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Planning Correctional Reform:

An assessment of the
American Bar Association's
BASICS Program

Planning Correctional Reform:

An assessment of the American Bar Association's BASICS Program

by

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We have made site-visits to 20 different BASICS projects during this research undertaking and have conducted interviews--in person and via telephone--with scores of people, including project directors, project staff, bar officials, representatives of community agencies and groups, offenders, and corrections officials. With very few exceptions, we found all of these people to be cooperative and willing to talk freely about their opinions, attitudes, and feelings regarding BASICS. This collective acknowledgment does not minimize the individual contributions made by these persons.

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Finally, we want to thank Professors Hans Mattick of the University of Illinois, Chicago Circle, and David Ward of the University of Minnesota for their insightful critiques of our evaluation proposal and for their helpful suggestions.

Abstract

This evaluation reports on the planning/study phase of the American Bar Association's nationwide correctional reform program, known as Bar Association Support to Improve Correctional Services (BASICS). Utilizing data drawn from questionnaire responses, extensive interviews, site visit reports completed by the evaluators and the Program staff, and other sources, the authors assess the achievements and deficiencies of the initial phase of the project. The evaluation is policy-oriented and focuses on the discussion of critical issues confronting the Program. Data are analyzed and interpreted within this framework and provide the basis for policy recommendations designed to improve the quality and effectiveness of the Program.

The two principal goals of the BASICS Program are correctional reform and bar activation. The relationship between these two goals is discussed, as is the extent to which they were emphasized during the planning/study process. Except for three demonstration grants and a few planning/study grants which actually attempted to implement correctional reform programs, the activities of Program participants were completely devoted to the study of various correctional problems and the development of plans to effect reform. Extensive data are presented concerning the effectiveness of bar associations in planning correctional reform projects and accomplishing bar activation.

Research findings indicate that with the major exception of bar activation, the goals of the planning/study phase were satisfactorily accomplished. In fact, the Program's success in generating proposals--first for planning/study grants and then for action grants--in a sense constituted "overstimulation," relative to the number of projects which could be funded. This problem is discussed and policy recommendations are made to enable the Program to deal responsibly with this situation now, and to minimize similar problems in the future.

The importance of bar activation is emphasized and the authors suggest specific procedures to insure that this concept is more centrally involved in the decision-making processes of the BASICS Program. Currently, most bar association efforts to effect correctional reform can be characterized as ad hoc, rather than ongoing. The concept of bar activation, if it can be operationally defined and better integrated within the BASICS Program, appears to have substantial merit as a tool for institutionalizing a correctional reform component within the structures of bar associations. The successful accomplishment of bar activation could help make the legal profession, through its bar associations, an important force in the reform of our social and institutional arrangements for dealing with offenders.

Executive Summary and Recommendations

The following executive summary was published and released in November 1975. The recommendations, however, are published here for the first time.

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Foreword

More than six years ago Chief Justice Warren Burger challenged the American legal profession to recognize its responsibility and "take the leadership in a comprehensive and profound examination into our penal and correctional systems."

The American Bar Association, in response to that challenge, and under the leadership of its then President Bernard Segal, created an interdisciplinary Commission on Correction Facilities and Services. Since its inception in 1970, the Commission has overseen approximately 15 staffed action/advocacy projects for which government agencies and private foundations have awarded more than \$7.5 million.

Major accomplishments of those projects include: matching nearly 2,000 lawyers with parolees as volunteer counselors; assisting 18 states in the framing and passage of legislation removing unreasonable employment restrictions on released offenders; doubling the number of junior college degree programs for correctional line officers for the period 1971-73; stimulating a 10-fold increase in the number of state and local bar corrections committees; conducting regional training conferences for correctional educators in all 50 states . . . The list goes on.

In 1974 the Edna McConnell Clark Foundation offered the Commission the opportunity to undertake a grand experiment—a chance to test a hypothesis upon which much of the Commission's early work had been based: that bar associations—on the state and local level—could be mobilized to shoulder responsibility for solving correctional problems within their own jurisdiction.

Funds were made available for subgrants to state and local bar associations to plan and implement significant correctional reform projects and to develop the consciousness and organizational framework necessary to prepare themselves for ongoing reform activity.

Seventy-seven associations were awarded planning/study grants averaging \$2,500. The purpose of these grants was to support preliminary research and groundwork for well-designed action programs. The **Report on Planning Phase** reveals that useful planning did indeed occur. Sixty-two action proposals were submitted, half of which were deemed fundable. In short BASICS accomplished its first-phase goal.

The report indicates that 53% of the planning grantees had conceptualized their projects before the advent of BASICS. As Commission Chairman, I find this particularly gratifying. It means that BASICS not only stimulated new planning but was instrumental in bring to fruition ideas—some undoubtedly inspired by earlier Commission efforts—which might have fallen by the wayside for want of minimal funding.

Probably the most eloquent testimony to the quality of planning phase activities is the amount of government and private funding generated by BASICS grants. To date, more than \$700,000 has been committed to the 20 action projects BASICS ultimately funded. An additional \$1.3 million was tentatively pledged as match to those remaining projects which BASICS was unable to fund because its own resources were limited.

This report traces the history of the planning/study projects from the time of their selection through the end of the 3-month grant period. It documents associations' perceptions of themselves in the context of this undertaking—88% of the funded projects regarded themselves as a viable force in correctional reform—and their reactions to the overall administration of the program.

Of course not all of the findings have been laudatory. However, we regard constructive criticisms, as equally, if not more valuable, than praise. Honest appraisals constitute guidelines for improving the administration, not only of the BASICS Program, but of any other ABA-State/Local Bar subgrant program.

The reader should keep in mind that all the first-year data are not in yet. There are 20 bar association action projects currently in operation—struggling with new problems, learning new lessons, and enjoying hoped for successes. Only when their stories are tallied will we be able to analyze the full results of BASICS' first year.

Like all good research the following report describes its processes so other students of the phenomenon can replicate its design and draw further conclusions concerning the validity of the hypothesis. Right now at least two other ABA units are conducting similar subgrant programs. If their history is at least as well documented and critically assessed as BASICS' first phase, we shall, within the next two years, be able to make major conclusions and projections regarding this developing relationship between the American Bar Association and its constituent associations. We will also have a considerable body of knowledge concerning the inclination and ability of state and local bars to assume a more established and comprehensively planned role as public service organizations. This—not to mention the actual correctional system improvements which have and will be accomplished—is no small contribution.

Robert B. McKay
Chairman
Commission on Correctional Facilities
and Services

January 1976

Preface

This is a revision of one section of the first-year final report on the American Bar Association's BASICS Program. The report contains documentation for conclusions presented here and additional information on the Program's first phase.

This research project was supported by a grant from the American Bar Association and the Edna McConnell Clark Foundation. Although these organizations furnished financial support for the project, the co-directors are entirely responsible for the study.

Introduction

This evaluation reports on the initial stages of a nationwide correctional reform program implemented by the American Bar Association's Commission on Correctional Facilities and Services. This program, known as Bar Association Support to Improve Correctional Services (BASICS), officially began on May 15, 1974. BASICS was initiated by a one million dollar grant from the Edna McConnell Clark Foundation of New York City.

The Clark Foundation, with current assets approximating \$160 million, is supported primarily from the proceeds of Avon Products common stock. The Foundation has historically directed its support toward alleviating various social problems. Currently, Clark is funding programs in areas involving aid to: (1) the elderly; (2) hard-to-place, adoptable children; (3) lesser developed nations; and (4) victims of poverty in the United States. Within the latter area the focus has been on projects concerning rural poverty and the justice system. The BASICS Program embodies the Clark Foundation's major thrust in the domestic poverty category.

The BASICS Program was created to test the idea that official organizations of the legal profession could be viable groups for implementing changes in the correctional systems of the United States. The Clark Foundation, in assessing the justice system's impact on poor people, concluded that correctional systems—and particularly incarceration—were badly in need of reform. Having identified corrections as a target area, the Foundation needed to select an intervention strategy. In the words of the Foundation's Vice President:

We looked for specific opportunities within each of the problem areas. It didn't take too much of a look to decide that the legal profession could be utilized. It had great opportunity and resources, but it was not carrying out its potential. There had also been *some* work in corrections by the Corrections Commission. That work, the interest, the talent, Chesterfield Smith [then President of the ABA]—all combined to convince us that we should work through the ABA.¹

The major goals of the BASICS Program were: (1) "to test and develop bar associations as agents for continuous reform" and (2) "to effect measurable improvements in state and local correctional systems by means of adequately funded bar programs."² In other words, BASICS hoped to achieve correctional reform by means of bar association activation.

BASICS grants were awarded in eight target categories. These categories were established to broaden the scope of the program and to coincide with areas of ABA Corrections Commission staff expertise.

1. Comprehensive Correctional Code Reform or Correctional System Restructuring
2. Offender Legal Services
3. Improved Grievance Procedures
4. Improved Jail Facilities and Services
5. Pretrial Diversion Programs
6. Alternatives to Confinement
7. Offender Civil Disabilities and Employment Restrictions
8. Other Programs⁵

Table 1 presents an analysis of the distribution of BASICS projects by program category, utilizing expenditure of funds as the central indicator of project emphasis.

Table 1: BASICS Projects by Program Category*

CATEGORY	NUMBER OF PROJECTS	
Comprehensive Correctional Code Reform or Correctional System Restructuring	7	(10%)
Offender Legal Services	10	(15%)
Improved Grievance Procedures	5	(8%)
Improved Jail Facilities and Services	12	(18%)
Pretrial Diversion	9	(13%)
Alternatives to Confinement	7	(10%)
Offender Civil Disabilities and Employment Restrictions	7	(10%)
Mixed	10	(15%)

*Listing in a substantive category indicates that a bar association spent between 66% and 100% of its funds in that category. "Mixed" consists of projects in which less than 66% of their funds were spent in any one category.

In addition to these 77 bar associations, three associations with extensive histories of correctional reform activities (the Bar Association of San Francisco, the Maryland State Bar and the Washington State Bar Association) were selected to establish demonstration projects, and were awarded action grants immediately, rather than having to undertake the planning and study required of the other grantees. BASICS staff and Clark Foundation officials believed that these demonstration projects would provide early indications of the ability of bar associations to effect correctional reform.

Evaluative Approach

The procedures used by the evaluation team were designed to answer a series of questions about the planning/study grant phase of the BASICS project. The research questions probed issues of importance to the Clark Foundation, the American Bar Association, the BASICS Management Board and the BASICS staff for determining what occurred during this initial phase of the program and for making policy decisions about future work. The evaluation plan was established after a series of discussions with representatives of the Clark Foundation, the Washington BASICS staff, the Commission on Correctional Facilities and Services, the ABA, and the American Bar Foundation, as well as several outside criminal justice evaluation consultants.

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The research plan was designed to answer the following specific questions:

- I. For the group of funded bar associations:
 1. What characterized bar associations which received BASICS grants?
 2. Prior to BASICS, had these bar associations been involved in correctional reform?
 3. For what purposes have the bars used their BASICS funds?
 4. What problems did the bars encounter during the planning phase?
 5. How successful have projects been in meeting their objectives?
 6. What outside groups have the projects contacted?
 7. How successful have projects been in establishing measurable goals?
 8. How effective have the projects been in activating members of the bar?
 9. How satisfied were the project staffs with the administration of BASICS?

II. For bar associations in general:

1. How do bars view BASICS' two-phase approach to grant giving?
2. Do bar association representatives perceive their associations as viable agents for effecting correctional reform?
3. From the perspective of bar representatives, how viable are other correctional reform groups?
4. What priority do bar associations assign to correctional reform?
5. How active are bar associations in the correctional field?
6. Can bars be activated to work for correctional reform?

The major portion of the evaluation is based on data derived from questionnaires which were mailed to all funded bar associations. Two other questionnaires were employed—one which was sent to all the applicant/non-funded bars and another which went to a sample of non-applicant bar associations across the country. All of the questionnaires posed general questions about the BASICS program and about corrections. The questionnaire sent to funded bar associations asked specific questions about the planning/study phase of BASICS. The return rate for questionnaires from funded bars was 87%, while 66% of the applicant, non/funded bars responded. Data from non-applicant bar associations were not used because fewer than 50% of the associations responded to our inquiry.

Two types of site visits were used in the evaluation. BASICS staff members personally visited nearly all of the projects during the course of the planning/study phase. On the basis of information gathered primarily through these on-site contacts, the BASICS staff completed site visit reports which consisted of information requested by the evaluators. In addition, 20 randomly-selected projects were visited by the University of California evaluation team. Data gathered during these visits were used to familiarize the evaluators with project operations and to check the validity of information obtained via the mailed questionnaires and the staff site reports. The evaluation team also attended virtually all Management Board meetings and maintained regular contact with the BASICS staff. The research plan involved interviews with members of the staff and the Clark Foundation to obtain additional information about the creation and operation of the BASICS Program.

A separate evaluation plan was established for the three demonstration projects. Each was monitored by a local researcher who investigated general questions recommended by the University of California team.⁶

Findings

Funded Bar Associations

Bar associations receiving grants ranged in size from 15 to 49,000 members. The grantees generally were well-established groups. More than half were founded prior to 1900; only two were less than ten years old. A majority of the associations (57%) reported having 22 or more standing committees. Additionally, 88% of the responding grantees employed full-time staff. In 72% of the associations, the elected bar officers were the association members most involved in policy decision-making.

To judge the success of BASICS in stimulating bar associations to work toward criminal justice reform, we needed first to determine the level of bar association involvement in this subject area prior to BASICS. Several questionnaire items were directed to this matter. Grantees were asked to rate the degree to which their bar association had been involved in criminal justice reform projects prior to BASICS. The average rating indicated a moderate degree of previous involvement. They also were asked several questions about the importance of correctional reform in their organization. The results indicate that correctional reform, on the average, was rated near the middle of grantee associations' list of priorities.

When asked specifically if they felt that their bar association was a viable force for accomplishing correctional reform, 88% of the bar representatives responded affirmatively. Most of the explanations give for these answers noted that bar associations' expertise and resources would make them a significant force in the correctional area. The respondents were asked to rate a number of relevant groups in regard to their viability as correctional reform agents. Overall, the ratings indicate that no group is seen as extremely likely to be effective (see Table 2). State bar associations tended to be rated higher than the other groups; inmate organizations were rated lowest.

Although 53% of the projects were conceived before BASICS came into being, the national Program appears to have been helpful in making the projects operational. When asked about the likelihood of their seeking alternative funding had they not received a planning/study grant, the majority of associations indicated that this was very unlikely.

Table 2: Perceived Viability of Various Groups* as Correctional Reform Agents (averages based on seven-point scales, where 1 = "low viability" and 7 = "high viability").

GROUP	AVERAGE RATING	RANK
State Bar Associations	5.0	1
Judicial Personnel	4.9	2
Local Bar Associations	4.8	3
Politicians	4.8	3
Concerned Citizen Groups	4.6	5
Leaders of Community Organizations	4.6	5
National Bar Associations	4.6	5
Law Enforcement Personnel	3.9	8
Inmate Organizations	2.5	9

*Each of seven associations listed one other group (e.g., district attorneys, public defenders, mental health personnel, churches, legal aid personnel, and interested individual lay persons).

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Data regarding the use of BASICS funds showed that nearly half (49%) of the responding associations spent two-thirds or more of their funds on salaries for new staff persons; 5% of the associations spent two-thirds or more of their funds to supplement staff salaries. The large majority of funded associations felt that the amount of their planning/study grant was adequate for their needs. Although funds were satisfactory for the planning/study period, time was not; 54% of the grantees believed that the 90-day planning period was insufficient.

According to the questionnaire responses, 58% of the associations made "some" changes in their goals during the planning/study phase and 9% made "many" changes. Members of the BASICS staff, on the basis of their contact with the projects, reported that 21 associations expanded their original goals, 12 lowered those goals and five changed goals.

Because one of BASICS' aims is to effect measurable improvements in corrections, the bar associations were asked to rate the ease with which the goals of their project lent themselves to measurement. In general, project representatives tended to believe that their goals were measurable, although they had difficulty creating the measures.

Although some BASICS projects involved persons from outside groups in their planning process, the extent of this involvement was limited. Grantees indicated that correctional personnel were the outsiders most involved and that politicians and inmates were least involved (see Table 3).

Table 3: Average Involvement by BASICS Projects with Outside Groups* (ratings were made on seven-point scales, where 1 = "no involvement" and 7 = "extensive involvement")

GROUP	AVERAGE RATING
Corrections Personnel	5.3
Leaders of Community Organizations	4.6
Concerned Citizens' Groups	4.4
Judicial Personnel	4.1
Law Enforcement Personnel	4.1
Politicians	3.7
Inmates	3.6

*A few associations indicated the high involvement of several other groups (e.g., university personnel, public defenders, government agencies, ex-inmate groups, medical personnel).

Data regarding the involvement of minority groups in the planning process indicate that 23% of the associations had extensive involvement of these groups while 28% had little or no involvement. The minority group specified most often was blacks.

Bar activation constituted another important BASICS goal. Most grantees had, as a part of their organization, a group specializing in criminal justice concerns; two-thirds of the associations stated that this group was "extremely involved" in the planning/study phase. In regard to the number of individual bar members, slightly more than half of the associations indicated that 14 or fewer members were involved during the planning/study phase. Evaluation team ratings of the number of actively involved bar members were lower (average = nine members).

We asked grantees to judge the two-phase approach that BASICS adopted for the grant—a small planning/study grant period followed by a large action grant phase. The general reactions were quite positive, with 45% of the associations being very positive about the process.

To provide added assistance to project personnel, BASICS staff held two regional workshops in early 1975 and traveled to project sites. The suggestion listed most often for improving the workshops was to increase the amount of technical assistance provided at the sessions. Eighty-eight percent (88%) of the projects reported that they were visited by BASICS' Washington staff. The staff provided some technical assistance during these site visits, grantees reported, but the most valuable aspect of their visits was the clarification of program guidelines. Fifty-three percent (53%) of the associations rated the visit as "useful"; only 9% of the associations rated it as "not at all useful."

Forty-three associations made suggestions about ways of improving the technical procedures for administering and coordinating BASICS grants in the future. Three types of suggestions were listed more frequently than others: (1) better coordination between BASICS staff and the projects, (2) more time and/or money, and (3) more timely report guidelines.

Non-Funded Bar Associations

Twenty-nine of the 106 bar associations applying for BASICS planning/study grants did not receive them. We believed that these applicant/non-funded bar associations would constitute an interesting and valuable group for comparison purposes. Specifically, we wanted to gather information about the characteristics of these bars, the nature and extent of their previous activities in criminal justice reform, and their opinions about correctional reform in general and the BASICS Program in particular. We hoped that these data, in addition to providing another source of opinions, would permit us to make some comparisons of funded and non-funded applicant bars. We shall present these comparisons below.

Like the funded associations, the non-funded associations represented by respondents tended to be fairly large and well established. Fifty percent of the associations reported 1,839 or more members and the average age of associations was 74 years. Organizationally, 50% of these bars have three or more full-time staff persons and 30 or more standing committees to handle the workload. About three-fourths (72%) of the respondents indicated that the major responsibility for policy decision-making is vested in elected officers.

The past involvement of these associations in criminal justice reform was similar to that of the funded associations—one-third indicated extensive activity in this area; the remainder reported having had no involvement or limited involvement in criminal justice reform. Also, while there was some recognition of correctional reform as a worthwhile goal, its perceived salience to these bar associations was not very intense.

Because the BASICS Program places great confidence in bar associations as correctional reform agents, we wanted to assess the efficacy of our respondents as they perceived it in this area. Their responses were mixed; ten (53%) regarded their own bars as a viable force for correctional reform and seven (41%) did not. In regard to the viability of other groups active in correctional reform, the respondents felt that concerned citizens' groups had the highest correctional reform potential and inmate groups the lowest.

In order to determine the extent to which BASICS stimulated new involvement in criminal justice reform the respondents were asked whether their proposed project had been conceptualized prior to BASICS. Fifty-six percent (56%) reported that their projects were conceptualized after they had learned about BASICS. We asked the respondents if they had pursued their proposed project without BASICS funds. Only two indicated that they had done so. Ten respondents stated that their plans had been dropped, and six were undecided.

None of our respondents had obtained other funds' or firm commitments for funds to help finance their proposed correctional reform project.

Seventy-seven percent (77%) of these respondents agreed quite strongly with BASICS' two-phase approach to grant awards (i.e., small planning/study grants, followed by larger action grants). We asked those associations to list the criteria they thought had been used in awarding planning/study grants; nearly half of the respondents claimed to have no idea.

The respondents were asked whether they believed that their bar association's proposal had been given a fair assessment by BASICS. Five representatives were satisfied with the assessment; nine respondents did not believe they had been treated fairly; and five did not respond to the question. An analysis of the comments of the nine dissatisfied representatives indicated that the most frequently mentioned complaint was the lack of communication between BASICS and the applicants.

The funded and non-funded applicant bar associations were quite similar in most of the attributes and variables for which data were obtained. However, when compared with the non-funded bars, associations receiving planning/study grants were:

- (a) better staffed;
- (b) somewhat more likely to have a committee or other bar group specializing in criminal justice concerns; and
- (c) somewhat more likely to have conceptualized their projects prior to BASICS.

Funded bars also tended to make slightly higher self-ratings on their own viability in effecting correctional reform. This attitudinal difference may, however, be a result of having received a planning/study grant in corrections.

Minority Bar Associations

Three kinds of minority bar involvement were envisioned in BASICS' planning/study phase design. These were: (1) that all bar associations applying for planning/study grants would solicit the input and cooperation of minority bars in their area during the proposal preparation stage; (2) that general membership bars and minority bars would develop cooperative working relationships in the planning/study projects; and (3) that minority bars would apply directly for grant money. The first two kinds of involvement rarely occurred and the third took place only to a limited extent during the first year. BASICS' solicitation of minority bar applicants was inadequate.

Partly as a result of this deficiency, BASICS contacted the National Bar Association (NBA), an organization of black attorneys. BASICS awarded its largest single planning/study grant (\$10,000) to this group. This grant represented a departure from BASICS' established guidelines, which called for funding only state and local bar associations. Although the NBA proposed to activate local black bar groups for correctional reform, it was unable to

accomplish this goal, largely because of a lack of personnel and organizational experience.

During the first year BASICS contacted several other minority bar groups, including the Mexican American Legal Defense and Educational Fund (MALDEF), the Mexican-American Lawyers' Club (MALC), the National Association of Women Lawyers and the Puerto Rican Bar Association of New York. In late September, 1975, at the end of the Program's first year, BASICS awarded small planning/action grants to the Puerto Rican Bar Association, MALDEF and MALC.

Issues and Implications

Effectiveness of the Planning/Study Phase

The BASICS program was established to implement correctional reform through bar association efforts. This undertaking has only begun in the planning/study phase; the real test of BASICS' ability to achieve its goal will occur during the forthcoming action phase. The goal of BASICS' first phase was to plan correctional reform efforts. Data on the planning/study process from the grantees, from BASICS' Washington staff, and from the University of California evaluation team indicate that useful planning has occurred and that BASICS has succeeded in meeting its first goal.

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Achievements of the Planning/Study Phase

Sixty-two of the 77 planning/study grantees submitted action grant proposals. Although the extent of planning activities has varied among the projects, the large number and the quality of action grant applications indicate that planning did occur in the majority of projects, resulting in more action grant proposals than BASICS had anticipated. The Management Board rated these action proposals and more than half of the projects received positive ratings.

Funding sources were contacted by grantees for pledges of matching funds to help finance the action phase. The amount of funds these sources pledged is an indirect indication of the quality of the planning effort, since funders generally do not give money to projects which they believe are poorly planned. To obtain the total amount of firmly or tentatively pledged matching funds, we reviewed the final reports of the planning/study phase and the action grant proposals that were available. Fifty-five bar associations listed a total of \$2,055,602 in pledged matching funds.* The average amount of pledged funds for these 55 associations

*The 20 action projects ultimately funded by BASICS have actually secured over \$600,000 in cash and in-kind resources from government and private sources. Seventy-five thousand dollars worth of resources has been committed by the bar association grantees themselves.

was \$37,375.⁷ Ten (18%) bar associations listed pledged matching funds of more than \$100,000; 28 associations (51%) listed less than \$10,000. In terms of pledged matching grant money, then, the BASICS planning/study phase was very successful; the Clark Foundation's initial investment of \$213,000 in planning/study projects generated \$2,055,602 in *pledged* funds.

Deficiencies of the Planning/Study Phase

Several aspects of the planning/study phase are in need of improvement. The first is the involvement of relevant outside groups in the planning/study phase. The average degree of involvement of correctional personnel, inmates, law enforcement personnel, leaders of community organizations, judicial personnel, concerned citizen groups and politicians was not high. Correctional personnel were involved to the greatest extent, politicians and inmates were the least involved. It is particularly unfortunate that inmates were not more involved in the planning/study process, since they are, ostensibly, the group for whom this program exists.

The second aspect of the planning/study phase which needs improvement is the extent to which projects translate their goals into measurable criteria. The degree to which this occurred was low. In all cases during our site visits, we discovered that the projects' criteria could be measured, but project personnel were not able to translate vague criteria into specific, measurable goals. Project representatives generally understood the need for this and were willing to do it, but they were not equipped for the task. More technical assistance is needed in this regard.

There is a special problem that arose because of BASICS' success in stimulating planning. BASICS awarded a larger number of planning/study grants than had been anticipated. At the time of award, the Board did not foresee that such a large number of action grant proposals would result and so did not consider the problem of generating far more interest than could be supported financially. According to data drawn from final reports and action grant proposals, 60 bar associations either requested or reported that they intended to request a total of \$1,647,010 in BASICS action grant funds. This is more than four times the amount of action grant money actually awarded by the Management Board.⁸ We recommend that BASICS fund all meritorious action grant proposals if additional funds become available. In addition, BASICS might consider a plan to provide special assistance to action grant applicants whose proposals, though inadequate, could be improved; this could occur before any new planning/study grants are awarded.

Grant Administration

Solicitation of Grant Applications

Two types of solicitation of grant applicants were used during the first phase of BASICS: open solicitation for planning/study grants and closed solicitation for the three demonstration grants. Open solicitation involves notifying as many potential applicants as possible; closed solicitation involves prior selection of a special sample of potential applications on the basis of previous merit or some other relevant characteristic.

The open solicitation of planning/study grants was particularly successful when BASICS decided to announce the program to other groups active in criminal justice. This fact may have important implications if BASICS decides to undertake a second round of planning/study grants. The open solicitation should include notifying differing groups active in the correctional area. These groups, which know the particular reform needs, can be encouraged to "activate" the bar associations to submit a proposal. This procedure would increase the chances that the proposed reform effort is a needed one. In addition, this should help to assure the involvement of outside groups in the planning process from the very beginning.

Closed solicitation was used in obtaining applications for the three large demonstration grants, which were to provide an early indication of the ability of bar associations to institute correctional reform. In retrospect, neither the BASICS staff nor the Clark Foundation was entirely pleased with the decision to use a closed solicitation for the three demonstration projects. Although the three projects succeeded in making changes in corrections, they provided little data on whether BASICS' unique concept of correctional reform—that is, via bar association activation—could work effectively. Because these bar associations had been selected on the basis of previous success in correctional reform, they were, in a sense, already activated and were given no new bar activation goals.

Number and Content of Program Categories

When the design of the BASICS program was being created, there was considerable discussion about the number and content of program categories. The overriding need at that time was to broaden the scope of the program in order to increase the number of applicants. The seven subject areas selected were those in which the Corrections Commission had developed technical expertise—a resource that was to be made available to grantees. Technical assistance, then, was not only a rationale for selecting the content of program categories but also a promise to grantees.

To initiate technical assistance to the programs, BASICS scheduled two workshops—one in Washington for projects located east of the Mississippi River, and one in San Francisco for projects west of the Mississippi. The workshops were much the same, providing general information about the BASICS program and specific information about different program categories. In general, grantees found the workshop sessions on technical project details to be the most useful aspect of the meetings. The suggestion most frequently listed by grantees to improve the workshops was to use the meeting time more efficiently, primarily for more detailed technical assistance.

16 Technical assistance was to be provided to grantees during the planning/study phase, either via consultation with experts in Washington or during staff site visits. During our own site visits we discovered that, in general, this did not occur. Staff site visits focused primarily on a discussion of bar activation. This resulted, perhaps, because most projects were unclear on this issue or possibly because the BASICS staff did not have the expertise to provide technical advice on corrections. Many project personnel reported that the most useful aspect of the BASICS staff's site visits had been the clarification of guidelines, not the provision of technical assistance. Since most of the projects judged the site visits to be "very useful" staff site visits should continue in the future. However, the staff should provide more technical assistance of direct relevance to the project during the visit. This might be achieved by employing on a full-time, part-time, or consulting basis special personnel with experience in correctional reform.

The lack of adequate technical assistance during the first round of planning/study grants makes it advisable to reduce the number of program categories so that better technical assistance can be provided. The specific categories selected should be those where the Commission can provide expertise and support. A general category might still be included to attract projects that fall outside the areas of the Commission's expertise but for which consultants would be available.

There is another reason for narrowing the scope of the program. The small BASICS staff was not prepared to handle nearly twice as many projects as it had anticipated. The large number of projects in so many different areas became difficult to administer properly. Reducing the number of categories would enable the staff to develop a good technical assistance packet as well as give general guidance to the projects.

Criteria Utilized in Awarding Grants

A major policy question confronting BASICS staff and the Management Board during the initial year was how best to decide which applicant bar associations should be awarded planning/study grants. The question of which criteria to use in selecting applicants did not arise until the demand greatly exceeded the supply of grant money available for the planning/study phase. By that time, it was too late to begin developing these criteria. The initial application form sent to bar associations was designed to encourage people to complete it; the form was very brief, uncomplicated, and took little time to prepare. Unfortunately, it did not require sufficient information to enable the staff and the Board to make informed decisions about the relative merits of each proposal.

Because of these inadequacies, the staff requested that more specific information be included in the action grant proposals. The Management Board subcommittees which reviewed the action grant proposals utilized "fundability scales" and assigned ratings to each proposal. However, even then the available information on each project was not translated into formalized guidelines or standardized criteria. As a result, the main purpose of the scales was defeated, although their use did require subcommittee members to rate the projects. Much more emphasis should be given to the development of written criteria which will be measurable and provide comparability. If such criteria are developed and utilized in decision-making, they will aid in implementing the BASICS Program's philosophy of bar activation. In the decision-making to date, bar activation has not been given sufficient weight. Since it is a BASICS goal, coequal to correctional reform, it should be prominently reflected in criteria which are developed.

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Amount of Award

Applicants for BASICS planning/study grants were told that "upwards of 50 small grants (2-4 thousand dollars)"⁹ would be made. Because the number of qualified applicants exceeded BASICS' expectations, the Management Board had to decide whether to award the original number of grants and turn down many associations or to increase the number of grants and reduce the amount of each award. The Board chose the latter alternative. The Board decided to standardize the size of the awards, with the average planning/study grant to be \$3,000. The staff was directed to determine the amount of individual grants, increasing the amount above the \$3,000 average where the bar's size or project scope warranted more resources. In fact, the average BASICS planning/study grant was \$2,526. Seventy-five percent (75%) of the grantees reported that the amount of funds they received was adequate or more than adequate. Consequently, the Board's decision to award smaller planning/study grants than had been planned did not, in general, affect the planning process, from the point of view of the projects.

Two-Phase Approach to Grants

The people involved in the initial discussions about the creation of the BASICS Program decided to use a two-stage grant process: a short, small-grant, planning/study period followed by a longer, large-grant, action phase. They believed that this procedure would encourage better preparation which would, in turn, lead to better action projects. Funded and non-funded bar associations strongly agreed with this method of administering grant money. The explanation listed most frequently by both funded and non-funded bar associations for their judgment was the importance that this procedure gives to planning.

Based on these bar association opinions, we would encourage BASICS to continue the two-phase approach. However, there are several things that should be kept in mind. Seven associations listed as a disadvantage of this method the lack of time or money needed for the planning/study process to work properly. We found that the lack of time was the more serious restriction during the planning/study phase. Because of this, the length of the planning/study period should be increased for those associations which will require more time. Twenty-eight funded bar associations made suggestions about the additional length of time they needed for planning; the average amount of additional time needed was about three months.

If the planning/study phase is increased by two or three months, BASICS may face another problem. For a limited number of bar associations, five or six months will be too long a planning/study period. For these associations, BASICS should consider action applications without a funded planning/study phase. Several of the planning/study projects which were funded during BASICS' first year could have begun action immediately. Early action grant applications should be reviewed just as rigorously as action proposals which develop from an initial planning/study period using the same evaluation criteria. In awarding both regular planning/study grants and early action grants, BASICS should maintain the same standards and requirements for bar activation.

The experience of the first year of BASICS indicates that it takes some time for grantees to understand the concept of bar activation. Because of this, we recommend that BASICS not fund "emergency" projects (i.e., short term projects dealing with a quickly developing and unexpected correctional crisis). In general, this kind of project is antithetical to BASICS' philosophy of establishing on-going, institutionalized structures for correctional reform. These structures generally could not be created quickly enough to react to a sudden, unexpected correctional problem.

Bar Associations as Change Agents in Corrections

The Clark Foundation believes that state and local bar associations can be viable agents for correctional reform. To see how bar associations viewed their own viability in this area, we asked associations receiving grants and those not awarded them to judge themselves and other associations in this regard. Both funded and non-funded bar associations made no extremely high ratings for any relevant groups, though state bar associations tended to be ranked above most

of the other organizations listed. Further, state bar associations were ranked somewhat higher by both groups than either a national bar association or a local bar association, which tended to be ranked in the middle of the set. The order of the rankings implies that bar associations are thought to be as viable or nearly as viable as any of the other relevant groups, thereby providing support for the Clark Foundation's belief in bar associations as potential forces for change in corrections. It would be of some interest to see how these other groups (e.g., judicial personnel, inmates) see the bar associations in this regard. The relatively low level of the ratings indicates that bar associations do not expect to see large effects in the correctional area from the BASICS program. This is not to say that these reforms will not occur, only that bar representatives—some of whom were ready to execute action programs—did not have great expectations for significant change.

Bar Activation

The goal of "bar activation" has received increasing emphasis throughout the first year of the BASICS Program. The concept has been elevated to co-equal status, along with correctional reform, but, because it is an emergent concept, it is not well understood as yet.

Relationship to Correctional Reform

One of the main purposes of the BASICS Program is "... to test and develop bar associations as agents for continuous reform. . . ." ¹⁰ The bar activation concept has been viewed as a means to this end. According to BASICS' promotional brochure:

... bar associations have the potential to plan and execute specific, well-defined improvement programs. The same structure which makes this possible can also be the foundation for continuous public service activity . . . Whatever an association's history in corrections, BASICS expects that the bar's *collective* reform consciousness will be . . . advanced . . . Once having opened its eyes to correctional problems, the organized bar cannot justifiably turn them away. The issues are intimately connected with the legal profession and the administration of justice. Long recognized as a powerful force when the professional interests of its members are at stake, the bar must increasingly exercise this influence in the public interest.¹¹

In general, the bar activation concept has not been adequately developed, and its impact on the correctional reform component of BASICS has not received sufficient attention. Quantitative data gathered via our questionnaires and on-site visits afford some indications about bar activation. With respect to the active involvement of bar association members in BASICS projects, our data show that this simply has not occurred to any substantial extent. Questionnaires completed by representatives of funded bars indicate that their projects involved between three and 65 bar members, with the midpoint (median) of this distribution being about 14. In addition, at 20 randomly-selected project sites we asked project representatives to tell us how many bar members had *actively* participated in their projects. (We excluded token involvement from these figures.) We found that 50% of these bar associations had fewer than seven members working actively on their project.

When the number of bar members involved to any extent in BASICS planning/study projects is compared with the total membership figures for these bar associations (Median = 1,700), we find that for every 1,000 bar members, only eight (0.8%) were involved in their associations' BASICS projects. For those *actively* involved, this ratio drops to about 5:1,000 (0.5%). There is, of course, a problem in interpreting these figures. That problem relates to the lack of standards for successful bar activation.

Rethinking the Bar Activation Concept

Bar activation has not been defined adequately. Other problems emerge from this lack of conceptual clarity. For example, the lack of success in involving bar members, minority bars, and minority and client populations in the planning/study phase may or may not be of importance, depending on one's definition of bar activation. We have reported on these kinds of indicators because of our interpretations of the concept, as represented in BASICS' literature and in informal discussions and meetings during the past year.

During the Program's first year, representatives from both BASICS and the Clark Foundation realized that it is impractical to conceive of bar activation as the involvement of a substantial number of bar association members. Other kinds of indicators have been suggested in order to clarify the concept of bar activation. The Vice President of the Foundation, in a memorandum entitled "Thoughts on Possible Criteria for Measuring Success of BASICS Grantees," suggested a number of different indicators, including:

- (a) the amount of formal organizational support for the project within the bar;
- (b) the amount of formal financial support within the bar;
- (c) the amount of multi-based financing developed;
- (d) the number of attorney volunteer hours;
- (e) the number of contacts with other citizen reform groups under lawyers' association leadership;
- (f) the amount of involvement in the project of minority groups and client groups;
- (g) the degree to which legal resources available in the local area are utilized;
- (h) the degree of positive attitudinal/informational changes in the local lawyer population; and
- (i) the amount of public visibility given to lawyers' efforts, ideally with measurements of public attitudinal/informational changes related to the project.¹²

an index of some or all of these criteria would provide a clearer—and more readily measurable—operational definition of successful bar activation. These criteria incorporate several different indicators of ongoing, institutionalized bar commitment to correctional reform. The expansion of the concept to include multiple criteria of successful bar activation would seem highly desirable.

Data gathered during our work provided information about bar association performance in some of these areas. The great majority of funded bars satisfied the first criterion (official sponsorship of a project and the presence of a corrections committee or its equivalent), but for the other criteria the data present a less positive picture. Bar association financial support for BASICS projects has been minimal. Our questionnaire data show that only three funded bar associations listed their own bar as a possible funding source. The establishment of a full-time, staffed reform office with local or multi-based financing would take some time to develop. At the present time, neither the reform office nor local/multi-based financing characterizes BASICS grantees.

With respect to the volunteer hours devoted to BASICS projects by lawyers, the crucial question is one of numbers. What constitutes acceptable bar activation? The figures here would vary, according to the size of the bar association. Baseline data would be essential so that progress could be monitored, rather than attempting to assess absolute levels of success or failure in this area.

Other citizen reform groups have been involved, to some extent, in BASICS projects. This involvement has primarily consisted of consultation during the initial planning stages. A concept which might come closer to fulfilling this need would be a community consortium structure, whereby BASICS project staff and other bar members would establish an ongoing group of representatives from various sectors of the community for the purpose of cooperating and combining their resources to accomplish specified correctional reform tasks. This consortium, as well as other decision-making processes, could include representatives of minority and client groups—sectors which have not been involved much in the past.

One other area of bar activation seems particularly important; this has been referred to as "ABA activation." If we were to apply the bar activation criteria listed above to a more complex organization such as the ABA, we would find that some modifications would be necessary because of the ABA's functional and structural differences (i.e., it is a national organization consisting of affiliated bar associations and members and representing the American legal *profession*). The existence of the Commission on Correctional Facilities and Services is an important step toward bar activation. The Commission has sponsored a number of independently funded programs. However, in other areas of bar activation, ABA accomplishments are less apparent. To date, the bulk of the ABA's work in corrections has been funded by private foundations and government agencies. Applying the same criteria noted above, bar activation might imply an ongoing effort which gradually becomes more self-supporting—perhaps dues-based, in part—and begins to function as an integral, institutionalized (rather than *ad hoc*) component of the organization.

We believe that the use of local BASICS representatives to build grass-roots understanding and support for correctional reform among ABA affiliates is an important step toward bar activation. To ameliorate the problems of communication and coordination within the ABA and its network of affiliates, BASICS developed a group of liaison representatives—members of the American Bar Association House of Delegates who serve as a communications link with state and local bars. Grass-roots organization may be a useful approach to the problems posed by organizational complexity. We believe that it may even be helpful to expand the concept of BASICS liaison to include minority bars, minority and client populations, state corrections departments, and other organizations and groups whose input and support are important factors in the planning and implementation of correctional reform projects.

If correctional reform efforts are to be systematized and institutionalized responsibilities of the legal profession, bar activation—broadly defined as the dynamic process of “building in” an ongoing correctional reform component—is essential. Otherwise, bar association efforts to promote correctional reform are likely to retain their *ad hoc*, informal qualities. The failure of most bars to establish formalized structural arrangements for carrying on the work of correctional reform leaves a void which encourages the use of these informal, *ad hoc* tactics. These tactics have little visibility, provide no assurance that consideration will be given to diverse viewpoints and ideas, and allow ample opportunity for the abuse of power. Bar activation, on the other hand, could involve more participatory decision-making, the development of organizational (rather than personal) stances and tactics on issues, and much greater regularity and visibility of correctional reform efforts.

Notes

1. Interview with Roderick N. Petrey, Vice President of The Edna McConnell Clark Foundation, July 31, 1975.
2. BASICS information brochure (revised), 1975, p. 6.
3. *Ibid.*, pp. 4-5.
4. Interview with David J. Linden, BASICS Director, July 18, 1975.
5. BASICS informational brochure, 1974, pp. 14-19.
6. Separate reports on the three demonstration projects may be obtained from BASICS.
7. $n = 55$, $SD = 55613$; Median = 9927
8. Minutes of BASICS Management Board Meeting, June 25, 1975.
9. BASICS informational brochure, 1974, p. 3.
10. BASICS informational brochure (revised), 1975, p. 6.
11. *Ibid.*, pp. 11-12.
12. Roderick N. Petrey, memorandum, February 24, 1975.

Planning/Study Grantees

Alabama

Alabama State Bar Association

Alaska

Alaska Bar Association

American Samoa

American Samoa Bar Association

Arizona

State Bar of Arizona

California

State Bar of California
Los Angeles County Bar Association
San Diego County Bar Association
San Joaquin County Bar Association
Santa Clara County Bar Association

Colorado

Denver Bar Association

Connecticut

Greater Bridgeport Bar Association
New London County Bar Association

Delaware

Delaware State Bar Association

District of Columbia

District of Columbia Bar

Florida

Hillsborough County Bar Association
Orange County Bar Association

Georgia

State Bar of Georgia

Hawaii

Bar Association of Hawaii
Hawaii County Bar Association

Illinois

Illinois State Bar Association
Chicago Council of Lawyers

Indiana

Indianapolis Lawyers Commission

Iowa

Iowa State Bar Association

Maine

Maine Bar Association

Maryland

Bar Association of Baltimore City
Montgomery County Bar Association

Massachusetts

Massachusetts Bar Association
Boston Bar Association
Hampden County Bar Association

Michigan

State Bar of Michigan
Genessee County Bar Association
Oakland County Bar Association

Minnesota

Minnesota State Bar Association
Cass-Hubbard County Bar Association

Mississippi

South Central Mississippi Bar Association

Missouri

Missouri Bar
Lawyers Association of Kansas City
Bar Association of Metropolitan
St. Louis

Montana

Montana Bar Association

Nebraska

Nebraska State Bar Association

Nevada

State Bar of Nevada

New Hampshire

New Hampshire Bar Association

New Jersey

New Jersey State Bar Association
 Essex County Bar Association
 Hudson County Bar Association

New Mexico

State Bar of New Mexico

New York

New York State Bar Association
 Monroe County Bar Association
 Bar Association of Nassau County
 Association of the Bar of the City
 of New York
 New York County Lawyers' Association
 Suffolk County Bar Association
 Ulster County Bar Association

North Carolina

North Carolina Bar Association
 Wake County Bar Association

Ohio

Ohio State Bar Association
 Cincinnati Bar Association
 Bar Association of Greater Cleveland
 Columbus Bar Association
 Toledo Bar Association

Oklahoma

Oklahoma County Bar Association

Oregon

Oregon State Bar Association
 Multnomah Bar Association

Pennsylvania

Philadelphia Bar Association

Puerto Rico

Puerto Rico Bar Association

Rhode Island

Rhode Island Bar Association

South Dakota

State Bar of South Dakota

Tennessee

Tennessee Bar Association

Texas

State Bar of Texas
 Dallas Bar Association
 Fort Worth-Tarrant County Young
 Lawyers Association
 San Antonio Bar Association

Utah

Salt Lake County Bar Association

Virginia

Virginia State Bar

Washington

Snohomish County Bar Association
 Spokane County Bar Association

Wisconsin

State Bar of Wisconsin

National Bar Association

SUMMARY OF RECOMMENDATIONS

Grant Administration

1. BASICS should encourage bar associations to involve relevant outside groups in the planning process, particularly inmates.
2. BASICS should put stronger emphasis on the need for projects to develop measurable criteria and should provide technical assistance to aid the projects in this task.
3. BASICS should fund all deferred, meritorious action grant proposals if funds become available.
4. BASICS should consider a plan to provide special assistance to action grant applicants whose proposals were inadequate but could be improved and reconsidered.
5. BASICS should continue to use an open solicitation procedure for grant applications.
6. In an open solicitation, BASICS should include as many groups working in the corrections area as possible, in addition to bar association groups.
7. BASICS should not award grants on the basis of a closed solicitation.
8. The number of program categories should be reduced in a future round of planning/study grants in order that better technical assistance can be provided.
9. Orientation workshops should be continued for new grantees, but the amount of technical assistance should be increased.

10. Staff should continue to site visit projects:
 - a. they should continue to provide guidance on bar activation;
 - b. they should increase the amount of technical assistance provided. This could be accomplished by employing special personnel with experience in corrections.
11. Mailings to projects should be reduced. Only essential information, directly related to the project, should be sent.
12. Guidelines for the planning/study phase final report should be provided early in the planning/study phase, preferably at the beginning.
13. The size of individual planning/study grants should be maintained at the current levels (\$2,000-\$3,000).
14. The two-phase grant process should be continued with two changes:
 - a. the length of the planning/study period should be increased by 3 months; and
 - b. a limited number of associations which do not need a planning/study phase should be awarded action grants at the outset.
15. Emergency, short-term grants should not be awarded.

Criteria Utilized in Awarding Grants

16. Criteria utilized in assessing proposals for BASICS grants should be written and widely disseminated.

These criteria should be:

- a. measurable;
 - b. broad enough to allow for the individual differences of bar associations; and
 - c. emphasize both correctional reform and bar activation.
17. BASICS applicants should be required to provide extensive information on all aspects of their proposal.
Adequate information must be available to insure a fair assessment of each applicant.
18. BASICS should insist that proposed projects specify goals which are measurable. Proposals which do not meet this criterion should be returned and technical assistance provided, if necessary, to insure that the applicant submits an acceptable revision.
19. Grant conditions and amounts should be individualized and based on an assessment of each applicant's merits and needs. BASICS should negotiate a formal agreement with each grantee, specifying in measurable terms the project's goals. Such an agreement could then become a useful evaluation tool.
20. There is a need for specific policy dealing with conflict of interests. Any person who believes, or has cause to believe, that their objectivity may be compromised by a conflict of interests should be excluded from decision-making processes related to the area(s) of conflict.

21. BASICS should actively assist non-funded applicants in locating alternate sources of funding and implementing their projects. The "overstimulation" (in terms of numbers of applicants) of bar associations, although not foreseen, has helped to create a group of bars to which BASICS has a continuing obligation.

Bar Activation

22. BASICS should develop and disseminate a clearer definition of the concept "bar activation", incorporating:
 - a. multiple indicators which are measurable;
 - b. an emphasis on ongoing, rather than ad hoc, structural arrangements;
 - c. the community consortium concept, where applicable; and
 - d. an emphasis on improvement (in comparison with baseline data for the multiple indicators) as the overriding goal.
23. BASICS should give bar activation increased weight in the evaluation of grant proposals. This might include:
 - a. the requirement that specific information about previous bar activation (baseline data) and measurable bar activation goals be included in the proposal, along with copies of endorsements, promises of monetary support, and other supporting documents from the bar association and other groups; and

- b. the requirement that a long-range plan for bar activation be submitted with the proposal, preferably with a written endorsement from the bar association. This document should present a plan by which the applicant bar association proposes to increase, incrementally, its level of commitment and self-sufficiency in the area of correctional reform.
24. Make bar activation an integral part of all grant agreements, while continuing to recognize and respect the differences among bars. One method of doing this would be the negotiation of an agreement, acceptable to BASICS and the individual grantee bar, which specifies the measurable bar activation goals of the association and provides built-in criteria for assessment.
25. Provide more technical assistance and consultation to help bar association in developing and implementing satisfactory bar activation components. This might include bar activation workshops, on-site consulting, and other services.
26. Stimulate minority bar activation by:
 - a. more actively soliciting proposals from minority bars;
 - b. insisting that BASICS projects make (and document) every reasonable effort to involve minority bars in their geographic area; and

- c. extending the BASICS liaison concept by assigning representatives to work regularly with minority bars.
27. Extend the BASICS liaison concept to include:
- a. minority bar associations;
 - b. minority and client populations;
 - c. state corrections departments; and
 - d. other relevant groups.
28. Promote ABA activation by:
- a. assigning BASICS liaisons to work within the ABA to improve communication and coordination of efforts and to integrate BASICS more fully within the ABA's organizational structure; and
 - b. encouraging the ABA to develop a long-range plan to institutionalize correctional reform activities, including diversification of funding, increased self-sufficiency and organizational commitment.

CHAPTER I

Introduction

This evaluation reports on the initial stages of a nationwide correctional reform program implemented by the American Bar Association's Commission on Correctional Facilities and Services. This program, known as Bar Association Support to Improve Correctional Services (BASICS), officially began on May 15, 1974. BASICS was initiated by a one million dollar grant from The Edna McConnell Clark Foundation of New York City (see Appendix A for a copy of the grant award letter).

The Clark Foundation, with current assets approximating \$160 million, is supported primarily from the proceeds of Avon Products common stock.² Edna McConnell Clark, daughter of Avon's founder, established the predecessor of the Foundation in 1960. Prior to its 1973 merger, the Foundation operated jointly as the Delaware Corporation and the New York Corporation. The Clark Foundation allocates some of its monies to charitable grants for the operation of programs designed to ameliorate social problems. The programs currently supported by Clark have four major concerns. These involve aid to: (1) the elderly; (2) hard-to-place, adoptable children; (3) lesser-developed nations; and (4) victims of poverty in the U.S. Emphasis is on (a) rural poverty, and (b) the justice system. At the current time, BASICS represents Clark's major component in the last category.

In creating BASICS, the Clark Foundation extended its investment in the American Bar Association's (ABA) Commission on Correctional

Facilities and Services. The Foundation previously had funded the Correctional Economics Center, another Commission program. Representatives of the Foundation, the ABA's headquarters in Chicago, and the Commission, developed the central concept for the BASICS Program at conferences held in late 1973 and early 1974.

Rationale and Goals

The past two decades have produced a steadily increasing volume of evaluation research activity in the field of corrections. On the whole, the findings of these research projects have raised serious questions about the effectiveness of most correctional programs.³ The growing awareness that corrections has largely failed to "correct" has produced efforts to provide innovative alternatives and supplementary services for persons convicted of criminal acts. BASICS is an example of programs predicated, to some extent, on these perceived needs.

The Clark Foundation, in assessing the justice system's impact on poor people, concluded that correctional systems -- and particularly incarceration -- were badly in need of reform. Having identified corrections as a target area, the Foundation needed to select an intervention strategy -- a way of getting the job done. In the words of the Foundation's Vice President:

We looked for specific opportunities within each of the problem areas. It didn't take too much of a look to decide that the legal profession could be utilized. It had great opportunity and resources, but it was not carrying out its potential. There had also been some work in corrections by the Corrections Commission. That work, the interest, the talent, Chesterfield Smith (President of the ABA) -- all combined to convince us that we should work through the ABA.⁴

In working through the ABA, the Foundation and the Commission decided to build on the groundwork laid by the Commission's Bar Activation Project and Chesterfield Smith's efforts to stimulate bar association involvement in public service activities.⁵ In assessing the work of the Bar Activation Project, the Foundation's representatives believed that "some information had been gathered, but they really hadn't taken strong action to get them (the bar associations) working."⁶

Both Clark and the ABA, then, had some interest in utilizing bar associations for public service work. A statement contained in BASICS' original informational brochure expresses the rationale for the selection of bar associations as appropriate and viable correctional reform agents:

There are several reasons why bar associations are eminently suited to accomplishing both the short and long-term goals. The bar is a self-perpetuating body. Its own leaders and members are frequently community leaders as well. Such influence creates access to the many local financial and human resources vital to a reform effort. In undertaking correctional programs, each association becomes part of a nationwide network with established lines of communication, and the technical assistance of the ABA Corrections Commission. With financial support, therefore, bar associations have the potential to plan and execute specific, well-defined improvement programs. The same structure which makes this possible can also be the foundation for continuous pro bono activity.⁷

From the Foundation's point of view, a pre-existing, respected, nationwide network of bar associations, if they could be activated to accomplish such tasks, appeared to offer excellent prospects for furthering the goals of the Foundation. The Commission, having assembled a staff with legal expertise in corrections, had previously

undertaken the Bar Activation Project to gather information on the public service activities of bar associations in the field of corrections, and to promote increased activity in that area. The Commission had a number of resources including technical advice, consulting and publications to offer bar associations interested in correctional reform projects. This capacity was incorporated into the BASICS Program as a supportive service.

The rationale for the program was reflected in the two major goals announced for BASICS: (1) "to test and develop bar associations as agents for continuous reform" and (2) "to effect measurable improvements in state and local correctional systems by means of adequately funded bar programs."⁸

There has not been a consensus on the relative importance of each of these goals. The Clark Foundation's Board of Directors, consisting of three members of the Clark family and two attorneys, has viewed correctional reform as the main goal of the project, while the Foundation's professional staff has tended to place somewhat more emphasis on the bar activation component. The emphasis on these goals changed as the planning/study phase progressed. This is a matter of considerable importance, and we will return to it later in Chapter IV of this report.

Program Design

Essentially, then, BASICS was created to activate the legal profession for the purposes of accomplishing correctional reform and testing bar associations as tools for the accomplishment of specified social reform tasks. To operationalize these concepts

in a systematic way, Commission staff designed a two-phase program in consultation with other ABA personnel and the Clark Foundation's staff (see chart, Appendix B). The two phases established were:

1. A planning/study phase of approximately three months; each grantee bar association would receive between \$2,000-\$4,000 to "investigate a local corrections problem, study alternative solutions and propose an appropriate response ."
2. An action phase, of approximately one year's duration, in which 8-10 bar associations would be awarded "grants of up to \$50,000 to implement their planned programs."⁹

Some changes, to be noted below, were made in these initial concepts as the Program became operational.

From Concepts to Operations

Once the conceptual outline of the project had been formulated, the next three tasks were: (1) staffing BASICS, (2) selecting a Management Board, and (3) soliciting grant applications from bar associations. The BASICS staff, consisting of a director, two assistant directors, and ancillary staff, was assembled between April and October, 1974. The person selected as BASICS' Director, David J. Linden, had previously been Director of the ABA National Volunteer Parole Aide Program. Margaret Clark, who began as Assistant to the Director, but was soon elevated to Assistant Director, also had been a member of the Volunteer Parole Aide

Program staff prior to joining BASICS. The other professional staff member, John Pitkin, had previously been engaged in the private practice of law, most recently working in the area of pre-paid legal services.

The Management Board selected to oversee the BASICS Program reflects a number of interest groups within the ABA (the Corrections Commission, the Criminal Justice Section, the Young Lawyers' Section, Bar Executives, and Bar Officers) as well as representatives of other groups and organizations, including the National Bar Association and the National Council on Crime and Delinquency (see Appendix C for a complete list of BASICS National Management Board members and their affiliations at the time they were appointed to the Board).

BASICS staff expected from the outset that the Board would be an active, working group.¹⁰ The Board members expended considerable time and energy during the planning/study phase and had significant impact in policy decision-making. In addition to attending the Board meetings, Board members were asked to serve on subcommittees which reviewed grant proposals in specific program areas. In our role as evaluators, one or more of us attended every Board meeting and grant subcommittee meeting throughout the planning/study phase. We were extremely impressed with the Board's active participation in the administration of the program. With few exceptions, Board members were conscientious, outspoken, hard-working, and did not act as "rubber stamps" for staff decisions. These judgments about the Board's performance are shared by the

Director of BASICS¹¹ and by the Clark Foundation's representative.¹²

Initially, both the BASICS staff and the Clark Foundation expected that very few bar associations would apply for BASICS grants. This judgment was founded on the fact that relatively little activity of this nature had been undertaken by bar associations in the past. According to experienced staffers within the Commission, bar associations really were not fundamentally attuned to public interest activity. These minimal expectations created much concern among the staff:

The attitude from the very beginning, right up to October 15, was that we'd be lucky to get ten applications. So we were encouraged to do a "hard sell" and make it as easy as possible. The Corrections Commission Project Directors were the most pessimistic; they said that the last people in the world to get anything done would be bar associations. Right up to the end, they really didn't think the thing would go.¹³

Because of these concerns, BASICS staff undertook a series of mass solicitation efforts. Beginning at the 1974 ABA Annual Meeting, every bar association on the ABA's mailing list was contacted and informed about the Program. Letters (see Appendix D) were sent to representatives of "over 1,000"¹ bars. One staff member, commenting on the scope of this solicitation effort, stated:

Two to four people from every bar association in the country supposedly heard from us.... It was a huge effort.¹⁵

In spite of these extensive contacts made through the ABA's network, bar associations did not hasten to respond:

In May we did the brochure. The letters were sent out in (Chief Justice) Hughes' name. We made the presentations at Hawaii (ABA Annual Meeting). Then we waited for the applications to come in. They didn't.¹⁶

Because of this lack of response, the staff decided to try to increase the number of applications by sending letters (see Appendix E) to representatives of the National Legal Aid and Defender Association (NLADA) to suggest that they "get on the backs of (their state and local) bar associations and encourage them to apply."¹⁷ The staff thought that members of the NLADA, because of their clientele, would have a direct interest in correctional reform and could play a "catalytic and supportive"¹⁸ role in the BASICS Program. This did, in fact, occur, and "at least 50%"¹⁹ of the planning/study proposals received by BASICS have been attributed to the NLADA solicitation.

This series of solicitations resulted in BASICS being inundated by grant proposals. According to the lists presented to the Management Board at its December 6, 1974 meeting, 106 bar associations (see Appendix F) applied for planning/study grants.²⁰ These associations had memberships ranging from 15 to 49,000 and represented 43 states (the special award to the Vermont State Bar later raised this to 44), Puerto Rico, American Samoa, and the District of Columbia.

Each application was reviewed by BASICS staff, by Commission consultants with expertise in corrections, and by the BASICS Management Board (see pages 156-163 of this report for a discussion of the criteria utilized in this review process). Following these reviews, a total of 77 bar associations were awarded 80 planning/

study grants (see Appendix G for the list of grantees and dollar amounts awarded each). These grants were made subject to a number of conditions relating to the grantees' responsibilities (see Appendix H for the list of planning/study grant conditions). Grantees included 31 state bars, 43 city and county associations, and the bar associations of Puerto Rico, American Samoa, and the District of Columbia. A special grant of \$10,000 was awarded the National Bar Association, an organization which represents black attorneys. Later in the program, a special \$1,275 emergency grant was made to the Vermont Bar Association.

The eight program categories (see Appendix I for description of categories) created for BASICS imposed virtually no restrictions on the substantive target areas which projects might address.

These eight categories were:

1. Comprehensive Correctional Code Reform or Correctional System Restructuring
2. Offender Legal Services
3. Improved Grievance Procedures
4. Improved Jail Facilities and Services
5. Pretrial Diversion Programs
6. Alternatives to Confinement
7. Offender Civil Disabilities and Employment Restrictions
8. Other Programs²¹

There had been a great deal of discussion among BASICS staff, Management Board members, and Corrections Commission staff on whether to select one or many categories:

Some wanted one category; others argued that that would be too narrow and limit the number and kind of bars that would apply for a grant. Largely because people didn't want to eliminate certain interests, the number of categories evolved out of that discussion. Combining some and eliminating others, it reduced to seven (plus "Other").²²

The eight categories selected, then, reflected: (1) the perceived need, at the time, of broadening the scope of the program, thereby increasing the number of applicants, and (2) the areas in which the Commission had developed technical expertise. The controversy concerning the number and scope of the categories, as well as the implications of the discussion to select these eight areas, will be discussed later in this report.

In addition to the 77 bar associations which received planning/study grants, three bar associations with relatively extensive histories of correctional reform activities were selected for "demonstration" purposes and awarded "action" grants without the required planning/study phase. These associations (the Bar Association of San Francisco, the Maryland State Bar and the Washington State Bar Association) were chosen primarily on the basis of their reputations and the Commission's personal familiarity with their activities. Unlike the other grantees, these three were not required formally to compete for their awards. BASICS staff and the Clark Foundation hoped that the demonstration projects of these three associations would provide some early indications of the ability of bar associations to implement plans for effecting correctional reform -- information and experience which could prove valuable when the action phase of BASICS commenced.

The current evaluation effort has focused primarily on the initial planning/study phase of BASICS and to a lesser extent, the three preselected demonstration projects. The following chapter presents a discussion of the procedures utilized in conducting the evaluation research.

Notes

1. Much of the information presented in this chapter is based on a synthesis of interviews and informal discussions held with BASICS staff members, Corrections Commission staff, representatives of the Management Board, and the Vice President of the Edna McConnell Clark Foundation. In addition to these sources, our regular attendance at Board meetings and our inclusion in other decision-making sessions throughout the the planning/study phase provided us with valuable information about the Program's history and functioning.
2. Interview with Roderick N. Petrey, Vice President of The Edna McConnell Clark Foundation, July 31, 1975.
3. See, for example, Robert M. Martinson, "What Works? - Questions and Answers about Prison Reform," Public Interest, 34:22-54, 1974; Walter C. Bailey, "Correctional Outcome: An Evaluation of 100 Reports," Journal of Criminal Law, Criminology and Police Science, 57 (June 1966): 153-160; and Stuart N. Adams, Evaluative Research in Corrections: A Practical Guide, (especially pp. 7-11). Washington: U. S. Government Printing Office, 1975.
4. Petrey interview, op. cit.
5. Ibid.
6. Ibid.
7. BASICS informational brochure, 1974, p. 2.

8. BASICS informational brochure (revised), 1975, p. 6.
9. Ibid., pp. 4-5.
10. Interviews with BASICS staff members, July 16, 1975.
11. Interview with David J. Linden, BASICS Director, July 18, 1975.
12. Petrey interview, op. cit.
13. BASICS staff interviews, op. cit.
14. Ibid.
15. Linden interview, op. cit.
16. BASICS staff interviews, op. cit.
17. Memorandum from James F. Flug, Executive Director of NLADA, to all NLADA affiliates, September 16, 1974, p. 3.
18. Linden interview, op. cit.
19. Although BASICS' revised informational brochure op. cit., p. 7, places this figure at "more than 120," we believe that the correct number of applicant bar associations was 106. It should be noted that the total number of projects proposed was much higher, since some associations applied for grants in more than one program category.
20. BASICS informational brochure, 1974 op. cit., pp. 14-19.
21. BASICS staff interviews, op. cit.
22. Ibid.

CHAPTER II

Method

Our evaluation plan was designed to answer a series of questions about the planning/study grant phase of the BASICS project. The research questions we formulated were designed to probe issues of importance to the Clark Foundation, the BASICS Management Board, and the BASICS staff for determining what activities occurred during this initial phase of the program and for making policy decisions about future work. The evaluation plan was established after a series of discussions with representatives of the Clark Foundation, the Washington BASICS staff, the Commission on Correctional Facilities and Services, the American Bar Association and American Bar Foundation, as well as several outside consultants who have conducted evaluation research in criminal justice. A major part of the plan resulting from these discussions involved the utilization of questionnaires mailed to funded and non-funded bar associations.

The research plan also included two kinds of site visits to funded bar associations. BASICS staff members were to visit the projects during the planning/study phase and complete evaluation reports on these visits. In addition, the University of California evaluation team was to visit a representative sample of 20 projects to obtain additional data.

Mailed Questionnaires

The questionnaire sent to all funded bar associations during the last stage of the planning phase appears in Appendix J.

It was designed to obtain general information about each bar association (e.g., number of members, number of standing committees); specific information about how BASICS funds were spent; general opinions about the viability of correctional reform as a goal; and specific data and opinions about the BASICS planning phase. Questionnaires were sent to association executive directors or, if an association had no director, to the bar association president. They were instructed to answer as many questions as they could, then give the questionnaire to an appropriate bar member for completion. The questionnaire was mailed to 77 bar associations¹ in early April, 1975; 67 questionnaires (87%) were returned.

Two other questionnaires (see Appendix K) were constructed: one for bar associations which had applied to BASICS for planning funds but had not been awarded a grant; the other for a random sample of bar associations which had not applied for BASICS funds. To select the latter group, we obtained lists from the American Bar Association's headquarters in Chicago. We deleted associations which had applied to BASICS, then blocked the remaining associations into three groups: (1) large associations with membership of more than 300 (total: 90 associations); (2) medium associations with membership between 100 and 299 (total: 175 associations); and (3) small associations with membership under 100 (total 543 associations). We then randomly sampled from each of these three groups. We believed that it was important to sample opinions in bar associations of different sizes because BASICS' concepts of correctional reform and bar activation might be viewed differently

by bars of varying organizational size and structure.

The non-applicant questionnaire was also sent to 36 black bar groups on the ABA's National Bar Association Affiliates list. Because of the Clark Foundation's interest in minority bar associations, we felt that this group should be a special sample.

There were some questions on both the applicant/non-funded questionnaire and the non-applicant questionnaires which were identical to those on the questionnaire sent to the funded bar associations (e.g., general attitudes about correctional reform, specific attitudes about the BASICS Project). In addition, specific questions were asked of the applicant/non-funded group about their understanding of BASICS. Twenty-nine questionnaires were sent to the applicant/non-funded bar associations in early April, 1975; 19 (66%) were returned. To standardize opinions at one point in time, the non-applicant questionnaires were also sent in early April, 1975. Sixty questionnaires were mailed to the sample of large bar associations and 25 (42%) were returned. Eighty questionnaires were sent to the sample of medium-sized associations and 28 (35%) were returned. The sample of small bars numbered 100; 33 (33%) of these associations returned questionnaires. Thirty-one black bar groups were surveyed; seven (22%) returned questionnaires.² To increase the response rates from the samples of non-applicant bar associations, we included a covering letter from the Chairman of the Corrections Commission, Robert McKay, (see Appendix L) and included a postage-paid return envelope with the mailed questionnaire. In addition, we sent second-request

letters to bar associations which had not returned their questionnaires. In spite of these efforts, the response rates remained quite low. Because of this, we cannot assume that those who did respond are representative of the larger population of non-applicant bars. Therefore, we have refrained from drawing any conclusions about non-applicant bars and have focused our analyses on funded and applicant/non-funded associations -- categories for which our response rates permit greater confidence in the representativeness of our samples.

Site Visits

We also utilized other sources of data in our analysis of the BASICS planning phase. The BASICS staff visited nearly all of the projects during the course of the planning phase. In addition, the staff conferred by telephone with many of the project directors at various times during the planning phase. Because of these contacts, the BASICS staff was a valuable source of information about the progress projects were making and the obstacles projects were encountering. We asked the staff members to complete site visit report forms (see Appendix M) based largely on their visits and, to a more limited extent, their other contacts with the projects.

Each staff member had primary contact with a different set of projects, so the site report on a given project was completed by only one staff member. Because one staff member visited many more projects than either of the other two, the data from staff site visits reflect his ratings to a greater extent

than the others.³ Although most of the site visit questionnaire items deal with factual data, some of the items are subjective ratings. To standardize ratings on these items, we met with the staff to discuss the various scales before they completed any of the forms. Staff ratings on factual items generally agreed with project self-ratings on the same items (see Chapter III).

Other data were obtained from our site visits late in the planning/study period to a random sample of twenty projects (see Appendix M). The site report forms (see Appendix O) were very similar to those used by the BASICS staff. The data collected on these visits were used to check the validity of information obtained via mailed questionnaires and staff site reports. In addition, these visits proved to be extremely useful in familiarizing the evaluators with day-to-day project operations and in providing direct communication between project directors and the evaluators on all aspects of the projects. A summary of the information derived from these visits was presented to the BASICS Management Board at its May 8, 1975 meeting in Chicago, when the Board was considering various alternatives for the general policy on awarding action grants.

Several further sources of data were employed in analyzing the questionnaire and staff site visit data. Subcommittees of the Management Board made ratings of the action grant proposals that were submitted at the end of the planning phase. These proposals contained the final report and represent some of the most tangible products of the planning phase. Although the action proposal ratings are not a definitive evaluation of planning

project outcomes, they provide an indication of the relative success of the projects. We have analyzed the degree of association between various aspects of the planning process and the ratings.

Strong relationships may indicate aspects of the planning/study process which are particularly effective.

The research plan was designed to answer these specific questions:

I. For funded bar associations:

1. What kinds of bar associations received BASICS grants?
2. Prior to BASICS, were these bars involved in correctional reform?
3. How have the bars used their BASICS funds?
4. What problems have the bars encountered during the planning phase?
5. How successful have projects been in meeting their objectives?
6. What outside groups have projects contacted?
7. How successful have projects been in establishing measurable goals?
8. How successful have projects been in activating members?
9. How satisfied were the projects with the administration of BASICS?

II. For all groups of bar associations:

1. How do bars view BASICS' two-phase approach to grant giving?
2. How viable are bars as agents for correctional reform?
3. How viable as agents for change are other groups working toward correctional reform?
4. What priority do bar associations give to correctional reform?
5. How active are bar associations in the correctional field?
6. Can bars be activated to work for correctional reform?

Demonstration Projects

Our research plan also involved monitoring the three demonstration projects which had been funded at the outset of the BASICS Program. The projects had already begun when we started our evaluation, making it unfeasible to assess the effects of the three early action grants rigorously. We decided to employ a researcher at each of the three sites to monitor the projects. Because of differences in the focus and scope of the three projects, we did not think it was desirable to present a list of specific questions to the three researchers. Instead, we suggested general investigative foci (see Appendix U) but afforded each researcher the flexibility to structure the study as he or she saw fit.

The final report which each researcher submitted is a self-contained document. Each report is supplemented by notes and/or other commentary which provide reactions of a representative from the bar association which sponsored the project. Since these reports deal with demonstration projects, rather than planning/study grants, they are not included in this monograph. They are, however, available from BASICS upon written request.⁴

Minority Bar Associations

BASICS also made a special grant award to the National Bar Association and contacted other minority bar associations about possible BASICS planning/study grant applications. In the course of our evaluations, we have monitored BASICS' contact with

minority bars and have talked with representatives of the National Bar Association. Our discussion of the minority bar associations component of the BASICS Program is presented in Chapter III.

Regular Contacts with BASICS

The last component of our research plan involved regular contact with the BASICS staff, the Management Board and Clark Foundation representatives. At the end of the planning phase we interviewed each member responsible for BASICS (see Appendix P). These interviews provided many insights into the creation and implementation of the BASICS Program. We also attended the four Management Board meetings and six of the seven subcommittee meetings of the Board held during the planning phase. These meetings were invaluable to us for determining direction and emphasis shifts in the BASICS Program. If changes occurred, we would expand our list of research issues. Attendance at the policy meetings also gave us the opportunity to provide information to the Management Board for consideration in its decision-making.

Notes

1. Although there were 81 funded projects, only 77 questionnaires were needed. This occurred because three bar associations had two projects (the Georgia State Bar, the Michigan State Bar and the New York State Bar) and one bar association (the Vermont State Bar) was awarded a special grant after the planning phase and our evaluation had begun.
2. The list we obtained from the American Bar Association contained 36 black bar groups. In five cases, however, we could not contact any bar representative. Consequently, the population of black bar associations we used numbered 31.
3. Of the 70 site reports we received, John Pitkin completed 42, while Margaret Clark and David Linden completed 15 and 13, respectively.
4. To obtain any or all of these reports, please contact BASICS, 1800 M Street, N.W., Washington, D. C. 20036.

CHAPTER III

Findings

A. Funded Bar Associations

This section presents data regarding the bar associations awarded planning/study grants. Each of these associations was sent a questionnaire (see Appendix J) during the final weeks of the planning/study phase. Responses to these questionnaires provide data on: (1) general characteristics of the associations, (2) their attitudes and previous efforts toward criminal justice reform, and (3) their activities during the planning/study phase. Unless otherwise stated, these data are based only on the 67 bar associations from whom we received completed questionnaires. Because some bar associations did not answer all questionnaire items, these findings are occasionally based on fewer than 67 responses. The data discussed here are presented in greater detail in Appendix Q where the reader will find a statistical summary of each questionnaire item.

General Characteristics of the Associations

BASICS planning/study grants were awarded to bar associations in 41 states, the District of Columbia, Puerto Rico and American Samoa. The bar associations receiving BASICS grants ranged in size from 15 to 49,000 members.¹ Four associations (5%) have fewer than 100 members and 11 associations (14%) have more than 10,000 members. Fifty percent (50%) of the bar associations have between 15 and 1,700 members.

BASICS' grantees generally were well established bar associations. Fifty-five percent (55%) of these associations were established more than 75 years ago; only two associations are less than 10 years old. A majority of the associations (57%) reported 22 or more standing committees. In addition, most of the funded associations (88%) employ full-time staff; more than half of these associations (56%) have from one to six staff members.

We asked BASICS' grantees who, within their bar association, was most involved in policy decision-making. In 72% of the associations, the elected bar officers were the most important people in this respect. In 14% of the associations, the board was said to be the most important group. In the remaining 14%, policy decisions were said to be made by some combination of bar officers, board members and committee members.

Criminal Justice Reform Efforts Prior to BASICS

To judge the success of BASICS in stimulating bar associations to work toward criminal justice reform, it was first necessary to establish the level of bar association involvement in this area prior to BASICS. Several questionnaire items provide data on this topic. In general, the answers indicate that BASICS' grants went to bar associations with a history of previous involvement in criminal justice reform.

Many of the grantees (90%) had a bar association group specializing in criminal justice concerns. Only seven associations has no such group. Although the mere existence of such a group is no guarantee that meaningful activity will take place, it can be

a useful first step. Further data indicated that these groups were, in fact, active units.

With respect to prior activity in criminal justice reform, each BASICS' grantee was asked to characterize his bar association in several different ways. Using seven-point scales, questionnaire respondents rated the degree of involvement (1 = "no involvement" to 7 = "extensive involvement"). The average rating was 4.1, suggesting a moderate degree of self-reported previous involvement in criminal justice reform. Only 12 associations (19%) indicated no prior activity in this area. To substantiate this rating, bar associations were requested to list criminal justice reform projects which they had conducted. The average number of projects was two.

These self-ratings tend to converge; that is, bar associations which listed a larger number of projects tended (1) to rate themselves higher on involvement in criminal justice reform ($r = .43$)², and (2) to be associations with a group specializing in criminal justice concerns ($r_i = .31$)³. There is, then, consistency in the projects' ratings of their involvement in criminal justice reform and, overall, these ratings are high.

The projects' self-ratings are corroborated by BASICS staff ratings based on contacts with the projects. Staff ratings of an association's prior involvement in criminal justice reform were highly correlated ($r = .60$)⁴ with an association's self-rating of its prior involvement. Project ratings are further supported by evaluation team site visit ratings of prior involvement ($r_s = .74$)⁵.

Attitudes toward Criminal Justice Reform

We asked bar association representatives several questions about the importance of correctional reform in their respective organizations. First, they were requested to rate the general attitude in their bar associations regarding the priority of correctional reform. On a seven-point rating scale (with 1 = "low priority" and 7 = "high priority") the average was 4.9. These bar representatives, then, felt that correctional reform was between the two poles and slightly toward the high priority end of the continuum. Only two associations (3%) judged correctional reform to have a low priority (i.e., scale rating of 1), whereas 14 associations (21%) assigned it a high priority (rating of 7). These ratings were made at the end of the planning period, during which these associations had been focusing at least some attention on corrections. Because of this, the ratings presented above may reflect some bias toward high priorities.

Bar representatives were asked specifically if they believed that their bar association was a viable force for accomplishing correctional reform. Fifty-six associations (88%) responded "yes" and eight associations (12%) responded "no." Fifty-three associations (79%) provided explanations for their answers. Forty-eight of these explanations supported the judgment that bar associations are a viable force. A large majority of these explanations (22) mentioned that bar associations have expertise which enhances their opportunities to work for change.

"There is no other logical statewide group with the same ability to lead, organize, motivate and implement such reforms," said one bar association.

Another said:

Members of the bar have knowledge and experience that can be applied to the problems.

Five associations noted that bar associations have a perceived legitimacy that would help them. The following were typical answers:

The mayor, city council, and corrections department, to various degrees, look to the Bar for help in correctional reform.

(The bar association has an) automatic guarantee of legitimacy.

Four associations specified that the organizational resources of bar associations made them a viable force for correctional reform.

One of these bars said:

(We have a) 24,000 man strong integrated bar with a strong interest in and involvement in correctional programs and with corrections experts on staff.

Of the eight associations which responded that bar associations were not a viable force in correctional reform, only five provided explanations. In contrast to the group of associations who listed organizational resources as an asset, three associations cited a lack of organizational resources. A typical response was: "Resources too limited for full-time pursuit of correctional reform."

We also asked respondents to rate a number of groups in regard to their viability as correctional reform agents. Each group was rated on a seven-point scale, from 1 = "low viability" to 7 = "high viability." The average ratings for each group are shown in Table 1. Overall, the ratings indicate that no group is viewed as an extremely viable correctional reform agent. State bar

Table 1: Perceived Viability of Various Groups* as Correctional Reform Agents (averages based on seven-point scales where 1 = low viability and 7 = high viability)

<u>GROUP</u>	<u>AVERAGE RATING</u>	<u>RANK</u>
State bar associations	5.0	1
Judicial personnel	4.9	2
Local bar associations	4.8	3
Politicians	4.8	3
Concerned citizen groups	4.6	5
Leaders of community organizations	4.6	5
National bar associations	4.6	5
Law enforcement personnel	3.9	8
Inmate organizations	2.5	9

*Each of seven associations listed one other group (i.e., district attorneys, public defenders, mental health personnel, churches, legal aid personnel, and interested individual lay persons).

associations received the highest rating (5.0), although judicial personnel, politicians, and local bar associations were close behind. A national bar association, concerned citizen groups, and leaders of community organizations are rated equally, but somewhat lower (4.6), although the average rating is still on the high viability side. Law enforcement personnel are rated just below the scale midpoint (3.9), toward "low viability."

- Inmate organizations received the lowest rating -- 2.5.

These ratings indicate that state and local bar associations are viewed as having as much viability for correctional reform as any other designated group. However, even they are not judged to be extremely viable change agents in this area. This may reflect the raters' belief in the complexity and difficulty of working toward change in corrections, where no group is seen as likely to be powerful or sophisticated enough to be extremely effective. It is interesting to note that inmate groups are viewed as having little viability to effect changes in systems which affect them more than anyone else.

The Planning/Study Grant Phase

- The Application Process

The package of information and application forms which BASICS sent to bar associations asked them to propose a correctional reform project which was relevant to their particular community. In this material BASICS suggested that the associations contact groups which might be involved in the planning/study process and secure their cooperation in preparing the grant request.

In BASICS' informational brochure, potential applicants were told:

Seldom will a bar association be able to study a problem without contacting and cooperating with affected government officials, community agencies and citizen organizations. BASICS seeks assurance that the bar will not be working in a vacuum, and will expect some coverage of this matter in planning grant applications...BASICS is particularly interested in bar cooperation with minority, offender, and women's organizations....⁶

We asked funded bar associations to select, within several general categories, the groups or individuals they had contacted. Eight associations (12%) contacted no one. On the average, about three groups were contacted by each association.⁷ Table 2 lists the groups contacted and the number of bar associations which contacted each group. As these data indicate, most bar associations had some contact with outside groups during the application process.

More than half (35) of the projects that were funded had been conceived before BASICS began. In general, these previously conceived projects (18) were reported to have been only at the conceptual stage. Nine involved preliminary plans, four others had already conducted an assessment of the need for a specific reform project, and four projects were in existence when BASICS began.

Although a number of projects were conceived before BASICS, the national program appears to have been instrumental in actually implementing the projects. Bar associations were asked to rate the likelihood of their seeking other sources of funding had they not received a planning/study grant. On a seven-point scale,

Table 2: Number and Type of Contacts Between 67 Funded Bar Associations and Designated Groups During the Application Process

<u>GROUP</u>	<u>NUMBER OF ASSOCIATIONS</u>
Corrections Personnel	45
Leaders of Community Organizations	38
Judicial Personnel	36
Law Enforcement Personnel	34
Inmates	23
Other*	15

*Other groups listed: Legal service providers (4); State planning agency (3); Legislative personnel (2); Mayor (2); Funding agencies (1); Ex-Inmate organization (1); Mental health personnel (1); Media (1).

ranging from 1 = "very unlikely" to 7 = "very likely," the average rating was 3.1. The answers tended to fall toward the "very unlikely" pole of the scale. Fifty-four percent (54%) of these associations answered 1 ("very unlikely") or 2 on the scale. Eleven associations (17%) answered 6 or 7 ("very likely"). Those associations which would have sought other funding generally listed LEAA or some private organization funding sources they would have explored. Only three associations listed their bar association as a possible funding source.

- Use of the BASICS Grant

Bar associations applied for a BASICS grant in one of seven program categories (excluding "Other"). We listed these seven categories and asked the funded associations to indicate the percentage of their BASICS funds that they had used in each of these categories. Table 3 sets forth these categories and indicates the number of bar associations which spent a substantial proportion (between 66 and 100%) of their funds in each category.

To determine how BASICS funds were used, we asked associations to list the percentages of funds expended in specified ways. These percentages were tallied across the seven program categories to obtain data about general BASICS expenditures. Nearly half (49%) of the responding associations spent two-thirds or more of their funds for new staff; an additional 5% of the associations spent two-thirds or more of their funds on supplements to current staff salaries; 4% spent most of their funds on travel. A group of associations (18%) indicated that they had spent the majority

Table 3: BASICS Projects by Program Category*

<u>CATEGORY</u>	<u>NUMBER OF PROJECTS</u>	
Comprehensive Correctional Code Reform or Correctional System Restructuring	7	(10%)
Offender Legal Services	10	(15%)
Improved Grievance Procedures	5	(8%)
Improved Jail Facilities and Services	12	(18%)
Pretrial Diversion	9	(13%)
Alternatives to Confinement	7	(10%)
Offender Civil Disabilities and Employment Restrictions	7	(10%)
Mixed	10	(15%)

* To be listed in a category, a bar association spent between 66 and 100% of its funds in that category. "Mixed" consists of projects which spent less than 66% of their funds in any one category.

of their funds in miscellaneous ways (e.g., general operating expenses, special consultant services, printing, an orientation dinner).

In general, funded associations judged the amount of BASICS funds they received to be adequate (average = 4.6 on a scale with 1 = "very insufficient," 4 = "adequate" and 7 = "more than sufficient"). Seventy-five percent (75%) of the associations rated their funds as adequate or more than adequate (i.e., scale ratings 4, 5, 6 or 7).

Eight associations indicated the amount of additional money they would have needed. Five associations wanted about \$1,000, four associations thought they could have benefitted from \$2,000 more, one wanted \$4,000 and the other association desired \$7,000. Despite these associations' judgments, the large majority of those funded indicated that they believed that the amount of their planning/study grant was adequate for what they wanted to do.

- Activities during the Planning/Study Period

Once a bar association received its notice of award at the beginning of 1975, the planning/study process could go forward. Because of the variety of projects and the differences among these projects in their stages of development, we were not able to monitor the planning/study process in detail via mailed questionnaires. We did, however, ask some general questions about the processes which applied to all projects. In addition, the Washington BASICS staff provided judgments of the planning process based on field contacts with the projects.

Fifty-eight percent (58%) of the associations replied that they had made "some" changes in their goals during the planning/study period, and nine percent (9%) reported "many" changes. The overall staff ratings of the amount of change in project goals were similar to those of project personnel (staff average = 3.2 on a seven point scale where 1 = "none," 4 = "some" and 7 = "many").⁸ The Washington staff also specified the kinds of changes that were made. In the majority of cases (21), projects expanded their original goals. Twelve projects lowered their original goals, and five of the projects changed their goals.

BASICS projects were to involve outside groups in their planning process. We listed seven groups that most projects could have consulted, and asked projects to rate their contact with the groups on seven-point scales. These groups are listed in Table 4, along with the average involvement ratings. In most cases, these groups served either in an advisory capacity, or less often, as active assistants to the BASICS project. The average involvement rating of all outside groups is 4.2, indicating that their involvement, while it did occur, was not extensive. The data in Table 4 suggest that correctional personnel were most involved and that politicians and inmates were least involved.

Staff ratings of the degree of involvement support the project self-ratings ($r = .24$).⁹ The staff used seven-point scales to rate the number of contacts with outside groups (with 1 = "none," 4 = "some" and 7 = "many"); the average rating was 5.3.¹⁰ The

Table 4: Average Involvement by BASICS Projects with Outside Groups* (ratings were made on seven-point scales where 1 = no involvement and 7 = extensive involvement)

<u>GROUP</u>	<u>AVERAGE RATING</u>
Corrections Personnel	5.3
Leaders of Community Organizations	4.6
Concerned Citizens Groups	4.4
Judicial Personnel	4.1
Law Enforcement Personnel	4.1
Politicians	3.7
Inmates	3.6

*A few associations indicated high involvement of several other groups (e.g., university personnel, public defender, government agencies, ex-inmate groups, medical personnel).

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1 OF 3

staff also rated the success of these contacts in involving outsiders in the planning process. The average rating, on a scale from 1 = "unsuccessful" to 7 = "highly successful" was 4.3.¹¹ In general, then, staff felt that outside groups had been contacted and were involved, to some limited extent, in the planning process.

BASICS grantees were asked specifically about the involvement of minority groups in the planning process. On a scale with 1 = "no involvement" and 7 = "extensive involvement," the average was 3.8. Fourteen associations (23%) indicated extensive involvement with minority groups (i.e., a scale rating of 6 or 7) but 17 associations (28%) reported little or no involvement (i.e., scale ratings of 1 or 2). The minority group specified most often was blacks (indicated by 30 associations); Mexican-Americans were listed by 10 associations and women by the same number.

Because one of BASICS' goals is to effect measurable improvements in corrections, we asked bar associations to rate the ease with which the goals of their project lent themselves to measurement. On a seven-point scale from 1 = "very easily" to 7 = "not at all," the average rating was 3.5. Thirty-four percent (34%) of the associations gave ratings of 1 (= "very easily" measurable) or 2; 14% of the associations gave ratings of 6 or 7 ("not at all" measurable). In general, then, projects tended to think their goals were measurable. In addition, 43 associations (88%) had given some thought to the kinds of measures they would use.

Staff ratings of the measureability of projects' goals were

similar to those made by the projects. The average staff rating was 3.8;¹² the average project rating was 3.5. In addition, staff ratings of the measureability of the goals of particular projects were associated, to a limited degree, with project's self-rating ($r = .18$).¹³ The Washington staff reports indicate that 24 projects had created actual measurement instruments.

Another important BASICS' goal was to involve bar association members in the planning/study process. We asked the grantees two questions about such involvement. Most grantees had as part of their organization a group specializing in criminal justice concerns. We inquired regarding the degree of involvement of this group during the planning/study phase. On a scale from 1 = "no involvement" to 7 = "extensive involvement," the average rating was 5.6. This high involvement of association criminal justice groups is even more apparent in the distribution of the scale ratings: 67% of the associations rated this group's involvement 6 or 7 = "extensive involvement".

The second question asked about bar association involvement during the planning/study phase was: How many bar association members were actively involved in the planning/study project? Although the average number of members listed was 20, 53% of the associations listed 14 or fewer active members. The highest number listed was 65. This generally low number of active association members is supported by data obtained during our site visits to a random, representative sample of 20 grantees. The average number of actively-involved members we observed was 9,¹⁴ with the highest

number being 25. Our judgment of the number of active members for a particular project was highly correlated with the project's self-rating ($r = .42$).¹⁵

Staff ratings of the degree of bar member involvement are somewhat higher than the project and evaluation site visit data. On a seven-point scale from 1 = "few" to 7 = "many," the average staff rating was 3.2.¹⁶ This rating does not indicate a great deal of involvement. There was a strong association between staff's rating for a particular project and the project's self-rating ($r = .38$).¹⁷

We asked the grantees if the 90-day planning/study period had been sufficient.¹⁸ In general, grantees believed that the length of the period was insufficient (average = 3.2 on a scale with 1 = "very insufficient," 4 = "adequate" and 7 = "more than sufficient"). Although 33% of the grantees responded that the period was adequate, 54% of the grantees judged the period to be insufficient (i.e., ratings of 1, 2 or 3). Data gathered during our site visits to a sample of the projects provided further support that this opinion predominated.

Although BASICS funded 21 action projects, the original plan announced to the grantees was to fund only about 10 of the projects proposed as a result of the planning/study period.¹⁹ As a result, many grantees would not have received action-grant funding. In view of this fact, we asked the associations how likely it was that their project would be pursued if they had not received an action grant. Opinion on this issue was about evenly divided

(average = 4.0 on a scale with 1 = "very unlikely" and 7 = "very likely"). Staff and the evaluation site visitors also rated projects on this same dimension. They were both slightly more pessimistic (staff average = 3.2²⁰ on a scale with 1 = "very unlikely" and 7 = "very likely"; evaluation site visit average = 1.8²¹ on a scale with 1 = "very unlikely" to 4 = "very likely"). On this dimension, staff ratings were slightly correlated with project self-rating ($r = .17$),²² and evaluation site visit ratings were highly correlated with project self-ratings ($r = .45$).²³

The BASICS Management Board, the BASICS staff, and the University of California evaluation team made quantitative ratings for most projects of the likelihood of action grant funding. The Management Board ratings made on five-point scales (with 1 = "low fundability" and 5 = "high fundability") were based on the information contained in the action grant proposals. The staff ratings were based on site visits and other contacts with the projects (seven-point scale ratings with 1 = "unlikely" and 7 = "very likely"). The evaluation team ratings were based on information obtained during site visits to the projects (four-point scales from 1 = "very unlikely" to 4 = "very likely").

These independent ratings were all highly correlated (Board with staff: $r = .50$;²⁴ Board with evaluation team: $r = .60$;²⁵ staff with evaluation team: $r = .71$).²⁶ Consequently, there was considerable agreement among the Board, the staff and the evaluators about the likelihood of action grant funding.

Administration of the Grants

The BASICS program used an unusual process for administering funds. Rather than solicit proposals for large grants to be used over a long period of time, BASICS solicited very brief, preliminary proposals for a planning period, out of which a complete proposal would, theoretically, develop. We asked the grantees what they thought about this two-phase method of administering the grant money. In general, they agreed with the procedure (average = 3.0 on a scale with 1 = "strongly agree" and 7 = "strongly disagree"). Forty-five percent (45%) of the associations were very positive about the process (i.e., ratings of 1 = "strongly agree" or 2).

Many of the associations (42) provided explanations of their ratings. Ten grantees felt that the two-phase process was useful because it emphasized the importance of planning. These are several representative responses:

I think the provision in the program of a planning phase will produce much more thoughtful and accurate proposals for actions to change the system than would have been possible had the initial request to the Bar Association been for an action proposal.

Determining areas of need and establishing goals are sound administrative procedures. Proposals can then be chosen which are most likely to succeed, thus obtaining the maximum result with the available funds.

Five associations noted that the two-phase approach provided resources for planning. One respondent said:

I believe most state bar associations would not become interested in applying for large-grant action phase funding unless they were subsidized financially to do so.

Some grantees cited disadvantages of the method. Six associations felt that there was not enough time or money for the process to work properly. A typical comment was, "What can you do of significance with \$2,500 in 3 months?" Six other associations felt that the process raises expectations too soon. For example, one association said:

The chief drawback (to the planning-seed money approach) seems to be that the gap between the planning phase and the award of the grants assures the dissipation of a lot of steam built up in the planning phase....Also it may cause the loss of a nucleus of staff which you had begun to assemble.

In late January and early February, 1975, BASICS held two workshops:

To expand upon published materials and place them in context, and to focus on the 'how to's' of developing projects....In addition to providing technical training, the workshops were designed to give project directors a sense of participation in a national movement and to foster mutual cooperation.²⁷

One workshop was held in Washington, D. C., on January 30 and 31, 1975, and the other took place in San Francisco on February 6 and 7, 1975. Fifty-four associations (81%) reported attending one of the workshops. Thirty-seven associations listed comments on the most useful parts of the sessions. Twelve grantees liked the small group discussions with people who had planned similar projects and nine liked meeting other project representatives. Six grantees reported that they liked the discussions of BASICS' philosophy and/or the sources of matching funds.

Twenty-five grantees made suggestions about improving the workshops. Ten recommended that the workshop time be used more

efficiently and that more information be conveyed. These are representative of the comments listed:

More emphasis on available information, assistance, etc. from ABA.

More help and follow-up on requirements such as Bar activation and alternative funding.

An integral part of the BASICS Program design involved staff site visiting. Fifty-eight of 66 projects (88%) reported that they were visited by a BASICS staff member. Most of these projects believed that the visit was quite useful (average = 2.8 on a scale from 1 = "very useful" to 7 = "not at all useful"). Fifty-three percent (53%) of the associations rated the visit near or at "very useful" (i.e., 1 or 2). Only nine percent (9%) of the associations rated the visit near or at "not at all useful" (i.e., 6 or 7). Forty-four associations listed aspects of the visit that were the most useful. Sixty percent of these comments were related to the clarification of guidelines. Other associations mentioned the value of staff expertise and guidance or simply said that the physical presence of staff members helped them -- presumably because it gave them a greater sense of being part of a larger network of effort.

We asked grantees to make suggestions about ways of improving the technical procedures for administering and coordinating BASICS grants in the future. Forty-three associations made suggestions. Three types of suggestions were listed more than others. These were the need for (1) better coordination between BASICS staff and the projects (listed 8 times); (2) more time and/or

money (listed 7 times); and (3) earlier report guidelines (listed 5 times). These are representative of the first group of suggestions:

Technical assistance might be more useful on a more individualized basis rather than, for example, mailing out dozens of xeroxed copies of other bar associations' interim reports to each bar association applicant.

So far, for a \$3,000 grant, there have been far too many questionnaires, visits, repetitive mailings, etc.

Additional representative suggestions were:

The grant application guidelines for action funding and the guidelines for the planning phase final reports were completed by the ABA BASICS staff far too late in the project to be of any help in organizing local bar committee work leading up to the actual submission of the action phase grant.

Combine the final narrative report and final proposal into one submission. Give more time to draw up this final submission.

...Some means should be provided for evaluating pro-bono services provided to the project by the legal profession, at no cost to the grant, to demonstrate to the grantor the commitment willingly entered into by the legal profession in these areas.

NOTES

1. Figure on bar association membership are based on all 77 funded associations.
2. $n = 49$; $p < .001$
3. Interclass correlations (r_i) have no simple probabilistic interpretation, as product-moment correlations (r) and nonparametric correlations (r_s) do (see H. M. Blalock, Social Statistics. New York: McGraw-Hill, 1972)
4. $n = 58$; $p < .001$
5. $n = 18$; $p < .001$
6. BASICS information brochure, 1974, p.9.
7. $n = 67$; $\bar{x} = 2.8$; $SD = 1.8$
8. $n = 69$; $SD = 1.9$
9. $n = 59$; $p < .03$
10. $n = 69$; $SD = 1.7$
11. $n = 69$; $SD = 2.0$
12. $n = 68$; $SD = 1.8$
13. $n = 57$; $p < .09$
14. $n = 20$; $SD = 6.3$
15. $n = 16$; $p < .05$
16. $n = 70$; $SD = 1.8$
17. $n = 53$; $p < .003$
18. Although BASICS originally had intended to have this be a 90-day period, the actual length of the planning/study phase ran to about 120 days (from approximately January 1 to May 2,

1975). However, many associations did not actively begin their work until the first of February because of the timing of the BASICS workshop (see next section, "Administration of the Grants"). In most cases, then, the actual planning/study period was about 90 days, although some limited number of associations may have used up to 120 days.

19. BASICS informational brochure, 1974, p. 5.
20. $n = 70$; $SD = 1.8$
21. $n = 20$; $SD = 1.2$
22. $n = 58$; $p < .10$
23. $n = 17$; $p < .04$
24. $n = 52$; $p < .001$
25. $n = 14$; $p < .01$
26. $n = 16$; $p < .001$
27. BASICS informational brochure (revised), 1975.

B. Applicant/Non-Funded Bar Associations

Twenty-nine of the 106 bar associations applying for BASICS planning/study grants did not receive them. We believed that these applicant/non-funded bar associations would constitute an interesting and valuable group for evaluation purposes. Specifically, we wanted to gather information about the descriptive characteristics of these bars, some of their collective attitudes, the nature and extent of their previous activities in criminal justice reform, and their opinions about the BASICS Program. We hoped that these data, in addition to providing another source of opinions, would permit us to make some comparisons of funded and non-funded applicant bars.

To elicit the desired information, we constructed a questionnaire (see Appendix K) and mailed a copy to each of the 29 non-funded bar associations. In spite of our best efforts, only 19 (66%) of the 29 returned the questionnaires. This response rate is sufficient to permit us to go forward with our analyses, but the reader is cautioned that the bar associations which did not respond (10, or about one-third of our survey population) may differ from our respondents in significant ways. In addition, not all of our 19 respondents answered every question we asked. This means that the response rate for many individual items was even lower than the overall

return rate. These complications mean that any generalizations or comparisons based on those data must be in the nature of working hypotheses, rather than definitive conclusions.

To supplement the general profile presented below, a more complete statistical summary of responses is provided in Appendix Q . Because of the variation, from item to item, in such things as the percentage of missing data, the range of responses, and the extent to which the responses may be skewed in one direction, the reader should examine the complete statistical summary for each item to avoid oversimplification.

General Characteristics of the Associations

The bar associations represented by our respondents tend to be fairly large and well established. Fifty percent of the associations have 1,839 or more members and the average (mean) age of associations is 74.1 years.

Organizationally, 50% of these bars have three or more full-time staff and 30 or more standing committees to handle the workload. About three-fourths (72%) of the respondents indicate that the major responsibility for policy decision-making is vested in elected bar officers.

Criminal Justice Reform Efforts Prior to BASICS

With respect to their prior involvement in criminal justice reform, our respondents vary considerably. However, only about one-third of their self-rated responses can be

characterized as indicating fairly extensive activity in this area. The other two-thirds had previously had either no involvement (4 of 19) or some involvement (9 of 19) in criminal justice reform. On a seven-point scale, where 1 = "no involvement" and 7 = "extensive involvement", the average self-rating is 3.6, which suggests that some, but not a lot of prior criminal justice activity occurred.

In addition to self-ratings, we asked the respondents to specify the kinds of involvement they had had and the specific number of criminal justice reform projects they had sponsored. Fourteen respondents indicated the nature of their criminal justice reform efforts. Activities which were mentioned more than once included: committee work (6 references); sponsorship of projects or programs (5); establishment and/or analysis of criminal justice standards and goals (2); provision of legal services (2); conducting seminars (2), and miscellaneous volunteer activities (2). With respect to the number of projects sponsored, 11 bar representatives listed a total of 17 projects. These projects reflected a variety of reform goals.

Of the bars responding, about three-fourths (78%) report that they have a specific group specializing in criminal justice concerns. Furthermore, these specialized groups generally were involved, although to varying degrees, in the BASICS application process (average involvement of 4.6 on a seven-point scale where 1 = "no involvement" and 7 = "extensive involvement").

Attitudes toward Criminal Justice Reform

One of the most important areas we focused on is that of bar associations' attitudes toward correctional reform. These bar association representatives were asked to rate the priority of correctional reform within their association. The average rating was exactly in the middle (4.0) of our seven-point scale (1 = "low priority" and 7 = "high priority"). Only four of 17 respondents chose the extremes of the rating scale (two at each end). It appears, then, that while there is some recognition of correctional reform as a worthwhile goal, its perceived salience to these bar associations is not very intense.

Because the BASICS Program obviously places great confidence in bar associations as correctional reform agents, it seemed advisable to assess the perceived efficacy of our respondents in this regard. Their responses were mixed; ten regard their bars as a viable force for correctional reform and seven do not. Ten respondents provided explanations for their answers, and eight of these ten comments focused on the issue of members' interest (or lack thereof) in correctional reform. Three of the five persons who thought their bars were viable agents of reform attributed this viability to the interest and/or influence of the members of their association. The other two positive responses cited: (1) the knowledge and personal contacts of lawyers practicing in criminal justice, and (2) the belief that a bar association's independence from the various components of the judicial process lends added legitimacy as an agent of correctional reform.

Finally, all five of those who do not regard their bars as viable reform tools mentioned their members' lack of interest in correctional reform as a major inhibiting factor.

In addition to assessing their own viability, bar representatives were asked to rate, on a seven-point scale (where 1 = "low viability" and 7 = "high viability"), the viability of other groups as correctional reform agents. Among the specific choices provided, this sample rated concerned citizens' groups as having the highest viability (average = 4.0), while inmate organizations inspired the least confidence (average = 2.2). The average ratings for the various groups are presented in Table 5.

Activities Related to the Application Process

BASICS' Program philosophy and promotional literature, as we noted above, include the expectation that applicant bar associations would solicit the input and cooperation of a variety of interest groups. This was seen as an essential element in any successful planning/study effort. Because of this, we thought it would be of interest to ask these non-funded applicant bars what, if any, individuals or groups were contacted prior to submitting their BASICS proposal. Since the substantive foci of the projects vary, all projects cannot be expected to have contacted the same kinds of individuals or groups. Nevertheless, the responses provide an overview of these activities.

Table 5: Perceived Viability of Various Groups* as Correctional Reform Agents (averages based on seven-point scales where 1 = low viability and 7 = high viability)

<u>GROUP</u>	<u>AVERAGE RATING</u>	<u>RANK</u>
Concerned citizen groups	4.0	1
Leaders of community organizations	3.9	2
Judicial personnel	3.9	2
State bar associations	3.9	2
Local bar associations	3.6	5
National bar associations	3.6	5
Politicians	3.2	7
Law enforcement personnel	2.9	8
Inmate organizations	2.2	9

*Other groups mentioned: crime commission, corrections department, drug rehabilitation centers, "Team for Justice", law schools, activist lawyers, and legal services offices.

By categories, we found that the most frequently contacted sectors were judicial personnel (9 bars), community leaders (8), corrections personnel (7), and law enforcement personnel (7). Only one association reported contacting inmates about their proposal, even though seven thought that their projects warranted the input of corrections personnel. Within the category "other," contacts reported include: lawyers involved in criminal justice work, including those in legal services agencies (listed by 4 respondents); county corrections commission; prosecutor; mass media; mental health planning consultant; probation personnel; halfway house directors; state department of social and health services; and "Team for Justice". The average number of groups contacted was about two.¹

To assess the extent to which BASICS stimulated new involvement in criminal justice reform, we asked our respondents whether or not their proposed project had been conceptualized prior to BASICS. Seven of the 16 who answered replied that there had been prior conceptualization and nine reported that their projects were conceptualized after learning about BASICS. Of the seven bar projects which had been preconceived, one had already been operationalized; two had reached the study phase; two were at the proposal state (one submitted and one in draft form); and two were at the conceptual level only.

To determine whether non-funded projects might nevertheless be pursued, we asked our respondents about their plans in this regard. Only two indicated that a positive decision had been

made to pursue the project, while ten stated that their plans had been dropped and six were undecided. Furthermore, none of our respondents had been able to obtain other funds or firm commitments for funds to help finance their proposed correctional reform projects.

Opinions and Suggestions

Our last category of inquiry dealt with the applicants' opinions about BASICS' procedures for soliciting, awarding, and administering grants. We were especially interested in learning whether these representatives of non-funded bar associations believed that they understood the criteria utilized in awarding the grants and felt that their proposal was given a fair assessment. We were also interested in soliciting respondents' general comments and suggestions for improving the BASICS Program.

With respect to the two-phase approach adopted by BASICS (i.e., small planning/study grants, followed by larger action grants), our respondents clearly agree quite strongly with this tactic. More than three-fourths (77%) chose responses at or near the "strongly agree" end of the scale. On a seven-point scale (1 = "strongly agree" and 7 = "strongly disagree"), the average rating was 2.2. This support is all the more significant in that our survey sample in this instance consists of non-funded bars. Clearly, the two-phase grant design was a popular one.

We also asked respondents what, if any, suggestions they had for improving the administration and coordination of similar grants in the future. Only eight of those completing the questionnaires supplied commentary on this item. Of these, six were in the nature of recommendations and one was a statement praising the simplicity of the application. Five of the six recommendations stress the importance of communication--both before and after decisions are made--between BASICS and the applicant organizations. Examples of these suggestions include the following:

Perhaps more personal contact with the applying organization could assure placing funds where there is a real need.

We'll never know why we were rejected, nor the features of programs that were approved.

Perhaps some dialogue between applicant and granting agency before final decision is made. Sometimes the group seeking the grant may have a good concept but may need assistance in explaining it properly.²

The only other recommendation made in response to this question was that administrators, even though they may need more time, "stick to deadlines, as established."³

We asked respondents what criteria they thought had been utilized by BASICS in making the planning/study grant awards. Eight of these bar representatives indicated that they had no idea what criteria were used in arriving at these decisions; one believed that the "prestige and size"⁴ (membership) of the applicant bars were important factors; another emphasized the need for the suggested program and the "novelty or imagination"⁵ of the proposal; and one felt that "there were politics played

and pressures exerted."⁶ The most important observation to be made here, of course, is that nearly one-half (42%) of our respondents claimed to have absolutely no idea what criteria were utilized by BASICS in its decision-making.

Each respondent was asked whether his/her bar association's proposal had been given a fair assessment by BASICS. Five representatives indicated their satisfaction with the fairness of the assessment they were accorded; nine respondents did not believe they had been treated fairly; and five did not respond to the question. In addition, we asked respondents to provide us with explanations of their answers to this question. An analysis of these comments shows that for the nine dissatisfied representatives, the most frequently-mentioned complaint was that there had been insufficient communication between BASICS and the applicants. For example:

There was no communication whatever with the committee regarding its proposal and so the assessment would have been based solely on the application and can hardly have been fair.

We called Washington and were told that the grant was appropriate and met all requirements. The rejection letter seemed to imply that the grant did not meet the appropriate standards.

How would I know? There was no follow-up for further explanation or implementation, just a turn-down. Possibly more data on the criteria that were used would have assisted us in detailing a more successful proposal.⁷

Other comments suggest that some perceptions of unfairness were related to the feeling that not getting the grant meant a lost opportunity to make real progress, that larger associations

had been favored, or that BASICS had failed to recognize a critical situation at the local level. Only a few comments were volunteered by those who felt they had received a fair assessment; these comments, however, were not very responsive to the issues raised by the question.

NOTES

1. $n = 19$; $SD = 1.3$.
2. These representative quotations were selected from among respondents' answers to questionnaire item #25.
3. This quotation is an excerpt from a more complete answer provided to questionnaire item #25.
4. Abridged quotation taken from questionnaire item #26.
5. Ibid.
6. Ibid.
7. These representative quotations were selected from among respondents' answers to questionnaire item #27.

C. Comparison of Questionnaire Data: Funded and Non-Funded Applicants

The questionnaires sent to funded and non-funded applicant bars contained a number of questions which were identical. These questions were designed to provide some bases for a comparison of the two groups of bars.

General Characteristics of the Associations

In terms of membership, the bar associations which applied for BASICS grants tended to be about the same size (Median¹ = 1,700 for funded bars and 1,839 for non-funded applicants). The two groups also were quite comparable in average age, and tended to be well established bars, with median ages of 76.1 years and 75.5 years for funded and non-funded² associations, respectively.

Funded associations generally had more full-time staff positions (Median = 5.9) than did non-funded applicants (Median = 2.7), but the latter group of organizations reported that they had more standing committees (Median = 30.0) than did the funded bars (Median = 22.4). In the important area of policy decision-making, about three-fourths (72%) of all applicant bars reported that elected bar officers have primary responsibility, with the board being next in order of frequency (14% of the funded bars and 17% of the non-funded applicants).

Criminal Justice Reform Efforts Prior to BASICS

We asked both groups of associations to provide us with information about their criminal justice reform efforts prior to

BASICS. We found that both funded and non-funded BASICS applicants tended to have a specific committee or group specializing in criminal justice concerns (90% of the funded bars and 78% of non-funded associations). Additionally, the self-reported involvement of these associations in criminal justice reform can be characterized as "moderate," with funded bars indicating a slightly more extensive involvement than bars which did not get grants. On a seven-point scale, where 1 = "no involvement" and 7 = "extensive involvement," the self-ratings of funded and non-funded bars averaged 4.1 and 3.6, respectively. Finally, bars in both categories tended to have some history of sponsoring criminal justice reform projects, with the average number of projects being about two for each group.

Attitudes toward Criminal Justice Reform

Representatives of funded bar associations tended to rate correctional reform somewhat higher than did their non-funded counterparts. On a seven-point scale, where 1 = "low priority" and 7 = "high priority," the average ratings were 4.9 for funded bars and 4.0 for non-funded bars. It is important to note that the BASICS grant itself may have affected these attitudes, and been a cause -- rather than a result -- of the attitudes.

Respondents representing funded bars also tended to have a more positive view of their organization's viability as a correctional reform agent. While 88% of these respondents believed their bar was a viable force, only about 59% of the respondents representing non-funded bars held a similar opinion. Again,

funded bars' attitudes may be a result of receiving a grant.

Respondents were also asked to rate the viability of other specified groups as facilitators of correctional reform. A comparison of these ratings indicates that the respondents affiliated with funded bars consistently assigned higher viability ratings than did representatives of non-funded associations. Average ratings supplied by funded bars ranged from a low of 2.5 (inmate organizations) to a high of 5.0 (state bar associations). For non-funded bars, the average ratings ranged from 2.2 (inmate organizations) to 4.0 (concerned citizen groups). Both funded and non-funded applicants believed that state bar associations have somewhat more viability in promoting correctional reform than do either local or national bar associations.

Activities Related to the Application Process

We asked respondents from both funded and non-funded bars to indicate which groups they had contacted prior to submitting their BASICS application. According to the self-reports of these respondents, funded bars had contacted an average of three groups, and applicant/non-funded bars, two. Groups most frequently contacted by funded bars included corrections personnel, leaders of community organizations, judicial personnel, and law enforcement personnel. Non-funded bars listed judicial personnel, community leaders, corrections personnel, and law enforcement personnel as the groups they consulted most often.

To assess the extent to which BASICS stimulated new involvement in criminal justice reform, we asked the respondents whether

or not their project had been conceptualized prior to BASICS and, if it had been, what stage had been reached. According to our respondents, more than half of the funded projects had been conceived before BASICS began. In general, however, these projects were only at the conceptual or preliminary stages of planning. Responses from non-funded bars indicate that there had been prior conceptualization in about half the cases, but only one project had been operationalized prior to BASICS.

Finally, we solicited the opinions of both groups of bars with respect to BASICS' two-phase approach to the administration of the grant. Respondents were asked to indicate, on a seven-point scale (where 1 = "strongly agree" and 7 = "strongly disagree"), the extent to which they endorsed this method of grant administration. Both funded and non-funded bars tended to agree with this strategy; the average ratings were 3.0 for funded bars and 2.2 for those who did not get grants.

In summary, a comparison of the questionnaire responses from funded and non-funded bar associations indicates that these two groups were quite similar on most of the attributes and variables for which we have data. However, when compared with non-funded bars, the bar associations which were awarded BASICS planning/study grants were:

- (a) better staffed (about twice the number of full-time staff reported by their non-funded counterparts);
- (b) somewhat more likely to have a committee or other bar group specializing in criminal justice concerns; and

- (c) somewhat more likely to have conceptualized their project or even made some preliminary implementation plans prior to BASICS.

In addition, bars awarded grants were somewhat more likely to assign correctional reform a moderately high priority and more positive in their assessment of their own viability (and that of other relevant groups) as a facilitator of correctional change. It is important to note that these attitudinal differences may not reflect true differences between funded and non-funded bars; instead, the differences could be a result of receiving a planning/study grant.

NOTES

1. "Median" refers to the midpoint within a range, or distribution, of numbers. The median thus divides the distribution in half, so that 50% of the numbers fall above and 50% below the median number.
2. Where the phrase "non-funded bar associations" is used in this section, it refers to applicant/non-funded bars and does not include bar associations which never applied for BASICS grants.

D. Minority Bar Associations

Three kinds of minority bar involvement were envisioned in the design of the planning/study phase of BASICS.¹ There were: (1) the expectation, stated by BASICS, that all bar associations applying for planning/study grants would solicit the input and cooperation of minority bars in their area during the proposal preparation stage; (2) the development of cooperative working arrangements between general membership bars and minority bars in the planning/study projects; and (3) the direct involvement of minority bars through their applications for BASICS grant money.

Little substantive progress has been made toward the active involvement of minority bars in the BASICS Program, other than some exploratory contacts. One direct grant was made to a national minority bar; but, due to a number of problems discussed below, virtually none of that grant's intended objectives was achieved. In addition, the expectation that the active cooperation of minority bars would be obtained by grantees has not been realized. A statement contained in an earlier BASICS memo on minority bar involvement is, unfortunately, as valid now as it was then:

...there are no confirmed cosponsorship arrangements (although a few proposals say a minority bar has been contacted), and very few solid promises of cooperation with such bar groups.²

In examining this component of BASICS, we shall first examine the only minority bar-sponsored BASICS project to date and then summarize the results of contacts which have occurred between BASICS staff and other minority bar groups.

National Bar Association³

On February 12, 1975, BASICS awarded its largest single planning/study grant (\$10,000) to the National Bar Association (NBA). This grant, to be administered in cooperation with the National Conference of Black Lawyers (NCBL), represented a special departure from BASICS' established guidelines, which called for funding state and local bar associations. The NBA had proposed the grant "as an alternative to encouragement by BASICS of local (NBA) affiliates' applications"⁴ and "as a practical and economical approach to effectively involving minority lawyers in the BASICS Program."⁵

The proposal submitted by the NBA included three major goals. In summary form, these were:

1. NBA direction of local affiliate cooperation with existing BASICS planning/study grantees.
2. Subcontracts to a few affiliates to design their own correctional action projects.
3. Development of a program to involve black attorneys in prison legal services, including a rigorous attorney training element.⁶

Undoubtedly, one of the principal reasons for the decision

by BASICS to award this special grant was the notable lack of success in soliciting applications from state and local NBA affiliates. As one BASICS staff member noted:

No state or local minority associations have applied for funds. The lack of direct applications is attributable in great part to our failure to secure a mailing list of National Bar Association affiliates. Apparently the ABA's computerized listing of bar associations throughout the country does not include NBA affiliates.⁷

The NBA proposal, then, appeared to offer some assistance in activating the 37 NBA affiliates⁸ and seven regional chapters of the NCBL, a task with which BASICS admittedly was having difficulty. The NBA, however, was also unable to accomplish this stipulated goal. Information gathered in our field interviews, including one with an informed spokesman for the NBA, suggests that some major organizational problems may have significantly impeded progress toward the achievement of project goals. Specifically: (1) the opening of the NBA's national office was delayed from February until July, 1975; (2) the NBA had entered into contractual agreements with two federal agencies to conduct projects relating to minority housing and minority rights; (3) the project director for the NBA's BASICS grant was also project director for these two government-sponsored NBA programs; and (4) the combination of these three factors created serious problems in the allocation of time and personnel. This situation apparently resulted in the de facto relegation of BASICS to a lower priority.⁹

In addition to the lack of progress on the BASICS' work, the NBA's project director failed to satisfy BASICS' reporting requirements. The required midterm report, final report, and the budget accounting were not submitted, nor were numerous telephone calls, placed by BASICS' Director and by one of the evaluators, returned.¹⁰ The responsibility for the ongoing work of the NBA project had been vested almost entirely in one individual; the organizational structuring originally planned for the project (e.g., a joint NBA-NCBL advisory committee) never materialized.¹¹

The NBA apparently has made some contacts with its affiliates and with outside organizations and individuals concerning the goals of its BASICS project. Specifically, we are aware that the Howard Law School, three NBA affiliates in the Washington-Baltimore area, and some state corrections officials in Virginia and Maryland have been contacted regarding the project. In addition, the NBA has initiated some correspondence on the matter with its affiliates and has published at least two issues of the NBA Bulletin, which is designed to improve communication between the parent organization and its affiliates.¹²

However, these activities, when compared with even the minimal expectations for the NBA (based on its proposal and its contractual obligations), do not indicate significant progress. BASICS' Project Director, in a letter to an NBA representative,¹³ cited the following as evidence of the NBA's unsatisfactory performance:

Accomplishment of Objectives

1. There is no indication, other than the form letter sent to all affiliates, that the project has acted to involve them in local projects.
2. There is no information that any affiliates have been given subgrants to design local correctional reform programs.
3. In our opinion, following review of the draft action grant proposal, objective (3) [training and involving black attorneys in prison legal services] has not been sufficiently developed.

Fulfillment of Conditions

- We have received no advice regarding NCBL's role in the planning phase.
- No budget was filed.
- No progress reports have been submitted, nor has a final report. (The draft proposal would not meet our criteria as a report of planning phase activities.)
- No accounting has been forwarded, and no request made to retain and use funds beyond June 30 (other than that implied by your motion that the NBA be allowed to submit its report and proposal in September).
- An advisory committee may have been formed, but there is no evidence that it has met or that it is being kept posted of project activities.
- There has been a continued failure to comply with at least one repeated "reasonable request"--that our telephone calls be returned.

These points were discussed at the NBA's Board meeting in July, at which time the NBA's Project Director acknowledged that they were "true, basically"¹⁴ but mostly due to a "lack of communication."¹⁵

The inability of the NBA to pursue the project effectively should not, we believe, be taken as any indication of a general

disinterest or insincerity, nor should any individual be "scapegoated" or held solely accountable for the problems which developed. Rather, this case seems to illustrate and emphasize the need to insure that an adequate number of personnel and other resources are committed to the project by the grantee. It may well be the case that the NBA, and perhaps other minority bars, must themselves be "activated" before they can realistically hope to stimulate and coordinate efforts by their affiliates.

In addition to the large planning/study grant awarded to the NBA, some contacts have been made with other minority bars. The frequency and extent of these contacts has varied from one group to another.

Mexican American Legal Defense and Educational Fund

This organization has also been involved in seeking BASICS funding for its correctional reform goals. The following paragraph, excerpted from a letter written by MALDEF's President and Legal Counsel, provides a brief description of the organization:

Begun in 1968 with seed-funding from the Ford Foundation, MALDEF is the first and only major civil rights organization functioning on a national basis to improve the welfare of Mexican Americans. Headquartered in San Francisco with regional offices in key locations throughout the Southwest (Denver, Albuquerque, San Antonio), and with a small Washington, D.C. office, MALDEF has been successful in litigating issues affecting the Mexican American and other Spanish surnamed people. At the same time, MALDEF

is deeply committed to the proposition that litigation alone can never secure necessary social change for redress of grievances among the nations's minority populations.¹⁶

In a proposal dated June 6, 1975, MALDEF requested a \$60,300 grant from BASICS "to spearhead national efforts to create a National La Raza Bar focusing on corrections reform by activating the Chicano bar in two locales (San Jose, Santa Clara County, California, and San Antonio, Bexar County, Texas).¹⁷ Specifically, MALDEF proposed to:

1. stimulate interest on the part of Chicano lawyers and citizens in improving correctional service;
2. perform a broad range of litigative and non-litigative functions in correctional services (including the development of a bilingual GED program and related programs of particular value to Spanish-speaking prisoners and ex-offenders);
3. reactivate the fledgling efforts of La Raza National Lawyers' Association to organize Chicano lawyers and focus its attention on corrections; and
4. mobilize Chicano law students to contribute to the creation of a national La Raza bar for correctional services.¹⁸

At the June 25 meeting of BASICS' Management Board, the Clark Foundation's President and Vice President announced that the Foundation had decided to defer until September, 1975 all applications for continuation funding.¹⁹ This decision was unexpected by BASICS staff²⁰ and forced the Board to adopt a fiscally conservative approach in making its funding recommendations. As a result, it was decided to defer dispositions

on may proposals, including that of MALDEF, until the September meeting of the Management Board.

In the interim, BASICS assigned two resource persons to work with MALDEF in revising its proposal.²¹ MALDEF was also informed that:

Our Board has taken a firm position that certain minority Bar proposals, including the proposal of MALDEF, are to be given a priority consideration at the meeting of our Board in September, 1975, if the Clark Foundation²² does in fact give us additional funds with which to work.

In addition, MALDEF was advised to reconsider the amount of its grant request,²³ since the largest "action" grant awarded by BASICS (excluding the \$40,000 demonstration projects) has been \$35,000. Initial Board reactions to MALDEF's goals also included the expression of a preference that the project focus on the Bexar County Jail in San Antonio.²⁴ One Board member, who is personally familiar with the situation confronting inmates in that facility, had strongly advocated the continuing encouragement of MALDEF's efforts to submit a revised proposal which will be fundable.²⁵

Mexican-American Lawyers Club

Another of the minority bar associations which has explored the possibility of obtaining a grant from BASICS is the Mexican-American Lawyers' Club (MALC). According to its President:

The Mexican-American Lawyers' Club is an incorporated non-profit professional organization. The scope of service activities of the Club range from initiating and sponsoring the development of the "Model Cities for Law and Justice" to provide legal services to the economically and socially deprived; to scholarship fund raising activities; needy family special assistance projects; professional educational activities; pro bono activities for community self help projects, etc.

The current membership roster lists 120 active members, all of whom are actively engaged in the practice of law in Los Angeles County. The Club has recently received official status recognition by the California State Bar Association and the Los Angeles County Bar Association.²⁶

Following some initial correspondence, a member of BASICS' Management Board was asked to serve as liaison to the MALC for the purpose of exploring its possible relationship to the BASICS Program. The Board member reported that the MALC perceived two possible methods of becoming involved in BASICS: (1) "to apply for a subgrant of any action funds granted to the Los Angeles Bar Association" or (2) "to work through the L.A. Bar, but somewhat independently, in applying for BASICS' normal planning/action sequence."²⁷

At its May 8, 1975 meeting, the Management Board of BASICS, after extensive discussions in both the morning and afternoon sessions, recommended that BASICS continue its contacts with the MALC and other minority bars. It also resolved that BASICS should solicit proposals -- "planning or action"²⁸ -- from these groups prior to the June 25 Management Board meeting.

The MALC submitted a proposal for a \$5,000 planning/study grant to complete a study on "the support service needs of non-English speaking women offenders"²⁹ in Los Angeles County. The proposal, which was dated June 26, 1975 (one day after BASICS' Management Board had met), was not accepted. The following explanation was provided to the MALC:

Based on information we had as of the Board meeting (a draft letter stating that MALC wished to withdraw from grant consideration in favor of MALDEF), we believed

that you were not going to submit a proposal. So the arrival of your proposal, particularly at that late date, was a complete surprise. Because the proposal was late, I am compelled to advise you that BASICS cannot commit funds to the Mexican American Lawyers Club.

The next meeting of our Management Board will be held in September. At that meeting the Board will review outstanding grant commitments which were confirmed at the June 25 meeting. If excess funds are available they may reopen consideration of your late proposal, but of course, I cannot give you any assurances.³⁰

National Association of Women Lawyers

Contacts with this group have been preliminary and exploratory. They have, for the most part, consisted of BASICS staff encouraging NAWL to identify women's bar associations which would be "likely candidates for an award"³¹ and offering to provide consultation and technical assistance in the development of a fundable project. NAWL has also been informed that:

(s)ince only two of our current grantees--Iowa State Bar Association and New York County Lawyers' Association--are concentrating on problems of women offenders, the board is likely to give priority to other such projects.³²

BASICS has expressed a preference for funding a state or local women's bar group, rather than NAWL per se.³³ This preference would be consistent with BASICS' original guidelines, which may have been reinforced by the difficulties associated with the NBA grant.

It is clear that the Board members and the staff of BASICS have given general endorsement to a continuation of these contacts with NAWL, with the aim of soliciting a proposal for consideration at the September meeting of the Board. It is

less clear that the activation of women's bar associations is accorded any particularly high priority, or sense of importance. During one Management Board meeting, a discussion took place as to whether BASICS was discriminating against some minority bar groups by its initial award of only one grant to a minority bar (the NBA).³⁴ This generated some consideration of other issues, such as the definition of "minority bar" and whether women should establish their own bar associations, or work within the structures of general membership bars.³⁵

During these discussions, a member of the Corrections Commission "suggested a possible rationalization for having overlooked women's bar groups: Women represent approximately 5% of the correctional clientele, while blacks represent roughly 50%."³⁶ This statement, if followed to its logical conclusion, raises an issue of some importance. The statement suggests that the composition of the aggregate inmate population should--or, in some ways, does--serve as a guide to the kind of bar groups which should be activated for correctional reform purposes.

Puerto Rican Bar Association

According to its proposal narrative, the Puerto Rican Bar Association has approximately 70 attorneys as members and:

...is the only group in New York State representing the interests of Hispanic attorneys. The President of the Association...is a private practitioner. The membership includes several judges, and several non-Hispanic attorneys interested in the unique problems of Hispanics.

The Association functions from the offices of the President and its members. It does not have its own offices or staff. This proposed program will be the first major undertaking by the Association. In fact, the Committee on Corrections³⁷ was formed in direct response to the BASICS program.

The Puerto Rican Bar's proposal for a \$5,000 BASICS grant has, like others discussed in this section, been deferred until the September, 1975, meeting of BASICS' Board. The proposed project objectives are:

1. to effect measurable improvements in legal services to inmates in New York City jails by providing 24-hour bilingual services to Hispanic inmates and their families; and
2. to develop and increase the involvement of the Puerto Rican Bar Association in New York City beyond strictly professional and social concerns and into public interest areas, public service, and continuous reform in the fair and efficient administration of justice.³⁸

According to data included in this proposal narrative, about 20% (or 12,000) of the defendants in the custody of the New York City Department of Corrections are Spanish-speaking. The Legal Aid Society, which represents 70% of all defendants in New York City, is said to have only two or three Hispanic attorneys.³⁹ The problems of attorney-client communications in such a situation were reported to be enormous, and the Puerto Rican Bar's proposed project expected to focus on their amelioration.

NOTES

1. Based on a synthesis of the discussions on this point contained in BASICS informational brochure, 1974; BASICS informational brochure (revised), 1975; and BASICS memorandum, "Minority Bar Involvement," n.d., p. 1.
2. BASICS memorandum, "Minority Bar Involvement," op. cit.
3. Much of the information presented in this section is based on an interview held on August 14, 1975, with an NBA spokesman who agreed to the interview only after our repeated attempts to establish contact with the NBA's Project Director proved futile. The conclusions drawn from this interview, as well as others, are our own and do not necessarily reflect the position(s) of the interviewee(s) on these matters.
4. Letter from David J. Linden, BASICS Director, to Carl J. Character, BASICS Management Board member, July 16, 1975, p. 1. A copy of this letter was provided to us by Mr. Linden.
5. "Program Narrative for BASICS Grant Application from the National Bar Association and the National Conference of Black Lawyers" (revised), December 23, 1974, p. 1.
6. David J. Linden, letter, op. cit.
7. BASICS memorandum, "Minority Bar Involvement," op. cit.
8. As was noted earlier, we sent questionnaires to NBA affiliates. There is a slight discrepancy between the number of NBA affiliates (36) on the list provided to us by staff

at ABA headquarters and the number (37) mentioned by the NBA in its "Program Narrative" (op. cit.).

9. Interview with NBA representative, op. cit.
10. David J. Linden, letter, op. cit., p. 4.
11. Interview with NBA representative, op. cit.
12. Ibid.
13. David J. Linden, letter, op. cit., p. 4.
14. Interview with NBA representative, op. cit.
15. Ibid.
16. Letter from Vilma Martinez, President and General Counsel of MALDEF, to David J. Linden, Director of BASICS, June 6, 1975, p. 2.
17. Ibid., p. 1.
18. Ibid., p. 2.
19. Field notes, BASICS Management Board meeting, Kansas City, Missouri, June 25, 1975.
20. Interviews with BASICS Director and staff, July 16 and 18, 1975.
21. Letter from Robert J. Mann, Vice Chairman of BASICS Management Board, to Vilma Martinez, President and General Counsel of MALDEF, June 30, 1975, p. 1.
22. Ibid., p. 2.
23. Ibid.
24. Letter from David J. Linden, BASICS Director, to Vilma Martinez, President and General Counsel of MALDEF, July 15, 1975, p. 2.

25. Letter from Frederick Ward, Jr., BASICS Management Board member, to David J. Linden, BASICS Director, June 27, 1975.
26. Letter from Frank E. Munoz, President of MALC, to David J. Linden, BASICS Director, June 26, 1975, pp. 3-4.
27. Minutes of BASICS Management Board meeting, May 8, 1975, p. 3.
28. Ibid., p. 4.
29. Frank E. Munoz, letter, op. cit., p. 1.
30. Letter from David J. Linden, BASICS Director, to Frank E. Munoz, President of MALC, July 21, 1975, pp. 1-2.
31. Letter from Margaret M. Clark, Assistant Director of BASICS, to the Hon. Marjorie M. Childs, President of NAWL, May 20, 1975, p. 2.
32. Ibid.
33. Ibid.
34. Minutes of BASICS management Board meeting, December 6, 1974, pp. 6-7.
35. Field notes, BASICS Management Board meeting, December 6, 1974.
36. Minutes of BASICS Management Board meeting, December 6, 1974, p. 7.
37. Puerto Rican Bar Association, "A Proposal to Develop a Bilingual Legal Services Program for Inmates," n.d., p. 2.
38. Ibid.
39. Ibid., p. 1.

CHAPTER IV

ISSUES AND IMPLICATIONS

A. Effectiveness of the Planning/Study Phase

The BASICS program was established to implement correctional reform through bar association efforts. This undertaking has only been started in the planning/study phase, with the exception of the correctional reform efforts to date by the three demonstration grants. The real test of BASICS' ability to achieve its goal will occur during the forthcoming action phase.

The goal of BASICS' first phase was to plan correctional reform efforts. Has BASICS achieved this goal? Data on the planning/study process from the grantees, from BASICS' Washington staff and from the University of California evaluation team indicate that useful planning has occurred and that BASICS has succeeded in meeting its first goal.

Achievements of the Planning/Study Phase

Sixty-two of the 77 planning/study grantees submitted action grant proposals. Although the extent of planning activities may vary among the projects, the large number and quality of action grant applications indicate that planning did occur in the majority of projects resulting in more action grant proposals than BASICS had anticipated. The Management Board subcommittees reviewed these action proposals and each subcommittee member rated his or her set of proposals on a five-point fundability scale (from 1 = "lowest priority" to 5 = "highest priority"). The rating from subcommittee members were averaged to obtain a score for each project. Fifty percent (50%) of the projects received scores

of 3.3 or better,¹ indicating that the majority of action grant proposals were rated positively.

Funding sources were contacted by grantees for pledges of matching funds to help finance the action phase. The amount of funds these sources pledged is an indirect indication of the quality of the planning effort, since funders generally do not give money to projects which they believe are poorly planned. To obtain the total amount of pledged matching funds, we reviewed the final reports of the planning/study phase and the action grant proposals that were available. Fifty-five bar associations listed a total of \$2,055,602 in matching funds. The average amount of matching funds for these 55 associations was \$37,375.² Ten (18%) bar associations listed matching funds of more than \$100,000; 28 associations (51%) listed less than \$10,000. The average amount of BASICS action grant funds requested was \$27,450.³ In terms of pledged matching grant money, then, the BASICS planning/study phase was very successful: the \$213,000 initial investment by the Clark Foundation in planning/study phase was very successful: the \$213,000 initial investment by the Clark Foundation in planning/study projects generated \$2,055,602 in pledged funds. Although pledged funds do not necessarily eventuate in actual awards, this large sum of pledged funds indicates favorable evaluation by outsiders.

Deficiencies of the Planning/Study Phase

There are two aspects of the planning/study phase that are in need of improvement. The first is the involvement of relevant outside groups in the planning/study phase. The average degree of involvement of corrections personnel, inmates, law enforcement personnel, leaders of community organizations, judicial personnel, concerned citizen groups and politicians was not

high (see p. 91). Corrections personnel were involved to the greatest extent, politicians and inmates to the least extent. It is particularly unfortunate that inmates were not more involved in the planning/study process since they are the group for whom this program ostensibly exists.

The second aspect of the planning/study phase which needs improvement is the extent to which projects translated their goals into measurable criteria. The degree to which this occurred was low (see p. 41). In all cases during our site visits, we discovered that the projects criteria could be measured but project personnel were not able to translate vague criteria into specific, measurable goals. Project representatives generally understood the need for this, and were willing to do it, but they were not equipped for the task. Since this is an important goal of the BASICS project, we would encourage the Program to provide technical assistance in this area.

There is a special problem that has arisen because of BASICS' success in stimulating planning. BASICS awarded a larger number of grants than had been planned. At the time of award, the Board did not believe that a large number of action grant proposals would result and so did not foresee the problem of generating more bar association interest than there was money to support.

According to data drawn from final reports and action grant proposals, 60 bar associations either requested or reported that they intended to request a total of \$1,647,010 in BASICS action

grant funds. The Management Board awarded a total of \$390,377⁴ in action grants (24% of the total amount which projects requested or intended to request). Even if we reduced the total request by one-half to account for projects of low merit, the amount requested and the amount actually awarded are very disparate. Moreover, bar associations reported that it was not likely that they would pursue their project if they were not funded by BASICS (see p. 43).

The BASICS Management Board has deferred final funding decisions on groups of action grant proposals, pending notification from the Clark Foundation about future funding. If funding is forthcoming, we would encourage the Board to fund all deferred, meritorious proposals before considering a second round of planning/study grants. We believe that BASICS has an obligation to the bar associations which planned and proposed good action projects, then were not awarded grants. In addition, the Board should consider the possibility of providing special help to those planning/study projects which might be eligible to receive action awards if they were to improve certain weaknesses in their initial action proposal.

RECOMMENDATIONS:

1. BASICS should encourage bar associations to involve relevant outside groups in the planning process, particularly inmates.
2. BASICS should put stronger emphasis on the need for projects to develop measurable criteria and should provide technical assistance to aid the projects in this task.

3. BASICS should fund all deferred, meritorious action grant proposals if funds become available.
4. BASICS should consider a plan to provide special assistance to action grant applicants whose proposals were inadequate but could be improved and reconsidered.

NOTES

1. $n = 62$; $\bar{x} = 3.0$; $SD = 1.3$; $Med = 3.3$
2. $n = 55$; $SD = 55613$; $Med = 9927$
3. $n = 60$; $SD = 15583$
4. Minutes of BASICS Management Board Meeting, June 25, 1975.

B. Grant Administration

Bar Associations as Change Agents in Corrections

The Clark Foundation has made the assumption that state and local bar associations can be viable agents for correctional reform. To see how bar associations themselves viewed their viability in this area, we asked associations receiving grants and those not getting them, to judge themselves and other associations in this regard (see p. 84 and p.108). The funded associations scored higher than did the non-funded associations. This result may reflect real differences in outlook between the two groups based on previous experience. It is also possible, however, that the difference reflects the fact that funded bar associations, because they had received grants and were about to propose an action project, had a greater need to believe in their efficacy than did non-funded bars.

Although the reason for the differences must remain a matter of speculation, it is significant that both groups did not make any extremely high ratings for any relevant groups, though state bar associations tended to be ranked above most of the organizations listed. Further, state bar associations were ranked somewhat higher by both groups than either a national bar association or a local bar association, which tended to be ranked in the middle

of the set. The order of the rankings imply that bar associations are thought to be as viable or nearly as viable as any of the relevant groups, thereby providing support for the Clark Foundation's belief in bar associations as potential forces for change in corrections. It would be of some interest to see how these other groups (e.g., judicial personnel, inmates) see the bar associations in this regard. The relatively low level of the ratings indicate that bar associations would not expect to see large effects in the correctional area from the BASICS program. This is not to say that these effects will not occur, only that bar representatives--many of whom were ready to execute action programs--did not have great expectations for significant change.

Solicitation of Grant Applications

Two types of solicitation of grant applicants were used during the first phase of BASICS: open solicitation for planning/study grants and closed solicitation for the three demonstration grants. Open solicitation involves notifying as many potential applicants as possible; closed solicitation involves prior selection of a special sample of potential applications on the basis of previous merit or some other relevant characteristic.

There were several reasons for the different ways of going about this task. The BASICS staff and The Clark Foundation had expected, at the onset of the program, that very few associations would apply for planning/study grants (see p. 60). Because of this belief, BASICS used an open solicitation to bar associations across the country, but this approach did not

elicit large numbers of applications. It was not until BASICS decided to go beyond bar associations to other groups active in corrections in their solicitation that the quantity of applications increased. This fact has important implications if BASICS decides to undertake a second round of planning/study grants. The open solicitation should include different groups active in the correctional area. These groups which know the particular reform needs can be encouraged to "activate" the bar associations to submit a proposal. This procedure would increase the chances that the proposed reform effort is a significant one. In addition, the procedure should help to assure the involvement of outside groups in the planning process from the very beginning.

A different type of solicitation was used for applications for the three large demonstration grants. The Clark Foundation wanted an early indication of the ability of bar associations to institute correctional reform. BASICS approached four bar associations with a history of correctional reform work (i.e., Bar Association of San Francisco, the Maryland State Bar, the North Carolina Bar Association and the Washington State Bar Association) and accepted three of the proposals (North Carolina's proposal was initially rejected, but a revised version was later funded as a special, limited action grant).

Neither the BASICS staff nor The Clark Foundation has been entirely pleased with the results of the demonstration projects. One staff member said, "Staff is unanimous in its position that preselected demonstration projects should not be chosen."¹

Said another, "The ABA should not be in the business of selecting grantees without competition." ² Although the associations have accomplished at least some of their intended goals (see Chapter V), it is hard to attribute the results to BASICS in any sense except that BASICS money financed the project. These groups had succeeded in making changes in corrections before BASICS began; their BASICS grants allowed them to continue these efforts. They provided little data on whether BASICS' unique concept of correctional reform -- that is, via bar association activation -- can work effectively. Bar activation was not emphasized initially to the demonstration projects. In describing the absence of bar activation in one of the demonstration projects, a staff member said, "Their project wouldn't qualify for action funding at this time (if it had been among the other action projects proposed) -- there's been no bar activation!" ³ A Clark Foundation representative reflected the same feelings in commenting on another of the projects: "They accomplished reform, but not activation." ⁴

The experiences during the first year with both open and closed solicitation suggest that an open solicitation is the preferable approach. The solicitation should be directed at a variety of groups active in the correctional field in addition to bar associations. This would have the direct effect of increasing the number of applications and the indirect effect, particularly on the cases where groups outside the bar initiate the proposal, of helping to assure that proposed projects address

relevant correctional needs. If the importance of bar activation is clearly explained in the application brochure, and if certain provisions are made for its implementation, open solicitation should result in bar associations participating in -- not simply sponsoring -- the planning effort.

RECOMMENDATIONS:

1. BASICS should continue to use an open solicitation procedure for grant applications.
2. In an open solicitation, BASICS should include as many groups, working in the corrections area as possible, in addition to bar association groups.
3. BASICS should not award grants on the basis of a closed solicitation.

Number and Content of Program Categories

When the design of the BASICS program was being created, there was a great deal of discussion about the number and content of program categories. The overriding need at that time was to broaden the scope of the program in order to increase the number of applicants. The seven subject areas selected were those in which the Corrections Commission had developed technical expertise -- expertise that was to be made available to grantees. Technical assistance, then, was not only a rationale for selecting the content of program categories, but also a promise to grantees.

There were between five and twelve planning/study projects in each category (see Table 3, p. 89). To initiate technical assistance to the programs, BASICS scheduled two workshops, one in Washington for projects located east of the Mississippi River and one in San Francisco for projects west of the Mississippi. The workshops were much the same, providing general information about the BASICS program and specific information about different program categories. There was a better presentation of the bar activation concept at the San Francisco session. However, we did not find during our site visits that grantees who had attended the San Francisco workshop understood the bar activation concept better than grantees who attended the Washington workshop. In general, grantees found the workshop sessions on technical project details to be the most useful aspect of the meetings. The suggestion most frequently listed by grantees to improve the workshops was to use the meeting time more efficiently, primarily for more detailed technical assistance.

Technical assistance was to be provided to grantees during the planning/study phase, either via consultation with experts in Washington or via staff site visits. During our site visits, we discovered that, in general, this did not occur. Staff site visits focused primarily on a discussion of bar activation. This resulted, perhaps, because most projects were unclear on this issue, or possibly because the BASICS staff did not have the expertise to provide technical advice on corrections. Many projects reported that the most useful aspect of the Washington

BASICS staff's site visit had been the clarification of guidelines, not the provision of technical assistance (see p. 99). These staff site visits should continue in the future: most of the projects judged the site visits to be "very useful" (see p. 99). However, the staff should provide more technical assistance of direct relevance to the project during the visit. This might be achieved by employing on a full-, part-time, or consulting basis special personnel with experience in correctional reform.

Although the projects in this first round of planning/study grants did not greatly benefit from Corrections Commission expertise in the program areas, projects in a hypothetical second round would benefit even less. Many of the ABA Commission's projects are terminating in 1975 and their services will no longer be available.

The Washington staff also sent occasional mailings to the grantees designed to provide additional technical assistance. These mailings include pamphlets and brochures published by the Corrections Commission, midterm reports by other BASICS' grantees in the same program category, as well as guidelines about the planning/study grant final report and the action grant proposal. Nine of the 20 grantees we site-visited made unsolicited comments that they were dissatisfied with these mailings. One project director said:

BASICS/Washington hadn't thought through the stuff they sent. A lot of the mailed materials were useless. The outline they suggested has resulted in a redundant report. It's good for BASICS/Washington, but not for our purposes.

Too much inflation in the amount of information devalued the importance of each individual document.

Project representatives were particularly critical of the tardiness of report guidelines. This is a representative comment:

One thing that should have been done was to get the format for the reports out long before this. This has really hindered me. I'm not used to grants and I don't know about this. It would have helped me structure my project.

The absence of good technical assistance during the first round of planning/study grant, and the reduction in the programs of Corrections Commission, seem to make it advisable to reduce the number of program categories in order that better technical assistance can be provided. The specific categories selected should be those of importance, where the Commission can still provide expertise and support. A general category might still be included to attract projects that fall outside the areas of the Commission's expertise but for which consultants might be available.

There is another reason for reducing the scope of the program. The programs were not only varied but also numerous. The small staff was not prepared to handle nearly twice as many projects as it had anticipated. One staff member said:

We never should have made so many grants. We couldn't adequately communicate and provide the kind of assistance we said we were going to...The burden on the staff was bad.⁵

Both of the other staff members agreed; one said, "We underestimated the amount of work."⁶ The large number of projects,

then, in so many different areas became difficult to administer properly. If the scope of the areas is narrowed, it would be easier for the staff to develop a good technical assistance packet as well as give general guidance to the projects. This view is reflected in these comments by a staff member:

The effectiveness of site visits could be increased if the areas and mission of BASICS were more narrowly defined. This would result in better technical assistance (and) better help in getting matching funds.⁷

RECOMMENDATIONS:

1. The number of program categories should be reduced in a future round of planning/study grants in order that better technical assistance can be provided.
2. Orientation workshops should be continued for new grantees, but the amount of technical assistance should be increased.
3. Staff should continue to site visit projects:
 - a. they should continue to provide guidance on bar activation;
 - b. they should increase the amount of technical assistance provided. This could be accomplished by employing special personnel with experience in corrections.
4. Mailings to projects should be reduced. Only essential information, directly related to the project, should be sent.
5. Guidelines for the planning/study phase final report should be provided early in the planning/study phase, preferably at the beginning.

Amount of Award

Applicants for BASICS planning/study grants were told that "upwards of 50 small grants (2-4 thousand dollars)"⁸ would be made. Because the number of qualified applicants exceeded the number BASICS had expected, the Management Board was faced with the decision either to award the original number of grants and turn down many associations, or to increase the number of grants and reduce the amount of each award. The Board decided on the latter alternative.

Because planning/study grant application forms were intentionally very brief, the Board did not have enough information about each project to make decisions on the proper size of award. In any case, the amounts of money were not large, and the differences resulting from more thorough applications undoubtedly would have been small. Consequently, the Board decided to standardize the size of awards, with the average planning/study grant to be \$3,000. The staff was directed to determine the amount of individual grants, increasing the amount above the \$3,000 average "on account of bar size, project scope or confirmed need."⁹ In fact, the average BASICS planning/study grant was \$2,526. The average award made to state bar associations was \$3,145, and the average award to local and county bar associations was \$2,100.

We asked grantees if the amount of their award had been sufficient (see p. 90). Seventy-five percent (75%) reported that the funds were adequate or more than adequate. Consequently, the

Board's decision to award smaller planning/study grants than had been planned did not, in general, affect the planning process, from the point of view of the projects. In order to determine any difference of opinion between state bar associations (which were generally awarded larger grants) and local and county associations (which were generally awarded smaller grants), we divided the grantees into these two groups. We then computed the average ratings of the sufficiency of planning/study funds within each group. The average ratings were very similar.¹⁰

RECOMMENDATION:

The size of individual planning/study grants should be maintained at the current levels (\$2,000-\$3,000).

Two-Phase Approach to Grants

The people who were involved in the initial discussions about the creation of the BASICS Program decided to use a two-stage grant process: short, small-grant planning/study period followed by a longer, large-grant action phase. They believed that this procedure would encourage better preparation which would, in turn, lead to better action projects. Funded and non-funded bar associations strongly agreed with this method of administering grant money (see p. 97 and p. 110). The explanation listed most frequently by both funded and non-funded bar associations for their judgement was the importance that this procedure gives to planning.

Based on these bar association opinions, we would encourage BASICS to continue the two-phase approach. However, there are several things that should be kept in mind. Seven associations listed as a disadvantage of this method the lack of time or money for the planning/study process to work properly (see p.98 and p. 110). We found that the lack of time was the more serious restriction during the planning/study phase (see p. 95). Because of this, the length of the planning/study period should be increased for those associations which will require more time. Twenty-eight funded bar associations made suggestions about the additional length of time they needed for planning; the average amount of time listed was about three months.

If the planning/study phase is increased by two or three months, BASICS may face another problem. For a limited number of bar associations, five or six months will be too long a planning/study period. For these associations, BASICS should consider action applications without a funded planning/study phase. The applications should be reviewed just as rigorously as action proposals which develop from an initial planning/study period, using the same evaluation criteria. Several of the planning/study projects which were funded during BASICS' first year could have begun action immediately. In awarding both regular planning/study grants and early action grants, BASICS should maintain the same standards and requirements for bar activation.

The experience of the first year of BASICS indicates that it takes some time for grantees to understand the concept of bar activation. Because of this, we recommend that BASICS not fund

"emergency" projects (i.e., short term projects dealing with a quickly developing and unexpected correctional reform). In general, this kind of project is antithetical to BASICS' philosophy of establishing on-going, institutionalized structures for correctional reform. These structures generally could not be created quickly enough to react to a sudden, unexpected correctional problem.

RECOMMENDATION:

1. The two-phase grant process should be continued with two changes:
 - a. the length of the planning/study period should be increased by 3 months; and
 - b. a limited number of associations which do not need a planning/study phase should be awarded action grants at the outset.
2. Emergency, short-term grants should not be awarded.

Criteria Utilized in Awarding Grants

A major policy question confronting BASICS staff and the Management Board during the initial year was how best to decide which applicant bar associations should be awarded planning/study grants. This question did not assume great importance until the BASICS Program was inundated by proposals. Initially, the energies of the staff were directed toward soliciting as many proposals as they could -- to offset the expected lack of response which had been widely predicted within the ABA. Therefore, the question of which criteria to use in selecting applicants did not arise until the demand greatly exceeded the supply of grant money available for the planning/study phase. By that time, it really was too late to begin developing these criteria. The initial application form sent to bar associations (see Appendix S) was designed to encourage people to complete it. The form was very brief, uncomplicated, and took little time to complete. As things turned out, it also did not generate sufficient information to enable the staff and the Board to make informed decisions about the relative merits of each proposal.

Some of the statements made in BASICS' original brochure, which contained the application form, may have led to an "over-stimulation" of bar associations. For example, readers of the brochure were told:

There is an application form for a planning/study grant in the center of this pamphlet. It is designed to make the process as simple as possible so any interested bar, with however little experience... can realistically anticipate an award.¹¹ (emphasis added)

Ultimately, 29 of the 106 bar associations which applied for BASICS planning/study grants did not receive them. One could realistically expect, then, that applicant/non-funded bars might raise some questions about the criteria utilized in awarding planning/study grants. Nine of the 14 persons responding to a question concerning the fairness of BASICS' assessment said that they did not believe their bar's proposal had been judged equitably (see p. 112). In addition, in comments on the criteria used in awarding BASICS grants, only one respondent referred to the relative merit of the proposal; the other ten either had no idea or believed the criteria were not related to merit. These reactions may or may not be representative of the group of 29 applicant/non-funded bars; since the response rate for these questions was not high, we cannot presume that these responses are representative. However, the responses indicate that a substantial proportion of the applicant/non-funded bar associations were unhappy with the way in which the grant decisions were made.

The "overstimulation" problem which we raise here is important for several reasons. It relates not only to the creation of a group of non-funded applicants, but also to the problems of providing technical consultation, regular contact and supportive services, and other program resources to 77 bar associations throughout the United States. With few staff members, limited time, and geographic diversity, these logistic matters were indeed formidable.

Primary responsibility for deciding which bars should get

planning/study grants was vested in subcommittees of the Management Board. These subcommittees reviewed the applications and made funding recommendations to the full Management Board, which rendered the final decisions. At least one of the evaluators was present at each of these sessions and observed first-hand the decision-making processes. It was our collective observation that criteria utilized in making these grant decisions were informal and non-specific. The information available to subcommittee members (and, later, to the Management Board as a whole) generally consisted of the applicant's short narrative proposal, the application form itself, brief comments by members of the BASICS staff, and miscellaneous attached documents. As one BASICS staff member commented:

We didn't really ask for anything that made it possible to make good decisions.¹²

In addition to the inadequacy of the information obtained, some of the information was not available to subcommittee members at the time of their meetings. The mechanical process of reproducing and assembling the proposals relevant to each subcommittee within a limited amount of time was difficult; as a result, not all of the information which had been obtained was available for the use of these decision-makers.

For a variety of reasons, then, the decisions made by the subcommittees and Management Board were not based on criteria which were developed and articulated in advance. Instead, the "criteria" which were applied were informal, non-specified, and sometimes related only tangentially to merit.

Later, when specific dollar amounts were assigned to each of the awards, a definite "leveling effect" developed. At the December 6 meeting of the Management Board, the staff and the Board members decided that all awards should be for amounts between \$2,000 and \$4,000 unless there were special needs or circumstances. There was a conscious effort to make awards which averaged \$3,000. One staff member suggested "a closer scrutiny of dollar needs in each case,"¹³ but a Commission representative said that it "would be too arbitrary and difficult to determine actual needs."¹⁴

The actions of the Board reflected this attempt to distribute the available grant monies "equitably." It is our opinion, however, that this egalitarian approach was primarily due to the lack of information on which to base more discriminating judgments, rather than an indication that the proposals were of equal merit. Moreover, the appearance of equity which characterized the awards must be tempered by the realization that 29 other bar associations which applied were not funded at all, despite the assurances contained in BASICS' informational brochure.

At the suggestion of one of the evaluation consultants, the subcommittees which reviewed the action grant proposals utilized "fundability scales" and assigned ratings to each proposal. However, even at that state the available information on each project, contained in the midterm report, final report, staff site visit, and proposal narrative, was not translated into formalized guidelines or standardized criteria. As a result, the main purpose of the scales was defeated, although their use did require sub-

committee members to rate the projects -- thereby ranking them, at least to some extent, and avoiding the leveling effect. At any rate, much more emphasis needs to be given to the development of written criteria which will be measurable and provide comparability. Until such criteria are developed and utilized in decision-making, these important decisions will continue to be based on very amorphous factors -- a situation which does not enhance the capability of program personnel to formulate policy and explain the BASICS Program's philosophy.

The articulation of specific criteria of "fundability" will also help preclude another kind of problem -- the possibility that one or more members of a subcommittee could significantly influence the group's decision because of some personal vested interest in seeing a project funded. We are convinced, based on our regular attendance at these important meetings and our extensive interviews, that the members of the Management Board, the BASICS staff, and the Corrections Commission representatives consistently made a conscious effort to assess proposals objectively and responsibly. We are, however, aware of one instance in which a person clearly had a conflict of interest and stood to profit, professionally and financially, if a certain project were funded. Rather than exercising restraint by withdrawing from the decision-making process concerning this project, this person dominated the discussion concerning the project's merits, assigned it the highest possible rating, and staunchly advocated its funding at the maximum possible level. The project in question was recommended

for funding at the highest level. Later, because of the Clark Foundation's decision to delay certain financial commitments, this particular project was placed in a "deferred" category.

The above comments are not intended to reflect on the fundability of the project in question. Whether or not it is a meritorious project is a separate question. Rather, this case (and it is the only one of its type which has occurred, to our knowledge) illustrates the need for a policy statement on situations involving conflict of interests. To sustain confidence in the integrity of the Program, it is important that these situations be dealt with positively and affirmatively.

Finally, in developing specific criteria to assess the merits of each proposed project, we believe that bar activation should receive increased emphasis. In the decision-making to date, bar activation has not been given much weight. Since it is a co-equal goal of BASICS, along with correctional reform, it should be prominently reflected in criteria which are developed. We shall deal more specifically with the issue of bar activation and offer suggestions regarding its increased emphasis in a subsequent section of this chapter.

RECOMMENDATIONS:

1. Criteria utilized in assessing proposals for BASICS grants should be written and widely disseminated. These criteria should be:
 - a. measurable;
 - b. broad enough to allow for the individual differences of bar associations; and

- c. emphasize both correctional reform and bar activation.
2. BASICS applicants should be required to provide extensive information on all aspects of their proposal. Adequate information must be available to insure a fair assessment of each applicant.
3. BASICS should insist that proposed projects specify goals which are measurable. Proposals which do not meet this criterion should be returned and technical assistance provided, if necessary, to insure that the applicant submits an acceptable revision.
4. Grant conditions and amounts should be individualized and based on an assessment of each applicant's merits and needs. BASICS should negotiate a formal agreement with each grantee, specifying in measurable terms the project's goals. Such an agreement could then become a useful evaluation tool.
5. There is a need for specific policy dealing with conflict of interests. Any person who believes, or has cause to believe, that their objectivity may be compromised by a conflict of interests should be excluded from decision-making processes related to the area(s) of conflict.
6. BASICS should actively assist non-funded applicants in locating alternate sources of funding and implementing their projects. The "overstimulation" (in terms of numbers of applicants) of bar associations, although not foreseen, has helped to create a group of bars to which BASICS has a continuing obligation.

NOTES

1. Interviews with BASICS staff, July 16 and 18, 1975.
2. Ibid.
3. Ibid.
4. Interview with Roderick N. Petrey, Vice President of The Edna McConnell Clark Foundation, July 31, 1975.
5. Interviews with BASICS staff, op. cit.
6. Ibid.
7. Ibid.
8. BASICS informational brochure, 1974, p. 3.
9. Minutes of the Management Board Meeting, December 6, 1974, pp. 3-4.
10. State bar associations: $\bar{x} = 4.3$ (SD = 1.5); local and county bar associations: $\bar{x} = 4.7$ (SD = 2.0). Analysis of the difference of the averages: $t = .89$ (df = 64)
11. BASICS informational brochure, 1974, p. 4.
12. Interviews with BASICS staff members, July 16, 1975.
13. Minutes of BASICS Management Board meeting, December 6, 1974.
14. Ibid.

C. Bar Activation

The goal of "bar activation" has received increasing emphasis throughout the first year of the BASICS Program. The concept has been elevated to co-equal status, along with correctional reform, but has yet to be defined adequately. One reason for this lack of clarity is the emergent nature of the concept itself. Correctional reform, while not easily accomplished, has been championed by various groups -- for assorted reasons -- and is frequently an issue for discussion and debate. The concept of bar activation, on the other hand, is completely new to everyone.

Development of the Concept

One of the main purposes of the BASICS Program, from the perspective of the Clark Foundation, is "...to test and develop bar associations as agents for continuous reform...."¹ The bar activation concept has been viewed as a means to this end.

According to BASICS' promotional brochure:

...bar associations have the potential to plan and execute specific, well-defined improvement programs. The same structure which makes this possible can also be the foundation for continuous public service activity....Whatever an association's history in corrections, BASICS expects that the bar's collective reform consciousness will be...advanced....Once having opened its eyes to corrections problems, the organized bar cannot justifiably turn them away. The issues are intimately connected with the legal profession and the

administration of justice. Long recognized as a powerful force when the professional interests of its members are at stake, the bar must increasingly exercise this influence in the public interest.²

The Clark Foundation's professional staff members tend to assign bar activation an even higher priority than correctional reform.³ In their view, if bar associations can be energized to design and implement programs to effect measurable improvement in corrections, then there exists the possibility of utilizing these associations to promote social reform in other substantive areas. One very likely target area for future efforts along these lines is mental health, where the Foundation already has funded the ABA's Commission on the Mentally Disabled (modelled after the Corrections Commission) and is beginning to develop a bar activation component not unlike that of BASICS.⁴

Bar activation was not stressed as a major goal throughout the entire BASICS planning/study phase, but it received increasing prominence as the Program progressed. This change in emphasis has created some confusion among the BASICS staff and the project directors for the various grants. Some project personnel have even expressed to BASICS staff members their resentment about what they often perceived as a shift in goals:

The people on the projects tended to see bar activation as a separate thing that was imposed, rather than a technique.⁵

The general confusion and mixed emotions surrounding this important topic were not effectively dealt with at the BASICS workshops. According to one BASICS staff member:

We were utterly unprepared to respond to the lack of understanding of bar activation at the Washington workshop. We did much better at San Francisco....But they [ABA and Clark officials] had as much trouble explaining it to us as we did to the bars.⁶

Relationship to Correctional Reform

Are bar activation and correctional reform compatible goals? Some of the project directors we talked with during our site visits do not think so. One director--an attorney and member of the bar--when asked whether the bar association formally had endorsed the project, replied:

We wouldn't even ask them to support the project. They see what we're doing as harmful to their clients' interests.⁷

Bar associations, like other kinds of organizations, are composed of various interest groups. These interests are not always concordant. In many, if not most, bar associations, attorneys specializing in criminal law are not prominently represented in the organizational hierarchy of power and influence. In some cases, exemplified by the quotation above, correctional reform projects may be perceived as antithetical to the interests of important clients, or even "silent majority" clients frightened by crime in the streets. Where this occurs, it may well be the case that a concerted effort to involve the bar association's leadership and/or general membership in the work of the project would increase the likelihood that overt or covert resistance would develop.

Two other project directors whom we interviewed did not view bar activation as a contrary goal, but saw it as a very inefficient use of time:

If bar activation--in the sense of getting everyone behind it--is necessary for the action grant, we'd rather spend our time on the problem--not changing the minds of lawyers who aren't interested!⁸

The big problem was the bar association--not moving, not being cooperative, not putting it (correctional reform) high on their priorities.⁹

Finally, remarks made during a site visit interview with another project director reflect his concern about the meaning of bar activation and his feeling that he had not been informed fully about the real purposes of BASICS:

I missed the purpose of the program to begin with. I thought it was to set up a (correctional reform) project. Now I understand . . . that the money was actually to set up a staff to get political leverage and impact.¹⁰

In general, then, the bar activation concept has not adequately been developed, and its impact on the correctional reform component of BASICS has not received sufficient attention. Quantitative data gathered via our questionnaires and on-site visits afford some additional indications about bar activation. With respect to the active involvement of bar association members in BASICS projects, our data show that this simply has not occurred to any substantial extent. Questionnaires completed by representatives of funded bars indicate that their projects involved between 3 and 65 bar members, with the midpoint (median) of this distribution

being about 14. In addition, at 20 randomly-selected project sites we asked project representatives to tell us how many bar members had actively participated in their projects. (We excluded token involvement from these figures.) We found that 50% of these bar associations had fewer than seven members working actively on their project.

Very few members of bar associations were involved--either actively or superficially--in the planning/study phase of BASICS. When the number of bar members involved, to any extent, in BASICS planning/study projects (Med = 13.8)¹¹ is compared with the total membership figures for these bar associations (Med = 1,700), we find that for every 1,000 bar members, only eight (.008%) were involved in their associations' BASICS projects. For those actively involved, this ratio drops to about 5:1,000 (.005%). There is, of course, a problem in interpreting these figures. That problem relates to the lack of standards for successful bar activation.

Rethinking the Concept

It should be apparent from the foregoing discussion that "bar activation" has not been defined adequately. Other problems may emerge from this lack of conceptual clarity. For example, the lack of success in involving bar members, minority bars, and minority and client populations in the planning/study phase may or may not be of importance, depending on one's definition of bar activation. We have reported on these kinds of

indicators because of our own interpretations of the concept, as represented in BASICS' literature and in informal discussions and meetings during the past year.

It appears to be impractical to conceive of bar activation as implying that a substantial number of bar association members would be activated. Representatives of both BASICS and the Clark Foundation have become increasingly cognizant of this fact during the first year of the Program's existence. Other kinds of indicators have been suggested in order to clarify the concept of bar activation. The Vice President of the Foundation, in a memorandum entitled "Thoughts on Possible Criteria for Measuring Success of BASICS Grantees," said:

Evidence of successful "bar activation" could include:

1. Official sponsorship of state/local improvement project by state/local association of lawyers with membership base and ongoing organizational/financial structure.
2. Official, ongoing committee in state/local association for the subject area concerned.
3. Financial support of project by state/local association of lawyers, starting with "\$X" match for initial year and progressing to total support by 3rd (?) year.
4. Full-time staffed reform office at state/local association with local or multi-based financing over 3 year period.
5. "X" volunteer hours actually devoted to project by "Y" lawyers over "Z" time period.
6. Substantial involvement of other citizen reform groups under lawyers' association leadership. (Must define substantial involvement - e.g., certain numbers of contacts, mutual technical and financial assistance.)
7. Substantial involvement in project of minority groups and client groups.

8. Substantial use of legal resources available in local area - e.g., law schools, related bar committees and projects.
9. Positive attitudinal/informational changes in local lawyer population (if carefully measured).
10. Substantial public visibility given to lawyers' efforts - press, T.V., public hearings - ideally with measurements of public attitudinal/information changes related to lawyers' projects.

Some of these criteria are minimum levels of achievement which should be present in all projects (such as #1, #2, #3, minimum number in #5 and #7). Others are additional levels of achievement which may help qualify a project as an action grantee or one which should receive multi-year financial support.

Criteria should be specified in advance and can be measured by lawyers' rules - i.e., best evidence, preponderance of evidence.¹²

An index of some or all of these criteria would provide a clearer--and more readily measurable--operational definition of successful bar activation. These criteria incorporate several different indicators of ongoing, institutionalized bar commitment to correctional reform, rather than the ad hoc qualities which currently inhere in most projects. The expansion of the concept to include multiple criteria of successful bar activation would seem highly desirable.

Data generated during our work provide information about bar association performance in some of the areas discussed in the Clark representative's memorandum (criteria 1-7). Certainly the great majority of funded bars satisfied criteria 1 and 2 (official sponsorship of project, membership base, and ongoing structure, including corrections committee or its equivalent).

However, on criteria 3-7, the data present a less positive picture. Bar association financial support for BASICS projects has been minimal. Due to incomplete reporting, we have been unable to calculate the exact amount of financial contributions made by bar groups, but we know that it is only a small amount of money. Our questionnaire data show that only three funded bar associations listed their own bar as a possible funding source. Therefore, while bar association financial support certainly constitutes a feasible -- and measurable -- criterion for bar activation, preliminary evidence indicates minimal accomplishment thus far. Bar activation could encompass the expectation that gradual improvement in bar support would occur.

The establishment of a full-time, staffed reform office with local or multi-based financing would, as the memorandum implies, take some time to develop. This could be an ideal which bar associations could strive to attain. At the present time, neither the reform office nor the local/multi-based financing characterize BASICS grantees.

With respect to the volunteer hours devoted to BASICS projects by lawyers over a period of time, the crucial question is one of numbers. What constitutes acceptable bar activation? The figures here would necessarily and understandably vary, according to the size of the bar association. Baseline data would be essential so that progress could be monitored, rather than attempting to assess "success" or "failure" in this area.

Other citizen reform groups have been involved, to some extent, in BASICS projects. This involvement has primarily consisted of consultation during the initial planning stages. To be sure, some projects involve the regular, ongoing input of such groups, as suggested by one project representative:

We've been high on coordinating all the groups active in this area and low on attorney involvement. I felt it was worthwhile getting people who were already involved. I think we'd still be behind the "eight ball" right now if we'd only gotten attorneys involved.¹³

A concept which might come closer to fulfilling the needs here would be a community consortium structure, whereby BASICS project staff and other bar members would establish an ongoing group of representatives from various sectors of the community for the purpose of cooperating and combining their resources to accomplish specified correctional reform tasks. This consortium, as well as other decision-making processes, could include representatives of minority and client groups--sectors which have not been involved much in the past (see p. 40). One project director who has had some experience in implementing the community consortium concept said:

Originally I viewed it as window dressing, but it worked out well.¹⁴

One other area of bar activation seems particularly important; this has been referred to as "ABA activation." If we were to apply the aforementioned bar activation criteria to a more complex organization such as the ABA, we would find that some modifications would be necessary because of the ABA's functional

and structural differences (i.e., national organization consisting of affiliated bar associations and members and representing the American legal profession). The establishment of the Commission on Correctional Facilities and Services can be seen as an important step toward bar activation. The Commission has sponsored a number of independently-funded programs. However, in other areas of bar activation, accomplishments are less apparent. To date, the bulk of the ABA's work in corrections has been funded by private foundations. Applying the same criteria noted above, bar activation might imply an ongoing effort which gradually becomes more self-supporting--perhaps dues-based, in part--and begins to function as an integral, institutionalized (rather than ad hoc) component of the organization.

We believe that the use of BASICS' liaison¹⁵ (see Appendix T) to build grass-roots understanding and support for correctional reform among ABA affiliates is an important step toward bar activation. The problems of communication and coordination within the ABA and its network of affiliates are difficult. Grass-roots organization may be a useful approach to the problems posed by organizational complexity. We believe that it may even be helpful to expand the concept of BASICS liaisons to include minority bars, minority and client populations, state corrections departments, and other organizations and groups whose input and support are important factors in the planning and implementation of correctional reform projects.

In addition to this expanded use of BASICS liaisons outside the ABA, we believe it might be useful to make similar concerted efforts within the ABA. There has been difficulty in coordination between BASICS and various components of the ABA (e.g., accounting and public information). Additionally, there have been some rather embarrassing revelations that certain highly-placed ABA officials had no personal familiarity with the BASICS Program. All of this serves to emphasize the need for more effective communication and coordination "in house" as well as elsewhere. The BASICS Program should increase the extent to which personnel from other units of the ABA's organizational structure are involved in BASICS meetings, site visits, workshops, and other activities and attempt to involve BASICS and/or Commission staff more frequently in the activities of these other sectors. Increased -- and more importantly, improved -- contact should help to facilitate coordination and understanding.

Bar activation has been set forth as a co-equal goal of BASICS, along with correctional reform. If correctional reform efforts are to be systematized and institutionalized responsibilities of the legal profession, bar activation -- broadly defined as the dynamic process of "building in" an ongoing correctional reform component -- is essential. Otherwise, bar association efforts to promote correctional reform are likely to retain their ad hoc, informal qualities.

In addition to the absence of continuity and long-term planning, this ad hoc quality of bar association projects has

yet another danger, with which at least one project director was all too familiar:

The use of lawyers' informal contacts keeps things on an ad hoc basis. This has been the kind of basis that's resulted in misuse.¹⁶

The failure of most bars to establish formalized structural arrangements for carrying on the work of correctional reform leaves a void which encourages the use of these informal, ad hoc tactics. These tactics have little visibility, provide no assurance that consideration will be given to diverse viewpoints and ideas, and provide ample opportunity for the abuse of power. Bar activation, on the other hand, could involve more participatory decision-making, the development of organizational (rather than personal) stances and tactics on issues, and much greater regularity and visibility of correctional reform efforts.

RECOMMENDATIONS:

1. BASICS should develop and disseminate a clearer definition of the concept "bar activation", incorporating:
 - a. multiple indicators which are measurable;
 - b. an emphasis on ongoing, rather than ad hoc, structural arrangements;
 - c. the community consortium concept, where applicable; and
 - d. an emphasis on improvement (in comparison with baseline data for the multiple indicators) as the overriding goal.

2. BASICS should give bar activation increased weight in the evaluation of grant proposals. This might include:
 - a. the requirement that specific information about previous bar activation (baseline data) and measurable bar activation goals be included in the proposal, along with copies of endorsements, promises of monetary support, and other supporting documents from the bar association and other groups; and
 - b. the requirement that a long-range plan for bar activation be submitted with the proposal, preferably with a written endorsement from the bar association. This document should present a plan by which the applicant bar association proposes to increase, incrementally, its level of commitment and self-sufficiency in the area of correctional reform.
3. Make bar activation an integral part of all grant agreements, while continuing to recognize and respect the differences among bars. One method of doing this would be the negotiation of an agreement, acceptable to BASICS and the individual grantee bar, which specifies the measurable bar activation goals of the association and provides built-in criteria for assessment.
4. Provide more technical assistance and consultation to help bar associations in developing and implementing

satisfactory bar activation components. This might include bar activation workshops, on-site consulting, and other services.

5. Stimulate minority bar activation by:
 - a. more actively soliciting proposals from minority bars;
 - b. insisting that BASICS projects make (and document) every reasonable effort to involve minority bars in their geographic area; and
 - c. extending the BASICS liaison concept by assigning representatives to work regularly with minority bars.
6. Extend the BASICS liaison concept to include:
 - a. minority bar associations;
 - b. minority and client populations;
 - c. state corrections departments; and
 - d. other relevant groups.
7. Promote ABA activation by:
 - a. assigning BASICS liaison to work within the ABA to improve communication and coordination of efforts and to integrate BASICS more fully within the ABA's organizational structure; and
 - b. encouraging the ABA to develop a long-range plan to institutionalize correctional reform activities, including diversification of funding, increased self-sufficiency and organizational commitment.

NOTES

1. BASICS informational brochure (revised), 1975, p. 6.
2. Ibid, pp. 11-12.
3. Interview with Roderick N. Petrey, Vice President of The Edna McConnell Clark Foundation, July 31, 1975.
4. Ibid.
5. Interviews with BASICS staff members, July 16, 1975.
6. Ibid.
7. Field notes, on-site visits to funded projects.
8. Ibid.
9. Ibid.
10. Ibid.
11. "Med" is the symbol for "median." The median is the mid-point within a range, or distribution, of numbers. The median thus divides the distribution in half, so that 50% of the numbers fall above and 50% below the median number.
12. Roderick N. Petrey, memorandum, February 24, 1975.
13. Field notes, op. cit.
14. Ibid.
15. The BASICS liaison concept initially involved the utilization of designated representatives who attempted to disseminate information about the BASICS Program to bar officers throughout their state. Discussions concerning BASICS liaisons took place at several Management Board meetings, and the Board designated Frederick G. Buesser, Jr. (Board member

and former President of the State Bar of Michigan)
as coordinator for the BASICS liaison initiatives.

16. Field notes, op. cit.

APPENDIX A

Letter of Award of the BASICS Grant from
the Edna McConnell Clark Foundation to
the American Bar Association.

The Edna McConnell Clark Foundation

250 Park Avenue, New York, NY 10017 212 986 7050

July 1, 1974

H. Eugene Heine, Jr., Esquire
Director, Fund for Public Education
American Bar Association
1155 East 60th Street
Chicago, Illinois 60637

Dear Gene:

I am pleased to announce a grant of up to \$960,000 to the Fund for Public Education of the American Bar Association for one year to implement a program of state and local Bar Association Support to Improve Corrections Services (BASICS) through the Association's Commission on Correctional Facilities and Services. This grant, when added to a previous planning grant of \$40,000, will bring Clark Foundation support for BASICS and related activities to a total of \$1,000,000.

Clark Foundation support of the BASICS program is a major part of the Foundation's efforts to help improve civil and criminal justice systems in the United States by encouraging members of the legal profession, particularly in our states and localities, to exercise actively their responsibility for the fair and efficient administration of justice. We think the BASICS program, if carefully structured and evaluated, can provide a valid test of the contribution which state and local associations of lawyers can make to continuous corrections reform. It also can lay the groundwork for other reform efforts in related fields of activity, such as incarceration in mental institutions.

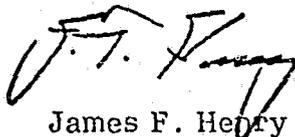
I have enclosed two copies of the Statement of Conditions for this grant. Please note the conditions in paragraph 4 (Reports) and paragraph 6 (Special Conditions) which are designed to ensure extensive consultation with the Clark Foundation throughout the program's design and implementation. Roderick N. Petrey, Vice President of the Foundation, will serve as the primary contact between the Foundation and the Association for this grant.

Upon receipt of one signed copy of the Statement of Conditions, we will forward you a check for \$200,000. Future payments will be made according to a payment schedule to be arranged by Rod Petrey of the Foundation with Mr. Daniel Skoler and Mr. David Linden of the Corrections Commission and BASICS staff. We anticipate additional payments of approximately \$200,000 in October, 1974, and of \$560,000 in March, 1975, assuming satisfactory progress.

We ask that you clear with the Foundation prior to release any press announcement which mentions this grant or this Foundation.

We look forward to your future communications regarding the progress of this grant. Please do not hesitate to contact Rod Petrey or me regarding any matter of mutual concern.

Sincerely,

A handwritten signature in black ink, appearing to read "J.F. Henry", written in a cursive style.

James F. Henry
President

eb
Encls.

cc: Mr. Daniel Skoler
Mr. David Linden
Mr. Chesterfield Smith

STATEMENT OF CONDITIONS

RE: Grant of up to \$960,000 by The Edna McConnell Clark Foundation to the Fund for Public Education of the American Bar Association to implement a program of state and local Bar Association Support to Improve Correctional Services (BASICS) through the Commission on Correctional Facilities and Services and for related activities.

1. Purposes of Grant. This grant and any income therefrom may be spent only for religious, charitable, scientific, literary or educational purposes or for the prevention of cruelty to children or animals within the meaning of Section 170(c)(2)(B) of the Internal Revenue Code of 1954, as amended (hereinafter "Code"), as further specifically limited by the statement of purposes in the Grant Letter. Grantor has not earmarked the use of the grant or any portion thereof for any named secondary grantee and does not retain the power to cause the Grantee to select any secondary grantee.

2. Change of Exempt Organization Status. Grantee will immediately inform Grantor of:

- a. Any change in its status as an organization described in Section 501(c)(3) of the Code, and
- b. Any change in its status as an organization exempt from private foundation status according to Section 509(a) of the Code.

3. Withholding of Grant. In case of any violation by the Grantee of these Terms and Conditions or of any provisions of the Code or the regulations thereunder, or any change in Grantee's status referred to in paragraph 2 above, Grantor reserves the right to withhold all future payment of this or any other grant to the Grantee. Grantor's determination of such violation or of such change in status shall be binding and conclusive on the Grantee.

4. Reports. Within 30 days after the completion of the use of the grant funds, the Grantee will make a final report detailing all expenditures made from such funds and a narrative account of the progress made toward the goals of the grant. The Grantee will confer with Foundation personnel or consultants at the reasonable request of the Foundation regarding expenditures, records and progress of the project covered by the grant. The Grantee will submit monthly reports of progress to the Foundation using a format jointly determined by the Foundation and the Grantee. Such reports will be due no later than the 10th of each month for progress during the previous month. The Grantee will submit such other interim reports as may reasonably be requested by the Foundation and cooperate fully with evaluation studies.

5. Records. The Grantee will maintain its books and records in such a manner that the grant funds will be shown separately on the Grantee's books and that the expenditures made in furtherance of the grant purposes will be shown as charged against the grant, and will maintain records of such funds in such a form as to be checked readily. The Grantee will keep the records of expenditures as well as copies of the reports submitted to the Foundation for at least four years after the completion of the use of the grant funds. The Grantee will make its books and records available to the Foundation for inspection at reasonable times.

6. Special Conditions. Payments of this grant will be made according to a schedule determined by the Grantee and the Foundation. After an initial payment, future payments will be conditioned upon:

- a. Establishment of a limited number of substantive categories for correctional reform projects by state and local associations of lawyers;
- b. Establishment of matching requirements or other procedures to ensure the generation and commitment of local resources by associations of lawyers which receive action grants under the BASICS program;
- c. Establishment of long-term plans to extend the BASICS program beyond its first year and to relate the program directly to continuous reform activity by state and local associations of lawyers in other segments of the nation's civil and criminal justice system;
- d. Active consultation with and involvement of representatives of other interested organizations -- both inside and outside the American Bar Association -- in the design and implementation of the BASICS program, particularly organizations which represent racial and economic minorities who are affected in major ways by the quality of correctional services;
- e. Design of standards, monitoring and evaluating systems and a schedule for determining progress of the BASICS program in meeting its objectives.

Accepted and agreed to this July day of 22, 1974.

American Bar Association
~~Fund for Public Education~~
 Organization

s/H. Eugene Heine, Jr.
 By

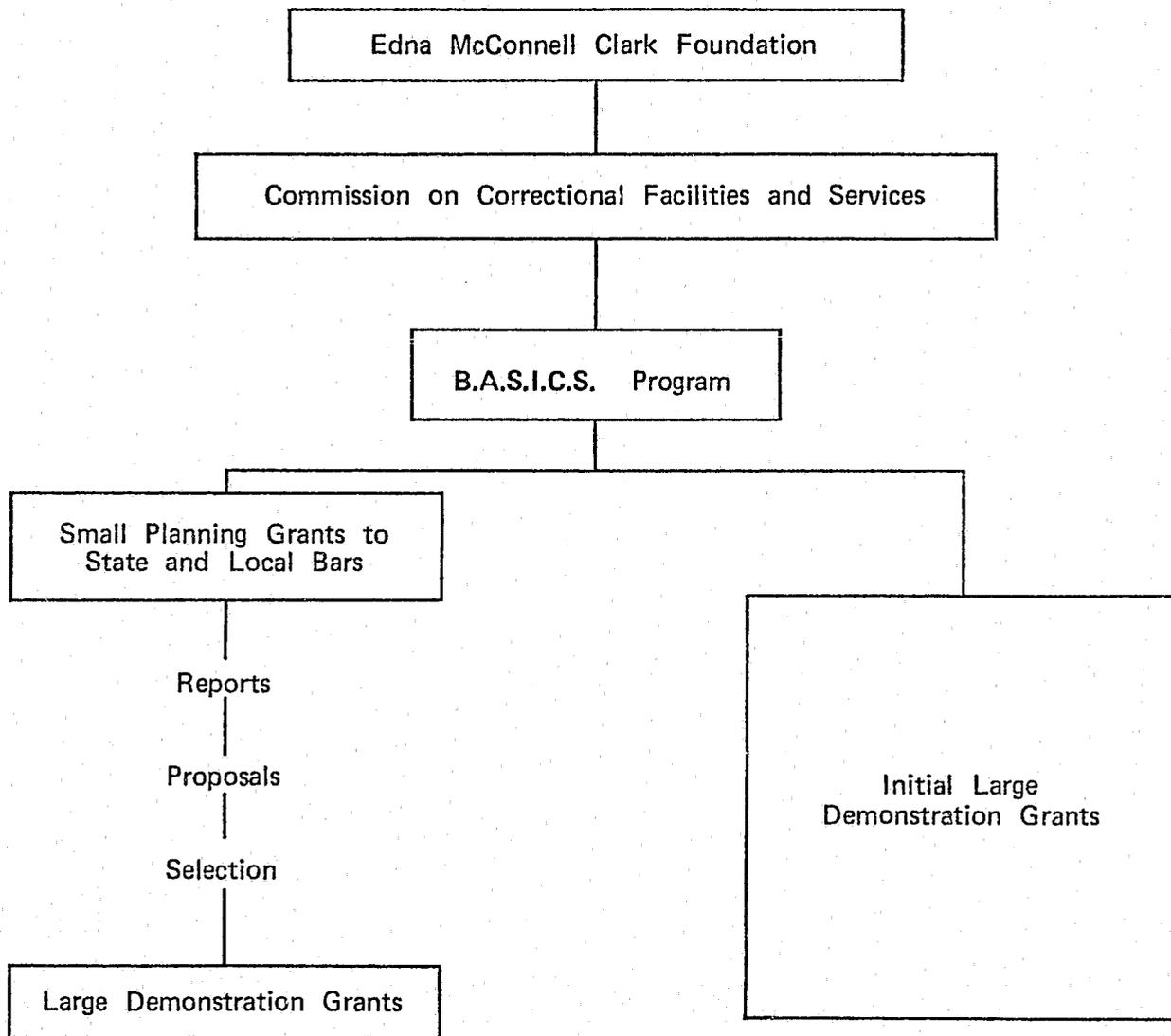
Director of the Fund for Public Education
 Title

APPENDIX B

Grant Scheme of the BASICS Project

B. A. S. I. C. S.

GRANT SCHEME



APPENDIX C

BASICS Management Board Members

Chairman

Hon. Richard J. Hughes

Vice Chairman

Robert J. Mann

ABA Commission on Correctional Facilities and Services:

Bennett J. Cooper
Deputy Director, Administration of Justice Division
Ohio Department of Economic & Community Development

Hon. Richard J. Hughes
Chief Justice
New Jersey Supreme Court

Grace Olivarez
Director
Institute for Social Research and Development
University of New Mexico

Robert P. Murray
Vice Chairman
ABA Corrections Commission

Charles E. Silberman
Director
The Study of Law and Justice

ABA Criminal Justice Section:

Hon. Joe W. Sanders
Chief Justice
Louisiana Supreme Court

ABA Young Lawyers Section

Robert J. Mann
Vice Chairperson - Projects
Criminal Justice Committee

Bar Executives:

Billie Bethel
Executive Director
Tennessee Bar Association

Richard B. Morris
Executive Director
The Bar Association of San Francisco

CONTINUED

2 OF 3

Bar Officers:

Carl J. Character
2nd Vice President
National Bar Association

Frederick G. Buesser, Jr.
Former President
State Bar of Michigan

National Council on Crime and Delinquency:

Frederick Ward, Jr.
Executive Vice President

APPENDIX D

Example of Letters Sent to Bar Associations



CHAIRMAN
Richard J. Hughes
520 Broad St
Newark, N.J. 07102

VICE-CHAIRMAN
Robert P. Murray
P.O. Drawer B.W.
Lakeland, Fla. 33802

Sylvia Bacon
Washington, D.C.

Charles A. Bellows
Chicago, Illinois

James V. Bennett
Bethesda, Md.

Peter B. Bensinger
Chicago, Illinois

George J. Beto
Huntsville, Texas

Bertram S. Brown
Rockville, Md.

Bennett J. Cooper
Columbus, Ohio

John R. Dunne
Garden City, N.Y.

A. Leon Higginbotham, Jr.
Philadelphia, Pa.

Florence M. Kelley
New York, N.Y.

William D. Leeke
Columbia, S.C.

Carl M. Loeb, Jr.
New York, N.Y.

Richard A. McGee
Sacramento, Cal.

Robert S. McNamara
Washington, D.C.

George Meany
Washington, D.C.

Karl Menninger
Topeka, Kansas

Norval Morris
Chicago, Illinois

Grace Olivarez
Albuquerque, N.M.

Lawrence W. Pierce
New York, N.Y.

Louis Randall
Boston, Mass.

Irving R. Segal, Esq.
Philadelphia, Pa.

Maurice H. Sigler
Washington, D.C.

Charles E. Silberman
Mt. Vernon, N.Y.

John R. Wallace
Miami, Okla.

STAFF DIRECTOR
Daniel L. Skoler

ASSISTANT STAFF DIRECTORS
Arnold J. Hopkins
Melvin T. Axilbund

**ASSOCIATED PROJECTS AND
PROJECT DIRECTORS**

National Volunteer
Parole Aide Program

David J. Linden - 202/872-0300

National Clearinghouse on
Offender Employment Restrictions

James W. Hunt - 202/872-0010

Resource Center on Correctional
Law and Legal Services

Melvin T. Axilbund - 202/293-1712

Statewide Jail Standards and
Inspection Systems Project

Arnold J. Hopkins - 202/223-1833

Bar Activation Program for
Correctional Reform

Robert C. Ford - 202/223-1833

National Pretrial Intervention
Service Center

Arnold J. Hopkins - 202/659-9697

Clearinghouse for Offender
Literacy Programs

John E. Hellrich - 202/223-5686

Correctional Economics Center

Billy Wayson - 202/223-8547

1705 DE SALES STREET, N.W., WASHINGTON, D.C. 20036 TELEPHONE (202) 223-1528

August 12, 1974

Dear Bar Officer:

"The practical administration of corrections, particularly at the local level, should be a matter of serious concern to every member of the bar."

Leon Jaworski, former ABA President, offered this challenge to the bar when he assumed that office in 1971. In 1974, at the ABA annual meeting, outgoing President Chesterfield Smith announced the establishment of the ABA BASICS Program to further encourage correctional improvement activity by state and local bars.

Through BASICS--Bar Association Support to Improve Correctional Services--the American Bar Association will undertake direct funding of corrections programs conceived and sponsored by state and local bar organizations. This effort is made possible by financial support from the Edna McConnell Clark Foundation.

The BASICS Program represents the first opportunity the ABA has had, in any field, to fund directly the activities of state and local bar groups. I am very pleased that the Corrections Commission is the first ABA component to assist the public service activities of bar organizations in this manner.

Accompanying this announcement is a pamphlet on the BASICS Program. It contains a description of its goals and methods, a list of prescribed project categories, information and advice on applying for funds, and an application data form for planning/study grants.

We hope that no interested bar group will hesitate to apply because of any anticipated difficulty in competing with associations which might be larger, more active, or more experienced in obtaining grant funds. If your association already has a special corrections committee, then you may have a good head start on developing an application, but this is not a requirement for participation. One of the

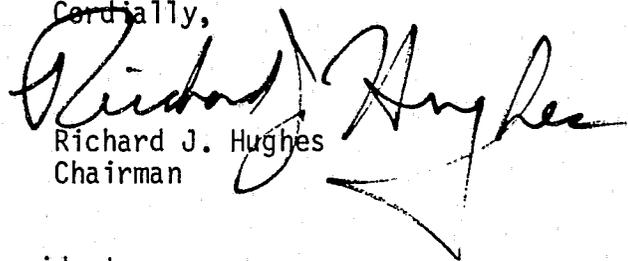
Page 2.

purposes of BASICS is to enable associations of any size or regional scope, with or without a history of involvement in corrections, to establish projects in this important field.

The planning/study grants which initiate the program will be readily available to a large number of associations, and can themselves make an important contribution to penal reform. While subsequent action grants will be fewer in number, awards will be determined solely on the basis of the planning proposals developed by participating bars.

I sincerely hope that your bar association will accept this challenge, take advantage of the opportunity, and make bar association improvement of correctional services a reality.

Cordially,

A handwritten signature in cursive script, appearing to read "Richard J. Hughes". The signature is written in dark ink and is positioned above the typed name and title.

Richard J. Hughes
Chairman

Enc.

cc: Hon. Chesterfield Smith, President
American Bar Association

Hon. James D. Fellers, President-Elect
American Bar Association



CHAIRMAN
Richard J. Hughes
520 Broad St
Newark, N.J. 07102

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Lakeland, Fla. 33802

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William D. Leece
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New York, N.Y.

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Sacramento, Cal.

Robert S. McNamara
Washington, D.C.

George Meany
Washington, D.C.

Karl Menninger
Topeka, Kansas

Norval Morris
Chicago, Illinois

Grace Olivarez
Albuquerque, N.M.

Lawrence W. Pierce
New York, N.Y.

Louis Randall
Boston, Mass.

Irving R. Segal, Esq.
Philadelphia, Pa.

Maurice H. Sigler,
Washington, D.C.

Charles E. Silberman
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Daniel L. Skoler

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**ASSOCIATED PROJECTS AND
PROJECT DIRECTORS**

National Volunteer
Parole Aide Program
David J. Linden - 202/872-0300

National Clearinghouse on
Offender Employment Restrictions
James W. Hunt - 202/872-0010

Resource Center on Correctional
Law and Legal Services
Melvin T. Axilbund - 202/293-1712

Statewide Jail Standards and
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Literacy Programs
John E. Helrich - 202/223-5686

Correctional Economics Center
Billy Wayson - 202/223-8547

1705 DE SALES STREET, N.W., WASHINGTON, D.C. 20036 TELEPHONE (202) 223-1528

August 12, 1974

Dear Bar Executive:

The American Bar Association has received a grant of nearly one million dollars from the Edna McConnell Clark Foundation to award funds to state and local bar associations for development and implementation of correctional reform projects. BASICS--Bar Association Support to Improve Correctional Services--has been specially created by the ABA Commission on Correctional Facilities and Services to design and administer this direct funding program. The Clark Foundation grant will enable us to support modest planning/study projects (2-4 thousand dollar awards) and then provide larger action project grants (20-50 thousand dollars) for 10 or more of the best resulting proposals.

We have similarly announced BASICS to senior officers of your association, but there are several reasons why we bring it to your particular attention as well.

--We have discovered that bar executives and staff often take the initiative in proposing new association activities and hope that you will actively encourage your bar leaders to apply for funds.

--Action grants (but not the initial planning/study grants) require a modest bar contribution of cash, professional staff time, office space, or secretarial assistance. Action grants will also involve a paid program director. Fulfillment of both conditions will likely depend on your cooperation and support.

We hope that all interested bar groups will apply for planning/study grants, despite any anticipated difficulty in competing for funds with associations which might be larger, more active, or more experienced "grantsmen." I think you will agree that our application form (one page with a two page narrative statement attached and no budget) is one of the simplest grant forms you have seen.

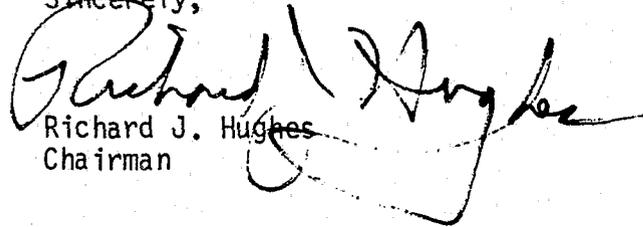
One of the purposes of BASICS is to enable associations of any size or region, with or without a history of involvement in corrections or other public service, to establish projects in this important field. The planning/study grants will be readily available to a large number of associations, and can

Page 2.

themselves make an important contribution to penal reform and bar activation. Subsequent action grants will be awarded solely on the basis of the planning proposals.

The active cooperation of bar executives, it seems to me, is imperative if this Program is to succeed in expanding total bar involvement in corrections and in establishing strong and successful projects. I sincerely hope that your bar association will accept the challenge offered by the BASICS Program, and make involvement by your organization in correctional improvement a reality.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard J. Hughes". The signature is written in a cursive style with a large, sweeping initial "R".

Richard J. Hughes
Chairman

Enclosure

cc: Hon. Chesterfield Smith, President
American Bar Association

Hon. James D. Fellers, President-Elect
American Bar Association



CHAIRMAN

Richard J. Hughes
520 Broad St
Newark, N.J. 07102

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Mt. Vernon, N.Y.

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Miami, Okla.

STAFF DIRECTOR

Daniel L. Skoler

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Arnold J. Hopkins - 202/659-9697

Clearinghouse for Offender

Literacy Programs

John E. Helfrich - 202/223-5686

Correctional Economics Center

Billy Wayson - 202/223-8547

August 1, 1974

Mr. Herbert J. Barsy, Co-Chairman
Committee on Correctional Facilities
and Services
Illinois State Bar Association
134 North LaSalle Street
Chicago, Illinois 60602

Dear Mr. Barsy:

A few months ago I wrote to you and your counterparts in other states asking about the problems you may have encountered in making your committee an effective working body. Many of the replies I received indicated that lack of financing and staff resources has been a major obstacle to the establishment of bar-sponsored correctional reform action programs.

In light of this response, I am particularly pleased to announce that the American Bar Association has received a substantial grant from the Edna McConnell Clark Foundation to award funds to selected state and local bar associations for specific correctional improvement projects. BASICS, a new Corrections Commission Project, has been created to administer these funds. This is the first opportunity the ABA has had, in any field, to directly fund the pro bono activities of state and local bar associations.

While the availability of BASICS funds will be announced to all state and local bar associations at the time of the ABA annual meeting, the Commission feels that it is appropriate to approach, in a special way, those groups which have already developed expertise in the correctional field.

Briefly, our Clark Foundation grant will enable us to support modest study and planning projects (\$2,000 - \$4,000 awards) and then provide larger demonstration/action grants (\$20,000 - \$50,000) for 10 or more of the best resulting action proposals.

Page 2.

Accompanying this letter are copies of the BASICS introductory pamphlet. It contains a description of the program's goals and methods, a selection of prescribed project categories, information and advice on applying for funds, and an application form.

I anticipate that your committee will be eager to take advantage of this opportunity by assuming a lead role in soliciting necessary support within your bar association and in planning for and developing an action program.

Sincerely,



Richard J. Hughes
Chairman

cc: Hon. Chesterfield Smith, President
American Bar Association

Hon. James D. Fellers, President-Elect
American Bar Association

enclosure

APPENDIX E

National Legal Aid and Defender Association Memorandum

JAMES F FLUG
Executive Director

OFFICERS
President
REVIUS O ORTIOUE JR
New Orleans

Senior Vice President
JOHN G BROOKS
Boston

Chairman, Defender Committee
WILLIAM R HIGHAM
901 Pine St P O Box 1029
Martinez Calif 94553

Chairman, Civil Committee
ANTHONY P LOCICCHIO
412 Genessee Bank Bldg
Flint Michigan 48502

Treasurer
ANTHONY B CHING
Honolulu

Board of Directors
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HOWARD W DIXON
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JOHN C EMERY JR
Detroit
BAYARD EWING
Providence

ROBERT H FABIAN
San Francisco
WILLIAM W FALSGRAF
Cleveland
JAMES D FELLERS
Oklahoma City
BETTY B FLETCHER
Seattle
LOUIS O FROST JR
Jacksonville Fla
CHARLES D GILL
New Haven
PHILLIP H GINSBERG
Seattle
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M E M O R A N D U M

TO: All Program Members

FROM: James F. Flug, Executive Director, NLADA

DATE: September 16, 1974

RE: American Bar Association BASICS Program -- Bar Association Support to Improve Correctional Services

An opportunity has presented itself for NLADA organizational members to encourage and support correctional reform projects of state and local bar associations.

The American Bar Association has received a million dollar grant and will award these funds to bar associations for specific reform projects. Administered through the ABA's Commission on Correctional Facilities and Services, BASICS will grant funds in two stages--a planning/study phase and an action phase. During the earlier, grantees (perhaps 50 or more associations) will research and write well-documented reports and proposals on specific correctional problems. Budgets for the 90 day planning grants will run 2-4 thousand dollars. From among the final proposals submitted BASICS will select 10-12 for award of action grants of 20-50 thousand dollars. These are expected to lead to measurable improvements in the selected problem area over a one year period.

BASICS will consider proposals for programs in the following areas:

1. Comprehensive Correctional Code Reform or Correctional System Restructuring

Review of a state's total complex of penal and prison legislation with the aim of comprehensive updating or complete revision.

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Memo to All Program Members
September 16, 1974
Page Two

2. Offender Legal Services

Design and implementation of programs to meet legal services needs of confined offenders.

3. Improved Grievance Procedures

Design and institution of new grievance procedures tailored to the needs of the system.

4. Improved Jail Facilities and Services

Development of projects to improve facilities and services in local institutions.

5. Pretrial Diversion Programs

Activation of programs to divert accused offenders into programs of counseling, training and education prior to trial.

6. Alternatives to Confinement

Development of new community-based programs that can be used as an alternative to jail or prison confinement, and of means to reduce both adult and juvenile institutional populations.

7. Offender Civil Disabilities and Employment Restrictions

Removal of employment restrictions and/or civil disabilities confronting ex-offenders.

8. Other Programs

Some project proposals will be considered for needed correctional improvement undertakings not falling under one of the foregoing subject areas.

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Memo to All Program Members
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Since BASICS grants will be awarded to bar associations, NLADA's role will be primarily catalytic and supportive. However, your local program can look to actively involve itself in the delivery of these services and the implementation of such a program. I urge you to contact your state and local bar leaders and encourage them to apply for funds. If you are aware of specific needs in your local correctional system I suggest you share your ideas. An important element of the program is bar cooperation with other community groups so your suggestions would be quite appropriate.

The program has been announced to every state and local bar in the country. Applications for planning grants are due October 15. I hope you will take the time during the next few weeks to get in touch with area bar officials to discuss this important funding program.

Feel free to contact the BASICS office directly if you have any questions (BASICS, 1705 DeSales Street, N.W., Washington, D.C. 20036, 202-223-1848).

JFF/mah

APPENDIX F

Bar Associations Which Applied for BASICS Planning/Study Grants

Alabama

Alabama State Bar Association

Alaska

Alaska Bar Association

American Somoa

American Somoa Bar Association

Arizona

State Bar of Arizona

Arkansas

Arkansas Bar Association

California

Alameda County Bar Association

State Bar of California

Los Angeles County Bar Association

San Diego County Bar Association

San Joaquin County Bar Association

Santa Clara County Bar Association

Beverly Hills Bar Association Law Foundation

Contra Costa County Bar Association

Marin County Bar Association

Colorado

Denver Bar Association

Connecticut

Connecticut Bar Association

Greater Bridgeport Bar Association

New London County Bar Association

Delaware

Delaware State Bar Association

District of Columbia

District of Columbia Bar

National Bar Association

Florida

The Florida Bar Association

Hillsborough County Bar Association

Orange County Bar Association

Broward County Bar Association

Georgia

State Bar of Georgia

Hawaii

Bar Association of Hawaii
Hawaii County Bar Association

Illinois

Illinois State Bar Association
Chicago Council of Lawyers
Chicago Bar Association

Indiana

Indianapolis Lawyers Commission

Iowa

Iowa State Bar Association

Kansas

Kansas Bar Association

Kentucky

Louisville Bar Association

Maine

Maine Bar Association

Maryland

Bar Association of Baltimore City
Montgomery County Bar Association

Massachusetts

Massachusetts Bar Association
Boston Bar Association
Hampden County Bar Association

Michigan

State Bar of Michigan
Genesee County Bar Association
Oakland County Bar Association
Detroit Bar Association

Minnesota

Minnesota State Bar Association
Cass-Hubbard County Bar Association

Mississippi

South Central Mississippi Bar
Association

Missouri

Missouri Bar
Lawyers Association of Kansas City
Bar Association of Metropolitan St. Louis

Montana

Montana Bar Association

Nebraska

Nebraska State Bar Association

Nevada

State Bar of Nevada

Clark County Bar Association

New Hampshire

New Hampshire Bar Association

New Jersey

New Jersey State Bar Association

Essex County Bar Association

Hudson County Bar Association

Bergen County Bar Association

New Mexico

State Bar of New Mexico

New York

New York State Bar Association

Genesee County Bar Association

Westchester County Bar Association

Monroe County Bar Association

Bar Association of Nassau County

Association of the Bar of the City of New York

New York County Lawyer's Association

Suffolk County Bar Association

Ulster County Bar Association

North Carolina

North Carolina Bar Association

Wake County Bar Association

Ohio

Stark County Bar Association

Ohio State Bar Association

Cincinnati Bar Association

Bar Association of Greater Cleveland

Columbus Bar Association

Toledo Bar Association

Akron Bar Association

Springfield Bar and Law Library Association

Oklahoma

Oklahoma County Bar Association

Tulsa County Bar Association

Oregon

Oregon State Bar Association
Multnomah Bar Association

Pennsylvania

Philadelphia Bar Association
Allegheny County Bar Association

Puerto Rico

Puerto Rico Bar Association

Rhode Island

Rhode Island Bar Association

South Dakota

State Bar of South Dakota

Tennessee

Tennessee Bar Association
Memphis-Shelby County Bar Association

Texas

State Bar of Texas
Dallas Bar Association
Forth Worth-Tarrant County Young Lawyers Association
San Antonio Bar Association
Houston Junior Bar Association
Waco-McLennan County Junior Bar Association
Wichita County Bar Association

Utah

Salt Lake County Bar Association

Vermont

Vermont State Bar

Virginia

Virginia State Bar

Washington

Snohomish County Bar Association
Spokane County Bar Association
Seattle-King County Bar Association

Wisconsin

State Bar of Wisconsin
Dane County Bar Association

APPENDIX G

BASICS Planning/Study Grantees and Amounts of Awards

Alabama	
Alabama State Bar Association	\$3,000
Alaska	
Alaska Bar Association	\$3,000
American Samoa	
American Samoa Bar Association	\$2,000
Arizona	
State Bar of Arizona	\$3,000
California	
State Bar of California	\$3,500
Los Angeles County Bar Association	\$2,000
San Diego County Bar Association	\$2,000
San Joaquin County Bar Association	\$2,000
Santa Clara County Bar Association	\$2,500
Colorado	
Denver Bar Association	\$2,500
Connecticut	
Greater Bridgeport Bar Association	\$2,000
New London County Bar Association	\$2,500
Delaware	
Delaware State Bar Association	\$3,000
District of Columbia	
District of Columbia Bar	\$3,000
Florida	
Hillsborough County Bar Association	\$2,000
Orange County Bar Association	\$3,000
Georgia	
State Bar of Georgia	\$4,000
Hawaii	
Bar Association of Hawaii	\$3,000
Hawaii County Bar Association	\$1,500
Illinois	
Illinois State Bar Association	\$3,000
Chicago Council of Lawyers	\$2,000
Indiana	
Indianapolis Lawyers' Commission	\$3,000

Iowa	
Iowa State Bar Association	\$3,000
Maine	
Maine Bar Association	\$4,000
Maryland	
Bar Association of Baltimore City	\$3,000
Montgomery County Bar Association	\$3,000
Massachusetts	
Massachusetts Bar Association	\$3,500
Boston Bar Association	\$3,000
Hampden County Bar Association	\$2,000
Michigan	
State Bar of Michigan	\$4,000
Genesee County Bar Association	\$2,500
Oakland County Bar Association	\$2,500
Minnesota	
Minnesota State Bar Association	\$3,000
Cass-Hubbard County Bar Association	\$2,500
Mississippi	
South Central Mississippi Bar Association	\$2,500
Missouri	
Missouri Bar	\$3,000
Lawyers Association of Kansas City	\$3,000
Bar Association of Metropolitan St. Louis	\$3,000
Montana	
Montana Bar Association	\$2,500
Nebraska	
Nebraska State Bar Association	\$3,000
Nevada	
State Bar of Nevada	\$3,000
New Hampshire	
New Hampshire Bar Association	\$3,000
New Jersey	
New Jersey State Bar Association	\$3,000
Essex County Bar Association	\$3,000
Hudson County Bar Association	\$2,500

New Mexico	
State Bar of New Mexico	\$3,000
New York	
New York State Bar Association	\$4,000
Monroe County Bar Association	\$4,000
Bar Association of Nassau County	\$2,000
Association of the Bar of the City of New York	\$3,500
New York County Lawyer's Association	\$3,000
Suffolk County Bar Association	\$2,500
Ulster County Bar Association	\$2,500
North Carolina	
Wake County Bar Association	\$2,500
Ohio	
Ohio State Bar Association	\$3,000
Cincinnati Bar Association	\$3,000
Bar Association of Greater Cleveland	\$2,500
Columbus Bar Association	\$2,000
Toledo Bar Association	\$2,500
Oklahoma	
Oklahoma County Bar Association	\$2,500
Oregon	
Oregon State Bar Association	\$3,000
Multnomah Bar Association	\$2,500
Pennsylvania	
Philadelphia Bar Association	\$3,000
Puerto Rico	
Puerto Rico Bar Association	\$3,000
Rhode Island	
Rhode Island Bar Association	\$3,000
South Dakota	
State Bar of South Dakota	\$3,000
Tennessee	
Tennessee Bar Association	\$3,500
Texas	
State Bar of Texas	\$3,500
Dallas Bar Association	\$2,500
Forth Worth-Tarrant County Young Lawyers' Association	\$2,500
San Antonio Bar Association	\$2,500

Utah	
Salt Lake City Bar Association	\$3,000
Virginia	
Virginia State Bar	\$3,000
Washington	
Snohomish County Bar Association	\$2,500
Spokane County Bar Association	\$2,000
Wisconsin	
State Bar of Wisconsin	\$3,000

SPECIAL AWARDS:

National Bar Association	\$10,000
North Carolina Bar Association	\$ 5,000
Vermont State Bar	\$ 1,275

APPENDIX H

Planning/Study Grant Conditions

(1) The Association shall commence and perform the planning/study project ("The Project") generally described in its application and program narrative as modified by any special conditions appended hereto. The project is to be completed by April 15, 1975. Throughout the project term the Association shall comply with all reasonable requests from BASICS.

(2) Progress Report - The Association shall submit to BASICS a midterm progress report on its activities under this grant on or before the final business day of February, 1975. Promptly after receipt the final installment of planning/study funds will be paid to the Association.

(3) Final Report - The Association shall submit a final report on or before April 15, 1975. This report, in a form acceptable to BASICS, will be (i) a self contained study of the subject matter reviewed, with appropriate specific recommendations for action, (ii) suitable for public release, and (iii) issued in the name of and with the approval of the Association. BASICS is to receive copies of any articles based on the final report.

(4) Accounting - With the final report, the Association shall submit an accounting of grant funds expended, in such form and detail as reasonably required by BASICS. Excess funds are to be returned to BASICS by June 30, 1975, unless otherwise agreed in writing.

(5) Cooperation with Other Organizations - The Association is to identify, involve and work with community organizations (women's, professional, ex-offender, and minority) which may be affected

by the Project. The Progress and Final Reports to BASICS shall include the status of all such contacts.

APPENDIX I

Description of BASICS Program Categories

The BASICS Program will consider action program grant proposals for correctional improvement in the seven categories which follow. Accordingly, planning/study efforts should focus on one or more of these as potential areas in which to develop and implement a specific project. Since the purpose of planning activity is to identify worthwhile improvement projects from the larger array of reform possibilities, the limited number of action categories will not preclude a broader look at state or local correctional problems during the planning/study phase.

BASICS will give priority to proposals in categories 1-7, but will consider funding special improvement projects which may not fall easily into any of these. Any such exceptions must be shown as important in a well-documented planning/study phase report. This option is represented by category 8 - Other Programs.

1. Comprehensive Correctional Code Reform or Correctional System Restructuring

Review of a state's total complex of penal and prison legislation with the aim of (i) comprehensive updating, or (ii) complete revision and modernization. Special emphasis should be placed on legislation necessary to initiate new programs, consolidate and integrate correctional system administration, and implement comprehensive corrections plans being developed by states under LEAA federal aid programs. Review, drafting, consultation and coordination with government and correctional officials, and participation in programs for development of public support and legislative adoption are all appropriate for bar involvement.

2. Offender Legal Services

Design and implementation of programs to meet legal services and law library needs of confined offenders. Civil legal aid, post-conviction remedies, administrative proceedings affecting prisoner status (discipline, parole granting, institutional transfer, classification, and parole and probation revocation), and removal of illegal or unconstitutional conditions and practices in prisons, jails, and juvenile institutions may be undertaken. Use of all manpower resources should be considered - defenders, legal services offices, bar volunteers, paralegals, and "jailhouse lawyers".

Such programs may involve (i) legal and library services at a single local facility or institutional complex, or (ii) design and initiation of a comprehensive state system. Whichever is chosen, the resultant plan and program should be directed at assuring a permanent capacity to meet legal services needs and at providing for fair and uniform rules and procedures.

3. Improved Grievance Procedures

Review of the extent and adequacy of existing procedures for peaceful resolution of inmate or probationer/parolee grievances, (including ombudsman, grievance commission, arbitration, inmate representation and internal complaint techniques), and design, staffing and implementation of new procedures tailored to the needs of the system. Programs may be developed by local bars for a single facility or institutional complex. State bars, having a broader impact, can develop statewide

systems and procedures for all offenders in confinement or under correctional supervision.

4. Improved Jail Facilities and Services

Development of projects to improve facilities and services in local institutions, including (i) plant modernization, (ii) personnel upgrading, (iii) visiting facilities and correspondence regulations, (iv) health, safety, sanitary conditions, (v) availability of legal services, (vi) diagnostic, counseling, training and educational programs, (vii) work-release, partial confinement and furlough programs, (viii) improved procedures and management, and (ix) the general problems of overcrowding, understaffing and underfunding.

At the state level, programs may focus on initiation, strengthening or expansion of systems for establishment, inspection and enforcement of statewide minimum standards for jails and juvenile detention facilities.

5. Pretrial Diversion Programs

Coordination, planning and activation of machinery to divert accused offenders into programs of counseling, supervision, training and education prior to trial, with the prospects of dismissal of charges for successful participants. Special targets, such as early or youthful offenders, women, addicts, or alcoholics may be focused on.

6. Alternatives to Confinement

Development of programs, procedures, laws and policies which (i) seek to establish new community-based programs (halfway

houses, residential centers, group homes, intensive training and counseling programs) that can be used as an alternative to jail or prison confinement, or (ii) pursue, by a variety of means, including community treatment subsidies, the goal of reduction of both adult and juvenile institutional population.

7. Offender Civil Disabilities and Employment Restrictions

Comprehensive review of employment restrictions (trade licensing, civil service, bonding, etc.) and civil disabilities (voting, citizenship, property and domestic rights) confronting ex-offenders. Remedial action should be initiated through legislation, executive policy and regulatory change, along with implementation of needed affirmative action programs, (e.g. special employment assistance, public education campaigns).

8. Other Programs

Bars may study and design project proposals for correctional improvement undertakings which do not fall under one of the foregoing BASICS subject areas. They will carry the "burden of proof" in establishing the relevance, need and viability of such efforts, but special projects of this kind may fairly be one of the subject matters of a planning/study grant and may be presented as an action program proposal resulting from the planning/study grant.

APPENDIX J

Funded Bar Association Questionnaire



PROGRAM IN SOCIAL ECOLOGY

IRVINE, CALIFORNIA 92664

(FUNDED BAR ASSOCIATION QUESTIONNAIRE)

The American Bar Association has established a special project to promote correctional reform. This project is known as Bar Association Support to Improve Correctional Services (BASICS). The A.B.A. has contracted with us to assess this special program.

We have designed this questionnaire to assist us in gathering information for our assessment. We earnestly solicit your cooperation in completing this questionnaire. All responses will be kept in strict confidence. Our report to the A.B.A. will include only aggregate data. This format will guarantee the anonymity of individuals and particular bar associations. Your responses should be sent directly to us in the enclosed postage-paid envelope. If you are unable to complete this questionnaire, could you please pass it along to an appropriate bar association member.

Thank you in advance for your cooperation. The thoroughness of our assessment is dependent, in large part, on the cooperation of bar members like you.

Sincerely yours,

Ross F. Conner
Assistant Professor

Gilbert Geis
Professor

C. Ronald Huff
Assistant Professor

INSTRUCTIONS

Please answer each of the following questions. In most cases, a short answer will be adequate. In some cases, we would like you to answer by circling *one* number on an answer scale. Feel free to add additional comments.

1. Name of bar association:
2. Address:
3. Telephone:
4. Your name:
5. Your position in bar association:
6. Year bar association was formed:
7. Number of bar association members:
8. Average attendance at regular bar meetings:
9. Number of full-time bar association staff:
10. How is the head of your bar association selected?

appointed _____
 elected _____

11. Who is most involved in policy decision-making within your bar association?
 (Please indicate one)

Bar officers (i.e., President, Vice-President, etc.) _____
 Bar staff (i.e., Executive Director, etc.) _____
 Committee chairpersons _____
 General membership _____

12. How many standing committees does your bar have?
13. Has your bar association been involved in criminal justice reform?
 (Circle one number)

No involvement Extensive involvement
 1 2 3 4 5 6 7

Please specify the kinds of involvement:

14. How many projects has your bar sponsored which were specifically aimed at promoting criminal justice reform? List project names, dates, and outcomes.

Project	Date	Outcome
---------	------	---------

15a. Do you have a bar association group specializing in criminal justice concerns?

_____ Yes _____ No

b. If yes, please characterize this group's involvement during the current BASICS project.
(Circle *one* number)

No involvement Extensive involvement
 1 2 3 4 5 6 7

16. What is the general attitude in your bar association regarding the importance of correctional reform?

Low priority High priority
 1 2 3 4 5 6 7

17. *Before* applying for the BASICS planning grant, which individuals or groups did your bar association contact about the proposal, if any?

- _____ corrections personnel
- _____ inmates
- _____ law enforcement personnel
- _____ judicial personnel
- _____ leaders of community organizations
- _____ others (specify)
- _____ none

18. Who prepared the application for the BASICS planning grant?

- _____ executive officer
- _____ individual bar association member
- _____ bar association committee (name: _____)
- _____ other (specify)

19. If you had *not* received a planning grant, would you have sought other sources of funding to continue your planning?

Very unlikely Very likely
 1 2 3 4 5 6 7

If so, what other sources might you have explored?

20. The eight BASICS categories are listed in the table below. Select the category or categories involved in your planning project, then indicate the percentage of BASICS funds used in each category. Leave blank the categories that do not apply. If your project deals with only one category, you will list 100% in the first column opposite the appropriate category.

In the remaining columns (columns [2] to [7]), indicate how the proportion of funds in each category was used. Again, use approximate percentages. Within a category, the total of columns [2] through [7] should add to 100%.

USE OF BASICS GRANT

CATEGORIES	PERCENT- AGE BASIC FUNDS used in this category	BREAKDOWN OF TOTAL: Percentage used in each category. (Totals of columns [2] through [7] within a category should equal 100%)					
		New staff salaries	Supplements to salaries of previous staff	New equip- ment	Resource materials (e.g., books)	Office supplies	Other (specify)
	[1]	[2]	[3]	[4]	[5]	[6]	[7]
1. Comprehensive Correctional Code Reform or Correctional System Restructuring							
2. Offender Legal Services							
3. Improved Grievance Procedures							
4. Improved Jail Facilities and Services							
5. Pretrial Diversion Programs							
6. Alternatives to Confinement							
7. Offender Civil Disabilities and Employment Restrictions							
8. Other programs <i>Specify:</i>							

Total=100%

21. Have the BASICS funds been sufficient for this planning phase?

Very insufficient				Adequate			More than sufficient
	1	2	3	4	5	6	7

If insufficient, how much more money was needed?

22a. Had your project been conceived before the BASICS Program was initiated?

_____ Yes _____ No

b. If yes, what stage had been reached?

23. Have the goals of your project changed since you applied for the BASICS grant?

_____ Many changes
 _____ Some changes
 _____ No changes

24. How easily do the goals of your project lend themselves to measurement?

Very easily							Not at all
	1	2	3	4	5	6	7

Please specify exactly what measures will be used:

25. Was the 90-day planning period sufficient?

Very insufficient				Adequate			More than sufficient
	1	2	3	4	5	6	7

If insufficient, how much more time was needed?

26a. During the planning grant period, to what extent were each of these groups involved?
(Circle *one* number for each group)

	No involvement						Extensive involvement
	1	2	3	4	5	6	7
Corrections personnel	1	2	3	4	5	6	7
Inmates	1	2	3	4	5	6	7
Judicial personnel	1	2	3	4	5	6	7
Law enforcement personnel	1	2	3	4	5	6	7
Leaders of community organizations	1	2	3	4	5	6	7
Concerned citizens groups	1	2	3	4	5	6	7
Politicians	1	2	3	4	5	6	7
Other (specify)	1	2	3	4	5	6	7

b. For those groups involved, cite specific contributions made by each.

27. How many bar members have actively been involved in your BASICS project?

28a. To what extent have minority groups been involved in this project?

Extensive involvement							No involvement
1	2	3	4	5	6	7	

b. If so, *which* minority groups have been involved and *how*?

29. In your opinion, is your bar association a viable force for correctional reform?

_____ Yes _____ No

Explain why or why not:

30. Please rate the following groups in regard to their viability as correctional reform agents. (Circle *one* number for each group)

	Low viability				High viability		
	1	2	3	4	5	6	7
Inmate organizations	1	2	3	4	5	6	7
Law enforcement personnel	1	2	3	4	5	6	7
Local bar associations	1	2	3	4	5	6	7
State bar associations	1	2	3	4	5	6	7
National bar association	1	2	3	4	5	6	7
Concerned citizen groups	1	2	3	4	5	6	7
Politicians	1	2	3	4	5	6	7
Judicial personnel	1	2	3	4	5	6	7
Leaders of community organizations	1	2	3	4	5	6	7
Others (specify)	1	2	3	4	5	6	7

31a. The BASICS Program has adopted a two-phase approach for their grants (i.e., a small-grant planning phase, followed by a large-grant action phase). Do you agree with this general method of administering grant money?

Strongly agree

Strongly disagree

1 2 3 4 5 6 7

b. Explain:

32. Do you have any suggestions for improving the technical procedures for administering and coordinating grants of this sort in the future?

33a. Did a representative from your bar attend the BASICS workshop?

_____ Yes _____ No

If yes, which workshop?

_____ Washington

_____ San Francisco

b. If so, what parts of that workshop were most useful to your representative?

c. How could the workshop be improved?

34a. Was your project visited by BASICS Washington Staff?

_____ Yes _____ No

b. If so, how useful was that visit?

Very useful

1

2

3

4

5

6

Not at all useful

7

c. Which aspects of the visit were most useful?

35. If you should not receive an action grant, will this project be pursued by your bar association?

Very unlikely

1

2

3

4

5

6

Very likely

7

36. Do you have any brief reports or copies of newspaper clippings which describe your BASICS project? If so, please attach copies of these things when you return your questionnaire.

37. Do you have any additional comments?

Thank you for your cooperation

APPENDIX K

Applicant/Non-Funded Bar Association
Questionnaire and Non-Applicant Bar
Association Questionnaire

UNIVERSITY OF CALIFORNIA, IRVINE

BERKELEY • DAVIS • IRVINE • LOS ANGELES • RIVERSIDE • SAN DIEGO • SAN FRANCISCO



SANTA BARBARA • SANTA CRUZ

PROGRAM IN SOCIAL ECOLOGY

IRVINE, CALIFORNIA 92664

(APPLICANT, NON-FUNDED BAR ASSOCIATION QUESTIONNAIRE)

The American Bar Association has established a special project to promote correctional reform. This project is known as Bar Association Support to Improve Correctional Services (BASICS). The A.B.A. has contracted with us to assess this special program.

We have designed this questionnaire to assist us in gathering information for our assessment. We earnestly solicit your cooperation in completing this questionnaire. All responses will be kept in strict confidence. Our report to the A.B.A. will include only aggregate data. This format will guarantee the anonymity of individuals and particular bar associations. Your responses should be sent directly to us in the enclosed postage-paid envelope. If you are unable to complete this questionnaire, could you please pass it along to an appropriate bar association member.

Thank you in advance for your cooperation. The thoroughness of our assessment is dependent, in large part, on the cooperation of bar members like you.

Sincerely yours,

Ross F. Conner
Assistant Professor

Gilbert Geis
Professor

C. Ronald Huff
Assistant Professor

INSTRUCTIONS

Please answer each of the following questions. In most cases, a short answer will be adequate. In some cases, we would like you to answer by circling *one* number on an answer scale. Feel free to add additional comments.

- 1. Name of bar association:
- 2. Address:
- 3. Telephone:
- 4. Your name:
- 5. Your position in bar association:
- 6. Year bar association was formed:
- 7. Number of bar association members:
- 8. Average attendance at regular bar meetings:
- 9. Number of full-time bar association staff:
- 10. How is the head of your bar association selected?

appointed _____

elected _____

- 11. Who is most involved in policy decision-making within your bar association?
(Please indicate one)

Bar officers (i.e., President, Vice-President, etc.) _____

Bar staff (i.e., Executive Director, etc.) _____

Committee chairpersons _____

General membership _____

- 12. How many standing committees does your bar have?

- 13. Has your bar association been involved in criminal justice reform?
(Circle one number)

No involvement	Extensive involvement
1 2 3 4 5 6 7	

Please specify the kinds of involvement:

- 14. How many projects has your bar sponsored which were specifically aimed at promoting criminal justice reform? List project names, dates, and outcomes.

Project

Date

Outcome

15a. Do you have a bar association group specializing in criminal justice concerns?

_____ Yes _____ No

b. If yes, please characterize this group's involvement in the BASICS application process.

No involvement							Extensive Involvement
1	2	3	4	5	6	7	

16. What is the general attitude in your bar association regarding the importance of correctional reform?

Low priority							High priority
1	2	3	4	5	6	7	

17. Before applying for the BASICS planning grant, which individuals or groups did your bar association contact about the proposal, if any?

- | | |
|---------------------------------|--|
| _____ corrections personnel | |
| _____ inmates | _____ leaders of community organizations |
| _____ law enforcement personnel | _____ other (specify) |
| _____ judicial personnel | _____ none |

18. Who prepared the application for the BASICS planning grant?

- | | |
|-----------------------------|---|
| _____ executive officer | _____ bar association committee (name: _____) |
| _____ individual bar member | _____ other (specify) |

19a. Had your project been conceptualized before you heard about the BASICS Program?

_____ Yes _____ No

b. If yes, what stage had been reached?

20a. Has your bar association decided to pursue the project you proposed?

_____ Yes _____ No _____ Undecided

b. If so, have the goals of your project changed in any way?

_____ Many changes _____ Some changes _____ No changes

c. Please specify any changes which have occurred:

21. Although you did not receive a planning grant, have you obtained other funds or firm commitments ~~to~~ funds?

_____ Yes _____ No

If so, please specify these sources of funds:

22. In your opinion, is your bar association a viable force for correctional reform?

_____ Yes _____ No

Explain why or why not:

23. Please rate the following groups in regard to their viability as correctional reform agents.
(Circle *one* number for each group)

	<i>Low viability</i>				<i>High viability</i>		
	1	2	3	4	5	6	7
Inmate organizations	1	2	3	4	5	6	7
Law enforcement personnel	1	2	3	4	5	6	7
Local bar associations	1	2	3	4	5	6	7
State bar associations	1	2	3	4	5	6	7
National bar association	1	2	3	4	5	6	7
Concerned citizen groups	1	2	3	4	5	6	7
Politicians	1	2	3	4	5	6	7
Judicial personnel	1	2	3	4	5	6	7
Leaders of community organizations	1	2	3	4	5	6	7
Others (specify)	1	2	3	4	5	6	7

- 24a. The BASICS Program has adopted a two-phase approach for their grants (i.e., a small-grant planning phase, followed by a large-grant action phase). Do you agree with this general method of administering grant money?

Strongly *agree*

Strongly *disagree*

1 2 3 4 5 6 7

- b. Explain:

25. Do you have any suggestions for improving the technical procedures for administering and coordinating grants of this sort in the future?

26. In your opinion, what criteria do you feel were utilized in awarding planning grants?

27. In your opinion, was your proposal given a fair assessment by BASICS?

_____ Yes _____ No

Please explain:

28. Do you have any additional comments?

Thank you for your cooperation

UNIVERSITY OF CALIFORNIA, IRVINE

BERKELEY • DAVIS • IRVINE • LOS ANGELES • RIVERSIDE • SAN DIEGO • SAN FRANCISCO



SANTA BARBARA • SANTA CRUZ

PROGRAM IN SOCIAL ECOLOGY

IRVINE, CALIFORNIA 92664

(NON-APPLICANT BAR ASSOCIATION QUESTIONNAIRE)

The American Bar Association has established a special project to promote correctional reform. This project is known as Bar Association Support to Improve Correctional Services (BASICS). The A.B.A. has contracted with us to assess this special program.

We have designed this questionnaire to assist us in gathering information for our assessment. We earnestly solicit your cooperation in completing this questionnaire. All responses will be kept in strict confidence. Our report to the A.B.A. will include only aggregate data. This format will guarantee the anonymity of individuals and particular bar associations. Your responses should be sent directly to us in the enclosed postage-paid envelope. If you are unable to complete this questionnaire, could you please pass it along to an appropriate bar association member.

Thank you in advance for your cooperation. The thoroughness of our assessment is dependent, in large part, on the cooperation of bar members like you.

Sincerely yours,

Ross F. Conner
Assistant Professor

Gilbert Geis
Professor

C. Ronald Huff
Assistant Professor

INSTRUCTIONS

Please answer each of the following questions. In most cases, a short answer will be adequate. In some cases, we would like you to answer by circling *one* number on an answer scale. Feel free to add additional comments.

15. Do you have a bar association group specializing in criminal justice concerns?

_____ Yes _____ No

16. What is the general attitude in your bar association regarding the importance of correctional reform?

Low priority High priority
 1 2 3 4 5 6 7

17a. Did your bar association hear about the BASICS Program?

_____ Yes _____ No

b. If so, why was application not made for one of the BASICS planning grants?

18. In your opinion, is your bar association a viable force for correctional reform?

_____ Yes _____ No

Explain why or why not:

19. Please rate the following groups in regard to their viability as correctional reform agents. (Circle *one* number for each group)

	Low viability						High viability
	1	2	3	4	5	6	7
Inmate organizations	1	2	3	4	5	6	7
Law enforcement personnel	1	2	3	4	5	6	7
Local bar associations	1	2	3	4	5	6	7
State bar associations	1	2	3	4	5	6	7
National bar association	1	2	3	4	5	6	7
Concerned citizen groups	1	2	3	4	5	6	7
Politicians	1	2	3	4	5	6	7
Judicial personnel	1	2	3	4	5	6	7
Leaders of community organizations	1	2	3	4	5	6	7

20. The BASICS Program has adopted a two-phase approach for their grants (i.e., a small-grant planning phase, followed by a large-grant action phase). Do you agree with this general method of administering grant money?

Strongly *agree*

Strongly *disagree*

1 2 3 4 5 6 7

Explain:

21. Do you have any additional comments:

Thank you for your cooperation

APPENDIX L

Letter from Robert McKay to Bar Association

**CHAIRMAN**

Robert B. McKay
N.Y. Univ. School of Law
New York, N.Y. 10012

VICE-CHAIRMAN

Robert P. Murray
P.O. Drawer B.W.
Lakeland, Fla. 33802

Sylvia Bacon
Washington, D.C.

James V. Bennett
Bethesda, Md.

George J. Belo
Huntsville, Texas

Bertram S. Brown
Rockville, Md.

Bennett J. Cooper
Columbus, Ohio

John R. Dunne
Garden City, N.Y.

Joseph Harrison
Newark, N.J.

A. Leon Higginbotham, Jr.
Philadelphia, Pa.

Richard J. Hughes
Trenton, N.J.

Florence M. Kelley
New York, N.Y.

William D. Leeke
Columbia, S.C.

Carl M. Loeb, Jr.
New York, N.Y.

Richard A. McGee
Sacramento, Cal.

Robert S. McNamara
Washington, D.C.

Karl Menninger
Topeka, Kansas

Norval Morris
Chicago, Illinois

Patrick V. Murphy
Washington, D.C.

Grace Olivarez
Albuquerque, N.M.

Lawrence W. Pierce
New York, N.Y.

Louis Randall
Chicago, Illinois

Irving R. Segal
Philadelphia, Pa.

Maurice H. Sigler
Washington, D.C.

Charles E. Silberman
Mt. Vernon, N.Y.

Irvine Ungerman
Tulsa, Oklahoma

STAFF DIRECTOR

Daniel L. Skoler

ASSISTANT STAFF DIRECTORS

Arnold J. Hopkins
Melvin T. Axilbund

**ASSOCIATED PROJECTS AND
PROJECT DIRECTORS**

National Volunteer
Parole Aide Program

Peter J. Gurfein - 202/872-0030

National Clearinghouse on
Offender Employment Restrictions

James W. Hunt - 202/872-0010

Resource Center on Correctional
Law and Legal Services

Melvin T. Axilbund - 202/293-1712

Statewide Jail Standards and
Inspection Systems Project

Arnold J. Hopkins - 202/659-9697

National Pretrial Intervention
Service Center

Arnold J. Hopkins - 202/659-9697

Clearinghouse for Offender
Literacy Programs

Janet K. Carsett - 202/223-5686

Correctional Economics Center
Billy Wayson - 202/223-8547

Bar Association Support to
Improve Correctional Services

David J. Linden - 223-1848

Affiliated Project:
Correctional Information Service, Inc.

Richard Kwartler - 212/661-2622

March 27, 1975

TO: Executive Directors of Major State and
Local Bar Associations

Dear Bar Executive:

The enclosed questionnaire is being sent to bar associations across the country as part of a study being conducted on the role of the bar in correctional reform. This is an important survey and quite critical to the ABA program in penal reform and its current partnership with state and local bar groups in that endeavor. We would be most grateful if you could complete the questionnaire soon and return it in the enclosed, postage-paid envelope. Your answers will be kept confidential by the faculty members at the University of California who are conducting this survey for us.

Thank you in advance for your cooperation. Mindful of the "pressure cooker" schedules of bar executives and the many calls upon their time, we have asked our research consultants to keep questionnaire content to the minimum and are all the more grateful for your help.

Sincerely,

Robert B. McKay
Chairman

cc: ABA President James D. Fellers and
NABE President Kay M. Runyon

APPENDIX M

BASICS Staff Site Visit Report Form

BASICS Evaluation Project

Site Report

1. Name of bar association:
2. Location of project:
3. How much contact has been made by Washington BASICS staff with this project?

infrequent	moderate	frequent
1 2 3 4 5 6 7		

4. Prior to BASICS, how involved has this bar association been in correctional reform programs?

no involvement	extensive involvement
1 2 3 4 5 6 7	

Specify:

5. What motivated this bar association to become involved in correctional reform?
6. Was this project planned prior to BASICS, or did BASICS stimulate the planning?

Planned previously _____

Stimulated by BASICS _____

7. What goals are emphasized by project staff?
8. Did you perceive latent, unstated goals?

9. Have any major changes been made in the project's goals since its original outline?

None							Many
1	2	3	4	5	6	7	

Specify these changes:

10. Who has the most power in this project?

Project director _____	Other project staff _____
Other bar staff _____	Outsiders _____

11. What degree of organizational structure has been established in this project?

loosely structured	moderately structured	highly structured
1	2 3 4 5 6	7

12. What major problems or obstacles have been encountered or are anticipated?

13. What major assets/resources are available to the project which appear to increase its chances for success?

14. How many contacts did the project staff have with individuals or groups outside the bar association?

none	some	many
1	2 3 4 5 6	7

15. What sectors did these groups represent?

- correctional personnel _____
- inmates _____
- law enforcement personnel _____
- judicial personnel _____
- leaders of community _____
- organizations _____
- others (specify) _____

16. Compared with other BASICS programs, how much input has been solicited from outside the bar association?

minimal extensive

1 2 3 4 5 6 7

17. Compared with other BASICS programs, how successful has this program been in involving outsiders in the planning process?

unsuccessful highly successful

1 2 3 4 5 6 7

18. Compared with other BASICS planning projects, how did this project progress?

efficiently inefficiently

1 2 3 4 5 6 7

19. Compared with other BASICS programs, how many bar members have been actively involved in the planning grant process?

few many

1 2 3 4 5 6 7

20. Have the projects goals been translated into criteria that will be measurable?

criteria impossible to measure criteria easy to measure

1 2 3 4 5 6 7

21. Has the project created instruments to measure outcomes from the action phase?

Yes _____ No _____

22. If action grant money is not forthcoming, how likely is it that this association will pursue the project?

unlikely _____ very likely

1 2 3 4 5 6 7

23. If so, what alternate sources of funds would be utilized?

24. What is your perception of the prevailing attitude of project staff toward the project at the moment?

pessimistic _____ optimistic

1 2 3 4 5 6 7

25. In your opinion, how likely is it that this project will be awarded any action grant?

unlikely _____ very likely

1 2 3 4 5 6 7

Washington staff member:

Date of Contacts:

APPENDIX N

Comparability of 20 Projects Randomly
Selected for Site Visits by the University
of California Evaluation Team

Table 6

COMPARISON OF THE SAMPLE OF 20 PROJECTS SELECTED
FOR SITE VISITS WITH ALL FUNDED PROJECTS

(\bar{x} = mean; SD = standard deviation; Med = median; n = number)

Characteristic	Data on Site Visit Sample	Data on All Grantees
Age of Association	\bar{x} = 69.6 SD = 45.8 Med = 71.5 n = 14	\bar{x} = 70.1 SD = 33.4 Med = 76.1 n = 58
Number of bar members	\bar{x} = 2242.8 SD = 2601.0 Med = 1300 n = 20	\bar{x} = 4677.2 SD = 7439.5 Med = 1700 n = 77
Number of full-time staff	\bar{x} = 5.7 SD = 5.7 Med = 3.5 n = 15	\bar{x} = 15.8 SD = 31.9 Med = 5.9 n = 54
Number of standing committees	\bar{x} = 29.8 SD = 23.7 Med = 23.0 n = 16	\bar{x} = 29.6 SD = 19.4 Med = 22.4 n = 63
Number of active bar members	\bar{x} = 11.9 SD = 6.7 Med = 10.0 n = 16	\bar{x} = 19.8 SD = 15.4 Med = 13.8 n = 58
Action grant proposal ratings	\bar{x} = 3.1 SD = 1.2 Med = 3.2 n = 16	\bar{x} = 3.0 SD = 1.3 Med = 3.2 n = 55
Average involvement of outside groups	\bar{x} = 3.8 SD = 0.9 Med = 3.8 n = 18	\bar{x} = 4.2 SD = 1.2 Med = 4.1 n = 65

APPENDIX O

University of California Site Visit Report Form

BASICS Evaluation Project

Site Report*

Interviewer:

Date:

Interviewee:

Interviewee's position in bar association:

1. Name of bar association:
2. Location of project:
3. Prior to BASICS, how involved has your bar association been in correctional reform programs?

No
Involvement

Some
Involvement

Extensive
Involvement

Kinds of Involvement:

4. What motivated your bar association to become involved in correctional reform?
5. Was this project planned prior to BASICS, or did BASICS stimulate the planning?

Planned previously _____

Stimulated by BASICS _____

6. What goals are emphasized by project staff?
7. (Did you perceive latent or recurrent themes?)

*NOTE: Questions in parentheses were not asked explicitly during the site visit. The other questions were asked explicitly of the project representatives.

8. Have any major changes been made in your project's goal since its original outline?

None

Some

Many

Specify these changes:

- 9a. Who is most centrally involved in decision-making in this project?

- b. (Who has the most power in this project?)

Project director _____ Other project staff _____

Other bar staff _____ Outsiders _____

10. What degree of organizational structure has been established in your project?

Loosely
structured _____Moderately
structured _____Highly
structured _____

Data:

11. What major problems or obstacles have been encountered or are anticipated?

12. What major assets/resources are available to your project which appear to increase its chances for success?

13. How many contacts did the project staff have with individuals or groups outside the bar association?

None

Some

Many

Data:

14. What sectors did these groups represent?

<u>SECTOR</u>	<u>DEGREE OF CONTACT</u>
correctional personnel	_____
inmates	_____
law enforcement personnel	_____
judicial personnel	_____
leaders of community organizations	_____
others (specify)	_____

15. (Compared with other BASICS programs, how much input has been solicited from outside the bar association?)

None Some Extensive

16a. (Considering the nature of this project, how much of an effort has been made to involve outsiders?)

None Some Extensive

b. (How successful have these efforts been?)

Unsuccessful _____ Somewhat successful _____ Highly Successful _____

17a. Was a formal timetable developed for your project?

Yes _____ No _____

b. Is the project on schedule? Yes _____ No _____

c. (Do you believe that the project is on schedule?)

Yes _____ No _____

18a. About how many bar members have actively been involved in the planning grant process?

b. As Project Director, have you been satisfied with the willingness of bar members to become involved in this project?

Very unsatisfied	Unsatisfied	Satisfied	Very Satisfied
/ _____ /	/ _____ /	/ _____ /	/ _____ /

19. Have your projects goals been translated into criteria that will be measurable?

Unmeasurable _____ Measurable _____

Data:

20. (Has the project created instruments to measure outcomes from the action phase?)

Yes _____ No _____

- 21a. If action grant money is not forthcoming, how likely is it that your association will pursue the project?

Very unlikely Unlikely Likely Very likely
/ _____ / _____ / _____ /

- b. If so, what alternate sources of funds could be utilized?

Data:

22. What is your perception of the prevailing attitude of project staff toward the project at the moment?

Pessimistic _____ Mixed _____ Optimistic _____

23. (What is your perception of the prevailing attitude of project staff toward the project at the moment?)

Pessimistic _____ Mixed _____ Optimistic _____

- 24a. In your opinion, how likely is it that your project will be awarded an action grant?

Very unlikely Unlikely Likely Very likely
/ _____ / _____ / _____ /

- b. (In your opinion, how likely is it that this project will be awarded an action grant?)

Very unlikely Unlikely Likely Very likely
/ _____ / _____ / _____ /

25a. Have your contacts with the Washington BASICS staff been satisfactory?

(Discussion)

b. How would you characterize your contacts with the Washington BASICS staff?

Very unsatisfactory	Unsatisfactory	Satisfactory	Very Satisfactory
/ _____	/ _____	/ _____	/ _____

List of Persons Contacted

NAME

POSITION

DATE

APPENDIX P

Interview Schedules for BASICS Staff
and Clark Foundation Representative

INTERVIEW SCHEDULE
FOR BASICS STAFF

1. How did BASICS begin?
2. When did you begin working with BASICS? Why?
- 3a. What was your initial understanding of the philosophy of the BASICS Program?
 - b. Have there been any changes in that philosophy?
4. How did BASICS select Management Board members?
5. How were the eight planning grant categories chosen?
6. Explain the process BASICS went through to solicit planning grant applications.
7. What were your reactions to the process of selecting planning grantees?
8. In our field interviews and in some of the questionnaire responses, some people felt that some planning awards were made for reasons other than merit. In your opinion, is there any validity to this feeling?
9. What are your overall impressions of the planning phase?
10. In general, what took place during your site visits?
11. What is your evaluation of the usefulness of staff site visits?
12. Rate the usefulness to the projects of staff site visits?

1	2	3	4	5	6	7
Very useful			somewhat useful			Not at all useful
13. How were the site visits utilized in staff decision-making?
14. What were your reactions to the process of selecting action grantees?
15. Were you satisfied with the performance of the Management Board members?
- 16a. Were you satisfied with the administration of the project?
 - b. Do you have any suggestions for improving the administration?

- 17a. In your opinion, what goals were emphasized by the Clark Foundation?
 - b. At what point did you realize that the Foundation was interested in bar activity?
 - c. How did you explain bar activation to the projects?
 - d. What is your assessment of the Foundation's commitment to the project at this time?
- 18a. How do you see the future of the project?
- b. What strengths and problems do you foresee?

INTERVIEW SCHEDULE
FOR CLARK FOUNDATION REPRESENTATIVE

1. Since the Clark Foundation has played such an instrumental role in the BASICS program, it would be useful for us to learn more about the Foundation. Could you give us a brief summary of its history?
2. What are the main program emphases of the Clark Foundation? Have they changed over time?
3. Where does BASICS fit into the overall program of the Foundation?
4. How was contact initially established between the Clark Foundation and the A.B.A.? What, if any, contact had existed previously?
5. From the Foundation's perspective, what are the principal goals of BASICS?
6. When did the Foundation first become interested in "bar activation"?
7. Why has "bar activation" been such a central interest of the Foundation?
8. For a hypothetical bar association, what would "bar activation" ideally include?
9. What were your overall impressions of the planning phase?
10. Briefly, how would you assess the three pre-selected demonstration projects on their accomplishments to date?
11. Were you satisfied with the process of selecting the 21 action project grantees?
12. What is your assessment of the administration of BASICS thus far?
13. From your point of view, what has (have) been the major accomplishment(s) of BASICS?
14. What has (have) been major shortcomings/disappointments of the BASICS program?
15. Looking ahead, what strengths and problems do you envision for the BASICS program?

APPENDIX Q

Statistical Summary -- Funded Bar Associations

STATISTICAL SUMMARY OF QUESTIONNAIRE ANSWERS

FUNDED BAR ASSOCIATIONS

(n = number of respondents; \bar{x} = mean or average;
SD = standard deviation of the mean; Med = median)

Question 1 - Question 5: Name, address and telephone number of bar association; name and position of person completing questionnaire. These answers were used only for identification.

Question 6: Age of bar association (years)

n = 58 \bar{x} = 70.1 Med = 76.1 Range: 3-173
SD = 33.4

Question 7: Number of bar association members

n = 77 \bar{x} = 4677.2 Med = 1700 Range: 15-49000
SD = 7439.5

Question 8: Average attendance

n = 58 \bar{x} = 539.7 Med = 250.3 Range; 30-5000
SD = 776.9

(Note: The meaning of these data is ambiguous since some associations may have listed annual meeting attendance and others may have listed monthly meeting attendance.)

Question 9: Number full-time staff

n = 58 \bar{x} = 15.8 Med = 59 Range = 0-188
SD = 31.9

Associations with no full-time staff = 7

Question 10: Head of bar association selected?

n = 67 Elected = 67

Question 11: Involved in policy-decision making

n = 65 Bar Officer - 47; Board - 9; Officer and Board - 4;
 Committee Chairperson - 2; Officer and staff - 1;
 Officer and committee chairperson - 1; General
 membership - 1.

Question 12: Number standing committees?

n = 63 \bar{x} = 29.6 Med = 22.4 Range: 1-90
 SD = 19.4

Question 13: a) Bar association involved in criminal justice
 reform?

n = 64 \bar{x} = 4.1 Med = 4.0
 SD = 2.2

b) Kinds of involvement

n = 64 Low = 34 High = 30

Question 14: Projects in criminal justice reform

n = 50 \bar{x} = 2.2 Med = 1.8 Range: 0-7
 SD = 1.7

Question 15: a) Bar group specializing in criminal justice
 concerns?

n = 67 Yes = 60 No = 7

b) If yes, group's involvement during BASICS?

n = 60 \bar{x} = 5.6 Med = 6.5
 SD = 1.9

Question 16: General attitude regarding importance of correc-
 tional reform?

n = 66 \bar{x} = 4.9 Med = 4.9
 SD = 1.6

Question 17: Before applying, contacted which groups?

	<u>YES</u>	<u>NO</u>
Corrections personnel	45	14
Inmates	23	36
Law enforcement personnel	34	25
Judicial personnel	36	23
Leaders of community organization	38	21
Providers of legal services?	4	
State Planning agency	3	
Legislators	2	
Mayor	2	
Others (Funding agency, ex-inmate organization, mental health personnel, media)		

Average number of groups contacted = 2.8

(n = 67 SD = 1.8)

Question 18: Who prepared BASICS application?

n = 67 Corrections Committee - 21; Executive Officer - 12; Individual bar member - 11; Bar committee (unspecified) - 11; Judicial reform committee - 4; Project director - 3; Committee officer - 3; Other (Citizen Rights Committee, YLS).

Question 19: a) If no planning grant, would have sought other funding?

n = 66 \bar{x} = 3.1 Med = 2.2
SD = 2.2

b) Possible sources listed: LEAA - 13; Private - 16; State funds - 6; County funds - 3; Bar Association - 3; CETA - 2; NSF - 2; Individual contributions - 2; Miscellaneous others (11)

Question 20: Use of BASICS Funds

a) Number of associations by percentage of funds expended in each program category

Program Category	Percentage of Funds Expended				
	0%	1%-33%	34%-65%	66%-99%	100%
1. Correctional Code Reform or system Restructuring	54	4	1	2	5
2. Offender Legal Services	48	6	2	2	8
3. Improved Grievance Procedures	55	5	1	1	4
4. Improved Jail Facilities and Services	51	4	1	2	10
5. Pretrial Diversion	31	2	3	0	9
6. Alternatives to Confinement	51	4	4	1	6
7. Offender Civil Disabilities and Employment Restrictions	56	2	1	0	7

b) Breakdown of total: Number of associations by percentage of funds expended in specific ways (across program categories)

Expenditures	Percentage of Funds				
	0%	1%-33%	34%-65%	66%-99%	100%
1. New Staff	20	4	4	20	7
2. Supplements to Staff Salaries	46	5	1	2	1
3. New Equipment	54	1	0	0	0
4. Resource Materials	43	11	1	0	0
5. Office Supplies	29	24	2	0	0
6. Public Relations	53	2	0	0	0
7. Travel	41	10	2	1	1
8. Other*	24	15	6	3	7

*Other = General operating expenses, special consultant services, printing and an orientation dinner.

Question 21: a) BASICS funds sufficient?

n = 67 \bar{x} = 4.6 Med = 43
SD = 1.8

b) If insufficient, how much more money?

n = 11 \$1000 - 5; \$2000 - 4; \$4000 - 1; \$7000 - 1

Question 22: a) Project conceived before BASICS?

n = 66 Yes - 35 No - 31

b) If yes, stage reached?

n = 35 Conceptual - 18; Preliminary plans made - 9;
Needs assessment - 4; Existing project - 4

Question 23: Project goals changed since application?

n = 67 Many changes - 6
Some changes - 39
No changes - 22

Question 24: a) Project goals lend themselves to measurement?

n = 64 \bar{x} = 3.5 Med = 3.9
SD = 1.9

b) Measures

n = 49 Measures listed: 43
No Measures listed: 6

Question 25: a) 90-day period sufficient?

n = 67 \bar{x} = 3.2 Med = 3.3
SD = 1.5

b) If insufficient, how much more time?

n = 28 1 month - 5; 2 months - 7; 3 months - 9;
4 months - 3; 6 months - 3; 12 months - 1.

Question 26: Involvement of outside groups during planning
study phase

a) Degree of involvement

1. Corrections personnel	n = 64	\bar{x} = 5.3 (SD = 1.6) Med = 5.7
2. Inmates	n = 56	\bar{x} = 3.6 (SD = 2.1) Med = 3.4
3. Judicial personnel	n = 60	\bar{x} = 4.1 (SD = 2.0) Med = 4.3
4. Law enforcement personnel	n = 60	\bar{x} = 4.1 (SE = 2.1) Med = 4.2
5. Leaders of community org.	n = 61	\bar{x} = 4.6 (SD = 1.9) Med = 4.9
6. Concerned citizen groups	n = 58	\bar{x} = 4.4 (SD = 2.0) Med = 4.9
7. Politicians	n = 65	\bar{x} = 3.7 (SD = 2.0) Med = 3.5
8. Other: University personnel (4); public defender (4); ex-inmate groups (3); government agencies (2); medical personnel (2).		

Average Involvement of Outsiders in Each Association:

n = 65 \bar{x} = 4.2 Med = 4.1
SD = 1.2

b) Kinds of involvement (frequency)

1. Corrections personnel:	Advisory - 23 Active Assistance - 13
2. Inmates	Advisory - 23 Active Assistance - 5
3. Judicial personnel	Advisory - 23 Active Assistance - 7
4. Law Enforcement personnel	Advisory - 21 Active Assistance - 5
5. Leaders of community org.	Advisory - 24 Active Assistance - 7
6. Concerned citizen groups	Advisory - 20 Active Assistance - 4
7. Politicians	Advisory - 12 Active Assistance - 2
8. Other	In general, advisory

Question 27: Number bar members actively involved in BASICS

n = 58 \bar{x} = 19.8 Med = 13.8 Range: 3-65
SD = 15.4

Question 28: Involvement of minority groups in planning/study phase

n = 61 \bar{x} = 4.2 Med = 4.3
SD = 2.0

<u>Group (n)</u>	<u>Kind of involvement (n)</u>
Blacks (30)	Advisory (23)
Mexican-Americans (10)	Advisory (7)
Women (10)	Advisory (9)
Inmates (6)	Advisory (5)
Puerto Ricans (5)	Advisory (5)

Others: Indians (2), Eskimos (1), Ex-inmates (1).

Question 29: a) Your bar association viable force for correctional reform?

n = 64 Yes - 56 No - 8

b) Explanations

Positive: Expertise (22); perceived legitimacy (5); organization resources (4)

Negative: Lack of organization resources (3)
Lack if perceived legitimacy (1)

Question 30: Viability as correctional reform agents

1. Inmate organizations	n = 60	\bar{x} = 2.5 (SD = 1.7) Med = 2.1
2. Law enforcement personnel	n = 59	\bar{x} = 3.9 (SD = 1.8) Med = 4.0
3. Local bar association	n = 59	\bar{x} = 4.9 (SD = 1.7) Med = 5.0
4. State bar association	n = 58	\bar{x} = 5.0 (SD = 1.6) Med = 5.4
5. National bar association	n = 56	\bar{x} = 4.6 (SD = 1.6) Med = 4.7
6. Concerned citizens groups	n = 59	\bar{x} = 4.6 (SD = 1.5) Med = 4.6

- | | | |
|------------------------------|--------|----------------------------|
| 7. Politicians | n = 59 | \bar{x} = 4.8 (SD = 1.7) |
| | | Med = 5.2 |
| 8. Judicial personnel | n = 60 | \bar{x} = 4.9 (SD = 1.7) |
| | | Med = 5.3 |
| 9. Leaders of community org. | n = 59 | \bar{x} = 4.6 (SD = 1.5) |
| | | Med = 4.8 |
10. Other groups listed: district attorneys, public defenders, mental health personnel, churches, legal aid personnel and interested individual laypersons

Question 31: a) Two-phase method of administering grant

n = 64 \bar{x} = 3.0 Med = 2.9
SD = 1.8

b) Explanations

Positive: Grant emphasizes the importance of planning (10), provides resources for planning (5), provides opportunity of needs assessment (3), other positive-misc (5)

Negative: Not enough time and money (6), raises expectations falsely (6), other negative-misc. (6)

Question 32: Suggestions for improving administration

Better coordination between BASICS and projects (8); more time and money (7); provide report guidelines earlier (5); more realistic requirements (3); better coordination between BASICS and ABA-Chicago (2); enforce time schedule (2); other - misc. (7).

Question 33: a) Attend workshop?

n = 67 Yes - 54 no - 13

Which workshop?

n = 54 Washington - 32 San Francisco - 22

b) Parts most useful?

Small-group discussions (12); talking with other projects (9); information regarding funds (6); discussion of BASICS philosophy (6); other-misc.(7).

c) Suggestions for improvements?

More efficient use of time (10); more time (2);
other-misc. (11).

Question 34: a) Project visited by BASICS staff?

n = 66 yes - 58 no - 8

b) How useful was the visit?

n = 58 \bar{x} = 2.8 Med = 2.2
SD = 1.8

c) Most useful aspects of visit?

Clarification of BASICS guidelines (26); exper-
tise (0); physical presence (8)

Question 35: Pursue project if no action grant?

n = 62 \bar{x} = 4.0 Med = 4.2
SD = 2.1

Question 36: Reports or clippings?

yes - 20 no - 47

Question 37: Additional comments

yes - 16 no - 51

APPENDIX R

Statistical Summary -- Non-Funded Bar Associations

STATISTICAL SUMMARY OF QUESTIONNAIRE ANSWERS

NON-FUNDED BAR ASSOCIATIONS

(n = number of respondents; \bar{x} = mean or average;
SD = standard deviation of the mean; Med = median)

Question 1 - Question - 5: Name, address, and telephone number of bar association; name and position of person completing questionnaire. These answers were used only for identification.

Question 6: Age of bar association (years)

n = 14 \bar{x} = 74.1 Med = 75.5 Range: 18-139
SD = 34.9

Question 7: Number of bar association members

n = 19 \bar{x} = 3114.8 Med = 1839 Range: 60-17500
SD = 4407.2

Question 8: Average attendance

n = 19 \bar{x} = 405.3 Med = 150.0 Range: 20-1500
SD = 484.7

(Note: The meaning of these data is ambiguous since some associations may have listed annual meeting attendance and others may have listed monthly meeting attendance.)

Question 9: Number full-time staff

n = 19 \bar{x} = 9.6 Med = 2.7 Range: 0-125
SD = 28.1

Associations with no full-time staff = 3

Question 10: Head of bar association selected?

n = 19 Elected = 19

Question 11: Involved in policy decision-making?

n = 18 Bar officers = 13; Board = 3; Committee chair-
person = 1; General membership = 1

Question 12: Number standing committees?

n = 18 \bar{x} = 28.3 Med = 30.0 Range: 6-70
SD = 18.0

Question 13: a) Bar association involved in criminal justice reform?

n = 19 \bar{x} = 3.6 Med = 3.4
SD = 1.9

b) Kinds of involvement

n = 19 Low = 10 High = 9

Question 14: Projects in criminal justice reform

n = 19 \bar{x} = 2.1 Med = 1.7 Range: 0-9
SD = 2.2

Question 15: a) Bar group specializing in criminal justice concerns?

n = 18 yes = 14 no = 4

b) If yes, group's involvement during BASICS?

n = 14 \bar{x} = 4.6 Med = 5.5
SD = 2.5

Question 16: General attitude regarding importance of correctional reform?

n = 17 \bar{x} = 4.0 Med = 3.8
SD = 2.0

Question 17: Before applying, contacted which groups?

	<u>YES</u>	<u>NO</u>
Corrections personnel	7	10
Inmates	1	16
Law enforcement personnel	7	10
Judicial personnel	9	8
Leaders of community organizations	8	9

Others (Providers of legal services (3); mental health planners; criminal justice attorneys; directors of halfway houses; Director of Dept. of Social and Health Service; public defender; county corrections commission; Team for Justice; prosecutor; media.)

Average number of groups contacted = 2.1

(n = 19 SD = 1.3)

Question 18: Who prepared BASICS application?

n = 18 Individual bar member - 5; Corrections Committee - 4; Bar committee (unspecified) - 4; Executive officer - 4; Project director - 1.

Question 19: a) Project conceived before BASICS?

n = 16 Yes - 7 No - 9

b) If yes, stage reached?

n = 7 Conceptual - 3; Existing project - 3; Preliminary plans made - 1.

Question 20: a) Decided to pursue project?

n = 18 Yes - 2 No - 10 Undecided - 6

b) If yes, have goals changes?

n = 8 Many - 1 Some - 1 None - 6

c) If changes, specify.

n = 3 No funding - 3

Question 21: Obtained other funds?

n = 17 No - 17

Question 22: a) Your bar association viable force for correctional reform?

n = 17 Yes - 10 No - 7

b) Explanations (n = 10)

Positive: Interest/influence of bar members (4)
Perceived legitimacy (1)

Negative: Lack of interest in correctional reform (5)

Question 23: Viability as correctional reform agents

1. Inmate organizations	n = 14	\bar{x} = 2.2 (SD = 1.0) Med = 2.3
2. Law enforcement personnel	n = 14	\bar{x} = 2.9 (SD = 1.4) Med = 3.0
3. Local bar association	n = 15	\bar{x} = 3.6 (SD = 1.7) Med = 3.8
4. State bar association	n = 15	\bar{x} = 3.9 (SD = 2.1) Med = 3.8
5. National bar association	n = 15	\bar{x} = 3.6 (SD = 2.1) Med = 3.3
6. Concerned citizen groups	n = 17	\bar{x} = 4.0 (SD = 1.6) Med = 4.0
7. Politicians	n = 15	\bar{x} = 3.2 (SD = 1.1) Med = 3.1
8. Judicial personnel	n = 16	\bar{x} = 3.9 (SD = 1.6) Med = 3.8
9. Leaders of community org.	n = 17	\bar{x} = 3.9 (SD = 1.7) Med = 3.6
10. Other (8)		

Question 24: a) Two-phase method of administering grant

n = 17 \bar{x} = 2.2 Med = 1.4
SD = 1.8

b) Explanations (n = 9)

Positive: Grant emphasizes the importance of planning (4), serves as method of screening (2), involves more bars (1), other (1).

Negative: Not enough money (1)

Question 25: Suggestions for improving administration

n = 8 Better communication/coordination (5), stick to deadlines (1), other (2)

Question 26: Criteria used in awarding grants?

n = 11 No idea - 8; prestige and size of bar - 1; need for program and novelty of proposal - 1; politics and pressures - 1.

Question 27: a) Fair assessment by BASICS?

n = 14 Yes - 5 No - 9

b) Explanations (n = 10)

Poor communication - 5; lost opportunity to
make real progress - 2; larger associations
were favored - 1; other - 2.

Question 28: Comments?

n = 6 Request later reconsideration of application (2);
need to locate funding (1); liked ABA programs and
standards (1); questioned public support/interest in
correctional reform (1); other (1).

APPENDIX S

BASICS Planning/Study Phase Application

This application is to be completed in full and accompanied by a program narrative. Grant conditions and instructions for completing the application are found on the reverse of this form. **Deadline for Planning Applications – October 15, 1974.**

APPLICATION FOR PLANNING /STUDY GRANT

Name of Association _____

Address _____

Telephone _____

Geographic Area Served _____

Number of Members _____

Section, division, committee or office which will have direct responsibility for the program

Co-Sponsoring Unit(s) _____

Bar representative responsible for the program _____

Address _____

Telephone _____ Title _____

BASICS Program Category(ies) to be examined (indicate by numbers — see pages 13-20 of pamphlet) _____

Funds requested \$ _____

This application and narrative are submitted by the above-named bar association which has authorized this action and agrees to comply with all planning grant conditions.

Submitted by _____

Title _____
(Bar Association President, Executive Director or other Authorized Official)

Co-Sponsor Signature _____

Title _____ Date _____

NOTE: Attach Program Narrative.

INSTRUCTIONS
for
PLANNING/STUDY GRANT APPLICATION

General Information

- Supply all information requested on the application form.
- **Grant Applicant.** Submit the application in the name of the subject bar association. A bar-sponsored corporation or foundation may apply, but the identity of other sponsoring organizations should be given and the application must be (i) in the name of both the corporation and the bar and (ii) executed by representatives of each.
- **Bar Unit with Direct Responsibility.** This may be a committee, section, or staff office. List cosponsoring units, if any.
- **Bar Representative Responsible.** This may be either a bar officer or committee chairman or a staff person. Indicate the name and title of the person.
- **BASICS Program Category.** List by number one or more of the BASICS Program categories (see pages 13-20) to be studied for action program potential.
- **Funds Requested.** The amount applied for should be in the 2 - 4 thousand dollar range.

- **Signature.** Applications must be signed by the President, Executive Director or other person specifically authorized by the association's governing body to submit this proposal.

Budget and Statement of Bar Contribution

- **Budget.** Since the planning grants will be small, BASICS does not require an itemized budget for application. Only a gross figure within the 2 - 4 thousand dollar range is necessary at this time. A brief accounting of expenditures will, however, be requested as part of the final report/proposal.

Applicants should bear in mind the limited nature of these funds and begin early to determine how they can be wisely allocated.

- **Statement of Bar Contribution.** Identify in the program narrative any commitment of resources or support the bar is able to make, such as office space, secretarial help, or other assistance by paid staff. (Uncompensated research and other work by lawyer volunteers is recognized as a major component of all planning/study projects, but need not be specified.)

Program Narrative Attachment

Submit a planning/study program narrative not to exceed two typed pages. Answer in it the following questions:

- Specifically what problem or problem areas does the bar intend to study and why are these of concern?
- Has any work been done on this or closely related problems by any bar group or other organization in your area?
- What agencies or community organizations (including offender groups) are affected by the problem, and will they have a role in the planning/study program?
- What sort of activity or improvement effort might the bar engage in as a result of this study?
- What individuals will actually undertake the study and prepare the report? Will there be a staff person or paid reporter assigned to prepare the report and, if so, what qualifications or background would be sought for such a person?
- What is the potential for minority group involvement?

- Will the bar be able to make a financial contribution to the planning phase? If so, please discuss.

Planning Grant Conditions

In accepting any BASICS planning/study grant, applicants assume the obligation to:

- Submit a final study report within 90 days following the planning/study award. A proposal for action program funds should accompany this report. The final report, in a form acceptable to BASICS will be (i) a self contained study of the problem area(s) reviewed with appropriate recommendations for action, (ii) suitable for public release, and (iii) issued in the name of the bar association.
- Submit with the final report a brief accounting for grant funds expended, by category of expenditure and amount spent. (Any excess funds are to be returned to BASICS unless applied to implementation activity or added to a subsequent action grant.)
- Comply with requests for progress reports, or other information, and with all reasonable requirements which BASICS may issue from time to time.

APPENDIX T

BASICS Liaisons

BASICS LIAISONS

ALABAMA

Reginald T. Hamner, Esq.
Montgomery

ARIZONA

Oscar Fendler, Esq.
Blytheville

CALIFORNIA

Ralph B. Perry III, Esq.
Los Angeles

COLORADO

Garrett Fonda, Esq.
Pueblo

CONNECTICUT

Igor Sikorsky, Jr., Esq.
Hartford

DISTRICT OF COLUMBIA

Marna Tucker, Esq.
Washington

GEORGIA

Harry L. Cashin, Jr., Esq.
Atlanta

HAWAII

C. F. Damon, Jr., Esq.
Honolulu

IDAHO

Eugene C. Thomas, Esq.
Boise

ILLINOIS

Lawrence X. Pusateri, Esq.
Chicago

KENTUCKY

William B. Stansbury, Esq.
Louisville

MARYLAND

Hal. C. B. Claggett, Esq.
Upper Marlboro

MASSACHUSETTS

Charles J. Kickham, Jr., Esq.
Brookline

MICHIGAN

Carl H. Smith, Jr., Esq.
Bay City

MINNESOTA

George C. King, Esq.
St. Paul

MONTANA

Robert Corontzos, Esq.
Great Falls

NEBRASKA

John W. Hewitt, Esq.
Lincoln

NEVADA

George Dickerson, Esq.
Las Vegas

NEW JERSEY

Rober McGlynn, Esq.
Newark

NEW MEXICO

Donald B. Moses, Esq.
Albuquerque

NEW YORK

Robert Patterson, Jr., Esq.
New York

NORTH CAROLINA

George A. Long, Esq.
Arlington

NORTH DAKOTA

Richard H. McGee, Esq.
Minot

OKLAHOMA

John H. Wallace, Esq.
Miami

OREGON

Don H. Marmaduke, Esq.
Portland

PENNSYLVANIA

William M. Power, Esq.
Doylestown

RHODE ISLAND

Dan Murray, Esq.
Providence

SOUTH CAROLINA

Charles N. Plowden, Jr., Esq.
Columbia

TENNESSEE

Frank N. Bratton, Esq.
Athens

VERMONT

Osmer Fitts, Esq.
Brattleboro

VIRGINIA

C. Wynne Tolbert, Esq.
Arlington

WASHINGTON

Cleary S. Cone, Esq.
Ellensburg

WEST VIRGINIA

James K. Brown, Esq.
Charleston

WISCONSIN

Charles Nolan, Esq.
Oshkosh

WYOMING

William J. Kirven, Esq.
Buffalo

APPENDIX U

Evaluation Questions for Demonstration Projects

EVALUATION OF DEMONSTRATION PROJECTS

A. General Evaluation Goals and Procedures

1. Statement of the problem. How has the problem been defined? By whom was it defined? What, if any, impact have clients had in identifying the areas where change is needed? What level of agreement exists regarding the identification of the problem, both within the bar association and among local corrections personnel?

2. Articulation of goals. What are the stated goals of the project? How well have those goals been defined? Do they lend themselves to measurement? What level of agreement exists regarding goal selection?

3. Selection of level of intervention. What level or levels have been deemed most appropriate for intervention efforts (reform of the law, physical improvements in jails, etc.)? How and why was this level(s) selected? How have bar association priorities affected the allocation of BASICS Program resources?

4. Formulation of intervention strategies and tactics. Was there a coordination plan for effecting institutional change? If so, how was this plan formulated? Did the plan meet with resistance or approval among correctional personnel?

5. Allocation of resources. How were resource allocation decisions made? What order of priorities is reflected in the project budget? Have those priorities proven to be appropriately aligned?

6. Evaluation of progress. What, if any, progress has been made toward the realization of program goals? What impediments have been encountered, and how have these obstacles been dealt with?

The above illustrative general research questions will be supplemented by specific concerns at each project site. The following represents a brief (and preliminary) overview of such concerns.

B. Specific Evaluation Goals and Procedures.

1. Maryland

Utilizing the local monitors, an assessment will be made of the project's effectiveness in fostering local support for community corrections and/or preservation of community corrections programs in areas with project involvement, as compared with areas having no project input. Other components of the evaluation will include some assessment of the project's impact on pertinent legislation and on the increased use of alternatives to confinement. In regard to the legal services program, the evaluation will attempt to appraise the project's benefits to law students and to inmates.

2. San Francisco

Evaluation of the San Francisco project will center on planning, expenditure of effort and resources, and selection of strategies to effect the consolidation of local jail facilities. In addition, the bar association's attempt to construct a plan for increased diversion from correctional facilities will be closely monitored and an attempt made to evaluate its implementation, should that occur within the time span involved. Finally, the efforts to improve

visiting conditions at San Bruno jail and to establish a secured ward hospital will be assessed.

3. Washington State

Since the Washington project concentrates on establishing and implementing standards and rules for the operation of local jail facilities, evaluative efforts will focus on the process by which those standards and rules are formulated and the measurable success attained in their implementation. Some assessment will be made of the selection of project goals and tactics and of the impact of projected standards on local jail facilities and correctional staffs.

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