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FOURTH REPORT ON THE  
IMPLEMENTATION OF TITLE II  
OF THE  
**SPEEDY TRIAL ACT  
OF 1974**

**TITLE II**



ADMINISTRATIVE OFFICE OF  
THE UNITED STATES COURTS

WASHINGTON, D.C.

JUNE 29, 1979

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**U.S. Department of Justice  
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REPORT OF THE DIRECTOR  
OF THE ADMINISTRATIVE OFFICE  
OF THE UNITED STATES COURTS  
ON THE ADMINISTRATION AND OPERATION  
OF PRETRIAL SERVICES AGENCIES  
ESTABLISHED PURSUANT TO TITLE II  
OF THE SPEEDY TRIAL ACT OF 1974,  
18 U.S.C. 3152-56

I. INTRODUCTION

Pretrial services agencies, authorized by Title II of the Speedy Trial Act of 1974, 1/ were established by the Director of the Administrative Office of the United States Courts on a demonstration basis in 10 representative United States district courts approximately three years ago. In five district courts, the powers of the pretrial services agencies were vested in the Division of Probation of the Administrative Office and operated under the general supervision of each district's chief probation officer. In the other five, the powers of the pretrial services agencies were vested in boards of trustees, appointed in accordance with the provisions of the Act, and each agency operated under a chief pretrial services officer selected by the board.

The functions of pretrial services agencies are to collect, verify and report promptly to the judicial officer information pertaining to the pretrial release of each person charged with an offense, and recommend appropriate release conditions for each such person; to review and modify these reports and recommendations for persons seeking release; to supervise persons released to its custody; to operate, or contract for the operation of appropriate

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1/ 18 U.S.C. 3152-56.

facilities for the custody or care of persons released pursuant to the Bail Reform Act; to inform the court of all apparent violations of pretrial release conditions or the arrest of persons released to its custody or under its supervision, and recommend appropriate modifications of release conditions; to serve as coordinator for other local agencies which serve as third party custodians; to assist those released from custody in securing necessary employment, medical, legal, or social services; to prepare such pretrial detention reports required; and to perform other functions assigned by the court. 2/

The Act further requires the Director of the Administrative Office to report to the Congress on the accomplishments of the 10 pretrial services agencies with particular attention to their effectiveness in reducing crime committed by persons released from custody; their effectiveness in reducing the volume and cost of unnecessary pretrial detention; and, in general, their effectiveness in improving the operation of the Bail Reform Act. 3/ The Director is also required to compare the accomplishments of the pretrial services agencies operated by the Division of Probation and, in addition with those operated by boards of trustees, with monetary bail systems and any other program generally used in state and federal courts to guarantee presence at trial.

A. Reports on the Operation of Pretrial Services Agencies

Several different reports have already been prepared on the operation of these pretrial services agencies.

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2/ 18 U.S.C. 3154.

3/ 18 U.S.C. 3155(b).

(1) The Director of the Administrative Office has submitted to the Congress three annual reports dealing with the operation of pretrial services agencies. This is the fourth report required by 18 U.S.C. 3155(b).

(2) During the second year of operation, the General Accounting Office made an independent field survey of the operation of pretrial services agencies, noting generally that the work of these agencies has been well received. The GAO report observed in part: 4/

(W)e believe that better defendant-related information is needed to improve bail decisions in all courts. Because PSAs are now providing this information, we support the continuation and expansion to other districts of this particular PSA function.

The report also noted:

(T)he need for and benefits of (pretrial services agency supervision and social services activities) have not yet been clearly established.

(3) In order to verify the preliminary findings contained in the analysis made in this report, the Chairman of the Committee on the Administration of the Probation System of the Judicial Conference of the United States requested the Research Division of the Federal Judicial Center, with assistance from the Administrative Office staff, to undertake an independent analysis of the entire data base created by the Administrative Office. The Center report, attached as an appendix, 5/ verifies the overall findings contained in this report that the rates of pretrial crime and pretrial

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4/ The Federal Bail Process Fosters Inequities, A Report To The Congress by the Comptroller General of the United States, GGD-78-105, October 17, 1978, p.24.

5/ See Appendix B.

detention have declined in the district courts having pretrial services agencies, but points out that these declines may be attributable to factors other than the work of the pretrial services agencies, such as the changing nature of the criminal case-load.

The Center report concludes, "we cannot statistically attribute changes, or lack thereof, to pretrial services agencies, per se"; and the Center has expressly stipulated that its report:

Is not an evaluation of the pretrial services agencies project. Rather, it is an analysis that may prove useful in such an evaluation. An evaluation may properly use information other than quantitative data and statistical tests in judging the success of the project.

(4) The statistical data base compiled in the Administrative Office and set forth in this report indicates that the rates of pretrial crime and pretrial detention have declined in the 10 pretrial services agency districts during the last three years, as compared with a two-year period in the same districts prior to the advent of the program. Failures to appear have also declined. At the same time a comparative study conducted in five representative district courts not having pretrial services agencies shows a similar decline in the rates of pretrial crime, pretrial detention, and failures to appear, although these rates of decline were generally less than those in districts having pretrial services agencies. The reason for this is not explained in the statistics, but may result, as suggested in the report of the Federal Judicial Center, from the changing nature of the case-load or the compression in the time period from arrest to trial brought about by the time limits imposed by Title I of the Speedy Trial Act of 1974.

#### B. Comparison of Board and Probation Agencies

In the last three years pretrial detention rates have declined

approximately 10.5% in the five district courts operated under Boards of Trustees, and 6.5% in the five district courts operated under the probation service. Crime on bail has been reduced 3.6% in the board districts and 4.6% in the probation districts. The rate at which defendants have failed to appear, when required by the court, declined 1.4% in the board districts and 4.6% in the probation districts.

Services performed were more extensive in the five district courts with pretrial services agencies operated under Boards of Trustees than in the districts operated under the supervision and direction of the probation service. Board agencies submitted reports on a higher percentage of defendants interviewed in their districts, submitted recommendations more frequently and recommended non-financial conditions of release in a greater percentage of cases.

The higher level of activity in board districts does not appear to result from any action of the Boards of Trustees. Indeed, once the boards had met and selected the chief pretrial services officer, they seldom met again. This fact was also observed in the study conducted by the General Accounting Office. For the most part, the chief pretrial services officers in board districts conducted operations under the general direction of the chief judge of the district court, or his designee, with a measure of guidance and assistance from the pretrial services branch of the Administrative Office. In fact, both the board districts and the probation districts received the same level of advice and assistance from the pretrial services branch of the Administrative Office.

As a result of this experience, it appears that Boards of Trustees have not functioned, and perhaps cannot function, in a manner helpful to the day-to-day operations of pretrial services agencies. Their continuance is, therefore, not recommended. Direct access to the chief judge of the court, independent of the probation

office, and the overall better showing of board agencies does indicate that independence of a pretrial services agency from the probation office may be desirable.

C. Opinions of Judges and Other Court Personnel

In the three years that pretrial services agencies have been in operation in the 10 demonstration districts, judges and court personnel have become accustomed to receiving advice and assistance in the bail-setting process and believe the agencies perform a valuable service. In answer to a questionnaire, an overwhelming number of judges, magistrates, lawyers of the defense bar, prosecutors, and their assistants believe that the pretrial services agencies have reduced the rates of detention, failure to appear, and crime on bail, and, furthermore, have enabled judicial officers to set conditions of release that have resulted in an increased rate of release of defendants from custody prior to trial. They also believe that pretrial services agencies now in existence should be continued and that the system should be expanded to other district courts.

The opinions, however, were not unanimous. Some of those interviewed could see no detectable difference or advantage accruing from the work of pretrial services agencies, and other persons replying to the questionnaire felt that more experience was required before the impact of pretrial services agencies on the bail process could be properly evaluated.

D. Comparison with Pretrial Services Programs Used in State Courts

In the past decade or so, pretrial services programs, modeled on the successful Vera Project in New York City, have been adopted in a number of states. Information could not be obtained on the impact which these state programs have had on rates of pretrial detention, crime on bail, and failures to appear. The National

Association of Pretrial Services Agencies (NAPSA) has promulgated a set of "Performance Standards and Goals for Release and Diversion" against which the performance of the pretrial services agencies in the 10 United States district courts can be compared. In general, the operation of the 10 pretrial services agencies comply fully with these NAPSA standards to the extent that the standards are applicable to the federal court system. A more detailed comparison is set out later in this report.

#### E. Cost of the Program

Initially, \$10,000,000 was appropriated by the Congress for the operation of a pretrial services program in the 10 demonstration districts. During the 95th Congress, an additional lump-sum appropriation of \$5,000,000 was provided to remain available until expended. The amount of that appropriation was determined by the Senate and House Judiciary Committees based upon an Administrative Office estimate of the monthly operating costs of the program; in other words, the Administrative Office advised the Congress that continuation of the program through the demonstration period would require a given amount per month and, using that figure, the Congressional committees authorized a sum, which they believed to be appropriate. The two committees provided an amount designed to support the program for a period of from six months to one year beyond receipt of the Administrative Office's 1979 report on the program and recommendations for continued implementation of the program. The underlying assumption was that Congress would act upon the recommendations embodied in the 1979 report prior to the expiration of the approved appropriated amount. Should the 96th Congress be unable to finalize legislation to determine the future of the program prior to June 30, 1980, the Pretrial Services agencies will realistically be terminated due to the exhaustion of available supportive funding.



As of March 31, 1979, approximately \$9,655,000 of the \$15,000,000 had been obligated. Available statistical information indicates that 30,552 individuals were interviewed by pretrial services officers through March 31, 1979. The cost per individual interviewed was \$316, including start-up costs, non-recurring expenses, supervision, statistical services, contractual services and training. A complete breakdown of costs and expenditures appears elsewhere in this report.

#### F. Conclusions and Recommendations

The total impact of the demonstration program is not entirely clear. The extent to which reductions in detention, crime on bail, and failures to appear are attributable to the impact of Title I of the Speedy Trial Act in compressing the period from arrest to trial cannot now be fully measured. As indicated above, the Federal Judicial Center report cautions that these declines may be attributable to other factors.

Further, the differences in organizational structure between the two types of agencies do not appear to have brought about the better statistical showing of board districts. As previously observed, the boards of trustees appointed in five district courts served little purpose other than the selection of a chief pretrial services officer. District supervision and the settlement of policy questions were functions performed mostly by the chief judge of the district court or a judge designated by him to oversee the operation of the office.

On the other hand, those judges, judicial officers, and lawyers who have participated in, and observed, the operations of the 10 pretrial services agencies believe that they have improved the operation of the Bail Reform Act and have enabled judicial officers to make more informed decisions on bail using the verified factual information and the recommendations of pretrial services officers.

On the basis of the favorable observations of judges, magistrates, and others, and the overall favorable statistical results of the program, it is recommended that statutory authority be granted to continue the pretrial services agencies permanently in the 10 demonstration districts, and, further, that statutory authority be given for the expansion of the program to other district courts when the need for such services is shown. It is further recommended that the district courts be authorized to appoint pretrial services officers under standards to be prescribed by the Judicial Conference of the United States and that the Judicial Conference authorize, upon the recommendation of the Director of the Administrative Office and the recommendations of the district courts and judicial councils concerned which district courts should have pretrial services units. These units would be independent of the probation service, except in those districts in which the caseload would not warrant a separate unit.

If Congressional action on these recommendations can not be completed before currently authorized funds are exhausted (estimated to be June 30, 1980), it is further recommended that additional funds be authorized and appropriations made in such amount, as may be determined by the Congress, to carry on the program temporarily in the 10 demonstration districts until final Congressional action occurs.

The following portions of this report describe the operations of the 10 pretrial services agencies established on a demonstration basis and the results of their activities.

## II. HISTORICAL PERSPECTIVE

### A. Bail and Bail Reform Act

The Eighth Amendment to the Constitution provides in part that "excessive bail shall not be required." This requirement of the Constitution was written into Section 33 of the Judiciary Act of 1789 which provided, "And upon all arrests in criminal cases bail shall be admitted except where the punishment may be death, . . ." In 1951 the Supreme Court of the United States in the landmark case of Stack v. Boyle stated, "Since the function of bail is limited, the fixing of bail for any individual must be based upon standards relevant to the purpose of assuring the presence of that individual." 1/

Fifteen years after the Stack decision, Congress passed the Bail Reform Act of 1966, which established standards and procedures relating to pretrial release. 2/ The stated purpose of the Act was "to revise the practice relating to bail to assure that all persons, regardless of their financial status, shall not needlessly be detained. . .when detention serves neither the ends of justice nor the public interest."

The Bail Reform Act authorizes the release of a person charged with a noncapital offense on personal recognizance or upon the execution of an unsecured bond in an amount set by the judicial officer. If, however, the judicial officer determines, in the exercise of discretion, that neither type of release will reasonably assure the appearance of the person, he is required, in lieu of or in addition

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1/ 342 U.S. 1, at p. 5, 74 Sup. Ct. 1, 96 L.Ed. 31 (1951).

2/ Bail Reform Act of 1966, Public Law 89-465, 80 Stat. 216, 18 U.S.C. 3146 et seq.

to the above methods of release, to impose one or a combination of the following conditions:

- "(1) place the person in the custody of a designated person or organization agreeing to supervise him;
- "(2) place restrictions on the travel, association, or place of abode of the person during the period of release;
- "(3) require the execution of an appearance bond in a specified amount and the deposit in the registry of the court, in cash or other security as directed, of a sum not to exceed 10 per centum of the amount of the bond, such deposit to be returned upon the performance of the conditions of release;
- "(4) require the execution of a bail bond with sufficient solvent sureties; or the deposit of cash in lieu thereof; or
- "(5) impose any other condition deemed reasonably necessary to assure appearance as required, including a condition requiring that the person return to custody after specified hours." 3/

In determining which of the conditions of release will most reasonably assure appearance at trial, the judicial officer is instructed, on the basis of available information, to take into account:

- (1) the nature and circumstances of the offense charged;
- (2) the weight of evidence against the accused;
- (3) the accused's family ties, employment, financial resources, character, and mental condition;
- (4) length of his residence in the community;
- (5) record of appearance, nonappearance, or flight in previous court proceedings. 4/

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3/ Ibid.

4/ 18 U.S.C. §3146(b).

B. The Speedy Trial Act of 1974

Title II of the Speedy Trial Act of 1974 was designed to provide, on a demonstration basis, assistance to judicial officers in the bail setting process. This objective was to be accomplished through the staff of a pretrial services agency, which would interview defendants, obtain and verify background information concerning them, recommend conditions of release, and be available to supervise defendants on bail prior to trial.

Commentators have contended that there are inequities in the bail process nationwide which ought to be remedied. 6/ Congress was aware of this criticism of the bail process when it authorized a limited pretrial services program in the federal courts on a demonstration basis. The purpose of the program was to determine whether the activities of these agencies would be effective in reducing crime committed by persons released from pretrial custody under the Bail Reform Act, reduce the volume and cost of unnecessary pretrial detention, and otherwise improve the operation of the Bail Reform Act.

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5/ S. Rep. No. 93-1021, 93d Cong. 2d Sess. (1974), pp. 24-25.

6/ Barker v. Wingo, 407 U.S. 514, 532-33 (1972); The Federal Bail Process Fosters Inequities, Report of the Congress by the Comptroller General of the United States, October 17, 1978, 78 Comp. Gen. 105; National Conference on Bail and Criminal Justice, Proceedings and Interim Report, Wash., D.C., p. 965; President's Commission on Law Enforcement and Administration of Justice, Task Force Report: The Courts, Wash., D.C., 1967. pp. 37-38; National Advisory Commission on Criminal Justice Standards and Goals. Corrections, Wash., D.C., 1973, pp. 98-107; H. Rep. No. 1541, 89th Cong. 2d Sess. (1966), p.9. Also see American Bar Association Project on Standards for Criminal Justice. Pretrial Release, Second Edition, Tentative Draft, Wash., D.C.; American Bar Association, 1978, see generally Thomas, Wayne H., Jr., Bail Reform In America; University of California Press, 1976.

### III. IMPLEMENTATION OF TITLE II, SPEEDY TRIAL ACT

The Speedy Trial Act required the Director of the Administrative Office to establish pretrial services agencies on a demonstration basis in 10 United States district courts to be designated by the Chief Justice of the United States after consultation with the Attorney General. The selection of the 10 districts was to be based on the following considerations: (1) the number of cases prosecuted annually in the district; (2) the percentage of defendants in the district detained prior to trial; (3) the incidence of crime charged against persons released pending trial; and (4) the availability of community resources to implement those conditions of release which might be imposed by the court.

Thirty districts were identified as potential districts to have pretrial services agencies, and a survey form was sent to each district. Following analysis by the staff of the Administrative Office the original list of 30 districts was reduced to 17 from which the final 10 demonstration districts were selected.

The final selections were then submitted to the Attorney General and were considered by an advisory council of United States attorneys. The United States attorneys in the districts selected were contacted by the Department of Justice and given an opportunity to express their views regarding the program. Subsequently, the Attorney General concurred in the selections. The chief judge of each district selected subsequently agreed to have his court participate. The Chief Justice, on July 7, 1975, formally designated the following districts for the program:

#### Agencies to be Administered by the United States Probation Office

Central California - Los Angeles  
Northern Georgia - Atlanta  
Northern Illinois - Chicago  
Southern New York - New York City  
Northern Texas - Dallas

Agencies to be Administered by a  
Board of Trustees

Western Missouri - Kansas City  
Eastern New York - Brooklyn  
Eastern Pennsylvania - Philadelphia  
Maryland - Baltimore  
Eastern Michigan - Detroit

Funds in the amount of \$10 million, as authorized by the Act, became available on July 1, 1975, and the task of organizing the agencies began immediately. In October 1975, the first pretrial services agency commenced operations, and by April 1976, pretrial services agencies had been established in all 10 districts.

#### IV. OPERATION AND ADMINISTRATION OF PRETRIAL SERVICES AGENCIES

##### A. Method of Pretrial Interview and Reporting

When a pretrial services agency has been notified that a person has been arrested or summoned to court, an officer from that agency contacts the individual as soon as possible and conducts a prebail interview. The officer advises the defendant that there will be no discussion of the offense charged; that the express purpose of the interview is for bail considerations and for presentence purposes (if a conviction subsequently occurs); and that he does not have to talk to the officer. Although there was some concern initially that some defendants would not want to be interviewed, only 1.3% of those contacted refused the interview.

After information is obtained from the defendant concerning his identity, present address, present or past employment, income, present school attendance, telephone number, time in the community, family ties, financial resources, health, prior convictions, and record of court appearances, the officer attempts to verify as much of this information as possible before the bail hearing. The officer makes record checks with local agencies and contacts relatives and employers. A report with recommendations is then written and submitted to the judicial officer charged with the setting of release conditions; or in emergencies the report may be presented orally. The form of the written report is standardized throughout both the probation-operated agencies and the board-operated agencies.

##### B. Budget

Funds in the amount of \$10 million were originally provided by Congress for the operation of pretrial services agencies and those funds were to be available until expended.



The legislative history of the Act indicated that as much as \$1 million per agency per year could be spent for the operation of each of the 10 pretrial services agencies and that Congress intended to monitor the operation of the agencies to determine whether additional authorization for appropriations would be required. Soon after the program was initiated in the 10 districts, it became evident that the \$10 million would realistically not be spent in the first or even the second year of operation due to the initial low volume of cases that were being processed in the 10 districts and a lower demand for supervision and other services than was originally projected.

During the year ending June 30, 1976, approximately \$1 million of these funds were obligated. The pretrial services agencies were in operation for an average of only six months during that year. By June 30, 1977, the 10 demonstration agencies had expended \$4,284,229, and it was projected that the initial \$10 million would be exhausted by December 1978.

In early 1978, when it became apparent that additional funds were necessary, an additional \$5 million was requested and authorized.

Most of the funds have been expended to support the two primary functions of reporting and supervision, though some funds have also been expended on contractual services, training, data collection, pretrial diversion, and reporting requirements. The funds available at the writing of this report will last approximately until June of 1980.

### C. Staffing

#### 1. Pretrial Services Branch

A pretrial services branch, established within the Probation Division of the Administrative Office to administer the pretrial services program, was initially staffed with three professional

positions and one secretary. After the 10 agencies were established, the branch expanded to its present size of four professional positions, one secretary, three data processors, and one temporary clerical position. The pretrial services branch has also used the services of other divisions and branches in the Administrative Office to support the needs of the 10 pretrial services agencies.

The pretrial services branch has been responsible for the development of personnel standards and procedures, the drafting of regulations, the development of general policy, and the preparation of guidelines for contractual services. The evaluation methodology and statistical reporting procedures were also developed by the pretrial services branch.

## 2. Pretrial Services Agencies

At the outset of the program, state and local pretrial services agencies, including the D.C. Bail Agency, were visited to determine reasonable staffing levels for the program. Based upon those visits, each agency was staffed conservatively until experience was gained and each could participate in the planning for its own needs.

Three factors influenced the final number of officers assigned: (1) the projected number of offenders to be interviewed; (2) the number of persons released to pretrial supervision by judicial officers; and (3) the extent to which pretrial services agencies assumed responsibility for providing support for the pretrial diversion program of the U.S. Attorney's office. Ultimately, five pretrial services agencies (two board-operated and three probation-operated) were assigned diversion functions.

ALLOCATION OF OFFICERS AND SUPPORTING  
PERSONNEL TO PRETRIAL SERVICES AGENCIES

<u>Boards of Trustees</u>	<u>Chief Pretrial Service Officer</u>	<u>Supervising Pretrial Service Officer</u>	<u>Pretrial Service Officer</u>	<u>Clerk/ Steno</u>	<u>Total</u>
Eastern New York	1	1	9	5	16
Eastern Pennsylvania	1	1	8	5	15
Maryland	1	0	7	5	13
Eastern Michigan	1	2	13	9	25
Western Missouri	<u>1</u>	<u>0</u>	<u>4</u>	<u>3</u>	<u>8</u>
Total	5	4	41	27	77

<u>Probation Districts</u>	<u>Chief Pretrial Service Officer</u>	<u>Supervising Pretrial Service Officer</u>	<u>Pretrial Service Officer</u>	<u>Clerk/ Steno</u>	<u>Total</u>
Southern New York	1	2	13	6	22
Northern Georgia	1	1	4	3	9
Northern Texas	1	1	4	2	8
Northern Illinois	1	1	8	4	14
Central California	<u>1</u>	<u>2</u>	<u>16</u>	<u>7</u>	<u>26</u>
Total	5	7	45	22	79
	—	—	—	—	—
	<u>10</u>	<u>11</u>	<u>86</u>	<u>49</u>	<u>156</u>

#### D. Training

Shortly after the program was established, the chiefs and the supervising pretrial services officers attended an orientation seminar. Directors of state and local pretrial release programs and recognized authorities on bail were used as faculty to develop a common understanding of the purpose and function of pretrial services agencies.

Seminar topics included the history of the Speedy Trial Act of 1974, overview of the national scope of pretrial services in state and local courts, pretrial services inter-relationships with other agencies of the courts (the prosecutor, the magistrate, the defense counsel, and the arresting agency), observation of the operation of the D.C. Bail Agency, local issues related to Title II, evaluation design for Title II, procedural guidelines developed by the pretrial services branch, and the actual utilization of new forms in mock interviews of arrestees.

Subsequently, orientation classes were held by the Federal Judicial Center for all newly-appointed pretrial services officers following the same general format. As practical experience was gained, advanced seminars were held to deal with problem areas that had been encountered in the early stages of the program. Overall, a total of four orientation seminars, three advanced, and one management seminar were conducted by the Federal Judicial Center. Later training utilized a number of federal pretrial services officers, prosecutors, arresting agents, and magistrates.

V. PERCEPTIONS OF COURT PERSONNEL  
REGARDING THE FEDERAL PRETRIAL SERVICES AGENCIES

The pretrial services branch of the Administrative Office solicited the opinions of those individuals who had been involved in the program. Altogether thirteen (13) judges, fifteen (15) U.S. magistrates, thirteen (13) attorneys in the U.S. attorney's offices, and thirteen (13) defense attorneys were consulted. The answers to the questions posed to all are summarized below.

Each individual was asked a number of questions in three categories: Those related to the effects which the pretrial services agencies had on the bail process; those related to the continuance of pretrial services in the future; and those related to the form of organization the pretrial services should assume, if continued.

A. Do you believe that the presence of a pretrial services agency in your district has had any effect on reducing detention?

All thirteen (13) judges who were interviewed answered affirmatively to this question. There was a general belief that detention was extremely low in the districts prior to the existence of the pretrial services agencies.

Twelve (12) of the fifteen (15) magistrates were also of the opinion that pretrial services activities had reduced detention, but they tended to agree with the judges that the impact was limited because of prior low detention rates.

Eight (8) of the thirteen (13) members of United States attorneys' staffs and eleven (11) of the thirteen (13) defense attorneys also believed that pretrial services had been responsible for reducing detention. However, they too joined the judges and magistrates in their skepticism about the extent of impact.

- B. Do you believe the presence of a pretrial services agency in your district has had any effect on reducing failures to appear?

Eleven (11) of the judges, eight (8) of the magistrates, eight (8) of the U.S. attorneys, and twelve (12) of the defense attorneys answered "Yes" to this question. Each group qualified its responses by stating that the impact of the pretrial services agencies was limited because of the historically small number of failures to appear

- C. Do you believe the presence of a pretrial services agency in your district has had any effect on reducing crime committed by those on bail?

There were fewer affirmative answers to this question since many of those interviewed stated that there was no way for them to know if pretrial criminality had been reduced.

Only six (6) judges, two (2) magistrates, two (2) U.S. attorneys, and six (6) defense attorneys stated that pretrial services agencies had reduced pretrial crime. Those that felt that it had made an impact in this area attributed it partially to pretrial services agency supervision and treatment referral.

- D. Do you believe that the availability of pretrial services supervision has resulted in the release of more defendants?

The overwhelming majority of those responding to this question answered affirmatively. All thirteen (13) judges, all fifteen (15) magistrates, and all thirteen (13) defense attorneys stated that supervision resulted in the release of more defendants. Only three (3) of the thirteen (13) U.S. attorneys disagreed with their colleagues.

The judges and magistrates generally stated that they are more comfortable releasing certain defendants when they know that the pretrial services agency will supervise them.

- E. Do you believe that the availability of the pretrial services agency in providing verified information at bail hearings has caused the judicial officer to set conditions of release that have resulted in the release of a greater number of defendants?

Once again the number of responses was overwhelmingly affirmative. Ten (10) judges, thirteen (13) magistrates, ten (10) U.S. attorneys, and twelve (12) defense lawyers all stated their belief that the provision of verified, objective information was a factor leading to the release of a greater number of defendants. Many indicated that this activity of the pretrial services agency helped to reduce the controversies that sometimes arise in bail hearings.

- F. In your opinion should pretrial services be provided to all defendants in the Federal courts?

This question evoked more negative responses than any other. The reason for this can be attributed to the various functions that the pretrial services agencies perform and the different values that the judicial officers and court-related personnel attach to them. While many of those interviewed expressed their opinion that all defendants should be interviewed by PSA, a sizeable number of respondents stated that certain categories of defendants should be excluded from interviews. Almost all of those interviewed, however, stated their opposition to supervision of all defendants, based upon legal and practical grounds.

Nine (9) judges, six (6) magistrates, one (1) U.S. attorney, and seven (7) defense attorneys answered "Yes" to this question

- G. Do you believe that the pretrial services agencies should be continued?

Fifty-two (52) of the fifty-four (54) individuals interviewed answered this question affirmatively. The only two respondents that answered negatively were assistant U.S. attorneys.

Some individuals expressed doubts about the wisdom of immediately expanding pretrial services into all Federal districts before an assessment is made of the need for such agencies.

H. Which of the following would provide the best administrative structure for pretrial services agencies?

1. Separate agencies under local judges
2. Separate agencies under boards of trustees
3. Separate agencies under the Administrative Office of the U.S. Courts
4. A unit of the U.S. probation office
5. Other

Two (2) judges, two (2) U.S. attorneys, and one (1) defense attorney stated that the best structure would be one administered by local judges.

Having pretrial services under the administration of boards of trustees was the choice of one (1) judge, three (3) magistrates, and six (6) defense attorneys.

The option of having pretrial services administered as a separate agency directly under the Administrative Office of the U.S. Courts was selected by two (2) judges, four (4) magistrates, four (4) U.S. attorneys, and four (4) defense attorneys.

The administrative alternative that would have pretrial services operated as a unit of the U.S. probation office was the choice of eight (8) judges, four (4) magistrates, three (3) U.S. attorneys, and one (1) defense attorney.

One individual stated a preference for an agency that would be under the U.S. magistrates and a number of those interviewed expressed no single preference.

In addition to the above, fifty-four (54) pretrial service officers expressed their opinion on the form of organization that



pretrial services should adopt. Thirty-two (32) of the officers selected the option of having pretrial services administered as a separate agency under the Administrative Office of the United States Courts, and fourteen (14) were of the opinion that it should be administered as a unit of the U.S. probation office. Seven (7) officers stated their belief that the agency could best be operated by a board of trustees while one (1) officer thought that the best structure would be one administered by local district court judges.

## VI. DATA EVALUATION

### A. Design and Methodology

Several methods for measuring the impact of pretrial services agencies on the operation of the Bail Reform Act were considered. A research design using a control group under which some of the defendants arrested and brought before the courts in the 10 demonstration districts would be interviewed, and some would not, was considered and rejected. The legislative history of a proposed statutory diversion program calls attention to the difficulty in conducting this type of research since the objective of the program was to test a full operation of a pretrial services program for all defendants charged in the 10 demonstration districts. <sup>1/</sup> In order to analyze the performance of pretrial services agencies it was necessary to design an evaluation program that would permit a comparison of the results of the activities of the pretrial services agencies with the bail setting process in the 10 demonstration districts prior to the advent of the pretrial services program and in other districts.

To achieve this end, data from 5 comparative districts were compiled simultaneously with the information compiled in the 10 demonstration districts. In addition, a representative number of files of cases closed in the 10 districts prior to the commencement of the program was reviewed by the staff of the

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<sup>1/</sup> See S. Rep. No. 95-753, 95th Sess. (1978), p. 5, which in discussing the advantages to a statutory diversion program, stated:

"Research in this area is difficult. A basic conflict exists between empirical testing and due process. Empirically pure experimental design requires manipulation of a single variable, i.e., participation in a diversion program, between otherwise identical test and control groups. Due process and equal protection require standardized procedures and equal treatment of similarly situated persons."

Pretrial Services Branch of the Administrative Office. In reviewing these cases it was found that only the case files of convicted defendants were complete. These files were examined to determine rates of pretrial detention, crime on bail, and failures to appear.

The sample period for the five comparative districts includes data for defendants charged and convicted during the calendar year 1974 (the year prior to the passage of the Speedy Trial Act) and during calendar years 1977 and 1978 (periods when Title I time constraints were in effect). These time periods attempt to separate the impact of Title I (which shortens the time from arrest to trial).

To comply with the requirements that probation and board-operated pretrial services agencies be compared, only the totals for each of the five probation and five board districts are included in the section of this report comparing the types of agencies. District by district data are included in the appendix. The data cover a 5-year period from 1974 through 1978. Data for the first two years precede the implementation of the pretrial services program. Data for 1976, 1977, and 1978, reflect the period during which the pretrial services agencies have been operational in the 10 demonstration districts.

Six other district courts initiated pretrial services on a trial and a limited basis using available probation officers to conduct interviews and verify information. These districts also volunteered to furnish reports on their experience. This information was added to the statistical base and is separately reported in the statistical tables in the appendix. They were not used in the comparative analysis. Information on each district is set out separately in appendix A.

## B. Graphs

The figures illustrated by graphs in this report represent the compilation of data collected for all 10 districts, "pre" and "post" Speedy Trial enactment. The data have been organized into time periods in order to illustrate the movement and fluctuation between the compared groups on the specific variables studied.

## C. Prebail Interview and Reporting

### 1. Percentage of Cases Brought To the Attention of Pretrial Services Agencies

Data was collected from October 1, 1977 through January 31, 1978 to determine the ratio of total cases requiring the fixing of bail that were referred to the pretrial services agency in each district. Table 1 indicates that approximately the same ratio of cases were referred in each of the two types of districts although there were wide variances among the districts in the ratio of cases referred.

### 2. Prebail Reporting

Prebail reporting includes interviewing the defendant, verifying the information obtained, and making a report to the judicial officer setting bail at the initial bail hearing.

This section shows the rates at which reports were submitted to bail officers following an interview and verification of data by a pretrial service officer prior to the initial bail hearing. It does not include information relating to interviews conducted after the initial bail hearing.

#### a. Board Districts

Graph 1 shows the percentage of prebail reports submitted by pretrial services agencies on all defendants interviewed during the three years of operation. During these three

TABLE 1

Table 3  
OCTOBER 1, 1977 — JANUARY 31, 78

## PERCENTAGE OF CASES BROUGHT TO THE ATTENTION OF PRETRIAL SERVICES AGENCIES

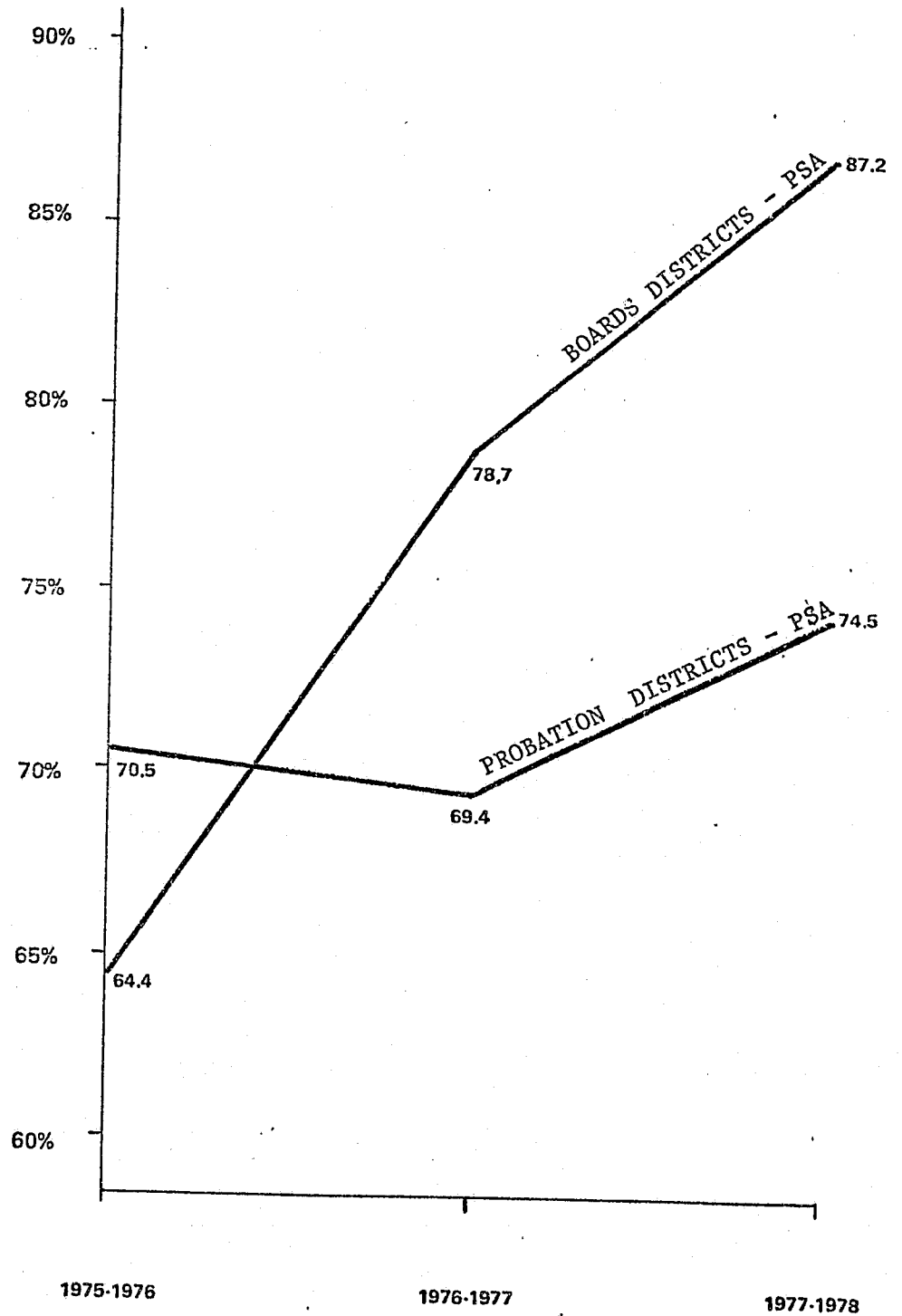
DISTRICT	Cases Requiring Fixing of Bail	Cases Referred to Psa		Cases Not Referred to Psa		Sealed Ind.		Fugitives		Summons		Held on State Charge		Held in Fed. Institution or Other Charge		Other	
		No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
BOARD OF TRUSTEE DISTRICTS	NEW YORK, E.	318	87.4	40	12.6	6	1.9	16	5.0	12	3.8					6	1.9
	PENN., E.	199	50.3	99	49.7			29	14.6	48	24.1	5	2.5			17	8.5
	MARYLAND	407	74.2	105	25.8	1	.2	7	1.7	64	(1) 15.7					33	(2) 8.1
	MICHIGAN, E.	352	67.6	114	32.4			67	19.0			5	1.4			42	11.9
	MISSOURI, W.	141	85.1	21	14.9			13	9.2			1	.7			7	4.9
	TOTAL	1,417	73.3	379	26.7	7	.5	132	9.3	124	8.8	11	.8			105	7.4

PROBATION DISTRICTS	NEW YORK, S.	328	78.4	71	21.6	4	1.2	27	8.2	26	7.9	2	.6			12	3.6
	GEORGIA, N.	228	58.8	94	41.2			66	28.9	1	.4	3	1.3	15	6.6	9	3.9
	TEXAS	212	64.2	76	35.8			19	8.9	17	8.9	10	4.7	7	3.3	23	10.8
	ILLINOIS, N.	179	81.6	33	18.4			11	6.1							22	12.3
	CALIF., C.	437	77.6	98	22.4			11	2.5	28	6.4	7	1.6	37	8.5	15	3.4
	TOTAL	1,384	73.1	372	26.9	4	.3	134	9.7	72	5.2	22	1.9	59	4.3	81	5.9

\*Data obtained from Activation and Termination List and JS2D for period indicated.

GRAPH 1

RATES OF PRE-BAIL REPORTS  
IN BOARDS AND PROBATION DISTRICTS  
(ALL DEFENDANTS INTERVIEWED)



operational years, board-operated agencies closed 10,999 cases and submitted 8,248 prebail reports (75%). In 1975-76, they submitted 2,719 prebail reports (64.4% of the total defendants interviewed in their respective district courts), in 1976-77, 3,530 prebail reports (78.7%); and in 1977-78, 1,999 prebail reports were submitted (87.2%).

b. Probation Districts

During the same period, probation districts closed 11,630 cases and submitted 8,029 prebail reports (69%). In 1975-76, they submitted prebail reports on 3,199 of the defendants (70.5%); in 1976-77, 3,018 prebail reports (69.4%); and in 1977-78, 1,812 prebail reports were submitted (74.5%).

3. Analysis and Conclusions

During the first year of operation in which the agencies were becoming organized, the probation agencies reported on a higher percentage of defendants than did board agencies (70.5% and 64.6% respectively). The probation officer was already a recognized entity within each court, knew the people in charge, and, in general, had a better initial understanding of the Federal criminal justice process. The probation functions of presentence investigation and supervision were similar to the functions of prebail investigation and supervision, and the nature of the pretrial project was considered as merely another duty to be performed by the probation office.

On the other hand, the board agencies were new entities with new administrative leadership. During the second year of operation, both types of agencies became better acquainted with their roles and adapted to the conditions under which they were to operate. In that year the probation-operated agencies interviewed and made reports on approximately one percent fewer defendants proportionately than they did during the first year. Four of the five probation-operated agencies submitted prebail

reports at various lower percentages during the year.

In contrast, the board-operated agencies, as a group, increased their level of prebail reporting over the first year of operation to the point where a significant difference appeared in the rate at which the two types of agencies were accomplishing this task. It appears that the board-operated agencies had overcome some of their initial "start-up" problems and were gaining acceptance for their functions by the court.

The differences in the rates of prebail reporting after interview between the board and probation-operated agencies in the second year (78.7% in board-operated to 69.4% in probation-operated agencies) may be due to the observed aggressive manner in which these board-operated agencies attempted to interview and report on as many defendants as possible.

The probation-operated agencies' attempts to assure a report after interview on all defendants were not as successful as the board-operated agencies. This may be attributable to the chief probation officers' having other important responsibilities.

In the third year of operation, the probation-operated agencies submitted prebail reports on defendants interviewed at a rate of 74.5%, which was a 4% increase over the rate in the first year. The board-operated agencies performed that function at a rate of 87.2%, which was a 22.8% increase over the first year of operation, and 12.7% higher than the rate in probation-operated agencies.

#### D. Bail Recommendations

Title 18 U.S.C. §3154 requires the pretrial services agencies to "collect, verify, and report promptly to the judicial officer



information pertaining to the pretrial release of each person charged with an offense, and recommend appropriate release conditions for each such person. . . ." (emphasis added).

After verification the pretrial services officer submits a recommendation to the judicial officer. The standards for the recommendation are set out in the Bail Reform Act (18 U.S.C. 3146). The prebail report presents the judicial officer with an independent recommendation from an officer of the court whose primary function is to concentrate on pretrial release matters. That recommendation may be accepted, in whole or in part, or rejected by the judicial officer in the exercise of his discretion in setting bail.

1. Bail Recommendation

- a. Board Districts

Graph 2 shows the percentage of bail recommendations submitted by pretrial services agencies. In 1975-76, the board-operated agencies made recommendations on 59.9% of all defendants interviewed; in 1976-77, on 74.0%; and in 1977-78, on 79.6%. In 3 years, there was an increase of 19.7% in the rate of bail recommendations made by these agencies.

- b. Probation Districts

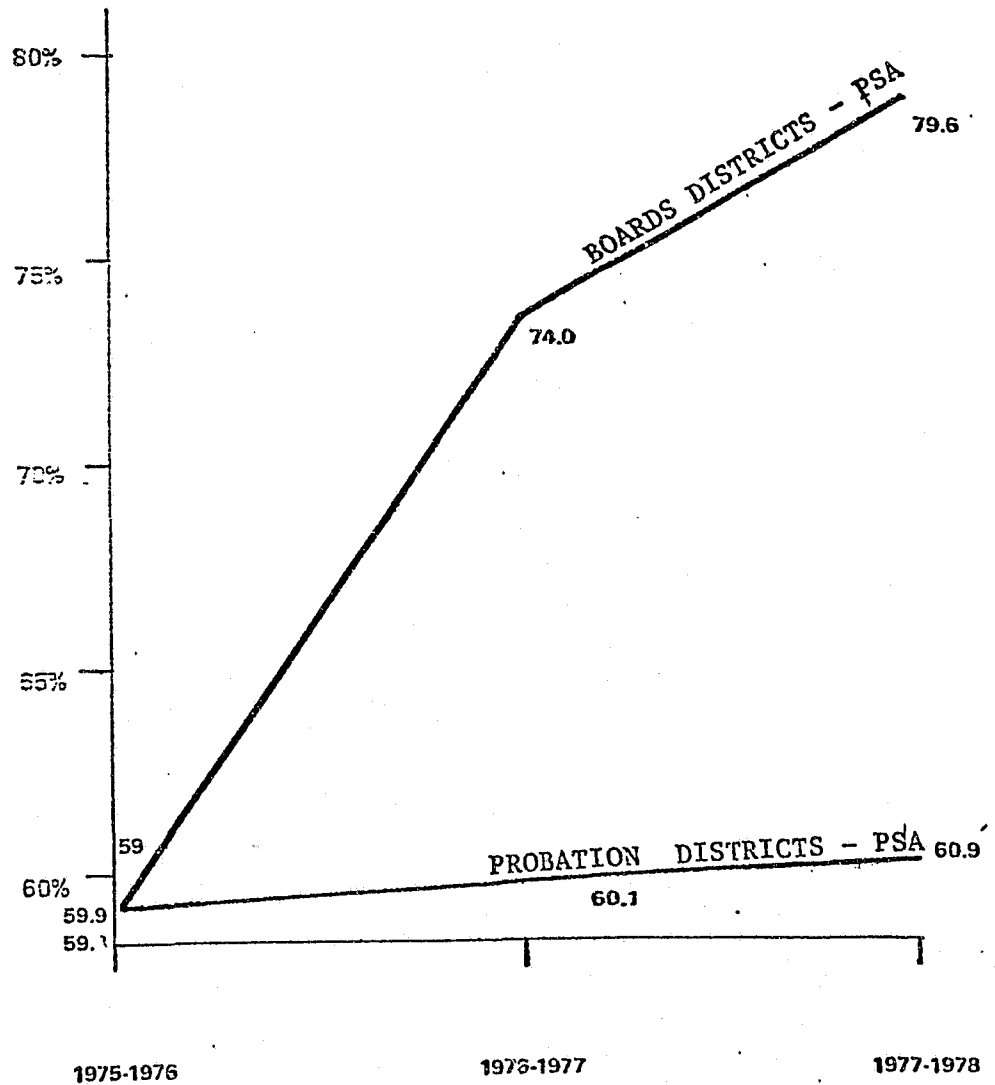
In 1975-76, the probation-operated agencies submitted bail recommendations on 59.8% of all defendants interviewed; in 1976-77, bail recommendations were submitted on 60.1%; and in 1977-78, on 60.9%. In the probation-operated districts, there was an increase of 1.1% in the number of defendants for whom a bail recommendation was presented.

2. Analysis and Conclusions

At the outset all 10 agencies submitted bail recommendations on defendants interviewed at approximately the same rate. As the

GRAPH 2

RATES OF BAIL RECOMMENDATIONS  
IN BOARDS AND PROBATION DISTRICTS  
(ALL DEFENDANTS INTERVIEWED)



program progressed, board-operated agencies began submitting bail recommendations to the judicial officer at a significantly higher rate than the probation-operated agencies.

The reasons bail recommendations were not submitted on all defendants interviewed are not entirely clear. It appears that in some instances, the pretrial service officer was unable to obtain sufficient verified information on the background of the individual in time for an initial bail hearing. In other instances, it appears that the judicial officer preferred to exercise his discretion in setting bail using the verified information presented without receiving a recommendation.

In some instances, sufficient time was not available to conduct an interview and obtain background information and permit the pretrial services officer to submit an informed recommendation. The report of the General Accounting Office notes that, ". . . arresting agencies in those districts often do not routinely give pretrial services agencies adequate time to interview defendants and verify information on them. Even though the average time from a defendant's arrest to his initial bail hearing is 18 hours, arresting agents in five districts do not routinely notify the pretrial services agencies of the arrest until immediately before the hearing." 1/

#### **E. Nonfinancial Release**

Title 18 U.S.C. §3146 creates a presumption in favor of release on nonfinancial conditions. The term "nonfinancial release" refers to release either on personal recognizance or on an unsecured appearance bond. Financial conditions of release include

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1/ The Federal Bail Process Fosters Inequities, Report of the Congress by the Comptroller General of the United States, (GCD-78-105), October 11, 1978, 78 Comp. Gen. 105, pp. 31-32.

surety, cash (including a ten percent deposit) and collateral bonds.

The rate of release on nonfinancial conditions is arrived at by dividing the number of defendants initially released on nonfinancial conditions by the total number of defendants interviewed either prior to or subsequent to the initial bail hearing.

#### 1. Nonfinancial Release

This presentation utilizes only data on convicted defendants in each of the 5 years (2 preceding and 3 years subsequent to the passage of the Speedy Trial Act, Title II). The analysis is confined to convicted defendants due to the lack of information on nonconvicted defendants in the years preceding the Act.

Board-operated agency districts experienced a decline in the use of nonfinancial release from 65.7% to 63.7% over the 2 years prior to the establishment of the pretrial services agencies. That trend was reversed during the first year of operation, and the use of nonfinancial bail increased each year to its present rate of 77.5%. The total increase over the 3-year period was 13.8%.

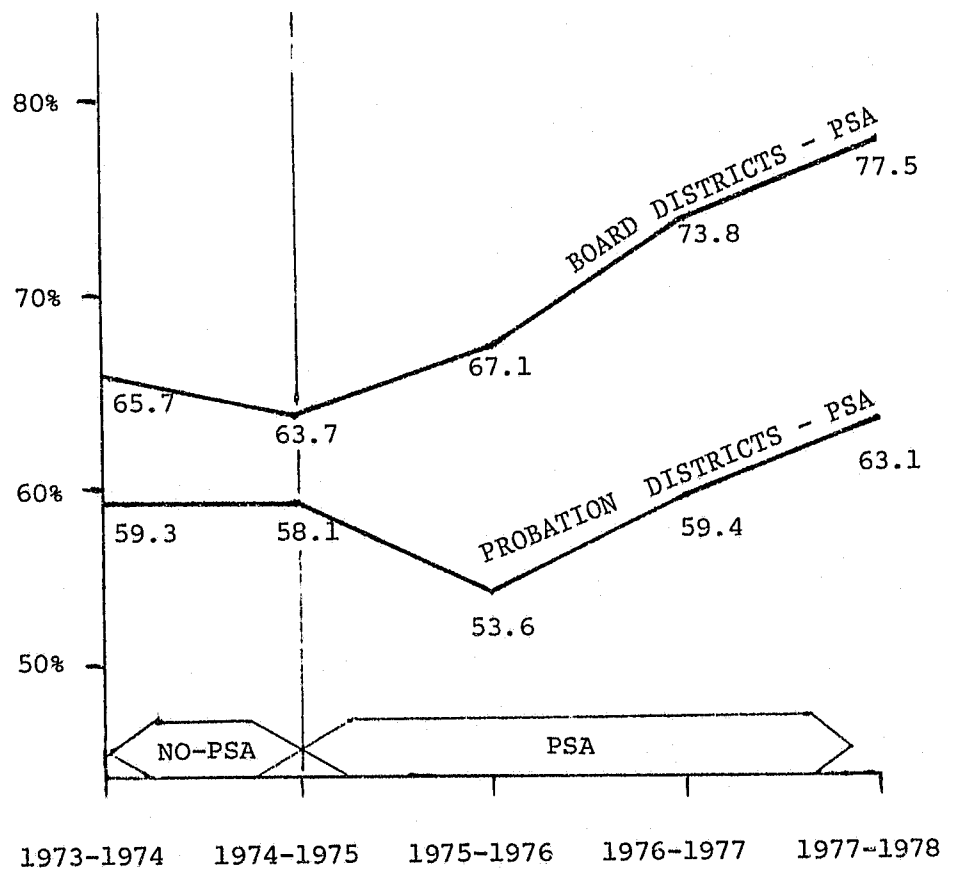
A decline in the use of nonfinancial release was observed in the 2 years prior to pretrial services for probation-operated agency districts (59.3% to 58.1%) and that decline continued throughout the first year of operation to 53.6%. Thereafter, an increase in the use of nonfinancial release was observed and in the final year probation districts set nonfinancial bail in 63.1% of the cases.

#### 2. Analysis and Conclusions

Though both types of districts were experiencing small declines in the use of nonfinancial bail when the respective pretrial services agencies became operational, the board districts immediately reversed this trend while probation districts continued to decline for one more year. The differences in the rates between board-operated and probation-operated agencies increased

GRAPH 3

RATES OF NON-FINANCIAL RELEASE IN  
BOARDS AND PROBATION DISTRICTS  
(CONVICTED DEFENDANTS)



from 5.6% in the year immediately before pretrial services agencies became operational to a 13.5% difference in the first year of operation and then maintained a steady 14.4% difference over the next 2 years.

The reasons for this difference in the rates of nonfinancial release were not determined but a survey of the 10 agencies revealed no significant difference in operational policies. All pretrial service officers were instructed to follow the statutorily preferred method of release. An examination of robbery, narcotic, and weapons-related offenses processed by the pretrial services agencies in 1978 did reveal that board-operated agencies submitted recommendations for nonfinancial release 50% of the time for defendants charged with these offenses, while probation-operated agencies recommended nonfinancial release at a rate of 35%.

In both board- and probation-operated pretrial services agencies districts, judicial officers have released defendants at a greater rate on nonfinancial conditions of release since the advent of the program.

## F. Release Rates

### 1. Initial Release Rates

Initial release is the release of a defendant at the time of his first appearance before a judicial officer. The defendant may or may not have been detained prior to this first appearance. It is at the first appearance that the pretrial services agency is directed by statute to make a release recommendation based upon verified information after interviewing the defendant.

The extent of the agencies' impact on the release decision is illustrated by graphing the initial release rates. The initial release rate is the total number of defendants released at the initial hearing by a judicial officer divided by the total number of defendants interviewed.

a. Nonconvicted Defendants

The data used in graph 4A includes only information on nonconvicted defendants taken from the three years of experience with pretrial services agencies. They are analyzed here to illustrate the rate of detention. These nonconvicted defendants represent approximately 20% of the criminal cases filed in the demonstration district courts.

In the first year of pretrial services agencies operation, defendants whose cases resulted in nonconviction were released at their initial bail hearing at the rate of 64% in probation districts. At the same time, board districts were releasing these individuals at the initial bail hearing at the rate of 68%.

During the second year of pretrial services agencies operation, releases of this nature had declined to a rate of 56% in the probation districts while in board districts the release rate increased to 72%.

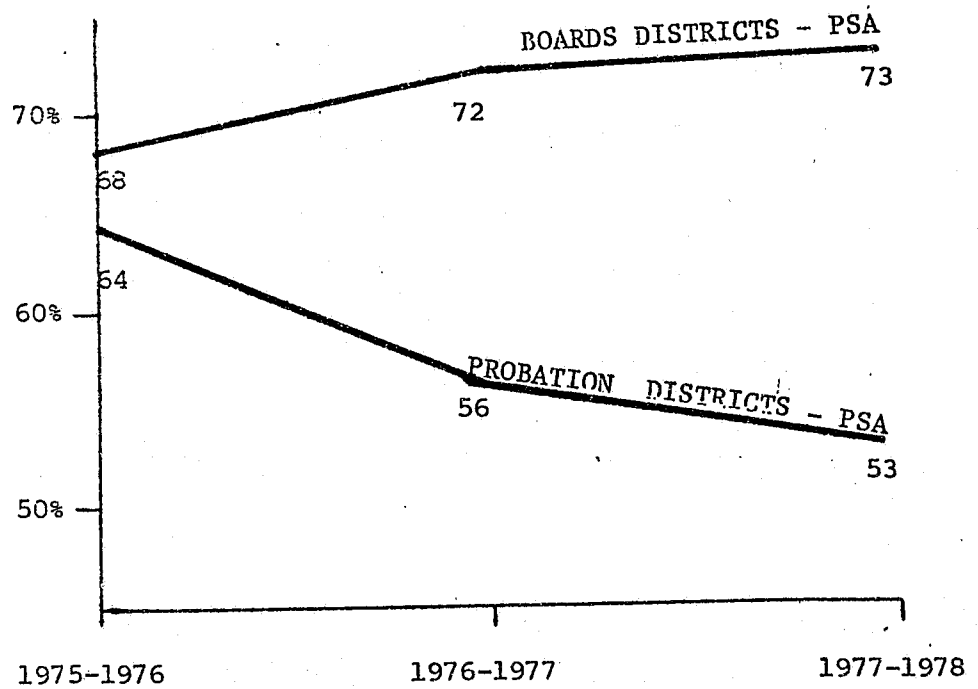
Throughout the third year of the pretrial services agency project, probation districts experienced another decline from the preceding years in the release rate of nonconvicted defendants to a 53% level, while board districts increased the initial release rate to 73%.

b. Convicted Defendants Only

Graph 4B uses data from convicted defendants. In the 2 years preceding creation of the pretrial services agencies, districts in which the board-operated agencies were established experienced a decline from 77.4% to 73.6% in initial release rates. In those districts, during the years of pretrial services agency operation, this trend reversed immediately and initial release rates increased steadily from 73.6% to 80.7%.

GRAPH 4(A)

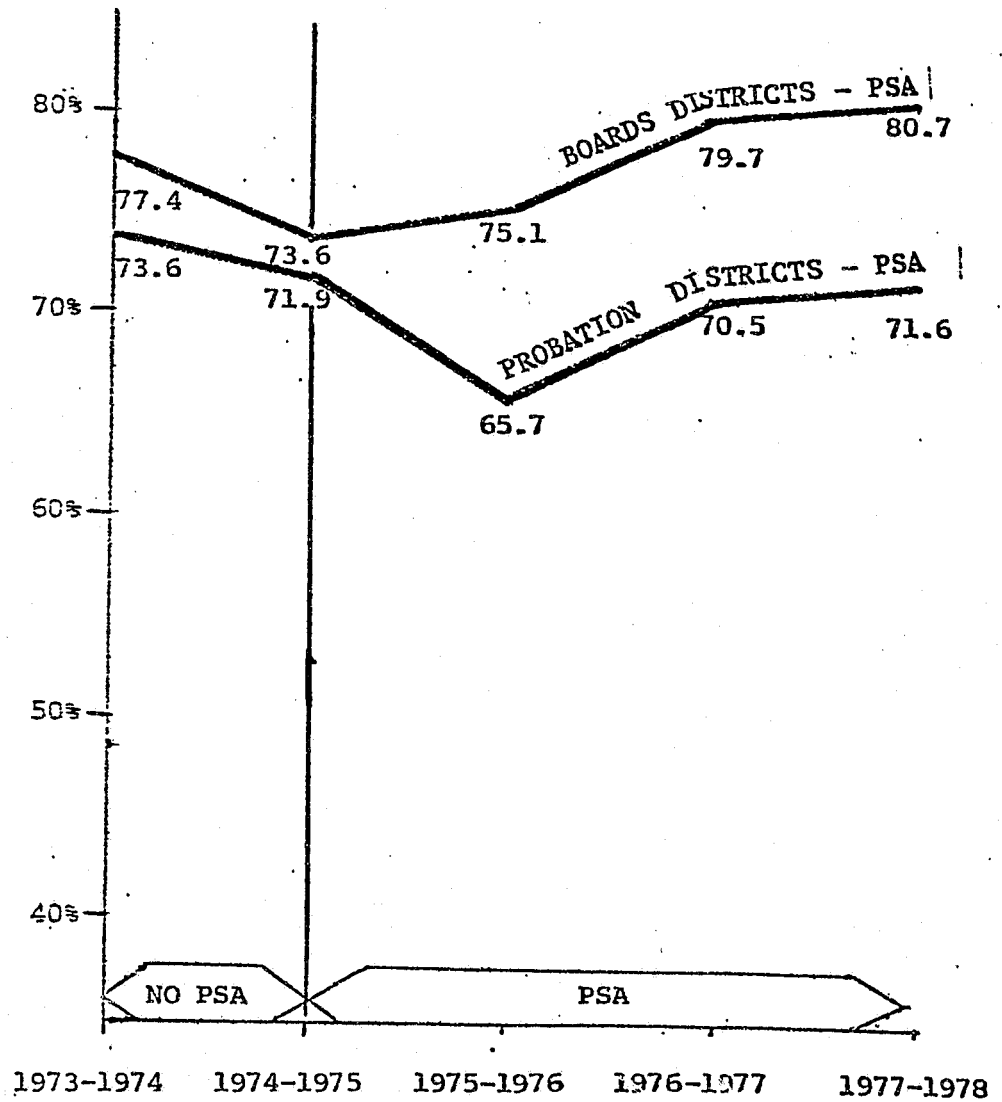
RATES OF INITIAL RELEASE IN  
BOARD & PROBATION DISTRICTS  
NON-CONVICTED DEFENDANTS





GRAPH 4(B)

RATES OF RELEASE AT INITIAL BAIL HEARING IN  
BOARDS AND PROBATION DISTRICTS  
(CONVICTED DEFENDANTS)



In the 2 years prior to pretrial services agencies, probation districts experienced a decline from 73.6% to 71.9% in initial release rates and in the first year of the probation-operated pretrial services agency program, the decline in initial release rates continued to 65.7%. In the second year of the program's operation, the trend reversed and increased to 70.5% for the second year of pretrial services agency operation. By the third year, probation-operated pretrial services agency districts had risen to 71.6% but had not returned to the initial release rate experienced prior to their establishment.

## 2. Analysis and Conclusions

### a. Nonconvicted Defendants

Graph 4A shows a difference between board and probation districts in initial release rates. Though both types of districts commenced operations with these particular initial release rates within 4% of one another, that difference increased considerably over the 3 years of operation due to an increase in the release rates in the board districts and a corresponding decrease in release rates in the probation districts. By the third year of operation, the board districts were releasing nonconvicted defendants at a rate of 73%, a 20% higher rate than in probation districts.

### b. Convicted Defendants

Graph 4B shows that prior to the establishment of the pretrial services agencies, the demonstration districts were experiencing similar declines in release rates. Immediately prior to the establishment of the pretrial services agencies, the districts with both types of agencies were releasing defendants at about the same rate. Shortly after they began operation, the trend began to rise in the board agency districts. An upward trend in the probation districts did not begin until their second year of operation and the 9% difference between board and probation districts remained throughout their 3 years of operation.

The use of nonfinancial conditions of release, as discussed in the preceding section, may be one of several reasons for the differences in release rates. Nonfinancial conditions of release are presently being used in board districts at a 14.4% higher rate than in probation-operated pretrial services agency districts.

For both convicted and nonconvicted defendants initial release rates increased in board districts more than in probation districts. That accomplishment may be attributed to the board agencies submitting a higher proportion of prebail reports containing verified information and more recommendations of nonfinancial conditions of release.

#### G. Detention

Two aspects of detention are examined. The first is the rate of detention, and the second, duration of detention.

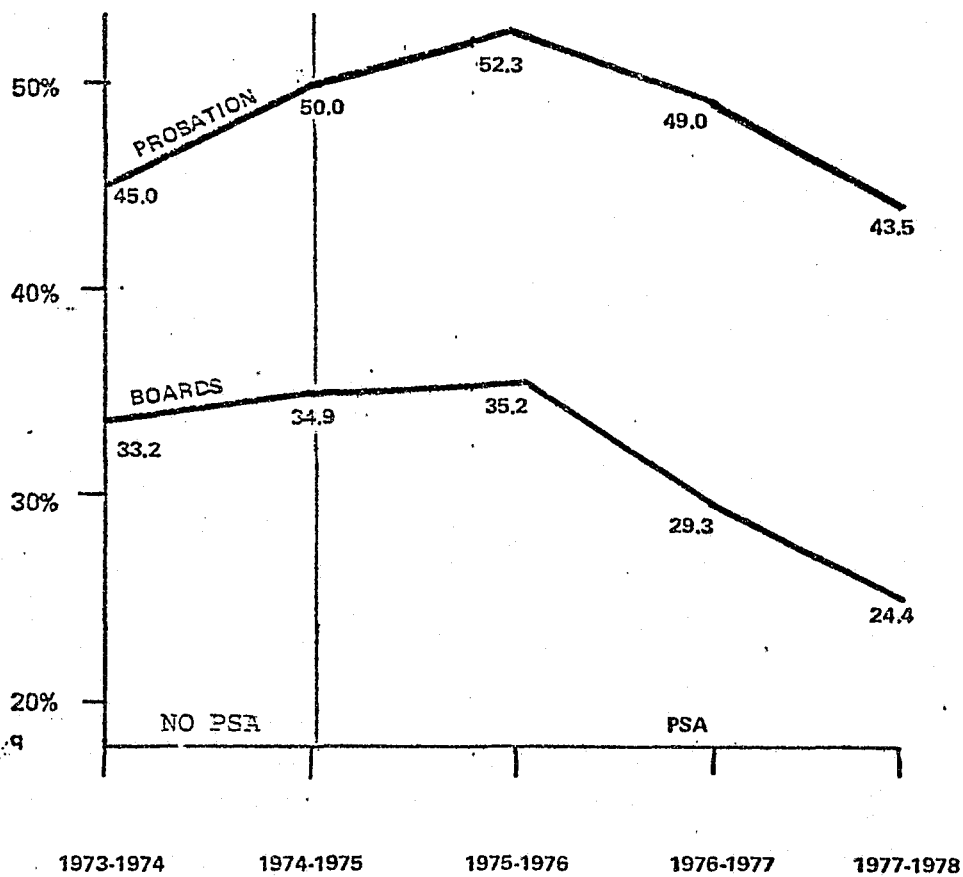
##### 1. Rates of Detention--Convicted Defendants

Detention for the purposes of this analysis is defined as the holding of a defendant in custody for at least 1 day resulting in a financial charge to the U.S. Government. Excluded from this analysis is any detention resulting from the issuance of a writ of habeas corpus ad prosequendum.

Graph 5A presents the trends in detention rates in the two types of demonstration districts. The probation districts experienced an increase from 45% to 50% in the rates of detention in the two years prior to the establishment of pretrial services agencies. That trend continued at almost the same rate of increase through the first year of pretrial services agency operation. The rate of detention then declined from the end of the first year of operation over the next two years to 43.5%.

GRAPH 5(A)

RATES OF DETENTION IN  
BOARDS AND PROBATION DISTRICTS  
(CONVICTED DEFENDANTS)



Board districts also experienced an upward trend in detention during the two years prior to the establishment of pretrial services agencies (33.2% to 34.9%), a lower rate than probation districts. This trend leveled off during the first year after establishment and declined over the next two years to 24.4%.

The rates of detention can best be analyzed by separating detention into two major components: detention prior to a bail hearing and detention after a bail hearing.

a. Detention Prior to Initial Bail Hearing

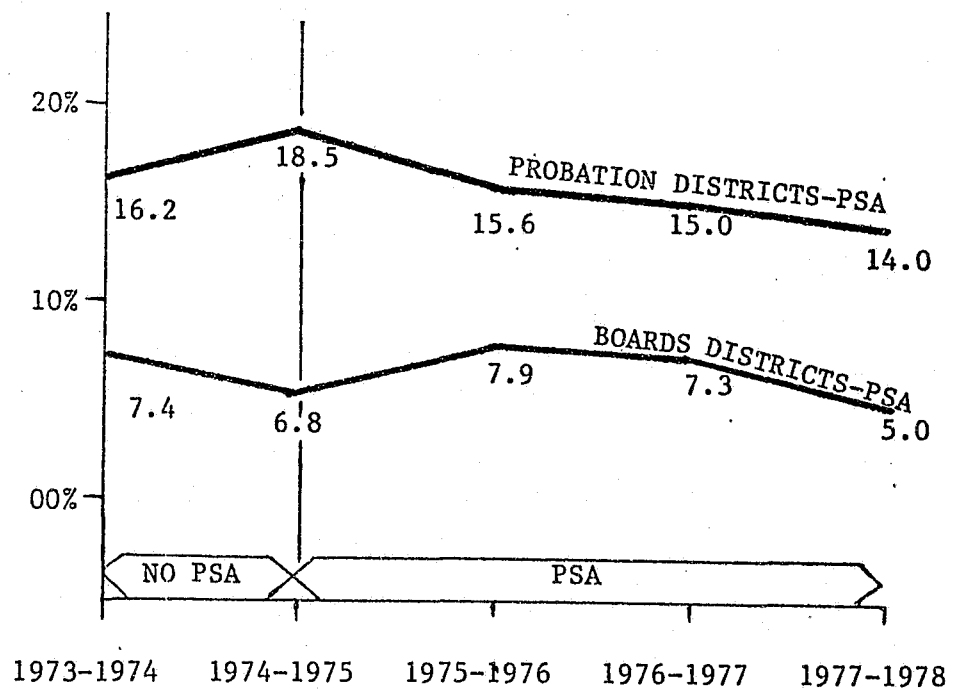
Pretrial services agencies are required to provide verified information and bail recommendations to the judicial officer at the initial bail hearing. Thus, the PSA cannot directly influence detention prior to the bail hearing. Detention prior to the initial appearance of a defendant before a judicial officer occurs when the defendant is arrested late in the afternoon or evening, at night, or on weekends or holidays. If a judicial officer is not available during these periods, the defendant must be held in confinement until a judicial officer is available.

As indicated in Graph 5B, the rates of overnight detention have been reduced during the three years of the program from 18.5% to 14.0% in the districts having probation-operated agencies and from 6.8% to 5.0% in the board-operated districts.

Though the function of reporting verified information can have no direct effect on this type detention, active pretrial services agencies can reduce the "unnecessary portion" of this detention, through effecting coordination and cooperation among judicial officers, arresting agencies, and U.S. Attorneys. Overall, the demonstration districts have experienced an improvement in the average length of time between arrest and the initial bail hearing from 19 hours in the first year of operation to 13 hours in the third year.

GRAPH 5(B)

RATES OF NON-BAIL HEARING DETENTION  
(DETAINED AT ARREST, RELEASED ON BAIL  
AT INITIAL HEARING, NEVER THEREAFTER  
DETAINED)



b. Detention After the Initial Bail Hearing

Detention after a bail hearing includes all detention whether as a result of a failure to meet the conditions of release imposed by the judicial officer at the time of the initial appearance or of a failure to meet any changed conditions of release imposed at a subsequent hearing. The figures in the graph relate only to defendants who were ultimately convicted.

In the 2 years prior to the establishment of pretrial services agencies, both board and probation districts experienced increases in detention after the initial hearing. During the first year, the districts with probation-operation pretrial services agencies experienced an increase in detention from 31.5% to 36.7%. The rate was 29.5% in the third year.

Detention in board districts decreased from 28.1% to 27.3% the first year and continued to decline to 19.4% in the third year.

c. Analysis and Conclusions

In the last 2 years of operation, the rate of detention following a bail hearing was markedly reduced in the districts having pretrial services agencies, but by the third year the detention rates in probation districts were, on the average, ten percent greater than detention rates in board districts. The difference between the two types of agencies occurred even though in the two years prior to the commencement of the program, the detention rates varied less than four percent. As noted above, board agencies submitted more reports on defendants interviewed and recommended nonfinancial release conditions more frequently.

2. Duration of Detention

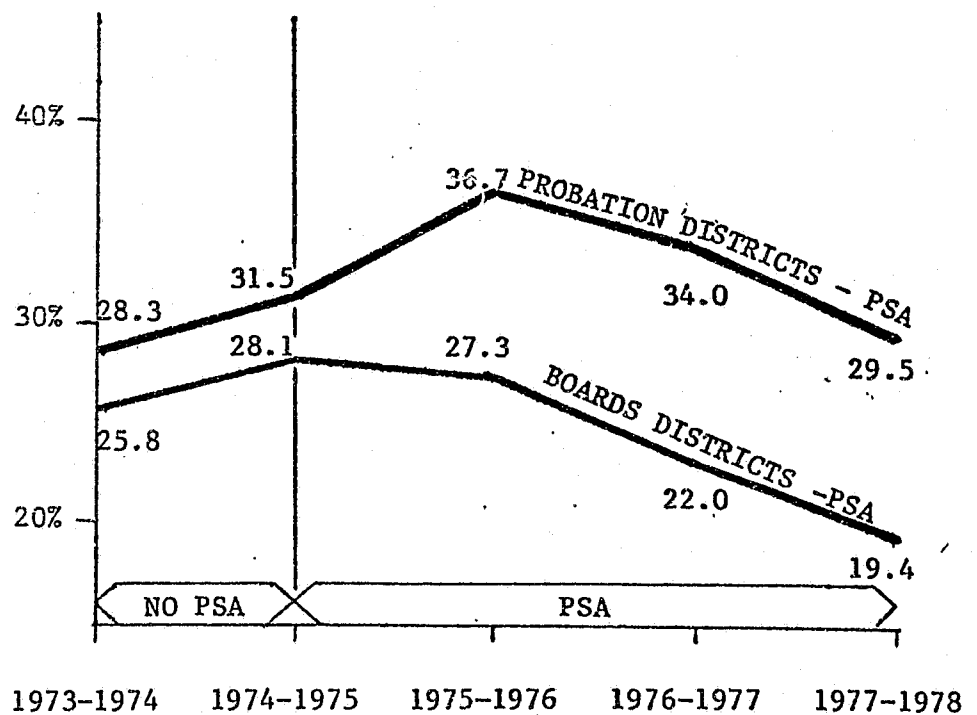
This portion of the report analyzes the length of the pretrial detention of defendants who were convicted.

a. Average Days of Detention

Graph 5D shows a steady decline in the average length

GRAPH 5(C)

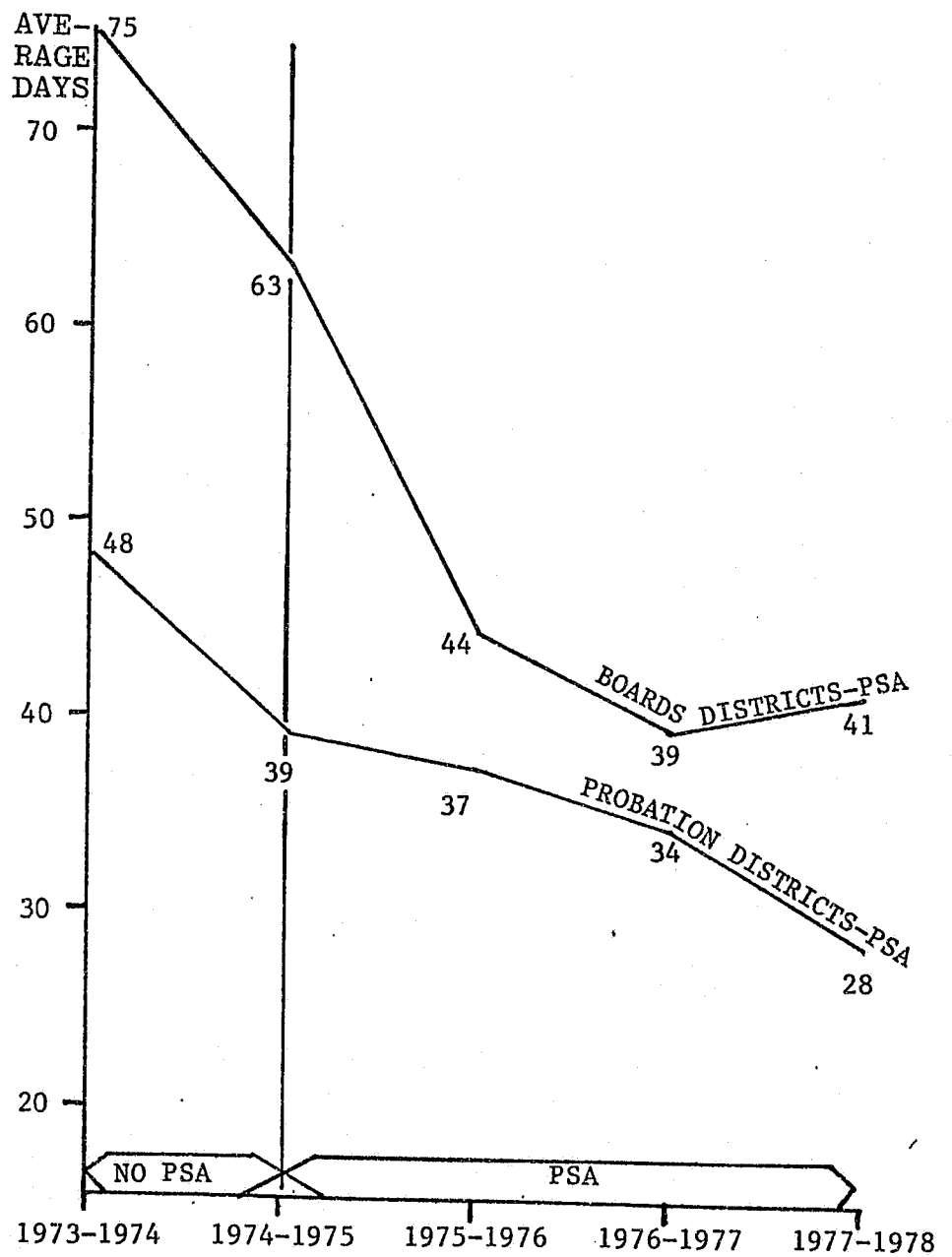
RATES OF BAIL-HEARING DETENTION  
IN BOARDS AND PROBATION DISTRICTS  
(CONVICTED DEFENDANTS)





GRAPH 5(D)

AVERAGE DAYS DETENTION FOR  
BOARDS AND PROBATION DISTRICTS  
(CONVICTED DEFENDANTS)



of detention per convicted defendant detained during the three year demonstration period and in the preceding year, except that the average length of detention in board districts increased slightly in the last year of the program from 39 to 41 days. Overall the average days of detention declined in the board districts from 75 days in the 1973-74 period to 41 days in the 1977-78 period; and in the probation districts, there was a similar decline from an average of 48 days to 28 days.

#### H. Bail Violations

##### 1. Crime on Bail

##### a. Rates of Crime on Bail--Convicted Defendants

Graph 6A shows the percentage of defendants who were arrested on a new misdemeanor or felony charge while on pretrial release. Arrests for failure to appear, when required by the court, are not included. The data for the two years prior to the operation of pretrial services agencies may be understated because of incomplete records. Unless the information appeared on a secondary source (e.g., F.B.I. fingerprint sheets, police records, etc.), it was not retrievable.

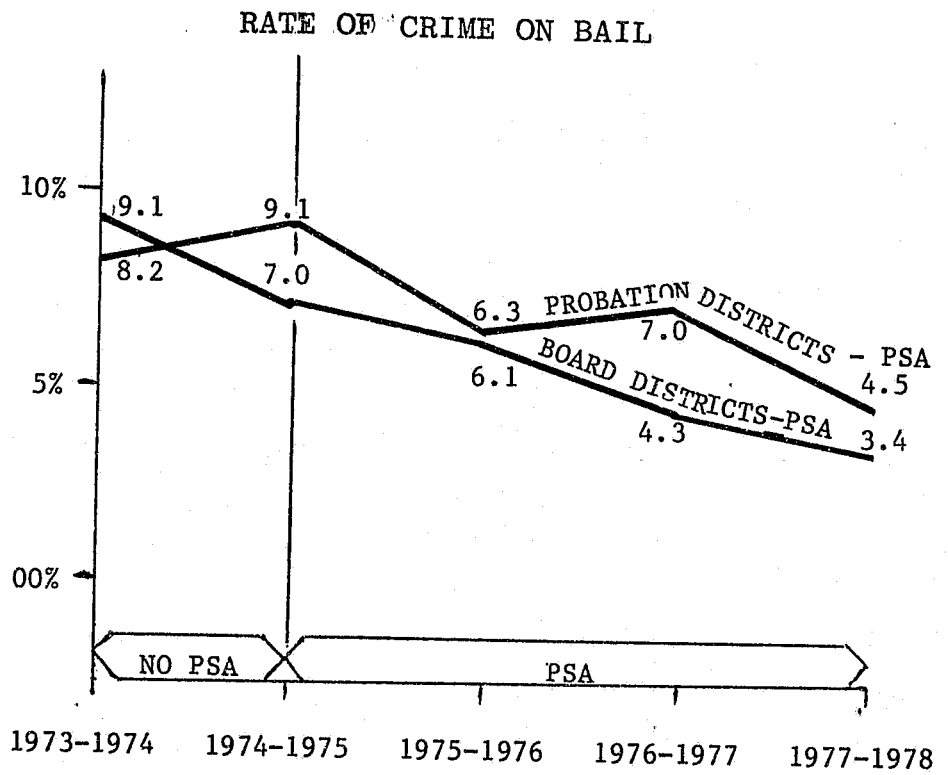
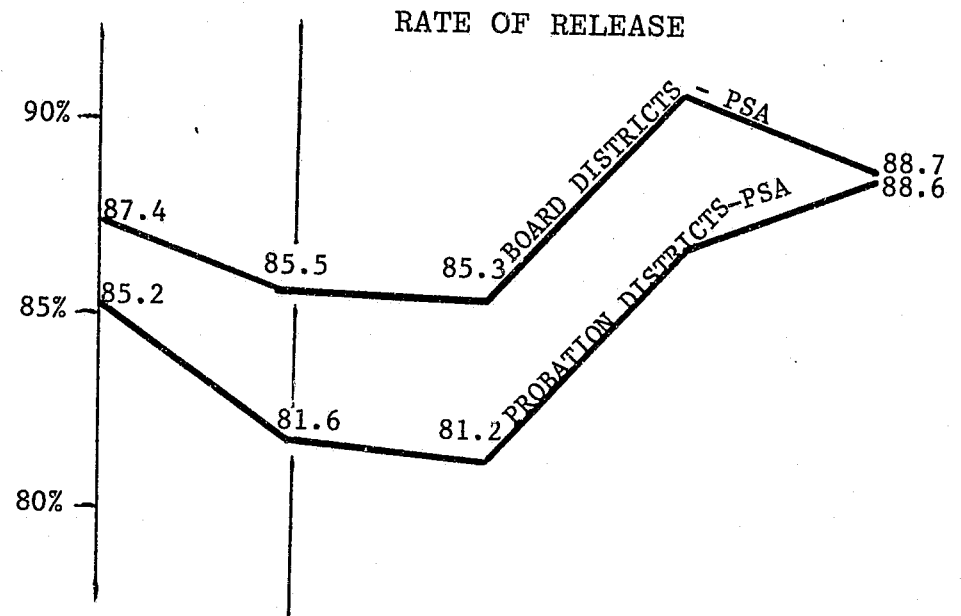
The probation districts show a reduction, 4.6% during the demonstration period, of defendants who were arrested for new crimes while on bail from 9.1% in 1974-75 to 4.5% in 1977-78. In the board districts, the reduction was from 7.0% to 3.4%.

##### b. Analysis and Conclusions

The decreases in crime on bail occurred even though there was an overall increase in release rates. Although the rate of crime on bail in the 10 demonstration districts was less than 10% at the start of the program, the rate was reduced to less than 4%, on the average, in the third year of the program.

GRAPH 6(A)

RATES OF RELEASE AND CRIME ON BAIL  
IN BOARD AND PROBATION DISTRICTS  
(CONVICTED DEFENDANTS)



## 2. Failure To Appear

### a. Rates of Failure To Appear--Convicted Defendants

"Failure to appear" as used in this report means the failure of a defendant to appear in court, which resulted in the issuance of an arrest warrant. The statistics for the 2-year period prior to the establishment of pretrial services agencies may be understated because of a lack of complete information.

The failure to appear rate increased slightly in both the board and probation districts during the first year of operation. Thereafter, in the probation districts the rate of failure to appear decreased from 7.7% to 2.4% and in the board districts the decrease was 5.6% to 3.4%.

### b. Analysis and Conclusions

During the third year of operation, the failure to appear rate in the probation districts was less than it was in the board districts. The difference, however, was only 1%. Overall, the pretrial services agencies did achieve a significant reduction in the rate of failure to appear when required by the court.

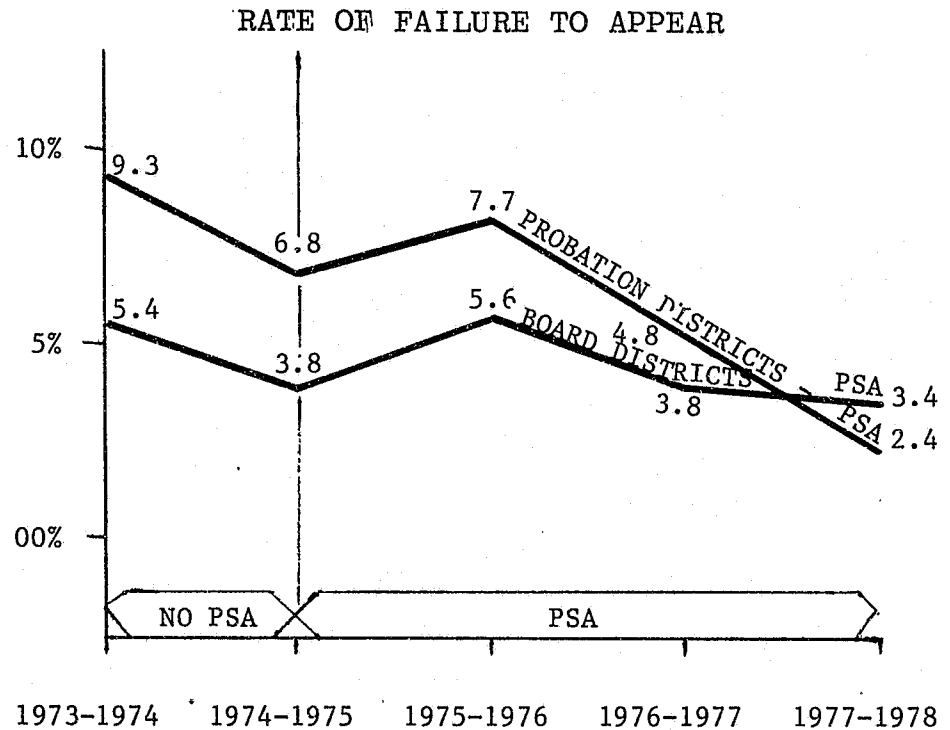
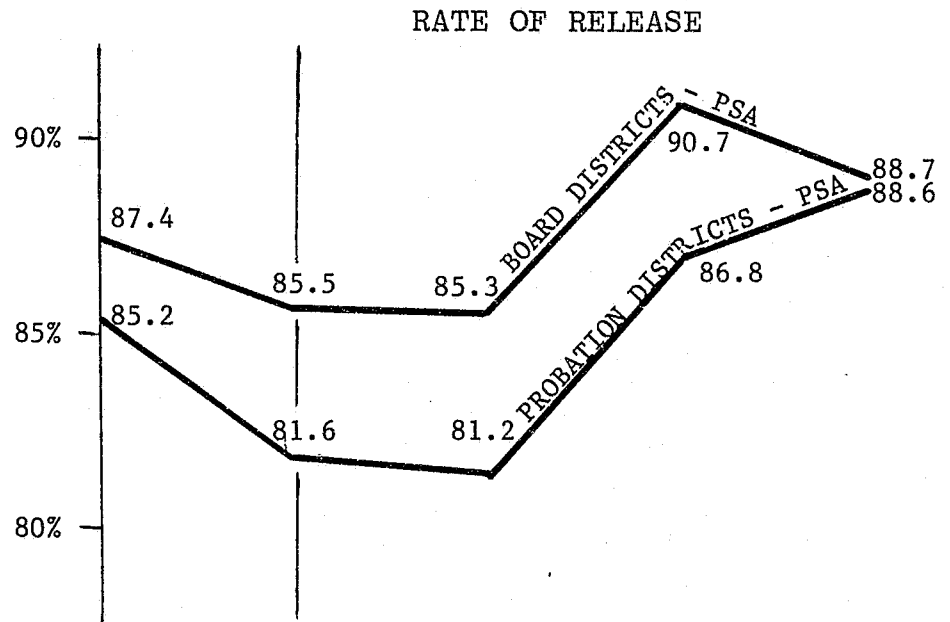
## I. Supervision

The Act, 18 U.S.C. 3152, authorizes judicial officers to release defendants to the supervision of pretrial services officers prior to trial or conviction. The practices in the 10 demonstration districts during the 3-year period varied. In the Eastern District of Michigan, 89.2% of all defendants were released under pretrial services supervision, while in the Eastern District of New York, only 12.9% of the defendants were so released.

The effect of supervision by pretrial services officers is difficult to measure. The rate of failure to appear, when required

GRAPH 6 (B)

RATES OF RELEASE AND FAILURE TO APPEAR  
IN BOARD AND PROBATION DISTRICTS  
(CONVICTED DEFENDANTS)



by the court, was 3.6% in the Eastern District of Michigan and 6.8% in the Eastern District of New York. Similarly, the rates of crime on bail in the two districts were 4.1% and 7.1%, respectively. Although the pretrial services officers in the Eastern District of Michigan supervised 76 more defendants out of every 100 defendants than did the officers in the Eastern District of New York, only three fewer defendants, on the average, failed to appear or were arrested for a new crime, felony, or misdemeanor while on pretrial release.

In addition to providing services to the defendant prior to trial, pretrial services officers also continually remind the defendant of court dates and their obligation to appear. These reminders undoubtedly contribute to a lower failure to appear rate. Additionally, in drug cases, the pretrial services officers assist defendants in maintaining themselves free of drug use during the pretrial period through participation in drug treatment programs and monitoring drug use by means of drug detection tests.

J. Comparison of Probation and Board Districts With Comparison Districts to Estimate the Impact of Title I of the Speedy Trial Act on the Statistical Results of the Program

Table 2 shows the rate of change of five key variables--initial release, nonfinancial release, detention, crime on bail, and failure to appear in the board, probation and comparative districts from the year preceding the Speedy Trial Act, 1973-74, to the third year after the Act became law, 1977-78. It is doubtful that the time limitations imposed by Title I of the Speedy Trial Act had any impact on initial release rates, nonfinancial release rates, or detention rates. It is likely that the time limits did affect rates of crime on bail and rates of failure to appear because of shorter periods of time on release pending trial.

TABLE 2

RATES OF INITIAL RELEASE, NONFINANCIAL RELEASE, DETENTION, CRIME ON BAIL  
AND FAILURE TO APPEAR IN THE BOARD, PROBATION AND COMPARISON DISTRICTS  
DURING THE YEARS 1973-1974 AND 1977-1978

	1973-1974			1977-1978		
	BOARD DISTRICT	PROBATION DISTRICT	COMPARISON DISTRICT	BOARD DISTRICT	PROBATION DISTRICT	COMPARISON DISTRICT
RELEASE RATES						
INITIAL RELEASE	77.3%	73.6%	48.7%	80.7%	71.6%	63.8%
NON-FINANCIAL RELEASE	65.7%	59.8%	42.9%	77.5%	63.1%	58.2%
DETENTION RATES						
DETENTION	33.2%	45.0%	61.4%	24.4%	43.5%	47.2%
VIOLATION RATES						
CRIME ON BAIL	9.1%	8.2%	5.2%	3.4%	4.5%	5.7%
FAILURE TO APPEAR	5.4%	8.7%	3.0%	3.4%	2.4%	2.5%

#### 1. Rates of Initial Release

In the five comparison districts the initial release rates increased from 48.7% in the 1973-74 period to 63.8% in the 1977-78 period. In the board districts the increase was from 77.3% to 80.7% for the same periods, and in the probation districts there was a decrease of 2% from 73.6% to 71.6%.

#### 2. Rates of Nonfinancial Release

The comparison districts increased the rate of nonfinancial release from 42.9% to 58.2%, and in the board districts the increase was from 65.7% to 77.5%. In the probation districts there was an increase from 59.8% to 63.1%. The comparison districts showed an increase of 15.3%. The board districts showed an increase of 11.8%, and the probation districts showed an increase of 4.3%.

#### 3. Rates of Detention

The rate of detention was reduced in all three types of districts. There was a decrease in the comparison districts from 61.4% to 47.2%. The board districts showed a decline from 33.2% to 24.4% and the probation districts showed a decline from 45% to 43.5%.

#### 4. Rates of Crime on Bail

Crime on bail and failure to appear are believed to be substantially under-reported in the comparison districts. Crime on bail in the board districts decreased from 9.1% in the 1973-74 period to 3.4% in the 1977-78 period. In the probation districts the decrease was from 8.2% to 4.5%. Crime on bail in the comparison districts showed a slight increase from 5.2% to 5.7%.



5. Rates of Failure to Appear

In the board and probation districts the rate of failure to appear dropped sharply. In the board districts the decrease was from 5.4% to 3.4%, and in the probation districts the decrease was from 8.7% to 4.5%. In the comparison districts the decrease of failure to appear was .5%.

VII. COMPARISON OF THE UNITED STATES PRETRIAL SERVICES AGENCIES  
WITH PROGRAMS USED IN STATE COURTS

State and local courts in many jurisdictions have created special units within their criminal justice systems with primary responsibility to assist judicial officers in the bail setting process and to perform other services designed to guarantee the presence of defendants at trial. A study was made of the operation of six such state and local agencies in widely separated jurisdictions throughout the nation. The agencies whose operations were studied are: The Connecticut Bail Commission, the Philadelphia Pretrial Services Division, the Berkeley Personal Recognizance Project, the Pretrial Services Unit of the Alameda County Probation Service, the New Orleans District Attorney's Release on Recognizance Program, and the Kentucky Pretrial Services Agency.

Four of these agencies are authorized by state statute, one is operated under a rule of the Supreme Court, and one agency operates under the district attorney's office. All six agencies were visited by the staff of the Pretrial Services Branch of the Administrative Office, operations were observed, interviews with judges and other officials were conducted, and additional information was obtained by questionnaire and by review of state law and court rules.

It was evident from the beginning that state law with respect to bail, bail procedure, and the operation of bail agencies varied significantly from state to state, from the Federal Bail Reform Act, and from those provisions of Title II of the Speedy Trial Act pertaining to the organization and functions of the pretrial services agencies in the 10 demonstration districts. This is true even though the purposes and goals of these agencies are the same. The character of the criminal caseloads in the state and local courts also varied from the types of criminal cases filed in the United States district courts.

Furthermore, statistical information on the operation of the six state and local agencies was not as extensive as the information compiled on the operation of the pretrial services agencies in the 10 demonstration districts. Information on failures to appear was available, but information concerning crime on bail was either limited or nonexistent.

For the foregoing reasons it was determined that statistical comparisons between state and Federal agencies would, at best, be tenuous. The attached table, however, describes the characteristics of the six state and local agencies observed and does provide information on the number of persons interviewed by these agencies and the rates of failure to appear. The table also shows, for some agencies, the rate of arrest of defendants who were released from custody prior to trial.

The National Association of Pretrial Services Agencies has adopted performance standards and goals for release and diversion. During the study, the operation of the six state and local agencies were compared with these standards and a similar comparison was made for each of the pretrial services agencies in the 10 demonstration districts. The comparison indicates that the pretrial services agencies in the 10 demonstration districts generally adhere to these standards more closely than do the state and local agencies, to the extent that the standards can be said to be applicable to the Federal judiciary. The reason may be that the NAPSA standards closely follow the provisions in Title II of the Speedy Trial Act with respect to the functions and duties of a pretrial services agency. The difference may also result from better staffing arrangements in the pretrial services agencies in the 10 demonstration districts as compared to staffing levels in the state and local agencies. It was found, however, that some of the operational features and techniques used by several state and local agencies were worthy of consideration for adoption in the Federal system.

In general the NAPSA standards provide that an inquiry be made by an independent investigating unit to obtain background information on each defendant including such matters as length of residence, financial condition, physical and mental condition, identity of references who could certify information, prior criminal record, and prior record of failures to appear; that the investigating agency make recommendations regarding the pretrial release of defendants and the conditions of release to be imposed; that supplemental reports with oral presentations at bail hearings be made, if necessary; that the agencies supervise those released to its custody; that they remind defendants of the dates for court appearances, monitor compliance with release conditions, and assist in pretrial diversion programs; and that they develop systems to evaluate the risk of flight by defendants released prior to trial.

Pretrial services agencies in the 10 demonstration districts have complied with these requirements, although the procedures for evaluating "risk of flight" are not standardized in all 10 agencies.

The failure to appear rate for the six state and local agencies studied, as shown in the accompanying table, ranged from 2 percent to 7 percent. These figures compare to a failure to appear rate of 3.4 percent in the board districts and 2.4 percent in the probation districts during the third year of operation of the pretrial services program. Thus, the operations of the pretrial services agencies do compare favorably with the operations of the six state and local agencies.

# CHARACTERISTICS OF SIX STATE AND LOCAL AGENCIES HAVING PRETRIAL SERVICE UNITS

Agency	Authorization	Court System and Area Served	Budget	Staff Size Professional and Clerical	Annual Number of Filings	Annual Number of Interviews	Eligibility for Interviews	Failure to Appear Rate	Arrest Rate
Connecticut Bail Commission	Connecticut General Statutes 54.63b	Court of Common Pleas for Entire State	\$ 300,000	36	80,000	35,000	All Bailable Defendants	6%	Not Available
Philadelphia Pretrial Services Division	Philadelphia Supreme Court Rule 4008	Philadelphia County, Court of Common Pleas & Municipal Court	\$2,000,000	134	36,000	36,000	All Adult Misdemeanor and Felony Defendants	7.4%	19%
Berkley O.R. Project	California Penal Code 11318	Berkley-Albany Municipal Court	\$ 48,000	5	5,500	2,200	All Adult Criminal Charges Exclusive of Motor Vehicle	6%	Not Available
Pretrial Services Unit Alameda County Probation	California Penal Code 11318	Municipal Courts of: Oakland-Piedmont; Hayward; Fremont; Union City-Nile; Livermore-Pleasanton	\$ 180,000	12	54,500	24,000	All Criminal Defendants Exclusive of Serious Felonies (rape, murder, arson etc.)	7.0%	Not Available
New Orleans District Attys Release on Recognition Program	District Attys Office, City of New Orleans	Criminal District Court, Orleans Parish	\$ 39,870	7	15,000	2,500	Resident of Area, First Offense, Non-violent Crime	2%	2%
Kentucky Pre-trial Services Agency	Kentucky Statutes 431	Circuit and District Courts of Kentucky	\$1.9 million	129	200,000 (includes motor vehicles)	80,000	All Criminal Defendants	3.9%	4.35%

## VIII. ADDITIONAL FUNCTIONS OF PRETRIAL SERVICES AGENCIES

During the last three years, the pretrial services agencies have provided services to the courts in addition to those specifically required by the Act. These services have contributed to improving the overall operation of the Bail Reform Act and the administration of criminal cases prior to trial. The following is a brief description of the various roles and functions undertaken by some or all of the 10 agencies.

### 1. Pretrial Diversion

One of the most significant functions assumed by four of the pretrial services agencies is assisting in the pretrial diversion program of U.S. attorneys, also referred to as deferred prosecution. Pretrial diversion is an alternate method of dealing with those accused persons who consent to a period of formal supervision in lieu of prosecution. Successful completion of a period of supervision results in dismissal of the charge.

Because of its early involvement in criminal cases a pretrial services agency is able to identify and recommend to the prosecutor candidates for pretrial diversion. The four pretrial services agencies presently involved with pretrial diversion programs have to date assisted in the diversion of a total of 703 defendants. A fifth district, Northern Georgia, participated in a deferred prosecution program from 1976 to 1978 and during that time supervised 194 persons.

### 2. Expanding the Use of a Summons

Pretrial services agencies in several districts have cooperated with the court and the U.S. attorney in expanding the use of a summons in lieu of a warrant. Toward this end, agencies have contacted defendants by telephone to insure that a summons has been received and to remind defendants of their court dates, thereby reducing the

rate of nonappearance of defendants and the subsequent issuance and execution of a warrant. The clerk of court and the U.S. marshals are, thus, saved valuable time which otherwise would be spent preparing and executing warrants.

In one district, Western Missouri, pretrial services officers, in coordination with the U.S. attorney, contact indicted defendants within 24 hours of the indictment and arrange for voluntary appearances.

Participating districts: Southern New York, Central California, Eastern New York, Northern Georgia, Northern Texas, Maryland, Eastern Michigan, Eastern Pennsylvania, and Western Missouri.

### 3. Supervision of Material Witnesses

At times material witnesses are released to the custody of pretrial services agencies pursuant to 18 U.S.C. 3149 and the provisions of the Bail Reform Act. Participating districts: Southern New York, Eastern Michigan, Northern Texas, and Maryland.

### 4. Providing Information on Absconders to U.S. Marshals

Materials in the files of pretrial services agencies pertaining to the possible whereabouts of a defendant have been made available to a U.S. marshal upon the issuance of a warrant. Participating districts: Southern New York, Central California, Northern Georgia, Northern Illinois, Northern Texas, Eastern New York, Eastern Michigan, and Western Missouri.

### 5. Mental Competency

Some pretrial services agencies have been able to identify potential problems of mental competency, have notified the U.S. attorney or the appropriate officer and have assisted in making arrangements for mental competency examinations ordered by the court.

Participating districts: Central California, Northern Illinois, Maryland, Eastern Michigan, and Eastern Pennsylvania.

6. Assisting Defendants in Obtaining Counsel

Pretrial services officers have advised defendants of their right to counsel and assisted them in completing required forms resulting in early appointment of counsel.

Participating districts: Southern New York, Northern Georgia, Eastern New York, Maryland, and Eastern Michigan.

7. Coordinating Out-of-District Matters

In cases involving removal of defendants from one district to another for trial, pretrial services officers assist in arranging travel, when necessary.

Participating districts: All districts.

8. Supervision of Defendants Pending Appeal

All districts are supervising defendants released on bond while their cases are on appeal.



## IX. EXPENDITURES

### A. Activities of Pretrial Services Agencies Through March 31, 1979

The 10 pretrial services agencies have been in operation an average of 38 months through March 31, 1979. During this period 30,552 accused persons have been interviewed. Background information on these individuals has been compiled and verified, and made available for the use of judges and United States magistrates at initial and subsequent bail hearings.

Of the 30,552 interviews conducted, 23,190, or 75.9%, were conducted prior to the initial bail hearing. Interviews of 6,256 persons, or 20.5% of the total, were conducted shortly after the initial bail hearing and, where appropriate, the information was furnished to the judicial officer at a bail review hearing. Only a small number of persons, 443, or 1.5% of the total who were eligible for an interview refused to cooperate in providing information. Information was obtained and furnished to the bail officer without an interview in 2.1% of the cases.

Of the 30,552 persons interviewed, 17,108, or 56.1%, were subsequently released to the supervision of the pretrial services agencies. (See Table 3)

### B. Operational Costs

Table 4 shows a total of \$9,655,573 in operational expenditures and obligations for the pretrial services program from its implementation in 1976 through March 31, 1979. The total average cost of interviewing the 30,552 defendants, of providing contractual services for 287 defendants, and of supervising 17,108 defendants was \$316 per defendant. The following table shows the cost per defendant by district.

AVERAGE COST OF PRETRIAL SERVICES  
PER NUMBER OF DEFENDANTS INTERVIEWED

	TOTAL COST	COST PER DEFENDANT
NEW YORK-EASTERN	\$ 963,873	\$ 301
PENNSYLVANIA-EASTERN	\$ 901,295	\$ 347
MARYLAND	\$ 804,367	\$ 228
MICHIGAN-EASTERN	\$ 1,465,040	\$ 375
MISSOURI-WESTERN	\$ 561,137	\$ 510
 TOTAL BOARDS DISTRICTS	 \$ 4,695,712	 \$ 328
	TOTAL COST	COST PER DEFENDANT
NEW YORK-SOUTHERN	\$ 1,070,052	\$ 261
GEORGIA-NORTHERN	\$ 729,891	\$ 440
TEXAS-NORTHERN	\$ 610,784	\$ 350
ILLINOIS-NORTHERN	\$ 868,840	\$ 218
CALIFORNIA-CENTRAL	\$ 1,680,294	\$ 354
 TOTAL PROBATION DISTRICTS	 \$ 4,959,861	 \$ 306
 GRAND TOTAL-PSA	 \$ 9,655,573	 \$ 316

C. Contractual Services

Section 3154(4) of Title 18, United States Code, provides that pretrial services agencies, at the direction of the court, shall "operate or contract for the operation of appropriate facilities for the custody or care of persons released under this chapter including, but not limited to, residential halfway houses, addict and alcoholic treatment centers, and counseling services." Many agencies providing these services are funded by other federal or state sources and are authorized to perform services without cost. Thus, the number of contracts for separate services has been relatively small. Tables G, G1, and G2 show the cost of these services, by district and type of service provided, for all closed cases.

TABLE 3

## ACTIVITIES OF PRETRIAL SERVICES AS OF MARCH 31, 1979

DISTRICT	NUMBER OF MONTHS OPERATIONAL	NUMBER OF PERSONS INTERVIEWED	T Y P E O F I N T E R V I E W								PERSONS RELEASED TO PRETRIAL SUPERVISION		CASES TERMINATED
			*PRE-BAIL*		*POST-BAIL*		*OTHER*		*REFUSED*				
			NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	
N.Y.,E.	36	3,198	2,789	87.2	174	5.4	175	5.5	59	1.8	412	12.9	2,462
PA.,E.	37	2,598	1,577	60.7	939	36.1	51	2.0	31	1.2	1,004	38.7	2,332
MD.	39	3,524	2,956	83.9	457	13.0	73	2.1	38	1.1	945	26.8	2,736
MICH.,E.	38	3,910	2,981	76.2	868	22.2	60	1.5	1	0.0	3,486	89.2	2,759
MO.,W.	39	1,100	1,023	93.0	65	5.9	0	0.0	12	1.1	749	68.1	989
TOTAL BOARDS		14,330	11,326	79.0	2,503	17.5	360	2.5	141	1.0	6,596	46.0	11,278
N.Y.,S.	38	4,099	3,545	86.5	404	9.9	105	2.6	45	1.1	2,440	59.5	3,364
GA.,N.	41	1,660	1,226	73.9	419	25.2	15	0.9	0	0.0	1,179	71.0	1,446
TEX.,N.	41	1,744	1,367	78.4	315	18.1	29	1.7	33	1.9	1,523	87.3	1,356
ILL.,N.	42	3,975	2,129	53.6	1,823	45.9	13	0.3	10	0.3	3,109	78.2	3,290
CAL.,C.	38	4,744	3,597	75.8	792	16.7	141	3.0	214	4.5	2,261	47.7	4,326
TOTAL PROBATION		16,222	11,864	73.1	3,753	23.1	303	1.9	302	1.9	10,512	64.8	13,782
ALL PSA DISTRICTS		30,552	23,190	75.9	6,256	20.5	663	2.1	443	1.5	17,108	56.1	25,060

TABLE 4

OBLIGATIONS AND EXPENDITURES FOR PRETRIAL SERVICES AGENCIES THROUGH MARCH 31, 1979

	PERSONNEL COMPENSATION AND BENEFITS	TRAVEL AND TRANSPORTATION	RENT, COMMUNICATIONS AND UTILITIES	PRINTING AND REPRODUCTION	OTHER SERVICES	SUPPLIES AND MATERIALS	AQUISITION OF CAPITAL ASSETS	TOTAL
BOARD DISTRICTS								
N.Y., E.	\$ 789,179	\$ 20,194	\$ 88,201	\$ 2,345	\$ 36,427	\$ 12,174	\$ 15,353	\$ 963,873
PA., E.	735,680	27,849	91,368	2,309	33,193	3,575	7,321	901,295
MD.	654,267	7,356	81,498	2,471	50,466	1,845	6,464	804,367
MICH., E.	1,201,066	35,813	168,977	3,605	35,728	7,334	12,517	1,465,040
MO., W.	454,517	19,504	37,517	2,939	40,714	2,633	3,313	561,137
TOTAL PROBATION DISTRICTS	\$ 3,834,709	\$ 110,716	\$ 467,561	\$ 13,669	\$ 196,528	\$ 27,561	\$ 44,968	\$ 4,695,712
N.Y., S.	\$ 911,183	\$ 12,276	\$ 92,690	\$ 2,088	\$ 27,777	\$ 7,447	\$ 16,591	\$ 1,070,052
GA., N.	592,398	40,899	60,864	2,587	22,149	2,500	8,494	729,891
TEX., N.	481,708	26,848	74,207	2,122	15,193	1,391	9,315	610,784
ILL., N.	747,557	13,078	69,106	2,536	25,253	2,049	9,261	868,840
CAL., C.	1,300,891	47,741	204,026	4,775	104,094	3,876	14,891	1,680,294
TOTAL	\$ 4,033,737	\$ 140,842	\$ 500,893	\$ 14,108	\$ 194,466	\$ 17,263	\$ 58,552	\$ 4,959,861
GRAND TOTAL	\$ 7,868,446	\$ 251,558	\$ 968,454	\$ 27,777	\$ 390,994	\$ 44,824	\$ 103,520	\$ 9,655,573

TABLE G.

EXPENDITURES FOR CONTRACTUAL SERVICES IN PROBATION DISTRICTS THROUGH MARCH 31, 1979

DISTRICT	TYPE OF CONTRACT	EXPENDITURES	NUMBER OF DEFENDANTS	COST PER DEFENDANT	DEFENDANTS' TERMINATION	
					NOT CONVICTED	CONVICTED
NEW YORK SOUTHERN	NONE					
NORTHERN GEORGIA	Residential	\$ 9,246	15	\$ 616	3	12
	TOTAL	\$ 9,246	15	\$ 616	3	12
NORTHERN ILLINOIS	Drug Out Patient	\$ 745	5	\$ 149	1	4
	Residential	187	3	62	1	2
	TOTAL	\$ 932	8	\$ 117	2	6
NORTHERN TEXAS	NONE					
CALIFORNIA CENTRAL	Drug in Patient	\$ 15,465	15	\$ 1,031	3	12
	Drug Out Patient	4,265	13	328	4	9
	Alcohol In Patient	3,775	4	944	1	3
	Residential	24,040	21	1,145	4	17
	Other	2,498	2	1,249	0	2
	Medical-In-Patient	1,283	1	1,240	0	1
	TOTAL	\$ 51,283	56	\$ 916	12	44
TOTAL PROBATION		\$ 61,461	79	\$ 778	17	62

TABLE G 1.

## EXPENDITURES FOR CONTRACTUAL SERVICES IN BOARD DISTRICTS THROUGH MARCH 31, 1979

DISTRICT	TYPE OF CONTRACT	EXPENDITURES	NUMBER OF DEFENDANTS	COST PER DEFENDANT	DEFENDANTS-TERMINATION-	
					NOT CONVICTED	CONVICTED
NEW YORK EASTERN	Drug Out Patient	\$ 5,184	34	\$ 152	8	26
	Medical Out patient	109	1	109	1	0
	Residential	355	1	355	0	1
	Counseling	2,929	11	266	4	7
	Other	135	8	17	2	6
	TOTAL	\$ 8,712	55	\$ 158	15	40
PENNSYLVANIA EASTERN	Residential	\$ 816	1	\$ 816	0	1
	TOTAL	\$ 816	1	\$ 816	0	1
MARYLAND	Drug In Patient	\$ 525	2	\$ 263	0	2
	Drug Out Patient	13,387	28	478	2	26
	Medical Out Patient	214	3	71	1	2
	Alcohol In Patient	587	1	587	0	1
	Alcohol Out Patient	472	6	157	3	3
	Residential	6,868	4	1,717	2	2
	Counseling	6,867	11	624	2	9
	Other	79	2	40	1	1
	TOTAL	\$ 28,999	57	\$ 509	11	46

TABLE G 2.

## EXPENDITURES FOR CONTRACTUAL SERVICES IN BOARD DISTRICTS THROUGH MARCH 31, 1979

DISTRICT	TYPE OF CONTRACT	EXPENDITURES	NUMBER OF DEFENDANTS	COST PER DEFENDANT	DEFENDANTS TERMINATION	
					NOT CONVICTED	CONVICTED
EASTERN MICHIGAN	NONE					
WESTERN MISSOURI	Drug In Patient	\$ 941	2	\$ 471	0	2
	Drug Out Patient	27,462	88	312	15	73
	Residential	1,051	5	210	1	4
	TOTAL	\$ 29,454	95	\$ 310	16	79
BOARD TOTALS		\$ 67,981	208	\$ 327	42	166
GRAND TOTALS						
BOARD TOTALS		\$ 67,981	208	\$ 327	42	166
PROBATION TOTALS		\$ 61,461	79	\$ 778	17	62
GRAND TOTALS		\$ 129,442	287	\$ 451	59	228

## APPENDIX A

### Statistical Tables By District

#### Table

- |     |   |
|-----|---|
| 1   | Prebail Interview, Bail Recommendations and Release at the Initial Bail Hearing by Time Period For All Defendants In PSA Districts (Nonconvicted and Convicted) |
| 2   | Prebail Interview, Bail Recommendations and Release at the Initial Bail Hearing by Time Period For Convicted Defendants In PSA Districts                        |
| 3   | Initial Release Rates Convicted Defendants Only   |
| 4   | No Money Bail - Money Bail Imposed at Initial Bail Hearing  |
| C   | All Violators In PSA Districts  |
| C-1 | All Violators Who Failed To Appear  |
| C-2 | Violators Who Were Arrested For Crimes Committed While On Bail  |
| C-3 | Violators Who Committed Technical Violations While Released On Bail   |
| C-4 | Number Of Violators (Convicted Defendants Only) Who Were Released Pretrial For All Time Periods   |
| C-5 | Number Charged With New Crime (Convicted Only) Who Were Released Pretrial   |
| C-6 | Number Of Failure To Appear (Convicted Defendants Only) Who Were Released   |
| C-7 | Number Of Technical Violators (Convicted Defendants Only) Who Were Released Pretrial  |
| C-8 | Number Of Crime On Bail (Convicted Defendants Only) In Five (5) Comparative Districts With No Pretrial Services Agencies  |
| C-9 | Number Of Failure To Appear (Convicted Defendants Only) In Five (5) Comparative Districts With No Pretrial Services Agencies                                    |



- C-10     Number Of Technical Violators (Convicted Defendants Only)  
          In Five (5) Comparative Districts With No Pretrial Services  
          Agencies
- D-1     Detention On All Defendants In PSA Districts
- D-2     Detention Greater Than Three (3) Days On All Defendants In  
          PSA Districts
- D-3     Detention For All Time Periods For Convicted Defendants In  
          PSA Districts
- D-4     Detention For All Time Periods On Convicted Defendants In  
          PSA Districts Greater Than Three (3) Days
- D-5     Detention For Convicted Defendants In Five (5) Comparative  
          Districts With No Pretrial Services
- D-6     Detention Greater Than Three (3) Days For Convicted Defen-  
          dants In Five (5) Comparative Districts With No Pretrial  
          Services
- P-A     Activities Of Six (6) Districts With Pretrial Services  
          Performed By Probation Staff
- P-C     Violation Of Condition Of Release For Convicted Defendants  
          On Four (4) Districts With Pretrial Services Performed By  
          Probation Staff
- P-D     Detention For Convicted Defendants In Four (4) Districts  
          With Pretrial Services Performed By Probation Staff

TABLE 1  
PRE-BAIL INTERVIEW, BAIL RECOMMENDATIONS AND RELEASE AT INITIAL BAIL HEARING BY TIME PERIOD FOR ALL  
DEFENDANTS IN PSA DISTRICTS

		TIME PERIOD 3 1975-1976							TIME PERIOD 4 1976-1977							TIME PERIOD 5 1977-1978						
		TOTAL CLOSED	PRE-BAIL INTERVIEW	%	BAIL RECOMMEND- DATION MADE	%	INITIAL RELEASE	%	TOTAL CLOSED	PRE-BAIL INTERVIEW	%	BAIL RECOMMEND- DATION MADE	%	INITIAL RELEASE	%	TOTAL CLOSED	PRE-BAIL INTERVIEW	%	BAIL RECOMMEND- DATION MADE	%	INITIAL RELEASE	%
BOARDS - PSA	N.Y., E.	767	638	83.2	598	78.0	536	69.9	938	847	90.3	830	88.5	620	66.1	604	537	88.9	501	82.9	473	78.3
	PA., E.	724	352	48.6	349	48.2	532	73.5	877	470	53.6	466	53.1	713	81.3	251	166	66.1	165	65.7	216	86.1
	MD.	952	739	77.6	590	62.0	695	73.0	1,058	879	83.1	717	67.8	825	78.0	520	452	86.9	322	61.9	391	75.2
	MICH., E.	1,505	754	50.1	774	51.4	1,128	75.0	1,265	1,001	79.1	980	77.5	1,135	89.7	635	567	89.3	560	88.2	524	82.5
	MO., W.	271	236	87.1	218	80.4	144	53.1	349	333	95.4	326	93.4	227	65.0	283	277	97.9	277	97.9	159	56.2
	TOTAL	4,219	2,719	64.4	2529	59.9	3,035	71.9	4,487	3,530	78.7	3319	74.0	3,420	76.2	2,293	1,999	87.2	1825	79.6	1,763	76.9
PROBATION - PSA	N.Y., S.	1,119	916	81.9	849	75.9	803	71.8	1,074	870	81.0	789	73.5	738	68.7	394	352	89.3	307	77.9	284	72.1
	GA., N.	554	380	68.6	357	64.4	384	69.3	490	333	68.0	318	64.9	358	73.1	286	216	75.5	205	71.7	189	66.1
	TEX., N.	461	311	67.5	273	59.2	252	54.7	503	459	91.3	447	88.9	354	70.4	358	322	89.9	311	86.9	258	72.1
	ILL., N.	1,015	504	49.7	428	42.2	717	70.6	1,016	391	38.5	247	24.3	707	69.6	587	298	50.8	202	34.4	389	66.3
	CAL., C.	1,436	1,121	78.1	837	58.3	831	57.9	1,390	1,052	75.7	888	63.9	776	55.8	947	729	77.0	541	57.1	556	58.7
	TOTAL	4,585	3,232	70.5	2744	59.8	2,987	65.1	4,473	3,015	69.4	2689	60.1	2,933	65.6	2,572	1,917	74.5	1566	60.9	1,685	65.5
GRAND TOTAL		8,804	5,951	67.6	5273	59.9	6,022	68.4	8,960	6,635	74.1	6008	67.1	6,353	70.9	4,865	3,916	80.5	3391	69.7	3,448	70.9

TABLE 2

PRE-BAIL INTERVIEW, BAIL RECOMMENDATIONS AND RELEASE AT INITIAL BAIL HEARING BY TIME PERIOD FOR CONVICTED DEFENDANTS IN PSA DISTRICTS

	TIME PERIOD 3 1975-1976							TIME PERIOD 4 1976-1977							TIME PERIOD 5 1977-1978						
	TOTAL CASES CLOSED	PRE-BAIL INTERVIEW	%	BAIL RECOMMEND- DATION MADE	%	INITIAL RELEASED	%	TOTAL CASES CLOSED	PRE-BAIL INTERVIEW	%	BAIL RECOMMEND- DATION MADE	%	INITIAL RELEASED	%	TOTAL CASES CLOSED	PRE-BAIL INTERVIEW	%	BAIL RECOMMEND- DATION MADE	%	INITIAL RELEASED	%
BOARDS																					
N.Y., E.	456	375	82.2	352	77.2	344	75.4	594	533	89.7	521	87.7	412	69.4	312	269	86.2	248	79.5	258	82.7
PA., E.	480	236	49.2	228	47.5	354	73.8	638	360	56.4	348	54.5	559	87.6	205	136	66.3	131	63.9	181	88.3
MD.	632	476	75.3	391	61.9	458	72.5	568	476	83.8	436	76.8	448	78.9	238	202	84.9	175	73.5	186	78.2
MICH., E.	670	313	46.7	335	50.0	538	80.3	592	450	76.0	434	73.3	491	82.9	251	219	87.3	217	86.5	207	82.5
MO., W.	143	129	90.2	128	89.5	95	66.4	217	210	96.8	209	96.3	168	77.4	159	155	97.5	155	97.5	108	67.2
TOTAL	2,381	1,529	64.2	1,434	60.2	1,789	75.1	2,609	2,029	77.8	1,948	74.7	2,078	79.7	1,165	981	84.2	926	79.6	940	80.7
PROBATION																					
N.Y., S.	683	557	81.6	530	77.6	493	72.2	807	650	80.5	596	73.9	575	71.3	301	277	92.0	246	81.7	234	77.7
GA., N.	285	204	71.6	188	66.0	206	72.3	281	184	65.5	175	62.3	227	80.8	154	124	80.5	119	77.3	117	76.0
TEX., N.	350	234	66.9	206	58.9	200	57.1	406	375	92.4	366	90.1	292	71.9	305	276	90.5	268	87.9	226	74.1
ILL., N.	682	296	43.4	257	37.7	498	73.0	719	230	32.0	153	21.3	524	72.9	425	195	45.9	134	31.5	302	71.1
CAL., C.	872	683	78.3	520	59.6	491	56.3	821	638	77.7	534	65.0	460	56.0	566	431	76.1	303	53.5	374	66.1
TOTAL	2,872	1,974	68.7	1,701	59.2	1,888	65.7	3,034	2,077	68.5	1,824	60.1	2,078	68.5	1,751	1,303	74.4	1,070	61.1	1,253	71.6
GRAND TOTAL	5,253	3,503	66.7	3,135	59.7	3,677	70.0	5,643	4,106	72.8	3,772	66.8	4,156	73.6	2,916	2,284	78.3	1,996	68.5	2,193	75.2

TABLE 3

## INITIAL RELEASE RATES -- CONVICTED DEFENDANTS ONLY

		T1 1973-1974			T2 1974-1975			T3 1975-1976			T4 1976-1977			T5 1977-1978		
		CASES CLOSED	INITIAL RELEASE	%	CASES CLOSED	INITIAL RELEASE	%	CASES CLOSED	INITIAL RELEASE	%	CASES CLOSED	INITIAL RELEASE	%	CASES CLOSED	INITIAL RELEASE	%
BOARDS - PSA	N.Y., E.	388	294	75.8	388	267	68.8	456	344	75.4	594	412	69.4	312	258	82.7
	PA., E.	417	316	75.8	359	289	80.5	480	354	73.8	638	559	87.6	205	181	88.3
	MD.	384	298	77.6	385	283	73.5	632	458	72.5	568	448	78.9	238	186	78.2
	MICH., E.	383	331	86.4	383	296	77.1	670	538	80.3	592	491	82.9	251	207	82.5
	MO., W.	130	78	60.0	128	74	57.8	143	95	66.4	217	168	77.4	159	108	67.2
	TOTAL	1,702	1,317	77.4	1,643	1,209	73.6	2,381	1,789	75.1	2,609	2,078	79.7	1,165	940	80.7
PROBATION - PSA	N.Y., S.	414	320	77.3	363	282	77.7	683	493	72.2	807	575	71.3	301	234	77.7
	GA., N.	357	230	64.4	332	215	64.8	285	206	72.3	281	227	80.8	154	117	76.0
	TEX., N.	207	142	68.6	183	117	63.9	350	200	57.1	406	292	71.9	305	226	74.1
	ILL., N.	444	373	84.0	348	271	77.9	682	498	73.0	719	524	72.9	425	302	71.1
	CAL., C.	390	269	69.0	395	253	64.1	872	491	56.3	821	460	56.0	566	374	66.1
	TOTAL	1,812	1,334	73.6	1,621	1,138	70.2	2,872	1,888	65.7	3,034	2,078	68.5	1,751	1,253	71.6
GRAND TOTAL		3,514	2,651	75.4	3,264	2,347	71.9	5,253	3,677	70.0	5,643	4,156	73.6	2,916	2,193	75.2
COMPARATIVE NO - PSA	N.J.	110	82	74.5							263	214	81.4	244	206	84.4
	PENN., W.	249	219	88.0							157	140	89.2	101	80	79.2
	TEX., W.	355	91	25.6							224	36	16.1	202	70	34.7
	ALA., N.	314	239	76.1							393	323	82.2	274	233	85.0
	CAL., S.	491	109	22.2							301	85	28.2	201	63	31.3
	TOTAL	1,519	740	48.7							1,338	798	59.6	1,022	652	63.8

TABLE 4

## NO MONEY BAIL-MONEY BAIL IMPOSED AT INITIAL HEARING

		TIME PERIOD (1) 1973-1974 NO MONEY BAIL      MONEY BAIL %                    %		TIME PERIOD (2) 1974-1975 NO MONEY BAIL      MONEY BAIL %                    %		TIME PERIOD (3) 1975-1976 NO MONEY BAIL      MONEY BAIL %                    %		TIME PERIOD (4) 1976-1977 NO MONEY BAIL      MONEY BAIL %                    %		TIME PERIOD (5) 1977-1978 NO MONEY BAIL      MONEY BAIL %                    %	
BOARDS - PSA	NEW YORK, E.	65.1	34.9	61.3	38.7	70.1	29.9	65.0	35.0	80.8	19.2
	PENNSYLVANIA, E.	60.1	39.9	64.1	35.9	58.5	41.5	82.2	17.8	92.1	7.9
	MARYLAND	68.8	31.2	62.9	37.1	64.4	35.6	70.6	29.4	71.4	28.6
	MICHIGAN, E.	75.5	24.5	71.5	28.5	75.0	25.0	78.6	21.4	79.4	20.6
	MISSOURI, W.	47.7	52.3	49.2	50.8	61.7	38.3	69.3	30.7	59.2	40.8
	TOTAL BOARDS DISTRICTS - PSA	65.7	34.4	63.7	36.3	67.1	32.9	73.8	26.2	77.5	22.5
PROBATION - PSA	NEW YORK, S.	66.6	33.4	64.1	35.9	63.6	36.4	63.3	36.7	68.0	32.0
	GEORGIA, N.	53.2	46.8	55.0	45.0	60.8	39.2	73.2	26.8	68.4	31.6
	TEXAS, N.	61.2	48.8	46.2	53.8	37.5	62.5	57.8	42.2	68.9	31.1
	ILLINOIS, N.	66.0	34.0	64.7	35.3	62.1	37.9	63.4	36.6	62.6	37.4
	CALIFORNIA, C.	56.4	43.6	54.2	45.8	43.2	56.8	48.2	51.8	56.5	43.5
	TOTAL PROBATION DISTRICTS - PSA	59.8	40.2	58.1	41.9	53.6	46.4	59.4	40.6	63.1	36.9
ALL DISTRICTS WITH PRETRIAL SERVICES		62.7	37.3	61.0	39.0	59.7	40.3	66.1	33.9	68.8	31.2
COMPARATIVE NO - PSA	NEW JERSEY	63.6	36.4					76.0	24.0	79.5	20.5
	PENNSYLVANIA, W.	81.4	18.6					87.9	12.1	79.2	20.8
	TEXAS, W.	19.7	80.3					12.8	87.2	16.8	83.2
	ALABAMA, N.	66.9	33.1					76.8	23.2	80.7	19.3
	CALIFORNIA, N.	18.6	81.4					24.9	75.1	32.8	67.2
	TOTAL COMPARATIVE DISTRICTS WITH NO PRETRIAL SERVICES	42.9	57.1					55.8	44.2	58.2	41.8

TABLE C

## ALL BAIL VIOLATORS IN PSA DISTRICTS

		T3 1975-1976		T4 1976-1977		T5 1977-1978	
		RATIO OF VIOLATORS	%	RATIO OF VIOLATORS	%	RATIO OF VIOLATORS	%
BOARDS - PSA	NEW YORK, EASTERN	127/669	19.0	96/767	12.5	45/516	8.7
	PENNSYLVANIA, EASTERN	80/622	12.9	62/782	7.9	16/220	7.3
	MARYLAND	91/774	11.8	60/889	6.8	19/422	4.5
	MICHIGAN, EASTERN	106/1313	8.1	116/1191	9.7	42/588	7.1
	MISSOURI, WESTERN	33/186	17.7	29/282	10.3	17/213	8.0
TOTAL BOARDS DISTRICTS		437/3564	12.3	363/3911	9.3	139/1959	7.1
PROBATION - PSA	NEW YORK, SOUTHERN	215/949	22.7	137/903	15.2	31/332	9.3
	GEORGIA, NORTHERN	108/483	22.4	72/454	15.9	28/256	10.9
	TEXAS, NORTHERN	28/333	8.4	34/410	8.3	13/307	4.2
	ILLINOIS, NORTHERN	122/872	14.0	104/911	11.4	54/519	10.4
	CALIFORNIA, CENTRAL	75/1055	7.1	121/1081	11.2	52/707	7.4
TOTAL PROBATION DISTRICTS		548/3692	14.8	468/3759	12.5	178/2121	8.4
TOTAL OF PSA DISTRICTS		985/7256	13.6	831/7670	10.8	317/4080	7.8

TABLE C 1

## ALL VIOLATORS WHO FAILED TO APPEAR

BOARDS - PSA

	T3	1975-1976	T4	1976-1977	T5	1977-1978
	FAILURE TO APPEAR	%	FAILURE TO APPEAR	%	FAILURE TO APPEAR	%
NEW YORK, EASTERN	53/669	7.9	52/767	6.7	29/516	5.6
PENNSYLVANIA, EASTERN	39/622	6.3	28/782	3.5	5/220	2.3
MARYLAND	28/774	3.6	11/889	1.2	3/442	0.7
MICHIGAN, EASTERN	53/1313	4.0	52/1191	4.4	9/588	1.5
MISSOURI, WESTERN	7/186	3.8	2/282	0.7	3/213	1.4
TOTAL BOARDS DISTRICTS	180/3564	5.0	145/3911	3.7	49/1959	2.5

PROBATION - PSA

NEW YORK, SOUTHERN	128/949	13.9	63/903	6.9	11/332	3.3
GEORGIA, NORTHERN	32/483	19.7	14/454	3.1	10/256	3.9
TEXAS, NORTHERN	9/333	2.7	10/410	2.4	4/307	1.3
ILLINOIS, NORTHERN	66/872	7.6	49/911	5.4	27/519	5.2
CALIFORNIA, CENTRAL	35/1055	3.3	35/1081	3.2	9/707	1.3
TOTAL PROBATION DISTRICTS	270/3692	7.3	171/3759	4.5	61/2121	2.9
TOTAL PSA DISTRICTS	450/7256	6.2	316/7670	4.1	110/4080	2.7

TABLE C 2 .

VIOLATORS WHO WERE ARRESTED FOR CRIMES COMMITTED WHILE ON BAIL

BOARDS - PSA

	T3	1975-1976	T4	1976-1977	T5	1977-1978
	NUMBER OF DEFENDANTS WHO COMMIT CRIME WHILE ON BAIL		NUMBER OF DEFENDANTS WHO COMMIT CRIME WHILE ON BAIL		NUMBER OF DEFENDANTS WHO COMMIT CRIME WHILE ON BAIL	
		%		%		%
NEW YORK, EASTERN						
PENNSYLVANIA, EASTERN						
MARYLAND	66/669	9.9	53/767	6.9	20/516	3.9
MICHIGAN, EASTERN	26/622	4.2	22/782	2.8	6/220	2.7
MISSOURI, WESTERN	39/774	5.0	24/889	2.7	11/422	2.6
	56/1313	4.3	49/1191	4.1	22/588	3.7
TOTAL BOARDS DISTRICTS	13/186	7.0	5/282	1.8	4/213	1.9

PROBATION - PSA

NEW YORK, SOUTHERN	200/3564	5.6	153/3911	3.9	63/1959	3.2
GEORGIA, NORTHERN						
TEXAS, NORTHERN	95/949	10.0	78/903	8.6	17/332	5.1
ILLINOIS, NORTHERN	52/483	10.7	40/454	8.8	11/256	4.3
CALIFORNIA, CENTRAL	12/333	3.6	15/410	3.7	6/307	2.0
	55/872	6.5	50/911	5.5	27/519	5.2
TOTAL PROBATION DISTRICTS	36/1055	3.4	60/1081	5.5	29/707	4.1
ALL PSA DISTRICTS	250/3692	6.7	243/3759	6.4	90/2121	4.2
	450/7256	6.2	396/7670	5.2	153/4080	3.8



TABLE C 3

## VIOLATORS WHO COMMITTED TECHNICAL VIOLATIONS WHILE RELEASED ON BAIL

		T3 1975-1976		T4 1976-1977		T5 1977-1978	
		TECHNICAL	%	TECHNICAL	%	TECHNICAL	%
BOARDS - PSA	NEW YORK, EASTERN	24/669	3.6	30/767	3.9	14/576	2.7
	PENNSYLVANIA, EASTERN	37/622	5.9	39/782	5.0	7/220	3.1
	MARYLAND	56/774	7.2	35/889	3.9	8/422	1.8
	MICHIGAN, EASTERN	28/1313	2.1	19/1191	1.6	13/588	2.2
	MISSOURI, WESTERN	22/186	11.8	15/282	5.3	14/213	6.6
TOTAL BOARDS DISTRICTS		167/3564	4.7	138/3911	3.5	56/1959	2.5
PROBATION - PSA	NEW YORK, SOUTHERN	51/949	5.3	23/903	2.5	3/332	0.1
	GEORGIA, NORTHERN	53/483	11.0	34/454	7.5	14/256	5.7
	TEXAS, NORTHERN	13/333	3.9	21/410	5.1	2/307	0.7
	ILLINOIS, NORTHERN	16/872	1.8	7/911	0.8	12/519	2.3
	CALIFORNIA, CENTRAL	11/1055	1.0	29/1081	2.7	17/707	2.4
TOTAL PROBATION DISTRICTS		144/3692	3.9	114/3759	3.0	48/2121	2.3
ALL PSA DISTRICTS		311/7256	4.3	252/7670	3.3	104/4080	2.5

TABLE C 4  
NUMBER OF VIOLATORS (CONVICTED DEFENDANTS ONLY) WHO WERE RELEASED PRETRIAL FOR ALL TIME PERIODS

		TIME PERIOD 1 * 1973 - 1974 *		TIME PERIOD 2 * 1974 - 1975 *		TIME PERIOD 3 * 1975 - 1976 *		TIME PERIOD 4 * 1976 - 1977 *		TIME PERIOD 5 * 1977 - 1978 *	
		RATIO OF VIOLATORS %		RATIO OF VIOLATORS %		RATIO OF VIOLATORS %		RATIO OF VIOLATORS %		RATIO OF VIOLATORS %	
BOARDS - PSA	N.Y., E.	55/324	17.0	19/320	5.9	77/414	18.6	73/504	14.5	33/279	11.8
	PA., E.	59/373	15.8	43/320	13.4	56/426	13.1	42/602	7.0	9/184	4.9
	MD.	33/328	10.1	22/319	6.9	58/472	12.3	43/503	8.5	11/202	5.4
	MICH., E.	60/354	16.9	58/347	16.7	67/602	11.1	60/556	11.0	20/230	8.7
	MO., W.	12/109	11.0	5/ 99	5.1	17/117	14.5	15/201	7.5	10/138	7.2
	TOTAL	219/1488	14.7	147/1405	10.5	275/2031	13.5	233/2366	9.8	83/1033	8.0
PROBATION - PSA	N.Y., S.	61/380	16.1	48/320	15.0	146/589	24.8	108/695	15.5	22/271	8.1
	GA., N.	75/280	26.7	73/273	26.7	28/252	11.1	38/268	14.2	18/143	12.6
	TEX., N.	14/163	8.6	7/131	5.3	18/257	7.0	29/334	8.7	7/263	2.7
	ILL., N.	61/408	15.0	24/304	7.9	84/605	13.9	79/674	11.7	44/391	11.3
	CAL., C.	37/313	11.8	33/295	11.2	42/630	6.7	78/663	11.8	42/484	8.7
	TOTAL	248/1544	16.1	185/1323	14.0	318/2333	13.6	332/2634	12.6	133/1552	8.6
GRAND TOTAL		467/3032	15.4	332/2728	12.2	593/4364	13.6	565/5000	11.3	216/2585	8.4

DATA FROM PRETRIAL SERVICES DATA BASE.

FTA - FAILURE TO APPEAR.

REARREST - THOSE PERSONS CHARGED WITH NEW CRIME WHILE ON BAIL.

OTHER - TECHNICAL VIOLATIONS OF CONDITIONS OF RELEASE.

NUMBER OF VIOLATORS - INCLUDES ALL FAILURE TO APPEAR, REARREST AND OTHER.

TABLE C 5

NUMBER CHARGED WITH NEW CRIME (CONVICTED ONLY) WHO WERE RELEASED PRETRIAL

		TIME PERIOD 1 * 1973 - 1974 *	TIME PERIOD 2 * 1974 - 1975 *	TIME PERIOD 3 * 1975 - 1976 *	TIME PERIOD 4 * 1976 - 1977 *	TIME PERIOD 5 * 1977 - 1978 *
		RATIO OF CRIME ON BAIL %	RATIO OF CRIME ON BAIL %	RATIO OF CRIME ON BAIL %	RATIO OF CRIME ON BAIL %	RATIO OF CRIME ON BAIL %
BOARDS - PSA	N.Y., E.	37/324 11.4	16/320 5.0	36/414 8.7	38/504 7.5	13/279 4.7
	PA., E.	32/373 8.6	19/320 5.9	20/426 4.7	14/602 2.3	3/184 1.6
	MD.	23/328 7.0	18/319 5.6	25/472 5.3	19/503 3.8	6/202 3.0
	MICH., E.	39/354 11.0	42/347 12.0	33/602 5.5	25/556 4.5	11/230 4.8
	MO., W.	5/109 4.6	3/99 3.0	10/117 8.5	5/201 2.5	2/138 1.4
	TOTAL	136/1488 9.1	98/1405 7.0	124/2031 6.1	101/2366 4.3	35/1033 3.4
PROBATION - PSA	N.Y., S.	18/380 4.7	23/320 7.2	61/589 10.4	71/695 10.2	13/271 5.0
	GA., N.	40/280 14.3	52/273 19.0	12/252 4.8	24/268 9.0	10/143 7.0
	TEX., N.	7/163 4.3	5/131 3.8	11/257 4.3	12/334 3.6	3/263 1.1
	ILL., N.	44/408 10.8	18/304 5.9	40/605 6.6	36/674 5.3	21/391 5.4
	CAL., C.	18/313 5.8	22/295 7.6	22/630 3.5	41/663 6.2	23/484 4.8
	TOTAL	127/1544 8.2	120/1323 9.1	146/2333 6.3	184/2634 7.0	70/1552 4.5
GRAND TOTAL		263/3032 8.7	218/2728 8.0	270/4364 6.2	285/5000 5.7	105/2585 4.1

TABLE C 6

NUMBER OF FAILURE TO APPEAR (CONVICTED DEFENDANTS ONLY) WHO WERE RELEASED PRETRIAL IN 10 DISTRICTS

		TIME PERIOD 1 * 1973 - 1974 *		TIME PERIOD 2 * 1974 - 1975 *		TIME PERIOD 3 * 1975 - 1976 *		TIME PERIOD 4 * 1976 - 1977 *		TIME PERIOD 5 * 1977 - 1978 *	
		RATIO OF FAILURE TO APPEAR %		RATIO OF FAILURE TO APPEAR %		RATIO OF FAILURE TO APPEAR %		RATIO OF FAILURE TO APPEAR %		RATIO OF FAILURE TO APPEAR %	
[ BOARDS - PSA ]	N.Y., E.	16/324	4.9	7/320	2.2	38/414	9.2	40/504	7.9	23/279	8.2
	PA., E.	33/373	8.8	25/320	7.8	29/426	6.8	18/602	3.0	3/184	1.6
	MD.	8/328	2.4	3/319	0.9	11/472	2.3	6/503	1.2	3/202	1.5
	MICH., E.	17/354	4.8	17/347	4.9	35/602	5.8	26/556	4.7	3/230	1.3
	MO., W.	7/109	6.4	1/ 99	1.0	0/117	0.0	1/201	0.5	3/138	2.2
TOTAL		81/1488	5.4	53/1405	3.8	113/2031	5.6	91/2366	3.8	35/1033	3.4
[ PROBATION - PSA ]	N.Y., S.	46/380	12.1	30/320	9.4	88/589	14.9	48/695	6.9	4/271	1.5
	GA., N.	43/280	15.4	34/273	12.5	9/252	3.6	5/268	1.9	3/143	2.1
	TEX., N.	9/163	5.5	4/131	3.1	5/257	1.9	8/334	2.4	2/263	0.1
	ILL., N.	16/408	3.9	8/304	2.6	54/605	8.9	42/674	6.2	21/391	5.4
	CAL., C.	29/313	9.3	14/295	4.7	23/630	3.7	23/663	3.7	8/484	1.7
TOTAL		143/1544	9.3	90/1323	6.8	179/2333	7.7	126/2634	4.8	38/1552	2.4
GRAND TOTAL		224/3032	7.4	143/2728	5.2	292/4364	6.7	217/5000	4.3	73/2585	2.8

TABLE C 7

NUMBER OF TECHNICAL VIOLATORS (CONVICTED DEFENDANTS ONLY) WHO WERE RELEASED PRETRIAL

		TIME PERIOD 1 * 1973 - 1974 *	TIME PERIOD 2 * 1974 - 1975 *	TIME PERIOD 3 * 1975 - 1976 *	TIME PERIOD 4 * 1976 - 1977 *	TIME PERIOD 5 * 1977 - 1978 *
		RATIO OF TECHNICAL VIOLATORS %	RATIO OF TECHNICAL VIOLATORS %	RATIO OF TECHNICAL VIOLATORS %	RATIO OF TECHNICAL VIOLATORS %	RATIO OF TECHNICAL VIOLATORS %
BOARDS - PSA	N.Y., E.	5/324 1.5	0/320 0.0	17/414 4.1	25/504 5.0	7/279 2.5
	PA., E.	0/373 0.0	2/320 0.6	23/426 5.4	22/602 3.7	3/184 1.6
	MD.	1/328 0.3	0/319 0.0	43/472 9.1	25/503 5.0	7/202 3.5
	MICH., E.	5/354 1.4	7/347 2.0	13/602 2.2	13/556 2.3	9/230 3.9
	MO., W.	1/109 0.9	1/ 99 1.0	13/117 11.1	13/201 6.5	13/138 9.4
	TOTAL	12/1488 0.8	10/1405 0.7	109/2031 5.4	98/2366 4.1	39/1033 3.8
PROBATION - PSA	N.Y., S.	4/380 1.1	2/320 0.6	32/589 5.4	14/695 2.0	3/271 1.1
	GA., N.	2/280 0.7	2/273 0.7	15/252 6.0	17/268 6.3	7/143 4.9
	TEX., N.	0/163	0/131 0.0	6/257 2.3	17/334 5.1	2/263 0.8
	ILL., N.	3/408 0.7	0/304 0.0	10/605 1.7	7/674 1.0	12/391 3.0
	CAL., C.	2/313 0.6	0/295 0.0	2/630 0.3	22/663 3.3	13/484 2.7
	TOTAL	12/1544 0.8	4/1323 0.3	65/2333 2.9	77/2634 2.9	37/1552 2.4
GRAND TOTAL		24/3032 0.8	14/2728 0.5	174/4364 4.0	175/5000 3.5	76/2585 2.9

TABLE C 8

CRIME ON BAIL (CONVICTED DEFENDANTS ONLY) IN COMPARISON DISTRICTS  
WITH NO PRETRIAL SERVICE AGENCIES

COMPARATIVE  
NO - PSA

	TIME PERIOD 1 * 1973 - 1974 *	TIME PERIOD 4 * 1976 - 1977 *	TIME PERIOD 5 * 1977 - 1978 *
	RATIO OF CRIME ON BAIL %	RATIO OF CRIME ON BAIL %	RATIO OF CRIME ON BAIL %
NEW JERSEY	8/ 94   8.5	11/241   4.6	21/230   9.1
PENN., W.	24/234   10.3	3/148   2.0	5/ 89   5.6
ALABAMA, N.	10/275   3.6	25/358   7.0	15/260   5.8
TEXAS, W.	5/187   2.7	8/109   7.3	3/137   2.9
CAL., S.	10/305   3.3	6/205   2.9	5/137   3.6
TOTAL	57/1095   5.2	53/1061   5.0	49/853   5.7

TABLE C 9

NUMBER OF FAILURE TO APPEAR (CONVICTED DEFENDANTS ONLY) IN FIVE (5) COMPARATIVE DISTRICTS  
WITH NO PRETRIAL SERVICES AGENCIES

COMPARATIVE  
NO - PSA

TIME PERIOD 1  
\* 1973 - 1974 \*

RATIO OF  
FAILURE  
TO APPEAR %

TIME PERIOD 4  
\* 1976 - 1977 \*

RATIO OF  
FAILURE  
TO APPEAR %

TIME PERIOD 5  
\* 1977 - 1978 \*

RATIO OF  
FAILURE  
TO APPEAR %

NEW JERSEY

3/ 94 3.2

3/241 1.2

13/230 5.7

PENNSYLVANIA, W.

8/234 3.4

3/148 2.0

0/ 89 0.0

ALABAMA

9/275 3.3

10/358 2.8

3/260 1.6

TEXAS, W.

4/187 2.1

1/109 0.9

2/137 1.5

CALIFORNIA, S.

9/305 3.0

8/205 3.9

3/137 2.2

TOTAL - NON-PSA 33/1095 3.0

25/1061 2.4

21/853 2.5

TABLE C 10

NUMBER OF TECHNICAL VIOLATORS (CONVICTED DEFENDANTS ONLY) IN FIVE (5) COMPARATIVE DISTRICTS  
WITH NO PRETRIAL SERVICES AGENCIES

COMPARATIVE NO - PSA	NEW JERSEY	1/ 94	1.1	0/241	0.0	1/230	0.4
	PENNSYLVANIA, W.	7/234	3.0	0/148	0.0	0/ 89	0.0
	ALABAMA	1/275	0.4	2/358	0.6	2/260	0.8
	TEXAS, W.	2/187	1.0	1/109	0.9	0/137	0.0
	CALIFORNIA, S.	2/305	0.7	0/205	0.0	2/137	1.5
	TOTAL - NON-PSA	13/1095	1.2	3/1061	0.2	5/853	0.6



TABLE D 1

## DETENTION ON ALL DEFENDANTS IN PSA DISTRICTS

	TIME PERIOD 3 1975-1976					TIME PERIOD 4 1976-1977					TIME PERIOD 5 1977-1978				
	RATIO OF CASES DETAINED				AVE- RAGE DAYS	RATIO OF CASES DETAINED				AVE- RAGE DAYS	RATIO OF CASES DETAINED				AVE- RAGE DAYS
	CLOSED	DETAINED	%	RANGE FOR DAYS		CLOSED	DETAINED	%	RANGE FOR DAYS		CLOSED	DETAINED	%	RANGE FOR DAYS	
BOARDS - PSA N.Y., E. PA., E. MD. MICH., E. MO., W.	767	282	36.8	36	1- 418	938	399	42.5	42	1- 510	604	205	33.9	24	1- 221
	724	214	29.6	36	1- 336	877	140	16.0	25	1- 293	251	28	11.2	21	1- 117
	952	299	31.4	45	1- 373	1,058	242	22.9	37	1- 234	520	107	20.6	36	1- 198
	1,505	379	25.2	31	1- 367	1,265	254	20.1	33	1- 430	635	108	17.0	28	1- 182
	271	79	29.2	30	1- 189	349	95	27.2	19	1- 114	283	69	24.4	30	1- 121
TOTAL	4,219	1,253	29.7	36	1- 418	4,487	1,130	25.2	35	1- 510	2,293	517	22.5	28	1- 221
PROBATION - PSA N.Y., S. GA., N. TEX., N. ILL., N. CAL., C.	1,119	443	39.6	37	1- 384	1,074	533	49.6	32	1- 287	394	184	46.7	22	1- 266
	554	204	36.8	25	1- 221	490	170	34.7	24	1- 210	286	119	41.6	17	1- 125
	461	247	53.6	29	1- 202	503	192	38.2	27	1- 117	358	134	37.4	27	1- 231
	1,015	390	38.4	42	1- 420	1,016	377	37.1	32	1- 482	587	238	40.5	29	1- 191
	1,436	853	59.4	28	1- 603	1,390	746	53.7	28	1- 335	947	366	38.6	25	1- 190
TOTAL	4,585	2,137	46.6	32	1- 603	4,472	2,018	45.1	30	1- 482	2,572	1,041	40.5	25	1- 266
GRAND TOTAL	8,804	3,390	38.5	34	1- 603	8,960	3,148	35.1	32	1- 510	4,865	1,558	32.0	26	1- 266

\* INCLUDES PRE AND POST INITIAL APPEARANCE DETENTION / EXCLUDES WRITS AND CONCURRENT DETENTION \*

CLOSED - CASE HAS BEEN CLOSED BY THE COURT. DATA CODED AND ENTERED IN PSA DATA FILE.

DETAINED - A DEFENDANT DETAINED AS MUCH AS ONE DAY WHO WAS ELIGIBLE FOR A RELEASE DECISION TO BE MADE

% - DETAINED CASES DIVIDED BY CLOSED CASES.

AVERAGE DAYS - AVERAGE DAYS OF DETENTION FOR THOSE DETAINED.

RANGE FOR DAYS - AT LEAST ONE DEFENDANT WAS HELD IN DETENTION FOR THE LENGTH OF TIME INDICATED.

TABLE D 2

DETENTION GREATER THAN THREE (3) DAYS ON ALL DEFENDANTS IN PSA DISTRICTS

		TIME PERIOD 3 1975-1976					TIME PERIOD 4 1976-1977					TIME PERIOD 5 1977-1978				
		RATIO OF CASES DETAINED TOTAL DETAINED DETAINED %			AVE- RAGE DAYS		RATIO OF CASES DETAINED TOTAL DETAINED DETAINED %			AVE- RAGE DAYS		RATIO OF CASES DETAINED TOTAL DETAINED DETAINED %			AVE- RAGE DAYS	
					RANGE FOR DAYS					RANGE FOR DAYS					RANGE FOR DAYS	
BOARDS - PSA	N.Y., E.	141	282	50.0	70	4-418	200	399	50.1	83	4-510	72	205	35.1	66	4-221
	PA., E.	149	214	69.6	51	4-336	81	140	57.9	43	4-293	17	28	60.7	33	4-117
	MD.	215	299	71.9	63	4-373	154	242	63.6	57	4-234	66	107	61.7	58	4-198
	MICH., E.	207	379	54.6	56	4-367	128	254	50.4	63	4-430	59	108	54.6	50	4-182
	MO., W.	58	79	73.4	40	4-189	62	95	65.3	28	4-114	53	69	76.8	39	4-127
	TOTAL	770	1,253	61.5	58	4-418	625	1,130	55.3	62	4-510	267	517	51.6	53	4-221
PROBATION - PSA	N.Y., S.	258	443	58.2	62	4-384	264	533	49.5	63	4-287	79	184	42.9	49	4-266
	GA., N.	127	204	62.3	39	4-221	86	170	50.6	46	4-210	66	119	55.5	28	4-125
	TEX., N.	191	247	77.3	37	4-202	134	192	69.8	39	4-117	87	134	64.9	41	4-231
	ILL., N.	211	390	54.1	76	4-420	185	377	49.1	64	4-482	118	238	49.6	57	4-191
	CAL., C.	555	853	65.1	43	4-603	471	746	63.1	43	4-335	242	366	66.1	37	4-190
	TOTAL	1,342	2,137	62.8	51	4-603	1,140	2,018	56.5	51	4-482	592	1,041	56.9	42	4-266
GRAND TOTAL		2,112	3,390	62.3	53	4-603	1,765	3,148	56.1	55	4-510	859	1,558	55.1	46	4-266

\* INCLUDES PRE AND POST INITIAL APPEARANCE DETENTION / EXCLUDES WRITS AND CONCURRENT DETENTION \*

DETAINED - NUMBER OF DEFENDANTS DETAINED GREATER THAN THREE DAYS.

TOTAL DETAINED - TOTAL NUMBER OF DEFENDANTS HELD IN ALL CATEGORIES.

% - DETAINED GREATER THAN THREE DAYS DIVIDED BY TOTAL DETAINED.

AVERAGE DAYS - AVERAGE DAYS OF DETENTION FOR THOSE DETAINED MORE THAN THREE DAYS.

RANGE FOR DAYS - AT LEAST ONE DEFENDANT WAS HELD IN DETENTION FOR THE LENGTH OF TIME INDICATED.

DETENTION FOR ALL TIME PERIODS FOR CONVICTED DEFENDANTS IN PSA DISTRICTS

CLOSED - CASE HAS BEEN CLOSED BY THE COURT. DATA CODED AND ENTERED IN PSA DATA FILE.  
DETAINED - A DEFENDANT DETAINED AS MUCH AS MUCH AS ONE DAY WHO WAS ELIGIBLE FOR A RELEASE DECISION TO BE MADE.  
% - DETAINED CASES DIVIDED BY CLOSED CASES.  
AVERAGE DAYS - AVERAGE DAYS OF DETENTION FOR THOSE DETAINED.  
RANGE FOR DAYS - AT LEAST ONE DEFENDANT WAS HELD IN DETENTION FOR THE LENGTH OF TIME INDICATED.

TABLE D 4

DETENTION FOR ALL TIME PERIODS ON CONVICTED DEFENDANTS IN PSA DISTRICTS GREATER THAN THREE (3) DAYS

T1	1973-1974			T2	1974-1975		
RATIO	AVE-	RANGE		RATIO	AVE-	RANGE	
OF CASES	RACE	FOR		OF CASES	RACE	FOR	
DETAINED		DAYS	DAYS	DETAINED		DAYS	DAYS
TOTAL	%			TOTAL	%		
DETAINED				DETAINED			

104				120			
128	81.3	144	4-687	146	82.2	96	5-540
106				75			
163	65.0	75	4-266	105	71.4	88	4-367
94				102			
130	72.3	97	4-348	143	71.3	88	4-318
51				81			
81	63.0	123	4-411	118	68.6	81	4-330
45				48			
63	71.4	79	4-545	62	77.4	67	4-188

400				426			
565	70.8	105	4-687	574	74.2	87	4-540

103				82			
171	60.2	55	4-291	164	50.0	80	4-491
141				119			
189	74.6	81	4-467	186	64.0	70	4-303
61				71			
86	70.9	79	4-476	109	65.1	51	4-132
58				66			
122	47.5	100	4-398	120	55.0	78	4-396
161				162			
248	64.9	59	4-329	231	70.1	47	4-177

524				500			
816	64.2	71	4-476	810	61.7	63	4-491

924				926			
1,381	66.9	86	4-687	1,384	66.9	74	4-540

T3 -	1975-1976			T4	1976-1977			T5	1977-1978		
RATIO	AVE-	RANGE		RATIO	AVE-	RANGE		RATIO	AVE-	RANGE	
OF CASES	RACE	FOR		OF CASES	RACE	FOR		OF CASES	RACE	FOR	
DETAINED		DAYS	DAYS	DETAINED		DAYS	DAYS	DETAINED		DAYS	DAYS
TOTAL	%			TOTAL	%			TOTAL	%		
DETAINED				DETAINED				DETAINED			

99				170				52			
199	49.7	83	4-418	292	58.2	89	4-510	101	51.5	87	5-221
128				60				10			
181	70.7	53	4-336	109	55.0	42	4-143	18	55.6	38	5-117
174				123				43			
233	74.7	67	4-373	176	69.9	66	4-234	62	69.4	75	4-198
120				86				39			
170	70.6	74	4-367	131	65.6	78	4-430	49	79.6	66	5-155
42				35				43			
54	77.8	44	6-106	56	62.5	38	4-114	54	79.6	43	4-127

563				474				187			
837	67.3	66	4-418	764	62.0	71	4-510	284	65.8	62	4-221

206				239				65			
317	65.0	72	4-384	437	54.7	65	4-287	153	42.5	55	4-226
78				57				38			
123	63.4	45	4-183	104	54.8	54	4-210	66	57.6	35	4-125
151				119				75			
189	79.9	41	4-202	168	70.8	39	4-117	118	63.6	44	4-231
158				140				92			
277	57.0	76	4-390	265	52.8	69	4-230	176	52.3	59	4-185
412				348				184			
596	69.1	49	4-349	511	68.1	52	4-335	249	73.9	44	4-190

1,005				903				454			
1,502	66.9	56	4-390	1,485	60.8	57	4-335	762	59.6	48	4-266

1,568				1,377				641			
2,339	67.0	60	4-418	2,249	61.2	62	4-510	1,046	61.3	52	4-266

DETAINED - NUMBER OF DEFENDANTS DETAINED GREATER THAN THREE DAYS.

TOTAL DETAINED - TOTAL NUMBER OF DEFENDANTS HELD IN ALL CATEGORIES.

% - DETAINED GREATER THAN THREE DAYS DIVIDED BY TOTAL DETAINED.

AVERAGE DAYS - AVERAGE DAYS OF DETENTION FOR THOSE DETAINED MORE THAN THREE DAYS.

RANGE FOR DAYS - AT LEAST ONE DEFENDANT WAS HELD IN DETENTION FOR THE LENGTH OF TIME INDICATED.

 PROBATION - PSA  
 BOARDS - PSA

TABLE D 5

## DETENTION FOR CONVICTED DEFENDANTS IN FIVE COMPARATIVE DISTRICTS WITH NO PRETRIAL SERVICES

COMPARATIVE  
NO - PSA

* PRE-SPEEDY TRIAL ACT DATA *					* SPEEDY TRIAL ACT DATA *					* SPEEDY TRIAL ACT DATA *				
TIME PERIOD 1				1974	TIME PERIOD 4				1977	TIME PERIOD 5				1978
RATIO OF CASES DETAINED				AVE- RAGE FOR DAYS	RATIO OF CASES DETAINED				AVE- RAGE FOR DAYS	RATIO OF CASES DETAINED				AVE- RAGE FOR DAYS
CLOSED	DETAINED	%		DAYS	CLOSED	DETAINED	%		DAYS	CLOSED	DETAINED	%		DAYS
110	36	32.7		69	1-245	263	75		28.5	36	1-188	244	70	28.7
249	40	16.1		76	1-348	157	25		15.9	67	1-263	101	27	26.7
314	93	29.6		37	1-238	393	87		22.1	31	1-191	274	54	19.7
355	307	86.5		61	1-291	224	198		88.4	55	1-281	202	169	83.7
491	456	92.9		43	1-277	301	261		86.7	41	1-300	201	162	80.6
1,519	932	61.4		51	1-348	1,338	646		48.3	44	1-300	1,022	482	47.2
														40
														1-261

CLOSED - CASE HAS BEEN CLOSED BY THE COURT. DATA CODED AND ENTERED IN PSA DATA FILE.

DETAINED - A DEFENDANT DETAINED AS MUCH AS ONE DAY WHO WAS ELIGIBLE FOR A RELEASE DECISION TO BE MADE.

% - DETAINED CASES DIVIDED BY CLOSED CASES.

AVERAGE DAYS - AVERAGE DAYS OF DETENTION FOR THOSE DETAINED.

RANGE FOR DAYS - AT LEAST ONE DEFENDANT WAS HELD IN DETENTION FOR THE LENGTH OF TIME INDICATED.

TABLE D 6

DETENTION GREATER THAN THREE DAYS FOR CONVICTED DEFENDANTS IN FIVE COMPARATIVE DISTRICTS WITH NO PRETRIAL SERVICES

COMPARATIVE  
NO - PSA

* PRE-SPEEDY TRIAL ACT DATA *					* SPEEDY TRIAL ACT DATA *					* SPEEDY TRIAL ACT DATA *				
TIME PERIOD 1					TIME PERIOD 4					TIME PERIOD 5				
RATIO OF CASES DETAINED					RATIO OF CASES DETAINED					RATIO OF CASES DETAINED				
TOTAL					TOTAL					TOTAL				
DETAINED	DETAINED	%	AVE- RAGE DAYS	1974 RANGE FOR DAYS	DETAINED	DETAINED	%	AVE- RAGE DAYS	1977 RANGE FOR DAYS	DETAINED	DETAINED	%	AVE- RAGE DAYS	1978 RANGE FOR DAYS
24	36	66.7	102	4-245	47	75	62.7	56	4-188	34	70	48.6	51	4-261
28	40	70.0	112	4-348	17	25	68.0	98	4-263	22	27	81.5	71	4-189
65	93	69.9	51	4-238	67	87	77.0	40	4-191	32	54	59.3	27	4-079
262	307	85.3	71	4-291	187	198	94.4	58	4-281	141	169	83.4	56	4-258
346	456	75.9	56	4-277	186	261	71.3	57	4-300	134	162	82.7	53	4-181
725	932	77.8	64	4-348	504	646	78.0	56	4-300	363	482	75.3	53	4-261

DETAINED - NUMBER OF DEFENDANTS DETAINED GREATER THAN THREE DAYS.

TOTAL DETAINED - TOTAL NUMBER OF DEFENDANTS HELD IN ALL CATEGORIES.

% - DETAINED GREATER THAN THREE DAYS DIVIDED BY TOTAL DETAINED.

AVERAGE DAYS - AVERAGE DAYS OF DETENTION FOR THOSE DETAINED MORE THAN THREE DAYS.

RANGE FOR DAYS - AT LEAST ONE DEFENDANT WAS HELD IN DETENTION FOR THE LENGTH OF TIME INDICATED.

TABLE P-A

## ACTIVITIES OF SIX DISTRICTS WITH PRETRIAL SERVICES PERFORMED BY PROBATION STAFF

NUMBER OF PERSONS INTERVIEWED			NUMBER OF PERSONS SUPERVISED		CASES DETAINED		BAIL VIOLATIONS	
TOTAL	PRE	POST	NO.	%	NO.	%	NO.	%
970	469	501	125	12.9	362	37.3	14	1.4
169	121	48	10	5.9	90	53.3	4	2.4
257	161	96	138	53.7	101	39.3	12	4.7
113	20	93	44	38.9	85	75.2	9	8.0
47	2	45	8	17.0	46	97.9	2	4.3
191	130	61	103	53.9	120	62.8	6	3.1
1,747	903	844	428	24.5	804	46.0	47	2.7

NOTE: CALIFORNIA NORTHERN AND NEW MEXICO ARE EXCLUDED FROM THE TIME SEQUENCED TABLES THAT FOLLOW DUE TO THE LACK OF SUBMISSION OF DATA FOR THE T-5 (1977-1978) PERIOD.

TABLE P-D

## DETENTION FOR CONVICTED DEFENDANTS IN FOUR DISTRICTS WITH PRETRIAL SERVICES PERFORMED BY PROBATION STAFF

	T-4 1976-1977					T-5 1977-1978				
	<u>RATIO OF CASES DETAINED</u>			AVE- RAGE DAYS	RANGE FOR DAYS	<u>RATIO OF CASES DETAINED</u>			AVE- RAGE DAYS	RANGE FOR DAYS
	CLOSED	DETAINED	%			CLOSED	DETAINED	%		
KENTUCKY WESTERN	320	79	24.7	24	1-80	308	94	30.5	29	1-250
OHIO NORTHERN	58	23	39.7	22	1-100	46	22	47.8	52	1-188
ARKANSAS EASTERN	139	60	43.2	31	1-121	80	25	31.3	29	1-154
MISSOURI EASTERN	33	24	72.7	28	1-153	46	35	76.1	29	1-111
TOTAL	550	186	33.8	26	1-153	480	176	36.7	35	1-250

## DETENTION GREATER THAN THREE DAYS IN FOUR DISTRICTS WITH PRETRIAL SERVICES PERFORMED BY PROBATION STAFF -- CONVICTED DEFENDENTS ONLY

	T-4					T-5				
	<u>RATIO OF CASES DETAINED</u>			AVE- RAGE DAYS	RANGE FOR DAYS	<u>RATIO OF CASES DETAINED</u>			AVE RAGE DAYS	RANGE FOR DAYS
	TOTAL DETAINED	DETAINED + 3 DAYS	%			TOTAL DETAINED	DETAINED + 3 DAYS	%		
KENTUCKY WESTERN	79	61	77.2	31	4-80	94	69	73.4	39	5-250
OHIO NORTHERN	23	15	65.2	32	4-100	22	15	68.2	75	4-188
ARKANSAS EASTERN	60	44	73.3	41	4-121	25	20	80.0	36	5-154
MISSOURI EASTERN	24	17	70.8	38	5-153	35	24	68.6	41	4-111
TOTAL	186	137	73.7	36	4-153	176	128	72.7	48	4-250



TABLE P-C

VIOLATION OF CONDITION OF RELEASE FOR CONVICTED DEFENDANTS IN FOUR DISTRICTS WITH PRETRIAL SERVICES PERFORMED BY PROBATION STAFF

	T-4 1976-1977					T-5 1977-1978				
	RATIO OF VIOLATORS	%	FTA	REARRESTS	OTHER	RATIO OF VIOLATORS	%	FTA	REARRESTS	OTHER
KENTUCKY WESTERN	7/283	02.5	0	7	0	2/279	00.7	2	0	0
OHIO NORTHERN	0/54	00.0	0	0	0	2/37	05.4	2	0	0
ARKANSAS EASTERN	8/121	06.6	0	3	5	3/70	04.3	2	1	0
MISSOURI EASTERN	4/28	14.3	3	0	1	4/36	11.1	1	0	3
TOTAL	19/486	03.9	3	10	6	11/422	02.6	7	1	3

APPENDIX B

FINAL REPORT

PSA DATA ANALYSIS PROJECT

Federal Judicial Center

June, 1979

Final Report  
PSA Data Analysis Project

PREFACE

The FJC is participating in the Pretrial Services Agency demonstration project in order to assist the Probation Committee of the Judicial Conference in evaluating PSA's activities. This report, however, is not the evaluation. It is only an analysis of the data collected for the report to Congress of the Administrative Office of the U. S. Courts (AO). There are two purposes, then, to this report. The first is to advise the Probation Committee about the results of the data analysis, in such a way that the Committee can make its recommendations to the Judicial Conference. The second is to provide information to the Probation Division's Pretrial Services Branch, that may be of use in the AO's preparation of its report to the Congress as mandated by the Speedy Trial Act.

The preparers of this report are R. Roger LeBouef of the AO and Michael R. Leavitt of the FJC's research division who are working under the supervision of William Eldridge, Director of the Research Division of the FJC, which is responsible for the final product. Throughout the period when the report was being prepared we received a great deal of useful advice from a number of people. In particular, William Eldridge, Anthony Partridge, James Eaglin and Allan Lind of the Research Division were most enthusiastic colleagues and providers of excellent ideas. Judge Gerald B. Tjoflat, Chairman of the Probation Committee, contributed a

number of valuable insights as well. Guy Willets, Donald Chamlee and William Cohan of the Probation Division, and Bruce Beaudin of the D. C. Pretrial Services Agency responded to various progress reports in quite helpful ways. In this effort, in particular, we must repeat the standard caveat that the people mentioned above do not necessarily share our views and are in no way responsible for our errors. We are grateful for their help and hold them blameless for errors they failed to catch or advice we failed to heed.

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## I. INTRODUCTION

### Background

The Speedy Trial Act (PL 93-619) provided for the establishment of ten demonstration pretrial services agencies "to assist in reducing crime and the danger of recidivism by requiring speedy trials and by strengthening the supervision over persons released pending trial, and for other purposes." The Speedy Trial Act was enacted in January, 1975 and ten million dollars was appropriated for the Title II project in July, 1975. The responsibility for operating and evaluating the demonstration project was assigned to the Pretrial Services Branch of the Probation Division by the Director of the Administrative Office of the U. S. Courts.

The Pretrial Services Branch established operational and administrative guidelines for the implementation of the demonstration project and developed the basic research design and data collection system for use in evaluating the project. The Branch was also responsible for preparing the annual and final reports on the project required by the Act.

In July, 1975, the ten demonstration districts were designated by the Chief Justice of the United States after consultation with the Attorney General. The first district became operational in October, 1975, with all ten districts processing cases by April, 1976.

### Purpose of this Report

The primary purpose of this report is to present a set of answers to three of the questions that the Congress asked in requesting an evaluation of the Pretrial Services Agen-

cies (PSAs). The questions, in their most general form, are:

1. Did the Pretrial Services Agencies have an impact on reducing crime on bail?
2. Did the Pretrial Services Agencies have an impact on reducing "unnecessary pretrial detention?"
3. Did the Pretrial Services Agencies have an impact on the operation of the Bail Reform Act?

The report attempts to answer the questions by using a collection of data prepared by the Pretrial Services Branch of the Probation Division of the Administrative Office of the U. S. Courts (AO). In attempting to be fully responsive to the questions that Congress has asked, we need to answer supplemental questions as well. For example, there are a number of distinct ways that unnecessary detention can be defined. Since Congress did not provide a single preferred usage, reasonable people may disagree on the "best" definition. Our approach is to answer the questions using different aspects of each question and to report if different findings result.

Readers might also be interested in pursuing the questions beyond their initial formulations in order to assess the performance of the PSAs. One might expect certain factors to affect the findings in such a way as to change an interpretation. For example, once we know whether, on the whole, detention has been reduced, we may well wish to know whether that holds for "good risk" and "bad risk" defendants (where such terms are defined with the help of the Bail Reform Act). Alternatively, we may wish to know whether such findings are true for defendants charged with serious offenses as well as less serious ones. These questions will also be investigated.



Even though Congress did not specifically pose them, certain basic additional questions need to be examined. For example, the issue of Failures to Appear (FTAs) is critical to an evaluation of unnecessary detention, since if FTAs increase substantially with the advent of a PSA, one might conclude that the PSA is recommending release indiscriminately rather than just for those who might have been unnecessarily detained. Evaluation of results in this area is complex, since a small number of additional FTAs may be acceptable if they accompany reduced detention. Our task, however, will be to report the results and not to suggest what an acceptable tradeoff might be.

Furthermore, Congress has mandated an examination of whether the form of organization of the PSAs affects their activities. Specifically, Congress required that five of the agencies be managed by the districts' probation offices, and five of them by independent boards of trustees. Even though the Pretrial Services Branch set up the guidelines that all agencies were to follow, it is possible for differences in results to have occurred. This possibility will be investigated by using the same techniques to understand the differences between board and probation districts as were used to compare PSA districts overall with comparison districts.

Our report will be limited to an analysis of the data gathered by the PSAs in the field from case files. We do not undertake to compare federal with non-federal pretrial services agencies, nor to analyze the attitudes of the participants towards the PSAs. In other words the report will be limited in its scope, but as comprehensive as possible within its defined perimeters.

## Contents of the Report

The first section of the report will discuss the technical procedures involved in the report, including the environment of the analysis (the districts), data collection procedures and problems, and the analysis procedures. Of particular interest here is a statistical appendix that elaborates upon the information in this section. The next section is the results. Finally, the conclusion in part repeats the results, but also discusses the limitations in the analysis and suggestions for interpretations.

One additional appendix follows the statistical appendix mentioned above. A glossary of important terms is presented. This should be used as a reference either when unusual terms are presented.

## II. ANALYTICAL PROCEDURES

This section presents a detailed description of the decisions and procedures that preceded the analysis. Certain characteristics of the data, for purposes of this report, were fixed by the district selection process. Important limitations to the analysis became clear given the data. The conclusions of the report, then, were circumscribed by the analysis, data and districts. This section will discuss each of the sets of limitations, and will elaborate upon their consequences for the report.

### Site Selection

Title II of the Speedy Trial Act mandated that ten districts would be "designated by the Chief Justice of the United States after consultation with the Attorney General." The Director of the Administrative Office of the U. S. Courts (AO) also participated in the selection process with the advice of the Probation Division. The districts would be selected

on the basis of such considerations as the number of criminal cases prosecuted annually in the district, the percentage of defendants in the district presently detained prior to trial, the incidence of crime charged against persons released pending trial under this chapter and the availability of community resources to implement the conditions of release which may be imposed under this chapter.<sup>1</sup>

A primary consequence of these selection criteria, was that the findings of the demonstration project could not be generalized to the eighty-five nonselected districts. (This

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1. 18 U.S.C. § 3152 (1976).

difficulty in generalizing applies equally to the statistical and nonstatistical -- quantitative and qualitative -- aspects of the project.) The districts selected were larger than most districts, and presumably exhibited greater than average need for the services to be provided. On the other hand, a selection process based on choosing the typical (smaller) district might have precluded representatives of the kind of districts that provide the best opportunity for the project's effects to be shown. As is common in program evaluations, tradeoffs were made.

The Probation Division identified thirty districts that met the "number of defendants prosecuted annually" criterion. Information on detention rates, rearrest rates, and the availability of community resources was not being maintained by the AO at that time. Such information was obtained by the Probation Division from a survey sent to chief probation officers in those thirty districts. Thirteen districts were eliminated based on the questionnaire results. Ten districts were selected from the remaining seventeen and were offered pretrial services agencies; they are listed in Table II-1 as PSA districts.

Comments on the final two columns of Table II-1 are also in order. Adjustment reflects exclusion from analysis of those offenses that were peripheral to our goal of examining the bail system. These included petty offenses, traffic offenses, and offenses that were transferred from state or local custody to federal jurisdiction. "Adjusted number of defendants: convicted" is important, since comparison-district data were collected only for such defendants. Pre-sentence investigation reports, usually prepared only after conviction, were used to provide most of the data for comparison and prePSA defendants. Since data on nonconvicted

Table II-1

## Pretrial Services and Comparison Districts

District	Primary city (if any)	Total number of defendants	Adjusted number of defendants	Adjusted number ber of defend- ants: convicted
<u>PSA Districts:</u>				
Probation Office				
S.D.NY	Manhattan	3,245	3,176	2,675
N.D.GA	Atlanta	1,938	1,908	1,531
N.D.TX	Dallas	1,627	1,623	1,453
N.D.IL	Chicago	3,105	3,080	2,505
C.D.CA	Los Angeles	<u>4,328</u>	<u>4,264</u>	<u>3,199</u>
Total Probation Office		14,243	14,051	11,363
Board of Trustees				
E.D.NY	Brooklyn	2,736	2,693	2,117
E.D.PA	Philadelphia	2,333	2,253	2,004
D.MD	Baltimore	3,075	3,029	2,624
E.D.MI	Detroit	3,888	3,837	2,314
W.D.MO	Kansas City	<u>1,115</u>	<u>1,021</u>	<u>816</u>
Total Board of Trustees		13,147	12,833	9,875
Total PSA Districts		27,390	26,884	21,238
<u>Comparison Districts:</u>				
D.NJ	Newark	373	373	372
W.D.PA	Pittsburgh	406	406	406
N.D.AL	Birmingham	707	706	705
W.D.TX	El Paso/ San Antonio	579	577	576
S.D.CA	San Diego	<u>792</u>	<u>791</u>	<u>791</u>
Total Comparison Districts		2,857	2,853	2,850
Grand Total		30,247	29,737	24,008

defendants were available only in PSA districts with operating programs, PSA/comparison analyses will be based only on convicted defendants. The sampling strategy for the Comparison districts suggests that the Adjustments should not have been needed. In processing the data, however, certain coding and transcription errors were encountered that resulted in the omission of 7 of the 2,857 defendants. We believe that this number is small enough not to threaten the analysis.

The Speedy Trial Act did not provide criteria for determining which of the ten districts were to be administered by the Probation Division, and which by Boards of Trustees. The selection process was nonrandom and affected by administrative considerations, including the competence of the potential managers in the districts. We believe that it is possible that the selection process has influenced the final results, but we are not able to state the nature of the influence with any degree of precision.

A further problem in evaluating the differences between the two kinds of management involves the wording of the legislation. It states:

§ 3153. Organization of pretrial services agencies

(a) The powers of five pretrial services agencies shall be vested in the Division of Probation of the Administrative Office of the United States Courts. Such Division shall establish general policy for such agencies.

(b) (1) The powers of each of the remaining five pretrial services agencies shall be vested in a Board of Trustees which shall consist of seven members. The Board of Trustees<sup>2</sup> shall establish general policy for the agency.

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2. 18 U.S.C. § 3153 (1976).

Although Title II states that general policy in the board districts is to be made by the individual boards, such policy, including staffing patterns and operational procedures, for both sets of districts, was made in the Pretrial Services Branch of the Probation Division. In practice, it has been difficult to find areas where the two groups of districts actually differed in their policies. These two considerations -- nonrandom assignment and uniform administration -- make it extremely difficult to predict how the groups might differ from each other. The primary implication for analysis is that any differences, if found, will be hard to explain on the basis of management structure.

In order to control for the effect of Title I of the Speedy Trial Act (and any other generally applicable history), five federal districts that had not been involved in the Pretrial Services project were selected as a comparison group. Defendants from this group were to be selected and analyzed in the same way as in the demonstration districts. In order properly to evaluate the PSA program, it was necessary to find districts that were as similar as possible to the PSA districts, but were not providing the services that the PSAs provided.

This was difficult for two reasons. First, districts that were most similar to the PSA districts became PSA districts as a result of the criteria in the Speedy Trial Act, and were no longer available to be comparison districts. Second, some other districts that were not a part of the PSA project began their own programs to provide pretrial services and were thus not appropriate as comparisons. The districts selected are also listed in Table II-1 as comparison districts.

As a result of the nonrandomness of the selection process, there is reason to question generalizations based on the comparison districts. For example, it might be difficult to generalize results from a small comparison district where one magistrate considers most bail matters, to a larger district where many magistrates are involved. This lack of generality is no worse, however, than that for the PSA districts. Conclusions, then, will be limited to the districts for which analyses were performed. While extrapolations to the universe of federal districts can be made, they will have to be justified through methods other than statistics, and thus will not subjects for this report.

#### Data

The evaluation plan for the PSA project specified that data were to be collected during the entire period of operation in the ten PSA districts. In addition, samples of convicted defendants would be drawn, and the same kinds of data would be retrieved, for two years prior to operation in each of the ten districts, and for two years (1974 and 1977) in the five comparison districts.<sup>2</sup>

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2. A third year, 1978, of comparison district data was collected after the analysis began. We have not used that data in this report for two reasons. First, we have not examined the comparability of the selection process for the new sample and until we do, we feel that it would be better to keep the data separate. Second, a large portion of the analysis was already completed, and for comparability across analyses it seemed better not to mix the samples. If time permits, we will redo the most central analyses before the final version of this report is completed.



### Sampling Procedure

The PSA data are as complete as possible. All criminal defendants<sup>3</sup> processed through the pretrial services agencies in the ten PSA districts are included in the data. We believe that this is a large percentage (at least seventy-five percent) of the total number of defendants prosecuted in those districts. We understand that data for new defendants entering the system are still being collected.

We did not attempt to collect data for all of the convicted defendants in the prePSA and comparison groups, however. First, this was not deemed necessary for the comparisons to be made. Second, the effort would have been more costly than time and budget considerations permitted. A sample size of at least 384<sup>4</sup> cases per district for each year of analysis was established. In the larger districts, where the number of convicted defendants per year was greater than 384, we used a standard random sampling strategy. In smaller districts, where the universe had fewer defendants than the sample size, we used all convicted persons.

### Limitations

Certain procedures that existed while the PSAs were being implemented caused some incompatibilities in the data

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3. We use the terms "case" and "defendant" almost interchangeably in this report. The reader should be aware, however, that the procedures in Detroit, as described below, may create several case records for some defendants. Typically, only one case record contains the conviction information, however, so our decision to analyze only convicted defendants obviates the effect of multiple cases for the same defendant.

4. This sample size provided us with ninety-five percent confidence of a sampling error of five percent or less.

that to a greater or lesser extent we were able to overcome in the analysis. The reader should be aware that we are neither approving nor condemning such practices in this report. We report them only to place the results of the analysis in its proper context and to permit the reader to judge its resultant limitations.

In Detroit, a practice appears to have developed that involved redocketing essentially the same case a number of times. We understand, however, that the majority of such cases resulted in recording of a conviction on only one docket sheet, with the other docketed versions of the same case being dismissed. Our decision to analyze primarily convicted defendants, made for other reasons entirely, should take care of any discrepancies. For general analyses, we believe that the effect is to understate the true average detention and bail times since the total times might be the same, but the inflated number of defendants reduces the calculated average.

Detention may be inflated in Los Angeles, however, as a result of an observed tendency of certain law enforcement agencies to have unusually high numbers of arrests at times when the judicial officers are not available for setting bail. Specifically, Los Angeles magistrates are not routinely available on weekends, and Friday night arrests are believed to be higher there than elsewhere. The effect of this practice is to add three days' worth of detention for some defendants who otherwise would have had less or none at all. Excluding Los Angeles defendants from the general picture does not affect the central findings, so we do not feel that the problem is critical. However, people in the field are concerned about such practices and any reader should be aware of the possibility of statistical misinterpretation.

A fairly important difference between the Detroit and Los Angeles problems should be emphasized. We believe that in Detroit, relatively few people are experiencing added detention because of the local practice. In Los Angeles, some people are being held for as much as three days longer because of the practice. These are different kinds of problems, and our inclusion of both in this section does not imply that we consider them to be similarly serious.

An additional general problem is the fact that the percentages of total criminal defendants processed by the pretrial services agencies vary across districts. A study conducted by the Pretrial Services Branch revealed that of the cases filed in each district during a four-month period (October, 1977 through February, 1978), 81 percent of the defendants were referred to the pretrial services agencies. The rate of referral varies from 59 percent in Eastern Pennsylvania to 94 percent in Western Missouri. This variation among districts may reflect the amount of potential impact of the PSAs.

In PSA districts, the rate of interviews conducted prior to the initial bail hearing also varies substantially. If the PSA interview is conducted after the initial bail hearing has been held, PSA has lost some of its opportunity to have an effect. In particular, Northern Illinois and Eastern Pennsylvania PSAs had unusually small percentages of prebail interviews (interviews held prior to initial bail setting): respectively, 45 and 53 percent of all defendants referred to them, compared to 71 percent for all districts. (The fractions were 46 and 59 percent, respectively, of the defendants who had either prebail or postbail interviews.)

Comparison districts, as well, have specific practices that could lead to misinterpretation. For example, in the

Western District of Texas, the initial detention rate is much higher than in other districts. We believe this is because of their greater number of illegal aliens, and (not necessarily correlated) larger number of drug offenses -- both factors that are associated with increased detention. We have dealt with this problem by examining the reported relationships for different groups of defendants, and found that it was not a barrier to a reasonable analysis. To a lesser extent, San Diego might have been susceptible to this potential problem; the same procedures were used to examine the effect of the presence of illegal aliens and the frequency of drug offenses.

Although each district may have a different method of processing cases, we feel that there are enough cases of different kinds, and enough districts with comparable procedures, to minimize the impact of any particular difference. We have attempted to identify and account for systematic problems in the data and feel confident that we have been able to remedy most such inconsistencies. However, to guard against residual problems of this kind, we have repeated our primary statistical analyses successively eliminating individual districts or questionable categories of defendants to see if the substance of the results is changed as a result. Any such changes are reported.

#### Limited Information Problems

This class of problems involves the definitions of the items that we have measured. Certain pieces of information, because of the way they were collected, impose limitations on any analyses that use them. This does not mean that the analyses are incorrect, but rather that they must be used with care.

Our consideration of crime on bail and failures to appear (FTA), is fairly straightforward. The Bail Reform Act does not include consideration of whether a defendant is likely to commit a crime (aside from failure to appear) in the decision to grant bail, with the exception of capital cases. As expressed in Title II, however, Congress is interested in whether the expected increase in people on bail produced by the PSAs is accompanied by increased crime. We use a fairly strict definition of crime on bail, and this is where care must be taken in interpreting results.

We examine reported felonies, misdemeanors, and FTAs for defendants who spent any portion of their pretrial time on bail. There are, however, problems in comparing the pre-post patterns. Since it can take some time for an offense in one jurisdiction to catch up with a defendant on bail in another jurisdiction, it is possible that at the time a case was "closed" with regard to the data collection, there were unreported offenses.

On one hand, prePSA cases had more time to let information catch up to the file. On the other hand, PSA monitoring of defendants on bail should pick up more current violations. The net effect is hard to assess. We do know, however, that the potential for error exists in measuring crime on bail.

An additional problem in accounting for rearrests while on bail results from the need to use local law enforcement data from fifteen major cities over five years. Changes in procedures may have caused some offenses to be reported more in some periods than in other periods. Unfortunately, our data cannot be used to show such reporting rate difficulties, but the possibility of their having happened must be considered.

One additional problem in this area involves the classification of rearrests (and prior convictions) as felonies or misdemeanors. Because state and local laws differ, a misdemeanor in one district may be a felony in another. Further, since rearrests do not necessarily imply conviction, we are dependent on the law enforcement agencies for the operating definitions. Since their definitions and reporting procedures may change over time, there is the potential for serious measurement error.

Another complication results from the general reduction in case processing time that occurred in both comparison and PSA districts during the postPSA period. We believe that this reduction was a direct consequence of Title I of the Speedy Trial Act. This has consequences for crime on bail since the "exposure" time, the time when crime can be committed, was reduced. What we will be counting, then, is not just the number of felonies and misdemeanors, but also the number of felonies and misdemeanors per day of bail release.

Failures to appear must be considered with equal care. An FTA occurs only when it is formally noted by a judicial officer's issuing a warrant for arrest based on the failure. FTAs that are treated informally are not recorded. This means that if districts have different policies on recording FTAs, there is the possibility of systematic bias in the interpretation of results. We are not aware of any such systematic problem, but informal treatment opens the door to such errors. We will also consider FTAs per day of release, although this is less important than the comparable crime on bail measure, since there is not the continual opportunity to fail to appear for a court date, as there is for committing a new offense.

Our analysis is limited to some extent by our lack of knowledge of exactly what the Pretrial Services Officer (PSO) recommended to the judicial officer. Data were collected on whether or not there was agreement between the judge and the PSO in areas of type of bail, amount of bail and special conditions. Agreement means that exactly the same type, amount, or conditions recommended were imposed. Since we have not recorded exactly what the recommendations were, if there is disagreement on amount, it could be \$1,000 or \$100,000. As a result, we know whether PSOs submitted recommendations, and we know the areas where they agreed. We do not know how much they disagreed, however, and this information could have been used in some of the analyses.

### Conclusion

We have what we consider a solid source of information -- indeed the best such systematic source ever put together -- on pretrial bail and its contexts, and on the federal offender. The data are not without limitations, but we feel that these can be accounted for. Our purpose in this section was to point out potential pitfalls that we feel we have avoided, rather than indicate any fundamental or critical limitations. It is a possibility, however, that other problems remain that we have not yet encountered or have been overlooked. This section was intended to reduce the reader's concern for that problem.

### Analysis Strategy

In this section, we shall first consider just what we mean by an "effect," as this is the term that we will use throughout the analysis. The next point is making clear

what our rule is for determining when an effect has taken place. We then discuss why we must look at factors in addition to those of primary interest, in order to determine when an effect is likely to have been artificial. Finally, the order in which we will ask our questions is considered, as that permits us to keep our priorities as clear as possible. In sum, we describe a strategy for analysis that, we believe, will let us answer the primary questions of interest most efficiently.

### What is an Effect

Our primary technique for determining whether an effect has taken place is pre/post analysis. Pre/post analysis is simply determining whether any change took place in our items of interest, between the two time periods. It puts all postPSA information into one group and all prePSA information into another group. Our secondary technique for determining whether there was an effect is called time-series analysis. We use the phrase time-series analysis to refer to the use of more than simply the two time points of pre/post analysis. The purpose of time-series analysis is to find trends and changes in trends in the data. While an analysis using as few as three or four points could be called a time-series analysis, the more points that can be developed, the more accurate is the determination of the trend, and the more carefully can the examination of divergence from the trend be analysed. We regret any initial ambiguity that the labels might create for the nonstatistical reader, but the distinction is one that is worth preserving.

Pre/post analysis is our primary technique because its ability to give an unambiguous, yes or no, answer to the question of whether an effect has taken place is required in



this analysis. Two observers looking at the same data and using the same statistical tests, will arrive at the same answer. Other methods of analysis can permit judgments and preferences to play too large a part in determining the answer. Even time-series analysis, that we use to investigate more carefully the within-period patterns, has a pre/post component that is critical to understanding whether a change has taken place in conjunction with the Speedy Trial Act.

In interpreting our numerical results, we need to know both a) the effect of the overall difference between the groups of districts being compared, and b) the effect of time on both groups in order to discover c) the most important effect: whether accounting for effects a) and b) still leaves a systematic difference between the groups of courts. If, for example, both comparison and PSA districts show a decreased amount of detention after PSA was implemented, but PSA showed a greater reduction, the difference supports attributing the result to PSA, since we have accounted for both the initial amounts and the common decrease. The quantitative effect of the pretrial services agencies can only appear in this kind of analysis. If it does not appear, there is no support for a conclusion of an effect.

It is worth noting that this procedure is similar to calculating percentage changes in detention, crime, etc. Both approaches discount differences in initial levels of the groups of courts. An important source of misinterpretation, however, is failure to account for the spread or variance in measurements. A situation where every defendant has from five to seven days of detention is qualitatively different from one where every defendant has from one to eleven days, even though averages, and percentage change figures that use averages, might indicate that they are the

same. Our technique, with the statistical label of analysis of variance, accounts for both changes in levels as well as the variation of those levels over time in arriving at conclusions that are responsive to real change in the phenomena of interest.

### When is an Effect an Effect

When an effect is really an effect is the question that the field of statistics helps us answer. Common sense tells us that two things need not be identical to be considered as equivalent for a given purpose. Statistics tells us just how far apart things can be and still be considered equivalent for that purpose.

Our analysis requires that we be able to say whether a pair of non-identical numbers -- representing averages for prePSA and postPSA defendants, or comparison and PSA districts -- are close enough to have been calculated from equivalent sets of data, or whether they are sufficiently far apart to ensure, at a given level of confidence, that they were not calculated from equivalent sets of data.

The statisticians enjoin us to choose the level of confidence needed to convince us of the difference between the numbers before we begin the calculations. This is often called the significance level, or the level above which differences cannot be said to be negligible.

In analyzing any collection of data, we prefer to be as confident as possible that an effect is real. Having relatively few cases makes it harder to distinguish between effects and noneffects. We can accept somewhat lower degrees of confidence in exchange for better discrimination. Having more cases permits both high degrees of confidence and good discrimination between effects and noneffects.

Given that any choice of a significance level is fundamentally arbitrary -- there are rarely any reasons other than tradition for choosing one rather than another -- and that the usual choice is the .05, or 5 percent, level of significance, we feel that a more stringent level, the .01, or 1 percent, level is more appropriate for our task.

One final note on the topic of significance must be sounded. The finding of statistical significance is not necessarily one of substantive importance. A finding can be statistically significant and still be too small to bother with. The statistician determines the former; the evaluator the latter. The converse is not true. If a statistically significant result is not found, the interpretation must be that what was found was not really different from no effect at all, and it is probably an error to infer more than that.

#### When is an Effect not an Effect

It is also true that a finding can be both significant and large, but still be illusory. Technically, such findings are called spurious relationships. For example, let us assume that defendants accused of offenses with long maximum sentences, which we shall call serious offenses (see the Glossary for a complete list of such offenses) for the sake of brevity, are detained for longer periods than those charged with other offenses. Let us also assume that at the same time that PSA began, by coincidence, PSA districts encounter a reduced number of serious offenses. Finally, let us say that we find that PSA districts have significantly lower postPSA detention rates than comparison districts. The change in incidence of serious offenses in the PSA districts could explain our finding of shorter detention, without recourse to considering whether PSAs had an effect! Un-

less we determine that other possible causes of reduced detention were not operating at the same time that PSAs were being implemented, any findings are open to suspicion.

In other words, we need to know whether differences between our two groups of districts result solely from changes in the types of defendants who become subject to their jurisdiction, or whether differences go beyond such changes. We need to be able to answer the challenge: "your data simply reflect different kinds of defendants." We can be responsive to that challenge by examining our relationships for multiple groups of defendants.

But the critical point is this: since there is an infinite number of possible factors that could affect detention, we literally cannot examine them all. Any finding we make is valid subject to the factors we actually investigate. No finding either of difference or of no difference is absolutely true in this sense.

#### Order of Examination

We first will look at the overall effect of PSAs in a variety of contexts. We will answer questions like "Was reduced detention associated with PSA?" or, "Were increases in crime on bail associated with PSAs?" Only after we have seen whether or not there were overall PSA associations -- concerning board-managed and probation office-managed districts taken together -- will we look at differences between the two forms of management.

This is only one alternative that we could have taken. we might have examined board, probation, and comparison districts as if they were three totally different kinds of districts. This would have entailed three-way comparisons and judgments that in some cases implied that one kind of PSA

district was more effective (in some way) than the comparison districts, while the other kind of PSA was not. Such statements were felt to muddy the analytical waters. Both Congress and our readers want answers to both sets of questions. But the effects, if any, associated with PSAs should be kept separate from those associated with the two kinds of PSAs.

The pre/post analysis and the time-series analysis are both useful ways of answering the basic questions. Two considerations encourage us to look at the pre/post analysis first. The practical one is the lack of comparable time-series data in the comparison districts. To answer the basic PSA vs. comparison questions, we must use the pre/post method. But even if the data were comparable, we would feel obligated first to use that method because it most unambiguously answers the question "was there a difference." Time-series analysis, while using the richer data on a quarterly or monthly basis, lets us answer a different kind of question, "did the rates of change differ?" This is interesting and useful, but not, in our judgment, central. Thus, we first ask the basic question of whether there were, in our groups of interest, different responses to the implementation of the pretrial services agencies.

### III. RESULTS

This section of the report presents a detailed description of the results of the analysis.

As the project has progressed, we have found that readers and discussants have thought that equivalence of the defendants in the different kinds of districts and time periods was quite important in helping them understand the results. We therefore begin our analysis with a profile of the defendants.

This is followed by the results of the PSA vs. comparison district analyses. As stated above, we consider these findings to be central. The central question is whether PSA defendants and comparison group defendants have similar or different amounts of change in detention and crime on bail from the prePSA period to the postPSA period. The overall evaluation of the PSA demonstration project will be affected by this finding.

We are also interested in the differences between board-managed districts, and those managed by the district's probation office. If defendants from one group of districts are found to have pre/post changes different from those of defendants in the other group, and if those differences are consistent for our various analysis techniques, then useful information for an implementation program will have been provided. If the sets of defendants are not shown to change in different ways, then other evidence would be needed to justify a preference for one form of management over the other.

The next set of analyses, much briefer than the above, contrasts convicted defendants with nonconvicted defendants in PSA districts in the postPSA time period, which is the

only set of data that contain both groups. The purpose of the comparison is to obtain evidence for whether the results might support generalizations beyond the convicted persons that all of the above analyses use. Remembering that our sampling procedure does not provide clear inference to any larger population, we may still say that if convicted and nonconvicted persons have approximately the same relationships among the factors of interest, then some generalization is possible. If the relationships are found to be substantially different, we cannot even say that much. In neither event can we claim that our findings can be extended to nonconvicted persons without more evidence and analysis.

#### Profile of Defendants

The purpose of a profile of defendants is to answer questions like: "was the same kind of defendant entering the system before and after pretrial services began?" or "do board and probation districts receive or process the same kinds of defendants?" We have selected a set of defendant characteristics that a judicial officer who is setting bail is likely to have known, or to have wanted to know. The differences between the groups of defendants were not analyzed for their statistical significance.

The first question addresses the kinds of defendants being released and detained in the entire set of data. Table III-1 presents information in that area. Some explanation of this table, and those that follow are in order. Although table III-1 and table III-2 present information on all defendants in the PSA data base, tables III-3 through III-6 are only for convicted persons, since they are the

ones for whom comparable data are available, and who are used in the subsequent analyses.

Table III-1

Profile of All Defendants in the PSA and Comparison Sample  
Basic Characteristics of Detainees and Releasees

Characteristic	Never Detained	Detained and Released	Never Released
Number of Defendants	17,150	9,192	4,766
Age (years)	33.7	30.9	30.1
Time at Residence (months)	40.1	32.9	25.0
Time in District (months)	85.3	73.5	53.0
Male (percent)	79.6	87.1	94.3
Pending Offenses (percent with)	13.1	22.6	35.7
Prior Record (percent with)	47.0	61.4	73.1
Serious Current Offense (percent)	25.6	47.7	56.6
Drug-related Current Charge (percent)	15.3	35.2	24.6
White (percent)	55.5	48.4	38.5
Black (percent)	38.8	36.2	36.2
Hispanic (percent)	4.1	12.2	19.6

The various patterns are as might be expected. Those never detained tend to be older, more stable residentially, have fewer pending offenses, and be charged with less serious current offenses than people in the other two categories. As stated in the Glossary, serious offenses are those



for which a long maximum sentence can be imposed. Such offenses include homicide, kidnapping, rape, assault, robbery, narcotics, treason and racketeering. The first unexpected finding is that drug offenders make up a larger fraction of the intermediate detention category than the never-released category.

An important question involves the differences among the three groups of defendants. These differences are presented in table III-2. Defendants in the three groups have essentially similar age and sex distributions. There are some noteworthy differences in the length of time at residence and in district with the period being shorter for those never released as compared to those in the other categories.

A similar effect appears for defendants with pending offenses and prior records. Those detained and released and those never released each had a larger percentage of serious offense defendants and defendants with prior records in PSA districts than in comparison districts. It is worth noting that for those never detained, there were few systematic differences between PSA and comparison defendants.

Another important question is whether the pre-post makeup of our sample differs substantially. This is considered in Table III-3. It differs in important ways. PostPSA defendants are generally less stable residentially, are more likely to be female, have more reported pending offenses, have less serious current offenses and fewer drug offenses. PostPSA defendants are less likely to be white, more likely to be black and more often Hispanic. There are some exceptions to the above statements, but as a profile, they are generally accurate.

Table III-2

## Profile of Defendants in Groupings from the FSA Sample

Basic Characteristics of Releasees and Detainees  
for Comparison, Board and Probation Districts

Characteristic	Never Detained			Detained and Released			Never Released		
	Comparison	Board	Probation	Comparison	Board	Probation	Comparison	Board	Probation
Number of Defendants	1,259	8,891	6,997	900	3,005	5,237	692	1,662	2,410
Age (years)	35.4	32.7	34.7	29.6	30.1	31.6	29.6	29.4	30.7
Time at Residence (months)	46.3	41.5	37.2	39.8	35.4	30.3	42.9	27.8	18.1
Time in District (months)	82.8	87.3	83.2	54.9	78.3	73.9	35.5	63.1	51.1
Male (percent)	82.6	78.5	80.4	86.5	87.9	86.7	95.1	95.0	93.6
Pending Offenses (percent with)	14.1	12.7	12.4	15.9	26.0	21.8	19.8	44.0	34.5
Prior Record (percent with)	49.3	47.1	46.3	50.9	64.1	61.7	59.0	76.5	74.9
Serious Current Offense (percent)	27.2	27.3	23.1	60.9	53.0	42.2	59.3	59.8	53.6
Drug-related Current Offense (percent)	8.7	19.5	11.0	34.5	38.2	30.1	48.3	20.4	20.8
White (percent)	69.9	54.4	54.3	57.6	45.5	48.5	35.1	33.1	42.1
Black (percent)	26.8	42.2	36.5	15.5	45.0	34.6	11.1	52.3	32.2
Hispanic (percent)	2.4	2.0	7.1	24.1	5.6	13.9	52.1	5.4	20.0

Table III-3

## Profile of Defendants in Groupings from the PSA Sample

## Basic Characteristics of Releasees and Detainees, for Pre-PSA and Post-PSA

Characteristic	Never Detained		Detained and Released		Never Released	
	Pre-PSA	Post-PSA	Pre-PSA	Post-PSA	Pre-PSA	Post-PSA
Number of Defendants	4,563	8,505	2,320	4,360	1,402	1,935
Age (years)	34.2	33.8	30.00	31.2	29.9	30.3
Time at Residence (months)	42.6	39.6	34.5	32.9	31.9	25.4
Time in District (months)	89.0	84.5	75.5	73.7	48.4	56.3
Male (percent)	83.8	78.3	89.1	86.5	95.7	94.3
Pending Offenses (percent with)	11.2	13.9	17.3	22.4	29.0	29.7
Prior Record (percent with)	48.3	48.4	62.0	61.8	70.5	74.9
Serious Current Offense (percent)	32.3	21.2	54.1	45.9	64.7	57.2
Drug-related Current Offense (percent)	17.5	12.7	42.2	33.7	32.9	23.5
White (percent)	61.9	53.1	52.5	46.7	36.4	38.5
Black (percent)	32.9	41.1	33.7	36.8	32.8	36.3
Hispanic (percent)	3.5	4.3	11.4	13.5	24.5	20.2

Table III-4

## Profile of Defendants in Groupings from the PSA Sample

All Defendants Never Detained, by Time, Type of District

## Characteristic

Characteristic	Comparison		Board of Trustees		Probation Office	
	Pre-PSA	Post-PSA	Pre-PSA	Post-PSA	Pre-PSA	Post-PSA
Number of Defendants	578	681	2,200	4,080	1,785	3,744
Age (years)	35.0	35.7	33.6	32.3	34.7	35.0
Time at Residence (months)	46.1	46.4	43.4	40.8	40.5	36.9
Time in District (months)	84.4	81.5	89.8	87.4	89.6	81.8
Male (percent)	82.9	82.4	83.7	76.9	84.2	79.1
Pending Offenses (percent with)	14.2	14.0	12.1	13.5	9.1	14.3
Prior Record (percent with)	51.4	47.6	51.4	48.4	43.4	48.7
Serious Current Charge (percent)	32.7	23.3	38.5	21.5	25.0	20.6
Drug-related Current Charge (percent)	10.2	7.5	24.5	16.1	11.4	10.0
White (percent)	74.2	66.2	61.0	51.7	59.0	52.1
Black (percent)	22.5	30.4	35.2	44.9	33.5	38.8
Hispanic (percent)	2.3	2.5	1.8	2.3	6.1	6.8

Table III-5

Profile of Defendants in Groupings from the PSA Sample  
 Defendants both Detained and Released, by Time, Type of District

Characteristic	Comparison		Board of Trustees		Probation Office	
	Pre-PSA	Post-PSA	Pre-PSA	Post-PSA	Pre-PSA	Post-PSA
Number of Defendants	519	381	696	1,289	1,105	2,690
Age (years)	28.9	30.6	29.6	29.9	30.8	32.0
Time at Residence (months)	40.3	39.3	32.7	36.5	33.0	30.3
Time in District (months)	54.2	55.7	81.4	78.2	81.8	74.1
Male (percent)	86.7	86.1	90.2	87.7	89.4	86.1
Pending Offenses (percent with)	15.2	16.8	21.6	25.4	15.6	21.7
Prior Record (percent with)	49.9	52.4	68.3	63.2	63.7	62.5
Serious Current Charge (percent)	66.1	53.1	63.2	50.4	43.7	43.5
Drug-related Current Charge (percent)	60.5	46.3	47.1	35.6	30.6	31.0
White (percent)	58.8	56.0	49.9	45.0	51.2	46.3
Black (percent)	13.7	18.1	44.4	45.7	36.3	35.4
Hispanic (percent)	25.4	22.3	2.4	6.6	10.4	15.6

Table III-6

## Profile of Defendants in Groupings from the PSA Sample

## Defendants Never Released, by Time, Type of District

## Characteristic

Characteristic	Comparison		Board of Trustees		Probation Office	
	Pre-PSA	Post-PSA	Pre-PSA	Post-PSA	Pre-PSA	Post-PSA
Number of Defendants	418	274	447	586	537	1,075
Age (years)	29.0	30.4	28.9	29.4	31.4	30.8
Time at Residence (months)	44.2	40.8	31.4	29.3	22.5	19.4
Time in District (months)	32.2	40.7	62.7	67.1	49.2	55.5
Male (percent)	96.7	92.7	95.1	96.6	95.3	93.6
Pending Offenses (percent with)	17.0	24.0	39.1	33.6	30.0	29.0
Prior Record (percent with)	52.6	68.7	75.2	76.1	80.5	75.8
Serious Current Charge (percent)	64.8	50.9	75.2	61.9	55.9	56.2
Drug-related Current Charge (percent)	56.2	36.4	25.7	18.8	20.7	22.8
White (percent)	31.8	40.0	25.7	32.3	49.0	41.5
Black (percent)	8.1	15.6	56.9	53.6	31.8	32.1
Hispanic (percent)	58.1	42.9	2.9	7.9	16.2	21.1

A more detailed breakdown of defendants appears in Tables III-4, III-5, and III-6. Never detained, detained and released, and never released defendants, respectively are broken down by time and type of district. Table III-4, profiling those who were never detained, shows some useful relationships. PostPSA defendants in PSA districts have been at their residence and in the district less long than prePSA defendants, similar differences appear for defendants in PSA districts and in comparison districts.

Table III-5, discussing those defendants who spent some portion of their pretrial time both released and detained, is presented next. The largest differences are in the length of time in residence and in district. Where both never detained and never released show decreases in time in residence in board districts, the middle group has an increase, although neither comparison nor probation districts have a similar situation. Time in district, however, has a middle position for each group of districts, in that it increases for those never released in comparison groups, and decreases for those never detained in both PSA groups.

Table III-6, concerning those who were never released, on the other hand confirms some of the more unexpected findings in Table III-4. Time in district increases in all districts from prePSA to postPSA, while time at residence decreases throughout. In PSA districts, there is a decrease in the percentage of defendants with pending offenses, compared to an increase for those never detained.

#### PSA vs. Comparison Districts

In this section, we investigate the difference between PSA and comparison districts using only the pre/post analy-

sis. We cannot use the time-series analysis because we are missing two years of data for the comparison districts, and time-series analyses require comparable data periods for statistical analyses to be performed.

If we had had those data, we would have used both pre/post analysis, for unambiguous answers, and time series analysis for more detailed investigation of the patterns. As we state in more detail in the statistical appendix, we feel that of the two methods of analysis, the pre/post analysis is preferable, given our data, because of the clarity of the answers it provides, since it is able to control for the effects of Title I and anything else that might be happening to all districts at that time.

#### Did PSA reduce unnecessary detention?

This first question is central to the evaluation and to the analysis. The answer is no. It appears that pre-trial services agencies (PSAs) did not reduce unnecessary detention in the ten courts in which they were implemented.

Our first measure of unnecessary detention is procedural detention, which is defined as any detention for people who had some days on bail (The term is more fully described in the Glossary.) The idea is that people who finally were released should never have been detained according to the intent of the Bail Reform Act. The time needed either to make bail, or to change the conditions to bail that can be made, is considered procedural detention. If people never had any days on bail (because no judicial officer, at any point in the pretrial process, ruled that bail was appropriate), we cannot make the assumption that they should not have been detained. But if they were re-



leased at some point in the process, then any detention was procedural, and thus probably unnecessary.

As shown in figure III-1, comparison districts had less procedural detention, while PSA districts, on the whole, had slightly more. The differences, however were not statistically significant.

There are other factors that can be considered in discussing procedural detention. Was there a similar result among people charged with serious offenses? Yes there was. As shown in figure III-2a, procedural detention increased for PSA districts and decreased for comparison districts. Here, too, the difference was not statistically significant.

Is the pattern consistent for people of different ethnicity? Yes. The differences among the three primary ethnic groupings shown in figure III-3 are not statistically significant. Among black defendants, there was an average reduction one day of procedural detention in PSA districts, but it was three days -- a nearly fifty percent drop -- in comparison districts. The pattern for Hispanics parallels the pattern across groups, while for whites, there is a nearly identical increase in procedural detention in both sets of districts.

A more interesting potential factor is whether or not the defendant has a previous criminal record of conviction. It, too, makes no difference (figure III-4). Whether or not defendants have prior records, PSA districts do not have (statistically) significantly more or less procedural detention than comparison districts, although for those without a prior record, comparison districts decrease while PSA districts increase.

Finally (figure III-5), it also makes no difference that the defendant is a U. S. citizen, a legal alien or an

Figure III-1: Procedural Detention - All Convicted

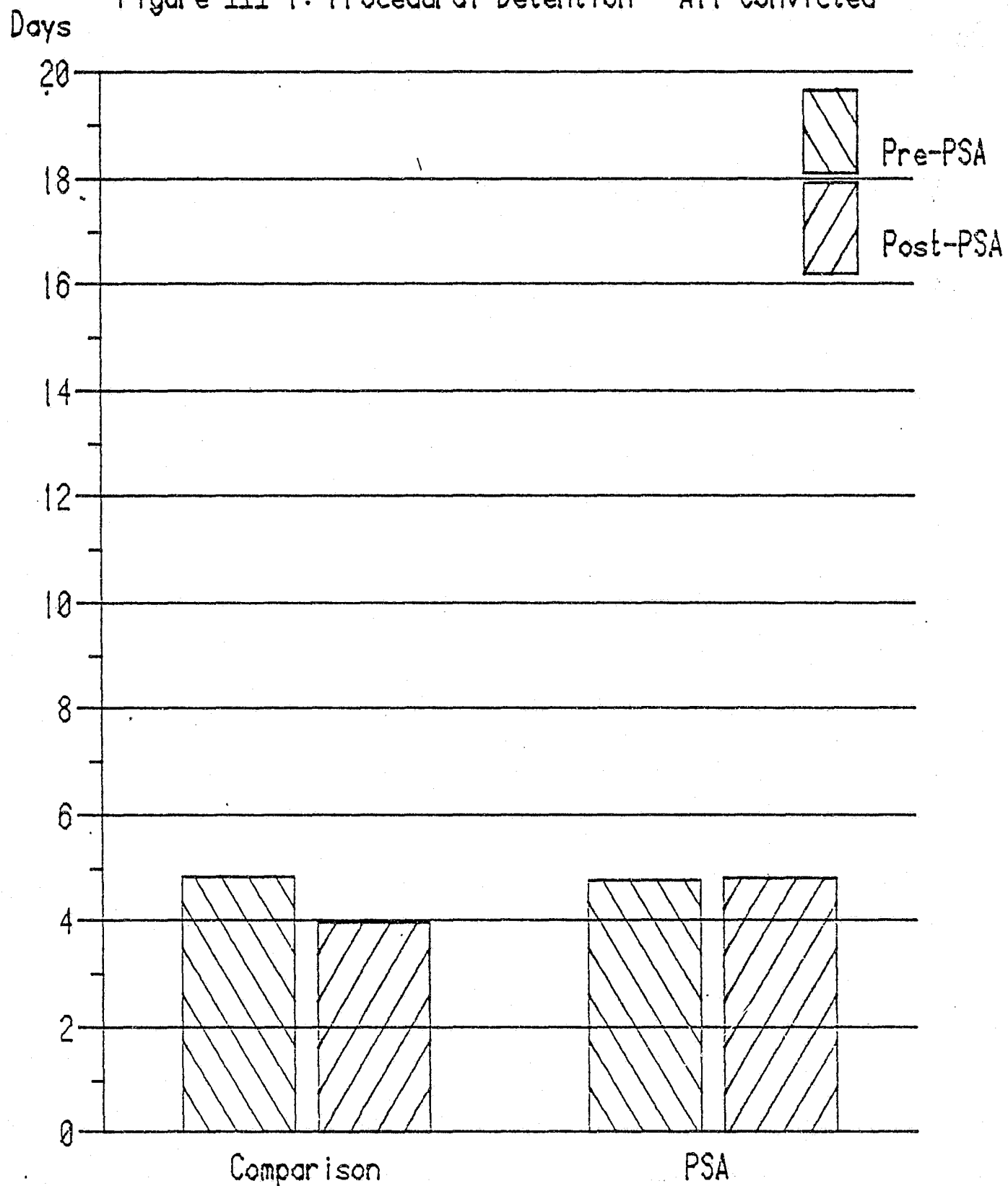


Figure III-2a: Procedural Detention - Serious Offenses

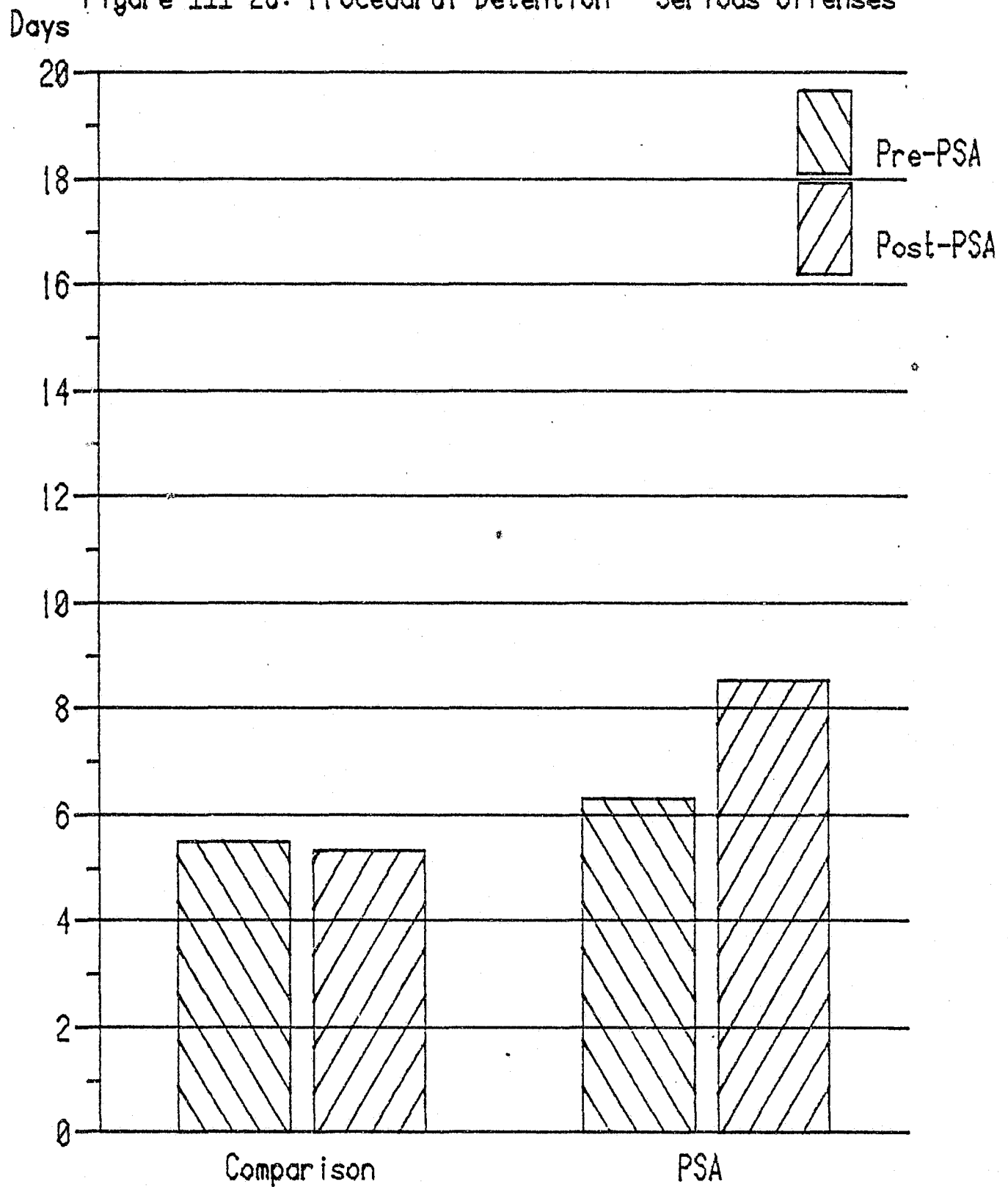


Figure III-2b: Procedural Detention - Less Serious Offenses

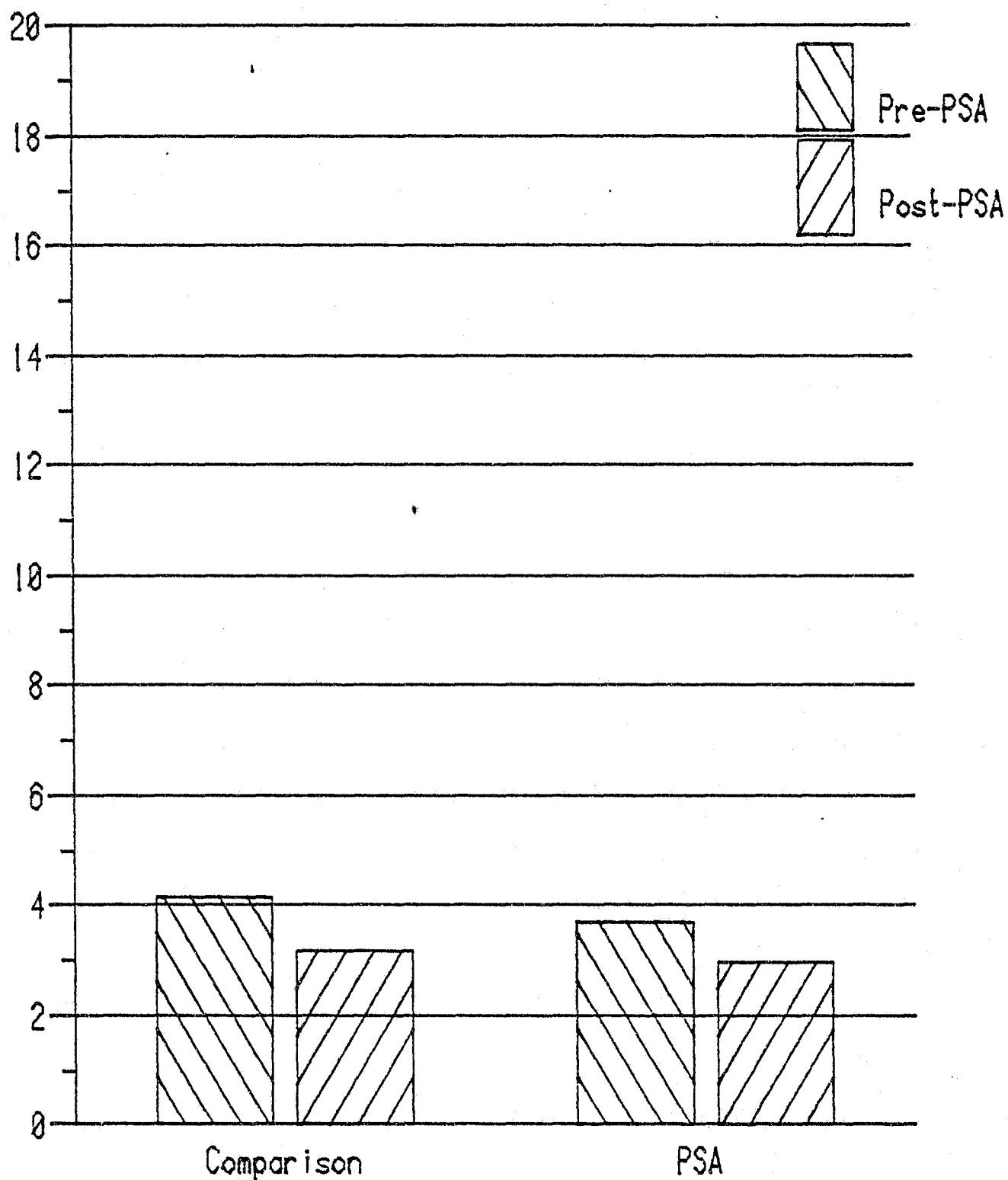


Figure III-3a: Procedural Detention - Blacks

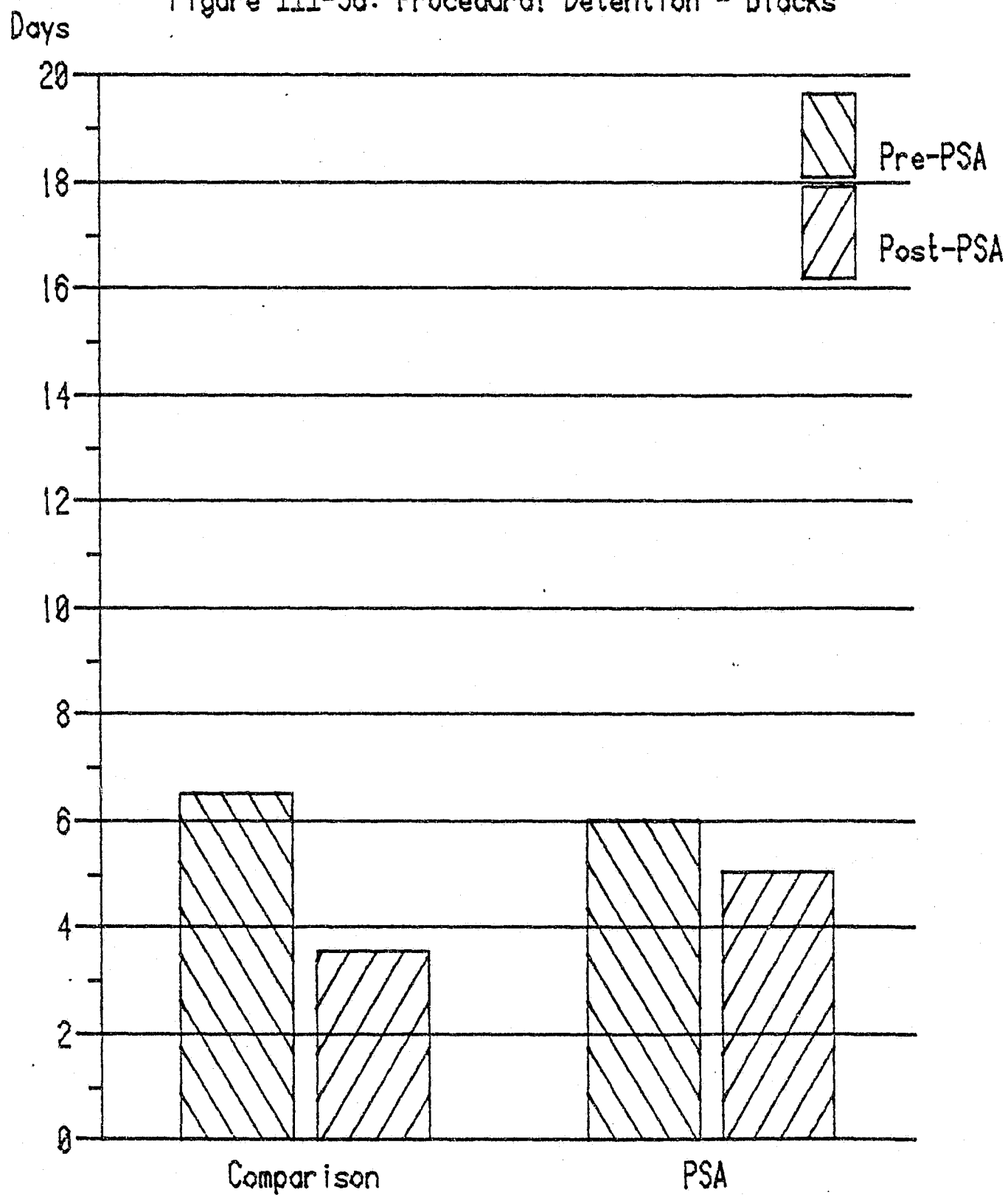


Figure III-3b: Procedural Detention - Hispanic

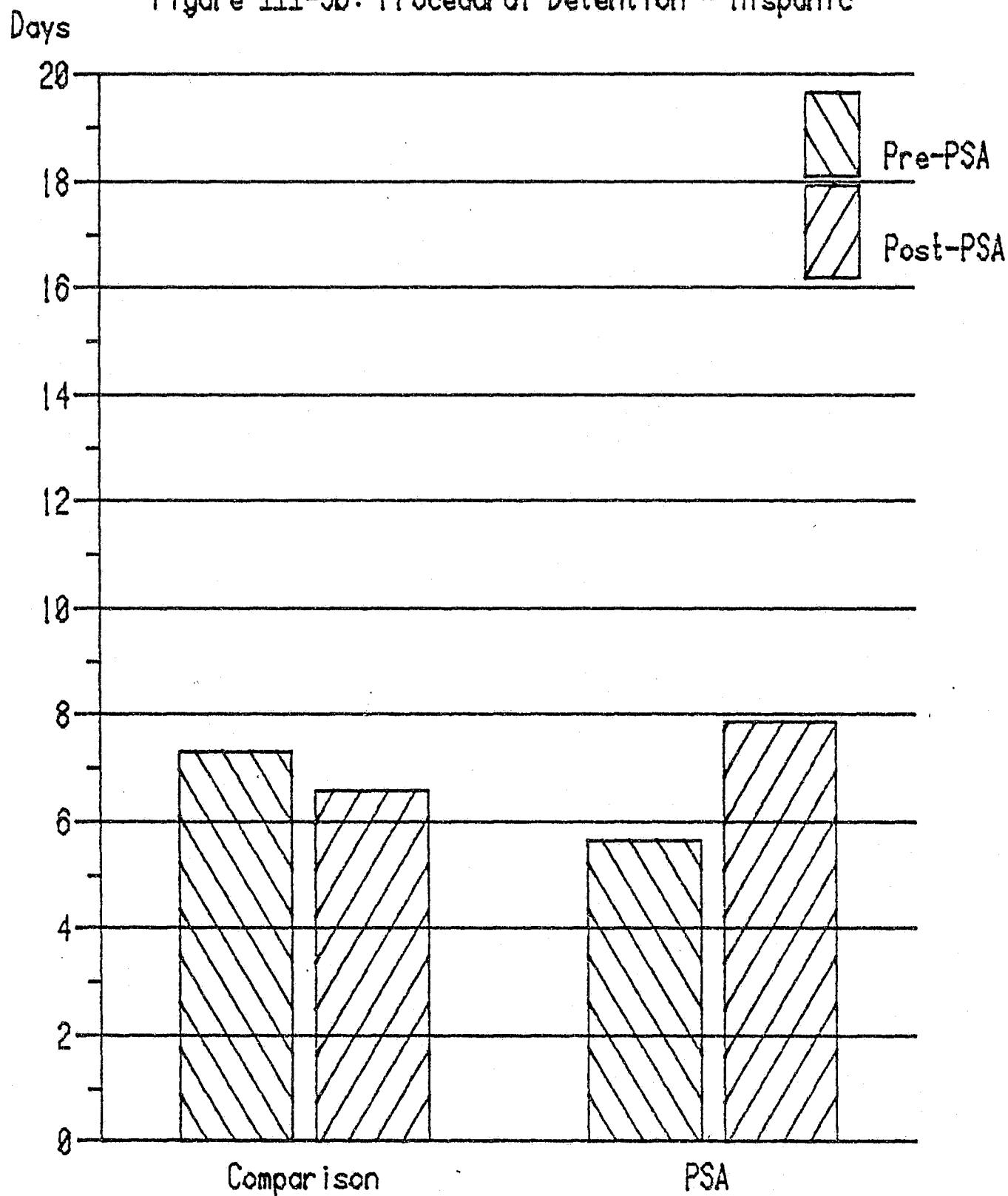


Figure III-3c: Procedural Detention - White

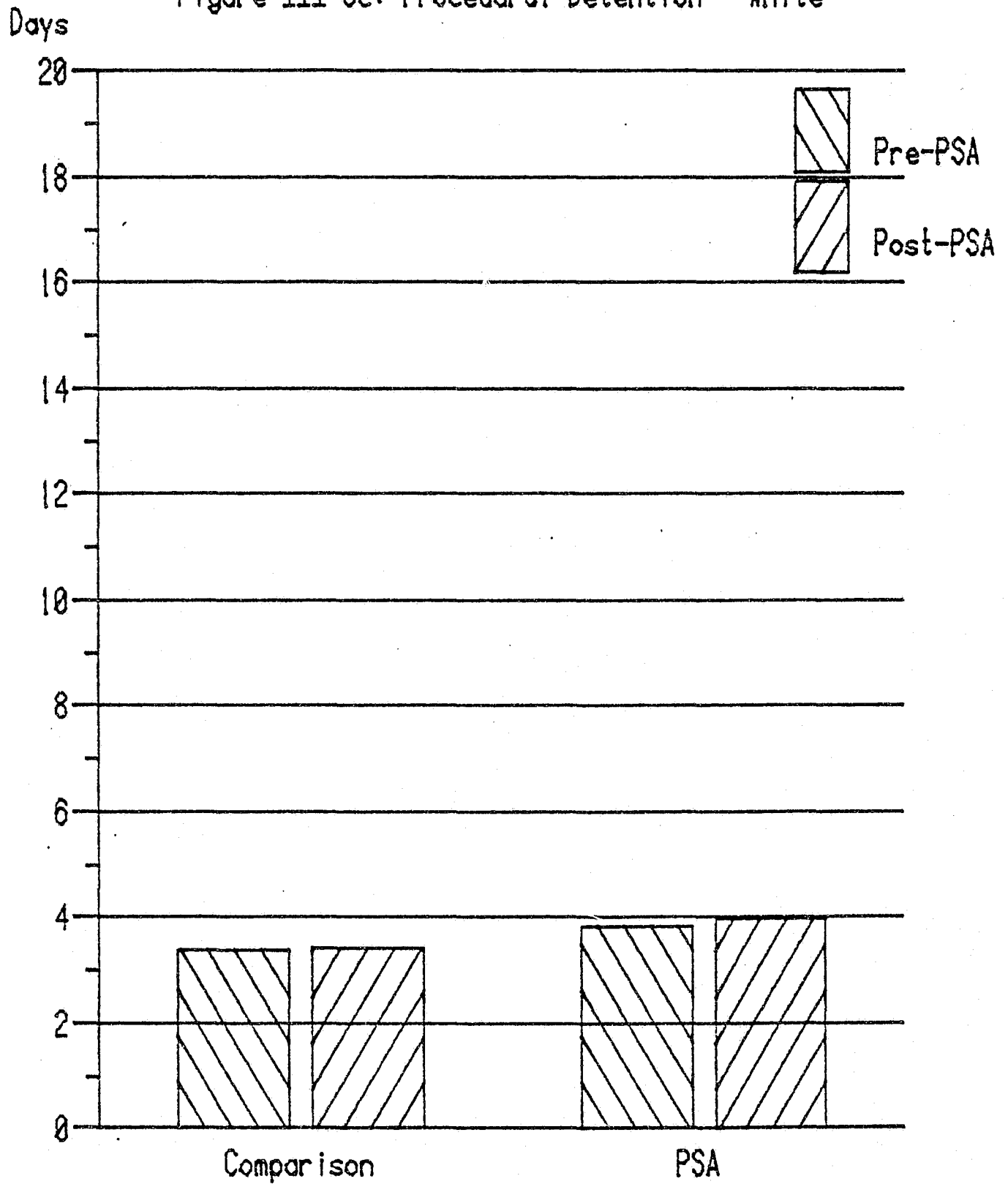


Figure III-4a: Procedural Detention - Prior Record

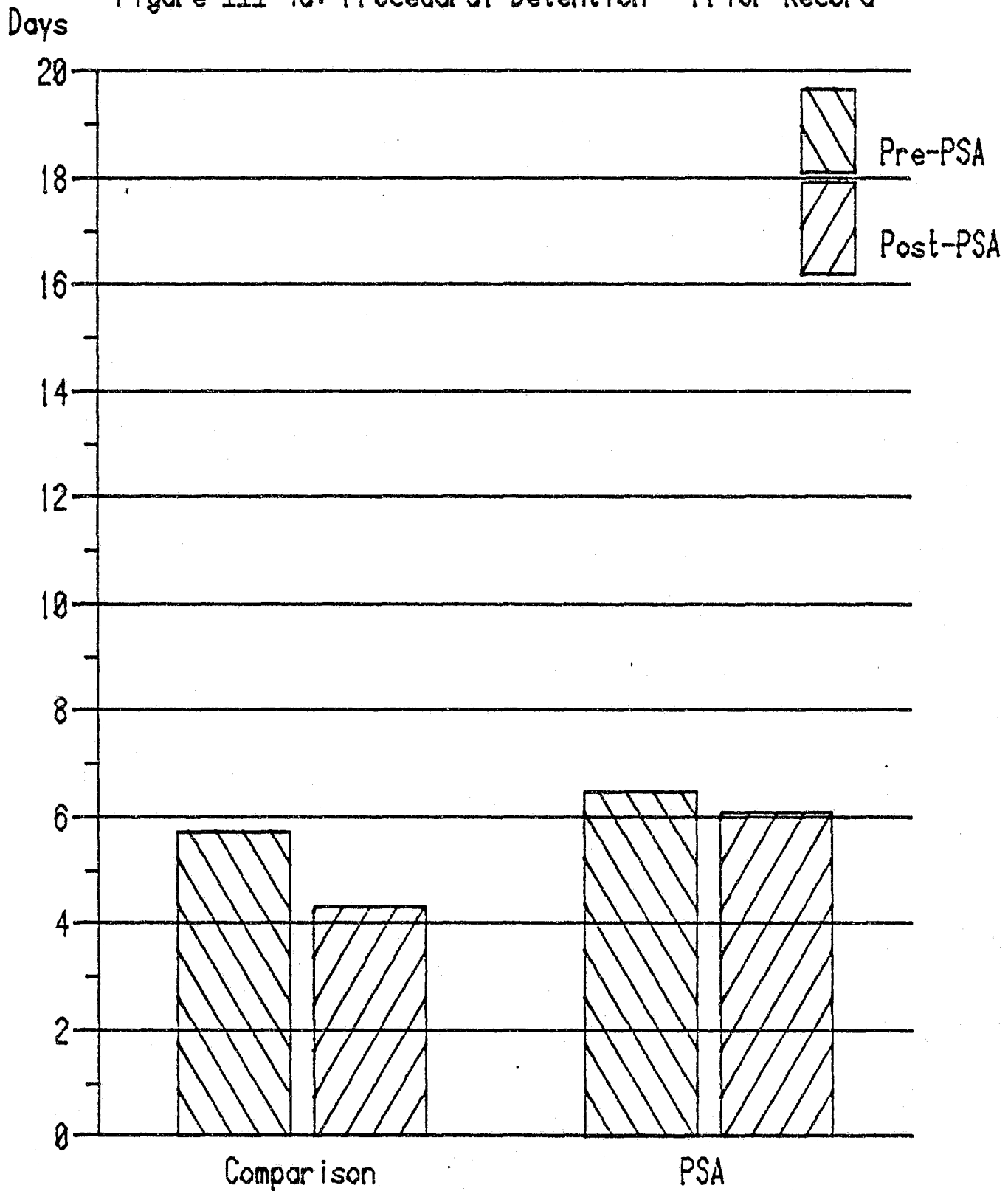




Figure III-4b: Procedural Detention - No Prior Record

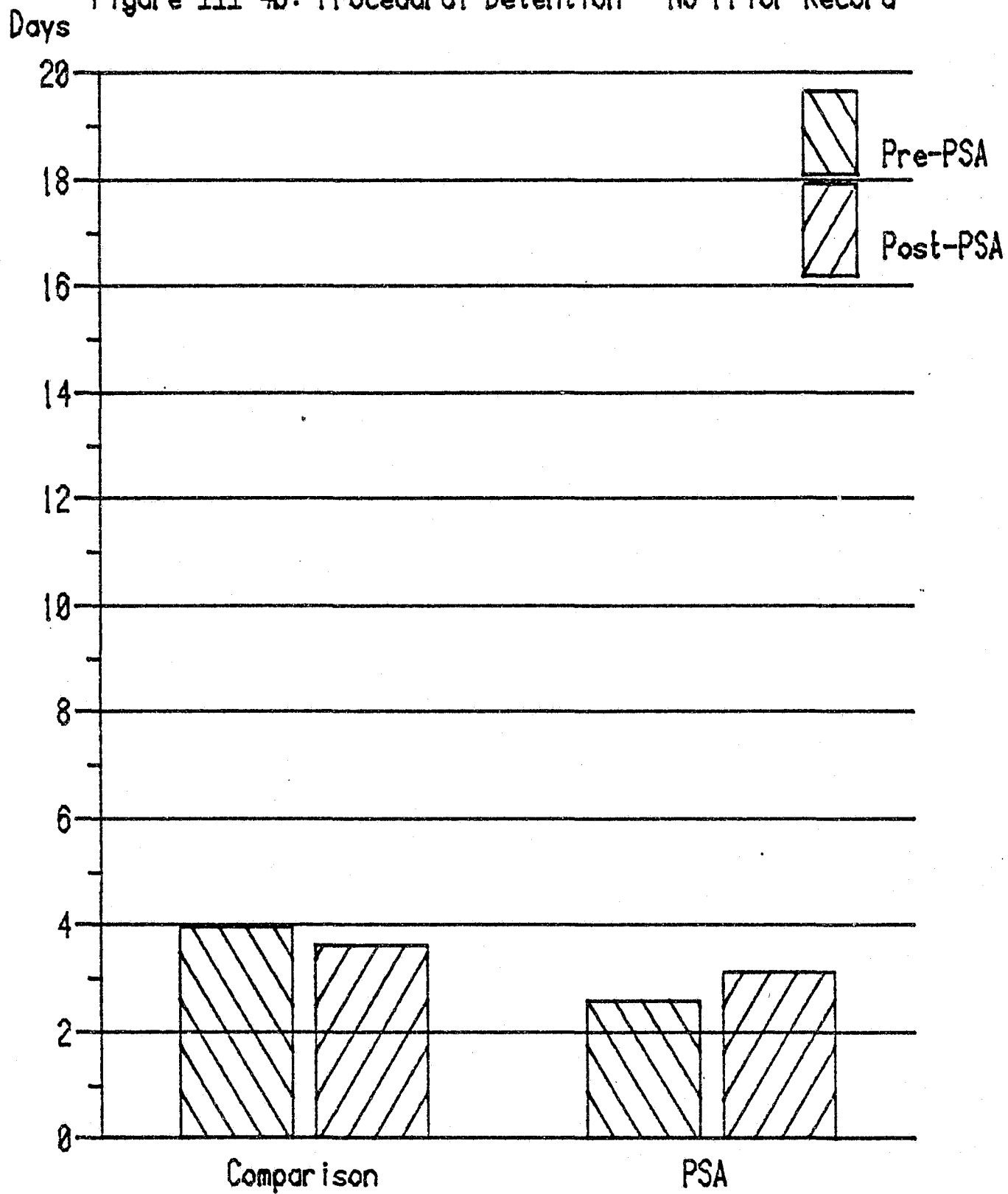


Figure III-5a: Procedural Detention - U.S. Citizens

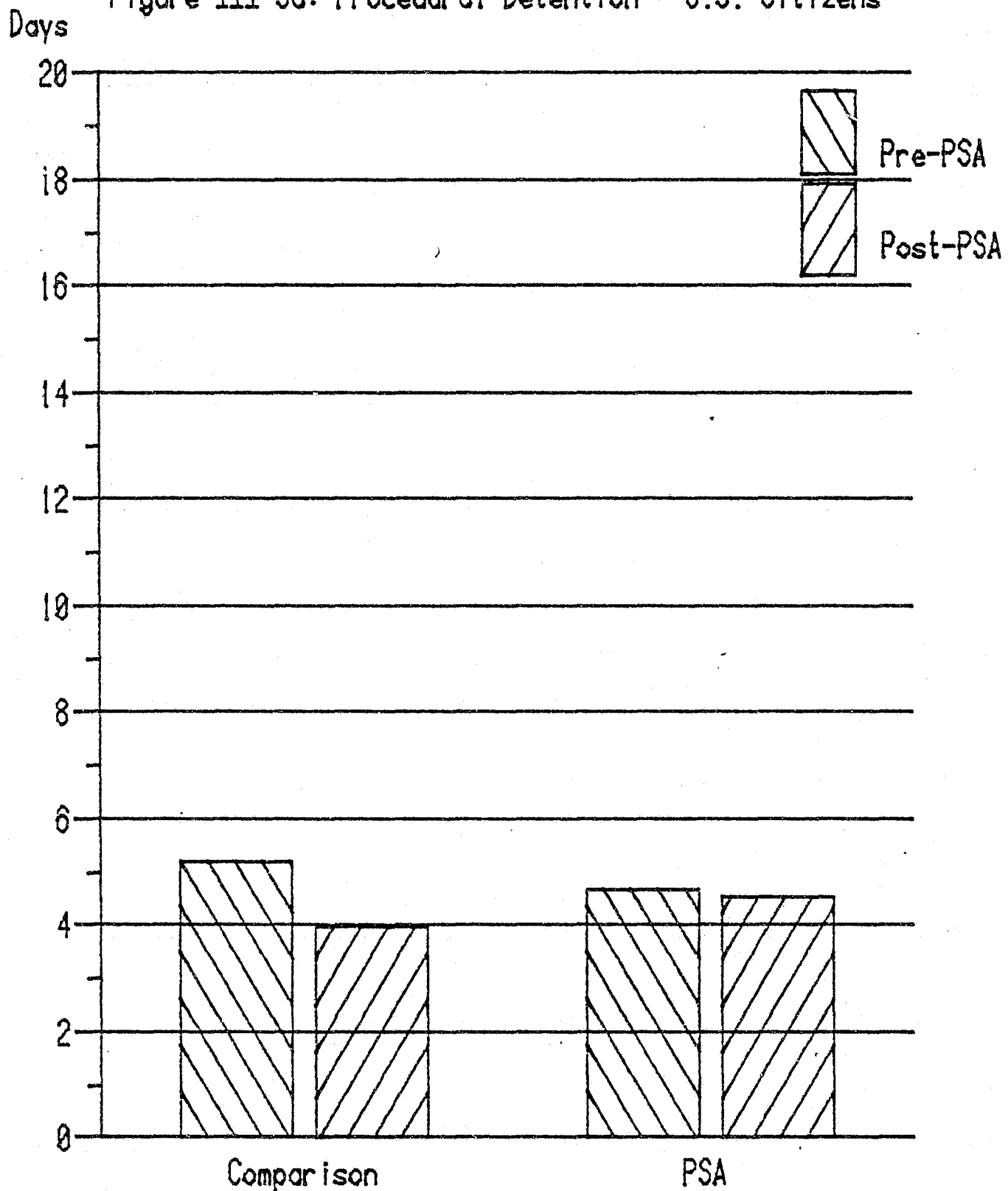


Figure III-5b: Procedural Detention - Legal Aliens

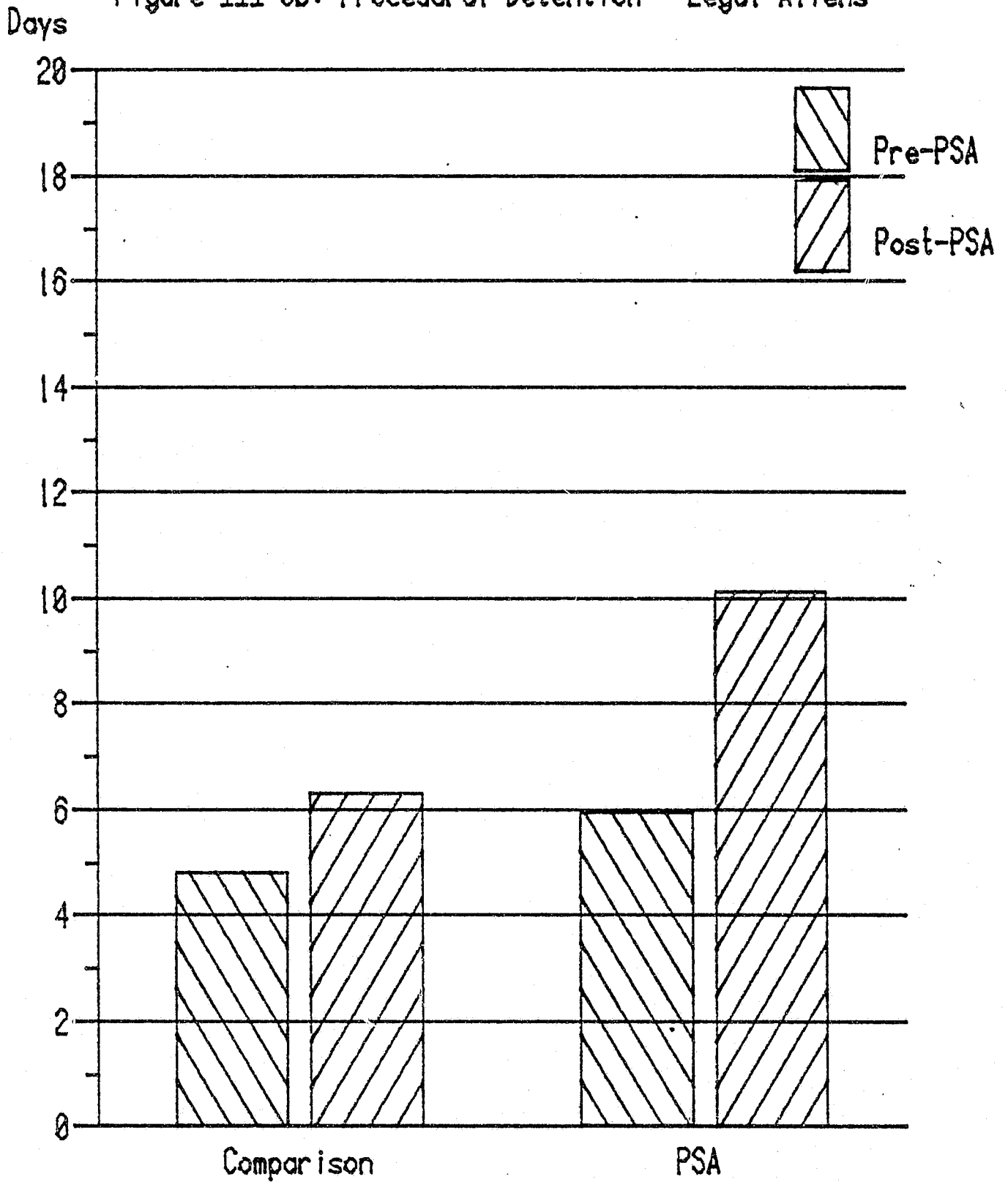
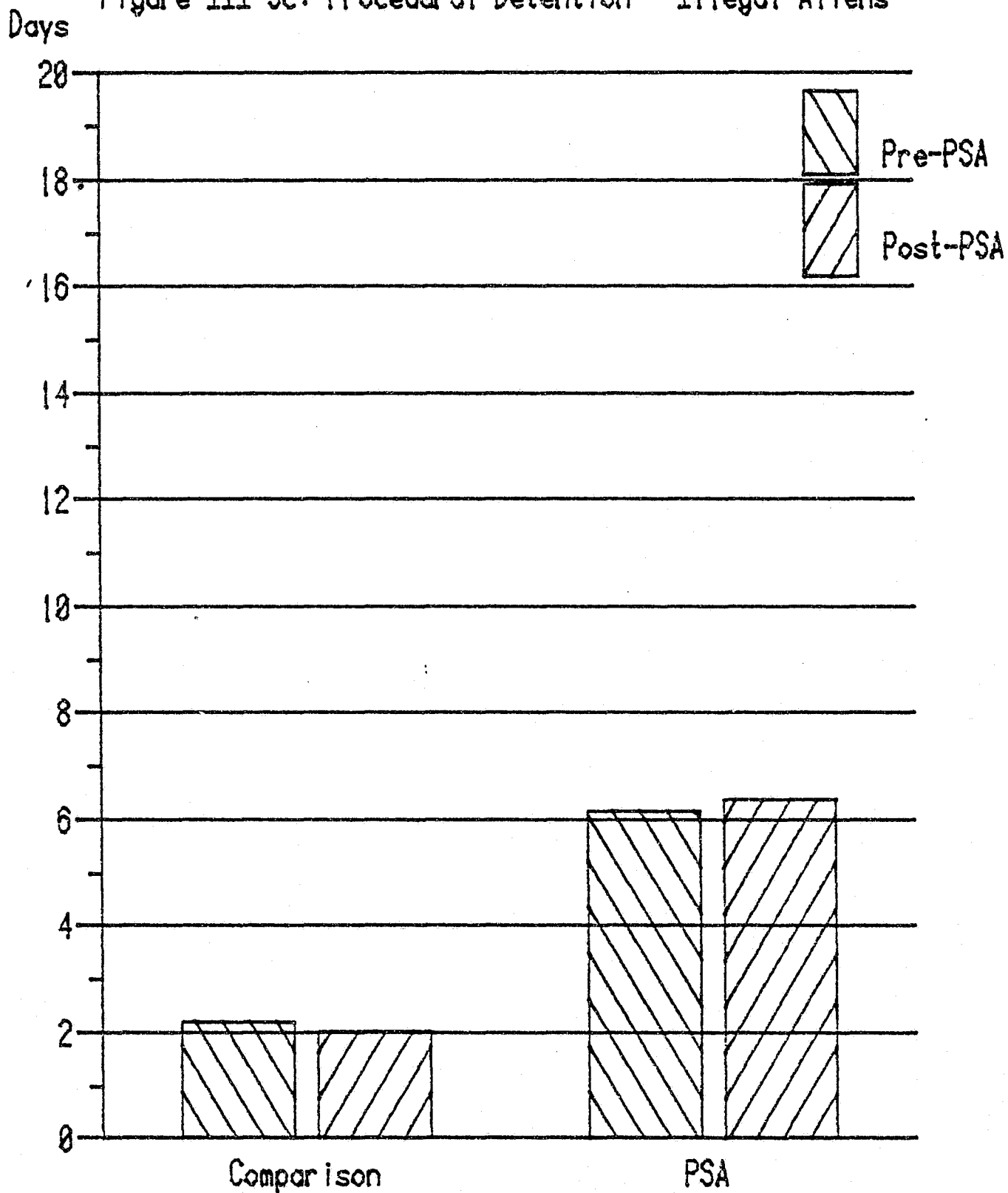


Figure III-5c: Procedural Detention - Illegal Aliens



illegal alien. The difference between procedural detention in PSA districts and that in comparison districts is not statistically significant.

Did PSA make a difference at the initial bail hearing?

Figure III-6 shows that for all convicted defendants, PSA districts have a small increase in the proportion of defendants who failed to make bail at their initial hearing, while comparison districts had a reduction. The pattern is the same for serious offenses and less serious offenses (figure III-7) as well. In neither analysis, however, is the difference statistically significant.

Having a prior record makes little difference; those with no prior record (figure III-8b) follow the pattern of figure III-6, but in PSA groups, people with a prior record (figure III-8a) did not change their initial hearing detention rate from pre to post periods. The differences were not statistically significant here, as well. Among both groups, however, the comparison districts showed more defendants made bail.

Finally, where money bail was used, there were no statistically significant differences in failure to make bail at the initial hearing. Both comparison districts and PSA districts increased from pre to post, and both increased approximately the same amount (figure III-9).

Did PSA affect the percentage of defendants ever detained?

Yes, but here, as well, the change was in the opposite direction from what was expected. More defendants were detained at some point in their pretrial period in PSA districts after PSA than before, and the difference was statistically significant. However, the change in comparison dis-

Figure III-6: Bail Not Made at Initial Hearing

Percentage

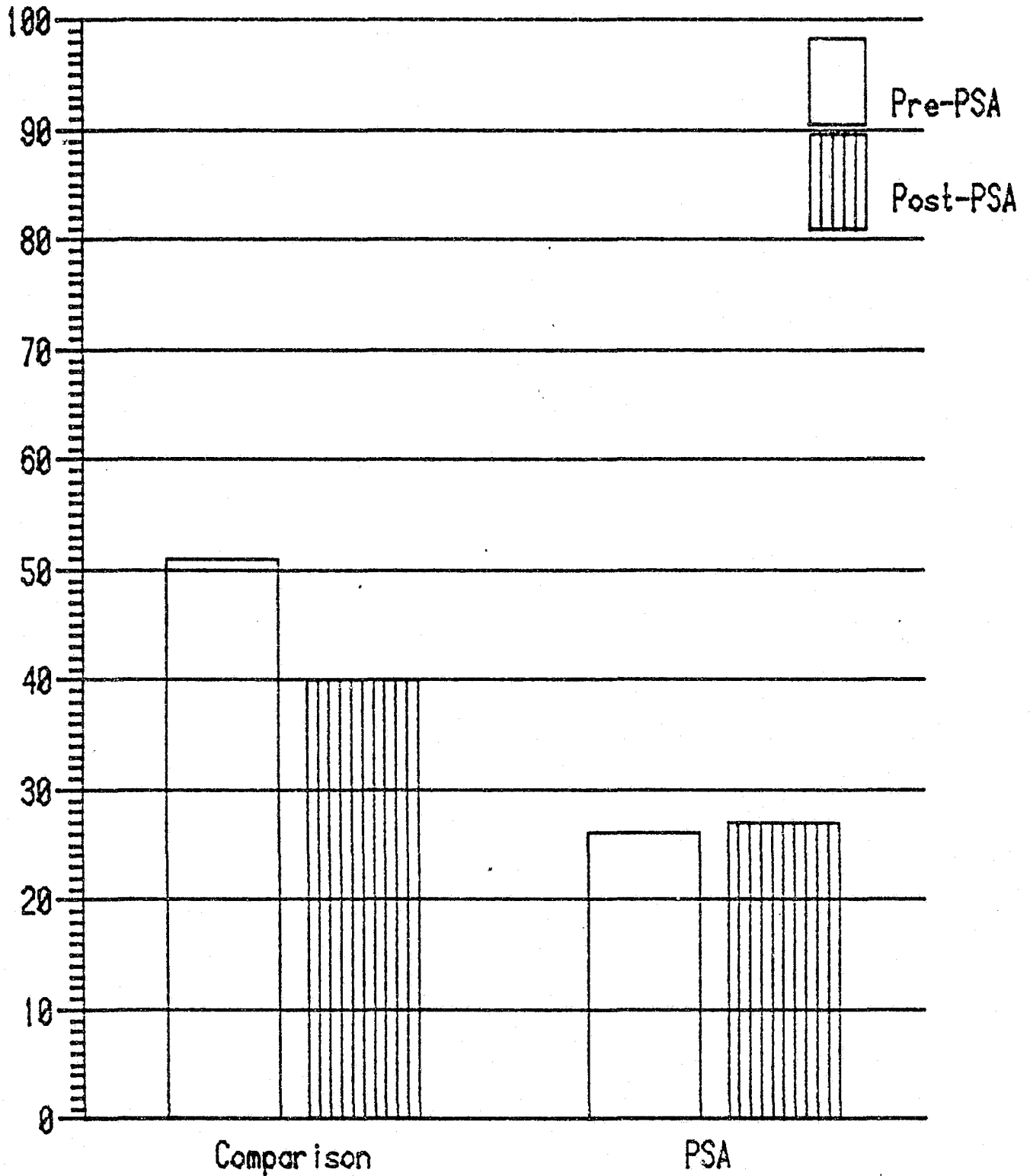


Figure III-7a: Initial Bail Not Made - Serious Offenses

Percentage

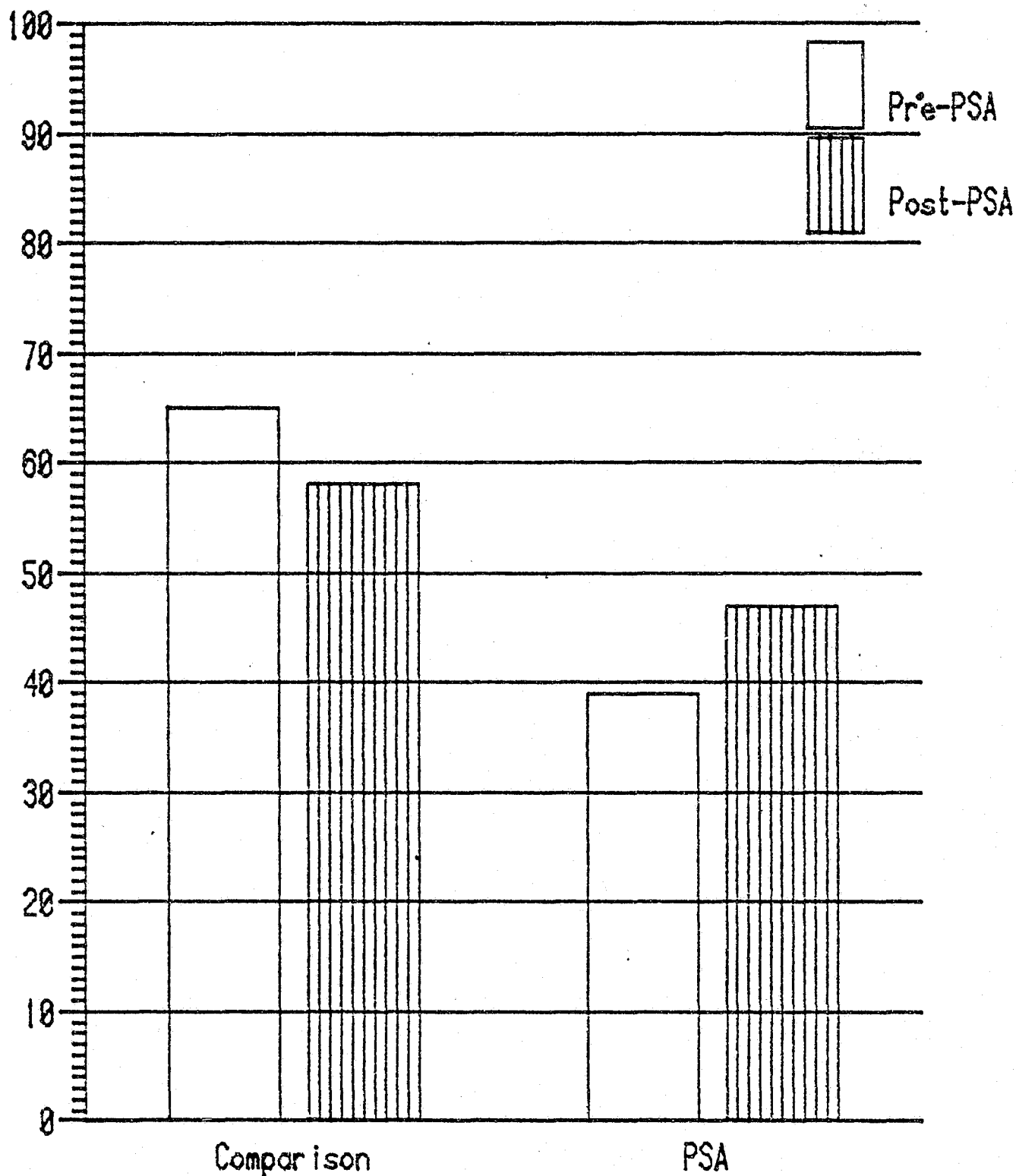


Figure III-7b: Initial Bail Not Made - Less Serious Offenses

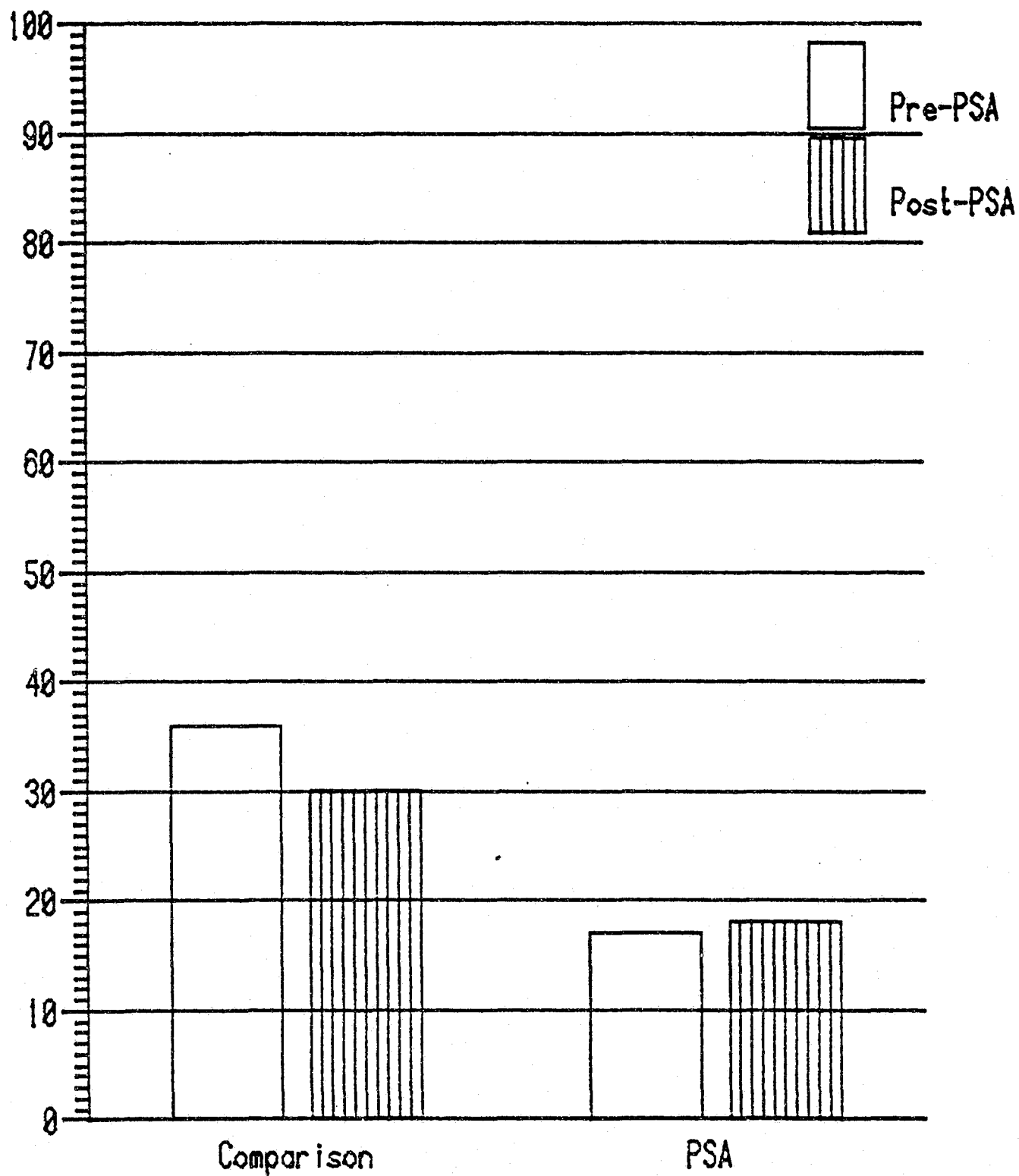




Figure III-8a: Initial Bail Not Made - Prior Record

Percentage

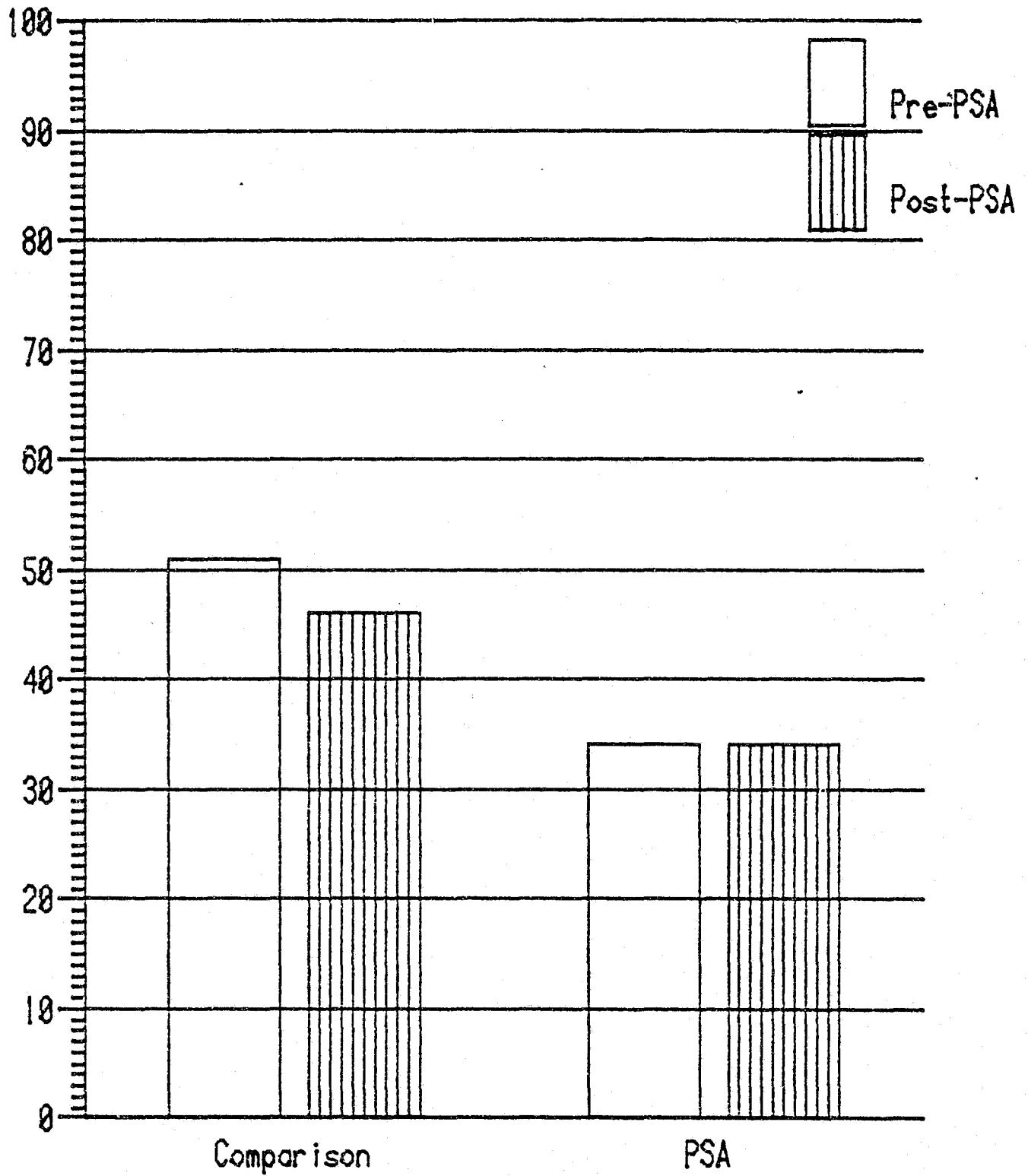


Figure III-8b: Initial Bail Not Made - No Prior Record

Percentage

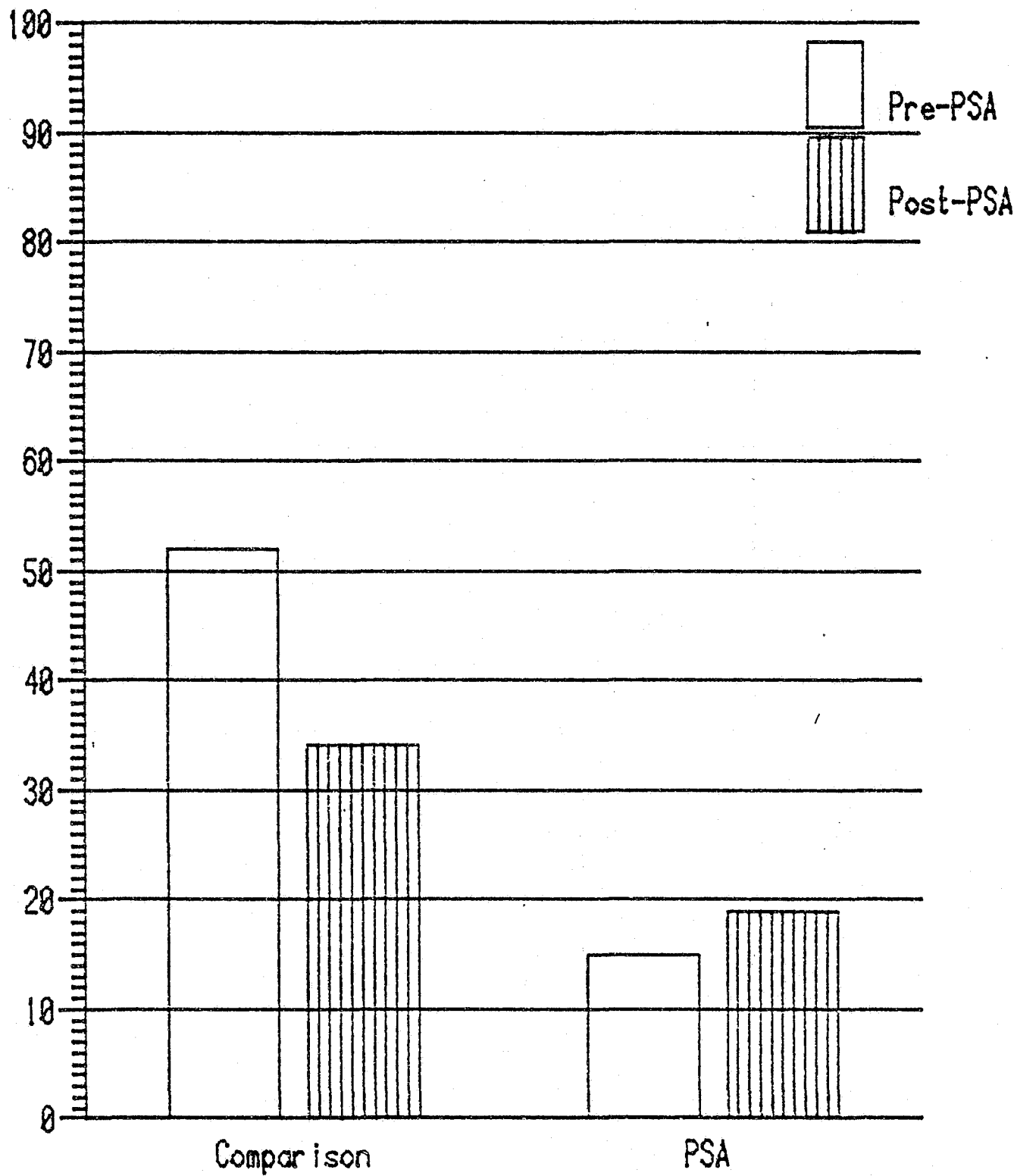
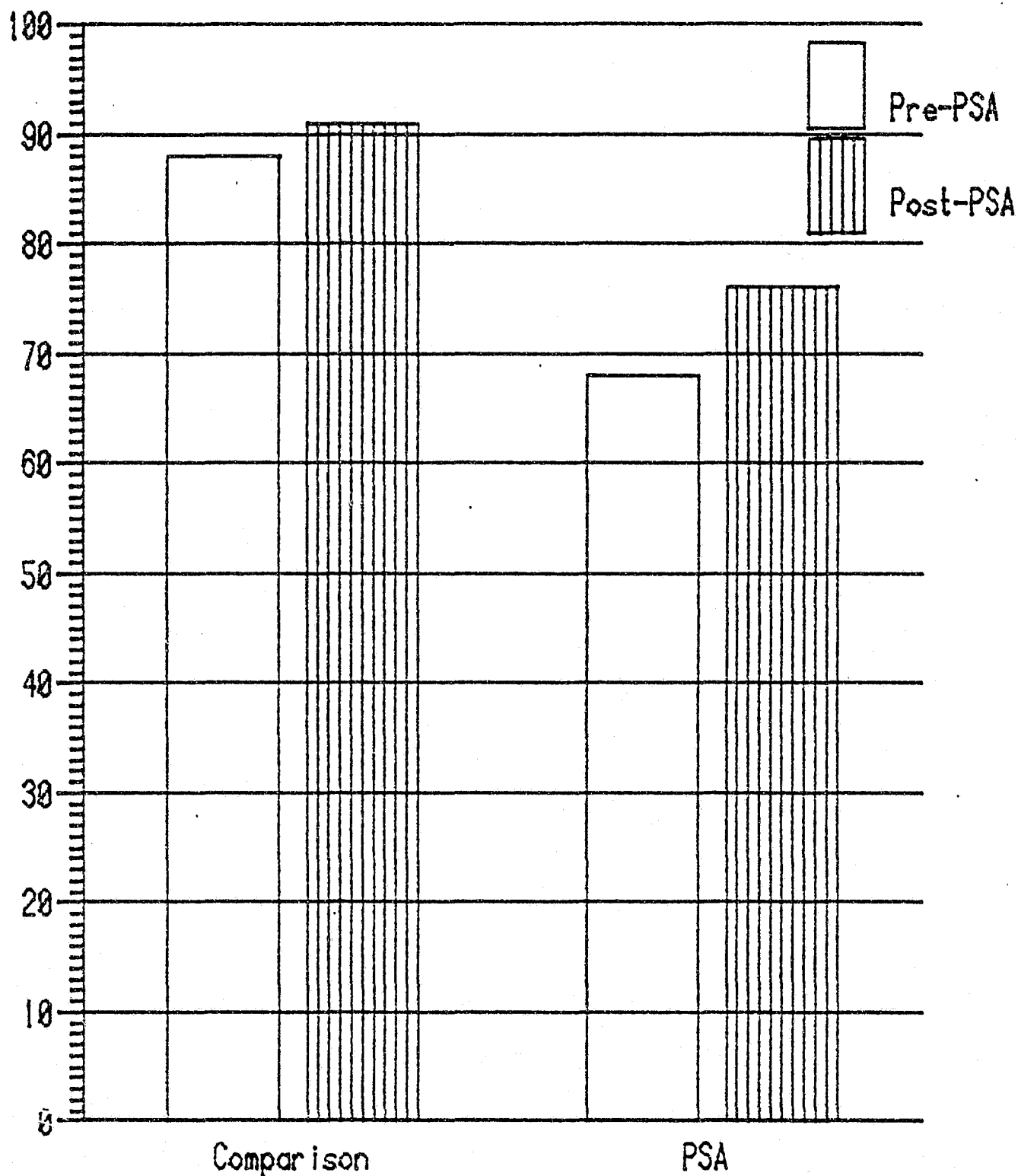


Figure III-9: Initial Bail Not Made - Money Bail Set

Percentage



tricts was also statistically significant and in the other direction. As the next set of figures (III-10 through III-13) show, comparison districts show a consistent reduction in the percentage of people who were ever detained, while PSA districts show a variety of patterns from moderate increases to small decreases.

Did PSA change the proportion of time defendants were detained?

Here, as well, comparison districts showed a greater, although not statistically significant, reduction than PSA districts in proportion of time detained (see figure III-14). It is worth noting that PSA districts did show an overall reduction in this aspect of detention. Proportion of time detained is measured by summing the total number of days on bail and the total number of days detained for each defendant, and dividing the total days detained by the sum. The result is a number which, when expressed as a percentage, can go from zero for someone with no detention (and some bail) to one hundred, for someone with no bail (and some detention).

For no group of defendants, however, did PSA districts significantly reduce the proportion of time spent detained more than the comparison districts.

PSA vs. comparison district summary: Did PSA reduce any aspect of detention?

Districts that participated in the PSA demonstration project did not have the expected superiority over comparison districts in reducing unnecessary detention. There appear to be no statistically significant differences between PSA districts and comparison districts in procedural deten-

Figure III-10: Ever Detained During Pretrial Period

Percentage

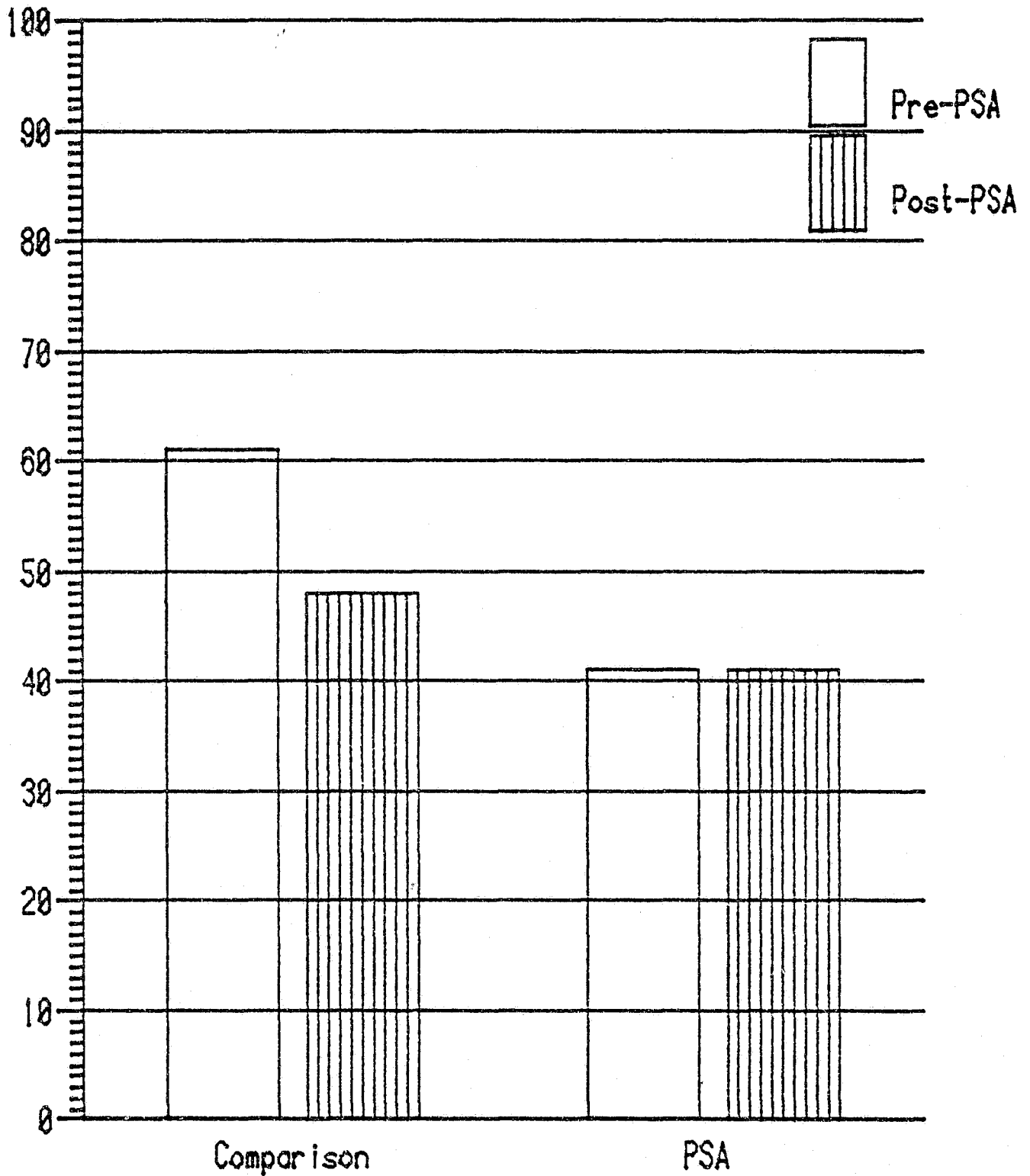


Figure III-11a: Ever Detained - Serious Offenses

Percentage

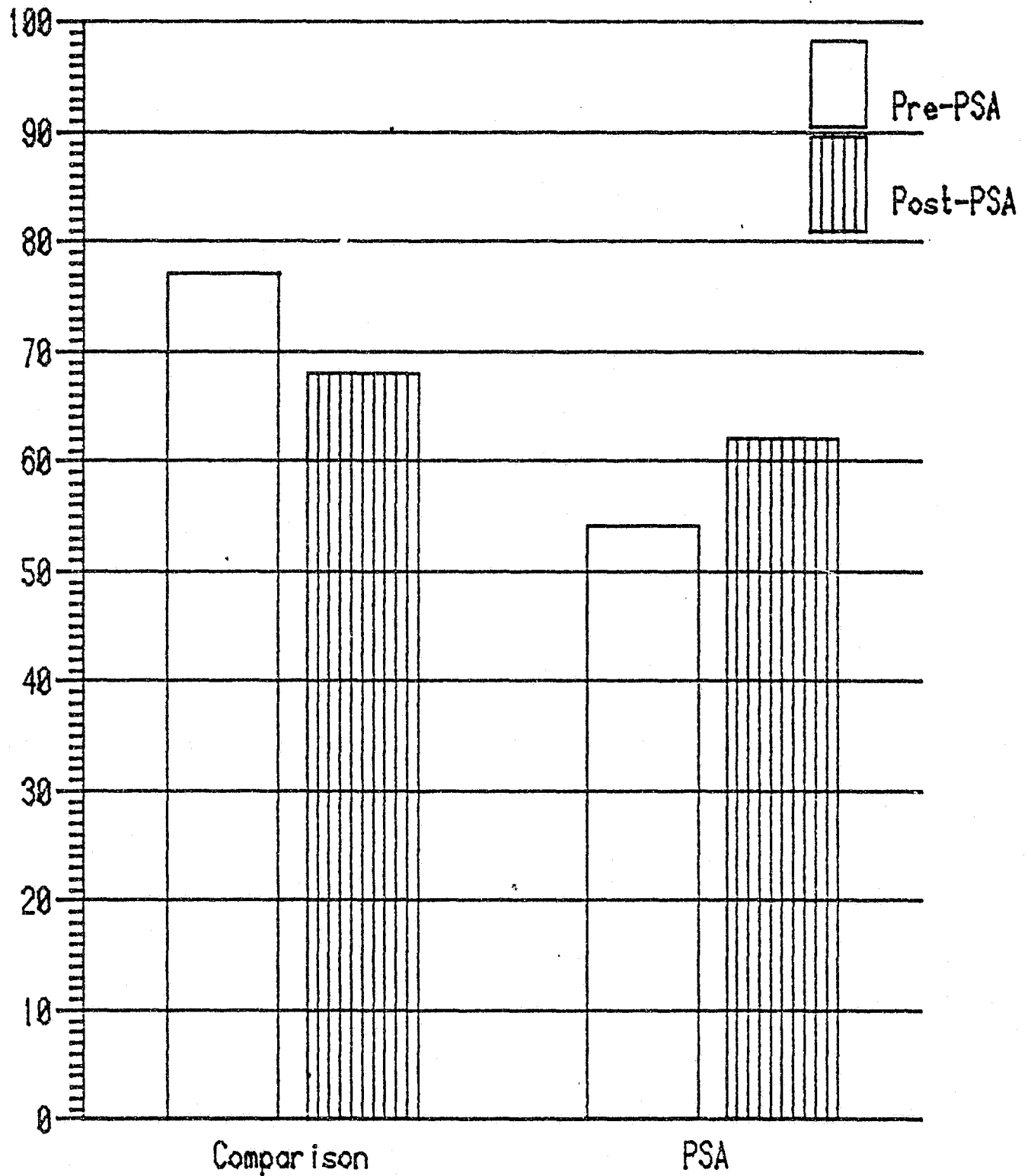


Figure III-11b: Ever Detained - Less Serious Offenses

Percentage

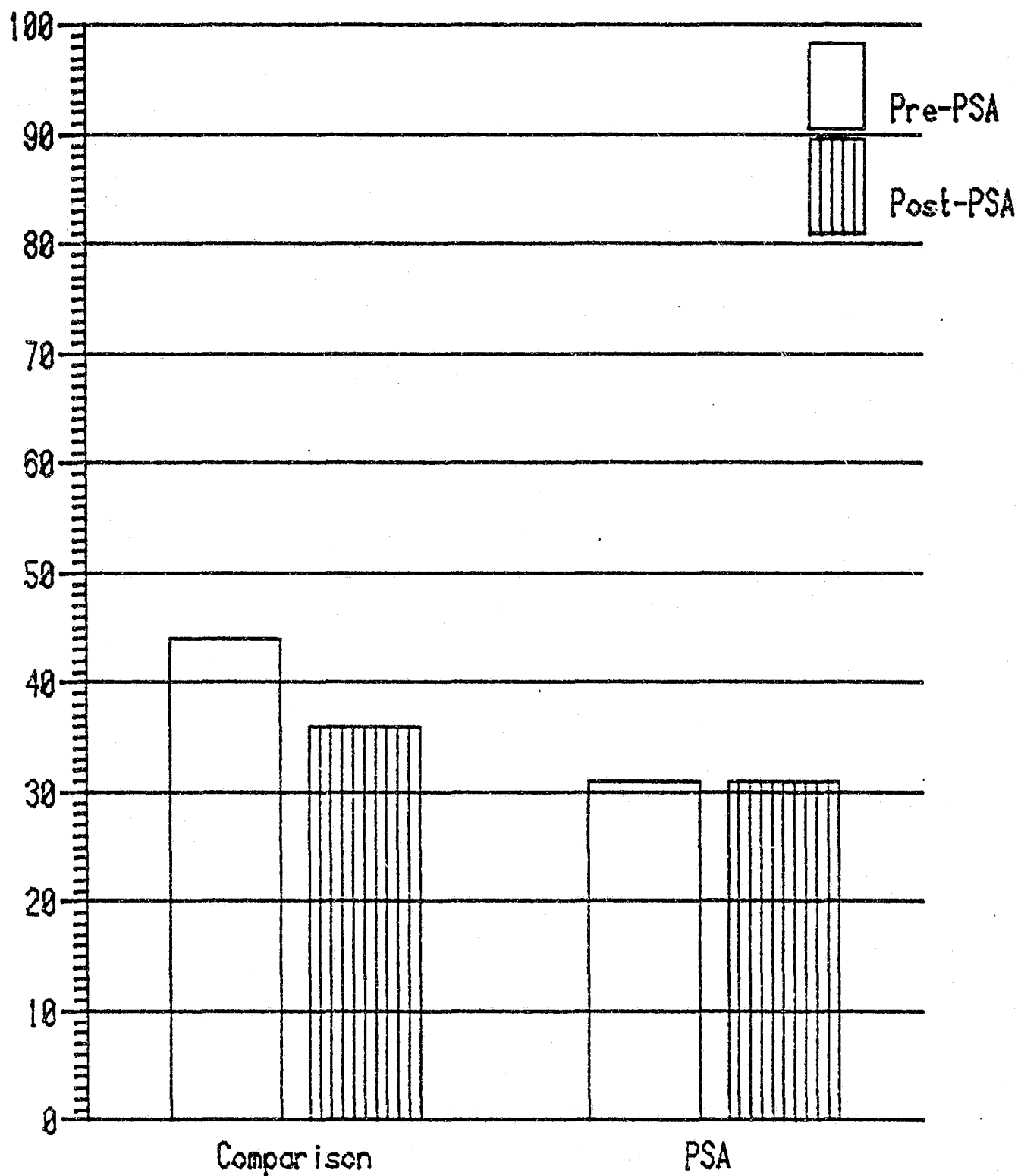


Figure III-12a: Ever Detained - Nonmoney Bail

Percentage

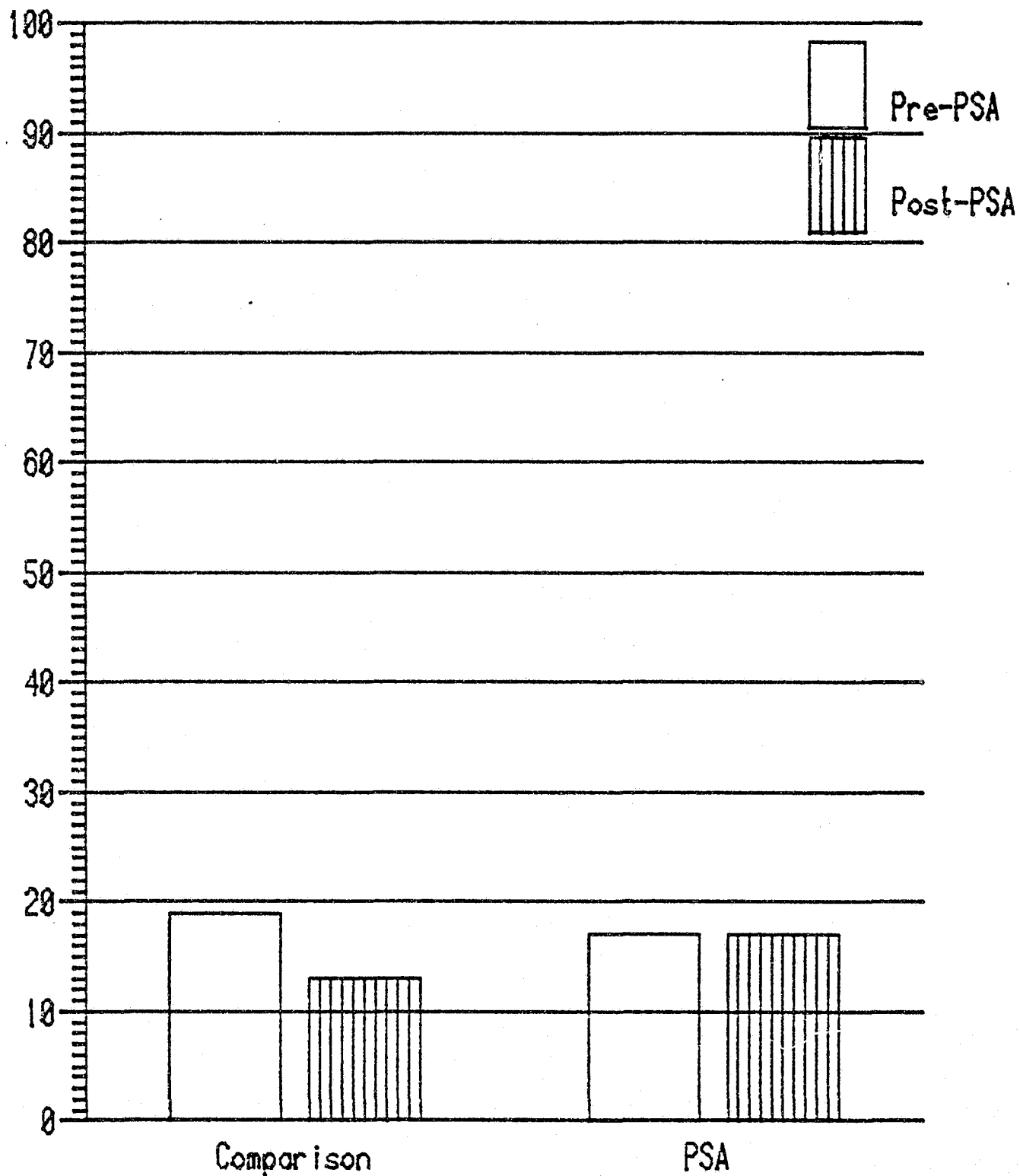




Figure III-12b: Ever Detained - Money Bail

Percentage

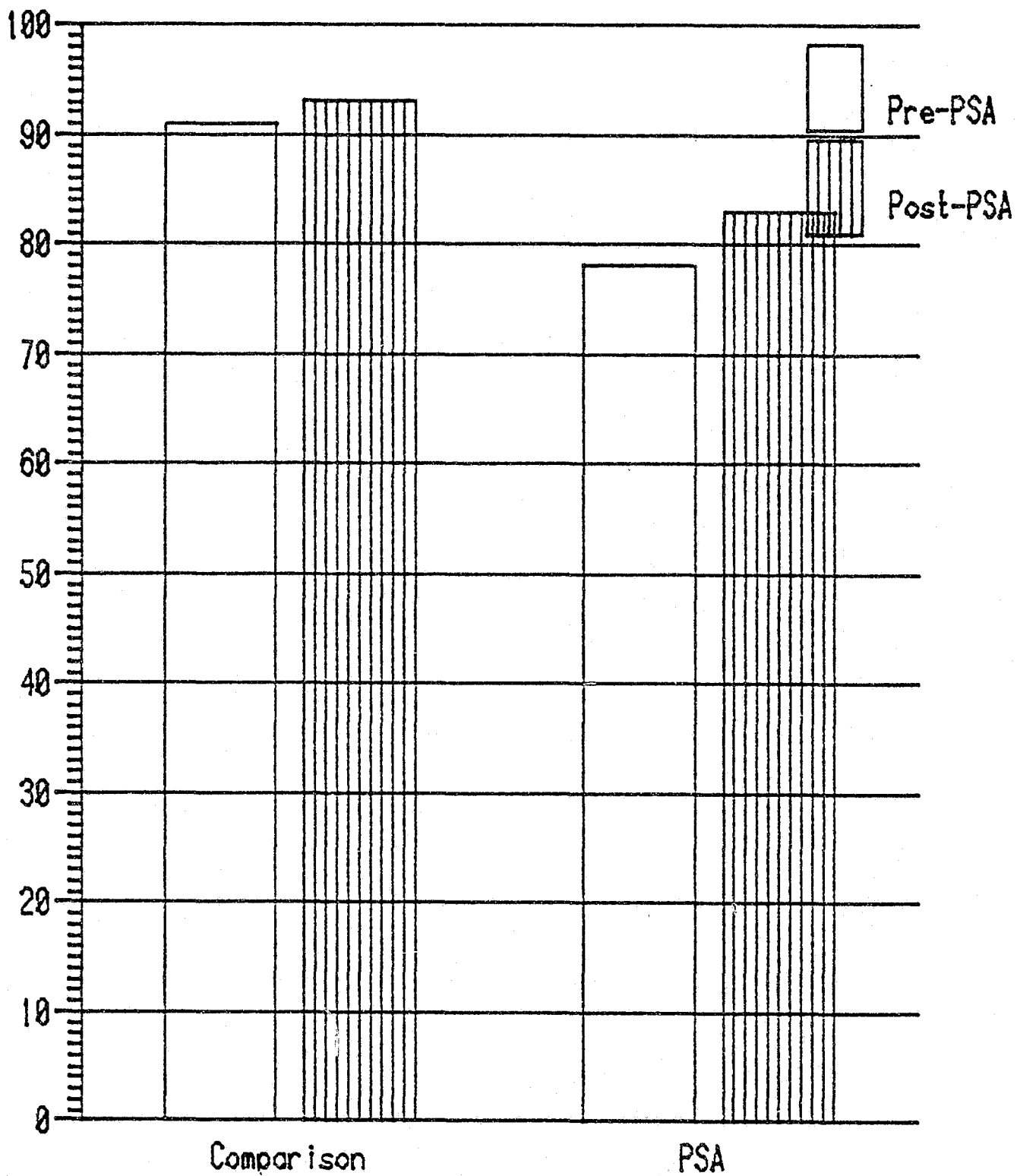


Figure III-13a: Ever Detained - Prior Record

Percentage

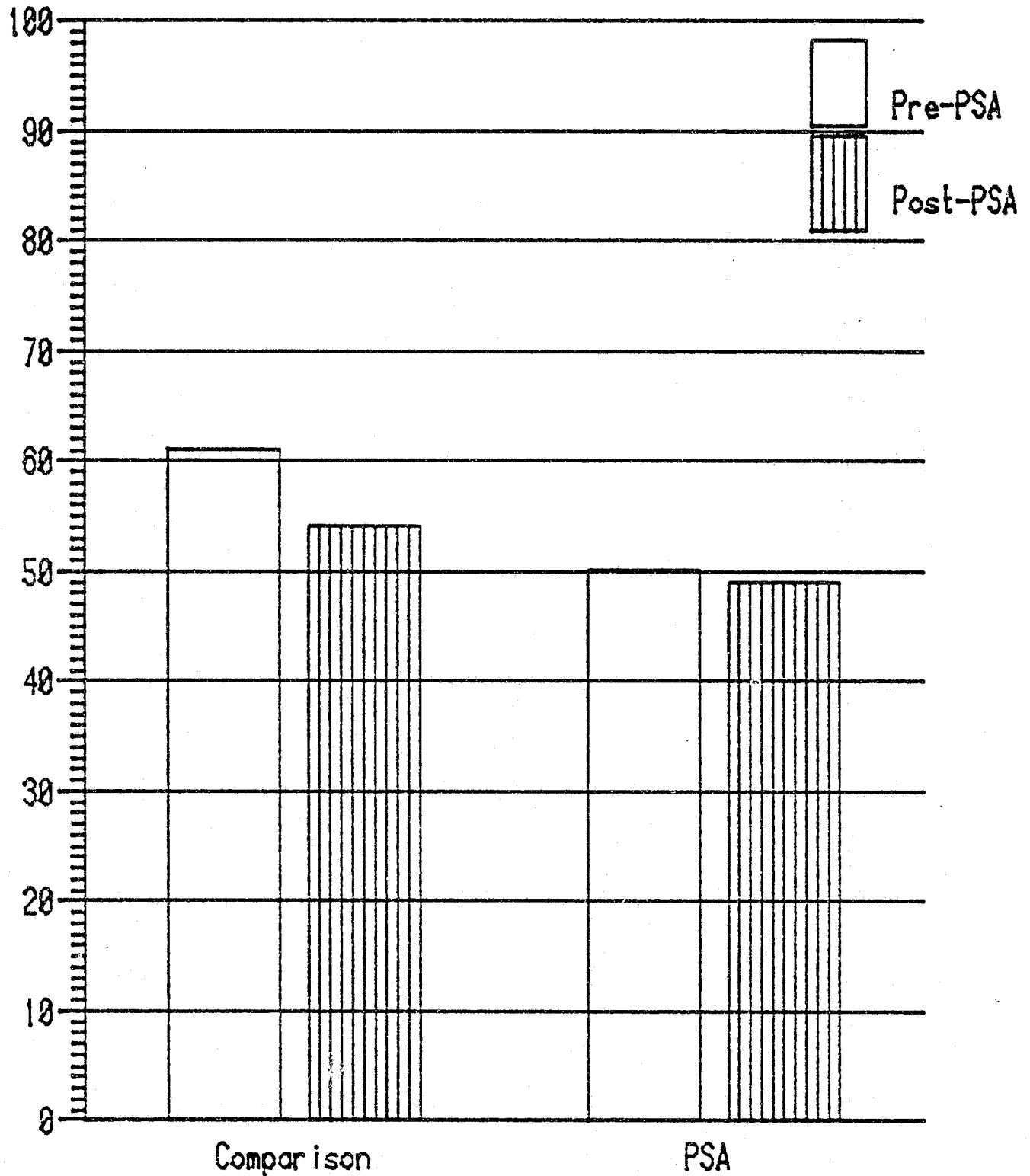


Figure III-13b: Ever Detained - No Prior Record

Percentage

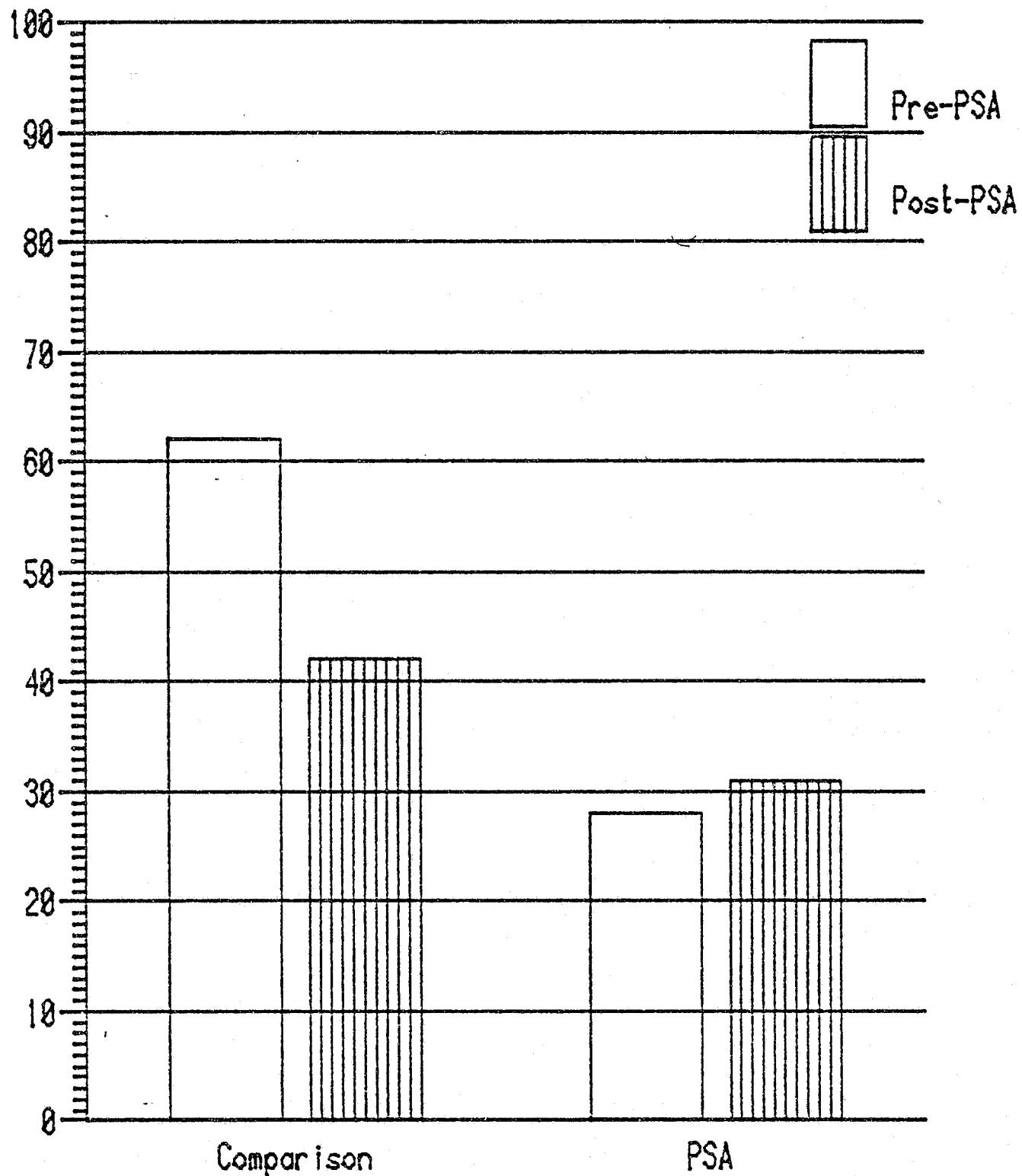
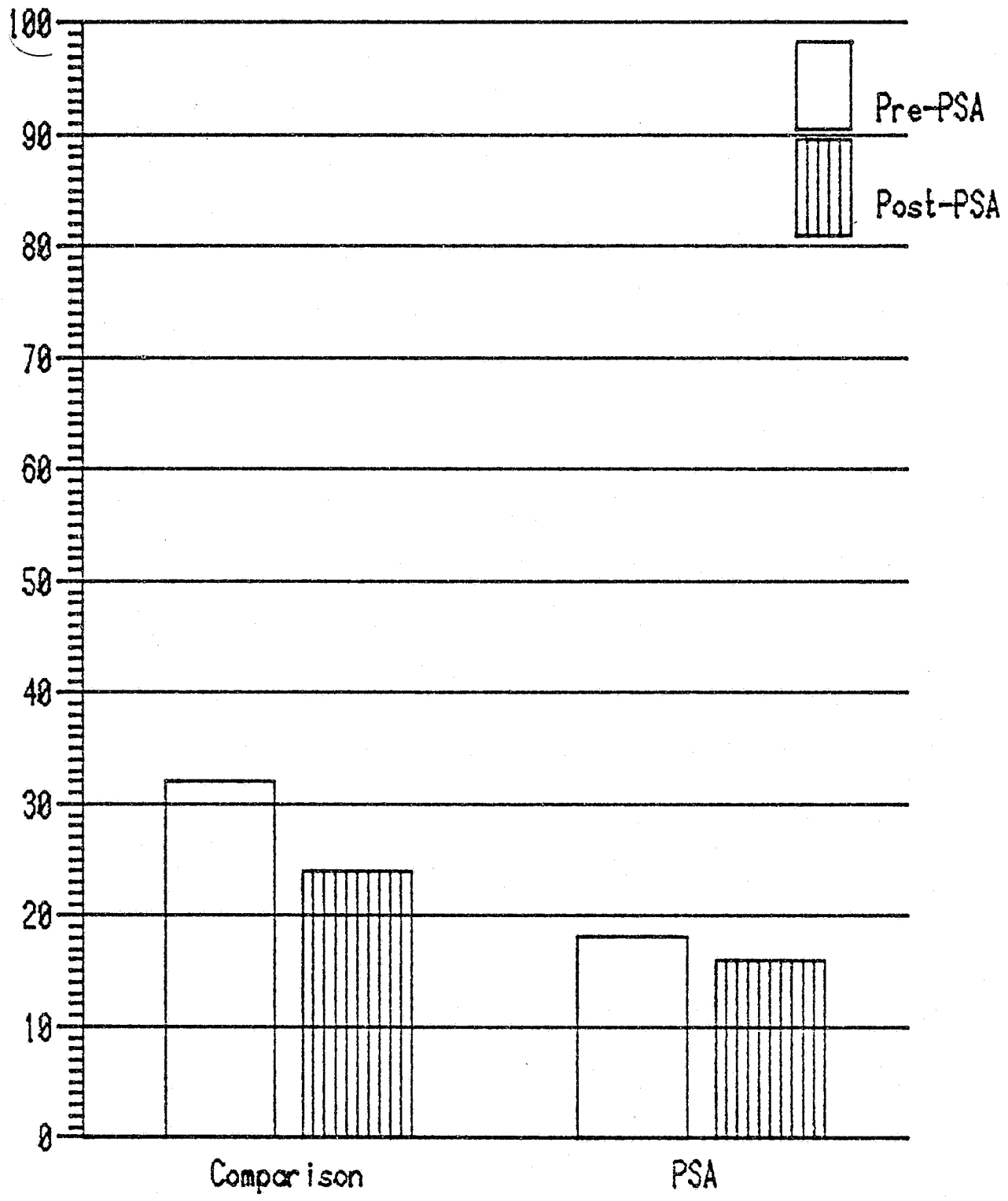


Figure III-14: Proportion of Time Detained - All Convicted

Percentage



tion, which we have considered as an important aspect of unnecessary detention. Further investigations showed that for other plausible ways of considering detention, PSA failed to reduce the percentage of people detained at their initial hearing more than the comparison districts did. PSA also did not improve upon comparison districts in reducing the proportion of people who were detained at some point in their pretrial period. Finally PSA and comparison districts had statistically equivalent reductions in the proportion of pretrial days spent in detention.

PSA did not have its expected effect; the reverse was often encountered. PSA was associated with 1) increased proportion of defendants detained at the initial hearing, 2) increased proportion of defendants detained at some point in their pretrial history, and 3) small reduction in the average proportion of pretrial time in detention.

Since we know that some districts have policies that might unduly affect the overall results, we repeated all of the above analyses, but excluding individual districts one at a time. The results support the above findings in all respects. No exclusion of a single district changed the primary finding of no PSA effect. Similarly, we excluded bank robberies from one set of analyses and drug-related offenses from another set. The results did not change. We also reanalyzed the data using only the second and fourth project years of PSA data, for better comparability to the Comparison data. No changes of substance resulted.

Finally, we repeat the caveat from the beginning of this section. It is conceivable that a single, as yet untested, factor could substantially change the results that are reported here. However, as far as our analysis has taken us, we are confident in the reported results.

Did PSA reduce the number of failures to appear?

Failures to appear (FTAs) can be measured in two ways. Simply counting the number of times each defendant is listed as an FTA is our primary measure. It has two weaknesses, however. The first, discussed generally above, is that it is measured very strictly. An FTA is counted only if the judicial officer issues an arrest warrant on that charge. If a failure occurs, but a warrant is not issued, it is not recorded.

The second weakness is a problem with analysis. If two defendants each had a failure to appear, but one was on bail for five days, and the other for fifty days, we are justified in seeing the first defendant as worse, even though they had the same number of failures. This is because one can assume that the longer a person is on bail, the more court dates will be scheduled. A person who is out for a longer time has the opportunity to miss more scheduled appearances, and thus incur an FTA than does a person who only has the opportunity to miss one date.<sup>5</sup>

This leads to our second way of measuring FTAs. We count the number of FTAs per person per hundred days of bail. If this figure changes and the first does not, or vice versa, we should look towards different levels of days on bail as the reason for the difference. With either aspect of FTA, we only count those defendants with at least one bail day.

---

5. This effect is even stronger when considering crime on bail, since the opportunity for committing offenses can be thought of as occurring continuously. But because of time pressures, we were not able to repeat the calculations in that area.

A final measurement point. As the previous paragraphs make clear, we are dealing with failures to appear. We repeated some of our analyses, and found that our conclusions also held when we dealt with people who failed to appear at least once. In the interest of brevity, we have not presented those analyses in this report.

The answer to the lead question is that both the raw number of FTAs and FTAs per hundred days on bail are not affected by PSA. As figure III-15 and III-16 show, there are overall statistically significant district and time effects, but there is no statistically significant interaction. The time effect is the same for both PSA and comparison districts, so we conclude that PSAs did not reduce the number of FTAs more than the comparison districts did. This finding held across all factors that we examined.

#### Did PSA reduce the amount of crime on bail?

As discussed in the previous section, crime on bail presents a difficult problem in measurement. We report only basic findings since elaboration would implicitly overrate the quality of the measurement.

There is a consistent difference between PSA and comparison districts in the reduction in the number of felonies on bail. PSA districts, as shown in figure III-17 show (statistically) significantly more reduction in rearrests for felonies than do the comparison districts. This effect also holds for all of the factors that we have examined. On the other hand (figure III-18), the number of misdemeanor rearrests changes, although not statistically significantly, in the opposite direction. Comparison districts improve from pre to post, while PSA districts have higher post rates. This finding, too, holds for all factors.

Figure III-15: Failures to Appear per Hundred Cases

Average #

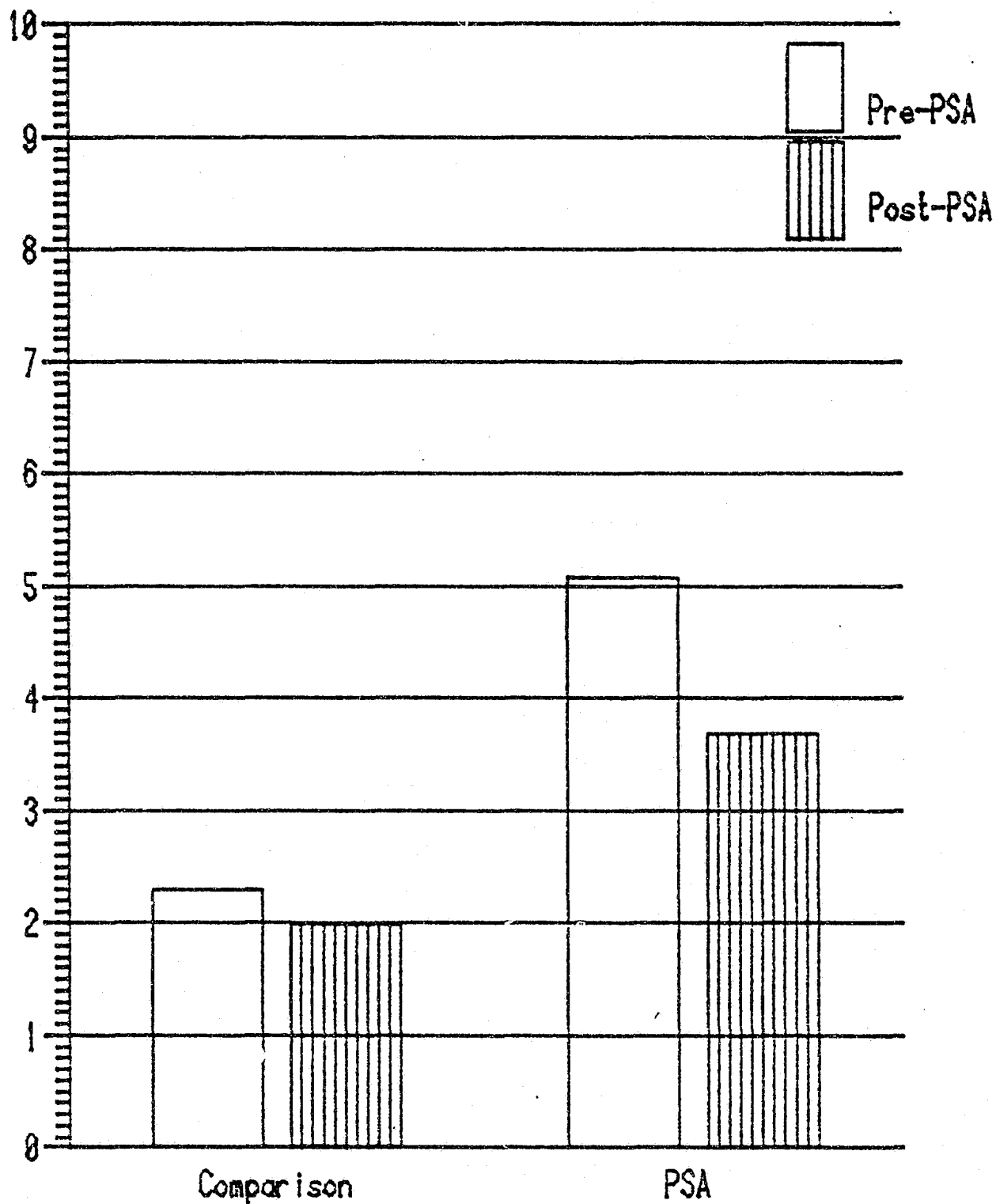




Figure III-16: Failures to Appear per Hundred Bail Days

Average  $\frac{1}{2}$

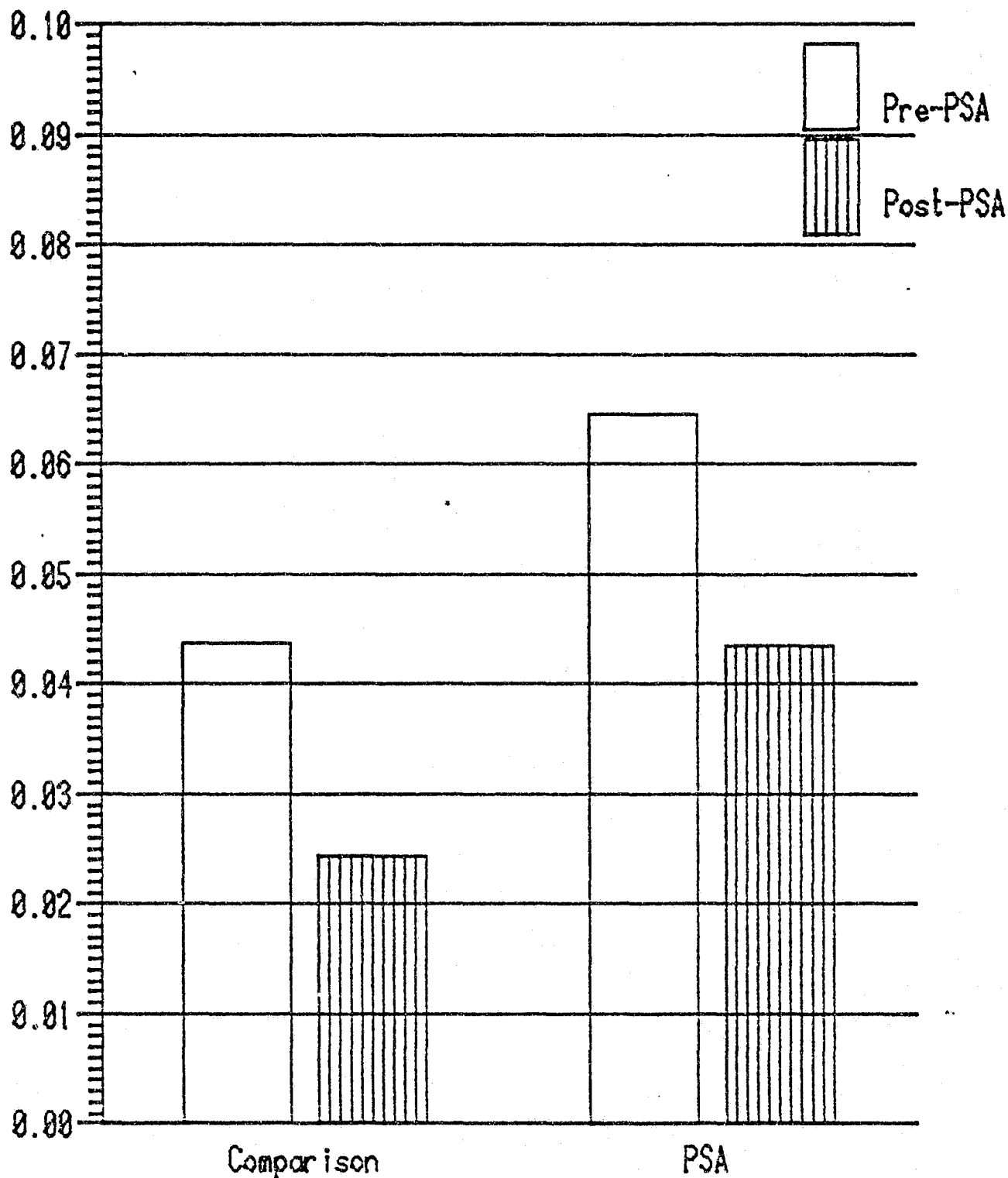


Figure III-17: Rearrests for Felonies per Hundred Cases

Average #

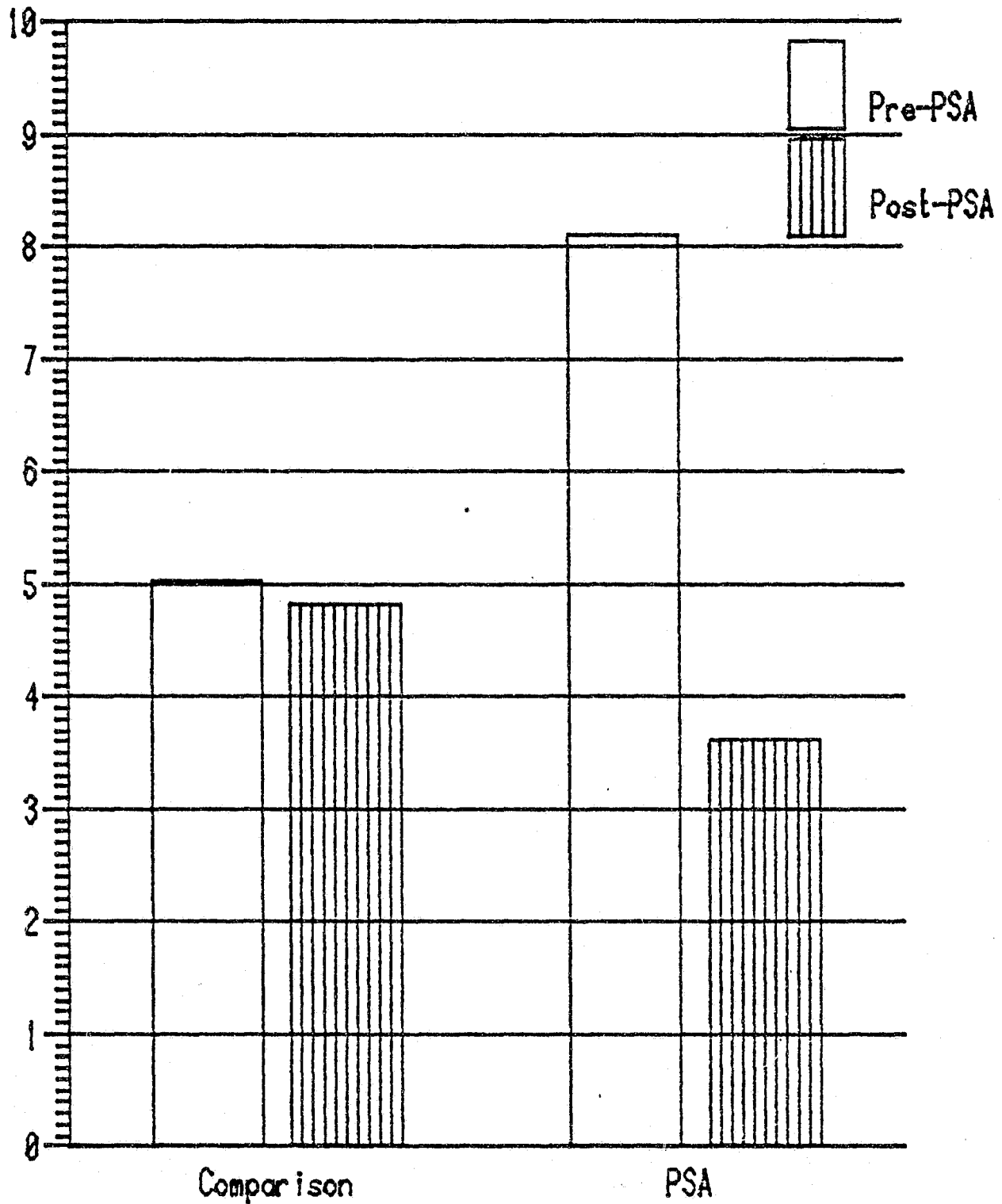
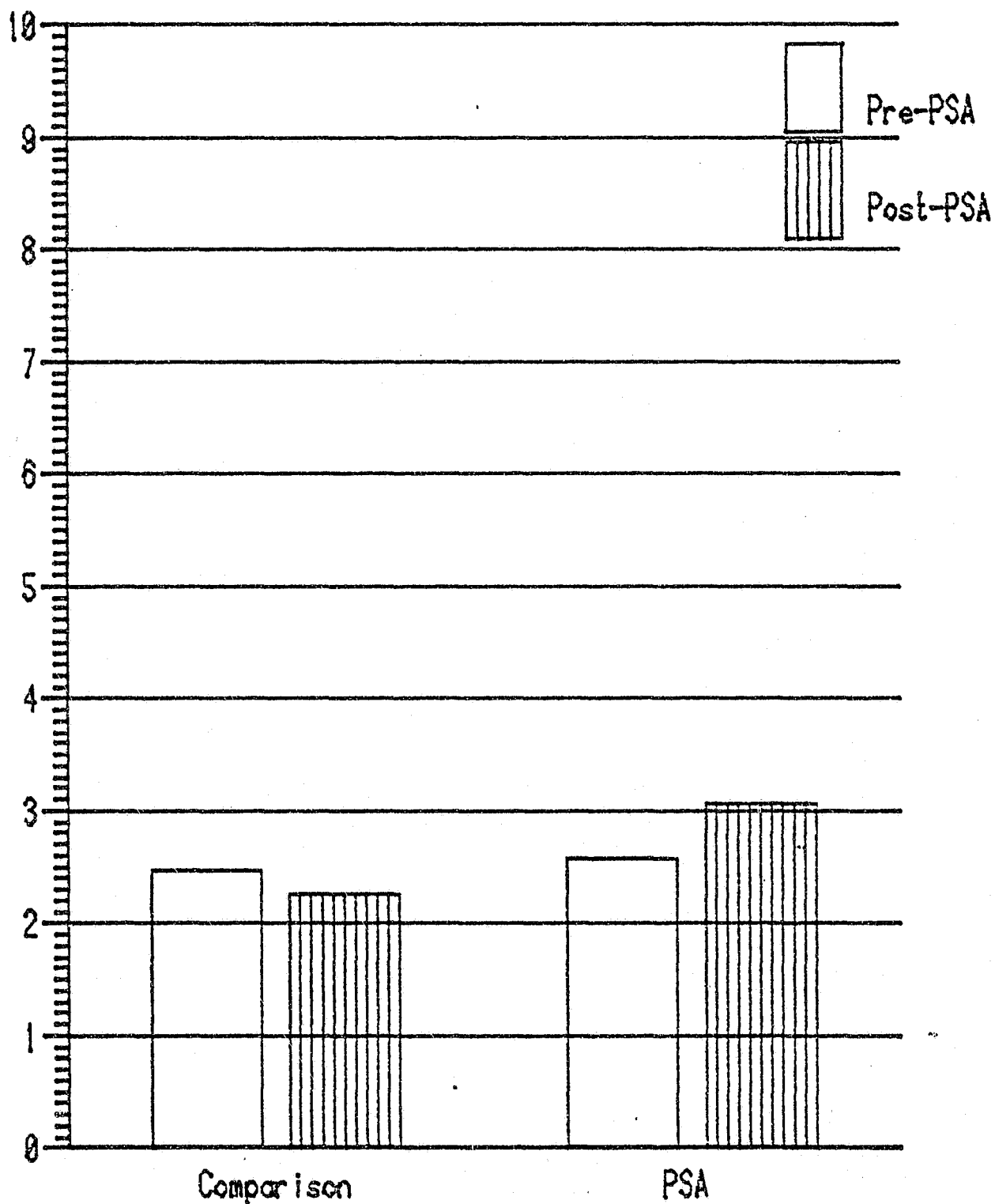


Figure III-18: Rearrests for Misdemeanors per Hundred Cases

Average #



The answer to the basic question, then, is that PSA districts improve (statistically) significantly more than comparison districts in reducing felonies, but not misdemeanors. It is important to recall the expectations with regard to crime on bail. Had there been less detention as a result of PSA, we might have expected more crime on bail; since there was not less detention, such expectations are not justified. On the other hand, PSA supervision was expected to reduce crime on bail. We have not examined supervision, but the reduction in felonies may be attributable, to some extent to this factor.

#### Boards of trustees vs. probation office management

In this section, we analyze the differences between the five pretrial service agencies managed by independent boards of trustees (board districts) and those managed by the district's probation office (probation districts). To repeat an earlier observation, we had no reason to believe that one form of management would be superior to the other, especially since general policies for both groups were made in the Pretrial Services Branch. In order not to permit our lack of expectations to affect our findings, we repeated here each pre/post analysis done for the PSA and comparison districts.

We were also able to examine and compare both groups over by dividing our time into more (but shorter) time intervals. This analysis, called the time-series analysis, permits a much closer focus than does the relatively clearer and simpler pre/post analysis. The findings, however, do not differ.

Board vs. probation pre/post analysisWas detention reduced more in board districts than in probation districts?

The answer to this question is more complex than the answers in the previous section. Overall, detention was reduced (statistically) significantly more in board districts than in probation districts, but when we examine detention for different categories of bail and offense severity, the reduction is eliminated. As figure III-19 shows, board districts decreased procedural detention by more than one day, while probation districts increased by about the same amount. This relationship holds for each of the factors used in the PSA vs. comparison district analysis, with one major exception.

The one statistically significant reversal occurs when type of bail is examined. Over sixty percent of the convicted PSA defendants had offenses in the "less serious" category. For defendants with less serious offenses, those in board districts had a larger decrease in procedural detention than did those in probation districts. For serious offenses, when money bail was used, both districts had an increase in procedural detention, but the board districts' was smaller. Where nonmoney bail was used, probation districts had a statistically significant greater decrease. This relationship is summarized in figure III-20.

Was the proportion of people detained at the initial hearings reduced more in board or probation districts?

A very similar result occurs at the initial bail hearing. Overall, board districts have an increased percentage of people making bail at the initial hearing, while proba-

Figure III-19: Procedural Detention - PSA Convicted

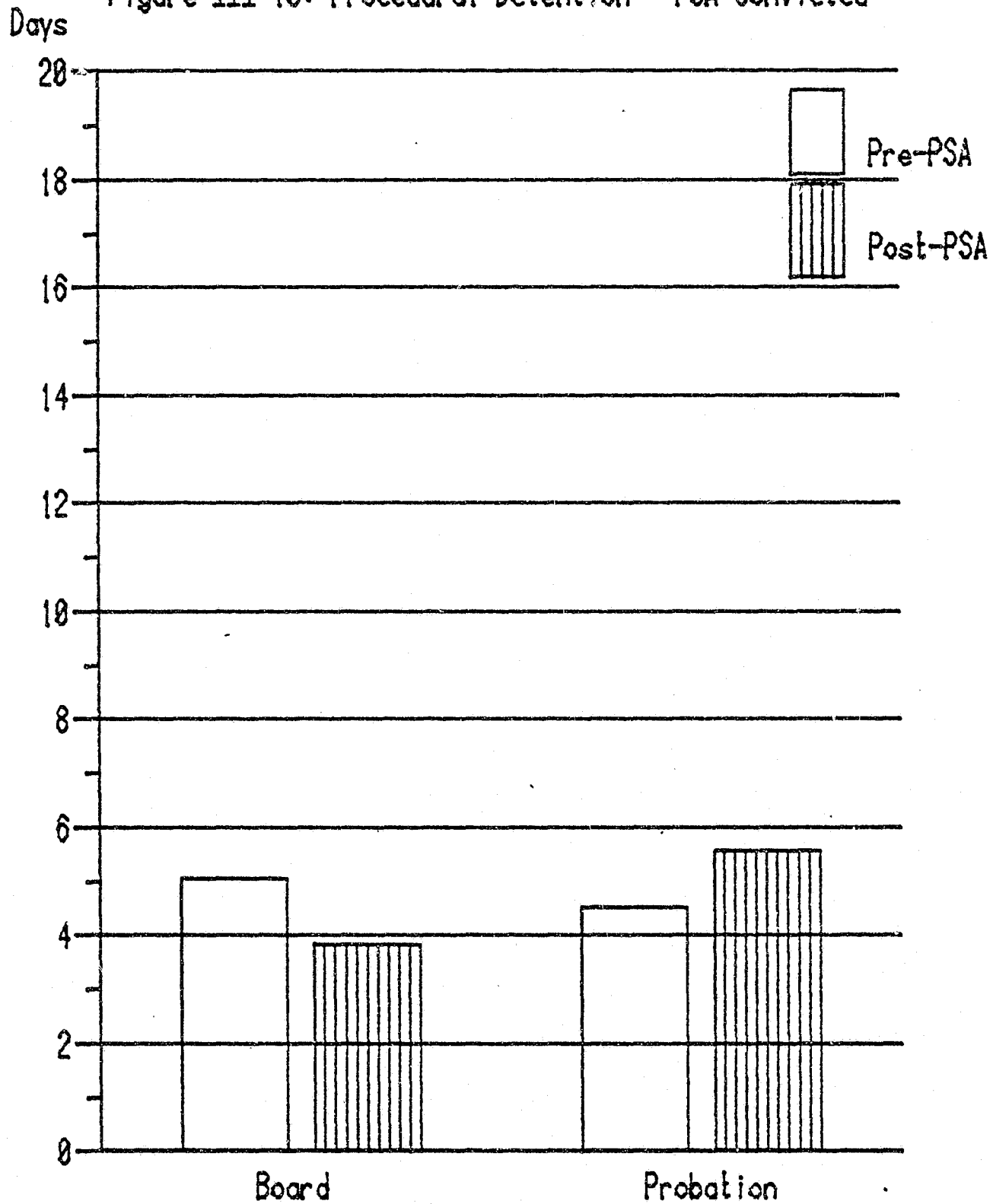


Figure III-20

Summary of Findings for Procedural Detention in PSA  
Districts, by Offense Severity and Type of Bail

	Serious Offense	Less Serious Offense
	-----	-----
	.	.
	.	.
	. Board districts had	.
	. smaller increase in	.
Money	. procedural detention	.
Bail	.	.
	. (5,089 defendants)	.
	-----	.
	.	. Board districts
	.	. had larger decrease
	.	. in procedural
	.	. detention
	. Probation districts	.
Nonmoney	. had larger decrease	. (14,468 defendants)
Bail	. in procedural	.
	. detention	.
	.	.
	. (3,408 defendants)	.
	-----	-----

tion districts have a reduced percentage making bail (figure III-21). The relationship when the factors are considered is less clear, in that it does not hold for either offense category.

Most striking, however, is the total lack of difference between board and probation districts in defendants where money bail is used. As figure III-22 makes clear, the increase in percentage of people making bail at the initial hearing is nearly identical for the two sets of districts when money bail is used. Equally striking is the relationship for the two levels of offense severity (figure III-23). When these two factors are considered, the differences between board and probation districts disappear.

Figure III-21: Bail Not Made at Initial Hearing - PSA

Percentage

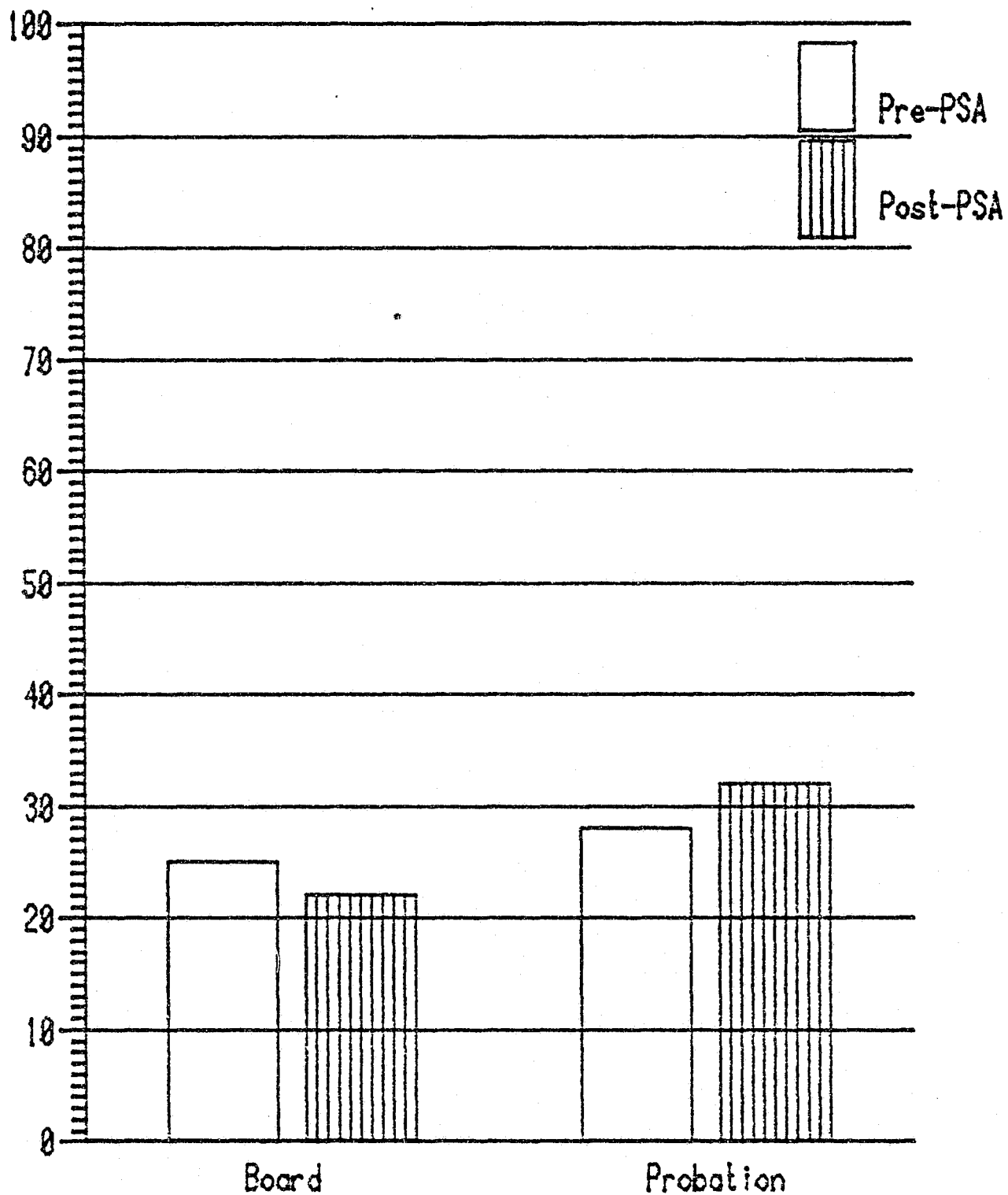




Figure III-22: Bail Not Made at Init. Hearing - Money Bail

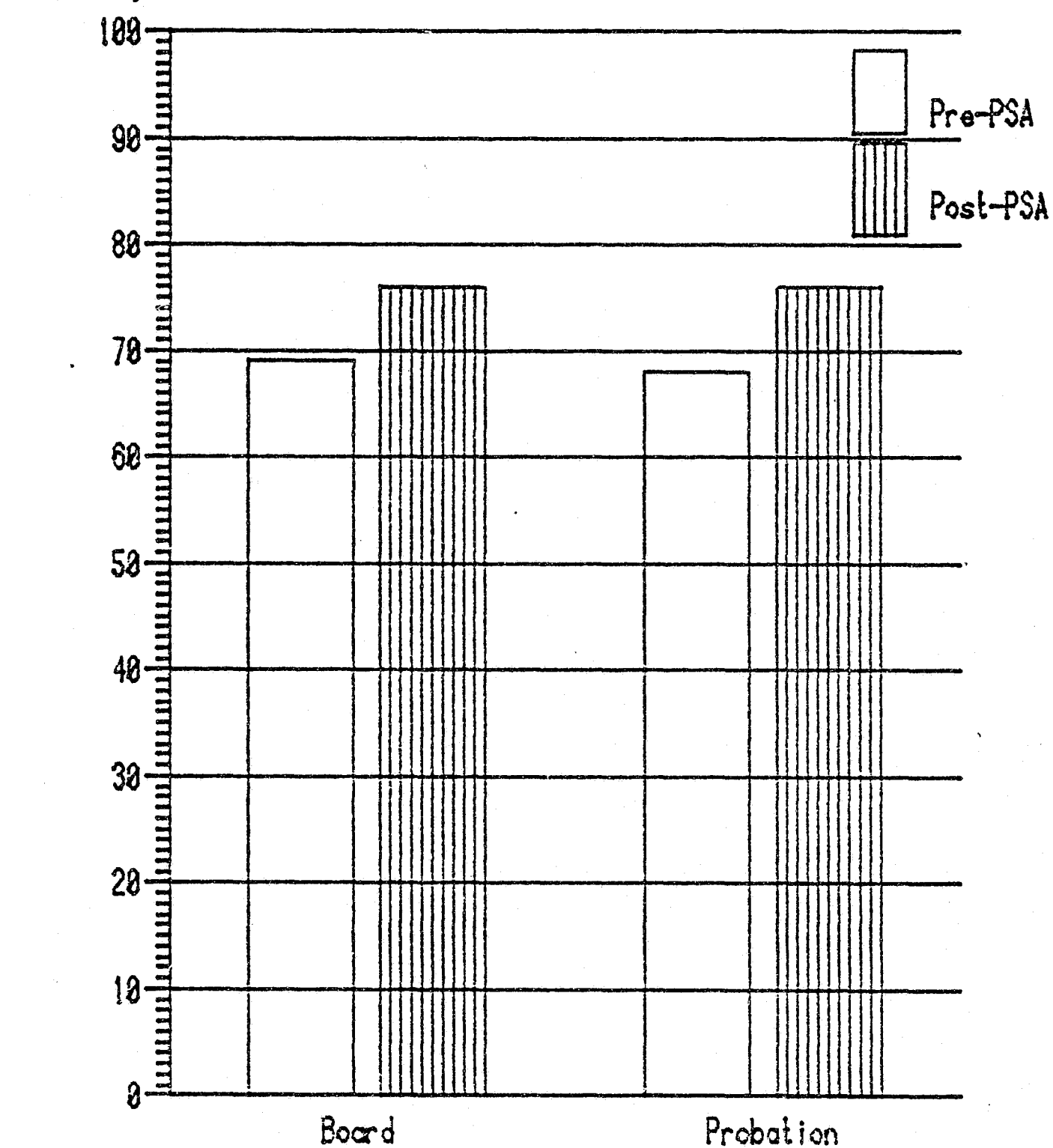


Figure III-23a: Bail Not Made at Init. Hearing - Serious Of.  
Percentage

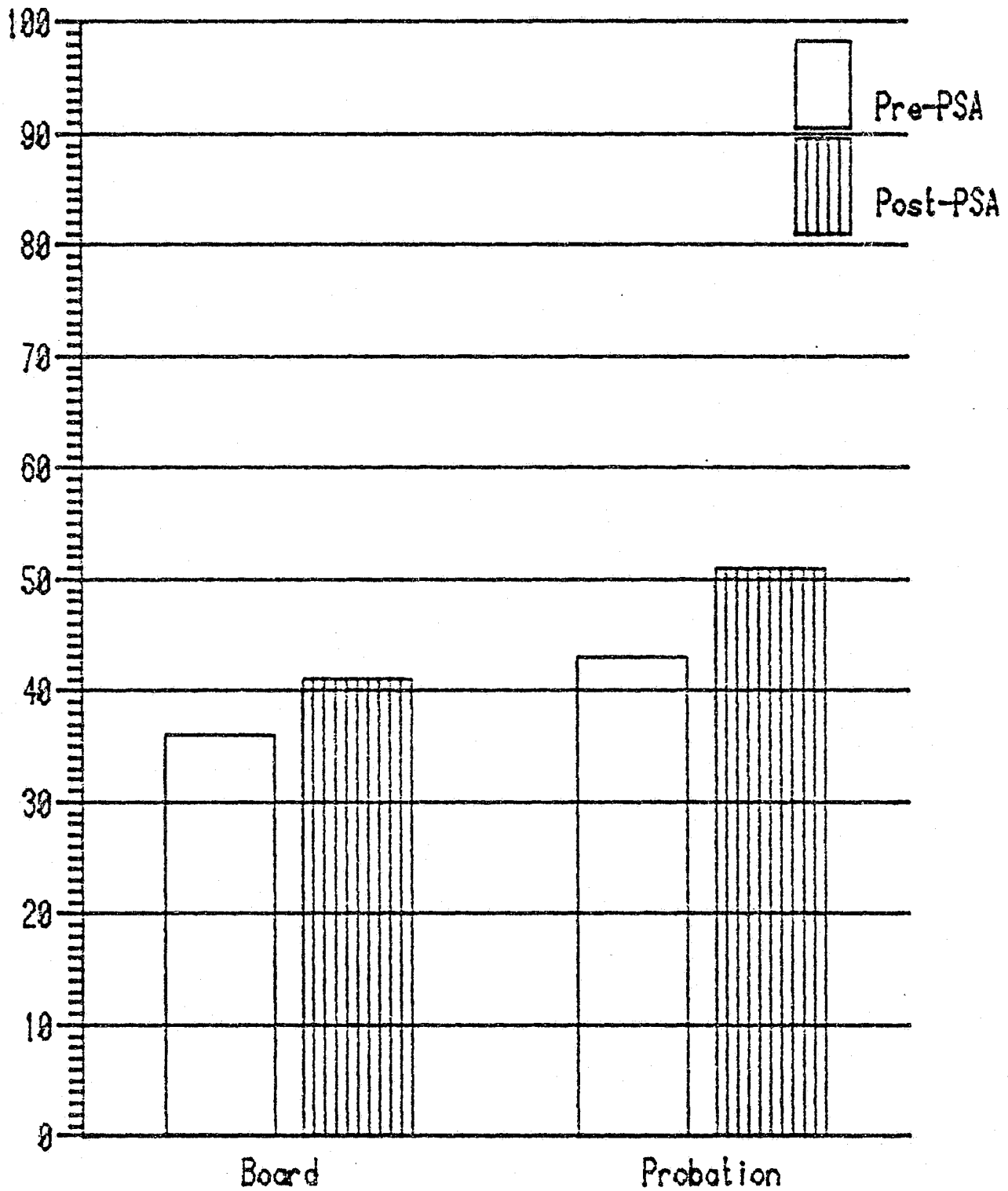
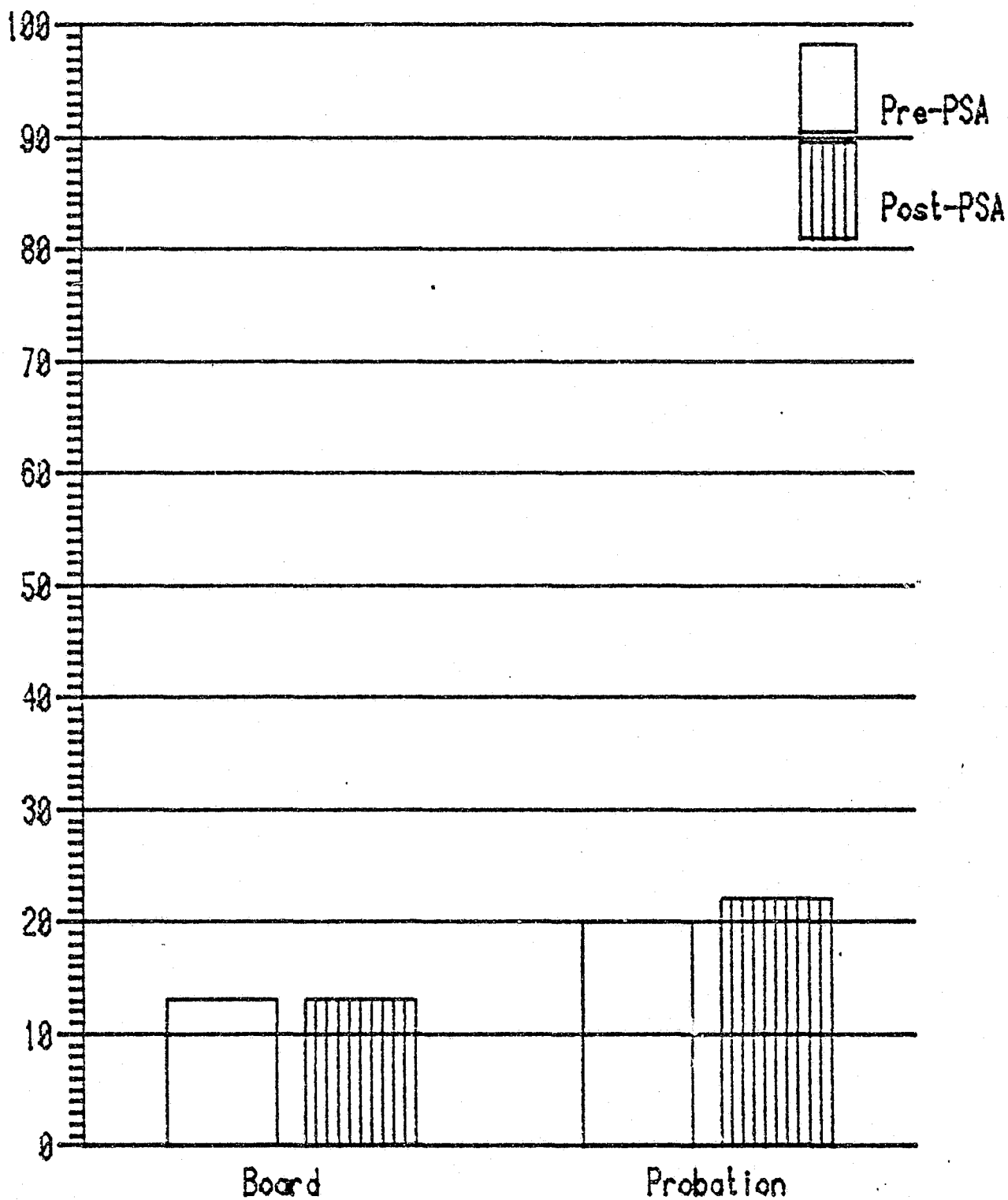


Fig. III-23b: Bail Not Made at Init. Hear. - Less Ser. Of.  
Percentage



Was the number of people ever detained during the pretrial process reduced more in board or probation districts?

Again, as shown in figure III-24, board districts had a reduction in the number of people ever detained, while probation districts had an increase. But when the seriousness of the offenses and the use of money bail is considered, the differences are eliminated. As figure III-25 clearly shows, for serious offenses, both groups of districts have essentially the same increase in percentage of people detained. For less serious offenses, neither group changes. For nonmoney bail (figure III-26), the overall pattern is reversed, although it is not statistically significant.

Was the proportion of pretrial time detained reduced more in board or probation districts?

Finally, the pattern is maintained here, too. Overall, as in figure III-27, board districts have a reduction in proportion of time detained, while probation districts show no change. For serious offenses (figure III-28), board districts do not change and probation districts increase, while for less serious offenses, each decreases the same amount. For both money bail and nonmoney bail (figure III-29), however, both sets of districts show the same patterns. As figure III-30 demonstrates, when money bail is used, board and probation districts had exactly the opposite effects on offense severity. The overall difference between board and probation districts, here too, comes from the different postPSA incidence of serious offenses and consequently, of money bail.

Figure III-24: Ever Detained During Pretrial Period

Percentage

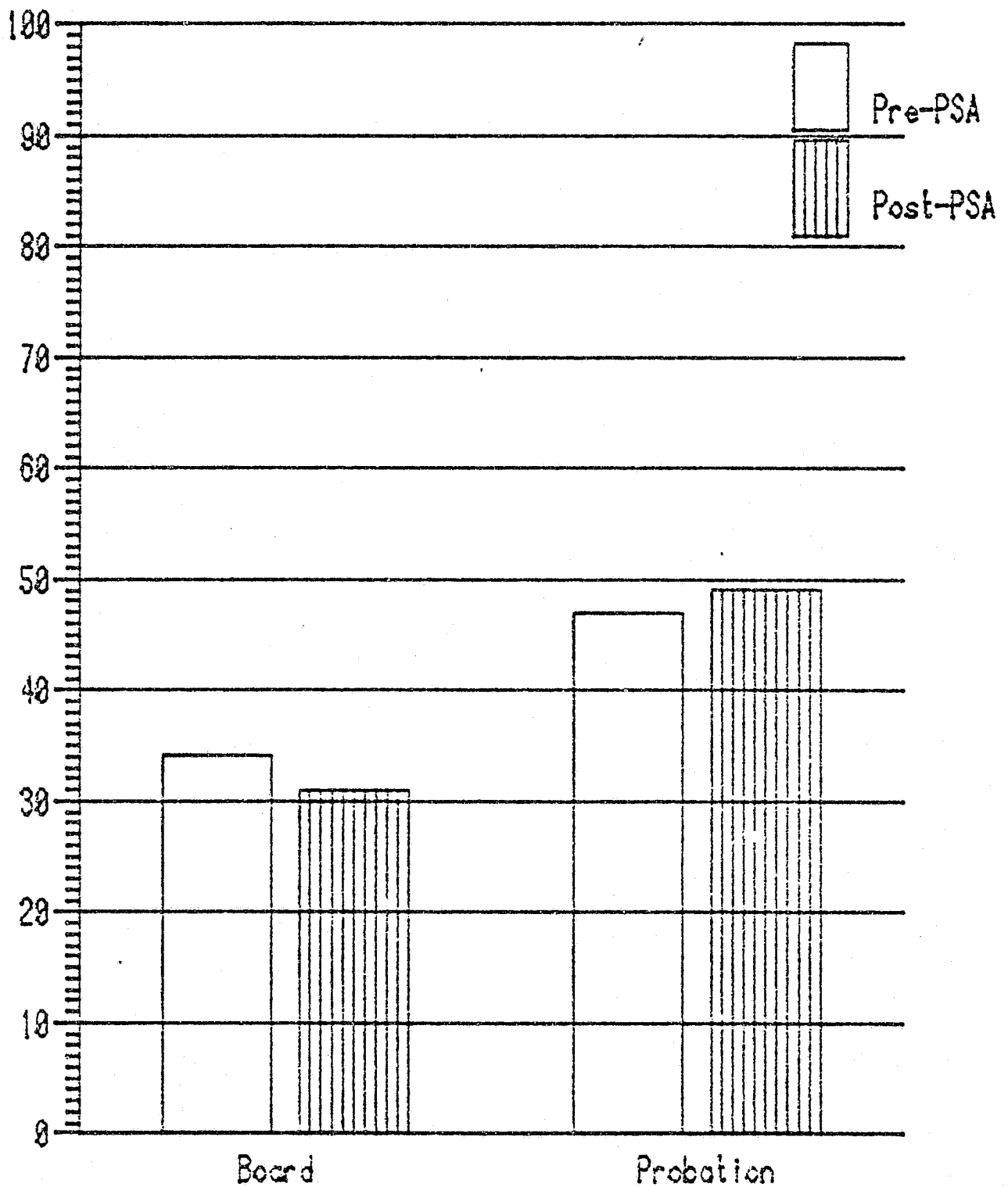


Figure III-25a: Ever Detained - Serious Offenses

Percentage

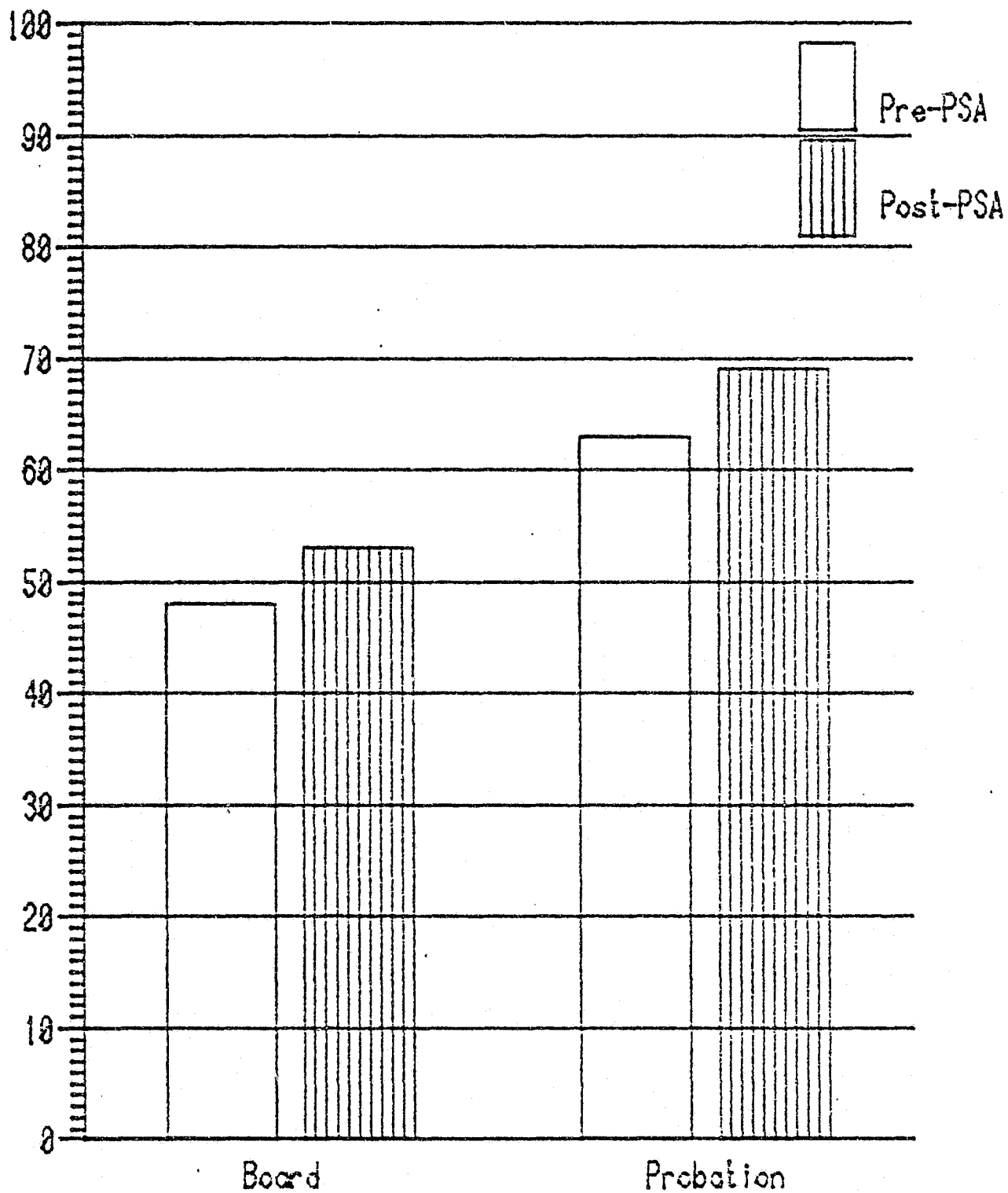


Figure III-25b: Ever Detained - Less Serious Offenses

Percentage

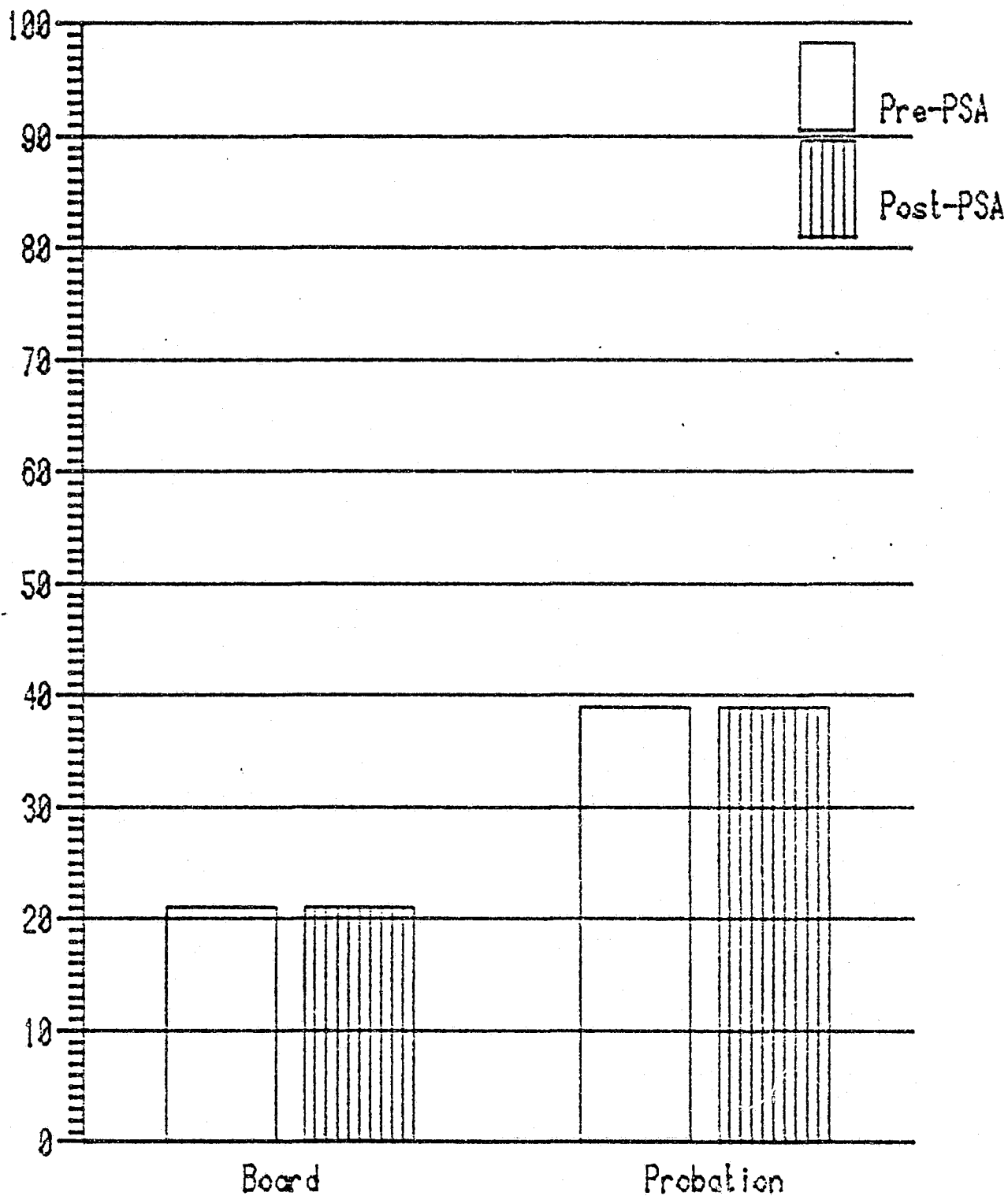


Figure III-26a: Ever Detained - Nonmoney Bail

Percentage

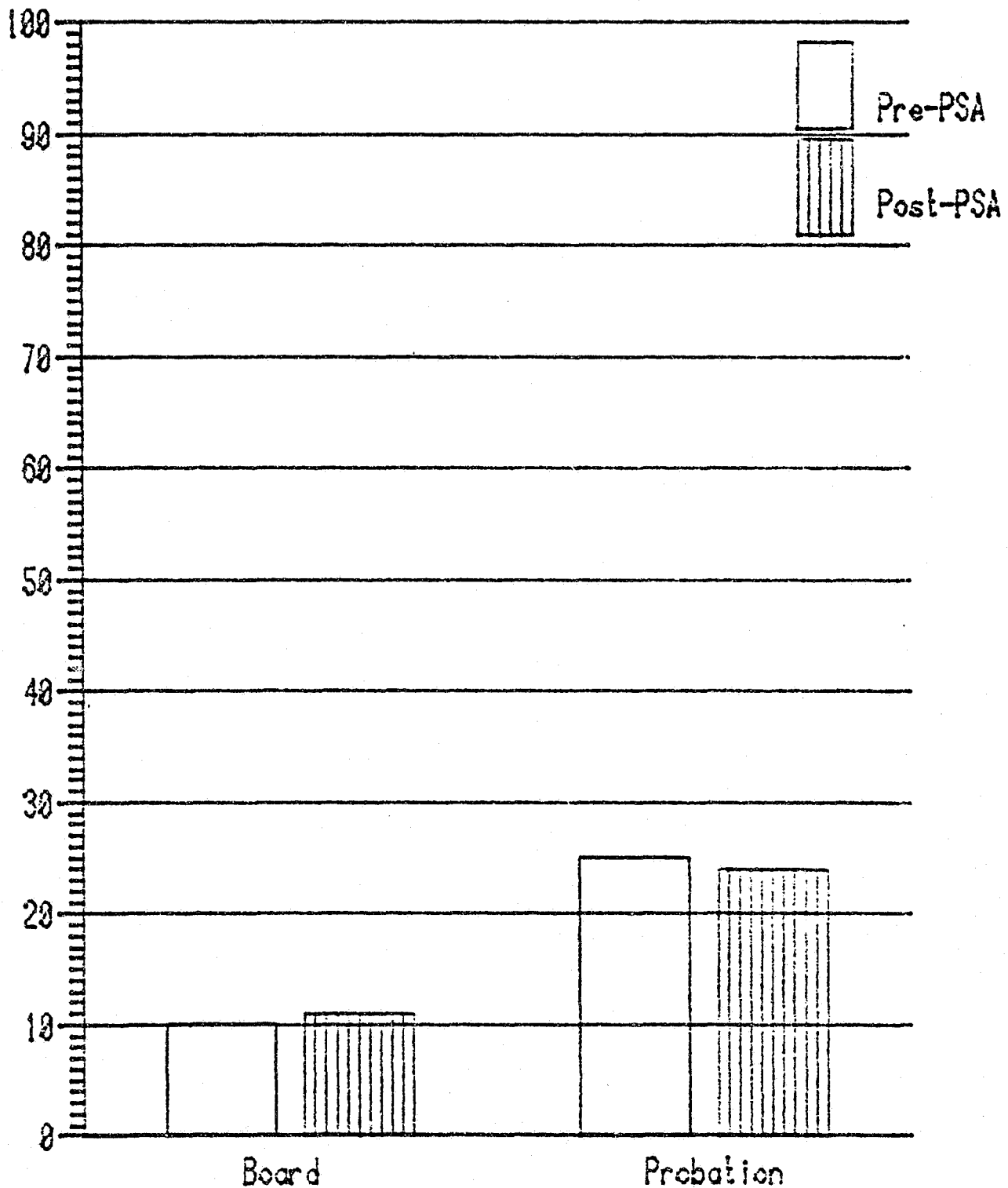




Figure III-26b: Ever Detained - Money Bail

Percentage

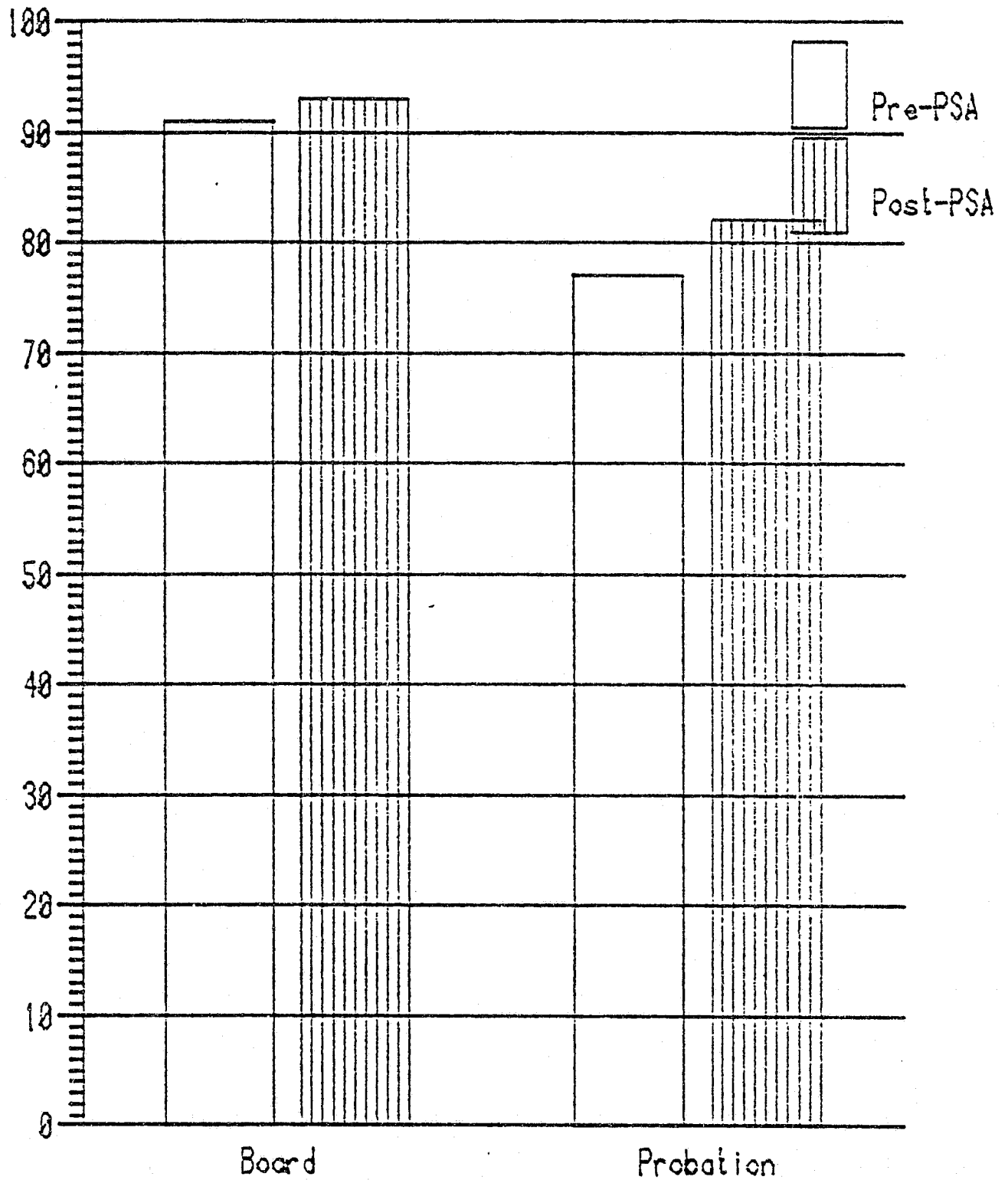


Figure III-27: Proportion of Pretrial Time Detained

Percentage

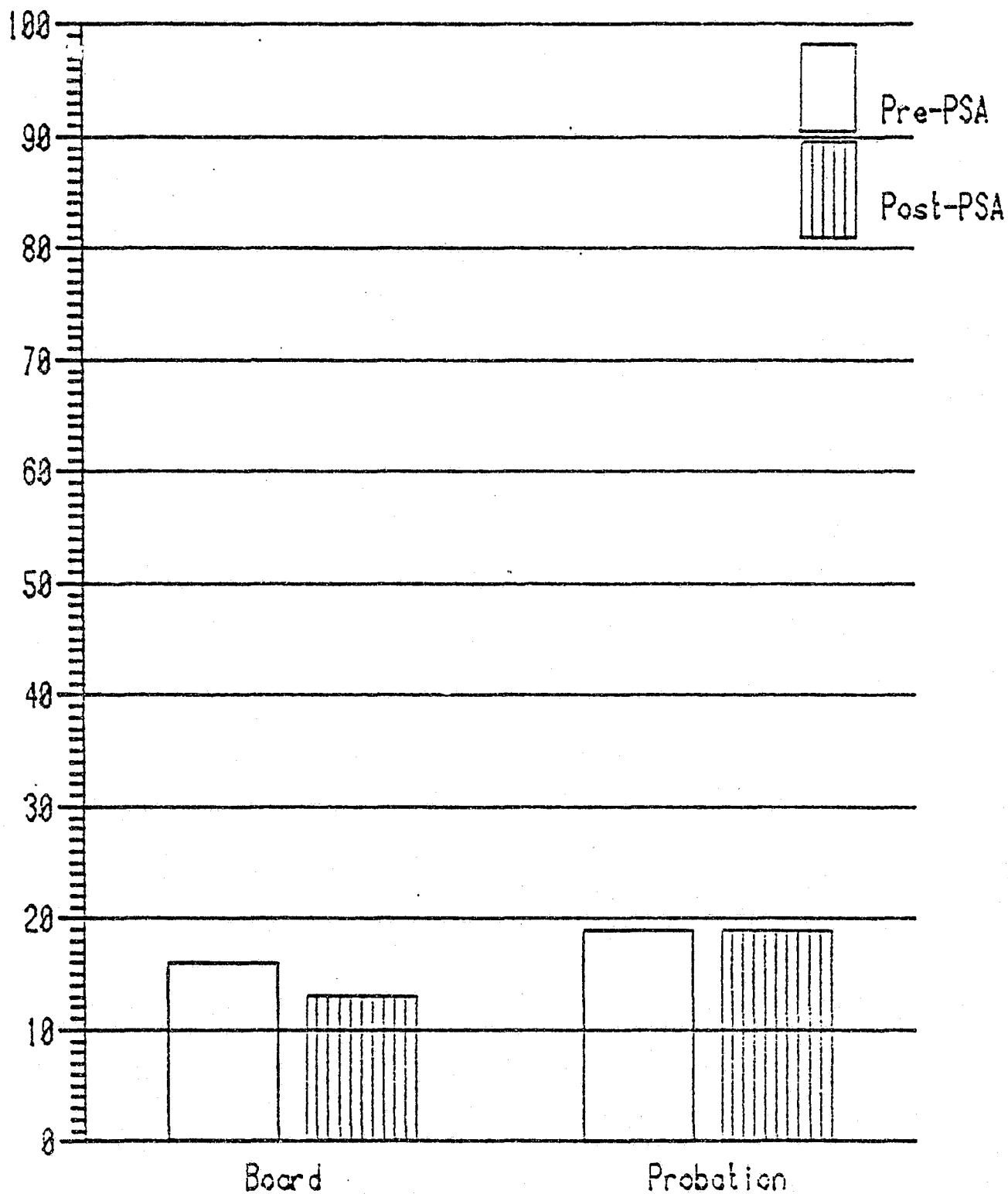


Figure III-28a: Proportion of Time Detained - Ser. Offenses

Percentage

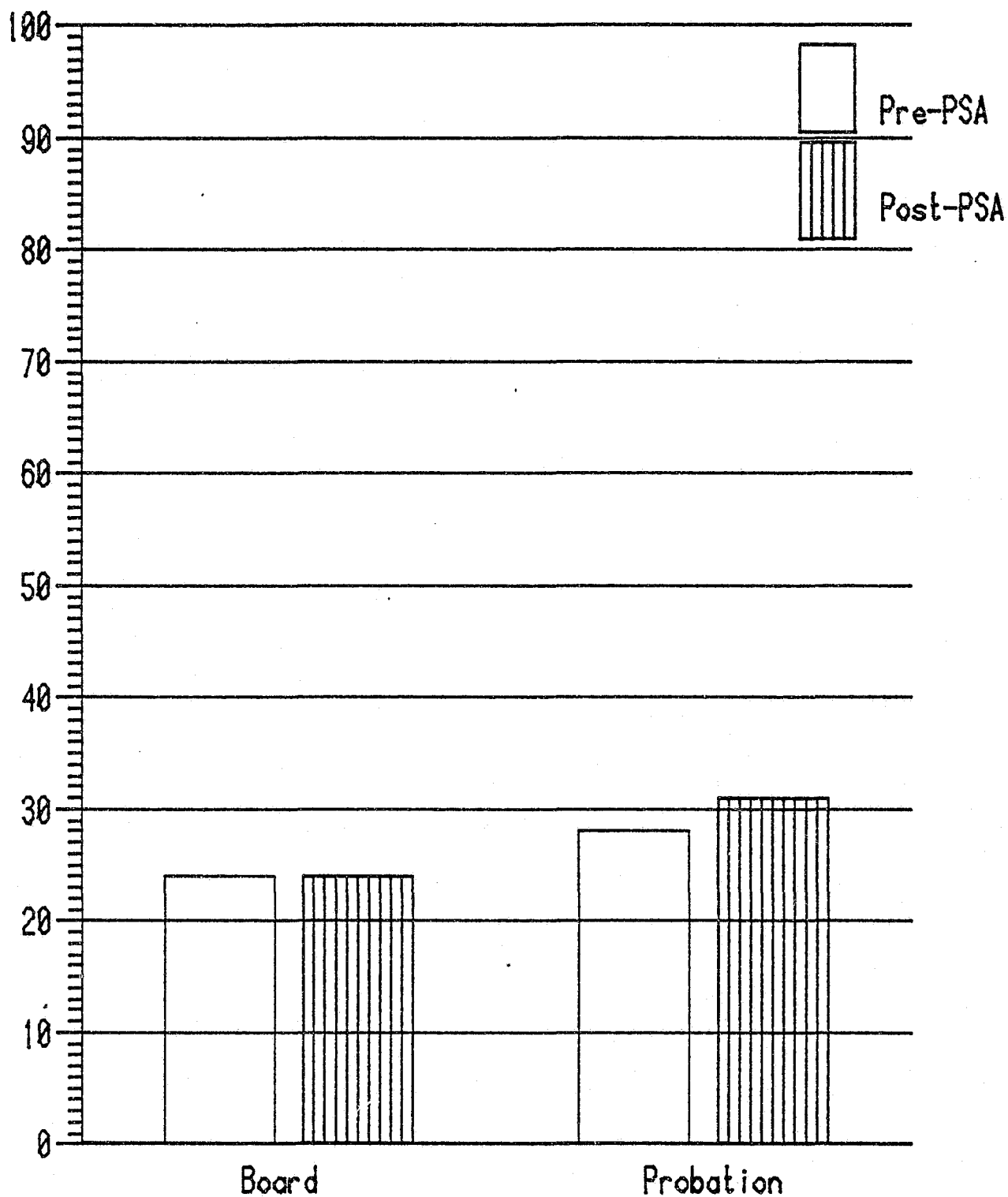


Figure III-28b: Proportion of Time Detained - Less Ser. Of.

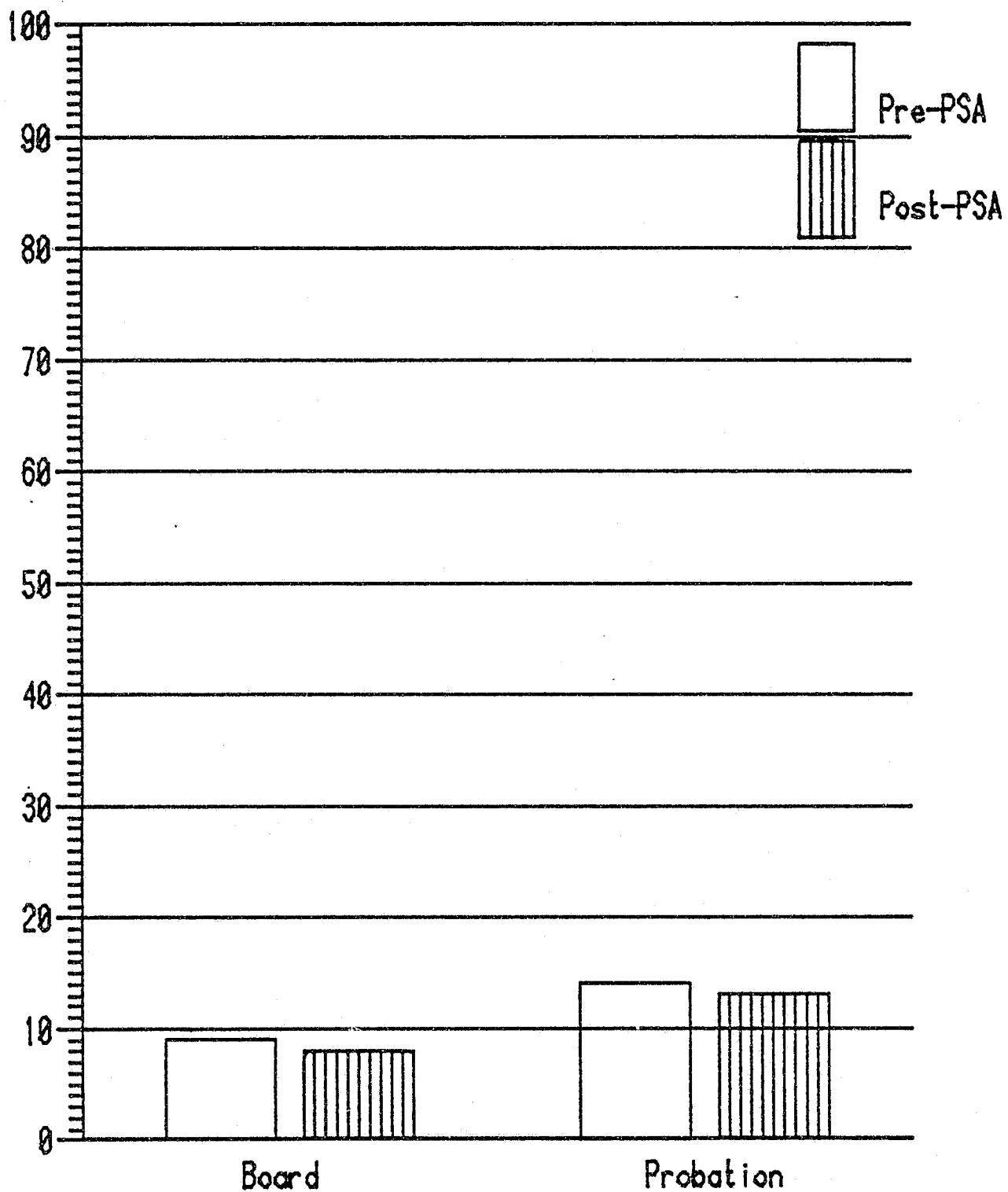


Figure III-29a: Proportion of Time Detained - Nonmoney Bail

Percentage

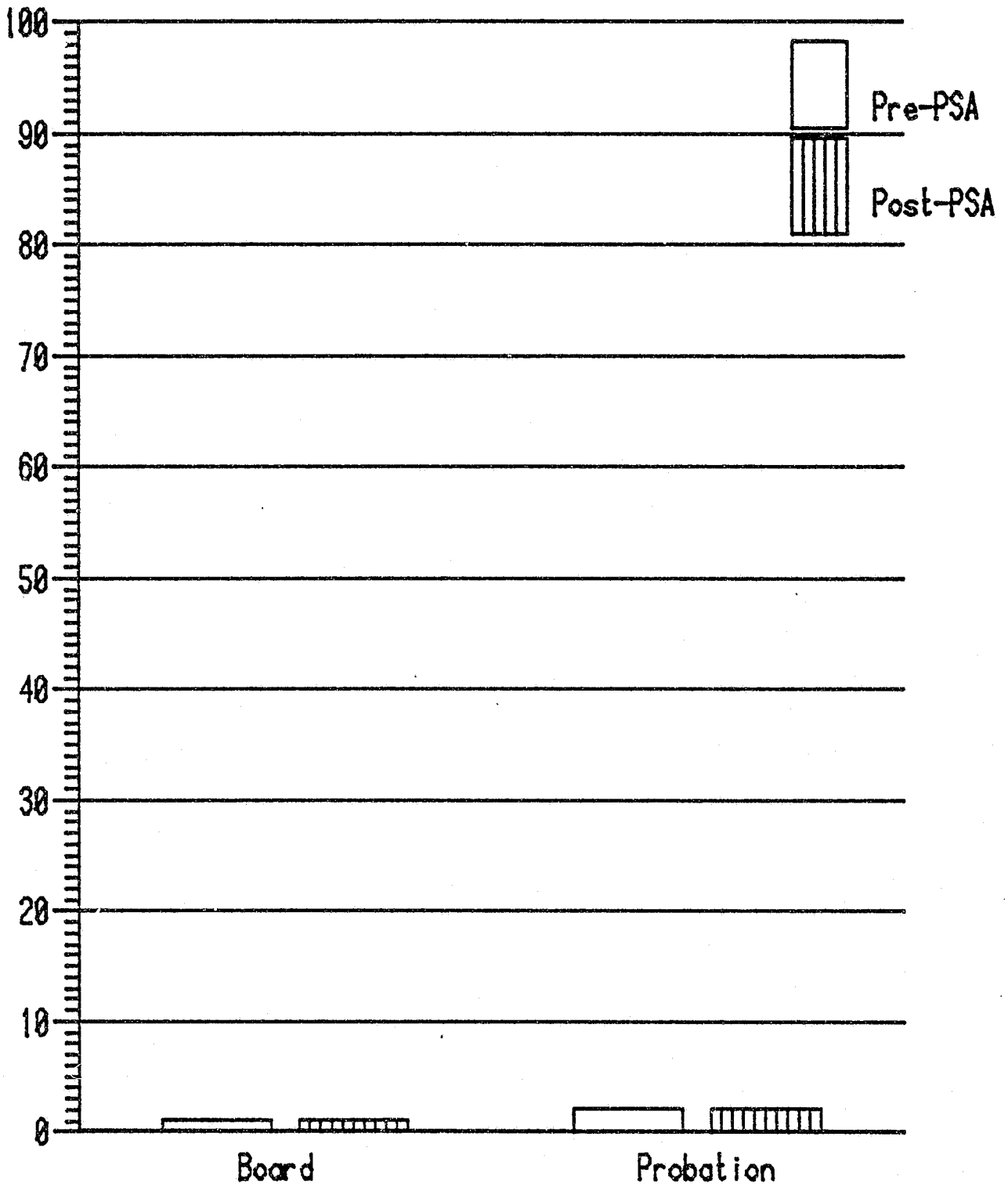


Figure III-29b: Proportion of Time Detained - Money Bail

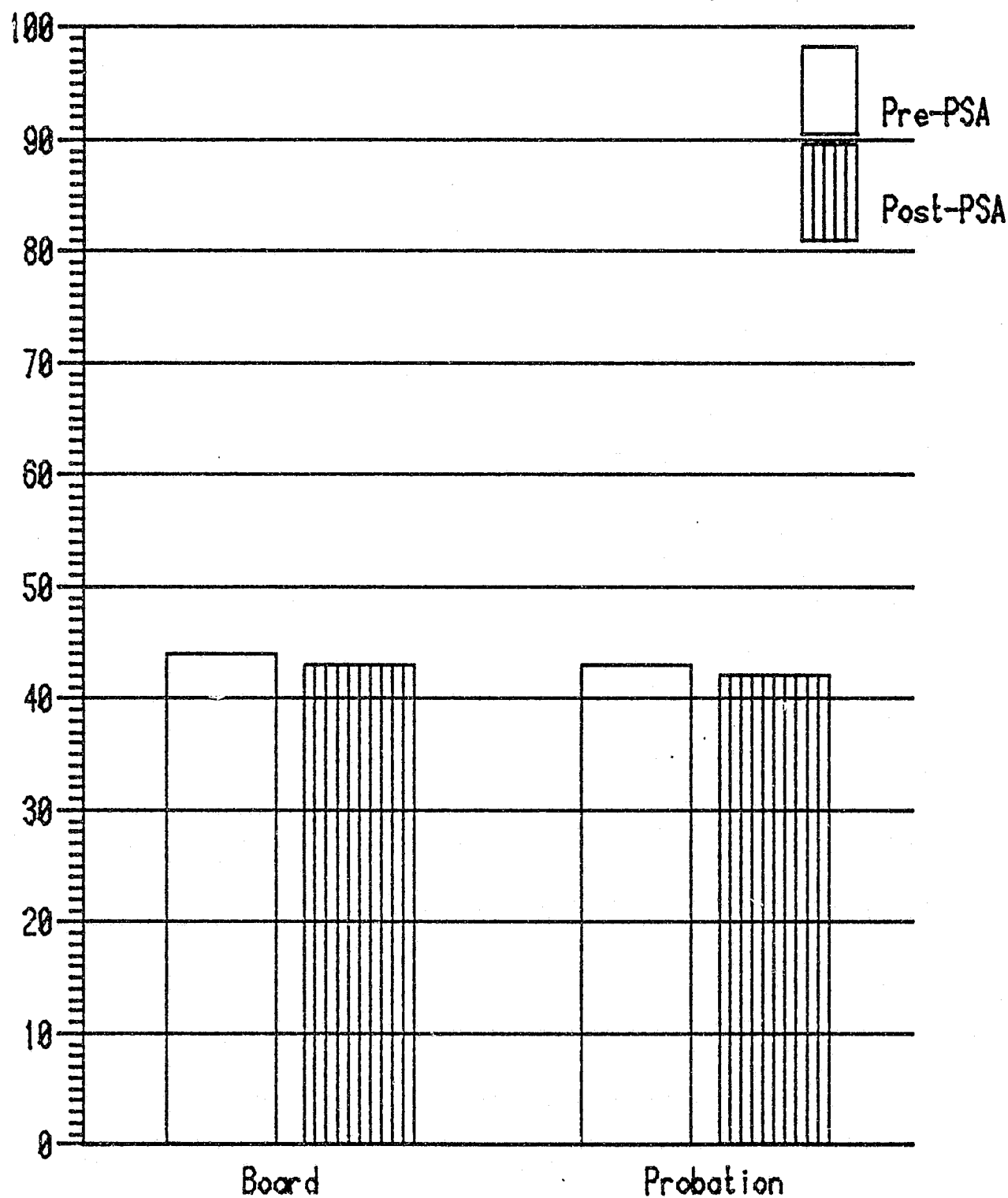


Figure III-30

Summary of Findings for Proportion of Time Detained  
in PSA Districts by Offense Severity and Type of Bail

	Serious Offense	Less Serious Offense
	-----	-----
Money bail	. Board districts de-	. Probation districts .
	. crease, probation	. decrease, board .
	. districts increase	. districts increase .
	. (5,086 defendants)	. (3,758 defendants) .
	. .	. .
	-----	-----
Nonmoney bail	. Board and probation districts	. .
	. had no change	. .
	. .	. .
	. (13,969 defendants)	. .
	. .	. .
	-----	-----

Were there any differences in detention between board  
and probation districts?

The conclusion is clear: the pre/post differences in detention rates between the probation and board districts can be explained in relation to the seriousness of the offense charged and the use of nonmoney bail. Our findings indicate that the overall differences come from the fact that in prePSA periods, board districts have dealt with less serious offenses and have consequently used nonmoney bail more often than probation districts. It does not appear that the reduced detention postPSA in board districts came from more frequent making of money bail.

Was there a difference in failures to appear between board and probation districts?

The answer is clear in this analysis. Actual FTAs are reduced (statistically) significantly more in probation districts than in board districts. This effect is shown in figure III-31. (It holds for all factors except citizenship, where it fails to hold for illegal aliens.) Our second measure, FTAs per hundred bail days, emphasizes the relationship (figure III-32). Not only is it statistically significant, but the difference is accentuated by the observation that board districts increase while probation districts decrease. We have not yet done the analysis on the factors that could possibly reduce the effect, so we must be more tentative than usual in our statement of a finding here.

Was there a difference in crime on bail between board and probation districts?

As figures III-33 and III-34 clearly show, the answer is simply no. Neither by themselves, nor taking the various factors into account is there a statistically significant difference between board and probation districts in the number of felonies or misdemeanors committed while on bail.

Board vs. probation time-series analyses

As described in the statistical appendix, a time-series analysis is an examination of data at more than one point in time. In time-series analyses the more time points are available, the better for the analysis, the purpose of which is usually to investigate the details of the ups and downs. Overall trends can be examined; individual devia-



Figure III-31: Failures to Appear per Hundred Cases

Average #

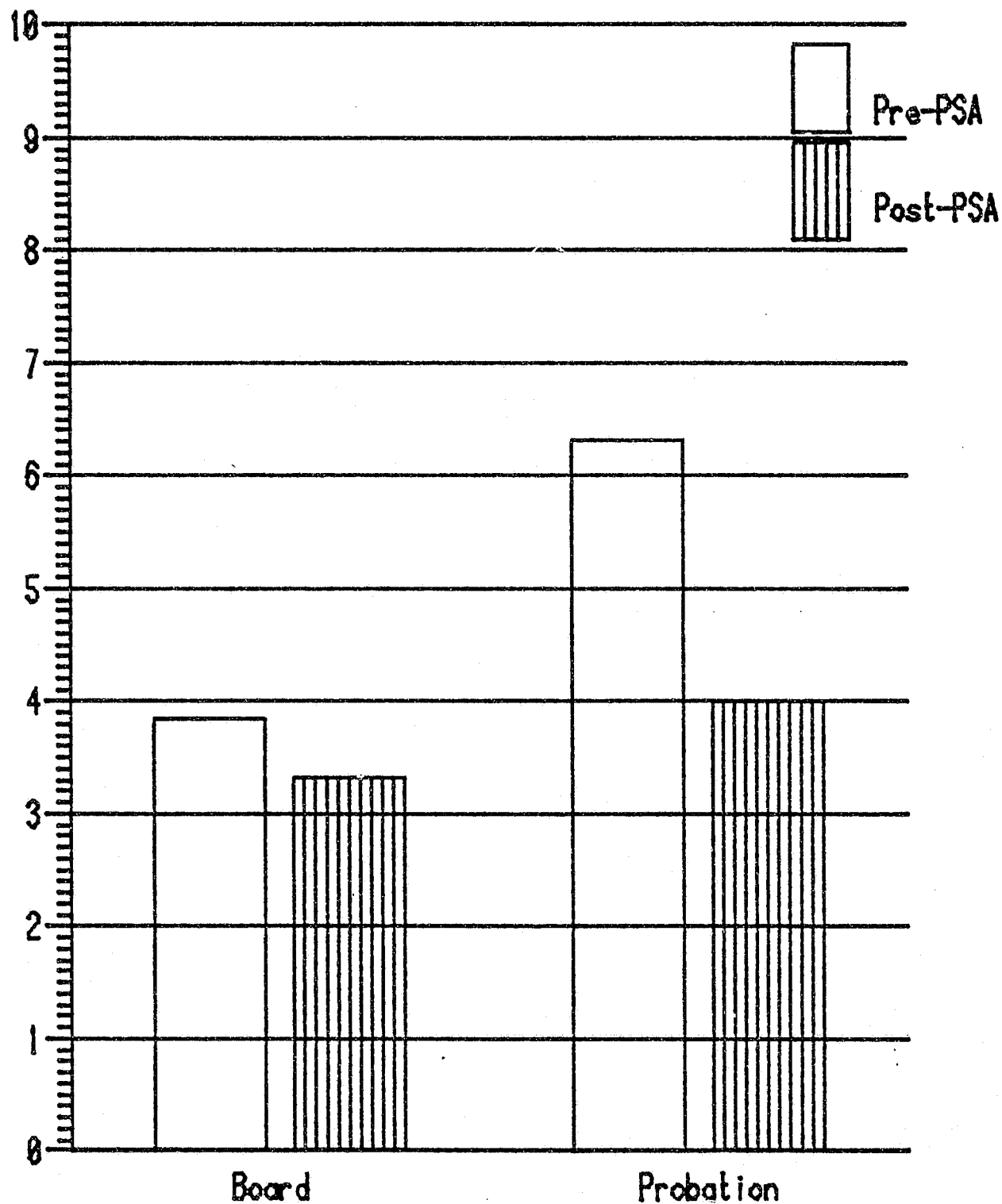


Figure III-32: Failures to Appear per Hundred Bail Days

Average  $\frac{\#}{100}$

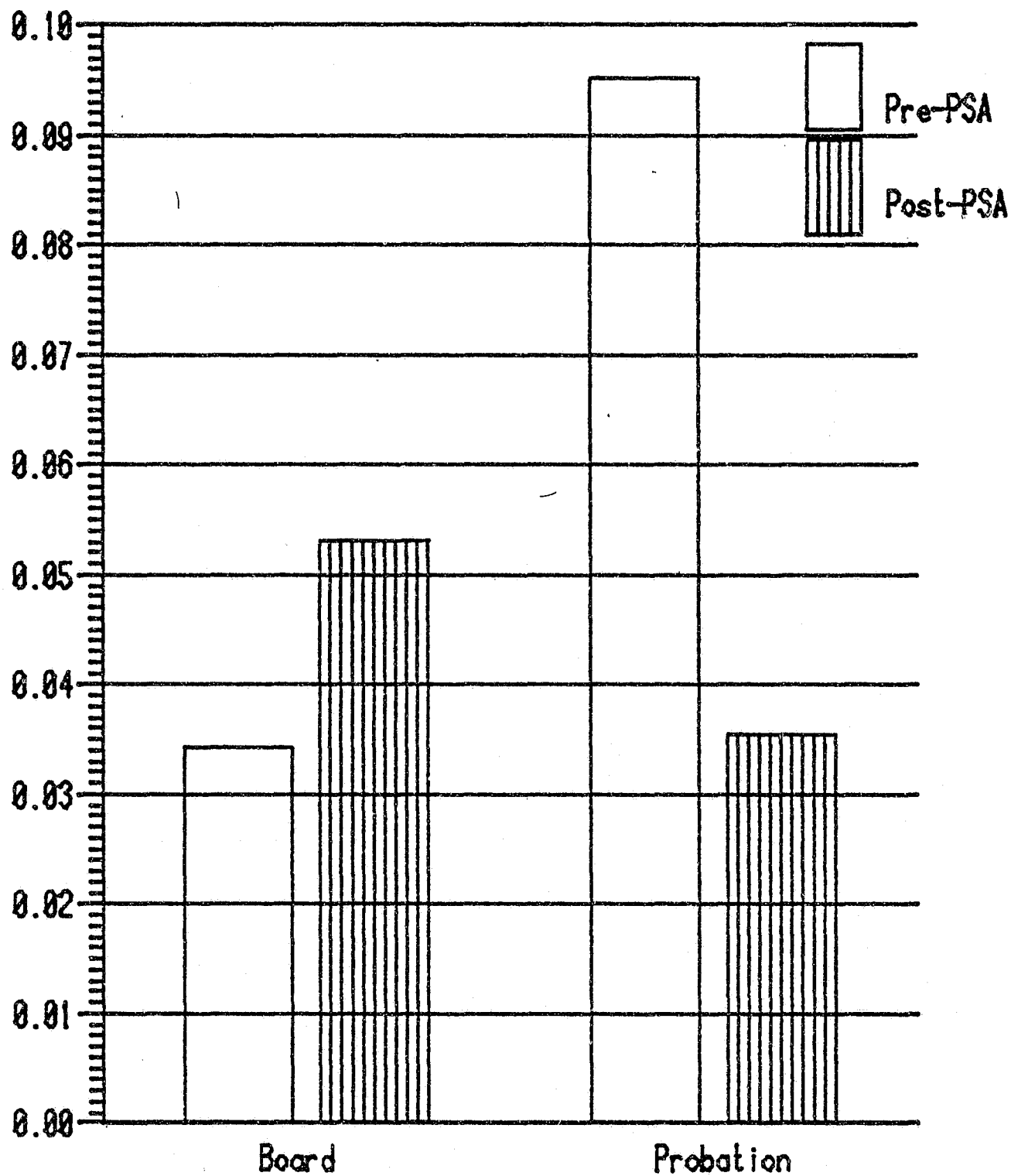
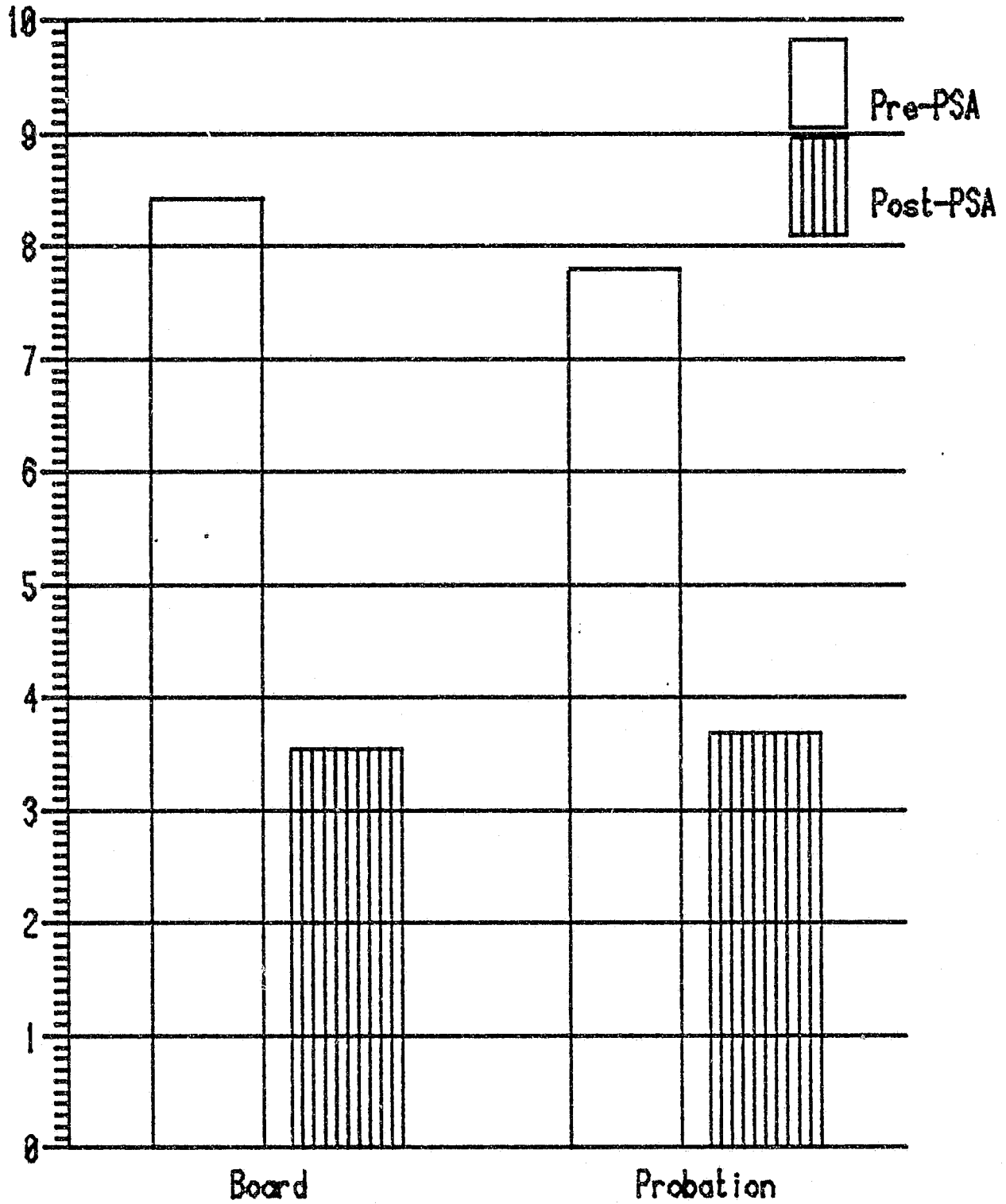
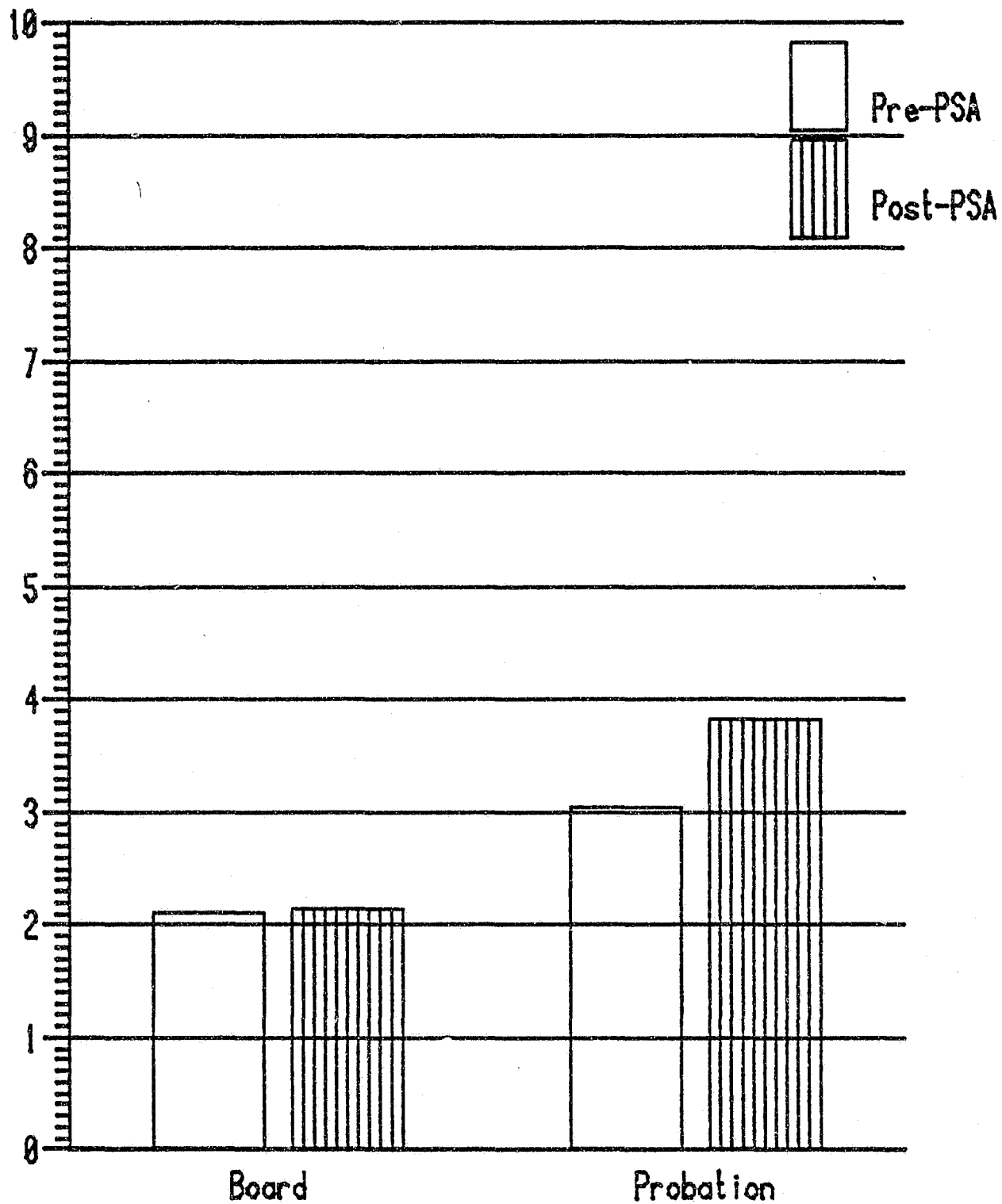


Figure III-33: Rearrests for Felonies per Hundred Cases

Average #



Average # Figure III-34: Misdemeanor Rearrests per Hundred Cases



tions from trends can be analyzed; beginning and ending effects, isolated.

We will use time-series analyses for two purposes. The first is simply to display the ups and downs for whatever interest they may hold. The second is to determine whether the trends changed from the pre period to the post period. The first purpose is basically nonstatistical, the second, fundamentally statistical.

#### Time-series basics

We have used the PSA data for the entire five-year period by breaking it into quarters -- three-month periods. PostPSA defendants were identified by the month of the interview. PrePSA defendants were identified only by docket number, so it was necessary to obtain from the court the docket number of the last defendant filed on the last business day of each three month period and sort the defendants into the proper period that way. We were unable to obtain this information for Los Angeles in 1974 (the first of the two prePSA years).

Since all districts did not begin processing defendants during the same calendar quarter, each district has a "zero" quarter that represents the period when PSA was implemented, and that quarter is not included in the statistical analysis because of the instabilities in the first months of learning to be a PSA district. The districts that began processing PSA defendants in the last quarter of 1975 were Northern District of Illinois, Northern District of Georgia, Northern District of Texas, and the Western District of Missouri. The other districts began operation in the first quarter of 1976.

There are two problems with the data organized into quarters that affect time-series analysis but not pre/post analysis. The first is the relatively low number of cases filed and closed during the last few quarters. Since a case was not included in the data until it was closed, cases begun in recent months were less likely to have been closed than earlier cases. Thus, a substantial drop off in cases in the two final quarters occurs. Cases that are included, then, tend to be of shorter duration, and thus could bias the overall analysis. On the other hand, there were relatively few of them, so any bias would be small. We decided to include all such cases in spite of the bias in order not to miss changes in the patterns that appear in the most recent period.

The second problem is that there is a seasonality in the data that appears only when it is broken down into quarters or shorter periods. This came to our attention when we began to plot the data. As will be displayed below, during the spring, most districts show drops in detention-related phenomena. Another drop occurs during the fall quarter. We do not believe that the seasonality is a serious problem for analysis, except insofar as the underrepresentation of the last two quarters has induced a bias towards first and second quarter cases in the results. We intend to correct for seasonality in an early reanalysis.

### Analysis

This section of the report will be limited to a presentation and discussion of a set of graphs of the various aspects of detention for board and probation districts, over the five year (20 quarter) period of the data collection. Each graph has two set of lines. The quarterly averages for

probation districts are displayed as "0"s and those for board districts are displayed as "\*"s. Solid lines connect the quarterly averages for each aspect of detention. The dotted lines represent the trend lines (direction) that best fit the board districts for the appropriate--pre or post--period. Dashed lines represent the best fit for probation districts.

We do not intend to comment upon changes in the level at which the trend lines meet (at the zero quarter). We are do not believe that there is anything of importance in whether the best fit line increases or decreases in level, particularly since the changes in the direction at the zero quarter are small relative to normal quarter-to-quarter changes.

We do test the significance of changes in direction occurring after the implementation of PSA, as well as the difference in the changes between the board and probation districts. It is entirely possible that both board and probation districts will have individually statistically significant changes in direction, but if the changes are approximately equal, it is possible that the difference will not be statistically significant.

A final repetition of a critical caveat: we cannot statistically attribute changes or lack thereof to PSA, per se. Since we do not have the comparison districts as an anchor, we cannot say that a change is the result of Title I or Title II of the Speedy Trial Act. We can simply determine whether a change in direction took place around the period when PSA was being implemented.

### Findings

The ups and downs of procedural detention fall into a very distinct pattern (figure III-35), a pattern that is repeated for all aspects of detention. Before 1976 there was much less of a difference in overall levels than afterwards, but the trends were already moving in a direction that had board districts overtaking probation districts. After 1976, the directions of both lines change substantially (but because of the large amount of variation, not statistically significantly), and the overall level changed as well. Both sets of districts improve their procedural detention figures, with board districts showing the same small improvement in trend that it showed before 1976.

The only difference in the pattern of percent of people detained at their initial hearing (figure III-36) and procedural detention is that the direction changes even less with initial bail hearing. The difference, however, is that the overall change in the direction from pre to post is not statistically significant because of the reduced variability. Otherwise, the same similarity of pre-1976 levels occurs, along with the increased spread of their overall levels, and no relative change in direction afterwards.

Not to be repetitious, but the effect on the percentage of people ever detained at some point in their pretrial process (figure III-37) is the same. Actually, there is one difference, in that the direction of pre-1976 probation districts was statistically significantly different from board districts (much worse) and was not statistically significantly different afterwards. The probation districts, in other words, actually improved their trends statistically significantly more than the board districts, although the levels of the two still favored the board districts.



FIGURE III-35

# AVERAGE DAYS OF PROCEDURAL DETENTION

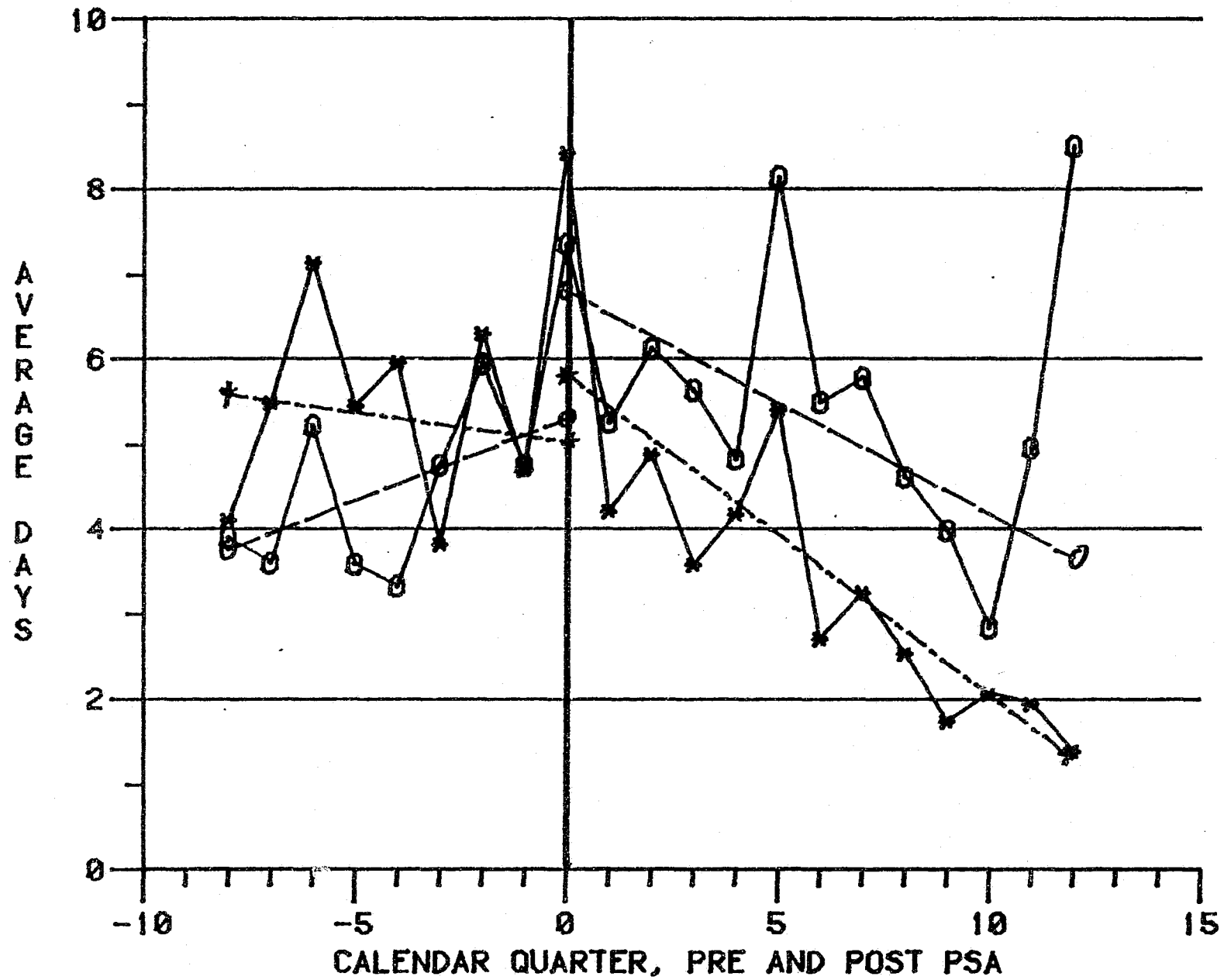


FIGURE III-36

# PERCENT OF CASES NOT MAKING BAIL AT INITIAL HEARING

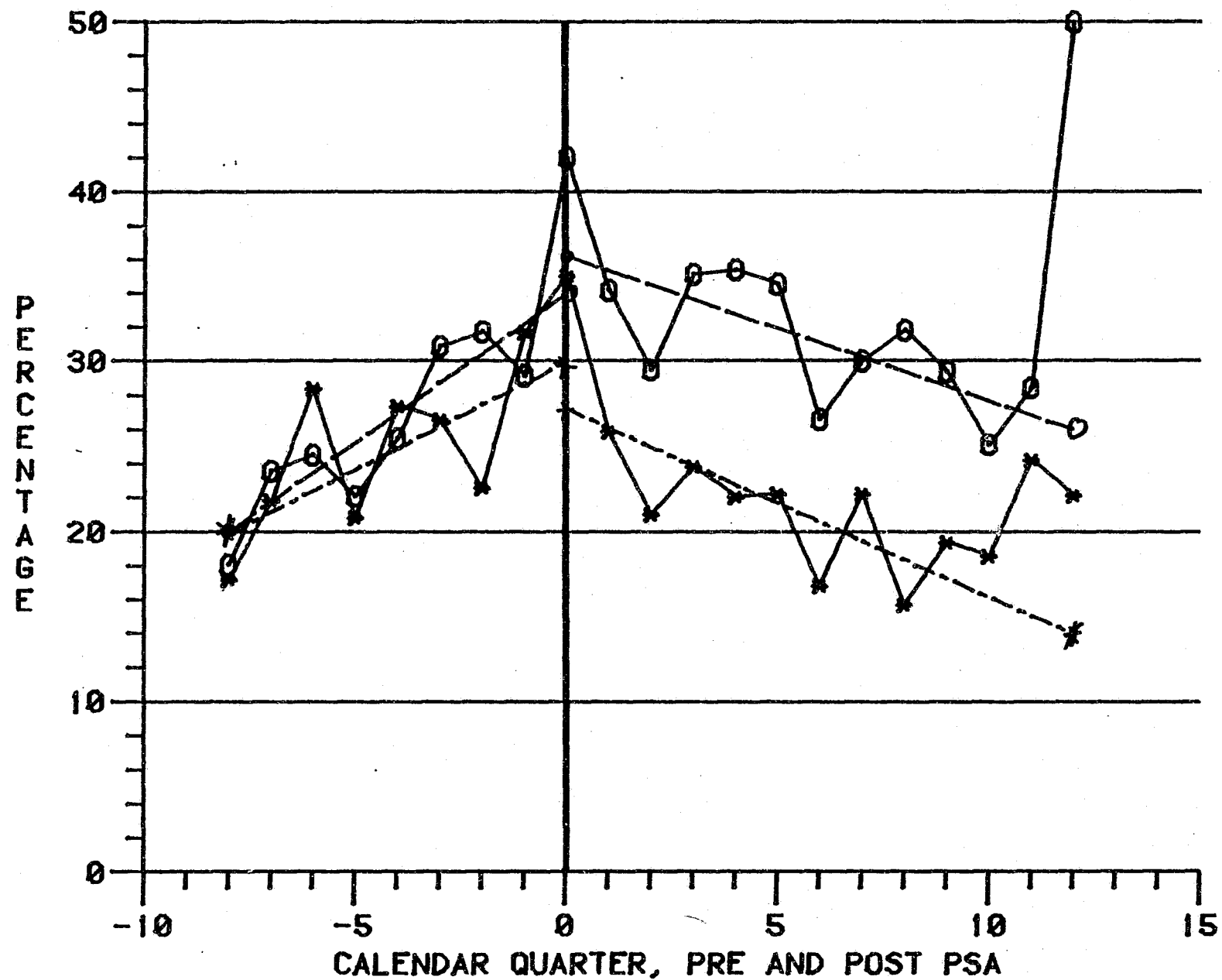
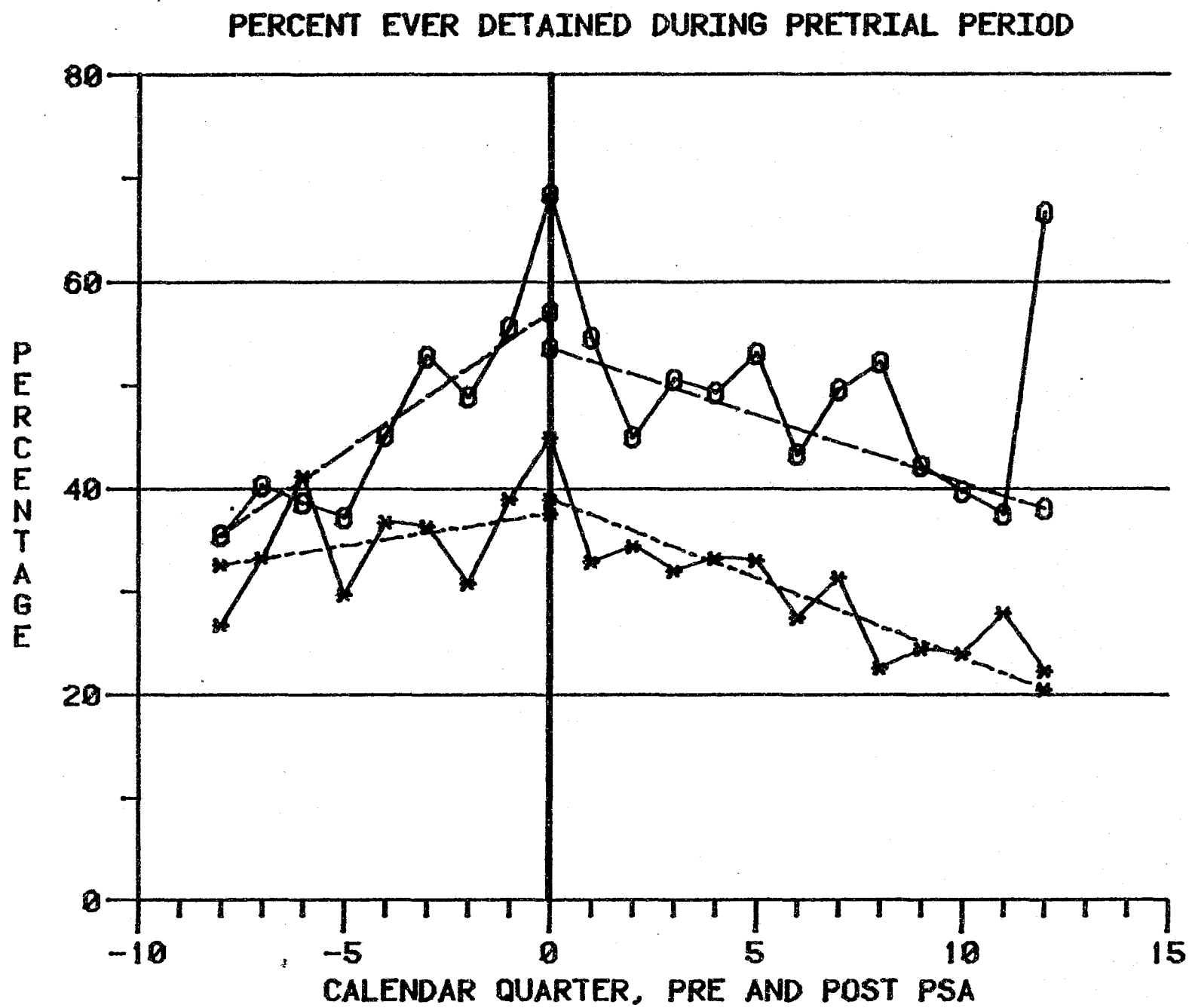


FIGURE III-37



Finally, the proportion of time people are detained (figure III-38) exhibits the same patterns as do the other aspects of detention. Both the change in overall direction and the improvement of the probation trends are statistically significant. Not much more can be said.

#### Time-series summary

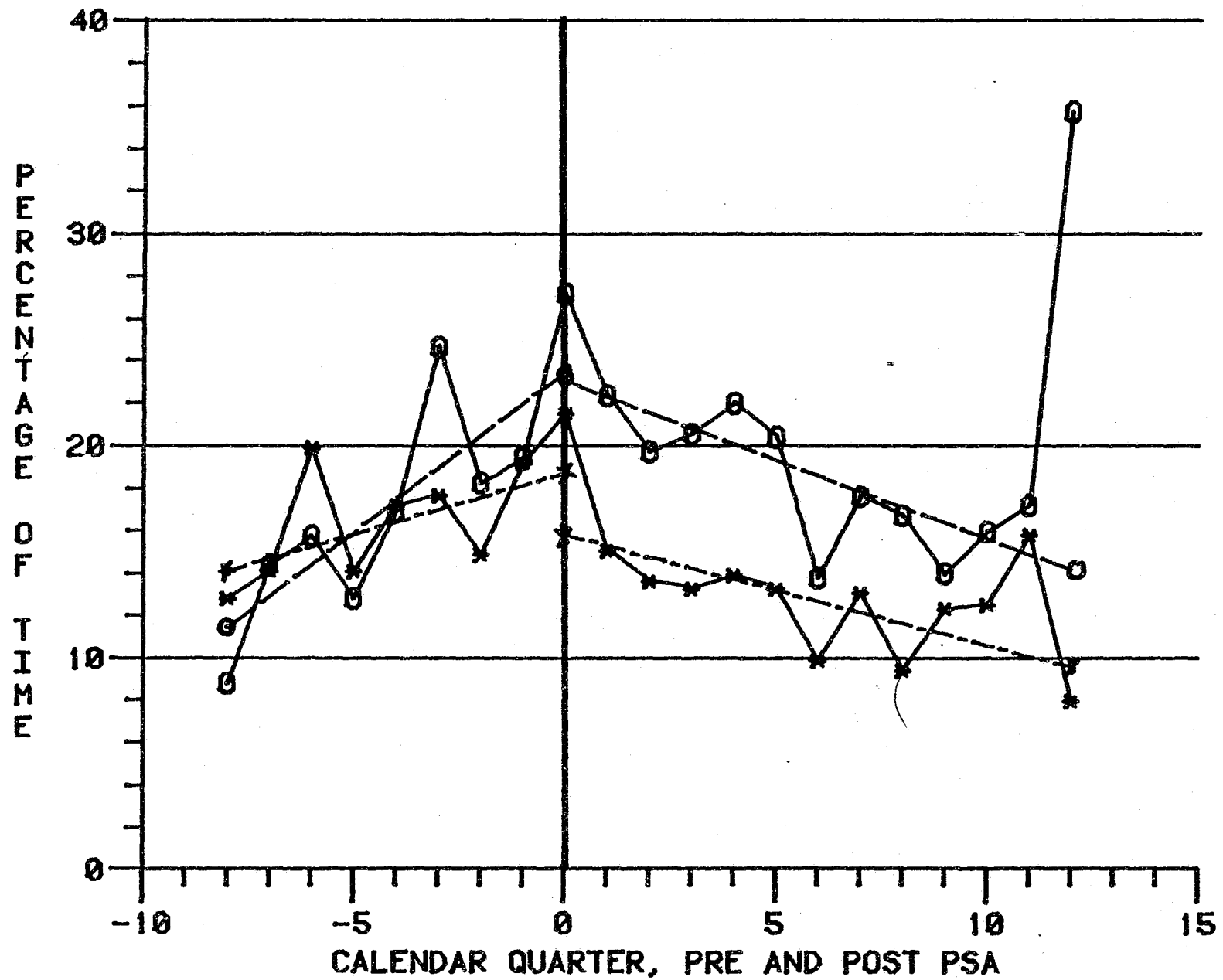
Time-series analysis both confirms the pre/post analysis and adds to the information about the PSA system. The main conclusion is that around the time of the implementation of the Speedy Trial Act's Title I and Title II provisions, a number of changes in the system took place. Trends towards higher levels of detention were reversed. The main difference between board and probation office management appears to be higher levels of detention in probation districts that appear at the beginning of the postPSA period and are maintained for the full three years, even though both groups show overall declines. Although we have not done the analysis necessary to show this, we believe that different rates of serious and less serious offenses and in the consequent use of nonmoney bail in the two groups after 1975, accounts for the difference in levels, as it does in the pre/post analysis.

#### Convicted vs. nonconvicted defendants

It may be recalled that a limitation to the entire set of analyses came from the necessity of using only convicted defendants for the time and district comparisons. The reason for this limitation was that complete information on defendants not processed by the pretrial services agencies -- prePSA and comparison data -- came primarily from present-

FIGURE III-38

# AVERAGE PROPORTION OF PRETRIAL TIME DETAINED



ence investigation reports. It is still of interest whether, where comparisons can intelligently be made, there is enough of a difference between convicted and nonconvicted defendants to preclude generalizing our findings to nonconvicted defendants.

Our comparison, then can only use postPSA data from the PSA districts. It did not appear of interest to compare board and probation districts, so all the data are grouped together. We have divided our comparison into two sections. The first involves characteristics of the case processes; the second, characteristics of the defendants.

As far as case-processing characteristics are concerned, there are substantial differences between defendants who are finally convicted and those who are not. Defendant characteristics, however, are a different picture. There are a number of characteristics that are similar and many that are different. Table III-7 summarizes the results of the comparisons.

Our conclusion, then, must be that since defendants are treated differently as far as our various aspects of detention are concerned, we cannot generalize our findings to nonconvicted defendants. It should be noted that had we found more similarity than we did, our ability to generalize would still be severely limited by the nonrandom selection process described above.

Table III-7

Similarities and Differences between  
Convicted and Nonconvicted PSA Defendants

	Nonconvicted	Convicted	Significant <sup>a</sup>
Number of Cases	6,006	15,446	
Case Processing Characteristics			
Days Procedural Detention	3.3	6.0	Yes
Total Days Detained	7.6	20.7	Yes
Total Days on Bail	108.4	113.9	Yes
Prop. of Time Detained (%)	15.1	20.9	Yes
Percent Making Bail	24.7	31.2	Yes
Percent Money Bail	36.2	41.5	Yes
Percent Ever Detained	42.0	44.5	Yes
Percent Serious Offense	37.6	32.7	Yes
Percent Drug Charge	25.1	19.1	Yes
Defendant Characteristics			
Age (years)	32.2	32.3	No
Months at Residence	34.5	34.1	No
Months in District	75.7	77.6	Yes
Percent Male	80.3	83.6	Yes
Percent with Pending Offenses	19.2	21.5	Yes
Percent with Prior Record	49.3	57.3	Yes
Percent White	51.1	47.8	Yes
Percent Black	38.4	41.1	Yes
Percent Hispanic	7.6	8.5	No

## Notes:

a. Significance is at the .01 level

#### IV. CONCLUSION AND SUMMARY

Our conclusions are brief and come directly from the analysis. First, we find no statistically significant differences in changing detention rates between districts with pretrial services agencies and those chosen for comparison purposes. We found no differences in their prePSA to post-PSA change in failures to appear. We found a difference in their pre to post change in crime on bail, specifically PSA districts had fewer rearrests for felony offenses than did comparison districts, although there was not a difference in their pre to post change in misdemeanor rearrests. These findings are particularly striking in view of the increased surveillance presumed to attach in the postPSA period. It may be that supervision support offsets the expectable increase from surveillance. We have no data to measure that possibility.

The comparison of districts managed by independent Boards of Trustees with those managed by their Probation Offices is more complex. On the whole, board districts had more improvement in detention rates from prePSA to postPSA periods than did probation districts. This is true for the basic pre/post comparison, and for the time-series analysis as well.

However, when one considers those cases where money bail was used separately from when it was not used, the conclusion is quite different, for in the pre/post analysis, the differences between board and probation districts tend to be eliminated. We conclude from this that the reason for the overall difference between board and probation districts is the differing rates at which money bail is used in those districts, where the board districts had a lower rate of



money bail resulting from a lower incidence of serious offenses.

The time-series comparisons of the board and probation districts show much the same thing, with the additional result that the change in trends in the various aspects of detention from prePSA to postPSA periods is statistically significant for both sets of districts, and where they are significantly different from each other, probation districts tend to show the greater improvement. Both trends change from increasing detention over time before the Speedy Trial Act was implemented to decreasing detention afterwards. We noted that since we did not have similarly grouped data for the comparison districts, we can not attribute the change to PSA, but rather, at best, to the Speedy Trial Act as a whole, although there may be logical reasons for attributing some factors, like procedural detention, to PSA because it is unlikely that detention cutoffs would have affected them.

There are overall pre/post differences in changes in rates of failures to appear between the board and probation districts. The probation districts have a statistically significantly greater reduction in numbers of failures to appear. There are no statistically significant differences in crime on bail between board and probation districts.

Finally, the differences between convicted and nonconvicted defendants are sufficient to make us hesitant to generalize any of the above findings to the nonconvicted defendants.

There is much more that can be done to understand better the relationships between pretrial services, detention, crime on bail and characteristics of defendants. We readily agree that further analysis could conceivably change the above findings. We conclude by repeating that this is

not an evaluation of the pretrial services agency project. Rather it is an analysis that may prove useful in such an evaluation. An evaluation may properly use information other than quantitative data and statistical tests in judging the success of the project. To the extent that data and tests are needed, this report provides some of the important ones.

## Statistical Appendix

### PSA Data Analysis Report

The purpose of this appendix is to provide the statistically-inclined reader with the information needed to evaluate the figures and conclusions presented in the text. The text was intended to be as readable as possible for the intelligent lay (nonstatistician) reader. This necessitated omitting a substantial amount of information that is properly of interest and of use in fully understanding the report.

All of our analyses were performed using the SPSS and SCSS programs. SPSS, version 7, appears to have overcome problems with some statistical routines that were experienced in earlier versions. Version 7 is fully implemented on the computer facilities of the Federal Judicial Center (a DECsystem-10). SCSS, the conversational cousin of SPSS, was used extensively wherever possible, especially in the time-series analysis. We found few difficulties in that system, and none in the statistical routines.

#### Significance

The first point that should be discussed is the value of using significance measures in this analysis. The most common use of significance, in sample surveys, has the often tacit assumption that the purpose of significance tests is to assess the effect of sampling error. We used samples in our selection of defendants from two of the five comparison districts, and seven of the ten prePSA demonstration districts. But the rest of our data are not samples, so that our need for significance for this purpose is limited.

We are making the common assumption that our data, although representing a universe of PSA defendants, are still samples from a set of random variates. The fact that a given defendant was detained for ten days does not mean that the time could not have been nine or eleven days almost as easily. Most observers of the courts would readily agree with such an observation. We simply use that knowledge in our analysis, so that when we find a small relationship between two variables, we still want to know whether, if we consider them to be random variables, the difference is unlikely to have resulted from the random process--chance--alone. It is in this sense that we are using statistical significance.

Our statistical decision rules were straightforward. Prior to any calculations of F or other test statistics, we decided on the .01 level as our criterion for significance. We did this for one primary reason. The general effect that we were exploring was the presence or absence of effect, rather than strength. Multiple correlation-type statistics were of little or no interest. However, the very large N's in our sample (33,000 cases overall, 21,000 in the pre-post analyses after having excluded nonconvicted defendants in the post-PSA demonstration districts) would give us greater levels of significance for the same "strengths" of the relationships than other analyses, with smaller N's, would have found. We kept track of relationships at the .05, .01 and .001 levels, however to see if our threshold skewed the pattern of results. It did not do so.

The technical justification for this decision lies in the realm of statistical power analysis. One author has defined this concept as follows:

The power of a statistical test of a null hypothesis is the probability that it will lead to the rejection of the null hypothesis. . . . The power of a statistical test depends upon three parameters: the significance criterion, the reliability of the sample results, and the "effect size,"<sup>1</sup> that is, the degree to which the phenomenon exists.

Using his criteria for determining the power of a test, one can determine the loss in power that results from choosing one significance level rather than another, for a given sample size. For the kinds of effects we are testing, where there is one degree of freedom in the effect for most of our variables (since we use dichotomous variables), and for the size of the samples in our analyses--upwards of 10,000 cases, the loss of power in going from the .05 to the .01 level is miniscule; the power of both is over ninety-nine percent.<sup>2</sup> We can move to the .01 level without hesitation.

#### Pre/Post Analyses

Since we were interested in the presence or absence of effects rather than their strength, our primary technique was a standard analysis of variance (ANOVA). Analysis of variance also met our need to attribute effects to different causes in a way that could account for their interactions. This is much more easily accomplished in the ANOVA model than in other aspects of the general linear model (like regression). Our basic model was a 2x2 unbalanced, fixed effects model, as in figure 1. The model as described above

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1. Jacob Cohen. Statistical Power Analysis for the Behavioral Sciences. (New York: Academic Press, 1977, rev. ed), p. 4.

2. Ibid, pp. 290, 312.

Figure 1

## Basic ANOVA Model

District Type	Time Period	
	Pre-PSA	Post-PSA
PSA	A	B
Comparison	C	D

has two main effects and a two-way interaction effect, all of which contribute to the means in the four cells. It should be noted that although the number of observations in the cells varied substantially, the variances did not, and the usual requirement that cell variances be approximately equal was nearly always met.

The first main effect, the district effect, shows whether there was a significant difference between PSA (cells A and B combined) and Comparison (cells C and D) defendants for both time periods taken together. We are not greatly concerned with this effect, except insofar as it shows how well we matched comparison with PSA courts. For most dependent variables, the groups did not match very well, since, as is clear from most of the bar graphs, there are large and significant differences.

The second main effect, the time effect, is more interesting, but still not central. This shows whether there was an overall change from the pre-PSA (cells A and C combined) to the post-PSA (cells B and D) periods. For many of

our dependent variables, like Days of Detention or Days on Bail, we can expect a significant reduction for both groups, since the time-reduction provisions of the Speedy Trial Act went into effect in the post- period. Other variables, like Initial Bail Action and Proportion of Time Detained, are not expected to, and do not, change much.

Such findings are not as important for the project as is the interaction effect between time and district: is there a different pre/post effect in PSA districts than in Comparison districts? If there is, we can attempt to attribute that difference to the existence of PSA. This effect is more than just the time effect: we are looking at the time effects within each group of districts and asking whether there is a difference in the effects.

Knowing whether there is an interaction is important, but we need to know if the effect continues to hold while controlling for other variables -- the factors -- as well. We do this by a series of three-way ANOVAs where the third levels (third independent variable) are factors, such as ethnicity, prior record, citizenship, etc., taken one at a time.

We interpret effects with the third level in the following way. We remain uninterested in the control's main effect for the purpose of this project. Certainly changes in citizenship of accused from pre-PSA to post-PSA (and across districts) are of interest in themselves, as are the two-way interactions. However, we are more interested in whether the time-district interaction effect, present or absent, remains the same in the presence of the control. If it does, whether or not there is a three-way interaction, we say the control did not change the relationship of interest. (We have tables of all investigated relationships to guard

against such unlikely occurrences as a significant difference having a reversed sign: a positive effect with the factor, a negative effect without it.) If the time-district interaction changes from insignificance to significance or the reverse, we say that the original relationship may have been spurious.

For example, we found that controlling for Bailtype, dichotomized as money bail vs. nonmoney bail, eliminated an otherwise consistently significant set of relationships between Type of PSA District (Board vs. Probation) and the set of dependent variables. We attributed the spuriousness of that relationship to Bailtype, whose different pre/post frequency distributions in the different Types of Districts accounted for the otherwise significant time-district interaction effect. We must still decide whether that spuriousness was an intervening effect or an independent effect: did the Type of District cause different amounts of money bail? Or was the same additional factor associated with the district types that caused Board districts to use nonmoney bail more often than the Probation districts? In either case, it was the difference in use of money bail that brought out the differences in detention. The means by which one distinguishes between the two "explanations" of the Bailtype effect are in large part nonstatistical.

#### Time-Series Analysis

The principles behind our time-series analysis were the same as for the pre/post analysis. The primary question is whether there were differences between two groups of defendants over more than just two (pre and post) time points. In order to answer this question with the help of statistics, we needed to develop a technique that was similar to



ANOVA but used characteristics of time series that are more useful than the averages compared in ANOVA.

Figure 2

Basic Time-Series Model

District Type	Time Period	
	Pre-PSA	Post-PSA
Board of Trustees	.....	.....
	.	.
	. A' .	. B' .
	.	.
Probation Office	.....	.....
	.	.
	. C' .	. D' .
	.	.
	.....	.....

We decided that the slopes -- trends -- of the curves were the single best measure. As a result, we ended with a model as described in Figure 2. In this model the boxes contain trend coefficients rather than means. Computation of the coefficients was a straightforward procedure. Computation of the statistics that permitted comparison was another matter. The test was based on the common observation that the ANOVA and regression models are both special cases of the general linear model of data analysis.

It is fairly well-known that an equation of the form:

$$(1) \quad Y = b_0 + b_1 \times X_1 + b_2 \times X_2 + b_3 \times X_1 \times X_2$$

where:  $Y$  = Dependent variable

$X_1$  = First main effect

$X_2$  = Second main effect

$X_1 \times X_2$  = Interaction effect

$b_0$  = Constant (intercept)

$b_1, b_2, b_3$  = Slope coefficients for the effects

is identical to the two-way ANOVA portrayed in Figure 1, and that the significance of each of the three coefficients is the same as the significance of the effects in a traditional ANOVA.

What we did was to expand the equation to account for an explicit time trend, and to control for the effects of the intercepts as well as the main effect slopes. The basic equation is as in equation (2).

$$(2) \quad Y = \begin{array}{ll} b_0 & + b_1 \times Q \\ + b_2 \times D & + b_3 \times D \times Q \\ + b_4 \times T & + b_5 \times T \times Q \\ + b_6 \times D \times T & + b_7 \times D \times T \times Q \end{array}$$

where:

$Y$  = Dependent variable

$D$  = District dummy variable  
(Board = 0, Probation = 1)

$T$  = Pre/Post dummy variable  
(Pre = 0, Post = 1)

$Q$  = Calendar quarter  
(0 = PSA implementation month)

$b_0, b_1$  = Base time series coefficients  
(Board, prePSA)

$b_2 - b_7$  = Coefficients of difference

The term "coefficient of difference" requires some explanation. As the model in equation (2) is set up, each of the coefficients of difference represents an increase or decrease from the base coefficients. For example,  $b_2$  and  $b_3$  represent differences from  $b_0$

and  $b_1$  respectively, rather than absolute coefficients. They represent the extent to which D -- Probation -- makes a difference by itself. If they are statistically significant, as testable by the standard t-test, then we say that there is a district effect, similar to the way it was defined above. Similarly, if  $b_4$  or  $b_5$  are significant, we say there was a time effect. Finally, if  $b_6$  or  $b_7$  are significant, there was an interaction effect.

Here, however, there are two coefficients per effect. Each has its own interpretation. The first of the pair refers to the level of the curve as it crosses the zero point in time, which we have set to the calendar quarter when PSA was implemented in each district. A positive change in the intercept means that there was an overall increase, during that quarter only, generally attributable to PSA. The second of each pair is the linear change in the trend due to that effect. If the change is positive, that means that there is a quarter by quarter increase for all defendants with that characteristic (Post, Probation or both).

This is precisely the effect that we want to test. Does the combination of district type and time have a continuing effect on the measures of detention and crime of bail? If the  $b_7$  coefficient is significant, we can say that the combination appears to have that effect. If that coefficient is not significant, we would not be able to reach that decision statistically.

Here, too, we can control for other factors. We can work either within the framework of the equation, similar to the three-way ANOVAs, or we can calculate

single equation coefficients for different groups of defendants, as defined by different values of a factor, for example one equation for people with money bail, another for those with nonmoney bail. For the sake of consistency, we decided to work within the ANOVA framework. It is entirely unlikely that the other path would provide different results, but if time is available, both techniques will be investigated.

The three-way ANOVA framework used a straightforward, if computationally tedious, addition of a dummy variable for each of the eight coefficients in equation (2), representing the presence or absence of the control factors. The interaction terms may now be interpreted as the combined effect of bail/no bail, probation/board, and pre/post. To the extent that a term is statistically significant, it has an important additional effect.

### Conclusion

Our techniques are basically simple, direct ANOVA for the pre/post analyses, and indirect ANOVA for the time series. Our reliance on the two-way interaction effect for our determinations of effect is based on the substantive questions we are asking: are there differences in the changes of our two sets of districts over time? It remains most appropriate to continue to look at this two-way interaction, even when a third variable is entered into the analysis, since it is the clearest single measure of difference that we have that can be interpreted unambiguously.

## GLOSSARY

### PSA Data Analysis Report

This glossary contains two kinds of information that may be of use to the reader of this report. First is a set of definitions of terms used in the text. These terms are usually defined when they are first used, and then used without further reference to the definitions. This glossary serves as a single reference point for those definitions.

The second kind of information is the coding instructions for information in the PSA data collection. A copy of the PSA coding sheet immediately follows this Glossary.

ADDITIONAL OFFENSES: The number of offenses or counts other than the most serious offense the accused is charged with in the present federal prosecution.

AGE OF OFFENDER: The offender's age at the time of the initial Pretrial Services interview.

ALCOHOL ABUSE IN PAST TWO YEARS: Has accused abused alcohol within the two years prior to the initial PSA interview?

- 1 = No
- 2 = Yes

ALCOHOL ABUSE, UNDERGOING TREATMENT: Was accused undergoing treatment for alcohol abuse at the time of the Pretrial Services interview?

- 1 = No
- 2 = Yes

BAIL ACTION, INITIAL: Did the accused secure release at the initial court action for the federal charge.

- 1 = Bail made
- 2 = Bail not made

BAIL AMOUNT: The dollar amount of bond imposed by the judicial officer at the initial and review hearings.

BAIL DAYS: The total number of days the individual was released on bail during the pretrial period.

BAIL TYPE: The type of bail imposed by the judicial officer at the initial bail hearing and any subsequent bail review hearings (information for up to three bail review hearings are maintained).

- 1 = Personal Recognizance
- 2 = Unsecured Bond
- 3 = 10% Percentum
- 4 = Surety
- 5 = Collateral
- 6 = Bail Not Set

BAIL VIOLATIONS: Were there any bail violations during the pretrial release period?

- 1 = No bail violations
- 2 = One, two or three bail violations
- 3 = more than three bail violations

BAIL VIOLATIONS, TYPE: (Includes no more than three bail violations.) Indicates what type of bail violations the accused committed during the pretrial period.

- 1 = Violation of conditions of release
- 2 = Traffic arrest
- 3 = Misdemeanor arrest
- 4 = Failure to appear
- 5 = Felony arrest
- 8 = Other

BOARD DISTRICTS: The five federal judicial districts selected to take part in the Pretrial Services Demonstration Project administered by a seven member Board of Trustees composed of: 1) One United States Judge; 2) the U.S. Attorney; 3) two members of the local bar with one being a Federal public defender, if a public defender is available; 4) the chief probation officer; and 5) two Trustees being representatives of community organizations. These districts are:

Eastern New York  
 Eastern Pennsylvania  
 Maryland  
 Eastern Michigan  
 Western Missouri

CASE IDENTIFICATION: Indicates if the case involved certain special features:

- 1 = Writ
- 2 = Deferred Prosecution
- 3 = Appeal
- 4 = Other

CASE TYPE: The level of the present federal charge for the most serious offense.

- 1 = Petty Offense
- 2 = Minor Offense
- 3 = Misdemeanor
- 4 = Felony

CITIZENSHIP: Describes the accused's citizenship status at the time of arrest. These categories are as follows:

- 1 = U.S. Citizen: a natural born or naturalized U.S. citizen
- 2 = Legal Alien: a person who has obtained appropriate documentation to be classed as a legal alien
- 3 = Illegal Alien: a person who has entered the United States without proper documentation or approval
- 9 = Unknown: the accused's citizenship status was unknown at the time Pretrial Services completed the date collection code sheet on the person

COMPARISON DISTRICTS: Five federal judicial districts without pretrial service activities chosen as comparison districts for purposes of the evaluation of the Pretrial Services demonstration project. These districts were selected nonrandomly on the basis of location and size. These districts are:

New Jersey  
 Western Pennsylvania  
 Northern Alabama  
 Western Texas  
 Southern California

CONVICTED DEFENDANTS: Those individuals who have either 1) entered a plea of guilty, or 2) have entered a plea of nolo contendere, or 3) have been found guilty in the fifteen federal judicial districts involved in our study. The bulk of data analysis for this report will involve only convicted defendants since data on non-convicted defendants for the prePSA period were missing or incomplete.

COST OF PSA SERVICES: The total dollar amount of contractual costs for each person receiving contractual services, i.e., services provided by an outside agency and paid for by the Pretrial Services Agency.

COURT MARTIAL, CONVICTED BY: Has the accused ever been convicted by a military court at any level of court martial?

1 = No  
 2 = Yes

CUSTODY: Indicates if the accused has ever spent any time in custody for previous criminal offenses.

1 = No  
 2 = Yes

DETAINED, EVER, DURING THE PRETRIAL PERIOD: Were there any days on detention for the present federal charge (including time detained prior to the initial bail hearing, whether or not released at the time of the bail hearing)?

1 = Not Detained  
 2 = Detained



DETENTION CONCURRENT WITH OTHER DETENTION: Was the individual being detained on a state, local, or federal charge at the time of the initial bail hearing on the federal offense.

- 1 = No
- 2 = Yes

DETENTION, DAYS DETAINED: The total number of days detained during the pretrial period for the federal offense.

DETENTION COST: The dollar cost of detaining each individual during the pretrial period.

DETENTION, PROCEDURAL: Number of days of federal detention for those persons who had some days on bail.

DISPOSITION: The final disposition of the case.

- 1 = Nolled
- 2 = Discharged
- 3 = Dismissed
- 4 = Acquitted
- 5 = Defendant deceased
- 6 = Convicted
- 8 = Other

DRUG TREATMENT TYPE: The type of drug treatment the accused is undergoing, if any, at the time of the initial Pretrial Services interview. (See note for OPIATE ADDICT)

- Blank = None
- 1 = Methadone Maintenance
- 2 = Methadone Detoxification
- 3 = Therapeutic Detoxification
- 8 = Other

EDUCATION: The number of years of schooling that the accused completed at the time of the Pretrial Services interview.

EMPLOYMENT: The number of jobs the accused had within the two years prior to the Pretrial Services interview.

ETHNIC/RACIAL CATEGORIES: The ethnic/racial category for the accused.

- 1 = American Indian
- 2 = Caucasian
- 3 = Chinese
- 4 = Cuban
- 5 = Filipino
- 6 = Japanese
- 7 = Korean
- 8 = Mexican-American
- 9 = Mexican
- 10 = Black
- 11 = Puerto Rican
- 12 = Vietnamese
- 13 = Other

FAILURE TO APPEAR: The accused failed to appear for a court appearance while released on bail and a warrant was issued and executed for the failure to appear incident.

FELONY REARREST: The accused was arrested on a felony charge while released on bail on his present federal charge.

FINANCIAL ARRANGEMENTS OF RESIDENCE: The financial arrangements the accused has made for his residence:

- 1 = Owns residence
- 2 = Rents residence
- 3 = Does not contribute to his residence
- 4 = Unknown

FIRST REFERRAL ACTION: How the person entered the federal criminal justice system for the current offense.

- 1 = Summons
- 2 = Complaint
- 3 = Warrant
- 4 = Rule 20
- 5 = Federal Juvenile Delinquency Act
- 6 = Indictment
- 8 = Other

ILLNESS: Was the accused undergoing medical treatment for a physical illness at the time of arrest?

- 1 = No
- 2 = Yes

INCOME: The accused's gross income in dollars for the period beginning a year before the initial PSA interview.

INITIAL HEARING ACTION: (See BAIL ACTION, INITIAL)

INTERVIEW TYPE: Was a PSA interview held, and if so was it before or after the initial bail hearing?

- 1 = Prebail interview: an interview was held and was prior to the initial bail hearing
- 2 = Postbail interview: an interview was held and was after the initial bail hearing
- 3 = Other: an interview was not held, and information was collected using existing documents
- 4 = Refused: the accused refused to be interviewed and the information was collected using existing documents.

MARITAL STATUS: The offender's marital status at the time of initial Pretrial Services interview.

- 1 = Single
- 2 = Widowed
- 3 = Married
- 4 = Common law
- 5 = Cohabitation
- 6 = Separated
- 7 = Divorced
- 8 = Unknown

MISDEMEANOR ARREST: The accused was arrested on a misdemeanor charge while released on bail on the present federal charge.

NONHEARING ACTION: Did the accused secure his release after the time of the bail hearing either by posting the required bail or by meeting a previously established condition of release?

- 0 = No: Bail was not met, or was met at hearing
- 1 = Yes: bail was subsequently posted

NONOPIATE ABUSE IN PAST TWO YEARS: Has the accused abused non-opiates (cocaine, PCP, etc.) within the past two years? (See note for OPIATE ADDICT)

- 1 = No
- 2 = Yes

OPIATE ADDICT: ADDICTED TO OPIATES IN THE LAST TWO YEARS:

Has the accused been addicted to opiates within the past two years? NB: All drug and alcohol information is verified information based on the accused's self-admission, clinical or medical records, or other verified data substantiating the information that the individual is addicted to opiates or has abused non-opiates.

- 1 = No
- 2 = Yes

OPIATE FREE: IS ACCUSED OPIATE FREE AT PRESENT: Was the accused opiate free at the time of arrest? (See note for OPIATE ADDICT)

- 1 = No
- 2 = Yes

OTHER CONDITIONS OF RELEASE: Did the judicial officer imposed other conditions of release as part of the accused's bail such as being restricted to a designated area or participating in a particular treatment program?

PAROLE, PRESENTLY ON: Was the accused under parole supervision at the time of the initial Pretrial Services interview?

- 1 = No
- 2 = Yes

PENDING OFFENSES: Did the accused have pending offenses other than the present federal charge at the time of the initial Pretrial Services interview?

- 1 = No
- 2 = Yes

PENDING FELONIES: The number of pending felonies for the accused at the time of the initial Pretrial interview.

PENDING MISDEMEANORS: The number of pending misdemeanor charges for the accused at the time of the initial Pretrial Services interview.

PENDING OTHER OFFENSES: The number of pending offenses, other than misdemeanors or felonies, such as ordinance violations, at the time of arrest for the present charge.

PERSONAL CONTACTS: The number of personal contacts (either in person or by telephone) the Pretrial Services Agency has had with the accused.

POSTPSA: The operational period for the individual Pretrial Services Agencies, beginning either during the first calendar quarter of 1976 or the last calendar quarter of 1975. The data used in this report include cases that have been entered into the Pretrial Services data base as of March 30, 1979. Data was collected on all individuals processed by the Pretrial Services Agencies during their operational periods. The postPSA period for the five comparison districts consists of data on convicted defendants for 1977, or two years following the implementation of the Speedy Trial Act. NB: Data collected during the postPSA period do not reflect all cases filed in each district, since the demonstration agencies did not process all such cases.

PREPSA: A two year period prior to the starting date of the Pretrial Services Agency in each district. Data were collected on only convicted defendants in the ten demonstration districts for the PrePSA period. The prePSA period for the five comparison districts consist of data on convicted defendants for 1974, which is one year prior to the implementation of the Speedy Trial Act.

PRETRIAL PERIOD: The number of days from initial entry into the federal system to disposition of the criminal offense.

PRETRIAL SERVICES SUPERVISION: Was the individual placed under the supervision of a Pretrial Services Agency as a condition of his release?

- 1 = No  
2 = Yes

PRIOR RECORD: Does the accused have a record of prior convictions?

- 1 = No  
2 = Yes

PROBATION DISTRICTS: The five federal judicial districts selected to participate in the Pretrial Services demonstration project to be operated by the district's probation office. These districts are:

Southern New York  
Northern Georgia  
Northern Texas  
Northern Illinois  
Central California

PROBATION, PRESENTLY ON: Was the accused on probation for a non-related offense at the time of the initial Pretrial Services interview?

- 1 = No  
2 = Yes

PROCEDURAL DETENTION: (See DETENTION, PROCEDURAL)

PROPORTION OF TIME DETAINED DURING THE PRETRIAL PERIOD: A calculated measure showing the percentage of each person's federal pretrial period spent in detention.

Proportion of time Detained =  $\frac{\text{Detention Days}}{(\text{Detention Days} + \text{Days on Bail})}$

PSYCHIATRIC TREATMENT, PRESENTLY UNDERGOING: Was the accused under treatment for a psychiatric problem at the time of their Pretrial Services interview?

- 1 = No  
2 = Yes

PSYCHIATRIC TREATMENT, EVER UNDERGONE: Was the accused ever treated for a psychiatric problem?

- 1 = No
- 2 = Yes

RECOMMENDATION FOLLOWED FOR BAIL TYPE: Did the judicial officer's choice of bail types agree exactly with the PSA's recommendation at the initial hearing?

- 1 = No
- 2 = Yes

RECOMMENDATION SUBMITTED: Did PSA provide the judicial officer with a bail release recommendation on the accused at the time of the initial bail hearing?

- 1 = No
- 2 = Yes

RESIDENCE, TYPE: The type of residence for the accused at the time of initial Pretrial Services interview:

- 1 = House, Apartment, Mobile Home
- 2 = Boarding House
- 3 = Motel or Hotel
- 4 = Institutional, such as military or college housing or correctional facilities
- 5 = Transient, individual has no permanent residence
- 8 = Other
- 9 = Unknown

REVIEW HEARING ACTION: The action taken at the bail review hearings (up to three are recorded) for each subject:

- 1 = No Change
- 2 = Bail Changed, individual released
- 3 = Bail Changed, individual detained
- 4 = Bail Changed, no changes in custody
- 5 = Violation of bail, no changes
- 6 = Violation of bail, conditions of release changed
- 7 = Violation of bail, individual detained
- 8 = Conditions of bail changed, no change in custody

SECOND REFERRAL ACTION: Any additional criminal processing which may have occurred for a given case, such as an indictment being changed to an information without any change in the original docket number.

- 1 = Information
- 2 = Superseding Information
- 3 = Indictment
- 4 = Superseding Indictment
- 5 = Re-Indictment
- 8 = Other

SENTENCE:

- 1 = Fine and/or Restitution
- 2 = Probation
- 3 = Probation plus fine and/or restitution
- 4 = Split Sentence
- 5 = Split Sentence plus fine and/or restitution
- 6 = Committed to custody of Attorney General
- 7 = Committed to custody of Attorney General plus fine and/or restitution
- 8 = Mixed sentence
- 9 = Other
- 10 = Title 21 U.S.C. 844
- 11 = Federal Juvenile Delinquency Act

SERIOUSNESS OF OFFENSE: A ranking of criminal offenses based on the maximum sentence possible under the appropriate title and sections of the criminal code. In instances where the length of sentence is the same, crimes against the person are considered more serious than property crimes. Serious Offenses are the following: homicide, kidnapping, rape, treason, war crimes, subversive acts, robbery, assault, extortion, racketeering, threats, gambling, narcotics, general conspiracy and bribery. All other offenses are considered to be Less Serious Offenses.

SEX OF OFFENDER:

- 1 = Female
- 2 = Male



SPEEDY TRIAL ACT: An Act, "to assist in reducing crime and the danger of recidivism by requiring speedy trials and by strengthening the supervision over persons released pending trial, and for other purposes." Public Law Number 93-619 (1974), 18 U.S.C. §§ 3152 - 3174. The Act had two titles. Title I established time limits for processing criminal cases, and Title II mandated the development and operation of the Pretrial Services demonstration project.

TECHNICAL VIOLATION: Has the accused violated a release condition, other than commission of a new crime or failing to appear, while on bail during the pretrial period?

- 1 =No
- 2 =Yes

THIRD PARTY RELEASE: Was the accused released to the custody of a third party as a condition of release?

- 1 =No
- 2 =Yes

TIME AT RESIDENCE: The number of months that the accused has lived at his legal residence.

TIME AT JOB: The number of months that the accused has been employed at his present job.

TIME FROM ARREST TO PREBAIL INTERVIEW: The number of hours and minutes elapsed between the arrest and the prebail interview.

TIME FROM PREBAIL INTERVIEW TO INITIAL BAIL HEARING: The number of hours and minutes elapsed between the prebail interview and the initial bail hearing.

TIME IN DISTRICT WHERE ARRESTED: The number of months that the accused has lived in the district where arrested.

UNEMPLOYED AT TIME OF ARREST: Was the accused unemployed at the time of arrest?

- 1 = No
- 2 = Yes

VERIFICATION ACTIVITIES: The number of undertaken by PSA to verify information received about an accused person.

PRETRIAL SERVICES DATA CODE SHEET

I. CONTROL DATA											
LOCATION CODE A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/>			DOCKET NUMBER D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/>			PSO NUMBER I <input type="checkbox"/> J <input type="checkbox"/> K <input type="checkbox"/> L <input type="checkbox"/>		PSO LOG NO. M <input type="checkbox"/> N <input type="checkbox"/> O <input type="checkbox"/> P <input type="checkbox"/>		JUDICIAL OFFICER CODES Q <input type="checkbox"/> R <input type="checkbox"/> S <input type="checkbox"/> T <input type="checkbox"/>	
INTERVIEW DATE U <input type="checkbox"/> V <input type="checkbox"/> W <input type="checkbox"/> X <input type="checkbox"/> Y <input type="checkbox"/> Z <input type="checkbox"/>			REFERRAL ACTION J <input type="checkbox"/> K <input type="checkbox"/> L <input type="checkbox"/> M <input type="checkbox"/> N <input type="checkbox"/> O <input type="checkbox"/> P <input type="checkbox"/>			CODE NO. 1 Q <input type="checkbox"/> R <input type="checkbox"/> S <input type="checkbox"/> T <input type="checkbox"/> U <input type="checkbox"/> V <input type="checkbox"/>		CODE NO. 2 W <input type="checkbox"/> X <input type="checkbox"/> Y <input type="checkbox"/> Z <input type="checkbox"/>		JUDICIAL OFFICER CODES Q <input type="checkbox"/> R <input type="checkbox"/> S <input type="checkbox"/> T <input type="checkbox"/>	

II. PERSONAL DATA										
COURT NAME (last first middle) A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/>								SOCIAL SECURITY NUMBER K <input type="checkbox"/> L <input type="checkbox"/> M <input type="checkbox"/> N <input type="checkbox"/> O <input type="checkbox"/> P <input type="checkbox"/> Q <input type="checkbox"/> R <input type="checkbox"/>		
DATE OF BIRTH C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/>			AGE K <input type="checkbox"/> L <input type="checkbox"/> M <input type="checkbox"/> N <input type="checkbox"/> O <input type="checkbox"/> P <input type="checkbox"/>		CITIZENSHIP Q <input type="checkbox"/> R <input type="checkbox"/> S <input type="checkbox"/> T <input type="checkbox"/> U <input type="checkbox"/> V <input type="checkbox"/> W <input type="checkbox"/> X <input type="checkbox"/>			SEX Y <input type="checkbox"/> Z <input type="checkbox"/>		
ETHNIC ORIGIN G <input type="checkbox"/> CA <input type="checkbox"/> Caucasian AI <input type="checkbox"/> Am. Ind. ME <input type="checkbox"/> Mexican PR <input type="checkbox"/> P. Rican JA <input type="checkbox"/> Japan KO <input type="checkbox"/> Korean NE <input type="checkbox"/> Negroid MA <input type="checkbox"/> M. Amer. VI <input type="checkbox"/> Vietnam CU <input type="checkbox"/> Cuban CH <input type="checkbox"/> Chinese OT <input type="checkbox"/> Other										

III. RESIDENCE & FAMILY									
MARITAL STATUS A <input type="checkbox"/> S <input type="checkbox"/> M <input type="checkbox"/> L <input type="checkbox"/> H <input type="checkbox"/> P <input type="checkbox"/> W <input type="checkbox"/> D <input type="checkbox"/> U <input type="checkbox"/>								NUMBER OF DEPENDENTS B <input type="checkbox"/> C <input type="checkbox"/>	
TYPE OF RESIDENCE D <input type="checkbox"/> H <input type="checkbox"/> B <input type="checkbox"/> M <input type="checkbox"/> I <input type="checkbox"/> T <input type="checkbox"/> O <input type="checkbox"/> U <input type="checkbox"/>									
RESIDENTIAL STATUS E <input type="checkbox"/> O <input type="checkbox"/> R <input type="checkbox"/> N <input type="checkbox"/> U <input type="checkbox"/> F <input type="checkbox"/> S <input type="checkbox"/>								MONTHLY PAYMENT G <input type="checkbox"/> H <input type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K <input type="checkbox"/> L <input type="checkbox"/> M <input type="checkbox"/> N <input type="checkbox"/> O <input type="checkbox"/> P <input type="checkbox"/> Q <input type="checkbox"/> R <input type="checkbox"/> S <input type="checkbox"/> T <input type="checkbox"/> U <input type="checkbox"/> V <input type="checkbox"/> W <input type="checkbox"/> X <input type="checkbox"/> Y <input type="checkbox"/> Z <input type="checkbox"/>	
LENGTH OF TIME: AT RESIDENCE G <input type="checkbox"/> H <input type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K <input type="checkbox"/> L <input type="checkbox"/> M <input type="checkbox"/> N <input type="checkbox"/> O <input type="checkbox"/> P <input type="checkbox"/> Q <input type="checkbox"/> R <input type="checkbox"/> S <input type="checkbox"/> T <input type="checkbox"/> U <input type="checkbox"/> V <input type="checkbox"/> W <input type="checkbox"/> X <input type="checkbox"/> Y <input type="checkbox"/> Z <input type="checkbox"/>								IN DISTRICT ARRESTED H <input type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K <input type="checkbox"/> L <input type="checkbox"/> M <input type="checkbox"/> N <input type="checkbox"/> O <input type="checkbox"/> P <input type="checkbox"/> Q <input type="checkbox"/> R <input type="checkbox"/> S <input type="checkbox"/> T <input type="checkbox"/> U <input type="checkbox"/> V <input type="checkbox"/> W <input type="checkbox"/> X <input type="checkbox"/> Y <input type="checkbox"/> Z <input type="checkbox"/>	

IV. EMPLOYMENT INFORMATION									
EMPLOYED? A <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/>		TIME IN JOB B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K <input type="checkbox"/> L <input type="checkbox"/> M <input type="checkbox"/> N <input type="checkbox"/> O <input type="checkbox"/> P <input type="checkbox"/> Q <input type="checkbox"/> R <input type="checkbox"/> S <input type="checkbox"/> T <input type="checkbox"/> U <input type="checkbox"/> V <input type="checkbox"/> W <input type="checkbox"/> X <input type="checkbox"/> Y <input type="checkbox"/> Z <input type="checkbox"/>		EMPLOYMENT STATUS C <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/>		Does the Employer Know about this Offense? D <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/>		NUMBER OF JOBS HELD IN THE LAST TWO YEARS H <input type="checkbox"/>	
CAN DEFENDANT RETURN TO PRESENT JOB? E <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/>				NET EARNINGS F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K <input type="checkbox"/> L <input type="checkbox"/> M <input type="checkbox"/> N <input type="checkbox"/> O <input type="checkbox"/> P <input type="checkbox"/> Q <input type="checkbox"/> R <input type="checkbox"/> S <input type="checkbox"/> T <input type="checkbox"/> U <input type="checkbox"/> V <input type="checkbox"/> W <input type="checkbox"/> X <input type="checkbox"/> Y <input type="checkbox"/> Z <input type="checkbox"/>		PRIOR YEAR'S GROSS G <input type="checkbox"/> H <input type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K <input type="checkbox"/> L <input type="checkbox"/> M <input type="checkbox"/> N <input type="checkbox"/> O <input type="checkbox"/> P <input type="checkbox"/> Q <input type="checkbox"/> R <input type="checkbox"/> S <input type="checkbox"/> T <input type="checkbox"/> U <input type="checkbox"/> V <input type="checkbox"/> W <input type="checkbox"/> X <input type="checkbox"/> Y <input type="checkbox"/> Z <input type="checkbox"/>		NUMBER OF JOBS HELD IN THE LAST TWO YEARS H <input type="checkbox"/>	

V. UNEMPLOYMENT INFORMATION									
UNEMPLOYED? A <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/>		IS JOB LOSS RELATED B <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/>		TIME UNEMPLOYED C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K <input type="checkbox"/> L <input type="checkbox"/> M <input type="checkbox"/> N <input type="checkbox"/> O <input type="checkbox"/> P <input type="checkbox"/> Q <input type="checkbox"/> R <input type="checkbox"/> S <input type="checkbox"/> T <input type="checkbox"/> U <input type="checkbox"/> V <input type="checkbox"/> W <input type="checkbox"/> X <input type="checkbox"/> Y <input type="checkbox"/> Z <input type="checkbox"/>		AMOUNT OF MONTHLY SUPPORT D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K <input type="checkbox"/> L <input type="checkbox"/> M <input type="checkbox"/> N <input type="checkbox"/> O <input type="checkbox"/> P <input type="checkbox"/> Q <input type="checkbox"/> R <input type="checkbox"/> S <input type="checkbox"/> T <input type="checkbox"/> U <input type="checkbox"/> V <input type="checkbox"/> W <input type="checkbox"/> X <input type="checkbox"/> Y <input type="checkbox"/> Z <input type="checkbox"/>			
SOURCE OF SUPPORT E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K <input type="checkbox"/> L <input type="checkbox"/> M <input type="checkbox"/> N <input type="checkbox"/> O <input type="checkbox"/> P <input type="checkbox"/> Q <input type="checkbox"/> R <input type="checkbox"/> S <input type="checkbox"/> T <input type="checkbox"/> U <input type="checkbox"/> V <input type="checkbox"/> W <input type="checkbox"/> X <input type="checkbox"/> Y <input type="checkbox"/> Z <input type="checkbox"/>		PUBLIC ASST U <input type="checkbox"/> V <input type="checkbox"/> W <input type="checkbox"/> X <input type="checkbox"/> Y <input type="checkbox"/> Z <input type="checkbox"/>		VET/MIL BEN S <input type="checkbox"/> T <input type="checkbox"/> U <input type="checkbox"/> V <input type="checkbox"/> W <input type="checkbox"/> X <input type="checkbox"/> Y <input type="checkbox"/> Z <input type="checkbox"/>		PRIVATE ASST R <input type="checkbox"/> S <input type="checkbox"/> T <input type="checkbox"/> U <input type="checkbox"/> V <input type="checkbox"/> W <input type="checkbox"/> X <input type="checkbox"/> Y <input type="checkbox"/> Z <input type="checkbox"/>		FAMILY O <input type="checkbox"/> P <input type="checkbox"/> Q <input type="checkbox"/> R <input type="checkbox"/> S <input type="checkbox"/> T <input type="checkbox"/> U <input type="checkbox"/> V <input type="checkbox"/> W <input type="checkbox"/> X <input type="checkbox"/> Y <input type="checkbox"/> Z <input type="checkbox"/>	
UNEMPLOYMENT CATEGORY F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K <input type="checkbox"/> L <input type="checkbox"/> M <input type="checkbox"/> N <input type="checkbox"/> O <input type="checkbox"/> P <input type="checkbox"/> Q <input type="checkbox"/> R <input type="checkbox"/> S <input type="checkbox"/> T <input type="checkbox"/> U <input type="checkbox"/> V <input type="checkbox"/> W <input type="checkbox"/> X <input type="checkbox"/> Y <input type="checkbox"/> Z <input type="checkbox"/>		NOT ACTIVE IN WORK FORCE H <input type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K <input type="checkbox"/> L <input type="checkbox"/> M <input type="checkbox"/> N <input type="checkbox"/> O <input type="checkbox"/> P <input type="checkbox"/> Q <input type="checkbox"/> R <input type="checkbox"/> S <input type="checkbox"/> T <input type="checkbox"/> U <input type="checkbox"/> V <input type="checkbox"/> W <input type="checkbox"/> X <input type="checkbox"/> Y <input type="checkbox"/> Z <input type="checkbox"/>		ACTIVE IN WORK FORCE Q <input type="checkbox"/> R <input type="checkbox"/> S <input type="checkbox"/> T <input type="checkbox"/> U <input type="checkbox"/> V <input type="checkbox"/> W <input type="checkbox"/> X <input type="checkbox"/> Y <input type="checkbox"/> Z <input type="checkbox"/>		UNEMPLOYMENT BY DISABILITY P <input type="checkbox"/> Q <input type="checkbox"/> R <input type="checkbox"/> S <input type="checkbox"/> T <input type="checkbox"/> U <input type="checkbox"/> V <input type="checkbox"/> W <input type="checkbox"/> X <input type="checkbox"/> Y <input type="checkbox"/> Z <input type="checkbox"/>			

VI. EDUCATION					VII. MILITARY HISTORY				
CURRENT STATUS A <input type="checkbox"/> F <input type="checkbox"/> P <input type="checkbox"/> N <input type="checkbox"/>					ACTIVE DUTY? A <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/>				
HIGHEST GRADE B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K <input type="checkbox"/> L <input type="checkbox"/> M <input type="checkbox"/> N <input type="checkbox"/> O <input type="checkbox"/> P <input type="checkbox"/> Q <input type="checkbox"/> R <input type="checkbox"/> S <input type="checkbox"/> T <input type="checkbox"/> U <input type="checkbox"/> V <input type="checkbox"/> W <input type="checkbox"/> X <input type="checkbox"/> Y <input type="checkbox"/> Z <input type="checkbox"/>					PRIOR MILITARY? B <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/>				
					COURTS MARTIALS? C <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/>				
					TYPE OF DISCHARGE D <input type="checkbox"/> H <input type="checkbox"/> G <input type="checkbox"/> B <input type="checkbox"/> D <input type="checkbox"/> M <input type="checkbox"/> R <input type="checkbox"/> O <input type="checkbox"/> N <input type="checkbox"/>				

### VIII. HEALTH

- A Y ☐ N ☐ Is defendant presently being treated for a PHYSICAL illness?  
B Y ☐ N ☐ Is defendant presently undergoing PSYCHIATRIC treatment?  
C Y ☐ N ☐ Has defendant ever undergone PSYCHIATRIC treatment?

### IX. DRUG & ALCOHOL ABUSE HISTORY

- A Y ☐ N ☐ Is defendant OPIATE FREE at the present time?  
B Y ☐ N ☐ Has defendant been addicted to OPIATES within the past two years?  
C Y ☐ N ☐ Is defendant presently undergoing treatment for OPIATE addiction?  
D M ☐ — Methadone Maintenance  
D ☐ — Methadone Detoxification  
T ☐ — Therapeutic Detoxification  
O ☐ — Other Opiate Addiction Treatment  
E Y ☐ N ☐ Has defendant abused NON-OPIATES within the past two years?  
F Y ☐ N ☐ Is defendant presently undergoing treatment for NON-OPIATES?  
G Y ☐ N ☐ Has defendant abused ALCOHOL within the past two years?  
H Y ☐ N ☐ Is defendant undergoing treatment for ALCOHOL abuse?
- COMPLETE ONLY IF "YES"  
IN IX.c. ABOVE

### X. PRIOR CRIMINAL HISTORY

- A. Y ☐ N ☐ Does the defendant have a PRIOR RECORD?  
B Y ☐ N ☐ Is there a record of ESCAPE?  
C Y ☐ N ☐ Has defendant ever "JUMPED" BAIL?  
D Y ☐ N ☐ Has defendant ever been in CUSTODY?  
E ☐ Total MONTHS in custody. (IF "YES" IN X.d. ABOVE)  
F Y ☐ N ☐ Has defendant ever had a PROBATION revocation?  
G Y ☐ N ☐ Has defendant ever had a PAROLE revocation?

### XI. JUVENILE RECORD

- A Y ☐ N ☐ Does the defendant have a JUVENILE RECORD?  
B ☐ AGE at first juvenile court action.  
C ☐ AGE at first juvenile court commitment.  
D ☐ NUMBER of status offenses.  
E ☐ NUMBER of juvenile adjudications.  
F ☐ NUMBER of juvenile commitments.  
G Y ☐ N ☐ Were juvenile records AVAILABLE?

### XII. ADULT CONVICTIONS

- A Y ☐ N ☐ Does the defendant have ADULT CONVICTIONS?  
B ☐ NUMBER of adult MISDEMEANOR convictions.  
C ☐ NUMBER of adult FELONY convictions.  
D ☐ AGE at first adult conviction.  
E F ☐ M ☐ TYPE of first adult conviction.

### XIII. ADULT COMMITMENTS

- A Y ☐ N ☐ Does the defendant have ADULT COMMITMENTS?  
B ☐ NUMBER of adult MISDEMEANOR commitments.  
C ☐ NUMBER of adult FELONY commitments.  
D ☐ AGE at first adult commitment.  
E F ☐ M ☐ TYPE of first adult commitment.

### XIV. PENDING CRIMINAL MATTERS

- A Y ☐ N ☐ Is the defendant presently on PROBATION?  
B Y ☐ N ☐ Is the defendant presently on PAROLE?  
C Y ☐ N ☐ Are there PENDING OFFENSES? (If so, complete below:)  
1 ☐ — NUMBER of pending FELONIES.  
2 ☐ — NUMBER of pending MISDEMEANORS.  
3 ☐ — NUMBER of pending OTHER OFFENSES.

### XV. PRESENT OFFENSE

<b>MAJOR CHARGED OFFENSE</b> A <u>      </u> ( <u>      </u> ) : <u>      </u> ( <u>      </u> ) Title (Sub) Section (Sub)		<b>ADDITIONAL OFFENSES</b> B <u>      </u>	<b>DIS COMPUTER CODES</b> Stat Code <u>      </u> Sav <u>      </u> Group <u>      </u> C <u>      </u> D <u>      </u> E <u>      </u>		
<b>OFFENSE DATE</b> F <u>      </u> Mo <u>      </u> Day <u>      </u> Year <u>      </u>		<b>ARREST DATE</b> G <u>      </u> Mo <u>      </u> Day <u>      </u> Year <u>      </u>			
<b>INVESTIGATING AGENCY</b> H <input type="checkbox"/> FBI <input type="checkbox"/> DEA <input type="checkbox"/> SS <input type="checkbox"/> TF <input type="checkbox"/> ATF <input type="checkbox"/> PI <input type="checkbox"/> Other					
<b>TYPE COUNSEL</b> I <input type="checkbox"/> CJA <input type="checkbox"/> Ret <input type="checkbox"/> Self <input type="checkbox"/> None <input type="checkbox"/> PD <input type="checkbox"/> CD <input type="checkbox"/> Waiv <input type="checkbox"/> Other					
<b>TYPE CASE</b> J <input type="checkbox"/> Fel <input type="checkbox"/> Mis <input type="checkbox"/> Pet <input type="checkbox"/> Mis ID <input type="checkbox"/> K W <input type="checkbox"/> Wrt <input type="checkbox"/> Dp <input type="checkbox"/> App <input type="checkbox"/> Other					
<b>PSA OFFENSE QUESTIONS:</b> L 1 <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Armed at time of Arrest? 4 <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Was the Victim Injured? 2 <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Offender resist Arrest? 5 <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Related to Drug/Alcohol Abuse? 3 <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Was Officer/Agent Injured? 6 <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Designated as High Risk?					

### XVI. BAIL HEARINGS

TYPE HEARING	HEARING CODES	ACTION TAKEN	AMOUNT SET	NON-HEARING
INITIAL	A <u>      </u> 1=PR 9 8 7 1-6 2=US	B <u>      </u> { 1=BM 2=BNM	C \$ <u>      </u> 00	D <u>      </u>
1ST REVIEW	E <u>      </u> 3=10% 9 8 7 1-6 4=SB	F <u>      </u> { 1=NC 2=BC-R 3=BC-D	G \$ <u>      </u> 00	H <u>      </u>
2nd REVIEW	I <u>      </u> 5=CL 9 8 7 1-6 6=BNS	J <u>      </u> { 4=BC-NC 5=V-NC 6=V-CC	K \$ <u>      </u> 00	L <u>      </u>
APPEAL	M <u>      </u> 7=3rd 9 8 7 1-6 8=PSA 9=OC	N <u>      </u> { 7=V-D 8=CC	O \$ <u>      </u> 00	P <u>      </u>

### XVII. RECOMMENDATIONS

PSA Recommendation Submitted? A <input type="checkbox"/> Y <input type="checkbox"/> N (Complete below if "Yes")			
Judicial Officer followed PSA Recommendation?	TYPE OF BAIL? B <input type="checkbox"/> Y <input type="checkbox"/> N	AMOUNT? C <input type="checkbox"/> Y <input type="checkbox"/> N	SPECIAL CONDITIONS? D <input type="checkbox"/> Y <input type="checkbox"/> N
Judicial Officer followed U.S. Government's Recommendation?	E <input type="checkbox"/> Y <input type="checkbox"/> N	F <input type="checkbox"/> Y <input type="checkbox"/> N	G <input type="checkbox"/> Y <input type="checkbox"/> N
PSA Bail Recommendation compared with the Government's?	H <input type="checkbox"/> Y <input type="checkbox"/> N	I <input type="checkbox"/> Y <input type="checkbox"/> N	J <input type="checkbox"/> Y <input type="checkbox"/> N

### XVIII. BAIL VIOLATIONS

A <input type="checkbox"/> No Bail Violations    V <input type="checkbox"/> Violations Listed Below    M <input type="checkbox"/> More than Listed Below														
TYPE BAIL VIOLATIONS								ACTION TAKEN			INVOLVED?		DISPOSITION	
Mis	Fel	BV	FTA	TFC	Oth	No	CC	Det	WI	Drugs	Weapons	Conv.	Dism.	Pend.
B <input type="checkbox"/>	M <input type="checkbox"/>	F <input type="checkbox"/>	B <input type="checkbox"/>	A <input checked="" type="checkbox"/>	T <input type="checkbox"/>	O <input type="checkbox"/>	C <input type="checkbox"/>	N <input type="checkbox"/>	C <input type="checkbox"/>	D <input type="checkbox"/>	W <input type="checkbox"/>	D <input type="checkbox"/>	W <input type="checkbox"/>	E <input type="checkbox"/>
F <input type="checkbox"/>	M <input type="checkbox"/>	F <input type="checkbox"/>	B <input type="checkbox"/>	A <input type="checkbox"/>	T <input type="checkbox"/>	O <input type="checkbox"/>	G <input type="checkbox"/>	N <input type="checkbox"/>	C <input type="checkbox"/>	D <input type="checkbox"/>	W <input type="checkbox"/>	H <input type="checkbox"/>	W <input type="checkbox"/>	I <input type="checkbox"/>
J <input type="checkbox"/>	M <input type="checkbox"/>	F <input type="checkbox"/>	B <input type="checkbox"/>	A <input type="checkbox"/>	T <input type="checkbox"/>	O <input type="checkbox"/>	K <input type="checkbox"/>	N <input type="checkbox"/>	C <input type="checkbox"/>	D <input type="checkbox"/>	W <input type="checkbox"/>	L <input type="checkbox"/>	W <input type="checkbox"/>	M <input type="checkbox"/>

## XIX. DISPOSITION SUMMARY

DISPOSITION		A	DM <input type="checkbox"/>	DC <input type="checkbox"/>	AQ <input type="checkbox"/>	NO <input type="checkbox"/>	CV <input type="checkbox"/>	DE <input type="checkbox"/>	OT <input type="checkbox"/>
			Dismissed	Discharged	Aquitted	Noted	Convicted	Death	Other
MAJOR CONVICTED OFFENSE						ADDITIONAL OFFENSES		DIS COMPUTER CODED	
B <u>      </u> ( <u>      </u> ): <u>      </u> ( <u>      </u> )						C <u>      </u>		Stat Code <u>      </u> Sev <u>      </u> Group <u>      </u>	
Title (Sub) Section (Sub)								D <u>      </u> E <u>      </u> F <u>      </u>	
FINAL SENTENCE						LENGTH OF SENTENCE (months):			
G1 A <input type="checkbox"/> Fine/Restitution ONLY						G2 (a) <u>      </u> Probation (b) <u>      </u> CAG			
B <input type="checkbox"/> Probation ONLY						AMOUNTS: FINE RESTITUTION			
C <input type="checkbox"/> Probation - Fine/Restitution						G3(a) \$ <u>      </u> 00 (b) \$ <u>      </u> 00			
D <input type="checkbox"/> Split Sentence						ADDITIONAL SENTENCING INFORMATION:			
E <input type="checkbox"/> Split - Fine/Restitution						G4- A <input type="checkbox"/> Observation & Study			
F <input type="checkbox"/> Custody Attorney General (CAG)						B <input type="checkbox"/> Youth Corrections			
G <input type="checkbox"/> CAG - Fine/Restitution						C <input type="checkbox"/> Stay of Execution			
H <input type="checkbox"/> Mixed Sentence						D <input type="checkbox"/> Consecutive Sentence(s)			
I <input type="checkbox"/> 21:844 (b) (1)						E <input type="checkbox"/> Concurrent Sentence (s)			
J <input type="checkbox"/> FJDA						F <input type="checkbox"/> Appealed			
K <input type="checkbox"/> Other									
SENTENCING OFFICER		DETAINED?		DETENTION INFORMATION			DETENTION CONCURRENT WITH OTHER SENTENCE OR DETAINER?		
H <u>      </u>		11 Y <input type="checkbox"/> N <input type="checkbox"/>		Days <u>      </u> Cost <u>      </u>			14 Y <input type="checkbox"/> N <input type="checkbox"/>		
PSA CONTACT		BAIL PERIOD		ARREST TO PRE-BAIL			PRE-BAIL TO INITIAL HEARING		
J <u>      </u> days		K <u>      </u> days		L <u>      </u> hrs <u>      </u> min			M <u>      </u> hrs <u>      </u> minutes		
TYPE OF INTERVIEW: N PR <input type="checkbox"/> Pre PO <input type="checkbox"/> Post OT <input type="checkbox"/> Other RE <input type="checkbox"/> Refused									

## XX. PRETRIAL SERVICES

VERIFICATION/ CONTACT ACTIVITIES		NUMBER TYPE		EVALUATION				COST							
		B.	1	TYPE	P	N	U								
A	1			DIP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$							
	2			DOP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$							
	3			MIP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$							
	4			MOP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$							
	5			AIP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$							
	6			AOP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$							
	7			RES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$							
	8			EMP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$							
	9			LGL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$							
	10			SS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$							
	11			CNS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$							
	12			MS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$							
	13			Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$							
NON- CONSTRUCTUAL SERVICES				C.	1			DIP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$			
				2			DOP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$				
				3			MIP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$				
				4			MOP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$				
				5			AIP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$				
				6			AOP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$				
				7			RES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$				
				8			CNS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$				
				9			Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$				
				CONTRACTUAL SERVICES				1			DIP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
								2			DOP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
								3			MIP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
								4			MOP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
								5			AIP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
6			AOP					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$				
7			RES					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$				
8			CNS					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$				
9			Other					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$				
10			Other					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$				
SUPERVISOR APPROVAL		DATE	CODER		DATE		DATE SENT TO WASHINGTON								