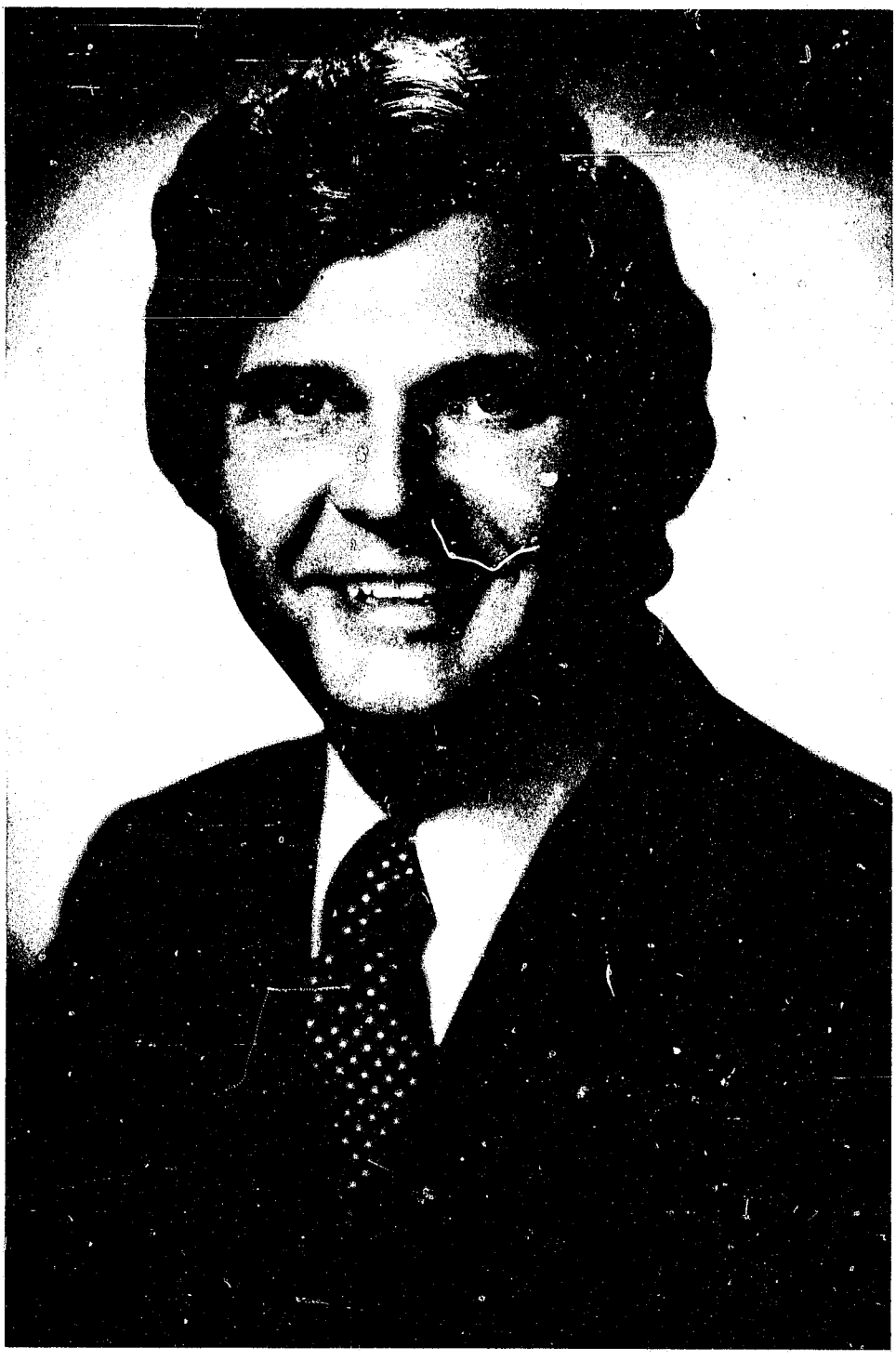
REPORT
OF THE
STATE'S ATTORNEY'S OFFICE
OF
BALTIMORE CITY

UNDER THE ADMINISTRATION
OF
WILLIAM A. SWISHER

NUARY 1975 THROUGH JUNE 1978



William A. Swisher
State's Attorney of Baltimore City

FOREWORD

My Fellow Baltimoreans:

The last three and one-half years have brought many changes to our Criminal Justice System. Along with them we have seen an almost unprecedented increase in the difficulties facing judges and prosecutors. Case loads have increased at the same time resources have declined. In the face of this we have labored to insure that the citizens of Baltimore have the very best available in legal representation in the criminal courts.

We think the men and women of the State's Attorney's Office can be proud of the record they have established. Many of the problems confronting us are on the way to solution through the use of innovative programs and policies. Many of these have resulted in increased efficiency without an increase in tax dollars spent. Still others will require additional financial support.

The goal of all our efforts is to help make Baltimore a safer and more pleasant place to live for all of the people. We think the information contained in the report which follows will assure every taxpayer that significant progress has been made and will continue toward that goal.

William A. Swisher

William A. Swisher
State's Attorney for Baltimore City

TABLE OF CONTENTS

INDEX TO CHARTS AND TABLES

I. INTRODUCTION

The State's Attorney of Baltimore City is a locally elected official whose office is supported by tax dollars. Such an official has a duty to periodically report to the citizens of his jurisdiction on the maintenance and functioning of his office, the accomplishments of his administration, current problems being faced and basic changes which have occurred. Reports of this nature have been issued by the administrations of Charles E. Moylan, Jr. (State's Attorney from 1964 to 1970 and now a judge of the Court of Special Appeals) and Milton B. Allen (State's Attorney from 1971 to 1975 and now a judge on the Supreme Bench of Baltimore City). This report on the administration of William A. Swisher is intended to bring the public up to date on the accomplishments and problems encountered since Judge Allen's report of July, 1974.

More Defendants, Fewer Personnel

Each administration faces a mixture of old and new problems. The old problems, such as increasing volume and speedy trial requirements, change more in degree than in basic identity. The years 1970 through 1974 were a period of tremendous growth in the Baltimore City Court system. Four additional Criminal Courts were acquired, four more Juvenile Courts were acquired and full staffing of the District Courts was accomplished. The bulk of these improvements were financed through federal grants obtained from the Law Enforcement Assistance Administration (LEAA) with the assistance of the Governor's Commission on Law Enforcement and the Administration of Justice and the Mayor's Coordinating Council on Criminal Justice. These grants, coupled with some increased funding from the City, allowed the State's Attorney's staff to more than double during this time.

Unfortunately, these federal grants provide funding for a maximum of three years. At the expiration of this time, the local government agency is expected to assume the cost if it wishes the program continued. As grants have expired, the City has been unwilling or unable to continue funding in some cases. This problem has become increasingly acute in the last three years and effective programs have been either reduced or eliminated due to a lack of funds. At the same time, Congress has reduced the level of funding for LEAA, thereby making it more difficult to initiate new programs. The net result has been that, even though the Office budget has increased from the $2.8 million appropriated in fiscal year 1974 to $3.3 million for the current fiscal year 1979, there has been a decrease in staff from 108 prosecutors in 1974 to 92 on July 1, 1978.

Overall staff has decreased from a high of 166 in 1974 to the present 158. The total number of courts to be covered has remained basically constant since the previous administration. Yet, in terms of federal funding alone, the special funds appropriation has steadily declined from the $828,578 included in the fiscal 1974 budget to $413,838 for fiscal year 1979, a decline of approximately 50%.

In September, 1977 one additional court became available two days a week for criminal cases. This court had previously been used solely for non-support and defective delinquent cases, and staffing simply was switched for the two days from one division to another. Prosecutors cover the same twelve criminal courts, eight juvenile courts, eight district courts, and two traffic courts that were covered in 1974, despite a drop in professional personnel of almost 15%. During this time there has been an increase of 34.5% in defendants entering the Criminal Court system, 24.1% in misdemeanor defendants entering the District Court system and 24.3% in the number of juveniles referred for prosecution by the Juvenile Services Administration.

The record input of cases has caused heavy burdens to be placed on both courts and prosecutors. Average output has increased 10.6% from the record level recorded by Judge Allen's Administration. Data available for the first six months of 1978 indicates that the number of defendants processed this year may well be 45% above 1973-74 levels. Four years ago the thought of such productivity would probably have been dismissed as an impossible pipe dream. Unfortunately, input for 1978 will probably be about 40% above the 1973-74 average so that only a small reduction in the backlog of cases awaiting trial can be expected.

A Professional Office

One of the major goals of the previous administration was to develop career prosecutors who would remain in prosecution rather than using their experience as a stepping stone into a lucrative private practice. During the last three and one-half years of the Swisher Administration, substantial progress has been made toward making this goal a reality.

In 1969 the average experience of prosecutors in the State's Attorney's Office was 13 months. A prosecutor sometimes went from newly-hired to Division Chief in less than two years. By the middle of 1974, Division Chiefs had an average of four and one-half years in prosecution and members of the Criminal Court Division averaged slightly over two years' experience.

By the middle of 1978, considerable additional progress had been made. Division Chiefs had been with the office an average of

seven and one-quarter years and members of the Criminal Court Division averaged slightly over four years' experience. Every Division Chief had been hired by a prior administration, as had 53.8% of the Criminal Court Division lawyers. Only 7.7% of the members of the Criminal Court Division had less than two years' experience compared to 57.9% only four years earlier.

The goal of creating career prosecutors has not been limited to those who try cases before the Supreme Bench. The average experience for prosecutors throughout the office is now four years and two months. Many of our prosecutors had experience in the office prior to 1975 as interns or law clerks while still in law school and later joined the staff as prosecutors.

It is still too soon to determine whether these lawyers are truly career prosecutors. One substantial hurdle which must be overcome concerns salaries. Newly-hired prosecutors earn less than attorneys starting with most private firms. Public Defender salaries exceed those of prosecutors by approximately 10%. Retaining highly competent and experienced prosecutors requires a competitive salary structure that will enable them to pursue the job they enjoy without cheating their families. The tremendous gains which have been made since 1969 have yielded an office of Baltimore City prosecutors with greater experience than at any other time in the past. Maintaining these gains will be possible only if competitive salaries become available.

Major Accomplishments

The State's Attorney's Office under William A. Swisher has provided progressive leadership in attacking problems which confront the courts. Given a mixture of old and new problems faced by the criminal justice system, progress has been made through a combination of improved procedures and innovative new programs designed to meet the challenge.

No report can briefly do justice to the myriad minor improvements which occur over a period of years. However, certain accomplishments stand out as major achievements given the system itself and the constraints, both budgetary and legal, which impose limitations on both prosecutors and the courts:

1. In spite of unparalleled volume in Criminal Court, the backlog has not increased and cases are being tried in an expeditious fashion. The backlog of felony defendants has decreased more than 15%.

2. The Juvenile Court backlog, which was so big in 1974 and 1975 that no one was able to get an accurate count on it, has been reduced to less than 800 petitions awaiting a court hearing. The

best estimate available for the backlog at its worst was roughly 6000 petitions.

3. Postponement rates have been substantially reduced and, in some courts, are down more than 50%.

4. Conviction rates in all courts have risen.

5. In a system which has historically concerned itself primarily with protecting the rights of the defendants, specialized units are now operating *to protect* and *to assist victims* of crime.

6. Substantial progress has been made in attracting and retaining experienced prosecutors.

7. All of this has been accomplished despite a 15% decrease in the number of prosecutors.

These accomplishments are believed to reflect a previously unattained standard of excellence in prosecution on behalf of the citizens of Baltimore City.

II. UNDERSTANDING STATISTICS

Virtually every organization maintains some form of statistics which are generally used for a variety of purposes. These statistics are frequently cited almost at the drop of a hat and sometimes in situations where they contribute little to the issue at hand. In order to deal intelligently with statistics and what they really mean, a few basic considerations should be kept in mind.

1. In many situations the most valid indication of what is happening is derived from a comparison of existing statistics with those from a prior point in time. The number of defendants processed by a court system in one period is essentially meaningless unless one knows how many were processed in previous periods.

2. Small changes in percentages may have little meaning. Changes of a few tenths of one percent in any direction do not really indicate a significant improvement or failure.

3. In some instances there is some limit on how much improvement can be realized. Postponements will never be totally eliminated and no one is entirely sure what a reasonable bottom limit is. There are situations in which valid postponement requests should rightfully be granted and injustice would result if the requests were denied solely to reduce the postponement rate.

4. Statistics are only as valid as the consistency of their maintenance permits. Wholesale changes in the method of recording data are likely to render the new figures meaningless for comparison purposes.

5. All statistics are subject to interpretation. The fact that a

given statistic goes up or down does not mean that the situation is either good or bad.

6. Proper interpretation of statistics requires some understanding of the conditions which produced them. Some data ceases to be comparable as conditions change. Little is to be gained from attempting to compare statistics obtained under significantly different conditions.

7. Statistics covering part of a period are valuable but should be approached with some caution. They may be affected disproportionately by favorable or unfavorable temporary conditions that even out by the end of the period.

Statistics in this Report

Considerable progress has been made towards a good system of collecting and interpreting statistics. In early 1973 the methods were changed to keep track of defendants rather than charging documents. Prior to that time defendants were counted only as to the number scheduled and the number closed. The change was made in an attempt to obtain better data on the true workload.

The methods of collecting and interpreting statistics have remained basically unchanged since the improvements made in 1973. This has yielded data which is of considerable value in comparing present results with those obtained in the past.

Analysis of data prior to 1973 reveals the following points which must be taken into consideration in reviewing comparative data:

1. Two additional courts were obtained in September, 1972 and a rise in productivity following this was attributable largely to the availability of these courts.

2. An entirely different case numbering system existed prior to implementation of a computerized case processing system in Criminal Court in 1972.

3. Data was maintained on the basis of charging documents rather than defendants prior to 1973, as previously noted.

These three factors, when taken together, suggest the undersirability of comparing pre-1973 statistics with those of later years. Because of the additional variables which did not exist prior to 1973, comparison of the period 1973-74 with the period of January 1, 1978 through June 30, 1978 is thought to provide a more fair and accurate analysis of the progress which has been made by the Administration of William A. Swisher.

Comparisons are also generally provided for the first half of 1974 and the first half of 1978. These reflect the level of operations

towards the end of the current and past administrations and should generally indicate the effect of improved programs on case processing.

Notes have been provided with tables of statistics to identify any problems which might affect the validity of comparisons. These problems are not believed to alter the validity of these statistics significantly. This is particularly true of a few estimates of defendant totals for 1973 prior to the change to a defendant-oriented statistical system.

We are especially pleased with the success of this Office's conversion to the "Julian" numbering system in 1975, one of many administrative innovations guided by Joseph F. Murphy, Jr., who served ably from January 1, 1975 to August 31, 1976 as this Administration's Deputy. The Julian system serves as a useful tool for case analysis as well as for elimination of "paper shuffling," and for easing the Criminal Court Clerk's Office heavy workload. Because our Office now numbers Indictments and Criminal Informations, the Clerk of the Criminal Court can utilize his personnel previously assigned to that task in more useful areas.

III. CRIMINAL COURT DIVISION

The Criminal Court Division is responsible for trial of all felonies, appeals from District Court and misdemeanor jury trials before the Supreme Bench. It staffs eleven courts full time and a twelfth two days a week. Although the number of prosecutors assigned to this division varies due to vacancies, the total seldom reaches 40. Ideally, about 44 prosecutors would be required to properly staff these courts, but budgetary limitations have made this impossible.

Volume Received Up 24.1%

The biggest problem faced by the Criminal Court Division has been the unprecedented rise in the number of defendants received into the system. From an average of 6737 defendants for the years 1973-74, volume received rose to an average of 9062 per year for the period from 1975 through the first half of 1978. Projections for the year 1978 indicate anticipated receipt of roughly 9600 defendants, a 42.5% increase over the average during the previous administration.

The greatest single factor which has sparked this increase has been the unparalled rise in the number of defendants who requested jury trials on misdemeanor charges in the District Court. As the District Courts lack the facilities to accommodate these defendants,

their cases are transferred to the Supreme Bench for trial. Experience has shown that the vast majority of these defendants do not really want jury trials but have requested one for some other reason. Nevertheless, their presence has created a substantial clog in the system which shows no signs of decreasing.

Misdemeanor Jury Trial Defendants Received:

1973	1974	1975	1976	1977	1978
1490	2520	3806	4109	4110	2436*

* six month figure

The severe problem caused by these cases is illustrated by the steps which have been taken by the courts to handle the volume. For the past five years two courts have been available to hear misdemeanor cases (including appeals from District Court). This worked quite well for some time and misdemeanors only occasionally spilled over into the felony trial courts. As recently as April 1977, less than 5% of the cases set in the felony courts were misdemeanors. By April 1978, however, the percentage had risen to 43.4% and an average of four fewer felony defendants were being scheduled each day as a result. Failure to allow the misdemeanors to be scheduled in felony courts would have ultimately meant their wholesale dismissal for lack of a speedy trial. The solution to this problem lies either in additional courts and prosecutors, fewer misdemeanor jury trial defendants, or some combination of both. These solutions will not be easy to accomplish but appear to be the only possibilities for resolution of an ever-worsening situation.

The Battle of the Backlog

The battle of the backlog, historically a problem for prosecutors, is being won in spite of the very substantial increase in the number of defendants entering the system. The number of cases awaiting trial is down slightly from the overall backlog inherited by the Swisher Administration three and one-half years ago, despite the tremendous volume of cases coming into the system.

"Backlog" is a term which is susceptible of many definitions. As used in the courts today, it means the number of defendants in the system who can be tried. It does not include those who have absconded and are therefore unavailable or those who have been tried and are awaiting sentencing. Obviously there will always be a backlog as a defendant cannot be tried on the same day that a charging document is filed. The challenge is one of keeping the number of defendants awaiting trial at a reasonable level.

Statistics regarding the size of the backlog are compiled

monthly by the Criminal Assignment Office, an agency of the Supreme Bench. These reports indicate a total of 2037 defendants awaiting trial on January 1, 1975. As of July 1, 1978, the total had decreased to 1970. Although the report is now prepared by a computer which guarantees that no defendant is counted more than once, the backlog problem does not appear to have worsened and may have improved. Considering the record volume received, this is regarded as a highly satisfactory situation.

Further analysis reveals that only 1160 of the defendants awaiting trial have a felony as their most serious charge compared to 1420 on January 1, 1978. This represents a decrease of 18.3%. It has also been noted that only approximately 30% of the felony defendants have been awaiting trial for more than six months. This 30% is based on days elapsed since filing of the indictment or criminal information and does not take into account insanity pleas, defendants returned for a new trial after appeal or instances where the defendant absconded and was unavailable for trial for a period of time. If these cases, all of which play havoc with expeditious processing, were eliminated, the over-six-month's percentage would be close to 20%.

Postponements Decreasing

Postponements have always been a particular concern to prosecutors due both to speedy trial requirements and the substantial inconvenience suffered by victims and witnesses. Each administration has worked to improve the system to reduce the postponement rate. Considerable effort has been expended since 1975 and the rate has now reached an overall figure of 15.6% for the first half of 1978, down from the 33.1% rate which existed during the years 1973-74.

The basic postponement rate is computed by dividing the number of defendants postponed into the number on the trial dockets when the courtroom clerk receives his copy of the docket. This has been a consistent method of measurement and includes all defendants postponed on the day of trial or within a few days prior to trial. These are the situations which are most likely to inconvenience witnesses and impede orderly processing in the courts. Not included in the postponement rate are instances when the defendant fails to appear for trial and a warrant is issued for his arrest. These situations do not require the filing of a postponement form and are handled statistically as a separate category.

Cases are generally scheduled for trial by the Criminal Assignment Office at least four weeks and sometimes months in advance. This is frequently done without conferring with the attorneys involved. Attorneys are notified of the date scheduled within a few

days and, if a conflict exists, can request that the date be changed by filling out a postponement form. Victims and witnesses are notified approximately four weeks prior to trial. If unavoidable conflicts exist, cases can be removed from the docket by requesting a postponement. Not all "postponements" delay cases. In some instances a change in the trial date ultimately allows the case to come into court more quickly as it can fit into an opening which did not exist when the case was previously scheduled.

The only reasonably accurate way of determining postponement reasons is a review of postponement forms processed by the Criminal Assignment Office. These forms are filed for all cases which are not heard when originally scheduled and routine analysis makes no attempt to differentiate between cases postponed on or close to the trial date and those removed from the dockets well in advance.

A survey of 500 postponement forms received by the Criminal Assignment Office during March, April and May 1978 for which trial dates were changed revealed the following leading reasons for rescheduling:

Defense Attorney in Another Court	18.8%
No Court Available	10.0%
State's Witness Ill, Death in Family	5.8%
Defendant, Defense Witness Ill, Death in Family	5.0%
Defense Attorney on Vacation	5.0%

These five reasons account for 44.6% of all changes in trial date granted. With the exception of "Defense Attorney on Vacation," they usually occur on the trial date or shortly before.

Overall, only 20.2% of the total trial date changes were attributed to prosecution requests and only one of these reasons accounted for more than 3% of the total changes permitted. The main reason for state postponements, the illness of a Witness or a death in his family, is not readily susceptible of being reduced.

The problem of "No Court Available" is presently being brought under control by a new Supreme Bench policy instituted with the assistance of the State's Attorney's Office which calls for continuing these cases in the docket until a court becomes available. This normally occurs within a day or two and has served to even out the workload. Hopefully this policy will lead to an even greater reduction in the postponement rate in the future.

POSTPONEMENT ANALYSIS FOR MARCH - MAY 1978

TOTAL DEFENDANTS POSTPONED	Felonies	Misdemeanors	Total
	296	204	500
Administrative:			
No Court Available	20	30	50
Defendant Not Produced by Institution	4	9	13
Clerical Error	4	7	11
Consolidation	10	1	11
Miscellaneous	8	15	23
Total Admin. Postponements	46	62	108
% of Total Postponements	15.5	30.4	21.6
State:			
Witness Failed to Appear	8	4	12
Prosecutor in Another Court	5	2	7
Witness Cannot be Located	8	1	9
Witness Ill, Death in Family	18	11	29
Witness N Served	1	0	1
Prosecutor on Vacation, etc.	0	2	2
Witness on Vacation, etc.	1	7	8
Witness Otherwise Unavailable	8	2	10
Complete Discovery Required	1	1	2
To Summons Additional Witness	6	1	7
Miscellaneous	11	3	14
Total State Postponements	67	34	101
% of Total Postponements	22.6	16.7	20.2
Defense:			
To Summons Additional Witness	6	2	8
Attorney New in Case	5	3	8
Attorney Ill, Death in Family	14	7	21
Def., Witness Ill, Death in Family	10	15	25
Attorney in Another Court	63	31	94
Defendant in Another Court	1	1	2
Insanity Plea, Supreme Bench Medical Office	7	1	8
Def. Failed to Appear - No Warrant	6	11	17
Defendant to get Attorney	9	6	15
Attorney on Vacation, etc.	12	13	25
Attorney Unprepared	8	3	11
Reverse Waiver Filed	7	0	7
Witness Failed to Appear	2	1	3
Witness Otherwise Unavailable	1	1	2
Miscellaneous	9	7	16
Total Defense Postponements	160	102	262
% of Total Postponements	54.1	50.0	52.4
Joint:			
Plea Bargaining in Progress	4	0	4
Both Lacking Witnesses	1	1	2
Miscellaneous	18	5	23
Total Joint Postponements	23	6	29
% of Total Postponements	7.8	2.9	5.8

Plea Bargaining

The term "plea bargaining" has been subject to a variety of definitions by different people and has received criticism far out of proportion to the existing problem. Some people define it as the dropping of one or more charges in exchange for a guilty plea to another. Others define it as a plea to a reduced charge regardless of what happens to other charges against the same defendant. Still others define it as any situation in which some recommendation is made as to sentence. A few go so far as to define it as any guilty plea.

The criticism aimed at "plea bargaining" — this really means plea negotiation — stems from the often-mistaken belief that the defendant is escaping justice. However, any analysis of the propriety of guilty pleas must consider the facts of the individual case, the extent of the defendant's participation in the offense, his prior record and the sentencing habits of the judge. Defendants charged with property crimes who have no prior criminal record are frequently regarded as candidates for suspended sentences by many judges. Similarly, maximum sentences are frequently not imposed even after jury trials or when no recommendation is made as to sentence. In other instances, repeated prosecutions for multiple offenses are likely to result in no additional sentence.

The propriety of permitting a guilty plea to a lesser offense than the most serious charge is also subject to some analysis. The difference between some charges hinges on sometimes vague differences in facts. When it appears that there is a genuine dispute in court as to whether the facts of the offense actually are sufficient to prove the more serious offense, the prosecutor may accept a plea to the lesser offense, particularly if the judge is left with sufficient sentencing latitude. This might occur, for instance, in a situation where the defendant is charged with burglary and a neighbor states that the defendant was seen in the house just as it was getting dark. The difference between burglary and daytime housebreaking depends upon whether the offense occurs at night. Burglary carries a heavier penalty. If the defendant has no prior record, it is unlikely that he will receive the maximum sentence even for daytime housebreaking. If the case goes to trial, the prosecutor will let the judge or jury decide whether the offense occurred at night. If the defendant seeks to plead guilty to daytime housebreaking, he is likely to regard this as an acceptable plea under the circumstances.

A study conducted at the Georgetown University Law Center under an LEAA grant concluded that "plea bargaining" (plea negotiation) is frequently not beneficial to the defendant. That study found that prosecutors frequently sacrificed little in their

negotiations and that defendants often did no better than if they had gone to trial.

Critics are sometimes heard to suggest that all defendants should go to trial and that guilty pleas should be abolished. This naive concept would have two major results. First, the defendant would be deprived of his right to plead guilty and it is unlikely that he can be deprived of his rights. Second, if all defendants received jury trials, a conservative estimate indicates that only half as many would be processed. The remaining half would either go free due to the State's failure to grant a speedy trial or the number of courts and prosecutors would have to be at least doubled. The financial implications of the latter choice are staggering. Particularly when it is noted that the City has opposed the creation of additional courts due to its present inability to pay for the personnel who would be needed to staff them. Unfortunately, state and local governments like the ordinary family find themselves deserving the luxury car of the Justice System but buying the intermediate due to very real financial constraints.

Arraignment Court

The Arraignment Court (Criminal Court Part III), an innovative project established in October, 1976 under a federal grant with a total program budget of $109,974, has been credited with almost single-handedly reducing the felony backlog and decreasing time to trial. Almost one-fifth of all felony defendants now have their cases closed at this early stage in the proceedings and noticeably improved processing has resulted for those who go on to trial.

The creation of the Arraignment Court was a response to the increasing problem of court congestion and the desire to move defendants more rapidly through the system. It was known that a certain number of defendants could be expected to enter guilty pleas as soon as they came before a court that was equipped to hear the case. It was also known that improved communications between prosecutors and defense attorneys resulted in better information for case scheduling purposes and that this ultimately caused a more even flow of cases through the trial courts. Prior to this time, arraignments were routinely scheduled to make sure that the defendant had an attorney, but prosecutors were not prepared to discuss the case and defense attorneys were generally similarly unprepared.

Under the Arraignment Court concept, all felony defendants are scheduled for arraignment. Prosecutors are prepared to discuss the case and accept a guilty plea if the case can be disposed of with a reasonable disposition. If the case is to go on to trial, valuable

data on the type and expected length of the trial is obtained and forwarded to the Criminal Assignment Office. The Arraignment Court also provides an opportunity for a thorough screening of the case as this is frequently the first time that a defense attorney familiar with the facts of the case has spoken to a prosecutor. Such conferences sometimes elicit information not contained in the offense report that materially changes the complexion of the case. If such a situation is to occur, it is better to discover it at an early stage in the proceedings so that appropriate action may be taken.

The Arraignment Court has been regarded as a highly innovative and successful project. The average time from filing of a felony charging document to trial dropped from 173 days to 145 days in the first year of operation. This resulted in substantial savings in jail costs to the City. Roughly 20% of all felony defendants had their cases closed at arraignment and this reduced the logjam of cases awaiting action by the felony trial courts. The percentage of postponements granted due to "No Court Available" dropped from 18% to 10%, indicating improved scheduling. Cases where the defendant had absconded were also identified early in the proceedings before victims and witnesses were inconvenienced.

A further benefit was the occasional availability of the Arraignment Court to accept cases from other courts which were backed up with their own dockets. This assisted in reducing the postponement rate and frequently allowed witnesses to have their cases concluded earlier in the day.

Experience with the Arraignment Court on felonies has led to the conversion of a misdemeanor court to arraign all misdemeanor jury trial defendants. This court has also been highly successful in closing cases at an early stage and is largely credited with the present satisfactory condition of the misdemeanor jury trial backlog.

Conviction Rates

The combination of more experienced prosecutors and better processing has resulted in a notable increase in conviction rates. Prosecutors are now achieving greater success in the courts than at any time within memory. Improved screening and preparation have resulted in the more judicious use of scarce court time, a valuable and limited resource.

Conviction rates have historically been computed as the percentage of guilty verdicts to the total number of verdicts rendered. Acquittal rates are similarly figured as the percentage of acquittals to the total number of verdicts.

The overall conviction rate for all types of cases prosecuted

in the Criminal Court has risen from 83.1% for the 1973-74 period to 86.6% for the present administration. The felony conviction rate has risen from 87.4% to 89.9% and reached 93.2% for the first six months of 1978. During this time the acquittal rate has dropped from 11.8% to 7.3% for all defendants and the total average number of acquittals has dropped from 643 to 450 despite increased volume. The felony acquittal rate has been reduced from 11.6% to 8.1%. This improvement has continued into the first half of 1978, which finds the overall conviction rate at 93.1% and the overall acquittal rate at 4.1%.

Conviction rates for major offenses have also risen. The following table shows conviction rate data for the past and present administration and gives the current rate for the first half of 1978.

Major Offense Conviction Rates

	1973-74	1975-June 1978	First Half 1978
Homicide	83.3	89.2	91.2
Rape	78.0	83.8	89.2
Burglary	93.4	96.3	97.9
Narcotics	87.7	94.3	94.9
Robbery	84.7	92.3	93.2

Any analysis of conviction rates should consider what such rates really indicate. In an overburdened court system it is imperative that available court time be used as productively as possible. Acquittals are seldom regarded as productive and conviction rates are an excellent measure of how effectively the courts are being used by prosecutors.

In order to get a clearer picture of the level of prosecutorial success, a second measure is of considerable value. This is the percentage of convictions to total defendants closed. This has the effect of lumping acquittals with stets, nol prosses and other sometimes obscure dispositions (abated by death, reverse waiver, etc.) and taking the total as these are all essentially non-productive outcomes. For the years 1973-74 convictions accounted for 64.4% of all defendants closed. For the period from January 1, 1975 through June 30, 1978, the percentage of convictions rose to 67.6%.

The "probation before judgment" is a hybrid verdict which allows a judge to refrain from imposing judgment although the prosecutor has proven that the defendant committed the offense. It is most commonly used in misdemeanor situations where the offense is relatively minor and the defendant has no prior criminal record. Although only six percent of all verdicts result in probation before judgment, misdemeanor cases have had a PBJ rate of roughly 7.5% over the past three and a half years. As the misdemeanor case load has increased in the past few years, the effect of misdemeanor verdicts has had more impact on overall conviction rates. Therefore, it may be of some value to consider the percentage of closed defendants that are comprised of either convictions or probations before judgment. For the years 1973-74, these verdicts represented 67.5% of all defendants closed, compared to 76.3% of all defendants closed from January 1, 1975 through June 30, 1978. Stated another way, prosecutors failed to prove that the defendant committed one or more offenses only 23.7% of the time in the past three and a half years compared to 32.5% of the time during 1973-74.

No report on Criminal Court Division operations would be complete without some mention of stets and nol prosses. These are means by which prosecutors notify the court that they do not intend to prosecute the defendant on certain charges. The reasons for these decisions are numerous but in roughly 50% of the instances the defendant has already been convicted of another offense and further prosecution appears to serve no useful purpose.

CRIMINAL COURT - COMPARATIVE STATISTICS

FELONIES

	Average Per Year		First Half	
	1973-74	1975-June 1978	1974	1978
Defendants Closed	3746	3267	1821	1775
Defendants Convicted	2411	2133	1180	934
Defendants Acquitted	320	191	163	60
Defendants Receiving Jury Verdicts	363	278	197	129
Defendants Filed	3297	3455	1586	1732
Conviction Rate %	87.4	89.9	86.7	93.2
Acquittal Rate %	11.6	8.1	12.0	6.0
Jury Trial Conviction Rate %	65.0	72.1	61.4	69.8
Postponement Rate %	36.6	27.5	36.4	23.1

APPEALS

	Average Per Year		First Half	
	1973	1975-June 1978	1974	1978
Defendants Closed	1598	1411	767	659
Defendants Convicted, Withdrawn, Dismissed	1140	903	578	419
Defendants Acquitted	166	148	83	32
Defendants Receiving Jury Verdicts	8	14	5	6
Defendants Filed	1434	1475	748	654
Conviction Rate %	80.0	78.0	81.5	88.2
Acquittal Rate %	12.6	12.8	11.7	6.7
Jury Trial Conviction Rate %	60.0	35.4	40.0	33.0
Postponement Rate %	20.7	19.8	19.0	7.8

WARRANTS

	Average Per Year		First Half	
	1973-74	1975-June 1978	1974	1978
Defendants Closed	1786	3205	1113	2605
Defendants Convicted	1079	2298	646	1749
Defendants Acquitted	149	111	102	46
Defendants Receiving Jury Verdicts	19	51	9	35
Defendants Filed	2005	4131	1219	2436
Conviction Rate %	82.9	88.3	79.9	94.3
Acquittal Rate %	11.4	4.2	12.6	3.2
Jury Trial Conviction Rate %	54.1	58.3	44.4	60.0
Postponement Rate %	34.6	25.8	33.4	11.3

TOTAL FELONIES, APPEALS, WARRANTS

	Average Per Year		First Half	
	1973-74	1975-June 1978	1974	1978
Defendants Closed	7130	7883	3701	5039
Defendants Convicted	4593	5335	2404	3102
Defendants Acquitted	643	450	348	138
Defendants Receiving Jury Verdicts	402	399	211	170
Defendants Filed	6736	9061	3553	4822
Conviction Rate %	84.2	86.7	83.6	93.1
Acquittal Rate %	11.8	7.3	12.1	4.1
Jury Trial Conviction Rate %	64.9	65.7	60.2	66.5
Postponement Rate %	33.1	26.7	32.5	15.6

Notes to Criminal Court Comparative Statistics

1. The number of defendants convicted and acquitted during the first three months of 1973 has been estimated. The total number of cases and defendants closed was known but the breakdown of closing reasons provided data only as to the number of cases. Estimates for the number of defendants were derived from accurate ratios obtained from the balance of the year. In most instances it appears that this may have provided an overly favorable view of 1973 as it was statistically a better year than 1974 in many respects.

2. The sharp drop in postponement rates for the first half of 1978 compared to the data for the period January 1975 through June 1978 is attributed to the creation of a misdemeanor arraignment court in the fall of 1977. This court permitted the scheduling of more realistic trial assignments for misdemeanors and a sharp drop in misdemeanor postponements occurred immediately.

3. Existing data shows no overall backlog increase. A comparison of defendants filed and defendants closed seems to indicate otherwise. This discrepancy is caused by two factors. First, a number of defendants have absconded and bench warrants are outstanding for them. Their cases are untriable until they are located and they are therefore not counted as part of the active backlog. Second, some defendants enter the system on multiple occasions, have their cases consolidated for trial and are treated as one unit of work when their cases are closed. This is one weakness of a defendant-based statistical system where the object is to produce reliable workload data. Despite this weakness, this system is regarded as preferable to any other as defendant workload is a better indicator of the level of activity in the courts than a document-oriented statistical system.

4. Withdrawn and dismissed appeals present certain statistical difficulties. In these situations the defendant has decided not to pursue his appeal and it is dropped. The conviction which was obtained in the District Court becomes the final judgment. The role played by prosecutors in these cases varies. As the ultimate result is a conviction, these defendants have been counted statistically as convictions for all years. If anything, this has served to inflate conviction rates more for the 1973-74 period than subsequently. Withdrawn and dismissed appeals constituted 32.2% of the convictions for those years as compared to 29.5% for later years. If withdrawn and dismissed appeals are excluded from consideration, the conviction rate for 1973-74 falls to 73.1% and the rate for January 1, 1975 through June 30, 1978 decreases to 73.3%.

IV. SPECIALIZED UNITS AND PROGRAMS

The State's Attorney's Office currently has three specialized units in operation. These are Major Frauds, Violent Crimes Liaison and Victim-Witness Assistance. A fourth unit, the Sexual Offense Task Force, is expected to begin operation in September.

Two additional specialized units, the Narcotics Strike Force and Project F.O.U.N.D. (First Offenders Under New Direction), were discontinued due to lack of funds when the Federal grants which supported them expired. The Narcotics Strike Force had concentrated on major narcotics offenders with a staff of five prosecutors and five non-professional personnel.

Narcotics distribution remains a problem at this time and specific resources no longer exist in the office to deal with it. Only one prosecutor now specializes in handling narcotics cases, while other prosecutors throughout the Criminal Division handle such cases in their normal docket assignments.

Project F.O.U.N.D. special funding expired in 1976 and the project was transferred to the Mayor's Office of Manpower Resources. This project had diverted certain first offender misdemeanor defendants into combined educational and vocational programs. Although F.O.U.N.D. was considered a successful diversionary program, it was discontinued as a function of the prosecutor's office.

An outline of the currently operating specialized units follows.

Major Frauds Unit

In November, 1973, the Major Frauds Unit was established in an effort to professionalize the investigation and prosecution of the nonviolent, economically-oriented violations commonly referred to as white-collar crime. From its inception, the Unit was supported by grants from LEAA and the National District Attorneys Association.

The Frauds Unit immediately became a founding member of the Economic Crime Project of the National District Attorneys Association. The Baltimore City Fraud Unit was one of an original group of 13 prosecutors' fraud units from every state in the United States. The project itself is now the only federally-funded law enforcement program to ever receive five years of federal support grants from the Law Enforcement Assistance Administration of the U.S. Department of Justice, which considers this to be its most successful project of all time.

When the initial Unit began operation in 1973, total funding

with Federal support amounted to $144,444 with a staff of nine. Two additional investigators were provided by a grant from the National Economic Crime Project. In November of 1976, when the main grant expired, funding of the main project package had reached $162,324. Recognizing the importance of the project, Mr. Swisher continued the operation of the Unit on general funds with a vastly reduced staff through a realignment and reorganization of the existing budget. The City did not agree to fund the separate operation of the Frauds Division until fiscal 1979, and then only in the amount of $112,493 with a staff of six — well below the 1973 allocations. These factors have resulted in a substantial reduction in the capabilities of the Unit. Despite this handicap, however, the Frauds Unit has made significant strides in detecting and prosecuting economic crime.

Studies conducted by LEAA as a review of the historical achievements of the 75 Fraud Units participating in the Economic Crime Project clearly show that Fraud Units, to be successful, must be adequately staffed with well-trained mature investigative personnel who have an ability to deal with sophisticated victims and criminals and a desire and ability to deal with the extremely complicated and time-consuming investigations which characterize examples of white-collar crime. The complicated nature of white-collar crime is best illustrated by the fact that such activity is characterized by stealth and deceit and involves the manipulation of legal agreements and financial records, all of which, when combined, requires painstaking and time-consuming review of financial records, legal documents and often full financial record auditing by certified public accountants and other financial experts. An illustration of the profitability and magnitude of such financial crimes as embezzlement, business opportunity fraud, land and stock manipulation and swindles is that these and other related crimes have in recent years resulted in approximately 4 billion dollars in direct losses to victims in the United States each year, whereas bank robbery for the whole United States for one year generally does not exceed $10,000,000.

The Frauds Unit of the Baltimore City State's Attonrey's Office has prosecuted approximately 150 cases per year since January 1975, and has obtained restitution for victims of these crimes in an amount exceeding $2,000,000, and has obtained fines, in addition to jail sentences, totalling in excess of $250,000.

These statistical achievements have been recognized nationally and locally. On May 21, 1976, the Baltimore News American reported:

> "The Baltimore City State's Attorney's major frauds unit succeeded in obtaining the second highest amount of fines and restitutions among 46

major U.S. metropolitan prosecutor offices studied by the U.S. Dept. of Justice . . . Only Flint, Michigan had a higher total of recovered funds and that office handles prosecution throughout the State . . ."

The period surveyed in that study was September 1, 1975 through February 29, 1976.

The continued high level of performance of this unit resulted in the selection of the Baltimore City State's Attorney's Office Major Frauds Unit as one of only 5 prosecutors' offices in the United States to be a member of the National District Attorneys Association's new Antitrust Task Force. The purpose of this Task Force is to train local prosecutors in the investigation and prosecution of the extremely complex area of criminal antitrust violations and thereafter to encourage and aid them in such prosecutions.

In addition, the Major Frauds Unit of the Baltimore City State's Attorney's Office has been selected to participate in an evaluation program funded by LEAA. This project involves the evaluation of all aspects of particular divisions within local prosecutor's offices throughout the United States. The intended use of information obtained from these evaluations is to improve, streamline, professionalize and make more financially efficient the operation of these many local prosecutors' offices.

Prior to 1975, the nationally notorious and highly mobile grand masters of major economic crimes regularly brought their business opportunity frauds, stock swindles, and phoney land deals to Baltimore City and were confident that there was no organized local expertise available to counter their criminal activity. Today, as a result of this Unit's efforts, when such schemes appear in the Maryland area they often take place at a suburban location outside of our City limits and generally, our jurisdiction.

The continued monitoring of these sophisticated economic crimes and the consequent protection it affords to our citizens can only be maintained by continued funding of the unit and increased funding for such areas as investigative personnel which are so necessary to the successful operation of any Fraud Unit.

Violent Crimes Liaison Unit

The taking of another human life has always been a crime which demanded special attention and dedication from prosecutors. The last four years of the Swisher Administration have seen tremendous progress in dealing with homicide.

The Violent Crimes Liaison Unit was established in 1972 under a Federal grant. Two years later, additional Federal money allowed an increase in staffing to a total of five prosecutors and a

secretary. The value of the Unit quickly became apparent. Prosecutors on call 24 hours a day were sent to a crime scene only minutes after the report. They worked all night if necessary advising police on procedures, evidence, search and seizure warrants, lineups and other factors which would come together months later in the courtroom. The results speak for themselves. The conviction rate for homicides for the years 1975 through June 1978 was an overall 89.2%

The success of the Unit is particularly noteworthy in view of the significant reduction in funding when the Federal grants expired. The budget of the Unit in 1974 was $147,030. Four years later, the City has replaced only $116,883 of that amount for the FY 1979 budget. By transferring attorneys and clerical staff from other units Mr. Swisher has been able to maintain a staff of four prosecutors and one secretary since the expiration of Federal support.

It should also be noted that since the inception of the Violent Crimes Division the homicide rate in the City has dropped each year. A table is presented below showing the number of reported murders for the years 1972 through 1977.

HOMICIDES

	1972	1973	1974	1975	1976	1977
January	32	35	18	25	21	10
February	22	9	24	14	20	15
March	25	28	18	23	18	14
April	23	12	32	32	14	10
May	19	21	16	12	12	16
June	25	22	28	30	18	12
	146	127	136	136	103	77
July	35	31	31	30	25	16
August	45	29	30	15	15	16
September	30	19	20	19	10	9
October	22	17	28	25	13	16
November	26	21	21	16	19	17
December	26	36	27	18	15	20
	330	280	293	259	200	171

In 1977 the decision was made to focus our efforts on those criminals who repeatedly commit violent crimes — the so-called "career criminal." Working in conjunction with a new office in the Police Department, experienced prosecutors in the Violent Crimes Unit began a new approach to the repeat offender. These attorneys work closely with police investigators once a person is identified as a career criminal. Those with extensive records or who have committed violent crimes while out on bail awaiting trial on other charges were targeted for attention. As a matter of policy, plea bargaining in these cases was severely restricted.

During the first year of the unit over 100 defendants were designated career criminals. Those who have come to trial so far have received an average sentence of 14 years in prison. A conviction rate of 96% has been established and not a single defendant has had all of his charges dismissed. Special attention was also given to bail procedures to insure that violent repeat offenders were not allowed on the street to commit still more crimes. As a result of this early intervention by the police and the State's Attorney's Office during the first quarter of operations, 8 of the 41 defendants awaiting trial were denied bail completely. The remaining 33 had an accumulated bail of $2,109,000; roughly $63,000 per career criminal.

In spite of the obvious success enjoyed by the career criminal program, more can and should be done. The guidelines for identifying career criminals are currently very narrow due to the restrictions on our manpower. It is hoped that funding can be obtained, possibly through a federal grant, to expand the program to attack the career criminal problem on a wider scale.

Victim-Witness Assistance Unit

One of the greatest failings of the criminal justice system is the manner in which it deals with the victims of crime. The citizen who has been unfortunate enough to have been victimized by a criminal often finds that the system pays even less attention to his needs when the case comes to trial. All of the resources are concentrated on assisting the defendant, not his victim. It has been a major priority of the Swisher Administration to reverse this situation.

As a result of this concern, the Victim-Witness Assistance Unit was created under a Federal grant in November, 1977 after an intensive evaluation of the needs of victims and witnesses in the criminal and juvenile courts. The unit is staffed by a director, three paralegals, a secretary and an investigator. Volunteer interns from the Johns Hopkins University have also provided assistance.

The evaluation revealed that the money available through Federal support could not provide effective service to all victims

and witnesses entering the criminal justice system. The unit therefore operates almost exclusively to assist those whose cases have come to Criminal Court, as these individuals generally have the most prolonged contact with the court and are subject to the greatest inconvenience.

Victims are kept informed of the progress of their cases and given a telephone number to call if they have any questions or encounter any problems. By making contact with victims at an early stage in the case, a check is obtained on the validity of listed addresses and corrections can be made which would otherwise possibly result in postponements. Victims are also notified of the disposition of their cases by mail as dispositions frequently occur some weeks after a trial.

A wide variety of services is offered to victims. Transportation is available to those who have no other way to get to court, letters are provided to soothe employers concerned by a victim's absence from his job, intimidation of witnesses is investigated and limited day care is provided. Referrals are made to other agencies when a victim has encountered special difficulties as a result of the offense. Assistance is also provided in obtaining the return of property kept by police as evidence in the case.

Probably the resource of greatest benefit to victims and witnesses has been the "witness room" located on the fourth floor of the Courthouse. This room, staffed by unit personnel, provides a comfortable place for witnesses to wait for their turn to testify. Coffee is available at 10c a cup and magazines and other reading material are also provided. Prior to the existence of this room, witnesses were often forced to stand in crowded hallways or sit on an occasional wooden bench, sometimes for days at a time. As no vending machines or food service exist in the building, the nearest cup of coffee was a block away. Installation of telephones in the courtrooms has provided direct contact with the witness room so that trials are not delayed and inconvenience to witnesses is minimized. Unit personnel staffing the room are also readily available to answer questions about courtroom procedure and other aspects of the proceedings.

During the first seven and one-half months of its existence, the Victim-Witness Assistance Unit had over 8600 citizen contacts. The unit has been well-received by both victims and witnesses and by prosecutors who no longer have to apologize for the lack of facilities which irritated witnesses for so many years.

Sexual Offense Task Force

The Sexual Offense Task Force is expected to begin functioning in September, 1978 under a Federal grant which provides three

prosecutors, a secretary and a law clerk. The prosecutors will be on call around the clock to provide assistance to victims and police investigating offenses. By establishing contact with victims early in the investigation, it is anticipated that more effective prosecution will result. The victim will be able to call the prosecutor at any time to seek answers to questions and the routine repeated interviews by different persons, each requiring the retelling of the facts of the offense, will be greatly curtailed. The prosecutor who initially responds will generally be the one who ultimately tries the case. This will establish a chain of prosecutorial continuity the use of which has been so successful for the Violent Crimes Liaison Unit. It is expected that this type of treatment will help to dispel many of the myths about sexual offense prosecutions and make victims less reluctant to report offenses.

A related goal will be to better define the needs of sexual offense victims regarding prosecution. It is hoped that the information gathered in this respect will allow improvements to reduce the sometimes traumatic effects on the victim of prosecuting sexual offenders.

D.W.I. Diversion Program

There are times when an arrest should be a new beginning for the offender rather than the end. Such is the case with many people charged with driving while under the influence of alcohol. The Swisher Administration has attempted to present alternatives to the first time drunk driver which will help him face up to his problem without endangering other citizens on the highway.

Under the D.W.I. (Driving While Intoxicated) Division Program, the first offender is given the option of facing prosecution or surrendering his license for 30 days while he is examined to find out whether he is a problem drinker. If he is, the offender must successfully complete one of two alcohol education clinics operated by the Maryland Department of Motor Vehicles and the City Health Department. In the meantime the State places the charges on an inactive court docket pending successful completion of treatment.

When the program began in 1975, the Sun Papers, in an editorial, applauded the decision:

> "Mr. Swisher is the first criminal prosecutor, as far as we know, who has looked at both the legal and the health questions of drunken driving . . . What the State's Attorney is offering is a chance at rehabilitation, without additional cost to either the accused or the state prosecutor. That is a gamble worth trying." (The Baltimore Sun, Saturday, Sept. 9, 1975)

Three years of experience with the program has proven that the gamble paid off. Of the 715 offenders accepted into the program,

only 10 violated the terms of the plan. Another 572 successfully completed the treatment with another 133 still attending the clinics.

Civilian Radio Taxi Patrol

In August, 1975, the State's Attorney announced the implementation of an innovative, privately-financed program whereby taxi drivers throughout the City were trained to observe and report crimes by means of their two-way cab radios. Enlisting the aid of the City's cab companies, some 1,200 City taxicab drivers, as well as the Police Department, this program provided a valuable additional crime prevention tool.

Adapted from a similar program in effect in New York City, the Baltimore format was prepared by Mr. Isadore Cohen, a member of the State's Attorney's investigative staff, who sought and received the sponsorship of the American National Building and Loan Association for the program. American National generously absorbed all costs of printing booklets for the drivers on how to report crimes, decal shields to display on the cabs and cash awards to those cabbies reporting crimes.

Currently, the program has faltered due to a lack of resources. Nevertheless, the program has proved its viability and could be revitalized and expanded with additional manpower and funding.

Child Abuse Program

One of the most difficult crimes to detect and prosecute is child abuse. Neighbors and relatives are often unwilling to "get involved." The children themselves are often too young to report the attacks on them or to testify. Police and social service agencies have been struggling with the problem for years. In November of 1977, the State's Attorney of Baltimore City instituted a new program to involve the Office directly in the reporting of such crimes.

Using only existing resources and staff, a child abuse hot-line was set up during normal working hours. Citizens were told that they could report any case of child abuse or evidence of it and remain completely anonymous. Of the hundreds of calls received, many were referred to the Social Services Department but others resulted in prosecution. In the short time the unit has been in operation, 10 indictments have been obtained, including two for homicide. One of these resulted in a ten year sentence for the offender.

V. DISTRICT COURT DIVISION

The District Court Division is responsible for initial processing of all felonies and the trial of all misdemeanors in which jury trials are not requested. The Division staffs eight courts with jurisdiction over criminal offenses and two courts handling drunken driving cases with a total of 19 prosecutors.

In 1973 a Felony Complaint Unit was established which reviewed all felony charges within 48 hours of an arrest. In 1975, State's Attorney Swisher disbanded this unit and moved the felony complaint screening to the District Court level, at the same time creating a Grand Jury Unit with fewer prosecutors than the Felony Complaint Unit. The Grand Jury Unit screens and prepares cases for presentation to the Grand Jury and prepares criminal informations for cases not requiring indictment. The transfer of the felony screening process to the police station houses resulted in the elimination of "down time" for the Baltimore City police officers who were required under the previous system to appear in the downtown Courthouse to consult with the former Felony Complaint Unit prosecutors. At present, the preliminary screening is done in the District where the crime ususally occurs, resulting in both monetary savings and better manpower allocation for the Police Department. Additionally, the system has resulted in better preparation of and faster transmittal of cases to be prosecuted in the Criminal Court of Baltimore.

The new arrangement was lauded as early as January, 1976 in a survey conducted by Richard W. Friedman, Director of the Mayor's Coordinating Council on Criminal Justice. At that time, the time between arrest and indictment or the filing of a criminal information had been reduced by 40 days. The plan also evolved a close working relationship between District Court prosecutors and police in their respective districts, and prosecutors' home telephone numbers are readily available to police if legal problems arise outside of normal business hours.

A planned project which could not be implemented during the last few years because of lack of local tax dollars and/or available federal funding was a project which would have supplied a limited number of prosecutors to be on duty in the districts on nights and weekends. Although the present District Court Division assignment of personnel is sufficient to take care of most problems, the State's Attorney strongly urges the adoption of a 24-hour prosecutorial unit to assist police in preparation of charging documents and to offer legal advice.

Felony Processing

Improved procedures within the District Court Division have

resulted in more expeditious and professional processing of felony defendants. Although 24.1% of all felony defendants had their charges dismissed in the District Court in the 1973-74 period, this has dropped to 16.5% for the last three and one-half years. As the percentage of defendants who have their charges reduced and tried as misdemeanors has increased from 23.3% to 29.3%, the net result has been that defendants who would previously have had all charges dismissed are now being tried for misdemeanor offenses. The percentage of defendants being forwarded to Criminal Court for felony proceedings has risen from 52.6% to 54.2%. For the first half of 1978, this figure has increased to 62.5% although some leveling in this rate is anticipated.

The postponement rate for felonies has been cut almost in half from 42.5% for 1973-74 to 23.7% for the first half of 1978. The reduction in the postponement rate, coupled with improved procedures and more effective use of personnel formerly assigned to the Felony Complaint Unit, resulted in the decrease from an average of 67 to 27 days in the time required to process a felony defendant from arrest through filing of an indictment or criminal information. As mentioned above, these improved results were first obtained in 1975 and the gains have been largely maintained since then.

Misdemeanor Processing

The number of misdemeanors processed by District Court Division prosecutors increased 24.1% from the average for the prior administration. The conviction rate increased from 51.2% to 60.5% and acquittals decreased from 27% to 16.1%.

The percentage of convictions to total defendants closed rose from 35.1% to 40.5%. This statistic has historically been low due to a number of factors. First, no screening of misdemeanors exists. Charges are frequently filed by police without consultation with prosecutors. The screening process applied to felonies is designed to make sure that the proper charges are filed based on the evidence. It is this situation that the proposed station house charging unit would attack. Second, many misdemeanors arise out of difficulties occurring betwen people who are related or know each other. It is not uncommon for these individuals to patch up their differences prior to the trial date and then request dismissal of the charges.

The postponement rate for misdemeanors has also been drastically reduced from 34.6% for 1973-74 to 21.1% for the first half of 1978. This has contributed to lessening the burden placed on victims

and witnesses and has been a joint effort of prosecutors and District Court judges. Statistics developed in July 1977 from computer-generated data indicate that prosecutors were responsible for only 35% of all postponements granted. The greatest single cause of postponements was determined to be the defendant's failure to have an attorney.

A second notable change has occurred in the number of misdemeanor defendants who request jury trials. There are a variety of reasons for these requests. In some instances the request serves to get the defendant away from a supposedly "tough" judge. In other situations the request serves as a postponement when a normal postponement has been denied. Statistical analysis indicates that roughly 25% of the increase in jury trials requested has resulted from the decrease in the postponement rate. In still other cases, defense attorneys simply find it more convenient to have the matter heard by a Supreme Bench judge. Few of the defendants who initially request jury trials for misdemeanors ultimately have their cases heard by a jury. This problem has become one of such concern that Chief Judge Robert C. Murphy of the Court of Appeals has established a committee to study the situation.

DISTRICT COURT COMPARATIVE STATISTICS

	Average Per Year		First Half	
	1973-74	1975-June 1978	1974	1978
Felonies:				
Reduced to Misdemeanors	1153	1437	515	356
All Charges Dismissed	1195	811	554	398
Forwarded to Circuit Court	2611	2655	1335	1256
Total Felony Defendants Processed	4959	4903	2404	2010
Postponement Rate %	42.5	26.4	40.2	23.7
% Reduced	23.3	29.3	21.4	17.7
% Dismissed	24.1	16.5	23.0	19.8
% Forwarded	52.6	54.2	55.6	62.5

	Average Per Year		First Half	
	1973-74	1975-June 1978	1974	1978
Misdemeanors:				
Convicted	10507	14531	4591	6187
Acquitted	5546	3875	2652	1545
Probation Before Judgment	4475	5626	2763	2289
Dismissed	9396	11817	4759	5628
Jury Trial Prayed	1686	3389	1011	1894
Total Misdemeanor Defendants Processed	31610	39238	15776	17543
Postponement Rate %	34.6	22.2	34.4	21.1
Conviction Rate %	51.2	60.5	45.9	61.7
Acquittal Rate %	27.0	16.1	26.5	15.4

Notes to District Court Comparative Statistics

1. District Court Division statistical methods for misdemeanors were revised twice during 1973 and 1974. They have remained unchanged since April 1974 and the statistical methods for felonies have remained consistent throughout.

2. Prior to May 1973, misdemeanor breakdown figures reflected charges rather than defendants. Defendant data was available only for the total defendants closed. Based on known charge-defendant ratios and known conviction, acquittal, probation before judgment and dismissal rates for the balance of the year, estimates of the number of defendants were obtained which are believed to be realistic for categories such as the number of defendants convicted. If anything, these estimates appear to overstate the conviction rate for the 1973-74 period as 1973 results indicated a better performance than was obtained in 1974 with better data.

3. The change which occurred in 1974 had no impact on the validity of statistics kept since the prior method change. Whereas all dismissals had been lumped together previously, the method adopted in April 1974 differentiated among these. Similarly, the probation before judgment category was broken into two components.

VI. JUVENILE COURT DIVISION

The problems confronting our Juvenile Justice System have been some of the most difficult of those facing this or any other Administration. These difficulties fall into two categories: those which involve the running of the system as it exists, and those which involve the general philosophy and approach which the law has taken toward juvenile crime. As will be explained, the Swisher Administration has done a great deal to improve the functioning of an over-loaded system. Experience has taught us, however, that we must pursue basic changes in society's approach to juvenile justice before we can hope to reduce the danger of the youthful offender.

On January 1, 1975 there were nine prosecutors assigned to the Juvenile Court Division to staff eight courts full time, screen incoming referrals on juvenile offenders and interview citizens seeking assistance with problems involving juveniles. This was clearly insufficient to handle the work required. The addition of three prosecutors under an LEAA grant awarded in November, 1975 at a total project cost of $66,398, and the reassignment of existing personnel enabled the Division to establish improved procedures designed to attack high postponement and dismissal rates through better preparation and screening. An investigator was also added under a subsequent LEAA grant awarded in June, 1977 and this individual has obtained a 94% success rate in locating missing victims, witnesses and respondents.

At the same time, changes were being made within the court system to permit more efficient case processing. The Juvenile Court Division provided leadership in seeking a change in responsibility for operation of the Juvenile Court Clerk's Office. The Clerk's Office had been run by the Juvenile Services Administration, an agency entrusted with providing assistance and rehabilitation to juvenile offenders. Legislation was enacted which made the Clerk's Office part of the Administrative Office of the Courts as of July 1, 1976. An immediate improvement in the functioning of the Clerk's Office was observed even though the personnel remained unchanged.

In the Fall of 1976, the Juvenile Court judge designated two of

the courts as arraignment courts. This was the final step in formalizing an informal procedure that had existed since May, 1975 which was designed to decrease the time a case consumed from filing through hearing. By having well-prepared, experienced prosecutors available to discuss the cases with defense counsel early in the proceedings it was found that a considerable number of cases could be resolved at arraignment. Designation of the arraignment courts formalized this procedure and made the hearing dockets in the remaining courts far more manageable.

During this time it became apparent that refining case management throughout the system was essential to good prosecution. The manual system in use in the Clerk's Office was cumbersome and inefficient. No systematic method existed for identifying cases that had become "lost" and it was impossible to establish priorities on old cases readily. Experience with the computerized case management system in the Criminal Courts indicated that substantial gains in efficiency could be realized if a similar system was made available to the Juvenile Court. Juvenile Court Division personnel documented the need and assisted in development of a Juvenile Court computerized processing system which became operational in June, 1978.

The Result of a Better System

The improvements made in the Juvenile Court System have been translated into better prosecution. Both postponement and dismissal rates have declined and the results for the first half of 1978 are particularly encouraging. In spite of an increase in average volume in the past three and one-half years, prosecutors have been more successful as they have had more recent and better-prepared cases. Although volume is up 5.6%, the number of respondents found delinquent has increased 25.5% while the number found not delinquent has remained steady. The average number of cases dismissed has actually dropped despite the eradication of a substantial backlog which was found to exist when improved case management was instituted. Some of these old cases were four or five years old and the court no longer had jurisdiction over the offender. These cases were dismissed as nonproductive. As of July 1, 1978 the total number of juvenile petitions active in the system was less than 800. This represents only slightly more than a month's worth of work and indicates the very current state of Juvenile Court dockets. The backlog has ceased to be a problem.

One of the most distressing statistics noted in Judge Allen's report was the failure-to-appear rate of juveniles scheduled for arraignment. During the years 1973-74, 38.3% of juvenile offenders

failed to appear. As arraignment is a preliminary step in the adjudicatory process and the juvenile must be present for the case to be prosecuted, non-appearance effectively delayed or stopped the proceedings. In 1975, arrangements were made to have the sheriffs serve summonses in situations where there had been a prior failure to appear. This permitted the court to have juveniles and their parents brought involuntarily into court in instances of wilful disregard of summonses. The availability of the federally-supported Juvenile Court Division investigator to locate missing juveniles added another resource which was used to combat the problem. The combination of all of these efforts resulted in a drop in the failure-to-appear rate to 11.6% in the first six months of 1978. Although a further reduction in this rate is obviously desirable, the problem no longer assumes the massive proportions that it did four years ago.

Bringing the failure-to-appear rate largely under control has been partially responsible for substantial decreases in the postponement and dismissal rates. With the additional prosecutors and the investigator obtained under the two grants previously mentioned, more effective screening and case preparation became possible. The postponement rate now hovers around the 22% mark. As cases are processed more quickly and with less inconvenience to victims and witnesses, the need to dismiss cases has been cut almost in half. These are considered to be remarkable accomplishments for a Juvenile System that was described as "dismal" in the 1974 report of the previous administration.

The Juvenile Court Division prosecutors have also shown improved results in having serious offenders detained by juvenile authorities pending hearings. Although only a small percentage of juveniles are not released to their parents, those involved in serious or repeated offenses are frequently held overnight and then brought before a court for a determination of whether detention should be continued. Continued detention was permitted for only 60.2% of these juveniles in 1973-74. Vigorous representation on behalf of victims and communities has raised this rate to 78.5% for the period from January 1, 1975 through June 30, 1978.

Changing the System

Despite these improvements, it must be said that the Juvenile Justice System is in need of a complete overhaul. It simply is not serving the needs of the people. The system itself was designed to deal with juvenile offenders very different from those confronting the police and the courts today. Many young offenders are committing vicious crimes. They are just as dangerous as adults and should be treated as such.

Unfortunately, we have a system in which Juvenile Services workers can release defendants before trial or dispose of a case informally without ever informing the prosecutor, the police, the court, or the victim. Over 70% of the offenses committed by those under 18 years of age are disposed of in this manner. All too frequently, these teenagers go out and injure other citizens.

Even when cases are brought before the courts, our laws have proven to be ineffective in deterring future offenses. Many juveniles are sent to training schools where they are released in a few months or weeks simply on the order of the Juvenile Services Administration, again without consultation with the courts or prosecutors.

The result of these policies has been a steady increase in juvenile crime. Juveniles account for only a relatively small percentage of the population, yet they constitute almost half of the arrests made in the City. It is not inaccurate to state that most juvenile offenders view the court system as a farce. In the process, the taxpayer is paying a heavy price for a system that just does not work. Until youthful offenders understand that violent crimes will result in jail terms, we will continue to live with the problem.

JUVENILE COURT COMPARATIVE STATISTICS

	Average Per Year		First Half	
	1973-74	1975-June 1978	1974	1978
TOTAL RESPONDENTS CLOSED	6862	7248	3705	2355
Delinquent	3706	4652	1967	1649
Not Delinquent	446	447	223	101
Dismissed	2430	1918	1349	462
Waived to Criminal Court	280	231	166	143
Intake Referrals Processed	5457	6783	3091	2332
Postponement Rate %	31.4	28.1	29.8	22.7
Dismissal Rate at Hearing %	38.2	37.4	38.5	20.0
Delinquency Rate %	89.3	91.2	89.8	94.2
% Delinquent	54.0	64.2	53.1	70.0
% Not Delinquent	6.5	6.2	6.0	4.3
% Dismissed	35.4	26.5	36.4	19.6
% Waived	4.1	3.2	4.5	6.1
Failure to Appear Rate %	38.3	26.4	29.9	11.6
Detention Rate %	60.2	78.5	61.6	72.2

Notes to Juvenile Court Comparative Statistics

1. Prior to February 1973, most Juvenile Court data was maintained on a petition rather than a respondent basis. The total number of respondents scheduled and closed was known for adjudicatory hearings and the number of respondents scheduled was known for arraignment and detention hearings. The known petition-respondent ratio and known delinquency and dismissal rates for the balance of the year permitted realistic estimation of respondents breakdowns for January 1973.

2. The delinquency rate is derived by dividing the number of respondents found delinquent into the total who received a finding on the merits. It is the equivalent of the conviction rate in a criminal court.

3. The percentage of respondents waived in 1973-74 was influenced by court decisions which questioned the jurisdiction of the Criminal Court to hear armed robbery cases involving 16 and 17-year-olds who had not been waived by the Juvenile Court. While the question was pending before the appellate courts, all 16 and 17-year-olds charged with armed robbery were processed through the Juvenile Court and waivers sought. This situation resolved itself in 1974 and the waiver rate tended to be lower thereafter.

4. The number of Intake referrals processed reflects the volume of juveniles received for processing from the Juvenile Services Administration. These juveniles have all been released to their parents by police or social workers. A comparatively small number who are detained overnight for hearings the following day are not included in this total.

VII. COLLATERAL DIVISION

The Collateral Division is staffed by six prosecutors who process matters which fall outside the normal duties of the other divisions. These include bail remission forfeitures, automobile forfeitures, petitions for judicial release, violations of probation and post conviction hearings scheduled in the civil courts, habeas corpus petitions, petitions for expungement, all non-support and paternity cases, and petitions for non-support against out-of-state persons under the Uniform Reciprocal Enforcement of Support Act (URESA). The Chief of the Collateral Division is also the Office's designee of the Police Complaint Evaluation Board. The total case volume of this Division for 1977 was approximately 4000 cases.

Almost half of the post conviction petitions received by the courts are tried by members of the Collateral Division, who are also responsible for management and review of all petitions ultimately handled in the Criminal Courts. The trial of these cases often requires considerable expertise due to complex legal issues which sometimes consume hours of research. The stakes are high, as all the petitioners have already been convicted — some, years earlier — and the State may be unable to retry the case if the petitioner is successful. While not particularly glamorous work, it demands skill and dedication in order to preserve convictions obtained by other prosecutors after weeks of preparation and trial.

Child Support Enforcement

Four prosecutors, three secretaries and one investigator within the Collateral Division are partially funded by a Federal grant from the Department of Health, Education and Welfare (H.E.W.) administered through the Maryland State Department of Human Resources. This grant is the Child Support Enforcement Cooperative Reimbursement program established under Title IV-D of the Social Security Act. The purpose of the program is to reduce the tremendous sums of money spent on Aid to Families with Dependent Children (AFDC) public assistance by securing support and

establishing paternity for children who are receiving payments under AFDC. The responsibilities of the Assistant State's Attorneys assigned to this Unit are divided into three areas: paternity, criminal non-support and URESA actions. This Unit began functioning in February, 1976 under new national and local law. The Unit's program package for FY 1978 was budgeted at $209,860.

During 1977 alone, Unit prosecutors worked in conjunction with personnel funded under the same program in the Domestic Relations Division of the Supreme Bench of Baltimore City on 2234 cases that were received requesting support under all of the three areas noted above. During that year, they obtained support orders obligating defendants to pay more than $27,000 per week. This represents some $1,400,000 per year which may prevent abandoned spouses and children from having to seek public assistance, thus reducing the welfare burden that would otherwise be assumed by the State. Projections for 1978 indicate that the caseload will exceed 2600 and that the total orders will require payment of over $31,000 per week.

The Federally-funded non-support programs across the country have proven to be exceptionally cost-effective. Maryland ranked third in the nation in 1976 with collections of $8.09 for each dollar expended on its programs (the number two State collected $8.10). The success of the Baltimore City program no doubt has contributed substantially to this exceptional showing as it accounted for 45.5% of State collections according to the most recent data.

In addition, the program attempts to pay its own way. The legislation enacting the program provides an incentive payment to the local political subdivision for the number of orders enforced and collected. For the period from July 1, 1977 through May 31, 1978 the incentive revenue to Baltimore City amounted to $135,280.

VIII. A PROSECUTOR'S LOOK AT THE FUTURE

The past four years have seen vast progress in the fight against crime. In spite of the decrease in funding from the Federal government and the City, we have managed to turn the tide in a new direction. We have lowered the number of postponements and raised conviction rates. More criminals are finding that crime pays less and less all the time. We have established a new and better relationship with the Police Department, with which prosecutors now work closely and effectively. Finally, we have recognized the responsibility of government to assist the most ignored persons in the criminal justice system — the victims of crime. Certainly, however, no one could contend that the fight is over. The quality of our lives in the future will depend, in part, on the course which the criminal justice system follows in the years to come. I believe that some basic changes are needed in our system to ensure continued progress.

One-fifth of the State's population lives in Baltimore City, yet more than one-half of all violent offenses and approximately one-quarter of all property offenses committed within the State occur in Baltimore. Despite the dramatic changes reflected in the statistics presented below — developed from the Police Department's so-called "index offenses" records — much remains to be done. A comparison of the years 1974 and 1977 indicates that reported index crimes declined in Baltimore City by 11.7%.

Index Offenses - Comparative Statistics

	Reported 1974	Reported 1977	Percentage of Change
Murder	293	171	Down 41.6%
Rape	486	499	Up 2.7%
Robbery	10208	7563	Down 25.9%
Aggravated Assault	6379	6050	Down 5.2%
Burglary	18790	15257	Down 18.8%
Larceny	30865	31560	Up 2.3%
Stolen Auto	9214	6187	Down 32.9%
Total	76235	67287	Down 11.7%

While I am indeed encouraged by these statistics, I feel that requisite changes to the underlying system must first be made before overall success is assured.

Foremost among the problems to be attacked is the need for the reform of our juvenile justice system. Our laws relating to juveniles were formed almost 75 years ago when a youthful offender was a child who played hookey from school or tossed a baseball through a neighbor's window. The youthful offender of today is very often just as dangerous and vicious as his adult counterpart. He should be treated as such. Instead we have a situation in which juveniles are dealt with in a system which they themselves describe as a farce. Over 70% of the cases are dismissed by juvenile case workers without so much as a consultation with victims or prosecutors. When these offenders are taken to trial, they are simply released back into the community or sent to a juvenile facility where they are released within a few months on the order of juvenile authorities, without knowledge by the sentencing court. The result has been that juvenile offenders simply become adult offenders. In the process, their victims continue to suffer.

We need a system in which dangerous juvenile offenders can be isolated from the community if necessary. Rehabilitation services should be available, but the interests of the community must come first. Those who can benefit from a return to the community ought to understand that further criminal behavior will result in incarceration, not just a slap on the wrist.

The adult system is desperately in need of similar reform. Current parole regulations have effectively destroyed the meaning of most sentences. An armed robber sentenced to 10 years can expect to serve 2 years or less, and the average murderer on a life sentence will be out on the street in 11 years or less. The rationale which supports this philosophy is that these people are being rehabilitated. The facts show that the exact opposite is true.

We need a system in which fair and mandatory sentences are imposed according to the crime committed. Those sentences should be served in full without consideration of parole. Only then will criminals understand that society will not tolerate any threat to its security. My suggestions in this regard are not made without a recognition of the fact that we should devote ourselves to eliminating the causes of crime. Because the approach of this Administration has been a "get tough", "law and order" one, I wish to put this policy in its proper perspective. Although I feel that incarceration and punishment are the only answers in many instances, I realize that poverty, lack of jobs, prejudices and

racial and sexual discrimination of all kinds add to the crime situation. But the essential change must be made in the human being. Our present system isn't adequate to handle this job. If we find it necessary to incarcerate, we must find a way to rehabilitate through proper education and training. Existing programs don't measure up to this task. Our methods of sentencing, parole and probation policies, and prisons and correctional facilities must be re-examined and overhauled.

Within the State's Attorney's Office, there are additional concerns. The prosecutor-investigator ratio is far out of line with that of other metropolitan prosecutors' offices. Investigators are essential to effective prosecution, yet the Office has only six, three of whom were subsidized under Federal grants which restrict the areas in which they can work. The availability of investigators to assist the Grand Jury would be of substantial benefit in felony screening. It is not widely known tnat the expenses of investigators from the Police Department, with its $88 million dollar budget, who assist our prosecutors in their work are paid from this Office's $3 million dollar budget. Nor is it widely known that this Office frequently pays the expenses of extradition of criminal offenders transported from other jurisdictions for trial or to serve sentence, of guard service for these offenders, of jail board and board of sequestered witnesses, and of round-the-clock guards for victims and threatened witnesses.

The Juvenile Court Division is faced with the loss of three prosecutors this Fall when the grant which supports them expires. The acquisition of these additional prosecutors permitted many of the advances that so greatly improved the Juvenile Court system. The current level of prosecution could not be maintained without the retention of these positions, and further improvements would be impossible.

The availability of prosecutors in the Districts on weekends and night would also do much to improve processing throughout the system. Police are understandably hesitant to call prosecutors at home in the middle of the night, and yet many offenses occur and are investigated at night. With the exception of homicides and sexual offenses, there is no expectation that legal advice will be readily available to police within the near future except during normal office hours.

Further improvements to this Office will be costly, but will result in a better quality of life for the citizens of Baltimore. I look forward to the imminent consolidation of all of the Divisions of this Office (with the exception of the District Court Division), formerly scattered in four different leased locations, under one roof in the Criminal Courts Building. This change, made possible

by the renovation project plans of the City, assisted by the efforts of the Supreme Bench and the Federal Government, should provide our Office with greater managerial efficiency.

Finally, this Report would not be complete without a word about the people who have contributed so much to the improvement in prosecution in Baltimore City. In large measure, our success has been due to the dedication of the men and women of the State's Attorney's Office. They have labored tirelessly in substandard working conditions and for salaries well below those their responsibilities demand. I want each and every one of them to know that I and the citizens of this City are grateful to them for their efforts.

In Closing

Many serious problems have been solved since 1974. Goals are being attained and crime is decreasing. Prosecution has been more effective than at any time in recent memory. Continued improvement which is desired by all, is possible — but criminal justice courts and prosecution must remain priority items. I have tried to bring this to the attention of the public under the Swisher Administration by making speeches and public appearances to inform the public.

So often, a prosecutor's role is viewed as a negative one, because he only becomes involved after a crime has occurred. Recognizing the power that the State's Attorney's Office commands, and the influence it can exert, I have endeavored to make our prosecutors a positive influence in the community. I and members of my Office have been liaisons to the public and to the Maryland Legislature emphasizing criminal justice problem areas and urging all to do something about them. On numerous occasions, we have appeared weekly during the 90-day session in addition to our prosecutorial routine to testify, offer advice, initiate legislation, and assist in the drafting of it. Specific instances have included the reform of rape, juvenile and death penalty statutes. Additionally, in the juvenile area, this Office won national recognition in the case of Swisher v. Brady, the 6-3 ruling of the United States Supreme Court in June, 1978. This decision upheld a Maryland procedural rule which allows a State's Attorney to file exceptions to a juvenile court master's proposed findings, thus holding that the procedure does not violate the Constitutional prohibitions of the Double Jeopardy Clause.

Whether improvement to the criminal justice system occurs depends upon the citizens of Baltimore City. If strong law enforcement is demanded by the citizens, they will get it. With such demands upon elected officials, both the public and the State's Attorney's Office can proceed into the 1980's with the knowledge that the current proud slogan "Baltimore is Best" applies to prosecution as well as to other achievements.

STATE'S ATTORNEY

William A. Swisher

Deputy State's Attorney

Mary Ann Willin

Division Chiefs

Floyd Pond, Collateral Proceedings Division
Alexander Yankelove, District Court Division
Joseph Koutz, Interstate Affairs
Joseph Lyons, Criminal Trial Division
Marshall Feldman, Grand Jury
Howard Gersh, Violent Crimes Liaison Division
Bernard Kole, Major Frauds Division
Barbara Daly, Inter-Agency Liaison Unit
Sheldon Mazelis, Juvenile Division

Fiscal Officer

Christine Yakaitis

Assistant State's Attorneys

*Jonathan Acton
Gary Bass
*Don Benter
Richard Berger
Stephen Berger
Gary Bernstein
Gordon Boone
Sam Brave
Dario Broccolino
Charles Brown
Olga Bruning
Arthur Cheslock
Mark Cohen
Moses Cohen
Steve Cohen
Louis Coleman
Ara Crowe
Dennis Cuomo
John Denholm
Lawrence Doan
Timothy Doory
*John Dunnigan
Bruce Ezrine
Michael Flannery
Dominic Fleming
Arnold Foreman
Craig Garfield
Donald Giblin
William Guiffre
Michael Glushakow
Ron Goldberg
Clifton Gordy, Jr.
Gary Graham
Harvey Greenberg
Howard Grossfeld
*Susan Handwerger
Robert Hedeman
Harold Hersch
Jack Hyatt
Luther Jefferson
Mary Johnson
David Katz
Charles Kearney
Dale Kelberman
Haven Kodeck
Charles Lamasa
Elliot Lewis
Katherine Lewis
Joan Lieberman
Martin McGuire
William Monfried
Robert Moss
Ralph Murdy
Timothy Murphy
Barry Norwitz
Alexander Palenscar
David Palmer
Paul Polansky
John Prevas
Raymond Rangle, M.D.
Valerie Rocco
Lawrence Rosenberg
Milton Rothstein
Ralph Rothwell, Jr.
Arthur Rubenstein
Neil Ruther
Stephen Sacks
Barbara Salkin
James Salkin
Suzanne Salsbury
Frank Sauer
*James Schneider
Peter Semel
Jonathan Shoup
Marshall Shure
Lawrence Stahl
Leslie Stein
Robert Steinberg
Neil Steinhorn
Jerome Taylor
John Themelis
William Townsend
Stephen Tully
*Isaac Waranch
Edwin Wenck
Stephen Wilder
*Leslie Winner
Steve Wyman
Charles Zuckerman

*Resigned during the year.

Clerical/Administrative

Claudine Allen
Darlene Allen
Jean Anderson
Linda Baer
Robyn Baker
Beverly Barr
Elanders Beasley
Sandy Berkow
Ann Blackburn
Lucy Bradford
Linda Broccolino
Paula Brown
Rachel Buzzuro
Veronica Cameron
Susan Canby
Linda Clarke
Barbara Cohen
Isadore Cohen
Frank Collins
Carol Couser
Shirley Delzangle
Mary Jo Eichhorn
Joyce Ernest
Louis Feldsher
Patricia Finch
Margie Fisher
Marlene Folio
Judith Gaver
Howard Glashoff
Esther Goldberg
Goldie Goldberg
Patricia Gross
Shirlann Gruebl
Kathy Heilman
Diane Kokkinakos
*Henry Kupperman
Soula Lambropoulos
Elizabeth Lawry
Eileen Leon
Marylyn Leslie
Catherine Manik
*Dolores Mazelis
Phyllis Mills
*Gail Montgomery
Susan Mooney
Brooke Murdock
Anna Pearson
Frank Perkowski
Katherine Potter
Lillian Prucha
Bonna Pulket
Dale Pulket
Jane Pusloski
Jeanette Randolph
Wallace Ritter
Peter Saar
Ronald Sallow
Deborah Smith
Patricia Spartana
Ruth Spear
Ruth Steinhart
Edna Thomas
Joyce Turner
Barbara Wasserman
Mary Jean Weaver
Rosemary Welk
Louise Wheatley
*Honey Winter

Investigation Division

Sgt. Richard Nevin
Det. John Heddinger
Det. Charles Rothrock
Det. Robert Willis
Det. Fred Bosak
Det. Larry Whitfield
Marie Mattes

*Resigned during the year

State's Attorneys of Baltimore City

CHARLES J. M. GWINN
1852 to 1856

MILTON WHITNEY
1856 to 1861

ARCHIBALD STIRLING, JR.
1861 to 1863

JOHN L. THOMAS, JR.
1863 to 1865

GEORGE C. MAUND
1865 to 1868

A. LEO KNOTT
1868 to 1880

CHARLES G. KERR
1880 to 1896

HENRY DUFFY
1896 to 1899

ROBERT M. MCLANE
1899 to 1903

EDGAR ALLAN POE
May, 1903 to November, 1903

ALBERT S. J. OWENS
1903 to 1912

WILLIAM F. BROENING
1912 to 1919

HARRY W. NICE
1919 to 1920

ROBERT F. LEACH, JR.
1920 to 1924

HERBERT R. O'CONNOR
1924 to 1934

J. BERNARD WELLS
1934 to 1951

ANSELM SODARO
1951 to 1956

J. HAROLD GRADY
1956 to 1959

SAUL A. HARRIS
1959 to 1962

WILLIAM J. O'DONNELL
1962 to 1964

CHARLES E. MOYLAN, JR.
1964 to 1970

HOWARD L. CARDIN
1970 to 1971

MILTON B. ALLEN
1971 to 1975

WILLIAM A. SWISHER
1975 to

END