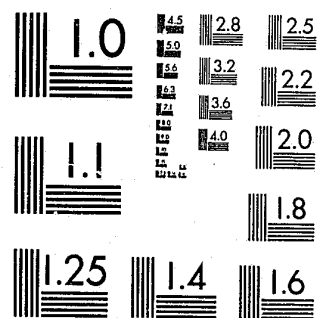


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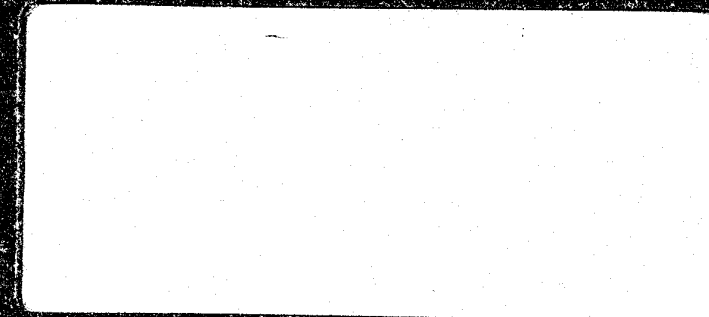
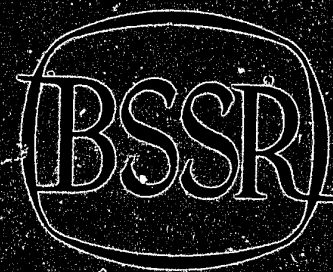
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WASHINGTON, D. C.

REPORT ON THE
TECHNICAL ASSISTANCE VISIT TO THE
STATE'S ATTORNEY FOR CARROLL COUNTY, MARYLAND
DECEMBER 16, 1980

CRIMINAL PROSECUTION TECHNICAL ASSISTANCE PROJECT

LEONARD R. MELLON, PROJECT DIRECTOR

WALTER F. SMITH, PROJECT MANAGER

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

Bureau of Social Science Research, Inc.
1990 M Street, N.W. Washington, D. C. 20036

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INTRODUCTION

On December 16, 1980, a Technical Assistance team from the Criminal Prosecution Technical Assistance Project visited the office of Thomas E. Hickman, State's Attorney for Carroll County, Westminster, Maryland. The Technical Assistance team examined the State's Attorney's management and operations functions in accordance with the terms of a contract with the Law Enforcement Assistance Administration. Members of the team included:*

Paul W. Whipple, Consultant
Bureau of Social Science Research
Washington, D. C.

Robert C. Robillard, Consultant
Director, PROMIS Project
Prosecuting Attorneys Association of Michigan
Lansing, Michigan

Edward F. Connors, III, Consultant
Alexandria, Virginia

In addition, an intern with the Criminal Prosecution Technical Assistance Project, Brenda Holstein, accompanied the team as an observer.

The purpose of the visit was to analyze problems related to the intake of criminal cases, the use of statistics, and the problems surrounding witness scheduling and activity. Also a discussion was held concerning the management of the State's Attorney's office. An overall assessment of the office was not attempted, nor was it desired. The purpose of a technical assistance visit is to evaluate and analyze specific problem areas. It is designed to address a wide range of problems stemming from paperwork and organizational procedures, financial management and budgeting

*Vitae are attached as Appendix A.

systems, space and equipment requirements and specialized operational programs, projects and procedures unique to the delivery of prosecutorial services.

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

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

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

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

The visit to the Carroll County State's Attorney's office focused on the problems of intake, witness activity and the use of statistics. In addition, a general management review was held to determine if the office was operating in as efficient a manner as it could be.

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

II. SUMMARY OF RECOMMENDATIONS

1. Establish an intake unit for purposes of reviewing police charges and determining the proper level of charge.
2. Staff this unit with experienced attorneys.
3. Establish a plea cut-off date, using the pretrial conference, thereby creating a pure trial docket.
4. Create statistics on intake and dispositions for the office.
5. Create a witness document for police to complete as part of their formal reporting procedures.
6. Establish a summons by mail system.
7. Devise a witness call-up project that allows witnesses to call the office 24 hours a day for information about their case.
8. Periodically review the procedures and forms in the office to determine if they are continuing to function in an effective manner.
9. Install a policy of regular staff meetings.

III. SYSTEM OVERVIEW

The Carroll County State's Attorney, Thomas E. Hickman, has served in the office for six years and his Chief Deputy has five years of experience in the office. Sixteen individuals are employed in the Carroll County State's Attorney's office, including eight attorneys. Four of the attorneys are assigned to Circuit (felony) Court, two to District (misdemeanor) Court, one to juvenile activities, and one to non-support work. All of the attorneys serve at the pleasure of the State's Attorney and stay with the office an average of 18 months. The State's Attorney's office also employs one investigator; seven individuals make up the clerical and support staff.

The Carroll County State's Attorney's office has jurisdiction over all criminal cases, including juveniles, traffic, appeals and civil matters. The felony trial court operates with a backlog, but this usually does not present problems to the State's Attorney's office.

Seven police agencies work in Carroll County. The Maryland State Police Department brings in the most cases, approximately 50 percent, with the three most prevalent crimes being burglary, theft and manufacture and distribution of controlled substances.

The police in Carroll County file the charges most of the time and the State's Attorney's office finds out about a case usually less than a week after it has been filed with the court. The accusatory process that is most often utilized is the arrest to preliminary hearing route with cases scheduled for preliminary hearings approximately ten days after arrest.

The assistant state's attorneys assigned to the District Court handle preliminary hearings where approximately 58 percent of the cases are bound over for trial and 42 percent are dismissed. This high dismissal rate reflects the inability of the State's Attorney to effectively screen cases before they reach the preliminary hearing stage.

Cases are generally assigned to trial assistants at the arraignment and pretrial conferences are routinely scheduled. Trial assistants usually need approval to make plea offers or to use an open-file policy with the defense. Trials average approximately one day in Carroll County and the State's Attorney's office always makes sentencing recommendations when applicable.

In general, the State's Attorney's office is well run and the staff appears satisfied. The physical facilities are spacious and attractive. The office seems sufficiently staffed to meet their workload and the office exercises great control over its workload by scheduling all the felonies for Circuit Court and utilizing plea bargaining for early resolution of cases.

Changes in the population of Carroll County during this past decade have required some planning to keep pace. The 1970 census population for the county was 69,006. While the final 1980 census figures for the county are not available, the estimated 1980 population is about 98,375. This is an increase of 43 percent in ten years. The Carroll County State's Attorney has maintained a high level of professionalism in his office through this period of rapid growth.

IV. ANALYSIS

The analysis of the Carroll County State's Attorney's office examined problems related to the management of an effective office. The examination focused on: (A) the intake and screening functions of the office; (B) the use of statistics; (C) victim/witness operations and control; and (D) a general management review of the office.

A. Intake and Screening Function

At the present time, the prosecutor in Carroll County does not review charges before they are filed with the court. In most cases, the police exercise the discretion to formally institute charges against a defendant without prosecutorial review.

There are two types of case filing procedures employed by local and district prosecutors in the United States. The first type involves review of the case by the prosecutor after the arrest of the defendant and before the case is filed with the court. This could be described as the arrest-review-file model, and is used by approximately 85 percent of the prosecutors in the country according to a survey of over 52 prosecutors done by the Bureau of Social Science Research. It is in the arrest-review-file model that the fullest authority of the prosecutor can be exercised. When the prosecutor has an opportunity to review the case and make the charging decision, his ability to control the intake process is never more powerful. The activity occurring in the intake process generally consists of prosecutorial review and regulation of the work of the police. The circumstances of police arrests are examined and decisions are made about which cases should enter the formal adjudicative process.

In the second type of intake process, followed by about 15 percent of urban prosecutors, the case is filed by the police in court prior to prosecutorial review. The effect of the arrest-file-review route is to diminish prosecutorial control over the intake gate, reduce the amount of discretionary power the prosecutor can exercise and establish a prosecutorial function that is reactive rather than proactive. Within this limited scope of authority, the charging decision is made first by either the police and/or the courts, and later may be adjusted or dismissed by the prosecutor. Thus, the intake stage, as it has been defined, technically does not exist in Carroll County. This function has been transferred to the police.

The intake and screening phase is the first process in every office and is the point at which the most crucial decisions--if charges are to be brought and the number and level at which each charge will be brought--are made. The intake decision is the key to all subsequent decisions. It anticipates whether the prosecution, and the defense in many cases, will be willing to negotiate the charges for a plea of guilty, whether the prosecution will seek a conviction on the counts, or whether the defendant will be eligible for alternative programs that may be available, such as deferred prosecution or diversion.

Quality and equity in the discretionary system of justice form the yardstick against which all decisions must eventually be measured. Efficiencies and economies assume only secondary importance, since they measure how these ideals are reached. Equity is the prime issue because it is affected by the discretion exercised by the various parts of the

criminal justice system. To control the effects of discretion, the criminal justice system has responded by establishing a system of checks and balances. Ideally, the discretionary decision of the law enforcement agencies to arrest and detain a suspect is checked by the authority of the prosecutor to review the arrests charges, change them if necessary, or even decline to prosecute. If the decision is made to go forward with the case to the point of trial, this action is subject to the decision of the court and/or jury, which acts as a balance and arbiter.

This finely honed system of checks and balances is unique to the United States. It relies on the active participation of all the component parts of the criminal justice system in an equal but independent manner. When one part becomes subservient to another--especially by transferring its decisionmaking authority to another--the system of checks and balances is degraded.

Even though police and prosecutors are at least nominally on the same side in pursuing criminal prosecutions, this theoretically shared interest is belied by a lack of cooperation between the two more often than should be expected under these circumstances. Police are often disappointed with and wary of the prosecutor's decisions; the prosecutor often distrusts and questions the actions and motives of the police. In many instances, the two work together more in an atmosphere of sullen resignation than one of trust and cooperation.

One reason for the uneasy working relationship that often exists between the police and prosecutor is that they do not share the same interests,

responsibilities, or goals in their respective pursuits of law breakers. The police must keep the peace and apprehend the law breaker; the prosecutor must bring the case of the state in a court of law. The police arrest on the basis of the probable cause to believe that an individual has broken the law; the prosecutor must produce a higher quantum of evidence to convict the same person in the courtroom, the standard there being proof beyond a reasonable doubt.

The concept of the prosecutor having control of his own charging decisions has been endorsed by several professional organizations, as well as the National Advisory Commission on Criminal Justice Standards and Goals, which states in Standard 1.2:¹

After a person has been taken into custody, the decision to proceed with formal prosecution should rest with the prosecutor.

The Commission feels strongly that there should be a division of roles between the police and the prosecutor. While the decision to arrest a person is rightly a police decision, the decision to charge, and at what level, should be a function of the prosecutor. They state that while the police should have the authority to arrest and book a person suspected of a serious offense without prior approval of the prosecutor, the process should go no further than that without the formal involvement of the prosecutor's office.

The National District Attorneys Association considers the decision to charge, and selecting the most appropriate and accurate charges, to be one of the prosecutor's greatest responsibilities. They also feel it to be the sole responsibility of the prosecutor. This is reflected in the

standards promulgated by this organization concerning the charging and screening functions. Standard 9.1 concerns the authority to charge:²

The process of determining and initiating criminal charges is the responsibility of the prosecutor. Within his discretion the prosecutor shall determine what charges should be filed, and how charges should be presented.

Standard 9.2 goes on to state:³

The prosecutor has the responsibility to see that the charge selected adequately describes the offense or offenses committed and provides for an adequate sentence for the offense or offenses.

In order to insure that the proper charge has been made, the prosecutor must have all available data concerning the event before him at the time he makes his charging decision. He should also consider such factors as the nature of the offense, the characteristics of the offender, the interests of the victim, whether the statute has been enforced with regularity in the past, the possible deterrent value of the prosecution, the probability of conviction, recommendations of the law enforcement agency and the presence of any mitigating circumstances. These are all things which must be weighed by the prosecutor before he makes a decision to charge a certain crime at a certain level. Only the prosecutor has all of the information necessary to make this decision, as some of the information used in coming to a decision involves policy considerations, of which the police are not aware and are not in a position to evaluate.

In addition to these Standards, Standard 8.1 also addressed this area:⁴

The decision to initiate or pursue criminal charges should be within the discretion of the prosecutor,

excepting only the grand jury, and whether the screening takes place before or after formal charging, it should be pursuant to the prosecutor's established guidelines.

Screening is defined as the process by which a person is removed from the criminal justice system prior to trial or plea. The earlier in the process screening takes place, the more savings accrue to the system as a whole. Needless steps in the process are eliminated, thereby conserving resources for cases that should be in the system at further points along in the process.

The American Bar Association has also addressed the issue in Standards Relating to the Administration of Criminal Justice. Standard 3-3.4 deals with the decision to charge:⁵

(a) The decision to institute criminal proceedings should be initially and primarily the responsibility of the prosecutor.

(c) The prosecutor should establish standards and procedures for evaluating complaints to determine whether criminal proceedings should be initiated.

In the commentary to this section, the ABA goes to point out that:⁶

Whatever may have been feasible in the past, modern conditions require that the authority to commence criminal proceedings be vested in a professional, trained, responsible public official. The need for law-trained judgment to guide the exercise of the power to charge a citizen with a criminal act and to put the citizen under the heavy burden of defending himself or herself is discussed in Standard 3-2.1.

Standard 3-2.1 states:⁷

The prosecution function should be performed by a public prosecutor who is a lawyer subject to the standards of professional conduct and discipline.

The ABA recognizes that intake is a process which results in placing cases with sufficient evidence to support a conviction before the court. But the ABA Standards go further by directing attention to the charging decision itself as a critical point in the process and then by elaborating factors other than the weight of the evidence in terms of applicable law that have a bearing on the decision to accept or reject a case. Other considerations include: (1) the prosecutor's reasonable doubt that the accused is in fact guilty; (2) the extent of the harm caused by the offense; (3) the disproportion of the authorized punishment in relation to the particular offense or the offender; (4) possible improper motives of a complainant; (5) reluctance of the victim to testify; (6) cooperation of the accused in the apprehension or conviction of others; and (7) availability and likelihood of prosecution by another jurisdiction.⁸ The ABA Standards, like others, is an elaboration and substantiation of the belief that, for proper charging, what is needed is a careful and rational review of the information available to the prosecutor. Here the policy of the prosecutor is clearly given weight in this discretionary process, along with a recognition of prevailing community values.

The discretionary charging decisions are made within a policy environment that produces such distinctly different dispositional patterns (both immediately in the form of reject rates and also later in the form of plea, trial and dismiss rates) that its influence cannot be discounted.

When the charging decision is not made by the prosecutor, as it should be, the function is transferred to another agency, in this case the police department. The effects of this transfer are both predictable and widespread. The effects of transfer on the prosecutor are generally a loss of control, power and influence, and the adoption of a reactive "catch up" style of operation in the next process step. As a result, the accusatory process assumes the added role of charge review as well as accusation. Some cases that never should have entered the system are disposed of at the preliminary hearing or are remanded to the lower court at the hearing.

At the time of the technical assistance visit, the Carroll County State's Attorney's office did not have an identifiable organization unit assigned the screening and charging authority, nor does the office review charges before they are filed with the court. The charging decision appears to be a rather informal, cooperative effort shared by the police, State's Attorney's office and the court. Although relations among these units appear to be friendly and informal, the authority to decide what charges to file and at what level, clearly belongs in the sole possession of the State's Attorney.

The Technical Assistance team recommends that the State's Attorney, at his earliest convenience, establish an intake unit for purposes of reviewing police charges and determining the proper level of charge. Serious pre-charge review of arrests by the prosecutor, and the making of the charging decision by the State's Attorney's office rather than police, can serve to reduce the number of cases and the amount of work involved

in the case throughout the criminal justice system as a whole. This unit should be staffed with attorneys with enough experience with respect to investigation and trial work to be able to make valid reviewing judgements. The position also requires someone who has sufficient professional strength to maintain independence from the police and this usually comes through experience. Should the State's Attorney decide that he wants other experienced assistants to participate in the reviewing function, they could be rotated into this position. A maximum of six months, with a minimum of four months, is the most desirable length of assignment to this position.

In addition to an efficient, front-line review of police arrests, the State's Attorney needs to use his pretrial conferences to his advantage. At the present time, the State's Attorney schedules pretrial conferences, but they are not being used effectively. It has been the policy in the past for the prosecutor to accept pleas to prior plea agreements up to and including the first day of trial. As a result, the office did not have a clear idea of which cases would go to trial and which would be disposed of by a plea on any given day. Many more cases than could be heard were scheduled for trial on each court calendar, for the reason that most of the scheduled cases were expected to plea on the morning of the first day of trial. This situation has created an inefficient trial docket which has resulted in a waste of judge and court personnel time, frustration for witnesses who must make repeated appearances, often to find that a plea is to be entered and they are not needed after all, and a waste of trial preparation time by prosecuting attorneys.

It is the recommendation of the Technical Assistance team that the State's Attorney use the pretrial conference to establish a plea cut-off date and thus create a pure trial docket. In order to be effective, pre-trial docket control must occur with the complete cooperation of the court. Pretrial conferences must be attended by all parties. This is necessary to effectively establish a plea cut-off date, and thereby a pure trial docket. In order to make this pure trial docket an actuality, the plea cut-off date must be totally, effectively and solidly upheld in all cases. If a plea is to be made to a reduced charge, it must be made by the plea cut-off date, in this case the date of the pretrial conference. Beyond that date, the defendant must plead guilty to the original charge or stand trial. Because it will be at the plea-cut off date that an actual trial date will be scheduled and all of the reduced pleas will have been eliminated from the calendar, a pure trial date may be established with only one case set for trial on one date.

As a result of the establishment of pretrial docket control, there will be direct centralization of responsibility for following the plea negotiation policy established by the State's Attorney, without whom the assistant state's attorneys have no power to accept reduced pleas. It should be his policies and his alone that are incorporated and followed throughout the criminal justice system in the county to which he has been elected to perform this function. Centralization of the function will allow him to maintain control over his policies and allow him to center responsibility for any possible violations. The implementation of this effective case processing tool will also enhance the professionalism of the State's Attorney's office.

B. Use of Statistics

The Carroll County State's Attorney needs to make a concerted effort to keep and maintain statistics for his office. These statistics will assist the State's Attorney in managing the case flow in his office, instituting internal evaluation procedures, allocating resources and predicting the need for additional resources in the future and informing the public as to the work accomplished by the State's Attorneys office.

It is the recommendation of the Technical Assistance team that the State's Attorney begin keeping statistical records by making a determination to count cases and defendants as they enter the system. This can be accomplished manually by the use of a tally sheet such as Form 1 found in Appendix B. This form is a weekly intake report to be filled out each day by the use of simple hash marks in the appropriate boxes. The amount of detail which is to be used may be determined by the needs of the prosecutor. On Form 1, both cases and defendants are counted, and the detail is sufficient to permit analysis of changes in charges filed, as well as cases accepted, referred or rejected. The clerk enters a hash mark in the appropriate box to indicate the result of the intake process.

At the end of the week, all of the columns are totalled and the monthly total from the previous week's report is entered in the next to the last row. The new monthly total to date is obtained by adding the weekly total to the monthly total from the last week.

Form 2 in Appendix B is a disposition report having basically the same format as the intake report. The headings should include all possible dispositions. While these may vary from one jurisdiction to another, the most common ones are listed on the form. Cases and defendants reaching disposition for each day are recorded in column 1. The upper half of the first block should be used to show the number of cases reaching final disposition and the bottom half should show defendants. In all other blocks along the table, only defendants should be counted, as there are too many variations in the disposition of individual cases involving multiple defendants to use cases as the basis of the count. Therefore, the various categories, such as pled to original, pled to reduced, and so forth all refer to the number of defendants.

There are several ways in which this information can be collected. It has been found to be highly successful to either analyze the court calendar for each day, which has been appropriately annotated with the courtroom results, or to use a master list of all defendants reaching final disposition in a given month.

To use the latter approach, a form such as Form 3 in Appendix B should be used. Each day, whether the calendar is prepared in the prosecutor's office or returned to the prosecutor at the conclusion of the day's work, a clerk should review the calendar to obtain the information and place it on this report. The date called for on the form is the date that the case was heard. The case number, defendant's name, docket number and charge should be listed individually and the disposition should be shown for each charge.

The name of the assistant prosecutor who tried the case or handled the plea and of the trial judge, if applicable, should also be listed. The disposition categories should correspond to the weekly disposition report. The clerk should determine what occurred for each defendant at the trial or plea and mark only one column. At the end of the day, this information should be transferred to the weekly summary report.

Form 4 in Appendix B is an example of a calendar report. This report measures the amount of delay arising in the system and the reason why it is occurring. The first column indicates, for any given day, the total number of cases scheduled. The third column, "Defendants Rescheduled" is a measure of the number of continuances being granted during a particular day. The next boxes enumerate the reasons why the defendant was rescheduled. This will show whether delays in the system are due to court backlog, prosecutor-requested continuances or defense-requested continuances.

By using these four forms, the State's Attorney will be able to keep useful statistics for the office with a minimum of burden to the clerical personnel who will be performing these tasks.

C. Victim/Witness Operations

In examining the victim/witness functions of the Carroll County State's Attorney's office, the following problem areas were identified: (1) the clerical and administrative support personnel expended a significant amount of resources in preparing lists of witnesses that were in turn, transferred to the Circuit and District courts for preparation of formal summonses (subpoenas); (2) the clerical and administrative support personnel expended an unmanageable amount of resources in working with

the police agencies to ensure that witnesses' summonses were properly served; and (3) the clerical, legal and administrative personnel expended a significant amount of resources in contacting witnesses for cases that had been cancelled and notifying the witnesses of such cancellation.

In its current operation, the Carroll County State's Attorney's administrative support staff assigned to the District and Circuit court functions are required to prepare a list of witnesses for each misdemeanor and felony case. The lists, in turn, are delivered to the court personnel who prepare the formal summonses (subpoenas). In order to compile the lists, prosecutor personnel are required to examine the police reports for the specific case and, from the reports, extract the necessary witness information. The problem surrounding the procedure is based on the time required to extract the information and to prepare the lists.

The Technical Assistance team recommends that the Carroll County State's Attorney prepare a form that would allow for the entry of selected information pertaining to case witnesses. Once this form is created, it should be distributed in sufficient quantities to all Carroll County police agencies. In addition, the State's Attorney should secure an agreement with the courts and the police agencies, that, as part of the police report preparation and/or charging document authorization process, police officers will complete the witness document and transmit the same to the court personnel from the preparation of summonses. The process of having prosecutor personnel review police reports and secure witness information is not the most productive use of the State's Attorney's resources. Police officers should perform this task as part of their

formal reporting process. A number of states have witness lists prepared by the police; and, in some instances, the police themselves also prepare the formal subpoena or summons. The recommended procedure may take a few additional minutes of preparation by the police officer, but in later stages of the proceedings, it would totally avoid the need of the prosecutor employees performing what is a highly burdensome task.

At the present time, the police officers within Carroll County receive summonses from prosecutor personnel after preparation by court personnel; and, in possession of the summonses, police officers perform personal service of the documents. The problem associated with the procedure is based on the necessity of having prosecutor personnel continuously expend resources to monitor police activity to ensure that police officers have served or made a reasonable attempt to serve the summonses. In addition, a secondary problem is the cost required to conduct personal service.

The Technical Assistance team recommends that the State's Attorney establish a summons (subpoena) by mail system. In many jurisdictions throughout the United States, the prosecutor and court functions have instituted this type of system for delivering summons or subpoenas. The general procedure for this activity is as follows: (1) the summonses are prepared as part of a specifically designed package of documents that serve as the mail device; (2) the summonses are prepared in the current fashion, or through the use of automated word processing systems, and are mailed to the witness rather than delivered by the police; (3) upon receipt of the summonses, the witness returns, via the mail, the return

and personal service document; and (4) a tickler system is devised for those witnesses not having mailed return of service or where the summons is returned unopened. In such instances, personal service is performed.

The process described above has gained growing acceptance in a number of jurisdictions. Many benefits can be realized through this system for the prosecutor, the police, and the entire criminal justice system. In a majority of jurisdictions utilizing a mail summons system, the successful service rate is in excess of 85 percent. In addition, the case cost of summons delivery drops dramatically. In one instance, a jurisdiction went from an estimated \$24 - \$30 per summons by personal service to 19 cents per summons by mail. The legal foundation for this process may be already established by statute or may be instituted by local or general court rules. Enclosed in Appendix C are two examples of letters used in other jurisdictions for this purpose.

The Carroll County State's Attorney's Office expends a significant portion of resources, both legal and administrative, in the cancelling of witnesses for cases that have been postponed or disposed of. The general practice is that upon notice of a case schedule modification the assistant state's attorney who is responsible for the case or an administrative support employee will call each witness and notify the individual of the adjournment or cancellation. As a general rule, the calls are performed in the late afternoon or evening hours; and it would appear in a number of instances that the appearance of the witness is unable to be cancelled with the result that the witness appears at the court and has to be sent home.

The Technical Assistance team recommends that, rather than have prosecutor personnel call witnesses, the witnesses make contact with the State's Attorney's Office or court. The foundation of this program is a witness call-up project whereby the prosecutor or institutes the following procedures:

- (1) the witness, through the summons document, is instructed to call a pre-identified telephone number eight, twelve or twenty-four hours prior to the scheduled date of the proceeding that is the subject of the summons;
- (2) at the end of each work day, prosecutor (or court), legal or administrative personnel will identify those cases that are cancelled for the next day and transmit this information to a designated employee;
- (3) the employee will tape record a message comprised of the identity of all cases cancelled for the next day;
- (4) the witness will call and identify whether his or her case been cancelled.

The witness call-up program may be the most significant advancement in the operation of the witness process within the Carroll County State's Attorney's office. At the present time, in many cases, the prosecutor personnel will remain through the evening hours for the specific purpose of personally calling up witnesses with the resulting problems relating to office morale and attendance the following day. The cost of such a device is generally under \$50 per month, and this particular program will have a dramatic impact on the operation of the office.

D. General Management

The Carroll County State's Attorney is very active in professional, civic and political affairs. He is currently President of the Maryland State's Attorneys Association and an official of the National District Attorneys Association. In addition, he hosts a weekly radio program and writes a weekly newspaper column. On the whole, he seems to have established a firm political base from which to operate.

Within the office, the State's Attorney himself assumes primary responsibility for administrative matters. Only when he is away does his Chief Deputy concern himself with administration. The chief administrative officer who has the general overall responsibility for case processing and Circuit Court scheduling appears to be a highly competent, well organized individual who seems to have a solid grasp on the office and the segments of operations under her control.

The forms and procedures required to support the processing of criminal cases through the office appear to be well founded and, as a general rule, function in an acceptable manner. However, as part of the continuing office management policy, the Technical Assistance team recommends that the State's Attorney's staff periodically review the procedures in the office to determine if the process is accurate and the forms are serving the purpose for which they are designed. As an illustration for the need for such a procedure, it was observed that a number of operational forms utilized by the office were prepared a number of years ago by the Institute for Law and Social Research (INSLAW). These forms appear to be well designed but, over the course of years, many portions of these forms may have fallen into disuse, and the periodic review recommended may assist in updating the content and purpose of the case processing documentation.

With regard to general management policies, the Technical Assistance team recommends that the State's Attorney develop an organized system of staff meetings. The team was impressed by the organizational structure of the office although there was some question as to the proper means of communicating activities within the organization. The development of an organized staff meeting concept whereby each week professional, administrative and investigative personnel meet to discuss the major activities may greatly improve or eliminate any kind of difficulties relating to the process or inter-office communication.

V. CONCLUSIONS

This analysis and these recommendations are presented with the realization that the Carroll County State's Attorney already has a working, effective organization. Many steps have already been taken to improve the operation and professionalism of the office and they are to be commended. The areas highlighted in this report are those that are next to be addressed by the State's Attorney.

The first priority for the State's Attorney is to move to gain more control over the intake of felony cases in Carroll County. The intake phase is the point at which the most crucial decisions are made and these decisions are the key to all subsequent decisions. It is the responsibility of the prosecutor to determine and initiate criminal charges, and this responsibility should not be transferred to the police. The National Advisory Commission on Criminal Justice Standards and Goals (1975) the National District Attorneys Association (1977) and the American Bar Association (1978) are all in agreement that the intake and charging decision is a critical point in the criminal justice system and that it should be made by a professional, law-trained, responsible public official: the prosecutor.

The Technical Assistance team recommends that the State's Attorney establish his rightful control over the intake decision and establish an intake unit for the purpose of reviewing police charges and determining the proper level of charge. This will reduce the number of cases and the amount of work involved in the case throughout the entire criminal process. It is also recommended that this unit be staffed with experienced attorneys who can make valid reviewing judgments and maintain independence from the police.

Although the Prosecuting Attorney presently schedules pretrial conferences, they are not being used as effectively as they might be. It has been the policy in the past for the prosecutor to accept pleas to prior plea agreements up to and including the first day of trial. As a result, the office did not have a clear idea of which cases would go to trial on any given day. In order to alleviate this problem, it is the recommendation of the Technical Assistance team that the Prosecuting Attorney use the pretrial conferences to establish a plea cut-off date and thus create a pure trial docket. If a plea is to be made to a reduced charge, it must be made by the plea cut-off date. After that date, the defendant must plead to the original charge or stand trial. In this way, the prosecutor can centralize responsibility for following the plea negotiation policy set by him.

Statistics are very useful to the prosecutor for a number of reasons. They can assist in allocating resources, predicting the need for additional resources and managing the case flow in the office. For these reasons, the State's Attorney should begin to keep records of the workings of his office. By using the four forms provided in Appendix B, the State's Attorney will be able to keep useful statistics with a minimum of burden to the clerical personnel performing these tasks.

An inordinant amount of time is spent by the State's Attorney's clerical and administrative support personnel in preparing lists of witnesses from police reports, checking to see if witnesses' summonses are properly served, and contacting witnesses for cases that have been cancelled. The Technical Assistance team recommends that the State's

Attorney prepare a document that would allow police officers to list information pertaining to case witnesses, and require the police agencies to prepare this document as part of their routine police report. This document would then be delivered by the police to the court for the preparation of summonses.

The Technical Assistance team also recommends that the State's Attorney establish a summons by mail system. This would involve preparing documents that serve as a mail device, mailing this package to the witnesses and having the witnesses return the documents by mail. For those summonses returned unopened or not returned, personal service is performed.

It is further recommended that the State's Attorney devise a witness call-up project whereby a telephone answering service is installed that allows witnesses to call and find out if the case is scheduled or cancelled. This system will do much to resolve the problems of office morale and absenteeism for those individuals who are currently working late hours for the specific purpose of calling off witnesses.

The forms and procedures required to support the processing of cases through the office were found to function effectively. As part of the continuing office management policy, the Technical Assistance team recommends that the State's Attorney's staff periodically review the procedures in the office to determine if the forms are continuing to function in an efficient and effective manner.

The development of organized, weekly staff meetings would greatly improve the process of inter-office communication. The team was impressed

by the organizational structure of the office although there was some question as to the proper means of communicating activities within the organization.

The implementation of these suggestions and recommendations should result in a more efficient and effective office for the State's Attorney as well as a savings in the long run for the taxpayers of the county through a more productive office.

FOOTNOTES

1. National Advisory Commission on Criminal Justice Standards and Goals, Courts (Washington, D.C.: Government Printing Office, 1975), p. 24.
2. National District Attorneys Association, National Prosecution Standards (Chicago, Illinois: National District Attorneys Association, 1977), p. 131.
3. Ibid.
4. Ibid., p. 125.
5. American Bar Association Standing Committee on Association Standards for Criminal Justice, American Bar Association Standards Relating to the Administration of Criminal Justice, 2nd Edition (Washington, D.C.: American Bar Association, 1978), p.8.
6. Ibid., p. 9.
7. Ibid., p. 3.
8. Ibid., p. 11.

APPENDIX A

RESUME

PAUL WARREN WHIPPLE
3619 Everett St., N.W.
Washington, D.C. 20008
(202) 966-3535

I. PROFESSIONAL EXPERIENCE

Broad and responsible experience in ORGANIZATION, SYSTEM PLANNING, and INFORMATION MANAGEMENT at local, state and federal levels, in several policy areas.

1975 - present: URBAN POLICY

- Self-employed: Management consultant.
- Washington International College: Adjunct faculty; educational and management consultant.
- League of Women Voters: Volunteer. D.C. League-- Director, Urban Policy Committee, 1977-1979; LWV of National Capital Area--Chairman, Urban Crisis Committee, 1978, 1979; LWV of U. S.--Delegate, 1978 National Convention. Participated in development of local, regional and national League positions on urban policy.

1972 - 1975: CRIMINAL JUSTICE SYSTEMS

- National Center for Prosecution Management: Director, Policy Analysis. Directed development and publication of series of publications on prosecution policy and procedure for nationwide use of local district attorneys.
- National District Attorneys Association: Consultant to local district attorneys on organization and management of their offices.

1963 - 1971: URBAN PROGRAMS

- District of Columbia Government (1964-71): Senior Management Analyst, Executive Office of Mayor. Directed program of management appraisal, organization, and system planning to assist D. C. agencies, including D. C. criminal justice system.
- U. S. Housing and Home Finance Agency (1963-64): Management Analyst, Office of the Administrator. Consultant to Urban Renewal Administration and Community Facilities Administration on development and use of computerized data processing systems.

1956 - 1963: INFORMATION MANAGEMENT SYSTEMS

- Federal Aviation Agency (1961-63): Computer Systems Analyst. Planned computerized materiel data system for Agency-wide application.

- Oregon State Government (1959-61): State Data Systems Coordinator. Planned state-wide data systems management program; provided consulting services to state government agencies on computerized data processing systems.

- Navy Department (1956-59); Senior Systems Analyst, Bureau of Naval Personnel. Participated in planning and development of service-wide Naval Manpower Information System.

Before 1956: OTHER EXPERIENCE

- Organization & methods analysis; paperwork management; technical editing and writing; weather forecasting. U. S. Depts. of Agriculture, Commerce, Defense; U. S. Army Air Forces.

II. EDUCATION AND PROFESSIONAL DEVELOPMENT

Education and training:

- M.A., Public Administration, American Univ., 1950
- B.A., English and History, Willamette Univ., 1941
- 3 yrs. Science/Engineering: Geo. Washington Univ.; USDA Graduate School.; USAAF Weather School; Colorado School of Mines.

Professional Affiliations

- American Political Science Association
- American Society for Public Administration
- National Capital Area Political Science Association
- Torch Club of Washington

III. OTHER QUALIFICATIONS

Biographical Listings:

- American Men and Women of Science
- Who's Who in the South and Southwest
- Dictionary of International Biography

Writing and Speaking:

- Published articles and reports on various subjects. Speechwriting. Talks and lectures to different groups.

References:

- References and other details upon request.

10/79

Robert C. Robillard, Jr.
1700 Clifton Avenue
Lansing, Michigan 48910

TELEPHONE: (HOME) 372-5218
(OFFICE) 373-6541

PERSONAL: Date of Birth . . . 11/12/43 Married
Height 6' Excellent Health
Weight 200

EDUCATION:

1960 David MacKenzie High School, Detroit, Michigan
High School Diploma
1965 Adrian College, Adrian, Michigan
Bachelor of Arts degree (History & Political Science)
1972 Wayne State University, Detroit, Michigan
Juris Doctorate

Admitted to practice as an Attorney at Law, Michigan (1972)

EMPLOYMENT:

JAN., 1979 TO PRESENT Project Director
Prosecuting Attorneys Association of Michigan, 306 Townsend
4th Floor, Lansing, Michigan (PROMIS Project)

As Project Director of the Michigan PROMIS Project, I have the overall responsibility for placing an automated criminal justice information system into eight urban Michigan Prosecuting Attorneys offices. To accomplish this task, I currently have a technical and management staff of 8-1/2 individuals and Project budget in excess of \$2 million.

1977 - 1979 Private Practitioner
Hankins, Kluck, Robillard, & Carlson, P.C., Attorneys at Law
2277 Science Pkwy., Okemos, Michigan

For the above referenced period, I was a partner in a private Law Firm specializing in the representation of police and fire labor organizations. As part of this experience, I represented, as General Counsel, approximately 3,000 officers for the Fraternal Order of Police and in addition represented a number of independent local labor organizations. My experience in this area included contract negotiations, grievance hearings and judicial proceedings.

1974 - 1977

Director, Management & Technical Services
Prosecuting Attorneys Association of Michigan, 306 Townsend
4th Floor, Lansing, Michigan

For the above referenced period, I was employed as
Director of Technical Services for the Prosecuting
Attorneys Association of Michigan. These duties
included:

1. Management consulting to local Prosecuting Attorneys offices.
2. Development of special prosecutor and investigative programs.
3. Development of office policy and procedures manuals.

1973 - 1974

Staff Attorney
Oakland County Prosecuting Attorneys Office, 1200 N. Telegraph
Pontiac, Michigan

For the above referenced period, I was employed as an
Assistant Prosecuting Attorney in the Oakland County
Prosecuting Attorneys office.

1969 - 1973

Oakland County Prosecuting Attorneys Office, 1200 N. Telegraph
Pontiac, Michigan

For the above referenced period, I was employed in
the following capacity:

1. Criminal Investigator
2. Chief Investigator
3. Chief of Grand Jury Investigation
4. Coordinator of Organized Crime Investigations

In the above referenced positions, I acquired experience
in the following areas:

1. Corporate Fraud
2. Consumer Protection
3. Organized Crime
4. Special Projects (Intelligence Section)
5. Narcotics Enforcement

In the four years of service, I was involved in
almost every aspect of investigation including
but not limited to surveillance, examination of
fiscal documents and personal security.

1965 - 1969

Public School Teacher
Warren Public Schools, Warren, Michigan
Bloomfield Hills Public Schools, Bloomfield, Michigan

Upon graduation from college, I was employed as a
high school teacher in History and Political Science
and served within the above referenced school districts.

1960 - 1965

Walbridge Aldinger, Co., 19101 W. Davison, Detroit, Michigan

As part of providing college expenses, I was employed
as a laborer in heavy construction during the summer
months as well as Christmas and Easter vacations.

**ADDITIONAL
INFORMATION:**

SCHOOLS ATTENDED: 1972 - State of Michigan, Fiscal Crime School

1973 - Law Enforcement Assistance Administration,
Organized Crime Training School

Guest Lecturer - National College of District Attorneys

Prosecuting Attorneys Association of Michigan

New Jersey District Attorneys Association

New York District Attorneys Association

PUBLICATIONS:

Prosecuting Attorneys Association of Michigan, CIVIL HANDBOOK

Prosecuting Attorneys Association of Michigan, CLERICAL HANDBOOK

National District Attorneys Association, Monograph entitled:
MANAGING INVESTIGATORS

CONSULTANT:

National District Attorneys Association, Technical Assistance
Consultant, emphasis on investigator management.

International Chiefs of Police, Management Consulting Service
(Pending)

RESUME SUMMARY

Edward F. Connors, III
709 South Overlook Drive
Alexandria, Virginia 22305
Telephone (703) 683-6393
If no answer, call (202) 638-3038

PRIMARY FUNCTIONAL AREAS

Legal Representation
Legal Analysis and Research
Criminal Justice Management and Programs
Planning-Programming-Budgeting Systems
Program Evaluation

EDUCATION

J.D., 1979, Columbus School of Law (top 20 percent of class)
The Catholic University of America

M.S., 1973, Administration of Justice (top 10 percent of class)
The American University

B.A., 1971, Psychology (Minor: Criminology)
University of Maryland

Gonzaga College High School, 1966
Washington, D.C.

POSITIONS HELD

General practice of law and part-time clerking and researching for several clients and small law firms, November 1979 to Present

Principal Consultant, Planning Research Corporation/Public Management Services, Inc., 1973 - February 1980

Part-Time Faculty, 1973 - 1975
Montgomery College, Department of Political Science
Prince George's Community College, Department of Law Enforcement

Deputy U.S. Marshal, U.S. Department of Justice, U.S. District Court, Washington, D.C. 1971 - 1973

Edward F. Connors (2)

SUMMARY OF RELEVANT EXPERIENCE

Mr. Connors is currently involved in the general practice of law including representing criminal defendants, advising small business clients, analyzing legislation, and more. He is also temporarily assisting a small patent, trademark, and copyright firm in Washington, D.C.

Mr. Connors has ten years of broad experience in the criminal justice field including consulting, teaching, legal research, and field experience. As a consultant, Mr. Connors has directed numerous projects in the legal field including as examples the following projects:

- Evaluated and recommended new guidelines for Pilot Paralegal Program for the Office of Criminal Justice Plans and Analysis, District of Columbia.
- Evaluated Youth Aid Bureaus of police departments in Montgomery County, Maryland and Milwaukee, Wisconsin. Provided new programs and guidelines for improving handling of juveniles and coordination with court and prosecutors.
- Conducted special studies on improving communication and information between police and prosecutors as part of organization and management studies with police departments in Baltimore County, Maryland; Howard County, Maryland; and Bethlehem, Pennsylvania.
- Analyzed legislation pertaining to enforcement of federal administrative regulations and state criminal laws on federal land for U.S. Army Corps of Engineers and U.S. Park Police, National Park Service; analyzed numerous state laws and municipal ordinances pertaining to law enforcement and police employee practices.
- Managed major contract to evaluate over 200 federal grant projects (over \$12 million in funding) funded by the Division of Justice and Crime Prevention, Commonwealth of Virginia. Grant evaluations in the legal field included the following:
 - Police legal advisor for Alexandria Police Department
 - White collar crime unit for the State's Attorney's Office
 - Public Defender Offices of Virginia
 - Training and continued education programs for Commonwealth Attorneys and Judges
 - and numerous special court projects.

Edward F. Connors (3)

SUMMARY OF RELEVANT EXPERIENCE (cont.)

In the last four years alone, Mr. Connors has managed or assisted in managing twelve projects with accumulated funding of over \$1.8 million. Mr. Connors has proven ability to manage large projects and deal satisfactorily with a diversity of clients and other personnel in agencies to accomplish his efforts.

Mr. Connors also has numerous publications to his credit including over twenty comprehensive project reports (many of these can be found in government and technical libraries such as National Technical Information Service or the National Criminal Justice Reference Service), two professional journal articles, and several handbooks for clients.

SPECIALIZED LAW SCHOOL EXPERIENCE

Criminal Trial Practice

Advanced Criminal Law and Procedure

Directed Research: A New Direction for the Exclusionary Rule: The Good Faith Exception (paper to be presented for publication)

PROFESSIONAL AFFILIATIONS

Virginia State Bar
U.S. District Court, Eastern District of Virginia
Virginia Trial Lawyers Association
Criminal Justice Advisory Council, Northern Virginia Planning District Commission
American Bar Association, Section on Criminal Justice
American Society for Public Administration, Section on Criminal Justice Administration

References and writing samples are available on request.

Edward Connors, a Principal with RMA, has over ten years of broad experience in criminal justice consulting, research and field experience. Specializing in organization management and program development in public safety, Mr. Connors has directed and been principal investigator on the following police organization and management projects:

- Pinellas Park, Florida
- U.S. Park Police
- Baltimore County, Maryland
- Montgomery County, Maryland
- Bethlehem, Pennsylvania
- U.S. Army Corps of Engineers
- Milwaukee, Wisconsin
- Fredericksburg, Virginia
- Harrisburg, Pennsylvania.

Mr. Connors has also conducted comprehensive career development projects for the Arizona Department of Public Safety and the Orlando, Florida Police Department. These jobs involved assessments of affirmative action programs, developing new job descriptions, career tracks, promotional procedures and plans, performance evaluation systems, pay plans, and more.

In addition, Mr. Connors has also evaluated and designed new recruit, in-service, and management training programs for numerous agencies including Pinellas Park, Florida; Baltimore County, Maryland; Southeastern Virginia Planning District Commission; Atlanta Correctional Center; and others. Mr. Connors was also recently project director of two major Management By Objective (MBO) implementation projects in the Montgomery County, Maryland Department of Police and the Bethlehem, Pennsylvania Police Department. These projects focused on identification and development of a program structure of goals, objectives, activities, output measures, and impact indicators.

Mr. Connors was also project director of a contract with the Division of Justice and Crime Prevention, Commonwealth of Virginia to evaluate over 200 federally funded grant projects (federal funding over \$12 million). Many of these projects involved the evaluation of activities in police agencies involving research and planning, crime analysis, training, and specialized tactical units throughout the state of Virginia.

Recently, Mr. Connors directed a sharply focused study of the Youth Aid Bureau of the Milwaukee Police Department. This study, prepared for the City Council, provides guidelines for improving the juvenile services of the police. He also recently evaluated a Pilot Paralegal Program to assist criminal defense attorneys funded by the Office of Criminal Justice Plans and Analysis, District of Columbia. This work also involved the preparation of guidelines and standards for future work in criminal justice by paralegals.

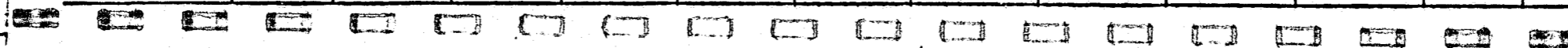
Mr. Connors also has three years of field experience in law enforcement having served as the supervisor of communications with the U.S. Marshal Service in Washington, D.C. Mr. Connors received his B.A. in psychology and criminology from the University of Maryland; his masters degree in public safety administration from The American University; and his J.D. from the Columbus School of Law, The Catholic University of America. Mr. Connors is a member of the Virginia State Bar and the American Bar Association, Section on Criminal Justice. He is also a member of the Criminal Justice Council of the Northern Virginia Planning District Commission.

FORM 1

INTAKE REPORT

WEEK OF _____ TO _____, 1980

DAY	CASES PRSNTD	DFNDT PRSNTD	CASES ACCPD NO. MODIF	DFNDT ACCPD NO. MODIF	CASES ACCPD WITH MODIF	DFNDT ACCPD WITH MODIF	CASES REFD TO ANOTHER COURT	DFNDT REFD TO ANOTHER COURT	CASES REFD TO ANOTHER AGENCY	DFNDT REFD TO ANOTHER AGENCY	CASES REJD	DFNDT REJD
MONDAY												
TUESDAY												
WEDNESDAY												
THURSDAY												
FRIDAY												
SATURDAY												
SUNDAY												
WEEKLY TOTAL												
MONTHLY TOTAL LASTWEEK												
NEW MONTHLY TOTAL												



FORM 2

DISPOSITION REPORT

WEEK OF: _____ TO _____, 1980

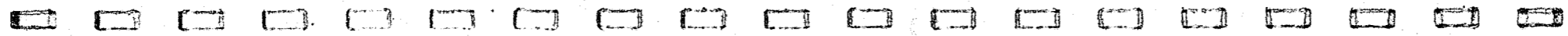
DAY	FINAL DISPOSITION CASES/DEF.	PLED ORIGINAL	PLED REDUCED	FOUND ORIGINAL	FOUND REDUCED	ACQUITTAL	DIRECTED VERDICT	DISMISSALS	CONDITIONAL FINDING
MONDAY									
TUESDAY									
WEDNESDAY									
THURSDAY									
FRIDAY									
SATURDAY									
SUNDAY									
WEEKLY TOTAL									
MONTHLY TOTAL									
LAST WEEK									
NEW MONTHLY TOTAL									



FORM 3

MONTHLY REPORT OF DISPOSITIONS

DATE	CASE NUMBER	DEFENDANT'S NAME	DOCKET NUMBER	CHARGE	CHARGE DISPOSITION	DEPUTY/JUDGE	PLED ORIG	PLED RED	FOUND ORIG	FOUND RED	ACQ	DV	COND.



**FORM 4
CALENDAR REPORT**

WEEK OF: _____ TO _____, 1980

DAY OF WEEK	TOTAL CASES SCHEDULED	TOTAL DEFENDANTS SCHEDULED	DEFENDANTS RE-SCHEDULED	BENCH WARRANT	DEFENSE REQUEST	STATES REQUEST	COURTS REQUEST	MUTUAL	UNKNOWN	DEFENDANT DISMISSED
MONDAY										
TUESDAY										
WEDNESDAY										
THURSDAY										
FRIDAY										
SATURDAY										
SUNDAY										
WEEKLY TOTAL										
MONTHLY TOTAL										
LAST WEEK										
NEW MONTHLY TOTAL										



APPENDIX C



PETER D. HOUK
 INGHAM COUNTY PROSECUTING ATTORNEY

D. DANIEL McFELLAN
 Chief Assistant Prosecutor

303 West Kalamazoo
 Lansing, Michigan 48933
 Phone: (517) 487-3641

LEE WM ATKINSON
 Chief, Criminal Division
 MICHAEL G. WOODWORTH
 Chief Appellate Attorney
 STEVEN A. TRANSETH
 Administrator
 KIM WARREN EDDIE
 Chief Trial Attorney
 JOHN R. EDWARDS
 Chief, Career Criminal Unit
 MARTIN F. PALUS
 Chief, Screening Unit
 J. BRUCE KILMER
 Chief, Family Support Unit
 PAULA M. ZERA
 Chief Probate Attorney
 WM. GENE MATTHEWS
 Diversion Director

Dear Witness:

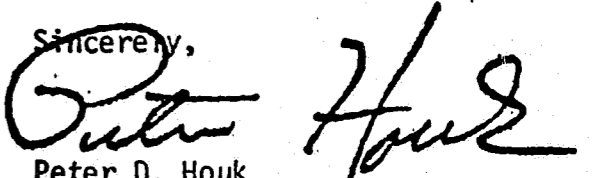
In 1978, this office instituted a subpoena-by-mail system to reduce the rising cost of the traditional method of personal service by police officers. Since its inception, it has saved the taxpayers of this community thousands of dollars and resulted in a better utilization of police services. However, the continued success of this program will depend upon your cooperation.

Enclosed with your subpoena will be a stamped, self-addressed postcard. Please sign on the appropriate line and return to this office as soon as possible.

When you come to court to testify, be sure to bring your subpoena. To receive your witness fee, please see the Assistant Prosecutor assigned to your case.

If you have any questions or concerns, please call the Victim/Witness Program at 487-3641, ext. 543.

Sincerely,


 Peter D. Houk
 Ingham County Prosecutor

Encl.

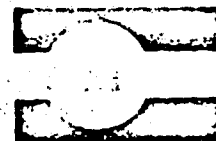
ASSISTANT DISTRICT ATTORNEY
William C. Wise

CHIEF TRIAL DEPUTY
C. Phillip Miller

CHIEF DEPUTIES
William J. Fritzel
Peter A. Hofstrom

CHIEF INVESTIGATOR
Judy Leach

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



DEPUTY DISTRICT ATTORNEYS
James T. Reed
Kevin M. Shea
Steven Meyrich
William J. Kowalski
Dennis B. Wanebo
David A. Marek
Peter M. Maguire
Lawrence F. King

Enclosed is a subpoena which is an official court order for you to appear at the time and place indicated. Bring this subpoena with you when you come to court. Upon receiving your subpoena, please detach the waiver at the bottom of the subpoena and return it in the self-addressed, postage-paid envelope which is enclosed. Your cooperation in the mail-in waiver process saves the court the considerable expense of personal service of your subpoena.

It is essential for you to call us at 441-3730 and ask for the Victim-Witness Assistance Office as soon as possible after receiving this subpoena. By doing this and providing us with a phone number(s) where you can be contacted, we may be able to save you unnecessary trips to court if a scheduled hearing or trial is continued or cancelled. Please report to the Victim-Witness personnel in the District Attorney's Office at the Boulder County Justice Center on the corner of 6th and Canyon Boulevard at least fifteen minutes prior to your scheduled court appearance.

This office is concerned with serving citizens of Boulder County, and we look forward to assisting you in your role as a witness in this case. If you have any questions please contact our Victim-Witness Assistance Office. I want to thank you in advance for your cooperation in fulfilling this unique and important function of citizenship.

Very truly yours,

ALEXANDER M. HUNTER
District Attorney

AMH/ak

NOTICE TO APPEAR

Date _____

TO: _____

RE: PEOPLE VS. _____

DOCKET NO. _____ C.R. # _____

Please be advised that _____ has been set for

(the week of _____, 19 ____, at _____ o'clock __.m

(_____, 19 ____, at _____ o'clock __.m

in (County Court Division _____)

(District Court Division _____)

This is the only notice you will receive. A subpoena will not be issued. If you have questions please contact the undersigned.

ALEXANDER M. HUNTER
DISTRICT ATTORNEY

**PLEASE BE AVAILABLE AT THE
D.A.'S OFFICE 1/2 HOUR PRIOR
TO THIS SCHEDULED EVENT TO
TALK TO THE DDA.

Deputy District Attorney
Twentieth Judicial District
P.O. Box 471
Boulder, Colorado 80306
(303) 441-3700

To be delivered to witness only. Please sign and return District Attorney's copy.

Received: _____
(Witness)

Date: _____

***To avoid any inconvenience caused by last minute changes in the Court docket you are encouraged to call Barbara Kendall or Kay Reeves at the District Attorney's Office Victim/Witness Program 441-3730 on the working day prior to the trial or hearing.