EFFECTS OF BAIL AND OTHER

PRETRIAL PROCEDURES ON -

OUTCOME, PLEA, AND SPEEDY TRIAL

by

Steven A. Zamsky

P R E F A C E

This project was an experimental effort in the utilization
of computer analysis in the administration of criminal justice.
Utilization of computer techniques in law related research is
in the early stages of development and this is a modest
attempt to apply techniques identifying with greater discrimi-
nation the possible impact of certain pre-trial procedures
commonly present in our system of administering criminal
justice. The study concentrates on the computer analysis
and further consideration may suggest additional conclusions
to be drawn from the material presented.

The project was also designed to utilize the skills and
energies of law students as a potential source of effective
research in problem areas of the law and our legal system.
The project was largely student initiated and student operated
subject to the continuing supervision of grantee personnel.
Mr. Zamsky, a second year law student at the University of
Oregon Law School had the principal responsibility for both
research and analysis.

It should be noted, of course, that neither the National
Institute of Law Enforcement and Criminal Justice nor the
University of Oregon necessarily concur in the statements,
findings or conclusions of the study.

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BAIL AND OTHER PRETRIAL PROCEDURES
EFFECT ON OUTCOME, PLEA, AND SPEEDY TRIAL[1]

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Steven A. Zamsky

"When a poor man is arrested, he goes willy-nilly to the same institution, eats the same food, and suffers the same hardships as he who has been convicted. The well to do, the rich, and the influential on the other hand, find it requires only money to stay out of jail at least until the accused has had his day in court."[2] The conditions he referred to, with a few important exceptions, remain unchanged today.

The individual accused of a crime starts his unpleasant and often tragic experience at the same jail in which convicted defendants are lodged. If he is lucky, he spends only a few hours in a cell, long enough for bail to be set by a magistrate and posted by family, friends, or a professional bondsman. If he is not lucky, bail is denied, or if it is set he has no friends or his family has no funds or the bondsman decides he is a poor risk; he remains in jail until his trial.

The modern bail system has been traced to two possible historical beginnings.[3] The ancient English institution of hostageship required

2.   Address by the Honorable James V. Bennett, Director of the United States Bureau of Prisons, Feb. 24, 1939.

3.   Goldfarb, Ronald; Ransom, Harper & Row (1965), p. 21.

a hostage to be held until the promise of a certain person was ful-
filled.[4] Another theory states that modern bail comes from the old
English laws governing debt, the primitive concept of wergeld. "Under
this ancient scheme, one who was accused of committing a wrong had to
guarantee a payment to re-imburse that wrong, should he later be found
to be at fault."[5]

Today bail is set to insure the appearance of the accused at his
trial.[6]The relevant considerations the court should examine in deter-
mining bail are those which the defendant would consider in making
his decision to appear or not appear in court. Too often, due primari-
ly to time pressures, the courts do not rely on these factors, but
instead other more accessible, yet less relevant, criteria are relied
upon for determining bail.[7]   The Attorney General's Committee on
Poverty and the Administration of Federal Criminal Justice has said of
the practice:

> "It is disturbing to discover, therefore, that American
> bail administration largely fails to provide the bail-setting
> authority with relevant factual data indispensable to sound
> bail decisions. This failure in the fact-finding process trans-
> forms what must, at best, be a difficult task into one impossible
> of satisfactory performance. In many instances, both in state
> and federal courts, virtually the only pertinent facts supporting
> the initial bail decision are the charge upon which the defendant
> was arrested and such other circumstances surrounding commission
> of the alleged offense as may be communicated by the prosecuting
> attorney. The consequence is that many highly relevant considera-
> tions are not adverted to or, at most, are given insufficient

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4.   de Haas, Elsa; The Anitiquities of Bail, Columbia University,
         N.Y. (1940).

5.   Goldfarb, Ronald; Ransom, Harper & Row (1965) p. 21.

6.   Stack v. Boyle, 342 U.S. 1; Chief Justice Vinson.

7.   See for example "Punishment Before Trial", Journal of the
         American Judicature Society; Vol. 48, No. 1, p. 6.

weight.   The result may be dangerous, not only to the liberty of the accused, but, on occasion, to the security of the criminal process.   The absence of a proper factual basis for decision may also encourage consideration of irrelevant factors, thereby leading to improper and *sub rosa* uses of the bail-setting power."[8]

Basing bail on factors other than the financial abilities of the defendant has encouraged the growth of the professional bail-bondsman. Bail that is too high for the defendant to meet may be met by the bondsman for a fee.   The bondsman however, has a business investment which he must protect.   He will therefore only post bond for good risks. In this typical situation the bondsman decides who is to be released from jail and the court is "relegated to the relatively unimportant chore of fixing the amount of bail...."[9]

The lack of sophisticated study of the problems of bail procedures makes it appropriate to use new approaches to discover what are the bases for the bail decision, and the effect of bail procedures upon the ability to meet bail, the plea, the length of time before trial, and the outcome of the case.   The development of highly sophisticated computer programs and the availability of computer facilities to researchers make it possible to apply those techniques and facilities to studies concerning the criminal and criminal justice.   By employing the data analysis techniques, it may be possible to obtain a closer approximation of the functional effects of certain variables (charac-teristics).

The Counties

The four counties chosen for this study are Klamath, Jackson,

8.   *Poverty and the Administration of Federal Criminal Justice*, Super-intendent of Documents, U.S. Government Printing Office, Wash-ington, D. C. (1963).

9.   *Pannel v. U.S.*, 320 F2d 698 at p. 699 (D.C. Cir. 1963).

Lane, and Marion. For the period January 1, 1960 to December 31, 1968 these counties accounted for 27% of the felonies filed in the state and 24% of the felony trials in the state.[10] These counties are suburban-rural, there is a metropolitan area in each of them of 30,000 or more while the remainder is agricultural and timber land. Except for the more densely populated counties around Portland, these counties are representative of most of the state. Three of the counties also lie on a transportation artery, Interstate 5, which connects two of the largest metropolitan areas on the West Coast, the San Francisco Bay Area and the greater Seattle area. Thus, there is a great deal of transient traffic within the resident population. Hence, this is a study to examine the effect of bail in a particular suburban-rural environment.

Klamath County is a rural area in Southern Oregon economically dominated by the timber industry with increasing agricultural production. The County has total population of 48,300 in 6,151 square miles. Klamath Falls, the county seat, accounts for 19,000 of the population. Approximately 2,000 students attend Oregon Technical Institute, the only college in the area. The remainder of the population is dispersed in the Klamath Falls metropolitan area and in small rural communities. The only population inconsistency is Kingsly Field Air Force Base near Klamath Falls. Klamath County accounted for 60 of the 393 cases (15%).

Bordering Klamath County on the west is Jackson County. Jackson County is primarily a rural area economically dependent upon the timber industry. Orchards, and other agriculture account for a small portion of the area's economy. The County has a total population of 95,000 in 2,812 square miles. Medford, the county seat has a population of 30,000. The second largest city is Ashland, population 12,200, which

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10. <u>Judicial Administration in the Courts of Oregon - 1968</u>, compiled by the Administrative Assistant to the Chief Justice, Supreme Court of Oregon; p. 21.

borders Medford. Southern Oregon College, located in Ashland has a student population of 3,500. Jackson County is the first stopping point in Oregon on the major thoroughfare from California, Interstate 5. Jackson County accounted for 57 of the 393 cases (14%).

Lane County is located in the Willamette Valley north of Jackson County on Interstate 5. It is primarily an agricultural and timber processing community. The population of Lane County is 201,000 in 4,610 square miles. Eugene, the county seat, has a population of 75,300. Springfield, the second largest city, has a population of 24,000. The University of Oregon (15,000 enrollment) and Lane Community College (4,000 enrollment) are the center of student life in the county. Lane County accounted for 107 of the 393 cases (28%).

Marion County is 70 miles north of Lane County on Interstate 5. It is primarily rural with a grain growing economy. The total population of Marion County is 148,500 in 1,175 square miles. Salem, the state capitol, is the largest city in the county with a population of 66,200. Willamette University (7,000 enrollment) Oregon State Penitentiary, Oregon Correctional Institute, and Oregon State Hospital are located in Salem. Marion County accounted for 169 of the 393 cases (43%).

The Information

The data cover only felony cases during one year. The information on the misdemeanants who are tried in District Court which is not a court of record was too inascessible, as most of the data was not available for the characteristics included in this study. The cases in the fiscal year 1968-1969 (July 1968 - June 1969) were studied.

A word of thanks must be expressed to the Judges and District Attorneys in the counties studied. Without exception they were

thoroughly aware of the bail problems, and were extremely helpful. Without their cooperation this study would not have been possible. Valuable time was given by them in expressing views and providing information. Their stature and quest for legal advancement are beyond reproach.

The initial research consisted of interviews with the District Attorneys and Judges of the counties under study, to determine which records would most likely contain the information needed. It was decided that to insure an accurate examination of all needed data, the public records of the Circuit Court be used initially to obtain the names and file numbers of all accused felons within the one year period. Once name and file numbers of the applicable individuals were obtained, it was more expedient to gather all available information from the District Attorney's file. The District Attorneys of all the counties keep detailed files which contain all the information found in the public records of the Circuit Court plus invaluable background information on the individual. The cases in which charges were reduced to misdemeanors or dismissed were not included in the study. However, those reduced charges which were still felonies were. That is, only those cases which were felonies all the way were used.

There were two categories of characteristics, those dealing with the offense and those describing the individual offender. (See Appendix I for a list of the variables). Those characteristics dealing with the offense were found in both the Circuit Court Records and the District Attorney's file. Those variables dealing with the character-istics of the offender were often difficult to find. A most useful source of information for the background variables were the pre-sentence reports prepared by the Oregon State Board of Parole and Probation.

Included in these reports were historical background information (place of birth, education, prior record), sometimes psychiatric reports, financial status, family status, and description of present offense. When pre-sentence reports were not available the information needed was usually found in motions for probation, letters from the defendant to the judge, F.B.I. Reports, but primarily in the arrest reports.

The Analyses

In order to utilize some of the information, it was necessary to quantify data which were in some cases qualitative in nature. This was accomplished by employing a statistical technique called "dummy variables". With this technique a variable is defined for each category of a qualitative variable (e.g. fraud of the broad group-crime). The defined variable (dummy variable) takes on a value of "1" if the corresponding category of the qualitative variable is present (e.g. if fraud), and a value of "0" otherwise (e.g. fraud = 0; theft = 1). This procedure eliminates the need to scale a qualitative variable.

The data were analysed using three separate programs:

1. A regression analysis (UOBMD02R, developed by UCLA)

2. A discriminate analysis (UOBMD07M also by UCLA)

3. A program which tests for interaction among the variables (developed by Professor Richards of this University -- hereafter it will be called Richards' Program).

The IBM 360/50 Computer at this University was used to analyze the data with these programs.

The objective of regression analysis is to determine which variables (characteristics) contain predictive information relative to a

specific variable and to estimate the nature of the relationships by derivation of a mathematical model. That is, an equation of the following form is derived:

$$Y = b_0 + b_1 x_1 + b_2 x_2 + \cdots + b_r x_r$$

Where Y = the predicted value of the dependant variable

b_0 = the Y intercept

b_1 = the change in Y for a unit change in variable x_1

x_1 = the value of the variable for which x_1 stands.

The b_1's indicated the nature of the linear relationship between the x_1's (independant variables) and the Y (dependant variable).

For example, suppose we desire to develop a mathematical model to predict the dollar amount of bail, and one of the variables which is believed to contain predictive information relative to the dollar amount of bail is age. Further suppose that data have been gathered, a regression analysis run, and the "b" which correspond to x variable which represents age is +17. This would indicate that Y (dollar amount of bail) tends to increase 17 units for each unit increase in age.

In regression analyses, the independent variable and the dependant variable must be quantified (by such a technique as dummy variables) or quantitative (e.g. age).

In some cases, the characteristic which we were interested in "predicting" was not a quantitative variable, but rather a class or group. In these cases discriminate analyses were used. In a discriminate analysis a mathematical function, like the regression equation discussed above, is derived for each class or group. The objective of these functions is to separate the various classes or groups. Discriminate analysis is a classificatory technique which utilizes the information present in variables (characteristics) to separate various

known groups.. By examining the discriminate functions one can tell on which, if any, of the variables the known groups differ.

Both regression and discriminate analyses make an explicit- -possibly unrealistic--assumption by fitting equations of the form:

$$Y = b_0 = b_1 x_1 + b_2 x_2 + \cdots + b_r x_r \ .$$

The explicit assumption is that the manner in which the predictive or classificatory information present in the independant variables (characteristics) may best be extracted is _additively._ That is, it is assumed that the effects of the variables add --- the combined effect is merely the sum of the separate effects. A technique has been developed by Professor Richards which is designed to investigate the above additivity assumption for both regression and discriminate analyses. This technique detects whether or not there are pairs of the independent variables where the assumed additivity is not valid. Professor Richards' technique was employed in conjunction with both the regression and discriminate analyses in attempting to obtain a "clear" picture of functional effects (relationships) of certain characteristics.

The discriminate and regression analyses are stepwise in nature. The functions (both for the regression and discriminate) are derived in a sequence of steps. One independent variable enters the model, or functions, on each step. In the case of regression, on the first

step the independent variable which is the "best" predictor of the dependent variable enters the model, which would look like

$$Y = b_0 + b_1 x_1,$$

where x_1 is the "best" predictor of Y. On the second step the "next best", or the "best" predictor of the dependent variable (Y) from the set of remaining independent variables not included in the model, is

entered.   The resulting model would now appear as

$$Y = b_o + b_1x_1 + b_2x_2 \ .$$

This process continues until all of the independent variables contain-
ing "significant" predictive information have entered the model.   In
the case of discriminate analysis, the only difference from the above
described process is that instead of selecting independent variables
on the "best" predictor criterion, the variables are selected on the
basis of "best" discriminator.   That is, the variable which can best
separate the groups.

The reader will encounter statements like "persons having
characteristic A <u>tend</u> to be placed in a certain group".   Since few,
if any, situations existed where <u>all</u> persons with a particular charac-
teristic were found to be in the same outcome group it necessitates
the use of terms like "tend" and "more often".   This also accounts for
some of the hesitancy to make absolute statements about effects.

The reader should keep in mind throughout this report that the
data analyzed in this study comprise a census for the designated areas
and time period.   The statistical analyses were employed to describe
conditions and effects present in this set of data (i.e. functional
effects).   Statistical inferences of effects beyond the employed data
can not and will not be made.   However, non-statistical inferences
can be made outside of this area <u>to the extent</u> the effects are acknow-
ledgable by knowledge of the legal system or that the variables used
in the particular analysis are thought to account for most, if not
all, of the possible factors affecting the dependent variable -- or
that the other possibilities can be explained.

THE BAIL DECISION

Under Oregon Law, the defendant may make his first appearance in either Circuit Court or District Court.[11] Except in the case of secret indictments and informations, to which I will return, the first appearance is usually (approximately 90% of our cases) in District Court. It may be helpful to outline this procedure. The defendant, after being arrested, is taken to jail and there given bail according to a statutory schedule which is based primarily on the charge. The defendant will be taken to District Court on the next business day unless the arrest is made in the morning when (on this rare case) the appearance may be in that afternoon. The next significant step is the preliminary hearing to determine if the defendant should be bound over to the Grand Jury. If, in the Grand Jury, a true bill is returned, the defendant will stand indicted. Then the defendant will appear before the Circuit Court. In the case of secret indictments or District Attorney's information, the first appearance is in the Circuit Court. It is the bail decision in Circuit Court that we are here concerned with; it is the final decision, barring unusual further motions. There are four possible bail decisions: 1. release of the defendant on his own recognizance, 2. setting of a dollar bail, 3. denial of bail because the defendant plead guilty at the circuit court arraignment and was then sentenced, or 4. denial of bail because of the nature of the crime. Not all defendants who plead guilty at the Circuit Court arraignment are denied bail.

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11.   ORS 135.010
      ORS 133.520
      ORS 133.030

In the four counties and 393 defendants studied, 72% were given a dollar amount of bail, 17% were released on their own recognizance, 8% plead guilty and were sentenced at the Circuit Court arraignment, and 3% were denied bail due to the nature of their crime. The mean bail for those defendants given a dollar amount of bail was $1880.00. Since the earliest the defendant can be released on his own recognicance is the District Court appearance, the release on recognizance figure may be a little low and the dollar amount of bail figure high. However, only 38% of the defendants given a dollar bail were able to meet it. This means that at most an additional (28% = 38% x 72%) of the defendants could have been released on their own recognizance. It is the feeling of this writer that the most the "recognizance" figure could be is 31% (correspondingly the dollar amount of bail figure would be 58%), if the defendant was earlier before a judge and the judge's decisions remained consistent with the decisions herein studied.

Many factors enter into the ultimate bail decision. The ABA recommends that in view of the purpose of bail, to insure the appearance of the defendant in court, the judge ought to be considering the factors upon which the defendant would base his decision to appear. It is felt that bases of the defendant's decision will be related to (1.) the risk involved (i.e. the crime and possible penalty, in serious crimes) and (2.) the ties the defendant has to the community. The prior record should enter only as an indication of the defendant's attitude. "...It has seemed to the Advisory Committee that only confusion and dissatisfaction can result from attempting to twist the bail

system in order to prevent crime."[12]

The ABA's recommendations follow:

" (b) In determining whether there is a substantial risk of non-appearance, the judicial officer should take into account the following factors concerning the defendant:

(i) the length of his residence in the community

(ii) his employment status and history and his financial condition

(iii) his family ties and relationships

(iv) his reputation, character, and mental condition

(v) his prior criminal record, including any record of prior release on recognizance or on bail

(vi) the identity of responsible members of the community who would vouch for defendant's reliability

(vii) the nature of the offense presently charged and the apparent probability of conviction and the likely sentence, insofar as these factors are relevant to the risk of non-appearance; and

(viii) any other factors indicating the defendant's ties to the community or bearing on the risk of willful failure to appear.

(c) In evaluating these and any other factors, the judicial officer should exercise care not to give inordinate weight to the nature of the present charge."[13] It appears that these characteristics ought to enter into both the bail treatment decision and the amount of dollar bail decision. The ties to the community (i.e. (i)-(iv), (vi), (viii)) are viewed as those to most heavily emphasize rather than the present charge and prior record. The variables used in this study

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12. Standards Relating to Pretrial Release, Final Draft, American Bar Association Project on Minimum Standards for Criminal Justice, p. 6.

13. Ibid. Sec. 5.1.

are intended to be reflective of the ABA's view and to include other
factors which may either have an effect or help to "isolate" other
effects (e.g. plea, counsel at the arraignment). Of course, some of
their variables are not available and so could not be included. (See
Appendix I.).

The Bail Decision: Bail Treatment

The variables used in this aspect of the study are age, race,
sex, education, economic standing, residency (in county or out), prior
record, the present charge, the plea (which is sometimes not known at
this time), representation by counsel and if so whether the counsel is
court appointed or retained, the county, the judge, and the length of
time from the arrest to this appearance. These account for all the
variables which are quantifiable and readily collectible from the
sources previously mentioned.

A discriminant analysis was used in this step of the study to
determine which of the above variables would help from a model which
could classify the cases into their actual bail-treatment category,
that is, to build a prediction model. TABLE I presents the results of
the model. In the left-hand column are the number of cases correctly
predicted, classified by their actual "decision group". The percent-
ages represent the number of correct predictions in that group. That
is, 141 of the cases which actually received a dollar bail were pre-
dicted to have received a dollar bail, this represents 49% of the cases
actually receiving a dollar bail. In the right-hand column are the
number of cases misclassified in each actual decision group. That is,
148 cases which actually had a dollar bail set were predicted to re-
ceive another treatment.

TABLE I

	classified into the actual "decision group"	not classified into actual "decision group"
Actually:		
Had Dollar Bail	141 (49%)	148
Released on own recognizance	43 (70%)	18
No Bail-guilty plea	13 (40%)	20
No Bail-crime	6 (60%)	4
	203 (52%	190

Table II presents the breakdown of the 190 misclassified cases into the categories into which they were misclassified. For example, of the 148 cases which actually received a dollar amount of bail, but which were not classed into that group, 107 were classed as released on their own recognicance (ROR), 15 as being denied bail due to their crime, and 26 denied bail because they plead guilty at the Circuit Court arraignment and were then sentenced.

TABLE II

Incorrect Prediction

Actual Decision	Total	ROR	Dollar Bail	No Bail- Crime	No Bail- Plea
--ROR	18	--	15	3	0
--Dollar Bail	148	107	--	15	26
--No Bail·Crime	4	0	2	--	2
--No Bail-Plea	20	5	14	1	--
	190				

TABLE III presents an analysis of the cases which were incorrectly predicted by their incorrect "decision-group". That is, 31 cases were incorrectly predicted to receive a dollar amount of bail. Of these, 15 actually received a release on their recognizance, 14 were denied bail because they plead guilty at the arraignment and were then sentenced, and 2 were denied bail because of their crime.

TABLE III

Incorrect prediction was--	Total	Dollar Bail	ROR	No Bail-Plea	No Bail Crime
--Dollar Bail	31	--	15	14	2
--ROR	122	107	--	5	0
--No Bail-Plea	28	26	0	--	2
--No Bail-Crime	19	15	3	1	--

(Actual decision spans the columns Total, Dollar Bail, ROR, No Bail-Plea, No Bail Crime)

Similar tables will be presented throughout the study when a discriminant analysis is used. The original matrices are in Appendix II; this one on page 1 of that Appendix, Table I.

As the results show, the defendants given a dollar amount of bail were not very distinguishable from the other defendants, as only 49% of them were predicted, on the basis of our variables, to have been given a dollar amount of bail. However, they were more like those receiving a release on their own recognizance than any of the other groups. The same is true of those denied bail because of their plea. Those released on their own recognizance, though highly predictable, were most like those receiving a dollar amount of bail. This tells us that based on these variables the cases were not distinguishable as to their bail treatment, especially as between those given a dollar bail, those denied bail because of their plea, and those released on their own recognizance. This in turn suggests that the variables are not used consistently in the decision-making process.

The present charges were the strongest of the variables which were in the model. Only certain of the crimes, however, had an effect. The defendants accused of homicide are most often in the no-bail-due-to-the-crime category. Those charged with a convicted's offense[14] also

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14. "Convicted's offense" is used for lack of a better term. It consists of those crimes which only a recividists can commit; primarily escapees and convicted felons in possession of firearms.

fall into that category, but more of them plead guilty at this stage of the proceeding and were then sentenced, with the consequential denial of bail. These are generally escapees who want to get it over with in one way or another, although a few of the cases are those arrested for being a convicted felon in possession of a firearm. The functional effect of this crime is also seen in that Marion County had the effect of placing cases into the no-bail-due-to-the charge category. Marion County had relatively more of this crime since it houses the State Penitentiary.

The defendants with a prior record most often receive no-bail-due-to-the charge. This, however, is also partly due to the effect of those committing convicted's offenses who were already incarcerated and therefore received no bail. The effect is, however, over and above that of the convicted's offenses. That is, after taking the offense's effect into account, the effect of having a prior record is to receive no-bail-due-to-the-crime. In other words even though a heavy prior record includes those who are charged with convicted's offenses (but is not entirely composed of the crime), with all other variables' effects accounted for the defendants with a heavy prior record were more likely to be denied bail because of the alledged crime. At the same time, those without a prior record most often plead guilty and were then sentenced, therefore having no bail. However, the margin between this treatment and being ROR'ed was not great. That is, if the defendant without a prior record plead guilty, he was then sentenced. If he pleaded not guilty he was released on his own recognizance. Most of the defendants with no prior record plead guilty (65%).

Those who plead guilty at the Circuit Court arraignment were denied bail because they were then sentenced about twice as often as receiving any other bail treatment. The remainder were released on their own recognizance or given a dollar amount of bail in about equal numbers. Very few were given no bail because of the crime.

Conclusion

Although these variables do help explain the differences in bail treatment, they account for only one-half of the difference. This leads to one of two conclusions, either (1.) the distinction is due to some variable which was not available and may be unquantifiable, such as the defendant's personal appearance, etc. or (2.) it is a random choice between the decisions for the variations not explained by these variables. That is, part of the decision is predictable based on these variables, the remainder is due to randomness or a variable or variables we do not have. The length of the residency which was unavailable is the primary example here. However, if the effect was strong it would seem to have shown up in the residency variable we included. This variable was ineffectual.

The judges may well use a sixth sense in their decision, however, it is not consistently based on any of the variables considered, or else the variables are not consistently given the same effect. Those which have the strongest effect are the prior record and the present charge, with the present charge having the stronger effect. This is not as recommended by the ABA, nor are the characteristics it recommends given very significant effect. They did not have enough significance to enter into the model.

The Bail Decision: Dollar Amount

We now turn to an analysis to determine which of the variables affect the decision on the amount of dollar bail, given that dollar bail is to be set.   This analysis is based on the same variables as used in the prior section.   For this step the study used both the regression analysis and Richards' program.

Overall, the model was able to account for 55% of the variation. A few of the variables had effects with the dollar amount of bail which were quite strong.   Not surprisingly, those who were accused of homicide had decidedly higher bail than other defendants.   The same is true for kidnappers.   Those accused of assaults and convicted's offenses tended also to get higher bail than the average, while those committing thefts received lower bail.

The prior record of the defendant had consistent and logical effects, although they were not overwhelming.   Those with no prior record got lower bail, while those with a heavy adult record got higher bail; the progression followed rather smoothly as the severity of the prior record increased.

It is to be noted at this point that it appears that the present charge is the most significant factor, with the prior record having a logical but lesser effect.   The ties with the community do not have an overall effect.

As part of Professor Richard's program it is possible to isolate sub-categories of a particular variable and see the effect it has. That is, only in segments of the whole variable do these variables have some effect.   Some of these sub-categories of variables are indicative of community ties.

Those under twenty years of age by and large received lower bail than did those of later years, the same holding true for those who had 12-14 years of education. Further, those of lower economic standing more often received lower bail than did those of more means. These three effects to a small degree reflect the characteristics of the same individuals. However, the three sub-categories are largely composed of different cases, therefore the effects are largely independent.

Besides those single sub-categories which have effects, there are pairs of variables which apparently enter into the decision. As with the sub-categories these effects would be undetectable without Richards' program. Those defendants who either plead not guilty or who were charged with theft, burglary, or narcotics offenses and who are under 26, more often had lower than average bail. While those with heavier prior records and either committed a convicted's offense or pleading guilty but who were later sentenced received higher than average bail. The poor in Jackson County get lower bail than did the other defendants as a whole and as compared to the poor in the other counties, except to a lesser degree those poor in Lane County. The local resident who had either his own counsel or who had had 12-14 years of education also gets a lower than average bail.

Conclusion

There appear to be more variables that at least enter into this decision than in the bail treatment decision, however they are not consistently used. As with the bail treatment decision, it is largely the present charge and the prior record which have the strongest effect. The effects of age and education in the two classes appear quite consitently, however their quantitative effect on dollar bail

was no more than a couple hundred dollars. It is notable that the poor defendants received a lower bail, bettering their chances of meeting bail. All of the variables known at the time of the arraignment, except sex and length of time from the arrest to this arraignment did have some effect in the determination of the amount of bail. However, the effects are not strong enough to indicate very consistent application of the variables in making the decision. This leads again to the conclusion that either the amount of bail was based on some variable which is not quantifiable or available or is a random choice.

Unfortunately, the judges did not appear to have been giving consistent and strong effect to the characteristics which would most likely have an effect on the defendant's decision to appear in court as required, that is, those variables outlined in the ABA's pronouncement. The variables which would indicate the defendant's ties with the community (residency, income, etc.) have little overall effect. Even where these variables do have an effect, it is toward a lower dollar bail not toward releasing the defendant on his own recognizance.

The amount-of-dollar-bail decision is likely influenced by the present charge, which would define a broad range. The remainder of the determination would be based to a small extent on the other variables mentioned, but primarily on some judicial sixth-sense or a random choice. Neither of the latter two are quantifiable.

THE ABILITY TO MEET BAIL

The study tested the ability to meet bail, where granted, with a discriminant analysis, breaking the groups into not meeting bail, meeting bail with the defendant's own funds, and meeting by bond. The variables tested were the same as those used to test the dollar amount of bail, but this time including the dollar amount of bail as an independant variable. Of the defendants given a dollar bail (330), 62% did not meet bail, 8% met bail with their own funds, and 30% met bail by bond.

Using these variables, the model was able to classify into their actual means of meeting bail or not meeting it 226 of the 330 (66%) people who were given a dollar amount of bail. The following tables are presented for clarification, the format is the same as in the last chapter.

TABLE IV presents on the left the number of cases which were classified into their actual group, for each group. That is, 145 of those who actually did not meet bail were predicted to not meet bail and this was 73% of all those who actually did not meet bail (the total not meeting bail = 205). On the right side are the cases which were incorrectly classified.

TABLE IV

Actually:	Cases which were classified into actual	Cases which were Not classified into actual
Not Meeting Bail	145 (73%)	60
Meeting Bail--Own Funds	13 (50%)	14
Meeting Bail--By Bond	68 (69%)	30
	226 (66%)	104

TABLE V presents the breakdown of the (104) misclassified cases by the categories into which they were misclassified. The actual classification reads horizontally, the predicted classification for these cases are vertical. For example, of the 60 cases which did not meet bail, 12 were predicted to have met bail with their own funds and 48 to have met bail by bond.

TABLE V.

Predicted Classification

Actual Classification	Total	Not Meet Bail	Meet Bail- Own Funds	Meet Bail- Bond
Not Meet Bail	60	--	12	48
Meet Bail-Own Funds	14	9	--	5
Meet Bail-Bond	30	15	15	--
	104			

TABLE VI presents the analysis of those cases incorrectly classified. The left-side classification is the incorrect classification, which is broken down into the actual class on the right side. That is, 24 were erroneously predicted to have not met bail. Of these, 9 actually met bail with their own funds and 15 actually met bail by a bond.

TABLE VI

Incorrect Prediction was--		Not Meet Bail	Actual Meet--Own Funds	Meet--Bond
--To Not Meet Bail	24	--	9	15
--To Meet--Own Funds	27	12	--	15
--To Meet--Bond	30	15	15	--

The matrix from which this tables were derived may be found in Appendix II, Table II.

Those who actually did not meet bail, but who were predicted to have met it had very much the same characteristics as those defendants who met bail by bond--i.e. 80% of those who actually did not

meet bail were predicted to have "bonded-out". These defendants who did not meet bail, on the basis of our variables, should have been able to obtain a bond. Percentagewise, those who did not meet bail were the most predictable; however they were also the largest group, which allows for better prediction. Those who met bail with their own funds were difficult to differentiate from the other defendants, that is they had characteristics which both the other classes also had. The defendants who met bail by bond were quite easily identified, however those who were misclassified did not closely resemble either of the two other groups.

One would expect the economic standing to be a determinant of the ability and method of meeting bail. However, the economic standing did not, itself, enter into the model. This may in large part be explained. The defendants studied fall almost entirely into the lower income levels. Sixty-seven percent of the defendants had yearly income of $2000 or below; while 88% had yearly income of $3500 or below. The difference in the 5 categories[15] used for economic standing would not be able to help predict the ability to meet bail, since there would not be enough variation in the variable to correlate with the ability to meet bail, i.e. it would be practically the same for all. As shall be seen, the economic standing of the defendant shows up indirectly in some of the other variables.

For some reason, those defendants charged with minor-directed offenses (contributing to the delinquency of a minor, statutory rape) met bail by their own funds almost 8 times more often than meeting it by bond or not meeting it. Their bail was not distinctly different. This would appear to say that this is a crime committed by

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15. See Appendix I for the breakdown.

those more well-to-do. In fact, 50% of those committing this crime had $3500 or more yearly income. This income is higher than for the other crimes, and well above the average. (See Appendix III, Table 60 reflecting the economic standing of these individuals.

Regardless of the amount of bail, the prior record was quite determinative of the ability to meet bail. Those defendants with no prior record met bail by bond most often. This effect is almost twice as strong as the effect of this variable in either of the two other directions (i.e. not meeting bail or meeting it by his own funds). At the same time, those defendants who had a heavy adult record did not meet bail, this effect being one and one-half times as strong. As earlier noted, the prior record also had an effect on the setting of the amount of bail. The amount of bail is taken into account in reaching this model. The cross-effect between prior record and the amount of bail did not enter into the model because its effect was not statistically strong enough. The effects of prior record alone and in pair with the amount of bail is strong enough to indicate that with the interaction considered, the prior record of the individual does have an effect. The recidivist's bail tends to be higher and the first offender's lower; but even with that the effect of the prior record is very strong.

Those with heavy prior records are often indigents. Since this is one of the prime determinants in the judge's bail decision, these defendants' bail is higher. Being indigent, the defendant can't pay it with his own funds and is apparently not given a bond by the bondsman. This is even more obvious when it is noted that the heavy prior record, regardless of the amount of bail, means these defendants did not meet bail.

Therefore, even if the judge is lowering bail due to other criteria (e.g. length of residency), the bondsmen do not furnish bonds for these recidivists. This is one of the most ludicrous features of the bond system—allowing this freedom determining decision to be made by an extra-judicial system.

The defendants who had their own counsel were overwhelmingly released either on bond or by meeting the bail with their own funds. The opposite is also true, those who did not have counsel or who had court appointed counsel met bail less often. The number of defendants without counsel was negligible (these three likely waived their right, as Oregon's Courts have been found to be very generous in providing counsel.[16]) With that variable taken out, it appears that those defendants who have their own counsel more often meet bail than do those who have court-appointed counsel. This is not surprising as those with money enough to retain counsel also can post their own bail. The reverse is not necessarily true. Some defendants are faced with the agonizing choice between posting their own bail (or paying the bond premium) or retaining counsel. The courts will sometimes help and appoint counsel in such a case. Of course, the really poor defendant can neither meet bail or retain counsel. It was also found, however, that those with court appointed counsel were more often released on their own recognizance—12% of those with their own counsel were ROR'ed; 21% of those with court appointed counsel. So although the poorer defendants are less often given a dollar amount of bail, when bail is set and it is usually set lower for them,

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16. Moore, Michael; "The Right To Counsel For Indigents In Oregon", 44 Ore. L.R. 255 (1965).

they less often meet it. This variable, of course, reflects the economic standing of the defendant (see Appendix III, Table 63 and 64).

Two of the counties entered into the model. Klamath and Marion counties experienced less meeting bail by bond than did the other two counties. This is almost certainly a peculiarity of the sample; although it may also be a reflection of the bondsmen's inactivity in these counties.

Not surprisingly, the dollar amount of bail had an effect on the ability to meet it. As the amount of bail increased, the defendant was less likely to meet it. In fact, the effect of dollar bail towards not meeting bail was twice as strong as in either of the two methods of meeting bail. For example, for those defendants who had bail set between $300 and $500, 38% were unable to meet it, 16% met it with their own funds, while 46% met the bail by bond. Quite a different picture is painted when we look at the defendants with bail in the $800 to $1000 range. There, 47% were unable to meet bail, 48% met the bail by bond, while only 3% were able to meet the bail with their own funds. The relationship is very clear when bail is set from $3000 to $5000, only 5% met bail (by his own funds-- only one case) while the remainder did not meet bail. As will be noticed from the table in the Appendix (Appendix III, Table 130) as bail goes over $2500, it becomes virtually impossible for the defendant to be released, i.e. to meet it in one way or another. That is, bail set over $2500 is a virtual denial of bail. The above noted table presents the breakdown.

Conclusion

On the basis of the variables used, the computer was able to predict 66% of the means of meeting bail or not meeting it. The

remaining 34% is due to some other factor, be it a variable not quanti-
fiable (the defendant's own decision basis--whatever it is), quanti-
fiable but not included, or due to randomness in the method chosen.
As in the Vera Study, the amount of the bail is found to have a
definite effect on the defendant's ability to meet it, by bond or
his own funds. This may be due to several factors. The defendant
may not have the funds himself and know anybody who does. He may be
a poor risk for the bondsman, for whatever reason, or he may not
even have the funds to pay the bondsman's premium (usually 10%).
Those defendants who are not able to meet bail are never subject to
the function of bail, which is to put a money penalty on failure to
appear in court. This amounts to 62% of the defendants given a
dollar bail.

THE RELATIONSHIP OF BAIL AND THE PLEA

In this portion of the study, the effect of the amount of bail
and the ability to meet it, as well as the bail treatment were tested
for their statistical effect on the plea of the defendant. As a by-
product, as before, we also see which of the other variables tested
had effects on the plea. A discriminant analysis was again used, in
conjunction with Richards' program. The variables were the same as
thus far utilized, only including now the ability (method) to meet
bail as an independant variable. We are not attempting to isolate
the variant factors which enter into the plea, although some of them
do appear, but rather to observe the effect, if any, of bail and its
procedures upon the plea.

The Initial Plea: Guilty-Not Guilty

Using a discriminant analysis, the analysis was able to predict
71% of the cases in accord with their actual plea. TABLE VII pre-
sents the number of cases correctly predicted by their actual plea,
that is, of the 143 defendants who initially plead "not guilty", 106
(75%) were predicted to have so plead. Of course, the other 36
cases were predicted to have plead "guilty".

TABLE VII

	Classified as actually plead	Not Classified as actually plead
Actually Plead Not Guilty	106 (75%)	36
Actually Plead Guilty	176 (70%)	75
	282 (71%)	111

The matrix is in Appendix II, Table 3.

There was a good deal of difference between those defendants
pleading guilty and those pleading not guilty. However, there were
only two possible classifications so the "prediction rate" of 71%

should not be overemphasized. Nonetheless, the two groups were quite distinct.

The model upon which this prediction was based was most effected by three of the crimes. Two of the judges and Marion County also had a functional effect.

The defendants accused of assault and homicide plead not guilty more often, while those accused of fraud more often plead guilty. This quite likely is a reflection of the sentencing practice. Fraud offenses are most often given light sentences (usually probation); while the other two crimes, since more serious, are given heavier sentences. Faced with the possible more severe sentence, the defendant will probably want to take his chance with a jury.

Both of the judges and Marion County had their defendants pleading guilty more often than did the other judges or counties. While this effect is functionally significant, it is not believed to be a causal effect, that is, the effect is present in the data, but is just a peculiarity in it.

It is to be noted that bail procedures had no effect on the initial plea. The crime, if one of the three, is the strongest determinant of the plea. Again this is probably a reflection of the sentences of these crimes.

Final Plea: Guilty, Not Guilty, Change of Plea

In this step we again use a discriminant analysis for differences in those entering the various pleas. Although a defendant presumably could change his plea from guilty to not guilty, we had no cases which did so. Therefore, all the pleas in this category were changes to guilty plea.

On the basis of the variables which had a significant effect, the analysis was able to classify 62% of the cases into their actual plea group. (242 out of 393 cases). There follow three tables, which have been presented before. TABLE VIII presents, on the left side, the number of cases predicted correctly, by their actual plea group. On the right are the number of cases not predicted correctly. For example, of the 251 defendants who actually plead guilty 75 were predicted to have plead otherwise.

TABLE VIII

	Classified As Actually Plead	Not Classified As Actually Plead
Actually Plead Not Guilty	23 (30%)	54
Actually Plead Guilty	176 (70%)	75
Actually Changed Plea	43 (67%)	22
	242 (62%)	151

TABLE IX presents an analysis of the cases incorrectly predicted. The breakdown is by their actual plea which in turn is broken down into the pleas which they were predicted to enter. For example, of the 75 who actually plead guilty initially, 11 were predicted to have plead not guilty and 64 to have changed from an initial not guilty plea to guilty.

TABLE IX

Predicted Plea

Actual Plea	Total	Not Guilty	Guilty	Change of Plea
Not Guilty	54	--	23	31
Guilty	75	11	--	64
Change of Plea	22	9	13	--

TABLE X also presents the analysis of the cases incorrectly predicted. For example, of the 95 cases which were incorrectly predicted to have changed their plea, 31 actually plead not guilty and

the remaining 64 actually plead guilty.

TABLE X

Incorrect Prediction was--   Actually

		Plead Not Guilty	Plead Guilty	Changed Plea
To Plead Not Guilty	20	--	11	9
To Plead Guilty	36	23	--	13
To Change Plea	95	31	64	--

Based on this, it is to be noted that those who plead not guilty were not very distinguishable from the rest of the defendants, at least by the variables in this study. They were, if anything more like the defendants who changed their plea, who of course plead not guilty originally. Those, then, who first plead not guilty were more alike than those who plead guilty (See the prior section). Put another way, the defendants who changed their plea were not distinctly different from those who retained their initial not guilty plea. Moreover, those who plead guilty, when not correctly classified, had close to the same characteristics as those who changed their plea. That is, 25% of those who plead guilty were predicted to have changed their plea. Those who kept their original not guilty plea were not distinctly different from the other two.

The point is, with the three plea breakdown, the pleas of the defendants are not very distinguishable. This is because of those defendants who changed their plea; they are not distinctly different from the other two plea groups.

The variables entering into the model are the same as in the prior section. Those charged with fraud plead guilty or changed their plea to guilty almost two to one. Those accused of assaults and homicides kept their initial not guilty plea, this effect being almost three

times as strong as toward the other pleas. As noted, there is more
risk inherent in these crimes (i.e. a longer sentence).

The two judges and Marion County kept about the same effect: all
heavily having guilty pleas; with the change of plea being next for
the judges, the not guilty plea next for the county. It will be
remembered that the county had many escapees, who often plead guilty
at the arraignment.

Conclusion

It is felt that the effects of the crimes are causal, not merely
functional. Fraud is viewed as a more minor offense and is usually
treated as such in the judges' sentencing decisions. The defense bar
is probably advising a guilty plea to take advantage of this. The
same sort of thing is present in the assault and homicide cases,
although in the reverse direction, that is, pleading not guilty in
order to take the chance with the jury.

Plea bargaining is practiced quite often in the counties which
were studied. The negotiated plea figure is felt to be about 50% of
the felonies filed in these counties. Although only 19% of the cases
included in our study were a change of plea, most of which were most
likely negotiated. Many of the defendants first chargedwith a felony
plead guilty to a misdemeanor. These cases were not included in our
study as we were limiting it to cases which were felonies all the way
through. That is, those which stayed in the Circuit Court (the lower
court, District Court, not being a court of record, data would be less
available and it does not handle felonies), are the cases represented
by the 19% figure.

The variables were introduced to get a "truer" picture of the

effect of bail treatment and the ability to meet bail upon the plea. Even in this "stabilized" environment, they had no effect. They did not enter into the model, nor have anywhere near a close correlation coefficient (F=.02). Due to the relative inability to make predictions, it is apparent that the plea is based primarily on some other factor than our variables.

LENGTH OF TIME BEFORE TRIAL

For this analysis we used a regression program and Richards' program. We included all the variables which would have been known (in existance) during the time interval involved.

The time intervals were broken down into three groups:

1. The length of time from the arrest to the Circuit Court arraignment

2. The length of time from the Circuit Court arraignment to the sentencing date

3. The total length of time from the arrest to the sentencing date. The mean length of time between the arrest and the Circuit Court arraignment[17] was 3 weeks 2½ days. The mean length of time between the arraignment and the sentencing date was 6 weeks 5 days. There was some variation among the counties.

TABLE XI

	Mean Time Arrest to Cir. Crt. Arr.	Mean Time Cir.Crt.Arr. To Sentenc.	Total Mean Time
Jackson County	4 wks. 3 dys.	9 wks. 3 dys.	13 wks.6 dys.
Klamath County	1 wk. 2 dys.	11 wks. 3 dys.	10 wks.1½ dys.
Lane County	5 wks. 3½ dys.	11 wks. 3 dys.	16 wks.6½ dys.
Marion County	2 wks. 3 dys.	2 wks. ½ dy.	4 wks.3½ dys.
Overall	3 wks. 2½ dys.	6 wks. 5 dys.	9 wks.½ dy.

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17. It must be recalled that this is not, usually, the defendant's first appearance in court, see Chapter "The Bail Decision".

Time-Arrest To Circuit Court Arraignment

The variables tested were not able to form a strong basis from which to predict. On the basis of the variables, only 39% of the variation in the amount of time could be accounted for. Those variables which had a significant effect ($\alpha = .05$) were sex, prior record, and three of the counties.

The prior record had an unusual effect. The absence of a prior record or having a heavy adult prior record had almost no correlation; their effect was negligible. However, those with juvenile records and either light adult (i.e. some misdemeanors) or medium adult (i.e. a felony, but not imprisoned) records had to wait longer than other defendants. Both had the effect of predicting that the defendant would wait one week and one day longer than other defendants. Of those defendants with juvenile records and medium adult records, 63% were under 25. Further, almost all of them were local residents. With these records, residency and age, they were probably known to the authorities; if that would explain the difference. Whether or not it does, they were in this way different from the other defendants. (See Appendix III, Table 6). However, the effect may very well be only functional. That is, it is true in this set of data, but only because of a peculiarity in it; it would not be a prediction of what would happen in the future.

Males had to wait over a week more than did females to be sentenced. The counties, of course, had their effect in accord with the above table. That is, those in Lane County waited longest, in Jackson County the next longest, next longest in Marion County, and the shortest in Klamath County.

Although bail has been set during this time, it has no statistical

effect upon the length of this time interval. Further, the variation in this interval is not very well explained by any of the other variables used in this study, it must be due to some other factor (e.g. the docket load in the Circuit Court).

Time-Circuit Court Arraignment To Sentencing Date

For this interval, the variables proved to be much better predictors than in the last. Here, 74% of the variation was predictable. Six of the crimes, one of the judges, two of the counties, the guilty plea, not meeting bail, being in the low-middle economic class and meeting bail, and being 21-25 years of age and having up to $100 bail or being released on recognizance had an effect on this time interval.

Some of the crimes had quite an effect, all in the direction of increasing the length of time. Those charged with kidnapping had to wait 12½ weeks longer than other defendants, in this time interval. Those charged with homicide or arson had to wait 6½ weeks longer, and those charged with a narcotics or minor-directed offense almost three weeks longer. It will be noticed that the length of the wait decreases almost in line with the severity of the offense. The defendants charged with assault and homicide more often kept their not guilty plea than other defendants, which would indicate that the wait is longer if a trial is to be held. Considering with this the fact that all those charged with kidnapping plead guilty (at least in the end), it is reasonable to say that the time span is due to plea bargaining in these crimes. The bargaining process quite likely takes longer with the more serious crime.

Marion and Lane Counties had strong effects toward increasing the length of time and the judge slightly increased the length of time.

The judge's effects is probably peculiar to this data, that is, he may have just been hearing those cases which took longer. The length of time is really out of the control of the judge, rather the District Attorney and the defense counsel control it. It is usually the defense who stretches the time, as this is his great weapon in plea bargaining (along with the "threat" of having a full trial). It is also noteworthy that these two counties have the heaviest case load.

Those who plead guilty at the Circuit Court arraignment were sentenced almost 4½ weeks earlier than those who either plead not guilty or changed their plea. This variable had the strongest effect of all the variables--about three times as strong as the mean effect of the other variables. This again is an indication of the effect of plea bargaining, which is taking place in the cases outside of this category.

Those defendants who did not meet bail were sentenced 3 weeks earlier than the defendants meeting bail. The model where these effects are seen, as in the other models, holds the effects of all the variables in it constant. The model includes all those variables which had statistically significant effects. That is, holding all the effects of the other variables in the model constant (i.e. those which are discussed), those defendants unable to meet bail waited three weeks less before being sentenced.

It is also interesting to note that those defendants who were 21 to 25 years of age and who were either released on recognizance or had bail set below $100 waited 4 weeks less between the Circuit Court arraignment and the sentence date. Those in this age group and receiving more bail waited longer, as did those with the same bail or bail treatment but of a different age.

The defendants who were in the lower-middle class economically ($2500 to $3000 yearly income) and who met bail in some way, waited two weeks less than the rest of the defendants. The converse is also true, those in this economic class who did not meet bail waited longer, although overall, those who met bail received faster justice.

Conclusion

The more serious crimes require the defendant to wait longer as do two of the counties and one judge. The guilty plea speeds the disposition, as does the inability to meet bail, or being in the 21-25 age group and having less than $100 bail or being released on recognizance group, or being in the lower-middle-class-and-meeting bail group. These effects are seen as the other effects are accounted for. The amount of bail in itself is insignificant, however it is indirectly seen as making those in the 21-25 age group wait longer as bail increases and making those in the lower middle class wait longer as they are unable to meet bail. These effects though are indirect and not strong even in these classes. Also the effect of plea bargaining is seen. Bail or denial of bail has no overall effect on the length of time between the Circuit Court arraignment and the sentencing. The ability to meet the bail does. Those who stay in jail are sentenced in a shorter time. Again, the effect of plea bargaining is seen.

Total Time--Arrest To Sentencing

One would expect those variables which had such strong predictive effects in the last section to again be prevalent. They are. Here again, we are able to account for 71% of the variation in the time.

The counties again have the effect which would be expected from the chart in the beginning of this chapter.

The more serious crimes (homicide, kidnapping, and assault again increase the time that the defendant must wait.

The guilty plea entered by the defendant at the Circuit Court arraignment also again shortens the time to the case's disposition, here by almost 5 weeks. As noted, distinguishing this from those who change their plea (who must wait longer) the effect of plea bargaining can be seen, since the change of plea is usually due to negotiation. And distinguishing the final guilty plea from the not guilty plea, the effect of waiting for a trial is apparent.

The defendant who has his own counsel at the arraignment, who also generally has his own counsel at trial, waits almost seven more weeks for disposition than do the other defendants. These defendants are generally out on bail. It seems apparent that this is also a reflection of negotiating by the parties or greater effort by the District Attorney and/or the defendant's counsel.

Those defendants who meet their bail by bond wait two weeks longer than do the other defendants. From this it is seen that those who do not meet bail or who meet it with their own funds wait a shorter time than do those who bond-out. The only apparent reason for those who meet bail with their own funds to wait a shorter time is that they generally have retained counsel who may try to hurry things along. However, it would seem that these counsel may want more time and so would take longer. Therefore, this part of the effect may only be functional.

On the overall picture, it appears that the largest effect on the length of time is plea bargaining. The bail treatment and especially the ability to meet bail have some effect. The effect is satisfying since those who have to remain in jail because they are unable to meet bail do not wait as long for final disposition.

THE OUTCOME OF THE CASE

The Vera Foundation, the Washington D.C. project, and other bail projects have expressed the feeling that the amount of bail and the individual's ability to meet the bail had an effect on the outcome of the trial and on the severity of his sentence.[18] The traditional reasoning is that if the defendant is released, he then will be able to assist in the preparation of his case and/or that he will present a better appearance since he will not be entering through the door to the jail nor look as haggard as if he had been in jail.

In this phase of the study, all of the original variables were entered as well as new ones to account for interactions. Both a regression and discriminant analysis were used, in conjunction with Richards' program.

Guilty--Not Guilty Outcome

This portion of the study used a regression analysis as well as Professor Richards' program. The computer, using the variables, could predict 68% of the cases.

In the main, the defendants were found guilty, since they usually entered a guilty plea before trial was held. Of the 393 cases, 367 had guilty outcomes (94%).

The only crime which had an effect was arson. The arsonists were found not guilty more often than those accused of other crimes. This is a rather clear example of a variable having only a functional effect. It is due to a peculiarity in the data and so is not predictive (i.e. causal effect).

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18. Ares, Rankin, and Sturz, "The Manhatten Bail Project: An Interim Report on the Use of Pre-Trial Parole", 38 N.Y.V.L. Rev. 67 (1953), also McCarthy and Wahl, "District of Columbia Bail Project",53 Georgetown Law Journal 3 (1965); also Friedland, Martin L., Detention Before Trial,U.of Toronto Press (1965).

The prior record of the defendant effects the guilt-innocence decision. Those defendants with light or no prior records are more often found not guilty. Conversely, recidivists are generally convicted again. This is especially clear when it is noted that those charged with a "convicted's offense" are generally found guilty, although the effect also extends to those recidivists who are charged with other crimes.

The relationship between the plea and the outcome in terms of guilt or innocence was very strong, in fact three times as strong as any of the other effects. Of course, all those who plead guilty were found guilty, however 30% of those who plead not guilty were found not guilty. By definition, those who were found not guilty plead not guilty, although pleading not guilty does not insure that verdict. The correlation is present, and high, between the plea and the outcome, even though only 30% of those pleading not guilty were found not guilty. This is due in part to the large number of guilty pleas. The not guilty plea does help explain the not guilty outcomes, so the correlation is carried through, though it is not perfect. For the most part, the outcome is what the plea is, i.e. the defendant receives what he pleas.

Overall, those defendants who are from out-of-country are more often found not guilty, as are arsonists. However, those defendants from out-of-county and charged in either Jackson or Marion County are more often found guilty. As the time from arrest to Circuit Court arraignment increases, so does the likelihood of being found not guilty. It is felt that the above effects are not causal, although they clearly have functional relationships.

The defendants who plead not guilty and had court appointed counsel

were more often convicted than the other defendants who plead not guilty. It is not clear whether this is a reflection on the court appointed defense bar. The effect is not present for court appointed counsel as compared to all cases. It has been found in Oregon that the court appointed counsel are younger and more inexperienced.[19] As these cases are those which are to be fought in court, it may be that it is here that the experience plays a part. The District Attorney may be more of a neutral figure in the bargaining stage and fight tooth and nail in court. If so, something obviously needs to be done about counsel and the role of the District Attorney in negotiating may need re-evaluation.

Defendants who meet bail with their own funds are more often found not guilty. Correspondingly, those who have bail set and who either meet it by bond or do not meet it are more often found guilty. It is primarily the financially more fortunate who are able to meet bail by their own funds (See Appendix III, Table 67, Chapter "Meet Bail"). There is then an effect on the poor defendant being found guilty more often. However, the effect of this variable should not be over-emphasized. It is the third strongest, no prior record and pleading not guilty being the other two; however these three account for only half of the variation (multiple R=57).

Conclusion

All of these variables account for 68% of the variation. It is not surprising that the effects are not more pervasive. The guilt-innocence decision should not be wholly predictable based on the

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19.   Moore, Michael. "The Right to Counsel for Indigents in Oregon", 44 Ore. L.R. 255 (1965).

characteristics of the defendant, but rather on that unquantifiable variable--truth as viewed by the jury.

The effects noted are functional. That is, they describe what happened quantifiably in this data. However, some of them are quite likely, also causally related.

The plea certainly ought to be causally related, given the structure, i.e. all guilty pleas are found guilty, all those found not guilty plead not guilty. The remainder of the cases, i.e. guilty outcome when pleading not guilty, are presumably based on findings of the "truth". As noted, with other variables taken into account, the prior record of the individual is a factor; especially if he has no prior record. Although the prior record is not directly admissible in the trial generally,[20] quite likely the circumstances of the crimes committed by recidivists give clearer evidence of guilt. This is especially clear when the education and age for these defendants are considered (Appendix III, Tables 6 and 47). That is, they are older, but less educated.

There are two effects which may be causal, although the study did not make a conclusion. The conclusion here is left to the reader. Firstly, the effect of pleading not guilty and having court appointed counsel is in the opposite direction of pleading not guilty and having your own counsel (only three were not represented). This functionally means that having court appointed counsel makes a guilty outcome quite likely. As previously discussed, this may be causally

20. ORS 168.080 relating to admissibility for habitual criminal actions, then for the judge. Would seem to be otherwise inadmissable.

connected to the competency, effort, etc. of these lawyers, although a conclusive decision is difficult to make. Secondly, those defendants who meet bail with their own funds are the economically more secure defendants and who also generally have retained counsel (See Appendix III, Table 66, 67 and 71). Of course, the converse is true, in that the poorer defendant who generally can not meet bail or who meets it with a bond is more often convicted. If one can assume that there is something the more prosperous defendant can do to aid his case, i.e. those out of jail, the relationship is probably causal. Or if, one is satisfied with the variables used or believes that he knows the system well enough, he may say that the effect is causal, therefore there must be something the defendants who are out of jail do which those who are not released are unable to do to help their cases.

Effect On The Sentence

As earlier noted, the guilt-innocence decision should not be predictable in terms of the characteristics of the defendant; it is expected to be somewhat random. However, the decision by the judge as to the type and length of the sentence should be more predictable, i.e. more related to the defendant's characteristics. Our major finding is that the judges appear to be considering the same variables for the sentence decision as they are for the bail treatment and amount of bail decisions. This is not in accord with the standards expressed by the American Bar Association.[21]

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21. "Pretrial Release," Supra; and Standards Relating To Sentencing Alternatives and Procedures, A.B.A. Project on Minimum Standards for Criminal Justice, tentative draft, Dec.1967.

The outcome was broken down into probation, county jail, and penitentiary. The number of years of the sentence was not tested because the number of prison terms would not have yielded significant analyses. A discriminant analysis and Richards' program were used in this step, again using all of the variables gathered in the field work. Based on these variables, the analysis was able to classify 235 of the 367 guilty-sentence cases (64%) into their actual sentence.

The analyses are presented as previously. TABLE XII presents the number of cases correctly predicted, by their actual group on the left. On the right are the cases not predicted and an indication of into which class they were "misclassified". One-hundred twenty of the 176 Probationers were correctly classified (69%).

TABLE XII

	Number of Cases Predicted As They Were Actually Decided	Number of Cases Which Were Not Predicted As They Were Decided
--Probation	120 (69%)	56
--County Jail	33 (53%)	29
-- Penitentiary	82 (63%)	47
	235	132

TABLE XIII again presents the breakdown of the misclassified cases, by their actual sentence. That is, of the 47 cases which actually went to the penitentiary, 22 were erroneously predicted to have been given probation and 25 to have gone to the county jail.

TABLE XIII

Actual Sentence:	Total	Predicted Sentence Probation	County Jail	Penitentiary
Probation	56	--	41	15
County Jail	29	16	--	13
Penitentiary	47	22	25	--

TABLE XIV presents the number of cases which were misclassified, by each misclassified category, and breaks them down into their actual classifications. That is, 38 were predicted, wrongly, to receive Probation. Of these, 16 actually received sentences to the County Jail and 22 actually received sentences to the Penitentiary.

TABLE XIV

Incorrect Prediction:	Total	Prob.	Actual Sentence Co. Jail	Pen.
--Probation	38	--	16	22
--County Jail	66	41	--	25
--Penitentiary	28	15	13	--

The original Matrix is in Appendix II, p. 2.

The county jail seems to be a melting pot. Those who actually received sentences to the county jail were difficult to distinguish from the other defendants (53% predicted) and when they were misclassified, they were almost equally divided between the two other sentences. The Probationers were the most predictable (69%), that is, they were the most distinct. However, when they were misclassified, they looked most like those going to the county jail. We now turn to the variables which were able to differentiate the cases into their actual outcomes. The study found several variables besides bail and the ability to meet it that statistically effected to sentence.

Those committing a convicteds' offense went almost entirely to the penitentiary, however this may to a large extent be explained by the fact that these are primarily escapees and so are already incarcerated. They are simply returned there.

Crimes against property are generally felt to be less serious than crimes against persons. This feeling was upheld in the cases studied. Those convicted of burglary were given probation almost twice as often as either of the other treatments. While robbers (here defined as

taking property from a person, i.e. face to face) were sent to the
penitentiary twice as often as receiving probation, with county jail
sentences falling between.

The prior record of the defendant was quite determinative of his
destination. Further, the effect was consistent. Those with no prior
record most often received probation; next was the county jail. At
the same time, those with heavy prior records most often went to the
penitentiary. The effect appears to have been graduated through the
"degrees" of severity of the prior record. It will be remembered that
the prior record was also a determinant in reaching the decision as to
bail treatment and the amount of dollar bail. Seemingly, it would best
be considered in the sentence decision. The prior record of the de-
fendant will indicate that he is not responding to prior judicial
treatments or that he has not been charged before. However, it does
not seem that it would be greatly indicative of the defendant's decision
to appear in court. Presumably those with a serious prior record and a
serious charge may be more likely to flee and that those with no prior
record and a minor charge less likely. However, those with the heavy
prior record may well be those that ought to be treated as threats to
society, a matter that ought to fall outside the use of bail.[22] Beyond
these extremes the prior record could be of little help in gaining
insight. The defendant with a felony background but with present
strong ties to the community (above low economic standing, employed,
residency, etc.) would be more likely to appear than a defendant with

22. Pretrial Release, Supra.footnote 12.

no prior record but who has no community ties.[23] The prior record certainly ought to bear on the bail treatment decision and likely to some extent on the amount of dollar bail decision, however as previously noted it is felt that the prior record is being over-weighted in these two decisions. The prior record has a more logical place in the sentencing decision.

Marion County had a light effect of classing its defendants first in probation, second in the County Jail, and thirdly in the penitentiary. None of the other counties had significant effects. Males received more severe sentences than did females, however the number of females was much less--29 females, 336 males. The disparity of the numbers makes conclusive comparisons difficult at best.

The education of the defendant helped to predict the outcome, but a rather strange effect was observed. As the educational level increased the defendant was most likely to go to the penitentiary, but the next most likely sentence was probation. Little of the effect was toward the county jail. In other words, if the defendant was well-educated (say he had completed the first year of college) he was most likely, on this basis to have gone to the penitentiary, then probation. It was highly unlikely that he would go to the county jail. This is of course discriptive of the data--i.e. those with high educational levels more often went to prison. Whether it is truely predictive is questionable. It is interesting to note that those of low education are most likely to go to the county jail.

The fears expressed by others pertaining to the effect of bail

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23. Attorney General Mitchell before the House Judiciary Committee as reported in "The Wall Street Journal" Oct. 30, 1969; Vol. LXXX; No. 85; p. 10.

upon sentencing were also upheld in our findings. The higher the dollar amount of bail, the more likely the defendant was to go to the penitentiary. The incidence of going to the penitentiary as bail increases was four times greater than for the other sentences, which were about equal between themselves. The defendants who did not meet bail were most often sent to the county jail, next most often to the penitentiary. This rate of going to the county jail is 8% more than that of going to the penitentiary. However, the penitentiary incidence (the lower of the two) is 40% above that of being on probation. As noted elsewhere, the effects of the other variables are held constant in reaching these figures. That is, for example, with the amount of bail already being taken into account, those who did not meet bail were most likely to go at least to the county jail. Those defendants who were released on recognizance most often were given probation, while those denied bail were most often sent to the penitentiary.

Conclusion

As previously noted, it appears from the above that the judges were considering mainly the same variables in making the bail decision as in the sentence decision. This is supported by two factors. (1.) Both the present charge and prior record correlate well with the outcomes of both the bail and sentencing decisions. (2.) The amount of bail is highly correlated with the severity of the sentence. While this is a reflection on judicial processes, the effect of the defendant being unable to meet bail is not. Obviously, defendants will not be able to meet bail when it is purposely set beyond their reach. However, the effects of these variables are strong enough to carry throughout the range, rather than being limited to this extreme. Therefore, it becomes apparent that sentencing treatment was more severe for the

defendants who were unable to meet bail, even though bail was more reasonable. As noted earlier, those who met bail with their own funds were more often found not guilty, it would also appear that those who met bail were able to secure less severe sentences when they were found guilty. Whether this effect is causal or merely functional depends upon the ability to explain it in some sense or upon ones faith in our variables. The distinction may not make much difference here, except in degree, since the effect is present. Descriptively, those defendants who did not meet bail most often went to the county jail, next to the penitentiary. The same was felt, though not quantified, in the Manhatten and Washington D.C.[24] bail projects and roughly quantified in the Toronto study.[25] Whether the effect is causal or not may be immaterial. It is there. If it were removed (i.e. heavier use of release on recognizance) the poor may stand a better chance of receiving equitable treatment. There was something those out on bail or released on their recognizance could do that those in jail could not that lessened their sentence.

The analysis was able to correctly predict the sentencing decision in 64% of the cases. There is then a randomness in the decision. Again, this may be due to two possibilities. (1.) The decision is based upon some variable which was not ascertainable and/or unquantifiable or (2.) These "unpredictable" cases are due to randomness in the decision. However, the analysis is rigorous and effective to a degree which allows rather firm observations.

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24. 38 NYUL Rev. 67 (1953) and 53 Georgetown Law Journal 3 (1965); supra footnote 17.

25. Friedland, Martin L., Detention Before Trial, Univ. of Toronto Press (1965).

Of all the variables, the lack of a prior record was the singly most determining fact, i.e. by itself. This was followed by the dollar amount of bail and not meeting bail. The next was having a heavy prior record. The remainder of the variables which had functional effects then entered into the determination. With all the variables which had a significant effect (α = .05) we are given a "truer" picture of the effect of bail and the ability to meet it. That is, whereas the first entries are based on "gross" effects, once these variables are in the function we can see their effect "net" of the effects of the other variables. The picture was that not meeting bail and the dollar amount of bail (in that order) were the most determinative characteristics in the sentencing decision. The next highest characteristic had only 50% of the effect that not meeting bail had and 77% of the effect that the dollar amount of bail had. (For further statistical information see Appendix III). With the effect this strong after the other variables were entered and the additive assumption tested, the effect certainly seems to be causal. The result is startling because it was so pervasive.

In the study, we see a rather discouraging "Risk Structure" for the defendant. It is one which has long been suspected. As pointed out earlier, defendants are most often found in accord with what they plead. However, if the defendant pleads not guilty and is convicted, he stands a 40% more chance of going to the penitentiary. The remainder are almost equally divided between probation and the county jail, although somewhat heavier classed in the latter. Although there are only three sentencing possibilities, there is no reason to suppose that they should be equally divided. Those pleading not guilty are faced with an obvious risk.

It should again be pointed out that the judges are apparently
considering the same factors for both the bail-treatment and sentencing
decisions. This is demonstrated by the effect of bail-variables upon
the sentence as well as by the effect of the present charge and prior
record in both decisions. The end result is that the poorer defendant,
who is less able to meet bail, is likely to receive a more severe
sentence.

CONCLUSION

The use of sophisticated computer technics in this research has been highly valuable. It goes beyond the mere summarization of numbers (See Appendix III) and gives the effect of the variables upon whatever is being tested. Although this is to some extent based on numbers, the pre-eminant factor is correlative trends. These are phenonema which are not apparent from just a tabulation of the data, due to their complexity. Especially important is to be able now to see the relative strengths of the effects. As noted elsewhere, it is part of the nature of the analysis to hold the effects of the other variables in the model constant while a particular variable is tested, again this is a task virtually impossible without the aid of a computer.

Professor Richards' program has also been invaluable in isolating those pairs of variables which have effects as well as helping to complete the "variable-picture". The end result is to better approximate causal relationships which go beyond to discriptive nature of functional effects to the predictive (and therefore "truely" descriptive) causal effects.

It must be remembered that the effects found in this study are statistically related only to the data in the study; that is, for these counties, for those felonies kept in circuit court, for that year. To go beyond this, the effects must be felt to be causal. It also depends where the anology is extended. For the other counties like these in Oregon, the degree of certainty required is not as strong as analogy to the rest of the country especially when urban areas are included. Some of the effects are those which have been considered to be in existence in New York and Washington D.C.; these (bail determinants and effect on sentence most notably) are felt to be causal.

Presented below, in TABLE XV is a summary of our findings. Under each study-stage is a list of the original variables which entered into the decision. Those variables of which parts were treated as variables are for this purpose treated as a variable. The variables which had at least a reasonably logical functional effect have an asterisk beside them, the strongest have two asterisks.

TABLE XV

Study-Stage (Dependant Variable)

Bail Decision	Ability To Meet Bail	Plea	Time Before Trial	Outcome
Age*	Age	Age	Age	Age
Sex	Sex	Sex	Sex	Sex
Race*	Race	Race	Race	Race
Education*	Education	Education	Education	Education
Econ. Stdg.*	Econ.Stdg.	Econ.Stdg.	Econ.Stdg.	Econ.Stdg.
Residency*	Residency	Residency	Residency	Residency
Prior Record**	Prior Record*	Prior Record	Prior Record	Prior Record**
Pres.Charge**	Pres.Charge*	Pres.Charge*	Pres.Charge*	Pres.Charge**
Arr.Counsel	Arr.Counsel*	Arr.Counsel	Arr.Counsel*	Arr.Counsel*
Plea*	Plea	--	Plea*	Plea**
Judges	Judges	Judges*	Judges*	Judges
County*	County*	County*	County*	County
No.of Wks.to Cir.Crt.Arr.	No.of Wks.to Cir.Crt.Arr.	No.of Wks.to Cir.Crt.Arr.	--	No.of Wks. to Cir.Crt.Arr.
--	--	Bail Treatmt.	Bail Treatmt.	Bail Treatment
--	Dollar Bail*	Dollar Bail	Dollar Bail*	Dollar Bail**
--	--	Method of Meeting Bail	Method of Meeting Bail*	Method of Meeting Bail**
--	--	--	Trial Counsel*	Trial Counsel*

*   Had an effect in this stage
**   Strongest effects in this stage

As previously noted, a by-product of this analysis (i.e. to de-
termine the effect of bail) is to see which of the other variables also
had an effect.

We looked first at the decision the judge must make, (i.e. the
bail treatment and amount of dollar bail decisions). We found that
although the judges were considering more factors in the amount of
dollar bail decisions, the primary factors were the present charge and
the prior record. A further finding was that the decision was not
highly susceptible to prediction. In other words, it is accounted for
in part by some variable which was not included in our study and/or
by randomness (chance).

The ability to meet bail, in some way, was dependant upon the amount
of bail, also again on the present charge and the prior record. As
was seen later, the ability to meet bail seems also to have an effect
upon the outcome of the case, especially the sentence.

Both the plea and the time were believed to be to some extent
reflections of the plea bargaining process. The time interval does
seem also to be related to bail, in that those who do not meet bail
have sentence passed earlier.

The outcome of the case is in the first instance primarily deter-
mined by the plea. However, the sentence is affected to a great de-
gree by the same determinants as the bail decision as well as the bail-
factors. These are the two areas under the most direct judicial dis-
cretion and should presumably emphasize different variables. However,
it was found that overall, the judges do not.

The bail-variables had effects on several of the points tested.
The amount of dollar bail was a factor in the ability of the defendant
to meet bail. Both dollar amount of bail and the ability to meet it

affected the time before trial. Those who stayed in jail were brought to final disposition more quickly. Those with high bail and those unable to meet bail were given heavier sentences. Although the former is a part of the dual role of the same determinants, the latter is not and is all the more startling therefore.

This study for the most part quantified the basis for many feelings toward the judicial system. Quantification was not meant to be,nor should it be, the end of the study. It merely provides a more sound basis from which to proceed. Further, the study has demonstrated, at least to this writer, the applicability of sophisticated statistical computer technics to the field of law.

It seems to this writer that further study in this area with these or similar techniques is appropriate. Using analyses like the ones used is superior to only a cross-tabulation (as in Appendix III) because it is more sensitive than the human eye and so can better tell the relationships based not only on numbers but on the way in which they appear. Richards' program was particularly helpful. As an intermediate portion of the program the cross-tabulations are seen, based on the model being tested, which gives indications where the effects of combinations of variables are not in conformity with the function of the model; this was extremely informative. The end product of his analysis is also quite valuable in perfecting the model. It would have been informative to have been able to get further information, particularly the length of residence of the defendant. There are areas that could have been more extensively explored, but could not due to time and money limitations. This is a problem with any study, however. This writer is satisfied with the "explorations" here. The next step should either be such a study in an urban area

to see if the effects seen here are present there or a study in an area similar to the ones used here (or these again) to see if the effects are continuing in this environment.

THE VARIABLES USED IN THIS STUDY

1. Age

2. Sex

3. Race

    a.   White

    b.   Indian

    c.   Mexican

    d.   Negro

4. Education (in years of schooling)

5. Economic Standing (five class breakdown)

    a.   Lower-below $2000 yearly income

    b.   Lower-middle--$2000 yearly income

    c.   Middle--$3500 to $5000 yearly income

    d.   Upper-middle--$5000 to $7500 yearly income

    e.   Upper--above $7500 yearly income

6. Residency (in county or out of county of arrest)

7. Prior Record

    a.   no prior record

    b.   no juvenile and light adult (misdemeanor)

    c.   juvenile and light adult

    d.   no juvenile and medium adult (felony, but not imprisoned)

    e.   juvenile and medium adult

    f.   no juvenile and heavy adult (imprisoned)

    g.   juvenile and heavy adult

8. Present Charge

    a.   fraud (obtaining property (money) under false pretenses, forgery, false swearing, unlawfully obtaining public assistance)

b. theft (various types of larceny, embezzlement, shoplifting)

c. assault (including also sexual assault)

d. burglary (including also entering a motor vehicle with intent to steal)

e. robbery (including assault-and-robbery)

f. abetting (concealing stolen property, accessory)

g. homicide

h. minor-directed (contributing to the delinquency of a minor, statutory rape)

i. narcotics (possession and selling)

j. arson (all degrees, as well as malicious destruction of property-cases)

k. kidnapping (also 1 case of child stealing)

l. convicted's offense (escape and a convicted felon in possession of a firearm)

9. Plea

a. not guilty

b. guilty

c. change of plea from not guilty to guilty

10. Arraignment Counsel

a. none

b. retained

c. court appointed

11. Trial Counsel

a. none

b. retained

c. court appointed

12. Judges (by number)[1]

13. County

    a.   Klamath

    b.   Lane

    c.   Marion

    d.   Jackson

14. Bail

    a.   release on defendant's own recognizance

    b.   dollar bail, in dollar amount

    c.   no bail because of the crime

    d.   no bail because plead guilty at the circuit court arraignment and is then sentenced

15. Method of Meeting Bail

    a.   not meet bail

    b.   meet by own funds

    c.   meet by bond

16. Number of weeks from the arrest to the circuit court arraignment

17. Number of weeks from the circuit court arraignment to sentencing

18. Outcome of the Case

    a.   not guilty

    b.   not guilty

        1.   probation

        2.   county jail

        3.   penitentiary

            (a) number of years

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1. Although in some cases there are more than two circuit court judges per county, two judges in each county handled virtually all criminal cases there. For this reason, only 8 judge-numbers were used. The few cases handled by other judges were evenly allocated between the two judge-numbers in the county.

APPENDIX II

In this appendix are presented the matrices which summarize the
predictions of the analysis as compared with the actual classification
of the individual cases. This matrix is an output of the discriminate
analyses which were performed. The horizontal rows are the classifi-
cations in which the actual case is found. The vertical columns are
the classification which the analysis predicted on the basis of the
variables and the model which the analysis determined. Therefore,
the diagonal represents the cases which were correctly classified by
the analysis. The matrix is a reflection of the ability of the model
to predict, given the variables. In this way it is also a reflection
of the functional effect of the various variables in each of the
decisions. If it is felt that the variables have a causal effect, the
matrix is also a reflection of the consistency of the use of the
variables in the decision making process, i.e. those with many correct
classifications indicate that the use is consistent, while many
incorrect classifications indicates an inconsistent use of these
variables.

TABLE I

Bail Treatment

Actual Classification	ROR	Dollar Bail	Predicted Classification No Bail-Crime	No Bail-Plea
ROR	43	15	3	0
Dollar Bail	107	141	15	26
No Bail-Crime	0	2	6	2
No Bail-Plea	5	14	1	13

TABLE 2

Meeting Bail
Predicted Classification

Actual Classification	Not Meet Bail	Meet-Own Funds	Meet-Bond
Not Meet Bail	145	12	48
Meet-Own Funds	9	13	5
Meet-Bond	15	15	68

TABLE 3
Plea
Predicted Classification

Actual Classification	Not Guilty	Guilty	Change of Plea
Not Guilty	23	23	31
Guilty	11	176	64
Change of Plea	9	13	43

TABLE 4

Outcome of Case-Sentence

Actual Classification	Probation	County Jail	Penitentiary
Probation	120	41	15
County	16	33	13
Penitentiary	22	25	82

Presented in this Appendix are the cross-tabulations of all the variables used in this study, except the time from circuit court arraignment to sentencing.

Table 1
Sex

Age	Female	Male	Total
Under 21	8	112	120
21-25	10	111	121
26-30	2	46	48
31-40	4	46	50
41-50	5	33	38
51-60	0	15	15
61-70	0	1	1
Total	29	364	393

Table 2
Race

Age	White	Indian	Mexican	Negro	Total
Under 21	111	3	3	3	120
21-25	111	2	3	5	121
26-30	40	5	1	2	48
31-40	42	5	1	2	50
41-50	32	2	1	3	38
51-60	15	0	0	0	15
61-70	1	0	0	0	1
Total	352	17	9	15	393

Table 3
Education (in years)

Age	Under 7	8-9	10-11	12-14	15-20	Total
Under 21	1	12	38	19	0	120
21-25	1	15	34	70	1	121
26-30	0	6	15	26	1	48
31-40	3	8	17	21	1	50
41-50	2	14	14	7	1	38
51-60	0	3	10	2	0	15
61-70	0	0	1	0	0	1
Total	7	58	129	195	4	393

Table 4

Economic Status

Age	Lower	Lower-Middle	Middle	Upper Middle	Upper	Total
Under 21	87	25	7	1	0	120
21-25	86	23	11	1	0	121
26-30	13	5	2	0	48	
31-40	27	15	6	1	1	50
41-50	27	6	4	1	0	38
51-60	12	3	0	0	0	15
61-70	1	0	0	0	0	1
Total	268	85	33	6	1	393

Table 5

Residency

Age	In County	Out of County	Total
Under 21	91	29	120
21-25	89	32	121
26-30	39	9	48
31-40	34	16	50
41-50	22	16	38
51-60	13	2	15
61-70	1	0	1
Total	289	104	393

Table 6.

Prior Record

Age	No	Light No juv.	Light Juv.	Medium No. juv.	Medium Juv.	Heavy No juv.	Heavy Juv.	Total
Under 21	54	5	30	2	22	1	6	120
21-25	43	10	4	17	15	7	25	121
26-30	18	1	1	4	11	5	8	48
31-40	15	5	0	4	8	7	11	50
41-50	10	1	1	7	2	6	11	38
51-60	5	0	1	1	1	1	6	15
61-70	0	0	0	0	0	1	0	1
Total	145	22	37	35	59	28	67	393

Table 7

Present Charge

Age	Fraud	Theft	Assault	Burglary	Robbery	Abetting	Homocide
Under 21	9	27	5	35	2	19	0
21-25	16	20	13	15	5	17	2
26-30	5	8	5	9	2	4	
31-40	8	10	8	5	2	3	4
41-50	4	12	5	5	1	4	0
51-60	4	2	2	4	0	0	0
61-70	0	1	0	0	0	0	0
Total	46	80	38	73	12	47	6

Table 7 Cont'd

Present Charge

Age	Minor Directed	Narcotics	Arson	Kidnapping	Con.Offense	Total
Under 21	7	12	1	2	1	120
21-25	7	5	5	0	16	121
26-30	3	5	0	1	6	48
31-40	5	1	0	0	4	50
41-50	4	0	0	0	3	38
51-60	1	0	0	0	2	15
61-70	0	0	0	0	0	1
Total	27	23	6	3	32	393

Table 8

Plea

Age	Not Guilty	Guilty	Change Plea	Total
Under 21	13	89	18	120
21-25	25	76	20	121
26-30	11	30	7	48
31-40	15	24	11	50
41-50	13	18	7	38
51-60	0	14	1	15
61-70	0	0	1	1
Total	77	251	65	393

Table 9

Arraignment Counsel

Age	None	Own	Court-Appt.	Total
Under 21	1	52	67	120
21-25	1	49	71	121
26-30	0	22	26	48
31-40	1	18	31	50
41-50	0	11	27	38
51-60	0	4	11	15
61-70	0	1	0	1
Total	3	157	233	393

Table 10
Trial Counsel

Age	None	Own	Court Appt.	Total
Under 21	0	52	68	120
21-25	0	49	72	121
26-30	0	21	27	48
31-40	0	19	31	50
41-50	0	11	27	38
51-60	0	4	11	15
61-70	0	1	0	1
Total	0	157	236	393

Table 11
Judges

Age	1	2	3	4	5	6	7	8	Total
Under 21	5	5	23	20	2	11	3	51	120
21-25	6	7	15	18	7	14	7	47	121
26-30	5	7	5	4	2	6	3	16	48
31-40	7	10	5	6	2	3	2	15	50
41-50	3	4	3	5	5	3	3	12	38
51-60	0	1	0	2	1	1	0	10	15
61-70	0	0	0	1	0	0	0	0	1
Total	26	34	51	56	19	38	18	151	393

Table 12
County

Age	Klamath	Lane	Marion	Jackson	Total
Under 21	10	43	54	13	120
21-25	13	33	54	21	121
26-30	12	9	19	8	48
31-40	17	11	17	5	50
41-50	7	8	15	8	38
51-60	1	2	10	2	15
61-70	0	1	0	0	1
Total	60	107	169	57	393

Table 13
Bail Treatment and Dollar Bail

Age	ROR or bel. $100	$101 to $300	$301 to $500	$501 to $800	$801 to 1000	1001 to 1500	1501 to 2000	2001 to 2500	2501 to 3000	3001 to 5000	5000 to 10,000	No Bail & abv. 10,000	Tot.
Under 21	21	5	21	1	34	8	12	5	1	3	1	8	120
21-25	18	2	21	3	25	10	7	7	0	8	3	17	121
26-30	6	1	4	1	10	3	2	5	3	3	2	8	48
31-40	10	1	2	0	8	6	3	8	2	5	0	5	50
41-50	7	0	4	0	9	6	3	3	1	2	0	3	38
51-60	0	0	3	0	2	3	0	2	0	0	0	5	15
61-70	0	0	1	0	0	0	0	0	0	0	0	0	1
Total	62	9	56	5	88	36	27	30	7	21	6	46	393

Table 14

Age	0	6	12	16	20	30	Total
Under 21	24	85	7	2	2	0	120
21-25	24	77	13	3	1	3	121
26-30	9	33	3	1	2	0	48
31-40	14	29	3	1	3	0	50
41-50	8	26	3	1	0	0	38
51-60	3	12	0	0	0	0	15
61-70	0	0	1	0	0	0	1
Total	82	262	30	8	8	3	393

Table 15

Age	Not Guilty	Guilty-Pro.	Guilty-Co. Jail	Guilty-Pen.	Total
Under 21	4	72	19	25	120
21-25	8	50	18	45	121
26-30	6	14	7	21	48
31-40	6	20	3	21	50
41-50	2	14	10	12	38
51-60	0	6	4	5	15
61-70	0	0	1	0	1
Total	26	176	62	129	393

Table 16
Race

Sex	White	Indian	Mexican	Negro	Total
Female	26	2	1	0	29
Male	326	15	8	15	364
Total	352	17	9	15	393

Table 17
Education in Years

Sex	7 or Less	8-9	10-11	12-14	15-16	Total
Female	0	2	9	18	0	29
Male	7	56	120	177	4	364
Total	7	58	129	195	4	393

Table 18
Economic Standing

Sex	Lower	Lower-Middle	Middle	Upper-Middle	Upper	Total
Female	16	9	3	1	0	29
Male	252	76	30	5	1	364
Total	278	85	33	6	1	393

Table 19

Sex	Residency		Total
	In County	Out of County	
Female	23	6	29
Male	266	98	364
Total	289	104	393

Table 20
Prior Record

Sex	None	Light		Medium		Heavy		Total
		No-juv.	Juv.	No.Juv.	Juv.	No.Juv.	Juv.	
Female	23	0	1	2	1	1	1	29
Male	122	22	36	33	58	27	66	364
Total	145	22	37	35	59	28	67	393

Table 21
Present Charge

Sex	Fraud	Theft	Assault	Burglary	Robbery	Abetting	Homocide
Female	10	7	2	2	1	4	1
Male	36	73	36	71	11	43	5
Total	46	80	38	73	12	47	6

Table 21 Cont'd
Present Charge

Sex	Minor Directed	Narcotics	Arson	Kidnapping	Con.Offense	Total
Female	0	2	0	0	0	29
Male	27	21	6	3	32	364
Total	27	23	6	3	32	393

Table 22

Sex	Not Guilty	Plea Guilty	Change of Plea	Total
Female	8	17	4	29
Male	69	234	61	364
Total	77	251	65	393

Table 23
Arraignment Counsel

Sex	None	Own	Court Appointed	Total
Female	1	12	16	29
Male	2	145	217	364
Total	3	157	233	393

Table 24
Trial Counsel

Sex	None	Own	Court-Appointed	Total
Female	0	13	16	29
Male	0	144	220	364
Total	0	157	236	393

Table 25

Judge

Sex	1	2	3	4	5	6	7	8	Total
Female	4	1	4	4	1	2	0	13	29
Male	22	33	47	52	18	36	18	138	364
Total	26	34	51	56	19	38	18	151	393

Table 26
County

Sex	Klamath	Lane	Marion	Jackson	Total
Female	5	8	13	3	29
Male	55	99	156	54	364
Total	60	107	169	57	393

Table 27

Dollar Bail and Bail Treatment

Sex	ROR or bel. $100	$101 to $300	$301 to $500	$501 to $800	$801 to 1000	1001 to 1500	1501 to 2000	2001 to 2500	2501 to 3000	3001 to 5000	5000 to 10,000	No Bail & abv. 10,000	Tot.
Female	10	2	3	0	4	3	1	3	0	1	0	2	29
Male	52	7	53	5	84	33	26	27	7	20	6	44	364
Total	62	9	56	5	88	36	27	30	7	21	6	46	393

Table 28

Meeting Bail

Sex	Not Meet Bail	Meet Bail-Own Funds	Meet Bail-Bond	Total
Female	14	7	8	29
Male	197	76	91	364
Total	211	83	99	393

Table 29
Weeks from Arrest to Circuit Court Arraignment

Sex	0	6	12	16	20	30	Total
Female	5	18	2	1	2	1	29
Male	77	244	28	7	6	2	364
Total	82	262	30	8	8	3	393

Table 30

Sex	Not Guilty	Outcome of Case Guilty-Probation	Guilty-Co.Jail	Guilty-Penitentiary	Total
Female	4	21	2	2	29
Male	22	155	60	127	364
Total	26	176	62	129	393

Table 31

	Education					
Race	Less than 7	8-9	10-12	13-14	15-16	Total
White	6	46	117	179	4	352
Indian	0	3	4	10	0	17
Mexican	1	1	3	4	0	9
Negro	0	8	5	2	0	15
Total	7	58	129	295	4	393

Table 32
Economic Standing

Race	Lower	Lower-Middle	Middle	Upper-Middle	Upper	Total
White	242	72	31	6	1	352
Indian	8	7	2	0	0	17
Mexican	4	5	0	0	0	9
Negro	14	1	0	0	0	15
Total	258	85	33	6	1	393

Table 33
Residency

Race	In County	Out of County	Total
White	267	85	352
Indian	8	9	17
Mexican	7	2	9
Negro	7	8	15
Total	289	14	393

Table 34
Prior Record

Race	None	Light No Juv.	Juv.	Medium No Juv.	Juv.	Heavy No Juv.	Juv.	Total
White	133	21	35	29	53	26	56	352
Indian	5	1	0	3	2	1	5	17
Mexican	3	0	1	0	3	0	2	9
Negro	4	0	1	4	1	1	4	15
Total	145	22	37	35	59	28	67	393

Table 35
Present Charge

Race	Fraud	Theft	Assault	Burglary	Robbery	Abetting	Homocide
White	46	68	27	72	7	42	5
Indian	0	5	6	0	4	2	0
Mexican	0	4	1	1	0	0	1
Negro	0	3	4	0	1	3	0
Total	46	80	38	73	12	47	6

Table 35 Cont'd
Present Charge

Race	Minor-Directed	Narcotics	Arson	Kidnapping	Con. Offense	Total
White	25	22	5	3	30	352
Indian	0	0	0	0	0	17
Mexican	0	1	1	0	0	9
Negro	2	0	0	0	2	15
Total	27	23	6	3	32	393

Table 36
Plea

Race	Not Guilty	Guilty	Change of Plea	Total
White	62	234	56	352
Indian	8	6	3	17
Mexican	5	1	3	9
Negro	2	10	3	15
Total	77	251	65	393

Table 37
Arraignment Counsel

Race	None	Own	Court-Appointed	Total
White	3	142	207	352
Indian	0	5	12	17
Mexican	0	4	5	9
Negro	0	6	9	15
Total	3	157	233	393

Table 38
Trial Counsel

Race	None	Own	Court-Appointed	Total
White	0	142	210	352
Indian	0	5	12	17
Mexican	0	4	5	9
Negro	0	6	9	15
Total	0	157	236	393

Table 39
Judge

Race	1	2	3	4	5	6	7	8	Total
White	20	22	43	53	17	37	17	143	352
Indian	6	6	0	0	1	0	0	4	17
Mexican	0	1	7	0	1	0	0	0	9
Negro	0	5	1	3	0	1	1	4	15
Total	26	34	51	56	19	38	18	151	393

Table 40
County

Race	Klamath	Lane	Marion	Jackson	Total
White	42	96	160	54	352
Indian	12	0	4	1	17
Mexican	1	7	0	1	9
Negro	5	4	5	1	15
Total	60	107	169	57	393

Table 41
Dollar Bail and Bail Treatment

Race	ROR or bel. $100	$101 to $300	$301 to $500	$501 to $800	$801 to 1000	1001 to 1500	1501 to 2000	2001 to 2500	2501 to 3000	3001 to 5000	5000 to 10,000	No Bail & abv. 10,000	Total
White	57	9	50	5	78	31	23	26	5	20	6	42	352
Indian	2	0	0	0	7	1	1	3	1	1	0	1	17
Mexican	0	0	3	0	0	1	2	0	0	0	0	3	9
Negro	3	0	3	0	3	3	1	1	1	0	0	0	15
Total	62	9	56	5	88	36	27	30	7	21	6	45	393

Table 42
Meeting Bail

Race	Not Meet Bail	Meet Bail-Own Funds	Meet Bail-Bond	Total
White	186	75	91	352
Indian	10	4	3	17
Mexican	4	0	5	9
Negro	11	4	0	15
Total	211	83	99	393

Table 43
Weeks From Arrest to Circuit Court Arraignment

Race	0	6	12	16	20	30	Total
White	73	231	30	7	8	3	352
Indian	5	12	0	0	0	0	17
Mexican	1	7	0	1	0	0	9
Negro	3	12	0	0	0	0	15
Total	82	262	30	8	8	3	393

Table 44
Outcome of Case

Race	Not Guilty	Guilty-Probation	Guilty - County Jail	Guilty - Penitentiary	Total
White	20	167	53	112	352
Indian	2	2	3	10	17
Mexican	2	3	1	3	9
Negro	2	4	5	4	15
Total	26	176	62	129	393

Table 45
Economic Standing

Education	Lower	Lower-Middle	Middle	Upper-Middle	Upper	Total
7 or less	4	0	2	1	0	7
8 - 9	52	2	2	2	0	58
10 - 11	110	17	2	0	0	129
12 - 14	101	65	26	3	0	195
15 - 16	1	1	1	0	1	4
Total	268	85	33	6	1	393

Table 46
Residency

Education	In County	Out of County	Total
7 or less	6	1	7
8 - 9	35	23	58
10 - 11	99	30	129
12 - 14	147	48	195
15 - 16	2	2	4
Total	289	104	393

Table 47
Prior Record

Education	None	Light No.Juv.	Light Juv.	Medium No.Juv.	Medium Juv.	Heavy No.Juv.	Heavy Juv.	Total
7 or less	1	0	0	2	0	0	4	7
8 - 9	12	2	6	5	10	7	16	58
10 - 11	35	6	12	15	18	15	28	129
12 - 14	94	14	19	12	31	6	19	195
15 - 16	3	0	0	1	0	0	0	4
Total	175	22	37	35	59	18	67	393

Table 48
Present Charge

Education	Fraud	Theft	Assault	Burglary	Robbery	Abetting
7 or less	0	1	1	1	0	2
8 - 9	6	7	8	10	4	8
10 - 11	19	28	8	28	2	15
12 - 14	21	44	21	34	6	22
15 - 16	0	0	0	0	0	0
Total	46	80	38	73	12	47

Table 48 Cont'd
Present Charge

Education	Homicide	Minor Directed	Narcotics	Arson	Kidnaping	Con. Offense	Total
7 or less	0	1	0	0	0	1	7
8 - 9	3	2	1	1	2	6	58
10 - 11	0	6	5	0	0	18	129
12 - 14	3	16	16	4	1	7	195
15 - 16	0	2	1	1	0	0	4
Total	6	27	23	6	3	32	393

Table 49
Plea

Education	Not Guilty	Guilty	Change of Plea	Total
7 or less	0	5	2	7
8 - 9	12	33	13	58
10 - 11	23	90	16	129
12 - 14	41	121	33	195
15 - 16	1	2	1	4
Total	77	251	65	393

Table 50
Arraignment Counsel

Education	None	Own	Court Appointed	Total
7 or less	0	4	3	7
8 - 9	0	18	40	58
10 - 11	1	37	91	129
12 - 14	2	95	98	195
15 - 16	0	3	1	4
Total	3	157	233	393

Table 51
Trial Counsel

Education	None	Own	Court Appointed	Total
7 or less	0	4	3	7
8 - 9	0	18	40	58
10 - 11	0	36	93	129
12 - 14	0	96	99	195
15 - 16	0	3	1	4
Total	0	157	236	393

Table 52
Judge

Education	1	2	3	4	5	6	7	8	Total
7 or less	0	0	0	2	2	0	2	1	7
8 - 9	2	6	8	4	7	6	3	22	58
10 - 11	3	3	16	25	5	13	7	57	129
12 - 14	21	25	26	24	5	17	6	71	195
15 - 16	0	0	1	1	0	2	0	0	4
Total	26	34	51	56	19	38	18	151	393

Table 53
County

Education	Klamath	Lane	Marion	Jackson	Total
7 or less	0	2	3	2	7
8 - 9	8	12	25	13	58
10 - 11	6	41	64	18	129
12 - 14	46	50	77	22	195
15 - 16	0	2	0	2	4
Total	60	107	169	57	393

Table 54
Dollar Bail and Bail Treatment

Education	ROR or bel. $100	$101 to $300	$301 to $500	$501 to $800	$801 to 1000	1001 to 1500	1501 to 2000	2001 to 2500	2501 to 3000	3001 to 5000	5000 to 10,000	No Bail & abv. 10,000	Total
7 or less	2	0	2	0	0	1	0	1	0	0	0	1	7
8 - 9	4	3	6	0	13	4	5	4	0	6	2	11	58
10-11	15	2	18	3	26	13	13	9	4	9	0	17	129
12-14	41	4	29	2	47	17	9	16	3	6	4	17	195
15-16	0	0	1	0	2	1	0	0	0	0	0	0	4
Total	62	9	56	5	88	36	27	30	7	21	6	46	393

Table 55
Meeting Bail

Education	Not Meet Bail	Meet Bail-Own Funds	Meet Bail-Bond	Total
7 or less	3	2	2	7
8 - 9	43	6	9	58
10 - 11	80	20	29	129
12 - 14	84	55	56	195
15-16	1	0	3	4
Total	211	83	99	393

Table 56
Weeks From Arrest to Circuit Court Arraignment

Education	0	6	12	16	20	30	Total
7 or less	1	5	0	1	0	0	7
8 - 9	10	40	7	0	0	1	58
10 - 11	23	84	13	3	6	0	129
12 - 14	48	130	9	4	2	2	195
15 - 16	0	3	1	0	0	0	4
Total	82	262	30	8	8	3	393

Table 57
Outcome of Case

Education	Not Guilty	Guilty-Probation	Guilty-County Jail	Guilty Pen.	Total
7 or less	0	4	1	2	7
8 - 9	3	23	12	20	53
10 - 11	7	47	24	51	129
12 - 14	15	100	25	55	195
15 - 16	1	2	0	1	4
Total	26	176	62	129	393

Table 58
Residency

Economic Standing	In County	Out of County	Total
Lower	193	75	268
Lower-Middle	67	18	85
Middle	25	8	33
Upper-Middle	4	2	6
Upper	0	1	1
Total	289	104	393

Table 59
Prior Record

Economic Standing	None	Light No Juv.	Light Juv.	Medium No Juv.	Medium Juv.	Heavy No Juv.	Heavy Juv.	Total
Lower	80	11	31	27	39	24	56	268
Lower-Mid.	42	9	5	6	16	3	4	85
Middle	19	1	1	1	3	1	7	33
Upper-Mid.	3	1	0	1	1	0	0	6
Upper	1	0	0	0	0	0	0	1
Total	145	22	37	35	59	28	67	393

Table 60
Present Charge

Economic Standing	Fraud	Theft	Assault	Burglary	Robbery	Abetting	Homicide
Lower	31	52	25	55	9	34	4
Lower-Middle	12	21	7	12	3	7	2
Middle	2	6	5	5	0	6	0
Upper-Middle	1	1	1	1	0	0	0
Upper	0	0	0	0	0	0	0
Total	46	80	38	73	12	47	6

To be cont'd

Table 60 Cont'd
Present Charge

Economic Standing	Minor Directed	Narcotics	Arson	Kidnapping	Con.Offense	Total
Lower	13	12	1	2	30	268
Lower-Middle	8	7	4	1	1	85
Middle	5	2	1	0	1	33
Upper-Middle	1	1	0	0	0	6
Upper	0	1	0	0	0	1
Total	27	23	6	3	32	393

Table 61
Plea

Economic Standing	Not Guilty	Guilty	Change of Plea	Total
Lower	42	188	38	268
Lower-Middle	29	35	21	85
Middle	6	23	4	33
Upper-Middle	0	5	1	6
Upper	0	0	1	1
Total	77	251	65	393

Table 62
Arraignment Counsel

Economic Standing	None	Own	Court-Appointed	Total
Lower	2	84	182	268
Lower-Middle	1	48	36	85
Middle	0	19	14	33
Upper-Middle	0	5	1	6
Upper	0	1	0	1
Total	3	157	233	393

Table 63
Trial Counsel

Economic Standing	None	Own	Court-Appointed	Total
Lower	0	83	185	268
Lower-Middle	0	49	36	85
Middle	0	19	14	33
Upper-Middle	0	5	1	6
Upper	0	1	0	1
Total	0	157	236	393

Table 64

Judge

Economic Standing	1	2	3	4	5	6	7	8	Total
Lower	9	15	27	33	15	24	14	131	268
Lower-Mid.	10	16	20	16	0	4	3	16	85
Middle	7	3	3	6	3	6	1	4	33
Upper Mid.	0	0	1	1	1	3	0	0	6
Upper	0	0	0	0	0	1	0	0	1
Total	26	34	51	56	19	38	18	151	393

Table 65

County

Economic Standing	Klamath	Lane	Marion	Jackson	Total
Lower	24	60	145	39	268
Lower-Middle	26	36	19	4	85
Middle	10	9	5	9	33
Upper-Middle	0	2	0	4	6
Upper	0	0	0	1	1
Total	60	107	169	57	393

Table 66

Dollar Bail and Bail Treatment

Econ. Stdg.	ROR or bel. $100	$101 to $300	$301 to $500	$501 to $800	$801 to 1000	1001 to 1500	1501 to 2000	2001 to 2500	2501 to 3000	3001 to 5000	5000 to 10,000	No Bail & abv. 10,000	Total
Lower	34	7	42	4	61	21	18	19	5	17	3	37	268
Low. Mid	16	2	13	1	22	9	7	6	1	2	1	5	85
Middle	11	0	1	0	4	3	2	5	1	2	1	3	33
Upper-M.	1	0	0	0	1	2	0	0	0	0	1	1	6
Upper	0	0	0	0	0	1	0	0	0	0	0	0	1
Total	62	9	56	5	88	36	27	30	7	21	6	46	393

Table 67

Meeting Bail

Economic Standing	Not Meet Bail	Meet Bail - Own Funds	Meet Bail-Bond	Total
Lower	163	46	59	268
Lower-Middle	31	21	33	85
Middle	13	15	5	33
Upper-Middle	3	1	2	6
Upper	1	0	0	1
Total	211	83	99	393

Table 68
Weeks From Arrest To Circuit Court Arraignment

Economic Standing	0	6	12	16	20	30	Total
Lower	59	176	21	6	5	1	268
Lower-Middle	19	55	8	0	2	1	85
Middle	4	25	1	1	1	1	33
Upper-Middle	0	5	0	1	0	0	6
Upper	0	1	0	0	0	0	1
Total	82	262	30	8	8	3	393

Table 69
Outcome of Case

Economic Standing	Not Guilty	Guilty - Probation	Guilty - Co. Jail	Guilty - Peniten.	Total
Lower	8	119	50	91	268
Lower-Middle	14	39	7	25	85
Middle	4	13	5	11	33
Upper-Middle	0	4	0	2	6
Upper	0	1	0	0	1
Total	26	175	62	129	393

Table 70
Prior Record

Residency	None	Light No Juv.	Light Juv.	Medium No Juv.	Medium Juv.	Heavy No Juv.	Heavy Juv.	Total
In County	110	19	30	26	41	23	40	289
Out of County	35	3	7	9	18	5	27	104
Total	145	22	37	35	59	28	67	393

Table 71
Present Charge

Residency	Fraud	Theft	Assault	Burglary	Robbery	Abetting
In County	36	52	26	51	9	36
Out of County	10	28	12	22	3	11
Total	46	80	38	73	12	47

Table 71 Cont'd
Present Charge

Residency	Homicide	Minor Directed	Narcotics	Arson	Kidnap-ing	Con. Offense	Total
In County	4	24	14	4	3	30	289
Out of County	2	3	9	2	0	2	104
Total	6	27	23	6	3	32	393

Table 72
Plea

Residency	Not Guilty	Guilty	Change of Plea	Total
In County	51	188	50	289
Out of County	26	63	15	104
Total	77	251	65	393

Table 73
Arraignment Counsel

Residency	None	Own	Court-Appointed	Total
In County	3	121	165	289
Out of County	0	36	68	104
Total	3	157	233	393

Table 74
Trial Counsel

Residency	None	Own	Court-Appointed	Total
In County	0	121	168	289
Out of County	0	36	68	104
Total	0	157	236	393

Table 75
Judge

Residency	1	2	3	4	5	6	7	8	Total
In County	21	19	40	48	11	27	16	107	289
Out of County	5	15	11	8	8	11	2	44	104
Total	26	34	51	56	19	38	18	151	393

Table 76
County

Residency	Klamath	Lane	Marion	Jackson	Total
In County	40	88	123	38	289
Out of County	20	19	46	19	104
Total	60	107	169	57	393

Table 77
Bail Treatment and Dollar Bail

Residency	ROR or bel. $100	$101 to $300	$301 to $500	$501 to $800	$801 to 1000	1001 to 1500	1501 to 2000	2001 to 2500	2501 to 3000	3001 to 5000	5000 to 10,000	No Bail & abv 10,000	Tot.
In County	43	8	41	3	68	24	21	22	6	17	3	33	289
Out of Co.	19	1	15	2	20	12	6	8	1	4	3	13	104
Total	62	9	56	5	88	36	27	30	7	21	6	46	393

Table 78
Meeting Bail

Residency	Not Meet Bail	Meet Bail-Own Funds	Meet Bail - Bond	Total
In County	148	59	82	289
Out of County	63	24	17	104
Total	211	83	99	393

Table 79

Residency	0	6	12	16	20	30	Total
In County	59	189	26	7	7	1	289
Out of County	23	73	4	1	1	2	104
Total	82	262	30	8	8	3	393

Table 80

Residency	Not Guilty	Guilty-Probation	Guilty - Co. Jail	Guilty - Penitent.	Total
In County	15	132	42	100	289
Out of County	11	44	20	29	104
Total	26	176	62	129	393

Table 81
Present Charge

Prior Record	Fraud	Theft	Assault	Burglary	Robbery	Abetting
None	21	30	16	20	2	23
Light-No Juv.	4	6	2	4	1	2
Light - Juv.	2	12	0	11	2	1
Med. -No Juv.	7	3	3	5	2	7
Med. - Juv.	6	10	3	20	2	7
Heavy -No Juv.	2	4	3	5	0	3
Heavy-Juv.	4	15	11	8	3	4
Total	46	80	38	73	12	47

Table 81 Cont'd
Present Charge

Prior Record	Homicide	Minor Directed	Narcotics	Arson	Kidnapping	Con. Offense	Total
None	1	16	14	2	0	0	145
Light-No Juv.	1	1	1	0	0	0	22
Light - Juv.	0	2	3	0	2	2	37
Med.-No Juv.	0	4	1	1	0	2	35
Med. - Juv.	1	2	4	1	1	2	59
Heavy - No Juv.	1	0	0	1	0	9	28
Heavy - Juv.	2	2	0	1	0	17	67
Total	6	27	23	6	3	32	393

Table 82
Plea

Prior Record	Not Guilty	Guilty	Change of Plea	Total
None	30	95	20	145
Light - No Juv.	3	11	8	22
Light - Juv.	5	28	4	37
Med. - No Juv.	8	23	4	35
Med. - Juv.	15	33	11	59
Heavy - No Juv.	4	18	6	28
Heavy - Juv.	12	43	12	67
Total	77	251	65	393

Table 83
Arraignment Counsel

Prior Record	None	Own	Court-Appointed	Total
None	1	81	63	145
Light - No Juv.	0	10	12	22
Light - Juv.	1	12	24	37
Med. - No Juv.	0	10	25	35
Med. - Juv.	0	24	35	59
Heavy - No Juv.	1	5	22	28
Heavy - Juv.	0	15	52	67
Total	3	157	233	393

Table 84
Trial Counsel

Prior Record	None	Own	Court Appointed	Total
None	0	82	63	145
Light - No Juv.	0	10	12	22
Light - Juv.	0	12	25	37
Med. - No Juv.	0	10	25	35
Med. - Juv.	0	22	37	59
Heavy - No Juv.	0	6	22	28
Heavy - Juv.	0	15	52	67
Total	0	157	236	393

Table 85
Judge

Prior Record	1	2	3	4	5	6	7	8	Total
None	12	8	21	23	7	15	1	58	145
Light - No Juv.	2	6	2	0	3	2	0	7	22
Light - Juv.	0	2	4	10	0	3	2	16	37
Med. - No Juv.	2	2	2	6	0	5	5	13	35
Med. - Juv.	7	5	15	8	3	4	4	13	59
Heavy - No Juv.	2	2	1	3	0	1	4	15	28
Heavy - Juv.	1	9	6	6	6	8	2	29	67
Total	26	34	51	56	19	38	18	151	393

Table 86
County

Prior Record	Klamath	Lane	Marion	Jackson	Total
None	20	44	59	22	145
Light - No Juv.	8	2	7	5	22
Light - Juv.	2	14	18	3	37
Med. - No Juv.	4	8	18	5	35
Med. - Juv.	12	23	17	7	59
Heavy - No Juv.	4	4	19	1	28
Heavy - Juv.	10	12	31	14	67
Total	60	107	169	57	393

Table 87
Bail Treatment and Dollar Bail

Prior Record	ROR or bel $100	$101 to $300	$301 to $500	$501 to $800	$801 to 1000	1001 to 1500	1501 to 2000	2001 to 2500	2501 to 3000	3001 to 5000	5000 to 10,000	No Bail & abv 10,000	Total
None	33	6	23	2	39	10	8	10	0	1	0	13	145
Light- No Juv	4	1	2	0	5	3	3	1	0	2	0	1	22
Light- Juv.	4	0	9	0	10	4	3	2	0	1	1	3	37
Med. - No Juv.	3	0	8	1	8	4	1	1	2	6	1	0	35
Med.-Juv	7	2	8	1	13	7	6	3	4	3	1	4	59
Heavy- No Juv.	2	0	2	1	5	1	1	3	1	2	1	9	28
Heavy - Juv.	9	0	4	0	8	7	5	10	0	6	2	16	67
Total	62	9	56	5	88	36	27	30	7	21	6	46	393

Table 88
Meeting Bail

Prior Record	Not Meeting Bail	Meet Bail - Own Funds	Meet Bail - Bond	Total
None	48	41	56	145
Light - No Juv.	11	5	6	22
Light - Juv.	20	8	9	37
Med. - No Juv.	21	6	8	35
Med. - Juv.	35	9	15	59
Heavy - No Juv.	22	4	2	28
Heavy - Juv.	54	10	3	67
Total	211	83	99	393

Table 89
Weeks From Arrest To Circuit Court Arraignment

Prior Record	0	6	12	16	20	30	Total
None	33	94	12	2	3	1	145
Light - No Juv.	4	17	1	0	0	0	22
Light - Juv.	7	24	3	0	3	0	37
Med. - No Juv.	4	29	1	1	0	0	35
Med. - Juv.	8	41	6	2	1	1	59
Heavy - No Juv.	13	11	3	1	0	0	28
Heavy - Juv.	13	46	4	2	1	1	67
Total	82	262	30	8	8	3	393

Table 90
Outcome

Prior Record	Not Guilty	Guilty - Probation	Guilty - Col Jail	Guilty - Pen.	Total
None	19	90	21	15	145
Light -No Juv.	0	13	4	5	22
Light - Juv.	1	18	7	11	37
Med. - No Juv.	0	19	6	10	35
Med. - Juv.	4	20	9	26	59
Heavy - No Juv.	0	6	4	18	28
Heavy - Juv.	2	10	11	44	67
Total	26	176	62	129	393

Table 91
Plea

Present Charge	Not Guilty	Guilty	Change of Plea	Total
Fraud	2	36	8	46
Theft	17	53	10	80
Assault	19	11	8	38
Burglary	14	43	16	73
Robbery	3	7	2	12
Abetting	3	37	7	47
Homicide	3	1	1	5
Minor-Directed	5	16	6	27
Narcotics	6	14	3	23
Arson	3	2	1	6
Kidnapping	0	2	1	3
Con. Offense	1	29	2	32
Total	77	251	65	393

Table 92
Arraignment Counsel

Present Charge	None	Own	Court-Appointed	Total
Fraud	1	12	33	46
Theft	0	29	51	80
Assault	0	15	23	38
Burglary	1	26	46	73
Robbery	0	3	9	12
Abetting	1	27	19	47
Homicide	0	2	4	6
Minor Directed	0	18	9	27
Marcptocs	0	13	10	23
Arson	0	5	1	6
Kidnapping	0	2	1	3
Con. Off.	0	5	27	32
Total	3	157	233	393

Table 93
Trial Counsel

Present Charge	None	Own	Court-Appointed	Total
Fraud	0	12	34	46
Theft	0	29	51	80
Assault	0	14	24	38
Burglary	0	26	47	73
Robbery	0	3	9	12
Abetting	0	28	19	47
Homicide	0	2	4	6
Minor-Directed	0	18	9	27
Narcotics	0	13	10	23
Arson	0	5	1	6
Kidnapping	0	2	1	3
Con. Offense	0	5	27	32
Total	0	157	236	393

Table 94
Judge

Present Charge	1	2	3	4	5	6	7	8	Total
Fraud	1	2	9	7	4	5	1	17	46
Theft	8	7	9	11	7	7	1	30	80
Assault	9	6	3	2	3	5	1	9	38
Burglary	3	6	13	14	2	9	5	21	73
Robbery	1	4	0	1	0	0	1	5	12
Abetting	3	3	5	3	1	2	5	25	47
Homicide	1	3	0	1	0	0	0	1	6
Minor-Directed	0	1	2	5	2	7	1	9	27
Narcotics	0	2	4	6	0	1	0	10	23
Arson	0	0	4	0	0	1	0	1	6
Kidnapping	0	0	0	1	0	0	0	2	3
Con. Off.	0	0	2	5	0	1	3	21	32
Total	26	34	51	56	19	38	18	151	393

Table 95
County

Present Charge	Klamath	Lane	Marion	Jackson	Total
Fraud	3	16	18	9	46
Theft	15	20	31	14	80
Assault	15	5	10	8	38
Burglary	9	27	26	11	73
Robbery	5	1	6	0	12
Abetting	6	8	30	3	47
Homicide	4	1	1	0	6
Minor-Directed	1	7	10	9	27
Narcotics	2	10	10	1	23
Arson	0	4	1	1	6
Kidnapping	0	1	2	0	3
Con. Offense	0	7	24	1	32
Total	60	107	169	57	393

Table 96
Bail Treatment and Dollar Bail

Present Charge	ROR or bel $100	$101 to $300	$301 to $500	$501 to $800	$801 to 1000	1001 to 1500	1501 to 2000	2001 to 2500	2501 to 3000	3001 to 5000	5000 to 10,000	No Bail & abv 10,000	Total
Fraud	6	2	8	0	11	9	3	1	1	0	0	5	46
Theft	16	3	17	1	17	6	7	3	1	1	0	8	80
Assault	9	0	1	1	7	2	3	5	1	3	1	5	38
Burglary	14	1	11	2	18	8	9	5	3	1	0	1	73
Robbery	2	0	0	0	4	0	1	2	0	1	1	1	12
Abetting	9	2	9	0	6	5	2	4	0	4	2	4	47
Homicide	1	0	0	0	1	0	0	0	0	0	0	4	6
Minor-Dir.	2	0	4	1	6	2	1	7	1	2	0	1	27
Narcotics	2	1	3	0	13	1	0	0	0	1	0	2	33
Arson	1	0	1	0	2	0	1	0	0	1	0	0	6
Kidnapp.	0	0	0	0	0	0	0	0	0	1	2	0	3
Con.Off.	0	0	2	0	3	3	0	3	0	6	0	15	67
Total	62	9	56	5	88	36	27	30	7	21	6	46	393

Table 97
Meeting Bail

Present Charge	Not Meet Bail	Meet Bail - Own Funds	Meet Bail - Bond	Total
Fraud	25	7	14	46
Theft	42	22	16	80
Assault	20	9	9	38
Burglary	33	16	24	73
Robbery	7	3	2	12
Abetting	30	9	8	47
Homicide	4	1	1	6
Minor-Directed	7	11	9	27
Narcotics	10	2	11	23
Arson	2	1	3	6
Kidnapping	3	0	0	3
Con. Offense	28	2	2	32
Total	211	83	99	393

Table 98
Weeks From Arrest To Circuit Court Arraignment

Present Charge	0	6	12	16	20	30	Total
Fraud	7	32	4	2	1	0	46
Theft	11	56	8	2	3	0	80
Assault	16	20	1	1	0	0	38
Burglary	12	49	8	1	2	1	73
Robbery	0	11	1	0	0	0	12
Abetting	12	30	3	2	0	0	47
Homicide	2	4	0	0	0	0	6
Minor Dir.	4	22	0	0	0	1	27
Narcotics	8	13	0	0	1	1	23
Arson	0	4	2	0	0	0	6
Kidnapping	0	2	1	0	0	0	3
Con. Offen.	10	19	2	0	1	0	32
Total	82	262	30	8	8	3	393

Table 99
Outcome

Present Charge	Not Guilty	Guilty-Probation	Guilty - Co. Jail	Guilty - Peniten.	Total
Fraud	2	26	5	13	46
Theft	3	33	19	25	80
Assault	6	12	8	12	38
Burglary	4	46	7	16	73
Robbery	0	1	2	9	12
Abetting	3	29	8	7	47
Homicide	1	0	1	4	6
Minor-Directed	3	15	2	7	27
Narcotics	2	10	6	5	23
Arson	2	1	0	3	6
Kidnapping	0	0	0	3	3
Con. Offense	0	3	4	25	32
Total	26	176	62	129	393

Table 100
Arraignment Counsel

Plea	None	Own	Court-Appointed	Total
Not Guilty	0	33	44	77
Guilty	1	104	146	251
Change of Pl.	2	20	43	65
Total	3	157	233	393

Table 101
Trial Counsel

Plea	None	Own	Court-Appointed	Total
Not Guilty	0	33	44	77
Guilty	0	104	147	251
Change of Pl.	0	20	45	65
Total	0	157	236	393

Table 102
Judge

Plea	1	2	3	4	5	6	7	8	Total
Not Guilty	11	15	13	8	4	6	4	16	77
Guilty	8	8	24	41	7	22	13	128	251
Change of Plea	7	11	14	7	8	10	1	7	65
Total	26	34	51	56	19	38	18	151	393

Table 103
County

Plea	Klamath	Lane	Marion	Jackson	Total
Not Guilty	26	21	20	10	77
Guilty	16	65	141	29	251
Change of Plea	18	21	8	18	65
Total	80	107	169	57	393

Table 104
Bail Treatment and Dollar Bail

Plea	ROR or bel $100	$101 to $300	$301 to $500	$501 to $800	$801 to 1000	1001 to 1500	1501 to 2000	2001 to 2500	2501 to 3000	3001 to 5000	5000 to 10,000	No Bail & ab 10,000	Total
Not Guilty	16	1	10	0	18	9	7	6	0	5	0	5	77
Guilty	32	8	40	2	51	21	16	19	6	14	5	37	251
Change of Plea	14	0	6	3	19	6	4	5	1	2	1	4	65
Total	62	9	56	5	88	36	27	30	7	21	6	46	393

Table 105
Meeting Bail

Plea	Not Meet Bail	Meet Bail - Own Funds	Meet Bail - Bond	Total
Not Guilty	35	18	24	77
Guilty	147	49	55	251
Change of Plea	29	16	20	65
Total	211	83	99	393

Table 106
Weeks Arrest To Circuit Court Arraignment

Plea	0	6	12	16	20	30	Total
Not Guilty	21	45	6	1	3	1	77
Guilty	48	173	18	6	5	1	251
Change of Plea	13	44	6	1	0	1	65
Total	82	262	30	8	8	3	393

Table 107
Outcome

Plea	Not Guilty	Guilty - Probation	Guilty - Co. Jail	Guilty - Penitentiary	Total
Not Guilty	26	15	8	28	77
Guilty	0	127	44	80	251
Change of Plea	0	34	10	21	65
Total	26	176	62	129	393

Table 108
Trial Counsel

Arraignment Counsel	None	Own	Court-Appointed	Total
None	0	2	1	3
Own	0	155	2	157
Court-Appointed	0	0	233	233
Total	0	157	236	393

Table 109
Judge

Arraignment Counsel	1	2	3	4	5	6	7	8	Total
None	2	1	0	0	0	0	0	0	3
Own	13	12	26	33	3	7	5	58	157
Court-Appoint.	11	21	25	23	16	31	13	93	233
Total	26	34	51	56	19	38	18	151	393

Table 110
County

Arraignment Counsel	Klamath	Lane	Marion	Jackson	Total
None	3	0	0	0	3
Own	25	59	63	10	157
Court-Appointed	32	48	106	47	233
Total	60	107	169	57	393

Table 111
Bail Treatment and Dollar Bail

Arraign. Counsel	ROR or bel $100	$101 to $300	$301 to $500	$501 to $800	$801 to 1000	1001 to 1500	1501 to 2000	2001 to 2500	2501 to 3000	3001 to 5000	5000 to 10,000	No Bail & ab 10,000	Total
None	0	0	0	0	1	1	0	0	0	0	0	1	3
Own	32	4	23	0	32	12	10	17	1	8	3	15	157
Court Appointed	30	5	33	5	55	23	17	13	6	13	3	30	233
Total	62	9	56	5	88	36	27	30	7	21	6	46	393

Table 112
Meet Bail

Arraignment Counsel	Not Meet Bail	Meet Bail - Own Funds	Meet Bail - Bond	Total
None	3	0	0	3
Own	57	45	55	157
Court Appointed	151	38	44	233
Total	211	83	99	393

Table 113
Weeks Arrest To Circuit Court Arraignment

Arraignment Counsel	0	6	12	16	20	30	Total
None	3	0	0	0	0	0	3
Own	33	100	15	4	3	2	157
Court-Appoin	46	162	15	4	5	1	233
Total	82	262	30	8	8	3	393

Table 114
Outcome

Arraignment Counsel	Not Guilty	Guilty - Probation	Guilty - Co. Jail	Guilty - Penitentiary	Total
None	0	2	0	1	3
Own	14	83	23	37	157
Court-Appointed	12	91	39	91	233
Total	26	176	62	129	393

Table 115
Judge

Trial Counsel	1	2	3	4	5	6	7	8	Total
None	0	0	0	0	0	0	0	0	0
Own	15	12	24	33	3	7	5	58	157
Court-Apptd.	11	22	27	13	16	31	13	93	236
Total	26	34	51	46	19	38	18	151	393

Table 116
County

Trial Counsel	Klamath	Lane	Marion	Jackson	Total
None	0	0	0	0	0
Own	27	57	63	10	157
Court-Appointed	33	50	106	47	236
Total	60	107	169	57	393

Table 117
Bail Treatment and Dollar Bail

Trial Counsel	ROR or bel. $100	$101 to $300	$301 to $500	$501 to $800	$801 to 1000	1001 to 1500	1501 to 2000	2001 to 2500	2501 to 3000	3001 to 5000	5000 to 10,000	No Bail & ab 10,000	Total
None	0	0	0	0	0	0	0	0	0	0	0	0	0
Own	32	4	23	0	31	13	10	17	0	8	3	16	157
Court-Apptd.	30	5	33	5	57	23	17	13	7	13	3	30	236
Total	62	9	56	5	88	36	27	30	7	21	6	46	393

Table 118
Meet Bail

Trial Counsel	Not Meet Bail	Meet Bail - Own Funds	Meet Bail - Bond	Total
None	0	0	0	0
Own	57	45	55	157
Court-Appointed	154	38	44	236
Total	211	83	99	393

Table 119
Weeks Arrest To Circuit Court Arraignment

Trial Counsel	0	6	12	16	20	30	Total
None	0	0	0	0	0	0	0
Own	35	99	14	4	3	2	157
Court-Apptd.	47	163	16	4	5	1	236
Total	82	262	30	8	8	3	393

Table 120
Outcome

Trial Counsel	Not Guilty	Guilty - Probation	Guilty - Co. Jail	Guilty - Penitentiary	Total
None	0	0	0	0	0
Own	13	85	23	36	157
Court Appointed	13	91	39	93	236
	26	176	62	129	393

Table 121

Judge	Klamath	County Lane	Marion	Jackson	Total
1	26	0	0	0	26
2	34	0	0	0	34
3	0	51	0	0	51
4	0	56	0	0	56
5	0	0	0	19	19
6	0	0	0	38	38
7	0	0	18	0	18
8	0	0	151	0	151
Total	60	107	169	57	393

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Table 122
Bail Treatment And Dollar Bail

Judge	ROR or bel. $100	$101 to $300	$301 to $500	$501 to $800	$801 to 1000	1001 to 1500	1501 to 2000	2001 to 2500	2501 to 3000	3001 to 5000	5000 to 10,000	No Bail & abv 10,000	Total
1	10	0	0	0	3	2	2	3	22	1	0	3	26
2	9	0	1	0	8	5	2	4	1	1	0	3	34
3	11	1	10	0	10	4	10	1	2	0	0	2	51
4	14	1	11	0	10	9	5	2	2	1	1	0	56
5	2	0	2	0	7	2	1	1	0	0	0	4	19
6	3	1	3	5	13	4	1	0	0	3	1	4	38
7	0	1	4	0	3	0	0	6	0	0	0	4	18
8	13	5	25	0	34	10	6	13	0	15	4	26	151
Total	62	9	56	5	88	36	27	30	7	21	6	46	393

Table 123
Meeting Bail

Judge	Not Meet Bail	Meet Bail-Own Funds	Meet Bail-Bond	Total
1	13	10	3	26
2	19	10	5	34
3	19	13	19	51
4	15	18	23	56
5	8	2	9	19
6	17	5	16	38
7	13	2	3	18
8	107	23	21	151
	217	83	99	393

Table 124
Weeks Arrest to Circuit Court Arraignment

Judge	0	6	12	16	20	30	Total
1	14	11	1	0	0	0	26
2	11	23	0	0	0	0	34
3	7	27	10	3	2	2	51
4	6	36	8	2	4	0	56
5	2	16	1	0	0	0	19
6	2	38	6	1	0	1	38
7	8	8	1	1	0	0	18
8	32	113	3	1	2	0	151
	82	262	30	8	8	3	393

Table 125

Judge	Not-Guilty	Outcome Guilty - Probation	Guilty - Co. Jail	Guilty Penitentiary	Total
1	4	7	6	9	26
2	5	17	5	7	34
3	6	16	4	25	51
4	5	16	10	25	56
5	0	8	2	9	19
6	4	13	1	20	38
7	0	6	2	10	18
8	2	93	32	24	151
	26	176	62	129	393

Table 126
Bail Treatment and Dollar Bail

County	ROR or bel. $100	$101 to $300	$301 to $500	$501 to $800	$801 to 1000	1001 to 1500	1501 to 2000	2001 to 2500	2501 to 3000	3001 to 5000	5000 to 10,000	No Bail & abv 10,000	Total
Klamath	19	0	1	0	11	7	4	7	3	2	0	6	60
Lane	25	2	21	0	20	13	15	3	4	1	1	2	107
Marion	13	6	29	0	37	10	6	19	0	15	4	30	169
Jackson	5	1	5	5	20	6	2	1	0	3	1	8	57
Total	62	9	56	5	88	36	27	30	7	21	6	46	393

Table 127
Meeting Bail

County	Not Meet Bail	Meet Bail-Own Funds	Meet Bail-Bond	Total
Klamath	32	20	8	60
Lane	34	31	42	107
Marion	120	25	24	169
Jackson	25	7	25	57
Total	211	83	99	393

Table 128
Weeks Arrest To Circuit Court Arraignment

County	0	6	12	16	20	30	Total
Klamath	25	34	1	0	0	0	60
Lane	13	63	18	5	6	2	107
Marion	40	121	4	2	2	0	169
Jackson	4	44	7	1	0	1	57
Total	82	262	30	8	8	3	393

Table 129
Outcome

County	Not Guilty	Guilty - Probation	Guilty - Co. Jail	Guilty - Penitentiary	Total
Klamath	9	16	11	24	60
Lane	11	51	13	32	107
Marion	2	80	35	52	169
Jackson	4	29	3	21	57
	26	176	62	129	393

Table 130
Meeting Bail

Bail Treatment & Dollar Bail	Not Meet Bail	Meet Bail- Own Funds	Meet Bail-Bond	Total
ROR or bel. $100	5	55	2	62
$101 to $300	2	2	5	9
301 to 500	21	9	26	56
501 to 800	2	0	3	5
801 to 1000	42	3	43	88
1001 to 1500	28	2	6	36
1501 to 2000	16	3	8	27
2001 to 2500	17	7	6	30
2501 to 3000	7	0	0	7
3001 to 5000	20	1	0	21
5001 to 10,000	6	0	0	6
No Bail or Above 10,000	35	1	0	36
Total	211	83	99	393

Table 131
Weeks Arrest To Circuit Court Arraignment

Bail Treatment and Dollar Bail	0	6	12	16	20	30	Total
ROR or 100 or less	14	41	5	1	1	0	62
101 to 300	3	5	1	0	0	0	9
301 to 500	9	36	7	2	1	1	56
501 to 800	0	4	1	0	0	0	5
801 to 1000	18	60	8	0	1	1	88
1001 to 1500	4	28	1	0	3	0	36
1501 to 2000	5	17	3	2	0	0	27
2001 to 2500	8	20	2	0	0	0	30
2501 to 3000	0	5	1	0	1	0	7
3000 to 5000	3	16	0	1	0	1	21
5001 to 10,000	1	3	1	1	0	0	6
No Bail or more than 10,000	17	27	0	1	1	0	46
Total	82	262	30	8	8	3	393

Table 132
Outcome

Bail Treatment & Dollar Amount	Not Guilty	Guilty - Probation	Guilty Co. Jail	Guilty - Peniten.	Total
ROR or 100 or less	9	37	6	10	62
101 to 300	1	7	1	0	9
301 to 500	4	37	9	6	56
501 to 800	0	4	0	1	5
801 to 1000	3	40	21	24	88
1001 to 1500	3	13	11	9	36
1501 to 2000	2	12	0	13	27
2001 to 2500	2	13	1	14	30
2501 to 3000	0	0	0	7	7
3001 to 5000	2	3	5	11	21
5001 to 10,000	0	0	0	6	6
No Bail or more than 10,000	0	10	8	28	46
Total	26	176	62	129	393

Table 133
Weeks Arrest To Circuit Court Arraignment

Meeting Bail	0	6	12	16	20	30	Total
Not Meet Bail	34	146	10	5	5	1	211
Meet Bail - Own Funds	19	55	7	1	1	0	83
Meet Bail-Bond	19	61	13	2	2	2	99
Total	82	262	30	8	8	3	393

Table 134
Outcome

Meeting Bail	Not Guilty	Guilty - Probation	Guilty - Co. Jail	Guilty - Penitentiary	Total
Not Meet Bail	6	64	47	94	211
Meet Bail -Own Funds	12	49	8	14	83
Meet Bail-Bond	8	63	7	21	99
Total	26	176	62	129	393

Table 135
Outcome

Weeks Arrest To Circuit Court Arraignment	Not Guilty	Guilty - Probation	Guilty - Co. Jail	Guilty - Penit.	Total
0	7	18	30	27	82
1 to 6	14	128	26	94	262
7 to 12	3	17	4	6	30
13 to 16	0	5	2	1	8
17 to 20	1	6	0	1	8
21 to 30	1	2	0	0	3
Total	26	176	62	129	393

END