

Final Report  
National Conference  
on Pretrial Release  
and Diversion

Arlington, Virginia  
May 10-13, 1977

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The Conference and this Report were made possible through grant #76-ED-99-0031 from the Law Enforcement Assistance Administration. Points of view or opinions stated in this Report are those of the Conference co-sponsors and do not necessarily represent the official position of the U.S. Department of Justice or the Law Enforcement Assistance Administration.

Conference proceedings were not audio-taped nor will they be transcribed. Portions of the program were, however, video-taped through the courtesy of Tom Gavey, Richard Greene, and Norma Robinson of the LEAA Audio-Visual Department. Those segments that were taped are identified with an asterisk in Appendix A-2 of this Report and may provide the basis for later materials to be developed by the Resource Center.

The Conference co-sponsors want to again take this opportunity to thank the many people who contributed their time and effort to the 1977 National Conference on Pretrial Release and Diversion.

Report prepared by: Ann Jacobs, Conference Consultant

**NCJRS**

**NOV 8 1978**

**Final Report  
of the  
1977 National Conference  
on  
Pretrial Release and Diversion**

**ACQUISITIONS**

**"The Three Communities of Pretrial Agencies:  
the Pretrial Accused,  
the Justice System,  
and the Public"**

sponsored by  
**The National Association of Pretrial Services Agencies  
and the  
Pretrial Services Resource Center**



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MS MADELEINE CROHN, DIRECTOR  
PRETRIAL SERVICES RESOURCE CENTER  
C/O STOUFFER'S HOTEL (ATTN MGR ON DUTY)  
2399 JEFFERSON DAVIS HIGHWAY  
ARLINGTON VA 22202

DEAR MADELEINE:

FORGIVE ME FOR BEING UNABLE TO JOIN YOUR NATIONAL  
CONFERENCE ON PRETRIAL AND DIVERSION, BUT THE PRESS OF  
BUSINESS HERE AT THE WHITE HOUSE MAKES MY ATTENDANCE  
IMPOSSIBLE.

I DID WANT TO EXPRESS MY SUPPORT FOR THE WORK OF  
YOUR ORGANIZATION. I SHARE YOUR COMMITMENT TO PROPOSALS  
TO IMPROVE THE COURT AND CORRECTIONAL SYSTEMS, AND TO REDUCE  
VIOLENT CRIME. THIS ADMINISTRATION HAS BEEN AND WILL  
CONTINUE TO BE COMMITTED TO REFORMING THE CRIMINAL  
JUSTICE SYSTEM TO ASSURE EQUAL TREATMENT FOR ALL CITIZENS,  
REGARDLESS OF RACE, SEX OR FINANCIAL RESOURCES. TO DO  
OTHERWISE WOULD CONTRADICT THE PRINCIPLES ON WHICH THIS  
COUNTRY WAS FOUNDED. YOUR ASSISTANCE IN THIS AREA WILL  
HELP US ACHIEVE THAT GOAL.

AGAIN, I COMMEND YOU ON YOUR SUCCESS THUS FAR AND  
HOPE THAT WE WILL MAINTAIN CLOSE CONTACTS IN THE FUTURE.  
WE LOOK FORWARD TO WORKING WITH YOU IN DEVELOPING PROPOSALS  
TO IMPROVE OUR CRIMINAL JUSTICE SYSTEM.

WITH WARM REGARDS,  
SINCERELY,

WALTER F. MONDALE.

0746 EST

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## INTRODUCTION

This Report has been prepared in summary of the 1977 National Conference on Pretrial Release and Diversion, held May 9 through May 13, 1977, at Stouffer's National Center Hotel, Arlington, Virginia, in suburban Washington, D.C. The Conference was jointly sponsored by the National Association of Pretrial Services Agencies (NAPSA) and the newly funded Pretrial Services Resource Center, with the aid of a Law Enforcement Assistance Administration (LEAA) grant.

The Report was written to address the interests of several audiences. Those who attended the Conference will find, perhaps, a larger context in which to evaluate their personal conference experience. Of particular interest will undoubtedly be the mailing list of attendees. Although proceedings of the Conference are not included, the Report should provide people who did not attend with a sense of who participated, what was accomplished, and some basis for independent follow-through in areas of special interest. We hope that the entire pretrial community will consider the direction for future conferences and seminars being suggested in Section V. While later Resource Center publications will discuss the technical approach to logistics of large meetings, the detail in this Report has been included to assist all readers in organizing similar efforts, whether regional conferences or intra-agency training programs.

- Section I of this Report outlines the general goals of the annual pretrial services conference and the specific goals of the 1977 Conference.
- Section II is a discussion of the conference agenda as it was structured to meet those goals.
- Section III is an overview of the approach that was taken to the planning and administration of the Conference.
- A brief description of the conference attendees can be found in Section IV.
- Section V, an assessment of the Conference, includes reflections on the 1977 Conference experience with recommendations for future conferences.

Of special interest to the reader may be the materials included in the Appendices.

- Appendix A, Conference Program Highlights, includes an overview of the program format, texts from the major addresses, and summaries of the plenary sessions and workshops.
- Appendix B is a collection of materials used for orientation of program resource persons.
- Appendix C is a listing of the materials included in the Resource Notebook which was distributed at the Conference.
- Appendix D is a mailing list of the Conference Attendees.

## SECTION I - GOALS

### In General

The 1977 Conference was the fifth in a series of national conferences on pretrial services held since 1973. Each year many people come to the Conference for the first time, while an almost equal number are coming for a second, third, or fourth time. Some attendees are new to pre-trial, while others have worked in the field for several years. Regional and jurisdictional differences among the pretrial programs represented are significant. Similarly, there are marked differences in program design and degree of program development. The experience and the interests of the audience are diverse.

The goals of the Conference, therefore, are broad. For some judges, prosecutors, policymakers, and new program personnel, orientation to the pretrial field may be the primary goal. For more seasoned participants, the Conference provides a vehicle for continued review of issues within the discipline. To some extent, each Conference also is concerned with staff development and training. Finally, for everyone there is the primary goal of exchange and dissemination of information on different program concepts and models, on techniques and methods, on changes in the law, on staff development, and on the whole range of issues which pre-trial practitioners have to address. There is also the value in simply meeting people.

### 1977 Conference Goals

This year the Conference also had more specific goals related to two special grants that had been awarded to NAPSA by the Law Enforcement Assistance Administration - one for a national Pretrial Services Resource Center and another for the development of performance standards and goals for pretrial release and diversion. Occurring within the start up phase of the Resource Center, the Conference afforded an ideal opportunity for the introduction of the Resource Center to a large number of people and for the solicitation of attendees' input into the formulation of the Center's priorities.

The Conference also provided a national forum for the review of drafts of the proposed performance standards and goals for release and diversion which had been under development for almost a year prior to the Conference. The Conference was used for the development of recommendations on those standards and goals prior to the preparation of a final draft and presentation to the NAPSA Board of Directors and the Department of Justice LEAA.

In addition to the specific analysis and recommendation process of the work sessions, the rationale for and implications of standards and goals were very much of the base of the 1977 conference theme -- "The Three Communities of Pretrial Agencies: The Pretrial Accused, the Justice

System, and the Public." The choice of the theme reflected the assessment of the conference cosponsors that the time had come for an accounting of the present state of pretrial services. Pretrial release and diversion programs, no longer the stepchildren of the criminal justice system, are widespread, widely accepted and continuing to grow. As pretrial practitioners, it thus seemed appropriate to stop for a moment to validate many of the assumptions on which pretrial services operate, to listen to the broad constituency of pretrial services, and to affirm the standards which should guide work in the field. The conference program was developed to facilitate this process of self-examination.

## SECTION II - PROGRAM APPROACH

Within the five-day conference schedule, three days (Tuesday through Thursday) were devoted to the substantive work of the Conference. Monday and Friday were reserved for NAPSA activities including meetings of the Advisory Board, Board of Directors, and of the various committees. The NAPSA business meeting was held on Wednesday afternoon.

The conference format was developed to include large and small formal sessions with a variety of less formal and social activities in a way that would maximize information sharing and participation.

### Plenary Sessions

Topics for major sessions were chosen to address concerns common to all and to encourage participants concerned about pretrial activities to listen to one another. To this end, the subjects of diversion and release were not dealt with in separate sections. Further, an effort was made to foster greater awareness of and sensitivity to the juvenile area and the relationship between the juvenile and adult systems. The opening plenary had as its focus the need for standards and goals in the pretrial field. The second plenary, "The Pretrial Accused - A Multi-Faceted Perspective," challenged those working in the pretrial field to work toward the often difficult reconciliation of roles and interests of all.

parties. The third plenary explored the ways in which pretrial services can and should be institutionalized.

Three major speeches were scheduled. "Pretrial Services 1977: An Outsider's Perspective" was the title of the keynote address delivered by Robin Farkas, Vice President of Alexander's Department Store in New York, and member of the NAPSA Advisory Board. Senator Dennis DeConcini, of Arizona, visited with conference attendees on Thursday afternoon, to discuss the pending Federal diversion legislation. The closing banquet was highlighted by Wayne Thomas, author of Bail Reform in America, who spoke about the future of the bail reform movement in this country. Texts of these addresses can be found in Appendix A.

#### Panels

Six panels were developed to follow and complement the plenary on institutionalization. Focusing separately on release and diversion programs, panels explored concerns relevant to different stages of program development: starting a pilot project, surviving the demonstration phase, and reaching full program potential. This program segment was included in the 1977 agenda in direct response to requests of attendees at the 1976 Conference.

### Workshops

Three time slots were reserved for workshops. Most workshops were repeated to allow participants a better opportunity to attend those sessions of greatest interest to them. Workshop topics addressed a variety of concerns, theoretical and practical, and ranged from Pretrial Release and the Dangerous Defendant to Developing Project Publications. Other topics included Neighborhood Dispute Mediation, Juvenile Diversion, The Rights of Victims, Cost Benefit Analysis, and The Media.

### Standards and Goals Work Sessions

Attendees were assigned to one of ten work sessions at the time of registration. Half of the groups had as their primary focus the release standards and half the diversion standards. Attendance at each of the work sessions numbered between 15 and 20 participants. Each session was run by a facilitator under the direction of the diversion or release coordinator. NAPSA members had received abbreviated drafts of the Standards and Goals prior to the Conference. Drafts of the Standards and Goals and commentaries were included in the Resource Notebook and distributed to everyone at registration.

The first work session on Wednesday morning was devoted primarily to a review of the Standards and Goals and identification of those that were

The most acceptable and those that were the most troubling to attendees. Preliminary recommendations and major points of discussion emanating from those sessions were shared with the facilitators from the other groups prior to the second work session on Thursday. At that session, attendees were asked to crystalize points of discussion and the recommendations that they would like to have considered prior to preparation of the final draft of the Standards and Goals. Summary reports of the preliminary conclusions of the group were made to the attendees at the closing banquet on Thursday night. More detailed reports were prepared by the coordinators for consideration by the NAPSA Board of Directors.

The work session component of the Conference allowed the Standards and Goals to be presented to a national and varied audience and for their careful review in advance of being finalized. It was hoped that, in addition to contributing to a more solid package, a personal interest in the local implementation of the standards would be nurtured as a result of this process.

#### Informal Activities

The conference structure also acknowledged that, frequently, the informal and social contact among participants is found to be the most valuable. Therefore, a number of less formal activities were included in the three-day conference schedule.

On Tuesday morning a series of open forums were held on pretrial services and special populations: women, juveniles, and Third-World people. These sessions were unstructured and provided attendees with an opportunity to independently identify issues and clarify priorities.

Also scheduled on Tuesday morning was The Exchange, a new activity at the pretrial services conference. One large hall was set up as an exhibit area. Representatives from a variety of pretrial programs and related groups displayed information on their activities and were available for discussion with roaming participants. There were representatives from the Federal diversion and release programs, the National Criminal Justice Reference Service, drug diversion programs, juvenile diversion programs, dispute mediation programs, and third-party custodial organizations. There were also demonstrations of applications of computerization by two pretrial agencies and one of use of video in group counseling sessions. A variety of literature related to pretrial was on display.

In addition to facilitating information sharing on-site, The Exchange also provided an opportunity for the Resource Center to assess the level and kinds of interests that future efforts could address.

In another effort to maximize attendee involvement in the Conference, time was set aside on Thursday afternoon for Participant Inspired

Workshops, modeled on the "miniversity" format. Participants at the Conference were invited to supplement the formal program by suggesting topic areas for a special meeting or workshop. They could offer themselves as leaders of the workshops or request that someone else be selected. It was envisioned that in this way the program could be made more responsive to attendees and address those areas of particular and pressing concern which had not been addressed within the conference format, either adequately or at all.

### Social Activities

At least one opportunity was scheduled on each day of the Conference for people to meet socially. NAPSA hosted a reception on Tuesday afternoon, after the opening of the formal conference program. Later that evening, the Washington pretrial projects hosted a disco. On Wednesday evening, the National Association of Pretrial Services Agencies sponsored a boat ride down the Potomac. On Thursday evening, a cash bar and banquet formally closed the Conference. In addition to having recreational value, each of these activities provided people at the Conference with an opportunity to meet informally, talk and get to know each other in a way that just cannot happen in the more formal conference program segments. A more detailed conference agenda, with names of the resource people, summaries of workshops and plenary sessions, and the texts of the three major addresses can be found in Appendix A of this Report.

## Orientation

One of the conference sponsors' priorities was to structure tightly the program. The role of each resource person was carefully defined and a formal orientation session for key players was scheduled. Toward that goal, a consultant was hired to structure, lead and evaluate orientation sessions for workshop leaders, work session leaders, and panel moderators. The orientation sessions were designed to assist in:

- structuring the sessions, including provisions for introductions, establishment of goals and ground rules, and followup;
- maximizing use of resources;
- avoiding potential problems (for example, one person monopolizing the floor or talking endlessly without answering the question asked); and
- identifying some techniques which a leader could use to enhance the session.

Participants were asked in the orientation sessions to work with the consultant in structuring their own evaluation sheet for both the sessions they were running and for the orientation session. The guidelines and evaluation form developed in the orientation sessions can be found in Appendix B.

### Resource Notebook

Every year a Resource Notebook is developed in conjunction with the annual national Conference on Pretrial Release and Diversion. This notebook includes papers that are relevant to conference program topics and those papers of general interest and significance that have been published in the pretrial field over the year. The 1977 Resource Notebook included drafts of the proposed Performance Standards and Goals for Pretrial Release and Diversion and nineteen articles on pretrial services agencies and their communities. It totalled 748 pages. A table of contents of the articles that appeared in the Resource Notebook can be found in Appendix C of this Report.

### SECTION III - TECHNICAL APPROACH

Planning for the 1977 Conference began in May, 1976, with the appointment of a NAPSA Program Committee. The first meeting of the Committee occurred in August of 1976, at which time a volunteer program coordinator was appointed. Additional planning meetings of the Program Committee and/or the NAPSA Board of Directors were held in October and December of 1976 and January of 1977. Conference planning took place during the period that the Resource Center grant application was pending and with a view toward the ultimate takeover of the conference coordinating activity by the Center. Initially it had been anticipated that the Center would have been funded in mid-summer of 1976, but it was not until February that the Center was funded and its Director on board.

Responsibility for overall coordination of the Conference was transferred on March 1, 1977, to a consultant under contract to Resource Center. The consultant worked on a full-time basis from March 1 to July 1, under the supervision of the Resource Center Director and with the advice of the NAPSA Board. The consultant had responsibility for oversight of the program, logistics, publicity, registration, on-site administration, and post-Conference follow-through. This work was done in cooperation with a number of people who had responsibility for coordinating various conference segments and with considerable secretarial assistance. On-site support and help with logistics and registration was provided on a volunteer basis by staff members from pretrial projects in Washington, Baltimore, Philadelphia and New York.

### Publicity and Registration

Preliminary announcements of the conference were mailed to some professional journals in late 1976. The February, 1977, NAPSA Newsletter which discussed the conference planning to date was mailed to 1,300 persons. The transfer of conference coordination unfortunately delayed more comprehensive pre-conference publicity. Approximately 150 pre-conference announcements to professional journals were mailed in early March. Over 2,750 pre-registration packets were mailed in early April. The pre-registration mailer included a hotel reservation card and a registration form.

Registrants were asked on the registration form to provide the basic demographic data summarized in the attendee profile. (Section IV of this Report.) The percentage of people pre-registering has been increasing each year, a great aid in conference administration.

Registration was handled at different stations for those who had pre-registered and those who were paying on-site. Materials distributed at that time included a nametag, receipt, Resource Notebook, Conference Program, evaluation form, list of announcements, map of the area around the hotel, and tickets (to the reception, banquet, and/or boat ride, as applicable). Membership activities and sale of individual tickets were kept separate from registration to facilitate bookkeeping and to keep the registration process unencumbered. Membership issues often involve questions that conference staff are not qualified to answer (i.e., relating to bylaws, etc.) but that must be answered by officials of the Association.

Program

Working between May and November, the Program Coordinator and the Program Committee developed the Conference theme, basic program design, and began to identify and contact potential program resource persons.

When responsibility was transferred to the Resource Center, the program was somewhat restructured to incorporate a stronger working orientation to standards and goals. The agenda was presented to the NAPSA Board of Directors on March 11, 1977, for final approval. The Conference Consultant proceeded to pool earlier suggestions from the Program Committee with those made by LEAA staff and many others to develop a tentative list of resource people who might be appropriate for various program segments. Because some monies were available for reimbursement of travel expenses, the goal was to attract the most knowledgeable individuals in the field for each topic. Much of the selection process was accomplished through phone conversations with the vast community of people working in pretrial agencies and in supportive organizations.

Generally, the Conference Consultant made phone contact with a potential resource person to solicit a tentative agreement to participate in the program, or to follow-up on earlier contacts made by the Program Coordinator or committee members. Commitments were then confirmed by letter. Each participant was asked to sign and return a confirmation form which detailed arrangements for reimbursement of travel expenses and for the programmatic responsibilities that were being placed on the person.

The correspondence attempted to focus the content for the session and to outline the role that each would play in the Conference. Examples of the

correspondence can be found in Appendix B. At that time, session leaders and coordinators were requested to prepare summaries of their sessions, to make arrangements with other people on the program, and to participate in the previously described orientation session.

### Resource Notebook

The articles included in the Resource Notebook came from a variety of sources. Some were prepared especially for the Conference and others were reprinted from publications. Many of the selections were identified by the Resource Center staff while others were suggested by NAPSA members.

### Logistics

All liaison work done with the printer in preparation of the pre-conference mailing, on-site registration materials, the Resource Notebook, and the Conference program was handled by the Conference Consultant out of the Washington, D.C. Resource Center office.

After the initial site selection of the hotel and negotiations of room rates by NAPSA, the Conference Consultant assumed responsibility for all the liaison work with the hotel. This included selection of rooms for various program segments, detailing of room setups, scheduling of food functions and all accommodations, and all financial arrangements with the hotel.

A conference headquarters was set up in the hotel two days prior to the beginning of the Conference. The Conference Headquarters was close to the meeting rooms and had office supplies and equipment. A second room was designated as a conference room to be used for the variety of small meetings scheduled by people associated with the Conference. This arrangement is important in keeping functions separate and distinct. The Conference was very fortunate to have the entire hotel so that it did not have to be reconciled with other hotel activities. This allowed considerable flexibility in scheduling the facility and resulted in greater responsiveness from the hotel staff. The program was not adversely affected by last minute room changes.

Hourly checklists of logistical considerations were prepared by the Conference Consultant for each day of conference activities. These checklists designated the rooms to be used, the kinds of setups or supplies that were required, and any other special provisions that needed to be verified. Checklists also allowed a monitor to go from room to room periodically, checking to see that the sessions had started on time, that resource people were there, to evaluate attendance and enthusiasm, and to see that there were no unexpected problems with workshops, work sessions, or panels.

### Staff

In addition to handling pre-registration, the Resource Center Administrative Assistant had much of the on-site responsibility for supervision of the Conference Headquarters staff and for conference finances.

Subsequent to the Conference, the Administrative Assistant and Conference Consultant had responsibility for reconciling conference accounts. These accounts included registration monies, voluntary fees, as well as on-site sales of tickets for social activities. Responsibility also included oversight of the hotel master account of conference expenses and for payment of travel vouchers for some program participants. Assistance at the Conference was provided by volunteers who staffed the Conference Headquarters, helped with registration, and monitored the daily activities.

#### SECTION IV - ATTENDEE PROFILE

Data collected from the registration cards show the profile of the 1977 Conference attendees to be remarkably similar to that of earlier pre-trial services conferences. There was not, however, the usual increase in numbers which had been anticipated by the conference planners who thought the location and current interest in pretrial services would result in unprecedented attendance. In fact, official count of attendees was 369, in contrast to 376 in New Orleans in 1976.

New limitations on out of state travel and general reductions in agency budgets seem to be the most common reasons for many not attending.

Higher room and food costs probably also affected attendance. A few who wanted to attend were unable to do so because other conferences or meetings conflicted with the pretrial conference in some way. In particular, no supplementary monies were available for members of the newly formed NAPSJA Judicial Section. This, obviously, affected their ability to attend.

Of those who attended the 1977 Conference, 46% were NAPSJA members, 32% were non-members, and 22% were guests, speakers, etc. (Note: registration was waived for the last category of attendees - voluntary fees were not.) Consistent with LEAA regulations, charges for food and beverage functions were not included in conference registration fees (tuition) and were labeled voluntary fees. 79% of those attending the Conference elected

to pay the voluntary fee which covered the reception Tuesday evening and the banquet Thursday night.

#### Previous Conference Attendance

Half of those present at the 1977 Conference had attended the 1976 Conference in New Orleans, 28% had been in Chicago in 1975, and 22% had been in San Francisco in 1974. These figures reinforce the perspective that attendees are in almost equal proportion "newcomers" and "old timers."

#### Regional Representation

An analysis of attendance by region confirms earlier trends: two thirds of those attending were from the East, 21% from the Central region, and 13% from the West. The percentage of those attending the conference from the East was not significantly greater than the percentage attending earlier conferences in other regions.

#### Program Affiliation

Thirty percent (30%) of the 1977 attendees worked primarily in diversion while 41% worked primarily in release. The release population was 37% in 1974, 35% in 1975 and 29% in 1976. Those representing diversion programs were 38% in 1974, 39% in 1975 and 24% in 1976. Juvenile and community groups were still not represented in significant numbers; nor was the representation of the judicial; prosecutorial and defense functions very notable.

Again, as in 1976, the majority of pretrial program personnel in attendance were administrators (59%); supervisory staff comprised 14% of attendees and line staff 27%.

Based on other data provided, it is difficult to generalize about the audience's interest or concerns based on the length of time their program has been in existence or on the length of time they have been with their programs. As supported by the figures from previous conferences, there is a core of pretrial professionals that has been involved in NAPSA and the pretrial conferences consistently from the early '70's. Similarly, each conference includes a sizable group of persons from newly established pretrial programs and/or who have only been affiliated with the program for a short period of time.

## SECTION V - ASSESSMENT

Formal and informal feedback indicated that the Conference was well received and worthwhile. In addition to formal evaluation forms filled out by attendees, this feedback took the form of observations made by attendees and resource persons. The assessment also incorporates impressions of attendance and participant response as monitored at sessions.

Although much attention was put in the design of the attendee evaluation form so that it would appeal to the audience and be easily understood, less than 10% of attendees (31) turned in the forms. Looking back at previous conferences it can be seen that 72 evaluations (28%) were submitted in 1974, 78 (or 27%) in 1975, and 81 (or 22%) in 1976. This represents a generally low and steadily declining response, with a very dramatic drop in the rate of return in 1977. The explanation may suggest the necessity of coercing attendees to participate in the evaluation process. In 1974, evaluations were handed out and collected in one location where the participants had little ability to escape the procedure. In 1975, they were given out at the luncheon and collected at the luncheon. In 1976, people were ushered into a room where the form was to be filled out. In 1977, the process was one in which the individual had to assume some responsibility for the task. That was not true in prior years and maybe is the reason for the extremely low turnout. Although this problem is probably characteristic of many conference evaluation efforts, it is discouraging and renders any significant statistical analysis of the Conference impossible.

### Mechanics

The experience gained in previous years resulted in a better structuring and administration of the 1977 Conference than in the past. Other factors also contributed to this result. Particularly important was having an experienced coordinator who had the support of the Resource Center and the support of NAPSA and who was able to focus exclusively on the Conference.

It was fortunate, too, that the Conference was being held so close to the Resource Center. The proximity facilitated logistical arrangements. Further, the specific site selection for the Conference was good. The facility was appropriate to both the size and program design of this year's Conference. The hotel staff was professional, cooperative, and responsive. There was some complaint that the hotel room and food costs were high, although they were the lowest available in the Washington, D.C. area.

Registration procedures could have been simplified and run more efficiently with fewer people. It was unfortunate that the attention of the two people most familiar with pre-registration and the on-site processes was also required in a number of other crucial areas of conference administration at the same time. This lessened their ability to troubleshoot. Similarly, the low number of paid staff available prohibited the preparation and on-site dissemination of a list of attendees as was planned.

As mentioned earlier, the variety and number of people in attendance undoubtedly suffered from the lateness of conference publicity efforts, cuts in available travel monies, and conflicts in schedule with key legislative and funding calendars.

### Program

More substantively, the program succeeded in addressing a wide range of attendee interest. The program had a national orientation, integrated diversion and release interests, highlighted issues in the juvenile area, and stimulated analysis of the standards and goals.

While the feedback on the Conference was overwhelmingly positive, there was an interesting level of substantial disagreement about specific program segments. Some found the plenaries more informative than the workshops, others related precisely the opposite assessment. Some preferred the very practical and skills development oriented sessions while others said they came to the Conference for more philosophical and theoretical exploration of current issues. There was similar disagreement even about the value of contributions from individual resource people on the program. The following comments are indicative of the differences in opinion:

"Panels were more professional and kept to the issues. No war stories was good."

"I felt the (sessions)...often degenerated into telling of war stories."

"Being new to pretrial, I got many ideas and inspirations from leaders and participants. These will be useful to me in my community."

"My overall feeling about the conference...was that it was misdirected in scope. Having never before attended such a conference, I was hopeful it would be a learning experience. In this I was disappointed."

And from the same agency:

"The Conference as a whole was very productive."

"The conference should be more management oriented."

"Need more staff and less administration."

This range of opinion, expectation, and desire seems to be inevitable when the audience is so broad and diverse. In addition to personal differences, attendees' interests and perspectives seem to be influenced by a multiplicity of jurisdictions, regional concerns, staff functions, kinds of programs, and variance in survival issues.

As in the area of conference mechanics, the program benefited from the incorporation of many recommendations made by earlier conference coordinators and could have been even tighter with more advance work. More planning time would, perhaps, have enhanced the selection of resource persons and allowed for better preparation of sessions. This, in turn, would have enabled better planning and preparation for documentation of the many things for which people look to final reports.

Among recommendations from earlier conferences that were successfully implemented, were the following:

- Synopses of workshops were included in the Resource Notebook, to aid participants in making choices.
- Workshops were repeated to increase attendees' opportunities to attend their first choices and to keep workshops a manageable size, enabling greater participation.
- Coordinators were identified for each program segment and orientation sessions held to review their roles, responsibilities, and to offer some aid in structuring the group.
- An effort was made to make goals for each program segment explicit.
- Resource persons solicited were nationally representative, generally well qualified, and included a more diverse group of people than earlier programs.

For more specific observations, each program segment should be reviewed.

### Major Sessions

It is particularly difficult to comment on the plenaries. Feedback varied considerably. In this area, the measure of value is frequently very subjective because broad topics are being dealt with in a general way.

- The three major addresses were generally well received. The keynote address was thoughtful, stimulating, and set the tone for the entire Conference. The Thursday afternoon appearance of Senator DeConcini was arranged after the program had gone to the printer and was therefore not included in the calendar of events. The timeliness and relevance of his comments on the pending Federal diversion legislation was reflected in a very attentive audience. The experience further confirmed the philosophy of the conference cosponsors that the schedule must remain flexible enough to incorporate changes that will enhance the quality of the program.

The overview of pretrial services (keynote) and specific focus on diversion was complemented by the closing address on the future of bail reform. Well documented and provocative, the speech was a reminder of the importance of pretrial alternatives. As a result, many left the Conference with a broader perspective on the field and with a renewed commitment to their work.

- A dramatization was chosen to bring some variety to the Conference format and to make more explicit the issues through "experiencing" rather than "hearing about" the range of release practices. The

approach was successful. Debate during conference planning centered on whether the dramatizations should be done live or presented as video on a large screen. The live performance was chosen on the theory that the audience would be more involved. However, taking into consideration the visual constraints and the potential for technical difficulties, the video may have been more effective. It should be remembered that television has been an integral part of our socialization, and that we seem to be trained to engage in and to focus more clearly on what is happening on a screen.

Unfortunately, the impact of the dramatizations in the opening plenary was diminished by a problem in the audio system. The desired relaxed format of the summary panel was also impaired by reliance on a podium microphone necessitated by the audio problem.

- The second plenary session, "The Pretrial Accused - A Multi-Faceted Perspective," received the most extreme positive and negative ratings. It is likely that this varied response is a result of the strong personal orientation of the session. Participants included a sociologist, a judge, a former police officer, a jail warden, and an ex-offender. Each was candid and shared as much of their own personality and personal perspective (which was generally very supportive of pretrial services) as they presented the traditional concerns about pretrial characteristic to their discipline. It appears that attendees valued the panel in direct proportion to the extent they liked the panelists.

- The third plenary on Institutionalization of Pretrial Services received consistently positive ratings. Perhaps this was because it was the least amorphous of the topics and related to widespread survival concerns. Panelists spoke very specifically of the means for authorizing and administering pretrial services (court rule, legislation, etc.), and of many of the considerations and strategies that play a part in the success of efforts to establish and continue those services (lobbying support, use of media, etc.). This was the plenary which undoubtedly spoke to the concerns and experience of the majority of the audience.

The wisdom of structuring plenaries that combined diversion and release audiences was a matter of considerable debate during the early conference planning meetings. The decision to have combined sessions was, in part, reflective of an interest in fostering greater understanding of the issues and the commonalities of the two disciplines. This appeared to work in the broader subject areas.

- The six panels on issues of program development were not well attended. This was surprising because they were included on the program in response to specific requests from attendees of the 1976 Conference. The low attendance may have been simply

because people were tired by Thursday afternoon or may point to the difficulty in using attendee feedback one year to plan the next year's program.

### Workshops

The shopping list of workshops received as varied a response as the workshops subjects themselves were varied. The evaluation-related workshops were the most heavily attended. This may indicate a strong orientation to the practical and to survival concerns. Also popular were the highly theoretical and reflective topics like Pretrial Release, the Dangerous Defendant, and Speedy Trial and Diversion of High Risk Cases.

Much of the difficulty in structuring workshops is the lack of knowledge about participants' goals in attending a session. One is never certain whether to assume that attendees know anything about the topic. It is therefore difficult to determine whether to be general and introductory or to be very specific, technical, and deal with specific applications.

Particularly in workshops with a narrow focus, in contrast to plenaries, one step toward clarity might be to break some topics into release and diversion sections (i.e., cost benefit analysis, evaluation, and line staff related issues) and, perhaps, into introductory and advanced

sections. This modification in structuring workshops has been done successfully in the past and is in keeping with the approach to planning future conferences suggested in a later section of this Report.

### Standards and Goals Work Sessions

Many spoke of the value of the work sessions and seemed to appreciate the product-oriented nature of the standards and goals work sessions. There was clearly support for the concept of a "working" conference. Negative feedback on the work sessions seemed to be directly related to the ability of the facilitator in each group to manage the review process.

The value of the Standards and Goals sessions within the 1977 Conference was at least two-fold:

- A large number of people were exposed to the Standards and Goals, actively considered them, and participated in the process which lead to their refinement. It can be hoped that, as a result of that process, they will be more knowledgeable of the Standards and Goals and more personally committed to their adoption and implementation.

- The value of the sessions to the final work product may be more obvious. The Standards were sufficiently developed to benefit from the review and input of a large and varied audience. The recommendations and questions are being considered and incorporated into the final Standards and Goals document prior to its presentation to NAPSA Board and to LEAA.

Participants commented on the Standards and Goals more frequently than on any other component of the program:

"...goals and standards were surprisingly well done. Pertinent issue of the victim was discussed."

"Standards and Goals first session was frustrating, but probably a necessary evil; second session was more productive and effective."

"Standards and Goals were an excellent chance for exchange of ideas on nitty-gritty. Needed more time."

"Very rarely did any issues concerning the Pretrial Accused stimulate any meaningful discussion or even produce a work product that would reflect any concern for the accused...The most prevalent issues appeared to be those concerning refunding and public safety."

"Suddenly, I believe the Standards and Goals are important -- let's find a way to promulgate them."

### Special Program Activities

Positive feedback on The Exchange was unqualified. The space available for display of materials and program booths had to be enlarged to the maximum possible. Exhibitors and attendees were enthusiastic and recommended that the feature be repeated and expanded next year.

The open forums generated considerable interest and vigorous discussion. Attendance at the Forum on Juveniles indicated unprecedented interest in the area from attendees. In light of the small number of juvenile program representatives in attendance, it can be hoped that this reflects increasing concern for juvenile issues on the part of adult system practitioners. The session about women overflowed into the hall. The Third-World Forum was reconvened later in the day for a second session.

The value of the other relatively unstructured program segment is not so certain. The concept of Participant Inspired Workshops got a uniformly favorable response. However, few submissions of ideas for sessions were offered. Three of the better attended workshops were planned in advance of the Conference: the movie "The Glass House;" a slide show about women; and the presentation of a staff training package. While the format should probably

be tried again, more advance notice to attendees might increase participation. Another influencing factor was undoubtedly that, by Thursday afternoon, people were tired and needed a break. It has also been suggested that, to be successful, the approach may require that the group be together for a longer period and that attendees know each other better.

### Social Activities

Scheduling undoubtedly played a large part in the success of the social activities, too. The reception, disco, and boat ride were well attended and good opportunities for people to meet and talk. The banquet was scheduled on the last evening of the conference program to encourage attendees to stay for the complete program. However, many people had already left, making it apparent that a significant number of attendees may be inclined to depart early. Such an event would then be more effectively scheduled earlier in the proceedings.

### Orientation Sessions

The orientation sessions contributed to the quality of the program in a number of cases. Although moderators and coordinators were asked to attend the session when they agreed to participate in the Conference and much attention was given to avoiding conflicts in schedule, attendance of resource persons at the orientation sessions was a problem. To an extent, this is inevitable when so many activities are included in a limited time frame. Scheduling orientation a day in advance of the Conference might be costly, but would probably increase attendance and the impact of the sessions on the quality of the program. On the other hand, it might simply exclude some national figures from participation.

The value of the advance preparation and orientation sessions may be seen in concrete examples. It was stressed to coordinators and monitors that they were to be strict timekeepers. In fact, most sessions began and ended on time and, generally, people were not allowed to dominate the floor. The benefit of having workshops coordinators explicitly state their goal for the session may be less tangible but certainly is evident.

#### Resource Notebook

There was consensus that the Resource Notebook was relevant and valuable. Because it is almost impossible to read the document on-site, some felt that distribution should be done in advance of the Conference. This would be very costly, but advance distribution of materials that related directly to program sessions might be considered. It has also been suggested that another kind of binding would be more convenient and less costly than the looseleaf notebook.

#### In Summary

These have been specific observations of the major components of the 1977 Conference. An assessment of how to best capitalize on past experience should, perhaps, be presented in two parts. First, there are

some specific recommendations that can be made on approaching any conference effort. The second part of looking ahead is a more reflective consideration of the direction that should be taken in planning upcoming national conferences on pretrial services.

### Specific Recommendations

In addition to those features successfully implemented this year, specific recommendations for future conferences are as follows:

#### Registration

- Provide potential attendees with repeated advance notice of the conference; include more information on the program and speakers.
- Consolidate and more tightly structure on-site registration procedures. Keep use of volunteers minimal and ensure that volunteers are well-trained and supported by paid staff.
- Distribute list of attendees on-site.

#### Program

- Clarify and make explicit the goals and anticipated audience for the conference at the initial planning stage.

- Increase the work orientation of the agenda directing the effort to a work product whenever possible.
- Ensure that NAPSA activities, like meetings of committees and boards or local associations, do not occur at a time in conflict with the formal conference program. The diversion of key persons from attendance in regular sessions has a very disruptive influence on the general proceedings and on the attitudes of other attendees.
- Adequately publicize NAPSA business activities in advance of the conference to allow people to plan to participate. For example, many would have liked to attend the committee meetings held on Monday, but did not find out about them until they arrived on Tuesday.
- Continue and expand orientation sessions for key program resource persons. Perhaps the process should begin (making explicit that it is a process) more in advance of the conference. For instance, the orientation coordinator might be involved in the early contacts with resource persons to assist in the development of a statement of goals for the session, delineation of roles, etc., as well as in an on-site orientation session and in post-conference

evaluation. Attendance should be required at the sessions.

- Reduce the number of workshops, and maybe even of program segments, and further concentrate on their structure and preparation.
- Get away from the feeling of some resource people that they are doing the conference a favor by making time in their schedule "to help." Move toward finding resource people (or paying for a faculty) who will make their participation a priority and be actively involved in the pre- and post-conference process. Again, this goes to developing a training rather than convention spirit.
- Increase the use of more imaginative methods and formats for program segments, i.e., dramatizations and exercises.
- Repeat the Participant Inspired Workshops but provide attendees with more advance notice of the opportunity. This, in combination with having more information on the conference program, would allow attendees to plan their own sessions to supplement the formal program and to bring necessary materials.

### Resource Notebook

- Begin collecting material a full year in advance, with some outline in mind of those areas that the Notebook should address.
- Solicit special pieces to address those areas that are being neglected by literature being otherwise distributed.
- Develop materials directly related to the goals of the conference and to specific program segments. Include a key that will direct attendees to the material before they attend the session.
- Explore format for Notebook other than looseleaf, which is bulky, somewhat awkward, and too costly to distribute in advance.

### Future of National Pretrial Services Conferences

We are at a crossroads in our conference experience. We have grown and developed sufficiently that we can produce a conference that is mechanically sophisticated and that programmatically addresses, in part, all segments of the participating audience. Through the conferences, we have built a "pretrial community." That may have been the goal of the annual conference, but it is no longer. The time

has passed for the conference to be "all things to all people." Our experience in that regard is buttressed by national policy emerging from the Department of Justice that does not support conferences for purposes other than training.

The moderator of the second plenary session spoke of looking for comfort in an otherwise alien world as one good reason for coming to conferences. While acknowledging that finding comfort and mutual reinforcement is important, it is perhaps the time to be more ambitious. Pretrial practitioners must be talking and listening to "them" -- to judges, prosecutors, representatives of the public at large. This was precisely the meaning embodied in the 1977 conference theme.

It is time to develop a strategy that will better meet the needs and interests of all the communities. In planning such conferences, it is critical that we first decide who is to be the audience and what is to be accomplished. Program content and structure must then flow from those decisions. In publicizing the conference, those decisions must be clearly communicated to potential attendees so they can decide intelligently and in an informed manner whether to participate. This "self-screening" approach is more appropriate to the

present than is continuing to strive for program designs that will somehow please anyone who might come.

If it maintains the status quo, the conference will please everyone a little, and no one a lot. And the invaluable resources that go into conference production and that are (or are not) expended by those that attend will not be fully exploited.

Adoption of a stronger training orientation with specific goals for specific audiences could result in regional and local seminars that supplement national efforts. The local format is most adaptable to

- skills development for line staff;
- management training for supervisory personnel; and
- technical assistance to representatives of jurisdictions interested in developing pretrial programs.

A national conference is more appropriate for meetings of groups like

- pretrial administrators, legislators, judges, and prosecutors involved in policymaking; and
- evaluators of pretrial programs.

This refocusing of pretrial conferences would facilitate resolution of a second major concern. The evaluation process of conferences should be completely rethought. Certainly, as mechanical and programmatic approaches become more refined and sophisticated, the documentation process can and should now be improved. But the low number of evaluations returned and the irrelevance of numerical ratings must also be recognized as symptomatic of a process that is misdirected.

Evaluation need no longer be seen primarily as a way to justify having spent money or as a testimonial to conference administration. In fact, conference "evaluation" really never did serve either purpose. Work products are more valid measures. Instead, evaluation must be conceptualized in a dynamic way that will stimulate and reflect (1) attendee involvement and (2) conference planning. Rather than remaining as one aspect of a major project, the evaluation process is an essential component that should be addressed early and incorporated into the entire conference planning process.

A peripheral, but troubling, question that relates to conference purpose is that of site selection. The debate rages whether conferences should be held in an atmosphere that

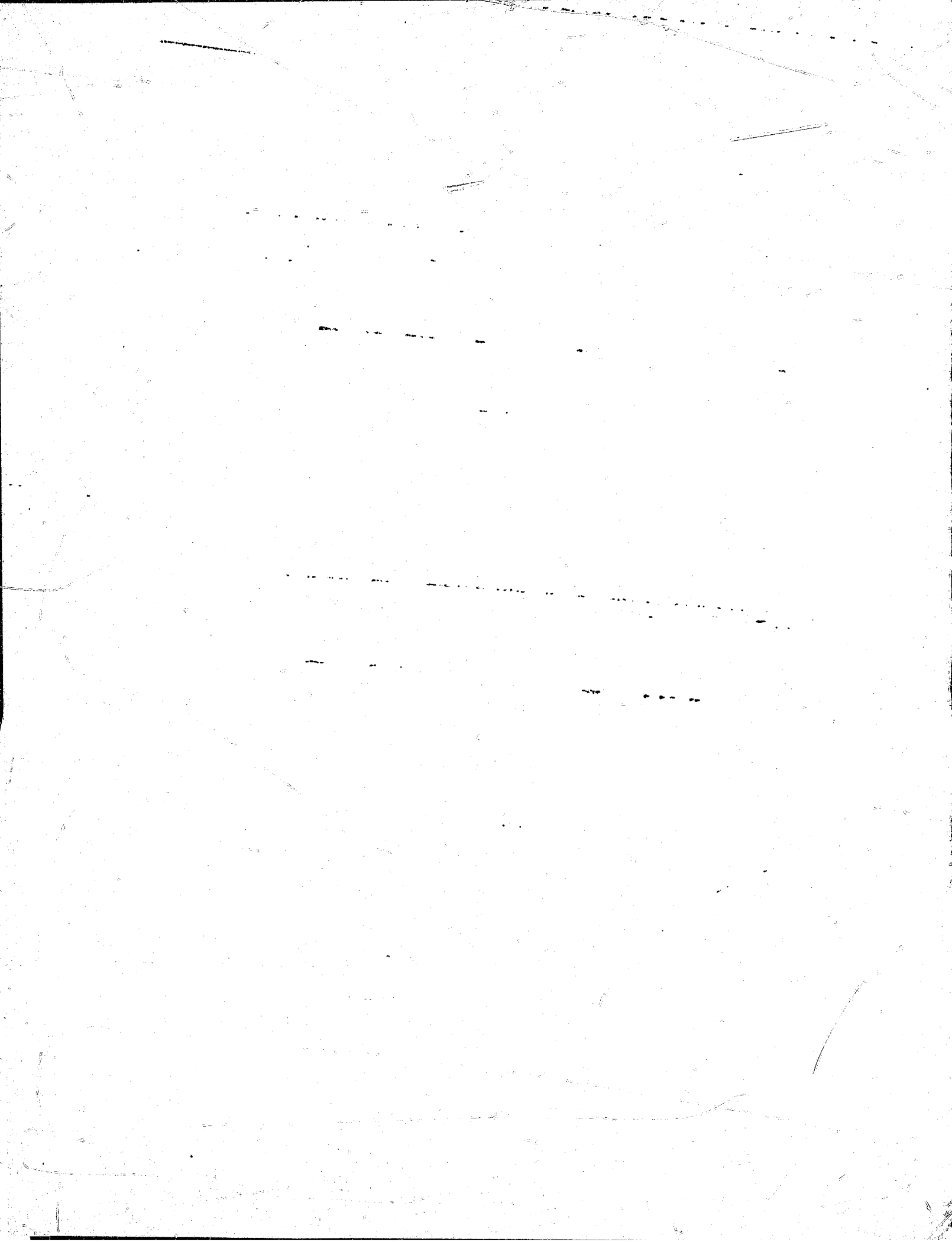
offers few distractions or in a place that has its own appeal and will encourage attendees to come. This decision is undoubtedly a product of deciding who the audience and what the goals are to be. However, as more isolated environments are selected to facilitate training and group process, one must take care to ensure that transportation and accommodations will not be a problem and constitute substantial obstacles to success. Annual meetings of administrative personnel and policymakers should probably be held in areas that have some tourist appeal but, to the greatest extent possible, that are reasonably priced. This becomes increasingly important as attendees may have to pay their own way.

Whatever approach is taken to future conferences, advance planning by paid staff who can focus primarily on the work of the conference is key. Responsibility for all facets of the effort should be centralized.

In conclusion, the 1977 Conference on Pretrial Release and Diversion was rated as well run and high in substantive content by attendees. The quality of the program is attributable to careful planning, good organization, and to intense preparation and follow-through. The value

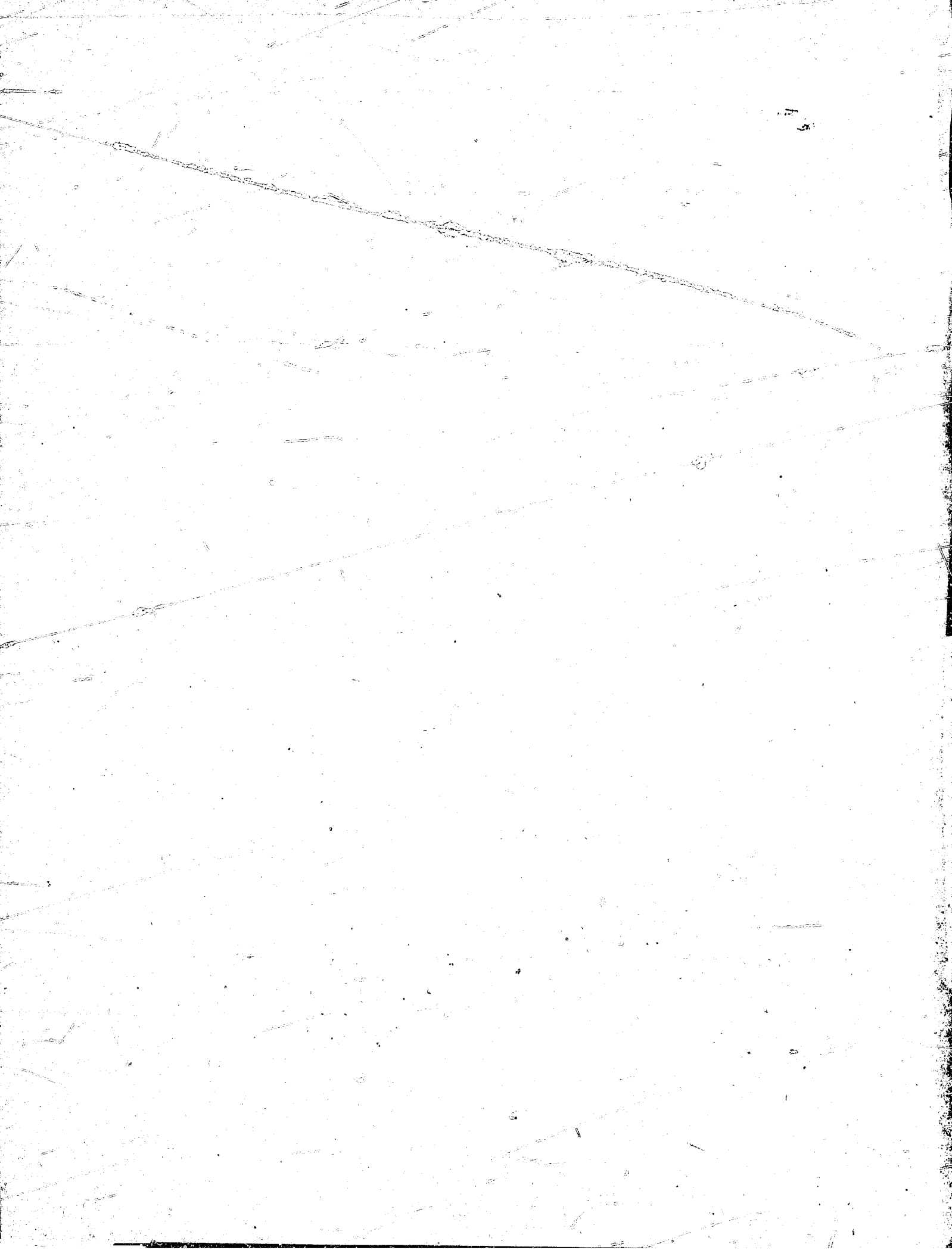
of the Conference, though, goes beyond the information exchange, development of ideas and establishment of linkages that occurred among participants. It further contributed to a clarification of purpose, refinement of objectives, and development of better methods to more effectively serve pretrial communities' needs for training, information exchange, and increased professionalism.

It is with this experience and perspective that planning for future conferences and seminars should be initiated.



## APPENDICES

- A. PROGRAM HIGHLIGHTS
- B. ORIENTATION MATERIALS FOR PROGRAM RESOURCE PERSONS
- C. RESOURCE NOTEBOOK TABLE OF CONTENTS
- D. LIST OF ATTENDEES



## APPENDIX A -- PROGRAM HIGHLIGHTS

1. Overview of Conference Format included  
in Resource Notebook
2. Conference Calendar
3. Address by Robin Farkas, May 10, 1977
4. Address by Wayne Thomas, May 12, 1977
5. Summaries of Plenary Sessions
6. Workshop Summaries



Overview of Conference Format included in Resource Notebook

## THE CONFERENCE

And now a word from the sponsors...

We thank you for agreeing to join us at this conference and would like to share with you our thoughts in preparing the conference agenda. We hope that this will clarify for you the conference format and encourage you to stay for its entire duration.

During the last few years, we have together examined some of our common problems, recognized the need for research and evaluation, and pondered this new discipline to which we belong.

We are suggesting that this year we do an accounting of our existence: verify our purpose, listen to the comments from our broad constituency, and affirm the standards which should guide our work.

The conference format attempts to facilitate this process. We would like to walk you through the three days of sessions:

TUESDAY  
1:30 p.m.

The keynote speaker is representative of the largest community which we serve--he is taxpayer, businessman, potential victim, concerned citizen. His address will raise some of the questions which pretrial programs should confront.

The keynote will be followed by a visual presentation which contrasts the adult and the juvenile systems. The summary panel will comment on the dramatizations. Discussion will center on the importance of standards, highlighting how alternatives can be useless without guidelines or can provide a viable alternative when structured.

4:00 p.m.

A selection of workshops will offer an update of information in the release and diversion field, an introduction to those less acquainted with some of the basic issues. This format, using smaller sessions, has been chosen over panels whenever possible to maximize participation. A series of workshops is also scheduled on Wednesday and Thursday. Many topics are scheduled twice to enable you to attend those you missed the first day.

WEDNESDAY  
9:00 a.m.

A panel of representatives from "the three communities" will be asked to react to the Standards and Goals proposed at this conference (included in your Resource notebook). Speakers include a sociologist, a judge, detention facility administrator, former policeman, and an ex-offender.

10:30 a.m.

With the information of the last two days in mind, you will be asked to participate in small work sessions. The standards and goals should be analyzed and discussed and suggestions or alternatives to the proposed standards developed. Your work session leader will then draft a summary of the initial recommendations.

1:30 p.m.

A second series of workshops is scheduled.

THURSDAY  
9:00 a.m.

The day begins with the third and final series of workshops.

10:30 a.m.

Participants are asked to attend the second work session with the same group as the previous day. During that second session, your work session leader will share with you comments which stemmed from discussions in other groups. Together you will draft the final recommendations which your group proposes as alternatives or suggestions. These recommendations will be conveyed to the NAPSA Board for their consideration when they review the standards and goals.

1:30 p.m.

Once parameters of our profession have been defined, other issues come to mind. What is the future of our work--as demonstration programs run out of federal monies and as general experience suggests more visible or formal means of existence. Institutionalization has its dangers as well for which various options are available. A plenary will analyze those options and will be followed by

2:30 p.m.

a series of simultaneous panels, each reviewing one particular stage of development. This series of panels has been scheduled in response to requests from numerous participants in the last year's conference.

Several other activities will also take place during the conference, some of which are new in our annual conference.

Annual conferences such as ours offer the opportunity to many program administrators and staff to meet, exchange ideas, acquaint themselves with other participants of the criminal justice system and people from other parts of the country. With this in mind, we have attempted to schedule several social activities to facilitate this process: a reception

on May 10, a cash bar and cruise on the 11th, a cash bar and banquet on the 12th.

In addition to social gatherings, we have also arranged for Open Forums which will allow for special interest groups to meet and identify present concerns. And we are sponsoring the "Exchange" at two different times in the Tuesday program. The Exchange will include a job bank, a service which will help participants with certain questions or needs for information to meet with other participants, booths with publications or representatives of pretrial programs.

Finally, as we are about to wind down our work for this year's conference, we already are thinking of the year ahead. Next year's conference will only be as good as the information which we receive from you. We need your suggestions, your critiques, your evaluation of each individual effort or contribution. If you are satisfied with this year's conference, do tell us (it will make us feel good...); but, even more so, if you have reservations or critical comments please share them with us. In either case, please fill out the evaluation forms which will be distributed and return them to us.

1977 NATIONAL CONFERENCE ON  
PRETRIAL RELEASE AND DIVERSION

## Conference Calendar

## MONDAY, MAY 9, 1977

9:00-10:00 a.m.	Committee on Diversion
10:00- 1:00 p.m.	Committee on an Interstate Compact
10:00- 1:00 p.m.	Committee on Pretrial Release
10:00- 1:00 p.m.	Committee on the Third World
10:00- 1:00 p.m.	Research and Evaluation Committee
10:00- 1:00 p.m.	Committee on Juveniles
10:00- 1:00 p.m.	Community Relations Committee
10:30-12:00 p.m.	Board of Trustees
12:00- 1:00 p.m.	The Law Committee
1:00- 3:00 p.m.	Board of Directors
4:00- 5:00 p.m.	Committee on Women and Pretrial Services
4:00- 5:00 p.m.	Board of Advisors
5:00- 8:00 p.m.	Registration

## TUESDAY, MAY 10, 1977

8:00- 1:30 p.m.	Registration
9:00-10:00 a.m.	Open Forum Sponsored by Committee on Women and Pretrial Services

Nancy Maron  
Assistant Director  
Division of Criminal Justice  
Denver, Colorado

TUESDAY continued

10:00-11:00 a.m.

Open Forum on Juveniles and Pre-trial Services

Peter Parrado  
Director  
Juvenile Services Program  
Pinellas County, Florida

10:00- 1:30 p.m.

The Exchange

Coordinated by:  
Maxine Blocker  
Narcotics Diversion Project  
Washington, D.C.

11:00-12:00 p.m.

Open Forum on Pretrial and the Third World

Gwynne Sizer  
Pretrial Diversion Coordinator  
U.S. Attorney for Eastern  
District of Virginia  
Alexandria, Virginia

1:30- 4:00 p.m.

\* First Plenary Session

Welcome

Dewaine Gedney, President  
National Association of Pretrial  
Services Agencies

Madeleine Crohn, Director  
Pretrial Services Resource  
Center

Keynote

"Pretrial Services 1977: An  
Outsider's Perspective"  
Robin Farkas, Vice President  
Alexander's Department Store  
New York, New York

TUESDAY continued

1:30- 4:00 p.m.

First Plenary Session continued

Dramatizations

Coordinated by:

Jay Carver, Deputy Director  
D.C. Bail Agency  
Washington, D.C.

Tom Guidaboni, Esquire  
Public Defender Services  
Washington, D.C.

Summary Panel

Thomas Crosby, Moderator  
Staff Writer, Washington Star  
Washington, D.C.

Severa Austin  
Wisconsin Council on Crime  
Madison, Wisconsin

Martin Mayer, Criminal Justice  
Director  
California League of Cities  
Los Angeles, California

Frank Carter, Esquire  
Washington, D.C.

Richard Van Duizend  
Director for Standards  
National Institute of Juvenile  
Justice and Delinquency Pre-  
vention  
LEAA  
Washington, D.C.

4:00- 5:30 p.m.

Workshops

5:30- 7:00 p.m.

The Exchange

6:00- 7:00 p.m.

Reception

9:30-12:01 a.m.

Disco/Cash Bar

WEDNESDAY, MAY 11, 1977

8:00- 9:00 a.m.

Board of Advisors

9:00-10:30 a.m.

- \* Second Plenary Session: "The  
Pretrial Accused - A Multi-  
Faceted Perspective"

Benedict Alper, Moderator  
Visiting Professor of Criminology  
Boston College  
Chestnut Hill, Massachusetts

The Honorable Harold Greene  
Chief Judge, Superior Court  
Washington, D.C.

Gordon Kamka, Administrator  
Baltimore City Jail  
Baltimore, Maryland

Barry Glick  
Police Juvenile Units Project  
The Police Foundation  
Washington, D.C.

Thomas Poone  
Washington, D.C.

10:30-12:00 p.m.

Standards and Goals Work Session #1

Coordinated by:

Dan Ryan - Release  
Chief U.S. Pretrial Services Officer  
United States District Court  
Eastern District of New York

Richard Scherman - Diversion  
Administrator  
Hennepin County Pretrial Services  
Minneapolis, Minnesota

1:30- 3:00 p.m.

Workshops

3:00- 5:30 p.m.

NAPSA Business Meeting

3:00- 5:30 p.m.

Judicial Section

WEDNESDAY continued

3:00- 5:30 p.m.

Alternative Activities for Non-Members

Coordinated by:

Blythe Garr  
Retail Merchants Association  
New York, New York

Zimbardo Slide Presentation

Hilda Silverman  
Pennsylvania Program for Women and  
Girl Offenders  
Philadelphia, Pennsylvania

The Jail Puzzle

Samuel DeBose  
Pittsburgh, Pennsylvania

David Wasserman, Reverend  
First Presbyterian Church  
Cedar Falls, Iowa

9:00-12:00 a.m.

Cruise on the Potomac

THURSDAY, MAY 12, 1977

9:00-10:30 a.m.

Workshops

10:30-12:00 p.m.

Standards and Goals Work Session #2

1:00- 2:00 p.m.

- \* Major Address - Senator Dennis DeConcini, Arizona

2:00- 3:00 p.m.

- \* Third Plenary Session:  
"Institutionalization"

Gordon Zaloom, Esquire, Moderator  
Newark, New Jersey

Joseph Rhodes  
State Representative  
Harrisburg, Pennsylvania

THURSDAY continued

Third Plenary Session continued

Saif Ullah, Executive Director  
Midvalley Mental Health  
Duarte, California

Cheryl Welch, Director  
Dade County Pretrial Inter-  
vention Project  
Miami, Florida

Bruce Beaudin, Director  
D.C. Bail Agency  
Washington, D.C.

3:00- 4:00 p.m.

Panels: "Program Development and  
Implementation - Strategies for  
Different Stages of Life"

Starting a Pretrial Release  
Program

Richard Motsay, Moderator  
Director  
Baltimore Pretrial Release  
Division  
Baltimore, Maryland

William Greenhalgh, Professor  
Georgetown Law Center  
Washington, D.C.

Daniel Lipstein, Associate  
Director  
Mayor's Coordinating Council on  
Criminal Justice  
Baltimore, Maryland

John Camou, Assistant Director  
Pretrial Release Division  
Baltimore, Maryland

Pretrial Release: Surviving the  
Demonstration Phase

Dan Ryan, Moderator  
Chief U.S. Pretrial Services Officer  
United States District Court  
Eastern District of New York

THURSDAY continued

Panels continued

Annadele Walter, Director  
Monroe County Bar Association  
Pretrial Services  
Rochester, New York

Louise Slaughter  
Monroe County Legislature  
Rochester, New York

Lee Wood, Deputy Director  
Monroe County Bar Association  
Pretrial Services  
Rochester, New York

Pretrial Release: Reaching Its  
Full Potential

Geoffrey Preston, Moderator  
Deputy Director  
Pretrial Services Division  
Philadelphia, Pennsylvania

The Honorable Joseph Glancey  
Presiding Judge, Municipal Court  
Philadelphia, Pennsylvania

Jeremy Travis, Director  
Pretrial Services Agency  
New York, New York

Hilda Silverman  
Pennsylvania Program for Women  
and Girl Offenders  
Philadelphia, Pennsylvania

Robert Wilson, Ph.D.  
University of Delaware

Starting a Pretrial Diversion  
Program

S. H. Berthelot, Moderator  
Program Director  
Pretrial Intervention Program  
District Attorney's Office  
East Baton Rouge Parish  
Baton Rouge, Louisiana

THURSDAY continued

Panels continued

Chrissie Curtis  
Federal Program Analyst  
Law Enforcement and Criminal  
Justice Council  
Baton Rouge, Louisiana

Nancy Wynstra  
Director of Planning and  
Research  
D.C. Superior Court  
Washington, D.C.

Oscar Southall, Counselor  
Pretrial Intervention Program  
District Attorney's Office  
East Baton Rouge Parish  
Baton Rouge, Louisiana

Pretrial Diversion: Surviving  
the Demonstration Phase  
Alex del Hierro, Moderator  
Project Pivot  
El Paso, Texas

Jack Mergen  
Administrative Assistant  
Pretrial Intervention Division  
Baton Rouge, Louisiana

Curtis Foulks  
Division of Pretrial Release  
Program  
Toledo, Ohio

Pretrial Diversion: Reaching  
Its Full Potential  
Arnold Hopkins, Moderator  
Former Director  
American Bar Association National  
Offender Services Coordination  
Program  
Washington, D.C.

Robert Hanson, Director  
Adult Court Services Division  
Ramsey County Community Corrections  
Department  
St. Paul, Minnesota

THURSDAY continued

Panels continued

Donald Phelan, Chief  
Pretrial Services  
Administrative Office of the  
Courts  
Trenton, New Jersey

Neal Houston, Executive Director  
Justice Resource Institute  
Boston, Massachusetts

4:00- 5:30 p.m.

Participant Inspired Workshops

Coordinated by:  
Eric McMasters, Director  
Pretrial Diversion Program  
Lincoln, Nebraska

Susan Kline Klehr  
Pretrial Services Division  
Philadelphia, Pennsylvania

6:00- 7:00 p.m.

Cash Bar

7:00- 9:00 p.m.

Banquet and Closing Speech

Wayne Thomas, Esquire  
Author, Bail Reform in America

FRIDAY, MAY 18, 1977

9:00-11:30 a.m.

NAPSA Board Meeting

\* Indicates sessions that were video-taped.

"Pretrial Services 1977: An Outsider's Perspective"

Address by Robin Farkas

May 10, 1977

It's a pleasure to take so prominent a part in this 6th National Conference on Pretrial Release and Diversion.

When I was first approached about giving this keynote address, my comment was "You've got to be kidding!". "Why me?"

But someone pointed out that since I had already agreed to serve as a member of the Advisory Board of the National Association of Pretrial Services Agencies and as a member of the Board of the new Pretrial Services Resource Center, it would be simple cowardice not to stand up and say what I think.

The theme of this year's Conference - The Three Communities of Pretrial Services-could not have been more timely. Most of you have worked together in the Community of Criminal Justice. All of you have probably worked with the unfortunate souls who comprise the community of pretrial accused. My role as an outsider is to explore with you some of the effects of your work on the community in which we all live. I hope that the questions I raise today will help you in formulating Standards for Release and Diversion and a humane application of those standards that will protect the rights of both the accused and the community.

To many of you who work in the field of criminal justice the focus on the problems posed by the arrest and processing of those accused of crime may seem like a long time in coming. Yet I'm struck by just how rapidly this field has grown and how quickly we've come to an important crossroad.

In less than 15 years Pretrial Services has grown from a few predominantly bail-oriented programs to include alternative methods of treating offenders short of attaching the full stigma of trial and conviction. The field has moved to acceptance, at least in principle as a valuable element in the criminal justice system. But there's the problem -- acceptance in general is one thing -- but how do we now translate that into specifics such as funding, jurisdiction, methods, and goals?

To many of us there may be little question that Pretrial Services deserves to be an independent, full funded professional part of the criminal justice system.

Unfortunately it is by no means so clear to legislators, the courts, and especially to the public. It means this conference has some difficult questions to handle, and I have a feeling our success with the larger goal will depend on our willingness to raise these questions openly, and our ability to unite in answering them.

In the first place the problem of jobs and revenue has if anything gotten worse. There is every reason to hope the Carter Administration will help, but little reason to believe that employment, housing, and social services will improve immediately, and that can only mean more crime.

Secondly, regardless of who's in the right, increasing problems within police departments themselves have to affect the quantity and quality of police services, and that means more crime not less. The courts have made progress in improving efficiency, but there is a point where obsessions with productivity become counter-productive -- and that too means that neither defendants nor citizens are protected.

And thirdly, the two problems of less money to deal with more crime reinforce and accelerate each other. The real and psychological results of rising crime contribute to the flight from the city which in turn erodes our ability to pay for an adequate criminal justice system to deal with crime.

The end result is that crime, like taxes, forever seems to be going onwards and upwards. One difference is that taxes can be lowered by simply passing a law. Another is that while a tax may feel like a crime, a crime most definitely is a tax on all of us whether we feel it directly or not.

For example, in New York State the cost of crime for department stores alone comes to over 175 million dollars a year, for all stores it is 300 million dollars -- and among these are often stores struggling to maintain their roots in deteriorating areas.

Most people don't realize it's the consumer who's being ripped off by the cost of crime. Or, that if a store closes it's the life and livelihood of the community that suffers most. Clearly we can no longer afford the cost of our own victimization.

But crime is not only a tax on the businesses of all sizes our country so sorely needs, it puts a heavy burden of fear on every taxpayer. And that's one tax people won't pay without a huge public outcry, and exodus. You have only to look at what New York is experiencing today. And it's exactly that fear that we have to respond to, if we expect to get public support for Pretrial Services as an independent, professional element of criminal justice.

Which in turn means confronting not only the immense problems of your work, but of explaining them to the public which we hope will pay for it. They are not easy questions but it's my responsibility as an outsider who cares about your work to raise them. The primary reason people won't shop at night is they're afraid to carry anything home -- and that's as true for a local grocery as it is for Garfinckel's.

Of course, I care about retailing -- people have to care about their livelihoods -- you care about your jobs. But I'm just as deeply concerned about the quality and safety of our communities, and if we care about Pretrial Services we have to show the public that we care about their safety too.

I don't believe the people in our society really want a criminal justice system based on vengeance. They don't want to chop off hands. But when the cold wind of personal fear starts blowing, they'll wrap themselves up in whatever promises and slogans are offered, however thin they may look to us. We can only fight that fear by taking on tough questions like individual

rights and public safety. The public has to see Pretrial Services as a solution, not another cause of fear.

And to me that means this Conference must work very hard to overcome disunity and find a clear statement of common purpose towards the community at large, not just to individual agencies and those you seek to help.

In my experience the most serious problem with service organization meetings -- from theatre groups to therapy agencies -- is the tendency to break down into internal struggles based on conflicts among goals, methods, personalities, race, and of course, money. Conferences like this one seem to succeed or fail in direct proportion to the participants' ability to hammer out a clear response to public concerns that shows they've been listening as well as talking -- however painful that process may be.

For example, there is a tendency to see defendants in Pretrial programs as "clients" whose needs may even be opposed to the community's. There's no doubt that the present criminal justice system can make victims out of defendants -- more time is spent by people in jail awaiting trial than people serving time -- but it also makes victims out of ordinary citizens. It can take a long time to recover from an attack, or from the ordeal of deciding to prosecute. That is where the outrage is building, from the victim's resentment that he or she is regarded as the guilty party. That is where we're going to have to make our case for Pretrial Services, and that is why the timing of this Conference could be so fortunate.

People are capable of looking past easy slogans about law and order, and they are capable of rising above vengeance as a response to crime -- if we can show them where to look.

We know now that simple quantitative solutions like more police and more prisons are too simple to work. We know that a few highly publicized executions will not deter mugging, robbery, and burglary. And we know that more arrests under tougher laws won't help when the courts are too clogged to guarantee sure justice.

This produces the frustrating feeling that the whole system is such a mess that changing any part of it will only make the whole worse. But it is precisely under these conditions that Pretrial Services can make a whole lot of sense.

Clearly a good way to protect the innocent -- crime victim and defendant -- is to keep as many people out of the last levels of courts and corrections as possible, so, as Norval Morris said we can decide who should be in prison rather than who should be out. In other words, Pretrial Release can make sense for safety as well as fairness. And obviously it is better to divert defendants than to keep re-arresting and re-imprisoning the same criminals. All this accomplishes is the creation of convicts out of innocent or salvageable human beings inhumanly locked up by a frightened society.

There is strong evidence that Pretrial Services can safeguard the innocent, that it can reduce repeated crime, that it can help protect the average citizen -- if it has the means to treat people

as individuals.

In spite of the fact that bond schedules are still used de facto, the United States Supreme Court established the principle in Stack v. Boyle that bail hearings must be individual.

The Bail Reform Movement contributed to the federal Bail Reform Act of 1966 as well as the Speedy Trial Act of 1971.

Project Crossroads here in D.C. and The Manhattan Court Employment Project using provisions of the Manpower Training Act, have gotten better results from diversion than traditional corrections' programs.

The successes achieved and knowledge gained by your agencies represented today, even in this short period, are too great to be summarized here.

But the problem we face here and now is not finding better words of self-congratulation, but gathering together this experience and making it a unified base for a firmly established profession.

We may feel we've proved that money in the form of bail is a poor means of ensuring the presence of defendants at trial. Those who can afford it may skip anyway, while those who cannot may wind up detained under worse circumstances than someone actually convicted.

But as we continue to work for a more rational view of bail the Pretrial Release people have to face the public's number one question: "What are you doing to guarantee my safety?". If we don't, we can be sure that everyone running for public office has to -- and that includes legislators who vote money and judges who pass sentence.

There's been a good deal of publicity about crimes committed by persons on bail, and there's going to be a lot more. What are we doing to see that danger to the community is an openly acknowledged factor in the decision to release or detain a defendant?

Of course, we're concerned with the presumption of innocence, and the whole Pretrial process is an exercise in walking very fine lines. But what sense does it make to release an unemployed, poorly motivated defendant if there is no means of helping him -- or us -- avoid a crime?

We cannot have jails full of innocent detainees only because they are poor, but we cannot have criminals returned to the streets only because they've learned to exploit cynically the system's inefficiency and our own compassion. When the public's emotional level of outrage keeps rising, it's usually at the expense of its other emotions -- like compassion.

Ironically, the area of Pretrial Release is one in which we have an enormous amount to offer the public -- even on the simple level that it costs anywhere from \$14.00 to \$56.00 a day to house pre-trial defendants. But Pretrial Release is still considered by many people as a threat.

Shouldn't we be considering new alternatives, such as half-way houses which do not involve expensive construction, as a means both of helping the defendant and the public? I don't believe we want to house defendants with convicted felons, but we will if the alternative is more crime by pre-trial people whether on bail or not.

Shouldn't we be taking the lead in what is inevitably going to become one of our most controversial issues -- preventive detention?

Some will say our system isn't ready for it, but shouldn't we explain that we have it in effect now anyway and bring it into the open?

If the prosecution had to present a convincing argument to a judge for each detention, and if a short time limit between hearing and trial were set, wouldn't that most likely result in more Pretrial Releases than we have now and at least make detention when necessary less arbitrary and capricious? And couldn't we add to this, programs for re-education and restitution where appropriate?

Equally important, wouldn't leadership in this area be helpful to judges and prosecutors, whose support the Pretrial Services Movement must have?

In other words, regardless of our position on bail, exactly what kind of standards -- and safeguards -- for release of defendants are we proposing to the public?

We need agreement among ourselves if we expect to get agreement from the public.

Of course, it means making tough choices, both now and in court on a case by case basis. But isn't our very willingness to make specific recommendations -- and to take the responsibility, credit and heat for them -- the primary service we have to sell?

The same kinds of questions face those working in the diversion field.

Diversion cannot become simply a device for prosecutors to dump their bad cases and boost their productivity ratings. Nor can it be limited to keeping middle class kids out of the system -- however clean a success record an agency may pile up in the process.

I -- and the public -- are going to want to know what you're doing to get the repeat thief, burglar, and mugger out of the crime - corrections - and more crime cycle.

I know it's difficult, especially when you're offering a defendant the hobson's choice of joining a program or staying in jail, which is a pretty poor motivation from which to begin.

It may be even more difficult to sell the public on the idea that release should precede diversion.

We're walking a fine line between the need to preserve the presumption of innocence for the defendant and the need to begin admitting that behavioral problems exist and structuring treatment programs accordingly.

But the challenge and promise of the Pre-Trial Services profession lies precisely in our willingness to find ways of walking those fine lines together.

That includes finding clear and honest means of monitoring success and preparing ourselves and the public for failures.

We need to incorporate consistent standards, goals, and means of measurement into a uniform manual of operation. And when we

have agreement we need training seminars to explain them to judges, police, and prosecutors. Those sessions can also help us find out what the courts don't like about what we're doing so we can work out changes at future meetings.

We need better coordination with legal aid, better research and statistics, and better relations with corrections people. After all, it is corrections that must handle those you can't and those you misjudge.

One final area where we must come up with solid work is juvenile crime. We can't afford just to be cynical about all the media attention that's going to be focused on kids who commit serious crimes.

In the first place most of our defendants are juvenile system graduates so we'll only be making our own work easier.

Second, it's where a lot of public funding, particularly LEAA money is going anyway -- and that's a pretty good measure of public interest.

Third, we're going to see a number of politically motivated proposals for harsh and destructive juvenile statutes that we're going to have to meet with concrete alternatives.

But most important of all, I can't think of a single area of public policy that poses a more painful dilemma for a society that wants to be both decent and safe, than juvenile justice.

We simply cannot let ourselves stand for sending ten year old kids to Attica and places like it. But we're just as sickened by the sight of old people literally picked to pieces by packs of children.

What kind of a society is it that turns its eldest members into poverty -- weakened prey for its youngest?

It may not make our task easier to know that the bottom lines -- jobs, decent housing, education, equality, and simple hope -- are beyond our control.

But it does make that task clearer -- to provide humane, intelligent, moment - by - moment mediation between the needs of individuals and the fears of society right in the 'here and now'.

In one word - justice. However, justice will be done not because of anything I might say, but because of everything that you will actually do which is the best reason I can think of to stop talking and let you get to work." Hard as it was for me to raise some of these questions, I'm consoled by the knowledge that it will be infinitely harder to answer them.

But if we do I believe we can lobby successfully to convince the courts, the legislature, and the public that the best way to help our troubled Criminal Justice System may be to keep as many people as possible out of it.

I'm willing to help make that case, I hope you will help me to make it.

Thank you,

"The Future of Bail Reform"

Address by Wayne H. Thomas, Jr.

May 12, 1977

I suppose that a person who has looked as long and as hard as I have at what you and your predecessors have been doing in the field of bail reform could take one of two approaches to this closing speech. The first would be to look to the past, to recount some of the history of bail reform, and discuss its results to date. Because of the tremendous changes which have occurred in bail practices throughout this country, such a speech would be an interesting and enjoyable one to give. The second approach, and the one I have chosen, is to look to the future, to speculate on the direction the bail reform movement will take, and to alert you to some of the problems and concerns that I foresee. I want to address just two questions: (1) The future of Surety Bail; (2) The future of Pretrial Release Programs.

As to the first question concerning the future of Surety Bail, there is not much to say. Quite simply, Surety Bail has no future. It must be, and it will be, eliminated because it does not now serve any important system function. The states of Illinois, Oregon, and Kentucky have already eliminated the commercial bonding industry by adoption of ten percent deposit bail, and other states will surely follow. The bail bond industry is, of course, a powerful political force, and it

will not go out without a fight. In the end, however, I believe its demise is assured because its principal claims have been stripped away.

Failure to appear rates and fugitive rates do not sky-rocket when bondsmen are removed. Bondsmen are not necessary to the apprehension and return of fugitives. Fugitives are much more often apprehended and returned by the police than by bondsmen. In any case, reliance on commercial bail bondsmen for apprehension of fugitives is inappropriate, dangerous, and unacceptable in our society.

I do wish to emphasize one point in regard to the elimination of bondsmen. I am speaking about abolition of the bonding industry because the services performed by this industry are no longer needed. If you are in a jurisdiction where there is significant corruption in the bonding industry, perhaps you can capitalize on this fact in promoting bail reform. But, ultimately, this industry will be eliminated simply because it is no longer necessary. Whether deposit bail brings about this result or whether it is something else, in any case, I am confident that the days of the bonding industry are numbered.

My real concern is whether pretrial release programs will survive to see that day or will the system conclude that pretrial release programs, although not as worthless as bondsmen, are still not worth the cost involved in operating the programs? Yes, I am concerned about the future of pretrial release programs. My concern does not stem from any criticism of what you have

accomplished in the past. Nor is it based on what you are presently doing. I have no concerns about your organizational and administrative abilities. Speaking generally, I believe that most pretrial release programs are well-run, efficient operations and are presently providing an important and necessary service. You are quite clearly riding a high horse at this moment. My concern is how you are going to feed this horse when the LEAA trough runs dry.

With your past success and your growth, you have become pretty expensive operations. You have grown into operations which the local government, even if they are supporting you now, may not be able to support over the long duration. I am very concerned about the staying power of pretrial release programs. I think it is critical that pretrial release programs remain in existence. But, to do so, I believe that you are going to have to become more cost-conscious and more efficient. I believe that you are going to have to reassess your purpose and, perhaps, redefine your objectives. You must now see the handwriting on the wall.

You should be aware that there are a number of jurisdictions which are not represented at this conference. These jurisdictions either have no pretrial release program or they have a very small one or two person operation. They do not have the financial resources to attend national conferences. You should be aware, however, of the pretrial release picture in these jurisdictions. In many, the pretrial release rate compares very

favorably to the rate in your jurisdiction. How is this so? Quite clearly, as my study indicates, the judges in these jurisdictions--and judges in your own jurisdictions as well--are demonstrating a willingness to use non-financial pretrial releases even without program intervention. Moreover, the police, through the use of citation releases, are accepting an important role in the pretrial release process. The basic assumption that the criminal process must begin with a physical arrest is being questioned, and well it should be. In the future, I foresee the police taking a much more active role in the pretrial release decision.

In short, I believe that the greatest success of the bail reform movement has simply been in the enlightenment and education of judges, police, and the community generally, of the importance of the bail decision, the need to consider non-financial release options, and the consequences of pretrial detention.

I recognize and will acknowledge the truth of what some of you may be saying to yourselves at this moment, which is that what may be true in Jurisdiction A may not be true in my Jurisdiction B. This may well be the case. Perhaps the courts are not enlightened in your jurisdiction and maybe, without your assistance, there would be no non-financial releases. Maybe in your jurisdiction they will remain forever ignorant. If so, you may survive and cut out a nice niche in the bureaucracy, pass paperwork to obtain own recognizance releases for first-time alleged petty thieves and compile remarkable statistics as to

your overall success. I, however, certainly wouldn't want my future to rest upon the hope that my jurisdiction would remain ignorant of what is occurring in jurisdictions around it. What I am saying is simply this: This high horse that you are now riding had better be moving forward, because if it is not, you may well get trampled by the bail reform movement passing you by.

What is the future of pretrial release programs? In the concluding chapter to my book, I propose a pretrial release system that makes maximum use of the existing actors in the system. That is, police, bail commissioners--if you have them,--and judges to process and release as many defendants as they can comfortably handle. When the pretrial release decision in a particular case is not a difficult one, it should be made quickly and the defendant should be released on the least restrictive conditions necessary to insure future appearance in court. The police are in a position to do this, and, the police are prepared to accept this responsibility. In California and elsewhere, police citation releases have grown remarkably.

Those cases in which the release decision is more complex or controversial will, of course, be passed through the system beyond the early release stages and come before the pretrial release agency. The agency, with its system of interviews, verifications, evaluations, and recommendations, can then give these cases proper consideration. It is in these cases where the pretrial release decision is more difficult, that the pretrial release program will have its greatest impact. If your

programs can move beyond the minor misdemeanor cases and focus upon the more serious cases you will be more economical and you will be able to devote greater attention to those cases that demand it.

One of the consequences of this new role will quite obviously be a dramatic reduction in your release figures--that is, project release figures. However, if those persons who were formerly project releases are now being released by the police and the court, there is no detriment. If your programs are spurred to look at the tougher cases, to experiment and to develop workable alternatives to provide release in these cases, there will be an overall benefit to the system and to the program. Conditional releases, supervised releases, and deposit bail may come to represent a significantly greater proportion of your releases. But, here too, I must throw out a caution. It is my firm belief that many jurisdictions have moved too quickly and too fully into these types of releases. These forms of release should be designed, intended, and used to provide for the release of "higher risk defendants", those defendants who are not capable of being released safely on straight own recognizance. If you as programs, provide judges with more restrictive release options, they are very likely going to use them. Once these options are provided, I am quite certain that the level of straight own recognizance releases will not increase but may very well decrease.

It is your task to monitor the system and to insure that the more restrictive release options

are used properly. I do believe that the more restrictive release options, particularly conditional and supervised release, have an important place in the pretrial release system. They should be used as a form of release, however, only for those persons who cannot be safely released on own recognizance for one reason or another. I must add, however, that I am not at all confident that we know at this time what those factors are which make a person a higher release risk and therefore unsuited for release on straight own recognizance. As to conditional releases, my concern as to the overuse of this form of release is simply that it creates a lot of bureaucratic problems in monitoring the performance of defendants on release, in reporting violations, and in deciding what to do when a person violates a condition that you might not really care was violated in the first place. The overuse of conditional releases will simply and unnecessarily consume too much of your project time, too much court time, too much of your money, and will saddle defendants with unnecessary requirements.

My greater concern is in the area of deposit bail. Deposit bail is certainly preferable to surety bail. It is a fairer, more efficient method of release. It is also, quite obviously, less costly to the defendant. To the extent that money requirements remain a part of the bail system, to the extent that money bail remains an option, it is clearly preferable to use deposit bail as opposed to requiring a person

to purchase the services of a bail bondsman. You must, however, constantly bear in mind that deposit bail is money bail. High bail is still high bail regardless of the mechanism which the defendant has available to post it. Deposit bail has the same capacity to discriminate on the basis of wealth as any other type of money bail. It would be tragic, truly tragic, if the bail reform movement, which has come so far, should culminate in a system that relies primarily on money bail -- albeit, in a more palatable form. If deposit bail legislation should be forthcoming as quickly as I think it might, there is a real possibility that this form of release will work to defeat much of the gain that has been made in the use of non-financial releases. If there is not someone in the criminal justice system to check and to monitor the use of deposit bail, we may wind up with a system of release based primarily upon the use of deposit bail.

Therein is where I perceive to be the second major role for pretrial release programs in the future. Your programs must stay in existence to serve the function of an overall pretrial release system monitor. It is your agencies that must assume the responsibility to see that the system of pretrial release is not abused, to know that system and what is going on in it from top to bottom. For example, you must be concerned that citation releases are being used appropriately. Is the pretrial release program not interviewing certain classes of defendants in the belief that they are receiving prompt cita-

tion releases, when in fact they are not? At the other end of this system, you must be concerned with the use of deposit bail. Are deposit bail amounts increasing without any reason? Who is being required to use deposit bail and is it really necessary for them? You must be conscious of the pretrial detention population. Who are the defendants being detained prior to trial? Why are they there? How long have they been in custody? Is there anything that the program can provide to the system that will allow for the safe release of some of these pretrial detainees? You must be constantly aware of failure to appear rates. You should be willing and capable to perform control group experiments--such as by providing different methods of notification as to future court dates--to determine whether the failure to appear rate can be reduced. The fact that "Bail Reform in America" states that the average failure to appear rate in twenty jurisdictions in 1971 was nine percent does not mean that this is a standard or an acceptable failure to appear rate. Quite clearly it is not. In a sense, every failure to appear is a failure in our pretrial release system. Pretrial release programs must be concerned about failures to appear and constantly work to improve the overall pretrial release system.

This conference opened in its first session with some strong words by several speakers that the role of the programs must be one of neutrality--a neutral court service agency to serve the three communities of a pretrial release

agency. If by this we mean that the programs must be honest, straightforward, and not slant their reports towards either the defendant or the state and that the programs should present their information whether that information be helpful or damaging to pretrial release, I can agree with it. The goal of the programs should truly be to see that in each case there is sufficient, accurate information presented to the court so that each bail decision will be an individual one and an intelligent one. No one can ask for any more than that.

But, if we are using the word "neutral" to mean that the program should not take a position on the release issue, that it should simply present information, then I must disagree. Presumably, the pretrial release program that is working in this area daily has some expertise by which to evaluate and draw conclusions as to what the information they have collected means. I believe that the judges want you to draw these conclusions. The judge may not agree with it, but he should certainly have your opinion. And I am not sure that it is always wrong to be an advocate--to be a defendant advocate. What if the bail hearing is one in which the state is represented but there is, as yet, no one representing the defendant? Even when there is an attorney to represent the defendant at the bail hearing, that attorney, more often than not, has not met the defendant prior to the hearing and is, therefore, in no position to argue the defendant's case for release. In these situations, cannot the program advise the

judge if the release recommendation is favorable but being overlooked? And when your program is interviewing in the jail during non-court hours, say Friday night at 6:00 p.m., and a person who is fully qualified for own recognizance release under your criteria comes to your attention, must that person wait until a Monday morning appearance for a release decision? I do not believe that your program need be so neutral as to wait until Monday morning. I believe that you should have the ability to call a judge or bail commissioner and obtain authority, if you do not have such authority delegated to you, to release that person Friday night. The role of a pretrial release program is an important policy decision that each of you must make and periodically reassess. You certainly do not want to lose credibility with the court by taking a clear pro-defendant or pro-prosecution position. You want to be objective and forthright in what you do and perhaps this is all we mean by being neutral.

There is one area, however, where the programs must be advocates. You are pretrial release programs and you are charged with seeing that this system operates efficiently and fairly for everyone. You owe this to the accused, to the criminal justice system, and to the public. You cannot be complacent when you see the system being abused or malfunctioning.

You have a very significant task; in many ways your task is more difficult than that which confronted your predecessors starting pretrial release programs in the 1960s.

At that time, the programs were clearly outside of the criminal justice system. Even if operated by a probation department, the program was still not really a part of the system. The programs then were an outside force providing a simple, workable solution to a very significant problem. The problem at that time was that bail, a mechanism designed to allow for release prior to trial, was in fact doing exactly the opposite. It was causing the wholesale detention of persons who could and should have been released but were not because bail, even when set in small amounts for relatively minor offenses, was beyond their capabilities. Unfortunately, this situation still exists in far too many jurisdictions and some of you may, in fact, be fighting now to gain the first foothold in the use of own recognizance.

But most of you here today operate programs in jurisdictions where non-financial release is not radical, where tremendous inroads have already been made in the use of non-financial releases, and your programs are very much integrated into the criminal justice system. Your task is to convince the courts that more can be done, that more must be done. If you do not, the boundaries of bail reform in America will be fixed. I urge you not to be satisfied, complacent, or neutral as to advancing the safe use of non-financial releases and in developing alternative strategies for attacking the problems of pretrial detention, failure to appear, and pretrial crime. Bail reform has come a long ways,

but how far it goes from here is up to you. You must strike a delicate balance. You must remain part of the criminal justice system and not get tossed out for a lack of credibility or a lack of money. At the same time, you must stand apart from the system and not get swallowed up by it in your quest for credibility and money.

Bail reform needs creative minds, the kinds that I have seen demonstrated in the workshops at this conference. From what I have seen in these meetings, my opinion is that bail reform is in very good hands, but I urge you to carry forward and to continue the fight.

FIRST PLENARY SESSION

Tuesday

A dramatization and panel entitled "Current Practices in the Adult and Juvenile Systems" followed the keynote address. This dramatization contrasted the current release practices in the adult and juvenile systems and vividly illustrated the importance of standards and guidelines for pre-trial practices.

The adult hearing was conducted according to rigorous standards with sensitivity to due process and equal protection issues: presumption of innocence, presence of counsel, importance of a written record, purpose of bail. There is increasing acceptance and implementation in the adult system of release procedures which adhere to such standards and safeguards.

But in this "unfinished revolution" of bail reform, juveniles have been largely ignored. Adult pretrial practitioners too frequently do not acknowledge that it is the failure of the juvenile system that feeds the adult system. Further, there often seems to be little concern that the rights taken for granted in the adult system are not accorded to juveniles in the same jurisdiction, i.e., right to counsel, specific criteria for making release decisions, etc.

Although diversion was not addressed directly by the video, many of the same considerations are applicable and were discussed by the panelists. Each panel member brought a unique perspective to the discussion:

Tom Crosby, Moderator  
journalist, taxpayer, potential  
victim,

Expressed concern about the danger  
to the community in releasing accused  
persons prior to trial

Richard Van Duizend  
directing national effort  
for development of juvenile  
standards and goals,

Pointed out that decisions not to  
release are based on two assumptions:  
an assumption of guilt  
an assumption that the accused is  
dangerous.

...advocated standards that address  
protection of the community and  
protection of juvenile rights through  
procedural safeguards and application  
of least restrictive criteria

Frank Carter,  
attorney in private practice  
and former employee of a  
release agency,

Emphasized that pretrial agencies must  
maintain a "neutrality" and provide  
the court with complete and accurate  
information. He stated that the  
prosecution and defense are both often  
guilty of the same crime of omission.

Marty Mayer,  
former Public Defender,  
previously administrator  
of drug diversion project,  
now criminal justice coordi-  
nator for Cal. League of Cities,

Affirmed the importance of the posture  
of neutrality, stressing that it was  
precisely that credibility and reli-  
ability in service to the court that  
could be a selling point to municipali-  
ties that were unable to see what other  
benefits they would receive from their  
money.

Severa Austin,  
in charge of developing  
and implementing standards and  
goals in Wisconsin,

Spoke of the difficulty in implement-  
ing pretrial standards and goals even  
in one state because practices and  
receptiveness vary widely. Further  
stated that we, as practitioners, had  
to take responsibility for portraying  
to the public that we were able to do  
something about crime.

## SECOND PLENARY SESSION

Wednesday

Representatives from the communities were invited to speak on "The Pretrial Accused -- A Multi-Faceted Perspective". The panel was moderated by a sociologist and participants included a judge, former policeman, jail administrator, and an ex-offender. Although perhaps not characteristic of their disciplines, each spoke of being generally well-disposed to pretrial services as alternatives to normal processing. Each had their own reservations, however, which further pointed to the need for standards and goals responsive to the roles and perspectives of all parties:

Benedict Alper, Moderator,  
sociologist and writer  
in the field of criminal  
justice,

Reminded audience that the popular  
notion that this country has "coddled  
its criminals" is in conflict with  
data that show high rates of detention  
and incarceration. Further noting  
the current direction toward capital  
punishment and mandatory sentences,  
he stressed the importance of maximiz-  
ing communication within the discipline  
as well as with the other "facets" of  
the system.

Barry Glick,  
a former police officer,

Spoke of the frustration of working in  
a system that has arrest quotas, particu-  
larly when the officer does not expect  
anything to happen to the accused after  
the arrest. The arrest then becomes  
the worst thing that the cop can do to  
the accused, the "punishment".



**CONTINUED**

**1 OF 2**

Gordon Kamka,  
warden of the Baltimore  
City Jail,

Talked of the crisis of jail overcrowding. Noted with satisfaction that, as a result of working with the local pretrial services agency, the number of pretrial detainees had been significantly reduced. However, that did not have the affect of reducing the population as a whole. Instead, the jail became full of sentenced inmates.

Judge Harold Greene,

Musing over the atypical composition of the panel and conference attendees, noted that everyone there seemed to be in favor of diversion and that "there was too much just talking to each other." In another note of caution he warned of the dangers of diversion:

- that it not become a dumping ground for bad cases
- that individual rights be carefully safeguarded
- that there is not an overuse of diversion, for example, that would delay decriminalization.

Thomas Poone,  
as an ex-offender,

Shared a very personal perspective on the pretrial accused. He advocated for humanism and good service delivery within the system by crediting his own "habilitation" to the intervention of a counselor at a crucial time in his life.

### THIRD PLENARY SESSION

Thursday

This panel looked at the broad issues of "Institutionalization of Pretrial Services." It preceded, on the program, more specialized panels in the release and diversion areas which addressed particular states of program development. Representatives talked about legislation, court rule, and approaches to securing funding.

Gordon Zaloom, Moderator,  
attorney and former Chief  
of Pretrial Services in  
New Jersey,

Defined institutionalization of pretrial services, for the purposes of the panel, as acceptance by local authorities and local funding. He stated that the object of institutionalization is reached only when diversion and release are parts of each state's criminal justice system; programs should be

operating in a uniform manner through the adoption of standards and goals New Jersey accomplished this through court rule.

Saif Ullah,  
director of a multi-  
faceted juvenile diversion  
program,

Emphasized that before talking about institutionalization, a program has to prove its worth with correct information that shows worthwhile services are being provided. Noting the limitations that flow from any single source of money, he urged more flexibility in guidelines and the combination of funds (LEAA, HUD, Title XX, CETA, parks and recreation, mental health, etc.) into a pot that could fund a multi-service youth services system. That would double the benefit of the monies. In California, he said, 300 community organizations and 50 diversion projects banded together to collect the information necessary to approach the county and state for support. They have even been successful in getting state legislation passed.

Cheryl Welch,  
director of an  
adult diversion program,

Discussed the strategy that was taken to creating support for local project as basis for statewide enabling legislation. Among the factors identified were: obtaining the initial support of the prosecutor and the court administrator, collecting and circulating data on recidivism and cost effectiveness, participation in police in-service training, contact with victims and police involved in diverted cases, expanded eligibility criteria, use of media, luck. Because acceptance was developed both for the concept of diversion and a particular program approach, Florida will have a program in each circuit.

Joseph Rhodes,  
state legislator  
sponsoring release bill,

Remarked on the semantics of using the word "institutionalization" at a time when "deinstitutionalization" is more politically acceptable. He further ventured to say that, in supporting the concept of release, he was not certain that he supported release

programs because they are sometimes not active in advocacy but self-serving, instead. He proposed that among the reasons that pretrial bills can't get passed:

- the criminal justice system depends on coercion (through detention) to encourage defendants to plead guilty
- people make money in the system the way it is (magistrates, bailbondsmen)
- in the public and political explosiveness of the crime issue, rational arguments have no effect.

In considering legislation, he was not in favor of a 10% cash deposit bill because the economic inequity still exists. Although skeptical that criteria can be rationally determined, he advocated an approach requiring that the need for preventive detention be proven in each case.

Bruce Beaudin,  
director of a large  
urban release organization  
and involved in national bail  
reform movement since early  
1960's,

Stated that, presuming a program has been evaluated as successful, to see it institutionalized, the program operator needs to build a solid base of support. In order to do this (s)he must be educated to identify the local power base and what moves it. To some extent, pretrial should use the same approach as the bailbondsmen does (cocktail parties, discussions over lunch). Beyond that, editorial writers can badger politicians if they are fed information. Sometimes it may be most effective to find the most conservative judge or person most opposed to what you are trying to do to head a body investigating the future of the service. Approaches, necessarily, will be different between jurisdictions but operators cannot afford to be naive and to neglect lobbying and "public information" efforts.

WORKSHOP SUMMARIESTHE BAILBONDSMAN

Wednesday

Dale Tooley  
District Attorney  
Denver, Colorado

Paul Roberts, Assistant Director  
Marion County Pretrial Services  
Indianapolis, Indiana

This workshop dealt with the traditional role of the bailbondsmen and specific successes or barriers being faced in jurisdictions dealing with changes which will alter, reduce or eliminate the role of the bailbondsmen. Included was:

- o Brief survey of the historical role of the bailbondsmen in American criminal justice.
- o Ten per cent bailbonding program developments.
- o Personal recognizance bond and other non-monetary bailbond releases.
- o Recent case law and statutory law changes concerning bailbonding.
- o Proposals and legislation to outlaw bailbonding for profit.
- o Problems which must be faced as the role of bailbondsmen is reduced.
- o Political considerations in securing bailbond reform.
- o Who should be leading bailbond reform in America?

PRETRIAL RELEASE, THE DANGEROUS DEFENDANT, AND SPEEDY TRIAL

Tuesday/Thursday

Barry Mahoney, Director of Special Programs (T)  
National Center for State Courts  
Denver, Colorado

Wayne Thomas, Esquire (T)  
Fullerton, Lang, Richert & Patch  
Fresno, California

continued ...

Bruce Beaudin, Director (TH)  
D.C. Bail Agency  
Washington, D.C.

Ann Sparraughs, Esquire  
Office of Public Defender  
Marlboro, Maryland

This workshop addressed the conceptual and practical issues of how courts and pretrial release agencies should deal with questions relating to detention and possible release of so-called "dangerous defendant." The workshop material included drafts of the NAPSA standards and goals relating to pretrial release.

Two sessions of the workshop were held. The first dealt much more with preventive detention and dangerous defendants in the abstract. The second related these to the standards and goals.

#### NEIGHBORHOOD DISPUTE MEDIATION

Tuesday

Carole Taylor  
American Arbitration Association  
New York, New York

Paul Wahrhaftig  
Pretrial Justice Program  
Pittsburgh, Pennsylvania

This workshop exposed the participants to an innovative process for resolving minor "criminal" disputes. Through discussion, participation, and a demonstration, the role which a mediator assumes for resolving criminal complaints diverted from the criminal courts was illustrated.

Special emphasis was placed on the role which a neutral party can perform in achieving a lasting settlement of an interpersonal dispute.

COMMUNITY BASED ORGANIZATIONS AS THIRD PARTY CUSTODIANS

Wednesday/Thursday

Stanly Berkemeyer  
American Friends Service Committee  
Washington, D.C.

Frank Fitch  
San Francisco Pretrial Diversion Project  
San Francisco, California

Neal Johnson  
Bureau of Rehabilitation  
Washington, D.C.

Ron Simpson  
Director, Dismas  
Washington, D.C.

Robert Walsh  
Washington, D.C.

Generally, there are two basic aims of third party custody groups: affecting change in the criminal justice system and service to those arrested. Two basic modes of operation are: custody as alternative to pretrial incarceration and custody as diversion. Below are listed topics that could be touched on only in the opening presentation or discussed in depth as workshop members desired. The workshop was not structured as a lecture session with questions, but as an opportunity to exchange ideas and information on strategies.

The Organization

- Structural boundaries
  - Geographic
  - Residential space limits for inhouse programs
  - Client screening standards
- Operations
  - Requirements of clients by programs
  - Services to clients
    - Employment
    - Education, training
    - Referrals, followup
    - Counseling
    - Other
  - Street investigation/retrieval
  - Record keeping, confidentiality
  - Reports to court, relinquishment of custody
- Research

continued...

Administration

- Staff selection, training, supervision, use of volunteers
- Funding, budget
- Accountability
- Evaluation, goals and documentable results

The Criminal Justice System

Affecting change, advocacy

- Establishment of bail agency
- Abolition of money bond
- Effective counsel, complaint procedures against counsel
- Speedy trial
- Monitoring police behavior, effectiveness of complaint procedures

The Community

Recruiting volunteers

Community education

- Pretrial issues, incarceration versus release
- Plight of offender and arrestee regarding employment
- Jail inmates' need for services
- Percentage of arrestees judged innocent/guilty

DIVERSION OF HIGH RISK CASES

Tuesday/Wednesday

Preston Trimble (T)  
District Attorney  
Norman, Oklahoma

Arnold Hopkins, Former Director (W)  
American Bar Association National  
Offender Services Coordination Program  
Washington, D.C.

Roz Lichter, Director  
Legal Aid Society Diversion and  
Presentence Program  
New York, New York

The Honorable Eve Preminger  
Judge, Criminal Court  
New York, New York

Definition of "high risk" cases in diversion varies from person to person using the term. Criteria may be seriousness of the charge, prior record, or other demographic characteristics of the accused. Working toward a common definition was one goal of this session.

The considerations that go into weighing a so-called high risk case for diversion were discussed from the perspective of the judge, the prosecutor, and the program administrator. Discussion addressed the following points:

- o what high risk population is appropriate for diversion
- o what is the balance between the dangers and the benefits
- o what are the special program considerations that flow from this target population
- o what is being demonstrated - the reality v. the perception
- o what does it mean - what are the implications on other planning and program development efforts

DIVERSION FROM THE CLIENTS' PERSPECTIVE: A REAL OR IMAGINED SERVICE?  
Tuesday/Thursday

Eddie Harrison, Director  
Pretrial Intervention Project  
Baltimore, Maryland

John Bellassai, Director  
Narcotics Diversion Project  
Washington, D.C.

James Davis, Director  
Project Crossroads  
Washington, D.C.

And former clients from each of the programs.

This workshop was designed as an assessment of project services from the clients' perspective.

Former clients of an adult, drug, and a juvenile diversion program discussed project screening and selection criteria (the appropriateness of their being diverted) and the validity of information provided and used for assessment, case service planning and service delivery.

Attention was focused on the foundation for project recommendations and the project's ability to predict future client behavior. The workshop explored programmatic, staffing and administrative variations to determine exactly which elements or components of diversion

continued...

programs impact most on successful or unsuccessful completion. This workshop also explored the longevity of program impact, a program's usefulness after completion, the availability and cooperation of clients during followup and evaluation activities, and client/program perspectives and attitudes.

#### Program/Client Perspectives

- P: We trust each other.  
We work on a trust basis.
- C: Ain't no way in the world I'm going to trust you.  
You're my probation officer!
- P: If you cooperate with your counselor we'll get your case dismissed.
- C: I'll say whatever you want to hear!
- P: We're here to help you.
- C: You're here to watch me.
- P: I'm your counselor.
- C: Bullshit, sucker! You don't know anymore than I do!
- P: Tell me what's really on your mind?
- C: If I did, you'd send me back to court so fast...

#### DEVELOPMENTS IN JUVENILE DIVERSION

Tuesday/Wednesday

Saif Ullah, Executive Director  
Midvalley Community Mental Health  
Duarte, California

Emily Martin, Director (T)  
Special Emphasis Program  
Office of Juvenile Justice and  
Delinquency Prevention/LEAA  
Washington, D.C.

This workshop began with an overview of what is being done nationally in juvenile diversion. Discussed were the eleven juvenile diversion programs funded by the LEAA Office of Juvenile Justice and Delinquency Prevention as well as some examples of what is being done on local initiative. Among the specific questions addressed were:

- o selection of the most appropriate target group, to provide the most beneficial service without widening the net of control
- o what safeguards are necessary
- o what services are appropriate; do they make a difference
- o what modes of sponsorship and with what effect
- o how can legislation support juvenile diversion (specifically discussed was some pending legislation in California)

The specific focus of each session was, in large part, determined by the interests of the attendees.

COST BENEFIT ANALYSIS

Wednesday/Thursday

Raymond Santirocco, Ph.D. (W)  
Office of Criminal Justice Planning  
Rochester, New York

Oded Ben-Ami, Research Assistant  
Pretrial Services Agency  
New York, New York

Cost benefit analysis is a sales tool for the institutionalization of programs. As such, it must be conducted with conservative assumptions in order to be credible to legislators. Such conservative assumptions include the use of marginal costs and benefits, as opposed to fully absorbed costs, and the limitation of recidivism benefits. In this approach, consideration should be limited to cost and benefits to the unit of government being asked to subsidize the program; societal costs and benefits have little impact in an area of seekers of governmental resources. Attention should also be given to separating "hard" and "soft" dollar savings.

There was considerable discussion at this workshop of the politics of cost benefit analysis, how legislators are sensitized to its use, the timing and mode of presentation of results, etc. It was also emphasized that although pretrial programs themselves may be cost beneficial, system-wide effects accompanying the institution of the programs may negate cost savings. An example given was that although an ROR program may initially reduce jail occupancy, judges, seeing empty space, may begin to detain offenders who were normally released prior to the ROR program; i.e., a system dynamic which states that "jail populations always expand to fill the number of available beds."

PRETRIAL AGENCY AND THE EVALUATOR

Wednesday/Thursday

Bruce Eichner, Director  
Court Employment Project  
New York, New York

Sally Baker  
Vera Institute  
New York, New York

continued...

- I. Pretrial services agencies and evaluators exist in a critical interdependence. Only with the statistics and empiricals evolved through the evaluations can the efficacy and cost effectiveness of their programs be ascertained.
- II. Problems: But this is not to say that there are not problems and that the relationship is not often fraught with tension.
  - (a) The criteria employed by evaluators, if not developed on the basis of a careful observation of the program to be studied, may not truly reflect the achievements or objectives of the program.
  - (b) Tools: Even where the evaluative criteria are largely acceptable, adequate measurement tools may not exist. Such, for example, is often the case where such subjective matters as impact upon quality of life are at issue.
  - (c) Interpretation: Even when available, data may be ambiguous. Thus, for example, a showing of a specified recidivism rate at the end of six months may be good or bad depending on expectations.
  - (d) Control Groups: No impact study can be meaningful in a vacuum. But the creation of control or comparison groups against whom project participants can be measured is difficult; first, because it is difficult to define and construct an identical group for sampling purposes and second, because the construction of such a group often necessitates the withholding of program services from eligible defendants.
  - (e) Time Spans: Meaningful research must often be of a long-term nature, with two years being a typical followup period. To the extent that a pretrial agency's self image, orientation, and priorities may from time to time change, the risk exists that the research will find it is evaluating a program no longer in existence. As a result, the utility, if not the accuracy, of the research may be called into question, but the alternative of "freezing" agency practice for the duration of the research is unacceptable.
  - (f) Divided Loyalties: It is natural for the pretrial agency to be concerned with how the research is conducted to the extent that favorable findings are desired. It is equally common for the researchers to have ideas in the course of their work as to how the agency can be improved. Thus, each group is interested in the business of the other.
- III. Evaluators as a Resource for the Line Agency
  - (a) Gathering data which may be useful in the daily operations.
  - (b) Making of general comments of a descriptive nature.
  - (c) Familiarizing line agency staff with the latest academic thinking in the area.
  - (d) Warning agency personnel of insipient problems.
  - (e) Evaluating operational experiments conducted by the line agency.

DEVELOPING PROJECT PUBLICATIONS: A BROCHURE, ANNUAL REPORT, PRESS  
RELEASES Tuesday

Jack Mergen, Administrative Assistant  
Pretrial Intervention Division  
Baton Rouge, Louisiana

The need for and different uses of project publications was identified.

Workshop participants were taken through all of the steps involved in developing a product:

- o conceptualization and planning
- o writing, layout, and design
- o editing
- o use of graphics, art work, and photographs
- o selection of printers
- o range of formats available and implications of each on costs
- o distribution

LEGISLATION

Wednesday/Thursday

Wayne Thomas, Esquire  
Fullerton, Lang, Richert & Patch  
Fresno, California

Helen Gonzales  
Assistant to Speaker of the Assembly  
Sacramento, California

Developments in the field of pretrial release and diversion are unique among the many significant changes which have occurred in the administration of criminal justice and the rights of the criminally accused in this country since 1960. While most of the changes which did occur emanated from court decisions or legislative reform, implementation of alternative forms of pretrial services grew from individual initiative and imagination put into practice by experimental programs in the field. While legislation and court decisions followed in many jurisdictions, many, if not most, pretrial programs today still operate without express statutory authorization and utilize methods of pretrial services for which statutory authorization is lacking. Moreover, even where state legislation exists, it is often piecemeal and unsatisfactory.

The Legislation Workshop considered bail reform legislation from the concept of an integrated, comprehensive pretrial release system.

continued...

Enabling legislation for each of the now well recognized forms of release will be discussed both in terms of specific alternative legislative proposals and how each form of release might be incorporated into an overall system of release. Legislation will be discussed in each of the following areas:

- o Presumption in favor of nonfinancial release
- o Police citation release
- o Supervised and conditional release
- o Deposit bail
- o Authorization and funding of pretrial release programs

The workshop also considered the politics of bail reform, the arguments which can be made against bail reform, and the type of background research and data necessary to support bail reform legislation.

Similarly, the workshop analyzed several approaches being taken to diversion legislation--including diversion of drug related and non-drug related cases and juvenile diversion. In addition to identifying the possible goals of the legislation--authorization, funding, definition of eligibility or conditions of participation, systematic evaluation, etc.--the workshop considered strategies for seeing that bills become law.

THE MEDIA: MESSAGE PARLOR OF THE MIND

Tuesday/Wednesday

"The Media Preserves the Communities' Right  
to Know, But What Does it do to Programs?"

Bruce Beaudin, Director  
D.C. Bail Agency  
Washington, D.C.

Thomas Crosby, Staff Writer  
Washington Star  
Washington, D.C.

A short (fifteen minute) dramatization including a "live" interview of a program administrator followed by an immediate "story" release set the stage for specific hints on how to ensure an accurate news report of facts concerning your or your agency's role in the criminal justice process.

A "fact sheet" that sets the basic fact setting was distributed to all participants.

The session illustrated the following:

1. Get to know your media representatives before a crisis arrives.
2. A media rep's job is to find news: (s)he is on duty 24 hours a day. Friendships may interfere with duties and vice versa. Be on guard and do not put "friends" of this nature in a difficult position.
3. Four ways to communicate -- On the Record, Off the Record, Not for Attribution, and Background -- demand setting ground rules before interview with media rep starts.
4. Session illustrated serious mistakes made by an "honest" administrator and an equally "honest" newspaper reporter.

THE GAME OF GRANTSMANSHIP

Tuesday/Thursday

Nancy Maron, Assistant Director  
Division of Criminal Justice  
Denver, Colorado

Mark Paulter, Courts Specialist  
Division of Criminal Justice  
Denver, Colorado

You can develop a program that provides a service needed in your community but only in the context of political and funding realities. Workshop attendees were lead through the grant preparation process and given guidelines on how to present the most appealing package by actually preparing a work product.

The following materials were used as the basis for the exercise:

"THE GAME OF GRANTSMANSHIP  
(A Simulation Game in Grant Writing)

A meeting is about to be held to consider the development of a grant proposal for an adult pretrial services program - a combined pretrial release and diversion program.

The people present are: the sheriff, the court administrator, the chief probation officer, planner at the LEAA funding agency, the district attorney and the county commissioners.

Each of you will role play one of the above criminal justice system actors. Information on the

continued...

implications such a program would have for each role within the criminal justice system and the community are listed below.

Sit down with the other system representatives and see if you can come up with a grant application for a pretrial services program which will satisfy the majority of your concerns. The character you will represent is indicated by a star in the listing below. Then, write a one-page summary of a grant application.

- A statement of needs and problems - ½ page
- A summary of the project design - ½ page  
including a project organization structure administration and funding.

Principal Characters:

- 1) The Sheriff  
The sheriff is the administrator of the county jail which houses adjudicated prisoners and is the holding facility for people awaiting court appearance. He feels that pretrial services programs coddle criminals and let them out on the street more quickly so that they can commit more crimes. The design capacity of the jail is 50 people, but the average daily attendance during the last year was 63 people. 60% of the jail population are pretrial detainees.
- 2) The Court Administrator  
The official position of the state administrative court system is neutral - neither favoring nor opposing a pretrial services program. However, the court administrator feels that pretrial release or diversion, if they are developed should be court administered functions and therefore be court operated. The judicial system is unwilling to assume the cost of the start-up and operation of a pretrial service program.
- 3) Chief Probation Officer (C.P.O.)  
The C.P.O. is in favor of a pretrial services program. He wants the program to operate within the probation department and under his administrative control. Probation is a court function in this jurisdiction. The C.P.O. likes the

reputation of running an innovative and effective probation department. He would like to expand the size of his department and increase his area of influence. He is concerned about equal justice and rehabilitation of the offender.

4) County Commissioner

The County Commissioner favors a pretrial services program because the jail costs are paid by the county and a pretrial release program would save the county money by reducing the number of pretrial detainees in the jail. Humanizing the criminal justice system is not one of his goals. He feels that pretrial diversion will save money for the courts and therefore is a judicial function. Because the overcrowded conditions at the jail are close to provoking a court case, he is willing to provide 10% match for startup costs for both pretrial release and diversion but will not commit county funds to assume the cost for the whole program in three years. If the program is started he feels it should operate as an independent non-profit corporation.

5) Planner - LEAA Funding Agency

The high priorities for LEAA money for the current funding cycle do not include pretrial services. The establishment of cost data and system cost benefit ratios are of great concern to the funding agency. Recidivism data and baselines are also a high priority. In addition the planner has just collected data which shows:

85% of defendants are under 25 years of age

80% of defendants are found guilty of property crimes

60% of those found guilty are first offenders.

LEAA has recently placed a new emphasis on addressing the problems of court systems.

6) District Attorney (D.A.)

The D.A. is an elected official and is concerned about the political repercussions of pretrial services programs. The principal city within the judicial district is liberal but the remainder of the county is ultra-conservative. The next election will be held

continued...

in three months. The D.A. would like complete control over who will be diverted and is only willing to divert first offender shoplifters and marijuana possession busts."

Prepared by Nancy C. Maron and Mark Pautler for the  
NAPSA Conference in Washington, D.C., May 9-12, 1977.

This simulation is not to be duplicated or used without  
the permission of the authors.

Colorado Division of Criminal Justice  
1313 Sherman, Room 419  
Denver, Colorado 80203      ph. (303) 892-3331

COMMUNITY EDUCATION: THE CHALLENGE AND THE PROMISE Wednesday/Thursday

Jean Harnish (W)  
Baltimore, Maryland

Charles Randolph, Director (W)  
Project Resource  
Baltimore, Maryland

Sue Erlich, Project Coordinator (TH)  
Women in Transition  
Sacramento, California

Working in the criminal justice system, in general, and in offender related services in particular, one is very aware of the real significance of community education. The extent to which the community accepts the goals and objectives of an organization determines, in large part, the parameters in which they can work. Public support of pretrial programs is a survival issue both in the areas of funding and authorization (to release, to divert, etc.).

The communities of the pretrial agency are many:

Society	as potential victim, as taxpayer, merchant who suffers economic loss, through the legislature.
Criminal Justice System	police, judges, prosecutors.

Enlightened and supportive "communities" are an invaluable resource. Much of the potential power of community education is lost when it's just focused once a year on a trip to the legislature or limited to occasional speaking invitations arranged by someone else.

Using their own experience, workshop participants explored development of a model for community education that is not random and can be applied in approaching a variety of situations:

PLANNING

Identification of  
the Audience

- o their knowledge -- of the criminal and welfare systems
- o -- of pretrial
- o their interests, attitudes, vested interests

What's to be  
Accomplished in  
the Session

- o what information to be transmitted
- o what attitudes affected
- o what kind of follow-through desired

Development of  
Approach

- o strategy
- o methods
- o material, aids, etc.

DELIVERY  
ASSESSMENT

RIGHTS OF THE VICTIM

Wednesday/Thursday

Debby Jacquin, Director  
Pima County Adult Diversion Project  
Tucson, Arizona

Thomas Tait, Project Coordinator  
Victims Assistance Project  
Las Vegas, Nevada

William McDonald  
Associate Professor, Sociology/Research  
Director  
Georgetown University  
Washington, D.C.

Historically the United States criminal justice system has expended large amounts of tax money to identify, apprehend, prosecute, incarcerate and service the perpetrators of crime. From apprehension to conviction, the legal rights of the criminal offenders are protected; if there is conviction, the counseling and social service needs of the criminal offender are met by correctional treatment. In the last decade a substantial increase in tax revenue has been consigned to provide criminal offenders with the following services: educational advancement and stipends, job training and placement, mental health therapy and supervision, substance abuse diagnoses and treatment and food stamps and other welfare-related assistance.

continued...

Only recently have criminal justice administrators and lay citizens realized that the criminal justice system has neglected victims and witnesses of crimes. Law enforcement and prosecution administrators are becoming more aware and concerned that their efforts to optimize crime prevention, detection, apprehension and prosecution have been stymied by the law-abiding public's unwillingness to report crime and participate as witnesses in the prosecutorial process. Lay citizens are becoming more aware and frustrated that their tax dollars are primarily being used to extend services for the perpetrators of crime and not for the innocent recipients of crime. Therefore, the administrators of justice and their cross-section of lay citizens are becoming actively concerned that the scales of justice are weighted to benefit the criminal population, not the victims and witnesses of crime.

EVALUATIONS, STATISTICS, AND MANAGEMENT  
INFORMATION SYSTEMS

Wednesday/Thursday

Gene Stephens, Ph.D., Associate Professor  
College of Criminal Justice  
University of South Carolina

Joel Garner, Office of Evaluation  
National Institute of Law Enforcement and  
Criminal Justice/LEAA  
Washington, D.C.

Charles Kuhlman, Research Director  
Pretrial Services Agency  
New York, New York

The Evaluations, Statistics, and Management Information Systems Workshop explored "generic" design and methods for evaluation of pretrial release and diversion programs, the types of statistical data that need to be collected for evaluative purposes and the levels of statistical analysis appropriate for interpreting data, and the uses that can be made of management information systems in designing and implementing evaluation and in assisting in operation the total pretrial program.

Specifically, resource persons were knowledgeable in the uses of these tools (i.e., evaluation, statistics, and management information systems) in the pretrial planning process, in several projects (e.g., the Court Employment Program and the Pretrial Services Agency in New York City), and in the overall operations of LEAA, Vera Institute, and field and academic research and evaluation programs.

Among the questions addressed were: What are the current requirements for the evaluation component of LEAA-funded programs? What statistics must be collected? What levels of analysis of data are appropriate? How can management information systems be set up to manage the total operation of the project or agency and still generate research data as a "spinoff"? At what points along the plan-grant proposal-program implementation continuum must (1) evaluation, (2) data requirements, and (3) best use of management information systems be considered?

At least half of the time allotted for the workshop was devoted to answering questions and interaction with the audience.

THIRD WORLD: COMMUNITY OR COMMUNITIES?

Tuesday/Thursday

Robert Covington, Executive Director  
San Francisco Pretrial Diversion Project  
San Francisco, California

Too frequently the assumption seems to be made by policymakers and minority representatives alike that there is a third world community or a third world perspective.

However being Black in D.C. is not like being Black in Alabama; being Asian in California is not like being Asian in New York. Experience, problems, and priorities vary not just by ethnic identity, but from place to place.

We are at a time in our social development and the development of our discipline that we can, and perhaps must, go beyond the blanket labeling, generalizations, and banding together that characterized the beginnings of consciousness in this area. In other words, we must stop making something homogeneous out of something that is not. We should reflect a bit on what the differences really are, on their significance to national and local programming, and on the role of and relationship between third world peoples in the pretrial services.

The goal of this workshop was the development of a more sensitive multidimensional perspective on ourselves as both members of the third world community and as non-third world persons who want to be knowledgeable and responsive to all peoples.



## APPENDIX B -- ORIENTATION MATERIALS FOR PROGRAM RESOURCE PERSONS

1. Reference Points for Resource Persons
2. General Orientation for Panelists on Program Development
3. General Orientation for Workshop Faculty
4. Suggested Format for Standards and Goals Working Sessions
5. Evaluation Form



Some Reference Points for  
Workshop, Work Session & Panel Discussion Leaders  
National Conference on Pretrial Release & Diversion

Thank you for agreeing to take responsibility for a portion of the work of the conference. Everyone is looking forward to a lot of learning and a lot of involvement in the sessions you are running. This sheet outlines a few guidelines you may find helpful in running your session.

1. Structuring the session

Introductions : Group leader and resource people should introduce themselves. If the group is smaller than 20, participants should introduce themselves as well.

Goals : State your goals for the session clearly. Participants then know the framework within which they are working.

Ground Rules ; Establish ground rules for presentations and participants explicitly. Ground rules should include time constraints for both resource people and panelists, how subject matter not directly related to the session will be handled and what sequence the events will be in.

Provision for follow up : If the group is responsible for a product, explain what will happen with the product. If the group is for acquiring information, provide contacts for follow up.

2. Maximizing your resources. As leader of the session you are responsible not only for the presentation of the subject matter, but making sure it gets across. You need help both with information and the process in the session. For the subject matter, use not only the other resource people or panelists, but notice, during the discussion, which participants may have additional information and actively solicit their input. Similarly, in running the session, use resource people and participants to clarify discussion, bring it back in focus, and cut short long-winded speeches.

3. Potential Problems to watch out for:

- a. Lengthy speeches by both presenters and participants
- b. Monopolization of discussion by one or two people
- c. Polarization of viewpoints
- d. Getting off the track
- e. Side conversations
- f. Political/personal agendas
- g. Withdrawal of some participants

4. Some things you can do: in regard to the subject matter (keeping it focused and clear, getting out the most information)

- Initiate activity - suggest new ideas, new definitions of problem, new organization of material
- seek information
- seek opinion
- give information
- elaborate, clarify

- coordinate and summarize ideas and suggestions
- restate goals

In regard to participation:

- encourage active participation
- gatekeep - set limited talking time, solicit participation from silent members
- make periodic checks - "Are we going in the right direction?"  
"Does anyone feel we are leaving out a significant factor?" etc.
- mediate between different points of view
- relieve tension by humor

NOTES:

FACULTY ORIENTATIONS

## Panelists on Program Development

Thursday, May 12, 1977

2:30 - 3:30 P.M.

This general orientation has been prepared for those persons who have agreed to participate in Thursday afternoon panels on pretrial program development and institutionalization. Room assignments will be announced in the conference program.

Background and Topic

The panels follow a plenary session on institutionalization which will overview the broad issues relevant to release and diversion programs at all stages of development. That discussion will address legislation and court rule and its relationship to sponsorship, official sanction, funding and continuation.

Conferees then may choose to attend any one of the six panels being offered. In both the release and in the diversion area, one panel will focus on starting a pilot program, while another will speak to the process involved in seeing that the program survives its initial funding. A third panel in each area will explore the intricacies of fully institutionalizing a program.

It should be pointed out that the Thursday afternoon conference segment was developed in direct response to requests from attendees of earlier conferences. Information shared, therefore, should be concrete and generally applicable. To the greatest extent possible, idiosyncracies unique to a particular jurisdiction should be avoided.

Though not intended to be exhaustive, each panel should address the following questions as they relate to the particular stage of development being discussed:

- o what data should be maintained
- o how should it be used
- o how is "community" support defined and best generated
- o how is financial support obtained and ensured
- o what is the project's role in the system
- o what should we avoid
- o what should we strive for.

Roles of Panel Faculty

Each moderator has the responsibility for working with the panelists in advance of the conference to outline their presentations so that, as a whole, they are complete and not repetitious.

The moderator is charged with coordinating the content of the session as well as for strictly controlling the timekeeping during the session. It is suggested that,

in addition to speaking with each one in advance, moderators may wish to arrange a meeting of the panelists prior to the Thursday afternoon session. Space for this can be made available by contacting the Conference Headquarters between 9:00 and 5:00 p.m. any day of the conference (May 9-12).

At the time of the panel, the moderator is responsible for convening the session at 2:30, for introducing the panelists and commenting briefly on the perspective that they bring, and for providing a succinct introduction to the topic.

Panelists presentations must be limited to 5 to 7 minutes to allow at least half the session for open discussion. Panelists are viewed as resource persons for attendees. At the conclusion of the prepared comments, the moderator has the option of directing his/her own questions to panelists if some important point can be best made or clarified in that manner. The session should then be opened to the floor for questions and brief comments. Microphones will be available on the floor and questioners will be asked to line up in order to be identified by the moderator. Here again, it becomes important that the moderator maintain strict control. Comments from the floor and answers from the panel must be restricted to no more than three minutes each.

Even at the risk of being tedious, I would like to stress how important it is for moderators to be brutal and panelists abrupt, if necessary, in observing time restrictions. Experience has shown that the limitations of the panel format with a large audience require this kind of structure in order to be effective.

#### Expenses

As always, the conference budget is extremely limited. However, because the success of the conference in large part is dependent on the presence and preparation of the best resource people available, some financial assistance is available to panelists who would not otherwise be able to attend the conference. Expenses covered may not exceed the round-trip travel fare and one night's lodging at Stouffer's.

Expense forms will be included in your registration packets. Reimbursement, according to federal guidelines, will be done subsequent to the conference upon submission of the form and appropriate receipts. Allowable expenses will be limited to round-trip coach fare between your city of origin and Washington, D.C. by plane or train or at \$.15 a mile if you drive, but not to exceed the air coach fare. Lodging will be limited to actual costs not to exceed \$39.24 (\$36 per single room plus \$3.24 tax.)

#### Registration Fees

Conference registration fees will be waived for panelists who would not otherwise be coming to the conference. However, LEAA guidelines prohibit payment of food and beverage costs with LEAA monies or project income. It is, therefore, incumbent on us to charge the \$15 voluntary fee of anyone who will be attending the Tuesday evening Reception and the Thursday Banquet. Prorated tickets will be sold on site to persons who wish to attend only one function.

#### Confirmation Form

Please return the attached form to confirm your participation in the panel. In order to be included in the program, it must be received by April 25, 1977.

Thank you!

We are pleased that you have agreed to assist with a workshop at the sixth annual National Conference on Pretrial Release and Diversion. The conference is being held May 10 - 13, 1977, at Stouffer's National Center Hotel in Crystal City, Arlington, Virginia. The following has been prepared to address concerns common to all of those who have agreed to participate in workshops. Additional information on the conference can be found in the enclosed registration brochure. Should you have any additional questions, please don't hesitate to call me at (202) 638-3080.

### Role

For each workshop there will be one workshop coordinator, additional resource people, and a monitor. Workshop coordinators will have the responsibility for convening and closing the session, making introductions and providing a brief orientation to content at the beginning and a summary at the end. Additionally each coordinator is asked to submit a summary of the session of up to one typewritten page to the Resource Center no later than April 20. These will then be included in the Resource Notebook to enable attendees to choose sessions in a more informed manner. Coordinators should contact resource people to plan their sessions and solicit their input into the summaries.

Resource people are asked to work with the coordinators to ensure that the session is well planned and that their concerns are reflected in the summary. It is further suggested that coordinators schedule a meeting on-site to finalize planning. Space will be available in the Conference Headquarters.

Workshops are scheduled for an hour and a half. Including the time lost in getting started, it is suggested that prepared presentations last no longer than thirty minutes. The bulk of the time should be available for an interchange between resource people and attendees. As always, it will be incumbent on the faculty to maximize participation and to limit long monologues and digressions by exercising strong leadership and control.

To assist coordinators in the management of their responsibilities, faculty orientation sessions have been scheduled on Tuesday at 10:00 a.m. and Wednesday at 10:30 a.m. All coordinators are urged to attend one or the other in advance of their workshop.

Finally, monitors will be assigned to workshops to assist coordinators in reporting on and evaluating their sessions. These reports should be turned into the Conference Headquarters before the coordinator's departure from the conference.

To summarize, we ask coordinators to:

- structure the session in advance and with the input of all resource persons involved.
- submit a one page summary to the Resource Center no later than April 20.
- attend a faculty orientation session on-site.

- manage each session to maximize participation and information sharing.
- submit a short report on the session before leaving the conference.

### Schedule

A time has been allocated for workshops on each day of the conference program:

Tuesday, May 10: 4:00 - 5:30  
Wednesday, May 11: 1:30 - 3:00  
Thursday, May 12: 9:00 - 10:30

Based on pre-registration information we will attempt to determine which topics have the widest appeal and should be scheduled for a second or third session. I would like to do this final scheduling around April 25. With that in mind, please notify me if any of the three times are not convenient or if you would not be willing to repeat the session.

### Finance

As always, the conference budget is extremely limited. However, this year it is particularly true that the success of workshops is integral to the overall quality of the program. Workshop coordinators are being asked to prepare for their session in a more rigorous and structured manner and, in some cases, to do more work on-site than usual. To insure that workshops are of the highest caliber possible, some financial assistance is available for those coordinators who would otherwise not be able to attend the conference. Reimbursement of travel expenses according to federal guidelines may be obtained after the conference upon submission of appropriate receipts. Expense forms will be provided in your registration materials. Allowable expenses will be limited to round trip travel costs between your city of origin and Washington, D.C. by plane (coach) or train (coach fare) or at \$.15 a mile if you drive, but not to exceed the air coach fare. If, instead of travel, some other expense prohibits you from coming, it is possible that other arrangements can be made.

### Confirmation

Please return the attached form to confirm your participation in the workshop identified. Please let me know immediately if there will be any difficulty in scheduling you for any of the time slots. Forms must be returned to me no later than April 20. Reminder: summaries must be received by the Resource Center no later than April 20 to ensure that they are published. Why not return them together?

Thank you!

## SUGGESTED FORMAT FOR STANDARDS AND GOALS WORK SESSIONS

### Before you begin:

- Meet with your resource people and go over goals and format.
- Tell your recorders that they will be asked to summarize the group discussion in front of the group, so they should take good notes.
- Tell your resource people you will be counting on them to give you cues on how discussion is going.
- Get in mind what you want your timekeeper to do.
- If there is no pad and easel in your room, send a runner to Room 110 for pad and magic marker.

- I. Introduction, ground rules, housekeeping
  - A. Introduce yourself and resource people.
  - B. Describe how the session will be structured:
    1. You will be setting up goals and ground rules
    2. Brief presentation on Standards and Goals by \_\_\_\_\_
    3. Group will be developing agenda for today's and tomorrow's sessions, based on group's priorities.
    4. We will discuss about 1/3 of that agenda today, and the rest tomorrow.
    5. A product will be developed. A summary of our discussions will be presented at the final dinner and the information from our discussions will be used in the final version of the standards and goals.
  - C. State your goal for the session. Some variation on:
 

"To gather information, commentaries, and additional input to the Draft Standards and Goals so that the final product reflects the NAPSA conference attendees."
  - D. Lay out your ground rules.
  - E. Housekeeping - appoint two recorders and a timekeeper if you have not already done so. Explain their function.
  - F. Check with group to see that goal is understood and agreed to. Same with ground rules.
  - G. If your group is small, have people introduce themselves. If it is large, ask people to give their name when they speak.
- II. Ten minute (no more) presentation on standards and goals. Brief description of salient points.

III. Developing the agenda

- A. Without discussion, ask each person to write down the three standards or goals he most wants to get talked about in the work sessions. State that if anyone has an issue that is not included, but which he thinks should be a standard, he should write that down also. Allow five minutes.
- B. Tell the participants you will go around the room and ask them to give you their number 1 priority from among the three. You just want the item, not the reason. Say that if someone else has already given your number one, tell me which it is, and then give me your number two. The facilitator should keep a tally next to each item of which standards are mentioned as number one priorities. You should do this on the pad or blackboard at the front of the room so that all the participants can see the agenda developing and which items are most important to most people.
- C. Tell the group you will deal with about 1/3 of the items today and the rest tomorrow.

IV. Discussion

Do a quick check of the amount of time remaining, and allot a discussion time per item. Stick to it, unless, by consensus, the group wishes to continue on a particular item.

V. Summary

Stop 10 minutes before finish time. Have recorder(s) give summary of discussion. Check with the group as to accuracy. Establish agenda for the next day. Check to see if group is satisfied with format. Solicit advice on process, not content.

GOOD LUCK!!!

WORKSHOP, WORK SESSION, PANEL DISCUSSION  
EVALUATION FORM  
OR, WELL, HOW WAS IT?

On separate sheets of paper, please give us a brief summary of:

1. Issues discussed in your work session
2. Concerns of participants
  - a. about content of your session
  - b. about conference in general

In addition:

1. Generally, on a scale of 1-10, how did your session go?  
What was best about the session?  
What was worst?
2. Goals and Expectation  
Did you have a goal?  
Was it explicitly stated?  
Were you satisfied with it?  
Did the participants understand it?  
Was the goal reached, from your point of view?  
Do you think the expectations of the participants were satisfied?
3. Level of participation  
What was the level of participation - generally, eager, most everyone, a few?  
How did you use the other people responsible for the session - resource people, monitors, panelists?
4. Did you learn anything new about your subject area or anything useful for back home?
5. Faculty orientation  
Did you use anything from the orientation in running the group?  
What was most helpful in the orientation?  
What was least helpful?
6. If you (and we) had it to do all over again, what would you change?

PLEASE USE THE BACK OF THIS PAPER FOR ADDITIONAL COMMENTS, OR IF YOU  
NEED MORE SPACE

APPENDIX C -- RESOURCE NOTEBOOK TABLE OF CONTENTS



# 1977 CONFERENCE RESOURCE BOOK

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- NAPSA Board of Directors
- NAPSA Advisory Board

### NAPSA Committee Descriptions

- Resource Center Bulletin and Questionnaire
- Resource Center Board of Trustees
- Resource Center Staff and Consultants

### The Conference

- Acknowledgements
- The Conference (a word from the sponsors)
- Workshop Summaries

### Standards and Goals

- Release
- Diversion

### Pretrial Agencies...

- Foreword
- The Pretrial Process
  - Formal and Diversionary - A Model
- The Federal Pretrial Services Agencies
- Pretrial Intervention: The Administration of Discretion
- Excerpts from "Instead of Jail"
  - Pre- and Post-Trial Alternatives to Jail Incarceration
- Special Issue on Bail in Pennsylvania
- Cost Benefit Studies: (A Compilation)
- Evaluation Techniques for State-Wide Pretrial Release Programs
- The Effectiveness of Bail Systems:
  - An Analysis of Failure to Appear in Court and Rearrest While on Bail
- Voluntary Pretrial Diversion and the Question of Compliance

Dr. Gene Stevens

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NAPSA Research Eval-  
uation Committee  
Stephen F. Wheeler  
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...And Their Communities

Hoe Avenue  
Justice for Whom?  
Diversion from the Criminal Process  
A Community Perspective on Change  
in the Criminal Justice System  
Opinion Number CR 76-6 IL  
State of California

Assembly Bill, State of California  
Protecting Pretrial Confidential  
Communications of Substance  
Abusers in Pretrial Programs  
People v. Rodriguez, New York State  
U.S. v. Zvonko Busic, U.S. District  
Court, Eastern District of New York  
New Jersey's PTI Cases:  
Institutionalization in Process

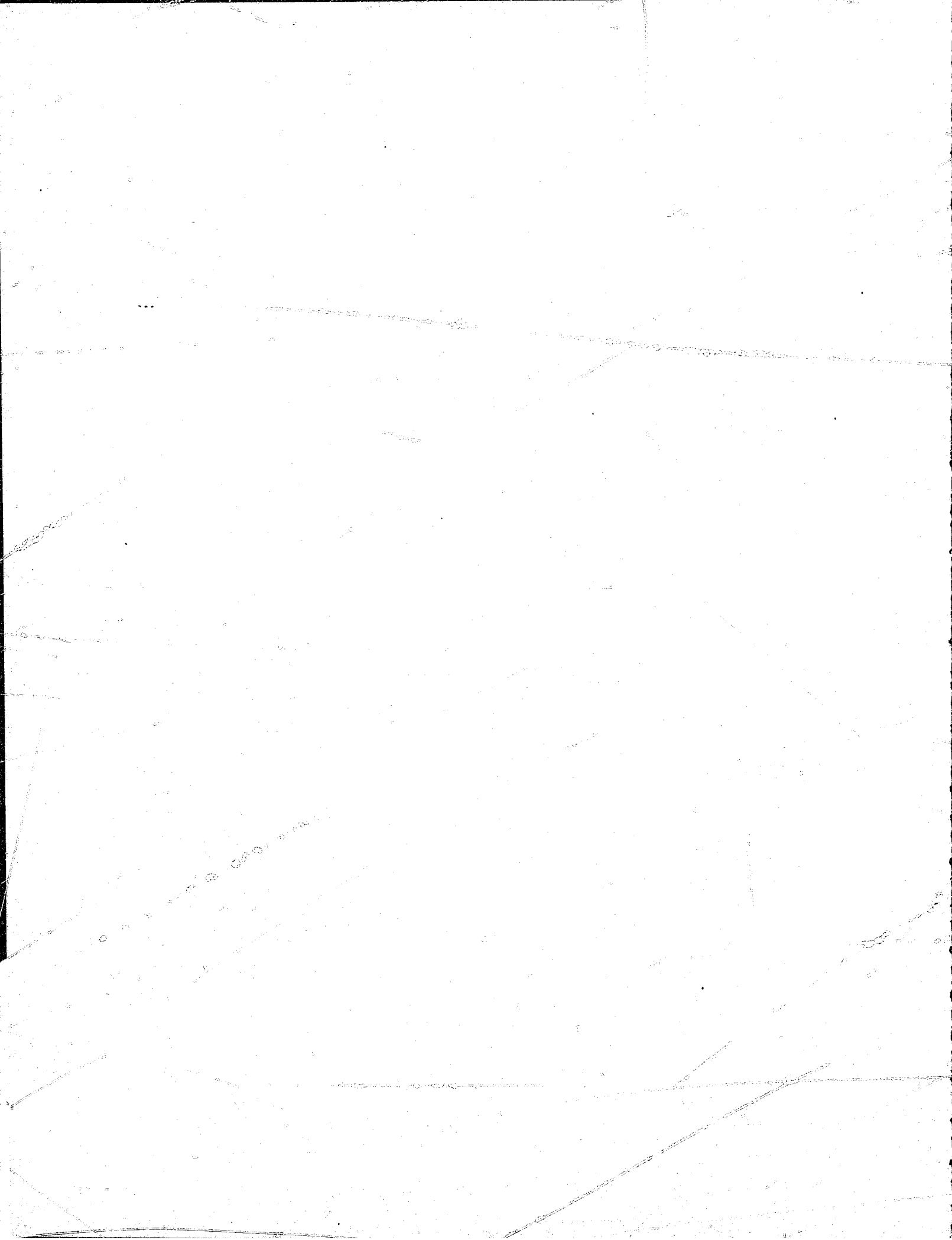
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APPENDIX D -- LIST OF ATTENDEES



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