

U.S. DEPARTMENT OF JUSTICE  
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION

FINAL REPORT

L.E.A.A. GRANT NO. 77-DF-09-0020

Project Title

T H E W I T N E S S P R O J E C T

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NCJRS

AUG 14 1978

ACQUISITIONS

Grantee:

California Office of  
Criminal Justice Planning

Subgrantee:

Los Angeles County  
District Attorney's  
Office

49654

## INTRODUCTION

The Witness Project began operation in October, 1974, under the direction of the Los Angeles Municipal Court. For a period of two and one half years, the Project completed research and implemented service programs designed to assist both prosecution and defense witnesses. The work of the Project during this time was evaluated by John Swasy, Ph.D. candidate, Graduate School of Management, University of California at Los Angeles. Two documents were produced by Mr. Swasy in conjunction with the Project Staff: Review of Witness Project Activities September 1974 Through September 1975, (Attachment A), and Review of Witness Project Activities September 1975 Through September 1976, (Attachment B). These reports include detailed statistical data and analysis of:

1. Witness Attitudes;
2. Demographic Information;
3. Civilian Witness Appearance Rates;
4. Police Witness Appearance Rates;
5. Case Dispositions Correlated With Witness Appearance Data; and,
6. Witness Project Programs: Cost/Benefit Analysis.

In the Spring of 1977, the Los Angeles County District Attorney's Office assumed administrative control of The Witness Project. The primary efforts of the Project since that time have been to assist witnesses and victims appearing on behalf of the Office of the District Attorney. The programs operated during this period are outlined in this Final Report and recommendations are proposed where appropriate. Due to severe cutbacks in L.E.A.A. funding of The Witness Project in its final grant year, several critical staff positions were eliminated, including: Project Coordinator, Courtroom Coordinator, and Project Evaluator. The remaining staff personnel have focused their efforts on the implementation of services, as detailed in this Report.

The Witness Project has sought to institutionalize its program activities within the structure of the District Attorney's Office. A proposed Administrative Chart, (Attachment C), includes witness/victim activities with suggested lines of authority.

A major breakthrough in victim services occurred in October, 1977, with the establishment of the pilot Victim Advocate Unit, (please see Programmatic Research, p.15). The Unit was created after several months of intense preparation by District Attorney Staff Personnel and The Witness Project.

A final observation is in order. The Witness Project operated for approximately six months in the District Attorney's Office. This is too short a period to obtain full advantage of a special program. However, following the Project's two year experience with the Municipal Court, it is recommended that witness/victim projects belong under the direction of a prosecutor's office. The prosecutor is in direct contact with witnesses and victims; thus, it is most effective to integrate support services into the functions of both the District Attorney and the City Attorney.

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GOAL I

WITNESS ASSISTANCE

## CHILD CARE CENTERS

### Program Description:

The Witness Project's Child Care Center in the Criminal Courts Building is the first Child Care Center in a United States Courthouse. The Center is supervised by a full time certified teacher and is open from 8:00 A.M. to 4:00 P.M., Monday through Friday. The Center provides constructive and enjoyable activities for the children of witnesses, defendants, and occasionally jurors.

A second Child Care Center continues to operate in the Superior Court Juvenile Court Annex, serving the children of witnesses, their friends and relatives, as well as children involved in Child Neglect and Custody Contentions. The Center is staffed through the Comprehensive Employment and Training Act, a Title One Program, and is supervised by The Witness Project's certified teacher. The Center is open Monday through Friday, 8:00 A.M. to 5:00 P.M. The two Child Care Centers combined are serving approximately 500 children monthly, (Please see Grant Progress Report, 1977, Appendix, Attachment A).

The goals and objectives of the Child Care Centers are as follows: (1) to allow witnesses who have child care responsibilities to serve as witnesses; (2) to provide a positive and educational environment for children; (3) to decrease congestion in the hallways and courtrooms; (4) to promote a more positive image of the criminal justice system; and, (5) to provide child care services for jurors, employees, and Police witnesses in emergency situations.

Both Child Care Centers continue to utilize volunteers. In addition the Center has served as a training facility. Seven persons from the Comprehensive Employment and Training Act, a Title One Program, were trained as Child Care Assistants by the Project's certified teacher. Their salaries are paid through the C.E.T.A. Program. This supplemental assistance allows the Centers to maintain desired pupil - teacher ratios to better serve the emotional and educational needs of the children.

### RECOMMENDATIONS:

IF CURRENT EFFORTS TO NEGOTIATE JOINT ADMINISTRATIVE RESPONSIBILITY FOR THE CENTERS ARE UNSUCCESSFUL, IT IS RECOMMENDED THAT THE DISTRICT ATTORNEY REQUEST THE COUNTY'S CHIEF ADMINISTRATIVE OFFICER TO REVIEW THE ISSUES INVOLVED AND PROPOSE AN ADMINISTRATIVE PLAN TO THE BOARD OF SUPERVISORS.

## SUBPOENA INFORMATION PAMPHLET

### Program Description:

Information Pamphlets, written in both English and Spanish, accompany each criminal subpoena at the time of service. The pamphlets provide specific information about the location of the courts and the availability of victim/witness services. They also emphasize the significance of the subpoena while diplomatically encouraging witnesses to obey the command to appear.

One pamphlet, in use by the Los Angeles City Attorney since July of 1975, was modified to accomodate misdemeanor witnesses subpoenaed by the Public Defender as well. This pamphlet is distributed from the Central and Branch Municipal Courts.

Another pamphlet, designed for and with the assistance of the Los Angeles County District Attorney's Office, was developed for use in Central, Branch, and Area Courts. This pamphlet's basic design is individualized by use of card inserts which provide localized information.

A third pamphlet, which is supplemented by information flyers, explains court proceedings and services offered to District Attorney witnesses subpoenaed to downtown preliminary hearings.

### RECOMMENDATIONS:

IT IS RECOMMENDED THAT THE BUREAU OF PROSECUTION SUPPORT OPERATIONS CONTINUE TO OVERSEE THE PRODUCTION OF INFORMATIONAL PAMPHLETS AND FLYERS.

## COURTROOM INFORMATION PAMPHLET

### Program Description:

A component of The Witness Project Information Program, this information pamphlet describes procedures and explains terminology used in Misdemeanor Courts. It is presented to each witness immediately upon entering the courtroom. The pamphlet is intended to increase the witness' awareness of his/her role within the judicial system.

The entire stock of pamphlets has been delivered to the Misdemeanor Master Calendar Court for distribution to interested parties.



## PARKING

### Program Description:

Witnesses subpoenaed to testify in the downtown Los Angeles Municipal Court were required to provide their own transportation and assume all incidental costs. Parking is expensive and scarce. Inconvenient parking facilities contributed to the late arrival of witnesses in court. The Witness Project interviewed witnesses as to how they felt about the parking facilities and determined that 63 percent of all witnesses questioned felt that there was a need for improved parking facilities.

During the second year of the grant, The Witness Project presented research and suggestions for the implementation of free parking to the Los Angeles County Board of Supervisors. Subsequently, the Board approved free parking for witnesses in the downtown courthouse and five branch courts. The Witness Project organized and implemented this program.

Witnesses are required to show their subpoenas when entering the parking lot to the attendant; if they do not have a subpoena special authorization can be obtained through their attorney.

Witnesses have expressed appreciation to court personnel, the parking lot attendants, and project staff for this service.

### RECOMMENDATIONS:

IT IS RECOMMENDED THAT THE FREE PARKING PROGRAM BE MAINTAINED BY THE BUREAU OF PROSECUTION SUPPORT OPERATIONS.

## TRANSPORTATION/R.T.D. BUS COUPONS

### Program Description:

During the first and second year of The Witness Project, research through the use of questionnaires and personal witness interviews, was conducted regarding the need for transportation for subpoenaed witnesses. It was found that many witnesses found it a financial hardship to pay for their transportation to and from the courthouse. The Witness Project, on a recommendation by the County's Chief Administrative Officer and approved by the Board of Supervisors, was able to secure \$2,675.40 worth of bus tokens from the Rapid Transit District.

Flyers are sent out with subpoenas announcing the free bus token program. Response from the public has been enthusiastic, with many requests for the tokens.

During the third year of The Witness Project Grant, the staff found that it was necessary to obtain fares for transfers in addition to single fares. Negotiations ensued with the R.T.D. The result of this communication was the issuance of bus coupons in the amounts of 10¢ coupons, for transfers, and 40¢ coupons, for single fares. During the first two weeks of the bus coupon program 114 fares were issued.

The Witness Assistance Section of the District Attorney's Office has assumed operational control over this program.

### RECOMMENDATIONS:

IT IS RECOMMENDED THAT THE WITNESS ASSISTANCE SECTION CONTINUE TO OPERATE THE BUS COUPON PROGRAM; IT IS FURTHER RECOMMENDED THAT THE DISTRICT ATTORNEY REQUEST THE BOARD OF SUPERVISORS TO EXTEND THIS SPECIAL R.T.D. PROGRAM BEFORE THE SUPPLY OF BUS COUPONS IS DEPLETED.

## INFORMATION DESK

### Program Description:

An Information Desk was established in The Witness Project's first year adjacent to the entrance for the Misdemeanor Master Calendar Court. The Information Desk provided assistance to more than 3,500 people per month with over 85 percent of those interviewed indicating that the service is helpful. The Desk was staffed by a bilingual clerk and volunteers who answered an array of questions posed by witnesses, ranging from the location of court facilities and proceedings to the interpretation of Subpoenas and the communications of general courtroom procedure. The function of the Desk included the check-in of witnesses; the re-issuing of Subpoenas in continued cases; victim/witness referral to local agencies providing services; contacting witnesses who fail to appear; distribution of pamphlets, victim indemnification forms, parking information, postcard notification of case disposition, and authorization for payment of witness fees.

Due to cutbacks in the agency providing volunteers to work at the Project's Information Desk, the volunteers staffing the Desk were forced to discontinue participation. The functions of the Desk were moved inside the courtroom, (See City Attorney On-Call under Goal II), and alternative uses for the Information Desk were explored. At present, the possibility of using the Desk as an information/reception/check-in area for preliminary hearing witnesses is being investigated. It is proposed that staffing for the Desk would be provided by C.E.T.A. funding. The Desk would be administered by the Preliminary Hearing Division, Office of the District Attorney.

### RECOMMENDATIONS:

IT IS RECOMMENDED THAT THE INFORMATION DESK BE MOVED TO THE THIRD FLOOR, CRIMINAL COURTS BUILDING, TO SERVE AS AN INFORMATION/RECEPTION AREA FOR WITNESSES APPEARING IN PRELIMINARY HEARINGS. IT IS RECOMMENDED THAT THE DISTRICT ATTORNEY REQUEST THE C.A.O. FOR C.E.T.A. PERSONNEL TO STAFF THE DESK.

## WITNESS LOUNGE

### Program Description:

A Lounge for all witnesses subpoenaed by the City Attorney and District Attorney to the downtown Criminal Courts Building was constructed during the spring of 1976. Originally staffed by Witness Project personnel, the Lounge coordinated its operations with the Information Desk, and all Municipal and Superior courtrooms within the building. An average of 900 witnesses utilized the Lounge facility during its first six months of operation.

Usage of The Witness Lounge in the beginning of 1977 was sporadic. The Lounge was closed for re-evaluation of its functions. However, the room did not go unoccupied during the re-evaluation period. It remained open to witnesses requiring no supervision or assistance, and was lent as additional jury-room space to jurors involved in an unusually long and complicated trial.

One of the problems brought out during the evaluation period was apprehension on the part of court personnel that witnesses might stray or become lost traveling between the courtrooms and the Lounge. To allay that fear, a witness escort service, led by Witness Project staff members was put into operation. Unfortunately this effort to revitalize the program failed.

In October, 1977, the newly established Victim Advocate Unit began operation in the space initially designated for the Lounge. The Unit is staffed by a team of trained paralegals. Additional desks were obtained for use by the Advocates, and partitions have been ordered to create areas for individual counseling.

Although the concept of a Witness Lounge was viable, the Project's Experience with its operation indicated the space could be put to better use. The Victim Advocate Unit is an extremely valuable contribution to witness/victim services.

It is hoped that the room space presently occupied by the Unit will continue to function as a focal point for victim assistance.

### RECOMMENDATIONS:

IT IS RECOMMENDED THAT THE VICTIM ADVOCATE UNIT CONTINUE TO UTILIZE THE SPACE ORIGINALLY DESIGNATED AS THE WITNESS LOUNGE.

## SEXUAL ASSAULT PAMPHLET

### Program Description:

A brochure entitled "So What Happens Now?: A Guide for Victims of Sexual Assault" was written and designed by The Witness Project. Intended for distribution mainly to those victims whose cases have been filed by the District Attorney's Office, the pamphlet assists victims in preparing for his/her experience with the criminal justice system.

"So What Happens Now?" contains a detailed explanation of court proceedings from beginning to end. While the pamphlet is intended to make the "system" more understandable, it will also assist in the effective prosecution of cases. Included with the pamphlet is a convenient, removable referral card which lists local counseling and medical services. (Please see Grant Progress Report, 1977, Appendix, Attachment B).

### RECOMMENDATIONS:

IT IS RECOMMENDED THAT THE DISTRICT ATTORNEY MAKE COPIES OF THE PAMPHLET AVAILABLE TO COMMUNITY ORGANIZATIONS AND POLICE AGENCIES THROUGH THE BUREAU OF PROSECUTION SUPPORT OPERATIONS.

## CASE DISPOSITION LETTER

### Program Description:

A critical piece of information which is often not communicated to victims and witnesses is the disposition of the case in which they have appeared. Particularly for one victimized by a crime, the outcome of the case is of utmost importance. For this reason, The Witness Project, in conjunction with the Bureau of Prosecution Support Operations, has sought to implement an automatic case disposition notification system. The disposition notice would be a short message prepared through the PROMIS computer system (Please See Grant Progress Report, 1977, Appendix, Attachment C).

Due to financial constraints, the case disposition letter is to be mailed to victims only. The Data Processing Section requires six months to prepare a program of this magnitude. The program will be implemented County-wide.

## VICTIM/WITNESS SPECIAL ASSISTANCE

### Program Description:

During the final quarter of second-year operations, The Witness Project conceived of and developed a program to provide special assistance to victims of sexual assault. Implementation of the program indicated the need to extend similar services to victims of other violent crimes.

The program's concept is based on the recognition that the problems of victims and witnesses of criminal activity require special attention. An underlying premise of the program is that a well-informed victim, given moral support while serving as a witness, will have fewer problems coping with the criminal justice system. Victims benefiting from this service will be more cooperative in assisting prosecution of the case.

Specially-trained, bilingual Victim Advocates work in cooperation with Deputy District Attorneys. While being careful not to intrude upon the client-attorney relationship, Advocates provide assistance ranging from crisis intervention to preparation of witness-related forms (i.e. fees, indemnification, etc.) and social service agency referrals.

With the termination of Witness Project funding drawing near, the District Attorney's Bureau of Prosecution Support Operations and The Witness Project drafted a pilot program for a Victim Advocate Unit to be implemented October 17, 1977. (See Programatic Research, Goal IV).

G O A L I I

TO FACILITATE COURT PROCEEDINGS  
AND IMPROVE COURT EFFICIENCY



## CITY ATTORNEY ON-CALL PROGRAM

### Program Description:

The concept of an "On-Call" Program whereby witnesses are placed on telephone alert until their presence is necessary and required is essential to the stated objective of The Witness Project. During the last two years The Witness Project has strongly lobbied for such a system. Last year, The Witness Project worked with the City Attorney's Office on a civilian witness "On-Call" Test Program, which reduced participating civilian witnesses' unnecessary court appearances by approximately 80 percent.

One of the provisions of the Project's third year grant application was that one staff position would be assigned to work exclusively with the City Attorney's Office on witness coordination and on-call arrangements. One staff member has been performing this function under the authority of the City Attorney's Office. Witnesses subpoenaed for misdemeanor trials are called on the telephone in advance of their trial date. Depending on the availability of witnesses during the day, they are placed on-call until further notice by the Witness Coordinator. Data collected in March and September, 1977, indicates the success of the On-Call Program. (Please See Grant Progress Report, 1977, Appendix, Attachment D).

The staff position assigned to the Office of the City Attorney will be the final grant position to terminate. The expected date of termination is December 15, 1977. Discussions with the City Attorney are underway to assure continuation of the program.

GOAL III

TO ENHANCE THE PUBLIC IMAGE OF THE COURTS  
AND THE CRIMINAL JUSTICE SYSTEM

## PUBLIC AWARENESS

### Program Description:

An important contribution in the "promotion" of citizen involvement in the criminal justice system was made by The Witness Project in the development of a 30 second T.V. Public Service Spot. This Spot features Robert Blake (Baretta) and his Parrot, Fred. The text of the Spot stresses the need for citizens to come forth as witnesses when they have viewed a crime.

The Spot was distributed locally to television stations and received air time on the following stations:

1. KHJ, Channel 9
2. KTLA, Channel 5
3. KTTV, Channel 11
4. KNXT, Channel 2
5. KNBC, Channel 7
6. KCET, Channel 28
7. KNBC, Channel 4

The estimated value of free air time allotted by local stations for the Spot has been astronomical; KNBC valued their air time donated in 1976 to be worth \$17,705 (Please See Grant Progress Report, 1977, Appendix, Attachment E).

The Spot was also shown at various conventions and meetings throughout the Country and was received with an excellent response, resulting in requests from other agencies for the Spot.

Another area of public awareness activity has been in protecting employees from difficulties caused by their appearances in court. Surveys conducted by The Witness Project indicated that many witnesses lose wages because of their appearance, and some are in danger of losing their jobs. The Witness Project has addressed this problem by communicating with the business community so that employers become aware of the hardship encountered by employees, (Please See Grant Progress Report, 1977, Appendix, Attachment F).

The success of the "Baretta Spot" may be measured by the high volume of favorable responses received at The Witness Project. The viewing audience in the Los Angeles Area, composed of millions, has been well exposed to the "get involved" message of the Baretta Spot.

### RECOMMENDATIONS:

IT IS RECOMMENDED THAT THE BUREAU OF PROSECUTION SUPPORT OPERATIONS CONTINUE TO PUBLICIZE IN THE MASS MEDIA WITNESS/VICTIM ACTIVITIES IN THE DISTRICT ATTORNEY'S OFFICE, PARTICULARLY THE PROGRESS OF THE VICTIM ADVOCATE UNIT.

G O A L I V

TO DEVELOP AN ONGOING RESEARCH CAPABILITY FOR  
RECOMMENDATIONS, MODIFICATIONS AND IMPROVEMENTS  
OF WITNESS RELATED ACTIVITIES

## DISTRICT ATTORNEY OFFICE RESEARCH

### Program Description:

One of the functions of The Witness Project has been to provide a research capability on witness/victim issues. Several documents have been produced to provide assistance in assessing special problem areas. A memo was prepared on continuances at the preliminary hearing level, (Please See Grant Progress Report, 1977, Appendix, Attachment G). This memo was reviewed in a meeting with the District Attorney on March 29, 1977.

An other area of involvement has been the process by which police are subpoenaed for trials in Superior Court. This topic was reviewed in a memo to the Special Assistant to the District Attorney, (Please See Grant Progress Report, 1977, Appendix, Attachment H).

Research conducted on the topic of witness fees is presented under a separate heading due to its importance.

The problem of continuances is of such a magnitude that it requires the combined attention of all criminal justice participants: the court, the District Attorney, the Public Defender, and the bar association. There is little one office can do unilaterally to achieve a marked effect on the volume of continuances.

### RECOMMENDATIONS:

IT IS RECOMMENDED THAT THE PLANNING AND TRAINING DIVISION OF THE DISTRICT ATTORNEY'S OFFICE BE DIRECTED TO CONTINUE RESEARCH AND PLANNING REGARDING: WITNESS COMPENSATION, SUBPOENA SERVICE, AS WELL AS OTHER WITNESS/VICTIM MATTERS.

## COMPENSATION RESEARCH

### Program Description:

A major complaint voiced by witnesses is the lack of adequate compensation for time spent in court. The Witness Project has researched relevant statutes regarding witness fees, pending legislation, and possible alternative methods of compensation to relieve the financial burdens suffered by witnesses.

At the request of Assemblywoman Maxine Waters, The Witness Project prepared a special report on witness compensation on behalf of the Office of the District Attorney, County of Los Angeles, (Please See Grant Progress Report, 1977, Appendix, Attachment I).

As recommended under District Attorney Office Research, further activities in this area should be handled by Planning and Training.

## PROGRAMMATIC RESEARCH

### Program Description:

A major objective of The Witness Project in its last year of operation has been to ensure that witness/victim assistance efforts will continue after the termination of the Project.

An administrative chart, recommending lines of authority for existing witness/victim programs was drafted and submitted to the Special Assistant to the District Attorney on September 28, 1977. (Please See Grant Progress Report, 1977, Appendix, Attachment J). Final determination of administrative structure is pending.

A relatively new addition to the realm of witness/victim activities is the Victim Advocate Unit. This Unit is the result of a combined effort by The Witness Project, and, District Attorney personnel from the Bureau of Prosecution Support Operations and the Preliminary Hearing Division. (The initial memo to the District Attorney proposing the Unit is included in Grant Progress Report, 1977, Appendix, Attachment K, entitled "The Victim Advocate Unit").

The Unit was conceived because of the need for a special service for the victims of crime. The Witness Project has supported the establishment of this Unit as an entity which will carry-on the work of victim/witness advocacy. The Unit represents a refinement of the goals and objectives of The Witness Project. In important respects the Unit will do more to reach the individuals truly touched by the occurrence of a violent crime.

The Victim Advocate Unit is being run under a test program for ten weeks. It is planned that additional paralegals will be trained to continue the work of the Unit beyond the test period. Furthermore, plans are underway to apply for state grant monies in order to fund the operation of a county-wide Victim Advocate Program.

### RECOMMENDATIONS:

IT IS RECOMMENDED THAT FOLLOWING EVALUATION OF THE PILOT VICTIM ADVOCATE PROGRAM, THE DISTRICT ATTORNEY DIRECT THE PREPARATION OF A GRANT APPLICATION FOR CONTINUATION OF VICTIM ADVOCACY ON A COUNTY-WIDE BASIS.





**END**