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NEW HAMPSHIRE PUBLIC DEFENDER
ALTERNATIVES TO INCARCERATION

A SUPPLEMENTARY REPORT

Consultants

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Programmatic models for alternatives to incarceration are many and varied. Although programs differ (in funding sources, costs, the point in the criminal justice system at which service is provided, and supervisory authority), there are common areas that deserve attention. Several programs are described that may serve as models for New Hampshire. They share the following attributes:

1. Planned intake, formulation of an assessment or diagnosis, and expeditious implementation of service.
2. Maximum utilization of community resources.
3. Continuity from intake to final resolution; comprehensive individualized service.

There are many factors to be considered in programmatic planning. Planning must emphasize resource development; that is, comprehensive assessment and utilization of all existing community agencies and resources, public and private.

Purchase agreements with private organizations are desirable, rather than enlarging public sector human service activity. Open formal contract negotiations with private providers should clearly define the problems of the referral population, the services to be rendered, and the lines of responsibility. "Purchase of Service" arrangements can avoid Civil Service tenure, salary, and job description problems.

Each project should have clearly defined goals, standards and procedures that, while open to modification, are acceptable to all interested parties (probation, D.A., attorney, agencies).

An advisory or policy board should be created as an autonomous instrument to ensure an on-going review of standards, goals and performance. An active, committed board should represent a broad spectrum of human service and criminal

justice professionals involved in or affected by the project, together with interested laymen and consumers of the service. This type of board can be a powerful and productive forum providing support to an on-going program and the impetus for change in generating new programs.

The establishment of a new program often consumes all the energy of the project staff. The need to monitor and evaluate is quickly neglected. Yet this process often becomes the critical factor in shaping necessary adaptations and ensuring stability in funding. An impartial evaluation component should be an integral part of a program's design. The funding parties themselves or local universities and colleges are possible sources. Again, broad-based representation should be considered as an evaluation component.

The staff's ability to shift roles and to meet changing needs within a project is an important quality. This flexibility can be ensured principally by the diversity of the staff. In this sense, diversity implies: varying degrees of exposure to human services and the criminal justice system; different levels of formal academic training; differences in the formal academic disciplines in which staff has been trained; and variety in racial, ethnic, cultural and economic backgrounds. Although these differences may create tension, this tension should stimulate insight and perspective.

Quality training fosters staff adaptability. Training programs should develop an in-house capability to complement the use of highly trained specialists in areas beyond the capability of the staff. This combination enhances staff participation and minimizes the fear that training is merely a guise for staff evaluation and not truly a staff improvement process. The in-house component sharpens the individual's skills and gives him a forum to demonstrate his specialization to the rest of the staff. Training components from outside of the office offer staff the opportunity to grow professionally and to benefit from an outsider's perspective on the project.

A. Bail and Pre-Trial Release

The goal of bail and pre-trial release projects is to reduce the number of individuals held in detention who, with a small amount of verified information or additional social or legal services, might easily remain free while their case is pending.

Characteristics of some of the more outstanding projects nationwide are:

1. Pre-court screening:
 - (a) for release without bail of defendants accused of misdemeanors and certain classes of felonies (this discretion might best be given to a probation officer)
 - (b) for design of conditional release program
 - (c) for determination of public defender eligibility
 - (d) for early identification of problems requiring either emergency or special attention (for example, acute alcoholism detoxification, retardation, etc.)
2. Reliance on community agencies and resources (short- and long-term; residential and non-residential programs).
3. Intensive assessment at the earliest possible stage with counsellors trained in short-term family therapy, crisis intervention, drug and alcohol problems, educational and vocational counselling. This intervention is designed to plan service for the defendant throughout the pendency of his case, and when appropriate, anticipate probation and sentencing plans.
4. Service is provided to the defendant on a voluntary basis prior to trial; this reduces the impact of conflicting Probation Office recommendations.
5. Provide the court with verified information considered critical to predicting the likelihood of the defendant's appearance at subsequent hearings.
6. Familiarize the court with community agencies and services. Thorough oral and written assessments often are the only sources for judges, prosecutors and defense attorneys concerning the availability and quality of services.
7. Provide innovative programming ideas such as special bail conditions (with modest fees contributing to the support of the project, that may require regular check-ins at specified locations) or assigning the detention worker to supervise four or five defendants "detained" at home.

B. Diversion and Specialized Probation Programs

Diversion can be defined here to include projects that channel an offender away from what appears to be an inevitable increased criminal sanction and toward a program of reduced sanctions. Innovative diversion programs are most likely to occur within probation departments. Nevertheless, successful alternatives have been devised under the auspices of defender service, judges and prosecutors. The majority of these programs have focussed upon intensive probation services, manpower programming or court clinic services. (See below)

1. Intensive Probation -- component alternatives/shared objectives

- Reduced caseloads and improved supervision of probationers by developing:
 - (a) specialty areas for probation officers (vocational training; family intervention; learning disabilities); and
 - (b) procedures for regular supervision, training and evaluation of probation officers' work.
- Development of special projects outside of the court (subcontracted or staffed by probation) including alternative schools, recreation centers, weekend wilderness experiences, work opportunities.

2. Manpower Programs -- component alternatives/shared objectives

- Reduce recidivism (particularly among first offenders) by giving defendants employment skills either through job training or a job itself (supplemented by counselling).
- Component parts: court screener, intake counsellor, job developer, employment skills trainers.
- Depending on client population served, this type of project is the most innovative: when physically located outside of the court; when identifying factors external to the regular functions of the court (correspondence, reports, counsellors); when proceedings are held in abeyance and ultimately dismissed once the client proves cooperative.
- Manpower projects base cost-effectiveness upon reducing future court cases of clients who are removed from the criminal justice system and on creating tax-paying workers whose tax contributions compensate for program costs.

3. Court Clinics -- component alternatives/shared objectives

- The primary activity of a court clinic is to provide a wide range of diagnostic services including: assessment of criminal responsibility; treatment plans; referral to crisis intervention, short-term individual and long-term family counselling/therapy agencies; and consultation to the court and community agencies.
- The court clinic can also provide specialized intake screening functions for alcoholism, drug abuse, special education problems, retardation, etc. Generally, if specialized in these areas, it can:
(a) provide direct counselling services, or (b) serve as the facilitator for the creation of community screening boards. Screening boards should have representation by community agencies specializing in the problem area. Meeting under the auspices of the clinic, the representatives must be able to determine eligibility and to commit their agencies to an intake decision. Mobilization of community resources, coordination of function and equitable distribution of responsibility are the major concerns. Of course, the screening board plan must earn the support of the court if treatment plans are to become accepted alternatives to incarceration. The implementation of this type of treatment plan is often made a condition of probation.

C. Social and Legal Issues in Diversion Programs

The recent proliferation of "diversion programs" has raised questions about who should be diverted and when and how that diversion should take place. Diversion refers to a process whereby a defendant is offered an alternative to traditional court proceedings as a means of resolving the complaint lodged against him. The complaint, in fact, may never issue. In "pure diversion" the court, in effect, drops the complaint on the good faith assurance of the defendant that he will follow through with a pre-established set of requirements. Should the defendant fail to follow the prescribed plan, the court has no means to reinstitute the formal criminal process. The premise of "pure diversion" is that the alternative offered by the court is voluntary and of such clear benefit to the defendant that he will follow through without the added threat of renewed criminal process hanging over his head.

Most diversion programs are not "pure"; they are an admixture of three elements: (1) avoidance of traditional criminal justice channels; (2) creation of attractive service providers as incentives to participation (as the "carrot", with the complaint dismissed at the end of a successful participation); (3) the easily revoked suspension of criminal proceedings during the defendant's participation (as the "stick" to encourage that participation).

Many diversion programs are for first offenders and misdemeanor defendants. The question arises whether this type of defendant would ever come back into the criminal justice system. If not, then the diversion program is not diverting; it is in fact widening the scope of the criminal justice system.

In order to participate, a defendant usually acknowledges guilt and is led to waive certain constitutional rights, i.e., the right against self-incrimination, the right to confront his accusers, the right to a jury trial and the right to a speedy trial. If police and district attorneys are aware that certain types of cases will not go to trial, then the availability of diversion programs could lead to unlawful searches and seizures. Attorneys with scheduling problems may encourage clients in marginal cases to accept diversion when a vigorous defense might have better served the defendant's interests. There are social costs to consider also: how does one justify an alleged misdemeanant who has but slight contact with the court receiving special services, e.g., employment, to which his equally needy victim is not entitled? Another unanswered question is the equal protection argument: when one court develops a diversion mechanism not available in other jurisdictions or when the age limit for participants is arbitrarily established.

to their volunteer work for a period of time not less than six months. In order to make court appearances or to assist in crisis situations, volunteers should occasionally be prepared to work that minimum 16 hours per week on varying days, and some weeks to work well beyond those hours.

Volunteer skills must be carefully identified, and the pairing of volunteers with offenders must be subject to strict standards and supervision. An excellent source for volunteers is local colleges and universities, particularly those colleges and universities with academic programs suited to criminal justice/human services work. Many of these programs give academic credit for intern or practicum work by their students, and many require it as a prerequisite to fulfilling degree requirements. However, required practicum work is fulfilled only in programs with professional supervision.

Finally, because the recruitment, training, placement, supervision and evaluation of volunteers is a complicated task, these activities may best be managed on a state, regional or county level where economies of scale will apply. The component parts of a volunteer program can all be improved with paid full-time staff who have professional trainers, supervisors and training materials at their disposal, and who can establish standards for the use of volunteers in that geographical area.

More specific problems to consider are: If there is a diversion possibility, is the defendant given legal counsel at that stage? Can the diversion program be designed to take place at the pre-complaint stage? What effect does a negative report from a diversion program have on a defendant in court? If the program is to be diversionary, can an automatic mechanism be built in to expunge the police and court record, with the burden for the expunction on the State?

Without question, a diversion program must be carefully designed with specific guidelines and criteria to ensure that participation does not enlarge the scope of the criminal justice system.

D. Volunteer Programs

The support services of volunteer programs are among the most highly regarded methods of effecting change in the criminal justice system. Volunteer programs are highly cost-effective, although not necessarily inexpensive, and imply a close working relationship between the court and the community. For the most part, volunteers can make a significant impact at all stages of the justice system.

Ideally, the volunteer's function should parallel that of his paid counterpart. Differences in activity and responsibility should be differences of scale. Successful volunteers will not be relegated solely, or even primarily, to the tasks of answering phones, typing records, filing, etc. Obligations of volunteers should be similar to those of regular staff in terms of reporting to the office, firm scheduling of work hours, etc. In "payment" for volunteer work, volunteers are entitled to the highest quality of training and staff supervision.

Volunteers should be required to commit at least 16 hours per week

RECOMMENDATIONS

- I. THAT THE OFFICE OF THE NEW HAMPSHIRE PUBLIC DEFENDER ESTABLISH A SOCIAL SERVICE COMPONENT TO EXPAND THE CAPABILITY OF THE DEFENDER OFFICE IN MAKING SENTENCING RECOMMENDATIONS.

The social service manual produced by this study is a conceptual and working model for the implementation of a stable mechanism to provide comprehensive recommendations at sentencing. The development of this component, although not necessarily freeing time for attorneys to pursue other tasks, will provide a substantially higher level of service to clients than is otherwise available. The social service component will formalize a sentencing approach for the court to consider alternatives to incarceration.

- II. THAT THE SOCIAL SERVICE COMPONENT DEVELOP AN ON-GOING PROCESS TO INVENTORY AND EVALUATE THOSE AVAILABLE SOCIAL SERVICE AGENCIES SUITED TO THE NEEDS OF OFFENDERS.

Through the social service component, a flexible method for resource identification, evaluation and referral can be implemented. Designed as a thorough card index, filing or ring-binder system of cataloguing, this compilation can supplement published resource materials and serve as a directory of resources suitable for offenders. This process should be on-going. The inventory should be distributed to the court in order to inform the court about options with which the court is unfamiliar.

- III. THAT THE SOCIAL SERVICE COMPONENT PROVIDE ASSESSMENT, RESOURCE IDENTIFICATION AND REFERRAL ON A CONSULTATION BASIS TO MEMBERS OF THE PRIVATE BAR REPRESENTING INDIGENT CRIMINAL DEFENDANTS.

The survey team found that members of the private bar seldom prepared dispositional plans. Ignorance of alternatives was often cited in explanation for this short-coming. Recent statutory changes requiring the probation office to provide defense counsel and prosecutor with written social backgrounds and sentencing recommendations on felony defendants prior to

sentencing may have further reduced the private attorney's perceived obligations to formulate his own plan. The study team concluded that private attorneys felt ill-equipped to generate competing plans and relied on the probation report as the basis for argument, supporting the favorable and controverting the unfavorable aspects of the report.

Members of the private bar believed that the availability of informed advice at the Public Defender office would be a valuable resource.

IV. THAT THE OFFICE OF THE PUBLIC DEFENDER DEVELOP A PROGRAM OF ON-GOING TRAINING FOR ATTORNEYS AND SOCIAL SERVICE COMPONENTS.

While it is a common misconception that a resource directory can always answer the client's social-service needs, the study team found the New Hampshire Public Defender office appreciated the need for a training program to improve the skills of the office in dealing with those needs.

An introduction to a program of on-going training is included in the social service manual of this study. Since a training program can take many forms, we recommend the creation of a training program embracing outside human service agencies, the legal aid office staff, members of the private bar, probation and judges.

The staff training program can be the occasion for regular and frequent staff meetings between the Merrimac County and Hillsborough County Defenders, creating a forum for case discussion and pooling of resources.

V. THAT THE OFFICE OF THE NEW HAMPSHIRE PUBLIC DEFENDER TAKE AN ACTIVE ROLE IN THE COORDINATION AND PLANNING OF IMPROVED CRIMINAL JUSTICE SERVICES, PARTICULARLY AT THE COURT LEVEL.

In all the interviews conducted by the study team, there were strong indications that more specialized offender services were needed and that coordination between components of the criminal justice system and human services systems was a critical factor in beginning to meet those needs.

This report presents formats for representative court-level programs

nationwide. The formats provide Defender office staff interested in participating in a planning effort with proven models and the essential facets of each program.

We recommend that the office of the Public Defender maintain continuous coordination and cooperation with the Administrative Committee for District and Municipal Courts and also with the Judicial Council.

Finally, we believe that the Public Defender Office should, where appropriate, take an active interest in court rules governing alternative disposition plans and programs.

APPENDIX

PRE-INDICTMENT PROBATION PROGRAM:
DIVERSION AND DISCHARGE OF CRIMINAL
CHARGES OF FIRST OFFENDERS
THE DISTRICT ATTORNEY
PHILADELPHIA, PENNSYLVANIA

GOALS:

To save court time and remove first offenders charged with non-violent offenses from the system; to provide them with social, medical, educational and employment services; to eliminate criminal records for those who successfully complete the diversion program.

METHODS:

This program was initiated during the summer of 1970, and a special court was organized to hear these matters one day each week. The district attorney review all pre-indictment files selecting such charges as burglary, larceny, receiving stolen goods, fraud, narcotics, motor vehicle, non-aggressive sex offenses and other miscellaneous matters. Prosecuting and defense attorneys attend the hearings.

The defendant comes before the judge, with various other court officers present. He is told that if he meets the conditions of his "probation" he will receive an absolute discharge of the counts against him. A program counselor is present, and representatives of community health, welfare and employment agencies frequently attend. "Probation" may be served through thorough participation in a designated community alternatives program. If he fails to do this, he will be subject to prosecution as if he had not participated in the program. All evidence of his record is destroyed if the defendant meets his probation requirements.

The program includes felony cases although there is a greater percentage of misdemeanors, of which 40% are drug offenses. It has been broadened from a one day a week program to a daily program from 3:30 to 5:00 p.m. each day. The program anticipates that 2,500 pre-indictment cases will be disposed of annually.

After extensive study, the Pennsylvania Supreme Court adopted new Rules of Criminal Procedure making the program available at the option of prosecutors and judges throughout Pennsylvania and extending it to post-indictment as well as pre-indictment cases. Three other counties have initiated similar projects.

Statistics show that 2,159 cases were selected for the program in 1971. Disposition was as follows:

Discharged	301
Discharged with condition	27
Probation	537
Conditional Probation	1,011
Referred to Grand Jury	215
Referred to Municipal Court	39
Abated	5
Committed under Mental Health Act	5
Referred to Juvenile Court	3
Continued to 1972	16
	<hr/>
	2,159

Conditions placed upon probationers included neuro-psychiatric examinations and treatment, special schools and training centers, treatment at drug rehabilitation centers, referral to special counseling services.

BUDGET:

Federal funds of \$118,000 and local matching funds of \$92,000 cover such costs as an assistant district attorney (one third time); an administrative assistant; two court officers, two court clerks, and a court stenographer (each one fifth time); a program director (\$16,750), as assistant director-counselor (\$11,950), and six counselors (\$7,500 each).

Contact:

Walter Cohen, Assistant District Attorney
Chief, Policy and Planning
District Attorney's Office
Room 666, City Hall
Philadelphia, Pennsylvania 19107
Tel. (215) 686-2664

MENTAL HEALTH SERVICES PROJECT
THE FAMILY COURT FOR THE CITY OF NEW YORK
NEW YORK, NEW YORK

GOALS:

This project will establish mental health service units in each county courthouse to furnish immediate consultation, evaluation, emergency and referral services to assist family court judges, probation officers and law guardians (defense counsel). Trained staff, upon request, will facilitate intake and dispositional decisions, screen cases where certification to a mental hospital is under consideration, provide short-term direct support services to families, and facilitate referral to community mental health and social service programs. The need for immediate, expanded and unified mental health services to the family court has been repeatedly documented during the past six years.

METHODS:

The Central Unit and the New York County Courthouse Unit are now operative. By December, 1972, each of the four major counties will have available a Rapid Intervention Unit in its courthouse. Professional staff now furnish emergency services, evaluation and consultation. Intake judges and probation officers now have the opportunity for quick professional consultation to aid their decision-making. Para-professionals are making home visits, offering supportive help, accompanying court clients to court appearances and to non-court mental health clinic or social agency referral. In addition, community aides help interpret to the community the role and functions of the family court.

BUDGET:

The staff of the Manhattan unit, for example, consists of three half-time psychiatrists; one, and one half-time psychologists; a psychiatric social worker; a case aide; eight para-professional staff; a clerk; and two typists. Its annual personnel budget is \$152,460. Total annual personnel budgets for the central unit and the four branch units total \$618,245.

Contact:

Merril Sobie, Executive Officer
Family Court of the State of New York, City of New York
135 East 22nd Street
New York, New York 10010
Tel. (212) 460-8783

STATE-AT-HOME
16TH JUDICIAL DISTRICT COURT
RAPID CITY, SOUTH DAKOTA

GOALS:

Project goals were to reduce the number of juvenile court youngsters committed to state delinquency institutions, to expand services to the troubled families of court involved children and to expand community resources for family problems and to achieve closer working relationships among community agency resources.

The primary multi-service offerings were made available to 28 families with a total of 129 children, 40 of whom were, otherwise, likely candidates for correctional or mental health institutions. An additional 125 families including 250 children received less intensive services.

METHODS:

Major program components included:

1. An out-of-school classroom program for 23 junior high school children with serious truancy or classroom behavior problems.
2. Intensive family casework services, with a coordinated interagency approach so that the family unit dealt directly with as few professionals as possible.
3. Parent effectiveness training and therapy groups where juveniles and parents were separately but concurrently engaged.
4. A wide array of recreation was provided families through five different community agencies, project staff and volunteers. Behavior modification contracts were extensively used with both parents and youth, with certain of the more exciting recreational opportunities for youth conditioned on successful behavior modification achievements.

Thirty-two of the 40 juveniles in the primary target group completed the one year program. The project involved 23 public and private agencies. The public school system has absorbed the cost of the out-of-school classroom program for the 1972-1973 school year.

BUDGET:

Direct project costs for one year approximated \$38,700 for project staff and program expenses. Five VISTA volunteers augmented the teacher/director of the special school program and also worked in the family project. Three caseworkers employed under the Federal Emergency Employment Act also provided family services without direct cost to the project.

Contact:

Kathleen Peil
Court Services Director for the 16th District Court
Pennington County Courthouse
Rapid City, South Dakota 57701
Tel. (605) 343-7050

PROJECT CROSSROADS
PRE-TRIAL INTERVENTION WITH YOUNG OFFENDERS
SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA
WASHINGTON, D. C.

GOALS:

To offer young first and second offenders a program of intensive manpower services in pre-trial period as an alternative to criminal prosecution and possible incarceration.

METHODS:

The focus of this project has three points: the defendant himself, the criminal justice system which must respond to his social deviance, and the community to which he belongs.

The project staff of 11 paid workers; they no longer have VISTA volunteers. The project has three components: counseling, employment services, and education. The counseling section of community worker-counselors and one supervisor is responsible for screening enrollees and providing close guidance and supportive services for assigned caseloads which average 10-25 defendants per counselor.

The employment section has one full-time coordinator and volunteer placement persons. It evaluates the employment and places them in training programs or paid positions offering skill up-grading and upward mobility. The project had enlisted the aid of the Division of Employment Security and have a microfilm machine which enables them to recognize availability of all job openings. Average clients served each month is 116.

The education section is staffed by three staffpersons. They coordinate a volunteer staff of about 16 tutors to provide tutoring and test preparation.

The project demonstrates a method of increasing the flexibility and effectiveness of the criminal justice system through developing an alternative to the three traditional dispositions (discharge, probation, and imprisonment).

From 1968-1970, 825 young offenders were enrolled in the project. Charges against 467 were dropped because of successful project participation, while 283 returned to normal court processing because of unsatisfactory program performance. The dismissal rates were 76% for General Sessions Court (adult) participants. Results in employment and recidivism were favorable; the recidivism rate of favorably terminated CROSSROADS participants was less than half that of a control group.

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Also demonstrated were:

1. The successful use of para-professionals, including ex-offenders.
2. The coordination of community-based services for defendants in the pre-trial period.
3. The development of an alternative to sentencing.

The pfoject has been incorporated with the Superior Court of the District of Columbia.

BUDGET:

Direct budget costs are \$186,858 per year, or \$300 per person.

CONTACT:

James Davis, Director
Project Crossroads
613 G Street, NW
Washington, DC 20019
Tel. (202) 727-1835

DISTRICT OF COLUMBIA BAIL AGENCY
WASHINGTON, D. C.

GOALS:

Studies in the early 1960's revealed that too many citizens--presumed innocent--were being detained in jail awaiting trial, some trials scheduled as far off as 18 months, and most more than 9 months away. At least 50% of these people were detained because of an inability to post financial bond with approved sureties. In 1963, the Ford Foundation funded the D.C. Bail Project through Georgetown University Law Center.

In 1965, having examined the results of the New York and D.C. experiences, Congress passed a Bail Reform Act which applied to all federal courts, including the District of Columbia, and which stressed the importance of release on recognizance, suggesting

conditions or combinations or conditions which should be used in lieu of the traditional money bond. In addition, Congress also passed the District of Columbia Bail Agency Act, which created an agency designed to provide the courts in the District of Columbia with the information necessary to enable them to fashion appropriate conditions.

In 1970, after additional experience, Congress passed a new Bail Agency Act which nearly tripled the size of the agency and increased its functions.

Goals of the agency include:

To avoid delay and inequities by providing information to magistrates to enable them to fashion appropriate pre-trial release conditions; to supervise those released on such conditions; to provide employment, psychiatric, social, and medical counseling to pre-trial releases; and to provide summary reports to courts on the conduct of pre-trial releases.

In 1974, the agency implemented two additional units, THE STREET UNIT and FAILURE TO APPEAR UNIT.

The Street Unit is comprised of a three-man team and has an agency car. Their function is three-fold: a) to notify those defendants who cannot be contacted by telephone or mail as to the date of their court appearance; b) to verify all information supplied by the defendant; and c) go out and investigate bench warrants.

The Failure To Appear Unit has one main function, to handle the surrender of defendants in the courts.

METHODS:

In addition to providing an initial investigation and report to the court, the agency must (a) notify all defendants released of all court appearances; (b) supervise persons released; (c) coordinate the activities of organizations that service the courts; (d) provide all releases with counseling concerning employment, medical, social, and psychiatric needs; (e) inform the courts and prosecutors of any failure to comply with conditions of pre-trial release; and (f) provide summary reports to those who write pre-sentence reports of a defendant's activities while on pre-trial release.

Jurisdiction--Combination of Federal and local including the United States Supreme Court; the United States Court of Appeals for the District of Columbia; the United States District Court of the District of Columbia (15 active judges); United States Magistrates for the District of Columbia (3); the District of Columbia Court of Appeals; and the Superior Court of the District of Columbia (44 judges).

BUDGET:

From an initial staff of ten, with a budget of \$70,000, the agency has grown to a staff of 53 with an annual budget of approximately \$700,000.

CONTACT:

Brace D. Beaudin, Director
District of Columbia Bail Agency
601 Indiana Avenue, NW
Washington, DC 20004
Tel. (202) 727-2911

PREVENTING DELINQUENCY THROUGH DIVERSION
THE 601 DIVERSION PROJECT
SACRAMENTO COUNTY PROBATION DEPARTMENT
SACRAMENTO, CALIFORNIA

Youth beyond the control of their parents, runaways, and other youth falling within 601 of the Welfare and Institutions Code constitute over one-third of all juvenile court cases in Sacramento County.

This project is an experiment designed to test whether juveniles charged with this kind of offense can be better at intake by specially trained probation officers than through the traditional procedures of the juvenile court.

Truancy was once handled through the 601 Diversion Project. It is now handled, however, by a School Board Diversionary Project. This employs the use of community agencies, family, and probation, all working to get the child back into the schools. If unsuccessful, a petition is filed for the court.

Specific goals are to demonstrate that:

1. Runaway, beyond control and other types of 601 cases can be diverted from the present system of juvenile justice and court adjudication.
2. Detention can be avoided in most 601-type situations through counseling and alternative placements that are both temporary and voluntary.
3. Those diverted have fewer subsequent brushes with the law and a better general adjustment to life than those not diverted.
4. This diversion can be accomplished within existing resources available for handling this kind of case.

METHODS:

Steps to Implement: This approach relies on the following features:

1. Immediate, intensive handling of cases rather than piecemeal adjudication.
2. Avoidance of compartmentalized service by the creation of a prevention and diversion unit handling cases from beginning to end.

3. Spending the majority of staff time in the initial stages of the case--when it is in crisis--rather than weeks or months later.
4. The provision of special training to probation staff involved.
5. The provision of on-going consultative services on a periodic basis to enable staff to continue to improve crisis handling skills.
6. Avoidance entirely of formal court proceedings.
7. Avoidance of juvenile hall through counseling and the use of alternate placements that are both temporary and voluntary.
8. A probation officer not connected with the staff is on duty 24 hours, 7 days-a-week to take any emergency calls. Referrals to the project are made the next morning.
9. Closer ties with outside referral services.

When a 601 referral is received, a specially trained probation officer arranges a session with the youth and his family to discuss the problem. Every effort is made to insure that this session is held as soon as possible, and most are held within the first hour or two after referral. Through the use of family counseling techniques, the project counselor seeks to develop the idea that the problem is one that should be addressed by the family as a whole. Locking up a youth as a method of solving problems is discouraged, and a return home with a commitment by all to try to work through the problem is encouraged. If the underlying emotions are too strong to permit the youth's return home immediately, an attempt is made to locate an alternative place for the youth to stay temporarily. This is a voluntary procedure which requires the consent of both the parents and the youth. Up to five conferences are offered to the family within a brief period following referral.

During its first nine months, the project handled 803 referrals involving opportunities for diversion and filed only 18 petitions, so Court processing was necessary in only 2.2% of these referrals as compared with 30.4% in a three-month pre-project period, and 21.3% of the referrals handled in the normal manner in the control group.

At the end of seven months, 45.5% of the control group had been rebooked for either a 601 or delinquency offense, while the comparable figure for the project group was 35.0%.

BUDGET:

Project costs, \$112,000 (\$92,000 grant, \$20,000 match funds) provided for deputy probation officers, 1 supervisor, a coordinator, training, consultation, and evaluation. Project services were found no more expensive and often cheaper than more traditional service. The above staff is adequate to handle 90-100 new 601 intakes per month. Because staff works a 10-hour day, four days a week, the program is covered seven days a week.

CONTACT:

Odel Nord
The 601 Diversion Project
Sacramento County Probation Department
Sacramento, CA
Tel. (916) 363-3161

SPECIAL PROBATION SERVICES PROJECT
ST. LOUIS JUVENILE COURT
ST. LOUIS, MISSOURI

GOALS:

1. Provide mental health services to St. Louis Juvenile Court: treatment and consultation.
2. Provide intensive, community-based supervision to chronic and disturbed delinquents, as an alternative to institutionalization.
3. Maintain liaison between the court and the juveniles who are committed to institutions, communication, pre-release planning, and after-care services as necessary.
4. Involve the community in provision of these services through their purchase from the private sector, developing a recognition of and commitment to the delinquency problem.

METHODS:

1. Establishment of Juvenile Court Treatment Center, staffed by psychologists, social workers, special officers, consulting psychiatrist, and para-professionals. All requests for mental health services are channeled through the Center. These services, including screening for necessary commitment to State Division of Mental Health institutions, are provided directly by project staff, through liaison with Division of Mental Health personnel, or through purchase of private sector services with project funds.

Cases referred for intensive treatment are screened and staffed by the Center, and if accepted, assigned to a special officer with a controlled caseload (average 15). Emphasis is on joint mental health and social work treatment planning, community involvement, and treatment within a "system" approach, concentrating on individual, family, peer, and school functioning.

The Center constantly reaches out to the community to assist in development of mental health, special educational, and counseling and recreational services, with individual staff members cooperating with community organizations and groups in planning and initiating programs along these lines.

2. Establishment of an Institutional Unit, composed of deputy juvenile officers who review institutional commitments, correspond with institutional staff, assist in review and requests

for institutional relief of custody, and supervise children following release when after-care services are not provided by the institution.

BUDGET:

For 1975:

Federal	\$145,103
Local	<u>16,123</u>
TOTAL	\$161,226

Staff is composed of nine (9) special officers, two of whom are paid for by the Juvenile Court. There are also two clerk typists, one project director, and one assistant supervisor.

CONTACT:

Mr. Donnelly
St. Louis Juvenile Court
3938A Lindell
St. Louis, MO 63108
Tel. (314) 534-9040

PARTNERS: A PRIVATE VOLUNTEER PROGRAM
FOR JUVENILE COURT YOUTH
DENVER, COLORADO

GOALS:

This project provides citizen volunteers to enrich the probation and overall life experience of youth placed on probation by the Denver Juvenile Court. Eleven volunteers were assigned when this program began in February, 1968. There are presently 350 first-year and 250 second-year volunteers working with youth placed on official probation, as well as youth who are part of the Partners recent second component, the diversion project.

While the Juvenile Court has utilized the informal adjustment provision of the Children's Code to avoid formal petition, filing little direct service has been provided the adjusted cases because of the extended caseloads of probation staff. The Partners diversion program is a deliberate effort to fill the service and human needs of juveniles diverted from the formal system at the intake point.

METHODS:

Recruiting emphasis is with young adults, willing to spend at least three hours a week for at least twelve months with a court child. Partners staff interview volunteer applicants, obtain references, and provide twelve hours of training. Volunteer applicants are expected to read 500 pages of juvenile delinquency readings. Volunteers submit weekly reports on contact with juveniles, and have regularly scheduled meetings with other Partners to review and consider the problems and progress of their experiences.

Somewhat unique are the back-up facilities provided junior and senior Partners; fishing and camping equipment and trips, a (private) airplane ride, free access to the YMCA, a private multi-function sports center, and sports events. Horseback riding, water skiing, and river rafting are also regularly arranged.

Fewer than ten per cent of volunteers leave the program before their one-year commitment is over. More than two-thirds of the volunteers continue their work with Partners after the initial year's commitment. Evaluation of the program is currently being conducted by the University of Michigan.

Recruiting volunteers is through mass media.

They also have a "mini-VISTA" program, and they pay \$200 room and board per month.

Partners has submitted an additional proposal which, if funded, would attach volunteers at the police diversion point, essentially to work with younger youth apprehended on a first or second occasion, and, otherwise, generally returned home with a warning. Up to 300 additional volunteers are programmed for the proposed police diversion program.

BUDGET:

The program receives 75 percent of its funds through private contributions; 25 percent, public moneys. The approximate budget is \$322,000.

Staff is made up of twenty full-time workers.

CONTACT:

Bob Moffitt, Director
Partners, Inc.
1240 Bayaud Street
Denver, CO
Tel. (303) 771-7000

***They are a national model and have conducted administrative seminars; also, they have an Administrative Seminars Manual, which can be requested by mailing to the director.

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