



CLEVELAND IMPACT CITIES PROGRAM
ADJUDICATION OPERATING PROGRAM
PRE-SENTENCE INVESTIGATION
COMPONENT
FINAL EVALUATION REPORT

April 1975

OFFICE OF THE MAYOR
IMPACT CITIES
ANTI-CRIME PROGRAM

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ADJUDICATION OPERATING PROGRAM
PRE-SENTENCE INVESTIGATION COMPONENT
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SECTION I
INTRODUCTION

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INTRODUCTION

1.1 PROGRAM BACKGROUND

This is the final report on one component of the Adjudication Operating Program, one of five anti-crime programs of the Cleveland IMPACT Cities Program. The IMPACT Program is an intensive planning and action effort designed to reduce the incidence of stranger-to-stranger crimes (homicides, rapes, aggravated assaults, and robberies) and burglary in Cleveland by five percent in two years and 20 percent in five years. Based on this top-level goal, the IMPACT Program derived four sublevel goals:

- Minimize the need to commit crime;
- Minimize the desire to commit crime;
- Minimize the opportunity to commit crime; and
- Maximize risk for offenders.

To achieve these four goals, five specific Operating Programs were devised, as depicted in the program structure, Figure 1-1. The Operating Programs, in turn, consisted of some 35 individual project components.

This report concerns one of the projects in the Adjudication Operating Program, one of two programs designed to maximize the risk to offenders and to minimize their opportunities to commit crimes. The central hypothesis of this Operating Program is that the nature of the adjudication process -- specifically, swift and sure court processing of offenders -- can increase the risk to potential offenders; deter potential offenders who become aware of the high probabilities of apprehension, prosecution, and conviction; and deter processed offenders from recidivating by impressing on them the certainty of swift and sure adjudication.

ULTIMATE GOAL

REDUCE STRANGER-TO-STRANGER CRIME AND BURGLARY 5% IN 2 YEARS 20% IN 5 YEARS

SUB-LEVEL PROGRAM GOALS

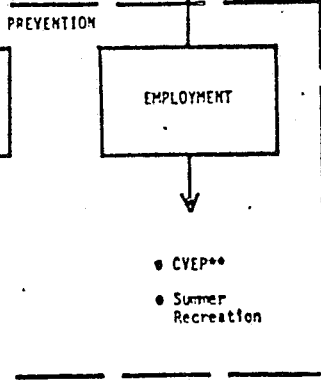
MINIMIZE NEED TO COMMIT CRIME

MINIMIZE DESIRE TO COMMIT CRIME

MINIMIZE OPPORTUNITY TO COMMIT CRIME

MAXIMIZE RISK FOR OFFENDERS

OPERATING PROGRAMS



DIVERSION AND REHABILITATION

DETERRENCE, DETECTION AND APPREHENSION

ADJUDICATION

PROJECTS AND/OR ACTIVITIES

- YOUTH PROJECTS
- Alternative Education (Street Academy)
 - Youth Service Coordinators
 - Youth Outreach
 - Intervention and Developmental Centers
 - Police Athletic League
 - Cleveland Youth Assistance
 - Juvenile Court Development
 - Juvenile Delinquency Treatment***
- CORRECTIONAL PROJECTS
- Comprehensive Corrections Unit
 - Group Homes
 - Community-Based Probation
 - Adult Parole Post-Release (Seven Step)
 - Institutional Post-Release Aftercare
 - Probationary Post-Release
 - Community-Based Supplemental Services
 - Boys' Club Post-Release
 - Big Brothers/Project Friendship Post-Release Follow-Up
 - Cleveland Pre-Trial Rehabilitation***

- Concentrated Crime Patrol
- Upgrading of Narcotics Related & Felony Investigative Procedures
- Auxiliary Police Training and Equipment
- Expansion of Police Outreach Centers
- Public Information
- Cleveland IMPACT Neighborhood Patrol
- IMPACT Response Time Reduction
- IMPACT Security Patrol for the Elderly
- IMPACT Streetlighting
- IMPACT Awareness

- PRE-TRIAL DELAY:
 - Visiting Judges
 - Prosecutor's Office
 - Counsel for Indigents
- POST-ADJUDICATION DELAY:
 - Pre-Sentence Investigation
 - Diagnostic Treatment Profile
- Cleveland Offender Rehabilitation Project

FIGURE 1-1

CLEVELAND IMPACT CITIES PROGRAM STRUCTURE

*Cleveland Drug Abuse Program
 **Cleveland Vocational Educational Program
 ***Note: A grant application has been submitted and LEAA approval is pending.

To improve the adjudication process consistent with this hypothesis, the Pre-Trial and Post-Adjudication Delay Reduction Project was created as part of the Adjudication Operating Program. The objectives of the project are twofold:

1. To reduce the time a defendant spends awaiting trial, consistent with (a) the speedy trial provisions of the Sixth Amendment and the Ohio Rules of Criminal Procedure, Crim. R. 4, 5, and 7, and (b) the due process provisions of the Fifth and Fourteenth Amendments and the Supreme Court's ruling in Argersinger v. Hamlin, 407 U.S. 25 (1972); and
2. To reduce the time a convicted defendant spends awaiting sentencing, consistent with the provisions of the Fifth, Sixth, and Fourteenth Amendments, and Crim. R. 4, 5, 32, 32.2, 34, and 46.

To achieve these objectives the project was divided into two activities -- Pre-Trial Delay Reduction (Activity 1) and Post-Adjudication Delay Reduction (Activity 2). As shown in Figure 1-2, Activity 1 consisted of three component projects and Activity 2 of two component projects.

Activity 1, Pre-Trial Delay Reduction, sought to speed the processing of felony defendants through the criminal courts. Component 1, Visiting Judges, provided funds in the Common Pleas Court (General Division) and the County Sheriff's Department for six visiting judges and associated support personnel for trying criminal cases. Component 2, County Prosecutor's Office, provided funds to the Prosecutor's Office for nine Assistant County Prosecutors and associated support personnel to try the cases before the visiting judges. Component 3, Counsel for Indigents, provided funds to the Legal Aid Society of Cleveland for eight attorneys and associated support personnel and facilities to represent those defendants who are indigent in Cleveland Municipal and Cuyahoga County Common Pleas Court. Activity 2, Post-Adjudication Delay Reduction, sought to accelerate the processing of convicted defendants in the Common Pleas Court. Component 1, Pre-Sentence Investigation, provided funds to the County Probation Department for five full-time and four part-time Probation Officers and associated

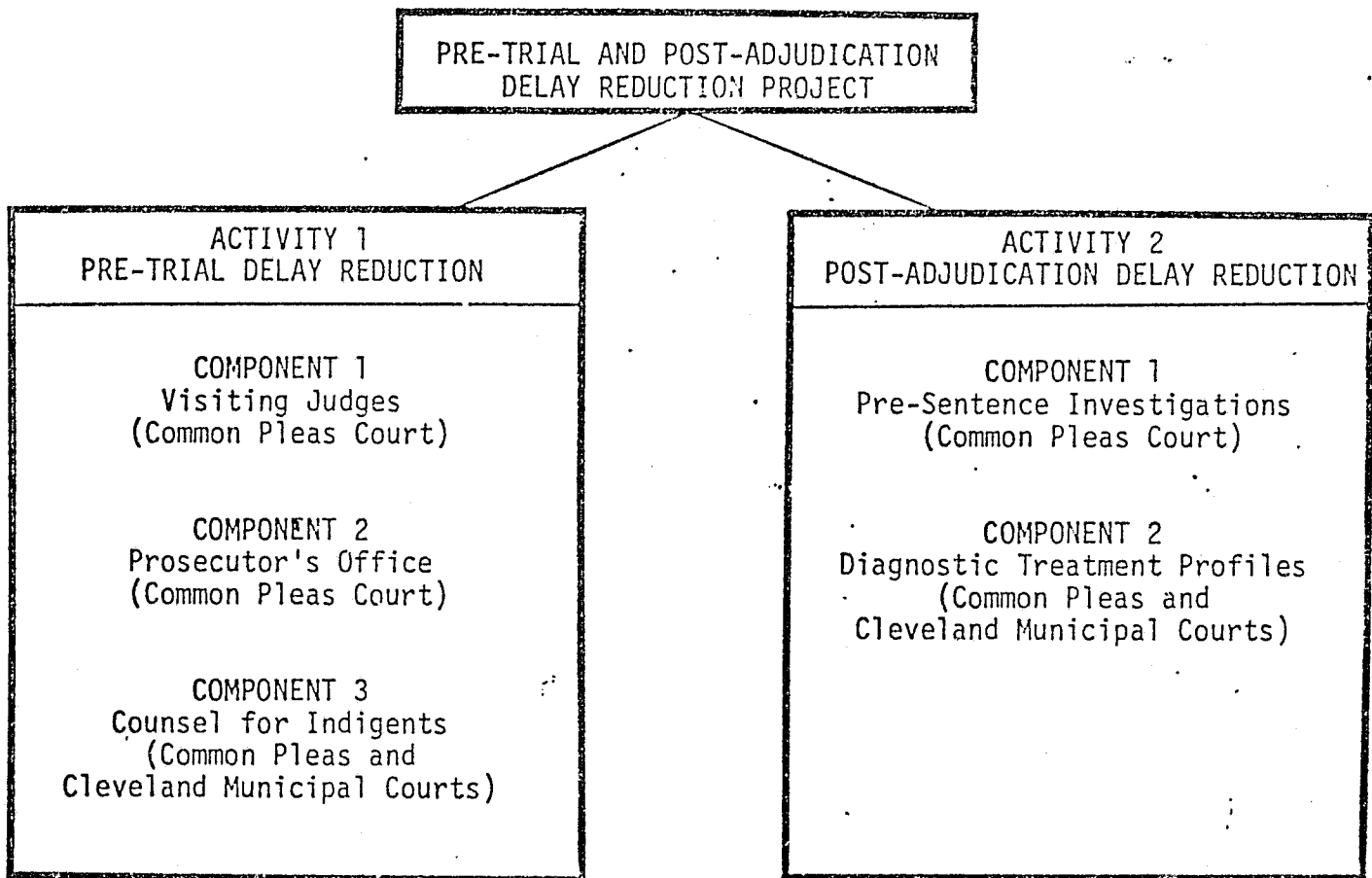


FIGURE 1-2

COMPONENT RELATIONSHIPS

PRE-TRIAL AND POST-ADJUDICATION DELAY REDUCTION PROJECT

support personnel to prepare pre-sentence investigation reports on convicted IMPACT defendants for the Common Pleas Court. Component 2, Diagnostic Treatment Profiles, provided funds to the Psychiatric Clinic serving the Common Pleas and Municipal Courts for additional personnel to develop defendant need-assessment profiles and to supplement the pre-sentence case history investigation of the County Probation Department. The goals, objectives, and methods of each of the five components of the Delay Reduction Project are summarized in Table 1-1.

The entire Delay Reduction Project was funded from an LEAA Discretionary Grant. As noted above, the project operated in the Court of Common Pleas in Cuyahoga County, serving a target population of felony defendants in criminal cases. Although the target population was intended to be offenders arrested for IMPACT crimes committed in Cleveland, it was not possible to limit the target population in this manner. First of all, the Court of Common Pleas is a countywide court of general jurisdiction; hence, defendants processed by the court need not (1) reside in Cleveland, (2) have allegedly committed a crime in Cleveland, (3) have been arrested in Cleveland, (4) have been arrested by the Cleveland Police Department, or (5) have had initial contact with the Cleveland Municipal Court. Nonetheless, a majority of common pleas defendants were arrested in Cleveland by the Cleveland Police Department. Secondly, although IMPACT crimes constitute a large fraction of the Common Pleas caseload, it was not possible to limit the services of the project's pre-trial components (the visiting judges and associated prosecutorial and defender personnel) to IMPACT defendants. Hence, the effect of the Delay Reduction Project was felt "across the board" for all felony cases. Thus, the pre-trial portion of the project affected the entire Common Pleas Court criminal case backlog and delay.

TABLE 1-1

DELAY REDUCATION PROJECT GOALS, OBJECTIVES, AND METHODS
 (Source: Project Discretionary Grant Applications)

DISCRETIONARY GRANT APPLICATION	PROGRAM COMPONENT	GOAL/OBJECTIVE	METHOD OF ACCOMPLISHMENT
"Pre-Trial Delay" (Activity 1)		Reduce time between arrest and disposition	Visiting Judges, additional Prosecutors, Counsel for Indigents
	Component 1, Visiting Judges	Reduce delay in adjudication of IMPACT defendants, reduce Common Pleas Court criminal case backlog, dispose of 150 to 200 cases per month	<ul style="list-style-type: none"> • Six Visiting Judge positions, Judges supplied by Ohio Supreme Court, reimbursed by IMPACT • Visiting Judge support personnel, hired locally • Double-shift use of courtrooms
	Component 2, County Prosecutors	Reduce delay in prosecution of IMPACT cases before Visiting Judges, assist Visiting Judges in disposition of 150 to 200 cases per month	<ul style="list-style-type: none"> • Hire nine Assistant County Prosecutors (ACP) and support personnel • Assign ACP to each Visiting Judge courtroom • Prepare cases for prosecution before Visiting Judges and Grand Jury
	Component 3, Counsel for the Indigent	Provide representation for 1,302 indigent IMPACT defendants	<ul style="list-style-type: none"> • Hire eight attorneys and support personnel • Screen cases, represent IMPACT defendants in Cleveland Municipal Court • Represent IMPACT defendants in Common Pleas Court

TABLE 1-1 (Continued)

DISCRETIONARY GRANT APPLICATION	PROGRAM COMPONENT	GOAL/OBJECTIVE	METHOD OF ACCOMPLISHMENT
"Post-Adjudication Delay" (Activity 2)		Reduce time between conviction and sentencing, place convicted offenders into proper corrective programs	Probation Officers, Psychiatric/ Psychological testing and evaluation
	Component 1, Pre-Sentence Investigations	Eliminate delay in preparing Pre-Sentence Investigations on convicted Visiting Judge case defendants	<ul style="list-style-type: none"> • Hire five County Probation Officers and support personnel • Utilize "short-form" pre-sentence investigation reports • Complete pre-sentence reports on Visiting Judge cases prior to pleadings • Complete 17 pre-sentence investigations per Officer per month • Utilize existing Officers to complete an additional 85 to 150 per-sentence investigations per month
	Component 2, Diagnostic Treatment Profiles	Recommend placement of offenders into correctional and/or treatment programs, assist the Probation Officers in preparing Pre-Sentence Investigations on convicted Visiting Judge case defendants, prepare professional assessments of needs/treatment modalities on 50 defendants per month	<ul style="list-style-type: none"> • Hire psychological and psychiatric professionals • Interview and test defendants • Prepare diagnostic profiles • Recommend treatment modalities

1.2 PROJECT COMPONENTS

1.2.1 PRE-TRIAL DELAY REDUCTION COMPONENTS

The core of the pre-trial delay reduction effort was the addition of six visiting judges to the bench of the Cuyahoga County Court of Common Pleas. The visiting judges were assigned by the Ohio Supreme Court from other counties in the state where caseloads are lower than those in Cuyahoga County. The addition of the visiting judges was specifically intended to supplement the services of the sitting judges of the Common Pleas Court, not to relieve them from hearing their normal complement of criminal cases. Initially, the visiting judges operated in a double-shift mode, using courtrooms in the afternoon while the sitting judges used them in the morning. But in June 1973 the County added seven new courtrooms in the Mott Building, making double shifts unnecessary.

The Visiting Judges component also included funds for courtroom support personnel. These personnel included nine Deputy Sheriffs responsible for courtroom protection and prisoner transfer, six court bailiffs responsible for assisting the judges in the trial process and making record entries as directed, two clerks in the Common Pleas Central Scheduling Office responsible for managing the case flow, two secretaries to conduct the judges' correspondence, one law clerk to check points of law in the County Law Library on request of the visiting judges, six court reporters to transcribe courtroom proceedings, and two jury bailiffs to serve the needs of the impaneled jurors.

Phase I of the Visiting Judges component covered April 1973 through March 1974 and was funded by an LEAA grant of \$411,213. Based on the favorable evaluation of Phase I, a second-year effort was funded for an additional

\$308,403. The grant funds, supplemented by local funds, provided for the salaries and fringe benefits of the personnel listed above, jury fees for the additional juries required by the project, office supplies, telephone expenses, and rental of additional courtroom space. As a result of the project's success in reducing both backlogs and delays, it is being institutionalized as an on-going part of the County court system at the conclusion of the Phase II grant period.

Supporting the Visiting Judges component are the associated prosecutorial and defender components. These are both designed to provide adequate personnel to ensure that cases assigned to the six visiting judges could be handled expeditiously on the part of both prosecution and defense. Nine additional prosecutors were added to the staff of the Cuyahoga County Prosecutor. These prosecutors became part of a pool from which the Prosecutor chose personnel to try cases in the Common Pleas Court. In this way, the Prosecutor could choose either a newly-hired attorney or one more experienced in criminal prosecution to prosecute each visiting judge case. Adding nine Assistant Prosecutors to the attorney pool permitted the Prosecutor's Office to cover all six visiting judges' courtrooms and also to keep other cases in preparation for trial before those judges. In addition, a clerk-coordinator was added to the Prosecutor's staff to keep the case flow uninterrupted. Phase I of the Prosecutor's Office component paralleled Phase I of the Visiting Judges component, and was funded by an LEAA grant in the amount of \$116,240. Phase II covered the eight months from April through December 1974, after which the project was continued with local funds, to continue to support the Visiting Judges component.

The Counsel for Indigents component was funded by a Phase I grant of \$182,484. This provided funds for the Legal Aid Society to hire eight attorneys to be assigned to defendants who could not afford private defense counsel and requested appointed counsel. The attorney was assigned to the defendant at the preliminary hearing in Municipal Court, and would see the case through Common Pleas Court.* The budget also provided funds for Legal Aid to hire four law students, two investigators, two clerks, and a social worker to assist in preparing defense cases. The budget also provided funds for additional court reporter service, travel expenses for staff attorneys and investigators, office rental, and office supplies and equipment. Like the Prosecutor's Office component, Counsel for Indigents was refunded for Phase II through December 1974 and has been continued since then with local funds to support the continuation of the Visiting Judges component.

1.2.2 POST-ADJUDICATION DELAY REDUCTION COMPONENTS

The goal of these two components is to reduce the time between conviction of IMPACT defendants and their placement in appropriate correctional programs. The thrust of these activities is to provide the information required for sentencing in as short a time period as possible. The implementation of this objective involved increasing the staff of both the Probation Department and the County Psychiatric Clinic.

The Pre-Sentence Investigation component was the Probation Department's contribution to reducing the delay by reducing or eliminating the usual delay in preparation of pre-sentence investigation reports. This was to be accomplished by hiring additional Probation Officers, devising a "short-form" pre-sentence

*As a practical matter, an attorney assigned to the initial stages of a case did not always remain assigned to the case if the individual defendant expressed another preference.

investigation form, and completing the pre-sentence reports prior to pleadings (later changed to a goal of "within five days of their assignment"). This component was supported by a \$58,314 LEAA grant, which provided funds for hiring five additional Probation Officers and a clerk-typist. The Department itself contributed a portion of the time of four other Probation Officers and the Chief Probation Officer. The new "short-form" was developed early in the project and revised twice to refine it for maximum workability. At the conclusion of the grant period in August 1974 the project was continued with local funding, to support the ongoing Visiting Judges component.

The final project component was the Diagnostic Treatment Profiles. Its objective was to assist the Probation Department in making sentencing recommendations which would place offenders into appropriate correctional and/or treatment programs, by making professional assessments of the needs and treatment modalities of convicted IMPACT offenders. This would be done by means of interviews with and testing of the referred offenders and preparation of diagnostic profiles and recommended treatment modalities. The LEAA grant of \$39,020 was to provide for the hiring of a psychologist, a test administrator, and a clerk-typist, plus partially supporting a psychological assistant and providing office supplies. However, staffing problems and a small number of referrals resulted in a decision not to continue this component beyond its first 12 months. An unexpended sum of \$30,000 was subsequently reprogrammed to further support the successful Visiting Judges component.

The remainder of this section describes in more detail the Pre-Sentence Investigation (PSI) component. Section II reviews the performance and management of this project component and Section III draws conclusions and makes recommendations.

1.3 PRE-SENTENCE INVESTIGATION (COMPONENT 1 OF ACTIVITY 2)

Prior to the introduction of this project component, preparation and submittal of a PSI report typically took from three to eight weeks following the date of conviction. Such a delay was considered dysfunctional for the defendant, whether he was out on bail or confined in jail. In the former case, the defendant would be placed in a state of anxiety about his future, with little or no means of doing anything about it (other than absconding), for this entire time period. If confined to jail, the "dead time" involved in waiting was not deducted from the length of the sentence, thereby increasing the total time of incarceration. Reducing the pre-trial delay via the Visiting Judges component without also reducing the pre-sentencing delay would have markedly reduced the impact of the former in fulfilling the promise of swift and sure adjudication, which is the principal goal of the Delay Reduction Project. Hence, the PSI component was created with the aim of substantially reducing the delay in producing the PSI reports on all IMPACT defendants in the Court of Common Pleas.

The specific goals of the PSI component were as follows:

1. To provide enough additional Probation Department personnel to reduce the delay between conviction and sentencing to zero time for all IMPACT defendants;
2. To reduce the elapsed post-conviction time for preparing pre-sentence investigation reports to zero, by means of pre-indictment probation reports; and
3. To prepare pre-sentence reports following the model of the Philadelphia County Court (i.e., using a specially-designed short form).

To accomplish these goals, the project plan called for hiring five new probation officers to be assigned exclusively to the intake of defendants from the Visiting Judges court unit. Using existing workload standards, under which each officer could complete 17 short-form PSI's per month, a total of 85 cases could be handled by the five new officers. Since it was estimated that the six Visiting Judges could be expected to hear 150 cases per month, the potentially remaining 65 cases each month were to have been assigned to an additional four probation officers "floated" by the Court of Common Pleas, as required. The five new probation officers were assigned to the Criminal Courts building with the exclusive assignment of handling pre-sentence interviews and investigations (using Clearinghouse, City Police, County Criminal Records, and similar sources, together with the Diagnostic Treatment Profile from the Psychiatric Clinic). An "Abridged Pre-Sentence Report" form was devised for use in this project component, in order to systematize the collection and organization of the necessary information.

Several changes were made in the operating concept between the grant application and the project itself. The most important change was a shift from the initial goal of "zero-time" preparation of the PSI report to a target of five days. The grant application had envisioned preparing the report before conviction of the defendant, which would have "necessarily exclude[ed] the defendant's statement and the disposition" from the PSI report form. By the time the project began, a decision had been reached that the pre-sentence investigation should not begin until the defendant was convicted, and that a five day turnaround was an achievable goal.

Another change was brought about by the operation of the Visiting Judges component in processing defendants. When the number of referrals of defendants to Probation for PSI's turned out to be far lower than projected, not only was there no need for the four extra "floated" probation officers, but the five officers hired for this project ended up with insufficient PSI workloads. Consequently, each of the five officers was assigned a number of clients as an intensive probation supervision unit. Whenever possible, these clients were drawn from defendants whom the officer had previously investigated in preparing PSI reports.

A third change occurred in part as a result of a change in the Ohio Criminal Justice Code in 1973. Under Public Law 511, Pre-Sentence Investigation reports were mandated, and certain types of information were required to be included. This led to a revision of the abridged report form, including a specific outline to be followed by probation officers in preparing the narrative portion of the report.

As will be discussed in Section II, the PSI component largely achieved its goals and was viewed by both the Probation Department and the Visiting Judges as a success. Consequently, when the 17 months of grant funding expired in August 1974, the County decided to continue the PSI Unit in approximately the same form. All five of the Unit's probation officers have been added to the County payroll, and the Pre-Sentence Investigation group became an operating unit of the Probation Department in March 1975.

SECTION II
MANAGEMENT AND PERFORMANCE STATUS

SECTION II
MANAGEMENT AND PERFORMANCE STATUS

2.1 PERFORMANCE ANALYSIS

The data on which this evaluation is based were drawn from the monthly Performance Status Reports (PSR's) produced by the PSI Unit, from the monthly and quarterly progress reports, and the final narrative report. Both the quantitative PSR's and the narrative progress reports were well-designed and relatively thorough accounts of the operations of this component of the Delay Reduction Project are presented.

Basic quantitative data collected from the PSR's are summarized in Table 2-1, for three areas of interest: the number of PSI's assigned to the Unit each month, the number of field visits made by the Unit's probation officers (to gather information for the PSI, or in connection with probation case supervision), and the number of probationers under supervision by the officers of the unit at the end of each month. The first two columns trace the history of PSI assignments over the 17-month life of the project's grant funding. As can be seen, the Unit never approached a monthly caseload per man of 17 PSI's, as had been projected in the grant application. Aside from the initial start-up month, the monthly PSI caseload ranged from 2.0 to 7.6, averaging only 4.24 pre-sentence investigations per month for each officer. The reason for this relatively low caseload was the policy of the Visiting Judges in sending only selected cases to Probation for PSI's. Overall, then, the PSI Unit prepared only 348 PSI reports* in the 17-month period,

*The "Final Narrative Report" states that 355 PSI reports were prepared, but the monthly PSR figures total only 348.

TABLE 2-1

PSI UNIT MONTHLY PERFORMANCE

MONTH	PSI'S ASSIGNED		FIELD VISITS		NUMBER OF PROBATIONERS UNDER SUPERVISION	
	TOTAL	AVERAGE/MAN	TOTAL	AVERAGE/MAN	TOTAL	AVERAGE/MAN
April 1973*	7	1.75	0	0	0	0
May 1973*	17	4.25	18	4.5	91	22.8
June 1973*	8	2.00	113	28.2	92	18.4
July 1973	19	3.80	129	25.2	193	38.6
August 1973	19	3.80	261	52.2	225	45.0
September 1973	21	4.20	194	38.8	225	45.0
October 1973	23	4.60	208	41.6	230	46.0
November 1973	36	7.20	156	31.2	256	51.2
December 1973	15	3.00	194	38.8	255	51.0
January 1974	21	4.20	224	44.8	253	50.6
February 1974	18	3.60	174	34.8	248	49.6
March 1974	26	5.20	250	50.0	248	49.6
April 1974	24	4.80	286	57.2	424	84.8
May 1974	16	3.20	157	31.4	415	83.0
June 1974	21	4.20	295	59.0	407	81.4
July 1974	19	3.80	240	48.0	392	78.4
August 1974	38	7.60	266	53.2	383	76.6
TOTAL	348	--	3,165	--	--	--
AVERAGE PER MONTH	20.47	4.24	186.2	38.6	255.1	51.3

*During the first three months, the PSI Unit had only four members, rather than its authorized five members.

instead of the 1445 which the Unit was prepared to handle. On a monthly basis, the Unit averaged 20.5 PSI's per month, compared with the expected 85.

This shortage of work led to the decision to assign probation supervision duties to the PSI Unit officers, to round out their workload. As shown by the fifth and sixth columns of Table 2-1, this process proceeded through several stages. Caseload per man averaged about 20 for the first several months; as the level of PSI referrals failed to increase, the supervision caseload was increased to approximately 45 through October, and to 50 for the next five months. Then, in April 1974 it was increased again to approximately 80, a level which continued through the final grant-funded month. Table 2-1 also includes the field visits made by the Unit's officers, averaging 39.6 per man per month. These visits appear to be related mainly to PSI activities, since they do not increase in proportion to the increase in the caseload of probationers under supervision.

One important measure of performance is the average preparation time for PSI reports. Unfortunately, the PSR's did not collect data on this variable, and the only available source of data was the monthly and quarterly progress reports. The preparation time data from these reports are listed in Table 2-2. As can be seen, the data collection was not systematic, with some types of data being reported in one report and other types the next time (e.g., averages vs. minimum and maximum times). Because of this, and because the numbers are presented only as round numbers or ranges (e.g., 7, 8-10), it appears likely that these numbers are subjective estimates rather than computed averages from

TABLE 2-2
PSI PREPARATION TIME

REPORT	NUMBER OF DAYS		
	AVERAGE	MINIMUM	MAXIMUM
April-July 1973 Quarterly Report	5 (generally met)	-	8-10
August 1973 Monthly Report	-	5	10
July-September 1973 Quarterly Report	7-8	-	12
October 1973 Monthly Report	5-8	-	A few cases taking longer
November 1973 Monthly Report	-	-	-
October-December 1973 Quarterly Report	7	2-3	12-14 (one case 25)
January 1974 Monthly Report	-	5	8
January-March 1974 Quarterly Report	8	-	-
April-June 1974 Quarterly Report	8-10	-	21
July-August 1974 Report	8-10	-	-
Final Report	7	-	-

detailed case-by-case records. This is unfortunate, since a key performance indicator such as PSI preparation time should be calculated, not estimated. It would not have been difficult to design and implement a method of recording the date that each PSI report was transmitted to the requesting judge, for comparison with the date of the Order of Investigation (see below) which initiated the request. From this it would have been easy to compile the statistical distribution of preparation times each month, and report this on the PSR along with the other data.

Based on the limited data of Table 2-2, there appears to be a trend toward longer average preparation times as time went on. This is consistent with the general increase in probation officer workload that occurred over this time period (although the PSI workload, per se, remained relatively constant throughout). One rejoinder is that the addition of a fairly substantial probation supervision caseload made it more difficult for the officers to approach the goal of a five-day preparation period. Another rejoinder is that additional delays were experienced because of the slowness of the Diagnostic Unit to prepare diagnostic and treatment profiles on those clients referred by the Probation Department. Only the first quarter reported achievement of this goal, with the average gradually increasing to 7 and 8 days, and finally to 8-10 days in the last two quarters. Nevertheless, the achievement of an overall average of 7 days represents a substantial and impressive improvement from the previous figures of a 21-day average for jail cases and 42 days for bail cases.

2.2 MANAGEMENT ANALYSIS

The PSI component was generally well-run and well-managed. It developed and utilized a Performance Status Report on a regular basis. It produced a full set of quarterly narrative progress reports, and a number of monthly

progress reports.* Aside from the less than complete data on PSI preparation time, the reports produced by this component provided all the information needed for analyzing what was done.

In addition to reporting on what was done, the PSI Unit developed and put to use two standard forms which are now in regular use by the Court and the Probation Department. The first of these is the Order of Investigation (Figure 2-1). Because requests for PSI's could originate in any of three court buildings (the Criminal Courts Building, the Mott Building, and the Lakeside Courthouse), it was important to have these requests (i.e., that a PSI was needed) transmitted quickly and accurately to the Probation Department's office in the basement of the Criminal Courts Building. The Order of Investigation was devised to fill this need. It was designed as a three-copy carbonless form, to be filled out by the Visiting Judge upon conviction of the defendant. One copy was given to the bailiff, another to the defendant's attorney, and the third was delivered to the Probation Department as formal notification of the need for initiation of the PSI. This procedure proved successful in accomplishing same-day notification, and consequently the form is now in use throughout the entire court.

The second form developed by the PSI Unit was the abridged pre-sentence report form (Figure 2-2). Initially, the form only called for the types of specific information shown, and left the bottom half free for supporting information in narrative form; this supporting information was to be supplied by the probation officer as a result of his investigation. However, as a result of both an LEAA evaluator's review of the project in December

*In several cases the detailed quarterly reports were substituted for monthly reports.

FIGURE 2-1

COURT OF COMMON PLEAS
CUYAHOGA COUNTY
OHIO

ORDER OF INVESTIGATION

JOSEPH A. JANESZ
Chief Probation Officer.

Docket No. _____

_____ having been
originally charged with _____ and
convicted as charged or of _____ by plea of
guilty, by trial, by the Judge, or by Trial by Jury (cross out two) before Hon _____
_____ is this day assigned to the Probation Department for investigation.

The Probation Officer shall fully investigate and report to the Court in writing in accordance with
the provisions of Section 2951.03 of the Revised Code of Ohio, on the circumstances of the offense,
criminal record and social history of the defendant, and on such other matters as are specified below or
as may at any time be required by the Court of the Judge thereof.

The Probation Officer shall (Special Instructions) _____

PROBATION OFFICER

Dated this _____, 19____

ATTY. _____ Tel. No. _____

By Court Rule, you and your attorney are to report immediately to the Probation Department, 1560 E. 21st Street,
Basement, Criminal Courts Bldg. for Probation processing. 771-0660.

COURT OF COMMON PLEAS
DEPARTMENT OF PROBATION
CUYAHOGA COUNTY

PRESENTENCE REPORT - ABRIDGED FORM

DATE.....

PROBATION NO.

NAME.....

JUDGE.....

ALIAS.....

DOCKET NO.

TELEPHONE NO.

REVISED CODE NO.

ADDRESS.....

SOC. SEC. NO. JAIL.....

AGE..... DOB..... SEX.....

PENALTY..... BAIL.....

SOCIAL STATUS..... RACE.....

ATTORNEY.....

CHILDREN..... EDUCATION.....

TELEPHONE NO.

CRIMINAL RECORD.....

SCREEN..... JAIL TIME.....

INDICTMENT.....

PLEA/CONVICTION.....

DISPOSITION - DATE

CONDITIONS:

1973 and the revision of Public Law 511, it was decided that a more specific format was required for the narrative portion to ensure that a number of specific points were covered. Therefore, the following outline was developed for use in the narrative portion of the form:

SECTION I FACTS OF OFFENSE will include the following:

- a) Official version of the offense,
- b) Victim's statement (if applicable), and
- c) Defendant's statement (including attitude regarding the offense and victim);

SECTION II PRIOR RECORD will include the following:

- a) Police record of arrest as required and contained in the Department of Probation comprehensive pre-sentence report,
- b) Pending litigation, and
- c) Summary of minor offenses;

SECTION III SOCIAL HISTORY will include when applicable some of the following areas:

- a) Home and Neighborhood,
- b) Education and Health (physical and psychological),
- c) Military Classification,
- d) Resources and Liabilities, and
- e) Social Service Information (aid, etc.);

SECTION IV EMPLOYMENT HISTORY should contain details and verification of current employment, defendant's attitude toward his present duties, (ordinarily a five-year history would suffice); and

SECTION V SUMMARY AND INFERRED TREATMENT PLAN (if feasible).

The reports based on the above outline were considered to be improved greatly in content and quality, and the revised form subsequently was incorporated throughout the entire department as a model of short-form reporting.

One further accomplishment of the project concerned the use of the PSI reports by the judges. Before the initiation of this project, pre-sentence recommendations from Probation to the judges generally were not used. The

revised abridged PSI report form contained a section explicitly calling for a recommended treatment plan for the offender. By the summer of 1974 the Visiting Judges were using these recommendations as an input to the sentencing decision.

SECTION III
CONCLUSIONS AND RECOMMENDATIONS

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The overall goal of the Pre-Sentence Investigation component of the Delay Reduction Project was to "eliminate delay in preparing Pre-Sentence Investigations on convicted Visiting Judge case defendants." As defined in the original grant application this goal was interpreted as reducing the time between conviction and availability of the PSI report ("preparation time") to zero. As explained in Section 1.3, this interpretation was found to be unrealistic, and a goal of a five-day average preparation time was adopted at the outset of the project. The project actually achieved an average preparation time of seven days which, through not quite meeting the revised goal, represented a substantial improvement over the previous averages of 21 days for jail cases and 42 days for bail cases. Thus, the PSI component can be considered to have substantially achieved its principal goal of markedly reducing delay in preparing PSI reports.

There were five subsidiary objectives, designed as means to accomplishing this component's primary goal. These objectives, and the extent to which they were achieved, are as follows:

1. Hire five County Probation Officers and support personnel.

This objective was accomplished in full.

2. Utilize "short-form" pre-sentence investigation reports.

This objective was also accomplished, with a several-step evolution leading to a form which achieved high acceptance from both Probation Officers and Visiting Judges.

3. Complete pre-sentence reports on Visiting Judge cases prior to pleadings.

This objective was dropped as unrealistic, and the five-day preparation time discussed above was substituted as a goal.

4. Complete 17 pre-sentence investigations per Officer per month.

As discussed in Section II, due to the policy of the Visiting Judges in referring only a fraction of the IMPACT defendants to Probation for PSI reports, each Officer averaged only 4.24 PSI's per month. The balance of his time was made up by supervising a group of probationers, including clients for whom the Officer had previously prepared a PSI.

5. Utilize existing Officers to complete an additional 85 to 150 pre-sentence investigations per month.

This objective, of course, was not realized since the monthly PSI workload never exceeded 38, and averaged 20.5, making additional personnel unnecessary.

As noted in Section II, in addition to the above accomplishments, the PSI component also developed the Order of Investigation form, which has been institutionalized throughout the court as a means of notifying Probation of the need for a pre-sentence investigation. And finally, the quality of the PSI reports produced by this component was such that for the first time the judges began utilizing the recommendations contained thereon in making sentencing decisions.

In view of the PSI component's substantial success in reducing post-conviction delays and expediting the sentencing process, the County decided to continue the PSI Unit with local funds, upon conclusion of the grant funding. The five Probation Officers have been added to the County payroll, and the PSI Unit is now a permanent part of the Probation Department's organization. This evaluation concurs with the decision of the County to institutionalize the PSI component as an important element in speeding the processing of defendants through the adjudication process.

END

7. 11/11/11