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Testimony

of

The D.C. Coalition for Justice

Before the

District of Columbia Council

Committee on the Judiciary

Concerning

Bill 6-129, The District of Columbia Alternative Sentencing

Commission Act of 1985

and

Bill 6-67, The District of Columbia Correctional Facility

Study Commission Act of 1985

May 9, 1985

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ACQUISITIONS

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The D.C. Coalition for Justice is pleased to appear before this committee to testify in support of the D.C. Alternative Sentencing Commission Act of 1985 and the D.C. Correctional Facility Study Commission Act of 1985. My name is Elizabeth Symonds, and I am a staff attorney with the American Civil Liberties Union of the National Capital Area, one of the founding members of the Coalition.

The D.C. Coalition for Justice is a group of local organizations, concerned individuals, and religious groups who have come together to promote alternatives to incarceration and to urge that District officials carefully study the current and projected prison population before considering whether to construct a new prison in the District. We have been asked to testify before House of Representative subcommittees, have met with city officials regarding prison construction, and have conducted public education efforts. Members of the Coalition include, among others, the National Conference of Black Lawyers, Correctional Chaplains from the Greater Washington Area, Project Triangle/Community Justice Ministries, the Unitarian Universalist Service Committee National Moratorium on Prison Construction, the ACLU National Prison Project, the ACLU of the National Capital Area, Luther Place Church, Ward Memorial A.M.E. Church, and Brown Memorial A.M.E. Church.

The members of the Coalition have a longstanding interest in the rights of prisoners and in alternatives to incarceration. Many of them receive numerous letters from residents of the D.C. Jail and Lorton, outlining the many legal, social, and medical problems they face because of overcrowding at

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those facilities. At times these groups have intervened on behalf of some of these residents. For example, the ACLU of the National Capital Area has testified on prison issues before the City Council, most recently on the disturbing lack of proper medical facilities at the D.C. Jail.

The D.C. Coalition for Justice wholeheartedly endorses the D.C. Alternative Sentencing Commission Act of 1985. We also support the D.C. Correctional Facility Study Commission Act, although we believe that it must be amended by the addition of several new provisions. These studies of sentencing alternatives and prison construction costs, populations and sites are essential in light of the recent proposals to construct a new prison in the District. It is shockingly poor fiscal and social policy planning for the District to even consider building and operating a new prison without first studying the issues outlined in these two bills.

We also support this legislation because it places the responsibility for the study of this important issue squarely where it belongs -- with the citizens of the District of Columbia. It is rightly within the province of the District of Columbia to conduct its own studies and determine alternative sentencing and prison construction policies without interference from federal officials. Principles of home rule demand no less.

Before detailing our views on these bills, we would like to place them in their proper context by exploring the costs and policy considerations involved in building a new prison in the

District, and the effectiveness of alternatives to incarceration.

Costs of Constructing and Operating a New Prison

Jails are expensive to build and more expensive to staff and operate. As of January, 1982, a standards-compliant jail cost about \$43,000 a cell to build and about \$50 a day to house each prisoner. A community preparing to respond to a jail crisis should be familiar with certain facts about the long-term financial implications of building a new jail. The community should also be aware of the legal and probable financial implications of electing to choose a "quick fix" solution to its jail problem.

Citizens of the District of Columbia must heed this warning by the Justice Department's National Institute of Corrections (NIC) and carefully analyze the proposal by some federal and city officials that a new prison be constructed without delay. The construction of a new prison in the District would involve an extensive appropriation of federal or possibly District funds. We ask that the Council consider whether this major expenditure of public monies is best used to lock up more D.C. citizens, or whether it might be better used to fund alternatives to incarceration as well as District programs supporting improved housing, employment programs, drug and alcohol rehabilitation facilities, or other sorely underfunded social programs.

Various cost estimates for prison construction presently exist; none of them are inexpensive. A survey of prison construction costs of thirty-four penal institutions nationwide by NIC on behalf of the Department of Justice showed that the average space for every prisoner costs about \$43,000, but figures varied from \$21,112 to \$93,908.^{2/}

Another source cites the average 1981 prison bed cost as \$72,000, but notes that this figure can be misleadingly low because it does not take into account the fact that most prisons are built with borrowed money, which, at current interest rates can triple the cost.^{3/}

Recent examples of new prison construction demonstrate the skyrocketing costs of building these facilities. For example, Virginia's 360 bed Mecklenberg Correctional Center cost \$55,600 per bed in 1978,^{4/} Contra Costa County's (California) new jail cost \$64,000 per bed in 1981,^{5/} and the Tombs jail in Manhattan cost \$100,000 per bed to rebuild.^{6/}

District of Columbia officials reportedly have estimated that building a new prison here would cost between \$28,000 and \$50,000 per cell, depending on the size and security level of the facility.^{7/}

Prison construction costs are only the beginning of the massive expenditures needed to sustain a penal facility. The construction costs of a new prison constitute only eight percent of the total outlay over an institution's estimated 30 year lifespan.^{8/} The NIC study found that three or four years after a new prison is occupied the accumulated costs of operations will exceed the initial construction cost.^{9/} Staff salaries, fringe benefits, travel and training are the largest share of prison operating costs, totaling seventy percent of a prison's annual operating budget.^{10/} Construction of a new prison might lock us into extensive operating expenditures which will make flexibility in Department of Corrections budgeting even more difficult to

achieve.

We must keep in mind these high costs of prison operations when we evaluate the federal government's offer of a donation of the construction costs for the facility. We must examine the seeming generosity of a subsidy of construction costs and compare it to the higher longterm operating costs which the District would be left to shoulder.

As the sponsors of this bill wisely recognize, the human costs of incarceration are extremely high -- as staggering as the fiscal costs. They impact directly on the social, emotional and psychological well-being of the incarcerated person and his or her family. Incarceration causes isolation from the family and community. It places a prisoner in the position of being seen as caged, treated as caged and therefore responding as one would expect a caged human being to respond. Prison rebellions nationwide evidence the explosive result of inhumane "caging" practices. The incidents of violence within local facilities are well-known, and have been documented in litigation involving those facilities.^{11/} Recidivism rates also flow from the incarceration experience, because of increased isolation, anger and deprivation. Virtually every study since the study by the President's Commission on Crime in 1965 has documented the relationship between recidivism and incarceration. Incarceration of the young has also been shown to increase their recidivism rate.^{12/} The construction of more cages cannot be expected to do other than contribute to the cycle of criminal behavior.

A thorough analysis of the impact of incarceration is therefore necessary to avoid perpetuation of problems created not

only by overcrowding, but also by the nature of imprisonment itself. We urge these concerns to be a part of the studies by both the Alternative Sentencing Commission and the D.C. Correctional Facility Study Commission.

The city should also be prepared to look at other expenses that are, in effect, hidden costs of running a prison. One such hidden cost takes the form of increased welfare payments because locking up an offender many times means that the spouse and children must receive public assistance.

An increase in the incarcerated population will also undoubtedly lead to more civil lawsuits on behalf of prisoners, arising out of prison-related incidents or inhumane prison conditions. This will increase the already overloaded case dockets of Corporation Counsel attorneys who defend the District in such actions.

Finally, the full cost of imprisonment is hidden because of the significant but unpublicized loss of contributions to the gross national product and federal and city tax revenues due to the incarceration of those who otherwise have jobs.^{13/}

The NIC study recognized the heavy burden of these exorbitant prison construction and operating costs. It concluded that in 1982 dollars, a 150 capacity prison cost 6.5 million dollars to build and would cost about 58 million dollars to operate through 2012 A.D. It suggested that if a community could remove certain nonviolent persons from the prison and reduce the population from 150 to 125, the construction cost would be 5.4 million dollars and the 30 year operating costs would be 48

million dollars. This would result in an annual savings of about \$370,000, totaling 11.1 million dollars over the thirty years.^{14/}

The sobering figures detailing the financial burden of building and running a new prison must be carefully examined and applied to the District's particular demographic and criminal justice policy needs. Even if the federal government pays for construction, we must ask whether we can afford the remaining costs, and whether policy considerations merit paying those costs. Only then can this community make an informed choice about whether it wishes to spend its scarce tax dollars on a facility with such a high price tag.

Building a New Prison Will Not Decrease Crime in the District

We understand the political pressures to build a new prison that elected officials here face. Our community rightly considers crime one of its most serious concerns. Some of the support for the construction of a new prison is based on the notion that by building a new facility we can lock up more criminals, reduce the crime rate, and finally enjoy safer streets. But no empirical support exists for this admittedly widely-held belief.

In fact, many studies have refuted the idea that severe prison sentences deter serious criminals. A National Academy of Sciences 1981 summary of previous penal research concluded that "caution should be exercised in interpreting the available evidence as establishing a deterrent effect, and especially so for the sanction of imprisonment."^{15/}

Even when deterrence is discarded as a goal of incarceration, some citizens support new prisons and long

sentences for offenders because they believe these mechanisms will keep the offenders off the streets and prevent them from victimizing other individuals. But research has shown that crime would go up by only four or five percent if we released half of all prisoners tomorrow, and at the most, eight percent if we did away with all prisons. The highest research-based estimate of the amount of crime now being prevented by prisons is 20 percent.^{16/}

To have any meaningful effect on crime rates, our society would be forced to lock up an unconscionably high percentage of its citizens. For instance, in 1978 the National Academy of Sciences estimated that to reduce its crime by ten percent, California would have to increase its prison population by 157 percent; New York by 263 percent, and Massachusetts by more than 310 percent. In New York alone this would mean locking up almost 100,000 people, about a quarter of the current national prisoner total.^{17/} A similar study estimated that Ohio could reduce its crime rate by 10 percent only by increasing its imprisonment rate by 500 percent.^{18/}

More prison beds is not the panacea for our crime problem. During the 1970s, while the number of prisoners increased by 22%, and the cost of criminal justice doubled, the crime rate hardly changed at all.^{19/} And the District's incarceration rate is already shockingly high. In 1984 we imprisoned 825 out of every 100,000 residents, more than double the 1975 rate. This compares with 354 for the highest state (Nevada) and exceeds that of two comparable city jurisdictions -- 741 for Baltimore and 445 for

Fulton County, Georgia (Atlanta).^{20/} The 1983 Mandatory Sentencing Act only serves to increase our already inflated rate of incarceration.

It is also troubling to examine who we are locking up -- a survey of our present jail and prison population would show that the residents in our D.C. penal facilities are almost exclusively black and poor.

We should be far from proud of the fact that we lock up such a high percentage of our residents. We must examine the results of this policy, and, because it has not brought down our crime rate, turn to other mechanisms which will be less costly, both in terms of taxpayer dollars and the social costs they extract from our community.

Alternatives to Incarceration Benefit The Community and Save Tax Dollars

Ironically, even the expensive "solution" of constructing and operating a new prison will not end overcrowding, which has been the subject of litigation at both the D.C. Jail and the Lorton facility. (This litigation in fact may be partly responsible for the new push for construction of a facility). A 1983 study of the District's detention population and criminal case flow funded by NIC concluded that:

City officials can be congratulated for their recognition that expansion of jail bed capacity, absent any curtailment of demand, is a solution that is temporary at best.^{21/} This conclusion is shared by the Team [the study's authors] on the basis of our examination of factors contributing to the demand for jail beds. Although of necessity superficial, our examination yielded evidence to suggest that in a number of functional areas of

the criminal justice process, there exists potential for a reduction in both the volume of jail admissions and the average length of time persons admitted to the jail are held prior to the disposition of their cases.^{22/}

Alternatives to incarceration are an effective means of implementing this study's recommendation to reduce the volume of prison admissions. Many varied alternatives to prison terms presently exist. The use of these programs should be increased to reduce the city's incarcerated population, which could alleviate the present overcrowding at Lorton and the D.C. Jail and relieve the pressure to build a new facility. Options such as community service, victim restitution, fines, community dispute and mediation centers, extended work release, intensive probation, and expanded programs for drug and alcohol treatment should be encouraged and expanded in the District.^{23/}

Many of these alternatives have been included in a nationwide sentencing program called Client Specific Planning, implemented by the National Center on Institutions and Alternatives.^{24/} The fundamental principles underlying this program are (1) numerous and effective controls on the defendant; (2) significant restitution, and (3) some type of court-imposed punishment. This program is a far more cost-effective method of treating offenders than warehousing them in a costly new prison.

A similar program has operated here in the District of Columbia. An organization called Sentencing Services has for the last three years designed individual alternative sentencing plans for offenders, most of whom are convicted felons. The offenders, all of whom are on probation, have alternative sentencing plans

specifically tailored to their cases. All of the plans combine a punitive and rehabilitative element. They usually combine community service, fines or victim compensation, and drug or mental health counseling. Sentencing Services has monitored 43 convicted felons in its program over the last three years. The offenders pay the program on a sliding scale to devise the individual sentencing plan, and foundation grants have helped to pay for personnel to monitor the offenders' progress.

The experience of other jurisdictions demonstrates that alternatives to incarceration are effective and reduce criminal justice costs. Intensive probation has been instituted in Georgia, Texas, New York, Washington State, New Jersey and Alabama. In the Georgia program, 13 two-person teams, each composed of a probation officer and a "surveillance officer" watch over no more than 25 probationers. They see them at least five times a week and often more. The program is generally used only for offenders who otherwise would have gone to prison. It results in significant savings, costing \$4.75 per day per offender, compared to \$24.61 per day for imprisonment.^{25/} Most of the funds in Georgia come from a fee assessed against probationers, and Georgia estimates savings of \$5.4 million per year.

Texas claims that its intensive probation program has eliminated the need for one 2,000-person prison and \$8.3 million in operating costs.^{26/} And the Director of the D.C. Department of Probation has indicated that one way his department could reduce the jail population would be to set up an intensive probation program aimed specifically at a portion of defendants

who clearly would otherwise receive a jail or prison sentence.^{27/}

Similarly, an Indiana restitution program in two counties, in which offenders contributed 17,000 hours of work in one year, created an economic benefit of over \$100,000, which included the value of the work contributed and the costs of avoided incarceration.^{28/} Mississippi has three restitution centers, and during 1978 the state saved over half the cost of prison per person. In less than three years offenders contributed \$118,973 for room and board, \$53,879 to support their families, \$83,290 in restitution and \$94,238 in taxes.^{29/}

Work release programs have also proven effective. For instance, Delaware has a work release program for individuals convicted of minor crimes. These individuals are permitted to live in the community but must return to prison every 72 hours for interviews and blood or urine tests. In two years 1,090 persons were released, and only 70 new crimes were committed by that group, none serious.^{30/}

Community service programs are also cost-effective. Offenders are placed where their skills will be most beneficial -- running youth centers, assisting the elderly, renovating community centers, etc. One community service project for adult felons in Pima County, Arizona reported providing 15,000 hours or \$35,000 worth of labor to county residents and agencies in eighteen months.^{31/}

Furthermore, much of the population pressure on the D.C. Jail would be alleviated if the many pre-trial detainees there did not experience lengthy delays before coming to trial. A

speedy trial act for the District of Columbia is essential to reduce overcrowding at the jail and to ensure more equitable treatment for those accused of crimes.^{32/} The D.C. Technical Assistance report also recommended a review of the bail schedule, noting that some of the dollar amounts assigned to specific charges may be excessive, and may lead to unnecessary short term incarceration.^{33/}

The D.C. Technical Assistance Report also cited significant grand jury delays in the District as a cause of unnecessary "jail bed days."^{34/} The report cogently summarized the negative effects of all of the District's pre-trial delays:

The claimed value in incarcerative penalties for deterrence or rehabilitation is sadly diminished by the practice of defendants, in essence, "serving time" during the pretrial period. Virtually no correctional programming is available at the jail; victims are unable to pick up the pieces of their lives with a sense of resolution; and the community is denied whatever benefits of deterrence are activated by the expectation of swift and sure determinations and punishments.

This delay is also costly in terms of population management. When a large number of detainees ought to have been tried, a large number of those convicted ought to have been sentenced, and a large number of sentenced felony prisoners ought to have been classified and transferred to a facility designed for convicted offenders, the entire approach taken to resolve prison overcrowding can be badly skewed.^{35/}

Other jurisdictions have confronted their prison overcrowding problem by passing emergency release legislation. These types of programs provide for the release of enough inmates to get the system back down to its proper capacity once it has reached a certain level of overcrowding. The governor, parole

board or corrections officials usually choose which non-violent inmates can safely be released. Usually the inmates who are nearing the end of their sentences are released one to nine months early.

Emergency release acts have been passed in Michigan, Oklahoma, Connecticut, Iowa, Ohio and Georgia. In Michigan, for example, more than 900 inmates have been released early under its 1981 legislation. When the state's prisons exceed 95 percent of their rated capacity for 30 consecutive days, the governor declares an emergency, triggering a temporary rollback of most prisoners' sentences.^{36/} The District should consider this type of legislation, which has already been introduced as D.C. Council bill number 6-63. A D.C. Emergency Release Act would promote more humane prison conditions by reducing overcrowding, and could also lessen the risk of the District's liability and costly attorneys' fees in lawsuits challenging the conditions of our city's penal institutions.

The Alternative Sentencing Commission will Help Create
A More Effective and Less Costly Criminal Justice System

Our review of the high costs of prison construction and operation and of the many alternatives to incarceration presently available indicate the importance of a thorough survey of sentencing alternatives in the District of Columbia. For this reason we enthusiastically support Bill 6-129, the D.C. Alternative Sentencing Commission Act of 1985. We believe that the proposed Commission can serve as a catalyst for a systematic program of sentencing alternatives which will significantly reduce prison overcrowding and help our offenders to achieve

true rehabilitation in a community setting.

The Commission's mandate is especially critical in light of the Mayor's recent announcement that he has set a six month deadline for determining the site and size of a new prison in the District.^{37/} In view of the Mayor's precipitous timetable for making these complex decisions, we suggest that the Alternative Sentencing Commission report be issued three months after this legislation is passed instead of after completion of a six month term. The Mayor's statement also indicates the need for swift passage of this legislation, so that the Commission may begin its task immediately.

But the Council need not countenance the Mayor's haste to approve new prison construction and a prison site. We urge the Council to advise the Mayor not to accept any recommendations from the site commission task force he has proposed until the reports of the Alternative Sentencing Commission and the D.C. Correctional Facility Study Commission are completed and considered by the site commission task force.

It is essential that the Commission receive adequate funding to enable it to fulfill its mandate. We hope that the Council will pass a sufficient budget for the Commission during the appropriations process, to permit the Commission staff to hire consultants, conduct hearings, and initiate studies of current and potential sentencing alternative plans.

In addition we suggest that the Commission's functions should include oversight of the implementation of its recommendations. This would enable the Commission to

periodically alert the Council to both achievements and any delays in regulatory actions implementing the Commission's findings. We would also suggest that the expiration date of the Commission's term, scheduled to coincide with the submission of its comprehensive report, be expanded to coincide with this additional function.

The D.C. Correctional Facility Study Commission Should Address Prison Construction and Operating Costs, and the Cost-Effectiveness of Sentencing Alternatives

The D.C. Correctional Facility Study Commission Act of 1985 (Bill 6-67) is an important first step toward seeking answers to the many complex questions that need to be answered before the issue of new prison construction in D.C. can be resolved. However, as our prior discussion of sentencing alternatives demonstrates, a study focusing only on prison construction is markedly incomplete; the Commission should also focus on the cost-effectiveness of potential alternatives to sentencing. This is essential in order to truly fulfill its stated purpose of studying "all matters relating to the development of an additional correctional facility within the city limits of the District of Columbia." The Commission should investigate currently utilized alternative sentencing programs, how they can be improved, and how many individuals might be released if they were expanded. This might be done in conjunction with the work of the Sentencing Alternatives Commission to avoid duplication, but the results of such a study, no matter who performs it, must be taken into account by the Correctional Facility Study Commission when it draws its conclusions about the need for a new

prison.

We would further suggest that this legislation be amended to include a study of the costs of operating as well as of constructing a new prison. Our previous summary of operating costs shows how fruitless an examination of a prison building program will be without the inclusion of these major expenditures.

We hope that the Commission selected to oversee this study is composed of individuals representing a broad spectrum of experience and views about this issue. It should include persons currently working in the area of alternatives, psychologists with experience with offenders and other persons who represent both sides of the issue. To permit the Commission effectively to complete this study, the legislation should include funding provisions which would explicitly provide for the hiring of expert consultants to help conduct the study.

We also urge Councilmembers to explore whether plans currently exist to institute similar studies or to appoint policymaking groups which might perform duplicative tasks. For example, we understand that the Justice Department's National Institute of Corrections is already planning to study some facets of the D.C. prison population. And it has been reported that a task force similar to that proposed in this bill will be appointed by the Mayor's office and the Council. If the D.C. Correctional Facility Study Commission prepares a report independent from that of the Mayor/Council task force, we recommend that the Commission's report issue three months from enactment of this bill. The current six month deadline will not

be soon enough for the Commission report to have a timely role in the debate over new prison construction. We hope that the Council will ensure that all of these actions are coordinated, to avoid a duplication of effort and to centralize the policymaking personnel and resources on this critical issue.

Conclusion

Recent political pressures have generated a great deal of publicity calling for the immediate adoption of a new prison construction plan for the District. We believe that the Council's more measured response, as represented by these two bills, is far preferable. Careful study of sentencing alternatives and of the development of a new correctional facility in D.C. is crucial before any final decision is reached. Rather than bowing to federal pressure to build a new facility, (whether that pressure is in the form of perceived threats of loss of other federal appropriations, or enticements such as promises of fiscal subsidies) the Council has correctly determined that it is the right -- and indeed, the responsibility -- of the citizens of the District to determine for themselves how they wish to treat criminal offenders. Accordingly, the D.C. Coalition for Justice endorses these two bills, and offers to assist these two Commissions in any way we can to help them carry out their tasks.

- 1/ "The Cost of Constitutional Jails," prepared by the Center for Justice Planning under a grant for the National Institute of Corrections, U.S. Department of Justice, February 1982, page 1. [Hereinafter cited as "NIC Study."]
- 2/ NIC Study, pages 3, 8-9. This \$43,000 average cost does not include the cost of the land, extensive site preparation or the professional fees of the architect, the engineer, or construction supervision. The NIC survey found that the cost of site preparation is typically slightly less than 4% of the construction cost, and the average fee for architectural and engineering services slightly less than 7.5% of the total construction cost.
- 3/ Edna McConnell Clark Foundation, Overcrowded Time: Why Prisons Are So Crowded and What Can Be Done, page 22, 1982. [Hereinafter cited as Overcrowded Time.]
- 4/ Edna McConnell Clark Foundation, Time to Build? The Realities of Prison Construction, page 15, 1984. [Hereinafter cited as Time to Build?] citing Abt Associates, American Prisons and Jails, Vol. III, p. 373.
- 5/ Time to Build?, page 15, citing "Costs of the Contra Costa County Detention Facility," Office of the County Administrator, Oct. 19, 1982.
- 6/ Time to Build?, page 15, citing "Factsheet," New York City Department of Corrections, 1983.
- 7/ The Washington Post, "Mayor Sets Deadline for New Prison Site," May 1, 1985, page D 5, Cols. 5 & 6.
- 8/ Overcrowded Time, page 22.
- 9/ NIC Study, page 23.
- 10/ NIC Study, page 30.
- 11/ Campbell v. McGruder, Civ. Action No. 1462-71; Inmates of D.C. Jail v. Jackson, Civ. Action No. 75-1668 (both cases pending decision by Judge William Bryant, U.S. District Court for the District of Columbia)(evidence admitted describing extreme violence in D.C. Jail).
- 12/ See, e.g., Wolfgang, Figlio and Sellin, Delinquency in a Birth Cohort, University of Chicago Press, 1972.
- 13/ American Foundation, Inc., "Just the Facts", page 5.
- 14/ NIC study, page 31.

15/ Overcrowded Time, page 14, quoting National Research Council, Deterrence and Incapacitation: Estimating the Effects of Criminal Sanctions on Crime Rates (Washington: National Academy of Sciences, 1978) at page 57.

16/ Overcrowded Time, page 15, citing National Research Council, Deterrence and Incapacitation at pages 190-200.

17/ Overcrowded Time, page 17, citing National Research Council, Deterrence and Incapacitation at pages 72-75.

18/ Overcrowded Time, page 17, citing John Conrad and Simon Dinitz, In Fear of Each Other, 1977, at pages 109-117.

19/ Unitarian Universalist Service Committee, National Moratorium on Prison Construction, "More Jails and Prisons will Stop Crime, Right? Wrong.", 1984.

20/ The Washington Post, "Crime & Punishment: The Push for Prisons," March 3, 1985, page A 15, Col. 1.

21/ The study was published before Mayor Barry indicated that he might accept a new prison if constructed on federal property with federal funds.

22/ "District of Columbia On-Site Technical Assistance Report," prepared by a Technical Assistance Team, contracted by the Jail Division of the National Institute of Corrections, November 1983, pages 4-5. [Hereinafter cited as "D.C. Technical Assistance Report."]

23/ For a survey of different states' experiments with alternatives to incarceration, see ACLU State Lobbyist, March 1985, pages 4-5.

24/ Further information on Client Specific Planning may be found in The Judges' Journal, Vol 21, No. 1, American Bar Association, Winter 1982 and in Update on Law-Related Education, American Bar Association, Fall 1982.

25/ Gettinger, "Intensive Supervision: Can it Rehabilitate Probation?" Corrections Magazine, page 12, April 1983.

26/ Gettinger, page 8.

27/ D.C. Technical Assistance Report, page 46.

28/ Overcrowded Time, page 30, citing Prisoner and Community Together, Inc., Annual Report 1979-80, at pages 5-8.

29/ "Just the Facts", page 13.

30/ Time to Build?, page 43, citing Robert Mathias and Diane Steelman, "Controlling Prison Population," at page 13.

31/ "Just the Facts", page 12, citing Robert Keldgord, "Community Restitution Comes to Arizona" in Offender Restitution in Theory and Action, 1977, at pages 165-6.

32/ ACLU has long advocated such legislation and remains eager to work with the Council in passing a D.C. Speedy Trial Act. The ACLU has submitted a comprehensive bill to the Judiciary Committee and would be happy to provide copies to other interested Council members.

33/ D.C. Technical Assistance Report, page 29.

34/ D.C. Technical Assistance Report, pages 33-34.

35/ D.C. Technical Assistance Report, pages 40-41.

36/ Overcrowded Time, page 36.

37/ The Washington Post, May 1, 1985, page D 5, Col. 5.

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