

SAINT LOUIS COMMISSION ON CRIME AND LAW ENFORCEMENT

417 CITY HALL
SAINT LOUIS, MISSOURI 63103
(314) 453-4397 453-4398



OTTO G. HEINECKE
EXECUTIVE DIRECTOR

May 29, 1975

Mrs. Lucile Ring
Project Director
Civil Courts Building
St. Louis, MO 63101

RE: St. Louis Court Improvement Project
74-MPE1-SL11 (c)
S-MP14-73-e3 (C)
S-MP25-72-e2

*Project has
no outcome/idea
signature
actually a study*

Dear Mrs. Ring:

Enclosed please find the final evaluation report for the
above-referenced project for the current award period.

Specific questions relating to the report may be directed
to Lt. Herman of our office. Your cooperation and assistance
are appreciated.

Sincerely,

A handwritten signature of Otto G. Heinecke is written over the word "Sincerely,".

OTTO G. HEINECKE
Executive Director

OGH:bs

Enclosure

cc: Robert G. Dowd
Jay Sondhi

Dr. Larry Holmes ✓
Dr. Richard Barnes

Marc Dreyer

36505

SAINT LOUIS COMMISSION ON CRIME AND LAW ENFORCEMENT

417 CITY HALL
SAINT LOUIS, MISSOURI 63103
(314) 453-4397 453-4398

PROJECT REVIEW AND EVALUATION REPORT

OTTO G. HEINECKE
EXECUTIVE DIRECTOR

PROJECT: St. Louis Court Improvement SUBGRANT PERIOD: 10-01-72/09-30-7
08-01-73/09-30-7
11-01-74/06-01-7

PROJECT NUMBER: S-MP25-72e2
S-MP14-73-e3(C)
74-MPE1-SL11(c)

PROJECT DIRECTOR: Lucile Ring

SUBGRANTEE: Missouri Court of Appeals, AUTHORIZING OFFICIAL:
Eastern District Robert G. Dowd, Chief Judge

GRANT AWARD:	<u>Federal</u>	\$40,000	DATE OF REPORT:	May 12, 1975
	<u>In-Kind</u>	\$13,924		
	<u>TOTAL</u>	\$53,924		
	<u>Federal</u>	\$40,402		
	<u>Local</u>	\$13,468		
	<u>TOTAL</u>	\$53,870		
	<u>Federal</u>	\$22,814		
	<u>Local</u>	\$ 2,535		
	<u>TOTAL</u>	\$25,349		

The St. Louis Court Improvement Impact Project is a continuation of Project S-MP25-72.

PROJECT OBJECTIVES

The specific objectives of this project are:

1. Develop a systematic structure for the courts.
2. Analyze the post-arrest process, highlighting problem areas, tying in other court management studies, pinpointing the delays in the Criminal Justice System, and making recommendations for improvement.
3. Study and analyze the statutes and the constitution in order to improve the administration of justice.
4. Bring together the various elements of the Criminal Justice System - the judiciary, members of the Bar, and citizens to review the Project's research to determine appropriate solutions.
5. Implement appropriate recommendations of court management studies and other administrative improvements within the present framework of the system.

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"THE CITY OF ST. LOUIS CRIMINAL COURTS AND YOU" PAMPHLET
"A CITIZEN'S GUIDE TO COMMUNITY SERVICES" PAMPHLET
"THE CITY OF ST. LOUIS COURTS AND YOU" PAMPHLET

CONCLUSIONS AND RECOMMENDATIONS

The St. Louis Court Improvement Project was instituted to provide necessary staff services to the St. Louis Committee on Courts. The emphasis of the Project has been on isolating problems in the Criminal Justice System and recommending viable solutions. The Project is operated by Mrs. Lucile Ring, the Project Director, with the aid of students and volunteers. Since the funds and manpower of the Project are extremely limited, the Project can institute few programs in addition to its problem-oriented research. As a result, the Project has decided to take a low key approach and convince the existing power structures to implement its recommendations.

The Project has isolated many problems and recommended numerous solutions. But since it must rely on others to make the actual program changes, many changes have not been made. Because an individual or a group does not wish to take the necessary steps to change their operation, it does not mean that the idea was not a good one.

The major problems approached by the Project were those relating to Public Information, Improved Handling of Citizens, an Analysis of the Entire Criminal Justice System, Diversion From the System, Warrants, and Pre-Trial Release, among others. In each of these problem areas action was taken to solve problems noted by the Project.

The Project's main products are ideas, thus, the evaluation of the Project must be subjective. An attempt has been made to consider the major problem areas dealt by the Project and analyze the Project's contribution. In this manner it is hoped the worth of the Project will be apparent. Considering the dollar amount spent on the Project,

its accomplishments are quite notable: In addition to the role of problem research, the bi-weekly meeting of the Executive Committee of the Committee on Courts has served as a forum for the various elements of the Criminal Justice System and the Community to exchange ideas. The Project Director has also served as a coordinator and a clearinghouse for ideas of reform-minded criminal justice committees. The Project has thus served as a unifying influence for efforts toward reform of the Criminal Justice System.

The Project has been operating well and I can recommend no substantive changes for improvement given the current budget restraints. However, it is recommended that the Project develop a plan for funding, following conclusion of the Impact Program in St. Louis. The plan should consider alternative levels and modes of subsequent operation, and sources of funding.

PROJECT OBJECTIVES

The Project Objectives set forth in the grant application are:

1. Develop a systematic structure for the courts.
2. Analyze the post-arrest process, highlighting problem areas, tying in other court management studies, pinpointing the delays in the Criminal Justice System and making recommendations for improvement.
3. Study and analyze the statutes and the constitution in order to improve the administration of justice.
4. Bring together the various elements of the Criminal Justice System - the judiciary, members of the Bar, and citizens to review the Project's research to determine appropriate solutions.
5. Implement appropriate recommendations of court management studies and other administrative improvements within the present framework of the system.

Basically, the Project is idea-oriented. The Project does not have the resources to implement any of its recommendations. Rather, the Project must generate enough interest within the system that someone with the available resources and authority will implement the recommendations.

EFFORTS TO MEET THE PROJECT OBJECTIVES

The Project's operations have been the result of the effort and dedication of the Project Director, Lucile Ring. Mrs. Ring was ini-

tially assisted by a full-time secretary-research assistant. This assistant, however, left more than a year ago, during a pause in the funding. Since that time, Mrs. Ring has received only part-time assistance. This part-time help has included several law students, and volunteers. Noel Criscola, an instructor in the Administration of Justice Department at the University of Missouri - St. Louis, volunteered many hours without pay to work with the project. Mrs. Ring has also received aid and advice from local lawyers and from people within the system itself.

In attempting to meet its objectives, the Project examined several aspects of the Criminal Justice System. After thorough research, the Project makes its recommendations for implementing suggested improvements. For this reason, the main thrust of this evaluation is the examination of those elements of the system researched by the Project.

An outline of the activities of the Project relating to the objectives follows. The benefits of each activity are discussed in the benefits section of the evaluation.

1. DEVELOP A SYSTEMATIC STRUCTURE FOR THE COURTS

The Project Director has worked with lawyers of the Missouri Bar Association in drafting an Article to the Missouri Constitution modifying the structure of the Courts. In addition, a case processing study of the St. Louis Criminal Justice System has been completed. Based on this study the Project has recommended making several changes within the system. This study can also serve as a source document for other efforts to streamline the system.

2. ANALYZE THE POST-ARREST PROCESS, HIGHLIGHTING PROBLEM AREAS, TYING IN OTHER COURT MANAGEMENT STUDIES, PINPOINTING THE DELAYS IN THE CRIMINAL JUSTICE SYSTEM AND MAKING POSSIBLE RECOMMENDATIONS FOR IMPROVEMENT

The Project has had many efforts in this area. In addition to many specific suggestions for speeding case processing discussed throughout the benefits section of this evaluation, the Project has examined several elements of the system and made recommendations for improvement including:

1. Warrant issuances
2. Diversion of arrestees from the system
3. Pre-Trial Release
4. Handling of citizens brought to the court system
5. Informing citizens about court operations
6. Handling of litigant funds
7. Updating the Circuit Court Rules

3. STUDY AND ANALYZE THE STATUTES AND CONSTITUTION IN ORDER TO IMPROVE THE ADMINISTRATION OF JUSTICE

The Project Director thoroughly analyzes all new legislation that effects the Criminal Justice System. In addition, she keeps up-to-date and reports to the Court's committee on all bills of interest before the legislature.

She also has studied the Missouri Statutes and brought to light several important statutes that had gone unused and unnoticed in recent years. Among these were the statute establishing the Court of Criminal Corrections Parole Commission and the statute authorizing the police to set bail.

4. BRING TOGETHER THE VARIOUS ELEMENTS OF THE CRIMINAL JUSTICE SYSTEM - THE JUDICIARY, MEMBERS OF THE BAR, AND CITIZENS TO REVIEW THE PROJECT'S RESEARCH TO DETERMINE APPROPRIATE SOLUTIONS

The main advantage of the St. Louis Committee on Courts has been the opportunity it has afforded prominent members of the community, in and out of the Criminal Justice System, to get together to discuss problems facing the system. The Project Director has taken advantages of this forum to bring in additional people within the system to address themselves to a particular problem.

The Project Director is a respected member of the legal community. In addition, she has the ability to get along with all types of people. When these characteristics are combined with persistence and determination, this proves a catalyst to getting others in the system to at least consider the problems the Project is dealing with.

5. IMPLEMENT APPROPRIATE RECOMMENDATIONS OF COURT MANAGEMENT STUDIES AND OTHER ADMINISTRATIVE IMPROVEMENTS WITHIN THE PRESENT FRAMEWORK OF THE SYSTEM

As is the nature of projects that generate ideas, without the resources or authority to implement them, few recommendations can be expected to have been implemented in the short run. However, several changes in the system can at least be indirectly traced back to the St. Louis Court Improvement Project. These include the Mobile Warrant Office, several informative publications to assist the citizen relate to the Court, publication of updated Circuit Court rules, and new procedures whereby violators of certain state traffic offenses can pay their fines without appearing in Court.

HISTORY AND OPERATION OF THE ST. LOUIS COURT IMPROVEMENT PROJECT

The function of the St. Louis Court Improvement Project is two-fold. Its first function is to identify problems in the post-arrest administration of justice in the City of St. Louis, and secondly, it is to recommend viable solutions to these problems. Among the problems that have been noted are long delays between arrest and final disposition, overcrowding in the penal institutions, poor utilization of police time, and uninformed citizens. This section will discuss the historical development of the Project, the structure of the Project, and the operation of the Project.

HISTORICAL DEVELOPMENT

The St. Louis Court Improvement Project is operated by the St. Louis Committee on Courts. To understand how the Project functions, it is important to first understand the Committee on Courts.

The St. Louis Committee on Courts is an outgrowth of an attempt by the Missouri Bar Association to establish "Circuit Committees on Courts" in every Circuit in Missouri. These committees were to find solutions to a variety of local problems. In a letter dated November 25, 1970, Jack Oliver, then president of the Missouri Bar Association, urged members of the Bar to take an active role in forming these committees. The composition of the committees were to include lawyers, judges, leading citizens (non-lawyers) and news media representatives.

There was little response to the state bar plea outside of St. Louis. In St. Louis, however, several professional societies sought to sponsor their own Committee on Courts. These included the Bar Association of St. Louis, the Mound City Bar Association, the

Lawyers' Association of St. Louis, and a committee initiated by Judge Palumbo, who was then presiding judge of the City of St. Louis Circuit Court.

Several members of the local legal community realized that having multiple committees fragmented efforts toward improvement of the Judicial System. Paul Brown, an attorney, took the lead in consolidating these committees.

In November of 1971 talk of consolidation and organization began in earnest, but it was not until March of 1972 that the St. Louis Committee on Courts was actually formed.

The Committee is organized as a Missouri General Not-For-Profit Corporation. On June 6, 1973, the Committee was notified that a determination had been made by the Internal Revenue Service that the Committee was exempt from federal income tax under Section 501(C)(3) of the Internal Revenue Code. This ruling enabled an individual to deduct contributions to the Committee from their income tax as provided in Section 170 of the Code. As a result of this ruling, however, both the Committee and its agents are prohibited from lobbying activities.

In a memorandum dated March 27, 1972, the Committee on Courts made a request for a grant under the High Impact Program to finance a project to improve the Criminal Justice System in the City of St. Louis. The money was to be used to hire a staff to do necessary research in identifying problems in the judicial system, recommending solutions, and working with those within the system in an effort to implement solutions, and working with those within the system in an effort to implement solutions. The Committee was

interested in both short and long term solutions. The memorandum made general statements regarding areas of investigation that it was thought would have the greatest impact on the Criminal Justice System.

On August 21, 1972, the Missouri Law Enforcement Assistance Council funded the Court Improvement Project to begin retroactivity as of June 19, 1972.

STRUCTURE OF THE PROJECT

The Committee is composed of community leaders both in and out of the legal profession (a list of members follows this section).. The Committee is governed by a board which provides direction to the staff and sets basic policy. The Executive Committee (board) is composed of representatives of the three local bar associations, the courts, and others.

Funding of the St. Louis Court Improvement Project is funneled from LEAA to the Chief Judge of the Missouri Court of Appeals, St. Louis District, who serves as an applicant authorized official to the Committee on Courts. There is a contracted agreement between the Appellate Court and the Committee.

The Committee has employed a Project Director, to serve as a representative of the Committee and to handle day-to-day committee business. The Project Director, Mrs. Lucile Wiley Ring, is an attorney with considerable experience in the St. Louis Court System. She is responsible for planning, developing, and executing the Committee's program within the framework of guidelines laid down by the Committee itself. She works semi-independently, determining procedures and making some significant work decisions. In carrying

court system in St. Louis diversion of cases from the criminal system, pre-trial release, warrants, and case processing. The research and suggestions in the above areas are discussed in the benefits section of this evaluation which deals specifically with each topic.

The Committee on Courts has little power to bring about changes in the Court System outside of pointing out problem areas and recommending solutions. However, the Executive Committee is composed of leaders in the Judicial System, who themselves can act as a catalyst for change. The Executive Committee meetings also serve as an opportunity for leaders in the system to exchange views with others on the problems facing that segment of the system with which they are primarily connected.

The Executive Committee rarely reached agreement on any affirmative actions during the first two years of its existence. During this time the Executive Committee had authorized the printing of the pamphlet "The City of St. Louis Criminal Courts and You" and had agreed to priorities on avenues to improvement of the Criminal Justice System to be researched. The Committee accomplished little else during these early years. In 1974, however, the Committee became much more action-oriented. Among the specific improvements agreed to by the Committee were: The establishment of Traffic Violation Bureau, the establishment of a system of forfeiture of cash bonds in lieu of court appearances in traffic cases, as well as studies by the Committee of pre-trial release problems. The Committee also established close-working relationships with reform-oriented committees, established by the St. Louis Metropolitan Bar Association.

The fact that no concrete proposals had emanated from the Committee in its early years might tend to suggest that it was not ac-

completing much. Upon further investigation, however, this proves not to be the case.

Ideas for areas for research generate both from the Committee and the Project Director. The Director is responsible for determining what information or data shall be gathered. As part of the research, the Project Director is expected to obtain input from members of the judicial system with power to implement changes in the area researched. By working with these individuals, the Project Director has an opportunity to convey suggestions for improvement directly to those with the ability to have an impact on the system. By presenting suggestions to the Executive Committee, the Project Director has a second opportunity to interest an individual on the Committee to take action on his own to work for the implementation of the suggestion. Thus, because the Committee initially was inactive did not mean that no action was taken.

Assuming the Committee decides to support a particular objective, the only action it can take is to have its representative suggest implementation to those in a position to do so. In practice the Project Director, in formulating a report, has already done this. Thus, whether or not a proposal gets Committee approval is not always a material factor. Committee support is, however, a material factor as to how well an idea is accepted in the Criminal Justice Community.

In working for a change in the system, neither the Committee nor the Project Director are in a position to finance or supervise an on-going project. Thus, the strategy has been to interest people in the system to change the system from within. For this reason, the Project Director has sought an atmosphere of cooperation with all

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In working for a change in the system, neither the Committee nor the Project Director are in a position to finance or supervise an on-going project. Thus, the strategy has been to interest people in the system to change the system from within. For this reason, the Project Director has sought an atmosphere of cooperation with all

segments of the Judicial System. Publicity in the media on the Project's activity has been avoided for fear of jeopardizing this cooperation.

THE ST. LOUIS COMMITTEE ON COURTS

May 15, 1974

Executive Committee

A. J. O'Brien, Chairman and Treasurer	Mount Vernon Corporation
Clyde S. Cahill, Vice Chairman	St. Louis Circuit Court
Mrs. James S. McClellan, Secretary	Women's Crusade Against Crime
The Honorable Carl R. Gaertner	St. Louis Circuit Court
Paul S. Brown	The Bar Association of Metropolitan St. Louis
Donald Gunn, Jr.	Lawyer's Association of St. Louis
Ira M. Young	Mound City Bar Association
The Honorable Robert G. Dowd (Ex Officio)	Authorized Grant Official
David Lander	Executive Director Legal Aid Society

Committee Members

Herbert E. Barnard 818 Olive - Suite 1400 St. Louis, MO 63101 241-5500	Attorney at Law
Paul S. Brown Pierce Building - Room 330 112 North Fourth Street St. Louis, MO 63102 421-5364	Attorney at Law
Mrs. W. Parker Burns 4668 Pershing St. Louis, MO 63108 367-8595	Co-Chairman - Court Watchers Committee - Women's Crusade Against Crime
Clyde S. Cahill 4030 Chouteau St. Louis, MO 63110 652-3133	Twenty-Second Judicial Circuit Judge
Harry H. Craig 7 North Seventh Street St. Louis, MO 63101 231-1018	Attorney at Law

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8000 Bonhomme - Room 105
St. Louis, MO 63105
726-6350

Miss Edna L. Emme
5625 Lindell Boulevard
St. Louis, MO 63112
727-4610

Harold J. Gibbons
300 South Grand Boulevard
St. Louis, MO 63103
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Mrs. Pearline M. Evans
5980 Delmar Boulevard
St. Louis, MO 63112
725-5770

The Honorable Carl R. Gaertner
Municipal Courts Building
1320 Market Street
Assistant Division 16
St. Louis, MO 63103

Charles F. Hamilton
720 Olive - Suite 806
St. Louis, MO 63101
231-3800

Mrs. James S. McClellan
1221 Locust - Shell Building
St. Louis, MO 63103
231-0425

Colonel Theodore McNeal
St. Louis Metropolitan
Police Department
1200 Clark Avenue
St. Louis, MO 63103
231-9164

Donald Gunn, Jr.
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432-4550

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818 Olive - Suite 918
St. Louis, MO 63101
436-1323

Manager - Samuel W. Duggan
Realtor, Inc.

President of the Board of
Directors - Grand Jury Assoc.
of St. Louis

Vice President - International
Brotherhood of Teamsters

District Director
First Congressional District of
St. Louis

Assistant Chief Judge
Twenty-Second Judicial Circuit

Vice President
Laclede Gas Company

Chairman
Women's Crusade Against Crime

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Attorney at Law

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12th and Market Streets
Division 13 - 7th Floor
St. Louis, MO 63101
453-4431

The following also receive Executive Committee meeting notices and minutes:

The Honorable Robert G. Dowd, Chief Judge
Missouri Court of Appeals - St. Louis District
Civil Courts Building
12th and Market Streets
St. Louis, MO 63101
453-4608

BENEFITS

This section attempts to review the major projects efforts. It first tries to identify the problem the project has attempted to solve. It then attempts to discuss the efficacy of the recommended solutions to these problems. Through this approach it is hoped the reader will be able to judge for himself the project's worth. The following discussion is broken down by functional areas.

A. PUBLIC INFORMATION PROJECTS

I. THE CITY OF ST. LOUIS CRIMINAL COURTS AND YOU

A. Introduction

The courts in the Criminal Justice System are complicated and multi-tiered. It is not unusual for even the initiated judge or attorney to hold misconceptions as to the very structure of the courts themselves. It thus takes little imagination to understand the frustration the average citizen feels when he comes face-to-face with the criminal justice labyrinth.

Prior to 1973 there was no single source available to explain and distinguish the structure and jurisdiction of the federal, state, and local courts located within the City. To fill this void, however, the St. Louis Committee on Courts published a pamphlet entitled The City of St. Louis Criminal Courts and You.

The purposes of this publication is four-fold. The primary purpose is to provide a general guide to citizens who find themselves in the criminal justice arena. A secondary purpose is to clear misconceptions or uncertainties on the part of lawyers, and court personnel.

Another purpose is to serve as a source document for those interested in court reform. And, a final purpose is as a tool to be used by those who are frequently asked for advice on matters relating to the court. These include lawyers, court clerks, workers in social agencies, clergymen, police, and librarians.

The pamphlet was intended only to point out the usual cases and proceedings, not the exceptions. It is not intended to be a comprehensive discussion, but only a brief outline. It will,

however, aid the lay-person in his attempt to find out who, where, and what to ask in seeking answers to specific questions about the court.

The book contains a very minor inaccuracy involving its reference to the Municipal Courts as the Police Court. This was done because the Municipal Court has been referred to as the Police Court for many years in the lay vernacular. Since the booklet is directed to the average citizen, it was written in terms he could best understand.

B. Contents

The pamphlet outlines the structure of the Municipal Court, Court of Correction, Circuit Court, and Federal Court, located within the City of St. Louis. Each court is outlined individually as to:

1. How the charge is initiated
2. Who prosecutes the case
3. Whether there is a preliminary hearing
4. What the bulk of the cases include
5. Where the trial is held
6. When and to what court appeals are made

The pamphlet gives addresses for prosecutors, trial courts, appellate courts, and locations where fines for city traffic violations can be paid.

The pamphlet also contains information explaining what to do if "you have a ticket (summons)". It gives a number to call to find out information on the juvenile court. And finally, there is

included a list of the constitutional rights of arrested persons. It is suggested that after arrest the accused inquire as to how these rights apply to him.

C. Development

The idea of the pamphlet was first conceived by Judge David A. McMullan of the St. Louis Circuit Court. In the latter part of 1972, Judge McMullan suggested that the St. Louis Court Improvement Project draft a booklet on violations of laws and ordinances. He then participated in the composing of the first rough draft.

The St. Louis Committee on Courts then made further modifications, and gave the rough draft to persons outside of the court system to determine if it was comprehensible. A tentative draft was then typed in a fashion similar to its present form.

In December of 1972 this first tentative draft was distributed to members of the Criminal Law Section of the St. Louis Bar Association and others. The members of the Section, which includes judges, prosecutors, and defense attorneys, were asked to notify the Court Improvement Project of any inaccuracies or questionable language. Based on the individual's response, further modifications were made.

On January 9, 1973, a second tentative draft was distributed to lawyers, judges and court personnel to ascertain if there were any further errors. Based on the suggestions received, a final draft was written.

Norman Ulbright, an artist and retired Executive Director of the County Municipal League, was contacted for assistance in assembling the information into a small pamphlet. It was Mr. Ulbright who suggested the use of stick figures and the umbrella on the cover to symbolize the fact that it is a sad day when a citizen must go

to court.

On February 26, 1973, the material went to the printer and 5,000 pamphlets were printed in the first batch. There have been several subsequent printings.

An inquiry is made to correct for any changes in the courts which may render part of the booklet inaccurate before each printing. To date, 125,000 pamphlets have been printed and distributed.

The cost of the booklet is as follows:

First Printing - 5,000 copies

\$ 57	Art Work	Mr. Norman Ulbright 10378 Cobij Lands Drive St. Louis, MO 63137
\$ 12	Incidentals	Mr. Norman Ulbright
\$ 58	Technical Work	Midwest Technical 1741 Big Bend Boulevard St. Louis, MO
\$100	Printing Cost	Heimbuecher Business Service 78 North Carondelet Avenue Clayton, MO 63105

Second - Fifth Printing - 10,000 copies

\$171	Printing Cost	Heimbuecher Business Service
\$ 12	Incidentals	Mr. Norman Ulbright
<u>183</u>		
<u>x4</u>		
\$732	Total Cost Second - Fifth Printing	

Total Cost

\$227 - Total Cost First Printing
\$732 - Total Cost Second - Fifth Printing
\$959 - Total Cost For 45,000 Copies

Present Printing Cost

\$200 - per 10,000 copies

D. Distribution

The pamphlet has been distributed to a wide variety of legal, law enforcement, and social organizations. The first step in the distribution process is the sending of a copy of the pamphlet and cover form letter to organizations that might have use for it. The letter explains the purpose of the pamphlet. It then goes on to say that the pamphlet is available simply by stopping by the Office of the St. Louis Committee on Courts and picking up the desired quantity. There is no charge for the pamphlets.

The organizations to whom the letter was sent were selected from the Community Service Directory published by Health and Welfare Committee of Metropolitan St. Louis.

T. P. McNeal, President of the Board of Police Commissioners, has praised the contents and structure of the pamphlet and has promised to distribute it to those persons under arrest.

In addition, Lowell M. Hey of the St. Louis Commission on Human Relations, has said that this pamphlet is the first of its kind explaining the complicated St. Louis Court system. He indicated that the pamphlet has been of great help in dispensing information to an uninformed clientel. Letters of praise for this pamphlet have also been received from the President of the Board of Aldermen, the Missouri Bar, and the St. Louis Public Schools Coordinator of Law and Education Projects.

There have been ten printings; a total of 125,000 copies have been ordered, received, and paid for. Five thousand copies which were found containing a minor error were supplied to the project at no cost. The accuracy check for the fifth printing was

done by Noel Criscola, faculty member from the University of Missouri - St. Louis, Administration of Justice program. He volunteered his time without pay. The experience was mutually beneficial, he learned firsthand about the Court System while providing needed assistance.

To save shipping costs, the pamphlet must be picked up personally at the St. Louis Committee on Courts, 7th Floor of the Civil Courts Building, 12th and Market Streets. A list of quantities distributed to various agencies follows this section.

DISTRIBUTION OF PAMPHLET

"THE CITY OF ST. LOUIS CRIMINAL COURTS AND YOU"

Archdiocesan Commission on Human Rights 4445 Lindell Boulevard St. Louis, MO 63108 Reverend Monseigneur John A. Schocklee	1,000
Bar Association Groups	300
Booklet Holder in Lobby of Civil Courts Building	500
"Bridging the Gap" Seminar	200
City Citizen's Service 200A City Hall St. Louis, MO 63103 Larry Ottersbach	400
City Clerk	200
City Jail	700
Greater St. Louis Alliance for Shaping a Safer Community 3701 Grandel Square St. Louis, MO 63108 Charles Watts	2,500
Human Development Corporation 1321 Clark Avenue St. Louis, MO 63103 Bernice Edwards	5,000
Information Booth - Municipal Courts Building	400
Lawyer's Reference Service	200
Miscellaneous Lawyers and Others	1,675
Office of the Commissioner on Human Relations City of St. Louis 215 North 11th Street - Room 400 St. Louis, MO 63101 Lowell M. Hey	200
Police Department	2,500
Public Defender's Office Municipal Courts Building - 2nd Floor St. Louis, MO 63103	600

Recognizance Project 724 Union Avenue St. Louis, MO John Pierson	150
St. Louis Public Library	2,500
St. Louis Welfare Department	5,000
State Office of Probation and Parole George Fickeissen	400
Women's Crusade Against Crime	200
Women's Missionary Society of the African Methodist Episcopal Church Greeley Community Center 2240 St. Louis Avenue St. Louis, MO 63106	225
YWCA	150
<u>Total Number of Pamphlets Distributed</u>	<u>25,000</u>
Chief of Security - Board of Education	2,800
Clerk of the Circuit Court	100
Information Rack - Civil Courts Building	100
TOTAL	<u>28,000</u>
University of Missouri - Criminal Justice Program	1,000
Lawyers - 22nd Judicial Circuit	1,000
TOTAL	<u>30,000</u>
Lutheran Medical Center	1,150
Defense Supply Agency - Office of Counsel	100
TOTAL	<u>31,250</u>
Crime Commission	100
Teamster Council Houses	700
TOTAL	<u>41,350</u>
Judge Rosenthal	100
Civil Courts Information	200

Bar Association - Mrs. Carter	25
Health Division - Marie Coleman	100
Salvation Army Family Service - Captain Bollwahn	500

TOTAL	<u>58,685</u>
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Mayor's Office on Aging - Barbra Crousby	200
Maternal - Infant Care Project	400
Carondelet YWCA - Beverly Miller	100
St. Vincent's Hospital - Jan O'Shaughnessy	500
Civil Courts Building	100
Clerk of the Circuit Court for Criminal Cases George Soloman	500
Clerk of the Court of Criminal Correction James Lavin	1,000

Civil Courts Information	<u>100</u>
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Malcolm Bliss Mental Health Center - Marijan Herjanic	50
Federal Information Center - Evelyn Kalicki	500
Santo L. Sorbello - In-Service Training Program	25

TOTAL	<u>62,160</u>
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Northwestern Bank - Mrs. Crabtree	300
Hydro Air Engineering	200
Lawyers	400
Circuit Clerks	200
Civil Courts Information	200
George Chopin	500
Child Day Center	350
Clerks - Circuit	100
Clerks - Magistrate	100
Pat Morard for Catholic Schools	100

Day Care Nursery	100
Law and Education Project - St. Louis Public Schools	6,000
Walnut Park Community Organization	100
Ministers	300
Newspapers	200
B. L. Wilkerson, Minister - Baptist of the Holy Communion Church	250

TOTAL	<u>71,660</u>
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Greater Mount Carmen Church	1,000
Reverend Burgin, Director - Methodist Metropolitan Ministry	1,000

Catholic Community School	20
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Mrs. Margret Richards - Harris Teachers' College	100
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Sara Cross, Manpower	30
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Thomas Erbs	70
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Steven Glickstein, Youth & Education Committee Bar Association	120
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Michael Hart - Parks College	150
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Officer Robinson - Police-Community Relations	500
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St. Louis Child Day Care Association	1,000
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Lawyers - St. Louis Bar Association	4,000
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Alan DeWaskin	250
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Plymouth House	25
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Ministers' Mailing	500
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North Park Neighborhood	150
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Auto Club	100
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TOTAL	<u>80,675</u>
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Municipal Library	100
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Clerk of the Court of Criminal Causes	100
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TOTAL	<u>80,875</u>
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North Side Team Ministry	100
Schuchat, Cook, Werner - Attorneys	50
Neighborhood Community Organization - General Mailing	200
Herman, Greenberg, Carp, Morris - Attorneys	100
Juvenile Court	3,000
Belleville, IL - League of Women Voters	50
Salvation Army	500
Clerk City Courts	100
Safety Council of Greater St. Louis	100
Compton Heights Catholic School	100
Philip Dorsey	150
Bryan Hill School	50
Women's Crusade Against Crime	100
Neighborhood Organization - Mrs. Robe	150
First Baptist Church	100
Civil Courts Information	100
Public Library	100
Schools - General Mailing	2,000
Meremac Junior College	50
Personnel Managers - Hotels, Hospitals	1,000
Crime Commission Meetings	200
Bar Association Committee Meetings	100
	TOTAL
	<u>89,275</u>
Shepard School	50
Health Department	100
University of Missouri Criminal Justice Program	1,000
Notre Dame High School	100
St. Pious the Fifth Holy Name Society	100
3710 Humphrey - 63116	

Carondelet Community Betterment Federation	500
- Water Department	100
Ralston Purina	100
-- State Probation and Parole	100
Juvenile Crime Committee	50
Grand Health Center	100
Circuit Clerk - Division 19	50
DuBourg High School	400
Milk Control - Department of Health	25
HoDoCo	50
Building Maintenance	100
: Police Department - Building Superintendent	100
: HDC	100
- Deputy Superintendent of Public Schools	25
: Board of Education	25
- General Services Administration	50
- Deaconess Hospital - Nursery Education	200
- Banneker Central Vashon District - Public Schools Parents' Group	600
Block Units Leaders - West End Community Conference	300
Meachum Branch Library - Mrs. Jeanette Smith	200
Division of Youth Services - 315 North 10th Street S. Stanszewski	200
Sisters of St. Mary - 1100 Bellevue	200
Vashon High School	100
Bryan Hill School - Mother's Club	150
Information Rack - Civil Courts Building	100
West End Corporation	300

St. Mary Magdalen Women's Organization	100
U.S. District Court Clerk	250
U.S. Court of Appeals	50
Water Division	100
Missouri Court of Appeals	50
State Court Administration Office	25
State Consumer Office - Local Attorney General	50
Governor's St. Louis - Liaison Office	50
Committee of Lawyer's Advisors	50
Circuit Courtroom Clerks	100
Council on Human Relations	500
U.S. Attorney	100
U.S. Probation and Parole	100
U.S. Probation and Parole	500
First Baptist Church	200
The Hill Corporation	75
Water Division	150
Health Department	100
City Probation and Parole	100
Pre-Trial Release	500
Public Defender	100
Court Administrator	25
Central Files - Circuit Court	50
Sister Manlene Geppert	100
St. Louis Public Schools	200
Social Workers - Sarah Clardy - 772-4322	
TOTAL	98,475
IRS Information Office	300

Food and Drug Administration	100
Strike Force	50
Health Department - Mr. Sorbello	100
Greater Faith Baptist Church	100
Federal Information Center	100
Representative Nathaniel Rivers	1,000
Mr. Stone - Associate Director - Legal Aid Society	100
Women's Crusade Against Crime	50
Model Cities	200
Metro-Lutheran Center	200
St. Louis Preparatory School	300
Clerk - Circuit Clerks' Office	100
Federal Information Center	200
Civil Courts Information	200
City Hall Employees	100
Clerk's Office - Alvèrtie	100
Clerk's Office - Beckele	100
Reverend Brockoff	100
Central Files - Mrs. Wells	100
Collector of Revenue	100
Marriage License Bureau	100
	TOTAL <u>103,075</u>
Election Board	100
Chouteau-Russell-Gateway Center	500
HDC Community Affairs	500
Inserts in Community Directory	2,000
Harris Teachers' College	25

Civil Courts Information Rack	200
Information Rack	200
NAACP	100
Mayor's Office on Aging	500
6th Police District	400
Committee, Press, Lawyers Advisor's	200
Legal Aid Society	6,670
Neighborhood Enterprises	300
Fleur de Lis Community Group	100
Civil Courts Information	300
State Vocational Rehabilitation	100
Legal Aid	200
Forest Park Community College	200
American Optometric Association	300
	<u>TOTAL 115,200</u>
Gordon Baum	50
City Jail	300
James Keast	30
John Michalski	325
Lindenwood Home Owners' Association	
Judge Dowd	200
22nd Judicial Circuit Lawyers	2,500
Julius Berg	100
St. Louis Public Library and 18 Branches	3,000
Mrs. Livesay	
Federal Information Center	300
Civil Courts Information Booth	200
Women's Crusade Information Booth	100
Men and Housing	150
National Council of Negro Women	

Grand Jury Association	150
Neighborhood Associations	150
Civil Courts Information	100
HUD	100
NAACP	100
South Side Welfare Reform	100
Carondelet Improvement Association	200
Jury Commissioner	100
Art Fair - Kingsbury Place	500
Bevo Area (Aboussi)	25
Sue Voorhees - Metropolitan Bar Wives	150
St. Louis State Hospital	15
Block Unit 294	50
Zonta	100
Civil Courts Information Rack	200
General Distribution	505

TOTAL 125,000

*NOTE - 10 Printings - A total of 125,000 copies were paid for by the Committee. Extra copies distributed were hand-corrected printer's error copies. The printer reprinted the order without charge.

II. A CITIZEN'S GUIDE TO COMMUNITY SERVICES

The Project Director has also produced A Citizen's Guide to Community Services. The purpose of this pamphlet has been to provide telephone numbers and addresses of Community Services to the citizen. The project found that too often victims of crime, witnesses, jurors, defendants, and other citizens unfamiliar with the complex judicial surroundings have great difficulty in locating required offices and courts. The project also found the citizens currently are seeking assistance from employees in the buildings in which the government offices are located. The employees who are wedged into specific jobs and routine procedures have not had the necessary information to properly assist the harassed citizens who have taken off work and are wandering around the court complex trying to comply with laws and regulations.

The directory is designed to help these employees direct frustrated citizens to courts and offices where they have been ordered to appear. It will help citizens get information, permits, records, and other public services. The services are listed by need; such as, "Alley Lights", "Birth Records", "Dead Animals", and "Discrimination". A copy of this publication along with a list of those to whom it has been distributed follows this section. This publication has been distributed at no cost to the user.

The directory is the first of its type in St. Louis. The response by the Community to this directory has been very favorable. Letters of commendation from educational, police, and social agencies have been received by the Project Director in reference to the pamphlet. 60,000 copies of the Guide have been requested by Citizen

groups. The material is being updated and bids taken for possible printing of 100,000 copies by the City.

DISTRIBUTION OF PAMPHLET

A CITIZEN'S GUIDE TO COMMUNITY SERVICES

Ted Fertig State Probation and Parole Office	35
Dr. M. Stellos Juvenile Crime Commission 3836 Natural Bridge Road St. Louis, MO 63107	12
Mr. Sam Lee Assistant to the Superintendent Board of Education - 6th Floor 911 Locust Avenue St. Louis, MO 63101	04
McFaddan Recorder of Deeds Office	06
Mrs. McCryary Grand Health Center 1501 South Grand St. Louis, MO	20
Mr. David Bendel 4647 Ray Avenue St. Louis, MO 63116	01
Richard Brutine DuBourg High School	20
Sandy Bradshaw Milk Control Section Department of Health 1220 Carr Lane St. Louis, MO 63104	03
Mrs. Jones Jones Bakery 1424 Salisbury St. Louis, MO 63107	01
Mary McKee League of Women Voters	01
Mary P. Suszko 5757 Potomac	01
Mrs. Ann DeSilva	01

Carondelet Betterment Association	20
Water Department	10
Real Estate Division	02
Ralston Purina	
Health Department	10
Notre Dame High School	06
Elevator Operators	15
Board of Education	04
Assistant to the Superintendent	
Linda Milton	05
Comptroller's Office	06
University of Missouri	01
Criminal Justice Program	
HDC	01
Mrs. John Aimerito	01
3168 Clifton Avenue	
St. Louis, MO 63139	
Mr. John Peel	03
Planned Development	
Police Department	
1200 Clark Avenue	
St. Louis, MO 63103	
Building Maintenance	04
Building Maintenance	04
William E. McCoy, Jr.	12
Building Superintendent	
Police Department	
1200 Clark Avenue	
St. Louis, MO 63103	
Fred Studer, Clerk	01
Judge Scott	
3rd Floor	
Division 19	
HDC - Stanley Hackney	14

Earnest Jones, Deputy Superintendent St. Louis Public Schools Board of Education 911 Locust Street St. Louis, MO 63101	25
Police Academy John Nelson - Police	01
General Services Administration	05
Linda Rickes, Coordinator Law and Education Project St. Louis Public Schools	75
Deaconess Hospital Nursing Education	24
Banneker Central Vashon District Parents' Group 2840 Lucas Avenue	200
Block Unit Leaders West End Community Conference Mr. Levy	100
Meachum Branch Library Mrs. Jeanette Smith	100
Division of Youth Services 315 North 10th Street S. Stanszewski	12
Vashon High School John Taylor - Counselor Ralph Wandlaw - Principal	30
Bryan Hill School Mothers' Club	20
Joe Abernathy	02
Wade F. Baker	02
State Consumer Protection State Attorney General	10
Governor's Liaison Office	10
Committee and Advisory League	50
Magistrate Courts	50
Archives	40

Circuit Courtroom Personnel	20
Building Maintenance	50
Circuit Court Personnel	30
Council on Human Relations	50
U.S. Attorney	35
U.S. Probation and Parole	35
Guards - U.S.	12
Jackie Dorsey	05
Reverend Carroll First Baptist Church	100
The Hill Corporation Mary Ronzio	20
Water Division Bob Brandy	100
Health Department - Room 10	10
Health Department - Room 18	30
Health Department - Room 28	07
City Clerk	12
Municipal Courts Building - Room 136	11
Pre-Trial Release	30
Public Defender	35
Court Administrator	08
Clerk - Circuit Court for Criminal Causes	50
Circuit Attorney	100
Information Desk Municipal Courts Building	100
Central Files Helen Webb	25
Vice Division Police Department	25

Robert Adams	05
Courtroom Clerk - CCC#2	20
St. Louis Public School Social Workers Sarah Clardy 772-4322	60
Water Division 1640 South Kingshighway George Herron	20
Thomas William 327 Boyle Street St. Louis, MO 63108	02
Garrie Cortelyou Juvenile Officer	30
Civil Courts - Reporters, etc.	20
Health Department	20
Health Division Mr. Sorbello - Room 62	35
IRS Mr. Freer U.S. Court House - Room 711	300
Food and Drug Administration U.S. Court House - Room 1006	17
Food and Drug Administration U.S. Court House - Room 1002	49
Organized Crime U.S. Court House - Room 630	12
Health Department for Inspectors	130
Greater Faith Baptist Church E. L. Dillard	30
Mr. Fister City Hall - Room 01 Microfilm Library	10
Food and Drug Administration - Room 1002	10
Collector of Revenue City Hall - Room 12	10
Reference Library Room 13	50

Building Maintenance Room 6.	10
Multigraph Division Room 9	10
City Operators Room 21	10
Recorder of Deeds Room 25	25
Public Utilities Room 26	10
Soldiers' Memorial Disaster Office Pre-Trial Release Information	20
Federal Building Information 1520 Market Street	20
Federal Information Center 1520 Market Street	100
Mr. Stone, Associate Director Legal Aid Society	35
Mrs. Bertha Rhoda Vashon High School	02
St. Louis County Municipal League	02
Women's Crusade Court Watchers - Mary Fetch	50
Collector of Revenue	62
Circuit Assignment Division for Lawyers	100
Circuit Cashier for Lawyers	100
Elevator Starter	25
Model Cities	25
Tony Sestric, Jr.	20
Bar Association	25
St. Louis Preparatory School - Father Reilly	25
Metro Lutheran Center - Roy Brock	50
Clerk - Circuit Clerk's Office for Community Organization	50

Clerk - Circuit Court Office	20
Citizen's Service Bureau Mr. Ottersbach	50
U.S. Army Troop Support Command	05
Model Cities	20
Federal Information Center 1520 Market Street	200
City Hall Employees	100
Goin's Office	58
Collector	72
Metro-Lutheran Center	20
Clerk's Office - Irene Alvertie	50
Clerk's Office - Mrs. Beckele	50
Miss Valerie Eckhoff 2002A Senate St. Louis, MO 63118	02
Goin's Office	57
Cashier's Office Clerk Circuit Court	200
Collector of Revenue - City	50
Water Department - Collector City Hall - Room 101 Tony Purcelli	25
Central Files - Mrs. Webb	30
Collector of Revenue - City	30
Marriage License Bureau	30
George Wolking 5230 Thrush Avenue St. Louis, MO 63120	02
Forest Park Community College	02
Mrs. A. Wegman 6555 Hancock Avenue St. Louis, MO 63139 781-3687	06

West End Corporation	20
Magistrate Court	20
Clerk Court of Criminal Correction	35
Daisy McFadden	75
Jury Commission	15
City Plan Commission	05
File Room - Circuit Court	30
Council on Human Relations - Mrs. Giles	50
NAACP	40
Women Lawyers	20
Bar Committees	40
Elevator Starter	50
Civil Courts Building	
GSA	15
Civil Courts Building - Public	20

TOTAL 5,000

III. THE CITY OF ST. LOUIS COURTS AND YOU

The City of St. Louis Courts and You was published by the Project during December, 1974. Its purpose was to help the citizen better find his way around the Courts and Government complex located in Downtown St. Louis. It was discovered that often there was confusion even when a citizen was informed of the address and room number of the office he is to appear at, as to what building the office was in. This was due in part to a lack of clear identification and address on several of these buildings.

This pamphlet contains the name, the address and a picture of the principal downtown office and court buildings the citizen is likely to come in contact with. Also included is a list of the offices located within these buildings. The cover of this pamphlet contains a map to graphically show the location of each building.

Again, these pamphlets, as the other two, have been distributed at no cost to the user. A copy of the pamphlets and a list of those to whom it has been distributed follows this section.

DISTRIBUTION LIST

THE CITY OF ST. LOUIS COURTS AND YOU

Women's Crusade Against Crime	100
Legal Aid	100
Water Division	150
Model Cities	100
Debbie Waite - Information - Municipal Courts	100
Civil Courts Elevator Operators	100
Civil Courts Information Holder	100
Tony Sestric	50
Father Reilly St. Louis Preparatory School	300
Metro-Lutheran Center	200
Clerk - Circuit Court Office	100
Clerk - Circuit Court Office	100
Citizen's Service Bureau	100
Federal Information Center 1520 Market Street	200
City Hall Employees	100
Metro-Lutheran Center	100
Clerk's Office - Irene Alvertie	100
Clerk's Office - Mrs. Beckele	100
Water Department - City Hall Tony Purcelli - Room 101	100
Central Files - Mrs. Webb	100
Collector of Revenue	100
Marriage License Bureau	100

Pamphlet Stand - Civil Courts	200
TOTAL	<u>2,800</u>
Board of Election Commissioners	100
Chouteau-Russell-Gateway Center	500
HDC Community Affairs	500
Inserts in Community Directories	5,000
Truancy Centers - Board of Education	500
Harris Teachers' College	25
Civil Courts Information Rack	200
TOTAL	<u>9,625</u>
Yateman Center	50
NAACP	100
Mayor's Office on Aging	225
TOTAL	<u>10,000</u>
Civil Courts Building Elevator Starter	100
Frank Faris	100
Information Rack	100
Information Booth - Women's Crusade	100
Employee - Clerk's Office	500
22nd Judicial Circuit Lawyers	2,500
Judge Dowd	200
Lindenwood Home Owners' Association	325
Julius Berg	100
Alan DeWoskin	50
St. Louis Crime Commission	100
Municipal Courts Information Booth	100
Library	50

Federal Information Center	300
Central Library and Branches	3,000
Civil Courts Information Rack	100
Tom O'Sullivan - Personnel Office, Municipal Courts Building	100
Women and Housing	500
National Council of Negro Women	
Grand Jury Association	150
Neighborhood Associations	150
Civil Courts Information	100
HUD	150
NAACP	150
South Side Welfare Reform	250
Civil Courts Information Booth	250
Carondelet Improvement Association	200
Jury Commissioner	100
Art Fair - Kingsbury Place	500
Bevo Area	25
Joseph Murray	10
Webbe Security Office	25
Mrs. Joseph Cohn	20
St. Louis Teachers' Association	5
Joyce Lammert	2
Miss Freda Foster	5
Mrs. Ruby Moore	75
Al Katzenberger	2
Mary Ann Barnes	2
Sue Voorhees	150

Arthur Relford	15
Stella Stephens	50
Bevo 2001	200
Civil Courts Information Booth	200
Zonta	100
TOTAL	<u>21,161</u>

B. IMPROVED HANDLING OF CITIZENS WHO ARE BROUGHT TO THE COURT SYSTEM

The St. Louis Court Improvement Project has sought to make things easier for victims, witnesses, jurors, and offenders in their dealings with the Courts. Aside from the public information projects discussed in another section of this evaluation, the Project has sought to: Provide directions for the citizen to find his way around in the courts, improve jury facilities, improve parking for people who must appear at Court, change the method of polling the jurors, provide instructions for witnesses, and generally make the Criminal Justice System more agreeable to citizens.

I. PROVIDE DIRECTIONS FOR THE CITIZEN TO FIND HIS WAY AROUND IN THE COURTS

The St. Louis Court Improvement Project has discovered that many citizens have had difficulty finding their way around the Court complex. Within a three block radius in the City of St. Louis, there are four different Court buildings. Many people ordered to appear in Court become extremely frustrated when they realize they do not know which building to go to. This problem is further frustrated in that most of these Court buildings do not have an address written on them. The Project Director contacted the General Services Administration recently informing them of this problem. The GSA agreed to place a street address on the U.S. Court and Custom House. There have been instances in recent years when the defendant has spent a day sitting in the wrong court only to find he has been cited for failure to appear in the proper court.

The Project has made several suggestions to improve the citizen's ability to find his way around the Court complex. A map and index

of the Court Houses and offices is being designed. Permanent copies are to be placed in prominent locations in various buildings to assist the citizens in locating their destinations. Sketches of the building will be included on this map to help avoid any confusion. Six small and two large building directories of the Courts have been purchased by the Committee to be placed in the Municipal Courts Building, directing citizens to offices and courts. The Project is currently working to have bulletin boards posted outside each Courtroom with the name of the judge, the Division, and the cases being heard each day in that division.

The Project suggests that Courtrooms, Clerks' Offices, restrooms, and various offices, such as the Public Defender and Circuit Attorney, Warrant Office, etc., be clearly marked. And finally, the Project is pressing to have the floors of the Civil Courts Building numbered so citizens will know which floors they are on. The cost of these improvements were estimated to be \$28,888.

II. IMPROVE JURY FACILITIES

Based on a 1973 Grand Jury report, the St. Louis Court Improvement Project has recommended the improvement of the Jury deliberation rooms in the Municipal Courts Building. It was found that the Jury Deliberation Rooms contained only one toilet facility for both male and female jurors and that the furnishings of the deliberation rooms were antiquated. It was recommended that these inadequacies be improved.

The Court Improvement Project has examined the jury sleeping facilities. These facilities were found modest but adequate. The Project has found that as a matter of practice, when jurors must remain at Court overnight they are lodged in a hotel facility. The

Project thus recommended that the jury sleeping facilities be used as office space, for example, as a Common Warrant Office.

The Project has itemized the costs of improving the jury assembly room as follows:

	Painting	\$ 3,000
	New Flooring	\$ 7,000
Chair	Chairs, Couches, Tables	\$22,500
	Relocating Main Desk and Other Expenses	\$ 2,500
	Administrative Expense	\$ 3,850
	and Local Contribution	\$38,850

It is suggested that these funds be administered by the Jury Commissioner.

III. IMPROVE PARKING FOR JURORS AND WITNESSES

The St. Louis Court Improvement Project has discovered that the parking situation for witnesses and jurors at the Municipal Courts is poor. Witnesses and victims in criminal cases are frequently required to make several trips to the Prosecutor's Office and various courts. At the time of each required appearance the average witness must search, sometimes unsuccessfully for parking in the vicinity of the Municipal Courts Building. In addition, when they find a parking place, they must pay the full price. Grand jurors are, however, given windshield stickers permitting them to park free at the meters in the two crowded lots located behind City Hall, if spaces are available.

The Project is investigating the availability of LEAA High Impact funds to finance the pilot program to provide free parking for jurors and witnesses. The Executive Committee of the Bar Association of Metropolitan St. Louis and the Board of Directors of the Grand Jury

Association of St. Louis have gone on record as supporting the Project's efforts to improve the parking facilities for jurors and witnesses. Joseph Roddy, Clerk of the St. Louis Circuit Court, has agreed to administer the grant if funds are made available for jury and witness parking.

Under the pilot parking program the manager of the Kiel parking garage would reserve 300 spaces daily. The juror or witness would pay one dollar parking and receive a ticket. The individual would then have the ticket stamped or validated by the appropriate court officer. Upon leaving the garage the individual would return the validated ticket to the attendant and receive his dollar refunded. The garage would then bill the Circuit Clerk's Office on the 1st and 15th of each month at a rate of \$.75 per ticket. The cost, based on 47 weeks at 300 spaces per week, would be \$58,750.

IV. METHOD OF POLLING JURORS

There exists in Missouri, as in most other states, a right for either party to poll the jury after the verdict has been rendered. Polling the jury, as presently practiced in Missouri, requires each juror to state his name, address and verdict. The reason for polling the jury is to enable the defendant to know of each juror whether the verdict rendered is his. The right to poll may be waived by failure to request it. Failure to grant such requests has been held to constitute reversible error.

Jurors in some criminal cases in the City of St. Louis are frightened when their identity is revealed to the defendant, his family, and his friends. The juror fears that one of these individuals may seek reprisals against them, their family or their possessions.

The Project has examined the law on polling in Missouri. Based on this research, the Project has recommended an approach similar to that used in New Jersey. Under this approach the identity of the juror is verified at the time of the voir dire examination. A key number would then be assigned to each prospective juror by the Jury Commissioner to be used for identification purposes at all stages of the trial including the polling of jurors. The use of this number would make it possible to secure easily, any needed information regarding the juror from the Jury Commissioner. The use of the number, instead of the name and address, at the time of the polling, after conviction, would alleviate the coercivity of the present polling procedure. This procedure would protect both the rights of the defendants and the interest of the jurors.

V. WITNESS PAMPHLET

The Project Director has drafted a witness pamphlet to assist the witnesses. This pamphlet is entitled Hints For Witnesses. The following is a summary of the contents of this pamphlet.

A. WHY THIS PAMPHLET?

This pamphlet was produced to assist the witness. Without the cooperation of witnesses the prosecution of a case becomes an impossible task. Many witnesses have no idea of the important part they play in the administration of justice in a fair manner and their role in the protection of society.

B. WHY ARE WITNESSES RELUCTANT TO TESTIFY?

There are several reasons listed including: 1) Don't know what is expected of them, 2) Don't want to get involved, 3) Fear, 4) Because their friends tell them not to. It then goes on to point out,

whatever the reason, without witnesses, there is a big void in the entire judicial system.

C. WHAT ARE SOME OF THE IMPORTANT THINGS WITNESSES SHOULD KNOW?

Witnesses should know the facts about which they are to testify, that someday they may rely on a witness, that their credibility will be reviewed by the jury, and that their attitude is important. The pamphlet then has the following hints for witnesses:

- A. Listen to questions closely, if you don't understand, ask for a clarification.
- B. Answer only the questions asked.
- C. If you don't know the answer, say so.
- D. When you answer a question, don't say "I guess so" or "maybe".
- E. It's okay to review the facts before you testify.
- F. Be on time, be neat, and inform the court of any change in your address or phone number.
- G. Speak loud and clearly.
- H. There is nothing wrong with saying you talked to your lawyer.
- I. Be as accurate as you can and stick to the facts.

As stated earlier, this has not been published as yet.

VI. JUSTICE FOR CITIZENS' COMMISSION

In July, 1974, the Project Director proposed a Citizens' Commission be established in the City of St. Louis. The Commission would provide justice through service to citizens who come from the real world to the courts as jurors, witnesses, and victims. The goal of the Commission would be to change the Criminal Justice System:

1. Making it easier for citizens
2. Educating them
3. Making them more comfortable

The following were listed as areas for immediate action:

1. Victim, Jury, and Witness Parking
2. Helping Citizens Find Their Way Around
3. Providing Information Regarding Legal Offices and Services
4. Letting Citizens Know Exactly What Happens Between Arrest and Court Disposition
5. Inform Witnesses About Forthcoming Events
6. Refurbish The Jury Assembly Room
7. Expand The Mobile Warrant Office
8. Provide Information, Waiting and Conference Facilities For Citizens
9. Assist The Victim and Families With Fiscal and Physical Help
10. Assist Citizen From Complaint Through Disposition Information
11. Update Jurors' Booklets Describing Duties and System

The total cost of these improvements was \$422,200. The Project has taken action on the first seven items listed. These are discussed in other sections of this evaluation.

The following is a brief discussion of those elements of the proposed program not dealt with elsewhere in the evaluation.

UPDATING JURORS' BOOKLETS DESCRIBING DUTIES AND SYSTEM

Update design and content of juror booklets describing duties and system. One year's supply - 5,000.

PROVIDE INFORMATION, WAITING, CONFERENCE FACILITIES FOR CITIZENS

Witnesses in criminal trials must now stand in the halls and wait to testify. Conferences with lawyers in criminal cases are held in the halls. The Citizens' Commission should have a citizen waiting and information room with telephone, literature, and magazines. Small rooms for consultations with lawyers, witnesses, and clients would be provided.*

Approximate cost of modest renovation of jury sleeping room:

\$40,000

The Project was instrumental in having the Court put benches in the hall on the seventh floor of the Civil Courts Building and improve the lawyers' conference arrangement at the Jail.

ASSIST THE VICTIM AND FAMILY WITH FISCAL AND PHYSICAL HELP

A modest existing pilot program to assist relatives and victims of violent crimes who have been hospitalized or killed, should be expanded to include less extreme crimes through the use of existing agencies. This "Aid to Victims of Crime" Program, operating with a small budget provided by a foundation has recruited neighborhood volunteers to visit victims in hospitals and help their families at home. This nucleus could be utilized. Immediate needs such as food, clothing, and other necessities could be provided without delay. The Citizens' Commission would complement the Witness Service Unit which the St. Louis Circuit Attorney hopes to provide for felony witnesses. Additional services and information for victims and witnesses at each stage in cases other than state felonies would be provided by the Commission. The Commission staff would have no duties other than to assist citizens. Legislation would be recommended for Missouri which could be similar to the Criminal Injuries Act of British Columbia where a Workers' Compensation Board pays the victim.

Additional Current help.....\$50,000

ASSIST CITIZEN FROM COMPLAINT THROUGH DISPOSITION INFORMATION

The citizen could seek direction and information regarding the individual case in which he is involved at each stage from complaint through information regarding the disposition of the individual case.

Now he frequently never knows what happened to the case in which he invested his time and money.

The entire project is never likely to be approved. Each area for action could be implemented independently.

C. CITY OF ST. LOUIS FELONY PROCEDURE STUDY
ARREST THROUGH MOTIONS AFTER TRIAL

The Criminal Court Improvement Project has conducted a step-by-step study of criminal procedures from arrest through final disposition. Each sample case is intended to assist the reader in visualizing the step-by-step process as the defendant advances through the stage.

Each phase in case processing is explained in detail; including an explanation of the procedures used by the police and court officials who made decisions on the defendant's welfare throughout the trial process. Accompanying the explanations are copies of forms completed by the various offices connected with the disposition of the defendant's case. Following the explanation of each phase of the process is a discussion of what actually happened to the defendant in the sample case.

The purpose of the study is to explain the criminal process for persons charged with felonies in a narrative form laymen could understand and assist officials in visualizing the entire process so they can make the necessary changes.

I. SAMPLE CASE CONSIDERED

The sample cases considered were complicated. In the first case the defendant was arrested for possession of barbituates in June, 1971, and released on bond. The defendant pleaded not guilty and the trial was set to begin four months after the arrest. After three motions to

suppress, and five continuances for the defense, the defendant pleaded guilty and was sentenced in May, 1972, eleven months after his arrest.

While on bond, before conviction of the barbiturate charge, the defendant committed three burglaries. Adjudication of the burglary charges were held concurrently but independently with that of the drug charge. After pleading guilty to all charges against him, the defendant sought a post conviction remedy on all charges.

In the second case the defendant was arrested in October, 1971, for stealing from a person. After four continuances for the defense, three motions to suppress and three continuances for want of time to try the case, the case went to trial in late June, 1972. The defendant was convicted and sentenced to five years. A notice of appeal was filed in August, 1972.

II. DESCRIPTION OF THE CRIMINAL JUSTICE PROCEDURE

Following a brief chronological description of the significant events occurring in each case, the report describes in detail all the stages in the Criminal Justice Process. Findings for this report were based on actual records, and discussions with those involved with the system. In my discussions about the report with people knowledgeable about the system there was a consensus relating to the accuracy of the procedure mentioned in the report, however, it pointed out that not all procedures are in fact followed. The stages

of the system discussed in the report are:

- A. Arrest- This section contains thirty-four steps that occur between the arrest and warrant issuance. Included are the "Miranda Warning", all police reports that need to be completed, booking procedures, and all procedures used in transportation and detention of the arrestee.
- B. Warrant- The report discusses the procedures that must be followed by the police in seeking a warrant and the decision process the warrant officer uses in deciding to issue or refuse a warrant or to issue on a different charge. The report notes that there was a statutory requirement that when a person is detained, a warrant must be issued within twenty hours or the person must be released. The report also discusses practice of warrant shopping, seeking a warrant from the Prosecuting Attorney and/or the City Counselor if one is refused by the Circuit Attorney. Finally, this section discusses the operation of the Mobile Warrant Unit.
- C. 20-Hour Rule- The report begins the discussion of the 20-hour rule by noting the grounds for arrest. It then digresses to note that under the system once used by the police department a person could be arrested and released within 20 hours without a warrant being sought. Statistics are then presented demonstrating that in 1970 and 1971 more than 1/3 of the arrestees

had no warrant sought against them, thus implying there was a lack of grounds for arrest in these cases. Although such a result does not necessarily follow, these statistics point up the potential for misuse of arrests. However, since the police now require all officers to seek a warrant for all arrests, the presentation of the historical digression in the format of an examination of the present procedures confuses the issue. This section is currently in the process of being revised, among the changes to be made as the one pointed out above.

D. Re-Arrest- The report states "When there is insufficient evidence to present the case to the warrant office, the defendant is released. However, when sufficient evidence is gathered at a later time, the accused may be re-arrested."

E. Bail- This section explains the federal and state requirements for bail. It then goes on to discuss the drawbacks of the traditional bail-bond system.

F. Pre-Trial Release- The study explains the law under which the pre-trial release program was created, the structure of the pre-trial release office, what constitutes a pre-trial investigation, what a pre-trial release recommendation entails, what forms are completed to obtain a pre-trial release, and who makes the pre-trial release decision. The report compares pre-trial release to the traditional bail-bond system. It also presents statistics

on the initial Pre-Trial Release Program. The Pre-Trial Release Office at the time of the study screened about 300 prisoners per month and made application for release in 25% of these cases. The report notes that the Pre-Trial Release Program has had roughly the same success rate as those defendants released on professional bonds (80-85% of released defendants made appearances without default).

G. Arraignment: Court of Criminal Correction- The purpose of the Court of Criminal Corrections Arraignment is to formally inform the defendant of the charges against him, to set bond if it has not already been set, and to set a date for the preliminary hearing. If the defendant is confined the preliminary hearing must be within 10 days of arrest. (The report states no similar time requirements for the arraignment). The study is the opinion that the Court of Criminal Correction Arraignment is a "needless separate procedure" when the defendant has already been released on bond.

H. Prosecutorial Choice: Preliminary Hearing or Grand Jury Indictment- This section explains what the information is and what function it serves. It then goes on to explain and differentiate between preliminary hearings and grand jury hearings. It also explains their purpose is to provide a check on the prosecutor's power and provide an early confidential review of the facts. The study raises the issue whether the expense and delay

experienced as a result of these procedures are worth the benefits provided.

1. Information- The information is defined to be a court document which lists the name of the defendant, the charge and the oath of the Assistant Circuit Attorney which states that he swears that the facts contained in the information are "true to his best information and belief". The format of the information is described in this section as well as who completes the form, where it is filed, and how it is used. The section also points out there is no single identifying number to trace the case through the various stages of the Criminal Justice System.

2. Preliminary Hearing- The statutory basis for preliminary hearing is set forth in this section as well as the specific procedures used by the Court. Two observations are also made. First, as opposed to the popular misconception, a defendant cannot plead guilty at the Preliminary Hearing. And second, the defense typically uses the preliminary hearing as a discovery device.

3. The Grand Jury: Warrant Office Procedure- This section explains who the Grand Jurors are, how they are chosen, and how long they serve. Also explained are the statutory authority for the Grand Jury, and the procedures used in bringing a case before the Grand Jury.

I. Circuit Court Arraignment- The Arraignment is described to be the formal charge of the defendant in the Circuit Court. The

arraignment for confined defendants is held several days after the preliminary hearing. The report describes the Circuit Court Arraignment schedules and the procedures used by the Court for Arraignment. The report states the Circuit Court Arraignment is "an essential stage in the judicial proceedings." This is the first opportunity the defendant has to plead guilty. The Judge may review the bonding status of the defendant at this time.

J. Trial Date Setting- The report points out that the trial date is set by the judge of the assignment division of Circuit Court in the presence of the defendant and the attorneys. The trial is usually set within one month of arraignment. The report, aside from explaining how the trial date is set, explains how and for what reason the trial date can be continued or advanced.

K. Pre-Trial Motions- The report notes that all pre-trial motions are now heard in Division 18 of the Circuit Court except for psychiatric motions. The report discusses the most frequent types of motions and explains how and when they must be filed. In addition, the report explains what action is taken by the Court when a motion is sustained or denied.

L. Docketing- This section described the procedure whereby the case is assigned to a particular division for trial. The study points out that bonded defendants are required to report

to the Assignment Division Courtroom and wait as long as four days to be assigned for trial. This procedure often has an adverse effect on the defendant's employment. An alternative procedure of requiring the defendant to be on call, as are the witnesses and attorneys is proposed in the report.

M. Guilty Pleas- Guilty pleas may be entered in the Circuit Court at any stage between arraignment and trial. The report explains that the procedure used depends on which stage in the proceedings the guilty plea is entered. The report also lists questions the judge always asks the defendant to ascertain whether there is strong evidence of guilt and to assure himself defendant's plea is made voluntarily, knowingly, and intentionally.

N. Trial- The study begins this section by explaining the pre-trial conference held between the judge and attorneys. It then goes on to explain how a jury is chosen and empaneled. Next the report explains the format of the trial, the opening statement, testimony of witnesses, jury instructions, and finally closing arguments. Lastly, the report discusses the deliberation of the jury and the entering of the verdict. The Court has the option to sentence the defendant immediately after trial or to postpone sentencing.

O. Pre-Sentence Investigation- The pre-sentence investigation is conducted by the board of probation and parole. The report

notes the trend seems to be upward requesting a pre-sentence investigation at the end of every trial where the defendant is found guilty. The three stages of the pre-sentence discussed were the collection of facts, the preparation of the report, and the recommendations.

P. Motions After Trial- This section explains how when motions after trial can be made. This includes motions for new trials, post conviction remedies or appeals.

II. DESCRIPTIONS OF ACTIVITY OF ANCILLARY PERSONNEL

Aside from discussing the various stages in the criminal justice process, the report details the activity of those people working within in the system. Separate sections of this study deal with the activity of the sheriff, the Clerk of the Court of Criminal Corrections, and the Clerk of the Circuit Court for Criminal Causes.

III. FORMS

All forms completed during the processing of the sample cases through the Criminal Justice System are appended to the study.

The St. Louis Felony Procedure Arrest Through Motion After Trial was accurately and thoroughly prepared. It was a large undertaking and should be useful to those interested in understanding the Criminal Justice System. It was written in terms a layman can understand, yet is not too simplistic that someone who has worked all his life would not learn from reading it. In addition, editorial comments on problem

areas within the system should serve to speed reform.

Significant changes are being made to the actual study, especially in the section dealing with the twenty-hour rule. In addition, new sections are being prepared including a report on the Petit Jury System-City of St. Louis.

Although each particular segment is understandable, the uninformed reader has difficulty tracing the steps through the system. Two flow charts of the entire Criminal Justice System (one of which was prepared by Dr. Nelson Heller when working with the Impact program) are being added to the original report to make it more understandable.

The collection of the forms used in case processing is an important first step in a paper flow study. Such a study would simplify complicated forms, and eliminate useless forms. An end result would be a clear unambiguous set of operational procedures for case processing from arrest through sentencing. Such a set of operational procedures can be expected to lead to a method whereby the steps could ultimately be put on the computer.

It should be remembered that the study, even though it is the most thorough one of its kind yet completed, is not an end in itself. What the project has done is merely provided the system with a tool to aid in self-improvement. The true value of the report will be measured against the uses to which the report is put.

D. DIVERSIONARY PROJECTS

I. INTRODUCTION

A major area of criminal court reform is the diversion of a significant number of cases from the court system. The theory is that by removing cases that are ill-suited for formal judicial determination from the system, court congestion and delay will be mitigated. The benefits of diversion would be felt at all levels of the judicial system. The police would be required to make fewer arrests and court appearances, the courts would have to hear fewer cases, and the jail population would be diminished. It is hoped that by concentration on fewer, more difficult cases, the courts will provide a swifter as well as a more considered dose of African justice.

A secondary benefit is provided to potential defendants, who will have their records clear as well as saving them the time and expense of defending their case.

The St. Louis Court Improvement Project is currently recommending diversion projects at each of the three criminal courts in the City of St. Louis, the City Court, the Court of Criminal Correction and the Circuit Court.

II. CITY COURT

The diversion project at the City Court is referred to as the Night Prosecutor (here after referred to as N.P.). The N.P. is modeled after a similar project now functioning in Columbus, Ohio.

The primary function of the N.P. is to keep cases involving disputes between parties who know each other out of criminal court.

The City Court, also referred to as the police court, is responsible for hearing violations of City Ordinances. The bulk of these cases involve traffic, peace disturbance, zoning violations, city license cases, air pollution, prostitution, destruction of property, disobeying a police officer, building violations, housing, city earnings tax, resisting arrest, interfering with police, and obscenity. Those cases with which the N.P. is primarily concerned fit into the category of peace disturbance, destruction of property, or obscenity.

The way these cases are usually handled today is as follows:

- A. A complaint is made by someone at the scene of a disturbance to the police. This can either be a victim or a witness.
- B. The police after an investigation, usually at the scene of the disturbance, make a determination whether a crime has been committed and, if so, who is to be charged.
- C. If the police decide to charge a person, that person is technically arrested. Procedures adopted March 15, 1974 by the Police Department set out which violations an officer must take the suspect into custody and which violations he can release the suspect on a summons. The project cooperated in this change in police procedures. If the suspect is ticketed, i.e., a summons

was issued, he must appear in City Court at a time certain to make his plea. He must appear in person or be represented by an attorney. If the defendant pleads guilty he is sentenced on the spot. Most cases the N.P. would be concerned with are those that would involve fines, not jail terms. If the defendant pleads innocent, he must appear in court a second time for a hearing on the merits.

D. If the policeman chooses, he may arrest the suspect and take him into custody or if the suspect has absconded, he may seek a warrant for his arrest. Once the suspect is taken into custody, he is incarcerated in the police holdover. The City Counselor, who prosecutes all cases in the City Court, must issue a warrant within 20 hours of when a suspect was taken into custody. If the defendant does not post bond or hire a bondsman, he remains in jail until the trial. Although, there is a pre-trial release program on the defendant's own recognizance, the City is using this almost exclusively for felony cases. If the defendant remains incarcerated, his case moves to the head of the docket to enable quick disposition. Formerly, since the Court was closed on weekends, someone arrested Friday, had no opportunity for a hearing until Monday, at the earliest. Thus, a defendant could have been imprisoned longer awaiting trial than his maximum sentence if found guilty. The police have changed their procedures recently to avoid violation of twenty-hour rule now and only issue

summons for ordinance violations occurring over the weekend.

E. It is also possible to file a complaint directly with the City Counselor's office. The City Counselor may then choose to issue a warrant for arrest or a ticket.

There are several problems with the present system in dealing with disputes among neighbors or relatives. First, the court punishes a person for breaking the law, but does not attempt to eliminate the underlying problem. In those cases where parties must deal with each other on a day to day basis such action by the City Court will often make the feelings more bitter. For the sake of vengeance, the feuding parties may even use the court system more often, just to make life miserable for the offender. Any calm introduced by the court's action will surely be superficial.

Secondly, many of the disputes among neighbors or relatives are very petty. This raises the obvious question as to whether the court is appropriate forum to hear these disputes. There are many implications that can be made from this fact. For instance, if the disputes are, in fact, petty is it fair that one or both parties will end up with a criminal record? And, also since the City Court's docket is overcrowded, might not it be in the best interest of the City to divert these cases from the system in order to spend more time on cases involving more substantive issues?

Finally, there is the issue of cost to both the City and the individuals involved. If the City prosecutes participants in a petty dispute, it must pay for the cost of prosecution, If there is a better, cheaper method of doing this, then this is money wasted. A more immediate problem is the expense to the individuals involved. If a person is arrested for a City Ordinance violation, he must either post a bond or remain in jail. If he must hire a bondsman to post bond for him, he loses all money paid the bondsman regardless of the outcome of the proceeding. Even if not taken into custody, a defendant must appear in court to make his plea and again to argue his case. The defendant will thus miss up to two days of work and may possibly lose his job.

The Night Prosecutor proposal would allow an alternative to the court system, following a complaint. The police or the City Counselor are given the option to recommend that the parties involved in a dispute appear for an arbitration session as opposed to court. As stated earlier, the type of people referred, will for the most part, be people who have had prior acquaintance. This is merely meant to be an alternative to court, and any party involved in the dispute may refuse to take this route and wind up in court.

The Night Prosecutor is generally made up of lawyers, law professors, and law students. Most Night Prosecuting sessions are held at night so that the participants will not take off work to attend. An appointment is made in advance at a convenient time for

those involved. The parties are given an opportunity to relieve their pent-up anxieties and put their differences on the table. The Night Prosecutor then tries to find the basis for the problem and help the parties involved come up with a satisfactory solution. In the Ohio project it was found that when the parties had an opportunity to confront each other and state their side of the problem, they were often able to resolve it themselves. The Night Prosecutor can recommend outside help from social agencies to aid solving the basic problem. It should be pointed out that the Night Prosecutor's action does not have force of law. However, the parties are made aware that a failure in the Night Prosecutor's office or a lack of cooperation in coming to the scheduled meeting could lead to a final resolution in the courts.

By not having to go to court, the parties have kept their arrest and criminal records clean and they have saved themselves the time and expense of going to court. The parties may have also resolved their differences and brought calm to their relationship.

The N.P. has met with initial success in Columbus, Ohio. The program was begun in November, 1971, and has diverted over 7,000 cases from the court system with a savings to the criminal court system of between \$150-\$200 per case. If these figures are correct, the court has saved over one million dollars. Also, less than two percent of those referred to the Night Prosecutor ended up in court. The cost of the program was \$80,000 and went to cover the cost of a

law professor, five students, and two clerical workers.

Contact was made with the two law schools in St. Louis and they expressed interest in the program. Contact was also made in an effort to generate funds to help cover the cost of the project. The Danforth Foundation expressed interest, but said it did not fit into any of their grant categories. The St. Louis Bar Foundation expressed interest in the program and pledged \$2,500 toward the funding of an ongoing project.

A meeting was held in the Mayor's office to consider the Night Prosecutor proposal. The City Counselor and at least one judge expressed reservations as to the appropriateness and usefulness of this type of diversionary project. The proposal was never voted down, but merely tabled for further consideration.

It should be pointed out that several community leaders have expressed their support for the program. One, a local attorney, has even volunteered his services one night a week for three hours at no cost. It is felt, however, this kind of change in the System should be generated from within the system. The City Counselor's office would be the best source of administration and control. As of now, the City Counselor's office has taken no action. A similar program entitled, "Neighborhood Arbitration" is now being instituted in Kansas City.

III. COURT OF CRIMINAL CORRECTION

The Court of Criminal Correction hears preliminary hearings and state misdemeanors. These are held in two separate divisions. The

diversionary project for the Court of Criminal Correction has to do with Division 1 which hears state misdemeanors. All cases involving state misdemeanors occurring in the City of St. Louis must be heard in this Division. This means that all those who are charged must appear in person or through counsel. State misdemeanors include drug possession, non-support, stealing less than \$50, common assault, auto license, liquor license, and some traffic cases. There is only one judge in Division 1, who last year heard over 16,000 cases. Many of these cases involved petty victimless crimes which are routinely handled by the appearance of the defendant or his attorney, a plea of guilty, followed by the assessment of a standard pre-set fine. Last year alone, over 8,300 cases involved guilty pleas.

There are two problems involved with the present system. First, it is not reasonable to expect one man to hear and pass a considered judgment on this volume of cases. Those cases that are contested or involve the more serious crimes are going to be denied adequate consideration because of the workload. The second problem is that people who commit very minor offenses such as license violations must take time off work, or hire an attorney to appear in court, plead guilty, and have a pre-set fine imposed.

The St. Louis Court Improvement Project suggested that the court, the prosecutor, and the police segregate petty offenses from those that are more serious. For those cases involving petty offenses a set sum would be permitted to be posed in lieu of appearance at the trial. If the defendant did not appear at the trial, then this sum would be forfeited.

This approach is taken now in the City of St. Louis and in the United States District Court located in St. Louis. This method of handling petty offense cases is used by many courts in jurisdictions across the country.

In order for this approach to be most beneficial to the defendant, he should be allowed to pay his fine on the day the offense occurred. Thus, if he is passing through the City at the time of the offense, he can pay his fine without having to make a special trip. This is not the case in the City of St. Louis today.

A diversionary project at the Court of Criminal Corrections would save both the City and defendant both time and money. In addition, more time can be given to handling the more serious cases.

The forfeiture of collateral in lieu of appearance is allowed in the State of Missouri so that there need be no new statute (R.S. Mo. 544.455).

This diversionary project was suggested to Judge Brown of Division 1, who has a favorable reaction. The Police and the Prosecuting Attorney were then contacted. As of September, 1974, a new diversionary plan was approved by the Police Department, Prosecuting Attorney's Office, Clerk of the Court of Criminal Correction, and Judge Brown of the Court of Criminal Correction. Starting in November, 1974 pre-set fines could be paid for certain minor traffic violations at a traffic

violation bureau. This procedure should result in a savings of a day's pay for citizens who now must take off work and wait in the Court of Criminal Correction to plead guilty and pay minor fines. Traffic case have usually been called last on the docket.

The out-of-court payment of fines applies to persons with no state violations of a similar nature within the last year and not more than two convictions in traffic cases within the last two years.

Payment made be made out of court in the following cases:

1. Expired state vehicle license
2. Failure to display driver's license
3. Failure to heed restrictions on a driver's license
4. Failure to display two vehicle license plates
5. Failure to display a valid inspection certificate
6. Improper state vehicle license
7. Lending driver's license to someone else
8. No trailer license
9. Permitting unlicensed person to drive

In the cases where fines may be paid at the Traffic Violations Bureau it was agreed that the police would no longer be required to submit police reports in addition to the regular uniform traffic tickets. It was also agreed that in those cases the Prosecuting Attorney would sign the ticket and use it as his information in the Court of Criminal Correction rather than typing an additional charge

for filing in the Court. The new procedures would thus save the defendant, police, courts, and prosecutor's time, expense and inconvenience.

The following violations will still require both Court appearances and Police Reports:

1. No chauffer's license
2. No drivers' license
3. No state vehicle license
4. Operating motorbikes, etc., without a proper state operator's license.

IV. CIRCUIT COURT

The Circuit Court handles all felony cases in the City of St. Louis. These cases are prosecuted by the Circuit Attorney, Brendan Ryan. The St. Louis Court Improvement has been encouraging diversion at all levels of the court system including the Circuit Court. In October, 1973, Brendan Ryan proposed a diversionary plan at the Circuit Court level, referred to as the Citizen's Probation Authority. The St. Louis Court Improvement Project has endorsed this plan as a step in the right direction.

the CPA plan allows the prosecutor to select certain individuals to participate in the program. The cap will consist of an in-take supervisor to screen the applicants and also a probation officer. The individuals who are selected will be allowed to return to the community

where they can make restitution for their crime and be given a second chance to contribute to society.

Those who qualify are those who would most likely be given parole immediately after sentencing. The criterion for admission to the program are generally as follows:

1. The arrested person must be an adult, between the ages of 17 and 25.
2. He or she must be a resident of the City of St. Louis.
3. The crime he or she is charged with must not be a crime of violence.
4. He or she must be a first-time offender and must not exhibit a pattern of anti-social behavior.
5. Addicts, or those charged with the sale of narcotics, are not considered.

Once someone is being considered for the program, a complete field investigation is conducted on the individual prior to final determination by the supervisor.

Once a person enters the program, he is put on strict probation. He is assigned to an individual case worker who is to supervise and assist. The case worker is to help the individual overcome the problems which led him to commit his crime. The case worker is expected to have at his disposal a group of interested volunteers who may help him acquire a job or direct him to an adjustment program of a social agency. Participation in the program is voluntary. Failure to cooperate could result in a decision to prosecute.

A person would normally apply to the program after the warrant is issued. In those cases where there is doubt as to whether someone is properly admitted, he must then be tested in a diagnostic testing center. Once the client has successfully completed an intensive six to nine months probation period, the case worker recommends to the Circuit Attorney that the case will be closed in that office. The person can then be returned as a full and active member of society.

The benefits of this program would be to allow the court and the Circuit Attorney to concentrate their efforts on the more serious cases. Secondly, this will allow a defendant to obtain remedial attention as well as not having the burden of a felony conviction on his background.

The cost of the program is estimated to be \$23,000 in its first year of operation. The program is now in operation. Brendan Ryan, Circuit Attorney, reported to the Executive Committee of the Committee on Courts on January 17, 1975, that he has 27 people in the program. He has thrown only one youth out of the program. He needs jobs to help the youth. The program was planned for 30 to 35 youths, ages 17 to 25, during the first year. He will have 65 to 70 in the project by summer.

E. PRE-TRIAL RELEASE

Pre-Trial Release is a mechanism which allows a person who has been arrested to avoid being incarcerated during the time between arrest and trial. The St. Louis Court Improvement Project has become involved in four different methods of pre-trial release. These are: summons in lieu of arrest; release of the accused at the district police station; pre-trial release supervised by the Board of Probation and Parole; and finally the conventional bail bond system. In addition, pre-payment of fines is considered in this section.

There are two advantages to the operation of an effective pre-trial release program. The first is the human element of allowing person and a family to avoid the problems that accompany incarceration. And second, it cuts down on the overcrowding in the City Jail. At a meeting of the Executive Committee of the St. Louis Committee on Courts on March 16, 1973 Edward F. Tripp, Commissioner of Corrections, Division of Adult Services, City of St. Louis pointed out that there were 502 people in the City Jail which was built to accomodate 384. Most of those being held have not been convicted of the crime for which they are being incarcerated.

Recently Judge Regan in response to a suit filed by former inmates, ordered the City Jail closed on grounds that it represented cruel and unusual punishment to the resident population. One of the problems cited as the Jail's overcrowded condition. Pre-Trial release has thus become

a problem of overall community concern.

A second problem cited in a series of Post-Dispatch articles written in the Summer of 1973 referred to the inequities of the current bail-bond system. Among the inequities discussed in these articles was the fact that many individuals released on bond, pay the bondsman more than the fine payable if found guilty.

I. Summons in Lieu of Arrest

The police have the power to issue a summons instead of arresting the accused in any case in which is lawful for an officer to arrest a person without a warrant in Municipal violations and traffic cases, according to Missouri Supreme Court Rule 37.09. An arrest by a police officer of the City of St. Louis is authorized when the officer has reasonable grounds to believe that offenses against the law were committed by the person arrested or the police officer has every reason to believe the person intends to commit a breach of the peace. The summons commands the accused to appear at a stated time and place to answer the charges against him. If the defendant fails to appear, a warrant of arrest will be issued against him.

A Post-Dispatch study of a two-week period in late July and early August 1973 showed that bonds were required in 312 of 346 ordinance violation cases before the Court, or in ninety percent of the cases. Ninety-six of the 346 cases involved in traffic violations ranging from failure to display two license plates to driving while intoxicated. Bond was required for at least ninety percent of the cases. The St. Louis Court Improvement project has sought to make the police cognizant of their

authority to issue a summons to arrestees and release them on their own recognizance.

In response to a request from the Mayor's office the City Counselor considered the issue of the Police Authority to issue summons in lieu of arrest. In an opinion dated August 22, 1973, Jack C. Koehr, the City Counselor, stated that "a police officer of the Metropolitan Police Department may release parties who have violated a City Ordinance or those traffic offenses within the jurisdiction of the St. Louis Court with a summons to appear in Court on a specific date without the need of a formal arrest, booking or processing through the normal arresting procedures." This conclusion coincides with that suggested by the St. Louis Court Improvement Project. The opinion goes on to state that the City cannot pass an ordinance, the violation of which would automatically result in an arrest in lieu of a summons being issued. The only criteria which can be stated in an ordinance is-how likely it is the arrestee will appear in Court. Supreme Court Rule 37.48 indicates that the serving of a summons in lieu of an arrest includes non-county residents and non-state residents.

As of December 27, 1973 the Police adopted a uniform \$500 bond for 14 ordinance violations considered the most serious. In these cases an officer such as the watch commander has the descretion of setting bond at \$500 or issuing a summons. The accused person in these cases would pay in cash ten percent of the bond set by the police officer, or \$50. If the accused did not appear in court, he would

forfeit the entire bond amount. If he appeared as scheduled, his cash deposit would be returned.

The fourteen serious violations include: general peace disturbance, resisting arrest, interfering with arrest, moral charges, weapons violations, bench warrants, driving when intoxicated or drugged, leaving the scene of an accident, careless and reckless driving, multiple nonpayment of parking violation fines and failure to surrender a driver's license in lieu of bail when stopped by an officer. In lesser offenses against city ordinances a summons would be issued and no bond would be involved.

The ten percent deposit of bond is similar to an approach in Cook County, Illinois. The Honorable Peter J. Bakokos of the Circuit Court of Cook County, who is in charge of the bond department explained this system to Committee on Courts on April 5, 1973. He also explained the institution of a bonding court in Illinois to insure bond being set within hours of arrest. This is similar to the bailbond commissioner system which is planned to be implemented in St. Louis.

II. Pre-Trial Release of the accused at the District Police Station

Assuming an individual has been arrested and taken into custody, authority exists enabling the police to release the individual at the district station. The authority stems from R.S. Mo. 84.230. According to this statute the police are empowered to set up release procedures for anyone charged with any bailable offense--city violations, state misdemeanors, or felonies. Article I Section 20 of the Missouri

Constitution states "that all persons shall be bailable by sufficient surities, except for capital offenses." Since there are no capital offenses in Missouri at the present time, the police have the authority to release any arrestee on a bond.

R. S. Mo. 84.230 was discovered by the Project Director of the St. Louis Court Improvement Project, Mrs. Lucille Ring. Prior to her discovery, this statute had gone unused.

Even after its discovery, R. S. Mo. 84.230 was slow to gain acceptance. Knowledgeable people in the legal and press community were of the opinion that legally, bonding decisions were judicial in nature and as such were the sole prerogative of the judges.

On June 6, 1973, the Commission on Crime and Law Enforcement suggested the Board of Police Commissioners examine the possibility of the using R.S. Mo. 84.230 in expediting pre-trial release. As a result the Board of Police Commissioners requested an Attorney General's opinion on the validity of this statute.

The Attorney General's opinion number 323, dated December 10, 1973, stated that the R.S. Mo. 84.230 was valid. The opinion defined the St. Louis Police Department's authority to issue summons and accept bail as follows:

1. Neither the judges nor the prosecutors have the authority to establish systems or standards for the issuance of summonses for city ordinance or state law violations to be used by the St. Louis Police Department.

2. Police Officers have authority under Supreme Court Rule 37.09 to serve with a summons instead of arresting such person in any case in which it is lawful for such officers to arrest the person without a warrant for violation of a city ordinance. In Traffic cases Supreme Court Rule 37.46, which authorizes the issuance of a summons by the police officers in the form of the uniform traffic ticket, is applicable to state misdemeanor traffic violations as well as municipal ordinance traffic violations.

3. Police Officers in charge of the station houses in St. Louis, under Section 84.230, RS Mo, have the authority within certain limitations, to accept bail from a person arrested for a municipal violation or a violation of state law.

4. The Board of Police Commissioners has supervisory authority over officers acting pursuant to Supreme Court Rules 37.09 and 37.46 and Section 84.230, RSMo.

To date the Police Department has not established any policy or regulations for the acceptance of bail. Although the authority granted the Police Department has not been utilized, the Project has made a substantial contribution by bringing this Pre-Trial release alternative to the attention of Criminal Justice Community.

There would be two major advantages to utilizing the bail procedure at the Police Department. First, it would reduce the workload of the Court of Criminal Correction Arraignment Division; and second, it would be helpful to those unfamiliar with the bail procedure. To someone who has never been arrested the bail structure is both difficult to understand and expensive. To have bail set at the police station would simplify matters for such individuals. The professional criminal generally has no difficulty working under the traditional bail-bond system.

In addition, Police Officers interviewed have stated that at one time or another, there have been people processed through the system

who they wish they had the opportunity to release. Some of these situations included retarded arrestees or situations where the arrestees family would undergo extreme hardships in his absence. The Police Officers felt in the examples given that the accused was a good risk as far as showing for trial was concerned and was a low risk to the community.

It is hoped that some Police procedures will be forth coming. Until such policy is formulated the statutory authority granted the Police Department will go unutilized.

III. Pre-Trial Release Program

A third alternative for pre-trial release, is the Impact sponsored Pre-Trial Release Program. The program was established in February, 1973 by the Missouri Board of Probation and Parole. The Pre-Trial Release program was created to implement RSMo. 544.455.

The Pre-Trial Release Office's primary function is the investigation of confined defendants accused of felonies and misdemeanors for the purpose of determining their suitability for pre-trial release on 1) their personal promise to appear at trial; 2) their promise to appear at trial with certain conditions of release specified and with stipulated penalties for violations 3) 10% (or less) cash deposit; or 4) release under the supervision of a sponsor agreeing either to supervise the defendant without bond or signing a full amount unsecured "Recognized Bond".

Applications for release are made through the pre-trial release program by persons under the jurisdiction of either the Court of Criminal Correction or the Circuit Court. Eighty five to ninety percent of these pre-trial release participants are handled at the prisoner processing unit of the Central Police Headquarters; the remainder come from referrals of social workers at the City Jail and the Medium Security Workhouse, as well as friends and families of the incarcerated defendants.

If the defendants has not been arraigned in the Circuit Court, the recommendations are forwarded to the Judge of the Court of Criminal Correction with jurisdiction over the case. The Judge either orders release or rejects the plan and sends it back to the pre-trial release office. If the defendant has been arraigned in the Circuit Court, then the forms are forwarded to the Circuit Court criminal division with jurisdiction over the confined defendant at the time of his application. Although the Court Administrator's office makes recommendations on how the pre-trial release should be handled, the ultimate authority to approve the defendant's release rests with the Judge. All of the statutory alternatives are used both in the Circuit Court and in Division 1 of Criminal Corrections. This is not the case in Division No. 2 of the Court of Criminal Corrections, since the sponsored release with bond (full amount unsecured recognizance bond) is the only method other than the professional bond and property bonds which is employed.

The St. Louis Court Improvement Project has made several inputs to the Pre-Trial Release Programs. First, it has thoroughly researched the laws relating to pre-trial release and made them available to the program. And finally, it examined the Pre-Trial Release Program and made recommendations for change. These recommendations include placing the primary burden for appearing at trial on the defendant not the sponsor, and suggestions for making the statutory language clearer.

Although not yet implemented, the decision regarding initial pre-trial release for the Court of Criminal Corrections to be modified. An Impact program is now in existence employing three bail bond commissioners to make pre-trial release decisions within twelve hours of all arrests. A pre-trial investigation is still to be conducted and supplied to the Commissions where it would otherwise be given to the Judge.

IV. Conventional Bail Bond System

The fourth type of pre-trial release is the conventional bailbond system. Although this system has been severely criticized as being inequitable it is an opportunity for an incarcerated defendant to be released awaiting trial. Currently, the Court of Criminal Corrections judge can set bond at any time subsequent to arrest. The bonding decision can be reviewed at both the Court of Criminal Corrections Arraignment and at the Circuit Court Arraignment.

The way the system operates is that a bondsman at the request of a defendant posts secured assets equal to the entire amount of the bond set by the judge. In return the defendant pays the bondsman ten percent or more of the bond. If the defendant does not appear at trial the amount of the bond is to be forfeited.

There are several inequities in this system. First, if the defendant is released on conventional bond and an hour later it is discovered the arrest was a mistake, the ten percent paid the bondsman is still not refundable. Second, it is not uncommon for ten percent of the bond to exceed the fine if paid, and if the arrest is made on Friday, if no bond is made the defendant may spend more time waiting to be arraigned than the maximum sentence for the offense. Thus, by either paying the bondsman or remaining in jail in these instances, the defendant has already suffered more than the law intended, without even being found guilty.

Aside from recommending the institution of alternative pre-trial release programs the St. Louis Court Improvement project has recommended improvements in the traditional bail bond system.

The St. Louis Court Improvement Project has discovered that the minimum bond schedules for the Court of Criminal Corrections and the Circuit Court recommended different amounts for the same offense. It was further discovered that these differing schedules caused confusion and resulted in defendants having to pay bondsman two separate times

for bonds. It was thus recommended minimum bond amounts for felonies be uniform in the Court of Criminal Correction and Circuit Court. This has not yet been implemented by the Court. In fact, they have now eliminated both schedules.

It was also discovered that bonded felony defendants are required to sit in Division 16 for as long as four days waiting to be assigned out to trial. Defendants as a result have often lost their jobs because of this wait. The Project has recommended that the bonded defendants be required to appear on Monday morning only and be subject to call upon assignment of the case for trial during the remainder of the week. Again, this recommendation has not yet been instituted by the Court.

Finally, the Project Director has examined the authority of the Clerk of the Court of Criminal Correction to issue bonds when the Court was not in session. Although legal scholars had concluded that the Court of Criminal Correction is always in session, thus denying the Clerk authority to issue bonds, Mrs. Ring points to a recent Attorney General's Opinion on the subject stating to the contrary. Thus, the question of the authority of the Clerk to issue bonds is still alive, despite the facts he no longer issues bonds.

V. Pre-Payment of Fines

In certain minor violations, mostly involving traffic offenses the project has advocated that the defendant have the opportunity to plead guilty and pay the fine at an administrative office. The law

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seems to allow pre-payment of fines. Rule 37.50 (which specifically applies to the Court of Criminal Correction) provides for payment of pre-set fines in traffic cases at established traffic violation bureaus.

"Traffic Cases" include all cases involving violations of laws relating to the operation on use of motor vehicles. The project recommended procedures whereby pre-set fines involving designated offenses be payable to a Violation's Clerk immediately after the issuance of a summons or after arrest and prior to trial. This system is now operational and was discussed in the diversion section of this evaluation.

Currently some municipal traffic offenses can be handled by merely paying a fine, but only if it is a first time offense. The Project Director along with the Crime Commission Sub-Committee on Courts is currently working to change the law to allow most municipal traffic violations to be paid by mail or a depository. This would serve to relieve Municipal Court dockets, require less patrol time waiting in Court, and finally, to cause less aggravation to the offender who wishes to plead guilty.

In certain offenses the Project Director thinks forfeiture collateral should be permitted in lieu of a fine. She claims that this procedure is permitted under the present law. R. S. Mo. 544.455 (7) Persons charge with bailable offense, release on personal recognizance-conditions of release states:

Nothing contained in this section should be construed to prevent the disposition of any case or class of cases by forfeiture of collateral security where such disposition is authorized by court.

The Project Director points out that this system is being used in some courts at the present time. For example, the federal magistrate, who has jurisdiction over the Ozark National Scenic Riverways Park in Missouri, can take a forfeiture of collateral, essentially a fine, in lieu of appearance for designated minor offenses. The collateral is posted and becomes the paid fine. This system is used for minor offenses where the violations do not contribute to an accident with personal injury or property damage in excess of \$100. Illinois has a similar state system. There, unless the accused requests a hearing, no hearing is specified for minor violations. The Project Director points out that R. S. Mo. 544.455 (7) apparently makes such a program possible in Missouri.

F. WARRANTS

I. INTRODUCTION

In St. Louis there are two types of Criminal Warrants. The first type is a warrant of arrest. This is an order issued by a judge, directed to a law enforcement officer, and commanding him to arrest a named person who is accused of an offense.

The second type of warrant is issued by the Circuit Attorney, Prosecuting Attorney, or City Counselor, and is a statement by the State, or City that it is willing to prosecute the person who is charged with the offense. The Project has raised the question of the legality of this type of warrant issuance. According to R. S. Mo. 542.020 only judges, and in certain instances, mayors and clerks can issue warrants. All the Circuit Attorney, Prosecuting, and City Counselor can do is recommend that a warrant be issued or refused. In the case of the second type of warrant the accused is already in the custody of the police. There is a state law (Missouri Supreme Court Rule 21-14 and 544.170 V.A.M.S.) requiring that a person may not be kept in custody more than twenty hours without a warrant. The Police Department through a long standing working arrangement with Prosecuting Officials accepts the Warrant Officer's statements on the Police Warrant Disposition Report as authority for continued detention of a person beyond 20 hours after his warrantless arrest when, in fact, no warrant has been issued by an impartial official (as required by statute) and no charges have been filed within twenty hours after the warrantless arrest. The second type of warrant is used much more frequently in St.

Louis than the first. The proposals for improvement, of the warrant procedure under study by project staff are logically directed to this second type.

The time period from which these proposals are concerned is the first twenty hours following arrest. The chronology of events following arrest is as follows. The accused is generally brought to one of the nine police district headquarters immediately following arrest. Upon arrival at the district station the facts of the arrest are reviewed and a decision is made regarding whether to release the suspect or to book him. Booking takes place at the District Station and involves completion of the arrest register. In some instances the accused is confined in a cell at a district station until later transferred with other arrestees in a patrol wagon. Upon arrival at Central Police Headquarters the suspect is further processed by being fingerprinted and photographed if no current photo is on file. The suspect is then incarcerated in the holdover until one of three events occurs: The police decide not to seek a warrant, a warrant is sought but it is refused, or the twenty hour time limit elapses prior to a warrant being issued.

Immediately after the accused is brought to the district station the arresting officer must fill out an arrest report and a warrant application. Since the accused cannot be held more than twenty hours without a warrant, the arresting officer must seek a warrant within this time constraint. This usually involves the arresting officer

going to Central Police Headquarters checking the accused's FBI record (Hoover Sheet), if any, and checking the St. Louis Metropolitan Police Department's records (criminal information sheet). He takes this information, along with the incident report and warrant application, to the warrant office.

There are three different types of warrant offices in the City, each with separate and distinct jurisdictions. There are the offices of the City Counselor, the Prosecuting Attorney, and the Circuit Attorney. The City Counselor jurisdiction for City ordinance violations, the Prosecuting Attorney has jurisdiction over state misdemeanors, and the Circuit Attorney has jurisdiction over state felonies. All three warrant offices are located in the Municipal Courts Building.

The police officer must determine which type of warrant is appropriate. If he decides that the accused should be charged with a felony, then the officer and any material witnesses must appear for questioning by the Circuit Attorney's warrant officer. The warrant officer after reviewing the records and questioning the witnesses, may do one of three things; issue a warrant as charged, change the charge, or refuse to issue a warrant. His decision is based on the veracity of the witness and the sufficiency of the evidence. The Circuit Attorney's Warrant Office may also elect to record any of the witness's testimony received on video tape.

In the event the Circuit Attorney decides not to issue a warrant,

the police officer may decide to seek a warrant from the Prosecuting Attorney or the City Counselor. This is commonly referred to as "warrant shopping". The police thus have three different alternatives for getting a warrant issued.

If the warrant officer decides to issue a warrant, the arresting officer then carries a copy of the Circuit Attorney's request for a warrant issuance to the Central Police Holdover. The police claim that this gives them the authority to hold the accused beyond the twenty hour period.

If a warrant is refused, the arresting officer must immediately inform the holdover of this fact, and the accused should be released promptly.

II. Problems With the Present System

There are felt to be several problems with the present warrant procedures. Some of these relate to possibly wasted resources and others to inequities which may face those who are involved. These problems are enumerated below.

A. People are being held longer than twenty hours without a warrant

As pointed out earlier, it is common in St. Louis for police to arrest people without a warrant. After arrest the individual is booked and a warrant is applied for at the Circuit Attorney's Office. The Police accept the Circuit Attorney's decision to request a warrant be issued as the basis for holding a suspect beyond twenty hours. Technically, few arrestees for whom the

Circuit Attorney requests that a warrant be issued are provided the protections afforded them under R. S. Mo. 542.020. That is, no warrant decision is made within twenty hours.

B. Wasted resources in the Holdover

If people are held longer than need be, then the hold-over facilities must necessarily be over utilized.

C. Poor Use of Police time

If the arresting officer does not make the trip from his district station to Central Headquarters and to the Warrant Office during his on-duty time, he must do this during off-duty time (for which he gets compensatory time off at a later date). This means that any time spent in obtaining a warrant is spent away from other police functions or off-duty activities. It takes an average of three hours to apply for a warrant ; there are approximately sixteen felony warrants issued each day in the City of St. Louis. There is also much paper work involved in issuing a warrant. If the time and effort necessary to obtain a warrant were lessened, better use would be made of limited police and court manpower and facilities.

D. Warrant shopping

At the present time a police officer must decide which type of warrant is appropriate. If he is turned down in his first request, he has two more tries. This process may be costly in terms of time for the warrant officer, police, and witnesses and

the accused (who may be incarcerated awaiting disposition of the warrant application).

III. Solutions Proposed

There are three different solutions that are proposed. The first calls for warrant offices in the district police stations. The second solution proposes that the Circuit Attorney, Prosecutor, and City Counselor share a common warrant office. The third solution proposes changes in Police and prosecution procedures to bring them into compliance with the twenty hour rule.

A. Warrant office in district police stations

The idea behind decentralizing the warrant office is to provide an on-the-spot determination of whether a warrant should be issued.

1. Evolution of the Idea

In December of 1972 it was suggested to the St. Louis Committee on Courts, by one of its members that warrant offices be established at the nine district police stations to provide service twenty-four hours a day. The St. Louis Court Improvement Project then began to analyze the problem and propose solution. There are two memorandums dated December 15, 1972 and January 4, 1973 from the project discussing the problem and the advantages of warrant offices in district police stations.

A study was then commissioned by the St. Louis Court Improvement Project to study both the volume of warrants sought

in each police district, and the amount of time spent by officers in seeking a warrant. It was found that the number of felony warrant applications for 1971 was 5,808. These were not evenly distributed among the police districts. The third, seventh, eighth, and ninth districts had over fourteen percent each of the total warrant applications, while the 1st and 2nd districts accounted for less than four percent each. A similar pattern was found for warrant applications for misdemeanors. During 1971 there were a total of 8,562 misdemeanor warrant applications. The fourth, seventh, eighth, and ninth districts each accounted for more than fifteen percent of the total warrant applications, while the first and second districts again accounted for less than four percent each.

The study regarding the amount of time spent by police officers seeking warrants was limited to the third and eighth districts. Information was obtained on the amount of compensatory time earned in connection with warrant applications by seventeen officers. It was found that these officers spent over 400 hours seeking warrants in 1972, and that average time per warrant application was three hours.

Based on this study, the St. Louis Court Improvement Project determined that it was neither feasible or practical to have round the clock warrant officers at each district station. An alternative plan was thus proposed. This involved

establishing a warrant office at the Seventh District Police Station. This station is in close proximity to those districts with the highest number of warrant applications, namely the seventh, eighth, and ninth districts. The other two districts with a high percentage of warrant applications are located near the present warrant offices. On January 10, 1973 Circuit Attorney Brendan Ryan stated that he would consider establishing a warrant office at the 7th District police station if he could get the personnel to staff such a warrant office. He said that he was not basically opposed to the placement of a warrant office at District 7 on a twenty-four hour basis.

On January 16, 1973, Prosecuting Attorney Shannon stated that he would not consider a warrant office at District 7. He claimed to be short on manpower and money, however, he later agreed to this idea.

On January 17, 1973, City Counselor McNicholas said it was not worthwhile for his office to place a warrant officer in the 7th district because of the small volume of City warrants issued. He suggested that a police department lawyer could serve at District 7 instead of a City Warrant Officer. In March, 1974, a new City Counselor was appointed.

The Circuit Attorney on March 16, 1973 proposed a new alternative to solving the warrant problems. This is the mobile warrant unit. The mobile warrant unit since been funded

by an Impact grant and is now in operation.

2. Mobile Warrant Unit

The mobile warrant units are funded currently under Impact grant # S-MP8-73-e3. The mobile warrant unit consists of two vehicles equipped with radios to provide direct communication between the police and the mobile warrant crews. One car is assigned to the northern sector of the city and the other to the southern sector. Each mobile warrant office is staffed by one officer investigator and one Assistant Circuit Attorney.

The Assistant Circuit Attorney and the officer investigator function as a warrant office making on-the-scene determinations (if necessary) as to whether prosecution will be initiated or not. The benefits of the mobile warrant unit are felt to include: Allowing the patrolman to devote more time to regular duties; more prompt interviewing of witnesses when the event was still fresh in their minds; improved gathering and preservation of evidence arising from on-the-scene assistance by a trained prosecutor and legal investigator; reducing the time and cost to the City, the accused, the victims, and, taking the first step toward giving the police officer the benefit of legal advice before making an arrest. Warrants should ideally, in most instances, be issued before arrest instead of after arrest unless the crime is committed in the presence of the officer.

The Mobile Warrant Officer started operation on August 24,

1973 and operated on Friday and Saturday nights. On November 1, Thursday night was added. During the first quarter of operation (September-December, 1973) the Mobile Warrant Office handled 128 cases of which 48 warrants were issued and 80 were refused. The St. Louis Court Improvement Project has given its support to the Mobile Warrant Office.

B. Common Warrant Office

The purpose of the common warrant office is to end warrant shopping. There have been two proposals suggesting structures for a common warrant office.

1. Giving the Circuit Attorney the power to issue warrants on behalf of the Prosecuting Attorney and City Counselor

The Circuit Attorney, Prosecuting Attorney and the City Counselor have each stated that they felt that this approach is of doubtful authority under the present statute. Under the existing statute if a charge is reduced from a felony to a misdemeanor in order to facilitate the Circuit Attorney retaining jurisdiction over the case, the Governor must ask the Attorney General to appoint the Circuit Attorney, Special Assistant Attorney General for this particular case. Thus, unless the law is changed, this approach does not appear to be feasible.

2. Common Warrant Office

This proposal entails the Circuit Attorney, Prosecuting Attorney, and City Counselor all sharing the same warrant office. This would effectively terminate warrant shopping while at the same

time maintaining the independence of these three prosecuting authorities. The proposal has received support from all three bodies involved in addition to that of the Mayor. The main problem appears to be finding a suitable location for the office. It has been suggested that the most suitable location would be in the present Circuit Attorney's Warrant Office since the video equipment is presently located there. This equipment can be used to preserve the testimony given by a witness. However, the office is too small to house the combined warrant load. One proposed solution is to expand into an adjoining, seldomly used, jury "sleeping room". This room is used to lodge jurors, when the downtown hotels are filled. The proposal for using this space as quarters for the combined warrant offices must be approved by the judges and the administration of the Circuit Court.

The Project feels that the common warrant office may not be necessary if:

1. If the City Counselor and Police Department take advantage of recently changed procedures and issue summons and take pre-set bonds in ordinance violations cases.
 2. If procedures are instituted in the Court of Criminal Correction, Police, and the Prosecuting Attorney's Office, to issue summons in lieu of arrest for State Misdemeanor Violations.
 3. If the Circuit Attorney changes warrant procedures where crimes not committed in the presence of an officer are concerned.
- (see below)

3. Procedural Changes to Comply With the Twenty Hour Rule

The Project Director feels that using present procedures it is impossible for police and prosecutors to comply with the twenty hour rule. The Director suggests that if the Missouri Supreme Court put "some teeth" in the twenty hour rule it would help straighten out pre-trial release throughout the State of Missouri.

Since the Project Director brought the twenty hour rule violation problem to the attention of the Circuit Attorney, Brendan Ryan; he has agreed to make changes to bring his office into compliance. He now has stenographers on duty on weekends to type informations so they are ready to file within twenty hours. The Clerk of the Court of Criminal Correction, James Lavin, has not agreed to open his office on weekends to receive these warrants within the twenty hour period. In approximately 25 percent of the cases, not on-going offenses, Ryan will try to work with police prior to arrest to determine if a suspect will be charged. In these cases changes will be filed prior to arrests.

G. OTHER ACTIVITIES OF THE ST. LOUIS IMPROVEMENT PROJECT

I. RULES OF THE CIRCUIT COURT OF THE CITY OF ST. LOUIS, MISSOURI

In February, 1973, the Project Director reported to the Executive Committee of the St. Louis Committee on Courts that current rules of the Circuit Court, 22nd Judicial Circuit, were not available to members of the Bar who practice in this Circuit. She pointed out that the rules were last published in February, 1969. In the four years since the rules were last published, 32 changes were made. Some rules were abandoned and new rules were added. It was suggested by the Project Director that as rule changes were approved by the Judges in General Term, all changes should be promptly forwarded to the Clerk of the Circuit Court and the Clerk should have authority and responsibility for publishing the current rules in loose leaf form without further order of the Court and without intervention on the part of any individual judge or judges.

On February 14, 1973 the Project Director sent a letter to the presiding judge of the Circuit Court recommending publication of the existing rules. On June 15, 1973, the Judges of the Circuit Court of the City of St. Louis adopted revised rules for the Court. Copies of these rules have been made available to the public at the Cashier's Cage in the Office of the Circuit Court Clerk.

II. COURT OF CRIMINAL CORRECTIONS PAROLE COMMISSION

In October, 1973 the Project Director informed the Executive Committee of the Committee on Courts that the Court of Criminal Corrections Parole Commission had been inactive for several years.

The commission was established under R. S. Mo. 549.320. This statute provides that the St. Louis Court of Criminal Correction Parole Commission, composed of two judges, the prosecuting attorney, and the clerk of the Court, to 1) have a set time for parole hearings twice each month and 2) at least once each month visit all jails, workhouses, and other personal institutions in the City to examine the conditions thereof and determine if there are prisoners there whose trial have been wrongfully delayed. The Project Director also reported that the Clerk was being paid an extra \$1,000 per year for serving on a non-functioning Commission. Extra pay for the Prosecuting Attorney was provided by statute but he had not been collecting the extra \$1,000 per year.

At the request of the Executive Committee, the Project Director requested the Parole Commission members reactivate the Commission. All members agreed to do so.

Judge Brown, a commission member, has stated recently, that it is his opinion that the Commission serves no real function today and should be abolished. The St. Louis Commission on Crime and Law Enforcement's Sub-Committee Court, of which the Project Director is a member, is currently reviewing the possibility of recommending the Parole Commission be replaced by a board of jail visitors.

III. INVESTMENT OF LITIGANT FUNDS

The Project Director has done an indepth study of handling of litigant funds deposited in the registry of the Circuit Court pending litigation to determine who is entitled to the funds. The Project

Director discovered that the present statute provides that the Clerk of the Circuit Court may invest funds placed in the registry of the court in savings deposits in banks or in United States treasury bills. Income from these deposits should be used by the Clerk for certain purposes or paid into general revenue. The clerk has no duty to invest these funds, rather it is up to his discretion. Some language in old cases and an Attorney General's opinion, Op. Atty Genl. No. 120, Smith, 9-8-66, seems to indicate that the Court at the litigant's request may have the authority to order the clerk to invest funds at interest for the benefit of the litigant. The Project Director points out that this use of interest appears to be in direct conflict with the mandatory language of the statute, which specifies how the income derived from the investment "shall be used". The Project Director also points out that judges feel they do not have power to order the investment of litigant funds at interest for the benefit of the litigant.

The Project Director also concluded that the Comptroller had no authority to audit the handling of litigant funds. And furthermore, no private audit is required, thus no one really knows how these funds are handled.

The Project Director contacted prominent members of the local Bar to ascertain their views on the handling of litigant funds. A

majority of the lawyers contacted expressed the opinion that delay in paying out funds was a great problem and that interest should surely accrue to the litigant during the waiting period. It was suggested that the court should assess cost for handling the investment.

On December 1, 1972, the Executive Committee passed a resolution seeking to promote legislation to amend the present statute to authorize the court to order the investment of litigant funds with the interest payable to the litigant. On December 8, 1972, the Director wrote a letter to the President of the Missouri Bar notifying him of the Committee's interest in the matter and of its support in the drafting and passing of a bill specifically enabling the courts to order the investment of litigant funds.

On February 12, 1974 the House Judiciary Committee heard House Bill 987, introduced by Representative Dill and approved by the Missouri Bar in principal. The Bill provided for the investment of funds paid into the registry of a court record with any interest derived there from to be paid to the prevailing party. The Bill was never reported from the committee.

Although no change in the law has yet been effectuated, the Project should be credited with generating interest in the problem. Identification of a problem is always a preliminary to solving that problem.

IV. PENDING LEGISLATION

The Director has kept current on pending legislation relating to the judiciary. She has distributed summaries of these bills along

with the text of the major pieces of legislation to the members of the Committee.

There have been three bills introduced into the legislative in 1974 which have been of particular interest to the Project. The first bill would add two judges to the St. Louis Court of Appeals. The Committee called the legislatures attention to the fact that the backlog of cases in the St. Louis Appellate District is increasing each year. The Project said every year the Court is getting five months further behind. And, that if the present rate continues by 1976, it will take three years for an appeal to be heard. This piece of legislation has since been adopted. There are now two additional Appellate Court Judges.

The second legislative matter of particular interest to the Project is the Judicial Reform Bill submitted by Maurice Schector. This calls for an overall Court Revision, and would have to be submitted to the voters as a constitutional amendment before becoming law. The reforms suggested would abolish the Court of Criminal Corrections, the Magistrate Court and the Municipal Court. Instead the Court of Criminal Corrections Judges would become Circuit Judges, the magistrates would become Associate Circuit Court Judges, and the Municipal Judge would become Assistant Circuit Court Judges. This would result in a unified three tiered Court.

One result of a uniform court system would be better utilization of our present Magistrate Court resources. The none parsent Magistrates,

all of whom are lawyers could then assist in hearing preliminary hearings in criminal cases which are presently handled by the Court of Criminal Correction, and hear default divorces and other matters presently handled by the Circuit judges. The appeal de novo, starting all over with a new trial, when one appeal from the Magistrate Courts to Circuit Courts would be eliminated. The trial de novo wastes vast resources.

The St. Louis Committee on Courts has contacted the Missouri Bar Committee, which is drafting the Judicial Article to the Missouri Constitution, and indicated that it is vitally interested in the work of the state committee. The St. Louis Committee on Courts, has volunteered to work in tandem with the committee of lawyers of the Missouri Bar in drafting the New Constitutional Article. The St. Louis Committee would assist in formulating reforms and later activating such sources of support as the Committee would have in the legislature. The bill was introduced by Schector December 1, 1974, for action in 1975. Recently the St. Louis Bar Association introduced alternative legislation to Schector's bill. The Executive Committee of the Committee on Courts has had representatives and sponsors of both pieces of legislation attend recent meetings.

The third bill relates to the Public Defender. The Project has supported the need for Public Defenders' availability in all Courts. To do this the number and salary of public defenders would have to be increased. The Project has supported these efforts.

V. ADDITIONAL PROJECT ACTIVITIES

In addition to the activities already discussed, the project has had several other areas it is looking into.

A. The Project is working on reducing time in criminal cases between arrest and judgement. Preliminary study indicates that at least four weeks can be saved in the Court of Criminal Correction and the Circuit Court.

B. The Project is attempting to find a way to identify and eliminate unnecessary continuances.

C. The Project is considering the feasibility of establishing a small claims court.

D. The Project is reviewing service in the Magistrate Court. Constables presently serve papers by district. Some constables have few papers to serve. Some in poor areas, which are the high-crime areas, appear to be overloaded.

E. The Project is reviewing the possibility, of having the Circuit Attorney's Office set the date for preliminary hearing at the time of the issuance of the warrant; the defendant being notified of the setting immediately. Witnesses required to appear at the Circuit Attorney's Office at the time the warrant was issued would be served at that time by a deputy sheriff with the order to appear at the preliminary hearing. It is anticipated that this procedure would eliminate a number of steps now followed and would reduce the time between arrest and arraignment in the Circuit Court.

F. The possibility of voir dire examination by judges rather than lawyers is being considered by the Project.

G. The Project has raised the possibility of staggering the hours of the dockets in City Courts and Courts of Criminal Correction to conserve citizen, witness, and lawyer time, as well as relieve congestion in the halls of the Municipal Courts Building.

H. The Project Director has suggested consideration of an earlier retirement of judges. It is her opinion that the increased backlog of pending cases in the City is due in part to elderly and disabled judges over 65 years of age.

I. The Project Director is currently reviewing the space available in the Municipal Courts Building in light of the soon-to-be vacated Municipal Court Rooms and Health Department Offices. She is to have input into how this space will be utilized.

J. The Project Director has conducted a Survey of Lawyers. She sent letters to Criminal trial lawyers in the City of St. Louis requesting them to define the problems with the judicial system as they view them. They are also asked to include suggestions to overcome these problems if any. The Project Director has received many responses to these requests. The response serves a dual purpose; first; identification of problem areas, and second, the suggested possible solutions to existing problems based on experience. The Project Director has been using the response to the survey to expand the areas of consideration.

K. The Project Director is reviewing recent statutory enactments in other states as well as keeping up with literature in the area of Criminal Justice. This again serves as a means of generating new ideas.

L. The Project Director attempts to coordinate the many groups in St. Louis interested in the St. Louis court system. The problem was that none of these organizations seemed to know what the others were doing. The Project Director has attempted to coordinate these organizations so that their efforts were not dissipated. The Project Director has worked closely with the following organizations: Mayor Poelker's Citizens Coordinating Publicity Sub-Committee of the Commission on Crime and Law Enforcement; Bar Association of St. Louis Criminal Courts Law and Procedure Committee; Advisory Board to Women's Crusade Against Crime; Felony Courts Sub-Committee of the Bar Association's Criminal Justice Committee Judiciary Reform Sub-Committee of the Commission on Crime and Law Enforcement; and, the Criminal Justice Committee of the Bar, among others.

SAINT LOUIS COMMISSION ON CRIME AND LAW ENFORCEMENT

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SUMMARY EVALUATION

OTTO G HEINECKE
EXECUTIVE DIRECTOR

PROJECT: St. Louis Court Improvement SUBGRANT PERIOD: 10-1-72/9-30-73
8-1-73/9-30-74
11-1-74/6-1-75

PROJECT NUMBER: S-MP25-72-e2
S-MP14-73-e3 (C)
74-MPE1-SL11 (C)

PROJECT DIRECTOR: Lucile Ring

SUBGRANTEE: Missouri Court of Appeals, AUTHORIZING OFFICIAL:
Eastern District Robert G. Dowd, Chief Judge

GRANT AWARD:	<u>Federal</u>	\$40,000
	<u>In-Kind</u>	<u>\$13,924</u>
	TOTAL	\$53,924

	<u>Federal</u>	\$40,402
	<u>Local</u>	<u>\$13,468</u>
	TOTAL	\$53,870

	<u>Federal</u>	\$22,814
	<u>Local</u>	<u>\$ 2,535</u>
	TOTAL	\$25,349

The St. Louis Court Improvement Impact Project is a continuation of Project S-MP25-72.

PROJECT OBJECTIVES

The specific objectives of this project are:

1. Develop a systematic structure for the courts.
2. Analyze the post-arrest process, highlighting problem areas, tying in other court management studies, pinpointing the delays in the Criminal Justice System, and making recommendations for improvement.
3. Study and analyze the statutes and the constitution in order to improve the administration of justice.
4. Bring together the various elements of the Criminal Justice System-the judiciary, members of the Bar, and

citizens to review the Project's research to determine appropriate solutions.

5. Implement appropriate recommendations of court management studies and other administrative improvements within the present framework of the system.

This is a summary of the Evaluation of the St. Louis Court Improvement Project prepared by the Evaluation Unit of the St. Louis Commission on Crime and Law Enforcement.

The St. Louis Court Improvement Project is operated by the Committee on Courts. The Committee on Courts is an outgrowth of an attempt by the Missouri Bar Association to establish "Circuit Committees on Courts" in every Circuit in Missouri. These Committees were to find solutions to a variety of local problems. The committee was formed as of March, 1972, but the project was funded as an Impact project as of June 19, 1972. The objectives of this project are presented on the cover sheet of this report. In the evaluation the manner each of these objects was met by the project was discussed.

For brevity sake this summary will simply present the benefits provided by the project without relating them to a particular objective.

STRUCTURE OF THE PROJECT

The Committee is composed of community leaders in and out of legal profession. The Committee is governed by a board which provides direction to the staff and sets basic policy. The Executive Committee (board) is composed of representatives of the three local bar associations, the court and others. The Committee has employed a Project Director, to serve as a representative of the Committee and handle day-to-day committee business. The Project Director, Mrs. Lucile Ring, is an attorney with considerable experience in the St. Louis Court System. She is responsible for planning, developing, and executing the Committee's program within the framework of guidelines laid down by the Committee itself. She works semi-independently, determining procedures and making some significant work decisions.

The Executive Committee contains the following members:

A. J. O'Brien, Chairman and Treasurer	Mount Vernon Corporation
The Honorable Clyde S. Cahill, Vice Chairman	St. Louis Circuit Court
Mrs. James S. McClellan, Secretary	Women's Crusade Against Crime
The Honorable Carl R. Gaertner	St. Louis Circuit Court
Paul S. Brown	The Bar Association of Metropolitan St. Louis
Donald Gunn, Jr.	Lawyer's Association of St. Louis
Ira M. Young	Mound City Bar Association
The Honorable Robert G. Dowd (Ex Officio)	Authorized Grant Official
David Lander	Legal Aid Society

OPERATION OF THE COMMITTEE

The full Committee on Courts meets infrequently. There are no regularly scheduled meetings. In the past two years there have only been five meetings. The Executive Committee, however, has bi-weekly breakfast meetings. It is the Executive Committee that makes most of the decisions on behalf of the Committee.

The Committee on Courts has little power to bring about changes in the Court System outside of pointing out problem areas and recommending solutions. However, the Executive Committee is composed of leaders in the Judicial System, who themselves can act as a catalyst for change. The Executive Committee meetings also serve as an opportunity for leaders in the system to exchange views with others on the problems facing that segment of the system with which they are primarily connected.

Ideas for areas for research generate both from the Committee and the Project Director. The Director is responsible for determining what information or data shall be gathered. As part of the research, the Project Director is expected to obtain input from members of the judicial system with power to implement changes in the area researched. By working with these individuals the Project Director has an opportunity to convey suggestions for improvement directly to those with the ability to have an impact on the system. By presenting suggestions to the Executive Committee, the Project Director has a second opportunity to interest an individual on the Committee to take

action on his own work for the implementation of the suggestion. Thus, because the Committee initially was inactive did not mean that no action was taken.

Since the project's operating budget is minimal, in working for a change in the system neither the Committee nor the Project Director are in a position to finance or supervise ongoing projects. The project has a very small operating staff including only one full time employee. Thus, the strategy has been to interest people in the system to change the system from within. For this reason, the Project Director has sought an atmosphere of cooperation with all segments of the Judicial System. Publicity in the media on the Project's activity has been avoided for fear of jeopardizing this cooperation. In addition as written in the Committee's Charter, lobbying is prohibited.

The following is a list of project achievements. Not all project endeavors have been implemented. The fact that an idea was not implemented is not a reflection on the project. By presenting an idea for consideration in and of itself provides the system a benefit. In addition, the project files serve as a resource source for other reform minded organizations. The benefits with the asterik (*) are those that have actually been implemented.

I. Public Information Projects

*A. St. Louis Criminal Courts and You

This pamphlet explains for the first time in a consise pamphlet form.

1. How criminal charges are initiated.
2. Who prosecutes in what court.
3. Whether a preliminary hearing is necessary.
4. The nature of the bulk of cases in the various criminal courts.
5. Where the trials are held.
6. Where appeals are made.
7. Who to contact and where to go for the various criminal proceedings.

There have been 10 printings resulting in distribution of more than 100,000 copies at no cost to the public.

*B. Citizens Guide to Community Service

This pamphlet is designed to help people working within the system to help frustrated citizens find courts where they have been ordered to appear. It also provides the telephone number of numerous governmental and service agencies. It is an excellent public service directory.

Over 60,000 of these pamphlets have been ordered and are to be distributed at no cost.

*C. City of St. Louis and You

This is a map and picture guide to the three City Court Houses and City Hall. This pamphlet lists the Courts and offices in each building. More than 25,000 of these pamphlets have been distributed at no cost.

II. Improved Handling of Citizens

*A. Directions To Find Way Around Court

1. Arranged to have maps of the Court Houses and sketches of the Court Building placed in the building lobbies.
2. Arranged to improve Building Directory.
3. Arranged to improve the building markings for Court Rooms, Clerks' Offices and Rest Rooms.
4. Arranged with the cooperation of the General Services Administration to have street address markers placed on the Federal Court and Customs Building.

B. Suggested Improvements of the Jury Assembly Rooms

The project has drafted suggested improvements to the jury assembly room in conjunction with the jury commissioner. Although the plans were specific and have been unopposed funding limitations have presented their implementation to date.

C. Improved Jury and Witness Parking

There are no parking accommodations presently for jurors and witnesses. A plan was devised to provide free parking

in the Kiel Auditorium Parking Garage. The plans again were unopposed but funding limitations have prevented implementation.

D. Changed in Polling Jurors

Currently jurors must state their name and address and verdict if requested to do so by a convicted defendant. This can be a frightful experience for a juror. The legal issue was researched and a method of polling the jurors by numbers was suggested. This change has not been implemented to date.

*E. Witness Pamphlet

A pamphlet explaining a witness's role in criminal trials, explaining what experience a witness can expect to encounter, and helpful hints for witness's was published concurrently by the project, the Women's Crusade Against Crime and the Crime Commission.

F. Justice For Citizens Commission

This commission was suggested by the project to service jurors, witnesses and citizens with the goal of making it easier for citizens by providing assistance. Although this was not implemented in total, many individual elements have been implemented.

*III. Felony Procedure Study

This study begins by tracing two sample cases through each stage in the criminal proceedings. Each step in the process and the forms used are thoroughly analyzed and explained. The purpose of the study was to explain the criminal process for persons charged with felonies in a narrative layman could understand, but also comprehensive enough that someone in the system could use as a source document. The report was accurately and thoroughly prepared and included editorial comments to help speed reform. The value of this impact shall be measured against the uses to which the report is put.

IV. Diversionary Projects

Diversionary projects are generally the removal of certain cases from the Criminal Court System. The purpose of diversion of cases is to eliminate congestion, cut costs and help defendants.

A. City Court

The project has drawn up plans and arranged for implementation of a night prosecutor program. This program was to divert neighborhood disputes from the City Courts. It was recognized that the traditional judicial process did not solve neighborhood or family disputes but rather polarized the parties. By getting the parties to sit down and discuss the problem or referring them to social agencies

without labeling one party a criminal was a more realistic way to solve the problem. This program has been implemented in Kansas City and Columbus, Ohio. St. Louis has not yet chosen to implement this program.

*B. Court of Criminal Corrections

The project became aware that Division 1 of the Court of Criminal Corrections had over 16,000 cases heard annually. Many were petty victimless crimes and 8,300 involved guilty pleas. The project proposed pre-set fines be permitted in lieu of appearance at trial. In September, 1974 the Committee was working closely with the Court of Criminal Correction judges, the clerk and the Prosecuting Attorney in developing a system of allowing pre-set fines to be paid in lieu of appearance for minor traffic cases. A side benefit of this diversionary project is that the prosecuting attorney is now using the police tickets as information rather than preparing a new document.

*C. Circuit Court Diversionary Project

The project encouraged diversion at the Circuit Court level. The project has advised and encouraged Circuit Attorney Brendan Ryan to establish the Circuit Court Impact funded diversionary project. This project was instituted to divert youthful first offenders from the Court System.

V. Warrant Issuances

The project has reviewed and analyzed the warrant issuance procedures.

A. Issues Identified By Project

1. People were held longer than the twenty-hour rule allowed-without a warrant being issued.
2. Police Resources were wasted because the warrant office was closed at night causing police to have to appear at the warrant office in the morning.
3. Police officers were "warrant shopping" at the Circuit Attorney, Prosecuting Attorney, and the City Counselor's Office.

B. Project Proposals to Improve Warrant Procedures

1. The project has drafted plans to develop a common warrant office to save police time and end warrant shopping. This has not been implemented.
- *2. The project suggested warrant offices be established in the Police District Stations. The Circuit Attorney's office has confided that it was projects suggestions that was the impetous to the establishment of the Mobile Warrant Office. This is a Circuit Attorney Impact program to have the Circuit Attorney respond to requests at the District Police Stations on the busiest evenings.

- *3. The project encouraged the police and City Counselor to take advantage of recently changed procedures and issue summons and take pre-set bonds in ordinance violation cases.
- *4. Encouraged police and prosecuting attorney issue summons in lieu of arrest in misdemeanor cases.
- *5. Encouraged a change in Circuit Attorney warrant procedures to have warrants issued prior to arrest for crimes not committed in the presence of a police officer.

VI. Pre-Trial Release

The Pre-Trial Release programs are designed to allow arrestees to be released awaiting trial.

*A. Issuance of Summons in Lieu of Arrest

The project made the police aware of their authority to issue a summons to arrestees and release them on their own recognizance for City Ordinance Violations.

B. Police Release of Arrestees at the Police Station

The project brought to light Mo. RS. 84,230 giving the police district discretion to release someone charged with a bailable offense on his own recognizance. An Attorney's general opinion supported this view point. Several police officers have stated an interest and desire to institute

such a procedure, although the Police Department has not chosen to do so at this time.

*C. Impact Funded Felony Pre-Trial Release Program

The project has assisted this project by serving as a legal advisor. The project compiled a comprehensive list of pre-trial release laws. In addition the Project made several recommendations to the project on improving operations.

*D. Conventional Bail Bond System

The project has studied the conventional bail bond system and made the following suggestions for improvement:

1. The establishment of a common minimum bond schedule for the Court of Criminal Corrections and the Circuit Court.
2. A bonded defendant should only have to appear for assignment on Monday subject to call rather than wait all week for assignment (quite likely missing work).

Neither suggestion has been implemented to date.

E. Pre-Payment of Fines

The project director has worked to have a comprehensive pre-payment of fines scheduled for minor offenses similar to the Traffic Fine System in Illinois or for misdemeanors in the National Parks in Eastern Missouri. There has been no such program yet implemented.

VII. Other Project Activity

- *A. Encouraged the update of the Rules of the Circuit Court of the City of St. Louis.
- *B. Brought to light the inactivity of the Court of Criminal Corrections Parole Commission.
- C. Researched the problem of non-investment of litigant funds.
- D. Informed people in the system of pending legislation, both in state and out of state, effecting the criminal justice system.
- E. Attempted to identify and eliminate unnecessary continuances.
- F. Studies the feasibility of a small claims court.
- G. Reviewed service of process in Magistrate Court.
- H. Reviewed the possibility of the Circuit Attorney setting preliminary hearing dates at the time of the issuance of the warrant.
- I. Studies the possibility of Viore Dire by Judge rather than lawyers.
- J. Reviewed the possibility of staggering hours in the Municipal Courts and the Court of Criminal Corrections to save citizen, witness, and lawyer time.

- K. Studies the issue of retirement of judges.
- L. Surveyed lawyers in the City to identify problems in the judiciary and their possible solutions.
- M. A file was kept of articles relating to criminal justice reform both at a local and national level.
- N. The project served as a coordinating agency for many groups in St. Louis interested in Court Improvement. This prevented dissipation of their efforts.

END

7. 10. 1944