

Len

Report to the Staff and Trustees of the Vera Institute of Justice

January 19 to February 28, 1968

Vol. 3 No. 2

BAIL REFORM - NATIONAL

Chicago Courts Study ROR Programs

Chicago, Illinois. Chief Judge of the Circuit Court John S. Boyle -- formerly a staunch opponent to expansion of Chicago's r.o.r. program (See Vol. 3 No. 1.) - has now appointed a committee of three judges to look into the 'possibility' of increasing r.o.r. coverage. In discussing his change of attitude, Judge Boyle said that "his attitude toward the bonds previously had been influenced by misleading statistics." It was found that the original jump rate reported as 20.5% included not only traffic cases, but, for example, many cases where a defendant who had several charges against him and failed to appear at trial was counted as a jumper equal to the number of charges against him. Judge Boyle has sent his committee to New York and Washington, D.C. to investigate r.o.r. programs. At present the Citizen's Committee for Employment has proposed an r.o.r. project modeled after Vera's program in New York. The CCE proposed that the r.o.r. investigations be carried out before arraignment rather than as presently done in Chicago, after detainment. The CCE also proposes that the courts finance the pilot project effort.

Bail Reform Proposed for State

St. Paul, Minnesota. Minnesota's Commission on Law Enforcement Administration of Justice and Corrections, Committee on Administration of Justice has submitted a proposal for sweeping reforms of the state's court system including a provision for the study and revision of the bail system. In regard to bail reform the committee recommended the study of r.o.r. programs carried out in other states and the eventual use of r.o.r. in Minnesota.

Bail Fund Planned

Garden City, New York. The Long Island Chapters of the NAACP are in the process of setting up a bail fund to be drawn upon by indigent Negroes of Nassau and Suffolk Counties who are accused of minor crimes. Although both Nassau and Suffolk Counties at present have r.o.r. programs, a spokesman for the NAACP stated that the r.o.r. programs did not provide relief quickly enough and in most cases a defendant must spend two or three nights in jail before release can be arranged. The civil rights organization has named a committee to establish criteria for selecting prospective clients. The screening of candidates will be focused on the defendant's background and finances to determine how risky a client would be.

## FEDERAL BAIL REFORM

### Judge Objects to Appeal Procedure

Washington, D. C. Judge Charles W. Halleck of the Court of General Sessions has raised objection to the new U. S. Court of Appeals ruling that, under the Federal Bail Reform Act of 1966, in cases of appeal on bond questions, it is the judges of original jurisdiction who must hear the case. (See Vol. 2 No. 17 ) Halleck said that under the present system, when a felony case has been held over for grand jury action, all the defendant's papers are transported to the District Court and as a result only a name card remains in the files at the General Sessions Court. Thus, the judge of original jurisdiction, under the new ruling, has to make bail decisions with little or no information about the case. Judge Halleck stated further, that the D.C. Bail Agency which is supposed to provide verified information about a defendant's roots in the community, does little more than verify names and addresses of defendants and employers. Judge Halleck said that under these conditions judges have difficulty imposing meaningful conditions of release.

## LEGISLATION

### Bail Reform Law Proposed

Sacramento, California. A bill to liberalize California's bail system was introduced into the Assembly by the Committee on the Judiciary. The proposed legislation will encourage judges to release on recognizance defendants awaiting trial. Also included in the bill is a provision for automatic review of release conditions if the defendant has not been released from jail within two days. If the defendant is not released at review hearing, the court will be required to give reasons for detaining defendant.

### R.O.R. Program to be Instituted

Wilmington, Delaware. The General Assembly of Delaware recently passed S. B. 314 which provides for the establishment of an r.o.r. system in Wilmington. The program will be under the administration of the Department of Corrections and will probably employ three full-time investigators to do the r.o.r. investigations

## VERA NEWS

### Youth Training Program

A new program has begun to train ghetto youths for jobs in private industry. Sponsored by the Standard Oil Company of New Jersey, the Voorhees Technical Institute, the New York Coalition, the Police Department and Vera have undertaken a six-month program of on-the-job training and classroom study. Police Commissioner Howard Leary said the Police Department will begin by training 50 youths within the Department as key punch operators, clerk-typists and automobile mechanics' aides, earning about \$60 a week as they learn.

### Revision of Penal Law and Criminal Code

Harry Subin testified before the Temporary Commission for the Revision of the Penal Law and Criminal Code for the State of New York, with respect to the bail provisions of the proposed Code. Mr. Subin told the committee that the newly proposed Code, which makes few changes in the traditional money bail system, does little to improve the present bail system in New York State. Vera submitted an alternative legislative proposal, based on the Bail Reform Act of 1965, and with the added features of limiting the permissible length of pretrial detention, permitting the court to consider dangerousness in imposing conditions of release, and permitting revocation after rearrest or flight.

### Summons Project

The Police Department has issued its final report on the first six months of operation of the Manhattan Summons Project. Since July 1, 1967 there have been a total of 22,916 arrests for summonsable offenses. Of the 22,916 arrested 9,191 (40%) qualified for the summons interview. Of the 9,191 interviewed, 1,186 (12.9%) failed to qualify; 2,430 (26.44%) refused the summons; and 5,575 (60.66%) received summonses. As of December 31, 1967, there were 307 (5.5%) jumpers. Approximately 25% of those arrested for summonsable offenses over the first six months of the project received summonses.

### Manhattan Bowery Project

As of February 18, 1968 343 men were approached to come to the clinic. Of the 343, 255 accepted and an additional 48 were referred from other agencies; thus, a total of 295 admissions to the Project infirmary. Of the 295 receiving treatment, 39 were referred by the Project to hospitals, 160 to other agencies, and 52 refused referral or left the infirmary before the conclusion of treatment. There were 44 readmissions of former patients.

### Manhattan Court Employment Project

Vera's 'manpower project' (See Vol. 2 No. 16) began full operation this month. The project has selected approximately 28 defendants for employment counselling and placement. Defendants are screened by Vera staff prior to arraignment; if selected, a staff member notifies the Legal Aid attorney and the assistant district attorney on duty in the court of Vera's interest in the case and, with the approval of the assistant district attorney, the case is adjourned for three months and the defendant r.o.r.'d to participate in the project. Thus far, the cases have been selected from those appearing in Part III (youth) of Manhattan Criminal Court on charges including violations, misdemeanors and felonies which have been reduced to misdemeanors. To date approximately 10 defendants have been placed at jobs or in training programs.

### Criminal Justice Coordinating Council

The Community Patrol Corps staged a one night demonstration project in Harlem. A patrol of six youths (ages 21 - 27 selected from members of local clubs and organizations) walked the streets of Harlem in an effort to observe conditions and find out how best the community Patrol can assist law enforcement efforts. Eventually it is planned that a Patrol of 30 youths working in shifts on a round-the-clock basis, will be able to assist the police in preventing crime.

### Bail Jumping Study

Vera is conducting a comprehensive study on bail jumping. The study will be carried out in order to determine the exact reasons why people do not appear at trial and the actual jump rate in Manhattan. Included in this study will be the Manhattan Criminal Court and the Supreme Court cases.

### Bail Legislation

The model bail legislation submitted by Vera to the Commission on Revision of the Penal Law has been introduced into the New York Assembly by Assemblyman (Congressman) Podell. It has also been requested by the Council on State Governments, for possible national distribution.

### New Staff

Mr. Barry Mahoney has joined Vera as staff attorney on the Criminal Justice Coordinating Council. Trainee Roosevelt Farrell has been assigned by the Police Department to Vera.