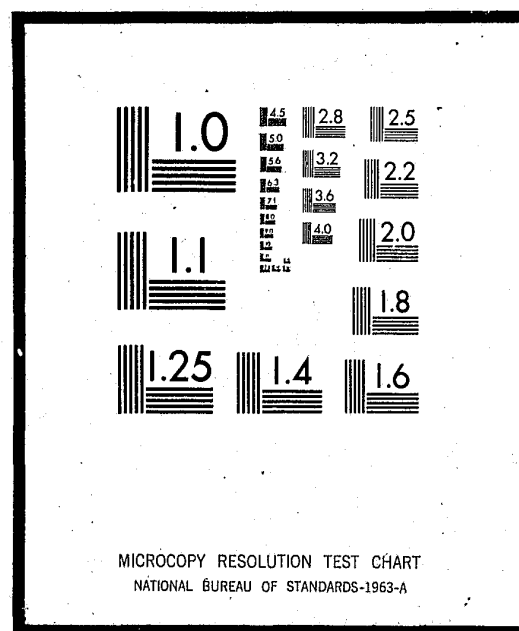


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U.S. DEPARTMENT OF JUSTICE
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION
NATIONAL CRIMINAL JUSTICE REFERENCE SERVICE
WASHINGTON, D.C. 20531

Date filmed

8/7/75



REPORT OF THE D.C. BAIL AGENCY

For The Period
January 1, 1973 — December 31, 1973

013676

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A. General

1. Cases Processed

Between January 1, 1973 and December 31, 1973, the Agency conducted 22,162 interviews. In all of these cases, following the mandate of its statute, the Agency submitted reports to the Magistrates concerned with those cases. In all of these cases which were not disposed of on the first day, notices of court appearances and supervision of conditions of release were done by the Agency. See Appendix B for a thorough review of the sources of Agency activity. Of the 13,343 cases in which release conditions were set following submission of a report, 9,858 or 71% were released on nonfinancial conditions. 3,485 or 29% had financial conditions imposed. This compares with figures for 1972 of 65% released on nonfinancial release conditions and 35% released on financial conditions.

2. Failure to Appear

Of the 12,180 cases in which the Bail Agency provided notice to defendants there were 999 failures to appear. Thus, 8.2% of the persons under Agency supervision missed at least one court appearance. See Appendix D for a more specific breakdown of this figure.

3. Subsequent Offenses

1,607 defendants of the 9,858 under Bail Agency supervision whose cases were disposed of during Calendar Year '73 were rearrested. Of these, 210 had no charges filed so that the rearrest rate for persons on non-financial release was 14.2%. 531 of the 3,322 defendants at liberty on financial conditions were rearrested. 77 of those were not charged and thus a 13.7% rearrest rate emerges. It is significant then that the rearrest rates are practically the same although almost three times the number of persons are at liberty on non-financial conditions.

During this same period 1,224 persons who were on probation were arrested and charged with a subsequent offense and 662 persons on parole were arrested and charged with a subsequent offense. See Appendix F for additional details.

B. Condition Supervision

As has been noted in previous reports nearly 3,000 defendants are at liberty on pretrial release on any given day. During the year the Agency supervised over 10,000 persons whose cases were closed during that year.

Supervision begins as soon as the defendant is released at initial presentment. The release conditions imposed in Court are explained to the defendant following release and

any questions are answered. If the defendant wishes to avail himself of any of the specialized services of the Agency, such as employment counselling, a referral can be made at this time.

Each case is then assigned to a specific individual in the Condition Supervision Section. That person is responsible for checking compliance with release conditions, notifying the Court of violations, and, in appropriate cases, writing memoranda to presentence writers summarizing adjustment during the period of release.

Over 2,600 violations of conditions were reported to the Courts during 1973. Although hearings were recommended in almost every case, only a handful resulted in court-imposed sanctions or review. (See Appendix E for a complete description). The reasons for failure to impose sanctions for violations of conditions are many. Principally, however, the courts seem to be loathe to impose a sanction for violation of a condition designed to produce the defendant for trial when the defendant in fact appears. It is typical that the defendant who has violated a condition appears for trial and it is probably this phenomenon that has produced the above result. The Bail Agency is presently experimenting with the Court in imposing fewer conditions and reporting what appear to be only significant violations. Once again the condition most frequently

violated required regular reporting to the Bail Agency. The Condition Supervision Division in cooperation with the Department of Social Services established a systematic procedure for the transfer of information developed during the pretrial stage to the presentence writer. This was done in recognition of the fact that compliance or non-compliance with court ordered conditions during the pretrial period should serve as valuable indicators of the probable response to court-imposed conditions under probation.

C. Citations

In 1973, 7,973 cases were handled as citation referrals. This represents an increase of almost 1,000 cases over 1972. Of these referrals 6,138 or 77% were released. Of those released 124 or 2% failed to appear for their initial appointment with the prosecutor. See Appendix C for further details.

COMMUNITY BENEFITS

True evaluation of the pretrial release system in effect in the District of Columbia is difficult at best. There are, however, certain undisputed benefits which indicate the value of the system as it is presently operated by the courts, the prosecutors, the attorneys, the police, and the Bail Agency to the community. More than 9,000 persons were released without having to post a surety bond. Since the average bond in

a felony case is \$2,000 and the average bond in a misdemeanor case is \$300, and given a 3 to 1 ratio of misdemeanor to felony than 6,000 cases would have had bonds set at \$300 and 3,000 cases would have had bonds set at \$2,000. Premium costs in the District of Columbia (non-refundable) are 8% for the first thousand dollars and 5% for the balance. Thus, \$144,000 in misdemeanor premiums and \$390,000 in felony premiums, amounts which otherwise would have been paid to bondsmen as fees to obtain release, remained in the community, in the households which so desperately need the money.

While all 9,000 persons would not have been incarcerated had they not been released on personal recognizance at least 50% of them, according to studies from the early 60's, would probably have been detained an average of four weeks in misdemeanor cases and 9 weeks in felony cases. This means that persons presumed innocent did not spend 84,000 days in jail that they otherwise would have simply awaiting trial in misdemeanor cases. This also means that persons charged with felonies did not spend 94,500 days in jail awaiting trial because of an inability to post bail.

The fact that a detention facility must exist and be staffed to hold prisoners who are charged with crime and unable to post bail has been a fact influencing a budget request of the District of Columbia for many years. While it is difficult to compute the cost saving to the District as a

result of not having to staff and maintain a detention facility large enough to hold the persons referred to above, at a minimum it costs more than \$9.00 a day to feed and cloth a prisoner. Thus, it is apparent that a minimum cash outlay of \$1,606,500 was saved.

FUTURE OPERATIONS

The Agency in order to provide a more effective service to the court system has initiated grant applications that will enable it to computerize some of its functions and to expand its Condition Supervision function by placing staff members in the community. One effect of the Agency's community thrust should be to reduce the number of failures to appear that occur by encouraging defendants to surrender themselves voluntarily. We will also address the condition violation problem by working more closely with defendants to determine appropriate alternatives for the courts which will insure appearance and community safety.

CONCLUSION

Those responsible for the direction of the Agency realize that little can be accomplished without the cooperation of the components of the Criminal Justice System, the Administration of the City, and the good will of the Congress. We are grateful for and appreciative of the understanding and support we have received and hope that our contribution can continue to be as effective as in the past.

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"Chapter 13.—BAIL AGENCY AND PRETRIAL DETENTION

"SUBCHAPTER I—DISTRICT OF COLUMBIA BAIL AGENCY

"Sec.

"23-1301. District of Columbia Bail Agency.

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"23-1303. Interviews with detainees; investigations and reports; information as confidential; consideration and use of reports in making bail determinations.

"23-1304. Executive committee; composition; appointment and qualifications of Director.

"23-1305. Duties of Director; compensation; tenure.

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"SUBCHAPTER II—RELEASE AND PRETRIAL DETENTION

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"SUBCHAPTER I—DISTRICT OF COLUMBIA BAIL AGENCY

"§ 23-1301. District of Columbia Bail Agency

"The District of Columbia Bail Agency (hereafter in this subchapter referred to as the 'agency') shall continue in the District of Columbia and shall secure pertinent data and provide for any judicial officer in the District of Columbia or any officer or member of the Metropolitan

Police Department issuing citations, reports containing verified information concerning any individual with respect to whom a bail or citation determination is to be made.

§ 23-1302. Definitions

"As used in this chapter—

"(1) the term 'judicial officer' means, unless otherwise indicated, the Supreme Court of the United States, the United States Court of Appeals for the District of Columbia Circuit, the District of Columbia Court of Appeals, United States District Court for the District of Columbia, the Superior Court of the District of Columbia or any justice or judge of those courts or a United States commissioner or magistrate; and

"(2) the term 'bail determination' means any order by a judicial officer respecting the terms and conditions of detention or release (including any order setting the amount of bail bond or any other kind of security) made to assure the appearance in court of—

"(A) any person arrested in the District of Columbia, or

"(B) any material witness in any criminal proceeding in a court referred to in paragraph (1).

§ 23-1303. Interviews with detainees; investigations and reports; information as confidential; consideration and use of reports in making bail determinations

"(a) The agency shall, except when impracticable, interview any person detained pursuant to law or charged with an offense in the District of Columbia who is to appear before a judicial officer or whose case arose in or is before any court named in section 23-1302(1). The interview, when requested by a judicial officer, shall also be undertaken with respect to any person charged with intoxication or a traffic violation. The agency shall seek independent verification of information obtained during the interview, shall secure any such person's prior criminal record which shall be made available by the Metropolitan Police Department, and shall prepare a written report of the information for submission to the appropriate judicial officer. The report to the judicial officer shall, where appropriate, include a recommendation as to whether such person should be released or detained under any of the conditions specified in subchapter II of this chapter. If the agency does not make a recommendation, it shall submit a report without recommendation. The agency shall provide copies of its report and recommendations (if any) to the United States attorney for the District of Columbia or the Corporation Counsel of the District of Columbia, and to counsel for the person concerning whom the report is made. The report shall include but not be limited to information concerning the person accused, his family, his community ties, residence, employment, and prior criminal record, and may include such additional verified information as may become available to the agency.

"(b) With respect to persons seeking review under subchapter II of this chapter of their detention or conditions of release, the agency shall review its report, seek and verify such new information as may be necessary, and modify or supplement its report to the extent appropriate.

"(c) The agency, when requested by any appellate court or a judge or justice thereof, or by any other judicial officer, shall furnish a report as provided in subsection (a) of this section respecting any person whose case is pending before any such appellate court or judicial officer or in whose behalf an application for a bail determination shall have been submitted.

"(d) Any information contained in the agency's files, presented in its report, or divulged during the course of any hearing shall not be admissible on the issue of guilt in any judicial proceeding, but such information may be used in proceedings under sections 23-1327, 23-1328, and 23-1329, in perjury proceedings, and for the purposes of impeachment in any subsequent proceeding.

"(e) The agency, when requested by a member or officer of the Metropolitan Police Department acting pursuant to court rules governing the issuance of citations in the District of Columbia, shall furnish to such member or officer a report as provided in subsection (a).

"(f) The preparation and the submission by the agency of its report as provided in this section shall be accomplished at the earliest practicable opportunity.

"(g) A judicial officer in making a bail determination shall consider the agency's report and its accompanying recommendation, if any. The judicial officer may order such detention or may impose such terms and set such conditions upon release, including requiring the execution of a bail bond with sufficient solvent sureties as shall appear warranted by the facts, except that such judicial officer may not order any detention or establish any term or condition for release not otherwise authorized by law.

"(h) The agency shall—

"(1) supervise all persons released on nonsurety release, including release on personal recognizance, personal bond, nonfinancial conditions, or cash deposit or percentage deposit with the registry of the court;

"(2) make reasonable effort to give notice of each required court appearance to each person released by the court;

"(3) serve as coordinator for other agencies and organizations which serve or may be eligible to serve as custodians for persons released under supervision and advise the judicial officer as to the eligibility, availability, and capacity of such agencies and organizations;

"(4) assist persons released pursuant to subchapter II of this chapter in securing employment or necessary medical or social services;

"(5) inform the judicial officer and the United States attorney for the District of Columbia or the Corporation Counsel of the District of Columbia of any failure to comply with pretrial release conditions or the arrest of persons released under its supervision and recommend modifications of release conditions when appropriate;

"(6) prepare, in cooperation with the United States marshal for the District of Columbia and the United States attorney for the District of Columbia, such pretrial detention reports as are required by Rule 46(h) of the Federal Rules of Criminal Procedure; and

"(7) perform such other pretrial functions as the executive committee may, from time to time, assign.

§ 23-1304. Executive committee: composition; appointment and qualifications of Director

"(a) The agency shall function under authority of and be responsible to an executive committee of five members of which three shall constitute a quorum. The executive committee shall be composed of the respective chief judges of the United States Court of Appeals for the District of Columbia Circuit, the United States District Court for the District of Columbia, the District of Columbia Court of Ap-

peals, the Superior Court, or if circumstances may require, the designee of any such chief judge, and a fifth member who shall be selected by the chief judges.

"(b) The executive committee shall appoint a Director of the agency who shall be a member of the bar of the District of Columbia.

"§ 23-1305. Duties of Director; compensation; tenure

"The Director of the agency shall be responsible for the supervision and execution of the duties of the agency. The Director shall receive such compensation as may be set by the executive committee but not in excess of the compensation authorized for GS-16 of the General Schedule contained in section 5332 of title 5, United States Code. The Director shall hold office at the pleasure of the executive committee.

35 F.R. 6247.

"§ 23-1306. Chief assistant and other agency personnel; compensation

"The Director, subject to the approval of the executive committee, shall employ a chief assistant and such assisting and clerical staff and may make assignments of such agency personnel as may be necessary properly to conduct the business of the agency. The staff of the agency, other than clerical, shall be drawn from law students, graduate students, or such other available sources as may be approved by the executive committee. The chief assistant to the Director shall receive compensation as may be set by the executive committee, but in an amount not in excess of the amount authorized for GS-14 of the General Schedule contained in section 5332 of title 5, United States Code, and shall hold office at the pleasure of the executive committee. All other employees of the agency shall receive compensation, as set by the executive committee, which shall be comparable to levels of compensation established in such chapter 53. From time to time, the Director, subject to the approval of the executive committee, may set merit and longevity salary increases.

5 USC 5301-5365.

"§ 23-1307. Annual reports to executive committee, Congress, and Commissioner

"The Director shall on June 15 of each year submit to the executive committee a report as to the agency's administration of its responsibilities for the previous period of June 1 through May 31, a copy of which report will be transmitted by the executive committee to the Congress of the United States, and to the Commissioner of the District of Columbia. The Director shall include in his report, to be prepared as directed by the Commissioner of the District of Columbia, a statement of financial condition, revenues, and expenses for the past June 1 through May 31 period.

"§ 23-1308. Budget estimates

"Budget estimates for the agency shall be prepared by the Director and shall be subject to the approval of the executive committee.

"SUBCHAPTER II—RELEASE AND PRETRIAL DETENTION

"§ 23-1321. Release in noncapital cases prior to trial

"(a) Any person charged with an offense, other than an offense punishable by death, shall, at his appearance before a judicial officer, be ordered released pending trial on his personal recognizance or upon the execution of an unsecured appearance bond in an amount specified by the judicial officer, unless the officer determines, in the exercise of his discretion, that such a release will not reasonably assure the appearance of the person as required or the safety of any other person

or the community. When such a determination is made, the judicial officer shall, either in lieu of or in addition to the above methods of release, impose the first of the following conditions of release which will reasonably assure the appearance of the person for trial or the safety of any other person or the community, or, if no single condition gives that assurance, any combination of the following conditions:

"(1) Place the person in the custody of a designated person or organization agreeing to supervise him.

"(2) Place restrictions on the travel, association, or place of abode of the person during the period of release.

"(3) Require the execution of an appearance bond in a specified amount and the deposit in the registry of the court, in cash or other security as directed, of a sum not to exceed 10 per centum of the amount of the bond, such deposit to be returned upon the performance of the conditions of release.

"(4) Require the execution of a bail bond with sufficient solvent sureties, or the deposit of cash in lieu thereof.

"(5) Impose any other condition, including a condition requiring that the person return to custody after specified hours of release for employment or other limited purposes.

No financial condition may be imposed to assure the safety of any other person or the community.

"(b) In determining which conditions of release, if any, will reasonably assure the appearance of a person as required or the safety of any other person or the community, the judicial officer shall, on the basis of available information, take into account such matters as the nature and circumstances of the offense charged, the weight of the evidence against such person, his family ties, employment, financial resources, character and mental conditions, past conduct, length of residence in the community, record of convictions, and any record of appearance at court proceedings, flight to avoid prosecution, or failure to appear at court proceedings.

"(c) A judicial officer authorizing the release of a person under this section shall issue an appropriate order containing a statement of the conditions imposed, if any, shall inform such person of the penalties applicable to violations of the conditions of his release, shall advise him that a warrant for his arrest will be issued immediately upon any such violation, and shall warn such person of the penalties provided in section 23-1328.

"(d) A person for whom conditions of release are imposed and who, after twenty-four hours from the time of the release hearing, continues to be detained as a result of his inability to meet the conditions of release, shall, upon application, be entitled to have the conditions reviewed by the judicial officer who imposed them. Unless the conditions of release are amended and the person is thereupon released, the judicial officer shall set forth in writing the reasons for requiring the conditions imposed. A person who is ordered released on a condition which requires that he return to custody after specified hours shall, upon application, be entitled to a review by the judicial officer who imposed the condition. Unless the requirement is removed and the person is thereupon released on another condition, the judicial officer shall set forth in writing the reasons for continuing the requirement. In the event that the judicial officer who imposed conditions of release is not available, any other judicial officer may review such conditions.

"(e) A judicial officer ordering the release of a person on any condition specified in this section may at any time amend his order to impose additional or different conditions of release, except that if the

imposition of such additional or different conditions results in the detention of the person as a result of his inability to meet such conditions or in the release of the person on a condition requiring him to return to custody after specified hours, the provisions of subsection (d) shall apply.

"(f) Information stated in, or offered in connection with, any order entered pursuant to this section need not conform to the rules pertaining to the admissibility of evidence in a court of law.

"(g) Nothing contained in this section shall be construed to prevent the disposition of any case or class of cases by forfeiture of collateral security where such disposition is authorized by the court.

"(h) The following shall be applicable to any person detained pursuant to this subchapter:

"(1) The person shall be confined, to the extent practicable, in facilities separate from convicted persons awaiting or serving sentences or being held in custody pending appeal.

"(2) The person shall be afforded reasonable opportunity for private consultation with counsel and, for good cause shown, shall be released upon order of the judicial officer in the custody of the United States marshal or other appropriate person for limited periods of time to prepare defenses or for other proper reasons.

"§ 23-1322. Detention prior to trial

"(a) Subject to the provisions of this section, a judicial officer may order pretrial detention of—

"(1) a person charged with a dangerous crime, as defined in section 23-1331(3), if the Government certifies by motion that based on such person's pattern of behavior consisting of his past and present conduct, and on the other factors set out in section 23-1321(b), there is no condition or combination of conditions which will reasonably assure the safety of the community;

"(2) a person charged with a crime of violence, as defined in section 23-1331(4), if (i) the person has been convicted of a crime of violence within the ten-year period immediately preceding the alleged crime of violence for which he is presently charged; or (ii) the crime of violence was allegedly committed while the person was, with respect to another crime of violence, on bail or other release or on probation, parole, or mandatory release pending completion of a sentence; or

"(3) a person charged with any offense if such person, for the purpose of obstructing or attempting to obstruct justice, threatens, injures, intimidates, or attempts to threaten, injure, or intimidate any prospective witness or juror.

"(b) No person described in subsection (a) of this section shall be ordered detained unless the judicial officer—

"(1) holds a pretrial detention hearing in accordance with the provisions of subsection (c) of this section;

"(2) finds—

"(A) that there is clear and convincing evidence that the person is a person described in paragraph (1), (2), or (3) of subsection (a) of this section;

"(B) that—

"(i) in the case of a person described only in paragraph (1) of subsection (a), based on such person's pattern of behavior consisting of his past and present conduct, and on the other factors set out in section 23-1321(b), or

"(ii) in the case of a person described in paragraph (2) or (3) of such subsection, based on the factors set out in section 23-1321(b),

there is no condition or combination of conditions of release which will reasonably assure the safety of any other person or the community; and

"(C) that, except with respect to a person described in paragraph (3) of subsection (a) of this section, on the basis of information presented by proffer or otherwise to the judicial officer there is a substantial probability that the person committed the offense for which he is present before the judicial officer; and

"(3) issues an order of detention accompanied by written findings of fact and the reasons for its entry.

"(c) The following procedures shall apply to pretrial detention hearings held pursuant to this section:

"(1) Whenever the person is before a judicial officer, the hearing may be initiated on oral motion of the United States attorney.

"(2) Whenever the person has been released pursuant to section 23-1321 and it subsequently appears that such person may be subject to pretrial detention, the United States attorney may initiate a pretrial detention hearing by ex parte written motion. Upon such motion the judicial officer may issue a warrant for the arrest of the person and if such person is outside the District of Columbia, he shall be brought before a judicial officer in the district where he is arrested and shall then be transferred to the District of Columbia for proceedings in accordance with this section.

"(3) The pretrial detention hearing shall be held immediately upon the person being brought before the judicial officer for such hearing unless the person or the United States attorney moves for a continuance. A continuance granted on motion of the person shall not exceed five calendar days, unless there are extenuating circumstances. A continuance on motion of the United States attorney shall be granted upon good cause shown and shall not exceed three calendar days. The person may be detained pending the hearing.

"(4) The person shall be entitled to representation by counsel and shall be entitled to present information by proffer or otherwise, to testify, and to present witnesses in his own behalf.

"(5) Information stated in, or offered in connection with, any order entered pursuant to this section need not conform to the rules pertaining to the admissibility of evidence in a court of law.

"(6) Testimony of the person given during the hearing shall not be admissible on the issue of guilt in any other judicial proceeding, but such testimony shall be admissible in proceedings under sections 23-1327, 23-1328, and 23-1329, in perjury proceedings, and for the purposes of impeachment in any subsequent proceedings.

"(7) Appeals from orders of detention may be taken pursuant to section 23-1324.

"(d) The following shall be applicable to persons detained pursuant to this section:

"(1) The case of such person shall be placed on an expedited calendar and, consistent with the sound administration of justice, his trial shall be given priority.

"(2) Such person shall be treated in accordance with section 23-1321—

"(A) upon the expiration of sixty calendar days, unless the trial is in progress or the trial has been delayed at the request of the person other than by the filing of timely motions (excluding motions for continuances); or

"(B) whenever a judicial officer finds that a subsequent event has eliminated the basis for such detention.

"(3) The person shall be deemed detained pursuant to section 23-1325 if he is convicted.

"(e) The judicial officer may detain for a period not to exceed five calendar days a person who comes before him for a bail determination charged with any offense, if it appears that such person is presently on probation, parole, or mandatory release pending completion of sentence for any offense under State or Federal law and that such person may flee or pose a danger to any other person or the community if released. During the five-day period, the United States attorney or the Corporation Counsel for the District of Columbia shall notify the appropriate State or Federal probation or parole officials. If such officials fail or decline to take the person into custody during such period, the person shall be treated in accordance with section 23-1321, unless he is subject to detention under this section. If the person is subsequently convicted of the offense charged, he shall receive credit toward service of sentence for the time he was detained pursuant to this subsection.

"§ 23-1323. Detention of addict

"(a) Whenever it appears that a person charged with a crime of violence, as defined in section 23-1331(4), may be an addict, as defined in section 23-1331(5), the judicial officer may, upon motion of the United States attorney, order such person detained in custody for a period not to exceed three calendar days, under medical supervision, to determine whether the person is an addict.

"(b) Upon or before the expiration of three calendar days, the person shall be brought before a judicial officer and the results of the determination shall be presented to such judicial officer. The judicial officer thereupon (1) shall treat the person in accordance with section 23-1321, or (2) upon motion of the United States attorney, may (A) hold a hearing pursuant to section 23-1322, or (B) hold a hearing pursuant to subsection (c) of this section.

"(c) A person who is an addict may be ordered detained in custody under medical supervision if the judicial officer—

"(1) holds a pretrial detention hearing in accordance with subsection (c) of section 23-1322;

"(2) finds that—

"(A) there is clear and convincing evidence that the person is an addict;

"(B) based on the factors set out in subsection (b) of section 23-1321, there is no condition or combination of conditions of release which will reasonably assure the safety of any other person or the community; and

"(C) on the basis of information presented to the judicial officer by proffer or otherwise, there is a substantial probability that the person committed the offense for which he is present before the judicial officer; and

"(3) issues an order of detention accompanied by written findings of fact and the reasons for its entry.

"(d) The provisions of subsection (d) of section 23-1322 shall apply to this section.

"§ 23-1324. Appeal from conditions of release

"(a) A person who is detained, or whose release on a condition requiring him to return to custody after specified hours is continued, after review of his application pursuant to section 23-1321(d) or section 23-1321(e) by a judicial officer, other than a judge of the court having original jurisdiction over the offense with which he is charged or a judge of a United States court of appeals or a Justice of the Supreme Court, may move the court having original jurisdiction over the offense with which he is charged to amend the order. Such motion shall be determined promptly.

"(b) In any case in which a person is detained after (1) a court denies a motion under subsection (a) to amend an order imposing conditions of release, (2) conditions of release have been imposed or amended by a judge of the court having original jurisdiction over the offense charged, or (3) he is ordered detained or an order for his detention has been permitted to stand by a judge of the court having original jurisdiction over the offense charged, an appeal may be taken to the court having appellate jurisdiction over such court. Any order so appealed shall be affirmed if it is supported by the proceedings below. If the order is not so supported, the court may remand the case for a further hearing, or may, with or without additional evidence, order the person released pursuant to section 23-1321(a). The appeal shall be determined promptly.

"(c) In any case in which a judicial officer other than a judge of the court having original jurisdiction over the offense with which a person is charged orders his release with or without setting terms or conditions of release, or denies a motion for the pretrial detention of a person, the United States attorney may move the court having original jurisdiction over the offense to amend or revoke the order. Such motion shall be considered promptly.

"(d) In any case in which—

"(1) a person is released, with or without the setting of terms or conditions of release, or a motion for the pretrial detention of a person is denied, by a judge of the court having original jurisdiction over the offense with which the person is charged, or

"(2) a judge of a court having such original jurisdiction does not grant the motion of the United States attorney filed pursuant to subsection (c),

the United States attorney may appeal to the court having appellate jurisdiction over such court. Any order so appealed shall be affirmed if it is supported by the proceedings below. If the order is not so supported, (A) the court may remand the case for a further hearing, (B) with or without additional evidence, change the terms or conditions of release, or (C) in cases in which the United States attorney requested pretrial detention pursuant to sections 23-1322 and 23-1323, order such detention.

"§ 23-1325. Release in capital cases or after conviction

"(a) A person who is charged with an offense punishable by death shall be treated in accordance with the provisions of section 23-1321 unless the judicial officer has reason to believe that no one or more conditions of release will reasonably assure that the person will not flee or pose a danger to any other person or to the community. If such a risk of flight or danger is believed to exist, the person may be ordered detained.

"(b) A person who has been convicted of an offense and is awaiting sentence shall be detained unless the judicial officer finds by clear

and convincing evidence that he is not likely to flee or pose a danger to any other person or to the property of others. Upon such finding, the judicial officer shall treat the person in accordance with the provisions of section 23-1321.

"(c) A person who has been convicted of an offense and sentenced to a term of confinement or imprisonment and has filed an appeal or a petition for a writ of certiorari shall be detained unless the judicial officer finds by clear and convincing evidence that (1) the person is not likely to flee or pose a danger to any other person or to the property of others, and (2) the appeal or petition for a writ of certiorari raises a substantial question of law or fact likely to result in a reversal or an order for new trial. Upon such findings, the judicial officer shall treat the person in accordance with the provisions of section 23-1321.

"(d) The provisions of section 23-1324 shall apply to persons detained in accordance with this section, except that the finding of the judicial officer that the appeal or petition for writ of certiorari does not raise by clear and convincing evidence a substantial question of law or fact likely to result in a reversal or order for new trial shall receive de novo consideration in the court in which review is sought.

"§ 23-1326. Release of material witnesses

"If it appears by affidavit that the testimony of a person is material in any criminal proceeding, and if it is shown that it may become impracticable to secure his presence by subpoena, a judicial officer shall impose conditions of release pursuant to section 23-1321. No material witness shall be detained because of inability to comply with any condition of release if the testimony of such witness can adequately be secured by deposition, and further detention is not necessary to prevent a failure of justice. Release may be delayed for a reasonable period of time until the deposition of the witness can be taken pursuant to the Federal Rules of Criminal Procedure.

"§ 23-1327. Penalties for failure to appear

"(a) Whoever, having been released under this title prior to the commencement of his sentence, willfully fails to appear before any court or judicial officer as required, shall, subject to the provisions of the Federal Rules of Criminal Procedure, incur a forfeiture of any security which was given or pledged for his release, and, in addition, shall, (1) if he was released in connection with a charge of felony, or while awaiting sentence or pending appeal or certiorari prior to commencement of his sentence after conviction of any offense, be fined not more than \$5,000 and imprisoned not less than one year and not more than five years, (2) if he was released in connection with a charge of misdemeanor, be fined not more than the maximum provided for such misdemeanor and imprisoned for not less than ninety days and not more than one year, or (3) if he was released for appearance as a material witness, be fined not more than \$1,000 or imprisoned for not more than one year, or both.

"(b) Any failure to appear after notice of the appearance date shall be prima facie evidence that such failure to appear is willful. Whether the person was warned when released of the penalties for failure to appear shall be a factor in determining whether such failure to appear was willful, but the giving of such warning shall not be a prerequisite to conviction under this section.

"(c) The trier of facts may convict under this section even if the defendant has not received actual notice of the appearance date if (1) reasonable efforts to notify the defendant have been made, and (2) the defendant, by his own actions, has frustrated the receipt of actual notice.

18 USC App.

"(d) Any term of imprisonment imposed pursuant to this section shall be consecutive to any other sentence of imprisonment.

"§ 23-1328. Penalties for offenses committed during release

"(a) Any person convicted of an offense committed while released pursuant to section 23-1321 shall be subject to the following penalties in addition to any other applicable penalties:

"(1) A term of imprisonment of not less than one year and not more than five years if convicted of committing a felony while so released; and

"(2) A term of imprisonment of not less than ninety days and not more than one year if convicted of committing a misdemeanor while so released.

"(b) The giving of a warning to the person when released of the penalties imposed by this section shall not be a prerequisite to the application of this section.

"(c) Any term of imprisonment imposed pursuant to this section shall be consecutive to any other sentence of imprisonment.

"§ 23-1329. Penalties for violation of conditions of release

"(a) A person who has been conditionally released pursuant to section 23-1321 and who has violated a condition of release shall be subject to revocation of release, an order of detention, and prosecution for contempt of court.

"(b) Proceedings for revocation of release may be initiated on motion of the United States attorney. A warrant for the arrest of a person charged with violating a condition of release may be issued by a judicial officer and if such person is outside the District of Columbia he shall be brought before a judicial officer in the district where he is arrested and shall then be transferred to the District of Columbia for proceedings in accordance with this section. No order of revocation and detention shall be entered unless, after a hearing, the judicial officer finds that—

"(1) there is clear and convincing evidence that such person has violated a condition of his release; and

"(2) based on the factors set out in subsection (b) of section 23-1321, there is no condition or combination of conditions of release which will reasonably assure that such person will not flee or pose a danger to any other person or the community.

The provisions of subsections (c) and (d) of section 23-1322 shall apply to this subsection.

"(c) Contempt sanctions may be imposed if, upon a hearing and in accordance with principles applicable to proceedings for criminal contempt, it is established that such person has intentionally violated a condition of his release. Such contempt proceedings shall be expedited and heard by the court without a jury. Any person found guilty of criminal contempt for violation of a condition of release shall be imprisoned for not more than six months, or fined not more than \$1,000, or both.

"(d) Any warrant issued by a judge of the Superior Court for violation of release conditions or for contempt of court, for failure to appear as required, or pursuant to subsection (c) (2) of section 23-1322, may be executed at any place within the jurisdiction of the United States. Such warrants shall be executed by a United States marshal or by any other officer authorized by law.

"§ 23-1330. Contempt

"Nothing in this subchapter shall interfere with or prevent the exercise by any court of the United States of its power to punish for contempt.

§ 23-1331. Definitions

"As used in this subchapter:

62 Stat. 815;
82 Stat. 1115.
18 USC app.

"(1) The term 'judicial officer' means, unless otherwise indicated, any person or court in the District of Columbia authorized pursuant to section 3041 of title 18, United States Code, or the Federal Rules of Criminal Procedure, to bail or otherwise release a person before trial or sentencing or pending appeal in a court of the United States, and any judge of the Superior Court.

"(2) The term 'offense' means any criminal offense committed in the District of Columbia, other than an offense triable by court-martial, military commission, provost court, or other military tribunal, which is in violation of an Act of Congress.

"(3) The term 'dangerous crime' means (A) taking or attempting to take property from another by force or threat of force, (B) unlawfully entering or attempting to enter any premises adapted for overnight accommodation of persons or for carrying on business with the intent to commit an offense therein, (C) arson or attempted arson of any premises adaptable for overnight accommodation of persons or for carrying on business, (D) forcible rape, or assault with intent to commit forcible rape, or (E) unlawful sale or distribution of a narcotic or depressant or stimulant drug (as defined by any Act of Congress) if the offense is punishable by imprisonment for more than one year.

"(4) The term 'crime of violence' means murder, forcible rape, carnal knowledge of a female under the age of sixteen, taking or attempting to take immoral, improper, or indecent liberties with a child under the age of sixteen years, mayhem, kidnaping, robbery, burglary, voluntary manslaughter, extortion or blackmail accompanied by threats of violence, arson, assault with intent to commit any offense, assault with a dangerous weapon, or an attempt or conspiracy to commit any of the foregoing offenses, as defined by any Act of Congress or any State law, if the offense is punishable by imprisonment for more than one year.

68A Stat. 557;
74 Stat. 57.
26 USC 4731.

"(5) The term 'addict' means any individual who habitually uses any narcotic drug as defined by section 4731 of the Internal Revenue Code of 1934 so as to endanger the public morals, health, safety, or welfare.

§ 23-1332. Applicability of subchapter

60 Stat. 214.

"The provisions of this subchapter shall apply in the District of Columbia in lieu of the provisions of sections 3146 through 3152 of title 18, United States Code.

APPENDIX B

SOURCE OF ACTIVITY

The Agency, as an information gathering arm for both the Superior Court and Federal Court systems, conducts interviews with all arrestees processed through the courts or referred as citations. A bail report, summarizing the defendant's community ties and criminal record is submitted to the bail setting judge or magistrate. This report includes a recommendation concerning pre-trial release.

During 1973, the Bail Agency conducted 22,162 interviews, including 7,973 citations, 12,015 Superior Court lock-up interviews, 2,047 cases before the U. S. Magistrates, and 127 other interviews.^{1/} Of the 2,047 cases before the U. S. Magistrate, 452 did not involve an Agency recommendation, either because the case was referred to Superior Court or because the case was "no-papered" by the U. S. Attorney's Office. Likewise 4,164 cases in the Superior Court were no-papered, referred to other courts, or in the case of fugitive charges, to other jurisdictions.

The following is a breakdown of these Superior Court cases:

^{1/} These interviews consisted of 4 bond reviews where there was no initial presentment interview, 63 Grand Jury originals, 54 "in court" cases, not processed through the lock-up, and 6 U. S. District Court cases.

REASON	Superior Court		Total
	Fel.	Misd.	
Case No Papered, Dismissed By United States Attorney	1,307	1,083	2,390
Cases Sent To U. S. Magistrate, or Traffic Court	270	756	1,026
Cases Referred For Mental Observation, and Fugitive Cases Where Defendant Returns to Demanding State	211	537	748
Total	1,788	2,376	4,164

Of the cases where the Agency did make a recommendation, the following pattern emerged:

BAIL RECOMMENDATIONS

Category	Superior Court		U.S. Mag.	Total
	2/			
Number Not Recommended For Release	4,788	49.3%	917	51.7%
Recommended P.R., No Conditions	933	9.6%	234	13.2%
Recommended, Conditional Release	3,986	41.1%	623	35.1%
Total ^{3/}	9,707	100.0%	1,774	100.0%

^{2/} These figures include only those cases processed as Superior Court lock-up cases, and exclude citation releases. For a breakdown of Agency recommendations on citation referrals, see Appendix C.

^{3/} The totals represent the total number of cases where an interview was taken in each category, minus the number of cases either "No Papered" before presentment, or sent to other courts, (e.g. Traffic Court).

Of those cases where bond was set, the various forms of release were used in the following manner:

	Superior Court		U. S. Magistrate	
P.R. Without Conditions	1,313	11.4%	48	2.6%
P.R. With Conditions	4,011	34.8%	1,192	65.7%
Financial Release	2,910	25.2%	575	31.7%
Citation Releases	3,294	28.6%	---	
TOTAL	11,528	100.0%	1,815	100.0%

Of those cases where the Judge or Magistrate sets non-financial release conditions, the following table illustrates the use of the most frequently imposed conditions. The U. S. Magistrates not only use the conditional form of release more frequently than do the Superior Court Judges (see above table) but also set more conditions in each case.

Contitutional Release - Types of Conditions Frequently Imposed

CATEGORY	SUPERIOR COURT		U.S. MAGISTRATE	
	Number	% ^{4/}	Number	% ^{4/}
All Released On Conditions	4,011	---	1,192	---

Condition I: Custody	1,593	40%	120	10.0%
Condition II. Maintain given Residence	2,394	60%	1,123	94%
Condition II: Report Periodically Bail Agency	2,128	53%	1,167	98%
Condition III: Employment/School	1,773	44%	997	84%
Condition V: Stay in D.C. Area	231	57%	1,045	88%
Narcotics Testing	1,364	34%	338	28%
Stay Away From Complaining Witness	1,558	38%	58	5%

^{4/} This column (as well as the equivalent column under U. S. Magistrate) reflects the per centage of cases where the condition was imposed.

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APPENDIX C CITATION PROGRAM

1973 saw a continued increase in the number of cases released through the Citation Program. A total of 7,973 cases were handled as citation referrals. The increased use of this program accounts in part for the decrease in the number of lock-up cases processed through Superior Court.

The growth of the Citation Program in both absolute numbers and as a proportion of the total case-load can be seen in the following table:

	Growth of Citation Program							
	1970		1971		1972		1973	
	#	% of	#	% of	#	% of	#	% of
	Cases	Total	Cases	Total	Cases	Total	Cases	Total
Superior Court ^{1/} (U.S.)	15,997	80.6	14,920	52.4	13,446	48.7	10,989 ^{2/}	52.3
Superior Court Non U.S. (D.C. Code & Traffic Offenses)	—	—	3,968	13.9	3,743	13.6	—	—
U.S. Mag & U.S. Dist. Ct.	1,174	5.9	4,601	16.2	3,514	12.8	2,047	9.7
Citation Program ^{3/}	1,891	9.5	4,981	17.5	6,892	24.9	7,973	38.0
Total	19,062	100.0	28,470	100.0	27,595	100.0	21,009	100.0

^{1/} U. S. charges only.

^{2/} This figure represents the total number of cases interviewed by the Agency Staff in Superior Court (12,015) minus the number of cases referred to the U. S. Magistrate, traffic cases, and cases interviewed (but not released) under the Citation Program.

^{3/} Includes both U. S. charges as well as D. C. & Traffic charges.

As with the court release procedures, the Agency only makes recommendations in citation cases where the background information of the defendant can be verified. Although the ultimate release decision rests with the Police, the table below illustrates the high degree of concurrence with the Agency's recommendation.

	U.S. Misdemeanors		D.C. & Traffic Charges	
	# Cases	% of Total	# Cases	% of Total
Citation Recommended and Released	3,261	77.2%	2,877	76.9%
Citation Recommended Not Released	79	1.8%	23	.6%
Citation Not Recommended, Not Released	835	19.7%	559	14.9%
Citation Not Recommended, and Released	33	.8%	43	1.1%
Withdrawn	20	.5%	242	6.5%
Total	4,228	100.0%	3,744	100.0%

Although more and more arrestees are being released in this manner, the failure to appear rate remains low. In 1973, there were 92 no-shows among the 4,228 cases prosecuted by the U. S. Attorney's Office for a failure-to-appear rate of 2.1%. Of the 3,744 cases handled by the Corporation Counsel, there were only 32 no-shows, for a failure-to-appear rate of .8%.

APPENDIX D FAILURE TO APPEAR

Computed as the percentage of defendants who failed to appear, the following picture emerged:

Overall Failure to Appear Rate:

Rate	No-Shows	# Cases
8.2%	999	12,180

Of the cases under Bail Agency supervision, there were 999^{1/} failures to appear in 1973. The figure includes only the first failure to appear if more than one occurred per case.

This overall rate can be broken down into three categories:

^{1/} This figure can be broken down as follows:

Source	Number No-Shows
Felony Cases	399
Misdemeanor - Superior Court Release	508
Misdemeanor - Citation Release	92
TOTAL	999

Failure To Appear Rate By Case

	# Releases	# No-Shows	FTA Rate
Misdemeanor Citation Cases	3,294	92	2.7%
Misdemeanor Superior Court Cases	5,324	508	9.5%
All Felony Cases ^{2/}	3,562	399	11.2%

The significantly lower FTA rate for citation releasees can be explained in part by the short time between release and court appearance, and by the fact that the police officer issuing the citation personally explains to the defendant where and at what time he or she must appear.

The above figures represent only the numbers of missed court appearances. The Bail Agency does not have exact figures on what percentage represents a willful flight to avoid prosecution as opposed to a simple misunderstanding as to when a court date is scheduled. However, best available data indicates the percentage of defendants who deliberately fail to appear to avoid prosecution is somewhere between 2% and 3%.

^{2/} This figure includes 2,322 Superior Court cases and 1,340 U. S. Magistrate and District Court Cases.

APPENDIX E

CONDITION SUPERVISION

Pursuant to statute, the Bail Agency supervises "all persons released on nonsurety release, including release on personal recognizance, personal bond, non-financial conditions, or cash deposit or percentage deposit with the registry of the court."^{1/} During 1973, 11,019 new cases in these categories came under the supervision of the Agency. The source of these cases is as follows:

	Number Cases	% of Total
Initial Release Through Citation Program	3,294	29.9%
Superior Court Personal Recognizance	1,313	11.9%
Superior Court Conditional Release	4,011	36.4%
U.S. Magistrate Personal Recognizance	48	.4%
U.S. Magistrate Conditional Release	1,192	10.8%
Cash Bond Posted	905	8.3%
Release Subsequent To Initial Appearance	256	2.3%
Total	11,019	100.0%

^{1/} §23 D.C. Code 1303 (h) (1).

At any given time, there were between 2,600 and 3,000 cases under supervision.

The Agency reported 2,608 violations to the Court and the U. S. Attorney during 1973. 1,174, or 45% represented violations on felony charges. The conditions most frequently violated, and the incidence of violation among the 2,608 violation reports submitted is set out in the following table.

Type of Condition	Number Violations Reported	% of Total Violations Reported
(Total Violations Reported, 2,608)		
Condition I Custody	416	16.0%
Condition IIa Residence	695	26.6%
Condition IIc Report Periodically to Bail Agency	830	31.8%
Condition III Employment	324	12.4%
Stay in D. C. Area	5	.1%
Narcotics Testing	745	28.6%

In almost every case where a substantial violation was discovered, and a violation report submitted, the Agency recommended that a hearing be held to determine the reasons behind the violation and take appropriate action. As has been reported in previous

annual reports, few bail violation hearings were actually held.

Recognizing the tendency of both the Court and the U. S. Attorney's Office to ignore many of the violations, the Agency departed from previous practice, and adopted a procedure of checking the continued calendars against the outstanding violations, and submitting an additional updated report of the violation, with recommendation, to the Judge before whom the defendant was scheduled to appear. For reasons due more to logistical considerations than the seriousness of the violations, this procedure was more effective in Calendar Control Court (Courtroom #315) and Preliminary Hearing Court (Courtroom #212) than in the other felony trial courtrooms.

In this manner, the Agency handled 311 of the 2,608 violation reports. There were undoubtedly more violations handled by the two court systems where the Agency was not notified, and we are thus unable to report the outcome.

Of the 311 violation reports mentioned above, 30 cases were certified out of Calendar Control Court, where the violation was presumably heard by the Misdemeanor Trial Judge if the case was not otherwise concluded. There were 60 failures to appear. Sixty-three other cases presented problems which could be handled informally by the Bail Agency, including such problems as loss of contact with the defendant, or misunderstanding of conditions. In 100 cases, no action was taken after the Agency called the Court's

attention to the violation notices. Typically, the reasons for judicial inaction included a rearrest, case dismissal, or plea of guilty. In only 58 cases of the 2,608 violations reported was there any sanction imposed. The most frequently articulated reason for failure to impose a sanction upon notice of violation was that imposition of a sanction seemed inappropriate. Since conditions are designed to assure appearance and since the defendant stands before the court as required, few judges choose to impose additional penalties.

APPENDIX F

REARRESTS

In 1973 there were a total of 9,858 cases under Bail Agency supervision. During this period, there were 1,607 rearrests while on bond in a prior case.

In addition, there were 3,322^{1/} cases where the defendant secured release by posting a financial bond, and was thus not under the supervision of the Agency. In the category of releasees, there were 531 rearrests on bond during 1973.

An analysis of how the rearrest case was handled can be seen in the following table.

Rearrest Case

	Total	Cases "No Papered"	Held, No Financial		Non-Financial
			Bond	Bond Set	Release
# Cases	1,607	210	58	886	453
Non-Financial Release					
% of Total	100%	13.0%	3.6%	55.2%	28.2%
# Cases	531	77	26	332	96
Financial Release					
% of Total	100%	14.5%	4.9%	62.5%	18.1%

1/ Figures supplied by the Superior Court Clerk's Office indicate that there were 2,417 cases where a surety bond was posted, and 905 cases where a percentum or cash bond was posted, for a total of 3,322 cases where defendants secured their release by posting bond.

The rearrest rate can be computed by dividing the total number of cases in each of the two categories by the corresponding number of rearrests for that category. Column "c" of the following table represents the average number of rearrest cases in the daily lock-up. Column "e" gives a more accurate picture of the rearrest rate, as it excludes those cases which are screened out by the prosecutor before initial presentment.

Rearrest Rates

	a Total # Cases	b # Rearrests	c Rearrest Rate	d # Rearrest Cases "no papered"	e Adjusted Rate (b-d) a	# Cases Where Def.in Violation of Rel. Conds.
Non Financial	9,858	1,607	16.3%	210	14.2%	208
Financial	3,322	531	15.9%	77	13.7%	24

These figures represent only the rate of rearrest on bond, and do not purport to reflect the rate of recidivism in the District of Columbia.

Of the 12,015 cases processed through Superior Court, there were 662 cases where the arrestee was on parole and 1,224 cases where the arrestee was on probation. The following table illustrates the way in which these cases were handled by the Court at initial presentment.

Rearrests On Probation And Parole

		Arrested	No Papered	Held, No Bond	Financial Bond Set	P.R. w. Conds.==	P.R.
Probation	# Cases	1,224	216	90	424	440	54
	% of Total	100%	17.7%	7.4%	34.6%	35.9%	4.4%
Parole	# Cases	662	101	66	272	195	28
	% of Total	100%	15.3%	9.9%	41.0%	29.5%	4.3%

APPENDIX G

COMMUNITY SERVICES DIVISION

The following report of the Community Services Division is for the Period January 1, 1973 - December 31, 1973.

During 1973, 720 defendants were referred to the Unit for the purpose of receiving either employment or training, housing, transportation, individual and/or family counseling, medical or psychiatric referral. A statistical account of these services and an analysis of the population served is provided.

It should be noted that the information furnished may not be characteristic of the entire pre-trial population. As can be seen from the tables, a vast number of defendants had specialized problems: Long periods of unemployment, drug dependence, prior arrest and psychiatric histories, etc. Thus, the challenge of successfully providing services to "Hard-To-Place" pre-trial defendants existed throughout the year. The staff, composed primarily of part-time counselors and volunteers, accepted their difficult tasks in the hope that a community consciousness and concern toward pre-trial defendants would develop as a result of efforts extended.

DEFENDANT IDENTIFICATION

(Population: 671)

	NUMBER	PERCENT
Males	576	85.8
Females	<u>95</u>	<u>14.2</u>
	671	100.0

EDUCATION		NUMBER	PERCENT
Black		633	94.3
White		35	5.2
Other		3	.5
		<u>671</u>	<u>100.0</u>
Single		453	67.5
Married		101	15.1
Separated		74	11.0
Divorced		18	2.7
Widowed		9	1.3
Common Law		8	1.2
GRADE LEVEL		NUMBER OF DEFENDANTS	
0		4	
3rd		1	
4th		0	
5th		2	
6th		3	
7th		12	
8th		40	
9th		103	
10th		131	
11th		134	
12th		187	
13th		19	
14th		19	
15th		8	
16th		7	
17th		1	

SEX BY OFFENSE

(Population:671)

	ROBBERY	BURGLARY	LARCENY	ASSAULT	WEAPON	MISDEMEANOR	SEX	HOMICIDE	FELONY	DRUG
MALES	20.7%	10.6%	9.7%	8.7%	5.4%	7.5%	2.4%	3.1%	12.3%	17.5%
FEMALES	9.5%	4.2%	7.4%	9.5%	1.1%	5.3%	13.7%	5.3%	25.3%	17.9%

EXAMPLE: 20.7% of the males interviewed by this Unit were charged with a Robbery Offense.

BREAKDOWN OF OFFENSES

	ROBBERY	BURGLARY	LARCENY	ASSAULT	WEAPON	MISDEMEANOR	SEX	HOMICIDE	FELONY	DRUG
NUMBER	128	65	63	59	32	48	27	23	95	118
PER-CENTAGE	19.1%	9.7%	9.4%	8.8%	4.8%	7.2%	4.0%	3.4%	14.2%	17.6%

EXAMPLE: 128 of the defendants interviewed by this Unit or 19.1% were charged with a Robbery Offense.

NUMBER OF WEEKS UNEMPLOYED AT TIME OF INITIAL INTERVIEW

NUMBER OF DEFENDANTS

0-1 Week	134 (20%)
2-5 Weeks	144 (21.5%)
6-10 Weeks	80 (11.9%)
11-15 Weeks	68 (10.1%)
16-20 Weeks	26 (3.9%)
21 And Up	219 (32.5%)

35 of 128 or 27.3% of the Robbery defendants were unemployed 21 weeks or more

52 of 118 defendants with drug offenses or 44.1% were unemployed 21 weeks or more

DISPOSITION OF REFERRALS

(Population: 686)

	Number	Percentage
EMPLOYMENT	192	26.7%
JOB TRAINING AND PLACEMENT	27	3.8%
Total	<u>219</u>	<u>30.5%</u>
COUNSELING	171	22.8%
SCHOOL PLACEMENT	20	2.7%
PSYCHIATRIC REFERRAL AND TREATMENT	93	12.8%
GATB (EDUCATIONAL TESTING)	7	1.0%
DRUG TREATMENT REFERRAL	4	.6%
PUBLIC ASSISTANCE	7	1.0%
TOTAL	<u>302</u>	<u>40.9%</u>
THIRD PARTY CUSTODY	5	.7%
PAROLE SUPERVISION	4	.6%
NOT UNDER SUPERVISION	51	7.0%
OTHER (NO CONDITIONS, ETC.)	18	2.6%
TOTAL	<u>78</u>	<u>10.9%</u>
BOND REVOKED	3	.5%
BENCH WARRANT ISSUED	14	2.2%
REARREST	15	2.3%
RETURNED TO SUPERVISION	55	8.0%
TOTAL	<u>87</u>	<u>13.0%</u>

COURT DISPOSITIONS

(POPULATION 671)

	NUMBER	PERCENTAGE
NO PAPERED	14	2.1%
NOLLED	77	11.5%
DISMISSED	123	18.3%
IGNORED BY GRAND JURY	5	.7%
NOT GUILTY	15	2.2%
MOTION OF JURY ACQUITTAL	1	.1%
NO CHARGE	10	1.5%
	<u>245</u>	
CASES UNDER PRE-SENTENCE INVESTIGATION OR NOT CONCLUDED	231	34.3%
PENDING GRAND JURY ACTION	7	1.0%
	<u>238</u>	
PROBATION	103	15.5%
YOUTH CORRECTION ACT	29	4.3%
NARCOTIC ADDICT REHABILITATION ACT	3	.4%
PRE-TRIAL DIVERSION	5	.7%
FINE	7	1.0%
JAIL	41	6.1%
	<u>188</u>	

CROSS TABULATIONS
(POPULATION: 671)

EMPLOYMENT, TRAINING And SCHOOL By DRUG USAGE

	Employment	Training	School
Non-Heroin Users	113 (29.7%)	17 (4.5%)	14 (3.7%)
Heroin Users	79 (27.1%)	10 (3.5%)	6 (2.1%)

Example: 79 or 27.1% of the Heroin Users obtained employment.

AGE By DRUG USAGE

	Age 16 - 17	18	19 - 20	21 - 26	27 & Up
Non-Heroin Users	15	62	77	141	86
Heroin Users	7	32	64	132	53

Example: 32 of the 18 year olds reported drug usage.

SUPERVISION HISTORY By PENDING ROBBERY Or DRUG OFFENSE

	Robbery Offense	Drug Offense	Misc. Felonies
History of Probation	41 (18.6%)	41 (18.6%)	31 (14.1%)
History of Parole	8 (24.2%)	4 (12.1%)	2 (6.1%)
Both	1 (20.0%)	3 (60.0%)	1 (20.0%)
Neither	77 (18.9%)	70 (17.2%)	61 (15.0%)

Example: 4 or 12.1% of those defendants with a parole history were charged with a drug offense.

SUPERVISION HISTORY By HEROIN HISTORY

	Heroin History	Non-Heroin History
History of Probation	124 (56.6%)	95 (43.4%)
History of Parole	15 (45.5%)	18 (54.5%)
Both	1 (20.0%)	4 (80.0%)
Neither	144 (35.4%)	263 (64.6%)

Example: 95 or 43.4% of the defendants with a history of probation did not have a heroin history.

AGENCIES UTILIZED BY COMMUNITY SERVICES DIVISION

Landlord Tenant Consulting Service	Community and Family Services
American Veteran's Committee	D. C. Apprenticeship Council
United States Employment Service	D. C. Skills
Veteran's Office - USES	Bureau of Rehabilitation
Red Cross	Quaker House
Job Bank - USES	Area C Mental Health Center
Spingarn "Stay" Educational Program	Area D Alcoholic Center
Armstrong Adult Educational Center	Federal City College
Phelps Vocational Program	Neighborhood Legal Services
Washington Technical Institute	Small Business Administration
United Planning Organization - New Careers	Group Psychiatry Clinici
Opportunities Industrialization Center	Communications Linked Instructional Center
Public Assistance	People's Involvement Corp.
Employment Counseling Service	Change Incorporated
Apprentice Information Center	Training Corp of America
Visitor Services	International Council of Business Opprts.
Youth Services - USES	Office of Economic Opportunities
Washington Concentrated Employment Prog.	Community and Family Services
Washington Urban League	Martin Luther King Memorial Center
Project Build	Washington Opportunities for Women
Department of Vocational Rehabilitation	Professional Career Information
Narcotics Treatment Administration	Teen Corps
National Urban League	Pride, Inc.
Forensic Psychiatry	Far East Community Services
Efforts From Ex-Convicts	Project Crossroads

Pilot District Project	Job Corp
Rehabilitation of Men and Housing	Salvation Army
Neighborhood Youth Corps	Micco Industries
Postal Academy	Project Create
Work Incentive Program	Central Union Mission

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APPENDIX H
FINANCIAL REPORT

Object	Alloted by Appropriation*	Expended & Obli- gated through June	Total FY 1973	Estimated of Unused FY 1973 Appropriation
Personnel Compensation and Personnel Benefits	557.4	562.0	562.0	- 4.6
Travel, Communications Printing and Supplies	40.4	33.9	33.9	+ 6.5
TOTAL	597.8	595.9	595.9	+ 1.9

* Dollar amounts in thousands.

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END