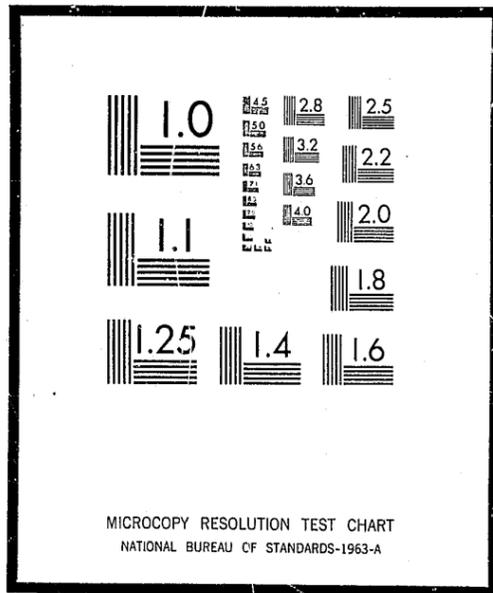


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INTERIM REPORT:
THE PILOT REDIRECTION CENTER AT THE
NEW HAVEN COMMUNITY CORRECTIONAL CENTER --
THE FIRST EIGHT MONTHS

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September 15, 1972
(Revised October 31, 1972)

TABLE OF CONTENTS

	<u>Page</u>
I Introduction	1
A. The Case of Frank S.	1
B. The Report	3
II Redirection: The Concept and the Issues	5
III The Redirection Center in Operation	10
A. The Context: System Comparisons with Other Cities	11
1. Prompt decisions on release	13
2. Supervision of releasees	15
3. Centralized pretrial administration	16
B. The Project: Initial Procedures and Problems	17
1. Delay	18
2. Diffusion of staff specialties	20
3. Imbalance ratio: detention vs. imprisonment	22
C. Project Reorientation	28
1. Emphasis on release	28
2. Supervised release	31
3. Staff reorganization	34
D. Leadership	36
E. Medical Services	38
F. Relations with the Custodial Staff	39
IV Relations with Other Criminal Justice Agencies	42
A. Bail Commissioners	42
B. Bondsmen	43
C. Wider City Parish Low Bond Program	44
D. Pretrial Services Council Diversion Project	45
E. Drug Programs	46
F. Clerks	47
G. Prosecutors	48
H. Judges	49
V Conclusions and Recommendations	51
A. Summary of Findings	51
B. Recommended Redirection and System Changes	53
C. Future evaluation	59

APPENDIX

	<u>Page</u>
Appendix I Data on April 1972 New Haven Jail Population	A-1
Appendix II Length of jail stay	
A. April 1972 detainees whose release was aided by the Redirection Center	A-3
B. September 1972 One-Day Detainee Population	A-4
Appendix III Detainee Questionnaire	A-5
Appendix IV Correctional Center and Redirection Center Population Trends	A-6
<u>Table A.</u> Sentenced and Accused Average Populations: Hartford, Bridgeport and New Haven, 1970-72	A-6
<u>Table B.</u> Hartford, Bridgeport and New Haven Monthly Average Populations, January-September 1972	A-7
<u>Table C.</u> Redirection Center Eligibles, April-July 1972	A-8
Appendix V Circuit Court Memorandum 71-141: Suggested Bail Commission Procedure	A-9
Appendix VI Erasure of Arrest and Court Records, Sec. 54-90, Conn. Gen. Stat.	A-10
Appendix VII Supervised Release Interview Form	A-11
Appendix VIII Applicable Section of Contract Covering the Evaluation of the Redirection Center	A-12

I. Introduction

A. The Case of Frank S.

In the early fall of 1971 Frank S. was arrested, charged with a drug offense and detained at the New Haven Community Correctional Center pending trial. In his subsequent court appearance, he pleaded guilty and received a suspended sentence, with probation conditioned on his participation in Daytop, a rigorous "therapeutic community" drug rehabilitation program in Seymour, Connecticut. After a few days at Daytop, Frank left, unable to cope with the psychological hardships imposed by that program. His desire to "kick" his habit remained, however, and he immediately signed himself into another drug program, at the Connecticut Valley Hospital in Middletown, Connecticut.

On January 4, 1972, after three months of successful participation in the C.V.H. program, Frank was arrested for violation of probation (a new offense in addition to his earlier drug charge) and was taken to the Sixth Circuit Court in New Haven. There he was arraigned, assigned \$500 bond that he could not raise, and sent back to the New Haven Correctional Center to await a court appearance scheduled for January 27.

Prior to January 1972, Frank's only assistance in communicating from jail to the outside world would have come from the institutional counselor, whose workload allowed no more than one or two phone calls per inmate.¹ In addition, the case load of the public defender made it unlikely that detainees like Frank

¹There was one counselor for the approximately 300 pretrial and sentenced inmates at the jail.

could count on effective contact being made with outside agencies which offered the kind of drug program he needed.¹

Rather than spending this second pretrial period in near helplessness, however, Frank was introduced to an innovative new project at the jail, specifically designed by the Connecticut Department of Correction to assist pretrial detainees. The project was the New Haven Pilot Redirection Center. The day after Frank's arrival, a Center representative interviewed him in the cell block and identified him as eligible for assistance. On January 6, Frank was brought upstairs from the cell block to the Center's offices on the second floor and extensively interviewed by Janice Cobb, the staff psychiatric nurse.

The interview revealed Frank's dilemma. The sentencing court had clearly intended, in imposing a suspended sentence and probation to Daytop in 1971, that Frank should receive help for his drug problem. Frank had conformed to the spirit of this sentence, but violated its specific terms, by moving without permission from Daytop to C.V.H. As a result of trying to secure help from a more compatible drug program, Frank faced the possibility of a prison term for probation violation.

Through the efforts of the Redirection Center, Frank was accompanied to court on January 27 (23 days after his initial arrival) by Daniel Ryan, the Center's attorney, and Ms. Johansen from the C.V.H. drug program. In addition, letters from C.V.H. and the Redirection

¹ See Brockett, Pretrial Detention: The Most Critical Period (Senior Studies paper in Yale Law Library, 1970) for data on the low rate of contact between public defenders (and other defense lawyers) and their clients awaiting trial in the New Haven jail.

Center urged Frank's release to C.V.H. Instead of imposing a prison term, the court again gave Frank a suspended sentence, conditioned on probation in the custody of C.V.H. to be followed by a probationary period with the Division of Vocational Rehabilitation. At last report, Frank was still attending the drug rehabilitation program at C.V.H.

B. The report

As an early case in the files of the Redirection Center, Frank S. illustrates both success (helping him return to a drug treatment facility) and shortcomings (delay in initial interview, and time needlessly spent in jail prior to disposition) of this new pretrial project. The case also suggests one of the difficulties in evaluating the new program: there is no way of telling whether, or how, Frank's case would have turned out differently had the Redirection Center not been established.

This report is a preliminary study of the Redirection Center, undertaken by agreement with the Department of Correction.¹ It covers the first eight months of operation, from January through August 1972. Its purpose is to outline the background of the project, its initial procedures, and its relationship to other components of New Haven's criminal justice system. It describes in some detail the manner in which the Center's operation and priorities began to change as the staff gained experience with the realities of pretrial release and detention practices in the city.

¹ See Appendix VIII

The report contains some preliminary data on the Center's pretrial population, and on the relationship of pretrial detention to post-trial incarceration in Connecticut. The key findings relate to tensions within the program, to evolution of the Center's purposes, to suggestions for change in the months ahead, and to questions for future evaluation. The principal deficiency lies in the absence of data about the disposition of cases of persons detained at the New Haven jail during this period -- data whose systematic unavailability precludes valuable feedback to the many decisionmakers and evaluators of the pretrial process.

II. Redirection: The Concept and the Issues

Years of neglect of local jails and pretrial detainees have been highlighted recently by disturbances at many detention facilities around the country, by court decisions condemning a number of facilities, and by scholarly articles analyzing the incarceration of untried persons and alternatives to detention. "What is needed now," the original application for the Redirection Center indicated, "is some new and fresh approach to this pretrial population."

A general outline of the approach is suggested by a statement of three goals in the application:

The overall impact of the project should be [1] the reduction in the numbers of individuals [in jail] awaiting trial and [2] the greater manageability of this group within the institutional setting. Additionally, [3] it is expected that certain negative community attitudes might be altered which would enable the use of volunteers and standard community resources in meeting the needs of these individuals.

From this paragraph and the description of staff specialties in the application, the original director of the Redirection Center derived a set of nine goals for the Center. He recorded them as follows in a memorandum in March:

1. Provide immediate attention to newly arrived inmates held in pretrial detention in terms of --
 - a. Social -- family contacts
 - b. legal -- civil and criminal
 - c. medical - medical, psychiatric, and dental
2. Develop programs within the jail that will be of interest and benefit to this particular population especially in terms of education, counseling, and health services.

3. Develop comprehensive medical services for this population.
4. Establish in the public eye the fundamental concept that this population is innocent until proven guilty with an eye toward formulation of programs recognizing their citizenship privileges, rights and roles.
5. Maintain community relationships previously developed or establish and strengthen during confinement.
6. Reduce the jail population.
7. Bring about greater manageability of those remaining.
8. Develop the use of volunteers and standard community resources in meeting the needs of the population.
9. Bring about erasure of the program within five years as volunteers and community agencies assume these functions.

The staff funded by the grant was divided into

two levels, or "teams": the first to handle some immediate needs of entering detainees, and the second to deal with more long-range problems of persons incarcerated for an extended pretrial period.

The first level was to include several specialists, including a social worker, an attorney, a psychiatric nurse, an educational diagnostician, and an ex-inmate:

This team would function to give immediate attention to each accused person arriving at the jail. Facilities would be available to enable new arrivals to make contact with their families, public defenders and public agencies. A psychiatric nurse would take a medical history and screen individuals for evidence of psychiatric disturbance. An experienced educator would take an educational history and evaluate each individual in terms of his educational needs including vocational or trade training requirements. An ex-inmate would function as a member of the team to make community inquiries, provide the newly-arrived individuals with orientation, etc.

The second level was to include a consulting psychiatrist, a dental technician, a part-time physician, an educational unit, and an ex-inmate. In concept,

(t)his team would receive referrals from the first level team and would conduct continuing programs for the attention to medical, educational, and community needs.

In addition to the action staff, a small research component was incorporated in the program to assess the progress of the Center towards its stated goals. The study methods during the first stage included participant observation at the Center by two law students, Carl Anduri and Timothy P. Terrell, under the general supervision of Messrs. Curtis and Freed of the Law School, and a consulting sociologist, Ilene Bernstein; data gathering; examination of relevant programs elsewhere; and extensive conferences with Redirection staff members and others in the criminal process of Connecticut.

In retrospect, the operation of the project raised several issues for examination that had not been apparent at the time of the grant. The principal issue was:

If a pretrial detainee desires and is entitled to pretrial release, but appears to a Redirection staff member to be in need of assistance and rehabilitation, which purpose -- release or rehabilitation -- will dominate, or how will conflicts between them be resolved?

Intimately related to that issue, but largely beyond the scope of this initial report, are important questions relating to the future of pretrial justice administration, and to the organizations which should be responsible for persons released or detained

pending trial. For example:

- What advantages and disadvantages inure to a criminal justice system in which a department of correction is responsible for persons held in pretrial detention?
- Would it make sense to require separate administration of detention institutions for pretrial persons and of prisons for convicted persons?
- Would it make sense to have a single agency govern or coordinate all programs for pretrial persons, released and detained alike, and if so, where in the system should such an agency be based?
- What are the implications, in Connecticut and elsewhere, of proceeding with or delaying plans to construct new jails before issues like these are explored in detail?

Long range questions like these lend useful perspective to the evaluation of pilot projects, like the Redirection Center, which are only small parts of a larger and complex network of criminal justice agencies. If institutions like the Center, for example, can overcome their initial difficulties and develop significant alternatives to most pretrial detention, future detention facilities might be built substantially smaller and at less cost than a rising or steady crime rate would otherwise suggest. Capital and operating costs for detention might, in such circumstances, be diverted to other junctures of the criminal process. Court systems might correspondingly alter their decision-making processes and options, reexamine their responsibility for pretrial detention and its institutions, and obtain increased resources with which better to answer the questions of whether and how arrested persons should be handled, e.g. released outright, or under supervision, or diverted to noncriminal alternatives, or detained in different ways pending trial.

The early operation of the Redirection Center does not convert the above possibilities into firm conclusions. It does suggest that with revised goals and improved procedures, they might emerge in the not too distant future.

III. Redirection in Operation: The Original Direction and Its Modifications

Preparation for the Redirection program began in the fall of 1971. Operations commenced on January 3, 1972. The first-level staff consisted of the following persons:

Director	John Dufficy
Attorney	Daniel Ryan
Social Worker	Donald Lee
Educational Diagnostician	Michalah Bracken
Psychiatric Nurse	Janice Cobb
Community Representative	Thomas Kilebrew
Spanish-speaking Community Representative	Ceferino Velez
Secretaries	Nancy Anderson Ellen Flinter

Each staff member approached his or her new job with a strong desire to help the pretrial population. Exactly what form the "help" should take was left for each individual to define. During the break-in period, the staff grew familiar with the characteristics and interconnections of New Haven's criminal justice system, and with its clientele.

Several factors combined to create a confusing and difficult period for the staff. Although simultaneous achievement of all goals mentioned or implied in the grant application was impossible, staff members felt an obligation to attempt most of them. During this period, little leadership was evident in sorting out or establishing priorities among the range of project goals. Because most staff members had been hired for expertise

in their particular social specialty, as a group they appeared quickly to adopt an orientation toward rehabilitation of their clients, toward treatment of the social problems of persons not yet tried on the criminal charges against them. The staff's ability to make headway was also hindered by the overloaded and disjointed criminal justice system in which their work was centered.

A. Context: System comparison with other cities

A helpful background for analyzing the early progress of the Redirection Center in its New Haven context may be derived from looking at comparable structures in several other cities. A variety of programs have grown up in recent years to deal with overcrowded pretrial jails and to explore alternatives to pretrial detention. Among these are the Philadelphia Pretrial Services Project, the District of Columbia Bail Agency, and the Des Moines Model Neighborhood Corrections Project.

The Philadelphia project is currently the most massive. Funded at \$872,869 annually, it was created by the Court of Common Pleas in 1971 to help judges determine conditions of release for arrested persons. The staff intervenes at all stages of the pretrial process, from prearraignment interviews of detainees in the police lock-up to an enforcement unit for finding those persons, released pursuant to project recommendation, who fail to appear on their assigned court dates.

The District of Columbia Bail Agency is an independent pretrial organization created by Congress in 1966 to serve the criminal process of the nation's capital. It is similar to the Philadelphia agency, although smaller. It interviews arrested persons and makes recommendations at both the police lock-up stage and the arraignment stage. It follows each releasee until disposition of his case. Its authority to supervise selected persons released on its recommendations was broadened by Congress in the District of Columbia Court Reform and Criminal Procedure Act of 1970, Public Law 91-358.

The Des Moines project is a privately organized demonstration program which specializes in interviewing and recommending for pretrial release selected jailed defendants whose high bail indicates that they were considered by the court to be poor risks.¹ It is an outgrowth of the pretrial release program which began in Des Moines in 1964. A new focus on high risk detainees was initiated in 1970 with Model Cities funds, under the administrative sponsorship of the Iowa Council of the National Council on Crime and Delinquency. It became part of the Polk County Department of Court Services in January 1971. The project provides extensive supervision, follow-up and referral work for each defendant released pursuant to its recommendation. Over the lifetime of the project, the appearance rate has been 98%, which is

¹ An early report on the Des Moines program is reprinted in Speedy Trial, pp. 497-539 (Hearings before the Subcommittee on Constitutional Rights, Senate Committee on the Judiciary, 1971). A new report will shortly be published in pamphlet form by the National Council on Crime and Delinquency.

about the same as money bond and R.O.R. releasees. The rate of new offense allegations is 17.5%, which is the same as for money bond releasees.

1. Early release decisions

If the theoretical tasks of Connecticut's bail commissioners¹ and the Redirection Center in New Haven were combined, the pretrial release possibilities here would be a blend of the D.C., Philadelphia and Des Moines concepts. A bail commissioner would interview each arrested person who was not released by the police at the precinct station. He would release some persons on his own authority, and make recommendations to a judge at the time of arraignment with respect to others. If the person continued to be detained after his first court appearance, his situation would be reviewed the next day at the Redirection Center, and additional release efforts made on his behalf. The Redirection Center would in essence serve a backstop function for persons not released at an earlier stage of the bail process.

At present, the operation of the New Haven system suggests that the early stages of the pretrial release process are working way below par. One hundred and fifty detainees at the New Haven jail were asked during June and July whether they had seen a bail commissioner at any time between arrest and jail.

¹ Sec. 63b of Title 54 of the Connecticut General Statutes details the function of the bail commissioner. The scope of his release authority is outlined in Memorandum 71-141, dated June 15, 1971, from Chief Judge John J. Daly of the Circuit Court of Connecticut. See Appendix V.

86% said they had not. This figure might be high for two reasons: some detainees unfamiliar with the court system might not know whether any of the officials they saw was a commissioner; others might believe they would attract sympathy by claiming they had been overlooked by a release-oriented official. But the figure might also be understated, since some detainees answered affirmatively on the basis of seeing only a bondsman, apparently believing that a bail commissioner and a bail bondsman were the same.

In contrast to what detainees say and do, the Chief Bail Commissioner's 1972 Annual Report discloses very substantial interviewing activity. Sixth Circuit interviews are reported to have increased from 1744 in 1970-71 to 4783 in 1971-72. No universe of defendants in the circuit is indicated. All things considered, the high rate of detention in New Haven makes it important to examine further into the accuracy of the 86% claim.

If 86% is anywhere close to a fair gauge of detention without a prior bail commissioner interview, the Redirection Center's intended backstop role is more nearly becoming a front line operation. Its staff is being compelled to interview and work with many detainees whose jailing is an error. In fact, even if all are interviewed by bail commissioners, the weeding out process must be faulty.¹ Observations tend to confirm this

¹ The Bail Commission's 1972 Annual Report indicates an extraordinarily low rate of productivity from commissioner interviews in the Sixth Circuit. In 1971-72, 3272 out of 4783 interviews, or 69%, resulted in no reduction of bond. The 31% reduction in New Haven contrasts with a 70% reduction rate statewide.

view. Center staff members deal with many individuals they believe could safely be released, in terms of likelihood to appear at trial.¹ It was thus not surprising that the burden of an excessive caseload began in late Spring to raise staff doubts about the wisdom of continuing to try to provide specialty social services to all detained men.

2. Release under supervision

The initial reports on the Des Moines project suggest, in a city approximately the size of New Haven, that a program which provides supervisory resources and services can be effective in increasing pretrial release for persons who normally would be detained pending trial.

The concept of supervised release is addressed to accused persons who present high but controllable risks of flight or misconduct during the pretrial period. It is, in a sense, the pretrial counterpart of postconviction probation. It acknowledges that the extremes of pretrial release via money bond or a promise to appear, and of pretrial detention in a maximum security jail, are unduly limited choices. They ignore a broad middle range of persons who, in the view of judicial decisionmakers, can not safely be released without some kind of supervision, yet do not require the extreme form

¹Connecticut statutes specify that the only criterion for determining release prior to trial (in noncapital cases) is that conditions of release are available to give "reasonable assurance of the appearance of the accused in court." See, for example, 54 Conn. Gen. Stat. Sections 53, 63b, 63c, 63a, 69 and 69a.

of control which jail signifies. The importance of inserting such intermediate forms of controlled release has been recognized in recent years in the Federal Bail Reform Act of 1966, 18 U.S.C. Sec. 3146 et seq.; in the District of Columbia Court Reform and Criminal Procedure Act of 1970; and in Standard 5.2 of the Standards Relating to Pretrial Release, adopted by the American Bar Association in 1969.

New Haven had planned in 1971 to develop resources for a supervised release program at the police lock-up stage. That action would have been two steps advanced beyond Des Moines, where supervised release was initiated for persons in jail after bail setting in court. An LEAA grant proposal was submitted by the City and funded by the Connecticut Planning Committee on Criminal Administration. Authority to proceed was vested in the New Haven Pretrial Services Council. The program has not yet been implemented. To fill the gap, the Redirection staff began in mid-1972 to develop a Des Moines-type project, whose progress is described in Section III C below.

3. Centralized pretrial administration

The systems of pretrial administration in Philadelphia and Washington, D.C., suggest a third comparison. In both cities, program success seems due in part to the centralized, well-staffed organization which oversees pretrial release operations.

New Haven has an impressive array of useful components, but no central pretrial agency. It has a field citation system

administered by the police;¹ a stationhouse bail bond schedule similar to other cities; an ROR program administered by bail commissioners; an experimental pretrial diversion project inaugurated in 1972 under the New Haven Pretrial Services Council; a program to post bonds for detainees held on low bail, which is conducted by the Wider City Parish; and the Redirection Center operated at the jail by the Department of Correction.

This spectrum of release stages is broader than in most cities, but coordination among individual programs is lacking. Each agency makes its own decisions without much reference to, or feedback from, the others. The Pretrial Services Council, with one full-time employee serving as executive director and paid by LEAA funds under a grant from the Connecticut Planning Committee on Criminal Administration, might become a coordinating organization in time. To date, however, it lacks the authority, the administrative resources and the system overview found in Philadelphia and Washington. In such a setting, the Redirection Center is but one of many independent programs in what should be a unified pretrial system.

B. The Project: Initial Procedures and Problems

Against this background, the Redirection Center's operating problems in the early months can be analyzed. They fall into three principal categories: (1) processing delays, (2) fragmentation of staff specialties, and (3) an overwhelming pretrial

¹ See Berger, Police Field Citations in New Haven, 1972 Wisc. L. Rev. 382

imbalance in comparison with the incarceration of sentenced offenders.

1. Delay

Most detainees arrive at the New Haven jail in the afternoon. During the first five months of 1972, the jail's institutional counselor continued, as in the past, to make a new arrival's first telephone call to a relative, friend or bondsman the morning after arrival. He attempted to assist each detainee as best he could, given the severe limitations on the time of one counselor for 250 prisoners.

When the Redirection Center program began, a staff counselor was present at the initial interview and phone call. He would screen each detainee to determine if he was eligible for Center assistance. Eligibility during these early months simply meant that the detainee was in an awaiting-trial status and was not a federal prisoner.¹ A preliminary interview was undertaken to determine which Redirection staff specialist would be most appropriate to the detainee's problem (e.g. medical, education, employment). The detainee would be scheduled for a Redirection interview the following morning in the Center offices on the second floor of the jail.

From these initial procedures, several difficulties emerged. The Redirection staff ordinarily did not see the detainee at the Center until his third day in jail. Second,

¹ See Appendix I and part C of Appendix IV for further details on eligibility.

a number of interviews were delayed further when the detainee was returned to court on that day. And third, because Center activities involved attempts at "treatment" of a detainee as well as trying to release him, much time following interview was consumed trying to identify a program for each detainee in advance of working for his pretrial release.

The foregoing factors meant that even the most fortunate Redirection clients spent considerable time in jail prior to release. A study was made for the month of April 1972 to determine the time consumed prior to Center-assisted release. The results are shown in Appendix IIA. The average period of jail time for persons helped by the Center through an "own recognizance" release (R.O.R.) was 11 days. For a money bond release aided by the Center, the period was 8.6 days. For Center-assisted release by way of cases being "nolled" or dismissed, the average was 8.5 days.

In part; the figures reflect procedural shortcomings in taking so long, at high detention costs, to get men out.¹ But they also suggest shortcomings in the criminal process itself. Decisions on release or detention or R.O.R. or bond or dismissal are made by the police, the bondsmen, the bail commissioner and the court. They are never made by the Redirection Center itself. And as indicated in the discussion of the "imbalance ratio" below, the major deficiency in the process is that so many persons who should have been released prior to trial had to

¹ The delay for releasees, of course, pales in comparison with the length of time many detainees spend in jail awaiting trial. A one-day sample in September 1972 showed the average stay to be 47 days; the median was 29 days; the range was 1 to 283 days. See Appendix IIB.

plead guilty or be convicted in order to regain their liberty.

2. Diffusion of staff specialties

The large number of pretrial detainees eligible for assistance, matched with a correspondingly small number of counselors, made it necessary for each staff member to devote his or her entire morning to intake work. The following table illustrates the number of clients involved for one month -- April, 1972:¹

New Admissions	304
Ineligible for Redirection Center	110
Sentenced	100
Federal Prisoner	5
Parole or Probation violator ²	5
Eligible for Redirection Center	194
Released Prior to Interview	60
Interviewed by Redirection Center	134

Few persons were released after one interview.

Almost every man had to be seen on one or more subsequent subsequent afternoons for additional help. As a consequence, the referral of each new detainee from one specialist to another to assure that all needs were met -- a procedure implicit in the grant proposal -- never was a practical possibility.

¹ See Appendix IV for data on succeeding months in which the clientele increased.

² Alleged probation and parole violators were excluded for a brief period, but subsequently were made eligible for Redirection Center assistance.

At the same time, since each detainee's problems seemed multiple in character, the chances for pure specialty work by each staff person were remote. For example, during June and July, each new detainee was asked by a Center secretary a series of pre-interview questions. 150 sets of responses were tabulated.¹ Recognizing that some responses may be incorrect, the following table nevertheless suggests the types and extent of social problems with which a pretrial jail staff must deal:

TABLE II²

	<u>% Yes</u>	<u>% No</u>
Do you use drugs?	24	76
Were you employed at the time of your arrest?	40	60
Were you collecting unemployment or welfare at the time of your arrest?	24	76
Do you have any immediate medical problems?	24	76
Do you have any psychiatric problems?	8	92
Have you attended school within the last year?	10	90

To cope with the burden imposed by multiple problems and excessive detainees, a practice developed during the Center's early months for each staff member, regardless of specialty, to retain control and follow-up responsibility over all cases originally routed

¹ The first 150 complete answer sheets of an approximate total of 300 were included in the sample. Questionnaires which were incomplete due to administrative error were not counted.

² See Appendix III for further data. Unemployment appears to be a serious problem, although the reasons for it are unclear and should be pursued in the next stage. Redirection has referred detainees to various employment and training agencies, such as Opportunities Industrialization Center (OIC) and the Division of Vocational Rehabilitation (DVR). But these agencies are themselves referral organizations, often bogged down in red tape and waiting lists. The desirability of including an employment counselor and a vocational training program at the jail should be given serious consideration.

to him or her. Specialties thus became subordinated to the need to process the full caseload.

3. Imbalance ratio: detention vs. imprisonment

The problem of adjusting the capacity of the small staff of Redirection specialists against the needs of a continuously large population of pretrial detainees created substantial program tensions during the developmental stage. The extent to which the detention population was excessively large, or the Center staff unduly small, or the goals of the Center too diffuse, became an issue that demanded early resolution.

In order to gain a sense of the excessiveness of the detention population, some rough measurements were recorded for pretrial detainees in Connecticut as a whole, and in the New Haven Correctional Center in particular. The research team tried to examine the relationship between (1) the number of pretrial detainees who are convicted and sentenced to post-conviction custody, and (2) all pretrial detainees (irrespective of how long detained, and of whether or how released). Because data in category (1) is currently unavailable in Connecticut, a substitute figure -- the number of persons admitted to correctional institutions after conviction -- was used.

The resulting analysis, even with its acknowledged imperfections, suggests three conclusions: (1) that the overwhelming majority of persons incarcerated in Connecticut are jailed only prior to the trial or disposition of the charges against them; (2) that most people who spend time in a pretrial jail are released no later than

Table III¹: Admissions to Connecticut Institutions

	Jan.	Feb.	Mar.	April
Total Entering Accused Detention Population (A)	1868	1852	1745	1708
Total Entering Sentenced Population (B)	556	553	569	545
Imbalance Ratio: (A-B)/(A)	70%	70%	67%	68%

Thus, nearly 70% of all persons who spend time in jail prior to trial appear to serve no time in custody after disposition.

The imbalance between pretrial and conviction imprisonment in Connecticut has apparently not been the subject of extended study.² A preliminary analysis was made of data currently available from courts in New Haven. The final dispositions of a sample of 83 cases which originated during April 1972 were examined, with the following results.³

¹ The total figures in this table are inflated to an indeterminable degree due to problems of data collection encountered by the Department of Correction. When an accused or sentenced detainee is taken to court and thereafter returns to jail, he is counted as a new admission. Thus, one prisoner may be counted several times during a month's statistics. Further research is needed to determine the extent to which this inflation is proportionately or disproportionately applicable to the accused and sentenced populations.

² The one exception is a study of the case dispositions of 37 women detained at the Connecticut Correctional Institution in Niantic in August 1970. It found that thirty (30%) were eventually released without serving any time after conviction and sentence. Left behind in the community during the pretrial detention period (which averaged 75 days at \$26.83 per detainee per day) were 54 children under age 21. See N. Rogers, Classification in Pretrial Detention: A Study of Disciplinary Rules in a Pretrial Institution for Women (Yale Law Library, 1971).

³ These results are tentative, since some April cases are not yet complete. A further analysis in the next Redirection Center report may include a larger sample of the population, with subdivisions indicating the length of stay in jail for those who became part of the imbalance.

the stage at which the guilty among them are convicted and sentenced; and (3) that judges are more likely to release a defendant who has just been convicted than one who goes to jail because he could not raise bail. In other words, determined guilt rather than presumed innocence appears to offer the more likely road to release from custody in Connecticut.

The Research Division of the Connecticut Department of Correction began, in January 1972, to report monthly admissions to (A) the accused and (B) the sentenced population in each community correctional center and postconviction institution in the State. If the admissions to both populations were about equal, the number (A-B) and proportion (A-B)/(A) of pretrial detainees who did not subsequently enter the sentenced population would approximate zero. A ratio close to zero would indicate that comparatively few people who are jailed prior to trial are later released upon conviction. If a significant portion of pretrial detainees, on the other hand, are released prior to trial or at sentencing, the imbalance ratio (A-B)/(A) will be a high percentage. As explained below, the imbalance ratio is an indicator but not an accurate fraction all by itself.

Data for Connecticut for the first four months of 1972 revealed the following:

TABLE IV¹: April 1972 New Haven Detainees

25.

Total Sample of Pretrial Detainees	83
Total Sentenced to Serve Time	24
Total Serving <u>No</u> Time	59
Imbalance Ratio	71%

If Tables III and IV are representative, and hold up when larger samples are taken, the New Haven experience tends to confirm the accuracy of Connecticut data as a whole. These data suggest that a large majority of all pretrial detention in the state may be unnecessary in the sense that judges release most detainees as soon as their trial or plea bargain has been completed, if not sooner.

The definition of "necessary" detention is thus taken from a comparison of the actions judges take at the two ends of the court role in criminal cases. The initial judicial decision -- on bail -- results in pretrial detention or release. Some detention decisions eventually lead to the posting of bail; others are reviewed and bail is reduced; still others are followed by dismissal of the case and release. The final judicial decision is sentencing.

¹ Two major problems associated with this data must be noted. First, the Sixth Circuit daily court docket, from which most of this information was collected, is not considered an "official source" and may thus contain errors and omissions. To compound the difficulty, there is no official source available at the Sixth Circuit Court, except the defendant's individual file, a source which court personnel in New Haven treat as confidential and usually unavailable for research, even to gather anonymous, quantitative information.

A second problem results from a Connecticut statute -- Title 54, Section 90. Under its provisions, which are set out in Appendix VI, if a defendant is found not guilty, or his case is dismissed, all information about his case must be erased from his record, and from the unofficial court docket as well. A blank space after a defendant's name on the docket, however, may indicate either a continuance or an erased disposition. This uncertainty compels the researcher to exclude such a defendant completely from the study.

26.

It determines whether those persons who are convicted will be committed to imprisonment, or released on a fine, suspended sentence, or under the supervision of a probation officer. If the imbalance ratio computed above is an accurate guide, Connecticut judges seem to be saying that in only 30% of all cases did the detained defendant really need to be jailed.

A number of qualifications concerning the validity of the ratio warrant further investigation. Some tend to justify the imbalance, i.e. to support pretrial detention irrespective of whether the detainee is later committed to serve a sentence. Others tend to suggest that the unjustified imbalance may even be larger than 70%.

Factors which might justify the imbalance include:

- an accused's prior record of escape from custody, bail jumping, or background factors indicating unreliability to appear in court as required;
- a charge of serious crime, based on substantial evidence, conviction of which is likely to subject the accused to a long prison sentence, and therefore to increase the likelihood he will flee before trial;¹
- situations in which the judge released a pretrial detainee after conviction solely because his time in detention equalled the prison sentence imposed;
- situations in which the failure to impose a prison term might be argued as an inadequate sentence rather than as demonstrating excessive pretrial detention.

¹ Except in the District of Columbia, under Public Law 91-358 (1970), the denial of bail in noncapital cases cannot be predicated on a judge's finding that the accused is a dangerous person whose release pending trial would jeopardize the safety of the community. The statute's constitutionality has been challenged, but not yet resolved, while its usefulness has been seriously questioned. See Bases and MacDonald, Preventive Detention in the District of Columbia: The First Ten Months (Vera Institute and Georgetown Institute, 1972).

Factors which suggested that the imbalance is unjustified, and perhaps understated, include:

- the fact that many persons who are sentenced to prison after trial were free on bail prior to trial. This means, in interpreting Table III, that the number of detainees who appear to have been released no later than conviction is actually higher;
- the fact that many pretrial detainees are ultimately convicted, and thereafter sentenced to imprisonment rather than probation, only because the outcome of their case, and the sentence, were prejudiced by pretrial detention;

The validity of the one category most frequently asserted to justify the imbalance is in serious doubt: sentences which are commuted to time served do not automatically demonstrate that pretrial detention was appropriate. They do not show that a prison sentence would have been imposed, or proper, if the same person had been free pending trial, had a job, or otherwise remained out of trouble. They do not show that pretrial time in detention fairly serves any of the purposes of the criminal law which might be appropriate if served after conviction -- punishment, rehabilitation, prevention, deterrence, respect for law. In fact, the uncertainty and tensions of pretrial jails, their overburdened facilities and their nonexistent programs, are almost universally condemned by the same professionals who administer prisons for punishment and correction. The credit against sentence for time spent in custody is a useful bookkeeping transaction, but it seldom compensates either the defendant or the community.

¹ See Rankin, The Effects of Pretrial Detention, 39 N.Y.U. L.Rev.641(1964); and Plaintiff's Memorandum in John Bellamy et al v. Judges and Justices Authorized to Set Bail in N.Y. City Criminal Court and the N.Y. State Supreme Court in N.Y. County, et al. (N.Y. Sup. Ct., App. Div., First Dept., March, 1972), prepared by the Legal Aid Society of New York.

Further research is needed to assess the significance of the conflicting factors which go into verifying, or modifying, the 70% imbalance ratio. The imbalance is aggravated by the long periods over which detainees are held in New Haven, see Appendix IIB, and the large numbers of individuals who enter the city jail each year. Projecting the four-month population, April-July 1972, shown in Appendix IVC, pretrial admissions in New Haven appear to be running at a rate of 2430 persons annually. If 70% represents the rate of their release without a prison sentence, upwards of 1700 persons may be serving pretrial time each year without justification.

C. Reorientation

1. Emphasis on release

By late Spring, it became evident to most staff members and the research team that the volume of detainees continuously entering the jail precluded the Redirection Center from simultaneously performing, on a quality basis, its intended pretrial release and pretrial rehabilitation services. The slow processing of new admittees meant that releases took too long; staff members were unable to concentrate on their professional specialties; and pretrial detention continued to overbalance conviction as the major cause of incarceration in New Haven.

The frustrations of the staff, together with observations and suggestions of the researchers, led to a key

project decision in early June: to alter the dual mission of the Redirection Center in favor of priority for early pretrial release and reduction of the jail population. The move was undertaken with the goal of developing release techniques that could stabilize the detainee population at a lower level: high risk persons for whom adequate conditions of pretrial release were unavailable. At that point, the Center staff might be able to deliver counselling and supportive services to more manageable numbers of detainees. This goal would become particularly feasible if the earlier stages of the bail system - police, bail commissioners, judges - would be able to expand their release rates by employing Redirection techniques to avoid sending so many arrested persons unnecessarily to jail.

On June 6, intake procedures were changed so that nearly all accused persons who entered the jail were interviewed the morning after arrival. Each detainee's first phone call was made by a Redirection counselor, instead of by the jail's regular counselor. As indicated in Appendix IV, Table C, these procedures quickly resulted in an increase in the number and proportion of all detainees interviewed at the Center. The fact that Redirection counselors could make more calls, sooner, and without the discontinuities inherent in the previous system's dependence on first calls by the institutional counselor, appeared to expedite release for at least some men. Two other organizational changes -- the supervised release program detailed in part 2 below, and the staff

reorganization into referral teams described in part 3, -- were intended to increase further the pretrial release potential of the Center.

It is important to acknowledge at this point that a fair quantitative evaluation of the Center's efficiency and effectiveness has not been possible to date. The terms used in records to describe its work include "phone call being made," "efforts being made in court," and "efforts at treatment." Whether each such effort ultimately proves decisive, or meaningless, or somewhere in between, has been beyond the ability of the project to determine in more than a handful of cases.

Appendix I illustrates an effort at quantification. It shows only a small number of detainees aided by the Center in securing release. It does not reflect other intangible factors: e.g. release efforts that failed because other criminal justice agencies failed to cooperate; possible improvements in inmate morale;¹ the development of better release techniques out of the experience of early setbacks. Improved data collection methods may permit more accurate analysis in the future. And a sharper program focus on early release of detainees may produce a more impressive showing of Redirection accomplishment.

¹ This report makes no attempt to measure the level of inmate "morale." Observer members of the research team saw no indication of a general attitude change in the detention population during their work at the Center from February through August. But there was also no base period, prior to the Redirection program, on which to predicate a comparative finding.

2. Supervised release

Almost from the outset, the Redirection staff noted a reluctance on the part of the court system to accept the Center's release recommendations. The recommendations almost invariably took the form of requests for R.O.R. or bail reduction. A central reason for the low batting average was the fact that all detainees for whom the Center made recommendations had been before the court at least once before for bail setting, and had not been released. By definition, the Center's clientele were already system rejects.

In an effort to overcome this attitude, the project decided it needed to demonstrate to the courts that it was an expert in the techniques of pretrial release. Reflection on its caseload disclosed that release recommendations were being made for two rather distinct groups of men: (1) those seemingly detained due to errors in the system (i.e. bail set on the basis of inaccurate or inadequate information) and (2) those who appeared to be high risks at bail setting on the basis of all available information.

The experience of other jurisdictions with better bail information systems, and with release options in between outright release (R.O.R. or bond) and maximum security detention, was examined. The research team arranged visits by the director of Philadelphia's pretrial program to New Haven, and by New Haven representatives to Philadelphia and Washington. Out of this experience and that of similar programs in Des Moines and New York City, came the design for a supervised release program to be based at the Redirection Center.

The staff proceeded on the hypothesis that expanded knowledge of the defendant and his background, coupled with the prospect of post-release supervision, might alleviate court concern about releasing many detainees. The staff plan, however, called for inclusion of both the "erroneous" detainees and the "high risks." If only the high risks were offered supervision, it was anticipated, the low risks might be prejudiced by their exclusion. And if high risks were the sole participants in a program about which the courts were skeptical, a recommendation for supervisory release might turn out to be a disadvantage to its subject. The staff, therefore, decided that both groups of system rejects should be recommended similarly, with the levels of proposed supervision to vary according to the circumstances. Great importance was attached to careful interviewing and verification of pertinent information for the entire clientele.

By mid-summer, the supervised release program was well on the way to becoming a permanent part of the Redirection Center. Authority for the program to operate in Circuit Court was predicated on Chief Judge Daly's 1971 bail memorandum to all Circuit Judges. It interpreted Connecticut bail statutes to authorize pre-trial release under the supervision of third parties, or with restrictions on travel, association and place of abode, as well as the more conventional bonds and recognizance. Appendix V. Basic to implementation of the program was a detailed interview form, developed through many drafts by the staff and the research team, and based on the experience of programs elsewhere. It is reproduced in Appendix VII.

Supervision was contemplated under a Redirection staff member, a community organization or a private individual approved by the Center and the court. Supervision at the outset was to consist of phone calls and personal visits, with a minimum of two contacts per week. Other supervision programs, embracing job training, counseling, medical care, etc., were expected to be developed.

Built into the supervised release program was an opportunity for more accurate measures of Redirection Center success. To accommodate the new program, the information systems at the Center were modified and expanded, with two major objectives in mind. First, a display panel of cards corresponding to each detainee and his date of entrance was established so that attention could be focused on persons who had been in custody for the longest time. Once release was granted to a detainee, his card would be transferred to a second display panel where his progress through the pretrial process would be monitored.

Second, the card system consolidated all pertinent information on each detainee. Specific questions on individual status could be more easily answered, and necessary statistics could be more conveniently compiled. For the supervised release program, data will be assembled on the number of detainees released under the Center's supervision, and their appearance and default rates in meeting assigned court dates. The program's ultimate

goals in measuring success will be (1) to increase release, (2) to maintain a low default rate, and (3) to maintain a low rate of crime committed while awaiting trial.

3. Staff reorganization

In conjunction with the supervised release program, a reorganization of staff functions was undertaken. The specialization envisioned at the outset for each member had proven unworkable. All were handling a wide variety of cases, feeling a deep sense of responsibility for each individual case but not for the broader problems they illustrated.

For example, each counselor had a number of drug cases which were handled on an ad hoc basis. No one assumed responsibility for looking at the patterns which emerged from drug cases, for devising policies and procedures to deal with different inmate profiles, or for overseeing the assembly of resources to make drug referrals workable. If a team of counselors had been placed in charge of all drug cases, on the other hand, they would inevitably begin to face program issues -- as well as individual issues -- which might lead to systemic improvements. If each counselor were assigned accountability in a particular problem area, a better sense of direction in their work, and greater effectiveness, might result.

With these possibilities in mind, the staff began the process of organizing into levels or teams. The descriptions here were valid as of September 1, the end of the period covered by this report.

Immediate release team. Headed by Michalah Bracken, this team was to interview all men with low bonds. Those able to secure release on their own were to be left alone. The rest were to receive appropriate assistance, with the team deciding which of those who appeared unlikely to be released R.O.R. or on bond should be recommended for supervised release. The team was to remain responsible for all detainees who, on its recommendation, were released by the court under supervision.

Drug and alcohol team. With Tom Killebrew in charge, this group was to interview detainees charged with drug offenses or intoxication, or who were drug users. It would recommend release under appropriate supervision or into willing programs, and keep track of persons so released.

Court representation team. This team led by Daniel Ryan, the Center attorney, and including any volunteer help, was to serve as the Center's liaison with judges, prosecutors, defenders, and other criminal process agencies. It would present the various team requests for supervised release to the courts.

High-bond detainee team. Consisting mainly of Ceferino Velez and Donald Lee, this team was to deal on an ad hoc basis with men not taken by other teams. One of their tasks would be quite difficult -- to secure supervised release for nondrug defendants on high bond. The second task would be to furnish counselling and services to all detainees not released. Therefore,

also included on this team would be members of the "second level team" identified in the grant application -- the consulting psychiatrist, the part-time physician, and the dental technician.

D. Leadership

The quality of leadership is important to the effective operation of the Redirection Center at two separate levels. The first is that of the director of the Center. The second concerns leadership at positions above the Center director in the hierarchy of the Department of Correction.

Leadership in any organization affects internal as well as external relationships. Inside the Center, it influences staff morale and organizational vitality. Outside, it can generate favorable responses to the program from the many important groups and individuals with whom it comes into contact, particularly those who make decisions or can provide resources.

The attempts of the first Director, John Dufficy, to provide internal leadership were hampered by several circumstances. The Redirection Center was placed physically in a jail which had been in operation since 1857. During that period, the institution functioned for the principal purpose of maintaining order and security. The Warden was master of the ship. The arrival of the new Center on the Warden's premises brought a new staff, a new Director, and a set of quite different purposes: to influence the

release of prisoners from the jail and assist their contacts with the community. The precise relationship of the Center to the jail and its traditional security mission and leadership structure was not defined, and it proved difficult to clarify. Much of the Director's time was spent trying to clarify that relationship.

As a result, the Center suffered in both of the respects listed above. Externally, the Director was unable vigorously to seek out and establish productive contacts with community resources. This is not to say that no contacts were made. Most, however, resulted from the individual uncoordinated efforts of staff members. Internally, morale lagged as staff members grew increasingly unsure of their positions within the institution, and of the Center's goals. They became discouraged by their low effectiveness in dealing with the outside world -- the court and the community.

Those in positions above the Director were troubled by the same picture, but they appeared reluctant in the early months to intervene in the growing tensions between the Center and the jail. Redirection personnel interpreted this as a lack of Departmental leadership, feeling that they had been told to "sink or swim." Whether or not their perception was correct, the low morale it engendered became a compelling reason by early summer for increased dialogue between the Department in Hartford and the staff of the Center.

Externally, officials in higher positions appeared not to be making sufficient contact with the courts and other components of the criminal justice system. Redirection personnel came to feel that other important elements in the system, particularly judges and prosecutors, did not attribute to the Center the same importance or seriousness of purpose which they did attribute to the parent Department of Correction. The low visibility of tangible accomplishments at the Center tended to reinforce this difficulty.

During the summer, Mr. Dufficy resigned as Director and was replaced on an acting basis by Don Lee. Mr. Lee began by working on the streamlining of intake procedures, and the development of the team structure and the supervised release program. By the end of August, staff morale appeared to be on the rise. The anticipated establishment of closer ties with outside organizations, and a potential for larger impact on pretrial decisionmaking, seemed likely to promote a new sense of mission for the Center.

E. Medical Services

The medical services offered by the Redirection Center between January and August were the subject of research team impressions, but were not evaluated. No one questions the importance of augmenting the inadequate medical services at the jail. Observers wondered, however, how effective were the incremental services being provided under the grant. The part-time Redirection doctor saw detainees only upstairs, where no medicine was allowed. He was able

to diagnose, but unable to treat, the high caseload of detainees who came to him. Once he saw a man, he referred him to the one other part-time doctor who constituted the "regular" institutional medical staff. It was not clear why a new doctor to diagnose and treat detainees would not be preferable to simply adding a referral doctor.

An additional question was how such services fit within the innovative purposes of the Center, since they did not appear to offer anything more than the standard health care any institution should provide to its clients as a matter of course. This question goes not to whether more and better medical service is needed, but to why it ought not become a permanent part of the New Haven Community Correctional Center, as a fixture instead of a pilot project.

F. Relations with the custodial staff

A certain amount of friction is to be expected whenever a reform-oriented, well-publicized new organization is inserted inside a traditional institution. This is particularly true when a need exists to coordinate the practices, procedures and personnel of the old and the new.

The relations between the staffs of the Redirection Center and the jail have been no exception. The new staff complained early about the uncooperativeness of some custodial personnel, and the many restrictions imposed upon Center procedures by those of the jail. At

the same time, complaints from the custodial staff centered on their concern for the Redirection Center's lack of concern for security problems.

The conflict was almost inherent in the differing orientation of each group. One was looking inward, the other outward. For the jail, security and housekeeping procedures are fundamental. For the Center, those procedures are seen as inconveniences, since almost any restrictions on its interviews, phone calls and counseling compound the difficulty of dealing with a heavy caseload.

Procedures that caused complaints are illustrated by the following:

1. Representatives from community agencies wishing to visit the Redirection Center often had great difficulty securing admission to the jail. Advance approval by the Warden was required for each visitor.
2. Interviewing time during each day was sharply limited:
 - a. On the visiting day for each wing of the jail, no interviews were permitted with wing inmates;
 - b. Interviews were delayed on mornings when cell inspections overlapped Redirection Center time;
 - c. Detainees scheduled for interview on a laundry exchange day were forced to choose between the interview and a clean set of clothes;
 - d. Detainees who came to the Center for an interview might miss a scheduled dose of medication, which would not be administered at any other time;

e. Detainees were not permitted at the Redirection Center between 11:15 a.m., when they had to go downstairs for the count before lunch, and 1:30 p.m. when they could return. Afternoon interviews had to be concluded by 3:15 p.m., when detainees were taken downstairs for the 3:30 count.

3. Each detainee who wanted to come upstairs to the Redirection Center needed the prior approval of the supervising captain. While approval was often routine, confusion developed when the officer misunderstood schedules at the Redirection Center (such as believing that drug group members were not allowed up because the group had been phased out, when in fact it had not), or thought that certain groups of men upstairs might constitute a security risk.

4. The "face sheets" that accompanied detainees upstairs for their first morning interview were filled out by sentenced inmates in the Admittance and Processing area the night before. They often contained mistakes on questions relating to "offense," "counts," and "bond," thereby compelling Redirection personnel to waste time tracking down accurate information.

During the first eight months, a number of incidents strained both organizational and personal relationships in the two institutions. By the end of summer, however, it appeared as if much of the friction was subsiding, and procedures to accommodate both perspectives were being evolved.

IV. Relations with Other Criminal Justice Agencies

During the first eight months, the Redirection Center became familiar with the workings of the courts and other criminal process agencies. A number of detainees came from courts in Waterbury, Meriden and several other cities, but the great majority of Redirection Center clients were within the jurisdiction of the New Haven courts. The observations in this section are derived principally from experience with law enforcement agencies, community organizations, and the Sixth Circuit Court and the Superior Court, all in New Haven.

A. Bail Commissioners

Chief Bail Commissioner Thomas P. O'Rourke was consulted at the beginning of the Redirection program and indicated his support for it. During the early months, the Redirection Center attorney, Daniel Ryan, made recommendations regarding release of detainees through a bail commissioner. Later, he found it more effective to deal directly with prosecutors, since their opinions were usually determinative in bail matters.

The staff originally anticipated that the Center would request ROR's for those few detainees whose bail was set at their initial court appearance without having previously seen a bail commissioner. However, as mentioned earlier, a surprising 86% of the men in jail interviewed by the Center during June and July 1972 said they had not seen a bail commissioner. Since a commissioner is required under

Connecticut law to be "available at all times"¹ in the circuit courts, this statistic is difficult to explain. A major effort needs to be made in the coming months to verify the assertions of detainees that they have not seen a bail commissioner, and, if necessary, to develop more efficient bail procedures.

B. Bondsmen

Redirection Center personnel who go to court to assist detainees have received some cooperation from bondsmen who were persuaded in particular cases not to require collateral.² For most detainees, however, and especially those who can afford the bond premium, collateral may be the key to pretrial freedom they do not possess. For them, as well as for those who have collateral yet are denied release by bondsmen unwilling to take the financial risks, the injustice of the present bonding system is painfully obvious. Judicial decisions regarding release are being delegated to commercial interests, whose refusals to sell bonds effectively frustrate the purposes of bail.

Redirection staff members complained about the uncooperativeness and unreliability of some bondsmen. For example, bondsmen would rarely post bond for detainees whose bail was set at less than

¹ See 54 Conn. Gen. Stat. Sec. 63b.

² Collateral refers to goods or property that will be forfeited to the bondsman if the defendant does not appear on his court date. The amount of such goods or property required by a bondsman corresponds to the amount of the total bond which the bondsman will be required to pay to the court in the event a failure to appear results in bond forfeiture.

\$300, believing it not worthwhile to make the trip to jail for the \$20 premium. Bondsmen also failed to return phone calls, or promised to come to the jail but failed to appear. Recognizing that bail bondsmen in the past helped many defendants gain pretrial release that would otherwise have been impossible, the Redirection staff nevertheless began to question the social value and appropriateness to a justice system of maintaining money-based bail bonds for persons who could not buy them. Because of such observations, several Redirection staff members became interested in the 10% cash deposit systems in other jurisdictions,¹ and the possibility that New Haven might institute a program similar to those now found in Hartford, Philadelphia, Chicago, and some federal courts.

C. Wider City Parish Low Bond Program

The Center worked with the Reverend Tom Scott and the program his Wider City Parish instituted, with grants from the New Haven Foundation and others, to aid defendants ignored by regular bondsmen. Redirection makes recommendations to Reverend Scott and his staff to see individuals with low bonds. If the recommendations are accepted, Reverend Scott posts their bond. In the beginning no fee was required, although Reverend Scott sought as much of the allowable

¹ A 10% deposit program allows a defendant for whom bail is set to post 10% of the bail amount with the court and gain release. The person is liable for the remaining 90% if he fails to appear for his next court date. If the defendant does appear, all or most of the 10% is refunded to him. In this system, not only is the necessity for bondsmen substantially eliminated, but court can actually generate funds to pay for the program by retaining a small fraction of each deposit.

premium as a defendant could afford, to enable his bail fund to grow. For some defendants, Reverend Scott occasionally required a co-signer on the bond forfeiture agreements, but no collateral.

An important feature of the Wider City Parish program has been Reverend Scott's supervision of releasees. This is accomplished by maintaining telephone and some personal contact with each client. Because he sometimes reached the limit of his bonding authority and had to suspend activity for a while, the research team suggested to Reverend Scott that he explore the court's willingness to accept non-surety bonds in selected cases. The purpose would be to allow more efficient use of his capital with no reduction in the very high court appearance rate he has reported. In the coming months, we intend to assist Reverend Scott in trying to develop criteria and procedures to implement the suggestion by identifying those low bond detainees for whom release in the custody of the Wider City Parish program without requiring the posting of a surety bond might satisfy the courts.

D. Pretrial Services Council's Diversion Project

This project was launched in May 1972 to seek diversion from the criminal process of minor offenders who were unemployed or under-employed at the time of arrest. Diversion staff members interview eligible detainees in a pre-court lock-up and recommend, in selected cases, the prosecution be continued for 90 days while the person enters a job training program.

At the end of the reporting period, diversion was having a minimal effect on the Redirection Center, assisting an average of perhaps two to three men per week who might otherwise have ended up in jail. Those diverted appear to have been prime candidates for Redirection Center release. In the months ahead, the goals and procedures of the Diversion and Redirection programs need to be coordinated so that they can make referrals to one another, and their impact and efficiency can be maximized.

E. Drug Programs

NARCO and Daytop screeners use Redirection Center facilities to interview prospective candidates for their drug programs. They will offer to accept into their programs detainees who pass their screening interviews and for whom they have space. However, despite efforts by the Redirection Center, it has almost always been necessary for the detainee to plead guilty, or to secure pretrial release on his own, before being admitted to a drug program. This had largely been due to the reluctance of prosecutors and judges to release drug addicts pending trial.

A widespread feeling prevails among prosecutors, judges and some treatment people that the imposition of a sentence with its ever present threat of an immediate prison term is more useful in inducing successful participation in drug treatment than is the threat of prosecution in the future. No empirical evidence has

been presented to date to support that feeling. Efforts are currently being made to reopen the question so that drug programs might be available, via court referrals, to persons who would otherwise remain pretrial detainees.

F. Clerks

To keep current on their individual cases, and to measure the impact of their efforts, Redirection staff members must know what happens to detainees who go to court and then fail to return to the jail. The information is of critical importance in following defendants through the criminal process, in studying the relationship between the disposition of cases and the fact of pretrial detention, and in attempting to overcome the imbalance discussed earlier between pretrial and post-conviction incarceration.

In most Connecticut courts except the Sixth Circuit, there appears to be little difficulty in securing this information. The office of the Court Clerk will furnish it to any Redirection Center staff member who calls. The Sixth Circuit clerk's office has a different practice. It refuses to disclose such information over the telephone. It limits personal visits by representatives of the Redirection Center to two brief periods each week -- late Thursday or Friday afternoon. And it stresses the fact that its court information is neither complete nor official.¹

¹ See footnote 1, page 25.

This difficulty in obtaining data is costly, for it ties up Redirection staff time which might otherwise be spent helping detainees at the Center. It also illustrates the attitude, mentioned earlier, that the Redirection Center is not an integral, important part of the criminal justice process.

But the problem of access to full and reliable criminal process information cannot be solved simply by altering the Sixth Circuit Clerk's policy. The incompleteness of his disposition records is due in part to Connecticut's erasure statute (Appendix VI). The partial confidentiality of files flows from a general policy statement governing the "examination of court records in criminal cases," issued by the Chief Clerk in July 1969 in Memorandum No. 9-69. In addition, the Sixth Circuit office is tremendously overburdened with responsibilities for which it lacks sufficient staff. The arrival of visitors, official or otherwise, to examine its records only adds to that burden. Perhaps one key to solving the problem of adequate records and data gathering in the Sixth Circuit lies in allocating new funds with which the Clerk can employ additional staff help.

G. Prosecutors

The Redirection Center has had productive contact with the prosecutor's office only in the Sixth Circuit. More than anything else, this has been due to the receptivity of Paul Foti, chief prosecutor, both to reasonable recommendations for alternatives to

jail and to reversing the refusal of subordinates to consider such options. It probably also reflects the fact that public defenders in the Sixth Circuit are unable to afford as much time as in less busy circuits discussing a particular case with the prosecutor. The Redirection staff can thus play a particularly important role in the Sixth Circuit.

In the Superior Court and other circuits, Redirection personnel rarely speak to prosecutors outside the courtroom. Instead, their efforts are funnelled exclusively through the detainee's attorney.

The restructuring of the staff described earlier should enable the Redirection attorney to spend more time in the various courts, working more closely with prosecutors than at present. A primary reason for seeking to improve these relationships is the barrier to early release imposed by the unwillingness of "the system" to bring the pretrial detainee back to court as soon as a release recommendation can be made.

H. Judges

The Circuit Court practice of rotating its 43 judges among the 18 circuits every three months presents both difficulties and opportunities for the Redirection Center's relations with the court system. If the Center program proves successful, the rotation policy may lead many more judges to support similar

programs elsewhere in the State. At the same time, rotation produces a need for continuing education of the bench.

As each new judge arrives in a circuit in which the Redirection Center is active, the Center's effectiveness in individual cases may depend on his awareness of its function and its reliability. Although discussed internally at the outset of the program, no regular procedures have yet been developed to explain to a new judge what the Center is, what goals it is trying to achieve, and how it operates. Nor is there yet any feedback to the Court on the contrast between its bail decisions which produce detention and its sentencing decisions which produce release. A major effort should be made by the Center or the Department of Correction to familiarize incoming judges with the role, procedures and importance of the Redirection Center experiment.

V. Conclusions and Recommendations

A. Summary of Findings

The first eight months of the Redirection Center have been a period of learning and transition. During this brief span, its operations seem to have had comparatively little impact on the jail and the administration of justice. At the same time, however, the organization has developed a rather significant potential for inducing major changes in the months ahead. Although the need for time in which to develop workable procedures, and the scarcity of records in and out of the Center, made any definitive evaluation premature, a number of impressions were formed.

In terms of impact, the Center has not appreciably altered the profile of the jail nor achieved the other goals stated in its grant application. It has not reduced the size of the pretrial population -- at least not in ways that can be measured and that would not have occurred without a Center. It is impossible to tell whether the Center has made the jail more manageable, or has influenced the lives of more than a few detainees -- either by releasing them quickly from detention, or by delivering valuable services to them while in detention. Because of its low visibility to date, it has not had much of an impact on community attitudes toward detainees. And it has not yet caused major changes in the procedures or decision-making criteria of courts or other agencies in the pretrial criminal process. The overwhelming majority of persons arrested and incarcerated in the New Haven

area continue to be jailed prior to trial rather than after conviction, at a rate that may approach 1700 pretrial-only prisoners, and at a staggering annual cost to the taxpayer for their seemingly needless detention.¹

These impressions are in some ways unfair: eight months may be too little time for significant changes to occur, and the techniques and data for adequate evaluation are themselves deficient and remain to be improved. The diffuse nature of the Center's goals at the outset defied effective implementation. It takes time for a new organization to learn the ropes in an old system. And the disjointed and uncoordinated character of the criminal process, coupled with the inefficiencies in other agencies in that process, made it impossible to expect a new program to have decisive impact quickly.

Of paramount importance in any assessment is the Center's extreme dependence on both the ability and willingness of other pre-trial process agencies to make proper decisions. If the police issue too few citations and set high stationhouse bail, and the bail commissioners provide inadequate review of police bail-setting, and the courts lack adequate bail information on defendants and fail to employ sufficient options for dealing with pretrial release risks, the jail is bound to receive too many detainees who will, in turn, overload the Center's staff. Absent continuous analysis of data, and feedback from one stage to the next, agencies are largely precluded from learning through experience how to improve their daily

¹ The State of Connecticut Budget Report - 1971 lists the annual per capita cost at the New Haven jail as \$3,143. Therefore, the 178 man years spent in pretrial detention in New Haven during 1971 cost the taxpayer \$559,454.

procedures and decisions.

Despite these difficulties, the Center staff has learned a great deal in its first eight months -- about itself, about the larger system of which it is a part, and about the importance of establishing priorities. By the end of the reporting period the Center appeared on the threshold of some important breakthroughs in expediting the release of more detainees under new techniques of supervision and control, and reducing the imbalance between pretrial and post-conviction imprisonment.

B. Recommended Redirection and System Changes

Many changes need to be made in the Center and in the criminal justice process of New Haven, if the pioneering mission and potential of the Redirection Center is to be realized. A large number have already been suggested in the body of this first interim report. This section is intended to highlight and supplement the earlier sections.

1. Division of functions.

The dual goals of the grant application -- release and rehabilitation -- need to be separated. They are basically incompatible ends for a single small organization to pursue equally. Both are important to a pretrial system of justice: minimum incarceration prior to trial, and maximum help for persons who cannot be released. The first, however, is properly a function of the judicial process, since it plays the central role in release decisions. The

second plainly requires new programs to be administered within the walls of detention institutions.

To accomplish both purposes, the Redirection Center should work toward an eventual partition into two independent units. The first, focusing on early release, should begin with the current backstop role of the Redirection Center and move either toward eventual erasure of the unit,¹ or toward becoming the nucleus of an enlarged pretrial service agency. The latter alternative, similar to those in Philadelphia and Washington, and to the federal function envisioned in S. 895, 92d Congress, would consolidate such pretrial functions as the bail commissioner, stationhouse release, pretrial diversion, supervised release, notification of releasees, and tracking down defaulters.

The second unit, whose establishment should await more progress in reducing the pretrial population, would remain a permanent part of the jail. It would diagnose needs and augment programs to serve detainees whom the release unit could not release. It would be a genuine redirection center, redirecting the idleness and destructive tensions of pretrial jails into the highly constructive channels originally envisioned by the Department of Correction.

¹ This was one of the original goals in the grant application.

2. Pilot Project Perspective

Essential to the success of the release mission of the Center is staff recognition of the fact that they constitute an important experimental program, with nationwide implications, testing whether a tradition-bound system can be significantly improved. They are not just members of a service program whose sole purpose is to help some individuals each day.

The Center urgently needs to formulate specific targets for itself. It needs to develop detailed written criteria upon which its own actions and decisions (e.g., when to make recommendations for what kind of release for a high risk detainee) can be based. The goals and criteria must be reviewed periodically, and modified through experience, so that project progress, and its ultimate success or failure, can be objectively evaluated.

In the development and monitoring of goals, criteria and records, the role of the project Director is critical. Without his constant review, analysis and reporting, an experimental program like the Center is destined to have diminished impact.

Specific illustrations of short-term goals that might be identified now are:

a. Expedited release. The Center should, within three months, devise procedures to enable the release of all low bond (\$500 or less) detainees within two days after their arrival at the jail.

b. Imbalance reduction. The Center should seek within each six-month period to reduce by 25% the number of persons who are detained more than two days prior to trial, but who are released no later than conviction. This goal requires close attention to the disposition of all detainee cases, and communication between the Center and the courts.

c. Record keeping. High priority should be given to the maintenance of complete and accurate records on the case of every detainee processed for release. The beginning of a more complete record system, developed through the initiative of the student members of the research team, is outlined on page 33. Individual staff members cannot chart their own progress or re-examine their own methods of operation, and the program cannot be soundly evaluated, without such records. The difficulty of persuading conscientious staff members of the importance of this function was indicated in the first research report on the Des Moines Model Neighborhood Correction Project (March 1971), page 20:

[The] "project staff went to extraordinary lengths to ... facilitate the evaluation."
[But substantial deficiencies were noted because of] "time pressure, difficult access to information, and low priority given to paperwork on the part of individuals who are deeply engrossed in their work with people."

3. System coordination

A more cohesive pretrial system needs to be put together if the deficiencies highlighted in this report are to be overcome. The

Redirection Center cannot succeed if the pretrial criminal process in which it is imbedded is unresponsive to the need for reform. It cannot reduce detention by itself.

The high volume of arrests annually in the New Haven area makes it essential that each successive stage filter out those persons for whom custody is no longer necessary. At the same time, the Redirection Center is in a unique position to monitor the failures of prior stages of the process, and to work out with each of them more effective screens to avoid unnecessary pretrial detention.

Perhaps the most important stage to reexamine first is the bail commission. Available information indicates (a) an extraordinarily low rate (according to Mr. O'Rourke's report) of bond reduction by commissioners after bail interviews in the Sixth Circuit; and (b) a very high rate (according to detainees, but not yet verified) of failures to interview persons who end up in jail. These data, supported by the fact of a high detention rate, suggest that the commission must define new standards for release -- R.O.R., money bond, supervised release.

In addition, the various police release programs (citations, stationhouse bail), Reverend Scott's program, the employment diversion experiment, and the drug programs (for suspended prosecution or supervised release), all present opportunities for improved performance. Finally, the courts, whose decisions mark the final crossroads between pretrial release or entering the jail, are plainly

not operating at peak efficiency in this regard. They are not receiving enough information on which to base sound decisions, and are not sufficiently employing the bail alternatives spelled out in Chief Judge Daly's memorandum to avert unnecessary detention. All of the foregoing problems should be addressed as a unit, rather than in separate compartments.

The Pretrial Services Council in New Haven may offer a useful medium for beginning pretrial system coordination. If its present membership, which is already representative of most of the criminal process, secured additional staff to aid the Executive Director, much more intensive study could be devoted to aligning the procedures and standards employed by each agency. Feedback of information for improved decision-making by each might then become a reality. An early meeting should be convened for representatives of all programs and decision-makers identified in this report to consider its findings and recommendations.

4. Access to information

As an adjunct to the above recommendation on coordination, the criminal justice system in New Haven needs to establish an information exchange for purposes of pretrial process review. The records of the bail commissioners, the courts and the jail must be available both for followup and analysis of individual cases, and for a study of system-wide decision-making patterns and criteria. Without such information, the likelihood of ever changing outmoded policies

and practices at each stage, and of enabling officials at one juncture to learn from the experience of those at another, will be severely impaired.

At each stage, state statutes, or considerations of privacy, require sensitivity to the proper use of information from individual records. These factors make an information exchange program complicated to work out, but they in no way diminish the urgency to face the problem directly. Representatives of the Bail Commission, the Judicial Department, the Redirection Center, and others with vital information to contribute, or important interests to protect, should be convened quickly to map out a new approach to the comprehensive recording, exchange and analysis of pretrial information.

C. Future evaluation

Many areas of inquiry have been opened up by this initial study of the pilot Redirection Center. Many unanswered questions about its performance remain. The principal value of the preliminary report has been to identify potentials for improvement in the pretrial process, deficiencies in present information and topics for future examination.

No further evaluation can be undertaken, however, until (1) discussion takes place with those affected by the findings in this report, and (2) decisions are reached regarding acceptance, rejection or modification of its recommendation by the agencies involved. As soon as these steps are completed, an evaluation plan for the next phase of Redirection Center operations can be prepared.

APPENDIX I

Data on April 1972 New Haven Jail Population

The following information was tabulated as of June 3, 1972, on all persons admitted to the New Haven Community Correctional Center during April 1972.

New Admittances		304
Ineligible for Redirection Center		110
Sentenced	100	
Federal Prisoner	5	
Parole or Probation Violator	5	
Eligible for Redirection Center		194
Released Prior to Interview		60
Not returned from court (NRC)	16	
Out on bond (OOB)	38	
Transferred to another jail	2	
Refused help	4	
Interviewed		134
Remaining active cases		30
Inactive cases		104
Not released		20
Referred to institutional counselor	14	
Transferred	3	
Other	3	
Release not influenced by Redirection Center		48
OOB	15	
ROR	1	
Nolle	3	
Pleaded and Sentenced	16	
NRC	13	
Situation influenced by Redirection Center		36
OOB	8	
OOB - in program	2	
ROR	8	
ROR - in program	3	
Nolle	6	
Pleaded and sentenced	3	
Pleaded and sentenced - in program	4	
Other	2	

Explanation of terms:

Remaining active cases -- detainees in jail for whom the Redirection Center is still making efforts.

Inactive cases -- detainees who were released or for whom the Redirection Center is no longer making efforts.

Referred to Institutional Counselor -- detainees who did not want help or who were thought by the Redirection Center not to be susceptible to its help (e.g., accused murderers, alcoholics who would not admit their problem, etc.)

Release not influenced by Redirection Center -- the Redirection Center did nothing to obtain the detainee's release, or had very little effect on it (i.e., the outcome would have been the same without the Center).

NRC -- "not returned from court." These initials, found throughout the jail records, mean that no information was available on the disposition of the detainee's case, or on why he failed to return to jail.

Situation influenced by Redirection Center -- the Redirection Center was instrumental in (a) obtaining a release for the detainee that he probably would not have received without the Center's help, and/or (b) obtaining a better sentence or disposition than he would otherwise have received.

Into program -- detainee entered a drug, alcohol, vocational, or educational rehabilitation program.

APPENDIX II

A. Length of Stay in Jail for April 1972 Detainees Aided by Redirection Center

The following information, compiled as of June 3, 1972, indicates the mode of release and the length of jail stay of the 27 detainees (out of a total of 194 admissions to detention) who entered the New Haven jail in April 1972 and had their ultimate release aided by the Redirection Center.

<u>Mode of Release:</u>	<u>R.O.R. (11)</u>	<u>O.O.B. (10)</u>	<u>Nolle (6)</u>
<u>Individual length of stay, in days:</u>			
	3	4	3
	5	4	6
	7	6	6
	7	6	6
	7	7	10
	10	7	20
	10	8	
	14	9	
	15	14	
	21	21	
	22		
<u>Average</u>	11.0	8.6	8.5
<u>Median</u>	10	7.5	6

B. Length of Stay in Jail of All Detainees Present, as of One Day in September 1972

The following data, compiled for the September 26, 1972 pretrial population, indicates how long each person present that day had been held awaiting trial. It is intended to convey a picture of a population cross-section in terms of length of stay. The spread among detainees is fairly typical, even though the one-day population total is unusually high, and the median low, due in part to the fact that 24 persons were jailed on the day selected at random for the count.

<u>Days in Jail</u>	<u>Number of men</u>
1 - 20	92
21 - 40	43
41 - 60	16
61 - 80	22
81 -100	13
101 -120	9
121 -140	3
141 -160	0
161 -180	6
181 -200	2
201 -220	1
221 -240	0
241 -260	3
261 -280	0
281 -300	3
Total detainees:	213
Average stay :	47 days
Median stay :	29 days
Longest stay :	283 days (2 men)
Shortest stay :	1 day (24 men)

APPENDIX III

Detainee Questionnaire

Answers to questions asked of 150 pre-trial detainees entering during June and July, 1972.

	<u>Yes</u>	<u>No</u>
1. Did you see a bail commissioner?	21 (14%)	129 (86%)
2. Do you use drugs?	36 (24%)	114 (76%)
3. Were you employed at the time of your arrest?	60 (40%)	90 (60%)
4. Were you collecting unemployment or welfare at the time of your arrest?	37 (24%)	113 (76%)
5. Do you have any immediate medical problems?	36 (24%)	114 (76%)
6. Do you have any psychiatric problems?	13 (8%)	137 (92%)
7. Were you attending school within the last year?	15 (19%)	135 (90%)

APPENDIX IV

Correctional Center and
Redirection Center Population Trends

A.

Table A reports the average number of men held in pretrial and sentenced status in Hartford, Bridgeport, and New Haven Centers during 1970, 1971, and 1972. This data, and that in Table B, comes from Department of Correction Research Reports.

Table A

<u>1970 averages</u>	Sentenced	Accused
Hartford	250	244
Bridgeport	162	172
New Haven	115	229
<u>1971 averages</u>	Sentenced	Accused
Hartford	233	190
Bridgeport	165	194
New Haven	121	178
<u>1972 averages</u>	(Jan.-June) Sentenced	Accused
Hartford	236	164
Bridgeport	163	158
New Haven	116	157

These figures show a general decline in pretrial detention over the last two and a half years at all three Centers, and stable sentenced populations at each.

B.

Table B reports the monthly averages for January through September, 1972:

Table B

	<u>Hartford</u>		<u>Bridgeport</u>		<u>New Haven</u>	
	Sentenced	Accused	Sentenced	Accused	Sentenced	Accused
January	235	174	153	187	98	171
February	261	169	98	174	158	168
March	249	160	164	150	112	157
April	239	150	183	152	123	154
May	227	154	189	137	109	150
June	203	175	190	153	96	137
July	151	157	186	143	98	140
August	158	161	190	139	98	155
September	145	144	179	143	103	163

Two points should be noted concerning this detailed data. First, the erratic nature of both pretrial and sentenced populations is obvious. Since these monthly figures are averages of daily population counts, the fluctuations day by day are even more erratic. See, for example, Appendix 11.B. Second, a general decline in pretrial detainees occurred at both the Bridgeport and New Haven Centers, even though a Redirection Center was operating only in New Haven.

A - 8

C.

Table C reports the aggregate monthly data collected at the Redirection Center in New Haven. The number of new admittances was calculated by totaling all names listed on each day's "New Admittance" list that came to the Redirection Center from the custodial staff.

Table C

	April	May	June	July
New Admittances	304	334	256	351
Ineligible for R.C.	110	120	61	116
Sentenced	100	102	53	102
Federal Prisoner ¹	5	15	8	14
Parole or Prob. Vio. ²	5	3	-	-
Eligible for R.C.	194	186	195	235
Released prior to interview	60	99	47	59
Interviewed at R.C.	134	87	148	175

Changes in intake procedures, described in the body of the report, occurred at the beginning of June and are reflected in these figures. Since the initial interview began to take place the day after arrival, the number and percentage of those released prior to initial interview declined, and a corresponding rise began in the number and percentage of detainees being interviewed at the Redirection Center.

¹ Federal prisoners were excluded entirely until procedural changes in June made some eligible.

² Probation and parole violators were excluded from the program during a few weeks in April and May, but were thereafter included in Center interviews.

71-141

June 15, 1971

CIRCUIT COURT
ADMINISTRATIVE OFFICE
ONE GRAND STREET
HARTFORD, CONNECTICUT

MEMORANDUM

TO: JUDGES AND CHIEF BAIL COMMISSIONER

SUBJECT: SUGGESTED BAIL COMMISSION PROCEDURE

The following policy covering the handling of persons unable to post bond is recommended for implementation by July 1, 1971, with the complete concurrence of Chief Bail Commissioner Thomas P. O'Rourke:

When a person is first presented before the court, if he has not been released from custody of the State, it is recommended that the Judge before whom he appears inquire into the conditions of his release and the reason for his inability to meet these and make an independent review of said conditions. Where such review is made, the Judge shall inquire of the Prosecutor and/or the Bail Commissioner why the existing conditions are believed necessary to assure the person's appearance in court.

Unless, after such review and inquiry, the Judge finds that the existing conditions of release are necessary he may modify such conditions imposing in lieu thereof such conditions as he deems will assure the appearance of the person in court.

If the Judge is of the opinion that there is insufficient information on which to make a determination of conditions of release he shall direct the Bail Commissioner to make a detailed examination of the person's situation and report back to the court not later than two court days after such order.

The Bail Commissioner shall carefully and thoroughly inquire into the person's family ties, employment, financial resources, physical and mental condition, residence, previous record, record of appearance or non appearance at court or of flight to avoid prosecution.

Upon completion of his inquiry the Bail Commissioner shall make recommendations to the Judge that the person be released on his own recognizance or on a written promise unless the Bail Commissioner finds that such release will not reasonably assure the appearance of the person as required.

APPENDIX VI

71-141

If the Bail Commissioner finds neither of the above is sufficient he shall, either in lieu thereof or in addition thereto, recommend the following conditions or combination thereof that he feels will reasonably assure the appearance of the person:

- (A) Release to the custody of a designated person or organization agreeing to supervise the person.
- (B) Place restrictions on the travel, associations, or place of abode during period of release.
- (C) The execution of an unsecured appearance bond.
- (D) The execution of a bail bond in a lesser amount than originally set.
- (E) Cash bail.
- (F) Any other conditions deemed reasonably necessary to assure appearance as required.

Example - Require person released to report to Bail Commissioner once a week during period of release.

If conditions of release are set the Bail Commissioner shall furnish the person in writing a statement of such conditions, place a copy of such statement in the person's file, and retain a copy for his own file.

At each subsequent appearance of a person who is still incarcerated the Bail Commissioner shall make a redetermination of the person's situation and may alter the conditions of release if such action is in order.

s/ John J. Daly
Chief Judge

Sec. 54-90, Connecticut General Statutes, Erasure of Arrest and Court Records.

Sec. 54-90. Erasure of arrest and court records after not guilty findings, dismissals, nolle prosequi and pardons. (a) *Whenever in any criminal case the accused, by a final judgment, is found not guilty of the charge or the charge is dismissed, all police and court records and records of the state's or prosecuting attorney pertaining to such charge shall be immediately and automatically erased.* (b) *Whenever in any criminal case prior to October 1, 1969, the accused, by a final judgment, was found not guilty of the charge or the charge was dismissed, the arrested person or any one of his heirs may file a petition for erasure with the court granting such not guilty judgment or dismissal, or, where the matter had been before a municipal court or a trial justice, with the circuit court and thereupon all police and court records and records of the state's attorney, prosecuting attorney or prosecuting grand juror pertaining to such charge shall be immediately and automatically erased.* (c) *Whenever any charge in a criminal case has been nolle prosequi in the superior court, court of common pleas or in the circuit court, or in a municipal court or by a justice of the peace, the arrested person or any one of his heirs may file a petition with the court granting the nolle prosequi, or the circuit court in any matter pertaining to a municipal court or a justice of the peace, for an order of erasure and if such court finds that at least one year has elapsed since such nolle prosequi, it shall order all police and court records and records of the state's or prosecuting attorney or the prosecuting grand juror pertaining to such charge to be erased. Such petition shall have appended thereto a summons and proposed order, and a copy of such petition and the summons and proposed order shall be served, in the manner provided in the practice book for the service of pleadings, at least fourteen days before the return day specified in such summons by mail, on each clerk, chief clerk, police official, and other person to whom such order will be directed.* (d) *Whenever any person who has been convicted of an offense in any court of this state has received an absolute pardon for such offense, such person or any one of his heirs may, at any time subsequent to such pardon, file a petition, with the court in which such conviction was effected, for an order of erasure in the same manner as is provided in subsection (c) of this section, and such court shall order all police and court records and records of the state's or prosecuting attorney pertaining to such case to be erased.* (e) *The clerk of the court or chief clerk of the circuit court, as the case may be, shall not disclose to anyone information pertaining to any charge nolle prosequi or erased under any provision of this section. No fee shall be charged in any court with respect to any petition under this section. No person who shall have been the subject of such an erasure nolle prosequi shall be deemed to have been arrested ab initio within the meaning of the general statutes with respect to the proceedings so erased. (1969, P.A. 229, S. 1.)*

RESIDENCE

H F E G

26. Address _____ Phone _____
 27. Length at present address _____
 28. Length at prior address _____
 29. Length in Connecticut _____
 30. Lives with ()parents ()spouse ()children ()friends
 ()relatives ()alone

FAMILY

H F E G

31. Marital Status ()S ()M ()CL ()D SEP.() ()W
 32. Time Married _____
 33. Supports Spouse ()YES ()NO
 34. No. of Children _____
 35. Support Children ()YES ()NO
 36. Supports Others ()relative ()Friend No. _____

EMPLOYMENT

H F E G

37. Employment status ()employed ()laid off ()day labor ()seasonal
 ()unemployed ()welfare ()strike ()service

H F E G

38. Name of employer _____
 39. Address _____
 40. Length of present employment _____
 41. Length of prior employment _____
 42. Reason for leaving ()Fired ()Quit ()laid off () illness
 ()Retired.
 43. Union member ()yes ()no Name: _____

MILITARY

44. Military experience ()none ()past ()current
 45. Branch ()army ()navy ()marines ()A.F. ()Co. Guard ()Mar. Marines
 ()H. Guard
 46. Length of service _____ 47. Date of Discharge _____
 48. Type of Discharge ()Hon. ()Dishon. ()Med. ()General

RECORD

Ver.

49. No. of Juvenile Arrested 0 1 2 3 4 5+
 50. No. of P.T.A.'s (Juvenile) 0 1 2 3 4 5+
 51. No. of Prior Adult Arrests 0 1 2 3 4 5+
 52. No. of Prior Adult Conv. 0 1 2 3 4 5+
 53. No. of Misdemeanor Conv. 0 1 2 3 4 5+
 54. No. of Felony Conv. 0 1 2 3 4 5+
 55. No. of Open Cases 0 1 2 3 4 5+
 56. No. of Adult F.T.A.'s 0 1 2 3 4 5+
 57. Detainer At Time of Arrest HOME PROB. PAROLE
 F.T.A. BENCH WARRANT FUGITIVE

CONTACTS

HOME CONTACT

58. NAME _____ 59. RELATIONSHIP _____
 60. ADDRESS _____ 61. PHONE _____
 62. LENGTH KNOWN DEFENDANT _____ 63. SEES DEFENDANT HOW OFTEN _____

64. BELIEVES THE DEFENDANT WILL RETURN FOR COURT DATE
 65. CAN GET MESSAGE TO DEFENDANT IF RELEASED

FAMILY CONTACT

66. NAME _____ 67. RELATIONSHIP _____
 68. ADDRESS _____ 69. PHONE _____
 70. LENGTH KNOWN DEFENDANT _____ 71. SEES DEFENDANT HOW OFTEN _____

72. BELIEVES THE DEFENDANT WILL RETURN FOR COURT DATE
 73. CAN GET MESSAGE TO DEFENDANT IF RELEASED

EMPLOYMENT CONTACT

74. NAME _____ 75. RELATIONSHIP _____

76. ADDRESS _____ 77. PHONE _____

77. LENGTH KNOWN DEFENDANT _____ 79. SEES DEFENDANT HOW OFTEN _____

80. BELIEVES THE DEFENDANT WILL RETURN FOR COURT DATE

81. CAN GET MESSAGE TO DEFENDANT IF RELEASED

GENERAL CONTACTS

82. NAME _____ 83. RELATIONSHIP _____

84. ADDRESS _____ 85. PHONE _____

86. LENGTH KNOWN DEFENDANT _____ 87. SEES DEFENDANT HOW OFTEN _____

88. BELIEVES THE DEFENDANT WILL RETURN FOR COURT DATE

89. CAN GET MESSAGE TO DEFENDANT IF RELEASED

90. NAME _____ 91. RELATIONSHIP _____

92. ADDRESS _____ 93. PHONE _____

94. LENGTH KNOWN DEFENDANT _____ 95. SEES DEFENDANT HOW OFTEN _____

96. BELIEVES THE DEFENDANT WILL RETURN FOR COURT DATE

97. CAN GET MESSAGE TO DEFENDANT IF RELEASED

COUNSELOR NOTES AND COMMENTS

98. _____

99. SUGGESTED SUPERVISION

1. Med: () 2. PSY: () 3. LB: () 4. DU: () 5. DDP: () 6. DATE _____ A - 11
7. ID# _____
8. COURT# _____

9. Name _____ 10. Aliases _____

11. Charges (with counts) _____

12. Bonds _____ 13. Ast: _____ 14. Court _____

15. NCD: _____

16. Did you see a bail commissioner? YES () NO ()

17. Were you employed at time of arrest? YES () NO ()

18. Do you have any psychiatric problems? YES () NO ()

19. Do you have any immediate medical problems? YES () NO ()

20. Have you had any regular medication or been under a doctor's care in the last _____ years? YES () NO ()

21. Education (years completed) _____ 22. Age: _____

23. Race B () W () O ()

24. Marital Status S () M () CL () D () SEP () W ()

25. Is someone presently working on posting your bail? YES () NO ()

26. Is there someone I can call who will post your bail? YES () NO ()

(If yes, fill in appropriate contact portion of form and call; if no, continue with full form.)

APPENDIX VIII

APPLICABLE SECTION OF CONTRACT
COVERING THE EVALUATION OF THE
REDIRECTION CENTER

The Party of the First Part, acting on behalf of the University, in connection with the Connecticut State Department of Correction, agrees to provide through its University Law School the following services:

1. Conduct a study and submit a written report concerning the operation of the Redirection Center program at NEX N.H.C.C. This will be a ~~an~~ two part program:

a) provide a description of program guidelines including initial interview eligibility, bail reduction, diversion recommendations, relationships with court, prosecuting and defense personnel, criteria for modifying conditions of detention or extending new services to clientele and related matters.

b) provide a report covering roles and relationships within the Redirection Center, client numbers and types, numbers and types of recommendations made, acceptance of recommendations and outcome of cases.

END