

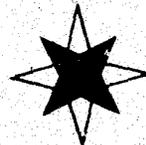
7

WAITING IN JAIL.

A REPORT BASED ON INTERVIEWS WITH
144 MEN AND WOMEN OFFICIALLY DETAINED IN
WASHINGTON, D. C. ON
JULY 15, 1973

66461

American Friends Service Committee
Washington Pretrial Justice Program
June 1974



The American Friends Service Committee is a Quaker organization which engages people of different faiths in struggles for justice, human dignity, and peace in many parts of the world.

The Community Relations Program of the AFSC is concerned with problems of poverty, exclusion, and denial of equal rights in the United States. Over 70 field staff in about 30 states are working in concert with community people as they seek basic changes in the conditions and institutions that affect their lives. A small national staff seeks to draw together the varied field experience and to bring it to bear on national policy and thought.

The Washington Pretrial Justice Program of the AFSC is concerned with identifying problems in securing defendants' rights to bail, to effective legal assistance, to a speedy trial, and to needed medical service in the District of Columbia.

The program office is located at 1800 Connecticut Avenue, Northwest Washington, D. C. 20009.

Telephone: (202) 667-1800

WAITING IN JAIL . . .

Introduction	1
Survey Highlights	5
Comparison of Data	11
Waiting for Justice	13
Waiting for Counsel	33
Waiting for Treatment	45
Conclusion	49
Appendix A: Personal Data	53
Appendix B: Health Problems	59
Exhibit: Interview Form	

Please note:

Page 20, Table 6, Line 4:

3 to 4 months	11	8	3	-	-	-	-
Should read 3 to 4 months	11	8	2	1	-	-	-

Page 32, Table 15, Line 7:

Under 1 month	64	13	14	6	4	25	
Should read Under 1 month	64	13	14	6	4	2	25

Page 37, Table 16, Line 9:

Per cent	100	26.7	4.4	
Should read Per cent	100	68.9	26.7	4.4

Page 37, Table 17, Line 6:

1 to 2 months	20	4	7	8	-	6
Should read 1 to 2 months	20	4	7	8	1	7

INTRODUCTION

This report presents the responses of 144 men and women interviewed at D. C. Jail and the Women's Detention Center by volunteers and staff of the Washington Pretrial Justice Program of the American Friends Service Committee on July 15, 1973. The purpose of the interviews was to gain the inmates' perspective of their access to bail, to speedy trial, and to effective legal and medical assistance while waiting in jail for adjudication of their cases. A similar but less extensive report had been published in February 1971. The earlier report was based on a survey of 596 men at D. C. Jail on December 13, 1970.

With the implementation of the D. C. court reform and criminal procedure act beginning in February 1971 it is to be expected that the system for the administration of justice in the District of Columbia would have changed significantly since the 1970 survey. Washington now has a superior court with felony jurisdiction, a bank of 45 judges, 44 court rooms, and expanded prosecutorial and public defender resources.

The jail uprising in November 1972 dramatized grievances of prisoners in pretrial detention. Although a subsequent court trial held that the uprising was precipitated by an escape attempt, grievances articulated by the prisoners centered on hardships of pretrial incarceration.

In January 1973 the United States District Court in Washington effected a new rule stating that persons held in jail on federal charges must face trial within three months or be released on bond automatically. The D. C. Superior Court also is considering adoption of rules limiting the pretrial period.

In view of the changes and events that have occurred since the 1970 survey, the Washington Pretrial Justice Program attempted again to survey the detained population on a single day to chart the progress of inmate cases through the court systems and to compare these findings with those of the 1970 study.

On July 15, 1973 there were 710 men incarcerated at D. C. Jail of whom it is estimated that 318 were unsentenced, 278 were sentenced but had other charges pending, and 114 were sentenced with no other charges pending. Sixty-two women were confined at the Women's Detention Center including 30 unsentenced, six sentenced with other charges pending, and 26 sentenced with no other charges pending. The 144 interviews used in this report constitute 28.3% of the total unsentenced population and 6.0% of those sentenced with other charges pending.

It must be emphasized that the material reported in the following pages is drawn from the memories, impressions,

and assessments of men and women in confinement and facing prosecution or sentencing on a variety of criminal charges. Effort was made to verify and document all case data that appeared particularly sensitive or questionable. But in general the material presented is as gathered by the interviewers and remains unverified.

The outcome of 107 cases which on July 15, 1973 were as yet untried is not known and might well be the subject of a follow-up study. But that of one case did become known in the process of verifying data for this report. It involved a 33 year old father of two who was employed before being committed to jail on December 6, 1972 in lieu of \$5,000 bond. His attorney's efforts to get his bond reduced were unsuccessful. At the time of interview he had been in jail seven months and nine days. He was released two months and five days later when acquitted by a jury. His total period of pretrial detention was nine and one half months.

Sentencing law applicable in the District of Columbia provides that time spent in pretrial detention shall be credited toward the eventual sentence. Thus those defendants interviewed on July 15, 1973 who were later found guilty and given prison sentences will have their time spent in jail prior to sentence counted as time served on the sentence. But for those later acquitted there is no redemption or

compensation for the time spent in jail before trial. In the case cited, a citizen was accused, held in bondage for nine and one half months, tried, found not guilty, and released with no compensation of any kind for the restraints wrongly imposed on his liberty and pursuit of happiness.

SURVEY HIGHLIGHTS

Time awaiting trial

Implementing the right to a speedy trial has been a central focus of efforts to improve the criminal justice system. The current survey shows a significant reduction in length of pretrial incarceration as compared with the 1970 survey results. The maximum time noted in 1970 was 35 months; in 1973 it was seven and one half months. The percentage of inmates detained three months or longer was 35.1% in 1970 and 21.5% in 1973. Nevertheless, the 1973 survey found five inmates incarcerated three months or longer with no trial date set, and eight inmates whose next court appearance was scheduled for some seven or more weeks ahead. It is noted that in the District of Columbia one may demand a speedy trial and get it. The question remains whether incarcerated defendants know and understand that they can exercise their right to a speedy trial.

Time awaiting sentencing

Information on the convicted population awaiting sentence indicates a waiting period of between one and two months from conviction to sentencing in 65.4% of the cases. This information was not sought in the 1970 survey.

Bail decisions

The decision to set money bond or to release the accused on unsecured bond as provided in the bail reform act remains crucial to the pretrial process. The results of the 1973 survey show defendants held in as little as \$150 bond up to as much as \$200,000. Inmates given the court per centum deposit bond increased from 10.0% in the 1970 survey to 22.3% in 1973, indicating a broader application of that type of bond by the courts. The percentage of bonds exceeding \$2,000 decreased from 66.3% in 1970 to 48.2% in 1973.

Bond review

Legislation governing pretrial release in the District of Columbia provides that defendants may seek review or reconsideration of their bond if they are still incarcerated at the end of 24 hours. Only 30.6% of the inmates interviewed in July 1973 reported having had a bond review, while 44.0% reported having had no bond review, including 17.9% incarcerated for at least one month. Comparable information was not sought in 1970.

Availability of bond

Roughly 30% of the inmates had previously made bond in their current case. The reason for their subsequent remand to custody was, in order of frequency of incidence:

bond violation (36.4% of those previously released), conviction on the current charge (29.3%), detainer (17.1%), personal bond changed to money bond at a later judicial review (9.8%), and sentence on another charge (7.3%).

Bond release was not available to another 25% of inmates because of jurisdictional "holds"--either a detainer or an active sentence in a different case.

The survey found that 33% of the inmates were unable to make bond for economic reasons. Of these, three out of four said they did not have the money, and the fourth reported inability to meet the bondsman's conditions.

Categories of criminal charges

Between the 1970 and 1973 surveys, small percentage increases were noted in defendants held on charges of crimes against persons (such as robbery) and indirect property crimes (such as forgery). The percentage of those held on charges of direct property crimes (e.g., burglary) and drug law violations dropped considerably. There was a sharp increase in the percentage of those classified in the "all other offenses" category which includes bail violation, escape, soliciting, and conspiracy.

Contact with lawyers

Contact between lawyer and client before trial is central to the presentation of a defense. Although

pretrial incarceration necessarily makes communication difficult, 64.4% of the inmates interviewed in the 1973 survey reported personal contact with their attorney and nearly two thirds of these had been visited at the jail. This shows some slight improvement over the 1970 findings.

To facilitate lawyer-client contact, the D. C. Department of Corrections permits inmates to telephone their attorneys; 17.8% of those responding reported successful telephone contact. In 1970 inmates did not have this privilege.

While the inmates questioned generally indicated dissatisfaction with their attorneys' performance, answers evidenced a generally more favorable attitude towards attorneys from the Public Defender Service.

Health needs and treatment

Medical problems were reported by 37.5% of the men and women surveyed. Less than half of these said they had received or were receiving treatment from a doctor. One out of five indicated that treatment was not satisfactory. Comparable information was not sought in 1970.

Personal data

Roughly 20% of the inmates interviewed were women.

Over half of the 144 men and women were under 24 years of age. The youngest was 17, the oldest 67.

Over 61% had children. Three were expectant mothers, a fourth an expectant father.

Before jailing, 58% had jobs.

Prior convictions were reported by 73.3% of the men and 50% of the women.

COMPARISON OF DATA

	<u>Unit</u>	<u>1973</u>	<u>1970</u>
Comparison of samples:			
Of total detention population	%	28.9	Unknown
Of unsentenced population	%	28.3	Unknown
Length of time in detention:			
Maximum time reported	Mos.	7.5	35
Inmates detained 3 or more mos.	%	21.5	35.1
Inmates detained 2 or more mos.	%	34.7	46.1
Inmates with trial dates scheduled	%	50.9	Unknown
Inmates observed at St. Elizabeths	%	12.2	Unknown
Median time from conviction to scheduled sentencing	Mos.	Under 2	Unknown
Inmate cases under District Court	%	15.1	58.7
Inmate cases under Superior Court	%	81.3	-
Categories of criminal charges:			
Crimes against persons	%	56.8	52.3
Direct property crimes	%	15.8	23.3
Indirect property crimes	%	4.3	2.9
Drug law violations	%	6.5	18.5
Other offenses	%	14.4	3.0
Information not obtained	%	2.2	-

	<u>Unit</u>	<u>1973</u>	<u>1970</u>
Bond information:			
Highest found in survey	\$	200,000	150,000
Lowest found in survey	\$	150	300
Most frequent bond reported	\$	1,000	5,000
Bonds in excess of \$5,000	%	21.9	26.7
Bonds in excess of \$2,000	%	48.2	66.3
Inmates unable to make bond:			
For economic reasons	%	33.1	48.7
For jurisdictional reasons	%	32.4	25.5
Inmates previously on bond in case	%	29.5	Unknown
Inmates with court deposit bond	%	22.3	10.0
Inmates reporting "dry runs" to court	%	34.5	28.2
Inmates knowing scheduled date for return to court	%	64.0	49.5
Inmates reporting personal contact with attorney	%	64.4	62.6

WAITING FOR JUSTICE

Detention status

Out of a total of 223 inmates interviewed, this survey found 144 awaiting some form of adjudication. Five were being held on detainers alone (*see p. 16*) and 139 had criminal cases pending in the courts. Of these, nearly four out of five were awaiting trial while the fifth had been convicted and was awaiting sentence.

Table 1. *Detention status of 144 inmates*

<u>Length of time in detention center or jail</u>	<u>Number of inmates</u>			
	<u>Total</u>	<u>Awaiting trial</u>	<u>Awaiting sentence</u>	<u>Held on detainer</u>
6 to 8 months	3	3	-	-
5 to 6 months	6	3	3	-
4 to 5 months	11	6	4	1
3 to 4 months	11	9	2	-
2 to 3 months	19	12	6	1
1 to 2 months	27	18	9	-
Under 1 month	<u>67</u>	<u>57</u>	<u>7</u>	<u>3</u>
Total	144	108	31	5
Per cent	100	75.0	21.5	3.5

Twenty-eight women are represented above, including 18 awaiting trial, nine awaiting sentence, and one held on detainer only. Women constituted 19.4% of the total.

Trial dates as reported by the defendants were scheduled for 55 inmates, 50.9% of those interviewed who had not yet been to trial. Of 33 inmates awaiting trial who had been incarcerated for at least two months, ten did not yet have a trial date scheduled.

Scheduled trial dates were given for nearly half of those incarcerated less than one month, though it is likely that some of these would be continued to a later date.

Table 2. Detail of 108 inmates awaiting trial

Length of time in detention center or jail	Number of inmates reporting		
	Total	Trial date set	Trial date not set
6 to 8 months	3	3	-
5 to 6 months	3	2	1
4 to 5 months	6	6	-
3 to 4 months	9	5	4
2 to 3 months	12	7	5
1 to 2 months	18	7	11
Under 1 month	<u>57</u>	<u>25</u>	<u>32</u>
Total	108	55	53
Per cent	100	50.9	49.1

Scheduled sentencing dates were reported by 83.8% of those awaiting sentence. In over half of these the length of time from the date of conviction to the scheduled date of sentencing was between one and two months.

Table 3. Time lapse from date of conviction to scheduled date of sentence

Time lapse from conviction to scheduled date of sentencing	Inmates awaiting sentence	
	Number	Per cent
3 months	3	9.6
2 to 3 months	6	19.4
1 to 2 months	15	48.4
Under 1 month	2	6.4
Sentence date not reported	<u>5</u>	<u>16.2</u>
Total	31	100

Persons held on detainers. A detainer authorizes the holding of a citizen on the basis of a warrant issued by parole and probation officials or by law enforcement officials of another jurisdiction. Persons held on detainers are not entitled to bail. Neither are they entitled to free legal assistance. Of the 144 persons interviewed, five were being held on detainers alone. Four of these were on parole and the fifth was on probation.

Of the parole detainees, one had been confined at the jail four and one half months when interviewed on July 15. He said he had been reinstated to parole and was then waiting for a bed at a halfway house.

Another reported that he had been in jail since May waiting to see the parole board.

A third man had been confined less than one month, including three weeks spent at St. Elizabeths Hospital, and did not yet have a revocation hearing set.

The fourth had been picked up only two days preceding the survey and did not have a hearing scheduled.

The probationer was a woman who had attempted suicide and was waiting for the necessary paper work to be completed in order to commit herself to St. Elizabeths.

Commitments to St. Elizabeths Hospital.

St. Elizabeths Hospital is a psychiatric diagnosis and treatment institution. When there is question as to whether a defendant is competent to stand trial or when an insanity defense is under consideration, the defendant may be committed to the hospital for observation. Of the 139 inmates awaiting trial or sentencing, 17 (12.2%) had been confined at St. Elizabeths Hospital during the pendency of the current case. The maximum reported length of time at St. Elizabeths was five months and the minimum was one week.

Table 4. *Inmates hospitalized at St. Elizabeths Hospital while awaiting trial or sentencing*

<i>Length of time in detention center or jail</i>	<i>Number of inmates</i>	<i>Period of time at St. Elizabeths</i>				
		<i>Under one month</i>	<i>One month</i>	<i>Two months</i>	<i>Three & more months</i>	<i>Not reported</i>
<i>6 to 8 months</i>	1	-	-	-	-	1
<i>5 to 6 months</i>	1	1	-	-	-	-
<i>4 to 5 months</i>	2	2	-	-	-	-
<i>3 to 4 months</i>	2	2	-	-	-	-
<i>2 to 3 months</i>	2	-	1	1	-	-
<i>1 to 2 months</i>	5	2	-	1	-	2
<i>Under 1 month</i>	4	1	1	1	1	-
<i>Total</i>	17	8	2	3	1	3
<i>Per cent</i>	100	47.1	11.8	17.6	5.9	17.6

Jurisdiction of cases

The D. C. Superior Court had jurisdiction in 81.3% of the cases surveyed. The U. S. District Court had jurisdiction in 15.1%. The remaining 3.6% were not identified.

Table 5. Case jurisdiction and length of incarceration/a

Length of time in detention center or jail	Number of defendants with cases pending/b				Cases pending grand jury (included in totals)	
	Total	D. C. Superior Court	U. S. Dis- trict Court	Court not iden- tified	Sup. Court	Dis. Court
6 to 8 months	3	2	1	-	-	-
5 to 6 months	6	2	3	1	-	-
4 to 5 months	10	8	2	-	-	2
3 to 4 months	11	11	-	-	2	-
2 to 3 months	18	14	4	-	2	1
1 to 2 months	27	22	4	1	4	2
Under 1 month	64	54	7	3	11	2
Total	139	113	21	5	19	7
Per cent	100	81.3	15.1	3.6	xx	xx

a/ A Department of Corrections computer printout dated July 17, 1973, listed 543 presentence inmates in the D. C. Jail and Women's Detention Center, including 381 (70.1%) with cases pending in Superior Court, 148 (27.3%) in District Court, and 14 (2.6%) with cases in both courts.

b/ Percentage of inmates in detention:

	Up to 90 days	Over 90 days
Superior Court	79.7	20.3
District Court	71.4	28.6

Categories of criminal charges

Five categories have been used to group the various offenses against the 139 inmates awaiting trial or sentence:

Crimes against persons. These offenses include homicide, robbery, attempted robbery, possession of weapon, assault, rape, hijacking, and kidnapping. Seventy-nine inmates (56.8%) were charged with crimes in this category.

Direct crimes against property. Charges in this group include burglary, unauthorized use of vehicle, larceny, destroying property, and receiving stolen property. Twenty-two inmates (15.8%) were charged with such crimes.

Indirect crimes against property. This category includes charges of false pretenses, embezzlement, forgery, and uttering. Six inmates (4.3%) faced charges in this group.

Drug law violations. These include sale, possession and possession of the implements of crime. Nine inmates (6.5%) were charged in this category.

All other offenses. Twenty inmates, representing 14.4%, were charged with crimes in this category. The offenses include charges for escape, bail reform act violations, presence at an illegal establishment, and soliciting.

Three individuals did not state the charge on which they were being held.

Table 6. *Distribution of inmates according to nature of charge and length of incarceration*

Length of time in detention center or jail	Number of inmates charged						
	Total	Crimes against persons	Direct prop- erty crimes	Indi- rect prop. crimes	Drug law viola- tions	All other types	Charge not stated
6 to 8 months	3	2	-	1	-	-	-
5 to 6 months	6	4	-	-	1	-	1
4 to 5 months	10	8	1	-	-	1	-
3 to 4 months	11	8	3	-	-	-	-
2 to 3 months	18	13	3	1	-	1	-
1 to 2 months	27	15	3	1	3	5	-
Under 1 month	64	29	13	2	5	13	2
Total	139	79	22	6	9	20	3
Per cent	100	56.8	15.8	4.3	6.5	14.4	2.2

*Distribution
per hundred:*

Men	100	58.0	17.9	2.7	5.3	13.4	2.7
Women	100	51.9	7.4	11.1	11.1	18.5	-

Table 7. *Nature of charge, by sex*

Nature of charge	Total	Inmates charged, by sex			
		Men		Women	
		Number	Per cent	Number	Per cent
Crimes against persons	79	65	46.8	14	10.0
Direct property crimes	22	20	14.4	2	1.4
Indirect property crimes	6	3	2.2	3	2.2
Drug law violations	9	6	4.3	3	2.2
All other types	20	15	10.7	5	3.6
Charge not stated	3	3	2.2	-	-
Total	139	112	80.6	27	19.4

Bond information

Eight individuals had no bond; five of these were awaiting sentence, two were being held on escape charges, and one was being held for observation.

Bond amounts reported by 114 defendants ranged from personal bond to \$200,000; the most frequent, however, were in the amounts of \$1,000 (28 cases), \$5,000 (18 cases), and \$2,000 (13 cases).

Twenty per cent of all bonds reported were in excess of \$5,000. In 20 of 23 such cases the higher bonds related to charges of crimes against persons.

Search for a correlation between high bonds and prior conviction yielded the following results:

Bond amount	Percentage of inmates reporting	
	Prior conviction	No prior conviction
\$5,000 or less	80.2	78.6
More than \$5,000	19.8	21.4

The questionnaire did not provide for the collection of data on previous record of bond violations.

Tables 8 to 10 present findings on bond amounts correlated with length of incarceration and nature of charge.

Table 8. Correlation of bond amounts and length of incarceration

Bond amount (\$)	Total inmates	Length of incarceration at interview						
		Under 1 month	1 to 2 months	2 to 3 months	3 to 4 months	4 to 5 months	5 to 6 months	6 to 8 months
Personal bond	4/a	3	1	-	-	-	-	-
150 to 500	9	6	1	-	1	-	1/b	-
1,000 to 2,000	46	29	8	6	3	-	-	-
2,500 to 5,000	32	14	10	5	1	-	1	1
6,000 to 10,000	8	-	2	1	1	2	2	-
15,000 to 20,000	5	1	-	1	2	1	-	-
25,000 and over	10	-	-	2	2	5	1	-
No bond	8	5	1	2	-	-	-	-
Bond not set	3	3	-	-	-	-	-	-
No information	14	3	4	1	1	2	1	2
Total	139	64	27	18	11	10	6	3
Per cent	100	46.0	19.4	13.0	7.9	7.2	4.3	2.2

a/ Previously released on personal recognizance but taken into custody for observation or on detainers.

b/ This person had been convicted on another charge.

Table 9. Correlation of bond amounts and type of charge

Bond amount (\$)	Total		Number of inmates with type of charge					Charge not stated
	Number	Per cent	Crimes against persons	Direct property crimes	Indirect property crimes	Drug law violations	All other offenses	
Personal bond	4/a	2.9	2	1	-	-	1	-
150 to 500	9	6.5	3	-	-	2	4	-
1,000 to 2,000	46	33.1	24	14	2	1	5	-
2,500 to 5,000	32	23.0	21	1	2	2	6	-
6,000 to 10,000	8	5.8	5	2	-	1	-	-
15,000 to 20,000	5	3.6	4	-	1	-	-	-
25,000 and over	10/b	7.2	9	-	-	-	1	-
No bond	8	5.7	3	1	-	-	2	2
Bond not set	3	2.1	2	-	-	1	-	-
No information	14	10.1	6	3	1	2	1	1
Total	139	100.0	79	22	6	9	20	3

a/ Previously released on personal recognizance but taken into custody for observation or on detainers.

b/ Bonds in this category include two at \$25,000, three at \$50,000, one at \$75,000, three at \$100,000, and one at \$200,000.

Table 10. Correlation of bond amounts and type of charge: detail of women only

Bond amount (\$)	Total		Number of inmates with type of charge					Charge not stated
	Number	Per cent	Crimes against persons	Direct property crimes	Indirect property crimes	Drug law violations	All other offenses	
Personal bond	-	-	-	-	-	-	-	-
150 to 500	3	11.1	-	-	-	1	2	-
1,000 to 2,000	11	40.2	6	-	2	-	3	-
2,500 to 5,000	3	11.1	1	1	1	-	-	-
6,000 to 10,000	-	-	-	-	-	-	-	-
15,000 to 20,000	2	7.4	2	-	-	-	-	-
25,000 and over	-	-	-	-	-	-	-	-
No bond	3	11.1	2	1	-	-	-	-
Bond not set	3	11.1	2	-	-	1	-	-
No information	2	7.4	1	-	-	1	-	-
Total	27	100.0	14	2	3	3	5	-

Court deposit bonds. Bail law applicable in the District of Columbia provides for the execution of an appearance bond under which the defendant is required to deposit a specified percentage (not exceeding ten per cent) of the amount of the bond with the court. The law also provides that the deposit be returned to the defendant upon performance of the conditions of release.

Thirty-one inmates said they had been given this type of bond in amounts ranging from \$500 (requiring a deposit of no more than \$50) to \$100,000 (requiring not more than \$10,000). They were in jail because they lacked funds for the required deposit.

Table 11. *Inmates given court deposit bonds*

<u>Length of time in detention center</u>	<u>Inmates</u>		<u>Bond range (\$)</u>
	<u>Number</u>	<u>As % of all in same time bracket</u>	
6 to 8 months	-		
5 to 6 months	1	16.7	10,000
4 to 5 months	1	10.0	25,000
3 to 4 months	2	18.2	1,000 to 20,000
2 to 3 months	5	27.8	1,500 to 100,000
1 to 2 months	5	18.5	1,000 to 5,000
Under 1 month	17	26.6	500 to 10,000

Bond review motions. D. C. Code section 23-1321 provides:

A person for whom conditions of release are imposed and who, after twenty-four hours from the time of the release hearing continues to be detained as a result of his inability to meet the conditions of release, shall, upon application, be entitled to a review by the judicial officer who imposed the condition. Unless the conditions of release are amended and the person is thereupon released, the judicial officer shall set forth in writing the reasons for requiring the conditions imposed. A person who is ordered released on a condition which requires that he return to custody after specified hours shall, upon application, be entitled to a review by the judicial officer who imposed the condition. Unless the requirement is removed and the person is thereupon released on another condition, the judicial officer shall set forth in writing the reasons for continuing the requirement. In the event that the judicial officer who imposed conditions of release is not available, any other judicial officer may review such conditions.

In 41 cases (30.6% of those for whom bond had been set) defendants said that bond review had taken place. Bond reduction had resulted in about one out of four of these. Bond review motions for two defendants were pending at the time of the interview.

Inmates responded that their bonds were not reviewed in 59 cases (44%). There was no information given for the remaining 34 cases.

Three out of every five defendants could not give the name of the judicial officer who had set their bond.

Table 12. Incidence of bond review motions

Length of time in detention center or jail	Number of defendants with bond set					
	Total	Reporting bond review			No bond review	No in- forma- tion
		Total	Bond reduced	Bond not reduced		
6 to 8 months	3	1	-	-	-	2
5 to 6 months	6	3	1	2	1	2
4 to 5 months	10	4	-	4/a	3	3
3 to 4 months	11	5	-	5	5	1
2 to 3 months	17	8	4	4/a	6	3
1 to 2 months	27	10	2	8	12	5
Under 1 month	60	10	3	7	32	18
Total	134	41	10	31	59	34
Per cent	100	30.6			44.0	25.4

Distribution of results
per hundred bonds reviewed 24.4 75.6

a/Includes one bond motion currently under review.

The survey did not examine inmates' awareness of their legal right to bond review upon application, nor did it seek information as to whether any applications for bond review had been denied. Further study of bond review process in the District of Columbia is indicated and should include examination of the reasons for continuing the initial bond requirements.

Bond availability. At the time of interview a total of 29 inmates had detainers lodged against them and another 16 inmates had been sentenced in other cases. Thus nearly one out of every three inmates (32.4%) waiting for trial or other disposition on the cases surveyed was not releasable at the time of the survey.

Forty-one inmates (29.4%) had previously made bond in their cases but were later remanded to custody: 12 because of conviction/a, 15 because of bail violation (e.g., failure to appear when due in court), seven because of parole or probation detainers usually based on the incidence of the new charge, three because of new sentences in separate cases, and four defendants initially released on personal recognizance now held on money bond instead.

Of those who had not previously made bond 35 indicated that they "didn't have the money" and another 11 said they "couldn't get a bondsman."

Bond release was not available to 38 inmates for jurisdictional reasons. Of these, 22 had detainers lodged against them and 13 were serving sentences in other cases.

a/ D. C. Code section 23-1325(b) provides: A person who has been convicted of an offense and is awaiting sentence shall be detained unless the judicial officer finds by clear and convincing evidence that he is not likely to flee or pose a danger to any other person or to the property of others. Upon such finding, the judicial officer shall treat the person in accordance with the provisions of section 23-1321.

Three others had been in custody less than 24 hours and bond had not been set. Interviewers did not determine the reason why bond had not been made in 12 cases.

Table 13. *Availability of bond*^a

<i>Availability of bond</i>	<i>Number of inmates</i>	<i>Per cent</i>
<i>Bond available: previously released in current case</i> ^b	41	29.5
<i>Bond release not available</i>	96	69.1
<i>For economic reasons</i>	46	33.1
<i>Didn't have the money</i>	35	25.2
<i>Couldn't get a bondsman</i>	11	7.9
<i>For jurisdictional reasons</i>	38	27.3
<i>Detainer</i>	22	15.8
<i>Sentenced on another case</i>	13	9.4
<i>Bond not yet set</i>	3	2.1
<i>Reason not reported</i>	12	8.7
<i>Information on bond not obtained</i>	2	1.4
<i>Total</i>	139	100.0

a/ Excludes five inmates being held on detainers alone without charges pending.

b/ Reason for remand to custody:

Conviction - 12
 Bail violation - 15
 Detainers - 7
 Sentenced in other cases - 3
 Personal bond changed to money bond - 4

Trips to court

The inquiries on courtroom appearances provide a perspective on the time and movement involved in the criminal prosecution process from the viewpoint of the incarcerated defendant. Trips for all reasons, including status hearings, hearings on motions, interviews with the bail agency, attorney conferences, as well as arraignment and trial proceedings, were counted. One out of four defendants had been to court four or more times for purposes other than the actual trial. Forty-eight reported having made one or more "dry runs" or wasted trips to court.

Table 14. *Court trips and length of incarceration*

<i>Length of time in detention center or jail</i>	<i>Inmates reporting number of trips to court</i>					<i>Inmates reporting dry runs</i>
	<i>Total</i>	<i>Four or more</i>	<i>One to three</i>	<i>No trips</i>	<i>No answer</i>	
<i>6 to 8 months</i>	3	2	-	-	1	1
<i>5 to 6 months</i>	6	4	1	-	1	3
<i>4 to 5 months</i>	10	6	3	-	1	6
<i>3 to 4 months</i>	11	5	6	-	-	6
<i>2 to 3 months</i>	18	9	6	1	2	11
<i>1 to 2 months</i>	27	3	22	1	1	10
<i>Under 1 month</i>	64	7	24	31	2	11
<i>Total</i>	139	36	62	33	8	48
<i>Per cent</i>	100	25.9	44.6	23.7	5.8	34.5

Next court appearance. Eighty-nine inmates (64% of the total interviewed) reported a scheduled date for their next appearance in court. Seventy-two (51.8%) had court dates scheduled within four weeks, and nine others within five to six weeks.

Eight had return dates scheduled more than six weeks ahead. Of these, five had been in confinement for at least three months.

Fifty inmates (36% of the total) said they did not know when they were due back in court.

Table 15. *Time scheduled to next court appearance*

<u>Length of time in detention center or jail</u>	<u>Total number of inmates</u>	<u>Time of next court appearance</u>						<u>Over 6 weeks Did not know</u>
		<u>Under 1 week</u>	<u>1 - 2 weeks</u>	<u>3 - 4 weeks</u>	<u>5 - 6 weeks</u>	<u>6 weeks</u>	<u>Over 6 weeks</u>	
6 to 8 months	3	-	-	1	-	-	2	
5 to 6 months	6	1	-	-	-	2	3	
4 to 5 months	10	4	2	-	-	2	2	
3 to 4 months	11	2	1	3	2	1	2	
2 to 3 months	18	4	3	4	1	-	6	
1 to 2 months	27	5	5	4	2	1	10	
under 1 month	64	13	14	6	4	-	25	
Total	139	29	25	18	9	8	50	
Per cent	100	20.9	18.0	12.9	6.4	5.8	36.0	

WAITING FOR COUNSEL

Identification of lawyer

Most of those surveyed--113 (81.3%)--knew the names of their lawyers. But 19 (13.7%) did not. Of the remaining seven, three did not respond and four had not yet been assigned attorneys.

Eleven defendants had retained counsel, chosen and to be paid by themselves.

Of 120 defendants who answered that they had court appointed attorneys, 53 said that their lawyers were from the Public Defender Service* while 40 said that they were not. The balance of 27 said they did not know whether or not they had Public Defender Service attorneys. No effort was made to verify the accuracy of these designations in the preparation of this report because in this instance the matter of interest is the inmates' perceptions of counsel.

Requests for money by court appointed attorneys

In most cases, defendants who cannot afford to pay counsel are provided attorneys free of charge. Occasionally the court may determine that a defendant is able to pay a part of the cost of his or her defense and will so require.

*The Public Defender Service is an independent agency of the District of Columbia. It is authorized to provide counsel in up to sixty per cent of criminal cases involving defendants unable to pay for legal help. Pursuant to the Criminal Justice Act of 1964, attorneys are appointed from the PDS and the private bar for criminal defendants "financially unable to obtain adequate representation."

Unless such a contribution is ordered, the court appointed attorney may not charge the client. Allegations that court appointed attorneys have sometimes demanded money from indigent clients led to the inclusion of the problem in this survey. Five defendants reported that their attorneys had asked them for money. A check with the Criminal Justice Act program office* disclosed that two of the five had been ordered to contribute towards the cost of counsel (\$75 and \$95 respectively). A third, who was eligible for free legal help, had rejected court appointed counsel and retained another. The remaining two had not been interviewed by the CJA program, presumably because they did not want to be interviewed. Thus the survey uncovered no instance of illegal demands for money by court appointed attorneys.

Lawyer's influence on defendant's plea

Allegations that some court appointed attorneys pressure their clients to plead guilty led to consideration in this survey of the lawyer's influence on the defendant's plea. The lawyer who pushes his or her client into a guilty plea against the client's wishes or without having thoroughly investigated the weight of the evidence against that client violates the lawyer's professional responsibility owed to the client. When upon investigation

*The Criminal Justice Act program office interviews defendants in order to determine eligibility for free counsel.

the defense lawyer finds that the charges against the client are supported by evidence that would very likely lead to conviction, a negotiated plea of guilt in exchange for an agreement by the prosecutor to reduce the charges or to seek a particular sentence might be to the client's best interest.

To the question, "Has your lawyer advised you to plead guilty?" 81 inmates (58.3%) answered "no"; 45 inmates (32.4%) answered "yes"; and two (1.4%) said the subject of plea had not been discussed. There was no indication of either "yes" or "no" in 11 of the questionnaires. Selected comments noted by the interviewers follow.

Yes and she did and is satisfied.

Yes. Doesn't want to plead guilty but has no alternative--he knows he will get some time.

Yes because of previous record.

Yes--lawyer says client is crazy.

Yes. Only way to get back on street was by pleading guilty.

Yes--would get off easier by pleading guilty.

Yes--he did research and couldn't find anything to fight on.

Yes. Lawyer explained alternatives but he doesn't want to plead guilty.

Yes, by reason of insanity--no, said prisoner.

*No. Lawyer hasn't advised on anything.**

*Defendant had been awaiting trial two and one half months.

Contacts with lawyer

Communication with one's attorney is vital to the defendant jailed before trial. In this survey "contact" indicates conferences, telephone conversations, and mail between the inmate and the lawyer. Such contacts include conferences at court (other than while standing before the judge) as well as at the jail or detention center. Various aspects of lawyer-inmate contact are presented in tables 16 through 18.

Four inmates were without assigned counsel at the time of the survey. Three had come into the detention center on the previous day (a Saturday) and were awaiting presentment at court when counsel is assigned and bond is set. The fourth had been in confinement at the jail two months after being charged with leaving a halfway house. These four cases are not included in the tables relating to contact with attorneys.

Of 93 inmates reporting contact with their attorneys, 87 had direct contact in conferences with their lawyers at court and/or at jail. Nearly two out of three of these had been visited by their attorneys at jail. Of 74 inmates confined for at least one month, 44 (59.5%) had been visited in jail by their lawyers.

Thirty-six inmates indicated no contact (26.7% of those with counsel assigned). The majority of these had been in detention less than one month.

Table 16. Defendants reporting contact with lawyers

Length of time in detention center or jail	Number of inmates			No answer
	Total	Reporting contact	Reporting no contact	
6 to 8 months	3	2	-	1
5 to 6 months	6	5	-	1
4 to 5 months	10	10	-	-
3 to 4 months	11	9	2	-
2 to 3 months	17	14	2	1
1 to 2 months	27	20	7	-
Under 1 month	61	33	25	3
Total	135	93	36	6
Per cent	100		26.7	4.4

Table 17. Detail of defendants reporting contact with lawyers

Length of time in detention center or jail	Inmates reporting contact					Both dir- ect and indirect
	Total	Court only	Jail only	Court and jail	Indirect only	
6 to 8 months	2	-	1	1	-	2
5 to 6 months	5	1	2	2	-	3
4 to 5 months	10	1	1	5	3	5
3 to 4 months	9	1	3	4	1	3
2 to 3 months	14	3	4	6	1	5
1 to 2 months	20	4	7	8	-	6
Under 1 month	33	21	5	7	-	6
Total	93	31	23	33	6	31
Per cent	100	33.3	24.7	35.5	6.5	33.3

Successful telephone contact with their attorneys was reported by only 24 of the 135 inmates with attorneys assigned. This is less than one out of five (17.8%). The District of Columbia is in the vanguard of major urban jurisdictions allowing jailed defendants access to telephones for the purpose of calling their lawyers. However, this access is considerably hampered by the fact that the calls must be made through the jail switchboard which operates only during court hours, when most criminal lawyers are not in their offices to receive calls from the jail.

Table 18. *Inmates' most recent contact with attorneys*

Length of time in detention center or jail	Time of last contact with attorney*					No in- forma- tion
	Total	Within two weeks	Two to six weeks	Over six weeks	Never	
6 to 8 months	3	1	-	1	-	1
5 to 6 months	6	4	-	1	-	1
4 to 5 months	10	5	5	-	-	-
3 to 4 months	11	3	6	2	-	-
2 to 3 months	17	7	5	3	-	2
1 to 2 months	27	11	10	2	1	3
Under 1 month	61	45	8	2	1	5
Total	135	76	34	11	2	12
Per cent	100	56.3	25.2	8.1	1.5	8.9

*Includes in-court contact

Inmates' perceptions of lawyers' work

A defendant's opinion of whether sufficient time is being spent on his or her case by the lawyer is a key element in that person's sense of justice received. An attorney's time well spent can eliminate many of the frustrations that cause defendants in jail awaiting trial to become embittered. Of the 135 men and women surveyed nearly three out of ten felt that their lawyers had spent adequate time in interviewing and meeting with them on their case, and expressed attitudes of satisfaction with their attorneys' work. But nearly seven out of ten felt their lawyers had not spent sufficient time on their cases and were not satisfied with their attorneys' work. Details are shown in tables 19 through 22.

Table 19. *Inmates' assessment of lawyers' time on case*

Length of time in detention center or jail	Inmates' opinion			
	Total	Enough time	Not enough time	No answer
6 to 8 months	3	2	-	1
5 to 6 months	6	-	5	1
4 to 5 months	10	5	4	1
3 to 4 months	11	1	10	-
2 to 3 months	17	6	10	1
1 to 2 months	27	11	16	-
Under 1 month	61	11	43	7
Total	135	36	88	11
Per cent	100	26.7	65.2	8.1

Table 20. *Inmates' attitude concerning lawyers' work*

Length of time in detention center or jail	Inmates' attitude				
	Total	Satis- fied	Not satis- fied	Undecided	No answer
6 to 8 months	3	2	-	-	1
5 to 6 months	6	1	4	-	1
4 to 5 months	10	4	4	-	2
3 to 4 months	11	1	10	-	-
2 to 3 months	17	8	9	-	-
1 to 2 months	27	11	14	-	2
Under 1 month	61	11	42	5	3
Total	135	38	83	5	9
Per cent	100	28.1	61.5	3.7	6.7

Analysis of these responses indicates a more favorable evaluation of the lawyers' work by those inmates who had been in jail for at least two months than by those who had been in less than one month. On a percentage basis the respondents' attitudes are grouped as follows:

Time in detention	Number of inmates in group	Per cent of group saying: Lawyer spends enough time	Satisfied with lawyer's work
Under 1 month	61	18.0	18.0
1 to 2 months	27	40.7	40.7
2 to 8 months	47	29.8	34.0

On a percentage basis, inmates who identified their counsel as being retained or from the Public Defender Service

reflected a generally more favorable attitude toward their lawyers than did those whose counsel were not so identified.

Table 21. *Comparison of inmates' assessment of lawyers' time on case by type of counsel**

Type of counsel	Number of inmates represented (100%)	Per hundred inmates in each group expressing opinion		
		Enough time	Not enough time	No answer
Retained	11	36.4	63.6	-
Appointed	120	25.8	67.5	6.7
Public Def.	53	35.8	60.4	3.8
Other	40	22.5	75.0	2.5
Not ident.	27	11.1	70.4	18.5
Type unknown	4	25.0	-	75.0

*Designated counsel reflects inmates' understanding of source of counsel and is unverified.

Table 22. *Comparison of inmates' attitude concerning lawyers' work, by type of counsel**

Type of counsel	Number of inmates represented (100%)	Per hundred inmates in each group expressing attitude			
		Satis- fied	Not satis- fied	Undecided	No answer
Retained	11	36.4	63.6	-	-
Appointed	120	27.5	63.3	4.2	5.0
Public Def.	53	34.0	60.4	1.8	3.8
Other	40	27.5	65.0	2.5	5.0
Not ident.	27	14.8	66.7	11.1	7.4
Type unknown	4	25.0	-	-	75.0

*Designated counsel reflects inmates' understanding of source of counsel and is unverified.

View of the Public Defender Service. At the request of the Public Defender Service the survey included this Question:

If you could not hire your own lawyer would you prefer to have a regular court appointed lawyer? _____ or a Public Defender Service lawyer? _____

The responses indicate a clear preference for the Public Defender Service. Of 135 inmates with counsel assigned, 54.9% said they would prefer a PDS lawyer if they could not hire their own. Of 110 inmates responding to the question (25 did not respond) 67.2% preferred PDS, 16.4% did not, and 16.4% were unsure.

Table 23. Inmates' stated preference of type of counsel

Length of time in detention center or jail	Inmates' preference				
	Total	PDS counsel	Other counsel	Undecided	No answer
6 to 8 months	3	1	1	-	1
5 to 6 months	6	3	1	-	2
4 to 5 months	10	8	1	-	1
3 to 4 months	11	7	1	2-	1
2 to 3 months	17	9	2	3	3
1 to 2 months	27	17	2	2	6
Under 1 month	<u>61</u>	<u>29</u>	<u>10</u>	<u>11</u>	<u>11</u>
Total	135	74	18	18	25
Per cent	100	54.9	13.3	13.3	18.5

On a percentage basis, the greater preference for PDS attorneys was expressed by those whose lawyers were not from the Public Defender Service.

Conversely, those who did have PDS attorneys expressed less preference or lack of clear preference as a group for the Public Defender Service.

Table 24. Comparison of inmates' preference of type of counsel

Type of counsel*	Number of inmates represented (100%)	Per hundred inmates in each group expressing preference			
		PDS counsel	Other counsel	Undecided	No answer
Retained	11	63.6	-	-	36.4
Appointed	<u>120</u>	55.8	15.0	15.0	14.2
Public Def.	53	50.9	11.3	20.8	17.0
Other	40	70.0	15.0	7.5	7.5
Not ident.	27	44.5	22.2	14.8	18.5
Type unknown	4	-	-	-	100.0

*Designated counsel reflects inmates' understanding of source of counsel and is unverified.

WAITING FOR TREATMENT

Over one third of the men and women included in this survey reported having medical problems. While women constituted 19.4% of all inmates included in the survey, those reporting medical problems constituted only 11.1%.

Less than half of the 54 persons reporting medical problems said they were receiving or had received treatment from a doctor. Of those who reported receiving treatment, one out of five indicated that treatment was not satisfactory.

Of those reported as getting no treatment, two said they had not tried to get treatment. Another was refusing medication prescribed by the jail doctor. One other had been in detention only one day.

Tables 25 through 28 summarize the representations of the men and women interviewed.

The questionnaire did not solicit information as to the nature of the medical problem nor as to the individual's assessment of treatment received, but in many instances inmates volunteered this information. Details relating to health conditions reported by the inmates appear in Appendix B.

Table 25. Summary of inmates reporting medical problems in need of attention

Length of time in detention center or jail	Number of inmates reporting			
	Total	Medical problems	No medical problems	Did not answer
6 to 8 months	3	-	3	-
5 to 6 months	6	3	2	1
4 to 5 months	11	4	6	1
3 to 4 months	11	6	5	-
2 to 3 months	19	5	13	1
1 to 2 months	27	11	16	-
Under 1 month	67	25	39	3
Total	144	54	84	6
Per cent	100	37.5	58.3	4.2

Table 26. Detail: Women inmates reporting medical problems

Length of time in detention center	Number of women inmates reporting			
	Total	Medical problems	No medical problems	Did not answer
6 to 8 months	1	-	1	-
5 to 6 months	-	-	-	-
4 to 5 months	-	-	-	-
3 to 4 months	1	1	-	-
2 to 3 months	2	1	1	-
1 to 2 months	8	5	3	-
Under 1 month	18	9	7	-
Total	28	16	12	-
Per cent all inmates	19.4	11.1	8.3	-
Per cent women only	100	57.1	42.9	-

Table 27. Summary of inmates reporting on treatment of medical problems needing attention

Length of time in detention center or jail	All inmates reporting medical problems			
	Total	Medical treatment	No medical treatment	Did not answer
6 to 8 months	-	-	-	-
5 to 6 months	3	3	-	-
4 to 5 months	4	2	2	-
3 to 4 months	6	3	3	-
2 to 3 months	5	3	2	-
1 to 2 months	11	5	6	-
Under 1 months	25	9	15	1
Total	54	25	28	1
Per cent	100	46.3	51.9	1.8

Table 28. Detail: Women inmates reporting on treatment

Length of time in detention center	Women inmates reporting medical problems			
	Total	Medical treatment	No medical treatment	Did not answer
6 to 8 months	-	-	-	-
5 to 6 months	-	-	-	-
4 to 5 months	-	-	-	-
3 to 4 months	1	1	-	-
2 to 3 months	1	1	-	-
1 to 2 months	5	4	1	-
Under 1 month	9	2	7	-
Total	16	8	8	-
Per cent all inmates	29.6	14.8	14.8	-
Per cent women only	100	50	50	-

CONCLUSION

The results of this survey indicate significant progress in the application of bail reform law by Washington's courts. The survey indicates that the majority of the people being held in jail with open cases on July 15, 1973 were there for clear legalistic reasons: either they had been sentenced on other cases, or they had been convicted and were awaiting sentence, or detainers were lodged against them, or their bond had been revoked.

And what of the others? Why were they in jail? The reasons are not clear. Obviously they were there because they lacked the economic means to pay for their release on bail. But the reason for the decision not to release these people on some form of nonfinancial bond is not determined.

What is clear, though, is that money makes the difference between those who are in the community awaiting trial and those who are imprisoned.

A sizeable proportion who might have been able to obtain release on bond were being held on detainers. While a citizen's right to counsel seems to have been secured, counsel's obligations to the client as now interpreted do not necessarily extend to assistance in

getting detainers removed. Effective assistance of counsel must embrace assistance in removing all obstacles to the client's release pending trial.

We look to the time when economic means will not be the test of one's eligibility for release before conviction . . . when all defendants not found by due process to be dangerous to the community will be released on unsecured appearance bond . . . when pretrial incarceration will only follow a defendant's failure to appear and will not be predicated on a presumed likelihood of failure to appear.

The few men and women who inevitably would be detained must be allowed to maintain their ordinary life style to the fullest extent possible. They should have unrestricted access to all forms of communication at all times--including telephone and correspondence free of censorship. They should be free to dress as they choose. They should have free access to competent medical personnel, without any type of screening by nonmedical employees such as guards or counselors. They should be able to consult medical specialists of their own choosing and to use community hospital facilities and clinics. The only restrictions should be those which relate directly to assuring their appearance in court.

These reforms can be implemented if those with the power also have the will. In a free and democratic society there is no acceptable reason why a pretrial defendant should be denied the basic freedoms and options enjoyed by the average citizen, including the one on bond. Where the community has determined pretrial incarceration is necessary to protect its safety, it should assume the additional costs necessary to provide the full civil and human rights of the jailed defendant as a citizen detained pending trial.

APPENDIX A: Personal data

1. Age and sex distribution of 144 individuals interviewed:

Age group	Number of inmates		
	Total	Men	Women
17 - 24	80	65	15
25 - 34	48	39	9
35 - 44	11	9	2
45 - 67	<u>5</u>	<u>3</u>	<u>2</u>
Total	144	116	28
Per cent	100	80.6	19.4

2. Percentage distribution of inmates according to age group:

Age group	Percentage of inmates	
	In age group	Cumulative
17 - 24	55.6	55.6
25 - 34	33.3	88.9
35 - 44	7.6	96.5
45 - 67	3.5	100.0

3. Family status, total:

	Men and women	
	Number	Per cent
Inmates reporting children	88	61.1
Inmates reporting no children	46	31.9
Inmates not answering	<u>10</u>	<u>7.0</u>
Total	144	100.0

4. Family status, women only:	Number	Per cent
Inmates reporting children	20	71.4
Inmates reporting no children	7	25.0
Inmates not answering	<u>1</u>	<u>3.6</u>
Total	28	100.0

5. Detail: inmates reporting children:

Number of children reported	Men and women	Women only
One	35	5
Two	26	6
Three	12	1
Four	7	4
Five	3	2
Six	2	-
Seven	1	-
Twelve	1	1
Not reported	1	1

Total children reported by men and women = 197,
including four on the way.

Total children reported by women only = 58,
including three on the way.

6. Prior convictions: men, by age group

Age group	Total	Number of prior convictions				
		None	One	Two	Three +	No answer
17 - 24	65	21	22	4	16	2
25 - 34	39	1	13	10	11	4
35 - 44	9	-	1	2	4	2
45 - 67	<u>3</u>	<u>1</u>	-	-	<u>2</u>	-
Total	116	23	36	16	33	8
Per cent men	100	19.8	31.0	13.8	28.5	6.9
Per cent total (144)	80.6	16.0	25.0	11.1	22.9	5.6

7. Prior convictions: women, by age group

Age group	Total	Number of prior convictions				
		None	One	Two	Three +	No answer
17 - 24	15	7	4	1	1	2
25 - 34	9	2	3	3	1	-
35 - 44	2	1	1	-	-	-
45 - 48	<u>2</u>	<u>2</u>	-	-	-	-
Total	28	12	8	4	2	2
Per cent women	100	42.9	28.6	14.3	7.1	7.1
Per cent total (144)	19.4	8.3	5.5	2.8	1.4	1.4

8. Summary of dispositions in prior convictions:

Disposition	Number of inmates	As percentage of Previously convicted	Total inmates (144)
Probation	33	33.3	22.9
Sentence	44	44.4	30.6
Probation and sentence	20	20.3	13.9
Fine	1	1.0	0.7
No answer	<u>1</u>	<u>1.0</u>	<u>0.7</u>
Total with prior convictions	<u>99</u>	100.0	68.8
Total with no prior convictions	35		24.3
No answer as to prior convictions	<u>10</u>		<u>6.9</u>
Total	144		100.0

9. Employment data

Of the 144 men and women surveyed, 83 were employed before coming to jail, 50 were not, and 11 did not report. The occupations of those employed are listed:

Apprentice carpentry	Carpet layer
Apprentice cement finisher	Cashier (2)
Barber	Cook
Barber shop, worked at	Cooking on grill
Brick Cleaner	Construction work (5)
Bus boy	Counselor
Car wash (2)	Country club attendant

Custodian (2)	Maintenance (2)
Day work, men (2)	Messenger
Delivery	Military (2)
Domestic	Mover
Drafting	Odd jobs
Duplicating	Own business (3)
Engineer assistant	Painter (2)
Exterminator	Pipefitter
Food service, cafeteria	Pipe laying
Forklift operator	Rod man
Gas station/roofing	Sales clerk/lab aide
Government Services, worked at	Security guard
Hotel, worked at	Self-employed
Hotel porter	Sewing machine repair
Janitor	Stock clerk
Key punch	Student (4)
Kitchen helper	Tree trimmer
Laboratory technician	Truck driver (2)
Labor crew	Typist
Laborer (3)	Waitress/laundress
Landscaping	University, worked at
Law firm, worked at	Youth aide, D. C. govt.
Machinist	Occupation unnamed (3)

APPENDIX B: Health problems

1. Conditions reported as being treated:

Condition as stated by inmates	Number of inmates reporting	Comments noted by interviewers
Addiction	3	Methadone
Asthma	1	(Same person reported no treatment for kidney cond.)
Eye trouble	2	Prison doctor gave cursory eye examination
Migraine	1	
Pregnancy	1	
Stab wound	1	Also needs glasses
TB positive, breathing	1	treatment inadequate
Ulcer	1	Medication stolen today
Not specified	13	Not satisfied (1); Doctor doesn't do any good-- wouldn't let him see special doctor (1)
Total	25	

2. Conditions reported as not being treated:

Condition as stated by inmates	Number of inmates reporting	Comments noted by interviewers
Allergy	1	Medication not effective
Asthma & bad heart	1	Doctor doesn't do anything
Bullet wound & kidney operation (post)	1	Medicine prescribed by surgeon at hospital changed by prison doctor. Prisoner refuses new medicine
Cancer of uterus	1	

Condition as stated by inmates	Number of inmates reporting	Comments noted by interviewers
Feet need operating on	1	
Eye trouble	1	Can't get to see doctor
Heart murmur	1	Hasn't tried
High blood pressure	2	Doctor doesn't do anything (1)
Infected tubes, discharge	1	Some inadequate medicine from nurse
Kidneys	1	(This person reported getting treatment for asthma)
Migraine	1	Doctor doesn't help
Pregnancy	2	In detention one day (1)
Needs glasses	3	Policeman broke glasses (1) (Includes one getting treatment for stab wound)
Psychiatric	3	
Stitches in mouth	1	Put in slip 1-1/2 weeks ago for stitches to be removed--they've been in for one month
Tonsilitis	1	
Ulcers	1	Hasn't tried
Not specified	7	
Total	30	

Note: Two inmates included in both sections 1 and 2.

Washington Pretrial Justice Program
AMERICAN FRIENDS SERVICE COMMITTEE

PRETRIAL JUSTICE SURVEY
Defendants awaiting trial at
D. C. Jail or Women's Center
on July 15, 1973

Interviewer: _____

Name _____ Age _____ DCDC# _____

- Why are you being held in jail:
 - Awaiting trial? Yes _____ No _____ Has trial date been set? Yes _____ No _____ Scheduled date of trial _____ Date of indictment _____
 - Awaiting sentence? Yes _____ No _____ Has sentencing date been set? Yes _____ No _____ Scheduled date of sentence _____ Date of conviction _____
 - Detainer? Yes _____ No _____ Specify kind of detainer: Parole _____ Probation _____ Another jurisdiction _____ If parole or probation, has a hearing been scheduled? (Give date) _____
 - Serving a sentence? Yes _____ No _____
- When did you first come to jail on this case? _____
- Have you spent any time at St. Elizabeths since you first came? Yes _____ No _____ If yes, how long? _____
- What cases are you being held for? (3) _____
(1) _____ (4) _____
(2) _____ (5) _____
- Did you make bond in any of these cases? Yes _____ No _____ If no, why? Didn't have the money _____ Couldn't get bondsman _____ Comment: _____
- How much was your bond (original and revised)

Case:	Date:	Original amount of bond		% to court?	Judge:	Was bond reviewed?		How much is bond now?
		Original	Revised			Yes:	No:	
(1)....	_____	_____	_____	_____	_____	_____	_____	_____
(2)....	_____	_____	_____	_____	_____	_____	_____	_____
(3)....	_____	_____	_____	_____	_____	_____	_____	_____
(4)....	_____	_____	_____	_____	_____	_____	_____	_____
(5)....	_____	_____	_____	_____	_____	_____	_____	_____
- What is the name of your lawyer? _____
- Was your lawyer appointed by the court? Yes _____ No _____ If yes, was he or she appointed from the Public Defender Service? Yes _____ No _____

9. Has your lawyer requested money from you? Yes_____ No_____ If yes, how much and for what?_____
10. How many times have you talked with your lawyer since he or she came on your case?_____ How many times have you talked:
a. At court other than when appearing before the judge?_____
- b. At the jail or detention center in a personal visit?_____
- c. By telephone from the jail or detention center?_____
11. Have you received any mail from your lawyer since your hearing?
Yes_____ No_____ If yes, how many times?_____
12. How many times have you been back to court on this case since your first appearance?_____ How many of these were dry runs?_____
13. When are you due back in court? (Date)_____
14. When did you last see your lawyer? (Date)_____
15. Has your lawyer advised you to plead guilty? Yes_____ No_____ If yes, explain:_____
16. Do you feel that your lawyer has spent enough time interviewing you and meeting with you about your case? Yes_____ No_____
17. Are you satisfied with the job your lawyer is doing? Yes_____ No_____
18. If you could not hire your own lawyer would you prefer to have a regular court appointed lawyer?_____ or a Public Defender Service lawyer?_____
19. Have you ever been convicted of a crime before? Yes_____ No_____ If yes, how many times: as a juvenile?_____ as an adult?_____
- Did you get probation? Yes_____ No_____ Or serve time? Yes_____ No_____
20. Were you employed before you came to jail? Yes_____ No_____ If yes, what kind of work did you do?_____
21. Do you have children? Yes_____ No_____ If yes, how many?_____
22. Who keeps your children while you are in jail? Their mother_____ Their father_____ Grandmother_____ Relative_____ Friend_____ Other_____
23. Do you have any medical problem that needs attention? Yes_____ No_____
- If yes, are you receiving or have you received treatment from the doctor? Yes_____ No_____

END