the poor come an increase in appeals for consideration of the higher courts.

Special attention is being given to these problems in various ways. While diverting certain cases has obviated some stress at its point of origin, other projects have concentrated on attacking the problem of jammed courts by other means such as adding more courts, more judges, or making better use of time and teams of people. Aggressive programs are showing positive results.

#### Increase in Professional Staffs

Staff expansion and the creation of additional courts are two ways in which states have attacked the enormous backlog in the court system. These go hand-in-hand with court reorganization and implementation of unified, statewide systems. Various other components of the judicial arena have been strengthened by a more effective and efficient use of personnel and facilities. Most notable of these changes are the creation of public defenders' offices, institution of court administrators, the widespread use of legal interns, and increased positions on the bench.

- \* The Colorado Court of Appeals was created by statute in January, 1970, for the purpose of relieving the State Supreme Court of the increasing appellate workload caused by a constant rise in the number of appeals from courts of general jurisdiction (district courts).

In FY 1969-70 and FY 1970-71, 559 cases were transferred to the Court of Appeals, and at the same time, the Supreme Court Justices increased their termination rate by 23 percent. This effort, plus the transferral of cases to the Court of Appeals, has resulted in a decrease of 59 percent in the pending case figure on June 30, 1972, over June 30, 1970. It is now possible for the Supreme Court to hear civil cases within 30 to 60 days of issue. A sample of criminal appeals also reflects improvement: in 1968-1969, criminal cases took an average of 27.2 months to clear the Court; in 1969-1970, an average of 19.9 months; in 1970-1971, an average of 15 months. The Court of Appeals also reviews workmen's compensation and unemployment compensation cases upon direct appeal from Industrial Commission decisions.

- \* The Sixth Judicial District in Arkansas, a major metropolitan area, established a special division of the criminal court in order to secure speedy trials for those persons incarcerated in the Pulaski County jail. Additional judges were assigned, and the criminal case backlog was reduced substantially.
- \* The state of New Hampshire provides funds to the superior court for an attorney who serves as administrative assistant. He assists in assigning stenographers and in coordinating and standardizing clerk of court and other administrative procedures; by doing so, his office serves to centralize these functions, resulting in the upgrading of court services and the relief of judges from administrative tasks. The State also provides funds for hiring full-time law clerks to assist justices of supreme and superior courts by performing legal research.
- \* In Texas, five temporary courts will be manned by visiting, retired or active judges with the primary objectives of administrative management of the criminal courts and attacking the backlog of cases, with special attention being given to cases where the defendants are in jail.
- \* The Louisiana State Attorney General's Office employs a team of roving prosecutors and investigators to assist local district attorneys in prosecuting back-logged criminal cases.

- \* There has been a reduction of court backlogs in the Wayne County, Michigan, area due to the employment of additional judicial personnel. Also, Supreme Court management personnel are assisting local courts in management and procedural techniques.
- \* In Cobb County, Georgia, the State's first superior court administrator was assigned. That project, designed as a model for possible use by other superior courts, has resulted in a reduction in jury costs and a decline in the backlog of cases, both criminal and civil.
- \* In Tallahassee and Miami, offices of the Florida Department of Legal Affairs conducts Legal Internship Programs involving senior law students in all phases of criminal appeals work. In fiscal 1972-73, six law students who were certified by the Supreme Court of the State of Florida were employed to write briefs and argue cases in the appellate courts. The purposes of the program were twofold in that it was designed to assist the Department of Legal Affairs in clearing up the backlog of appeal cases and reducing requests for continuances and to encourage the flow of young aggressive attorneys into the criminal justice system at the state or local level.
- \* A total of 84 student interns were provided by the State of Maryland in two types of student intern programs. Salaried interns and clinical programs for intern course credit combined to place students in prosecutor and defender offices. The objectives of such programs include the recruitment of qualified assistants in prosecutor and defender offices, the provision of practical training and work experience for the students, and the provision of additional operational staff for the participating agencies. Also, the State created a position of Circuit Court Administration Planner to work with the Director of the Administrative Office of the Courts to review judicial processes throughout the State with the goal of proposing uniform procedures.
- \* A program has been instituted in Alabama which utilizes the services of supernumerary circuit judges to cope with the backlog of cases in the Court of Criminal Appeals. This program has already had an impact on the problem and it is contemplated that its continued operation will significantly reduce the backlog in the future. When the Chief Justice deems necessary, he may assign any circuit judge to temporary duty on

the Alabama Supreme Court, the Court of Criminal Appeals or the Court of Civil Appeals.

- \* Maine has established a new law clerk program to supply a law clerk for each Justice of the Supreme Judicial Court. During the first full year the number of cases certified has risen 64%; this represents 50 more cases certified over the previous year. Secondly, the time to certify a case was reduced by 27 days.
- \* The State of Georgia has obtained additional assistant district attorneys, investigators and secretaries to more adequately staff offices throughout the State.  
The Superior Court of Tattnall County employed an assistant clerk to help handle the growing volume of habeas corpus actions filed by inmates of the populous Georgia State Prison located in that county.
- \* The Mobile State Prosecution Strike Force provides at least two special prosecutors from the office of the Attorney General to be used as roving prosecutors to assist counties or other units of government in the State of New Hampshire in expediting the trial of criminal offenses.
- \* In the city of St. Louis, Missouri, a pre-hearing research unit has been established in the St. Louis District. This unit consists of four lawyers who screen every case for argument and who do preliminary research and write research memoranda for the benefit of the clerks and the judges. In addition, opinions are prepared in some instances for the benefit of the particular judge assigned to the case.
- \* An intermediate Appeals Court with broad civil and criminal jurisdiction, created in Massachusetts, should permit less expensive and faster disposition of appeals and relieve the Supreme Judicial Court of a substantial number of cases.
- \* A 1970 study in the case scheduling system in the Sixth Division of the District Court of Rhode Island led to the employment of one full-time prosecutor and one clerical assistant who have worked closely with the Court, the Providence City Solicitor and the Providence Police in processing criminal matters. They have proved particularly useful in coping with the major problem of scheduling conflicts within the overcommitted defense bar, as well as providing a continuing responsibility for

the screening and pre-trial preparation of criminal cases. The backlog of criminal cases in that Court has been reduced from 2,477 to 1,582.

- \* Pilot projects were launched in Harris and Dallas Counties, Texas, creating two temporary felony courts with the necessary supportive staff to properly operate them.
- \* A Law Student Intern Program provides an opportunity for ten third-year law students to spend the summer prior to their final year in law school as well as a portion of that school year working with either the Attorney General or the Public Defender in **Rhode Island**. Having been used in all areas of these offices, including research, preparation of briefs, trial preparation, and defendant interviews, the interns have proven a great asset.
- \* The employment of a Fiscal Officer by the **Virginia** Supreme Court has reduced the workload of the Office of the Executive Secretary enabling him to concentrate on court matters. In addition, a newly employed Writ Clerk has contributed to a reduction in the processing time of cases by assisting the Special Assistant to the Chief Justice in handling petitions, et al.
- \* The **Iowa** Supreme Court utilizes screening attorneys to develop criteria for application of per curiam or memoranda treatment to those appeals coming before the Iowa Supreme Court and having little precedential value. Screening recommendations are also made as to the amount of time needed for oral argument of an appeal. The screening attorneys have reduced the judicial opinion time spent on matters of little consequence and have reduced the bench time for appeals which do not need extensive argument.
- \* Legal Internships have provided sorely needed personnel in prosecutor's offices in **South Dakota**.
- \* Witness Central is a new agency in the Criminal Division of the Circuit Court of Cook County, **Illinois**. Its purpose is to accelerate court calls, reduce the time interval between the indictment and disposition, and avoid the inconvenience of unnecessary appearances to witnesses. It monitors all open indictments for case progress, monitors continuances in cases set for trial, checks on notification of witnesses in continued

cases, and upon request, of judges investigates reasons for continuances given by attorneys.

- \* In **Alabama**, a Criminal Law Task Force was created to assist the Court of Criminal Appeals in the more expeditious disposition of its present backlog. The Supreme Court of Alabama was current as of October 1, 1972, for the first time in many years, and the Court of Civil Appeals was also current. The Criminal Law Task Force provides to the judges on the Court of Criminal Appeals legal research assistants, preferably attorneys who have had experience in post-graduate legal research.
- \* A program has recently been undertaken to establish court administrators for the trial courts in **Indiana**, to help schedule cases more efficiently.
- \* Until 1971, the only law clerks in the **Rhode Island** court system were those assigned to the Supreme Court. However, it had long been felt by judges, and other persons connected with the court system, that the availability of law clerks to the judges of the Superior, Family, and District Courts would greatly expedite the flow of judicial business. Since 1971, a project to provide this service has been undertaken, the success of which is reflected in the State's recent decision to assume full responsibility for its funding.
- \* Now in its second year, the **California** Fourth Appellate District Defender Project provides staff counsel, trains law students, supervises appointed private counsel and provides supportive services to those appointed counsel. The respective work of appointed and staff counsel is evaluated and compared, keeping serious problems of appellate delay in mind. A general training program for area attorneys is being utilized.
- \* Two additional judgeships were created on the **Alabama** Court of Criminal Appeals, thereby increasing its composition from three to five judges. In addition, the Department of Court Management, through the Office of Highway and Traffic Safety, received a grant for the purpose of organizing and staffing a Division of Traffic Relations within the Department of Court Management. A roving court reporter assists those courts in which the preparation of transcripts for appeal has been unduly delayed.

\* In Connecticut, prosecuting attorneys and public defenders are appointed by the judges and are employees of the Judicial Department. Grant funds have been obtained to improve operations in the busiest of such offices in the State. Additional personnel and new kinds of personnel such as investigators and paraprofessionals have been hired to allow earlier and fuller preparation of cases and, therefore, dispositions of higher quality.

Also, the Connecticut Judicial Department placed law students in 20 prosecutor and defender offices to test their usefulness to these offices and the effects of such employment on the interns. Working in many different capacities, including court appearances under the Connecticut student practice rule, the students proved quite valuable to these offices, and many of their positions have since been continued through the Judicial Department's own appropriations.

\* A full-time county prosecutor for Hillsborough County, New Hampshire's most heavily populated county, has been provided.

\* Kentucky created two additional Judicial Districts, effective June 16, 1972, and authorized seven new circuit judgeships, increasing the total of general trial judges from 76 to 83. In several circuits, law clerks have been employed to assist circuit judges.

Kentucky awarded a grant to the Kentucky Association of Circuit Judges for the purpose of establishing, on a pilot project basis, model circuit courts. *Inter alia*, this grant provides full-time court administrators in the circuit courts, a regional court administrator, and the establishment of uniform court reporting methods and forms.

\* In the State of Massachusetts, staff assistance to the Supreme Judicial Court, the Superior Court, and the District Courts has been expanded. This has permitted the development of a planning and research capacity previously lacking. The budget also made provisions for law clerks and secretarial assistance to justices assigned outside of Suffolk County, and for a translator, bail administrator and budget analyst for the Superior Court.

\* Recent personnel expansion in Louisiana includes but is not restricted to indigent defense units, law clerks for judges, and local court administrators.

\* In the State of Missouri, an Appellate Court Improvement project provided for law clerks and other staff personnel for each of the three Divisions of the Missouri Court of Appeals, and for central office personnel support related to this program in the Office of the State Court Administrator. A regional experimental program provided each judge with a "law intern." The law intern program utilized second-year law students from the local law schools. The addition of Law Clerks to the State Supreme Court has materially assisted the Supreme Court Judges in their opinion writing and general office operation. Additional staff will be provided to further develop the Management Information System, the Public Defender's Program, the Unified Program Budget, Record Management System (Manual) and the Administrative Procedures Study.

\* In Texas, the Court of Criminal Appeals now has two permanent commissioners and the authority to appoint as many commissioners in aid to the court as necessary from active or retired appellate or trial judges.

In 1971, two administrative assistants and supportive staff were provided the Court of Criminal Appeals to assist the court with the large number of petitions for writs of habeas corpus filed. In 1972, this assistance was increased to provide two additional commissioners for the court, two administrative assistants, an assistant state attorney, and two briefing attorneys. In 1972, three court administrative projects, were provided in three metropolitan counties to aid the judges in handling their non-judicial workload and in managing their dockets.

#### Accelerating the Judicial Process

Often, the excessive length of time between arrest and conviction negate any real relationship between the crime committed and the punishment decreed. The Peterson Commission recommends "an overall time lapse not to exceed 60 days from arrest to trial in a normal case, with high priority cases going to trial in 45 days or less."

A healthy adversary system of justice demands that all participants enjoy an optimum in resources of information, facilities, and personnel and that the rules of procedure are equal. To insure quick and fair trials for individuals, it is of primary importance that the prosecution, defense and appeals court systems achieve and main-

tain a balance. In recognition of this need, planning agencies have been established in every state, plans have been developed, and a large investment of both time and money has been and continues to be expended in the implementation of those plans.

As one reviews the myriad projects in this report, it becomes obvious that most cannot easily be categorized solely as "training" or "better use of personnel" or "technology," but rather, are more a part of well planned programs all leading to a total reform of the system.

Inter-jurisdictional cooperative sharing of personnel and facilities is being practiced in several states, thus providing the temporary assistance sometimes necessary to maintaining an even flow of court cases as well as making better use of existing resources. Technological advancements are being applied to every facet of court administration in an attempt to better utilize personnel and reduce the time required for trials.

Examples of correlative activities all designed to lessen the time involved in trials and to remove court backlogs include:

- \* In **Rhode Island**, recording machines are being used to eliminate delays caused by court reporter shortages. It is anticipated that the period between appeal filing and transcript receipt will be shortened. Progress at the trial court level will also be expedited by eliminating delays caused by reporter shortages.
- \* In **California**, a calendar management team-demonstration project has reduced delay in the disposition of both criminal and civil cases in the San Francisco Superior Court by the introduction of effective methods of calendar management and control. The number of felony cases awaiting trial has been reduced by 72 percent. A program of arbitration for civil cases removes an average of 20 cases each month from the court calendar. An inventory of civil filings resulted in the removal of 20 percent of pending civil cases from the docket.
- \* Under a new program instituted in 1971, and since expanded, all indictable offenses in the city of Providence, all indictable offenses involving persons detained in prison awaiting trial, and all indictable offenses involving charges by **Rhode Island** state agencies go directly to a grand jury for indictment after careful prosecutorial screening. Furthermore, while in prior years grand juries met at three-month intervals, the Providence and Bristol Counties Grand Jury are in almost daily session and

the grand jurors in the other three counties are summoned at least once a month. In this way, the backlog in the District Court has been dramatically reduced.

- \* In **Texas**, a "subject in process" computerized program has been implemented and is in the final stages of being on-line to the criminal district courts in four major metropolitan counties. This will expedite the processing of cases.
- \* In **Rhode Island**, the calendaring process in the Sixth Division District Court is being improved. Both the State Supreme Court and the District Court anticipate that the establishment of a calendar process under the control and direct supervision of the Court would help to solve the problems of backlog and calendar breakdown and will provide information to prevent the improper holding of defendants. Statistical feedback which could be utilized in other areas of Court administration are also expected.
- \* In 1971-72, the **Kentucky** Court of Appeals was administratively reorganized into three divisions, instead of the former two, with a view toward increasing productivity. It has instituted a case inventory system as an additional check on docket control; has adopted a Motion Panel procedure to which four justices are assigned on a rotation basis to conserve considerable judge time for the full court in ruling on important motions; has realigned internal procedures to trim unnecessary conference time; has revised forms and procedures to conserve secretarial time; has eliminated unnecessary procedures to conserve judicial time; has cut the total number of formal court sessions in half to afford additional opportunity for judicial research; has exerted a firm control on granting of oral arguments to save judges time; and has adopted a stricter policy on extensions. This is in line with that of the United States Circuit Courts of Appeal and will expedite preparation of cases to save time of the Court and the Administrative Director in processing motions.
- \* In **Indiana**, programs to improve trial court processing efficiency and record keeping procedures are in effect.
- \* The Supreme Bench of **Baltimore City, Maryland**, received funding over a three-year period to establish and implement a Criminal Assignment Office for the scheduling and management of criminal cases. As a result of this project, the criminal case

assignment function was transferred from the Office of the State's Attorney to the Supreme Bench Criminal Assignment Office. New manual procedures to expedite hearings and dispositions of criminal cases were designed, and systems design for the establishment of an automated case calendaring and management system was initiated and is in the early stages of implementation.

- \* A pilot project has been established in the district court of Wyandotte County, **Kansas**, in the office of the clerk of the court which will permit complete computerization of the trial courts' criminal docket.
- \* Three official court reporters of the Pima County, **Arizona**, Superior Court were trained to use computer models of the standard stenograph shorthand machine. The computer produces a printed page similar to one from a typewriter. The computer printer is capable of transcribing 1,000 lines of copy a minute, or a 200-page transcript in five minutes. Also, it will provide post-trial transcripts to judges hearing post-trial motions and other matters.
- \* **Kentucky** has a program for Circuit Courts which provide transcribing, sound, and recording equipment designed to assist with the processing of litigation.
- \* As an alternative to using reporters in municipal courts, electronic recorders of varying types are being installed in 30 to 40 municipal court departments throughout **California**, where shorthand reporters are not currently utilized. Standards concerning storage, retrieval, retention and security of recorded proceedings will be developed.
- \* A research and development project will be undertaken in **Illinois** to evaluate automatic translation of court reporter machine shorthand notes by computer. Six court reporters assigned to felony cases of a Circuit Court will participate in the project, using shorthand machines which enter symbols on both paper tapes and magnetic tapes. Magnetic tapes will be translated by computer. Reporters will edit the translated copy by CRT correction terminals, and final transcripts will be produced by high-speed printer.
- \* Two **Illinois** projects involving courtroom video recording techniques are now pending: one will install equipment in a

model courtroom under construction for the Circuit Court of McDonough County; the other will provide like services in three courtrooms of the Circuit Court of St. Clair County.

- \* A **Rhode Island** study, begun in 1970, recommended that the control of case assignment be taken from the Bureau of Prosecution of the Providence Police Department and placed in complete control of the Court. It also developed a records system, involving cross indexing of cases. Major recommendations, along with a number of minor changes, have been instituted and are presently in operation.
- \* In September 1972, the **Iowa** Supreme Court commenced sitting in two rotating divisions of four associate justices each with the Chief Justice sitting with both divisions. By adopting this procedure for sitting in divisions, there has been an increase in the number of opinions filed in a given time period and a reduction in the backlog in the Iowa Supreme Court.
- \* In **New Hampshire**, Courts having a large volume of criminal cases have been provided funds to contract with mental health and social service agencies for examinations and pre-court workups of defendants, thus allowing the court to make more knowledgeable and effective dispositions.
- \* At present, in the State of **Colorado**, all juvenile cases, which are required by statute to be advanced on the docket, are heard within 45 days and civil appellate cases are receiving judgments in five to seven months from the time the case comes to issue.
- \* Under its superintending power over all the courts in the State of **Ohio**, the Supreme Court, effective September 1971, promulgated Rules of Superintendence for the Courts of Common Pleas. Superintendence Rule No. 8 provides that all criminal cases shall be tried within six months of the date of arraignment and accelerates grand jury action and sentencing procedures. Superintendence Rule No. 14, the continuance and engaged counsel rule, is designed to limit delay caused by the granting of continuances.
- \* Under new rules, U.S. District Court judges in **Washington, D.C.**, can drop charges against persons who wait longer than six months after indictment before going to trial. The rules, approved by the District Court judges in October 1972, also

state that persons held in jail must face trial within three months or the court will automatically release the defendant on bond.

Other deadlines set during various stages of the judicial process: 1) indictments must be returned within 45 days of arrest; 2) arraignments must be within two weeks of the indictment; 3) a status conference shall be held in every case within three weeks of arraignment; and 4) U. S. magistrates can accept pleas on charges carrying penalties of one year or less.

### BAIL, PRE-TRIAL RELEASE AND DIVERSION

Any action that judiciously avoids adding to the workload of the criminal justice system serves to enhance the cause of justice. Through a conscious effort to apply this concept, dispositions can be more expeditiously determined and processed; serious offenses can receive more attention; and significant economies can accrue.

Inequities in bail-bond practices historically promoted a system of "justice on the basis of ability to pay." Though improvements have been made, there is much yet to be done to further alleviate this problem.

Pre-trial release allows responsible persons to return to the community after arrest and booking rather than to remain in jail for weeks or months prior to the determination of guilt or innocence. Other diversionary programs allow an arrested person to be released after it has been determined that there is insufficient evidence on which to bring him to trial or for various other reasons that indicate he should not be introduced into the criminal justice process.

Another method of reducing the number of cases on court dockets is to assign the several non-criminal offenses such as public drunkenness and minor traffic violations to final determination by an administrative agency or to channel the cases into civil courts.

Much attention has been given to these facets of the system in that they play a large role in the reduction of recidivism and the volume of court cases.

- \* New pre-trial diversion projects have been established in the last several months in the states of Florida, Hawaii, Pennsylvania, South Carolina, and Minnesota.

- \* Introduction of the first state legislation to formalize diversion procedures has been made in Massachusetts and New Jersey.

- \* Texas has instituted pre-trial release projects in Harris, Dallas and Bexar Counties, for the screening of defendants immediately after arrest for possible release on personal bond. These pre-trial release projects have provided information to the courts to allow the release of eligible indigent defendants who would otherwise have remained in jail pending trial. The actual dollar savings to the counties for jail confinement is substantial. Moreover, the earnings of those released on personal bond, coupled with their lack of need from local welfare programs increases the total benefit to the community several fold.

The Harris County pre-trial release project, in the first six months of operation, provided information which allowed the courts to release 455 defendants on personal recognizance bond. Only 2 percent have forfeited their bond. Those released have earned nearly \$400,000 in salaries and the county saved over \$250,000 by not having to house them pending trial.

- \* Pre-trial procedures in the Indiana criminal courts are being improved. The Indianapolis Bail Project was established in 1970 to experiment with alternatives for money bonds and develop conditions for release of persons without bail. This project has resulted in a well-documented conditional release program over the last three years.

- \* A Special Bail Project designed to assist indigent defendants in securing release on their personal bond, where appropriate, in operating in the Criminal Division of the Circuit Court of Cook County, Illinois. Investigation and verification services and some representation in bond court are provided by a staff of volunteers, while grant funds provide for expenses and for a small, full-time research and support staff.

- \* A highly successful, three year Own Recognizance Program was started by the San Francisco Institute for Criminal Justice in 1971. Added to that program have been misdemeanor citation, station house release, release of defendants in-hospital custody and a consultative secretariat to assist other jurisdictions in creating pre-trial release programs.

- \* The city of Baltimore, Maryland established a Pre-Trial Release Division of the Supreme Bench to assist District Court

commissioners and judges. In a six-month period the Division interviewed and investigated 3,749 defendants, 34 more than the previous 12-month period. Of this total number of defendants interviewed, 1,653 defendants were released on the advice of the Division and only 25 failed to appear for trial.

- \* In **Rhode Island**, a program is operating which expedites the processing of persons detained over ten days and awaiting trial. The number of unsentenced persons detained over ten days awaiting trial was halved in a few months.
- \* The **California Council on Criminal Justice** has instituted Project DARE (Drunk Arrest Reduction Effort), which since 1970, has provided rehabilitative services for chronic alcoholic offenders. Operating on the assumption that treatment and counseling will reduce the "revolving door" pattern of the chronic public drunk, the project seeks to alleviate the burden on the criminal justice system created by repeated arrest for public drunkenness. Arrests among project clients were reduced by 41 percent over a one-year period. Court appearances of clients decreased by 71 percent and the number of clients sentenced was reduced 55.4 percent.
- \* A project in **California** developed a pilot summary trial system for processing traffic citation cases utilizing the two municipal courts of Oakland-Piedmont and Santa Monica to determine the feasibility of a statewide summary traffic trial system.
- \* **Colorado** will begin operating a centralized bonding agency in Denver County this spring which will include a 24-hour service for personal recognizance bonding. It is anticipated that this model will be implemented in other metropolitan area courts in 1973.
- \* In **Massachusetts**, the mental health, drug, and alcohol statutes have been completely revised. Drunkenness ceases to be a criminal offense and pre-trial treatment and release is provided for in the drug law.
- \* In **California**, a commissioner and support staff will be placed in the San Jose Municipal Traffic Court to hear minor traffic violations. The placement of such violations in an informal

setting will allow greater individualized treatment of traffic violations and will free court time for other matters.

- \* In **Maryland**, the Administrative Office of the Courts will study and evaluate Maryland District Court Rule 777, relating to bail and pre-trial release. A major objective will be to measure the effectiveness of the Release on Recognizance concept embodied in the rule to determine such things as how many accused offenders are being released on their own recognizance, how many are being re-arrested prior to trial, and whether individuals are being detained unnecessarily.

## PROSECUTION

The prosecutor plays a broad role with much influence in the process; this responsibility includes investigations, disposition of cases, the arrest procedures of law enforcement officers, determination in pre-trial diversion, what charges will be made or if a charge is to be made at all, the case load in the courts, and other activities conducted between the police and the courts. A high level of professionalism is needed, including the employment of full time prosecutors. It is obvious that reform of the office of the prosecutor is of import to the entire criminal justice system. Accelerated criminal prosecution programs have shown measurable results.

- \* A Criminal Prosecution Center was established in **Rhode Island** in June 1972, to increase efficiency in prosecuting serious criminal cases. In March 1973, a continuous criminal trial calendar was begun in the more populous counties of the State. The additional staff, new equipment and improved methods employed by the Criminal Prosecution Center are beginning to make a significant impact on the criminal docket in Rhode Island.
- \* In an effort to coordinate at the state level the work of the county prosecutors, in February 1972, the office of the executive director of the **Indiana Prosecuting Attorneys' Association** was created to coordinate information gathering for the use of prosecutors. This effort will be to the benefit of trial and appellate courts throughout the State.
- \* The State of **South Carolina** has placed an assistant in the Attorney General's office whose responsibility it is to supervise and provide technical assistance to prosecutors, full-time and statewide.

- \* In **Wisconsin**, it has long been apparent that a comprehensive manual was needed describing the role of the state prosecutor. In 1970, a handbook was prepared dealing with the processing of the criminal case, to serve as a resource for district attorneys and criminal attorneys. In 1971, the book was completed and has subsequently been hailed as one of the finest publications on the role of the prosecutor. The State has printed a bench book which provides the judges with a quick reference handbook that will cover all aspects of the trial.
- \* In the area of prosecution assistance, the **Georgia** State District Attorneys' Association, beginning in 1970, has received funds to establish statewide coordination of and services to the District Attorneys of the State. Training programs have been conducted including seminars for prosecuting attorneys, police and other investigative officers and Justices of the Peace. An internship program was also established.
- \* The Office of the Attorney General in **Wyoming** has developed a brief bank and index of opinions of the Attorney General which will be made available to all County and Prosecuting Attorneys in the State.
- \* A Drug Abuse Unit was established in **Rhode Island** to centralize in one place the prosecution of all drug cases in the State as well as drug abuse law enforcement education and interdepartmental efforts to attain offender rehabilitation. With 40% of all crime in Rhode Island related to drugs, a more intensive state effort to correct this problem is essential.
- \* The Attorney General of **Illinois** conducts a vigorous program of aid and assistance to State's Attorneys and local police. Over two hundred requests for advice on questions of law, trial tactics and investigative techniques were answered in the biennium. Several briefs have been filed in the Appellate Courts on behalf of State's Attorneys and significant trial assistance has been extended. There are several pending murder cases in which the Attorney General will present the State's case.
- \* The Office of the Attorney General in **Minnesota** sponsored a pilot project for a district prosecutor program which led to the proposal of a bill to the current session of the Minnesota Legislature which would create a district prosecutor system throughout the State. The bill has yet been acted upon by the Legislature.

- \* The Attorney General of the State of **New York** has participated in a program which is the Investigation of the Criminal Justice System in New York City, in which a Special Deputy Attorney General has been designated to supersede the five District Attorneys in New York City. That investigation is just under way with recently authorized funding.
- \* The Office of the Attorney General in **Kansas** has conducted a study on the reform of Organized Crime Laws. This will be of great value to the Legislature, as well as to courts and prosecutors.
- \* In 1971, the Attorney General of **Rhode Island**, desirous of anticipating criminal justice problems in advance instead of reacting to problems after they arose, established a Research and Planning Unit. In addition to its planning duties, the Research and Planning Unit handles personnel, budget, federal grant applications, public seminars, and various other administrative tasks for the Attorney General. The success to date of this unit has led to inquiries from other Attorneys General considering the establishment of similar units.
- \* To further advance the cause of individual rights in **Illinois**, the Attorney General printed and distributed free of charge over 100,000 brochures entitled "Know Your Civil Rights." This booklet dealt with the rights of state residents in public places of accommodation, state and municipal jobs, hospitals, civil service, housing and redevelopment, parks, public welfare, public works employment, public schools, private business schools, state militia, and voting, and covered in detail the far-reaching Illinois Fair Employment Practices Act.
- \* Two major units have been established in the Office of the **Arizona** Attorney General: the Prosecution Technical Assistance Unit and the Organized Crime Strike Force. The Prosecution Technical Assistance Unit is available to assist prosecutorial offices throughout the State on a request basis, and in addition, provides all judicial and prosecutorial offices information concerning judicial decisions of interest from other state and federal courts. Other services to the prosecutors include a published list of the names, addresses and the fields of expert witnesses available in Arizona, a manual on gunshot wounds, a suggested format for trying a drunk driving case, two trial manuals, a felony form book for filing cases, a com-

pilation of closing arguments, case outlines and crime element outlines.

The Organized Crime Strike Force prosecutes organized crime throughout the State. The Strike Force has undertaken the additional responsibility of attempting to keep Arizona law enforcement informed concerning organized crime matters and, to that end, publishes a confidential intelligence bulletin each month for distribution to about 180 agencies. The Strike Force members are also available to talk with civic groups and any other interested organizations concerning Arizona's organized crime problems.

## DEFENSE

To provide adequate counsel to every person introduced into the criminal justice system who cannot otherwise afford legal assistance, it is of importance that defense counsel be professional in every aspect. Legal representation for indigent citizens is drawn from a variety of sources in different regions of the country including private agencies (legal aid societies) and public agencies such as the Public Defenders Office, or drawn from the local legal profession by assignment from the court. The growing interest expressed by today's society in helping the less fortunate to have equitable representation in the courts has led to a number of effective programs.

\* The immediate objective of a New Mexico program is to establish demonstration studies of public defender projects in specific judicial districts for the purpose of subsequently evaluating and comparing results with the presently used system of assigned counsel. The intermediate objective will be to select the most effective method for assuring adequate defense for indigents between the present assigned counsel system and the public defender system. The long-range objective will be to implement a public defender system statewide if it is determined that this is the method which can best assure equal justice for all defendants regardless of economic status. Should the present system of assigned counsel be retained, the long-range objective would then be the improvement of the deficiencies previously noted in this system and the implementation of corrective action throughout the State.

\* In Roxbury, Massachusetts, an area having a large black and ethnic population, funds have been provided to a defenders

group for legal services to the local citizens. Also, in cooperation with law reform groups, the District Courts have promulgated Initial Rules of Criminal Procedures, designed to protect indigent defendants in the pre-trial and trial stages.

- \* Arkansas has established four pilot public defender programs to provide legal services for indigents for felony, misdemeanor, and juvenile delinquency cases, and may seek to establish a statewide public defender system.
- \* The 1971, the Kansas Legislature authorized the establishment of a district public defender office within any judicial district of the State. Three such offices have been established.
- \* A six-county public defender office for the Atlantic Judicial Circuit, Georgia was opened in 1972.
- \* In Ohio, a public defender study was recently completed and a pilot project is being considered as the next step in the development of a public defender program in the State.
- \* The Washington Supreme Court and the court administrator's office continue to work with State Planning Agency officials for the establishment and funding of additional public defender programs throughout the State. Current work is being done to develop a plan which will provide a more systematic approach to providing defender services to indigents. One facet of this plan will be to develop means to implement a statewide delivery of defender services.
- \* A pilot public defender project for Rapid City, South Dakota, became operational in early 1973.
- \* The Maryland Public Defender System established two separate projects, one providing 15 attorneys to staff a Juvenile Division and the other providing 23 investigators to assist in documenting social backgrounds of defendants, locating witnesses, developing evidence, preparing investigative reports, and preparing preliminary research materials.
- \* In Texas, the courts, district attorney and criminal defense bar are working together to provide a cadre of young criminal defense lawyers who will receive intensified training to provide an adequate nucleus of lawyers available to the courts for appointment on an immediate basis for indigent defense. In addition, a project to provide approximately 40 young criminal defense lawyers to the 12 criminal district courts and

four county criminal courts-at-law in Harris County is being developed. The participating lawyers will be screened by the judges and must be eligible for daily appointments. They must agree that their primary practice will be as appointed counsel to indigent defendants. It is anticipated that the average commitment will not exceed two years with an integrated replacement program.

- \* The Wisconsin Indian Legal Services Center provides representation for indigent Indians, both juvenile and adult, who are accused of criminal activity. The Center employs a staff of seven attorneys located in four offices. The offices are spread throughout the state's Indian population. The objective of this program is to provide the Indian people of Wisconsin with quality legal counsel that is knowledgeable about the culture and problems of the Indian people. The Indians have long been mistrustful of the local attorneys who have been appointed to represent them in the past. The reaction of the Indian people to the program has been positive. The fact that the offices are located near the reservations and staffed by sympathetic attorneys has helped to reduce that distrust of the law. The program also provides information about the criminal justice system to the Indians. Many of the tribes were not governed by state law until 1954.
- \* Indiana's public defender system for state courts was established in 1970, and its success has prompted an effort to establish a statewide public defender system for the county and municipal courts. Legislation is pending to that end.
- \* A statewide Appellate Defender System has been established in Michigan.
- \* In California, the San Mateo County Bar Association places law students with the local defender program. In addition, the Judicial Council has provided counsel in 140 indigent criminal appeals in the Fourth Appellate District Defender Project. Project staff attorneys act as counsel in one-half of the cases and assist private attorneys in handling the remainder.
- \* Concurrent with the adoption of a unified court system, Colorado adopted a statewide public defender system.
- \* In Kentucky, Public Defender offices were established in Louisville and Jefferson Counties to provide legal services to indigents.

## EDUCATION AND TRAINING

Innovative educational and training programs, reference handbooks, new information clearinghouses, advancements in technical assistance, and the implementation of new and more rigid professional standards have led to a professional upgrading of personnel in the courts. These programs affect most employees in the judicial arena: judges, court clerks, prosecutors, defense counsel and investigators, administrators, and court reporters. All states have initiated a wide variety of on-going educational and training programs to assist personnel in keeping abreast of new legal developments and modes of operating procedures.

- \* Rhode Island offers the opportunity for advanced judicial training to judges in the District, Superior and Family Courts, at the National College of the State Judiciary in Reno, Nevada, the American Academy of Judicial Education in Tuscaloosa, Alabama, or other appropriate institutions. Thirteen judges from the Superior and District Courts and the Administrator and Clerk of the Superior Court have received training under this program to date. The office of Court Administrator has sponsored three seminars: 1) New Approaches to an Effective Judiciary; 2) Management Problems in the Rhode Island Courts; and 3) Minimum Standards for Criminal Justice. All new prosecutors now go to the National College of District Attorneys, while all senior prosecutors attend management courses at the College.
- \* In Arkansas, workshops for judges and prosecuting attorneys were held in which the recently published ABA Standards for Criminal Justice have been the subject of consideration. A workshop on "The Function of the Trial Judge" will be held shortly. Programs for continuing judicial education include the attendance of many of the appellate trial judges at national seminars and at the National College of the Judiciary. Initial training for new prosecuting attorneys and clerks of the various courts is also provided to help them in their duties.
- \* In Kentucky, increased emphasis has been placed on continuing education for the judiciary. Annual sessions of the Judicial Conference (which includes all Circuit Judges, Appellate Justices, Commissioners of Appeals and certain other appointed members) have been extended from two to three days and

two-day semi-annual sessions are tentatively planned. Programs for these conferences have included lectures and seminars provided by the National College of the State Judiciary and will include presentations arranged by the American Academy of Judicial Education. Attendance at the National College sessions is being actively encouraged. Prior to 1972, Kentucky had had 22 participants in the National College Program. For 1972, six participants were added.

A Sentencing Institute was arranged at which a staff provided by the National College of State Judiciary presented a two-day program for Circuit Judges.

\* The State of **Wyoming** instituted training programs in 1971 and 1972 for all County and Prosecuting Attorneys as well as for representatives of the Office of Attorney General and local law enforcement officials.

\* Continuing education programs for **Wisconsin** District Attorneys and their Assistant District Attorneys help maintain a high level of professionalism throughout the State. An advisory committee of prosecutors and other criminal law experts has developed programs in various regions throughout the State and has conducted lectures via the educational television network of the University of Wisconsin system. In addition, a school for new district attorneys was held after the fall election, as Wisconsin prosecutors are elected every two years.

Another project establishes a program of continuing education for Wisconsin's Judiciary. The Supreme Court has established and appointed a Judicial Education Committee responsible for the overall program.

A Wisconsin Judicial College, with faculty drawn from the experienced judges of the State instructs new judges in their duties; a Wisconsin Judicial Conference is held annually and reviews such topics as the ABA Criminal Justice Standards; a Sentencing Institute, held at the Green Bay Reformatory, was designed to give the judges a better idea of what it meant to send a man to prison. The participants included judges, institutional personnel, probation officers, parole board members and inmates.

\* **New Mexico** provides financial assistance to judges, prosecutors, and auxiliary staff that they may participate in worthwhile out-of-state training seminars. Training programs are also conducted for the district attorneys by the Na-

tional College of District Attorneys and for judges by the National College of the State Judiciary. Participants are asked to evaluate the training seminars, and comments have been very favorable.

\* In **Maryland** and **Virginia**, judges, prosecutors and other court-related officials are encouraged to attend nationally recognized programs throughout the nation sponsored by such groups as the National College of the State Judiciary, the Institute of Court Management, the National College of District Attorneys, the Northwestern College of Law, and others.

Judicial and court-related in-state training included a three-day joint seminar relating to technical evidence which was attended by 150 prosecutors and defenders; six days of training for 75 judges, two days of training for 150 commissioners and two days of training for 45 clerks. Additional seminars were provided for judges, commissioners and other criminal justice officials on such topics as alcoholism, drug offenders, and the emotionally disturbed defendant. Recently appointed judges are encouraged to attend the National College of the State Judiciary, while the Appellate Court and Circuit Court Judges are encouraged to participate in training programs.

\* The State of **Virginia** sponsored a three-day Institute for the Commonwealth's attorneys at Williamsburg. One hundred and twenty-seven Commonwealth's attorneys and assistants attended the Institute, making it the largest gathering of prosecutors ever held in Virginia. The Institute was designed to assist the Commonwealth's attorneys in the performance of their duties by providing the latest information on new developments in criminal law. Because of its success, this program has become an annual event. The State also conducts a variety of training seminars for judges along with a program of on-the-job training for new judges.

\* In 1971 and 1972, under the auspices of the **Ohio** Judicial Conference, seminars for newly elected judges were instituted by the Supreme Court under the direction of the Ohio Legal Center Institute. This educational program will be of value in familiarizing judges with the new Rules of Juvenile Procedure and the proposed Rules of Criminal Procedures.

In recent years, Ohio judges have attended sessions at the National College of the State Judiciary, and in 1972, fifteen judges availed themselves of this educational opportunity. In

addition, fifteen appellate judges attended the Appellate Judges' Conference on the ABA Criminal Justice Standards. Also in 1972, the Assistant Administrative Director of the Supreme Court attended the Institute for Court Management's Court Executive Development Program.

- \* **Alabama** will provide for a total of 18 judges to attend either a regular session or a graduate session at the National College of the State Judiciary in Reno, Nevada. It is strongly felt that formal training such as that offered by the College is essential if a trial judge is to attain his maximum effectiveness. In addition, no less than five judges have applied to the National College of the State Judiciary for the Special Session on Criminal Law.
- \* In **Hawaii**, a program begun in 1971 provides Justices of the Supreme Court and judges from circuit and district courts with opportunities to attend educational programs outside the state.
- \* Though there have been many educational and training programs in the past, **California** is planning for the creation of a permanent, long-range educational structure to meet the needs of the California judiciary. Major areas to be undertaken would include: 1) development of a "grand outline" of educational topics important to everyday judicial work; 2) publishing bench books and materials pertinent to the outline; 3) conducting all educational programs for judges (including orientation, institutes and the California College of Trial Judges); and 4) research into new methods and materials of judicial education (including videotape).
- \* In **Issaquah, Washington**, there has been established a Criminal Justice Education and Training Center. The Center will develop courses which serve all facets of the criminal justice system. The Superior Court Judges' Association, including also the Washington State Association of Court Clerks and Court Administrators, are using the training center at Issaquah for their own in-state training programs. Training courses will be continued and expanded within the State using the resources of the Criminal Justice Education and Training Center to provide opportunities for participation by a majority of adjudications personnel.
- \* The State's Attorney General's Office has promoted 14 training seminars for **Arizona** prosecutors. As there are no legal or

judicial education or experience requirements for Justices of the Peace, the Supreme Court is allowed to order new J. P.'s to attend a three-day lecture, discussion, and on-the-job-training school in Phoenix.

- \* The state of **Missouri** will pay the expenses of Appellate and Trial Judges while attending training sessions out-of-state, viz. National College of the State Judiciary, Reno; Appellate Judges Conference, Baton Rouge; Appellate Judges Seminar, New York University, New York City; etc.
- \* In **Illinois**, two sets of three regional seminars were held, attended by 208 judges. Subjects offered were pre-trial, trial, and post-trial procedures, and criminal motions, guilty pleas, and sentencing. Grants have also been awarded to provide in-service training programs for criminal justice personnel in Cook County, including probation offices, and bailiffs and other court service employees.
- \* One of the first grants received by the Court of **Maine** was to provide professional training to the newly established position of Administrative Assistant for the Chief Justice. The project was designed to send the Administrative Assistant to the Denver Institute for Court Management to participate in the Institute's initial class. The State is also conducting in-state semi-annual seminars for the non-judicial personnel in the areas of standardized procedures and data collection and reporting.
- \* In **Colorado**, both state and federal funds are being utilized for the training of all court personnel, including judges, administrators, clerks and probation officers.
- \* The **Texas** Center for the Judiciary was created and funded, providing the staff necessary for the continued education and training of all levels of the judiciary from the appellate courts to the Justices of the Peace and their supportive personnel. Financial assistance is provided to allow the members of the judiciary to attend the several national colleges, their various conferences and other related conferences. Funds are provided for in-state seminars and conferences for all members of the judiciary and their supportive personnel. All education and training will be under the auspices of the Center.
- \* In **Massachusetts**, there has been a concentrated effort on the part of the Courts to upgrade personnel. Seminars for judges,

clerks and office management programs for judicial support personnel are being attended. All coordinated judicial programs are being administered by the Committee on Education and the Office of the Executive Secretary of the Supreme Judicial Court for the Commonwealth.

- \* In **South Dakota**, continuing legal education for judges and prosecutors was expanded to encourage their attendance at out-of-state training sessions. In addition, in-service training is being provided for justices of the peace.
- \* Presently, the **Connecticut** Judicial Department is involved in a number of programs designed to organize and carry on a program of continuing judicial education. A committee of judges, aided by a private consulting firm, is studying in depth the need for such a program and the type of educational media that will be most appropriate for it. The judiciary is also cooperating in the development of the Connecticut Criminal Justice Academy, an interdisciplinary, interagency educational institution. Seminars on the new Connecticut penal code were sponsored for judges, prosecutors and public defenders before the code became effective, and materials were distributed to aid in the application of the code, including suggested pattern jury instructions.
- \* **Kentucky** maintains a clearinghouse of information and assistance for circuit judges statewide. High on the priority list for the Judicial Conference staff and the Conference's Bench Book Committee is the development of a bench book for the state judiciary. In addition, the University of Kentucky College of Law is establishing a Criminal Law Reference Service, under which attorneys, including prosecutors and those appointed to defend indigent defendants, may avail themselves of a ready reference service on points of law and current decisions by dialing a central number from any point in the State.
- \* The State of **New Hampshire** provided funds to the Administrative Committee of District and Municipal Courts to draft a handbook for judges and attorneys.
- \* A judges committee is beginning preparation of a "bench book" for **Connecticut** trial judges with the assistance of the University of Connecticut Law School. This will be a continuing project, with the first draft of the bench book expected in the fall of 1973.

- \* In **Texas**, handbooks for the juvenile judges and the district and county clerks have been prepared. These have been printed and distributed. Conferences are being held for the respective persons to be informed of the contents and the handbooks' use. Handbooks for the district judges, justices of the peace and municipal judges will be developed and distributed by the middle of the year. Another project was funded to prepare a procedural handbook for district and county attorneys.
- \* In 1972, the Judicial Study Commission in **Indiana** completed the drafting of pattern jury instructions for criminal cases and those will be available for the use of the courts of this State in the near future. Another project to coordinate study and training efforts was the establishment of a Center for Judicial Education in 1972. That organization is beginning to have an effect in providing a clearinghouse of information for judges and judicial personnel.
- \* The State of **Missouri** has undertaken a bench book program, the objective of which is to produce a ready-reference desk book for use by Circuit Judges.
- \* The State of **California** will finance the reproduction and distribution of the Los Angeles Superior Court Bench Book to all California Superior Court Judges. The Bench Book is a comprehensive manual suitable for use during trial on the practical application of criminal law and procedure. The State also has prepared the *Justice Court Manual* which serves as a practical guide for judges in California courts of limited jurisdiction; distribution has included all municipal court judges and clerks, district attorneys, public defenders and other officials.
- \* The **Kansas** Judicial Council has promulgated and distributed a book containing model instructions for juries in criminal cases. This book was sent to all judges, prosecutors and defense counsels within the State of Kansas as well as to libraries and state agencies in other states. For the first time in the history of the State, a full judicial conference of all judges of the State was called by the Chief Justice for the purpose of reviewing the comparative analysis of Kansas law with the ABA Standards for the Administration of Criminal Justice. All prosecutors in the State, as well as 100 selected defense counsel, were invited to participate in this conference.

\* In Virginia, a Technical Assistance Unit was placed in the Criminal Litigation Division of the Office of the Attorney General.

The broad goal and objective of the Unit is to aid and assist in maintaining the high quality of the Virginia criminal justice system; included are law enforcement agencies, prosecutors and their staffs, and courts of record and not of record having criminal jurisdiction. As part of its effort to fulfill the goal and objective as set forth above, the Technical Assistance Unit publishes *The Virginia Prosecutor* and *The Virginia Peace Officer* once each month. *The Virginia Prosecutor* is published primarily for commonwealth's attorneys and their assistants, but it is also mailed to all judges in the Commonwealth who have criminal jurisdiction.

The Technical Assistance Unit distributes all opinions of the Supreme Court of Virginia concerning criminal law to Commonwealth attorneys and to all judges of courts of record and not of record having criminal jurisdiction. An effort is made to get a new decision to a Commonwealth's attorney or a judge, wherever he may be in the State, within two days.

#### ORGANIZATION AND ADMINISTRATION

The judicial system in most states has been severely criticized by past commissions as reflecting an absence of order and conformity, a duplication of efforts, and a confusion of authorities and jurisdictions. Overtaxing of resources in some areas of a state are met with waste in other areas. The need for better organization, an established statewide court structure, and a centralized authority and responsibility have been recommended as imperative if the courts are to assume their necessary role in state government. Courts can no longer continue to function adequately if they ignore some of the basic management practices long employed by the business community.

Perhaps more important to the performance of the judicial system than any reforms previously discussed is the manner in which the court activities are administered. If the organization of the courts allows for overlapping of responsibilities and jurisdictions, then the efforts to reduce court backlogs and obtain speedier trials is hampered; if there are inadequate and poorly trained personnel, then the opportunity for a fair trial with equal and competent representation for both the prosecution and defense are simply not possible.

It becomes obvious that the many recommendations made by the various Commissions are not autonomous; each must be considered as a necessary part of the whole. It is not possible to achieve real reform in the court system by merely concentrating on one area of concern. But with limited funds, it must be recognized that all reforms cannot be made with equal progress and certain priorities must be established. Through the planning and evaluation programs which have been instituted in every state, through research and reorganization, much has been accomplished toward overall reform of the courts.

#### Organization

A statewide unified court system is essential if the judicial branch of government is to function with maximum effectiveness. Several states have already adopted this reform and others are in various stages of unification. A store of statistical information and data is being developed in several states, thus providing both a capability for necessary continuing analyses and a baseline upon which to conduct them.

- \* The California Council on Criminal Justice provided for an in-depth study examining the feasibility of a unified trial court system under the superior court and recommending the combination of three existing lower level trial courts into a unified superior court with one-level judge and associate judges. Proposed measures are now pending before the California Legislature.
- \* The Judiciary Committee of the House of Representatives of the Texas Legislature is an active participant in the adoption of a constitutional amendment to provide a unified court system with administrative capabilities.
- \* The legislation creating the unified trial court in Iowa specifically delegates to the Supreme Court administrator additional duties for the implementation and administration of the unified trial court. During January of each year and at such other times as may be appropriate, the Supreme Court administrator shall make determinations of vacancy according to the judgeship formula and shall notify the nominating commissions involved and the Governor of any appointments that may be required. Every two years, the Supreme Court administrator shall apportion the number of district magistrates

among the counties in accordance with legislative criteria of 1) number and type of proceedings, 2) population, and 3) geographical area.

- \* Since 1971, the State of **Maryland** has established through legislation major improvements in the criminal justice system including a unified Statewide District Court (court of limited jurisdiction). The Governor's Commission on Law Enforcement and Administration of Justice assisted in the implementation of the District Court System with funds to study and develop plans for this implementation during the relatively short transition period.
- \* **Colorado** has had a unified court system funded by the State since January, 1970. This system includes the Supreme Court, Court of Appeals, District Courts, County Courts and both adult and juvenile probation services; it provides juvenile detention, but not for municipal courts.
- \* Technical assistance has been procured by the State of **South Dakota** through a contract with the American University, Washington, D. C., for court reorganization. A group of six consultants has met with members of the judiciary, the bar, Legislators and their staff, and corrections personnel. Recommendations of this group facilitated the reorganization of South Dakota courts under a unified system as approved by the electorate in a constitutional amendment.
- \* On January 1, 1972, legislation became effective which reduced the number of **Iowa** Judicial Districts from eighteen to eight. Each of the eight Associate Justices of the Iowa Supreme Court has been assigned one of the eight judicial districts for liaison with the Chief Judge of the District.
- \* In **Massachusetts**, an appellate court management project will integrate the management activities of the Supreme Judicial Court and the recently established Appeals Court.  
In addition, a District Court reorganization project has been undertaken.
- \* In **Alabama**, a Department of Court Management was established and assigned responsibility of assisting the Chief Justice of the Supreme Court of Alabama in his tasks as the chief administrative officer of all the trial courts in the State.

- \* In **Iowa**, legislation became effective on July 1, 1971, which established the position of court administrator of the judicial department.
- \* The **Kentucky** General Assembly enacted legislation redistricting the seven Court of Appeals Districts for the first time in 70 years, realigning the districts as nearly as possible under the Kentucky Constitution with regard to population.
- \* On April 20, 1972, the Governor of **Iowa** signed legislation creating the unified trial court effective July 1, 1973, with general and original jurisdiction of all actions and proceedings, including probate and juvenile matters to be known as the "Iowa District Court." The new court's judicial power will be exercised by district judges, district court associate judges and district magistrates. The act establishes traffic violations officers and small claims courts. Under the act, all justice of the peace courts, mayors' courts, police courts, superior courts and municipal courts will be abolished July 1, 1973.
- \* A study of **Washington's** courts of limited jurisdiction was made by the Judicial Council. The objective of this study is to present to the Legislature proposals for the restructuring of the courts of limited jurisdiction. A part of this proposal will be that courts of limited jurisdiction should be consolidated into a district court system. The results of this study will probably not be presented to the Legislature until 1974.
- \* **Arizona** is examining its court system, including all courts from the Supreme Court of Arizona to each Justice of the Peace court. It will provide analysis and data useful in reforming the system to provide more efficient, effective, and fair justice.
- \* A management study of the **Louisiana** court system was conducted by the Institute of Judicial Administration under a federal grant through the Louisiana Commission on Law Enforcement. This study was completed in March 1972, and is currently being evaluated with a view towards implementation.

A study of the courts of limited jurisdiction is being conducted by the American Judicature Society under a similar grant from the Commission. This study will have been published in March 1973, and deals with the realignment of Louisiana city courts, mayors' courts and justice of the peace courts.

## Administration

Though somewhat simplistic, an analogy might be made that administration is the vehicle of reform for the criminal justice system. The efficiency with which it functions—or does not—directly influences every part of the complex. In realization of this, those responsible for the delivery of justice have afforded considerable attention and resources toward the development of systems that are efficient, yet flexible, and that provide the service necessary to achieve an optimum in performance for the entire system.

- \* The Permanent Study Commission on **Alabama's** Judicial System provides a continuing study of the judicial system, the courts, and the administration of justice, as well as criminal punishment methods and procedures and criminal rehabilitation methods. This Commission has appointed committees which have studied, and are studying, such areas as bail system, pre-trial detention, a unified statewide court system, a public defender system, and the coroner system, and in all probability, will name a committee to study the court reporting system. The Permanent Study Commission meets regularly and has made significant progress in analyzing the needs in the State and in formulating recommendations to eliminate or alleviate problem areas. The Commission is charged with the duty of submitting reports and recommendations to the Governor, the Supreme Court of Alabama, the Court of Criminal Appeals, the Court of Civil Appeals, the Department of Court Management, the Legislature of Alabama and any other departments, commissions, boards, institutes, and other entities of the State at such time as the Commission deems appropriate.
- \* A project to explore the possible use of operations research and computer simulation techniques for case scheduling in high-volume criminal courtrooms of the Circuit Court of Cook County, **Illinois**, is now in progress. The test courtrooms are five branches of Municipal District One of the Cook County Circuit, which handle misdemeanor cases and preliminary proceedings in felony cases.
- \* In May, 1970, a study of the **Iowa** Supreme Court's procedures and administration was initiated by the Institute of Judicial Administration. Completed in January 1971, many of the recommendations of this study have been adopted including provision for a Supreme Court Administrator and a procedure

for the **Iowa** Supreme Court to sit in two rotating five member panels.

- \* In **California**, recommendations derived from a study to evaluate and improve a weighted caseload system has been adopted by the Judicial Council. The study included weighted caseload projections in calendar 1973, for all superior and municipal courts in order to better determine judicial manpower requirements and needs in those courts.

The **California** Supreme Court Management Procedures Study reviewed the organization, functions, records, and space for each of the three offices of the **California** Supreme Court. Basic recommendations dealt with functional requirements of the offices but did not include performance standards or workload measures.

A study is now in progress to analyze the location and operating efficiency of existing branch courts at the trial court level and to develop criteria for determining the advisability of future proposals for branch courts and the extent and variety of matters to be handled. A growing number of trial courts operate branches, with variations in the number of judges and in the types of matters handled in those branches. The Judicial Council, the courts, the Legislature and county governments all have duties and responsibilities with respect to branch courts. An evaluation of current operations and the development of criteria for future operations would be of great value to them.

- \* In **Texas**, standard statistical reporting forms have been developed for the projects which reflect the actual workload and the time sequence of events as each person goes through the courts. Court staff has researched and documented the current court equivalent for each of the 254 counties and their case load. They have further projected the court needs for each county based on the current state caseload disposition. These documents will be used in the efforts to secure a statewide unified court system.
- \* An arbitration study, prepared under Judicial Council direction, recommended uses of arbitration to relieve congestion in the **California** court system.
- \* A project, being conducted by the Council of Superior Court Judges in **Georgia**, is aimed at designing standard jury instructions.

\* In **Massachusetts**, grant funds have provided for the continuation of the Criminal Case Management Study, a computer-aided program to assist the scheduling of criminal cases and the utilization of available court resources. This is a continuation of the Superior Court Management Study which has led to the employment of a legal systems analyst for the Superior Court and to the development of a computer-aided jury management system in Suffolk County.

\* A comprehensive study of the civil and criminal calendaring system in the **Rhode Island** Superior Court, primarily in Providence-Bristol Counties, was designed for preparing and installing revised systems for the assignment and management of cases which would better meet the needs of the Court. The study was conducted by the Institute for Court Management of Denver, Colorado, in cooperation with the Superior Court and the Office of the State Court Administrator. The project extended from October 1971 to October 1972, and included detailed study on the part of the Institute for Court Management and Court Staff resulting in a report which included a number of detailed recommendations and systems proposals for changes in the civil and criminal areas of court calendaring. Most of the recommendations in the civil area have been implemented. Recommendations in the criminal area are awaiting further action by the Court and administrative personnel.

\* A comprehensive management study of the District and Municipal Courts of **New Hampshire** is expected to result in recommendations for improvements and a legislative package for implementation of the recommendations.

\* Various studies are being made reflecting the state of the judiciary in **Indiana**. They include, but are not limited to, the number and type of jurors in criminal cases, the value of pre-trial conferences, standards for court and prosecutive personnel, the charging process, study of delay in trial courts and a study of salaries of judges and court personnel.

In addition, the Court is interested in the progress of several other programs dealing with law enforcement such as the Indiana Organized Crime Prevention Council, the up-grading of the narcotics division of the Indiana State Police and the various State Police liaison projects which complement the efforts made to improve criminal law and procedure.

\* A study of management, recordkeeping, and administrative procedures of the Circuit Court, supporting agencies, State's Attorneys' offices, and Public Defender offices in the seven counties of the 3rd and 20th Judicial Circuits in Southwestern **Illinois** has been completed; implementation of the resultant recommendations is in progress.

A Judicial Manpower Allocation Study is being conducted by the Department of Economics of the University of Illinois to investigate the relationship, if any, between socio-economic factors and the incidence of crime and court activity for possible development of a method of forecasting judicial manpower requirements.

In addition, a study of management and recordkeeping procedures of the Clerk of the Circuit Court of Kane County, Illinois, has been completed with implementation now under way.

\* The **Connecticut** Judicial Department has been able, with grant assistance, to internalize judicial planning and research with its own staff to study and resolve problems in court administration. With this capability the courts are able to deal with current problems more promptly and to foresee developing problems before they have grown too serious. The most recent expansion of this capacity has been in work with juvenile delinquents and youthful offenders, where a grant has enabled the Department to begin research into the most effective ways of handling these classes of offenders.

\* A study of recordkeeping and information procedures of the Clerk of the Circuit Court of Cook County, **Illinois**, for felony and misdemeanor cases has been completed, and a plan for conversion to data processing has been developed.

\* The **Texas** Civil Judicial Council is revising the statistical data system, reviewing juvenile court procedures, investigating causes of delay in disposition of criminal cases and developing a plan for reorganization of Texas Criminal Courts. The State Bar of Texas has held conferences around the State to discuss the proposed court reorganization.

\* A study of the Clerk's Office of the **Virginia** Supreme Court has been completed, and improved administrative procedures are being adopted.

\* Recent studies in the State of **Washington** have shown that the method for processing offenders through the adjudications

system is in dire need of improvement. Court structure has been basically unchanged since statehood and does not respond to current needs. The adjudications process for alleged offenders does not operate efficiently nor does it maximize the effectiveness of the law enforcement and corrections segment of the system. The establishment of a unified court system is an objective. There is widespread agreement among judges, lawyers, laymen and Legislators that the State would benefit most from a complete rewriting of the judicial article, removing in the process some of the structures and authorizing the Legislature to deal with these matters by statute.

- \* The Office of State Court Administrator was established in Oregon.
- \* The Massachusetts Court Management Survey will improve the administrative capabilities of the Office of the Executive Secretary of the Supreme Judicial Court. Emphasis of the survey is to improve coordinated and centralized judicial planning throughout the State under the general supervisory powers of the Supreme Judicial Court.

### Information Systems

It is necessary to have proper tools to effect good management of any system. In the judicial area, the emphasis has been primarily on development of information systems and other computerized services, on recording and reporting methods, and, to a lesser extent, on modernizing court facilities. The degree of sophistication among the technological advancements being applied varies enormously, with several states developing complex information exchange systems.

- \* The Washington Court Administrator's office in June 1972, started implementation of a criminal justice information system. Many of the larger court systems in the State have computer systems in varying degrees. These systems are presently in the planning or development stages, and much work must be done to coordinate and make this an integrated data collection system within the courts.
- \* Information systems are being developed statewide through the Office of Information Services in Texas. The metropolitan areas are developing "subject in process" systems with Harris,

Dallas and Bexar Counties in the forefront with systems that are partially or almost totally operational. The development of total uniformity has received and will continue to receive high priority with funding distributed throughout the entire system to achieve balanced development and utilization.

- \* A State Criminal Justice Information System to be used for improving court administration in the metropolitan Atlanta area and for modernization of court functions by providing microfilm systems in several courts was instituted in Georgia in 1972.
- \* The Louisiana Commission on Law Enforcement and Administration of Criminal Justice sponsored a statewide study for a computerized criminal justice information system.
- \* Toward maximizing the use of electronic data processing equipment in the California courts, the Judicial Council employed a consulting firm in 1971 to design automation of routine clerical and administrative functions for Superior and Municipal Courts.

A San Francisco Court Management Systems Project, initiated in 1972, will install computerized record systems (calendaring, case histories) in San Francisco courts, will purchase equipment, supplies and staff services, and will begin work on an information system involving all criminal justice agencies.

In conjunction with Science and Technology and Corrections Task Forces, the Santa Clara County Criminal Justice Information Control Project will have created a system for gathering, exchange, and retrieval of information on criminal activities, custody status and judicial process.

An Orange County Justice Information System will expand the present traffic warrant system to include criminal and bench warrants; set up a central warrant system; and create a "subject in process" case monitoring system.

- \* The Arkansas State Crime Commission has assisted in funding the implementation of a new Criminal Justice Information System which will provide data processing for the criminal divisions of the various courts. It is anticipated that a pilot project will begin operation within the near future in the major metropolitan area of the State.

In addition, the Commission has furnished federal funds to train court clerks in more efficient methods of office management and for education of clerks in the use of the new forms which will be involved in the Criminal Justice Information System.

- \* With the use of a computerized information system, **Colorado** is better able to project caseloads, district by district, and to analyze backlog.
- \* The **Connecticut** Judicial Department began development of a judicial management information system for criminal cases with grant assistance. It is now cooperating actively in an inter-agency project to design and create a criminal justice information system, linking police, court and correctional agencies.
- \* One of the services rendered by the Office of Courts Administration in **Puerto Rico** is the tabulation of statistical information utilized to determine resource requirements, prepare budgets, analyze trends in criminal cases, and for processing and planning in general. A project, Court Records Automation, is currently being funded to convert the present operation from an EAM to an EDP system. A computer center with all the necessary staff was created and commenced operations in June 1972, with the conversion of several statistical applications of criminal cases processing, upgrading the information processing capabilities through the use of an efficient computerized system.
- \* In **Kentucky**, a feasibility study on the use of data processing in maintaining circuit court records was completed in 1971. The survey concluded that computerized storage and retrieval of uniform circuit court data for Kentucky's 120 circuit courts is both desirable and feasible. While the actual implementation of the proposal has not begun, several pilot operations are expected to be funded by the Kentucky Crime Commission in the coming year in order to test the recommended system of data processing and programming.
- \* In **Arizona**, a project has been undertaken to develop a base informational system, involving a complete financial inventory of the cost of the Arizona judiciary. Research development within the Judicial Department will provide a state methodology for dispositional reporting.

A review, upgrading and standardization of the statistical reporting requirements and forms for all the courts of the State of Arizona was initiated in 1972.

- \* The State of **Connecticut** has undertaken the computerization of civil docketing, calendaring and reporting functions and has improved statistical reporting.
  - \* In addition to existing automated systems in **Massachusetts**, projects are in progress on criminal record information, jury processing and selection, and criminal case management systems. A centralized data processing unit to oversee all data processing projects within the judicial system was established within the Executive Secretary's office.
  - \* A reporting system for trial courts has been set up and is the key to the effectiveness of the Rules of Superintendence in the State of **Ohio**. In order to make the most efficient use of the reported statistical data, an Administrative Assistant to the Chief Justice was employed and compilation of the reports has been computerized.
  - \* In **Michigan**, a State of Michigan Management Information System (SOMMIS) plan is beginning to reduce paperwork by coordinating data processing centers for the criminal justice system, except for the courts and a statewide judicial data center.
  - \* Through the use of federal funds, the State of **Colorado** has undertaken a major effort to begin implementation of an on-line automated system for calendaring, budgeting, personnel and statistical information.
  - \* The purpose of a pending project, Expansion of Data Processing Services in **Illinois**, is to provide automated recordkeeping and case information services in felony and misdemeanor cases for the Criminal Division and Municipal District One (City of Chicago) of the Circuit Court of Cook County. This proposed project implements data processing plans developed under another project.
- Automated recordkeeping and case information services are provided for the Clerk of the Circuit Court of Lake County, through the county government's Data Processing Center. Delivery of equipment was expected in January 1973. Technical training is in progress and test services will have begun within two weeks after computer installation.

## Community Relations

Judicial activities relating to the community are somewhat different from those of police activities or the activities of persons working in the fields of corrections, parole and probation. Significant of this is the fact that the area of community relations weighed heavily in the recommendations of the Commissions in every aspect of the criminal justice system with the exception of the judiciary. This is not to say, however, that such programs do not exist. Indeed, with the emphasis now being placed on community involvement in rehabilitation programs and projects offering alternatives to incarceration, a number of courts-community relations activities have been undertaken in the states.

- \* In the area of criminal law, several programs designed to counsel potential offenders and prevent crime have been instituted in **Hawaii** with considerable success.

A four-year program was begun in 1970 to recruit and train volunteers to serve in all courts in Hawaii. It eased, to an extent, the manpower shortage while encouraging greater citizen participation in the judicial process.

A major undertaking in 1972, consisted of a three-day Citizens Conference on the Administration of Justice held in May, with subsequent individual task force meetings and a follow-up plenary session in November. The citizen-members made a creative examination of and suggested possible resolutions to the problems, demands and challenges the Hawaii legal system can anticipate within the next few decades.

A Public Information Officer of the Court was employed to coordinate the information services of the Family Court and the Hawaii Judiciary as a whole with the agencies and the public with which the courts interact.

- \* The State Bar of **California** conducts a statewide educational program for students and teachers designed to develop support and understanding of the legal and political institutions of the State and nation and provides students with an understanding of the law, the purposes of the law and the problems with which the law must deal. The project, Law In A Free Society, is now in its third year.

Another project, Operation Benchmark, conducted by the Conference of California Judges, provides staff to assist local courts in identifying public concerns with the judicial system and to assist in fostering cooperation and communication

among the bench, bar and public. It will help to develop a public information program for the judiciary.

- \* In **Missouri**, a Citizens' Committee has been formed to make recommendations and develop legislation for the improvement of all the criminal courts in the city of St. Louis.
- \* A project funded through the State Crime Commission is currently underway in **Louisiana** to create a statewide criminal justice community relations agency.
- \* A "Help Stop Crime Program" was instituted in **Florida**. The Attorney General was appointed by the Governor as chairman of the Governor's Crime Commission. His primary responsibilities involve the day-to-day direction of the first comprehensive public education program on crime prevention. The program has three major objectives. The first is to encourage cooperation between citizens and law enforcement agencies by urging citizens to report criminal incidents and suspicious situations to local law enforcement agencies. The program's second objective involves educating the public relative to procedures they can take to protect themselves from being the victims of crime. The third objective is to improve the attitude and rapport between citizens and criminal justice agencies.
- \* The Governor of **Texas**, in conjunction with the American Bar Association and the State Bar of Texas, held a citizens' conference during the summer of 1971, for the presentation of the American Bar Association's proposed minimum standards of criminal justice. Included was a presentation on "negotiated pleas" and the justification for their adoption in Texas. Throughout the State of Texas, the members of the various courts are active speakers in the local bar association civic and community meetings. One of the most prevalent subjects has been court reform and what it means to society. The Dallas Independent School District operates a project known as "Law in a Changing Society." Members of the judiciary are active instructors in this project. Similar projects are being developed in other major school districts. The State Bar of Texas provided the leadership in a project known as "You and the Law." This project developed and published a teaching manual for the eighth grade teachers in Texas. The local bar members are active participants in the classroom instruction.

\* To bring to the community a better understanding of the role of the court and its impact on the lives of all the people of **Rhode Island**, a Public Information Seminar was conducted by the Family Court. The greater part of the program was devoted to the problems of the Juvenile Court with emphasis on the correctional functions.

## CORRECTIONS

According to past national commissions, the following reflects:

### What Should Be Done

#### IMPROVE PERFORMANCE

- Replace large conglomerate prisons with smaller, community-oriented facilities; replace old, unsafe and unsanitary local jails or supplant them with modern regional facilities; provide separate facilities for juveniles, addicts, the retarded, criminally insane, and the aged or chronically ill inmates; segregate those awaiting trial from convicted felons.
- Reduce the social isolation of inmates by less restrictive policies concerning mail, visiting privileges, religious activities, and permitting media access to institutions and inmates. Improve treatment by providing social and recreational services, general and legal libraries, and special facilities and equipment for institutional programs; develop procedures to insure protection of legal rights of inmates, and devise programs to relieve racial tension.
- Utilize every alternative to incarcerating juvenile first offenders, including identification of viable community resources (schools, foster homes); encourage active involvement of citizen advisory boards; juvenile detention facilities should be coeducational and provide access to a full range of supportive programs including education, library, entertainment, and outdoor recreation.
- Help inmates prepare for release by developing individually oriented educational and vocational programs with job transferability to the outside labor market; pay inmates fairly for their work in prison industries; provide adequate psychiatric, psychological and medical services; expand graduated release, pre-release, education-release, and furlough programs.

#### IMPROVE ADMINISTRATION

- Provide for statewide comprehensive services by uniting correctional services under a single agency responsible for all aspects of the correctional process including probation and parole; incorporate local jails and misdemeanor institutions with the state corrections program. Provide for the appointment of full-time, paid, professional parole boards on the basis of merit and free of political influence. Make probation and parole services available to all ex-offenders. Provide central supervision and state-wide standards for probation;

and, send no offender to a penal institution until it is definitely determined the individual is unfit for probation.

- Develop capabilities for planning, evaluation and research; conduct continuous analyses of management practices; develop dependable records and timely reporting systems; improve the allocation and distribution of manpower and fiscal resources; insure access to broadly-based criminal justice information systems with particular emphasis on adult and juvenile corrections, probation and parole; mobilize all improvements toward establishing professional and operational standards coordinating the missions of corrections with those of other elements of the criminal justice system.

### IMPROVE CORRECTIONAL PERSONNEL

- Obtain the best qualified personnel through the establishment of minimum entrance standards emphasizing education, experience and training; implement in-service staff development through special training programs, as well as encouragement of higher education, and provide pay incentives for successful work or training; install merit systems to provide tenure, retirement benefits, competitive and equitable wage structures and promotions, and encourage the career field concept; establish and publicize programs of fair hiring practices, and place special emphasis on recruiting eligible minority group members. Enlarge probation/parole officer staffs to reduce case-load size.

### INCREASE PUBLIC INVOLVEMENT

- Enlist public support for community-based correctional facilities such as "halfway houses;" obtain support from the business community to help in the rehabilitation of ex-offenders through job placement opportunities; provide a forum for community concerns to be presented to appropriate officials.
- Develop and encourage public involvement in volunteer activities; establish opportunities for para-professional aides; promote private citizen, social and civic group participation in institutional and out-of-institution rehabilitative or social adjustment programs.

### What Has Been Done

In the report, *The Challenge of Crime in a Free Society*, sometimes referred to as the Katzenbach Commission Report (1967), the observations were made that corrections is "the part of the criminal justice system that the public sees least of and knows least about. It seldom gets into the news unless there is a jail break, a prison

riot, or a sensational scandal." The report went on to say that "not only is corrections hard to see, but society has traditionally been reluctant to look at it." It is this very invisibility which "belies the system's size, complexity, and crucial importance to the control of crime."

The correctional system has been studied over many years in many cultures and settings. In contemporary American society the previously alluded to "invisibility" remains a barrier to comprehensive study and constructive decisionmaking. The term "corrections" is too often considered only in terms of high walled institutions where little of a corrective nature has taken place. Prisons and jails have been identified as grim and forbidding settings where thousands of our men and women, boys and girls are removed from the temptations and rewards of an open society and isolated in an artificial environment wherein most are treated as though they possess the characteristics of the worst of the lot. But in its broader perspective, "corrections" encompasses considerably more than institutions. Pre-trial diversion, probational and parole activities, and a myriad of rehabilitation efforts all come under the larger umbrella of the term.

Earlier "Blue Ribbon" or fact-finding commissions concentrated more on the obvious defects of ancient, unsafe and unsanitary physical plants, poorly equipped and trained guards, unenlightened administrators, and brutal and dehumanizing practices of guards against inmates, inmates against the administration, and even against each other. Since the advent of the concept of rehabilitation, later groups are concentrating more upon the correctional system's failure to effect a lasting change within the personalities of those toward whom these efforts are directed.

The basic problem in corrections today is how to reintegrate the offender into society. There are offenders who, for the protection of society or for their own protection, need to be confined in close security for a considerable period of time. Also, punishment, as well as deterrence of other potential offenders is a consideration in the sentencing of convicted persons and thus becomes a responsibility of the correctional system. *But the great majority of persons who are found guilty are either placed on probation or will be released on parole after a relatively short time.* It is essential, therefore, that the correctional program—whether in an institution or on parole or probation—is one which seeks to help an individual to change so that he can find a meaningful role in society.

Such a goal presents an awesome challenge for any social institution, but it is a particularly difficult assignment for the correctional system which must deal largely with the rejects of society—with those who could not meet the demands of other institutions and the standards of conduct imposed by society. Most individuals who enter the correctional system have failed elsewhere—in schools, in employment, in social relationships and so forth. Thus, when they enter the correctional process they are to some extent conditioned to failure in meeting the normal expectations of society and have learned to survive by “beating the system” in one manner or another. A correctional system which too often has an undermanned, poorly paid and inadequately trained staff operating with antiquated facilities and little public support, is expected to overcome all of these problems.

Viewed within this framework, the high recidivism rate and other indices of failure attributed to the correctional system appear understandable. In fact, it is a tribute to the dedication of many correctional personnel and the self-motivation of many offenders that the record of failure has not been worse.

Now, change is the motto of the day for corrections as it is for many other institutions in our society. The factors leading to basic changes in correctional systems are many and varied and often interrelated. Among them are our increasing, though still imperfect, knowledge of how individuals are motivated; the growing professionalism of correctional staffs; the development of new types of institutions; increasing use of alternatives to incarceration; the long overdue recognition of the legal rights of inmates; public shock about Attica and similar disturbances in other institutions; and increasing public support, both vocal and financial, for correctional reform. Change—too slow for some and too fast for others—is occurring.

The process of change also has been stimulated by the availability of federal funds for correctional programs within and outside the institutions. In many instances, these funds have been the extra ingredient which have enabled correctional officials to begin innovative programs for which funds otherwise were not available. In addition, the required planning process has made it necessary for correctional officials to examine their functions and programs as they relate to the total criminal justice system and so, to take into account the interaction of the various parts of the total system on the individual with whom it deals.

The reader should keep in mind that the scope of this document is purposely limited to representative samplings. The fact that examples from a particular state are included does not mean to impart that only that state is participating in the activity. Indeed, the samples only speak to the *trends* that are infusing, generally, the changing profiles of corrections, probation and parole that are crucial to the picture of criminal turnaround so vital to our future as members of a hopefully more free and safe society. It is possible that many far reaching innovations have not been reported. Their existence will, of course, be known to those who are directly involved, and their possible omission from this report can be attributed to the time constraints imposed on the staff. Nevertheless, the references included herein provide a measure of the diversity of present activities.

### IMPROVE PERFORMANCE

Many states have taken great strides in the past few years to dramatically upgrade their correctional systems. One state's experience—Arkansas—serves as an illustration of what many have done.

When the Omnibus Crime Control and Safe Streets Act became law (1968), the Arkansas State Prison System was attempting to emerge from a penal farm system with “trustee” guards to a modern, treatment-oriented correctional complex. They were facing problems of antiquated and overcrowded physical facilities, poor records, no way to assess management procedures, a lack of research, an inadequate classification system, and little or no rehabilitative programming. Legal rights of the confined were receiving insufficient study or attention, with resultant morale and security problems. The probation and parole system was overloaded and inefficient, and field offices were ill-equipped. Many prison buildings were unsafe and unsanitary.

With federal matching funds, a full-time planning and research unit was established. Prison facilities underwent extensive renovation, and new buildings were constructed. An automated records processing and management information system was instituted. Inmate trustee guards are being replaced with trained correctional officers. The classification system was re-vamped and custodial requirements were liberalized to permit inmate participation in rehabilitation programs, both academic and vocational. More classrooms are being installed, together with two general and two law

libraries. An attorney was hired to assist inmates with their legal problems and the rights of the confined. In-service training was provided for correctional and probation and parole officers. Parole caseloads were reduced by tripling the size of the professional staff in three years, insuring more personalized case supervision. Electronic perimeter security devices are being installed which will release manpower to train for and fill interpersonal functions with inmates. This drastic overhaul of the entire correctional system has vastly upgraded the State's ability to perform according to modern standards.

Improvements in performance in other states during the past few years have followed similar patterns, with significant success:

\* The Association of State Correctional Administrators, whose membership includes the chief state correctional administrator in each state, has released a publication entitled "Uniform Correctional Policies and Procedures." This publication outlines the Association's posture on such activities as visiting, classification and assignment of inmates, access to media, exercise and recreation, disciplinary procedures, mail, health services and racial issues. These policies reflect an enlightened view of the needs of inmates and generally accepted methods of dealing with them, and have been endorsed by the American Correctional Association.

\* Vermont has made sweeping changes in their correctional philosophy and operational concepts from a system basically polarized—with maximum security at one extreme, and probation and parole at the other—to a system which looks at corrections as "a continuum with a variety of treatment alternatives." Since 1969, they have:

Created a specialized treatment program for drug or alcohol offenders in a residential center;

Established four community corrections centers;

Designed a prototype facility model to replace older, more traditional modes of building fortress type prisons;

Revised the State penal code providing for committing new inmates to the Commissioner of Corrections instead of to an institution;

Developed work-release and education-release programs;

Broadened job training through prison industries and added arts and crafts;

Researched new treatment modalities for juveniles on probation as an alternative to incarceration;

Established a 75-hour training program in counseling to be given to selected correctional officers;

Developed a viable volunteer program for adult and juvenile offenders; and

Established a Division of Research with a population accounting and inmate progress tracking system and a management information system.

\* In line with a recommendation to avoid "large, conglomerate prisons," Idaho altered plans for the construction of a new maximum security prison for over 1,200 inmates, favoring one for 350 inmates. A multi-county cooperative jail facility which resulted in the closing of a number of unsuitable, older local jails was also constructed.

\* In California, a probation subsidy program led to the reduction in inmate population from 28,600 to 19,300 and to an increase in offenders on probation. The State pays counties to keep persons out of prison and instead, provides local probation services in the inmates' home counties. As a result, the State now receives less than 10% of convicted felons as compared to 30% in 1960. Furthermore, broadening of pre-sentence evaluation and investigation has resulted in the avoidance of long prison terms in many cases. However, 1973 figures show a gradual increase in prison population due to more stringent criteria being applied to parole decisions.

\* A Job Development Center was established in Richmond, Virginia, where personal counsellors assist parolees in obtaining employment and then follow up with employment counseling.

\* In Rhode Island, one of the most sophisticated and far-reaching programs in the State is a three-phase statewide microwave criminal justice information system. During the final implementation of the three phases, all local police departments and state criminal justice units, including the courts,

the correctional system, the probation department and others, will be contributing to and have access to (with certain safeguards) computerized crime histories, offender based trans-action statistics, aids to management and administration, and uniform crime reports. The purpose of this activity is to develop a unified criminal justice effort to more effectively reduce crime and administer true justice.

- \* **Connecticut** has extended probation and parole functions into the community by establishing an office in each of the state's six largest cities to facilitate contact. A reintegration assistance program was established to ease the transition of releasees from prison to the communities, including stipends to ex-inmates to alleviate temporary housing, clothing, and job placement needs. Community Crisis Intervention Centers have been set up to allow professional help in personal emergencies which, untended, might well lead to revocation and return to prison.
- \* In **South Carolina**, correctional performance has been improved by the creation of a Reception and Evaluation Center for new inmates in which a complete medical, social, psychological and educational profile is performed within the first thirty days. Institutional assignments, tailored to each inmate's needs, are then made. In addition, the State operates a pre-release center where, during the last thirty days of confinement, further psychological work-ups are done to provide additional information about rehabilitative potential. Counselors from the South Carolina Vocational Rehabilitation Department come to the pre-release center to interview each releasee and notify him of job possibilities in the home community. Job interviews are arranged for the first week of release, and financial help is provided for living allowances until the first weekly paycheck arrives. "Project Transition" placed 815 of 981 ex-offenders in jobs. South Carolina has also constructed a facility in Columbia for the elderly or infirm prison population.
- \* **North Carolina** adopted a social integration program for youthful offenders which has been so successful it is to be extended to adults as well. In addition, two community-based correctional centers for women have been established for work-release or study-release for those in school. These are essentially self-supporting, since the employed offenders contribute to the expense of the centers. Another recent development

is a "jobs for ex-offenders program" for the general, institutionalized population. This involves a multi-agency effort for outside job placement.

- \* In **Illinois**, a Corrections/Probation Regional Field Unit was created in two areas of Chicago, including the West Side. Similar units will be established in six other cities. A Drug Abuse Rehabilitation Treatment (DART) program was created utilizing group therapy, work-release, and parole. Counseling will involve the individual, his peer group and the family.
- \* In **New Mexico**, performance has been upgraded by the addition of psychological and psychiatric consultative services; college programs for inmates; a separate juvenile parole staff; an adult parole halfway house; a foster parents program for youthful offenders in need of it; and, a new training school. The New Mexico officials stated, "The Safe Streets Act has been important to virtually all improvements in programming we have been able to effect in the New Mexico Department of Corrections within the past two years," a view shared by most agencies throughout the country.
- \* **Florida** has enlarged its release on recognizance program, and instituted a program within institutions whereby all incarcerated offenders receive an initial personal interview and annual interviews thereafter. This reflects concern for the importance of each individual and his progress, reduces tension, and helps the inmate adjust to prison life. A "Recruitment and New Careers Program" resulted in the employment of eight ex-offenders as correctional professionals and three ex-offenders as para-professionals.
- \* **Ohio**, to reduce its prison population, administratively established a short-term "shock" modality in which some felons receive only a short term (30 to 60 days) exposure to imprisonment, then are released. Of 2,713 receiving such treatment, only 321 committed a second offense. This recidivist rate (9%) is below the national average. Twelve ex-offenders were provided full-time employment as parole officer aides. Caseloads are rotated to broaden experience and identify aides suitable for promotion and career development.
- \* **Georgia** is implementing its continued improvement of correctional services by a reorganization combining corrections, probation and parole services into a single state agency.

Facilities have been consolidated with the result that of 78 county work camps in existence in 1967, 32 have been closed. Inmates in those work-camps were used primarily to maintain state and county roads and did not receive educational or rehabilitation assistance. It is estimated that three to five camps will phase out each year, their populations entering into settings in which rehabilitation is the prime goal. Training resources have also been centralized with significant savings. Four concentrated treatment centers have been established in which correctional professionals provide, in a structured environment, counseling (both individual and group); vocational guidance and job placement; legal assistance; and courses in adult education, social and vocational adjustment.

- \* Oregon has consolidated adult and juvenile corrections, and probation and parole, into a Department of Human Resources. It has provided mental health services, vocational rehabilitation, public health, and employment benefits to juvenile and adult felons and misdemeanants. Their reorganization allowed for creation of a full-time professional Parole Board; established all Oregon Parole and Probation services under the Corrections Division; and has enabled full integration of probation, institutional, transitional and parole services within a single frame. The Oregon Women's Correctional Center was established as a separate institution with considerable program enrichment; vocational training facilities were doubled, standards for personnel, facility construction, and operational programs have evolved. Community-based facilities have come into existence as alternatives to incarceration, and other diversionary measures such as alcohol detoxification units and financial subsidies for releasees have been effective in reducing the return rate.
- \* Texas, as an alternative to incarceration, has begun a program for selected individuals after they are charged, but before they are indicted. Selection factor is a pre-sentence investigation. If this meets judicial criteria, and the prosecution and defense concur, the defendant may enter voluntarily into what is known as the extra-judicial probation program, under supervision of a probation officer. If he successfully fulfills the terms of his agreement, the defendant is released from the program and the charge is dismissed. This program for adult offenders in Wichita Falls County permits qualified persons to remain in employment under probation supervision, and re-

lieves family hardship, welfare problems, and financial and social costs of imprisonment.

- \* Puerto Rico established a special unit in the Superior Court (San Juan—Criminal) to provide specialized and intensive treatment for adult probationers. From a total of 279 cases representing drug or alcohol addiction, sexual or psychiatric disorders, 200 were selected for individualized and group therapy by competent professionals. The success of this unit was such that the services will be expanded to include an additional 100 probationers under jurisdiction of the Superior Court, Bayamon Part. Puerto Rico is improving its performance with special offender groups by staff development training for social workers and adult and juvenile probation officers. The goals of the above programs are to provide alternatives to incarceration and reduce the rate of repetition of sexual crimes or crimes related to drug or alcohol addiction, as well as to mobilize appropriate treatment for offenders with psychiatric problems.
- \* The Ohio Parole Authority researched its performance last year with 3,000 adult parolees, men and women. It learned that this sample has earned over \$13.7 million in wages and paid over \$2.7 million in taxes. If this same group had remained in incarceration, the cost of keeping them would have come to \$9 million from state resources.
- \* The District of Columbia Department of Corrections has a special program permitting attendance by inmates at Federal City College. On a self-referral basis, inmates with a high school diploma or equivalency and within two years of release may apply for admission. During the past two years, 181 inmates took part in the program; 132 inmates were from the correctional complex and 49 were from the Youth Center. Results showed that inmate/students consistently earned grades that matched or exceeded those earned by the regular student body. At the end of the Spring quarter of 1971, 98 enrollees had been released from prison. Of these 98, 79 enrolled as regular students. Of the 19 not enrolled, only seven were not eligible, and another seven had violated the terms of their release. The latter failure rate (approximately 7.2%) was below the national average of release violators. The Department of Corrections entered into a contract with the Offender Rehabilitation Division of the Legal Aid Agency.

Of 300 referrals reviewed, 200 were placed directly in gainful employment over a ten-month pilot period.

- \* **Kentucky** reviewed its training programs for jailers by examining the needs of 120 county and 13 city jails. Training programs were improved as a result of this review. A jailer's manual was produced, and the uniform jail reporting system was modified to provide continuous data for future monitoring. Another product was a statewide jail plan. Kentucky improved probation and parole by adding officers to reduce individual caseload size and to allow an increased number of contacts between probationers or parolees and their supervisors. Four ex-offenders were recruited for employment as para-professional probation/parole aides.
- \* The **Baltimore, Maryland, City Jail** employed additional staff to provide inmate services for educational, vocational and work release programs; domestic science for female inmates; and psychiatric assistance to counsel inmates who exhibit serious personality disorders. The **Maryland Correctional Institution in Hagerstown** initiated a Social Education Program to help inmates increase their chances for success after release. It includes comprehensive pre-release orientation sessions (five per week at 75 minutes per session) for inmates, the development of social skills, and intercession with labor leaders and labor unions to break down barriers to ex-offender employment. In less than one year, 234 ex-offenders had been placed in jobs ranging from \$1.90 to \$6.35 per hour; 100 ex-offenders had been placed into apprenticeship programs in heavy equipment operation (earning \$4.60 per hour while training); eight had been placed in training for jobs with the city of Baltimore; and 12 women were placed in graphic arts.
- \* In **Missouri**, with federal financial assistance, ten local jails were renovated up to or approaching state standards, and a massive renovation was undertaken at the St. Louis City Jail. The county jail at Benton, rated excellent by the Federal Bureau of Prisons, was renovated and serves as a multi-county facility incorporating a work-release program. College accredited courses have been brought behind the walls, credits being given by the University at Rolla. In the medium security institution (Moberly) and minimum security youthful offender facility (Algoa) at Jefferson City, 650 inmates receive educational benefits or vocational training.

- \* **Minnesota**, in assuring the legal rights of the confined, provides legal assistance to inmates through a project called "LAMP" (Legal Assistance for Minnesota Prisoners). This project is similar to programs in Georgia and Kansas. Under the program model, legal services are not restricted to the state departments of corrections, but involve county detention center inmates as well.
- \* **Kentucky** improved its security with a new radio communications system, and installed an electronic perimeter surveillance system which relieved guards at one institution from tower duty, permitting their involvement in direct treatment programs.
- \* **Maryland** corrections installed automated programmed learning devices which permit inmates to study at their own pace from adult basic education through high school equivalency. 168 inmates have taken part to date; 42 earned their high school equivalency, and three subsequently enrolled in college work.
- \* The **District of Columbia** has installed "Inform 9," a computerized system to predict the odds for success of men placed in community halfway houses. A scoring scale, compatible to the computer, predicts odds for or against success. 789 men who had already been through the department's work release program had their data processed through "Inform 9." Validation studies are ongoing as part of the research design.
- \* The **Connecticut** Department of Corrections has had many significant reforms implemented.

Two are available to help inmates with their legal problems, and legal library services have been provided for inmates. Further, inmates going before a disciplinary board may choose a staff member as an advocate to represent him.

A no-censorship mail program was instituted at Enfield allowing inmates to write to and receive uncensored mail from whomever they wish—including the news media.

The furlough program was broadened, and 2,250 men and women have had furloughs to visit their families, seek jobs, or even engage in legitimate business for a few days at a time. More than a thousand extra furloughs are granted over Thanksgiving and Christmas to maintain and strengthen family and community ties.

A full-time staff person has been employed whose sole function is to recruit minority group members to correctional careers.

An ombudsman will begin hearing inmate complaints and is authorized to make certain changes in individual situations.

To assist correctional policy decision-making, an inmate representative sits on the Research Advisory and the Educational Advisory Committees.

At Somers, a therapeutic environment for sixty drug dependent inmates with a full-time schedule of counseling and self-help is maintained. The rigid standards for group participation are set by the members themselves.

Funds for the general education programs at institutions have been augmented through legislation by which the Department of Corrections has been declared a school district.

Alternatives to incarceration are utilized, with the result that pre-trial confinement has been reduced 20%.

A new state corrections administrative manual was produced, and a copy is maintained for public scrutiny.

- \* In Massachusetts, the Department of Youth Services has closed four major juvenile institutions. Eight hundred youth have been diverted into programs such as the forestry camp for boys known as Outward Bound, where ecological projects provide useful training; others have entered the seventeen group homes established for young men and women in which the recidivism rate is a low 13%; still others, male and female, have gone into the Foster Families program as alternatives to incarceration. The adult corrections programs have been improved by Advocacy Resource Centers, staffed in part by ex-convicts, designed to keep men on parole and probation out of prison. The State Parole Board was authorized to hire additional officers to work out of the Advocacy Centers. In addition, a prison formerly used exclusively for women is now receiving male inmates on a highly selective trial basis for supervised re-socialization. Custodial staff are also being shifted on a limited and highly selective basis to normalize rehabilitation interaction. Some female correctional officers will be shifted to male prison staffs, and male correctional officers will balance out the staff in a female institution.

- \* In Virginia, the State has instituted greatly increased psychological/psychiatric services in state juvenile facilities and in many localities. This provides for expanded differential treatment programs at the state level, i.e., Positive Peer Culture, and at the local level for increased and intensified counseling services as well as family involvement. Five Virginia localities have implemented pilot programs in which probation officers visit committed offenders, work with the families during the commitment period, and provide intensive counseling and supervision upon release.

### IMPROVE ADMINISTRATION

The Task Force Report on Corrections, as a part of the Katzenbach Commission Report (1967), describes corrections as "an extremely diverse amalgam of facilities, theories, techniques, and programs (handling) nearly 1.3 million offenders on an average day; (having) 2.5 million admissions in the course of a year; (with an) annual operating budget (of) over a billion dollars." The Report continues, "about 95 percent of all offenders are male. Most of them are young, in the age range of fifteen to thirty. Juveniles alone comprise nearly a third of all offenders under correctional treatment, 63,000 in institutions and 285,000 under community supervision on an average day in 1965." These tabulations, credited to the Federal Bureau of Prisons and the U.S. Bureau of the Census, refer only to those institutionalized as convicted offenders under sentences of 30 days or more. Omitted are those held in local police lockups or institutions whose sole function is the detention of persons awaiting trial.

Correctional administration is fragmented between state and local jurisdictions and between adult and juvenile approaches. While prisons and parole are state functions, probation is often a county or municipal operation. Caught in the middle of the administrative maelstrom are the older adolescent offenders or the younger adult offenders. Due in part to their fuzzy classification, they inherit the administrative ills of both the adult and juvenile correctional systems.

Still, in spite of the enormity of the task, administrative progress is being made. Some feel the answer is consolidation of all correctional, probation and parole activities, adult and juvenile, as a state function. The mechanism may emerge as a monolithic state agency, or under a wider umbrella department of social welfare, human resources, rehabilitation services, or any of a number of

possible appellations. Regardless of the figurative designation chosen, it seems reasonable to expect consolidation to increase operational efficiency at a more economical cost; reduce personnel and administrative overlap; ameliorate interagency jurisdictional jealousies and misunderstandings; unify rehabilitation policies and goals while eliminating the exploitation of inmate labor; impart the effect of law in enforcing standards of humane treatment; facilitate safety and sanitation, fair hiring and staff development practices; carry out the mandate of protecting the public while insuring the legal and civil rights of the confined; and project to the public a unified and, hopefully, sympathetic image.

- \* Eighteen states have placed all adult and juvenile corrections functions in one agency at the state level. They are **Alaska, Rhode Island, Vermont, Arizona, Florida, Hawaii, Illinois, Indiana, Iowa, Minnesota, Nebraska, New Jersey, Oregon, Tennessee, Virginia, Washington, West Virginia and Wisconsin**. Almost all have done this in the last few years.
- \* **Hawaii** has developed and staffed a research and statistics bureau to evaluate its program in corrections, probation and parole and to develop a total, integrated corrections service master plan.
- \* **Indiana** has administratively tied its corrections, probation and parole activities into the computerized Indiana Criminal Information System. Inmate data and records are on microfilm providing a rapid retrieval capability.
- \* **Missouri** has employed a former police executive who provides liaison between corrections, probation and parole and the police. This position obtains needed police records for corrections personnel; collects criminal history data; monitors transfer of prisoners, and performs other functions with the net effect that time of correctional line officers is saved. Ex-offenders are employed in pre-release activities for parolees, conducting group counseling. A client emergency fund was created to help releasees in need of housing or food and to provide employment loans at no interest.
- \* **North Carolina** has administratively tied in to the automated Police Information Network (PIN) to improve its corrections, probation and parole records system. With this added administrative tool, researchers have compiled two definitive studies: "A Study of Absconders From Probation," and "A Study of

Juveniles on Probation." Probation Treatment Teams have been established as well.

- \* **Pennsylvania** has established a Research and Special Studies Unit to decentralize administrative operations; establish three new intensive supervision units; implement decision-making; identify potentially dangerous offenders; and perform systems analysis studies. The former 17 parole "rules" were streamlined to 7 "conditions," and parole violation procedures were brought into conformance with a recent U.S. Supreme Court ruling. Working jointly with the Bar Association and a Committee of Judges and Law Professors, the state Parole Act was revised.
- \* The **Tennessee** administrative reorganization established a Division of Field Services within the Department of Corrections including: A Division of Adult Probation and Parole; a work-release program; and a Division of Juvenile Probation and Aftercare. A full-time professional Board of Pardons and Paroles was created, with the State underwriting the costs.
- \* The **Virginia** Division of Corrections is reorganizing its state-wide system of correctional field units into specialized community correctional facilities. Approximately 12 of these units have already been converted. It has strengthened its capacity to offer consulting, planning, and management technical assistance to local jails and has established a mobile training program for training sheriffs and other local jailers.
- \* **Virginia** created a department to provide program and fiscal management to all grant funded probation and parole activities; to measure achievement and impact of programs; and, to publish a new Probation and Parole Board Manual.
- \* **North Carolina** developed a corrections information system to facilitate case management of inmates and to provide management information to decision-makers. A recidivism study was undertaken. In addition, a reorganization of the executive branch of state government consolidated four correctional agencies (Department of Correction; Board of Paroles; the Probation Commission; and the Department of Youth Development) into one department—The State of North Carolina Department of Social Rehabilitation and Control.

- \* **Oregon** created a full-time professional parole board bringing all state parole and probation services under the Corrections Division.
- \* **South Carolina** Department of Corrections established a Research Division. The Division prepared a riot control manual which has become a guideline for correctional administrators. This publication was based upon empirical observations on the etiology and handling of incidents of collective violence in institutions nationwide. Court decisions affecting corrections were researched, and another definitive study, *The Emerging Rights of the Confined*, was added to the literature. This, too, is becoming a standard for other correctional administrators.
- \* The **South Carolina** Department of Corrections installed computer hardware in its central institution from which inmate tracking, records, program, and management information throughout 16 institutions could be monitored. Research data were forthcoming, and, moreover, the devices were converted to training use. Selected inmates were entered into a structured course in programming, and skills were imparted which resulted in a number of well-paying jobs for inmates upon release. The full-time instructor, highly qualified, was an ex-felon who had served his sentence in another state. This Department and the Department of Youth Services have now provided for input of their data into the new statewide Criminal Justice Information System for the benefit of overall law enforcement efficiency on limited access inter-agency hardware. In-house, the systems provide information on individual inmate progress, calibrate the accumulation of good-time, seven day work credits, blood credits, adjusts release dates, and provides information for rehabilitation counselors operationally placed within all major institutions.
- \* **Michigan** operates an interdisciplinary Child Care and Placement Information System which contains 26 data elements on 35,000 children and youthful offenders or delinquents removed from parental care by court action. A Longitudinal Evaluation Project converted 3,900 case records to a computer data base for analysis of social history patterns, treatment patterns, and release outcomes.
- \* **Oregon** is developing a division-wide correctional computer-based client information system with capability of tracking the inmate from reception and diagnosis to time of release. Indi-

vidual case management information is produced which aids rehabilitation programming. For the broader application to all of Oregon criminal justice agencies, the institutional system interfaces with the statewide teletype system serving city police, county sheriffs, state police officers, and the Washington-based data bank known as the National Criminal Information Center (NCIC).

- \* **Texas** administrative improvements have included an improved records system which provides inmate tracking from arrest to parole, program evaluation, and recidivist statistics. The computerized system facilitates management and cost/effective analyses. A newly created Division of Research and Development performs the above studies as well as plans for the entire correctional process.
- \* The **District of Columbia** Department of Corrections has improved its administrative services by a departmental reorganization which established a Youth Center at Lorton; places emphasis on rehabilitation rather than custody; led to the opening of nine halfway houses and three youth houses; evaluated community corrections centers; performed cost/effective studies; and installed a program management sub-system to improve planning and evaluation capabilities.

#### IMPROVE CORRECTIONAL PERSONNEL

Every state, without exception, reported efforts underway to upgrade and professionalize correctional, probation and parole staff and line officers. Multidisciplinary training academies have been constructed and staffed in some states. Pre-service and in-service training have been stepped up. Participation in two-year and four-year degree programs have been encouraged. Impetus has been provided to institutions of higher learning through the federal Law Enforcement Education Program (LEEP) to establish curricula in corrections and criminal justice administration and related Associate of Arts (2-year) and baccalaureate degree programs. Master's degree and doctoral programs in criminology and related criminal justice and corrections administration have also, to a more limited extent, been stimulated. Many states have legislated minimum standards raising, in nearly all cases, requirements for entry into the professions of corrections, probation and parole. Pay and promotion incentives have been tied to training or educational attainment criteria; and promotions or appoint-

ments attributable to favoritism or patronage have given way to the requirements of state merit systems. Fair employment practices are becoming the norm, and special emphasis is being placed on recruiting qualified minority group members into correctional, probation and parole careers.

A few examples of state approaches follow:

- \* **Hawaii** began a six-year educational stipend program which, to date, has enabled five probation officers to pursue full-time graduate studies toward a master's degree in social work. In addition, the grant provides local seminars and field visits to other states to enable probation administrators to view selected techniques and data from action programs. The information is then evaluated and the better parts applied to the local scene in Hawaii.
- \* **Ohio** designed an educational and training program to upgrade all personnel working directly with the public offender, instilling a feeling of job satisfaction with a goal of reducing employee turnover. Eighty hours of specialized instruction were provided professional and administrative personnel. Training capability was expanded to supply specialized services to 1,350 correctional officers; 264 supervisors; 250 other correctional, probation and parole workers; 41 administrators; and 413 support personnel. Psychology of crowd behavior training was given to 42 guards of the Columbus City Workhouse. Successful thrust was given to the recruitment of minority group members in professional and non-professional positions with the Division of Corrections.
- \* The **California** Department of Corrections has recruited 500 minority group employees to fill staff and line positions. New procedures provide statistical assurance that minority inmates have equal access to rehabilitation programs. A staff minority consultant unit handles racial concerns.
- \* **Delaware** has installed an In-Service Training Library for correctional personnel. Thirty-six hours of in-service training are required of correctional officers annually, and this may be taken during duty hours on pay status. The University of Delaware Criminal Justice Institute has a bachelor's degree program and officers attend at no personal cost. An Extension Division gives a two-year Associate's Degrees program.

- \* **Florida** recruits ex-offenders, properly qualified, into para-professional and professional careers. A Correctional Training Institute upgrades capabilities and effectiveness of existing correctional personnel.
- \* In conjunction with Weber State College, the State of **Utah** instituted a new Jailor and Guard Training Academy.
- \* **Michigan** formally established a Corrections Training Center and employed a full-time training department head. Under his supervision, an intensive behavioral science training program for "front line" personnel was implemented. Selected personnel undergo a two-week course for counselors utilizing IPR (Interpersonal Process Recall), a technique developed by Michigan State University. Seminars on special problems and institutional teaching techniques are on-going.
- \* The **Virginia** Division of Youth Services placed staff trainers in several of the youth institutions and continued statewide training of juvenile court and detention home personnel.
- \* In **Nevada** corrections, half of their staff are enrolled in college level training programs. Minority hiring has reached a new, higher level. Selected staff and inmates take part in group therapy along lines of social readjustment.
- \* The **Maryland** Department of Juvenile Services has arranged, through the University of Maryland, training and staff development for 272 line workers: juvenile intake workers; institutional treatment team members; social workers; group life counselors; teachers; recreational therapists; and after-care and probation officers over a fifteen-month project period. Included were 17 three-day seminars. In addition, special education was provided to develop and train candidates for supervisory positions in juvenile institutions. Cottage life supervisors are given intensive training in maintaining a therapeutic environment in selected honor cottages through operant technology and a token economy. Other treatment staff were trained to supervise disturbed youth unable to function in an academic school setting within the institution. These troubled youngsters are diverted into vocational education programs; the staff must have special training in handling the behavioral symptoms as well as the technical knowledge to run the equipment in the school. At one institution, staff training has also been provided to supervisors of an automated

drug information program. Students learn at their own pace, but staff specialists must be trained and be in place to augment the automated program, clarify information, and perform pre-testing, post-testing and evaluation of not only the student's absorption, but the merit of the training modality as well.

- \* In Virginia, annual seminars for training all local jail correctional personnel are conducted annually.
- \* In Oklahoma, the Tulsa County Juvenile Bureau of the District Court sent six staff members to a week-long workshop at Tulane University. The comprehensive program dealt with reality therapy; group interaction; therapeutic intervention; and family dynamics. A second week retreat entailed self-evaluation for supervisors on their effectiveness and their feelings toward, and understanding of, juvenile delinquency. An interagency workshop involved not only 130 correctional workers, but educators, psychologists, psychiatrists, social workers, mental health personnel, and other contributing professions. Two police officers wrote a manual for police on the handling of juvenile offenders at arrest which included a police/juvenile counseling model. Oklahoma State University and the University of Oklahoma are commissioned to develop cooperatively a 120-hour structured training program for juvenile justice personnel, including police officers, house parents, probation and aftercare workers, court personnel, social workers, teachers and counselors.
- \* In South Carolina, minimum standards for entry of correctional officers have been established. Also, standards have been promulgated setting the proficiencies required of professionals in adult and juvenile services. Covered are proficiency standards for psychiatrists, psychologists, social workers, teachers and counselors. Agreements exist with universities through which advanced degree students may do their practicum or internship in correctional settings under prevailing rules and existing supervisory staff. In minority recruitment, the base year minority employment rate was 15 percent (1969). To date, this has risen to 35 percent of line personnel in adult and youth corrections. Realignment of staff duties has called for special training in group and treatment team practices and for involvement in the group therapeutic practices following completion of training.

## INCREASE PUBLIC INVOLVEMENT

There are about 400 institutions for adult felons in this country and they house only one-third of our convicted felons; two-thirds are in the community—mostly under some manner of probation or parole supervision. Some are living in community-based correctional centers or halfway houses; a larger number live with their families or otherwise on their own. Some are engaged in educational or on-the-job training programs; more are employed or seeking gainful employment.

The cost of institutionalization consumes nearly 80 percent of the money allocated to corrections and requires 85 percent of correctional personnel. This leaves only 20 percent of the dollars and 15 percent of correctional, probational and parole personnel available to serve the two out of three offenders in the community. Based on these data, it is more cost-effective to maintain offenders in the community.

To take advantage of the above, steps must be taken to inform and involve citizens in institutional programs, to educate the public of the rehabilitative function of the more progressive prisons, and to remove some of the fear and distrust of community based facilities and programs. Ways to do this include publicizing correctional goals through the media; encouraging civic group participation within institutions (such as Jaycee chapters existing now in many prisons); involving ministers, lawyers, and employers in pre-release center programs; obtaining citizen cooperation in locating work-release residences or halfway houses in communities; locating community sites for storefront drug abuse treatment centers or crisis intervention walk-in centers; obtaining employer and labor union cooperation in accepting work-release or parolees or probationers in on-the-job training or full employee status; permitting inmate "speaker's bureaus" to tour and lecture to students in school systems; identifying and training young and older adults from churches, colleges, industry, or the general public to serve as para-professionals, case aides, or volunteers in one-to-one relationships with convicted persons in or out of prison. The list may go on and on, limited only by imagination.

The best way of obtaining public support, however, is by actual evidence of successful community oriented programs. Some are represented by the following examples:

- \* Texas Corrections, in a separate facility, conducts a five-week pre-release orientation program for inmates due for their freedom. In a comprehensive classroom milieu, community guest speakers donate time from their business or profession to lecture on job opportunities; handling money and opening a bank account; familial duties and obligations; motor vehicle operation; aspects of law; personal health; opportunities for continuation of education or on-the-job training; how to apply for a job; grooming; personal salesmanship; self-confidence, and the organization and structure of communities and their available resources. Over a thousand business and professional or civic organization members take part at no cost to the State.
- \* In Boulder, Colorado, citizens are involved in Attention Homes for juveniles as alternatives to incarceration. Structured sufficiently for appropriate control, the centers are homelike and are less restrictive or punitive than an institutional environment.
- \* California's Increased Parole Effectiveness Program entails involvement of community para-professionals working directly with youthful offenders. The program led to the development of community settlement houses from which residents resume their jobs or educational program in community schools or colleges. This help has led to the addition of 100 parole agents to an original staff of 300, reducing caseload from 72 to 50 per officer, making more comprehensive and personal counseling and supportive services possible. Further, it allowed for the closing down of a youth authority institution, with the savings applied to finance parole caseloads. A Model Volunteer Project provided training to new volunteers in counties and cities.
- \* Georgia Youth Services has established 14 community-based programs for youths in lieu of institutionalization of committed youngsters. All are operational and effective.
- \* Idaho has established four neighborhood centers facilitating ease of access to juvenile offenders and their families. In these centers, volunteers, law enforcement officers, school officials, citizen groups, and other social service delivery systems enter into the family counseling process, thus heading off institutionalization of juvenile offenders. The total state experience of Idaho Youth Services community programs has shown

that, while youthful offender referrals have tripled in the past two years, the rate of incarceration has fallen from 40% to 10%. Clearly, community resources have risen to the problem—and the traumas of being locked away has been circumvented for many youngsters.

- \* Utah established Neighborhood Probation Units providing services to juvenile probationers and their families in a community residential atmosphere. In the First District Juvenile Court area, recidivism rates dropped to 19% compared to the 1971, statewide average of 41%.
- \* In New Jersey, a corps of women volunteers mobilized employers to hire probationers. This effort and that of a group of graduate students from Fairleigh Dickinson University serving as job canvassers and counselors to probationers have drawn in involvement of county Chambers of Commerce representing 1,200 firms in providing publicity and support in the form of jobs for probationers, primarily young adults.
- \* In Kansas, correctional staff workers have accompanied panels of inmates making speeches in schools, churches, universities, service clubs and civic groups. The inmates have reached numerous students from junior high through college age groups. The overall response ranging from school assemblies to civic committees and university classrooms has been positive and enthusiastically received.
- \* New Hampshire draws "Big Brother" and "Big Sister" volunteers from the communities for helping relationship services to impressionable but neglected young offenders.
- \* Kentucky has benefitted from legislation which seals or expunges a juvenile offender's record upon two years' successful experience in community programs. Legislation further prohibited placing truants, children beyond the control of their parents, runaways, incorrigibles and children under ten in an institution operated for delinquents. Community treatment through probation or foster care has been widened to keep families together, or at least involved, and to avoid setting up a pattern of institutionalization which could evolve if first offenders were exposed to more hardened repeaters in a correctional facility. The new legislation preventing incarceration, and the attendant use of community-based alternatives, has increased probation caseloads markedly and skyrocketed

the number of youths in foster care and community group homes. Yet the good results were the closing down of two detention facilities and the conversion of two or three more for day care only are planned. Extensive volunteer involvement is going on in high-risk communities. Caseloads here are kept small to permit intensive support on a one-to-one basis; volunteers are on call and available around the clock in some cases.

- \* In North Carolina, community volunteers come into the prisons to augment the basic educational program with one-to-one tutoring for any age group. Volunteers also sign inmates out for re-socialization activities in town such as church, movies, sports events.
  - \* Tennessee correctional administrators have built good press relations. Publicity about the rehabilitation goals has been instrumental in the beginning of community volunteer involvement.
  - \* The District of Columbia Department of Corrections sees community correctional centers as a means of facilitating adjustment to the free society. Nine adult centers have been established, as have been three youth houses and a halfway house for 25 women in school, training, or employment.
  - \* While volunteer programs have not been highly successful in Virginia's youth institutions—largely because of their inconvenient rural locations—the Reception and Diagnostic Center for Children, where all committed children are processed, has a very active volunteer program, as do a number of local and Regional Juvenile and Domestic Relations Courts.
- In Fairfax County, Washington County, and the cities of Richmond, Roanoke and Newport News, Virginia, organizations of community volunteers have been established under the auspices of Offender Aid and Restoration, Inc., a citizens' volunteer organization. These programs provide personal counselling and community services, education releases and work release programs for persons confined in local jails.

## CONCLUSION

The need for a report such as this has been recognized by many concerned individuals and organizations troubled by rising crime rates and their deleterious effect on our society. They want evidence indicating what is being done to correct the situation. In addition, criminal justice professionals who have been dealing with the problems of crime and criminality on a daily basis are encouraged by the opportunity to contribute to a report which would present some of the positive steps being taken to deal with this problem.

The national survey made by the Governors' Mutual Assistance Program for Criminal Justice has resulted in bringing together more examples of accomplishments and achievements by criminal justice agencies throughout the country than has ever been done before. Yet, it should be recognized that the many different examples cited in this report are only a small fraction of the total activity.

The pace of change and reform in the criminal justice field has been so rapid during the past few years that any attempt to identify everything is bound to fall short. An intensified effort has been conducted in virtually every state and municipality, but often the awareness of these efforts has been limited to its own immediate locale. These years have been a time for experimentation as well. In many instances, programs with proven success in one location did little or nothing in other locations. This is to be expected in a nation as diverse as ours.

In spite of the above, sufficient evidence of success is being reported to indicate that many important and necessary reforms are taking place throughout the country. In most instances, they are closely related to the recommendations of national commissions which studied and reported on crime and criminal justice.

An obvious conclusion can be drawn as a result of this effort: there is a need for an *ongoing* effort to collect and report progress in upgrading criminal justice activities. Operating agencies need to know what is happening in other jurisdictions in order that they may adopt, where appropriate, similar programs geared to local needs. Planners who seek to develop either short or long-range programs can build on the experience of others. And, perhaps more

importantly, the general public can be made aware of the activities of their elected and appointed officials.

Today, no universal, comprehensive effort exists to collect and report on the progress being made throughout the criminal justice system. This is not to suggest that a complete vacuum prevails. There are many projects that deal with parts of the total picture. State Planning Agencies disseminate progress reports and information newsletters throughout their own state. Professional associations, both local and national, issue periodic reports to their members dealing with subjects of interest related to their own field. Many governmental organizations are researching new approaches to dealing with crime and criminality and are entering their results into "data banks" for other researchers or interested individuals to draw upon. There have been efforts to find and report "exemplary projects," but this, too, has inherent problems. A major difficulty arises in the determination of just what is an exemplary project. In short, virtually all efforts that are currently reporting progress are either limited in scope, ad hoc in nature, or directed to a specialized audience.

As is mentioned throughout this report, there are no single avenues to major improvements. Many interrelated improvements are necessary to make a noticeable change, and it takes time to see the results of these changes. Improvements solve some problems and compound others. Increased rates of apprehension by the police serve to increase the workload of the courts and prisons. More speedy trials are needed if backlogs are not to increase, and more alternatives to incarceration must be found for those who can benefit if prisons are not to be overcrowded. Correctional activities must result in redirecting individuals to more socially productive actions if they are to reduce the workload of the police. Criminal laws enacted by state legislatures must reflect their pertinency to current conditions.

The need for all criminal justice professionals to work more closely together has long been recognized, and this report shows that they are indeed doing so. State Planning Agencies are accomplishing this through the representation of all interested groups on the Supervisory Boards. Many of the programs of the police, courts and correctional agencies cited in this report reflect the involvement of the several components of the criminal justice system as well as of the general public. And the cooperative action of the members of the several criminal justice organizations who

helped in the preparation of this report is still further evidence of the desire to work together for a common goal.

The Council of State Governments, with its umbrella coverage of many affiliated and cooperating organizations of state officials, would appear to be a logical mechanism for an ongoing effort to coordinate and report on the progress being made in improving criminal justice throughout the country. Because crime is essentially a state and local problem, the Council must insure that inter-governmental relationships between cities and counties, as well as the federal government, are closely coordinated and that collective leadership is brought to bear on this problem.

The citation of the many accomplishments and achievements reflected in this report is not intended to portray a rosy picture in criminal justice activities. There are still significant deficiencies in the criminal justice system that cannot be taken lightly. Crime rates are too high as judged by any acceptable standard; courts still move too slowly; prison uprisings are becoming common; and individuals are still being apprehended for criminal activity while they are awaiting trial for previous offenses. These are conditions which must be alleviated. This report provides some evidence that these problems are being dealt with. Serious and concerted effort is being directed to reduce crime and improve the criminal justice system. It is unlikely that this effort will be reduced until much greater improvement is realized.

Crime rates are being reduced, and state and local government officials are working hard to bring them down faster. The impetus of the Omnibus Crime Control and Safe Streets Act has been of great assistance in aiding these officials. It is hoped that this report will provide the reader with some assurance that public monies spent for this purpose have had some measurable impact on the problem of crime in this country.

## CONTRIBUTORS TO THE REPORT

In December 1972, a meeting was called by the staff of the Governors' Mutual Assistance Program for Criminal Justice with representatives from national organizations of state officials in the criminal justice field. Discussion dealt with the need to inform the public of the accomplishments and achievements which already had taken place or were in the process of taking place. It was unanimously agreed that a combined and coordinated effort would be undertaken to collect and report these activities in the hope that all concerned, those in the criminal justice field as well as the general public, could know of these advancements.

Following that meeting, each Executive Secretary contacted the members of his organization and requested them to submit a report of the advances that had taken place in his own area of responsibility during the past few years and of how the Safe Streets Act had played a role. The responses to those requests served as the basis for this report.

We are particularly thankful to the Executive Secretaries and representatives of the national organizations contributing to this report. They arranged for the collection of individual reports and provided them to the staff. They are:

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