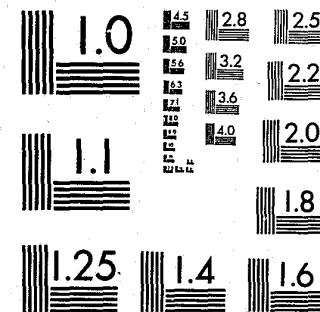


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HEARINGS

BEFORE THE

**SUBCOMMITTEE ON
GOVERNMENTAL EFFICIENCY
AND THE DISTRICT OF COLUMBIA**

OF THE

**COMMITTEE ON
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE**

NINETY-FIFTH CONGRESS

SECOND SESSION

ON

H.R. 7747

**AN ACT TO AMEND TITLE 23 OF THE DISTRICT OF COLUMBIA
CODE WITH RESPECT TO THE RELEASE OR DETENTION PRIOR
TO TRIAL OF PERSONS CHARGED WITH CERTAIN VIOLENT OR
DANGEROUS CRIMES, AND FOR OTHER PURPOSES.**

JANUARY 31 AND FEBRUARY 6, 1978

for the use of the Committee on Governmental Affairs



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PREPARED STATEMENT OF BURTELL M. JEFFERSON, CHIEF OF POLICE, WASHINGTON, D.C. METROPOLITAN POLICE DEPARTMENT

Mr. Chairman, I would like to thank you and the members of the Subcommittee for affording me this opportunity to testify concerning bail reform, an issue which has a very significant impact on the lives of the citizens of the District of Columbia, and all who come to our nation's capital. With me are Robert Deso, my Deputy General Counsel, and Lieutenant Charles Hersey, Supervisor of the Major Violators' Section.

In 1976 and 1977 Chief Cullinane testified on bail reform before the Judiciary Subcommittee of the House of Representatives Committee on the District of Columbia. I am pleased to be here before you today, and I would like to bring you up-to-date on the progress of Operation Doorstop, our local career criminal program. As Chief Cullinane testified last year, Operation Doorstop is a joint effort of our department and the U.S. Attorney's Office, in which a select team of experienced detectives and prosecutors concentrate their efforts on identifying and processing the cases of those recidivists who are considered to be the greatest danger to the community.

I believe that curbing recidivism is a key element in any successful attack on crime. In the past, some persons have been able to commit dozens of felonies with impunity, often while they were on more than one form of

pretrial or post conviction release. We have found that the crimes of robbery and burglary have the highest rates of recidivism, and of course, these are crimes that the public is very much concerned about. Our career criminal program concentrates on robbers and burglars, and fully seventy-three percent of the defendants in Operation Doorstop are charged with robbery and burglary.

The overall rate of recidivism for the crimes of homicide, rape, robbery, aggravated assault, burglary, larceny, auto theft, and narcotics and weapons offenses in the District of Columbia was twenty-three percent for 1975, twenty-two percent for 1976, and twenty-seven percent for 1977. For robbery the recidivist rates were thirty-one percent, thirty-two percent, and thirty-one percent for 1975, 1976, and 1977. For burglary the recidivist rate was thirty-four percent, twenty-seven percent, and twenty-nine percent for each year.

<u>Recidivist Rate</u>			
	1975	1976	1977
Overall	23%	22%	27%
Robbery	31%	32%	31%
Burglary	34%	27%	29%

While the rate of recidivism remains high, the number of reported robberies during the first twelve months of Operation Doorstop decreased

by 920 offenses compared to the previous twelve months; a decline of twelve percent. The number of reported burglaries decreased by 479 offenses, a decline of four percent. The overall crime rate decreased by three percent for the same period.

	<u>Crime Rate</u>	
	9/75 - 9/76	9/76 - 9/77
Robberies	7,651	6,731 (-12%)
Burglaries	12,128	11,649 (-4%)
Crimes	51,272	49,798 (-3%)

While Operation Doorstop is having some statistical impact on crime, especially robbery, it has had a dramatic and unmistakable impact on the careers of those chronic criminals who, before they came into the program, were literally one man crime waves. Over eighty percent of the defendants in Operation Doorstop were on some type of post conviction release at the time of their rearrest; many were on multiple releases. These prior arrests and convictions apparently did little to impede their criminal careers, but once the career criminal unit assumed responsibility for their cases, ninety-three percent were incarcerated pending trial, eighty-eight percent were convicted, and the great majority received stiff prison sentences.

Operation Doorstop

8/16/76 - 12/31/77

Defendants processed as career criminals	430	
Defendants incarcerated pending case disposition	398	(93%)
Cases with dispositions	284	(66%)
a. Convicted and sentenced or awaiting sentencing	250	(88%)
b. Dismissals	24	(8%)
c. Acquittals	10	(4%)
Defendants charged with robbery	196	(45%)
Defendants charged with burglary	121	(28%)
Defendants on post conviction release at time of arrest	351	(82%)
Defendants on pretrial release at time of arrest	68	(16%)
Defendants having no release status at time of arrest	11	(2%)

Because eighty-two percent of the defendants in Operation Doorstop were on some type of post conviction release at the time of their rearrest, the "five-day hold" provisions of the Bail Reform Act were used to incarcerate these defendants pending trial. Since only forty-two percent of all recidivists* rearrested for the crimes of homicide, rape, robbery, aggravated assault, burglary, auto theft, narcotics and weapons offenses in 1977 were on some type of post conviction release, the "five-day hold" provisions of the statute do not apply to most recidivists; and of course they would not apply to someone who is not a recidivist.

*The department classifies as a recidivist a person who is on some form of pretrial or post conviction release status at the time of rearrest.

The quarterly statistics compiled by our Major Violations Unit for the third quarter of 1977 show that the typical recidivist is a 24-27 year old male charged with robbery who was on pretrial release for an arrest within the past seven months for either robbery, another property offense, or a narcotics offense. One-fifth of the recidivists were on two or more conditional releases when the rearrest occurred.

I have brought with me our most recent quarterly Recidivist Report, and I ask that it be made part of the record. Copies of the report for the fourth quarter, which contains an annual summary, will be forwarded upon completion of the report.

Mr. Chairman, I believe that the success of Operation Doorstop has shown that the various components of the criminal justice system in the District of Columbia have both the desire and the ability to cooperate creatively and effectively to control crime. Within the limits of existing law and available resources, we have reduced crime; and we have taken some of the most dangerous criminals in our community off the streets. There is no simple answer for crime; it will never be eliminated in our society, and it can only be reduced through a combination of adequate resources, good laws, wise policies and efficient administration of the criminal justice system. I commend the Congress for the interest you have shown, and for the progress that has been made to remedy the deficiencies in the Bail Reform Act. I support those changes in the act which the prosecutor

and court consider necessary or useful to give careful scrutiny to each person charged with a dangerous crime, and to detain those persons who cannot be released back into the community without constituting a danger to our citizens.

Mr. Chairman, this completes my statement, and I would be pleased to respond to any questions you or members of the Subcommittee may have.

END