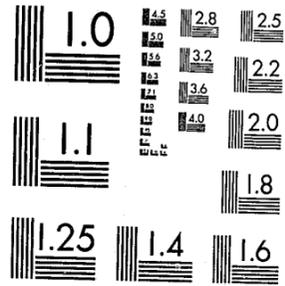


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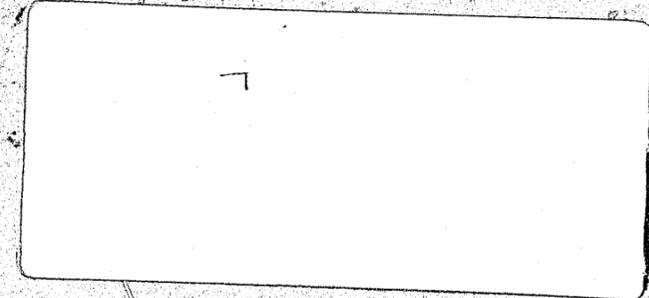
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WASHINGTON, D. C.

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 REPORT ON THE TECHNICAL ASSISTANCE VISIT
 TO THE DISTRICT ATTORNEY'S OFFICE
 SAN LUIS OBISPO COUNTY, CALIFORNIA
 SEPTEMBER 16-18, 1980

X
 CRIMINAL PROSECUTION TECHNICAL ASSISTANCE PROJECT
 LEONARD R. MELLON, PROJECT DIRECTOR

This study was performed in accordance with the terms of Law Enforcement Assistance Administration Contract #J-LEAA-010-80.

The views expressed in this report are not necessarily those of the Law Enforcement Assistance Administration.

Bureau of Social Science Research, Inc.
 1990 M Street, N.W.
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1. INTRODUCTION

On September 16-18, 1980, a Technical Assistance Team from the Criminal Prosecution Technical Assistance Project visited the offices of Christopher G. Money, District Attorney for San Luis Obispo County, California. The Technical Assistance Team examined the District Attorney's management and operations functions in accordance with the terms of a contract with the Law Enforcement Assistance Administration. Members of the team included:*

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The purpose of the visit was to analyze the problems related to resource allocation in the office. In addition, the word processing function was examined, as well as several management areas. An overall assessment of the entire office was not attempted, nor was it desired. The purpose of a technical assistance visit is to evaluate and analyze specific problem areas and provide recommendations and suggestions for dealing with these areas. It is designed to address a wide range of problems stemming from paperwork and organizational procedures, financial management and budgeting systems, space and equipment requirements and

*Vitae attached as Appendix A.

specialized operational programs, projects and procedures unique to the delivery of prosecution services.

The technical assistance program is designed to provide the prosecutor with a quick response and a short turn around time from the initiation of the request, to its approval by LEAA and subsequent delivery by the technical assistance contractor. Under ideal conditions, the prosecutor does not have to wait long for assistance.

During the visit, interviews are conducted with those members of the office who are most directly involved in the problem area. Their functions and tasks are examined, as well as their perceptions of the problem. The flow of paperwork and the statistical system may also be examined, if they are problem areas. Interviews may also be conducted with personnel involved in other component areas of the criminal justice system, such as police, courts, and the public defender's office.

The basic approach is to examine the office with reference to its functional responsibilities. This means that the process steps of intake, accusation, trials, post-conviction activities, special programs and projects, juveniles and other areas are examined, as required, with respect to their operations, administration and planning features. Taking a functional analysis approach permits observation of the interconnecting activities and operations in a process step and identification of points of breakdown if they exist.

Once the problem and its dimensions have been specified, an in-depth analysis is made which results in an identification of the major elements and components of the problem, and an exposition of needed change, where applicable.

After the problem has been fully examined, its dimensions discussed, and the analysis of the critical component factors undertaken, recommendations that are practical and feasible are made.

The visit to the San Luis Obispo District Attorney's office focused on the problem of resource allocation and management areas such as court scheduling and case processing. Additionally, the word processing system was examined for its capacity to effectively maintain and access the relevant information needed by the District Attorney.

The Technical Assistance Team would like to thank Mr. Money and his staff for their cooperation and assistance during the visit. Reception of the team was excellent, and the staff's willingness to discuss the strengths and weaknesses of the office was of considerable assistance to the Technical Assistance Team in carrying out its tasks.

II. SYSTEM OVERVIEW

The District Attorney's Office for San Luis Obispo County is staffed by over 40 employees, of whom 15 are Assistant District Attorneys. It is responsible for all criminal prosecutions in the county, as well as having various other responsibilities, such as cases of consumer fraud, failure to make child support payments and economic crime. The office also handles all juvenile matters.

The District Attorney maintains a main office and one branch office which is at Paso Robles, California. There is one assistant district attorney and one clerk typist at the branch office. The main office is comprised of 13 assistant district attorneys, three criminal investigators, nine clerical personnel, two victim-witness specialists, and 13 persons assigned to the family support unit. In addition to the family support unit, there are several other specialized units in operation in the office. These include the Consumer Unit, the Economic Crimes Unit, the Juvenile Unit, the Investigations Unit and the Victim/Witness Unit.

The office receives criminal complaints through the Complaint/Charging Unit. There are over a dozen law enforcement agencies in San Luis Obispo County which feed into this unit, and there is no standardized police report form which is used by all agencies. The Complaint/Charging Unit makes the initial charging decision, which according to California statute, must be accomplished within 48 hours after arrest if the defendant is in custody. Each assistant district attorney in the office is required to work on the charging desk for a rotation period of six months.

After a matter has been formally charged through a complaint, the first assistant district attorney makes an assignment, depending on the

nature of the case, to one of the assistants, who will be responsible for that case from that time through final disposition. Arraignment will normally occur within two to three weeks in the cases in which the defendant is in custody.

The court system in San Luis Obispo County is bifurcated, with a Municipal Court and a Superior Court. The Municipal Court handles all preliminary hearings in felony cases, while the Superior Court hears felony arraignments and felony trials, as well as civil and juvenile matters. The assistant district attorneys are divided along the lines of the court, into a Misdemeanor Unit and a Felony Unit. In a felony case, the assistant from the Felony Unit who was assigned the case will handle the preliminary hearing in the Municipal Court. If the defendant is bound over to Superior Court for trial, a Bill of Information is then filed in Superior Court. At this time the charge may be adjusted by the felony assistant or plea negotiations may be conducted.

In the Superior Court on Mondays the docket call is held, at which 12 to 15 cases will be announced ready for trial on each docket. All cases are assigned for trial on Monday morning by the presiding judge who also handles the motion calendar. Pretrial conferences in jury cases are set for the Thursday before the week in which they are scheduled for trial. Most of the plea negotiation takes place at the pretrial conference, however, the District Attorney does permit plea negotiations at the Monday morning docket call. The assistant district attorneys have complete discretion in negotiating except in homicide cases or cases of extreme circumstances or of high public interest. The assistant is required to complete a disposition form explaining his reasons for accepting a plea to a lesser charge. This explanation is then submitted to the District Attorney and the First Assistant for review.

There are also several specialized units in the office, including the Family Support Division, which is comprised of one attorney and 13 staff members. In addition to handling all cases of non-support, this division is responsible for billing, collecting and disbursing all support payments in the county.

The Investigations Unit has a staff of three investigators. They provide supplemental investigative assistance to the attorneys as requested on a case by case basis. The Victim/Witness Unit is staffed by three persons and includes such functions as witness notification, witness protection and domestic violence referrals. The office also has a Juvenile Unit, which is staffed by one attorney and files approximately 30 to 50 cases per month. Of these, about 12 cases go to trial each month. Many cases are handled on an informal basis by the various law enforcement agencies.

The Economic Crimes Unit handles all civil as well as criminal litigation that arises in the area of economic crimes. The Consumer Unit is coordinated by one of the Investigators from the Investigation Unit. This Unit handles approximately 350 matters per month. Because San Luis Obispo does not have a Better Business Bureau, this Unit must handle all cases which ordinarily would be routed to the Better Business Bureau.

Finally, the Clerical Unit is comprised of two supervisors and the clerical staff. Members of the clerical staff are not assigned to particular attorneys, but receive work as it is presented to one of the supervisors for routing to a clerical person. Retyping is handled in the same manner, through the use of a routing slip to a typist.

III. ANALYSIS

The analysis of the San Luis Obispo District Attorney's office focused on the problems related to resource allocation in the office. Management areas such as court scheduling, case processing and word processing were examined. The examination focused on: (a) the Complaint/Charging Unit; (b) case processing, both felony and misdemeanor; (c) the Family Support Unit; (d) the Victim/Witness Unit; (e) the Juvenile Unit; (f) the Investigations Unit; (g) the Economic Crimes Unit; (h) the Consumer Unit; (i) word processing; (j) the paper flow in the office; and (k) miscellaneous concerns, including training, the use of PROMIS, case disposition and the making of sentencing recommendations to the court.

A. Complaint/Charging Unit

As it is currently structured, the Complaint/Charging Unit is staffed by one attorney for six months, on a rotating basis. All assistant district attorneys must take a turn on the charging desk. Although the job is not the favorite in the office, it was found by the Technical Assistance Team to be taken very seriously. There are about a dozen law enforcement agencies in San Luis Obispo County, which vary in size and quality of personnel. There is not a standardized police reporting form in use by all agencies.

The intake function is usually based on police reports, although in some cases, the assistant district attorney will interview witnesses to double check the charging recommendations made by the police. The attorney uses the California Uniform Crime Charging Standards and reviews his decisions on major cases with the District Attorney or his first assistant.

Cases in which the defendant is in custody must be charged within 48 hours of arrest. Thus, those cases are flagged for priority treatment. If the defendant has made bond, charges still must be filed within a reasonable time after arrest. This is often made difficult by the lack of timely police reports and the need to request supplemental information from the arresting agency. The assistant on the charging desk must fill out several forms, most of them in longhand, to be routed to the clerical staff for typing (see Appendix B). These include forms listing the defendant's name and address, the complainant's name and address and the name and address of all witnesses to be subpoenaed. This task could be greatly simplified and the length of time required to perform it shortened if the various agencies involved would develop a common police report form. It is the recommendation of the Technical Assistance Team that a form be developed by all of the law enforcement agencies in conjunction with the District Attorney. This could be accomplished in a very short period of time since all of the Chiefs of Police currently meet monthly with the District Attorney. This form could incorporate some of the information needed by the District Attorney to prepare the Bill of Information and the subpoenas needed for each case. In this way, the assistant on the charging desk could merely check on the police report the necessary information to be typed on the Bill of Information and the names of those witnesses who need to be subpoenaed.

The Technical Assistance Team found this unit to be operating very efficiently and professionally as a whole. This is probably due, in part, to the high level of experience of the assistants in the office. An assistant with several years' experience in criminal law is able to make effective intake decisions. This is in contrast to a newly-hired assistant with no prior prosecutorial experience, who will have more difficulty in properly assessing a case, finding its strengths and weaknesses, and charging it at the appropriate level.

However, it is this high level of experience on the part of the assistants in the office which has led to one of the problems in the unit. Although all assistants are made to understand at the time of hiring that they will have to serve on a rotation basis at this position, most do not look forward to it. After trying cases for some time at the felony level, it is thought by some to be a little beneath the ability of an experienced prosecutor to serve in the intake function. Also, this could be a poor use of available personnel if an experienced trial attorney is lost to the office for six months.

Therefore, it is suggested by the team that a change be made in the intake function. Rather than assign an attorney from the office on a six-month rotating basis, a person should be hired to perform this function on a full time basis, thereby freeing the assistant district attorneys from this task. In order to maintain the high level of efficiency and quality needed, this person should have prior prosecutorial experience. For this reason, the team suggests that a retired prosecutor or military person with judge advocate experience be sought. This person should be someone who does not desire trial work, but who would enjoy

the intake function on a full time basis. An alternative could be a police officer who would be trained to perform intake review functions. He could perform an initial review of police reports, and after some training and familiarity with the uniform charging standards, recognize incomplete police work and make initial charging decisions without having to involve one of the assistant district attorneys. He could also serve as a liaison with the police agencies. Obviously, his charging decisions should be subject to review by a supervisory assistant district attorney in the office.

The District Attorney should consider approaching the Board of County Supervisors during the next budget cycle, Spring, 1981, concerning the hiring of an additional person to serve the intake function on a full time basis.

B. Case Processing

1. Felony Cases

The District Attorney's office for San Luis Obispo County maintains a system of prosecution under which the same prosecutor has total responsibility for a case. Under this system, a case is assigned to an assistant district attorney after the intake decision has been made, and that attorney becomes responsible for that case from that moment until ultimate disposition, including preliminary hearing, plea bargaining and trial.

Although having a low turnover rate is not a problem in a true sense, and in fact, most district attorneys would wish for such a situation, to avoid morale problems and to keep the interest of the assistants high, it is recommended that a change in current case assignment practice be considered. Instead of continuing the practice of felony

assistants handling felony matters from preliminary hearing through trial, it is recommended that misdemeanor assistants handle all proceedings which are assigned to municipal court. Because the preliminary hearings are held in municipal court where misdemeanor assistants are already assigned, consideration should be given to having the misdemeanor assistants handle felony matters in that court. If the matter is bound over to superior court, then the felony assistant could pick up responsibility for the case at that time. This change in policy would give stimulation to the misdemeanor assistants, as well as provide a training program for the misdemeanor assistants to learn how to try the more complicated felony cases.

In California, as in other western states, the preliminary hearing is as extensive as a trial, except for the absence of a jury. Even if the misdemeanor assistant makes some technical errors at the preliminary hearing, because the rules at the preliminary hearing are less stringent than those at a trial, very little damage can be done to the case in the long run. The primary issue at the preliminary hearing is a finding of probable cause, not a finding of guilt.

The rationale behind a felony assistant handling a case through preliminary hearing and trial is sound, because theoretically, each time a case is assigned to a different attorney, he must become acquainted with the facts and witnesses and valuable time is lost. However, in the San Luis Obispo office, this advantage is lost when a felony assistant handles the preliminary hearing because there is some time delay between the preliminary hearing and the trial, and often the felony assistants forget the details of the case from the time of preliminary hearing to the time of

trial. It was felt by the attorneys in the felony unit that if a fact sheet were used by the misdemeanor attorney who conducted the preliminary hearing, or if notations were made in the file, such would be sufficient to alert the felony assistant to any potential problems in the case prior to the trial. Also, at the present time, this type of case assignment cannot be followed in every case in the office. On occasion there is dual scheduling of matters in Superior Court, and even though a certain felony assistant handles the matter at preliminary hearing, it must in such cases be reassigned at the trial level because of conflicts with other scheduled matters.

The team found the misdemeanor assistants very anxious to handle felony matters. This would provide them with training and give them the opportunity to prove themselves capable of handling more responsibility. Although this arrangement would not totally alleviate the personnel problems generated from the low turnover rate, it would make assignment to the Misdemeanor Unit more interesting and provide a greater sense of accomplishment to those assistants.

The office presently has a policy of assigning more than one assistant district attorney to certain cases, mainly homicide trials. The rationale is professionally sound and the reasons for doing this are numerous. However, there are those assistants who would prefer to handle cases of this nature alone at trial. There are excellent trial attorneys in the office who feel they would be hindered by another attorney assisting them in the prosecution of a case. There are also attorneys there who feel that it would be an advantage to have more than one attorney handling the prosecution in certain cases. This is a matter that can be easily solved by assessing each homicide case on its own fact situation and arriving at a conclusion concerning its difficulty of prosecution. Rather than having a strict rule,

the decision should be made based upon the complexity of the case and the characteristics and abilities of the individual prosecutors involved. An added benefit from such a change in policy would be that more attorneys would be available for other duties since not as many assistants would be needed for trials of homicide cases.

2. Misdemeanor Cases

Members of the Misdemeanor Unit rotate with those of the Felony Unit. This results in very experienced assistants trying complicated felony cases one week and then having to try misdemeanor cases the next as they are rotated to the Misdemeanor Unit. This creates morale problems similar to those experienced by the other members of the Misdemeanor Unit who are not allowed to handle preliminary hearings in municipal court. Therefore, it is the recommendation of the Technical Assistance Team that these positions not be rotated. As experienced attorneys leave the San Luis Obispo office, recent law school graduates should be hired to replace them. These newly hired attorneys should be assigned to the Misdemeanor Unit on a permanent basis. Vacancies which occur in the Felony Unit, should be filled by assistants promoted from the Misdemeanor Unit.

A problem exists in misdemeanor cases in obtaining the results of blood alcohol tests in drunk driving cases. Assistants presently must spend a good deal of time obtaining these results and preparing the papers needed in court for the case. The clerical staff could, if permitted, be trained to competently do much of this work.

At the present time, the court does not use a trailing, or continuous calendar. This means that if a case is continued or dismissed, the

remainder of the day is lost because there is not another back-up case scheduled which can be brought to trial in the time made available by the dismissal. It is the suggestion of the team that the District Attorney meet with the judges, the public defender and representatives of the defense bar at an early date and request a joint study to examine the possibility of a change in the calendaring system in use by the municipal court. The misdemeanor docket could thereby be made more efficient.

In misdemeanor cases, the pretrial conference is not taken seriously by any of the parties involved. As a result, little is accomplished of substance and often pleas which could have been taken at the time of the pretrial conference are not taken until the day of trial, resulting in loss of time and resources for everyone concerned. It is the recommendation of the team that the District Attorney explore the possibility of using a plea cutoff date, such as the date of the pretrial conference, to alleviate this situation. In order for this to work, it would be mandatory that the District Attorney, once he has articulated the new policy, to abide by it with no exceptions. Please to reduced charges should not be accepted after the cutoff date which has been set. In this way, some measure of control over the docket can be achieved.

In order to ensure the success of this policy, the District Attorney could begin with only one category of cases, such as drunk driving cases, and add the remainder of the misdemeanor docket at a later date. In this way a period of transition could be created in which the District Attorney could communicate with the local bar association and judges concerning their feelings toward this change.

C. Family Support Unit

The Family Support Unit is comprised of one assistant district attorney and 13 staff members and is one of two units which report directly to the District Attorney. In addition to Title IV-D non-support cases, the Family Support Unit is responsible for billing, collecting and distributing all support payments in the county.

A reorganization effort by the present District Attorney in 1979 led to major internal changes in the direction of the program. In a short period of time, the unit has become a flexible, well planned and well managed operation. The technical services office (data processing) and District Attorney's office together designed and implemented a comprehensive computer system to meet the various needs of the Family Support Unit. Implementation of this system has made possible more effective use of personnel at all levels. The system provides billing, tracking, case assignment and follow-up information, as well as generating all documents required by the unit. Additionally, the system provides the necessary reports to meet Federal IV-D and State non-support reporting requirements.

This system also handles the word processing requirements for the unit. Since implementation, the word processing function has gone from a backlog of several weeks to no backlog and the Family Support Unit is now able to generate accurate caseload and statistical data.

While the operating cost of the system is slightly higher than had been anticipated, the efficiency it affords the Family Support Unit and its clients more than offsets the additional dollar expense.

Both Technical Services and the Family Support Unit would like to add an on-line inquiry capacity to the system. However a move to new quarters and an upgrade of the county computer system have delayed

implementation of this phase of the project. However, as it is presently structured, the system is very effective and meets the immediate needs of the Family Support Unit adequately.

D. Victim/Witness Unit

The Victim/Witness Unit is staffed by three employees. At the present time, in addition to the tasks of coordinating witnesses and assisting victims, the unit has assumed responsibility for witness protection and intervention in family violence situations and in educating the public. Thus the Witness Coordinator gives approximately five speeches per month to various groups and schools in the area.

It is the recommendation of the Technical Assistance Team that the responsibility for intervention in family violence situations be removed from the Victim/Witness Unit and returned to the various police departments, where it properly belongs. This activity is potentially very dangerous and requires a level of specialized training which is only possessed by trained police officers, or others with expertise in this area. This is exclusively a police function and should be handled only by qualified trained police officers, or others specially trained in this area. This is exclusively a police function and should be handled only by qualified law enforcement personnel. As an alternative, it is suggested that the Victim/Witness Unit become involved in assisting battered spouses, but only on an appointment basis, after referral by a law enforcement agency.

Another problem encountered by the unit is the lack of a reception area exclusively for victims and witnesses. At the present time these people are required to use the main office reception area, which is also used by police officers, citizens wishing to lodge complaints and all others with business in the office. This area with its attendant confusion

is distracting to a person who is in the office to see the Victim/Witness Coordinator. Construction of additional criminal justice system office space is currently underway adjacent to the present District Attorney's office. It is recommended that the District Attorney approach the County Board of Supervisors and the architect to seek a separate reception area for victims and witnesses in the newly available space.

Currently, there are two cars available to District Attorney personnel at large. These cars are used on a pooling arrangement. This is not satisfactory because the Victim/Witness Unit needs a car on a full time basis for the transportation of victims and witnesses. It is recommended that the District Attorney approach the County of Supervisors, if possible, with the request for an additional automobile for the exclusive use of the Victim/Witness Unit. This should be done during the next budget cycle, Spring 1981.

It is also suggested that the District Attorney consider the use of a Victim Impact Statement..(see Appendix C). This statement should be prepared prior to sentencing and be made available to the sentencing judge as well as to the probation department.

E. Juvenile Unit

The Juvenile Unit is staffed by one attorney on a non-rotation basis. This attorney files approximately 30 to 50 cases per month. These cases are prepared for filing by the juvenile probation department under the direction of the juvenile attorney. Many more than these 30 to 50 cases enter the system each month, however the majority of them are handled informally by the various law enforcement agencies and the probation department. The only problem encountered by this unit is the lack of another person to assist the attorney.

The probation department is located approximately one mile from the office of the District Attorney and a new Juvenile Hall is approximately six or seven miles in the opposite direction. The filings are prepared at the probation department, but cases may be heard at the new Juvenile Hall. The juvenile assistant has responsibilities in all three of these places. Also, volume is increasing. Therefore, with the opening of the new Juvenile Hall, the attorney will need an assistant or secretary specifically assigned to him. This assistant need not be an attorney or even a paralegal, but must possess basic secretarial skills and be able to serve as liaison with the various agencies with which the Juvenile Unit must deal. This should be accomplished at the next budget cycle.

F. Investigations Unit

The Investigations Unit is staffed by three investigators, one of whom was formerly funded under a federal grant, but is presently funded under the regular office budget. However, the unit is not sufficiently staffed to meet current investigative needs of the office. Cases are often not investigated as they should be for trial simply because the needed manpower is not available. This is unfortunate because of the large number of law enforcement agencies that report to the District Attorney's office and the fact that many of those agencies are small in size, with limited ability to complete complex investigations. Also, the training of the investigators has been limited. It is recommended by the Technical Assistance Team that the District Attorney increase the size of the Investigations Unit over the next few years. An adequate investigative staff is required to support the legal staff not only in routine criminal case follow-up, but also in sophisticated special investigations. Absent

it the judicial system and the county will suffer in time. The staff size should be increased almost immediately by at least two more investigators. This particular problem cannot be solved by a reallocation of existing resources. It requires for its solution an increase in investigators. This should be pursued by the District Attorney without delay.

It is also recommended that a secretary from the clerical pool be specifically assigned to handle requests from the Investigations Unit. The consumer aid person hereinafter recommended to assist in the Consumer Unit could also handle priority typing requests from the investigators.

G. Economic Crimes Unit

Although there is presently no Economic Crimes Unit, one assistant district attorney is responsible for all economic cases. He is also assigned a regular felony caseload. San Luis Obispo, like many other areas, is experiencing an increase in economic crime. The local law enforcement agencies are not all equipped to investigate this economic crime. It is the recommendation of the team that an Economic Crimes Unit be created and the assistant who is currently handling these cases be allowed to do so on a full time basis, and that he not be assigned any other felony cases. He should be encouraged to pursue appropriate remedies either civil or criminal, which would be in the best interest of the office and the county as a whole.

H. Consumer Unit

The Consumer Unit is coordinated by one of the investigators and handles approximately 350 matters per month. Since San Luis Obispo does not have a Better Business Bureau, the office of the District Attorney

has had to fill the gap in consumer protection. The investigator who coordinates the unit also fills responsibilities as an investigator and assists the attorney who handles economic crime. This does not leave him enough time to devote to the Consumer Unit. During the past summer, a college intern was hired to assist with the typing, filing and mediation of complaints. It is recommended that this person be retained by the office on a full time basis to handle the day-to-day tasks of the Consumer Unit. It is also recommended that student interns continue to be used to supplement the staff and assist the full time consumer aid. In this way, more service could be provided to the county at a minimal cost.

I. Word Processing

As it is presently structured, all work to be done by the clerical staff must be routed through one of two clerical supervisors. A route slip is filled out by the attorney or investigator with instructions as to what is to be typed and the two clerical supervisors then assign the work to a typist on an availability basis. If corrections are to be made, these are verbally transmitted to one of the supervisors, who in turn transmits it to the typist. Attorneys and investigators are not allowed to communicate directly with the clerical staff, but must route all requests and instructions through one of the supervisors.

There is no specific assignment of clerical staff to units. Therefore, no one, with the exception of the clerical supervisors, knows who does what for whom. This procedure discourages loyalty and motivation and pride of accomplishment. There are several recommendations with respect to the clerical functions. First, one clerical supervisor should assume an office manager function, assisting in budget preparation, ordering supplies, recruiting clerical personnel, and collection and

preparation of statistical reports. This would leave only one clerical supervisor, which is all that is needed in an office of this size.

Secretaries should be assigned to specific units, including the Investigations Unit. They should be directly accountable to the members of that unit. Attorneys and investigators will then be able to communicate directly with their secretaries. This will greatly improve morale. People need to communicate and relate directly with one another, not through censors. Allowing direct working relationships between attorneys, investigators and secretaries would contribute to fewer errors and a greater feeling of teamwork in the office. At the present time in some areas of the office, retyping of documents is required over 40 percent of the time. Some effort should be expended to bring that figure down to a more tolerable level. Improved communication alone could facilitate an immediate reduction in document retyping. The specific assignment of clerical staff will allow that staff to become accustomed to the needs of the attorneys for whom they work and will foster greater efficiency.

The reception area is extremely busy with telephone calls and visitors. The receptionist is currently assigned the additional responsibility of preparing several forms, accepting cash and issuing receipts for discovery packets. Consideration should be given to immediately removing the responsibility for typing any forms from this desk.

Effort has been made by the clerical supervisors to cross-train existing personnel. This is an excellent project and provides for coverage for all functions during vacations, illness or turnover. This is to be encouraged, however the primary responsibility for each unit's work should rest with the personnel assigned to that unit.

J. Paper Flow

Annotated jury cards, some dating back to the 1950's, are maintained in the District Attorney's office. Many cards are on file for individuals who by now have either moved out of the area or are deceased. Some work currently handled by the District Attorney's office could be obviated with a minor modification to the Jury Commissioner's system. A duplicate name and address card for prospective jurors could be generated from the Jury Commissioner's office and sent to the District Attorney, rather than requiring a separate card to be typed in the District Attorney's office. This is an area which would be greatly aided by the use of word processing equipment or computer application, as there is currently no way to purge data in these files.

Case files are assigned a number based upon the year in which the case is filed and the type of crime. This system is well conceived and retrieval problems appear to be minimal. However, there are two areas that might be improved. These are the retention of the files by the clerical staff and the area of case tracking.

The current system provides that the attorney who is assigned a case retain possession of the case file even when a case does not require immediate attention. Efforts should be made to centralize the location of the files and minimize the number of file folders in the possession of the attorneys at any one time.

There is presently no central information point in the office, nor is there an adequate manual case tracking system. Both of these problems could be partially solved by the use of a Case Card form (see Appendix D). This card is available to the office, but is not presently being used. Data processing requires some sort of document flow and adequate manual system in order to design and develop a good automated system. Utilization

preparation of statistical reports. This would leave only one clerical supervisor, which is all that is needed in an office of this size.

Secretaries should be assigned to specific units, including the Investigations Unit. They should be directly accountable to the members of that unit. Attorneys and investigators will then be able to communicate directly with their secretaries. This will greatly improve morale. People need to communicate and relate directly with one another, not through censors. Allowing direct working relationships between attorneys, investigators and secretaries would contribute to fewer errors and a greater feeling of teamwork in the office. At the present time in some areas of the office, retyping of documents is required over 40 percent of the time. Some effort should be expended to bring that figure down to a more tolerable level. Improved communication alone could facilitate an immediate reduction in document retyping. The specific assignment of clerical staff will allow that staff to become accustomed to the needs of the attorneys for whom they work and will foster greater efficiency.

The reception area is extremely busy with telephone calls and visitors. The receptionist is currently assigned the additional responsibility of preparing several forms, accepting cash and issuing receipts for discovery packets. Consideration should be given to immediately removing the responsibility for typing any forms from this desk.

Effort has been made by the clerical supervisors to cross-train existing personnel. This is an excellent project and provides for coverage for all functions during vacations, illness or turnover. This is to be encouraged, however the primary responsibility for each unit's work should rest with the personnel assigned to that unit.

J. Paper Flow

Annotated jury cards, some dating back to the 1950's, are maintained in the District Attorney's office. Many cards are on file for individuals who by now have either moved out of the area or are deceased. Some work currently handled by the District Attorney's office could be obviated with a minor modification to the Jury Commissioner's system. A duplicate name and address card for prospective jurors could be generated from the Jury Commissioner's office and sent to the District Attorney, rather than requiring a separate card to be typed in the District Attorney's office. This is an area which would be greatly aided by the use of word processing equipment or computer application, as there is currently no way to purge data in these files.

Case files are assigned a number based upon the year in which the case is filed and the type of crime. This system is well conceived and retrieval problems appear to be minimal. However, there are two areas that might be improved. These are the retention of the files by the clerical staff and the area of case tracking.

The current system provides that the attorney who is assigned a case retain possession of the case file even when a case does not require immediate attention. Efforts should be made to centralize the location of the files and minimize the number of file folders in the possession of the attorneys at any one time.

There is presently no central information point in the office, nor is there an adequate manual case tracking system. Both of these problems could be partially solved by the use of a Case Card form (see Appendix D). This card is available to the office, but is not presently being used. Data processing requires some sort of document flow and adequate manual system in order to design and develop a good automated system. Utilization

of this Case Card form would serve several purposes. It would provide clerical personnel with data to respond to inquiries if a file folder is out of the central file. It would also provide some tracking information. The card would provide some history in the event that a file is lost or misplaced. The basic file data could be reconstructed from the card. Finally, it could provide a focal point for data collection and eventual implementation of PROMIS in the District Attorney's office.

K. Miscellaneous

1. Training

The San Luis Obispo District Attorney's office does not currently have a training program for new attorneys, nor is there a continuing education program. The need for training for new personnel is not as acute as the need for upgrading the skills of the current assistant district attorneys. The criminal law changes more than any other facet of the law in the United States, and all attorneys, no matter how experienced they are, must keep abreast of current decisions in order to continue to be effective in the courtroom. It is therefore recommended that the District Attorney consider utilizing the services of the California District Attorneys' Association and other training agencies who can provide inhouse, inservice training to the assistant district attorneys.

If funds could be made available, a training coordinator would be a beneficial addition to the office. This person could prepare a trial manual, and also provide, on a regular basis, inservice training programs for the entire office. This area should be explored by the District Attorney and evaluated for use in the office.

2. PROMIS

The District Attorney's office has requested assistance in implementing PROMIS in the San Luis Obispo office. The fiscal 1980-81 budget for the county has provided the required support for the District Attorney to design and acquire a modified PROMIS. It should be noted that the absence of an adequate manual tracking system and files at the present time means that there will be little historical data to enter into the system when it is implemented. Its implementation will require a great deal of effort by the District Attorney and his staff.

It is important that any system designed for use by this office receive the input of staff at all levels to ensure that needs are addressed during the system design and development cycles. The system should be tailored to the needs of this office.

3. Case Disposition

At the present time the District Attorney's office utilizes a teletype machine which transmits disposition information on cases to the various law enforcement agencies within the county. Nine or more such agencies receive teletype transmissions from the District Attorney's office concerning nolle prosequis, acquittals, convictions and pleas. However, only one of the receiving law enforcement agencies is appropriately interested in any one case at any given time, but all nine or more receive the transmissions. It is suggested that the District Attorney's office should consider restricting its disposition transmissions to the agency affected and to those who need the documentation. The confidentiality of dispositions in the District Attorney's office, and the nature of the cases involved justifies this change in procedure.

A sample form for disseminating this information to the appropriate agency is attached as Appendix E. This form changes the booking record and arrest record at the law enforcement agency depending on the disposition of a criminal matter. Such a form should be sent to the appropriate agency needing the information on a particular case to conclude its record.

4. Sentence Recommendations

At the time of sentencing, the judge has the presentence investigation report before him, and the defense attorney usually presents argument for what he considers to be an appropriate sentence. However, the District Attorney does not have any input into the sentencing decision in San Luis Obispo County. It was suggested by members of the bench in the county that the prosecutor could also make sentence recommendations, if he so desired. This is an area which should be left to the discretion of the District Attorney and his particular view on the subject. He alone should determine under what circumstance his assistants should become actively involved in the sentencing of defendants. The team only wishes to bring this matter to the attention of the District Attorney, rather than make a recommendation at this time.

Finally, in discussions with the staff of the Public Defender, it was learned that they, too, share a high regard for the District Attorney and his staff. The only concern they had was in the area of plea negotiation. They would prefer that plea negotiating take place at an earlier time in the processing of a case, rather than at the pretrial conference, which is the Thursday before the Monday docket call. By that time, witnesses have been subpoenaed, a vast amount of time has been expended, and if a plea is accepted, then, personnel time and money have been wasted. If at

all possible, especially in felony cases, the District Attorney may wish to consider moving the time for plea negotiations back to the point in the process where the matter is bound over to Superior Court. Consideration might also be given to engaging in meaningful negotiation with defense counsel before the Bill of Information is filed. Such a policy would avoid amended bills and reduced bills, as the bill with the plea would be filed rather than the one that is for a higher charge and then reduced at a later time. Such would greatly assist the District Attorney in his statistics pertaining to plea negotiation and reductions.

IV. CONCLUSIONS

This analysis and these recommendations are presented with the realization that the District Attorney already has a working, effective organization. The District Attorney and his staff are generally in some stage of implementation of most of the recommendations contained in this report. Tremendous strides have been made by this office in many areas and those which are highlighted here are merely those that are next to be addressed.

The San Luis Obispo District Attorney's office exhibits a marked degree of professionalism and willingness to serve the public.

In the area of the Complaint/Charging Unit, consideration should be given to developing one police reporting form to be used by all law enforcement agencies which report to the District Attorney's office. This would greatly speed up the process of reviewing these reports and making the charging decision, which must be made within 48 hours of arrest if the defendant has not made bail.

Because of the high level of experience of the assistant district attorneys in the office and the rotation system which is used to man the charging desk, this task is not performed with the enthusiasm that it could be. This could be alleviated by acquiring one person to perform this function exclusively in the office. This could be someone who does not desire trial work, such as a retired prosecutor or a retired military officer with judge advocate experience. As an alternative, a police officer could be trained to perform intake review (with adequate supervisory review by an assistant district attorney), and also serve as a liaison with the various police departments. Consideration should be given to approaching the County Board of Supervisors at the next budget cycle, which would be Spring of 1981.

Felony cases in the office are assigned to an assistant after intake and remain that assistant's responsibility through disposition. Due to the unique situation in the San Luis Obispo office, this system impedes assistants' professional progress. Due to the extremely low turnover rate in the office, those assistants assigned to the Misdemeanor Unit are in effect stuck there for some period of time, until a vacancy occurs in the Felony Unit. For this reason, it is recommended that the assistants in the Misdemeanor Unit who are assigned to Municipal Court be allowed to handle the preliminary hearings in felony cases in that court. It is logical for them to assume this function and this would foster a greater sense of professional accomplishment on their part.

It is also recommended that the practice of assigning two assistants routinely to homicide cases be reevaluated and that a decision be made on the individual merits of each case and the assistants involved. Some attorneys prefer to work alone. Some prefer having a second person on the case. Under a fixed policy, these differences are not taken into consideration, with resultant dissatisfaction. A time savings would also result from a change in this policy, in that more attorney-hours would become available for other tasks.

Members of the Misdemeanor Unit rotate with those of the Felony Unit. This results in very experienced attorneys trying simple misdemeanor cases when they are rotated into the Misdemeanor Unit. This results in a loss of morale. It is recommended that these positions not be rotated. As experienced attorneys leave the office, recent law school graduates should be hired to replace them. These newly hired attorneys should be assigned

to the Misdemeanor Unit on a permanent basis. When vacancies occur on the Felony Unit, then the assistants in the Misdemeanor Unit should be promoted up to the Felony Unit.

Members of the clerical staff should be allowed to prepare the necessary paperwork and obtain the results of blood alcohol tests in drunk driving cases. This would free the attorneys in the office to work on other aspects of the cases, and relieve them of these clerical chores.

The misdemeanor docket could be made more time-efficient if the court could be encouraged to change its docketing procedure to schedule a back-up case when a pending case is continued or dismissed. This would also result in a saving of court and attorney time. It is also suggested that the possibility of a plea cutoff date be explored with the judges and the defense bar. In this way, the pretrial conference can be made more productive and meaningful and savings will accrue to all concerned in both time and resources.

The Victim/Witness Unit has recently assumed responsibility for intervention in domestic violence situations on a 24-hour basis. The technical assistance team feels that this is a function that should not be assumed by this unit, but should be left to the various law enforcement agencies. This activity is potentially very dangerous and requires a level of specialized training which is possessed only by trained police officers, or others specially trained in this area.

The Victim/Witness Unit is in need of a reception area for victims and witnesses, away from the main reception area, which is a very busy,

confusing place to someone already traumatized by a crime. The space could possibly be made available in a new area which is under construction adjacent to the present office space. This unit could benefit from a car with which to transport victims and witnesses to court appearances. At the present time there are two cars available to District Attorney personnel. However, the Victim/Witness Unit has need of one of them on a full time basis. A third car, assigned permanently to the Victim/Witness Unit, would be a great benefit to that unit, as well as to the rest of the office.

The only problem encountered in the Juvenile Unit is the lack of an assistant or secretary assigned to that unit. The probation department is located approximately one mile from the office of the District Attorney and a new Juvenile Hall is approximately six or seven miles in the opposite direction. The juvenile prosecutor has responsibilities in all three places. There is a need for an assistant to be assigned to the unit to perform secretarial duties and act as liaison with the various agencies with which the Juvenile Unit must deal. This person need not have legal training but must be able to deal with the probation department and the various law enforcement agencies.

At least two additional investigators are needed immediately in the Investigations Unit in order to ensure that needed case preparation is done. The current staff simply is not of sufficient size to meet the needs of the office. This unit also should have a clerical person assigned to it on a full time basis. This could be someone from the current clerical staff, or the consumer aid person could assist by handling priority typing requests from the investigators.

It is the recommendation of the Technical Assistance Team that an Economic Crimes Unit be established to handle this type of crime exclusively. One attorney is currently responsible for all economic crime cases, in addition to other felony cases. This assistant should be assigned only the economic crimes and he should be encouraged to seek civil remedies when that would be more appropriate than criminal sanctions.

The Consumer Unit is currently staffed by one investigator, who also has other responsibilities as an investigator and assists the attorney who handles economic crimes. This does not leave sufficient time to devote to the Consumer Unit, which has a heavy caseload due to the fact that there is no Better Business Bureau in San Luis Obispo. If possible, the college intern who was obtained over the summer to assist with this unit should be continued on a full time basis. Other student interns could also be used to supplement the staff to provide maximum service to the county, at a minimum cost.

Several major changes are recommended for the word processing function in the office. First, one of the clerical supervisors should assume the function of office manager and become involved in such activities as budget preparation, ordering of supplies, recruiting clerical personnel and collection and preparation of statistical reports. This would leave only one clerical supervisor, which is all that is needed in an office of this size. Second, secretaries should be assigned to specific units, rather than the random assignment of work on an availability basis, as is currently the case. This would foster a greater spirit of office teamwork and pride of accomplishment among the clerical staff. It would cut down the error rate and retyping of documents, since attorneys

and investigators will be able to communicate directly with their secretaries, not through the clerical supervisor, as is presently the situation. The present situation is not conducive to good working relationships, nor is it good for morale in the office. It should be changed immediately.

Finally, it is suggested that the person who works at the reception desk be relieved of the responsibility of typing forms. This task, which is in addition to answering of the phone, talking to visitors who come into the office, accepting cash and issuing receipts for discovery packets, is simply too much for one person to handle in this busy area.

In the area of paper flow, there are a few suggestions which the District Attorney may wish to consider. With a minor modification to the Jury Commissioner's system of creating jury cards, the necessity for typing a card in the District Attorney's office could be eliminated. A duplicate card could be generated by the Jury Commission and sent to the District Attorney, rather than separately typed card, as is the present practice. Also, at the present time, each attorney retains possession of the case files for cases to which he is assigned, even if no activity is scheduled for that case in the near future. Efforts should be made to centralize the location of the files and minimize the number of file folders in the possession of the attorneys at any one time.

There is presently no central information point in the office, nor is there an adequate manual case tracking system. Both of these problems could be partially solved by the use of a Case Card form. This card is currently available to the office, but is not in use. This card could be used to provide clerical personnel with data to respond to inquiries if a file folder is out of the central file. It could also provide

tracking and historical information in the event that the file is lost or misplaced. Finally, it could provide a focal point for data collection and eventual implementation of PROMIS in the District Attorney's office.

There are several miscellaneous suggestions which the Technical Assistance Team brings to the attention of the District Attorney. These include the need for continuing legal education for the attorneys in the form of inhouse training programs. The California District Attorneys' Association could be of assistance in this area.

When the District Attorney acquires PROMIS in fiscal 1980-81, it is important that all staff have input into the design of the system, in order to make it responsive to the particular needs of this office.

At the present time, the office uses a teletype machine to send case dispositions to several law enforcement agencies. All of the agencies receive the information concerning each case, however only the arresting agency is in need of the information. Therefore, it is suggested that the District Attorney consider restricting the transmission of this information to only those agencies with a need to know. A form could be used for this purpose, which would be sent to only the appropriate agency, not all of the law enforcement agencies at once.

The office of the Public Defender requested that the District Attorney consider engaging in plea negotiations at an earlier time in the processing of a case. This would save both time and expense, in that many times witnesses have been subpoenaed and much work done on a case, only to have the defendant plea to a reduced charge later in the process. If this could be done at an earlier stage, resources could be allocated in a more efficient manner.

Judges interviewed also indicated that they have no objection to the District Attorney making sentence recommendations. The judge has the presentence investigation report and he usually hears argument from the defense attorney, but he gets nothing from the District Attorney to guide his decision. This is an area which should be left to the discretion of the District Attorney. The team merely wishes to call to his attention the feelings of these judges in this matter.

If these suggestions are considered by the District Attorney, and implemented as they address the needs of the office, the resources of the office can be utilized in such way as to realize a saving in time and manhours and in the operation of a more efficient office.

APPENDIX A

RESUME

J. DAVID BOURLAND

Office

222 St. Louis Street
Baton Rouge, Louisiana 70801
(504) 389-3476

Residence

4709 Parkoaks Drive
Baton Rouge, Louisiana 70816

Educational Background

Juris Doctor: Texas Tech University, Lubbock, Texas, May, 1970

Bachelor of Science: Weber State College, Ogden, Utah, June, 1966

Admitted to Practice

State of Louisiana, 1978

State of Utah, 1970

Professional Background

1976 to Present: Chief Assistant District Attorney, East Baton Rouge Parish District Attorney's Office

1973 to 1976: Director of Management, Evaluation and Technical Assistance Division, National District Attorneys Association, Chicago, Illinois

1972 to 1973: Executive Director, Nevada District Attorneys Association, Las Vegas, Nevada

1971 to 1972: Instructor, Police Science, Weber State College Ogden, Utah

1971 to 1972: Associate in the law firm of McKay, Burton, McMurray and Thurman, Salt Lake City, Utah

1970 to 1971: Law Clerk to the Chief Justice, Nevada Supreme Court, Carson City, Nevada

Additional Professional Experience

Distinguished Faculty Member, National College of District Attorneys, Houston, Texas

Lecturer, Prosecutor Short Course, Northwestern University, Chicago, Illinois

Chairman, Automated Information System Committee, National District Attorneys Association, Chicago, Illinois

Publications

"Staff Motivation", The Prosecutor, Vol. 11, No. 4, January, 1976

"Design for the Use and Implementation of Model Prosecutor's Case Jacket", National Center for Prosecution Management, 1973

"Statistical Activity Report for Prosecutors", The Prosecutor, Vol. 10, No. 4, December, 1974

DISTRICT ATTORNEY

James C. Wise

DEPUTY DISTRICT ATTORNEYS
C. Phillip Miller

CHIEF DEPUTIES
William J. Fritzel
Peter A. Hofstrom

CHIEF INVESTIGATOR
Judy Leach

THE STATE OF COLORADO
TWENTIETH JUDICIAL DISTRICT
ALEXANDER M. HUNTER
DISTRICT ATTORNEY

DEPUTY DISTRICT ATTORNEYS

James T. Reed
Kevin M. Shea
Steven Meyrath
William J. Kravakki
Dennis B. Wanbo
David A. Mark
Peter M. Maguire
Lawrence F. King



RESUME - ALEXANDER M. HUNTER

Born: December 20, 1936

Married: Jacqueline Hunter

Children: Alexander M. Hunter, III
Lindsey W. Hunter
Carolyn C. Hunter

Education and Honors: University of Colorado, 1959
Intercollegiate debate - 4 years
Chairman - Hyde Park Debate
Winner State & Regional Oratorical Contests - 1957, 1958 & 1959
C.U. Pacesetter Award - 1959

University of Colorado School of Law, 1963
Storke Scholar
Holder of Laskey Scholarship
Law Review (Case Note Editor)
Winner Local, Regional, National (New York) and International (Chicago) Moot Court Competitions
Selected as outstanding graduate in region by Phi Delta Phi National Legal Fraternity
National Chairman of Law Student Legal Aid and Defender Program

Legal Experience: Research Assistant to Chief Justice Leonard v. B. Sutton, Colorado Supreme Court - 2 years
Deputy District Attorney - 2 years
Senior Partner; Hunter, Hopkins & Wise - 5 years
Elected Boulder County District Attorney - November, 1972 and November, 1976

Memberships (past and/or present): Member Inter-American Bar Association
Member of Boulder, Colorado and American Bar Associations
Member of Colorado and American Trial Lawyers Association
Member of Metropolitan Denver District Attorneys Consumer Unit
Member of Colorado District Attorneys Council
Member of Standards and Goals Project, National District Attorneys Association
Member of Curriculum Committee, National College of District Attorneys
Faculty Member National College of District Attorneys

Terrorism Background: Sponsor and Coordinator Terrorism Conference for National District Attorneys Association - 1976
Sponsor and Coordinator Colorado Task Force to Combat Terrorism - 1979-1980.
Member American Society of Industrial Security (Terrorism Committee)
World Affairs Council, University of Colorado, Chairman, High Technology Terrorism - 1979-1980
FBI Regional Seminar - Combatting Terrorism - 1979
Lecture: "Computer Analysis: Terrorist Crimes in Progress" presented to the Bank Administration Institute and various law enforcement groups
Lecture: "Terrorism Overview" presented to State of Colorado Emergency Preparedness Managers - 1980
Lecture: "Executive Protection Against Terrorism" presented to Rockwell International (Rocky Flats) - 1980
Lecture: "High Technology Advisory Center Concept" presented to the Colorado Chiefs of Police Association - 1980

Areas of Interest:

- 1) High Technology Terrorism - generally
 - a) Tactics and strategy
 - b) Weaponry
 - c) Chemical and Bio-chemical Technology
 - d) Nuclear - (Nuclear Waste)
- 2) Terrorist Profile Development
 - a) Political (Crusader and other)
 - b) Criminal
 - c) Abnormal
- 3) The Influence of Drugs on the Terrorist
- 4) Precommission Bargaining of Terrorist Crime
- 5) Legal Immunity for Terrorists
- 6) Accountability of Nuclear Waste
- 7) Impact of Diffused Nuclear Waste by Conventional Explosive
- 8) Terrorism Data Bank
- 9) High Technology Terrorism: Threat Analysis
- 10) High Technology Terrorism Advisory Team

ANDREA L. PRIVETTE

Mrs. Privette joined Maricopa County in 1974 as a Budget and Research Analyst and is now the Budget Coordinator for the County Department of Health Services. The Department includes a 549 bed acute care hospital, long term care (nursing home placement), Public Health, Air Pollution and Animal/Rabies Control functions with a gross budget in excess of \$85 million.

Mrs. Privette's responsibilities include implementation of new budget techniques, budget monitoring and reporting systems, cost benefit analysis, and long range capital equipment planning.

Prior to joining the Health Services Department, she was the Senior Budget Analyst in the County Office of Management and Budget. During her four year tenure in OMB, she alternately had budget liaison responsibility for Finance, Health and Welfare Systems, General Administration and Court and Judicial departments. She participated in significant rewrite of manuals and forms to emphasize programmatic aspects of budgeting, and institution of long range planning.

Mrs. Privette frequently addresses groups on utilization of Management by Objectives, PPBS and Zero Base Budgeting concepts.

From 1972 to 1973 Mrs. Privette participated in a HUD/USAC (Urban Information Systems Inter-Agency Committee) funded feasibility and planning study for an Integrated Municipal Information System for the City of Phoenix, Arizona.

In 1970, Mrs. Privette was the Research Assistant to the Budget Director, City of Charlotte, North Carolina. In addition to budget functions, she assisted the Budget Director and City Manager in development and production of one of the first governmental Management by Objectives programs in the United States.

Prior to entering government services, Mrs. Privette worked four years in the Corporate Marketing Division (Military and Government Systems) of System Development Corporation in Washington, D.C. In addition to budget and planning duties, she had extensive liaison responsibility with the U.S. Department of Defense arranging product presentations for computer software systems.

She worked one year for the Export Sales Division, Lockheed Aircraft Corporation, Washington, D. C. Her work there was centered on acquisition of Import/Export licenses through the Department of State and Department of Commerce for aircraft and spare parts leaving the U.S. Additionally, she monitored legislation and lobbying, obtained passports and visas for all Lockheed personnel and scheduled military aircraft for preventive maintenance at various Lockheed Aircraft Service Company locations.

From 1964 to 1967, Mrs. Privette worked for Stanley Engineering Company in Washington, D. C. performing embassy liaison work for company road and hydroelectric projects in South America and North Africa, wrote contract amendments for U.S. Agency for International Development, and market research for proposed offices in East Africa.

APPENDIX B

Enclosure C

A Ident. No. _____ 1. _____
 Agency _____ 2. _____
 Judicial District _____ 3. _____
 4. _____

Count	Offense	Def. No.	F/M	Form I	Inst. No.	Insert Language	Date
	1590C				87		

Companion or Related Cases: DA Nos. _____ Charge _____

Warrant and Affidavit Needed Appearance Letter, Def. No. _____
 Standing Order Disclaimer Order for Production of Prisoner

Def. No: _____ Address: _____ S.S.No. _____
 Bus. Address: _____ O/L No. _____
 DOB _____ Sex _____ Hr _____ Eyes _____ Ht _____ Wt _____ Veh _____ V/L _____

Def. No: _____ Address: _____ S.S.No. _____
 Bus. Address: _____ O/L No. _____
 DOB _____ Sex _____ Hr _____ Eyes _____ Ht _____ Wt _____ Veh _____ V/L _____

Def. No: _____ Address: _____ S.S.No. _____
 Bus. Address: _____ O/L No. _____
 DOB _____ Sex _____ Hr _____ Eyes _____ Ht _____ Wt _____ Veh _____ V/L _____

May be eligible for diversion as to Count[s] _____

SUMMARY OF CASE: _____

POTENTIAL PROBLEMS: _____

SUGGESTED CHARGE DISPO.

Def. No: _____ Plead _____ Def. No: _____ Plead _____

ADDITIONAL INSTRUCTIONS/RECOMMENDED BAIL

CASE WEIGHT:

D.	V.	C.	TOTAL

NO.	WT.	LTR. CODE	TRIAL TIME	PREL. TIME	WIN PROB.

SUBPOENA REQUEST

Enclosure D

A No. _____ Ct. No. _____

Defendant(s) _____ Charge(s) _____

() C.Tr. (x) Ju.Tr. (x) Prelim. () 1538.5 () Juv. Dep. _____

(x) SLOMC () GCMC () PRMC () SUPERIOR Date _____ Time _____

() C.Tr. () Ju.Tr. () Prelim. () 1538.5 () Juv. Dep. _____

() SLOMC () GCMC () PRMC () SUPERIOR Date _____ Time _____

Issue Name Address Phone Comment

Subpoena 1 2 _____

[] [] 1. Res: _____

Bus: _____

[] [] 2. Res: _____

Bus: _____

[] [] 3. Res: _____

Bus: _____

[] [] 4. Res: _____

Bus: _____

[] [] 5. Res: _____

Bus: _____

[] [] 6. Res: _____

Bus: _____

[] [] 7. Res: _____

Bus: _____

[] [] 8. Res: _____

Bus: _____

[] [] 9. Res: _____

Bus: _____

[] [] 10. Res: _____

Bus: _____

PEACE OFFICERS: If your name is circled, please regard this as a subpoena. To be placed on call, contact Witness Coordinator Pete Dunan at 549-5822.

Enclosure E

SUPPLEMENTAL INVESTIGATION REQUEST

TO: _____ AGENCY: _____

DEFENDANT: _____ CASE NO. _____

CHARGES: _____ INV. OFFICER: _____

Date Needed Date Rec'd

[] A. Additional Reports (Specify)

- [] Crime _____
- [] Arrest or Confession _____
- [] Evidence _____
- [] Scientific Tests _____
- [] Follow-up _____
- [] Transcript of Taped Conversations _____
- [] Please review case to insure this office has received all reports concerning this case as court has ordered discovery.
- [] Others _____

[] B. Supplemental Investigation

- [] Talk to defendant re: _____
- [] Talk to witness(es) _____
- Re: _____
- [] Other (Specify) _____
- [] Defense alibi _____

[] C. Special Procedures

- [] Photographs of _____
- [] Maps of _____
- [] Surveys or Diagrams of _____
- [] Scientific testing of _____
- [] Facts relating to other crimes committed by _____

[] D. Documentation

- [] Police reports from _____ concerning charges _____
- [] Other documents _____

[] E. Other

Date Requested _____

Request delivered to: _____ D.D.A. requesting: _____

When supplemental investigation has been completed, please contact: _____

SAN LUIS OBISPO COUNTY

Report to Investigating Agency

Date _____

To: _____ Agency: _____ Your File No. _____

Suspect(s): _____ Offenses: _____

Submitting Officer: _____

At the request of your office, we have reviewed the investigative reports, etc., submitted by your department, and we are of the opinion that a criminal prosecution should not be initiated at this time for the following reason(s):

- (1) Lack of corpus
- (2) Lack of probable cause (includes insufficient evidence to warrant criminal prosecution)
- (3) Interest of justice (includes circumstances do not warrant criminal prosecution)
- (4) Victim unavailable/declines to prosecute
- (5) Witness unavailable
- (6) Illegal search and seizure
- (7) Combined with other counts
- (8) Referred to City Attorney
- (9) Other _____

Remarks: _____

If the deficiency or deficiencies, if any, noted above are remedied and you desire to re-submit the matter for our consideration, we will be glad to review it again. However, if it is re-submitted to us, we respectfully request that it be re-submitted as quickly as possible to the undersigned, together with this report.

Reviewing Deputy District Attorney

APPENDIX C

VICTIM IMPACT STATEMENT

CASE DATA	Defendant: _____ Court #: _____ Charge: _____ Sent. Date: _____		
VICTIM			
INJURIES	Physical:		
	Emotional:		
FINANCIAL LOSS	Medical:		
	Property:		
	Other:		
<table border="1"> <tr> <td>TOTAL:</td> </tr> <tr> <td>\$</td> </tr> </table>	TOTAL:	\$	
TOTAL:			
\$			
VICTIM CONTACT WITH DEFENDANT			
VICTIM COMMENTS ON DISPOSITION, TREATMENT, PUNISHMENT, ETC.			

Date _____ (Victim/Witness Assistance Unit)

cc: Sentencing Judge/Probation Department
D.A. File

PREPARED BY THE VICTIM/WITNESS ASSISTANCE UNIT OF THE BOULDER DISTRICT ATTORNEY'S OFFICE. FOR FURTHER INFORMATION CONTACT VICTIM/WITNESS AT 441-3730.

APPENDIX D

DA # _____

CASE CARD

TITLE: Peo. v _____
(last) (first)

OFFENSE: _____

SETTING: JT () CT () MOTION: _____

DATE: _____ TIME: _____

COURT: SLO () GC () #M- _____

D's ATTY: PD () Private _____

DISCOVERY COMPLETED: YES () NO () ^(name) DATE: _____

DATE SUBPOENAS ISSUED: _____

PENDING FURTHER PREPARATION: YES () NO () _____

CASE PREPARED BY D.D.A.: _____ TYPE: _____

Blaine ()
Findley ()
Shea ()

NOTE: _____

APPENDIX E

AUTHORITY TO CHANGE BOOKING

TO: J. Al Amiss, Sheriff

FROM: Ossie Brown, District Attorney

This will be your authority to change booking of the above captioned party as it has been determined by this office, upon investigation, that the booking should be changed to

For the following reasons:

District Attorney

END