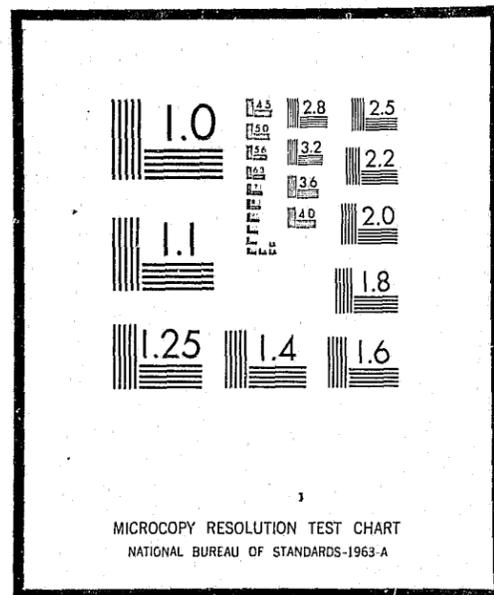


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3/24/76

FINAL REPORT ON THE EVALUATION OF THE DELAWARE COUNTY,
PENNSYLVANIA, BAIL AGENCY

26162
Evaluation

Vera Institute of Justice
271 Madison Avenue
New York, New York 10016

Technical Assistance

July 15, 1974

MAJOR EVALUATIONS UNDERWAY OR COMPLETED IN YOUR SPA

near cover

Miles

Project or Program being Evaluated:

Grant Title: SE-398-73A Expansion of County Bail Agency
(include grant number)

Grantee: Court of Common Pleas - Delaware County

Brief Description: To enlarge the 10% cash bail bond program.
(both project and evaluation effort)

Scheduled date of final Evaluation Report: 9/13/74

Person to contact concerning the Evaluation:

Christine A. Fossett, Chief, Evaluation & Monitoring Unit
(name)
Governor's Justice Commission, Department of Justice
(address)
Box 1167, Harrisburg, PA., 17120
717-787-1422
(telephone)

If completed, is Evaluation Report on file with NCJRS? yes no

Please mail completed form to:

Keith Miles
Office of Evaluation
LEAA-NILECJ
Department of Justice
Washington, D.C. 20530

VERA INSTITUTE OF JUSTICE
30 EAST 30TH STREET
NEW YORK, N.Y. 10016
YU 6-6380

SE-398-73A

August 12, 1974

Mr. Thomas Quinn
Evaluation Coordinator
Governor's Justice Commission
Southeast Region
214 West Front Street
Media, Pennsylvania 19063

Dear Mr. Quinn:

Enclosed is a copy of the Final Report on the Evaluation of the Delaware County Bail Program.

If you have any questions regarding any of the information or recommendations included in the report please contact me.

Very truly yours,
Allen Hellman
Allen Hellman,
Technical Assistance

PREFACE

This is a Final Report on the evaluation of the Delaware County, Pennsylvania Bail Program (Program), prepared by the Vera Institute of Justice (Vera) pursuant to a contract between Vera and the Court of Common Pleas of Delaware County. The Program has been awarded funds by the Pennsylvania Governor's Justice Commission under Subgrant No. SE-398-73A pursuant to the provisions of the Federal Omnibus Crime Control and Safe Streets Act of 1968 as amended (Public Law 90-351). The purpose of the report is to provide accurate information to the Governor's Justice Commission and the Southeast Regional Planning Council to allow effective decision making.

The evaluation of the Program was conducted by Vera's Technical Assistance Program pursuant to its agreement with the Program to perform such evaluation from February 15 to July 15, 1974, for compensation in the amount of \$1991.16. The field investigation was performed by Allen Hellman, Program Supervisor, and Jan Gayton, Research Analyst, of Vera Technical Assistance. Data analysis was conducted by Ms. Gayton and Robert Davis, a consultant to Vera.

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I. INTRODUCTION

The Delaware County Bail Program was born out of a recognition by local criminal justice officials in the early 1970's that the traditional money bail system arbitrarily discriminated against individuals too poor to post bond themselves or through professional bondsmen. Most often, the system discriminated against minority group members who, aside from being unable to post their own bail, were considered "poor risks" by bondsmen.

Recognition of that fact and the issuance of a study condemning bail practices in Delaware County by the Pennsylvania Crime Commission led to an investigation of alternatives to the traditional bail system. As a result of that investigation, the Delaware County Bail Program was established to administer ROR and 10% deposit cash bail programs.

At the present time, the Program operates as an agency of the Court of Common Pleas of Delaware County with financial management handled by the Clerk of Courts Office. In brief, the primary functions of the Program are to interview criminal case defendants charged with non-summary offenses and, where appropriate, make recommendations for their release on personal recognizance (ROR). After defendants are released, the Program keeps track of their whereabouts and notifies them of upcoming court appearances.

II. DESCRIPTION OF PROGRAM

A. Objective

Although the Program's grant application does not explicitly state the Program's objective, upon examination it appears that the Program is a pre-trial release project whose primary objective is to increase the number of criminal defendants who, based on the recommendations made by Program staff, secure their release on ROR or 10% cash bail at arraignments.

Secondary implied objectives would be as follows:

1. Reduction of the pre-trial population at Broadmeadows, the Delaware County Jail;
2. Reduction in the number of failures to appear at required court appearances by keeping track of defendants released through the Program's facilities; and
3. Equitable setting of bail in Delaware County.

B. Procedures

In seeking to achieve the above objectives, the Program has adopted the following procedures:

1. Interviews of defendants

The Delaware County Bail Program attempts to interview all criminal defendants charged with offenses other than summary offenses in Delaware County. Only those defendants who are inebriated or who refuse an interview are not interviewed by the Program.

Interviews are conducted each day of the week, including weekends and holidays. The Program has developed a work schedule and interviewer notification system which enables it to have interviewers on call 24 hours a day to be available to interview defendants regardless of the time of their arrest or arraignment.

The county, which has 32 District Justices who preside over all preliminary arraignments, has been divided into seven zones by the Program. The seven zones represent all the districts in the county including the county's two major municipalities, Chester and Upper Darby. Before the first of each month, the Program administrator prepares the interviewer work schedule for the coming month. At that time interviewers are assigned to cover certain zones on specific dates. Because most arrests are made in Upper Darby and Chester, bail interviewers report directly to the Chester and Upper Darby police stations each day to interview defendants. The interviewers assigned to cover the other five zones either report to the Program's office in the Media Courthouse where they remain ready to interview defendants prior to arraignments if notified by the appropriate District Justice, or they call the District Justices in their zone to determine if there are defendants available for interview before the interviewer reports to the Program office. On weekends and holidays, at least one interviewer is available on a contingency call basis to perform interviews anywhere in the county upon the request of a District Justice.

The interviews are conducted using a two page Bail Program interview form. Guided by the form, Program interviewers ask defendants questions relating to their past and present residence, family contacts, employment history, means of support, prior record, and general community ties. In order to verify the information collected from defendants during interviews, defendants are also requested to provide the names of persons who could be contacted as references.

2. Verification of information obtained in interviews

According to the Program's grant application and Procedure and Regulation Manual, interviewers verify the information obtained in interviews with defendants before arraignments. For several reasons (which will be discussed in a later section of this report) verification is not regularly accomplished prior to arraignments. When verification is obtained, it is achieved through one or two phone calls to a relative, friend or employer of the defendant.

Very recently, the Program has implemented a new verification procedure whereby information that is not verified prior to arraignments is verified after arraignments but prior to preliminary hearings. Once the previously unverified information is verified, the Program reports the information to the appropriate District Justice. (However, all recommendations, whether based on verified or unverified information, are made at arraignments.)

3. Recommendations and court presentations

After interviewing defendants, interviewers determine whether to recommend them for ROR or 10% and what amount bail should be. Interviewers generally recommend Release on Recognizance or 10% cash deposit bonds (although monetary amounts are also recommended in all cases), and employ the criteria delineated in Rules 4003 and 4004 of the Rules of Criminal Procedure of the Supreme Court of Pennsylvania, as amended July 23, 1974. Basically those standards include:

- a. The nature of the offense charged;
- b. Defendant's residence in Delaware County;
- c. Whether the defendant poses a threat of immediate physical harm to himself or to others;
- d. The defendant's employment status and history, and his financial condition;
- e. The nature of the defendant's family relationships;
- f. The defendant's past and present residences;
- g. The defendant's age, character, reputation, and mental condition;
- h. The defendant's record of prior convictions;
- i. Prior releases on bond and relevant failures to appear at previous required court appearances; and
- j. Other facts relevant to whether the defendant has strong community ties.

However, according to the interviewers, the predominant factor evaluated in determining recommendations is the nature of the alleged offense and the defendant's demeanor during his interview.

Recommendations for ROR and 10% cash bail are made directly to District Justices at arraignments, and the Bail Program interview form is made available to the court.

4. Check-ins, follow-up, and notification

When a defendant is released on ROR or 10% bond, he agrees to the following conditions of his release:

- a. That he will not leave the state without authorization from the Bail Program; and
- b. That he will report in person or telephone to the Bail Program as required.

At present, defendants are required to check-in with the Program within 24 hours after arraignments, and if a defendant's case is not disposed of at preliminary hearing then he is required to check-in at the Program's office two weeks after his hearing and telephone the office 30 days after his hearing.

The Program also notifies defendants of upcoming court appearances. At least 3 days prior to a defendant's preliminary hearing the Program sends a letter to the defendant reminding him of the time and place of his hearing.

When a defendant is indicted the Program sends him a letter reminding him that his appearance will be required in Common Pleas Court for arraignment. Also, defendants are reminded of their trial dates by the Bail Program.

5. Record Keeping and filing

The Bail Program maintains a file on each criminal defendant interviewed. Included in these files are copies of the two page interview report, bond, Additional Requirements of Bail Bond form, District Justice Report form, Preliminary Hearing Results form, and all correspondence with the defendant.

A master card file on all defendants is maintained by a clerk who is responsible for monitoring check-ins and defendants' court appearances. The card contains the following information:

- a. Defendant's name, address and phone;
- b. Defendant's bail status;
- c. Whether the defendant has a private attorney or public defender;
- d. The date, location, and disposition of each of the defendant's required court appearances, and whether he appeared as required; and
- e. The dates on which the Program sends notification letters to defendants and whether the defendant responds as required to the letter.

III. METHODOLOGY

Throughout the term of the evaluation of the Bail Program there was difficulty in obtaining adequate information to measure the Program's impact on the criminal justice system in Delaware County and its success in meeting its objectives. For example, it was not possible to obtain data on arraignment dispositions, pre-trial release rates, or appearance rates prior to the Program's inception. In addition, current information -- such as the total number of persons arrested and arraigned and the pre-trial population at the Delaware County Jail -- was not readily available and were not obtainable in light of the financial resources available for the evaluation. As a result of these difficulties, the statistical portion of this report is limited to data obtained on persons interviewed by the Program.

A 10% sample of defendants interviewed by the Program between November 1, 1973 and March 4, 1974 was selected by choosing every tenth case. Information obtained from the files included:

- a. Complete demographic data;
- b. The number of points actually obtained in the interview (when recorded by the Program);
- c. Information regarding residence, employment, education, family contacts, prior record, and charge;
- d. Program recommendations and bail set; and
- e. Type of pre-trial release.

In addition, court records were examined to determine the number of court appearances required of each defendant and the number of those appearances he made, as well as the number of rearrests prior to trial.

(This information was not available at the time the evaluation was scheduled to terminate and was the primary reason for extending the original term.)

Five visits were made to the Program to observe its operations and discuss evaluation progress with the Program Administrator.

Also, interviews (see Appendix for Interview Form) were conducted with representatives of the following agencies:

- 1. Court of Common Pleas (3 judges);
- 2. Minor Judiciary (7 district justices and administrator)
- 3. Delaware County Jail (Broadmeadows);
- 4. Public Defender of Delaware County;
- 5. Clerk of Courts Office;
- 6. Delaware County Criminal Justice Planning Unit;
- 7. Pennsylvania Governor's Justice Commission Southeast Regional Planning Council staff; and
- 8. The Delaware County Bail Program.

IV. FINDINGS AND OBSERVATIONS

The findings and observations contained in this section of the report are based on the results of an analysis of the November 1, 1973 - March 4, 1974 sample of cases from the Program's files, the personal observations of members of the evaluation team, and interviews with representatives of criminal justice agencies in Delaware County.

The findings presented in this section of the report are presented in terms of Program operating efficiency rather than effectiveness in achieving stated Program objectives for two reasons. First, no clear statement of the Program's objectives is made in the Program's grant application and no overall Program objectives may be inferred from the Program's daily operations. This meant that the Program's success in achieving its objectives could not be measured because it was not clear what those objectives are. Second, even if it was assumed that certain objectives could be inferred from the Program's daily operations (see implied objectives in the Description of Program section of the report), there were insufficient adequate data on the operations of the Delaware County criminal justice system to determine the Program's success in achieving its implied objectives and its impact on that system.

The subdivisions of this part of the report correspond generally to the Program's operating functions. They are:

- A. Interviews of defendants;
- B. Verification;
- C. Recommendations to court;
- D. Defendant appearances and Program post-release follow-up;
- E. Impact on jail population; and
- G. Administration and staff

A. Interviews of defendants

1. The defendants

Based on the information gathered in the 10% sample from November 1, 1973 to March 4, 1974, it is possible to very generally describe the "typical" Delaware County criminal defendant. Generally, the defendant is male, under twenty-five years of age, white and probably a high school graduate. He probably has lived in Delaware County for at least one year with his family or has maintained contact with his family in the County. He is either supported by his family, public assistance (welfare, unemployment insurance; workman's compensation), or intermittent employment which provides an income of little more than \$75 per week. The chances are that he is charged with a felony and there is a likelihood that he has a prior criminal record.

Since the above description and the following demographic profiles are taken from Bail Program interviews and are therefore based, in part, on unverified information, it is assumed that most of this type of general information provided to the Program in interviews is generally accurate.

The basic demographic characteristics of Delaware County defendants are shown in Table 1. The ages of defendants ranged from 18 to over 75 years old, the most frequent ages being between 18 and 23. The majority of defendants were white (71%), although more than one quarter (29%) were black. 94% had at least some high school education, and 63% of all

defendants graduated high school.

TABLE 1

Demographic Characteristics

N=176

AGE	18-20	21-23	24-27	28-40	41-60	over 60
% of Total	34	24	15	16	10	1
RACE	Black	White	Other			
% of Total	29	71	0			
EDUCATION	less than 5 yrs. school	6-8 yrs. school	some high school	high school graduate	some college	
% of Total	2	5	31	53	8	
	college graduate					
% of Total	2					

Table 2 shows the income level of defendants interviewed by the Program during the November - March study period. Almost three quarters of the defendants studied had incomes of less than \$100 per week, and approximately 60% had incomes of less than \$75 per week. Of the latter grouping, it appears, although it is not conclusive, that many of them would be eligible for Public Defender services.

TABLE 2

Income Level

N=176

Income per week	0-\$50	\$51-75	\$76-100	\$101-125	\$126-150	\$151-200	over \$200
% of Total	48	10	13	11	8	5	5

Table 3 shows the types of crimes with which the defendants in the study were charged. Since the present charge was not available in 8% of the cases the percents shown represent adjusted figures. Most of the charges were felonies, and defendants were most often charged with some type of property crime.

TABLE 3

Charge Category

N=162*

Charge Category	Violent Crimes	Drugs	Property Crime	White Collar	victimless	Drunk Driving
adjusted percent	21	15	27	5	1	8
	Family Neglect	Misdemeanor				
adjusted percent	3	18				

* No summary cases are included because the Program does not interview defendants charged with summary offenses.

2. The interviewing process

a. Logistics

After defendants charged with non-summary offenses are arrested and booked by the appropriate police department, the Program must have staff available to interview defendants. In response to this need the Program has developed a work schedule for its interviewers which enables them to interview defendants prior to their arraignments before District Justices. (The general outline of the plan is described in Section II of this report.)

Despite the apparent effectiveness of the plan in providing the Program with the capacity to interview all arrestees prior to arraignment, some problems relating to communications have not yet been resolved. For example, several interviewers stated to the evaluator that on weekends a District Justice might call them and require that they interview a defendant, but when they arrive at the interview site (either a District Justice's office or a police station) the defendant is not ready to be interviewed. Two interviewers estimated that they have, on occasion, waited up to two hours for defendants. Because the Program relies heavily on a contingency call system, especially on weekends, each minute that a weekend interviewer remains away from his "home" base he might be missing a request for an interviewer from another District Justice

Similarly, on weekdays when the Program's staff is at full complement and "in the field", a great deal of time is spent not interviewing defendants, but rather traveling around the county. After an interviewer interviews all the defendants scheduled for arraignment before a particular District Justice, he calls in to the Program's main office in Media to determine whether there are any other defendants ready to be interviewed in his zone. If none are ready, the interviewer returns to the Program's office. However, if during the time that he is returning to the office a call comes in from his zone for an interviewer, he does not find out about it until he arrives in Media. At that time he must reverse direction and return to his zone to interview more defendants.

There are several modifications in the Program which might be considered to alleviate the communication problems described above. First, a central arraignment court should be established in Delaware County. (At the present time it is anticipated that a central arraignment facility might be established in the county in the Fall, 1974.) If this court is established, it would practically eliminate the Program's communications problems, as well as the need for interviewers to have county cars.

Second, if the new court is not set up or is delayed, a more efficient notification system should be developed. The following are some possible alternatives:

1) Since some interviewers use county automobiles to travel throughout the county it has been suggested that radios be installed to improve their communications with the Program's central office. However, this approach would not necessarily solve all of the Program's problems. For instance, if an interviewer is away from his car he would not receive the message that he is needed elsewhere. This would occur in the weekend situation previously described where an interviewer is waiting to interview a defendant.

2) A better method of communication would appear to be the use of communicators commonly referred to as "beepers". Aside from being less expensive than car radios, they would enable the Program to maintain constant contact with its interviewers when they are in the field and inform them of where they are needed in their zones.

3) The "beepers" would have one shortcoming. That is that because the central office is closed on weekends, there would be no central communications center from which the interviewers could be

notified. Assuming that the cost of providing each District Justice with a "beeper" is prohibitive, the Program might hire a part time employee to receive telephone calls from District Justices on weekends and then call the appropriate interviewer on his beeper.

Although all seven of the District Justices interviewed during the course of the evaluation stated that they have no difficulty contacting Bail Program interviewers, it appears that the Program might function more efficiently if it develops some type of system to communicate more directly and rapidly with its interviewers. In addition to program efficiency, an additional benefit to the Program would be a reduction in mileage traveled by interviewers and therefore a reduction in fuel consumption and travel expenses.

3. Interviews and Forms

The Bail Program attempts to interview all defendants arrested in Delaware County and charged with non-summary offenses. Whether the Program successfully interviews all defendants prior to arraignments is a matter of speculation because the total number of defendants arraigned during the period of the study was not available. However, based on the brief observations of the evaluator, it appears that the Program does manage to interview practically all defendants prior to arraignment. This conclusion is supported

by the 7 District Magistrates interviewed who all stated that they would not arraign a defendant until he was interviewed by the Bail Program.

At present, practically all interviews are conducted prior to arraignments. In the past, some defendants who were unavailable for an interview or unable to be interviewed prior to their arraignments were interviewed at Broadmeadows, the Delaware County Jail. Information gathered at the jail was then provided to the defendant's attorney for bail reduction purposes. However, the public defender now has an employee who interviews defendants at the jail for the purpose of gathering such information and the Program has discontinued that function.

After being notified that a defendant is soon to be arraigned, a bail interviewer travels to the location of the arraignment. Generally, this would be a District Justice's office or the Chester or Upper Darby police stations. Once there, the interviewer explains the purpose of the interview and asks the defendant questions from the Program's two page interview form. Page one of the form is a relatively well organized form which provides for the following information to be collected:

- a. Defendant's name, address, phone, and aliases;
- b. Defendant's present and previous employer;
- c. Family and general references;

- d. Defendant's mental and physical condition; and
- e. Whether the defendant has private counsel or needs a public defender.

The second page of the interview form is very long and not as well designed as the first page. It has 76 question categories structured vertically down the left side of the page while as many as 8 different responses to each question are listed in columns across the page. Page 2 provides the interviewer with sufficient information on which a bail recommendation might be based and perhaps goes beyond what is actually necessary to make such a recommendation. For example, Rule 4004 of the Supreme Court of Pennsylvania does not suggest that prior arrests be considered when bail decisions are made (only prior convictions), but such information is collected on page 2 of the interview form and considered when bond recommendations are made to the court. (Which items are most heavily considered when recommending bond is discussed in a later section.)

At a minimum, page 2 of the interview form might be redesigned to allow it to be more easily read.

B. Verification

After interviewing defendants, Program interviewers are required (according to the Program's Procedures and Regulations Manual) to verify the information collected. After verifying the information, the interviewers then must determine whether to recommend a defendant for ROR or not. As described in the Manual,

if a defendant has 5 verified points or 9 unverified points he is eligible for an ROR recommendation.

However, verification is not performed as described above, and in practice, virtually no verification is done. On the two occasions that the evaluator observed a total of 5 interviews, no attempts were made to verify information. However, since only 5 interviews were observed, and both interviewers and District Justices have indicated that some verification is occasionally attempted, it is fair to assume that some "minimal" attempts at verification are made prior to arraignments. But because of the acknowledged shortage of time available prior to arraignments, it is clear that attempts at pre-arraignment verification is minimal.

The failure to verify information before arraignments raises a major question as to the need for the Bail Program at all. If District Justices do not have verified information when setting bail, what is the purpose of interviewing defendants prior to arraignments? Could not the District Justices use interview forms similar to those employed by the Program and interview defendants personally when they are in court for bail setting?

It is only fair to say that the Program has acknowledged the need to verify information, but remains unable to do so before arraignments. For example, the Program has recently implemented a procedure whereby information not verified prior to an arraignment is verified subsequent thereto and forwarded to the appropriate District Justice for bail review purposes at the defendant's preliminary hearing. This procedure raises the spectre of some defendants who might have previously been released on ROR being

required to post at least a 10% cash bond at their preliminary hearings. Also, the procedure might serve as a mechanism for including in the official transcript of the hearing information which otherwise might be inadmissible. (To date, neither of these situations has arisen.)

The establishment of a central arraignment court in the county would obviously provide the Program with sufficient time to interview and verify prior to arraignments. However, if the central arraignment court is not established, or until the court is established, the Program might consider the following alternatives to insure that interviewers have adequate time to perform verification.

1. Interviewers assigned to the Upper Darby and Chester police stations might report to the appropriate station at an earlier hour each morning.
2. The Program Administrator might request that members of the Minor Judiciary who hold arraignments elsewhere in the county - other than Upper Darby and Chester - extend by approximately 15 minutes the time given Program interviewers to interview defendants and verify information prior to preliminary arraignments.

C. Recommendations to Court

1. Bond recommendations

After defendants are interviewed and in some cases the information verified, Program interviewers evaluate the information to determine whether a recommendation for ROR

or 10% bond (all defendants not eligible for ROR are eligible for the 10% Program) is appropriate. Recommendations are then presented to the court at arraignments.

In order to determine what criteria are employed and what variables are considered by Program interviewers when deciding recommendations, a regression analysis of bond recommendations was performed on the sample of 10% of all cases from November 1, 1973 to March 4, 1974. There were 176 cases in the sample, 172 of which had recommendations for either ROR or 10% and were put into the regression equation. Four cases had recommendations for "no bail" were not included. The distribution of the sample is shown in Table 4.

TABLE 4

Distribution of sample cases by recommendation

N=172

Recommendation	ROR	10%
% of Total	51	49

The regression analysis was performed as described below.

First, to determine the importance of point variables included on page 2 of the Program's interview form and in its Procedures and Regulations Manual, the 40 cases (23% of 172 case sample) which had point totals assigned in all point categories were put into the regression equation. The areas included were:

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- a. Residence points;
- b. Employment points;
- c. Family points;
- d. Prior record points; and
- e. Character points.*

Based solely on the above categories, 39% of the variance was accounted for, and the only variable of any significance was "character points". After isolating "character points" as the most important point variable, charge type was added and the amount of variance accounted for increased to 49%. However, character points remained the most important variable, while charge proved to be more important than the next important point category (family points).

Second, of the 172 cases studied, 120 (69%) had complete interview information. Using that information, the following variables were included in the final regression equation:

- a. Occupation;
- b. Who defendant lives with;
- c. Area of residence;
- d. Time at present address;
- e. Charge;
- f. Number of juvenile adjudications;
- g. Number of adult arrests;
- h. Education; and
- i. Race.

* Defendant's appearance, demeanor, attitude during interviews, etc.

The above variables were selected by isolating the variables that correlated with each "point" category (e.g., time at present address correlated with the number of residence points) and then selecting the variable in each category which added the most prediction ability within that category.

The "point variables" (e.g., time at address, occupation, etc.) were introduced first, then charge variables, and last "social status" variables such as income, education and race. Social status variables with a low correlation with bond recommendations, such as age, were not put in.

The results of this process were: a) that point variables plus charge accounted for 25% of the variance; and b) that after race was added, 36% of the variance was accounted for. The most important variables in deciding bond recommendations were, in order of importance:

- a. Race;
- b. Charge;
- c. Area of residence;
- d. Time at present address; and
- e. Education.

Based on the analysis which is described above, several general conclusions might be drawn concerning the Bail Program's operations and how bond recommendations are decided. They are:

- a. All the information available to the evaluator on interview forms does not necessarily represent all of the information that is considered when bond recommen-

dation decisions are made by Program staff. This situation is probably due to either or both of the following circumstances:

- 1) There is a lack of uniformity in criteria employed (as evidenced by the few cases which had points assigned by interviewers) which leads to inconsistencies in recommendations across interviewers; and
- 2) There are factors that go into the decision which could not be measured because of the emphasis placed on "character points" by interviewers

b. The assigning of points in certain cases appears to be an arbitrary process. This is evidenced by the importance of "character points" against the importance of the race variable in the regression equations.

c. Unless there are highly correlated variables connected to race which were not measured, the Program appears to assign a great deal of weight to race in deciding who gets ROR recommendations.

It is clear that the Bail Program does not presently employ a uniform system in determining who is recommended for ROR. Those interviewers who utilize the Program's point system apparently assign points arbitrarily and place heavy emphasis on the subjective point category of "character points" This conclusion is further supported by the fact that all 5 of the interviewers questioned stated that they consider a defendant's attitude and demeanor during his interview to be important factors in determining whether he is recommended for ROR. Interviewers who try to completely subjectively

analyze the information available to them apparently unknowingly weigh a defendant's race as the most important factor in deciding ROR. The effect of these procedures is shown in Table 5 which shows the distribution of bond recommendations by race.

TABLE 5

Distribution of bond recommendations by race

N=176

Recommendation	White		Black		All	
	n	%	n	%	n	%
ROR	73	59	15	28	88	50
10%	49	39	35	67	84	48
None	2	2	2	5	4	2

The situation is compounded slightly by the fact that the correlation coefficient between bond recommendations and bond decisions made at arraignments was 1.00 for the sample studied. This means that all the bond recommendations made at arraignments were accepted and followed by the District Justices and therefore, through acceptance of the recommendations, race and character points are similarly weighed by District Justices in the exercise of their bail setting functions. As a result, the distribution of bonds at arraignments would have a pattern similar to that evident in Table 5. It is important to note here that these figures represent bond type eligibility not bonds posted, and should not be

interpreted to represent release rates.

The failure to uniformly employ a system for evaluating defendants' eligibility for ROR increases the possibility that defendants similarly situated might not be treated equally and might be considered by some to be a violation of defendants' right to equal protection. Furthermore, the results of interviews with officials of criminal justice agencies in the county and Program staff indicate that one of the most important objectives of the Program (as those individuals perceive the Program's objectives) is to insure that bail is set in an equitable manner. However, the available evidence shows that, in practice, bail is being administered in a manner contrary to that perceived objective.

In light of the above findings relating to the bases upon which bond recommendations are currently made, the Program should consider returning to the objective point system described in its Manual.

2. Bail recommendations

Pursuant to an order of President Judge Diggins, the Bail Program in Delaware County also recommends bail amounts to District Justices when bond recommendations are made.*

An attempt was made to determine what variables are considered in recommending bail amounts. Since the amount of bail set for ROR and 10% serves significantly different functions and there weren't enough cases in the ROR and 10% groups to do a regression, regression analysis was not per-

* Specific monetary amounts are recommended with each ROR and 10% recommendation.

formed on the bail recommendations made in the 176 cases in the sample. Therefore, the relationship of variables to bail recommendations was looked at independently for both ROR and 10%.

After analyzing the predictors of bond recommendations that correlated for bail for ROR and 10% bond, it was apparent that different factors are considered in making bail amount recommendations for ROR and 10%. In making bail recommendations for ROR, the most significant variables were the number of prior felony convictions and the number of prior adult arrests. For 10% the most significant factors were juvenile and adult failures to appear, number of open cases, employment points, and number of prior adult arrests. Significantly, race is not considered in determining bail recommendations.

The distribution of the bail recommendations are shown in Table 6. Nearly 50% of all bail recommendations are less than \$500 which means a defendant would have to post (if he is not ROR'd) a minimum of only \$50 dollars to secure his release.

TABLE 6

Bail Recommendations

N=176					
<u>Recommendation</u>	<u>0-\$300</u>	<u>\$301-500</u>	<u>\$501-1000</u>	<u>\$1001-5000</u>	<u>(including)</u> <u>\$5001+(no bail)</u>
<u>% of Total</u>	22	27	28	17	6

D. Defendant appearances and Program post-release follow-up

1. Defendant appearances

Based on the interviews conducted with representatives of the county's criminal justice agencies and Program staff, insuring that defendants make required court appearances is one of the most important objectives of the Program. The staff considered it the highest priority objective, while others in the criminal justice system felt that it ranks in importance only behind overall bail reform and the lessening of inequality in the bail system.

Overall, the Program appears to be doing a reasonably effective job of returning defendants to court. Of the 154 defendants in the sample who were not detained in jail, a total of 168 court appearances were required through June 15, 1974. On only eleven occasions did defendants fail to appear resulting in an aggregate non-appearance rate of 7%. Some bail projects have lower failure-to-appear rates, but this rate for Delaware County represents all (not only willful) non-appearances.

Although the Clerk of Courts regularly certifies bond forfeitures (after thirty days a forfeiture is certified and considered willful) adequate data were not available to determine what percent of all bond forfeitures are reinstated thereby indicating non-willful forfeitures. However, if we assume the accuracy of the 50% reinstatement rate estimated by court representatives, then the certified or willful failure-to-appear rate in Delaware County is approximately 3.5%.

The relatively low failure rate might be due to one or more of the following circumstances.

a. The Program through its check-in/notification system has had the effect of minimizing the number of defendants who simply "forget" about their appearances. Although this is likely, there is virtually no way to measure the success of these procedures in preventing failures other than to run an experiment in which certain defendants would be notified of court dates and others would not.

b. Because of the rural nature of Delaware County, defendants do not develop the feeling that they can get "lost in the crowd". On the contrary, many defendants are well known to local law enforcement officers and defendants probably feel it is to their benefit to appear in court when required and not have the local police looking for them.

c. The criteria employed by the Program in deciding bond recommendations are effective predictors of eventual failures-to-appear. However, based on the findings outlined in the following subsection, it is probable that those criteria are not major factors in predicting non-appearances.

2. Effectiveness of ROR criteria in predicting failures-to-appear

Of the total sample of 176 cases, only 26 had FTA information and point totals assigned by interviewers. Although the sample was very small and therefore highly unreliable, an effort was made to attempt to determine what point categories or other variables might be predictors of failures-to-appear. First, using points and charge only, the categories in order of importance were:

- a. Employment points;
- b. Residence points; and
- c. Charge.

Second, putting the information that makes up the point categories into the regression equation indicates that the most important variables in order of importance are:

- a. Number of prior adult arrests;
- b. Charge; and
- c. Area of residence.

The most important factors are prior adult arrests, charge, and residence factors. Of those, only charge and residence are considered important in making bond recommendations. The variable most strongly related to bond type recommendations, race, has no relationship at all to failures-to-appear. Therefore, since some of the variables considered in deciding bond recommendations are good predictors of

failures-to-appear while others are not, it is impossible to determine whether presently employed criteria are responsible for the relatively low failure-to-appear rate.

Of course, these findings are not entirely conclusive because of the size of the sample, and the possible unreliability of the information; much of it is unverified. Also, examinations of pre-trial practices have led some investigators to conclude that there is no correlation between severity of charge and failures-to-appear. For example, Paul Wice in his analysis of the bail reform movement, Bail and Its Reform: A National Survey concluded after examining 11 bail projects that

...the seriousness of the crime is neither a valid nor reliable predictor of the defendant's future behavior, particularly his proclivity toward skipping town.

Furthermore, bail based on the severity of the charge against the defendant takes on the appearance of punishment rather than a means to insure his appearance in court which is the sole purpose of bail. See Bandy v. U.S. 81 S. Ct. 197 (1960); Stack Boyle 342 U.S. 1(1951)*

Also, since the primary purpose of bail is to insure a defendant's appearance in court when required, it is reasonable to assume that a bail program's ROR criteria would successfully predict failures-to-appear. However, the fact that one defendant who failed to make a scheduled court appearance had 23 points assigned by an interviewer, and two other defendants had 24 points assigned indicates

* Employment of severity of charge as a criterion in setting bail might not be contrary to the Bandy or Boyle cases if it can be shown conclusively that charge severity has some correlation to failure-to-appear. However, that correlation can not be conclusively drawn from the available data.

that the Program's point system as presently employed -- and by implication its ROR criteria -- does not effectively predict failures-to-appear.

3. Check-in and follow-up

The Program's check-in and follow-up procedures, which require that defendants check-in with the Program within twenty-four hours after arraignment and at least once by phone and once in person within 30 days after preliminary hearings enables the Program to keep track of defendants' whereabouts. This permits the Program to verify addresses regularly thereby having updated addresses to send notification letters to. At present, the Program sends notification letters to defendants prior to their scheduled court appearances including preliminary hearings, Common Pleas Court arraignments and trials.

Since the ROR criteria presently used are not completely effective in predicting FTA's, only the rural nature of the county (see previous section) and the Program's follow-up procedures appear to be responsible for the relatively low FTA rate.

E. Impact on jail population

One of the Program's secondary implied objectives appears to be the reduction in the number of defendants who are detained while awaiting trial in Delaware County. Generally, any impact would be reflected in the number of untried defendants at Broadmeadows, the Delaware County Jail.

Although there are limited data available on the present untried population at the jail, the total population figures during two visits to the facility in March and April, 1974 were

267 and 252, respectively. When compared to the average monthly population for 1967 (247) and 1972 (249) a pattern of consistency is evident. If we assume that our visits were made on "typical" days rather than days with high or low inmate counts, then it might be concluded that the Program has had little noticeable effect in reducing the pre-trial detention population. This of course, also assumes that the sentenced population has remained fairly constant over the years.

If the Program has not in fact contributed to a reduction in jail population, one explanation might be that most of the defendants who are receiving ROR or secure their release through the 10% bond program are defendants who probably would have secured their release under the traditional money bail system. Also, the finding that a bail project does not significantly reduce a certain jail population is not an atypical finding.

F. Filing and record keeping

1. Filing

At the Program's office in the Media courthouse there is a case file on each defendant interviewed by the Program. In these files are all appropriate records relating to the bail setting decision including: both pages of the Program's interview form, a copy of the criminal complaint (if available), preliminary hearing disposition form, District Justice Report form, and now, a copy of the verification report.

The clerk responsible for notifying defendants maintains a calendar of appearance dates and updates it regularly by routinely verifying hearing dates with the minor judiciary. This procedure appears to operate smoothly and might be partly responsible for the overall FTA rate being only 7%.

Another filing area, where the master cards are filed, is not as well organized as the others. For example, the small file cabinets which hold the 5"x8" cards are not adequate to hold the number of cards presently filed. Therefore, several file draws are simply stacked one above the other. Although this is not a major problem, some consideration should be given to placing the cards in a cabinet to reduce the possibility of cards being lost. Because these cards record all court appearances, notification letters sent, and case dispositions as well as defendants' current addresses and phone numbers, the files should be well kept.

2. Record keeping

At the present time the Program has virtually no record keeping capacity and therefore little or no capacity to monitor the effectiveness of its work. To remedy this, the Program should begin to monitor its operations by maintaining records of its performance. For example, some of the items that might be recorded on a daily, weekly or monthly basis are:

- a. Number of arrests by charge category;
- b. Number of arraignments;
- c. Percent of defendants interviewed;

- d. Percent of ROR and 10% recommendations made to District Justices;
- e. Percent of recommendations followed by District Justices;
- f. Percent of defendants rearrested while on ROR and 10% bonds; and
- g. Percent of defendants who fail to appear at court appearances while released on ROR and 10% bonds.

G. Administration and staff

1. Administration

The financial management of the Program, which was not examined, is handled by the Clerk of Courts of Delaware County. The Program administrator is responsible for the daily administration of the Program; and the regular supervision of the staff.

The administrator seems to be a competent individual with experience in management; however, at times he appears to be reluctant to supervise his subordinates and set standards for the Program. For example, when asked whether they were ever instructed to use the point system or follow other specific procedures outlined in the Program's Manual, such as to verify information, several interviewers stated that they were told, in so many words, to "do what they wanted" or "what was best". As a result, it appears that each interviewer has developed individual methods of operation. If the Program is to operate efficiently and help secure the release

of defendants in an equitable manner, some guidelines to standardize staff performance should be adopted.

2. Staff

The staff members of the Bail Program have diverse backgrounds. For example, included on the interviewing staff are: a former police captain, a salesman, a teacher, a lawyer, a mechanical engineer, and a skilled equipment mechanic.

Based on observation and personal interviews, it appears that the staff members are industrious and perform their tasks energetically. However, the varied backgrounds and experiences they brought to the Program might contribute to the lack of standardization of procedures. Because most of the interviewers have had substantial experience dealing with different types of people, many of them and perhaps the Administrator also, believe that their methods of interviewing and evaluating defendants are efficient. Therefore, no specific procedures have been enforced and ROR decisions are left to the individual interviewers.

V. SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

Based on the findings described in the previous section of this report, several conclusions can be stated concerning the appropriateness and efficiency of certain Bail Program procedures and practices. However, due to the absence of a clear statement of the Program's goals and objectives and the unavailability of adequate data on the general operations of the criminal justice system in Delaware County prior to the inception of the Bail Program, few conclusions can be drawn regarding the Program's effectiveness in achieving specific objectives.

In terms of developing procedures to meet its specific needs, the Program has successfully developed a procedure which enables it to interview defendants prior to arraignment. This represents a significant accomplishment since Delaware County is rural in nature and has thirty-two District Justices who hear arraignments on an irregular schedule. The procedure developed by the Program was implemented by dividing the county's districts into zones and keeping interviewers available on a contingency call basis to interview defendants anywhere in the county. Aside from a few logistical problems which have arisen -- such as difficulty in communicating with interviewers while they are enroute within the county -- the procedure appears to have enabled the Program to interview all defendants prior to arraignments.

A conclusion that all criminal case defendants are interviewed prior to arraignments is based on interviews with District Justices and Program staff members and the observations of the evaluator. However, since there are inadequate data on the total number of

arraignments countywide, the percent of defendants interviewed could not be specifically determined.

Although there is no clear statement of the Program's objectives in its grant application or Program description, based on interviews conducted with representatives of criminal justice agencies in the county and Program staff, the Program's ability to insure the presence of defendants at required court appearances must be considered an implied high priority objective. In terms of meeting that objective, the Program's check-in and follow-up procedures are probably as responsible for the county's 3.5% (estimated) willful failure-to-appear rate as such other circumstances as the county's rural nature and the effectiveness of pre-release criteria in predicting future failures to appear.

The pre-release criteria which, through regression analysis, appear to be the most important predictors of FTA's are prior adult record, charge and residence factors. Of those, only charge and residence factors are presently considered by interviewers in making bond decisions and neither is considered the most important factor. Since most studies have shown that charge is not a valid predictor of FTA's and the sample used in the present study was relatively small and probably contained some unverified information, it cannot be conclusively stated that these three factors are definitely effective predictors and therefore responsible for the current estimated FTA rate.

Another objective which might be implied from the importance placed on it by Program staff members and representatives of the county's criminal justice agencies is that bail be administered in an equitable manner. The findings in the study of cases from

November, 1973 - March, 1974 however, indicated that bond decisions as they are presently made by the Bail Program tend to inhibit the equitable administration of bail in the county. This is evidenced by the apparent application of criteria not indicative of community and family ties and in some instances not suggested in Rule 4004 of the Pennsylvania Supreme Court Rules of Criminal Procedure. For example, the results of a regression analysis of the sample cases shows that the most important factors presently considered in determining bond recommendations are "character points" (when a point system is employed pursuant to the Program's Procedures and Regulations Manual) and race (when the interviewers try to evaluate defendants subjectively). Although other factors -- such as charge, area of residence, occupation and who defendant lives with -- are considered in deciding ROR, based on the research findings in section IV (C)(2) it appears that the single variable most prevalent in distinguishing ROR from other bonds is race. As a result of this, only 28% of the black defendants in the sample were recommended for ROR compared to 59% of the white defendants in the sample.

However, despite these findings and the possible inferences that might be drawn from them, premature conclusions should not be made for the following reasons:

1. The pattern of bond recommendations that was revealed by the regression analysis would not necessarily have been evident only through observation of the Program's activities or the overall operations of the criminal justice system.

2. Since some of the interviewers make recommendations based upon their perceptions of how District Justices will react in particular cases and all of the recommendations in the sample cases were accepted by the District Justices, the findings of the regression analysis more accurately reflect the performance of the criminal justice system generally rather than only the performance of the Program.

3. Last, and perhaps most important is that it is possible that there are other variables closely related to race that were not able to be measured in the analysis.

It is important to note here that the regression analysis conducted to determine the relationship between bond criteria and FTA's showed that race, which appears to be strongly considered in deciding bond type, has no relationship to whether a defendant will appear at future required court appearances.

One of the primary reasons for the variety of interview procedures presently in force seems to be the reluctance of the Program's administration to enforce certain procedures which had been established at the time of the Program's inception. For example, the Program has a Procedures and Regulations Manual which outlines procedures to be

followed by interviewers. Among the procedures described are the use of an objective point system to help determine ROR recommendations and the necessity of verifying information prior to making recommendations to District Justices. As stated above, the application of a point system has not been regularly adhered to by Program personnel, and when it has been utilized there is evidence that the points are assigned in an arbitrary manner thus defeating the purpose of the system. Although the Program has probably permitted individual interviewers to rely on their personal "feelings" in deciding ROR recommendations because of the experience of many of them in dealing with people, the results of the practice demand a return to some type of standardization of ROR criteria.

The second area of concern which is covered in the Program's Manual is verification of information prior to making recommendations to court. Because of insufficient time prior to arraignments, verification of information has not been stressed as an important element of the ROR process. As a result, very little verified information is provided to District Justices at arraignments. This circumstance raises the basic question of the need for the Program and whether District Justices or other personnel such as secretaries might not interview defendants for the purpose of obtaining information about defendants. It must be noted that the Program has exhibited an understanding of the need to provide verified information by its newly adopted procedure of verifying information after arraignments. However, it still maintains that there is not sufficient time to perform verification prior to arraignments.

The following is a summary of specific recommendations discussed in the report and designed to help the Program develop a more effective and efficient program. Although not all of the findings in the report have been discussed with the Program administrator, most of the recommendations have. The recommendations are as follows:

1. The Program Administrator and President Judge should set and clearly state Program objectives and priorities. The following are several specific objectives which might be considered.
 - a. Making sure that defendants granted pre-trial release through the Program appear in court when scheduled.
 - b. Insuring that bail is administered in an equitable and non-discriminatory manner.
 - c. Reforming the bail system by reducing the use of money bail and minimizing the role of bail bondsmen.
 - d. Reducing overcrowding in the county jail.
 - e. Gathering data to be used in evaluating and improving the effectiveness of program operations.
2. After determination of specific goals and objectives, Program staff should be informed.
3. The Program administrator should support and encourage the establishment of a central arraignment court in Delaware County. The establishment of such a court would eliminate some of the communications problems associated with interviewers being "in the field".

4. If the anticipated new arraignment court is not established or is delayed, the present communication system should be improved. The following are some of the possible alternatives.

- a. Two-way radios might be installed in the interviewers' cars (county and private).
- b. beepers might be issued to all Program interviewers so that they may be contacted wherever they might be.
- c. Part-time staff might be added to help cover arraignments on weekends; and if beepers are issued to serve as a dispatcher during weekend and evening hours.

5. Some type of standard process should be developed to be used in deciding which defendants will be recommended for ROR and 10% bonds. Regardless of whether an objective point system (as described in the Program's Procedures and Regulations Manual) or a subjective system is developed, the Program Administrator should require that it is uniformly employed by all interviewers to insure that it is not used arbitrarily resulting in the unequal treatment of defendants similarly situated.

6. Attempts to verify information on defendants should be made prior to arraignments. Although the establishment of a central arraignment court will probably be helpful in enabling the Program to verify information prior to arraignments, until the court is established the Program should adopt the following procedures to allow more time for verification before arraignments.

- a. Interviewers assigned to the Upper Darby and Chester police stations to interview defendants should report to the appropriate station at an earlier hour each morning.
- b. The Program Administrator should request that members of the minor judiciary who hold arraignments elsewhere in the county -- other than in Upper Darby and Chester -- extend by approximately 15 minutes the amount of time currently given to Program interviewers to interview defendants and verify information prior to preliminary arraignments.

7. The Program should monitor its operations by developing and maintaining a record keeping capability. Some of the items which should be recorded on a regular basis are:

- a. Total number of arrests;
- b. Total number of arraignments;
- c. Percent of defendants interviewed;
- d. Percent of ROR and 10% recommendations made to District Justices;
- e. Percent of recommendations followed by District Justices;
- f. Percent of defendants rearrested while on ROR and 10% bonds; and
- g. Percent of defendants who fail to appear at court appearances while released on ROR and 10% bonds.

8. The Program's bond recommendations and the Minor Judiciary's bail setting decisions should be closely monitored to provide feedback on the administration of bail in the county.

9. Page two of the interview form should be modified to be more readable and information extraneous to bail setting should be deleted from the interview form to make it shorter.

APPENDIX
QUESTIONNAIRE FORMS

DELAWARE COUNTY BAIL PROGRAM EVALUATION QUESTIONNAIRE

- 1. MAXIMIZING THE NUMBER OF PERSONS AT LIBERTY BETWEEN ARREST AND FINAL DISPOSITION OF THEIR CASE.
Should not be a goal ___1___2___3___4___5___6 Should be very important
Is not treated as a goal ___1___2___3___4___5___6 Is treated as one of the most important goals
- 2. MAKING SURE THAT INDIVIDUALS GRANTED PRETRIAL RELEASE THROUGH THE PROGRAM APPEAR IN COURT WHEN SCHEDULED.
Should not be a goal ___1___2___3___4___5___6 Should be very important
Is not treated as a goal ___1___2___3___4___5___6 Is treated as one of the most important goals
- 3. HELPING TO ENSURE THAT INDIVIDUALS WHO MIGHT BE DANGEROUS TO THE COMMUNITY ARE NOT GRANTED PRETRIAL RELEASE.
Should not be a goal ___1___2___3___4___5___6 Should be very important
Is not treated as a goal ___1___2___3___4___5___6 Is treated as one of the most important goals
- 4. LESSENING THE INEQUALITY IN TREATMENT OF RICH AND POOR BY THE CRIMINAL JUSTICE SYSTEM.
Should not be a goal ___1___2___3___4___5___6 Should be very important
Is not treated as a goal ___1___2___3___4___5___6 Is treated as one of the most important goals
- 5. ACTING AS AN ADVOCATE FOR DEFENDANTS REGARDING PRETRIAL RELEASE WHEN ELIGIBILITY REQUIREMENTS ARE MET.
Should not be a goal ___1___2___3___4___5___6 Should be very important
Is not treated as a goal ___1___2___3___4___5___6 Is treated as one of the most important goals

- 6. SERVING THE COURT IN A NEUTRAL FASHION.
Should not be a goal ___1___2___3___4___5___6 Should be very important
Is not treated as a goal ___1___2___3___4___5___6 Is treated as one of the most important goals
- 7. REDUCING THE COST TO THE PUBLIC, BY KEEPING PEOPLE OUT OF JAIL WHILE AWAITING DISPOSITION OF THEIR CASE.
Should not be a goal ___1___2___3___4___5___6 Should be very important
Is not treated as a goal ___1___2___3___4___5___6 Is treated as one of the most important goals
- 8. REFORMING THE BAIL SYSTEM, BY REDUCING THE USE OF MONEY BAIL AND MINIMIZING THE ROLE OF THE BAIL BONDSMAN.
Should not be a goal ___1___2___3___4___5___6 Should be very important
Is not treated as a goal ___1___2___3___4___5___6 Is treated as one of the most important goals
- 9. GATHERING DATA TO BE USED IN EVALUATING AND IMPROVING THE EFFECTIVENESS OF PROGRAM OPERATIONS.
Should not be a goal ___1___2___3___4___5___6 Should be very important
Is not treated as a goal ___1___2___3___4___5___6 Is treated as one of the most important goals
- 10. REDUCING OVERCROWDING IN JAILS.
Should not be a goal ___1___2___3___4___5___6 Should be very important
Is not treated as a goal ___1___2___3___4___5___6 Is treated as one of the most important goals

11. WHAT IS THE FREQUENCY OF THE BAIL PROGRAM'S PRESENCE IN COURT?

Never ___1___2___3___4___5___6 Every day

12. WHAT IS THE LEVEL OF DIFFICULTY IN OBTAINING THE SERVICES OF A BAIL PROGRAM INTERVIEWER WHEN REQUIRED?

a) At weekday arraignments?

Easy ___1___2___3___4___5___6 Extremely difficult

b) At weekend arraignments?

Easy ___1___2___3___4___5___6 Extremely difficult

13. WHEN PRESENT IN COURT, WHAT IS THE FREQUENCY OF BAIL PROGRAM RECOMMENDATIONS IN CASES BEFORE THE COURT?

a) In Felony case?

Never ___1___2___3___4___5___6 Always

b) In Misdemeanor cases?

Never ___1___2___3___4___5___6 Always

14. ARE THE BAIL PROGRAM'S RECOMMENDATIONS:

Oral _____ Written _____ Both _____

15. ARE YOU SATISFIED WITH THE MANNER OF PRESENTATION?

Not at all ___1___2___3___4___5___6 Very satisfied

If not satisfied why? _____

16. DO THE RECOMMENDATIONS MADE BY THE BAIL PROGRAM VARY AMONG INTERVIEWERS?

a) As to procedure?

Not at all ___1___2___3___4___5___6 Very much

b) As to content?

i) In felony cases?

Not at all ___1___2___3___4___5___6 Very much

ii) In misdemeanor cases?

Not at all ___1___2___3___4___5___6 Very much

17. HOW HAVE VARIANCES AMONG INTERVIEWERS AFFECTED YOUR BAIL DECISIONS?

Not at all ___1___2___3___4___5___6 Very much

18. HOW MUCH WEIGHT DO YOU GIVE BAIL PROGRAM RECOMMENDATIONS FOR ROR?

a) In felony cases?

None ___1___2___3___4___5___6 Great deal

b) In Misdemeanor cases?

None ___1___2___3___4___5___6 Great deal

19. HOW MUCH WEIGHT DO YOU GIVE BAIL PROGRAM RECOMMENDATIONS FOR CASH BAIL?

a) In felony cases?

None ___1___2___3___4___5___6 Great deal

b) In misdemeanor cases?

None ___1___2___3___4___5___6 Great deal

19A. IN CASES WHERE THE BAIL PROGRAM DOES NOT MAKE A RECOMMENDATION FOR ROR OR A CASH AMOUNT, ARE YOU LIKELY TO GRANT ROR?

a) In felony cases?

Never ___1___2___3___4___5___6 Always

b) In misdemeanor cases?

Never ___1___2___3___4___5___6 Always

20. WHY DO YOU FOLLOW OR NOT FOLLOW THE BAIL PROGRAM'S RECOMMENDATIONS?

21. HOW FREQUENTLY DOES THE BAIL PROGRAM PROVIDE YOU WITH INFORMATION OBTAINED FROM THE DEFENDANT AND ON WHICH RECOMMENDATIONS ARE BASED?

Never ___1___2___3___4___5___6 Always

22. HOW FREQUENTLY DOES THE BAIL PROGRAM INFORM YOU WHETHER THE INFORMATION ON WHICH A RECOMMENDATION IS BASED IS VERIFIED?

Never ___1___2___3___4___5___6 Always

23. IS THE INFORMATION PROVIDED BY THE BAIL AGENCY GENERALLY RELIABLE?

Never ___1___2___3___4___5___6 Always

On what do you base this opinion? _____

24. IS THE INFORMATION PRESENTLY PROVIDED BY THE BAIL PROGRAM ADEQUATE TO PERMIT BAIL DECISIONS TO BE BASED ON IT?

Not at all ___1___2___3___4___5___6 Very

a) What information would you like the Bail Program to provide in addition to the information presently being provided?

b) How would you use such additional information?

25. HOW DO YOU DETERMINE WHAT BAIL TO SET ON PERSONS THAT HAVE NOT BEEN INTERVIEWED BY THE BAIL PROGRAM?

26. HOW HAVE YOUR BAIL SETTING POLICIES CHANGED SINCE THE BAIL PROGRAM BEGAN OPERATION?

Less lenient ___1___2___3___4___5___6 More lenient

27. WHAT IMPACT HAS THE BAIL PROGRAM HAD IN REDUCING FAILURES TO APPEAR?

None ___1___2___3___4___5___6 Great

END