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REPORT OF WORK BY THE VERA INSTITUTE  
FEBRUARY 1, 1978 - JANUARY 31, 1979  
PURSUANT TO CONTRACT C-01590M2189  
BETWEEN  
THE VERA INSTITUTE  
AND  
THE NEW YORK CITY POLICE DEPARTMENT  
AND  
THE MAYOR'S CRIMINAL JUSTICE COORDINATING COUNCIL

Vera Institute of Justice  
March 1979

## INTRODUCTION

This report summarizes the activities of the Vera Institute of Justice from February 1, 1978 to January 31, 1979, and is submitted toward fulfillment of the reporting requirements of the New York City Police Department/Criminal Justice Coordinating Council Contract running from November 1, 1977 through October 31, 1979.

In 1964, following institutionalization of the Manhattan Bail Project (with which the Institute began its work in 1961), the Police Department and Vera embarked on development of the use of citations in lieu of arrest for minor violations of law. As a result of this effort (the Manhattan Summons Project) a Vera/Police Liaison Office was established at Vera, staffed by police personnel. The Liaison Office, then a part of the Police Planning Division, worked with Vera staff on development of a series of pilot and demonstration projects designed to improve police criminal justice operations. (In 1971, departmental responsibility for the Liaison Office was transferred to the newly-created Criminal Justice Bureau, and the joint efforts have continued to date.)

In recognition of the benefits of the collaboration, the Department and Vera formalized the relationship by a two-year contract in 1967. For the past twelve years, this contract (to which the Criminal Justice Coordinating Council has been a third party) has been renewed bi-annually to permit Vera to:

"provide technical assistance to the Police Department and the other criminal justice agencies of the City in appraising on-going programs, in analyzing needs, and in designing, pre-testing, and implementing projects and procedures for the improvement of criminal justice in the City; and ... assist the Criminal Justice Coordinating Council in the pre-testing required by the State and Federal Governments under the Omnibus Crime Control and Safe Streets Act of 1968..."

Vera's efforts under this series of contracts has covered work that goes beyond the operational concerns of the Department, but all projects planned, piloted, or researched with support from this source have aimed to further the Department's primary goal -- reduction of crime and alleviation of its consequences. The contract also provides the necessary "match" and "seed" for bringing substantial commitments of federal funds to the New York City criminal justice system. As a result, several million dollars of private, state, and federal funds become available to the system annually.

During the period covered by this report, contract funds have been applied in direct support of: the Appearance Control Unit, the Corrections Project, and the Court Employment Evaluation Project. The contract has also supported planning staff for Police Planning (primarily the Felony Case-Building Project), the Victim/Witness Assistance Project, the Bronx Community Service Sentencing

Project, the Spofford Juvenile Center Screening Project, the Manhattan Bowery Mid-Town Project and West Side Non-Medical Detoxification Evaluation, the Subway Sex Crimes Planning Project, the Community Peacemaking Project, the Neighborhood Work Project, the Serious (Chronic) Delinquency Prevention Project, the Easyride Project, the Employment and Crime Research Project, the Family Court Disposition Study Project, and the preparation of three policy-related research monographs for publication (Women on Patrol: A Pilot Study of Police Performance in New York City [National Institute of Law Enforcement and Criminal Justice]; Violent Delinquents [Monarch]; and The Wildcat Experiment: An Early Test of Supported Work in Drug Abuse Rehabilitation [National Institute on Drug Abuse]).

This report contains a summary of these activities and appends some of the major or illustrative work products.

PART I - PROMOTING EFFICIENCY AND  
FAIRNESS IN THE CRIMINAL JUSTICE SYSTEM

Beginning with the Manhattan Bail Project, Vera has designed and operated (and returned to re-design, in the ever-shifting context) projects that aim to permit the criminal justice system to carry out its functions more efficiently and fairly. In that first project, begun as a controlled experiment, the goal was to encourage judges to require money bail only when needed to assure a defendant's appearance in court, and to release on their own recognizance defendants who were likely to appear in court even though they had not been required to post bail. The project was designed to reduce the unfairness of a money bail system for poor defendants and to reduce the costs to both taxpayers and defendants for pre-trial detention.

The efforts described in this section have similar goals: providing information, increasing consistency in decision-making, and decreasing time wasted for those involved with the system.

VERA/POLICE LIAISON OFFICE AND POLICE PLANNING

Building on the principle which underlies Early Case Assessment -- accurate, early identification of a case's "worth" -- Vera proposed in its February 1978 memo to Commissioner McGuire\* that the Police Department test the concept of felony case preparation: intensive investigation between the time of arrest and the filing of charges in the complaint room. Rather than focusing almost exclusively on establishing probable cause for arrests, police officers would direct their efforts immediately after arrest to collecting evidence necessary to prosecute in court. With the results of these investigations in hand, ADAs could target weak cases for dismissal or rapid plea agreements, and strong cases for Grand Jury presentation or additional investigation. Criminal justice processing would thereby come closer to the ideal of expending the fewest system resources -- police, DA and court time -- on cases which are likely to be dismissed eventually for lack of evidence, and concentrating resources on cases which can be successfully prosecuted.

In September 1978 the Commissioner approved the continued development of a pilot project and designated the 43rd precinct as the site of the experiment. Working with representatives of the precinct and the Bronx District Attorney's Office, Vera developed and tested police procedures for implementing the project, analyzed related operations of the DA's Office and gathered baseline data (concerning the precinct Investigating Unit's workload and

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\* See Appendix 1, Volume 57 of these reports.

the disposition of the precinct's adult felony arrests) against which a pilot could be evaluated.

A test-case program began on October 17, 1978. Selected felony cases were investigated and Arrest Investigation Reports prepared by the Precinct Investigations Unit. The arresting officers delivered these reports to the ADA in the Felony Case Evaluation Unit (successor to the Early Case Assessment Bureau) and Vera monitored the ADA's responses to the reports.

Of the first twenty cases processed, five were deemed by all parties concerned to be instances in which the follow-up investigation made the case. That is, that the arresting officer did not possess sufficient information after making the arrest to assure a successful prosecution. In each instance, either the investigative efforts by the detective or skillful interrogations of the defendants provided sufficient additional data to insure a viable prosecution. In each instance, the DA's Office has informed the Vera staff that without the additional investigation and report, there would have been either insufficient information to warrant acceptance of the case initially or, if accepted, to warrant tracking it for felony prosecution.

These results, plus observations of normal police arrest processing, suggest the possible usefulness of Vera's involvement in getting a case-building program underway: bringing together police officers (who have access immediately after arrest to considerable useful information but do not always collect or communicate it) and ADAs (who need

the information but have no independent way at this early stage to obtain it). The results of the data collection suggest that while the existing P.I.U. personnel could not be expected to absorb the new workload required to conduct arrest follow-up investigations on every felony arrest made in the precinct, there appears to be some slack time which could be devoted to this task. Current precinct arrest dispositions\* offer considerable room in which to demonstrate the effects of the case-building process. A four-month experiment, initiated by the issuance of formal Police Department Orders, was planned to begin in February 1979. While this limited effort is underway, plans will be developed and federal funds requested for a full-scale program, including both the preparation of arrest follow-up reports on all felony arrests made in the precinct and a thorough evaluation of the effects of the program.

From a fiscal standpoint, there would appear to be an excellent possibility that follow-up investigation in

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\* The felony disposition study disclosed that, after pending cases are eliminated by applying to them the dispositional distribution found for cases which were disposed, the following outcomes are reached for each 100 adult felony arrests made in the precinct:  
- 8 will result in felony conviction  
- 22 will result in misdemeanor conviction  
- 11 will result in violation conviction  
- 59 will result in no conviction  
(See: Appendix 1-B, this volume)

felony arrest cases can reduce police court-related overtime. In the full-scale project, it may be possible for the Police Commissioner and the DA to agree on types of cases where, as a result of the follow-up investigation, the arresting officer need not be present in the complaint room to present the investigation report. This obviously cannot be done in all cases, and the DA's Office is reasonably reluctant to agree to such a procedure in any type of case unless it is first proved to him that nothing would be lost to the prosecution as a result, but the possibilities deserve exploration and will take time and research. Two hopeful developments can be seen already. There seems to be a category of cases where the investigation permits prediction of a 343 or an arraignment dismissal. During Phase 3, it may be possible to work out a procedure with the DA for telephonic exercise of the 343 power, so that none of the parties in such cases ever leave the precinct for the court. As to the rest, all that can be reported at this point is that the ADAs seem more and more to be basing their case-tracking decisions on and preparing their folders from the Report when it is prepared for them, and they seem less often to be asking any questions of the arresting officer in these cases. Research may provide a basis for approaching the DA to seek agreement that, with respect to certain types of cases, he will not require the arresting officer's presence in the Complaint Room (except when he is the complainant) if the Report meets specified criteria. If there were cases where the

arresting officer's presence in the Complaint Room would not be required by the DA, it would be only a mechanical problem to eliminate his presence at the Central Booking Facility, as the Report prepared at the precinct would provide ample information for the Central Booking staff. Eliminating the officer from these two stages, even in a carefully limited category of felony arrest cases, could save substantial overtime for the Police Department. While some of this overtime would be offset by increased detective overtime preparation of the Reports, the balance should prove heavily weighted in favor of direct savings.\*

Focusing on other areas of direct and special concern to the Police Department, representatives of Vera participated in negotiations leading to relocation of the Brooklyn District Attorney's Complaint Room at Central Booking, adjacent to the 84th precinct. Vera also brought the Department and the Criminal Justice Agency together to work on Desk Appearance Tickets, and helped identify problems and plan remedial programs.

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\* See Appendix 1, this volume, for a full status report of the pilot project.

VICTIM/WITNESS ASSISTANCE PROJECT

In early 1978, with LEAA funding for the Victim/Witness Assistance Project due to expire at the end of the year, Vera began looking for a way to institutionalize the project. The search was successful; on July 1 the Victim Services Agency (VSA), a not-for-profit corporation under the jurisdiction of the Deputy Mayor for Criminal Justice, came into existence, and on December 10 V/WAP became part of that agency.

In its three and a half years as a Vera project, V/WAP provided a laboratory for experimenting with various services for victims and prosecution witnesses: a safe and comfortable reception center in the courthouse, a children's play center, a hotline, counseling and referral, transportation to court, and nighttime repair services for burglary victims. V/WAP also provided a model for a comprehensive approach to the problems of crime victims, an approach which inspired and shaped the Victim Services Agency.

VSA aims to coordinate existing services for crime victims, to identify additional needs of victims not currently being addressed, and to develop and administer programs designed to meet those needs.\* The Agency

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\* Funds for VSA's projected first year budget of approximately \$2 million come from tax levy funds, the City's Community Development block grant appropriation from HUD, LEAA, the City Department for the Aging, and private foundations.

will seek to strengthen and expand services now provided to victim groups with particular problems, such as senior citizens and battered women. Besides V/WAP in Brooklyn Criminal Court, VSA runs reception centers in the Bronx and Staten Island, and Project SAFE (Security Assistance for the Elderly) and a victimline for the entire city. It provides technical assistance to community groups seeking funds, working with them to develop projects to meet the specific needs of neighborhoods and special interest groups. And it is planning to expand operations developed at V/WAP to other Criminal Courts, to Supreme Court, and to Family Court.

V/WAP had been created not only to serve the most frequently ignored actors in the criminal justice process but also to help remedy a problem -- victim and witness non-appearance -- which was thought to result from their neglect. It turned out, however, that providing services and notifying victims and witnesses of their court dates did not bring more of them into court.\*

This finding raised a new set of questions: Could any other methods induce victims and witnesses to come to court? Or were victims and witnesses likely to continue their substantial non-cooperation\*\* with the District Attorney because their interests and his often differed?

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\* It should be noted that the project did enable more unneeded witnesses to stay away from court.

\*\* For the second half of 1978, a non-appearance rate of 43% was calculated by dividing the total number of prosecution witnesses into the number of witnesses who were required to appear but didn't.

The V/WAP experience suggested that divergent interests, rather than confusion or discomfort with the court process, explains much victim and witness failure to appear. The DA is interested in collecting information about the case and, if the evidence warrants, prosecuting and convicting the defendant. Many victims and witnesses share these interests. But many have other interests -- for example, being made whole for the losses they have suffered, or making an on-going relationship with the defendant manageable. For these people, usually victims, arresting the defendant was a useful step; it may have broken up a momentarily untenable situation -- a fight -- and it made the defendant available for a solution the victim considered useful, such as restitution or mediation. But from these victims' point of view, arrest is not a useful first step if it leads only to prosecution -- and therefore they simply don't cooperate with the prosecutor.

Building on these discoveries, V/WAP in its last year as a Vera project developed mechanisms and assumed responsibility for administering restitution orders, for offering (in conjunction with the Institute for Conflict Mediation and Resolution) mediation and arbitration in selected prior relationship cases, and for expeditiously returning stolen property.\* It also launched, with support from the Clark

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\* V/WAP procedures provide for the arraignment representative to handle necessary paperwork, preparatory to the release of property. This processing had been the responsibility of two police officers prior to the Project's assumption of the role. The introduction of these procedures has enabled the officers to assist with property release functions in the Grand Jury and Manhattan Criminal Court three days per week more than they had previously.

Foundation, the Victim Involvement Project, to better communicate victims' interests to ADAs.

Although V/WAP's court management activities have had less impact on witness appearance rates than expected, these activities -- and in particular the current and easily available computerized data -- have been of considerable use to criminal justice agencies. Precinct commanding officers, for example, receive bi-weekly roll call lists containing information on scheduled court dates for their officers over the coming month. Prior knowledge of manpower shortages or of changes in shift assignments due to court appearances permits better planning by commanding officers. To keep the individual officers informed about all cases in which they have an interest, each precinct also receives a weekly list of dispositions of all criminal cases by precinct and officer.

Minimizing police time in court is also of particular interest to the project. To help reduce the selection of regular days off (RDO) for the first adjournment, a project representative provides the court and the ADA with police officers' duty chart information at arraignments. To promote use of the procedure for excusing police witnesses, the project focuses ADAs' attention on this option. Complaint room ADAs must indicate on a V/WAP form whether arresting officers are excused from future court appearances. In cases scheduled for post-arraignment proceedings, DA policy requires that for each case ADAs complete a V/WAP court part information

sheet (CPIS) which includes a witness status recommendation -- excuse, alert or bring in. If ADAs find that police witnesses are not needed for future dates, they are expected to recommend that they be excused for those dates. While this procedure has been standard since commencement of operations, V/WAP recently began providing the DA's Criminal Court Bureau Chief with management tables regarding CPIS completion rates. This is believed to have contributed to the ADAs' greater compliance with this procedure.

APPEARANCE CONTROL UNIT

The forerunner of Victim/Witness was the Appearance Control Unit (ACU) which Vera created in 1970 in cooperation with the Police Department to operate a telephone alert system for prosecution witnesses. This system allows prospective witnesses to remain at work or at home on the date of a scheduled court appearance until it is determined that they are needed in court.

Appearance Control became a part of the Police Department's Court Division in 1973, but its director continues to be a Vera employee. The Unit has offices in New York, Bronx and Queens Counties. In Kings County, it works in conjunction with Vera's Victim/Witness Assistance Project.

During 1978, in the four counties in which ACU operates, 59,782 unnecessary court appearances were avoided through project services to prosecution witnesses. Of these, 34,901 were New York City Police Department appearances. An additional 7,867 witnesses, of whom 4,492 were police officers, were able, through project services, to make appearances without devoting a full day to waiting in the court house. These saved appearances increased police manpower available for patrol by 296,658 man-hours.

In December 1978 ACU began using the alert system for Housing Authority police in the Bronx. This operation will be extended to other boroughs in 1979. The Appearance Control Unit has begun studying the feasibility of extending

the complete notification system used for police officers in Brooklyn. In other boroughs ACU now notifies only those officers placed on alert. With the cooperation of the Manhattan, Bronx and Queens DAs' Offices, ACU would notify all officers in those boroughs of their dates in Criminal Court, and would tell them whether they must appear, must be available on alert, or need not appear.

CORRECTIONS

Under a two-year technical assistance contract signed by Vera and the Department of Correctional Services in the spring of 1978, the Department has called on Vera to help plan the Downstate pre-release facility scheduled to open in New York City in April 1979. Downstate Separation Center, which will house 1,080 inmates who are within four months of release, was conceived as an alternative to traditional release procedures which featured a ticket home, forty dollars, and a suit. The Center was designed to meet the reintegration needs of inmates who have been physically and psychologically separated from their communities; it will seek to assist inmates in building or rebuilding their social ties to the community by restoring family ties, securing adequate housing, and obtaining employment and education.

Vera has participated in many aspects of Downstate planning, emphasizing the concept that, to the extent possible, reintegration services should be provided by members of the community rather than corrections personnel. Life skills and education courses, as well as programs specifically focusing on aspects of re-entry such as job placement, drug and alcohol counseling, housing, social services, family counseling, and parole, will be delivered under contract by community organizations and professionals.

Vera has also assisted in the development of screening and eligibility criteria for Downstate, intake and evaluation

procedures and forms, and staffing patterns and job descriptions for new positions. In addition, Vera has assisted the Department in developing a design for evaluating the Downstate program and in applying for funding from DCJS for carrying out the evaluation plan. In its traditional brokering role, Vera is trying to bring together the Department and other groups, including the Department of Labor (to provide placement services), the Brooklyn Public Library (to provide library, referrals and group discussion programs) and the New York Association of Marriage and Family Therapists (to provide educational and referral services for inmates and their families).

While working on the Downstate Separation Center, Vera continued to work on the introduction of a standardized inmate rulebook, a project that was begun in 1976 under a grant from the Department. The bulk of substantive work on the rulebook, including perusal of disciplinary systems in other jurisdictions, interviews with inmates and staff, analysis of existing Department policy and the actual drafting of the rulebook in consultation with the Department, was completed under the grant. Pilot testing of the rulebook in three facilities began in March 1978; the results of this test are being examined and discussed with the Department before the rulebook is introduced into other facilities.

Work on temporary release selection procedures was completed and a final report presented to the Department in January 1979. In the fall of 1975 Vera had begun to look at Department procedures for selecting inmates for

temporary release programs, long a source of problems in the state prison system. A new method of selecting inmates for release programs was developed, based on a rating scale or point system. This new method was piloted at four Department facilities -- Auburn, Wallkill, Elmira, and Bedford Hills -- beginning in September 1976. The passage of a bill restricting participation in temporary release effective September 1, 1977 limited the effectiveness of the point system and the type of research that could be conducted on the selection process. Vera staff went ahead, however, to adapt procedures and eligibility criteria to the new law and make other revisions in response to the four-facility pilot study, and the point system was put into use in twelve facilities in February 1978. Although a Department attempt to get the legislature to pass a less restrictive temporary release bill in the 1978 session failed, Vera succeeded in designing and carrying out a number of research studies on the new procedure's impact.

A full report of the Corrections work by Vera for the period covered by this report is found at Appendix 8, Volume 58.

In a related effort, Vera completed research for the Department of Correctional Services, which was designed to assist the Division of Parole to create decision-making guidelines. The new guidelines went into force in January 1979. Vera's research report, documenting disparities in time served by inmates with similar records imprisoned for

similar offenses, is found at Appendix 9, Volume 59. Section V of that report summarizes the findings of a regression analysis upon which Parole has built guidelines to reduce sentencing disparities and to structure the discretion of Parole Board members.

SPOFFORD JUVENILE CENTER

The Vera Institute of Justice entered into a contract with the Human Resources Administration in September 1977 to provide technical assistance in a number of areas, including child welfare and juvenile justice. Vera began work with Special Services for Children (SSC) by conducting an evaluation of the group homes and group residences operated by the Office of Direct Child Care Services. After the Mayor's Task Force on Spofford recommended nonsecure detention as an option for children brought to Spofford Juvenile Center when Family Court is not in session, the Assistant Commissioner for SSC asked Vera to help devise a screening system for these children. Through a cooperative effort of staff from SSC, Vera, and the Office of the Deputy Mayor for Criminal Justice, the screening project began operation at Spofford on July 24, 1978. Involvement with this project led to a request in November to help prepare a handbook detailing residents' rights and responsibilities and an operations manual for the Center staff.

Screening Project

The goals of SSC's screening project are: (1) to reduce the inappropriate use of secure detention, (2) to shield children who could appropriately be diverted from Spofford from the potentially harmful effects of secure detention, (3) to reduce the census at Spofford at night

and over weekends, and (4) to test objective standards for detention decision-making. Before the initiation of the project more than 95 percent of children brought to Spofford when Family Court is not in session were held in secure detention. Results during the first two months of the screening project's operation indicate that 20 to 30 percent of the children brought to Spofford by the police are being screened to nonsecure detention for overnight and weekend holding.

The Screening Project, in addition to making non-secure detention available for juveniles arrested when Family Court is not in session, aims to increase the number of children released to parents or guardians. Transportation is now available to return children home in appropriate cases to parents or guardians who are unable to make the trip to Spofford.

Vera staff began work at Spofford with round-the-clock observation of the admissions process over the weekend of May 19 to May 21, 1978. This was followed by observation at the Spofford admissions office on several nights during the period from June 7 to June 23. Preliminary findings from these initial observations reinforced the belief that a significant proportion of juveniles brought to Spofford by the police could be safely diverted from secure detention to a nonsecure setting until initial appearance in Family Court.

Observation at Spofford disclosed an informal process of screening conducted by admissions workers. Juveniles brought by the police were automatically detained if arrested on an active warrant, charged with a designated felony, or taken into custody as a runaway held for other authorities. For most arrested juveniles, who did not fall into one of these categories, admissions workers decided whether he or she could be released to the recognizance of a parent or guardian or should be detained at Spofford until appearance in Family Court. Formal guidelines did not exist for this screening, and the children were not interviewed extensively or systematically. Admissions workers were severely limited in their ability to screen out children not requiring secure detention. To release a child, a parent or guardian had to travel to Spofford. Many parents when contacted refused to "recog" their children; others could not be reached because they had no telephones. No non-secure detention was available at this point in the New York City juvenile justice system.

The initial observations suggested the need for a more objective and extensive screening process to accompany the plans for using nonsecure detention for children taken into custody at night and over the weekend. Drawing on past experience in the criminal justice system, Vera staff decided to develop an experimental rating point scale to guide screening decisions. A draft rating scale was constructed based on a review of legal guidelines and

recently promulgated standards on juvenile detention and observation of the admission process at Spofford. The draft rating scale and accompanying screening form were reviewed by staff at Spofford, SSC, and the Office of the Deputy Mayor for Criminal Justice. Administrative staff at SSC made a number of policy decisions regarding the criteria for secure detention, which were incorporated in the rating scale.

The rating scale assigns points favoring secure detention to such factors as evidence of the risk that the child will not appear in court, seriousness of the present charge, and past criminal charges. A child who is less than thirteen years of age or who has never been admitted to Spofford receives points favoring release. The resultant score serves as a guide to the detention decision, with lower scores indicating release or nonsecure detention and higher scores indicating secure detention. The proposed rating scale was tested preliminarily, with generally favorable results, against the initial Family Court outcomes for observed cases and for a small sample of case records of recent admissions.

In connection with the efforts to devise a new rating system, Vera staff helped plan screening procedures from the initial notification to Spofford of an arrest by the police through the decision on interim status. This included the design of an interview format to elicit screening information from the children taken into custody.

In addition, Vera staff conducted training sessions with Spofford Admissions staff on the new forms and the rating system and with nonsecure detention (NSD) staff on the screening procedures and the preliminary Family Court process.

Juveniles screened to nonsecure detention are transported by transportation/escort workers to the NSD holding facilities. At present, these facilities consist of one group home for six boys at 1103 Beach Avenue in the Bronx and two or three beds for girls at Ashford House in Brooklyn. Children spend the night or the weekend in these facilities, supervised by live-in child care staff. The child care workers escort the children to Family Court and accompany them through the initial court process. The program is designed so that the children do not return to the holding facilities after appearance in court. If remanded for detention, they are placed in the regular NSD program or at Spofford. This arrangement assures the availability of a fixed number of NSD beds for overnight and weekend holding.

Vera staff have been monitoring the screening project from the point of implementation on July 24. The monitoring consists of two efforts: (1) periodic observation of the screening process and consultation with the screening staff to identify problems and improve operations and (2) research on the detention decision, the rating scale, and the initial outcome in Family Court for all juveniles processed by the screening project. Monthly reports for

August through November have been submitted to the Office of Direct Child Care Services. These reports tabulate and analyze data gathered from the screening forms for all children brought to Spofford by the police and should make possible refinement of the rating system and screening procedures. (See: Appendix 6, this volume.)

Operations manual and handbook

Building on the knowledge gained about Spofford from the NSD screening project, the experience of the Corrections Project in drafting an inmate rulebook for the Department of Correctional Services, and the relationships developed with Spofford and related agencies, Vera staff began in December to work on an operations manual and residents' handbook.

For the operations manual, Vera is acting as staff to a working committee composed of representatives from all Spofford departments. Vera provides agenda and background research, and follows up on committee decisions. Together, the committee and Vera staff are trying to incorporate the principles embodied in Spofford's "Mission Statement" into statements describing the functions and activities of each department. The departmental statements will then be translated into detailed procedures which -- because they have been derived from general principles -- should reflect and carry out those principles.

Development of the handbook has begun with the particular rather than the general. Spofford staff and residents

have been interviewed, and staff have been asked to complete "work sheets" which ask for descriptions of current rules and suggestions for changes in each area to be covered by the handbook (e.g., housekeeping, clothing, access to services). These work sheets plus the results of legal research into the statutes and court decisions governing detention centers' administrators, will provide raw material for a preliminary draft detailing rules, sanctions, and procedures for imposing those sanctions when rules have been broken.

PART II - EXPERIMENTING WITH ALTERNATIVES  
FOR THE CRIMINAL JUSTICE SYSTEM

Beginning with the Manhattan Bowery Project in 1967, Vera has developed pre-trial diversion programs to remove from the criminal justice system men, women, and children whose problems might be better treated in other settings. Vera created the Bowery Project for alcoholics, the Neighborhood Youth Diversion Program for young people brought to Family Court, and the Court Employment Project for those who had not yet acquired a criminal record. As each of these projects proved its worth, it was spun off to become an independent corporation, independently funded.

During the period covered by this report Vera designed a pilot project, in some ways resembling Manhattan Bowery, for diverting exhibitionists and other non-violent sex criminals. Two other projects described in this section -- the Bronx Community Service Sentencing Project and the Community Peacemaking Project -- are not pre-trial diversion programs. But like diversion programs, they would seek to provide alternatives to traditional criminal justice processing. And in a sense they too would offer defendants and disputants new settings: a work site rather than jail or the probation office, a local forum rather than a central court.

MANHATTAN BOWERY CORPORATION

Public drunkenness has not been a crime in New York State since January 1, 1976, but aspects of public drunkenness which have traditionally disturbed the public continue to cause community concern. The community continues to call on the police to respond to panhandling, loitering, and disorderly conduct -- not only by alcoholic derelicts, but also by drug users and the mentally disturbed. The persons complained of are likely to have mental and physical health problems, often evidenced by erratic behavior, lice, infectious sores, and tuberculosis.

These problems have recently been a particular cause of concern in the Times Square area and the subway system. The police face two serious questions in responding to complaints: they must first determine the nature of the person's disability -- alcoholism, mental illness, drug addiction or a combination of the three -- and then they must find a provider of services to whom they can take the person.

Since the end of 1978, the Manhattan Bowery Corporation has worked with Manhattan South and commanders in Midtown North and Midtown South to train patrol officers in approaching derelict alcoholics and offering them assistance. MBC has made available the staffs of its West Side Center and the project rescue teams to obtain beds for men and women who cannot be accommodated in MBC facilities. By calling the Center, hailing a rescue team,

The day hospital would be a desirable adjunct to the screening center since there are no facilities in Manhattan which offer immediate care to indigent patients released from mental hospitals. These patients need regular therapy and a place to spend lengthy periods of time during the day. Outpatient care is infrequent and insufficient at best and often requires a level of functioning beyond that of the target population. Institutionalization is unnecessarily restrictive and far too costly. The day hospital would offer chemotherapy and psychotherapy, recreation, skills training, job training for those who are able, and meals and snacks during the day. The hospital would aim at stabilizing patients and restoring their functioning to the point where they could progress to more independent living -- i.e., be able to reduce the frequency of their visits and become outpatients. The day hospital could, of course, also accept referrals from agencies -- such as hospital outpatient departments -- other than the screening center.

The West Side Social Setting Alcoholism Treatment Center, which serves the area between 30th and 94th Streets west of Fifth Avenue, opened a 40-bed facility in January 1977 to provide non-medical detoxification for alcoholics. The Center has handled its 2,200-plus admissions at a cost per client considerably lower than the cost of detoxification in a medical setting. A five-alarm fire on its block in October 1977 caused a seven-month break in service while the center relocated to a 35-bed facility. Nevertheless,

it has operated near capacity, forcing police and rescue teams either to look away from some people needing help, or to look to other (often less suitable) facilities when complaints were received. MBC has suggested that in order to respond to human needs and to commercial, political, and community demands, it enlarge its present bed capacity. The proposed out-patient clinic would facilitate post-detoxification stability, foster continued sobriety for persons completing residential detoxification programs, and provide an alternative for those who are unable to undergo residential treatment.

Discrete communal residences would complement the day hospital and the alcoholism programs. They would allow individuals involved in counselling and treatment to reside in a structured, supportive environment with a sense of participation in a community. The stability thus experienced is preferable to relying on undependable, confusing and unsafe single room occupancy housing currently available to this population.

The screening and referrals center, day hospital, and communal residence would all constitute attempts to serve a population which, like the "Bowery bums," falls through (or seeks out) the cracks in the traditional social service system. MBC would also like to continue its tradition of reaching out to those in need by sending medical and social service workers into single room

occupancy hotels, as it sent rescue teams onto the Bowery. These workers would provide simple psychiatric intervention, medication, and treatment of minor physical ailments at the hotels, and would seek to involve residents in the day hospital or other agencies which might help them.

In a June, 1978 monograph, Vera reported on the encouraging results of MBC's non-medical detoxification program on the West Side. The report is attached as Appendix 10 (Volume 59 of these reports).

MINOR SEX CRIMES IN THE SUBWAY

Men who commit public lewdness or non-violent sexual abuse pose, for the police, problems similar to those posed by alcoholic derelicts. Their behavior is disturbing to the community. Complaints and calls for action are made to the police. Arrest does not seem an appropriate response, but (as was the case for derelicts before the Manhattan Bowery Project) it is the only response available.

Prosecutors and judges, perhaps reacting to the fact that defendants are suffering from an illness, dispose of most cases at arraignment and almost all cases with fairly light sentences. The men repeat their behavior, the cycle begins again, and the police are often left with the sense that their own actions are pointless and a waste of time.

Just as many drunks gravitate to the Bowery, minor sex offenders are drawn to the subways, with the same effect of driving away some people who do not have to be there. Concerned with the inappropriateness of arrest and the effect on ridership, the Chief of Police, New York City Transit Authority, asked Vera in mid-1978 to explore which principles underlying Manhattan Bowery could apply to compulsive recidivists who commit minor sex crimes in the subway.

Vera designed a small pilot project, more fully described in Appendix 11 of this report, which would have given non-violent offenders, as an alternative to arrest,

the option of going immediately to Mt. Sinai Hospital for an interview with professional staff. The initial interview would have been followed by an offer of individually tailored, short-term out-patient therapy at the hospital. This limited experiment would have provided the Transit Authority Police and Vera with information about the kinds of men arrested for minor sex crimes and their amenability to short-term psychiatric treatment.

Although the Manhattan District Attorney expressed interest in the proposal, the Transit Authority Police Department decided that it preferred a more comprehensive approach, including more serious responses to the problem from within the criminal justice system.

COMMUNITY PEACEMAKING

The 43rd precinct has, since September 1978, been the site of another Vera planning effort. Underlying this effort is concern with the remoteness -- in place, and in time, and sometimes in style -- of traditional court procedures. To bring systems for settling disputes closer geographically to the people who use them, to address conflicts closer to the time they occur, to offer a choice of methods for settling disputes, and (like the other 43rd precinct pilot, felony case preparation) to keep or get inappropriate cases out of court, Vera has been exploring the possibility of establishing a community peacemaking center. This concept was one of several mentioned in Vera's February 1978 memorandum to Commissioner McGuire, but it has not yet been sufficiently developed to be presented in a formal proposal. The center now envisioned would serve the more than 200,000 residents of the 43rd precinct. An outreach program would encourage members of a selected target population (totaling about 40,000) to bring their interpersonal conflicts directly to the pilot. Other mechanisms would make it possible to divert disputes which have already entered the court system but might be resolved at the peacemaking center in a way more satisfactory to the disputants. Patrol officers, stationhouse officials, community organizations, churches and schools would be urged to refer to the project suitable disputes which have come to their attention. Finally, the project

would monitor and attempt to ensure compliance with decisions reached under its auspices; this follow-up would both serve the disputants and also provide information about whether solutions reached non-traditionally are carried out better than decisions reached through traditional court processes.

With support from a \$20,000 Ford Foundation planning grant awarded in April 1978, Vera has investigated legal constraints which would shape the center and administrative changes which would be necessary to make it work. Planners have conferred with representatives of the Police Department; the District Attorney's Office; the Housing, Summons, Small Claims, Family, and Criminal Courts; and the community.

Perhaps most important, they have tried to assess the demand for such a center. Previous Vera studies (especially the 1977 monograph Felony Arrests) and experience (especially at the Victim/Witness Assistance Project) have suggested that particularly in the many cases where the disputants have a prior relationship, disputants may be dissatisfied with both the adversarial nature and the outcome of traditional court processing. Therefore, planners for an alternative conflict-resolution center have focused their inquiries in the potential catchment area on the nature of disputes, the relationships between disputants, the decisions which lead parties to process the dispute through the conventional justice system, and the existence and use of alternatives to the conventional justice system. They have also tried to determine

at what point or points they could effectively intervene, whether at the origin of the dispute or after the disputants have sought help from the police or courts.

The varied planning efforts will be concluded in early 1979, and a proposal will be drafted for submission to suitable funding sources.

BRONX COMMUNITY SERVICE SENTENCING PROJECT

The Bronx Community Service Sentencing Project was created to provide a way for judges to impose on Criminal Court defendants a conditional discharge sentence, with two weeks of work benefiting the community as the sole condition. Until the project appeared, community service sentences had been used only rarely and unsystematically in the New York courts -- indeed, in complex urban court systems throughout the country.

Interest in such sentences was not new. They offered benefits to the community and an experience of constructive activity to offenders. But a number of factors had to come together -- and did come together in 1978 -- to turn general interest into an operating project. Inspiration came from the sentence's success in London, where in 1977 the number of community service orders exceeded the number of probation orders. Clarification of the sentence's legality in New York came from an amendment to the Penal Law passed by the State legislature and signed by the governor in the summer of 1978. Finally, administrative feasibility came from the enthusiasm and active participation of the Bronx District Attorney, the City Commissioner of Probation, and the staff of the Bronx Frontier Development Corporation (a community group engaged in innovative projects in the South Bronx).

With these three agencies Vera applied in March 1978 for restitution project funding which was being offered

by LEAA. In late August Vera was awarded a \$250,000 grant, to become effective when several special conditions were met. These included providing proof that the necessary legislation had been passed and signed, letters of support from the administrative judges, and various forms for the Criminal Justice Research Center, which was evaluating all LEAA's restitution programs.

All the conditions were met by late October but intake did not begin until January 1979 because of LEAA's delay in releasing the grant and Vera's continuing negotiations with Bronx Frontier (which was to provide suitable supervisors and work sites) and the Research Center (which was still adapting its research plan to the Bronx project, which differed considerably from the other projects it was evaluating).

(After a meeting in Washington on January 30, 1979, Vera concluded that it could not proceed with the difficult and often delicate task of implementing a new idea under LEAA's threat to suspend funds if the extensive research demands (some of which appeared to conflict with program demands) were not fully met. Vera, therefore, withdrew in early February from the LEAA program, planning to seek support for the project elsewhere. By this time, however, the project was already underway, and initial results were promising. There was no shortage of cases in which the parties to plea-negotiation viewed the community service sentence as appropriate; those defendants who have been sentenced to the project upon their guilty pleas have, to date, completed their community service obligations --

to the expressed delight of the senior citizens whose day center is the first site for performance of the service. Several foundations have expressed interest in supporting the project and a proper research exercise derived from it. It is hoped that external funding will be in place before the end of May.)

PART III - EMPLOYMENT AND CRIME PREVENTION PROGRAMS

In 1970 the Vera Institute of Justice began to experiment with "supported employment" as a rehabilitative mechanism for certain groups of socially and medically disabled persons. In June of that year, Vera established its first supported work endeavor, Project Renewal, which employed a group of ex-alcoholics referred from the Manhattan Bowery Project; the following year Vera established the Pioneer Messenger Service to employ ex-offenders and addicts in treatment. Pioneer was absorbed in 1972 into the newly-created Wildcat Service Corporation. (See Appendix 22 for the final report of three-year controlled research on the impact of Wildcat's Supported Work Program, including its impact on the criminality of its high-risk population.)

Needs of Wildcat employees led, three years later, to the formation of a Job Creation Unit at Vera. EASYRIDE, a transportation service for the elderly and disabled, staffed largely by Wildcat graduates, is the first project of that unit. During the period covered by this report, planners focused their efforts on transitional employment for two other groups which have traditionally had difficulty in entering the labor market: the mentally retarded and persons recently released from prison or jail. (Planning for the project providing supported work for the mentally retarded was not supported by this contract,

but it is summarized here to round out the picture of how work done under this series of contracts has wider impact on the City.)

To inform potential registrants about this work opportunity, project staff make weekly presentations at Rikers and parole officers distribute brochures to prisoners in state facilities. Entry into the program is flexible: anyone over 18 is eligible to join within 30 days of his or her release. (Ineligible applicants are, if possible, referred elsewhere.) Requirements for remaining a registrant are rigid: participants must participate in two days of orientation designed to encourage and help them to find permanent jobs, call the day before they wish to work to reserve a place, call before reporting to work to get their assignments, and work hard and obey a strict code of conduct at the work site. Although participants may choose their work days, they must work at least two days per week. (Upper limits of three days per week and 75 days over a six-month period have been set in part to make clear that the job is not permanent and to make available time for job-seeking.\*) They are paid daily by checks delivered to the work sites.

As of January 9, 1979, NWP had 123 registrants, of whom 67 were active, and a waiting list of 30. On the average day, about 40 registrants were working with organizations ranging from Banana Kelly, a small community

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\* Two fulltime support services counselors and several volunteers help each worker design and implement a plan to get a job.

NEIGHBORHOOD WORK PROJECT

Leaving prison with \$40 in "gate money," or Rikers with \$1 in their pockets, most releasees need immediate income. Many want to work; very few have jobs or job opportunities waiting for them.\* Welfare and job-hunting, with their lengthy application procedures, cannot provide money for food and shelter at once. In any case, many inmates would rather work than go on welfare, or need help in looking for jobs, or cannot yet cope with the demands of a fulltime job.

To help satisfy these various needs, Vera developed the Neighborhood Work Project. Planning began in February 1978 and intensified three months later; on September 28, 1978, the Board of Estimate approved a contract, and the first two work sites opened on November 1.

The project brings together recent releasees looking for work and community organizations or City agencies looking for workers. With \$1.5 million in Community Development funds (part of a block grant to New York City from the federal Department of Housing and Urban Development), it provides 100 job slots for one year.

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\* Of 61 Rikers inmates interviewed for a Vera pilot study, 49 said that they wanted a job but only five reported that they had jobs waiting. One or two of the five appeared for a follow-up interview with no job. The others may not have appeared because they were working. The researchers estimated that less than five percent of the sample actually had jobs lined up before release.

group rehabilitating three blocks in the South Bronx, to U-HAB, a sophisticated agency providing services to community groups throughout the City.

Research designed by Vera's Research Department will use the computerized data base to attempt to measure the project's impact on offenders and its usefulness as a flexible labor force.

JOB PATH

The success of Wildcat led the Ford Foundation and five federal agencies to establish the Manpower Demonstration Research Corporation to oversee a three-year experiment of supported work located in 15 cities across the nation. The results of these programs indicated that the concept of supported work might also be utilized to assist mentally retarded persons to enter the labor market.

Traditionally, employment opportunities for mentally retarded individuals have been limited to either low status, low paying jobs (often of short duration), or to work within the confines of sheltered workshops. Since the Willowbrook Consent Decree of 1975, calling for the de-institutionalization of mentally retarded persons, the New York State Department of Mental Hygiene/Metropolitan Placement Unit (MPU)— recently renamed the Office of Mental Retardation and Developmental Disabilities -- has coordinated the effort to provide mentally retarded individuals with an opportunity for growth and development in "the least restrictive and most normal living conditions possible." Recognizing a need for an expansion of employment opportunities for this population, MPU asked the Vera Institute to test the feasibility of extending the concept of supported work to mentally retarded persons.

In February 1978, the Vera Institute undertook an eight-week pilot project which employed ten mentally retarded people with I.Q.'s ranging from 50-82. Six trainees were assigned to the Metropolitan Museum of Art

and four were assigned to Chemical Bank. One counselor was available full-time at each location to provide support and assistance to the trainees, and to act as a liaison with the work site's supervisory staff.

The results of the pilot were impressive and indicated the appropriateness of supported work for this population. During the eight weeks, each of the participants displayed signs of personal growth, characterized by an enhanced self-concept. At the end of the training period, five of the participants were offered permanent jobs at their sites. The four who accepted positions are still working and have received pay increases. The fifth trainee chose to take an outside job obtained by his mother. When the funds for his position were later cut, Job Path was able to place him as a mailroom clerk with the Singer Company. The other five supported workers from the pilot group were enrolled for continued training in the Job Path program, which began as a year-round project in August 1978.

Job Path aims to facilitate the transition of 50 to 100 mentally retarded persons yearly from sheltered environments to competitive jobs. In so doing, the program hopes to demonstrate to those responsible for vocational rehabilitation of the mentally retarded the usefulness of the supported work approach.

To gauge the effectiveness of the program, a year-long evaluation will measure the in-program work performance of Job Path workers, the post-employment outcomes of the Job Path workers and a randomly selected control group of simi-

larly mentally retarded individuals, and personality changes following program participation. To aid those wishing to replicate Job Path, the evaluators will prepare a detailed description of the program's job development efforts and its worker preparation activities.

Job Path recruits its workers primarily from sheltered workshops, the New York State Office of Vocational Rehabilitation, and the New York City Board of Education. Placements, which began in August 1978, are divided between public sector training slots funded by CETA and private sector slots.

As anticipated, many employers, given a convenient opportunity to try out mentally handicapped workers at minimal cost, have been willing to offer them permanent positions. By February 1979 eleven of the first 42 participants will have unsubsidized jobs.\* A majority of the trainees show the expected signs of emotional and psychological growth; many are beginning to dress better, to act out less, and to socialize more easily.

The breakdown of stereotypes held by many prospective employers was one of the original program objectives, is now satisfactorily being achieved. An unanticipated achievement is the program's impact on mental retardation agency personnel. It appears that some counselors and agency directors are reassessing the capabilities of their "clients" after seeing the success of former clients whom they had considered incapable of doing certain tasks or holding a job.

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\* This number does not include the five of the ten pilot project participants who moved into unsubsidized employment.

EASYRIDE

Like many other Vera projects, EASYRIDE has gone through three stages. During its initial year of operation, it focused on providing the promised service: door-to-door transportation in specially-equipped vans for elderly and disabled residents of Manhattan's Lower East Side. In the second half of 1977 it moved into a second stage: improving its operations, responding to needs which had surfaced during the pilot stage, becoming more efficient primarily by increasing the number of registrants and the number of riders per trip. By the end of 1978, EASYRIDE had 2,500 registrants and was providing 1,000 rides per week.

The third stage, entered in 1978, consisted of a search for ways to institutionalize the service. In May, discussions began with the Koch administration about the importance of developing a citywide paratransit system. This system could constitute a meaningful effort to deal with transportation problems of the handicapped; such an effort is a prerequisite, under Urban Mass Transportation Act regulations, to keeping the City's \$185 million federal mass transit subsidy. The Mayor made a commitment to begin operating a suitable paratransit system within a year, but thus far the nature of that system and Vera's role in helping plan it have remained unclear. Meanwhile, Vera is continuing research on the drivers (all ex-offenders or ex-addicts), the users, and transportation as a social force.

SERIOUS DELINQUENCY PLANNING PROJECT

The impact on the community of a crime against the person is almost always far greater than the impact of a crime against property. The fear and anger caused by violent crimes are out of proportion to the number of such crimes committed.

Local police, prosecutors, judges, and managers of diversion or after-care programs react accordingly. Offenders who commit violent crimes are likely to receive the harsher sanctions, and are more frequently incarcerated. Whether upon disposition or after incarceration, they are unlikely to be accepted into treatment or service programs, whose directors quite reasonably fear that a participant's violent act might jeopardize the entire program.

Attempting to deal with this area of enormous community concern -- and in particular with juvenile violence -- the Ford Foundation helped support a 1975 Vera research study on violent juveniles and a 1977 study (The Violent Delinquency Planning Project) to explore the feasibility of testing a model program or approach in several jurisdictions. The intended test -- which would have supported and evaluated programs targeted at violent juveniles -- would have resembled the nation-wide experiment now being conducted (under Ford, Department of Labor, HEW, and LEAA auspices) of supported work programs modeled on Vera's Wildcat project. (The national supported work experiment is managed by the Manpower Demonstration Research Corporation (MDRC);

thought was given to creating a parallel national management group for a series of experiments for preventing and treating juvenile violence, using funds from a variety of interested federal agencies.)

While the implications of Vera's research were being examined and the feasibility study was underway, LEAA's focus turned away from combatting juvenile violence and toward deinstitutionalizing status offenders -- thus increasing the need for local and private efforts, particularly in New York City, where the amount of juvenile violence is great.

Vera's research and feasibility studies disclosed two problems with the MDRC-type of experiment originally envisioned by Ford. The first was a problem of conception: directing violent juveniles into control-plus-treatment programs had seemed a way to reduce juvenile violence, but it turned out that most juvenile violence was not attributable to youths who could be identified as violent juveniles. The research study (Violent Delinquents: A Report to the Ford Foundation from the Vera Institute of Justice\*) concluded that while a few juveniles could reliably be identified as repeaters of violent crimes, most violent crimes were committed by juveniles who were not regularly violent. Rather, the majority of violent juvenile crimes were first offenses or were second (or subsequent) offenses by youths whose previous crimes were not violent. In short, violent offenses

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\* Appendix 21 of this report.

by youth seem either to be single episodes in otherwise normal adolescent development, or to be random events in the more general delinquent pattern of youth who are regularly in trouble with the law. For the large number of juveniles whose arrests for violent crime are single episodes, the label "violent delinquents" seems as inappropriate as the creation of programs of treatment aimed at preventing further violence by them. And, similarly, because there is no way to distinguish once-violent juveniles from their never-violent peers until they are apprehended and charged for inflicting injury, it appears impossible to design or test a prevention program "targeted" on this unidentifiable category.

The research and feasibility studies did suggest an alternative target group: chronic offenders. There is a relatively small number of juveniles -- between 5 and 15 percent of all those brought before juvenile courts -- who are arrested for serious (though not necessarily violent) crimes on four, five or more occasions. Because the great bulk of violent delinquents' acts occur as random events within a course of delinquent conduct, these "chronic" offenders are more likely than any others to commit a violent crime at some point in their youth. Indeed, as the Violent Delinquents data shows, and as many of the program staff with whom Vera consulted confirmed, it is not possible to say whether a chronic delinquent's next offense will be violent, but it is obvious (on probability alone) that they account for a volume of violent delinquency far greater than

their number would suggest.

The second factor arguing against a multi-jurisdictional test at this time was the shortage of programs which could serve as models. Wildcat Services Corporation had served as the testing ground for the concept of supported work; there seemed to have been no similarly successful testing ground for the concept of providing chronic delinquents with treatment and control in a community setting. Securely confined after a violent act (or a series of non-violent ones), then rejected by community-based programs when they were released, most chronic offenders (the ones likely to be responsible for an amount of violent crime worth addressing) were shuttling from situations of complete control -- training schools or correctional facilities -- to situations of no control, no treatment, and no delinquency prevention efforts.

Concurring with the Ford Foundation and others in the juvenile justice field that some intermediate and continuing response is desirable in the attack on juvenile violence, Vera undertook further work in this area in 1978. Its efforts were directed at the alternative target group suggested by earlier research: chronic delinquents.

Since planners on the research and feasibility studies had observed not only the paucity of models but also the paucity of communication among those few programs admitting chronic delinquents, Vera began by conducting a "national watching brief." A staff person collected, analyzed, and disseminated information about the problems of caseworkers

and managers in community-based programs which include at least some chronic delinquents and which both provide services and make at least some attempt to prevent their participants' offending while in the program.

Having identified some project directors and caseworkers who seem to be dealing successfully with the core problem of service-oriented, community-based programs -- how to deal with participants' in-program offenses without falling back on incarceration -- Vera is now trying to distill their experience into a design for a pilot program. This program would be tested in New York City, in conjunction with the New York State Division for Youth and the new New York City Juvenile Justice Agency, both of which have expressed interest in collaborating.

PART IV - STUDIES

Vera has studied various aspects of crime and the criminal justice system, both to provide information and to consider policy implications of its findings. The felony disposition study, for example, found a high proportion of prior relationships between complainants and defendants and suggested that this warranted experimentation with alternative means for settling disputes; the use of mediation/arbitration as an alternative to criminal court prosecution is now being tested by the Victim/Witness Assistance Project.

During the period covered by this report, Vera continued its long-term investigation of the relationship between employment and crime, its evaluation of the Court Employment Project, and its study of the disposition of juvenile delinquency and PINS cases in Family Court. Women on Patrol: A Pilot Study of Police Performance in New York City was published by the National Institute of Law Enforcement and Criminal Justice; Violent Delinquents: A Report to the Ford Foundation from the Vera Institute of Justice was published by Monarch, a division of Simon and Schuster; and The Wildcat Experiment: An Early Test of Supported Work in Drug Abuse Rehabilitation was published by the National Institute on Drug Abuse.

EMPLOYMENT AND CRIME

In September 1977, the Vera Institute, with funding from the National Institute of Law Enforcement and Criminal Justice, began a long-term study of relationships between employment and crime among several sub-populations. Groups to be studied include women, ex-offenders, and "high-risk" youths: those aged 16 to 24 residing in inner city areas that offer both relatively low levels of employment opportunity and relatively high levels of criminal opportunity.

In its first year, the project completed a critical review of the literature on employment and crime, designed a conceptual framework for the project's research, and planned a research strategy consisting of primary data collection, secondary analysis of existing data sets, and participant-observer fieldwork.\* The literature review surveys three types of work addressing the relationship between employment and crime: research on action programs, economic studies, and sociological literature. Supplementing this review with a review of delinquency literature and interviews with offenders, the project staff concluded that the widely accepted view that unemployment directly causes crime and that employment is always an effective deterrent to crime needed some qualification. While direct (causal) relationships clearly obtain for some groups in certain circumstances, they do not fully account for other employment and crime relationships among different sub-populations over time.

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\* See Appendix 17, Volume 60.

To account for these other relationships and divergences, the project has designed a model which attempts to account for the influence of such factors as the kind of jobs which are available, social and family expectations at different ages, and individuals' previous experience with the criminal justice system and the labor market.

To address this model, the project proposed to conduct: (1) structured interviews with a large, randomly-selected sample of criminal court defendants; (2) sustained field studies in one or more New York City neighborhoods chosen on the basis of their conformity to the project's definition of "high risk" and their utility in testing the model; and (3) secondary analysis of accessible and relevant data sets such as the studies of control groups (those not exposed to the program experience) at the Wildcat Service Corporation, the New York City Court Employment Project, and Manpower Demonstration Research Corporation.

In order to prepare for the secondary analyses, the project undertook an exploratory analysis of Wildcat evaluation data and a small study of inmates serving misdemeanor sentences at Rikers Island. While they were still incarcerated, 61 inmates were questioned about their employment, training, educational backgrounds, and plans for employment; these interviews marked the beginning of the project's efforts to design a cohort study of ex-

offenders. Follow-up interviews with 40 of the inmates determined whether or not these releasees had been able to secure work one month after leaving Riker's, and also probed for self-reported crime. A second follow-up, three months after release, completed the exploratory study.

In this research on jail releasees, experience has been obtained in eliciting self-reports on crime, "hustling" and quasi-illegal activity. Besides self-reports, information from police arrest reports and Social Security income records is being collected and will be analyzed. A measure of the "credit network" or informal helping arrangements available to releasees is also being elicited since it had become evident from the first wave of interviews that respondents' evident ability to subsist (sometimes in apparent comfort) could not be accounted for either by self-reported legal income or by self-reported illegal income.

COURT EMPLOYMENT PROJECT EVALUATION

With the initiation of bail reform in the early 1960s and pretrial diversion in the latter part of that same decade, considerable reform interest in the criminal justice system has focused on the pretrial period. The goals of such reforms have been many and varied, from a concern with cost savings by routing cases out of the system at the earliest point to concerns with defendant rehabilitation. Despite considerable attention to pre-trial reforms at the federal, state and local levels, however, and the development of a wide variety of new programs and processes at substantial expense, evaluation efforts have not produced definitive results concerning their impact. Similar research problems have faced evaluations in both bail reform and pretrial diversion, particularly the difficulty of establishing comparison groups that are reliable indicators of program impact.

In light of continued interest in pretrial diversion, prominent researchers in the field concluded by the mid-70's that thorough controlled research was essential for policy and program development to progress. Their call for such a rigorous design reflected the general recognition that research on diversion had produced a cumulative but nonetheless inconclusive record of findings about the outcome of court cases without diversion, the consequences of diversion for recidivism and personal stability, and the relationship of social service delivery to these outcomes.

Research findings were inconclusive for three fundamental reasons. First, the studies were not long-term, while the effects of interest (e.g., effects of diversion on recidivism, employment, or family life) were. Second, the studies did not use random (or equivalent) assignment, and such assignment, after screening, is the only way to get control groups comparable to the highly-screened diversion participants. Finally, the studies had resources sufficient only for small or "record" follow-ups, and not for the very costly exploration of social and vocational behavior.

With both interest and experience in conducting longitudinal, controlled, large-scale research, Vera proposed in 1975 an extensive evaluation of the Court Employment Program.\* One of the first pretrial diversion programs in the United States, CEP has served as a model for many subsequent programs; its experience has been cited often in the debates and disputes over the contribution of this reform.

The proposed research was funded by the National Institute of Law Enforcement and Criminal Justice under its Innovative Research Program in 1975 and was begun in 1976. Although delayed by City fiscal problems which forced CEP to stop diversion intake for seven months of 1976, the research began intake into the controlled

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\* Organized in 1968 by Vera as a demonstration project funded by the U.S. Department of Labor, CEP has continued to provide pretrial diversion services in the New York City Criminal Courts as an independent not-for-profit corporation under contract to New York City's Human Resources Administration.

design in January 1977 when CEP resumed its diversion of felony defendants in the criminal courts. By the end of October 1977, Vera research had selected 666 defendants for the research population, of whom 410 were assigned as experimental (diverted) subjects and 256 as controls (normal court processing). By the end of 1978, the full year follow-up had been completed, with criminal history record data assembled on nearly 100 percent of the research population and personal interview data on from 80 percent (at intake) to 66 percent (12 months later); the final analysis of data was well under way; and drafting of the final report had begun.

Initial data analysis showed that the assignment procedure which was used was successful in generating two groups of subjects who did not differ, at the time of intake into the research population, on all but one of the characteristics that were measured (age, sex, court case on which they were brought into the sample, employment, and school enrollment).

The experiment was designed to cover a 12-month period with each subject interviewed three times: (1) at intake into the research population, (2) six months after intake, and (3) twelve months after intake. The three personal interviews were to be conducted with all research subjects by Vera research interviewers. The interviews were conducted in English and Spanish at Vera's research office, in the courts, and in the field. The interviews were designed to elicit information

related to education, training, employment history, reliance on public assistance, criminal history and self-reported illegal activities, life style, and utilization of social services. Informed consent was obtained, and subjects were paid stipends for each interview.

In addition to the three personal interviews, official record data were obtained from the New York City Police Department, the Criminal Justice Agency (CJA), and CEP's service files. These data include criminal history (of arrests in New York State), disposition of the case on which the defendant entered the research, information related to subsequent arrests, and (for members of the experimental group) information about participation in CEP. In addition, attempts were made (where possible) to verify interview data through contacting schools, employers, and New York City's Department of Income Maintenance (public assistance).

Data were analyzed to determine whether the defendants who chose to appear for interviews were representative of the entire research population. There were no statistically significant differences between the two groups (interviewed and not interviewed) on gender, severity of arrest charge, or type of arrest charge; that is, the interviewed and non-interviewed groups each had the same proportion of males and females, and non-interviewed defendants had been arrested on charges that were neither more nor less serious than the charges for which interviewed defendants had been arrested.

There were, however, differences on some demographic variables. Those persons who were black or hispanic, young, unemployed, or in school at intake into the research were more likely to receive an intake interview and to remain in the research than were those who were white, older, employed, or not in school. These results have implications for the representativeness of the interviewed sample; that is, when differences between experimentals and controls emerge from the interview data, one cannot be certain that the differences would hold for the research population as a whole. While this is an important consideration, it is mitigated somewhat by the completeness of the data collected from official records. If differences between experimentals and controls on variables constructed from official record data are logically consistent with those from interview data -- and they are -- one can be more confident in the representativeness of the interview data results. For example, if interview data were to show that experimentals made a positive change over time in employment, and official record data were to show a similar positive effect on recidivism, one could conclude (because having a job and not being rearrested are logically consistent) that the self-selected interviewed group was not grossly different from the research population as a whole.

A second, and perhaps more important, issue is the effect of the dropout or "mortality" on the equivalence of the experimental and control groups. Data analyses yielded no significant differences between experimentals and controls on characteristics at intake among those

interviewed at intake, six- or twelve-months. While roughly one-third of the defendants dropped out of the research by the end of the twelve months of follow-up, the experimental and control groups remained equivalent. Thus, for example, while defendants who received all three interviews tended to be younger than those who dropped out of the research, the mean age (at intake) for experimentals who were interviewed three times (mean = 19.6) was not significantly different from that for controls who were interviewed three times (mean = 19.3).

In sum, in order to have confidence in their final conclusions, evaluators must have confidence in their data. And so the CEP evaluators asked two initial questions about their data:

(1) Were the interviewed defendants comparable to the defendants who were not interviewed? The answer to this question was "in some respects, no"; while on case-related variables the two groups did not differ, they did differ on some demographic characteristics. However, by using official record data (available on virtually the entire research population), it was possible to support the validity of results from the interview data.

(2) Were the experimental and control groups comparable to each other, at intake, at the first interview, and at subsequent interviews? The answer to these questions was "yes."

These answers, establishing the validity of the data, have led the evaluators to conclude that any differences in changes in employment, schooling, and other self-reported variables between experimentals and controls may be interpreted as stemming from program impact rather than stemming from differences among people which existed before they entered the program. The project's final report, to be completed in mid-1979, will explore the differences between experimentals and controls.

FAMILY COURT DISPOSITION STUDY

Hoping to gain some systematic, statistical knowledge about what happens to juvenile delinquency and PINS cases in Family Court as well as some understanding of why cases are handled as they are, Vera has undertaken a twenty-one month study of Family Court dispositions, with support from a \$462,000 grant awarded by DCJS in March 1978.

In its basic design, the study will resemble Vera's 1977 monograph, Felony Arrests: Their Prosecution and Disposition in New York City's Courts. A randomly-selected "wide sample" of approximately 2,800 cases will be tracked from appearance at probation intake through final exclusion from the Family Court system. The wide sample will be analyzed to determine what percentage of the total caseload is closed or referred out of court at each step of the Family Court process (intake, petition, etc.). The analysis will also seek to draw a statistical picture of the relationship between, on the one hand, the respondent's prior contact with Family Court, his present detention status, and his alleged offenses (e.g., truancy, criminal mischief, assault) and, on the other hand, the disposition of his case. For a subsample of approximately 500 cases -- the "deep sample" -- all system actors (arresting officer, probation intake officer, prosecuting attorney, judge, etc.) will be interviewed to explore what information was available to them when they made their

decisions about the case, what factors influenced their decisions, and what observations they wished to make about the juvenile justice system.

Since a substantial discrepancy had been discovered between the 1977 Probation intake figures supplied by the New York State Division of Probation and those of the Office of Court Administration, it was decided to count manually the population from which the wide sample would be drawn (i.e., all delinquency and PINS cases appearing at probation intake in the four major boroughs of New York City between April 1, 1977, and March 31, 1978). The count was completed in May 1978 and in early June cases for the wide sample were randomly selected. With the cooperation of the Youth Records Unit at police headquarters, arrest data were collected during late June and July for all wide sample cases. Research interviewers then began collecting data from Probation and Court records.

Key-punching of the wide sample data has been proceeding since mid-November 1978. After approximately one-third of the delinquency and PINS data files had been created, preliminary runs were made on this non-random selection of cases. Problems in the data files, such as errors in variable value ranges, mis-identification of cases, key-punch errors, and value errors due to mistakes in coding, are being rectified by error screening programs, including extensive intervariable consistency checks. Frequency distributions for all variables have been obtained for the preliminary data files; the implications

for the sample as a whole are not clear, since this third of the sample was not derived by a random selection process.

Initial emphasis has been on those cases in the delinquency wide sample involving major felony charges, which were given priority because the information gained concerning these charge categories will be useful for shaping the deep sample design. With data collection completed for over half the cases, certain preliminary findings concerning delinquency population have emerged. It should be cautioned that relatively simple, adjusted cases are over-represented in this group since they were the easiest to locate and code quickly. Thus, these preliminary findings are derived from a non-random data base:

- From a comparison of intake dates and arrest charges, it appears that about 84 of the juveniles in the wide sample are co-respondents in the same incidents. These sample cases will be checked further (by matching incident dates, allegations, and offense descriptions) to establish actual co-responden Those cases involving co-respondents will make it possible to compare the Family Court processing of different juveniles involved in the same incident.

- The offense distribution within the wide sample was roughly as expected, with a preponderance of burglary, robbery, grand larceny and assault offenses. A profile of the frequency of offenses within the designated felony classification shows the overwhelming importance of robbery 1°.

• A dispositional analysis of a mini-sample of 300 delinquency cases selected by a non-random method (those cases for which wide-sample data collection had been completed) in five major felony categories showed that the highest adjustment rate was among burglaries (60%) and the lowest among assaults (39%). These adjustment rates are expected to be somewhat lower in the final wide sample analysis.

Besides preliminary analyses of the wide sample, preparation for the deep sample study has included obtaining authorization to speak with system actors, familiarizing research staff with topics likely to arise during interviews, training the interviewers to follow up when unexpected issues are raised, and conducting practice interviews.