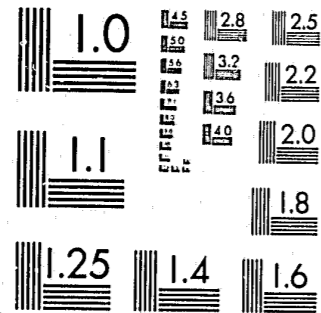


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ACQUISITION

THE CHAIRMAN'S INTRODUCTION

The Advisory Board of the National Institute of Justice is appointed by the President to recommend policies and priorities to the Institute, the crime research arm of the Justice Department. The Board approaches its responsibility with this practical premise: that research must direct criminal justice policy and that policy must shape our efforts against crime. Without this interaction, all three, policy, research and action, may be wasted.

The Board's membership is diverse, ranging from criminal justice professionals to business leaders, academics, representatives of citizen movements and the general public. Their experience and qualification to deal with the crime issue will be seen in the biographic sketches in the appendix of this report.

President Reagan and Attorney General William French Smith have given top national priority to the goal of making America safer from violent and serious crime. This seriousness of purpose was manifest last January when Attorney General Smith went to a crime plagued area of Newark, New Jersey in announcing a new Federal crime control experiment to reduce the fear of crime. The Attorney General walked Newark's streets, talked with residents and shopkeepers and heard their daily concerns about the peril in their community and threats to their lives and property.

In a similar vein, members of this Advisory Board visited high crime areas of Los Angeles. We saw the barred windows, locked storefronts, graffiti-ridden buildings, a walled-in shopping center and felt the apprehension of the people on their streets.

Thus, the Board, reflecting the Administration's determination to lift the veil of fear over crime, determined to go directly to the source in forming its research recommendations. We scheduled a series of nationwide hearings to listen first hand to the professionals who run the country's criminal justice system. Witnesses testified from big cities, small towns and rural areas.

Other advisory boards have studied a particular segment of the Nation's criminal justice apparatus, the police, for example, or the criminal courts. Others have probed specific problems, juvenile offenders, and most recently, victims' rights. We believe that this report is valuable in that we addressed the criminal justice system's response to the entire subject of serious and violent crime in America. In Atlanta we heard police chiefs; in New Orleans, judges, prosecutors and defense attorneys; in Nashville, corrections, probation and parole officials; in Los Angeles, journalists, business and community leaders, and victims living with the realities of life in a nation where some 1,700 criminal assaults are committed daily and homicide is a leading cause of death. We heard directly from the people who have to live with crime control policies often set elsewhere and whom we expect to make practical use of NIJ's research.

This report summarizes the Board's principal findings emerging from hundreds of pages of testimony taken during the hearings. It is based on the experiences, observations and conclusions of those responsible for administering justice. The report forms a necessary corollary to other studies, the President's Task Force on Victims of Crime and the Attorney General's Task Force on Violent Crime. Further, the Board's report deals exclusively with serious, violent offenses—what is commonly characterized as street crime. We do not cover organized or white collar crime, issues which have been treated by other commissions and studies.

From the hearings and other sources of information we have formulated our recommendations for research to strengthen the hand of the law in the contest against the lawless. We believe that these recommendations can make a valuable contribution in setting the Nation's criminal justice agenda.

Dean Roach, Chairman,
National Institute of Justice Advisory Board

A MESSAGE FROM THE DIRECTOR

In every national crisis, we have turned to our country's brainpower for answers. Crime has become our largest continuing national disaster. Yet, crime research is still in its infancy. Barely fifteen years have elapsed since the Federal government first began to underwrite, on a major scale, scientific inquiry into this field.

Today, we stand roughly where medical research stood 100 years ago. For all the dedication of yesterday's physician, he could do little if he was operating on false premises, attacking "miasmas" because he knew nothing of microbes; using leeches, because he had no inkling of antibiotics. Today, people do not condemn the medical profession even though patients still die of cancer or suffer from the common cold. They realize that we need more research to uncover the root causes and consequences of illness.

The same holds true for crime. We face comparable gaps in our understanding of what will cure it. As the Advisory Board's report will demonstrate, one of the chief failings in our struggle to come to grips with wide-spread violent crime is a lack of hard information as to what works and what does not. And, it is fair to say that virtually all recent major advances made in criminal justice are the product of collaboration between researchers and practitioners to find what does and does not work.

Some highlights of such successful research conducted under the auspices of the National Institute of Justice include:

- Identification of the Career Criminal, research revealing that the majority of crimes are committed by a small minority of highly active offenders.
- Development of bullet proof vests which, to date, have saved nearly 500 police officers' lives.

- Development of tests for screening genetic markers in blood and semen which are proving highly accurate in identifying criminal suspects.
- Studies showing that the physical design of communities can reduce crime rates.
- Studies demonstrating that aggressive foot patrols are more effective than patrols by marked police cars.
- Evidence that offenders addicted to high-cost narcotics commit six times more crimes when actively on drugs than when relatively drug-free.
- Studies challenging the value of indeterminate sentences in reducing criminal behavior.

As a long-time career police officer with one foot in operations and the other in research, I am particularly appreciative of the fact that during its hearings the Board went directly to the practitioners to help form its research policy recommendations. Too often, those on the firing line have been excluded from the criminal research process. And the product suffers for it. The National Institute of Justice is determined to have practitioners involved in research and have researchers better communicate their findings. The adoption of the recommendations made in this report will go far towards achieving that critical objective.

Finally, I particularly want to commend Betty Chemers, John Pickett, Denise Gadson and all the members of the NIJ staff who worked so successfully to arrange these hearings and to secure the appearance of an outstanding cross-section of witnesses.

James K. Stewart, Director,
National Institute of Justice

I. THE VERDICT: The Board's Major Conclusions

Recent modest declines in crime victimization statistics must not obscure this continuing truth: America is failing in its fight against crime. The present criminal justice system, for the most part, does not deter criminals, serve justice or constitute a true system. And this, despite the efforts of over a million police, prosecutors, judges, corrections and other personnel supported by American taxpayers at a cost exceeding \$25 billion a year. This is the unavoidable verdict of the National Institute of Justice Advisory Board after holding nationwide hearings and listening to the practitioners who manage this country's police forces, courts and prisons.

More specifically, the Board has arrived at these major conclusions:

1. Crime and Punishment

Swift prosecution and certain punishment—the two indispensable elements for deterring crime—do not exist in America today. Crushing case backlogs and excessive latitude for legal maneuvering have created such protracted delays that the essential moral linkage between crime and punishment is becoming lost.

"We have looked at the causation of crime from perspectives ranging from economic factors and phases of the moon to biological phenomena. . . . Do we know what we need to know? Are we asking the right questions? I am afraid at the present time we are not."

Lee Brown,
Chief of Police,
Houston, Texas

2. Unproven Practices

Astonishingly little is known as to what actually works in combatting crime. Traditional approaches—the addition of more police, detective work, more judges, probation, parole and rehabilitation—as commonly practiced—have not been proven substantially effective in preventing crimes, solving crimes or weaning repeat offenders from a life of crime. Our intuitive assumptions about how criminals behave have often been found unverifiable or spurious when tested.

3. Prison Overcrowding

America's jails and prisons are so overcrowded that

criminals are released early—based not on who is safe to return to society but who is *least* dangerous among a host of serious offenders. The decision to release must be based on sounder prediction of dangerousness rather than cell space available.

4. Career Criminals

We are presently refining, through research, possibly the best crime-fighting tool available—a capacity to identify the minority of career criminals who commit the majority of crimes. Yet, too many police forces, prosecutors, judges and parole authorities still lack the resources to put this tool to work and thus concentrate on these one-person crime waves.

5. The Aberrant Offender

Police and jail officials are unprepared to deal with the tangle of psychological, medical and social issues raised by the aberrant behavior of drug abusers and certain mentally ill persons who have been released from institutions.

6. Poor Coordination

The various combatants in the war against crime wage a divisive and uncoordinated campaign. Legislatures mandate stiff prison sentences without concern for prison capacity. Police, reacting to public pressures, launch crime sweeps without considering the courts' ability to try the resulting cases. Prisons and jails release possibly dangerous inmates because the courts order the alleviation of overcrowding. Even crime research conducted by the Department of Justice is undesirably fragmented. Thus is spun a web of continually shifting responsibility for our failure to control crime.

7. Less Crime for the Buck

The criminal justice system is currently operating under difficult financial restraints. Since this condition will not soon reverse itself, more must be achieved with present resources. In certain jurisdictions, crime rates have been reduced, trials speeded up and prison crowding reduced through research-inspired management innovations even in the face of budget and personnel reductions.

8. Criminal Victims

Crime victims in America are not treated as aggrieved parties but rather as pawns of the judicial process. The rights of victims are subordinated to the rights—even the convenience—of their victimizers. The victim must accept repeated trial delays to accommodate the defendant, incur unreimbursed expenses and undergo often callous treatment from officials until the initial crime becomes only the first act of a protracted ordeal.

9. The Price of Fear

Fear of crime continues to rise even though actual crime rates have tended to steady (at unacceptable levels). This fear by itself has produced tangible negative economic and social costs particularly for our inner cities. Crime-wary residents and business people make decisions about where and when they will work, shop, locate, open and close stores which can hasten a declining neighborhood's descent into decay.

10. Underutilized Research

Workable new approaches to fighting crime, developed by researchers, have been inadequately disseminated to crime fighters, the police, courts and corrections system. Other research is lessened in value because it is carried out without the necessary involvement of the professionals expected to utilize the research. A sense of urgency about the practical role research should play in reducing crime is vitally needed.

These major conclusions, on the whole, represent a powerful indictment of the present crime control effort. Yet, the Board has high esteem for the professionals who struggle against formidable obstacles to make the system work and who are as committed as any group of officials in the public service. They work hard to accommodate themselves in a variety of ways to the stresses in the criminal justice system. But their dedication alone is not enough without additional resources and ideas. To them this report is intended as a message of hope for the future.

We have identified grave failings, but we have also identified solutions towards which criminal justice research can make a key contribution. The remainder of this report will thus contain the Board's other conclusions and its specific recommendations for making the administration of justice strong and effective.

The Board's report will not, however, add to the statistical avalanche of crimes plaguing America. The ticking clock of crimes committed here—an armed robbery every minute, a rape every six minutes, a murder every twenty-three minutes—has by now become a cliché more likely to numb than to shock the listener. No one doubts that we endure an appalling amount of crime. Many have suffered from it first-hand. Few are free from the lurking apprehension that they or their loved ones could become victims next.

What people now want to know is why the enormous apparatus and vast amounts invested to prevent crime and to punish and rehabilitate offenders are not succeeding.

Undeniably, the odds favor the wrongdoer at every step of the present criminal justice process; that if he commits a crime, the criminal will not be caught; if caught, he will not be tried; if tried, he will not be charged with the full offense; if convicted, he will not be imprisoned; if imprisoned, he will not serve out the complete sentence; and if paroled, he will not be supervised.

Criminals have succeeded in doing what no foreign enemy has ever accomplished. They have curbed our freedom. Crime, and fear of it, have to a shameful

"If there is any problem as destructive as crime, it is the fear of crime."

James Rowland, President,
National Organization for
Victims Assistance

degree, made the good people in our society the physical and psychological prisoners of the worst people in our society. A certain despair has begun to set in that anything can be done about this condition. We find ourselves slipping from outrage to resignation, taking a defensive rather than aggressive posture against the criminal. This defeatism, the Board concludes, need not be. There are ways out of it, within our means and within our power. The recommendations for research urged here help show the way. The thrust of the Board's report is to describe what needs to be added to our knowledge of criminal justice so that there are fewer victims of crime.

"Behind every policy there are a lot of assumptions about the state of reality out there, about what offenders are going to do. A lot of these assumptions are wrong."

Dr. Lloyd Ohlin,
Harvard Law School

II. LAW ENFORCEMENT: The Cutting Edge

The Board held hearings during the annual meeting of the International Association of Chiefs of Police in order to hear at first-hand the day-to-day experiences of law enforcement officials on the cutting edge of crime control. What follows are the principal themes expressed during these hearings from police chiefs, sheriffs and organizations representing large, mid-sized and small communities and 446,000 law enforcement officials nationwide.

CAREER CRIMINALS: Wholesalers in Crime

Probably the most far-reaching finding of criminal justice research thus far has been confirmation that the bulk of serious crimes are committed by relatively few offenders. The classic cohort study of Wolfgang, Figlio and Sellin found, for example, that 18 percent of known delinquents in the Philadelphia area commit 71 percent of all homicides, 73 percent of all rapes, 70 percent of all

"Change is very difficult because we police are traditionalists."

Hubert Williams,
Director of Police,
Newark, New Jersey

robberies and 69 percent of all aggravated assaults.

Our law enforcement witnesses affirmed repeatedly the link between drug abuse and chronic violent criminal behavior. Drug users, a National Institute of Justice-sponsored study found, commit crimes an average of 248 days a year while addicted and 41 days a year when not addicted. As Daryl Gates, the Los Angeles Chief of Police, testified to the Board: "We have reason to believe that approximately 55 percent of all Los Angeles homicides are connected, directly or indirectly, to narcotics."

This awareness of the career criminal has had enough dissemination by now to have entered the conventional wisdom. Law enforcement officials recognize that effort invested in wholesale offenders will yield the greatest return in reducing crime with the same resources. They also know that thorough statistical reporting, analysis and good communication are key to the identification of chronic criminals. Yet, witness after witness made clear to the Board that too many police forces lack the data-gathering, analytical and communications capacity to identify these high-rate offenders.

Inadequate coordination between jurisdictions, and even within the same jurisdiction, allow particularly the transient career criminal to prey undetected and uninterrupted on the innocent over shockingly long periods. The public was understandably stunned and outraged that a pattern killer such as Ted Bundy could cut a swath of death through five states leaving behind an alleged three dozen murder victims before being apprehended and convicted. The long unbroken career of this mass killer was made possible partly because of "a gaping hole in the communications of our police agencies," as Ann Cole, representing the Violent Criminal Apprehension Program (VI-CAP), reported.

Yet, when the police can mount a serious effort against the career criminal, remarkable results ensue. Colonel Myron Leistler, Cincinnati's Chief of Police, described for the Board his city's major offenders program. Under it, career criminals are detected early upon entering the criminal justice system. They are shepherded through the judicial maze for speedy trial. No plea bargaining is permitted. Witnesses possibly subjected to intimidation are protected. Police and prosecutors work hand in hand to close loopholes in the case. The Cincinnati approach has achieved a 93 percent conviction rate against career criminals. And, judges have been willing to hand down appropriately stiff sentences to these career offenders.

THE BUDGET SQUEEZE: Demand Up, Resources Down

While demand for greater police protection has paralleled the high level of crime, police budgets have experienced a relative reduction. In recent years, the New York City force has declined by 30 percent, Boston's by 30 percent, Newark's by 25 percent. A medium-sized city, Patterson, New Jersey, lost 14 percent of its police force in one year. The trend is evident throughout the country.

No matter how alarmed by the incidence of crime, the public in this austere era is not disposed to pay for more police protection. As Hubert Williams, Director of Police for Newark, phrased it to the Board in discussing a deep slash in his department: "I said to merchants and home owners, if you want more police officers, we have to raise your taxes. Their answer was, give us more police. But don't raise our taxes."

But, in spite of sharp cutbacks, our police witnesses made clear, time and again, that the problem is not so much lack of funds to do the job, but lack of evidence that what they do with current resources is effective. The testimony of the chiefs underscored how little has

been proven about the success against crime of traditional methods. Commenting on the stubborn problem of juvenile crime, Allen H. Andrews, Jr., Peoria, Illinois' Director of Public Safety commented candidly, "Police and communities have no idea what works."

It has been traditional, for example, for the police to answer citizen calls as quickly as possible. Prompt response builds an aura of confidence in its protectors among the public. Does prompt response produce arrests and reduce crime? National Institute of Justice research cited by witnesses established that indiscriminate immediate response to all calls is inefficient, wasteful and unproductive. What does work is the establishment of priorities.

Gary Hayes, the Executive Director of the Police Executive Research Forum, told the Board that dispatching a patrol car to a report of a burglary in progress is high priority, but immediately sending a car in response to a report of a burglary that occurred while a family was away on vacation is a knee-jerk reaction unjustified by results. "We send a car rushing to someone who reports an auto theft," Hayes explained, "and when he gets there the officer says 'You're right. I can see the empty space and the car isn't there.'" It is still important for officers to go to the crime scene to collect evidence. However, the traditional two-minute response time is not always required. In some cases, prompt response is far less important in solving the crime than getting the appropriate data into computer information processing systems, followed by investigation and analysis of available knowledge on car theft patterns in an area.

The public is not immune to facts, the Board believes. When well reported research makes clear that a rational policy, such as priority response to calls will, over the long run, provide more overall police protection, people will accept that policy, just as they now routinely accept that a doctor driving from home to home is not the wisest employment of medical manpower.

Witnesses reported that even the saturation of high crime areas by more police does not automatically insure lower levels of crime. More important is the form that the policing takes. Foot patrols that deal vigorously with minor offenses—stopping fights, alleyway crap games, loitering and public drinking—create an environment of social order that has a more deterrent effect on all kinds of crime than a patrol car cruising a block at periodic intervals. Police behavior is more important than simply police presence.

THE DETECTIVE: Legend and Reality

The detective is a principal figure in criminal investigation lore. The investigative work of detectives is also an expensive manpower element in the law enforce-

ment budget. Yet, as George Sicaras, the Police Chief of Hartford, Connecticut, admitted to the Board: "We just don't know enough about investigations. And for the part of the police budget that represents the second largest expenditure, it seems to me a lot of money is being wasted."

Research has shed considerable light on the value of investigations by detectives. An early Rand Corpora-

"We police need to do some cost-benefit analysis. We need to know what our costs are, and do we derive any benefits."

James P. Damos,
Chief of Police
University City, Missouri

tion study concluded that conventional, indiscriminate investigations solve less than three percent of crimes. The study counseled careful evaluation of the detective function.

However, more recent NIJ research has shown that if cases are first screened according to criteria that measure their solvability, then detective work can be reasonably successful in particular cases.

These solvability indices need to be further refined and more widely disseminated to the police so that the relatively high cost of detective work can produce a higher return, particularly in the identification of career criminals.

MENTALLY ILL OFFENDERS: The Street as an "Open Ward"

Few better examples exist of the phenomenon of unintended consequences than what happened after the

"The perception is that the city has become an open ward for discharged psychiatric patients."

Tim Burgunder,
Director of Safety and Security,
Presbyterian Hospital, New York

policy shift in the treatment of the mentally ill which began in the 1950s. Since that time, advances in drug therapy and new schools of treatment have led to the wholesale discharge of mentally ill patients who previously would have remained in institutions. The vast majority of these individuals are better off in the community, but the police must contend with a disruptive and criminally inclined minority. It was pointed out to the Board that the Los Angeles area alone has some

35,000 severely disturbed and potentially dangerous persons living in open society. Many of them who require medication to avoid threatening or disorderly behavior are not competent to medicate themselves. And these persons can become problems to law enforcement officials.

Some communities have made a promising effort to deal with the problem. David Couper, Police Chief of Madison, Wisconsin, described to the Board workshops in which police and mental health professionals were "locked in a room" until both sides learned from each other how to deal with the mentally incapacitated offender. The truth is, we do not yet know how to deal with mentally ill persons on the street who present a potential danger to themselves or to society. Our police witnesses rated this situation as a priority problem for which they need help.

THE JUVENILE OFFENDER: Too Young to Pay?

As statistics historically demonstrate, crime is often a game of the young. According to FBI 1981 figures, over

"It's easy for a police chief to live in a fire-fighting environment, a telephone-answering environment . . . it's easy for research to be pushed aside when we're faced with urgent crises."

Allen H. Andrews, Jr.,
Director of Public Safety,
Peoria, Illinois

45 percent of those arrested for violent crime were age 22 or younger. Over 18 percent were under age 18. Society's desire to spare youthful offenders a criminal stigma and to steer them from a life of crime is laudable. But, to the victim of rape, armed robbery or murder, the perpetrator's age is of small consolation.

As Reuben Greenberg, the Police Chief of Charleston, South Carolina, told the Board: "We've got to get away from the concept that a juvenile cannot commit a crime. That whole approach is bankrupt. Burglaries, an increasing number of armed robberies, even homicides, are committed by offenders under 18." Yet, in South Carolina, as in many jurisdictions, the police are operating under difficult legal constraints such as requirements that the police officers obtain court orders before photographing or fingerprinting juveniles. As a consequence, numerous burglaries and robberies committed by young offenders go unsolved because the police are unable to link the evidence to the offender. Fingerprints may be found at the scene of the crime, for example, but because of the offender's age, there is

nothing on file against which to match them.

Testimony heard by the Board suggests that a better division of labor may well be in order regarding the juvenile offender. The courts ought likely to concentrate more on the serious, habitual and violent young offender and leave the social guidance for less serious offenders to social agencies.

An intriguing quandary for researchers is to try to find out what degree of special treatment for the juvenile offender is appropriate. Too little consideration for the offender's youth can unfairly stigmatize a person for life. Too much special protection may muddy the distinction between right and wrong for the young offender and actually reinforce undesirable behavior.

CRIME AND UNEMPLOYMENT: A Truism Challenged

A long-held sociological assumption is that unemployment, particularly widespread joblessness among the young, provides a hot house for crime. Is it true? The Board heard testimony from Chief Greenberg reporting a study in Charleston, S.C. with a thought provoking conclusion. A survey of all armed robberies committed in that city over a certain period revealed that of the offenders arrested, 76 percent held jobs. As Chief Greenberg phrased it: "I now don't believe that every time I see a teenage hanging around on a street corner that I'm necessarily looking at an armed robber, a burglar or a purse snatcher."

If such experiences are replicated by further research, like a current NIJ-sponsored study of crime and unemployment, serious doubts may arise about one of the long cherished assumptions as to the roots of crime.

THE LIMITS OF POWER: The Police Need Partners

As Lee Brown, the Police Chief of Houston, Texas, advised the Board: "The police cannot hope to wipe out crime by themselves. If we do not make this admission to ourselves, as well as to the public we serve, then we set ourselves up for failure."

Drug abuse, at the root of so disproportionate a share of serious crime, offers the most blatant proof that the police do not create the environment in which they are expected to suppress crime. Drugs are introduced into a community from sources over which the local police have little or no control. The breadth of the drug culture represents in part the attitudes of the community. The police deal with the aftermath and not the origins of the drug traffic.

Law enforcement agencies must depend, in their struggle against crime, on alliances within the community. San Jose's Police Chief, Joseph McNamara, told the Board: "Our research shows that about 90 percent of all felony arrests for armed robbery and rapes in

progress are made because some citizen contacted the police."

Atkins Warren, the Police Chief of Gainesville, Florida, told the Board that when his department backed a citizen watch program in a crime-plagued housing complex, they were able to cut crime enough to reduce formal security there by fifty percent.

Chief Williams of Newark seized on public anxiety over police layoffs in his city to mobilize neighborhood crime watches. The Newark police also encouraged people to report criminal activity personally to city hall or police headquarters. As a result, the level of public protection was maintained in spite of a severe reduction in the size of the police force.

GUNS: Disarming the Criminal

Obviously, a great number of the murders occurring each year are committed with illegally carried hand guns. The resulting hotly controversial issue of hand gun control is, however, not likely to be resolved in the near future. That being the reality, the priority question in law enforcement is how to disarm the criminal element without limiting the citizen's legitimate ownership of hand guns. The issue was considered by the Board in the context of research into techniques for detecting illegally carried hand guns. The NIJ is currently contemplating research into the value of magnetometers—such as are used in airport security—in places where there is a history of hand gun crimes. Bars in certain crime-prone neighborhoods present a potential target for such research. NIJ is also considering research proposals into the potentiality of small, portable dense metal detectors which police might employ to detect the illegal possession of hand guns. These developments might save thousands of lives every year.

WHAT DOES WORK: The Research Payoff

Amid the litany of ills, the Board heard frequent examples of successful innovations by the police, most of which have been brought about by a critical look at traditional, unchallenged methods and by the boldness to test new premises.

The Integrated Criminal Apprehension Program (ICAP), based on several NIJ research projects, offers a case in point. ICAP involves close coordination of police activities which are too often conducted in semi-isolation. Typically, ICAP involves analyzing where crimes are occurring, and tying this information into patrol, detective and other appropriate units for a concerted attack.

After adopting ICAP, Chief Sicaras of Hartford reported a steady 12-month decline in crime while his police force was shrinking from 505 to 380 personnel. James Damos, former president of the International

Association of Chiefs of Police, reported in his town of University City, Missouri, that: "Since we adopted ICAP some four years ago, we have cut back some six percent in staffing and we are handling almost 30 percent more calls for service."

By analyzing crime patterns alone, Troy Majors, Police Chief in Springfield, Massachusetts, reported that his department was able to double the number of patrolmen on the street during peak crime hours with no expansion of total manpower.

By using civilians for routine checking before assigning detectives to a case, the San Jose, California, police department increased the number of burglary cases filed with the district attorney by 46 percent, again, with no additional personnel.

Chief Damos, again speaking of University City, told the Board: "Every time we got a call on an auto accident, we used to make a report on it. We don't do that anymore. We go to the scene, make sure there are no injuries, see if traffic is being tied up. We make out a report only if there is a serious injury. In the past, we were doing the work of the insurance companies."

"The policy focus yesterday and today has been on hardware. It is time we focussed on the ideas, knowledge, information and methods of policing."

David Couper,
Chief of Police,
Madison, Wisconsin

In all these instances, greater productivity was attained, not by the expenditure of more money, but by a more rational use of resources.

MINORITIES: The Quest for Equal Justice

As our witnesses attested at this and subsequent hearings, a disproportionate number of minority offenders are caught up in the criminal justice process. At the same time, witnesses also recognized that, to a disturbing degree, members from minorities are also the most frequent victims of violent crime. Racial disproportion is most evident in the jails and prisons where, overall, blacks and hispanics make up the inmate majority. But, this disparity in institutions is only the end point of a condition that begins at the earliest stages of law enforcement.

Clearly, complex social questions are raised by this situation. Is the racial imbalance explained by discrimination? By the economics of poverty? By narrowed opportunity for jobs and education? Finding these answers is a research challenge to which the Board believes NIJ must address itself. Equality before the law

is the bedrock of American justice. Research into the racial issue in criminal justice can go far towards determining whether we are, in fact, holding to that standard of equality.

CONCLUSIONS: LAW ENFORCEMENT

On the whole, American law enforcement agencies have shown a willingness to experiment with new police procedures. They have been receptive to innovations that proved workable and have dropped old ways that proved unproductive. The police have embraced areas of NIJ research that met their practical needs—priority response to citizen calls, new patrol strategies, adoption of newly developed crime laboratory tests, appropriate use of deadly force, techniques for building stronger cases, for example. The stereotype of the hide-bound cop does not wash.

Yet, the Board also concluded that, to a dismaying degree, the police are still forced to operate in the dark in many areas, perpetuating procedures and techniques that have more to do with habit and tradition than documented effectiveness. Further, the police are not always in a position to measure the benefits against the costs of what they do.

The Board also concludes, as witnesses bore out, that the answer to improved police performance is not necessarily more money. As cited earlier, gains were sometimes made in the face of serious financial adversity when ingenuity had to substitute for dollars.

Finally, while eager to adopt new methods confirmed by research, our police witnesses repeatedly made clear that far too little research reaches them in a form that is useful and applicable for practitioners. And, too often, the police have been excluded from the conception, design and execution of research intended presumably for their benefit.

RECOMMENDATIONS: LAW ENFORCEMENT

In response to the law enforcement problems reaffirmed during these hearings, the Board recommends:

Identifying Career Criminals

—greater dissemination to local police departments of proven techniques for identifying hardened career criminals.

Apprehending Career Criminals

—development of practical models for police departments in forming teams to control career criminals, combining analytic, intelligence and investigative units for high crime areas.

Predicting Career Criminals

—further research to refine the tools for predicting

likely future major offenders, emphasizing the use of computer technology to help administrators make more informed decisions.

Testing New and Old Procedures

—renewed research to test the actual impact in preventing and reducing crime of traditional law enforcement practices; wider dissemination, in practical form, of innovations which have proved successful in cutting crime, particularly without requiring additional expense.

The Mentally Ill Person

—exploration of cooperative ventures through which the police and mental health professions can better coordinate management of the mentally ill person who runs afoul of the law.

Police-People Partnerships

—evaluation of the effectiveness of citizen involvement programs in reducing and preventing crime and the sponsorship of pilot studies to expand the use of successful programs to more communities.

Victims' Rights

—development of police procedures for dealing with victims which demonstrate compassion for their ordeal, recognize their fears and vulnerability during post-crime investigations, protect them from intimidation and generally display more respect for their dignity.

Illegal Handguns

—research into the technology for detecting illegally carried handguns.

Police-Researcher Partnership

—inclusion of more law enforcement practitioners in the design and conduct of research projects and a more concentrated effort to place practical research results in the hands of everyday practitioners through training, traveling workshops, regional conferences, and other methods of dissemination.

—feedback of experiences of practitioners to policy-makers so that an appropriate crime control agenda can be set.

Employment and Crime

—investigation into the dynamics of crime and work to learn why some persons with jobs commit crimes and others without jobs do not.

Minority Offenders

—research into the factors behind the disproportionate numbers of minority members arrested, tried and imprisoned; studies to determine the equity of prosecution, sentencing practices, probation, parole and other areas of possible discrimination with an eye toward developing corrective responses.

III. THE COURTS: Justice on Trial

The Board held hearings on the administration of justice during the mid-winter conference of the American Bar Association. This occasion enabled us to hear from prosecutors, defense attorneys, judges and other court personnel what actually happens today when criminals come before the bar of justice. The picture is not bright, nor is it focused.

Witness after witness made clear that the weight of problems besetting the criminal courts are approaching the crisis stage. Chief Justice Burger has openly expressed his own concern that, unless remedied, the judicial system may break down before the end of the century. Some believe that this point has already arrived.

COURT DELAYS: Justice in Slow Motion

Delay is the major disease afflicting the courts. The high volume of crime has led to more arrests which, in turn, has overwhelmed court calendars. In 1948, in Pennsylvania's Philadelphia County, the average time lapse between arrest and trial was twelve days. Today, it is sixteen months. The delay in bringing cases to trial is matched by the increasing length of the trials themselves. John Greacen, Deputy Director for Programs of the National Center for State Courts, told the Board that the time required to try a case has roughly doubled over the past ten years. In San Diego County, it now takes about six months just for an offender to plead guilty. Stephen Trott, U.S. Attorney for the Central District, Los Angeles, reminded the Board that four months were consumed just in selecting the jury for the trial of the Hillside Strangler. Mr. Trott suggested to the Board that protracted jury selections in State and local courts offer a prime target for research, especially in light of the fact that "in Federal Court you can pick a jury in half a day."

Judge Burton Katz, of the Santa Monica Superior Court, was asked by the Board how much time typically might pass from the commission of a serious crime, assault with a deadly weapon, for example, and the incarceration of the offender. The judge answered that a defendant with a good lawyer would probably not come to trial in less than two years and, if convicted, would not likely set foot in prison until three years after committing the crime.

As prosecutors and judges repeatedly testified, lag-gard justice has a corrosive effect on the fabric of lawfulness. Delay virtually always favors the defendant. Cases are weakened with the passage of time, as witnesses move, die and memories fade. The police become demoralized by the lack of correlation between

their work and the removal of predators from the streets. Most damaging, the atmosphere of deterrence is eroded. A credible deterrence to crime depends on belief that punishment follows crime, swiftly and certainly. Further, when trials drag on interminably, their cost becomes exorbitant and understandably arouses public indignation. The trial of convicted mass murderer Juan Corona in California, for example, cost \$800,000, then was retried at an even higher cost, \$4.5 million.

POOR COORDINATION: The System at Cross Purposes

Judges in our society are symbols of authority and control. The reality can be quite different. As Judge

"Case loads for judges and incarceration loads for penal institutions have reached a point where the system can not sustain the volume. Prosecutors have had to divert cases through a variety of different means in order to alleviate the impact on the court calendar . . . the problem of deterrence has been undermined . . . the plea bargaining, the case diversions, downgrading of the charges . . . all down the line there are going to be strong societal penalties."

Hubert Williams,
Director of Police,
Newark, New Jersey

James Noe, representing the National Conference of State Trial Judges, told the Board, "We judges have no control over who is arrested and charged." In the cycle of police, courts, and corrections, the work load generated in one sector is passed along to the next, with little coordination, creating an endless web of unallocated responsibility.

Judge Vernon Pearson of Washington State, representing the Appellate Judges Conference, described for the Board the dilemma when public pressure builds a demand for action. "Just recently, we had a police crusade against drunk drivers. . . . Numerous arrests started coming in. Because this charge involves a mandatory jail sentence, our constitution requires a jury trial. A municipal judge called me in desperation and asked what he should do. He had 130 jury trials on drunk driving and he had to try them in thirty days or dismiss them."

The Board learned that at the time of our hearings the State of Louisiana had not be able to try a single case under its new drunk driving law because of the massive demand for jury trials. The experience in these two states illustrates a present paradox. Public outrage at maddening delays in bringing wrongdoers to trial has caused state legislatures to adopt speedy trial laws. Felony cases, for example, may have to be brought to trial in sixty days, or be dismissed. Thus, pressure is placed on one part of the system to produce a generally desirable result, without regard for the counter pressure thus generated on another organ of the system. As witnesses made abundantly clear, if an increasing number of cases have to be tried by the same number of judges within a rigid time frame or else be dismissed, then more dismissals will be inevitable. This outcome defeats the whole thrust of speedy trial laws.

ONE ANSWER: Widening the Funnel

Court congestion has aptly been likened to the behavior of a funnel. The police operate 24 hours a day,

"Punishment has become somewhat of an obsolete term in our vocabulary. When it is administered, it is rarely swift, nor is it certain."

Sherman Block
Sheriff,
Los Angeles County

365 days a year, apprehending offenders, arresting them and pouring them in at the top of the criminal justice funnel. Jails operate on the same round-the-clock schedule, stacking up suspects for future trial. Then the funnel narrows. District Attorney offices usually operate on an eight-hour day, five days a week. The funnel narrows further, since the courts are in session even less time, perhaps a five-hour day. Witnesses urged that more judges be assigned, even on a pro-tem basis, and more night and weekend court shifts be operated to widen the funnel at the judicial stage. Facilities empty after the usual workday can be utilized as off-hour court rooms.

The San Diego County sheriff, John F. Duffy, estimates that speeding up the disposition of felony cases from the current average of six months down to ninety days could shorten the average inmate stay in his jail and save \$3 million annually. This saving would more than cover the necessary increase in judicial and prosecution manpower.

As a result of case management research evaluated by the National Institute of Justice, the courts in Providence, Rhode Island were able to reduce the time required to process cases from 277 to 61 days, a 78 percent

reduction. Similarly impressive reductions were scored in Dayton, Ohio, 38 percent; Las Vegas, 51 percent, and Detroit, 53 percent. These reductions were achieved strictly through management efficiencies, without any additional taxpayer expenditure.

PLEA BARGAINING: For Whose Benefit?

Plea bargaining, the accused's willingness to plead guilty in exchange for a reduced charge, is justified as a means of increasing the conviction rate by reducing the required number of jury trials. The practice, whatever administrative usefulness it may have is distrusted by the public. The injury or loss suffered by the crime victim and society cannot be "bargained" downward. Therefore, the idea that the criminal's offense, and thus the degree of punishment, can be bargained strikes law-abiding citizens as justice cheapened and subverted.

There is growing concern that too much discretion in determining criminal charges and pleas has been shifted to prosecutors. As William Greenhalgh, Chairman of the ABA's Section on Criminal Justice, advised the Board: "Prosecutorial discretion is the coming national issue with regard to the due process provisions of the Constitution. The sooner we get a hold on that and get some guidelines out, the better."

SELECTIVE INCAPACITATION: Predicting Criminal Behavior

Given the crowded state of prisons and a general resistance to spend the average \$70,000 per bed on new prison construction, the question becomes how to maximize the space at hand. Is crime best combatted by sending many offenders to prison for short terms or fewer offenders for long terms? Put another way, how many future crimes per year are avoided by imprisoning offender A as compared to prisoner B? In answer to this question, our witnesses showed considerable interest in the concept of "selective incapacitation." Hypothetically, selective incapacitation says that through meticulous records on repeat offenders, good communications among and within jurisdictions and rigorous analysis, the rate at which certain offenders will commit crimes can be reasonably predicted. Armed with this knowledge, it should then become possible for the courts to affect the crime rate by sentencing the identified high-rate offenders to longer prison terms and low-rate offenders to shorter terms.

Studies supported by the National Institute of Justice indicate that in California, if terms were reduced for low- and medium-rate robbers and increased for high-rate robbers, a 15 percent reduction in the robbery rate could be achieved. An eight percent reduction could also be achieved in prison occupancy.

While granting the appealing mathematics of selective incapacitation, Wayne A. Kerstetter of the American Bar Foundation raised this caveat to the Board: "To expect to achieve a level of precision which substantially reduces the ethical dilemma of the 'false positive' (identifying a low-rate as a high-rate offender) flies in the face of experience. The technique should be limited to carefully documented convictions for violent crime."

Before selective incapacitation can be more widely applied in practice, it needs further research refinement. If, for example, only raw arrest figures are used, the adept criminal who burglarizes often but is caught rarely, may slip through the selective incapacitation net. The bungling burglar who is often caught may be incorrectly identified as a high-rate offender.

BAIL: The Accused's Rights Versus Public Safety

Some of the most sensitive decisions which judges must make involve the pre-trial release of violent crime suspects, whether on bail or on the person's own recognizance. Given the constitutional presumption of innocence and the crowded state of jails, the courts are under considerable pressure to release defendants awaiting trial. Yet, the commission of fresh crimes by violent offenders while out on bail particularly outrages the public and suggests that its safety is a secondary concern. One NIJ study indicated that 16 percent of defendants released on bail were rearrested, some as many as four times.

Witnesses urged that pre-trial release and detention and their relative impact on the level of crime offer useful subjects for further research.

As Judge Noe put it: "We judges admittedly need help to determine how to protect individual rights and protect the public. We need more definitive information on releasing defendants on personal recognizance."

Judicial witnesses made clear that the greatest contribution which research can make in the area of bail is to improve the tools for predicting dangerousness in suspects. Armed with reliable indices for predicting dangerousness, judges can make sounder determinations as to who should and who should not be denied bail.

ALTERNATIVES TO TRIAL: Neighborhood Justice

Several witnesses raised the question as to whether all disputes, criminal and civil, must necessarily be resolved in court rooms. Speedier and less expensive alternatives have been tested and show promise. Ronald L. Olson, Chairman of the ABA's Special Committee on Alternative Dispute Resolution, told the Board, "We need to have a continuum—from two-party nego-

tiations to jury trials, with several other forms in between, mediation, conciliation, mini-trials, arbitration."

Witnesses testified to the encouraging experience to date with Neighborhood Justice Centers as a forum for resolving disputes short of formal judicial proceedings. Mr. Olson reported that 180 such centers, initially funded by the Federal government, now exist throughout the country. To the Board's questions as to whether these neighborhood tribunals can deal with criminal matters, Mr. Olson cited such uses—breach of the peace disputes, the adjudication of petty offenses such as shoplifting and mediation of gang disputes. In West Los Angeles, Neighborhood Justice Centers have in fact been successfully employed to defuse violence between rival gangs.

The impact of alternative justice centers on court congestion was suggested in the experience of Houston, Texas. There, at the Citizens Complaint Center, over 5,000 cases were mediated in one year, many of which would have been added to the court calendar.

As Richard J. Wilson of the National Legal Aid and Defender Association pointed out: "The Neighborhood Justice Center is encouraging calm resolution of those disputes, even in criminal matters, as opposed to going through a full adversarial process in which you encourage antagonism."

A pending alternative to the courts was also described to the Board by Mr. Olson, the Multi-Door Court House. This facility would provide a supermarket of legal services in one place, usually in the local court house—arbitration, mediation, ombudsman and other means of resolving disputes. An intake desk would hear the initial complaint and direct the parties to the most appropriate service. Mr. Olson's committee is presently investigating the possibility of testing the Multi-Door Court House concept in Houston, Tulsa, and Washington, D.C.

THE EXCLUSIONARY RULE: How Large a Loophole?

The Supreme Court has ruled that judges must exclude from criminal trials any evidence obtained through improper search and seizure regardless of its importance in establishing the facts. The decision has left a bitter taste in many mouths. Few occurrences are more calculated to rankle the public or raise the image of justice betrayed than reports of criminals who appear to beat the rap on a technicality.

A 1982 study conducted by researchers at the National Institute of Justice revealed that one of every three suspects arrested in Los Angeles on felony drug charges went free because of the exclusionary rule. When persons released in San Diego on exclusionary

rule grounds were later traced, forty percent of them were re-arrested within two years.

The Board recognizes, given the general public dissatisfaction with the timbre of justice today, that the exclusionary rule has a deeper import than the actual number of cases it affects. As a protection of one's constitutional rights under the due process clause, the intent of the exclusionary rule is laudable. But the rule

"Probation is constantly attacked and yet, it's the most used resource in the field of corrections. Isn't it about time that we looked not only at the size of probation caseloads, but at the basic ingredient? Is probation safe? Is probation serving as an effective sanction for society? And is probation a successful technique to use?"

Allen Breed,
Director,
National Institute of Corrections

has become mired down in gray area interpretations. Such narrow mechanistic readings of constitutionality destroy the respect for justice and are not likely to deter criminals from future crimes.

James Q. Wilson, Harvard professor of government has written in his recent book, *Crime and Public Policy*: "Moreover, there are alternatives to the exclusionary rule that would accomplish its purposes and eliminate its drawbacks. For these reasons, the rule should be abolished."

The Board regrets that recent Supreme Court interpretations, such as *Gates versus Illinois*, have thus far

"Don't tell me to try a rapist within sixty days. He has raped five people and I'm faced with the alternative of trying him or a murderer who has killed three people."

Judge Burton Katz,
Santa Monica Superior Court

failed to bring greater rationality to the use of the exclusionary rule. And, the Board strongly endorses the efforts of the President and the Attorney General to have the law amended regarding the exclusionary rule so that perfectly good evidence is not wholly lost simply because it was collected incorrectly. The good faith and lawful intent of the police collecting the evidence should be the standard of admissibility.

PROBATION: Does It Work?

For every offender serving time in jail or prison, five are on probation. Allen Breed, Director of the National Institute of Correction, estimated to the Board that 80-85 percent of felony offenders are placed on probation in lieu of imprisonment. We do not know how much crime may be committed by persons on probation. It is a fertile research question.

The case loads assigned to probation officers are so heavy—200 to 300 probationers in some jurisdictions is not unusual—that meaningful supervision is rarely possible. Perry Johnson, Director of Corrections for the State of Michigan, has stated: "Probationers in Michigan frequently receive no supervision at all. We have a computer that keeps track of the people on probation, but we don't have enough people for their actual supervision."

Yet, before the assumption is made that more money is therefore the solution to better probation, Mr. Breed's conclusion should be heeded: that we possess little hard data as to whether probation succeeds as an alternative to prison sentences, as a motive for rehabilitation, as a factor in reducing recidivism, or as a policy protecting the public's safety. The research challenge, in the Board's view, is to determine the likely effect if probation were eliminated.

VICTIMS: Forgotten People

A growing recognition that crime victims are not treated justly is slowly producing reforms. Some recent innovations were described to the Board. Richard Wilson, of the National Legal Aid and Defenders Organization, supported the value of restitution of victims by their victimizers. George Delaney, presenting the statement of James G. Ricketts, Executive Director of Colorado's Department of Corrections, called for research into the costs, benefits and trade-offs of programs designed to achieve reconciliation between victims and offenders.

The question was also raised before the Board, as to whether victims deserve a role in judicial proceedings beyond simply testifying for the prosecution. In some jurisdictions, witness participation in developing the charge against the defendant and in the sentencing process is currently being tested. Thomas Davis, editor of the *American Bar Foundation Journal*, described for the Board experience to date with these victims' rights innovations. While the assumption might easily be drawn that more hands in the judicial pot must inevitably drag out trials even longer, the facts, Mr. Davis pointed out, do not support that conclusion: "When judge, arresting officer and victim were involved in the plea disposition process, it did not make much difference in terms of the outcome, the disposition and the

sentence that was imposed. Instead of slowing down the process, as we expected, it may have speeded it up by providing a specific decision point at which all of the parties had to be ready to go ahead with the plea negotiations and reach a disposition. We may have found a way to speed up the process almost by accident."

Judge George H. Revercomb discussed with the Board another victims' rights innovation, having a judge take into account statements by the victims, the victim's relatives and friends in deciding an appropriate sentence. Judge Revercomb concluded, "It's a new development and not one to be unwelcomed." The judge cautioned, however, that such statements have to be weighed carefully, since the end point of jurisprudence still remains justice, not revenge.

JURY PERFORMANCE: Reluctance to Serve

As studies made by the National Institute of Justice have revealed, too many citizens find jury duty onerous. Some will fail even to register as voters in order to avoid serving on juries.

Some advances, growing out of NIJ research, have been found to lessen the burden of jury duty. The practice of assigning prospective jurors to one trial only so that they know within the day whether they will or will not be used, stemmed from this research. However, as witnesses testified, all too little is known as to why it should take so long to select juries, how much juries cost, how they arrive at decisions or the defensibility of requiring unanimous verdicts, all questions that offer targets for research.

CIVIL AND CRIMINAL COURTS: Division of Labor

The civil courts, the Board was advised, comprise approximately 80 percent of all sitting judges. Witnesses urged the Board to consider approaches such as the Multi-door Court House which might reduce the pressure on both civil and criminal courts, speed the pace of justice and allocate judicial manpower according to most compelling needs.

THE INSANITY PLEA: Public Resentment

Perceived misuse of the insanity plea, much like the exclusionary rule, is a sore point with the public. The John Hinckley trial for his assassination attempt on President Reagan is only the most dramatic instance of a verdict that called into question the rationality of the entire judicial process as well as that of the defendant.

There is presently a powerful thrust of opinion both among criminal justice professionals and the public to separate the issue of *intent* to commit a crime from the *fact* of having committed a crime. In this context John Greacen of the National Center for State Courts called

for research to determine the consequences of the alternative which has been adopted in states creating the plea of "guilty, but mentally ill."

Other alternatives to the insanity plea have also been put forth and the NIJ is currently engaged in studies of them.

While relatively few cases involve the present insanity plea, it is a demoralizing factor in the pursuit of true justice. In the Board's judgment, the insanity plea must be replaced by a more rational approach to the issue of one's mental state when committing a crime.

COMMUNICATIONS: Too Many Gaps

The fragmented state of communications within and among elements of the criminal justice system was deplored before the Board by Robert McKay, former dean of the New York University Law School and presently director of the Institute for Judicial Administration. Mr. McKay noted, for example: "We have a number of computer information systems in New York State in the courts, in the police, in the prosecution, in corrections. And they can't talk to each other! We cannot get consistent and accurate figures as to what the status of a file, a case or an offender is."

CONCLUSION: THE COURTS

The procession of witnesses before the Board established inescapably that the two imperatives for effective justice, swiftness and certainty, are virtually non-existent in the American system of jurisprudence today. Every step of the judicial process is marked by congestion and delay. Unconscionable lapses of time separate the commission of felonies from their consequences until any connection between crime and punishment becomes blurred in the eyes of both criminals and law-abiding citizens. The word "punishment" seems to have acquired a curiously old-fashioned ring.

The courts find themselves caught in the narrow part of the criminal justice system funnel. The persistence of high crime rates, intensified by tougher laws mandating arrest and incarceration, fill the funnel with more cases than can be adequately and expeditiously handled. Prosecutors and judges therefore concur in bargaining down charges and pleas, not to fulfill the social mandate to dispense justice but, simply to keep the court calendar moving before congestion drives the entire machinery to collapse. At the same time, the prisons cannot hold all the criminals found guilty. Painful sentencing choices must therefore be made as to who among a multitude of serious, sometimes violent offenders, goes to prison and who returns to the streets.

The cumulative effect of these forces is watered down justice, a poor climate for deterrence, alarming recidivism, continuing high rates of crime and a disillusioned

and frightened public.

The testimony of judicial and prosecutorial witnesses before the Board underscored repeatedly that failings in the system often reflect unexamined and unchallenged ways of doing business. To cast a fresh eye on entrenched procedures and to bring the breath of innovation to the courts, the Board finds a major need for more research as described below.

RECOMMENDATIONS: THE COURTS

Predicting Dangerousness

—intensified research into the prediction of dangerousness among offenders for use by the courts in making decisions about pre-trial detention, sentencing and alternatives to incarceration; wider dissemination to the courts of practical research and the results of experience which have proved useful in dangerousness prediction.

Speedier Trials

—research into ways to reduce the present intolerable lengths of trials, including review of continuances, postponements, stays and other motions; consideration of the fairness of trial maneuvering to victims and witnesses as well as defendants; more widespread dissemination of NIJ studies which have enabled certain jurisdictions to reduce the pre-trial process.

Better Coordination Within the System

—support of planning which will coordinate the criminal justice policies of elected officials, public officials and legislatures with law enforcement agencies, the courts and correctional institutions expected to carry out these policies; development of feedback mechanisms so that the concerns of the public, the police, the courts and correctional officials are known to each other and taken into account in making policy decisions.

—development of methods for prosecutors to focus on serious cases, particularly those involving career criminals.

Increased Court Productivity

—pilot projects and research to determine the net potential savings in time and money of innovations to increase the productivity of the courts, including judges pro-tem and night court.

Alternatives to Trial

—continued NIJ research into the results of such alternatives to trial as Neighborhood Justice Centers in order to encourage their adoption in other jurisdictions; pilot projects and research into other alternatives to trial.

Bail

—collection of evidence of the level of crime committed by suspects free on bail in order to gauge the dimensions of this problem, and to determine the appropriate uses of pre-trial detention as a remedy.

Exclusionary Rule

—studies and projects to help law enforcement officials prepare cases which will not be lost through violations of the exclusionary rule; studies to identify the limits of reasonableness in the application of the exclusionary rule.

Probation

—a cost benefit assessment of the current effectiveness of probation; an evaluation of the likely impact on criminal recidivism and rehabilitation if probation were eliminated.

Victim Participation in Court Proceedings

—a survey of the courts to determine the impact in terms of trial length, costs and the fairness of giving victims a role in the disposition of pleas and the sentencing of offenders.

Improved Communication

—pilot studies in the use of computer technology to remove current barriers to the flow of information within the criminal justice system; development of central access data centers linking law enforcement, judicial and corrections agencies.

Insanity Defense

—studies on the impact of recent changes in those states which have abandoned the traditional insanity defense in favor of the "guilty but mentally ill" plea; exploration of other alternatives to the insanity defense.

Jury Selection

—research into methods of speeding up the selection of juries and to reduce citizen resistance to jury duty.

IV. PRISONS: Corrections In Need of Correcting

The Board held hearings during the mid-winter conference of the American Correctional Association in order to listen directly to the professionals who run America's jails and prisons and who manage its programs of probation and parole.

In the final analysis, much of the pressure on the criminal justice system eventually descends onto the correctional institutions. The public demand for the police to "get tough," for legislatures to enact mandatory prison sentences, for prosecutors to bring more offenders to trial, for judges to "lock 'em up and throw away the key" translate into swollen jails and prisons until the United States has today the highest prison occupancy levels in its history. These inmates, gathered in one place, would constitute the nineteenth largest city in our country. It is an expensive system to operate, totalling at approximately \$10,000 to \$20,000 per inmate for some 400,000 prison inmates, an expenditure of up to \$5 billion dollars annually.

Lest it be thought that prison overcrowding is an issue of interest only to humanitarian reformers concerned about the safety, comfort and well-being of inmates, consider these facts which our witnesses stressed repeatedly. Prisons ultimately have a maximum capacity, however that maximum may be strained. The courts, in enforcing the Constitution's ban on cruel and unusual punishment, have already, in over half of the states, capped the numbers of inmates who can be held in certain penal institutions.

When prisons become intolerably overcrowded, the pressure begins to reverse itself. Offenders are then released early to relieve the population pressure, a development negating the public's will and expectations. The situation may be likened to a pipeline with more and more offenders shoved into the receiving end, thus either forcing more people out of the other end, or raising the possibility that the pipe may burst.

The police chief of Cincinnati, Colonel Leistler, described the overcrowding dilemma to the Board in stark terms: "In Ohio, prisoners who are incarcerated are reviewed as to who is liable to be the *least risk* to society in making room for someone else coming in the front door." When prisons are overcrowded, the choice becomes a contest between the public's interest and space demands faced by prison administrators. Judge Burton Katz, of the Santa Monica Superior Court told us: "The California Board of Prison Terms (the parole authority) looks at a criminal who has performed a horrendous crime. Many times they will release this person just to accommodate his replacement."

Cincinnati is the site, as reported earlier, of one of the Nation's most impressive efforts to put career criminals

behind bars. Yet, this collaboration of police and prosecutors, which has achieved a reported 93 percent conviction rate, is often thwarted at the correctional level. Because of Ohio's crowded prisons, major offenders are often back on the streets in as little as two years. This development is demoralizing to law enforcement agencies, disillusioning to the public and frightening for crime victims.

The whole issue of whom to release from prison and when raises profound social questions. What is the desired end of incarceration? To punish? To rehabilitate? To secure society against its predators? As our witnesses pointed out, time and again, there is no consistent philosophy as to what is sought when we put people behind bars. Dr. Joann B. Morton, of the Georgia Department of Corrections, told the Board: "We hear from the political arena that the public wants

"Corrections institutions designed only to warehouse offenders while they receive their 'just deserts' will continue to operate as a treadmill to futility."

H. G. Moeller,
President,
American Correctional Association

to lock everyone up and throw away the key. Yet, some private polls indicate that the public expects corrections to rehabilitate and rejects funding for new construction."

JAIL: The Bursting Waiting-Room

The situation in the nation's jails, while perhaps less attention getting, is, if anything, even worse than that of the prisons. As Norman Cox, then president-elect of the American Jail Association, pointed out to the Board, "More offenders pass through our jails in a single year than have been confined in our Nation's prisons for the past decade."

Overcrowded jails produce the same ills as overcrowded prisons: the necessity to put potentially dangerous people back on the street prematurely. Pre-trial detention of violent crime suspects may be gaining favor as a means of protecting society from its worst predators. But, for every suspect held under preventive detention in a saturated jail, another inmate must be released. Again, the choice before judges is not who most belongs in jail, but who can be fitted in jail.

RISK PREDICTION: Tagging Dangerous Offenders

Given a growing supply of offenders and a generally inelastic supply of prison space, the necessity arises to predict the degree of dangerousness among various offenders to determine who can safely be set free.

Promising advances have been made in risk prediction. Perry Johnson, Director of Corrections for the State of Michigan, described to the Board a ten-year project for predicting recidivism among violent offenders. Using risk prediction factors, Michigan correctional officials have been successful in identifying low-risk offenders and placing them in community correction centers and half-way houses. The technique has relieved the State's prisons of an additional 2,000 potential inmates. Another economic dividend of this risk-prediction program has been the virtual elimination of parole supervision for these low-risk offenders.

Director Johnson stated further that more refined

"These parole formulas are designed to promote economic efficiencies that have nothing to do with public protection."

Judge Burton Katz,
Santa Monica Superior Court

research in behavior prediction would allow for a substantial increase in the expansion of such programs, with all the attendant social and economic gains.

The Michigan experience was confirmed, Norman Cox reported to the Board, in Bexar County, Texas (incorporating the city of San Antonio). Analysis of dangerousness factors enabled the staff to cut the population of that county jail by thirty percent in five weeks.

BAD RISKS: Who Should Be Responsible?

Offenders are not always released on so rational and carefully thought out bases as described in the above situations. As noted earlier, the choice more often is between the lesser of two evils—doers, based on space considerations. The early release of potentially dangerous offenders raises troubling moral quandaries. When a returned offender commits a serious crime—as in the case of a robber who shot and killed a teller in a Washington, D.C. bank while on parole from another bank robbery—what responsibility if any should the releasing authorities bear? The current California statute still gives public officials blanket immunity, no matter how grossly negligent the release may subsequently prove to be. Yet, increasingly, the courts are moving in the direction of holding governments liable.

A related issue asks who should be notified when a serious offender is about to be released? The police? The offender's victims? Some prisoner rights advocates allege that such precautions as notifying the police and providing photographs unfairly prejudice a former inmate's re-entry into law-abiding society. But, as our witnesses established, this situation raises serious obstacles for the police if the released offender does return to crime. The police in effect are forced to start from ground zero in apprehending the offender, even to building up an artist's composite sketch of an already established criminal.

The notification of victims that their victimizer is free again raises even thornier moral questions. If the police were to make such a notification, they would not legally be in a position to provide protection. It then becomes the responsibility of an already victimized person to adjudicate the risks and to take on the expense perhaps of acquiring private protection, changing jobs and living habits, even moving if the danger of a renewed assault appears real to them. Our witnesses suggested that this situation offers a worthy subject for research to find a fairer solution for victims.

PAROLE: An Idea Whose Time Has Passed?

The original philosophy of parole was perceived as a humane and progressive advance in penology. Today, it has lost much of its allure. One of the most respected voices in the corrections field, Allen Breed, Director of the National Institute of Corrections, told the Board: "We have little knowledge about the relative success or failure of the parole process."

Whatever its enlightened origins, parole is seen by its critics today largely as a safety valve for overcrowded prisons. Parole is attacked for placing the housing problems of prison officials ahead of the public's safety.

Some witnesses also believed that parole contributes to a vagueness and lack of finality in meting out justice. Legislators prescribe certain punishments for crimes. The courts usually have lee-way in interpreting these penalties when they sentence. Then the parole boards exercise lee-way in determining how long the offender is actually imprisoned. Thus, all down the line, a clear relationship between the crime and its cost to the criminal is lost.

The State of California, to cite Judge Katz, has virtually built automatic parole into its sentencing structure: "By law, offenders are granted one day of early release for every day of good time and work time." The California criminal who keeps his nose clean and does not discomfit prison authorities is certain of being back on the street in half the time that the public was led to believe his crime merited.

The move by state legislatures today toward mandat-

ed sentences represents the emergence of an opposite philosophy from parole as to the redeemability of offenders. Indeed, mandated terms make parole obsolete.

One reason, its supporters argue, why parole officers do not do a better job of redeeming offenders is because of their heavy case loads which make serious supervision impossible. The ostensible solution is more money for more parole officers, hence lighter case loads. A better question may well be whether we need parole at all since, as Allen Breed explained, the jury is still out after all these decades as to its effectiveness.

The mounting belief that parole is ineffectual is reflected in the fact that it has already been abolished in nine states. The Federal government is also considering an end to parole in its prisons. As in the case of probation, the Board believes a study is in order to assess the likely result if parole were eliminated.

REHABILITATION: A Lack of Evidence

Over two hundred studies of the subject have failed to prove that any satisfactory number of offenders can be rehabilitated. As James Q. Wilson has concluded: "... it is clear that research has reduced confidence in our ability to rehabilitate, by plan and in large numbers, convicted serious offenders."

Dr. Lloyd Ohlin, Professor of Criminal Justice and Criminology at Harvard Law School, described to the Board a 1970s project to spur the rehabilitation of young offenders, a story which raises eyebrows. Massachusetts authorities decided to shut down five large, violence-plagued training schools for juvenile delinquents and to disperse the inmates among 200 small group homes. The objective was to create a more human-scale environment in which violence could be reduced and positive social values taught. "We found," Dr. Ohlin told the Board, "that in the small group facilities, you really could control violence and affect changes in the kids' values and in their commitment to go straight. . . . But when we followed them up for six months to a year outside, we found that the old system had somewhat lower recidivism rates than the new system." The findings raise intriguing questions which research should address.

Closely related to rehabilitation is the role of education in jails and prisons. The Board is mindful of Chief Justice Warren Burger's belief that "all inmates have the opportunity to leave prison with marketable skills." On this subject, Rodney J. Ahitow, President of the Correctional Education Association, advised the Board: "Research is needed to provide correctional administrators with follow-up data that proves or disproves whether recidivism rates are reduced as a result of educational exposures which the offender utilized while being incarcerated."

MENTALLY ILL OFFENDERS: Jails as Mental Wards

The mentally ill offender, cited earlier as a problem for the police, is passed along as a problem for the jails. Norman R. Cox of the American Jail Association described the situation as "the single most critical issue which faces our jails today." Over fifty percent of the Nation's jails report that they routinely incarcerate mentally ill persons. The burden is especially heavy on small town jails lacking the professional expertise to deal with these special problem offenders.

COURT ORDERS: The Prisons in Violation

Overcrowding and straitened finances, corrections witnesses testified, have placed them in a double bind. They lack the wherewithal to expand or substantially improve penal institutions. Yet, increasingly, they are ordered by the courts to upgrade their facilities. Prison and jail administrators are currently embroiled in litigation on overcrowding, fire safety, medical care, sanita-

"Control Data Corporation is prepared to carry the private sector involvement to its fullest conclusion, namely to operate a prison system."

Richard T. Mulcrone,
City Venture Corporation,
Minneapolis, Minnesota

tion, violence and inmate suicides. In Alabama, the Federal courts have taken over the direction of the State's prison system. And, as mentioned earlier, in over half of the states, Federal courts have set limits on prison populations in certain institutions.

PRIVATE SECTOR: A Role in Prisons?

The legal entanglements of our prisons and jails have raised the question in the minds of some witnesses whom the Board heard as to whether certain prison functions might better be provided by private enterprise. Areas currently under active consideration for private contracting include medical, food, counseling and educational services. Some corporations have further expressed an interest in finding appropriate ways to employ prison inmates in industrial production.

Richard T. Mulcrone, General Manager of Venture Corporation's Criminal Justice Program, a subsidiary of Control Data Corporation, spoke to the Board of his parent company's considerable ambitions in the correctional area. Control Data Corporation is prepared to undertake everything from running prisons to pre-re-

lease programs for inmates coming out and the creation of transportation systems for parolees to get them to and from jobs. However, as corrections witnesses pointed out, such firms are no less likely to escape the resistance of unions and competing manufacturers on the outside than have public officials who have tried to make the prisons economically more self-sustaining.

In the area of social services, however, Allen Breed predicted to the Board, "We'll probably see a larger percentage of case work services, probation and parole, shifting on a contract basis to the private sector."

CORRECTION SALARIES: Getting What We Pay For

The head of the American Jail Association raised the issue of high employee turnover in jails and prisons—30-40 percent annually in some jurisdictions: "When the average jail officer in this country makes slightly more than \$10,000 per year and is expected to perform

"Everyone wants more prisons. But not next door."

Robert McKay,
Director,
Institute for Judicial Administration

his or her duties in a constitutional and professional manner, without training and without resources, it is no wonder that some 25 percent of our jails are involved in some stage of litigation."

CONCLUSIONS: CORRECTIONS

The Board concludes that the corrections system will have to live for the foreseeable future with the paradox currently besetting it. There will be no massive enlargement of prison facilities, and there will be no let up of the pressure to send large numbers of offenders to prison. The trend away from parole and toward fixed sentences will exacerbate the situation. Overcrowding will remain a fact of life. This situation, while vexing to corrections people, makes the necessity of research in quest of methods to alleviate overcrowding all the more compelling.

RECOMMENDATIONS: CORRECTIONS

To help overcome the most acute problems in the corrections field, the Board makes the following recommendations:

Overcrowding

—funding by the National Institute of Justice of projects:

- to judge the validity of currently used classification procedures in determining the degree of dangerousness of offenders; and research to further refine dangerousness prediction;
- to follow up and compare the behavior and recidivism rates of inmates released under various circumstances—completion of mandated sentence, parole, or other form of early release;
- to establish the usefulness and safety, from the public standpoint, of alternatives to incarceration.

Parole

—sponsorship by NIJ of a comprehensive, definitive study of the parole system to determine if its considerable social and economic costs are producing commensurate benefits and to determine the likely effects if parole were eliminated.

The Private Sector and Prison Industry

—support of studies and pilot projects designed to evaluate what jail and prison functions may be performed equally well, possibly better and at less cost by private entrepreneurs; support of surveys in regions in which prisons are located to determine which products might be produced by prison industries that will not seriously dislocate existing private industries.

Mentally Ill Offenders

—reexamination of the practice of keeping the mentally ill and retarded offender in jail; conduct of this study on an interdisciplinary basis involving practitioners and researchers from both the corrections and the mental health professions.

Crimes by Parolees

—assessment of the serious crimes committed by parolees and other offenders released early and evaluation of the correctness of their release.

V. THE COSTS AND FEAR OF CRIME: Measurable and Immeasurable Losses

The Board, in holding nationwide hearings, was interested in probing beyond the formal elements of criminal justice—the law enforcement agencies, courts and prisons. We were determined as well to assess the total social and economic cost to a society sustaining a high level of crime. Therefore, we held hearings in Los Angeles under the general rubric of "The Costs and Fear of Crime" in order to give community and business leaders, media representatives, crime victims and plain citizens as well as criminal justice professionals the opportunity to speak out.

The Advisory Board itself also investigated crime-prone areas to determine at first-hand how fear and apprehension were affecting the tenor of daily life.

MURDER ON THE WEST SIDE: The Contagion of Fear

On a November evening in 1981, a 31-year-old surgical resident at New York's Presbyterian Hospital, wearing a white MD jacket and a green surgical shirt, went on his dinner break. Coming back, he was shot to death by two robbers a block from the hospital. Tim Burgunder, Director of Safety and Security for Presbyterian Hospital, described to the Board the aftershock of this killing. Students began to transfer to other medical schools. Alarmed parents pulled their daughters from Presbyterian's nursing school. Applicants withdrew their applications from the medical college. The hospital suffered a decline both in in-patients and out-patients at a cost of \$6 million in one year alone. The heightened fears of employees and patients in the wake of the killing necessitated protective measures, which over a two-year period, doubled the hospital's security budget which now stands at \$4.5 million annually.

JOBS AND PROFITS: The Unseen Losses

As in the case of Presbyterian Hospital, crimes have a way of contaminating the atmosphere of an entire community. The business climate is often a casualty. As Sherman Block, Sheriff of Los Angeles County, testified to the Board: "Even people needing jobs will reject work in areas with a high crime potential. Others decline jobs requiring public transportation during hours they deem unsafe." Profits, employee morale, absenteeism, and productivity are all depressed in an environment polluted by crime.

Mr. Burgunder cited the findings of the Joint Economic Committee of Congress which found that the perceived quality of life in a community determines whether companies will expand, contract, sell out or

shut down. Fear of crime was cited by business executives as a greater factor than taxes or labor costs in making decisions about business locations.

The Board heard the experience of KoRec Type, a \$150 million office equipment firm located in the Greenpoint section of Brooklyn. The head of this prospering company, Victor Barouh, wanted to expand. But crime

"People fear leaving work late, having to be lonely passengers in a deserted subway train, the lone individual waiting at a dark bus stop, the young woman walking to her car by herself after dark. The logistics of the work day suddenly shift from what's good for the company to what's good for avoiding crime."

Tim Burgunder,
Director of Safety and Security,
Presbyterian Hospital, New York City

and fear of crime made it difficult to do so at the Greenpoint location. Employees could not be assured of safety on the seven block walk from the subway to the plant. Instead of expanding, the firm contracted its work force in Brooklyn from 700 to 200 employees and dispersed the workers to other locations.

Crime creates an even bleaker picture for small firms. Cecil Byrd, Vice President of the Bank of America, informed the Board that almost a third of all failures of firms backed by the Small Business Administration are the result of crime. Losses from crime suffered by such

"Our cities can live. But it will take American ingenuity in fighting crime to save them."

Alexander Haagen,
Haagen Development,
Manhattan Beach, California

small businesses is twenty-four times greater than the losses of firms grossing over \$5 million annually.

Crime-plagued businesses in urban ghettos can be salvaged, but only through great commitment, imaginative approaches and community backing. Two California businessmen, Alexander Haagen and Ernest Grossman, described the fate of a once model department store finally driven out of existence by rampant

thievery. The two men told the Board how they met with city officials and ultimately obtained Federal, State and community incentives to build a new shopping mall on the site of the old store. They added guards, fences, gates and sophisticated security measures and were thus able to attract business tenants and customers. Sales and profits at this site have exceeded expectations and the level of crime is far below that at over 30

"The public perceives that the political people are playing them and playing with their safety, their security and their life style. And that they are using crime and public security as political things to blow hot and cold with the winds of campaigns."

Allen H. Andrews,
Director of Public Safety,
Peoria, Illinois

other shopping facilities operated by these entrepreneurs. Furthermore, the once vacant property is now back on the tax rolls generating sales and real estate revenues.

Such success stories are useful models for emulation. But far more often, the Board heard of crime driving out the substantial purchasing power of inner cities and sending these dollars to suburban markets, thus accelerating the decay of core cities.

CRIME COSTS: The Hidden Mark-Up

A long-standing complaint of inner city inhabitants is that while their incomes are lower, the prices they are charged for comparable goods is higher than in more affluent neighborhoods. The accusation has some va-

"Perhaps one day our 'criminal justice system' will simply be called 'the justice system,' with justice not only for the criminals and the accused, but for innocent victims as well."

Theresa Saldana,
Actress, crime victim,
Los Angeles, California

lidity. Higher prices can be blamed in part on exploitation. But businesses that are suffering high rates of pilferage protect themselves by hiring guards and taking other security precautions, the costs of which are passed on to consumers in the form of higher prices. Cecil Byrd spoke of one crime-ridden store that raised its prices to cover the costs of hiring guards, was then picketed for charging more than its other branches and was subsequently compelled to close.

As one witness put it, "Every time a department store buys a new closed circuit TV, the price of a shirt goes up." The average loss in 1981 from the burglary of a home, store or other location, according to the FBI, was \$924.

IMMEASURABLE COSTS: The Corrosive Influence of Fear

Dr. Daniel R. Blake, a Professor of Economics at California's State University at Northridge, gave the Board a trenchant analysis of the measurable losses from crime. These losses only begin with the injuries to victims and damage or theft of property. Next most obvious are the burdens taxpayers must bear to support a huge law enforcement apparatus, a network of courts at three government levels, and the maintenance of over 630,000 persons in jails and prisons. Less obvious indirect costs of crime include certain types of youth programs, special street lighting, the cost of security systems, guard dogs, bars, guards, medical expenses and time lost from work.

Is there more fear of crime than crime itself? The answer appears to be yes. Nevertheless, the public's increasing concern is hardly a case of overblown hysteria. According to the Department of Justice, 29 percent of the nation's households were touched by a crime of violence or theft in 1982. Thus, fear of crime continues to rise. According to a Gallup Poll, during the 1960s, 31 percent of those polled said they were afraid to go out at night. Today, that figure has risen to 45 percent.

How do we put a value on the intangible damage that crime and the fear of it cause? What is the cost in freedom, as one witness asked, when people fear to leave their homes at night, always take the car instead of public transportation, and commute long distances to avoid living where they feel unsafe?

Joseph Rouzan, the Police Chief of Inglewood, California, reminded the Board that over half the people today admit to owning guns. Some are afraid to put their names on their mailboxes. Others deliberately vary their route between work and home. Chief Rouzan told of people who always make sure they carry at least the current price of a heroin fix in order to avoid being assaulted by enraged addict robbers.

Daryl Gates, the Los Angeles Chief of Police, pointed out the loss of freedom we suffer when apprehensive store owners curtail business hours, cabs refuse to serve certain areas, police have to protect buses and subways and even junior high schools are patrolled like prisons. As Judge Burton Katz put it: "Public transportation in bad neighborhoods has become the vehicle for delivering victims to their victimizers."

Stephen Trott, U.S. Attorney for the Central District, Los Angeles, described a chilling feature of life in that city where the lawns of the affluent are spiked with

plaques announcing burglary protection services, and where, for block after block, the windows in more modest neighborhoods are barred.

Judge Katz described the fate of two elderly sisters, caught in a fire, who could not release their anti-burglary window bars and were burned to death. "They were consumed," Judge Katz observed, "by fire. But first, there were also consumed by fear."

In the flood of serious crimes reported, a purse-snatching may seem trivial. But Stephen Trott urged that we look beyond the statistical impersonality of another petty theft: "It's just a purse snatch case. And then you begin to deal with the victims of purse snatchers. And you discover how many elderly people when they want to go out carry most of their worldly possessions in their purses. And so, when their purse is taken, their life is taken."

VICTIMS: The Unending Ordeal

The Board heard of the experience of a 70-year-old woman who had been raped by a next-door neighbor in the middle of the night.

She courageously came forward and relived the nightmare in demeaning detail as a prosecution witness in the subsequent trial. This woman, married for 50 years, was forced to endure the grilling of an aggressive young defense attorney insinuating that "she did not understand the elements of intercourse and rape."

Connie Francis, the entertainer and victims' rights advocate, described to the Board the resentments that victims feel over their treatment at the hands of law enforcement agencies which are supposed to protect them. "Your medical needs are not even taken care of yet. You're immediately questioned. You've just had the living daylight scared out of you and you sit in a precinct with all kinds of derelicts surrounding you, maybe even the person who perpetrated the crime, sitting there being questioned. Maybe a rapist. It's inhuman."

Clearly, the victim's ordeal only begins with the commission of the crime. Robert Philabosian, the Los Angeles District Attorney, described for the Board the fears that infect victims and witnesses: "People are afraid of confronting the defendant in court. They are afraid of retribution, particularly if the defendant is out on bail, and if the defendant is a gang member, or is known to have criminally oriented relatives and associates. In some cases, the defendant's associates will sit in the courtroom to intimidate the witnesses." Mr. Philabosian referred to the permanent trauma that victims of violent crime suffer: "They undergo great emotional loss. Constant fear is the most lasting effect. They no longer feel free."

Court appearances by victims are a painful necessity of seeing justice done. But much of what victims suffer

is thoughtlessly and unnecessarily inflicted on them by a criminal justice system that treats the victim not so much as a violated human being, but as a pawn in the judicial process. The victim appears as the excuse for the court room contest.

Theresa Saldana, an actress and founder of Victims for Victims, who suffered ten near fatal stab wounds from her assailant, described her experiences to the

"Our criminal justice system has very little justice and even less system."

William Farr,
Los Angeles Times

Board: "The victim receives subpoenas for certain dates, and must go through the ordeal of facing the assailant again. Then, for months, sometimes longer, the assailant's defense attorney asks for and receives postponement after postponement. The victim and the victim's family are in a state of turmoil and grief throughout this time . . . if the defendant has the right to ask for postponements, why doesn't the victim have the right to ask that the trial date be kept?"

Ms. Saldana noted further that while awaiting trial, the accused is housed, protected, clothed, fed and given medical and psychological attention. In contrast, the victim is ignored. She told the Board of \$70,000 in medical bills accumulated during her recovery and concluded: "It is incredible that the victims have to pay for crimes committed against them."

In California, District Attorney Philabosian told the Board how the public has lashed back by approving Proposition Eight, the Victim's Bill of Rights. In other states, the victims' plight has lead an aroused public to demand the adoption of government programs to com-

"Citizens should not have to live behind bars to keep out criminals who should be behind bars."

Robert Philabosian,
District Attorney, Los Angeles County,
Los Angeles, California

pensate crime victims. President Reagan appointed a Task Force on Victims of Crime which recently completed its work and has set forth comprehensive recommendations for redressing the inequities and indignities and reducing the trauma which victims now experience.

FIGHTING BACK: What Eases Fear

There are occasional success stories achieved in spite of the generally bleak picture. Closeness and mutual

trust between the police and the community were repeatedly found by witnesses to have a dampening effect on crime. Chief Gates of Los Angeles cited the effectiveness of the Neighborhood Watch Program in reducing burglaries. Further, the presence of police, whatever its impact on total crime, does have a tendency to reduce the fear of crime. As Chief Gates noted: "Whenever we put foot beats in, we find that there is not necessarily an immediate reduction in crime. But there is a reduction in fear. People like to have that police officer around. Once you reduce fear, people are willing to move about, come out into the street, use facilities. The more people you have on the street, the less opportunity you have for somebody to be caught as a stray and attacked. There is safety in numbers. But you can't get the numbers out."

THE MEDIA: A Cause or Reflection of Fear?

The Board invited news media representatives to testify at the hearings. A key question was whether the intimate and omnipresent influence especially of television magnifies the actual incidence of crime, thus generating unwarranted fear. The witnesses' testimony tended to bear out the conclusions of earlier research conducted by the National Institute of Justice. As Jerry Dunphy, a Los Angeles anchorman at KABC-TV, testified, "Fear is generated in the neighborhood, not on the TV screen." Word-of-mouth news of actual violent crimes committed in one's own backyard is what strikes fear into a community.

Mr. Dunphy went on to describe what he believes is the responsible way for television to cover crime: "If a crime was committed in January, and the arrest in March, the story would be meaningless without a recital, and hopefully, video footage of the January crime. We feel journalistically compelled and socially responsible to bring our viewers the resolution of cases . . . the message we are leaving is that crime does not pay. . . . Following through with crime stories is a positive and forceful way to reduce fear in the community and not increase tension and insecurity."

William Farr, a distinguished reporter and crime editor for the *Los Angeles Times*, traced for the Board the marked transformation which has occurred in police reporting over a generation. Said Farr: "The old-time police reporter was almost more cop than reporter. In many ways he was a kind of public relations man for the police. I'm not sure how good that was. But the

pendulum has swung too far the other way. We have a lot of young reporters who are now approaching their thirties who came off the college campuses of the sixties and early seventies. Instead of regarding the police as the good guys, they came in with the preconceived notion that the police were the bad guys. And it filters into their reporting. . . . The pendulum is now swinging back, however, because editors are getting tougher with reporters about what they report in law enforcement."

Our media witnesses urged a national forum on media and crime. At such a forum, media participants could be briefed on crime trends, the complexities of statistical reporting in crime and the findings of criminal justice research. With this enriched background, the media would be able to improve the depth and quality of crime reporting and thus contribute to a better collective public understanding of crime issues.

CONCLUSIONS: COSTS AND FEAR OF CRIME

The hearings in Los Angeles, where we opened the floor to all kinds of witnesses, managed, far more than a succession of dire statistics, to paint a chilling portrait of the face of crime.

The measurable economic loss alone from crime is staggering. The aggregate costs of dealing with crime drains thirty to fifty percent of local tax revenues and the figure is climbing annually.

But beyond the economic cost is the social and spiritual devastation. Criminals, ironically, have become our jailers, causing us to lock ourselves in and to lock our possessions up, making us peer uneasily over our shoulders, breeding an atmosphere of fear and mistrust, and restricting our freedom of movement. The stubborn, flagrant persistence of violent crime takes the values we were raised by and turns them upside down. All too often, crime does seem to pay. All too often, the guilty do go untried and unpunished. Thus crime eats away at the moral assumptions by which a free and just people must live. This loss of moral fiber, in the end, is the highest price we pay for crime.

Recommendations which the Board derived from the Conference on the Cost and Fear of Crime have been included in the appropriate sections of this report under law enforcement, the courts or correction. With the adjournment of the Conference on the Costs and Fear of Crime, the Board completed its series of four hearings held across the nation.

VI: New Directions

Nearly a year has elapsed since the National Institute of Justice Advisory Board held the first hearing covered in this report. Beginning then, the Director of the Institute immediately started to make use of the Board's developing conclusions and recommendations to help shape NIJ's research direction. The Board's advice has proved invaluable. Most importantly, the hearings, together with other sources of guidance, helped NIJ decide its priorities. These priorities, affecting both present and future research, are:

1. Career Criminals

The National Institute of Justice is continuing to sponsor research on the identification and effective handling of career criminals. As a result of six years of NIJ-sponsored research, the characteristics which distinguish the most criminally active offenders have been identified. For example, of the sample studied, the ten percent of the offenders who have the highest robbery rates commit more than 135 robberies a year; the ten percent with the highest burglary rates commit over 500 burglaries a year; and the ten percent with the highest drug dealing rates made over 4,000 deals a year.

Also described earlier in this report is the promising potential of "selective incapacitation," that is, reducing crime by incarcerating more career criminals for longer terms and lighter offenders for shorter terms.

In building on these findings, the Institute is initiating two new projects which will refine the selective incapacitation model, test its predictive validity using a variety of data sources and provide for its further development. This strategy holds the potential for providing judges and corrections administrators with a tool that can be used to develop sentencing policy.

Other recently funded career criminal research projects span the entire criminal justice system. One such effort is a study of the Repeat Offender Project of the Washington, D.C. Police Department, which involves active surveillance of career criminal suspects. Another project involves analyzing programs for the selective prosecution of career criminals. Others are designed to improve the identification of high-rate offenders and the prediction of violent criminality and to improve the use of the offender's juvenile criminal history in making adult sentencing decisions.

In addition, the Institute has convened a special panel of the National Academy of Sciences to assess the implications of recent breakthroughs in research on criminal careers and to recommend research strategies for addressing problems which cannot be met within the current body of knowledge.

2. Community Involvement in Crime Control

Increasingly, we have begun to recognize that the criminal justice system cannot control crime effectively without active citizen involvement. Research has demonstrated that public fear of crime is often independent of actual crime rates and that this fear itself has a deleterious effect. Fear alters people's behavior in ways which weaken the economic and social stability of a community which, in turn, may actually encourage crime. The cornerstone of the Institute's work to address this problem is a major experiment initiated this year in Newark and Houston to determine whether joint neighborhood/police crime prevention techniques can reverse this destructive process. NIJ recently awarded funds for a project to examine scientifically the effects of these experiments. They are designed to utilize existing neighborhood resources, in place of major Federal financial assistance.

In addition, the Institute has just initiated studies which will examine the widely adopted Crime Stoppers and Neighborhood Watch programs. These grass roots efforts show great promise in applying citizen action to reduce crime in their own neighborhoods, and may provide the critical complement to police crime prevention activities.

Another important aspect of community involvement concerns corporate efforts in support of crime control. While private sector involvement in criminal justice has been expanding, more can be done. The Institute will undertake projects which will examine new areas for potential corporate involvement.

3. Managing the Criminal Justice System

Because of the severe financial strains on State and local budgets, criminal justice administrators need current, accurate information on the costs of their various activities enabling them to compare the cost effectiveness of alternative strategies. Toward this end, the Institute is planning a major initiative to develop heretofore unobtainable national baseline estimates on the costs of particular criminal justice activities. The compilation of this information will help practitioners make better cost effective choices.

Projects will also be initiated which examine the best allocation of limited existing resources. One such project has just begun to examine the feasibility of using volunteer lawyers under certain circumstances to serve as pro-bono judges. Another project will test intensified police reliance on crime analysis as a method

of getting maximum crime control from existing resources.

4. Improving the Adjudication Process

As made abundantly clear by Chief Justice Burger and many judges who testified at the National Institute of Justice Advisory Board hearings, an enormous and increasing backlog of cases has placed great stress on an already overburdened court system. While jail overcrowding creates a pressure for the pre-trial release of defendants, courts must remain attentive to the frequent crimes committed by released defendants awaiting trial. The Institute plans to conduct research on drug use by defendants which might increase the likelihood of their committing pre-trial crimes. In addition, the Institute will attempt to advance techniques for assessing the dangerousness of defendants and the risk they pose to their communities.

The Institute will also assess the effects of various speedy trial laws and will examine alternative dispute resolution strategies as means of easing case backlogs. Recent Institute research findings demonstrate that dramatic reductions in court delay are possible through innovative techniques.

In addition, the Institute is examining other issues critical to the adjudication process. Institute staff conducted an analysis of the impact of the exclusionary rule in California. This study was cited in the *amicus* brief filed by the Justice Department in the Supreme Court case *Gates v. Illinois*. Also, an examination of the insanity defense is underway and a project on the verdict of "guilty but mentally ill" has been planned.

5. Victims of Crime

The National Institute will undertake research to improve the treatment of victims by the criminal justice system and also examine techniques for improving the victim's usefulness and effectiveness at trial.

Presently, a national conference is being planned for the judiciary on the rights of victims of crime. This conference will produce the framework enabling trial judges to respond to the legitimate rights of victims. Another project in the formative stage will measure the effects of victim participation during the key decision points of sentencing and paroling.

6. Jail and Prison Population

The Institute is initiating a series of projects to examine the effectiveness of strategies which have been implemented to deal with prison crowding. These studies seek to reduce jail populations by developing more

reliable assessments of the risks that certain classes of defendants pose to their communities if released. The projects will lead to model classification systems for inmates to assist prison officials in managing crowded institutions with widely divergent, unstable populations. They also will evaluate various release plans which have been tried in correctional systems throughout the country. Finally, alternatives to conventional incarceration will be tested to see if they work for certain classes of offenders.

7. Probation and Parole

The Institute is supporting a study to determine which offenders receive probation and which succeed on probation. The study will attempt to determine the common characteristics of offenders sentenced to probation or prison who do or do not return to crime. Another study is examining the records of 12,000 individuals receiving probation to determine the effects of varying sanctions and supervision levels on their future behavior. Another project in New Jersey is evaluating the effects of a more coercive form of probation that couples employment and mandatory public service with the threat of incarceration for violation of the conditions of probation.

In the parole area, an evaluation is being conducted of the Illinois Forced Release program. Among the critical questions being studied are: 1) what risks, if any, does this early release present to the public? 2) can types of offenders best suited for this type of program be identified? 3) how effective are these programs in reducing prison crowding?

8. Federal, State and Local Cooperation

A key element of the Administration's crime control program involves the improved cooperation and coordination among law enforcement agencies at all levels, and the increased sharing of existing Federal resources with State and local jurisdictions. The National Institute of Justice will contribute to this effort by examining ways of improving or refining the Law Enforcement Coordinating Committee program. The Institute will also evaluate the possible use of current Federal installations as State or local corrections facilities.

In addition, the Institute is attempting to maximize the Federal investment in criminal justice research by building stronger ties with State and local practitioners and policymakers, forming a research agenda which is more responsive to their needs and providing timely and practical guidance on the most critical criminal justice issues.

Schedule of Hearings National Institute of Justice Advisory Board

November 15-16, 1982, Atlanta, Georgia

In conjunction with the annual meeting of the International Association of Chiefs of Police

January 10, 1983, Nashville, Tennessee

In conjunction with the mid-winter conference of the American Correctional Association

February 4, 1983, New Orleans, Louisiana

In conjunction with the mid-winter conference of the American Bar Association

May 19-20, 1983, Los Angeles, California

Conference on The Costs and Fear of Crime

Hearings Procedure

The Board planned and prepared for the hearings at several meetings held in advance. Certain Board members also went into the field to be briefed personally by criminal justice practitioners. They attended NIJ-sponsored seminars on issues related to the upcoming hearings.

Prior to the hearings, witnesses were sent lists of

questions in their area of expertise to help focus the discussion. At the hearings, witnesses opened with oral presentations which were followed by questions from the Board.

After the hearings, the Board held further meetings to review the testimony and other materials in order to formulate the recommendations made in this report.

WITNESSES

**November 15-16, 1982
Atlanta, Georgia**

Allen Andrews, Director of Public Safety, Peoria, Illinois

Stanley Bailey, Chief Constable, Old Bailey, United Kingdom

David Balfour, Commissioner, Malden, Massachusetts

Lee Brown, Chief of Police, Houston, Texas

Richard Clements, Director of Security, Ramada Hotels, Atlantic City, New Jersey

David Couper, Chief of Police, Madison, Wisconsin

James P. Damos, President, International Association of Chiefs of Police, Chief of Police, University City, Missouri

Norman Darwick, Executive Director, International Association of Chiefs of Police

Arthur Dill, Chief of Police, Denver, Colorado; Chairman, Major Cities Chiefs Committee, International Association of Chiefs of Police

Connie Francis, entertainer, victims' rights advocate

Reuben Greenberg, Chief of Police, Charleston, South Carolina

Gary Hayes, Executive Director, Police Executive Research Forum

Colonel Myron Leistler, Chief of Police, Cincinnati, Ohio

Troy Majors, Chief of Police, Springfield, Missouri

Joseph McNamara, Chief of Police, San Jose, California

Dr. Merlyn Moore, Professor of Criminal Justice, Sam Houston State University

George Sicaras, Chief of Police, Hartford, Connecticut

Darrell Stephens, Chief of Police, Largo, Florida

Atkins Warren, Chief of Police, Gainesville, Florida; Former President, National Association of Black Law Enforcement Executives

Hubert Williams, Director of Public Safety, Newark, New Jersey

**January 9-11, 1983
Nashville, Tennessee**

Rodney Ahitow, President, Correctional Education Association

Allen Breed, Director, National Institute of Corrections

Thomas L. Callanan, President, American Proba-

tion and Parole Association
 Norman R. Cox, Jr., President-elect, American Jail Association
 George Delaney, Director of Correctional Industries, State of Colorado. (Presented testimony for Dr. James Ricketts)
 Robert Fosen, Executive Director, Commission on Accreditation for Corrections
 Perry Johnson, Director, Department of Corrections, State of Michigan
 H. G. Moeller, President, American Correctional Association
 Joann B. Morton, Director of the Division of Special Projects, Department of Corrections, State of Georgia
 Richard T. Mulcrone, General Manager of the Criminal Justice Program, City Venture Corporation, Minneapolis, Minnesota
 Laurel Rans, Chairman, American Corrections Association Publications Board, former Superintendent, Iowa Women's Reformatory
 Dale K. Sechrest, Director of Research, Commission on Accreditation for Corrections
 Samuel Sublett, Accreditation and Juvenile Policy Advisor, Illinois Department of Corrections
 Anthony Trivisono, Executive Director, American Correctional Association

**February 4, 1983
 New Orleans, Louisiana**

David Armstrong, Chairman, and former President, National District Attorneys Association
 E. N. Carpenter, President, American Judicature Society
 Thomas Y. Davies, Editor, *American Bar Foundation Journal*
 Judge Jerome Farris, Chairman, Appellate Judges Conference, Judicial Administration Division
 John Greacen, Deputy Director, National Center for State Courts
 William Greenhalgh, Chairman, American Bar Association, Section on Criminal Justice, Professor of Law, Georgetown University Law School
 Raymond Marvin, Executive Director, National Association of Attorneys General
 Robert McKay, Director, Institute for Judicial Administration
 Earl Morris, Chairman, Institute for Court Management

Judge James J. Noe, Past Chairman, National Conference of State Trial Judges
 Ronald Olson, Chairman, Special Committee on Alternative Means of Dispute Resolution
 James Parkinson, Associate Director, Institute for Judicial Administration
 Judge Vernon Pearson, Appellate Judges Conference, Judicial Administration Division
 Judge George H. Revercomb, Chairman-elect, National Conference of State Trial Judges
 Justice James J. Richards, Lawyers Conference, Judicial Administration Division
 Laurie Robinson, Director, American Bar Association Section on Criminal Justice
 Leon Segan, Chairman, Lawyers Conference, Judicial Administration Division
 Martha Redfield Wallace, Chairman, American Judicature Society
 George Williams, Director, American Judicature Society
 Richard J. Wilson, Director, Defender Division, National Legal Aid and Defender Association

**May 19-20, 1983
 Los Angeles, California**

Daniel R. Blake, Professor of Economics, California State University at Northridge
 Sherman Block, Sheriff of Los Angeles County
 Tim Burgunder, Director of Safety and Security, Presbyterian Hospital, New York City
 Cecil Byrd, Vice-President, Bank of America, Community Development Department
 Jack Dugan, Director, Attorney General's Crime Prevention Center
 Jerry Dunphy, KABC-TV news anchorman, Los Angeles
 William Farr, reporter, *Los Angeles Times*
 Daryl Gates, Chief of Police, City of Los Angeles
 Ernest Grossman, Alexander Haagen Development, Manhattan Beach, California
 Alexander Haagen, Alexander Haagen Development, Manhattan Beach, California
 Burton S. Katz, Judge, Santa Monica Superior Court
 Salvador Montenegro, member, The Attorney General's Task Force on Gang Violence, South San Gabriel, California
 Denny Moses, Moses Investigations, Long Beach, California
 Robert Philabosian, District Attorney, Los Angeles, California

Judge Everett Ricks, Los Angeles Criminal Court
 Joseph Rouzan, Chief of Police, Inglewood, California
 James Rowland, Director, California Youth Authority; President, National Organization for Vic-

tim Assistance
 Theresa Saldana, victim advocate, Los Angeles
 Stephen Trott, U.S. Attorney, Central District, Los Angeles

**National Institute of Justice Advisory Board
 Biographical Sketches**

Dean William Roach, Chairman

Mr. Roach is chairman of the Pennsylvania Crime Commission. He also has served as a management consultant for commercial banks and corporations. He has been affiliated as trustee, advisor, and fellow with secondary and higher educational institutions including Villanova University, Immaculata College, and Catholic University of America. He is the owner of St. David's Inn, St. David's, Pennsylvania.

Donald Baldwin

Mr. Baldwin is a founder and Executive Director of the National Law Enforcement Council, which represents 300,000 law enforcement officers. An independent consultant for 15 years, Mr. Baldwin has represented business, industry, banking and consumer interests. In 1970, he was appointed by the Governor of Virginia to the Board of Regents of the James Monroe Library. Presently, he serves as chairman of the Board of Regents.

Pierce R. Brooks

A former police chief, Mr. Brooks is now a consultant and author on law enforcement as well as an independent investigator. Prior to retirement in 1980, he served four years as Police Chief, Eugene, Oregon. He began his law enforcement career as a detective with the Los Angeles City police department, and later, as captain, directed the detective, patrol, and intelligence divisions. In 1971, he was appointed Director of Public Safety in Lakewood, Colorado. In addition to lecturing and writing, Mr. Brooks has consulted on a variety of criminal investigations.

Leo Callahan

Chief Callahan directed the Fort Lauderdale, Florida, Police Department from 1973 to 1983. In November, 1982 he became President of the International Association of Chiefs of Police. As an IACP member, he has served on the International Policy Advisory committee, the Committee on Organized Crime, and the Crime Prevention committee. He also has served on numerous state and local criminal justice committees and was

a member of President Reagan's Congressional Task Force on Criminal Justice. As Police Chief of Fort Lauderdale, he established the first crime victim advocate program operated by a police department. He also created a city crime watch program which is now being adopted throughout the state.

James Duke Cameron

A member of the Arizona Supreme Court since 1971, Justice Cameron also served as Chief Justice of the Court from 1975-1980. He was Judge of the Arizona Court of Appeals from 1965 to 1971. Justice Cameron is a past chairman of the Conference of Chief Justices of the United States. He also is the chairman-elect of the Judicial Administration division of the American Bar Association. In 1976, Justice Cameron received the Herbert Lincoln Harley Award for judicial administration from the American Judicature Society.

Frank Carrington

Mr. Carrington, Vice-Chairman of the Advisory Board, is Executive Director of the Victims' Assistance Legal Organization. Previously, he served as Executive Director of Americans for Effective Law Enforcement. He has been appointed to several California criminal justice task forces, and he also served on the Attorney General's Task Force on Violent Crime. Most recently, he was a member of the President's Task Force on Victims of Crime. A law enforcement officer for 10 years, he has also acted a legal advisor for several police departments and has been a visiting lecturer in criminal law at the University of Michigan and Northwestern University law schools.

Donald L. Collins

Mr. Collins has been involved in the general practice of law for 23 years. From 1962-1966, he was a member of the Alabama House of Representatives. He also has been the Republican nominee for Attorney General and for Lt. Governor of Alabama. An active member of the state and local bar associations, he has served on the Judicial Office Committee of the Birmingham Bar Association.

Harold Daitch

Mr. Daitch is a partner in the New York City firm of Leon, Weill & Mahony. An attorney, he specializes in estate administration and individual and corporate tax planning. A graduate of the New York University School of Law, he now serves on its board of directors. He is a member of the New York City and County Bar associations. He also serves as Vice-President of the Hebrew Academy of Nassau County.

Gavin de Becker

Mr. de Becker is a consultant on public figure protection. He was Director of the Special Services Group for President Reagan's inauguration. He subsequently served in an interim position at the State Department as Special Assistant for logistics to the Deputy Chief of Protocol.

John F. Duffy

Mr. Duffy is now serving his fourth term as sheriff of San Diego County, California. He also serves as President of the Police Executive Research Forum. Sheriff Duffy is a board director of the National Sheriffs' Association and chairs its Law and Legislative Committee. In addition, he is an advisor to President Reagan's state and local law enforcement training program. He is a long-time IACP member and has served on numerous Federal, State and local criminal justice committees.

George D. Haimbaugh, Jr.

Mr. Haimbaugh is the David W. Robinson Professor of Law, University of South Carolina Law Center. A professor of law at South Carolina since 1963, he previously taught at the University of Akron Law School. Mr. Haimbaugh currently serves as Chairman of the ABA Advisory Committee on Law and National Security, and is a member of the Georgia/South Carolina Boundary Commission. He is a former chairman of the Constitutional Law section of the Association of American Law Schools.

Richard L. Jorandby

Mr. Jorandby, an attorney, is the Public Defender for the Fifteenth Judicial Circuit, Florida. Now serving his third term, he was first elected as Public Defender in 1972. Mr. Jorandby has been appointed by the Florida governor to serve on a variety of state-wide criminal justice advisory boards for juvenile justice and corrections. In 1975, the National Legal Aid and Defenders Association selected his office for their manual on evaluation of public defender offices. More recently, his office was also selected as one of four sites for an NIJ project which focuses on unique management methods for improved defense counsel without increased re-

sources. Mr. Jorandby holds a law degree from Vanderbilt University.

Kenneth L. Khachigian

Now a public affairs consultant, Mr. Khachigian was formerly the chief speechwriter for President Reagan. He also served in the White House from 1971 to 1974. As the staff assistant and later Deputy Special Assistant to President Nixon, he worked as a speechwriter as well as communications and political aide. He also has assisted former President Nixon with the research and preparation of his memoirs. In 1982, he headed the transition staff for Governor-elect George Deukmejian of California. Mr. Khachigian holds a law degree from Columbia University and is a member of the California Bar Association.

Mitch McConnell

Judge McConnell is the chief executive officer of Jefferson County, Kentucky. In his position as county judge/chief executive, he has established a variety of criminal justice services. He formed the Exploited Child Unit and the County Judge Neighborhood office. His program for training correctional officers has won nationwide recognition. Before assuming his present position in 1977, Judge McConnell served in the Justice Department as Deputy Assistant Attorney General. Previously, he was the chief legislative assistant, speech writer, and policy advisor for former Senator Marlow Cook.

Guadalupe Quintanilla

Guadalupe Quintanilla is presently Assistant Provost of the University of Houston. She has also been Assistant Professor of Spanish since 1976 and was Director of the University of Houston's Mexican American Studies Program from 1972 to 1978. Dr. Quintanilla presently acts as a consultant to the Houston Police Department. Among her other responsibilities, she teaches courses in Spanish language and culture to members of the Houston Police Department, as well as to cadets attending the Police Academy.

Frank K. Richardson

Justice Richardson has served on the California Supreme Court since 1974. Previously, he served as justice on the California Court of Appeals, after practicing law for 25 years. He has acted as counsel for the California Commission on Uniform State Laws. He also is a former fellow of the American College of Probate Counsel.

Bishop L. Robinson

As Deputy Commissioner, Mr. Robinson directs the

Services Bureau of the Baltimore Police Department. In charge of logistical support for the department, Mr. Robinson assumed his present post in 1977 after serving as Chief of the Patrol Division. He began his 30-year career with the department as a foot patrolman and was later promoted to Sergeant of the Criminal Investigation Division. He then served as Captain and District Commander of the Baltimore Eastern Police District, and later as Major and Director of the Central Records Division.

James B. Roche

Mr. Roche is U.S. Marshall for Massachusetts. He was a member of the Massachusetts State Police Force for over 15 years. He has investigated organized crime and illegal gambling activities and has coordinated investigations with state and Federal authorities. He also

has experience in special assignments and security arrangements. From 1971 to 1975, he was Head of Security for Massachusetts' Lieutenant Governor.

H. Robert Wientzen

Mr. Wientzen, Assistant Manager of Promotion and Marketing Services for Procter and Gamble, has been actively involved in community criminal justice programs. He is the founder and president of New Life Youth Services, Inc., an organization that operates group homes and employment training for juveniles. He also is a board member and former vice president of Talbert House, Inc., an organization of adult halfway houses, drug treatment programs, and family counseling services. He has been appointed to several state criminal justice commissions and presently serves as Chairman of the Ohio Juvenile Justice Advisory Committee.

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