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J.A.R. trimed
PRE-TRIAL INTERVENTION PROGRAM
ANNUAL REPORT
1975

DISTRICT ATTORNEY'S OFFICE
NINETEENTH JUDICIAL DISTRICT
PARISH OF EAST BATON ROUGE
233 ST. FERDINAND STREET
BATON ROUGE, LOUISIANA

OSSIE BROWN, DISTRICT ATTORNEY
PROJECT DIRECTOR

NCJRS
DEC 29 1975

ACQUISITIONS

Jack Mergen
Program Coordinator

Col. S. H. Berthelot
Program Director

Mrs. Lois Waters
Assistant Program Director

Secretaries
Susan Bishop
Elaine Moreau

Counselors
George Barnett
Oscar Southall

Group Therapy Leaders
Dr. Robert Casse, Jr.
Barry Daste
To The Citizens of East Baton Rouge Parish:

Upon becoming District Attorney of our parish, I felt a crying need for assistance from the Criminal Justice System to the youthful first offenders in the community who might commit non-violent crimes. To me, these young people were not criminals, but citizens who had made mistakes and who had never been arrested in the past.

Our court dockets are crowded and the case load for the Criminal Justice System is indeed heavy. Offenses, involving young people who were being arrested for the first time, were taking many man-hours and court days for disposition. As a result of these prosecutions, numerous young people who had made a mistake carried the stigma of a criminal record for the remainder of their lives.

An alternative to this situation had to be found. Immediately upon my assuming office, I began studying and reviewing possible ways in which a three-fold purpose could be served: (1) help for youthful first offenders, (2) the meeting of a public need, and (3) relief of a crowded court docket. I concluded that Pre-Trial Intervention was the vehicle which I should use and, frankly, it has exceeded all my expectations. Since its inception, scores of young people have been diverted from the Criminal Justice System with the consent of the victim and the police. Participants have been encouraged to complete their schooling, jobs have been found for the unemployed and other appropriate services have been provided. As a result of a dedicated and highly qualified staff, Pre-Trial Intervention has been a resounding success during its first year operation. This success could not have been achieved, however, without the support of the community, the courts, law enforcement agencies and the local government. Because the city-parish councils provided local money to match federal funds obtained from LEAA, the program was instituted.

This annual report to the people shows what can be done, and shows how effectively we are reaching all the people of our community in an effort to see that one standard of justice - equal justice - is a reality in this parish. After reading this report, I trust that you will form the same opinion as I that there is a practical alternative to prosecution for the non-violent youthful first offender. As a prosecutor who believes in dealing sternly with the hardened criminal, I believe that we must respond to the needs of our young people, too. Pre-Trial Intervention meets that objective!

Your District Attorney,

Ossie Brown

1975
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The following report has been prepared as an evaluation of the first year of operation of the Pre-Trial Intervention Program which began January 1, 1975. The program was funded with a block grant of $107,000 from the Law Enforcement Assistance Administration (LEAA), and a sub-grantee contribution of $12,000 or a total budget of $119,000. This budget included funds for the purchasing of all equipment, which has been received. Federal funding will continue through December, 1977, at which time, it is hopeful that the East Baton Rouge City Parish Government will assume the operating cost of the program.

The program was administered by the office of the District Attorney of the Nineteenth Judicial District, East Baton Rouge Parish, Baton Rouge, Louisiana. The staff consisted of: Program Coordinator (not on program payroll), a Program Director, Assistant Director (who also serves as a counselor), two full-time counselors, two secretaries, and two consultants from the Louisiana State University School of Social Welfare to conduct group therapy treatment meetings.
In addition, the program has been designated for internship placement by the Louisiana State University School of Social Welfare. Since September, 1975, seven graduate students, enrolled in the Corrections Specialization at Louisiana State University, have been assigned to the program. These seven students contribute a total of sixty-four (64) hours per week which is equivalent to 1.5 full-time staff persons. Supervision of the students is provided by a fulltime assistant professor from the University. According to information we have received, the University authorities are pleased with the learning opportunities the program affords its students, and plans are under way to continue the internship.

Program staff are satisfied with the contribution made by the students to the project, and believe the arrangement with Louisiana State University has contributed significantly to the program's professionalization. The services provided by these students were at a minimum cost to the program. In exchange for extensive counseling services offered by the students, the program provides office space and mileage reimbursement (for field contact with participants) only.

The Pre-Trial Intervention Program has a three fold purpose, namely: (1) to administer to the needs of a youthful first offender in an attempt to deter future criminal or disorderly behavior; (2) service to the court, by reducing the court case backlogs allotting more time for the most serious cases and reducing court costs; (3) protection to the community, by close supervision of a participant while in the program.

Each participant is supervised for a three to twelve month period, immediately following the arrest, with intensive counseling, which may include educational and job placement assistance, as well as, referrals to community agencies as warranted. Each participant is required to meet with an assigned counselor at least once each week and attend a group therapy treatment meeting once weekly (twelve sessions), when assigned to such a group.

A participant is not released as successful until in the opinion of the counselor, he or she has demonstrated a change of attitude, realized the seriousness and consequences of involvement in unlawful activities, established a purpose in life and has a suitable job or enrolled in an educational or vocational technical program.

Upon successful completion of the requirements of the program, the charges pending against the participant are dead-filed, avoiding the possibility of a criminal conviction record. Successful completers are assigned to a follow-up phase of the program, which requires a meeting once each quarter with a counselor for a period of one year.

Staff members have a close working relationship with the Louisiana State Employment Service Office, City-Parish Personnel Department, Local Unions, Mental Health, Community Advancement and other agencies.

This office has a unique arrangement with authorities at Louisiana State University and Southern University, whereby a student accused of a criminal offense committed on the campus and charged as such may enroll (voluntarily) in the Pre-Trial Intervention Program, providing he meets the criteria. Upon enrollment the student is referred to the Student Affairs Department of the University for participation in their disciplinary program. Should the student complete this program satisfactorily, he is referred back to the Pre-Trial Intervention Program for successful termination processing.

The criteria for acceptance in the program are as follows:

a. No previous record of adult arrest;
b. Males and females between the ages of 17-25, waived in certain cases;
c. Limited to non-violent crimes;
d. Drug related—simple possession of marijuana only;
e. Consent—the arresting officer and victim must concur with program participation;
f. Restitution when required.
Criminal offense arrests filed with the District Attorney's Office of East Baton Rouge Parish constitute referrals for the program. A total of 494 cases were identified as eligible for Pre-Trial Intervention. Of this number 297 were enrolled, which included 43 Louisiana State University and 4 Southern University students. There were 173 rejected for such reasons as: failure to respond to letter of notification of eligibility; not interested; failure to keep appointment, subsequent arrest and arresting officer or victim objected. Fourteen or 8.09% were rejected on objection of arresting officer and four or 2.31% on objection of victim. One hundred thirty-three of the total enrollment were assigned to group therapy treatment meetings. Twenty-three were pending processing at the end of report period. The total number enrolled represents 4.95% of the criminal cases filed with the District Attorney's Office.

Quarterly referrals and enrollment for 1975 were as follows:

<table>
<thead>
<tr>
<th>Period</th>
<th>Referrals</th>
<th>Enrolled</th>
</tr>
</thead>
<tbody>
<tr>
<td>January-March</td>
<td>131</td>
<td>82</td>
</tr>
<tr>
<td>April-June</td>
<td>83</td>
<td>53</td>
</tr>
<tr>
<td>July-September</td>
<td>163</td>
<td>73</td>
</tr>
<tr>
<td>October-December</td>
<td>117</td>
<td>89</td>
</tr>
<tr>
<td>TOTAL</td>
<td>494</td>
<td>297</td>
</tr>
</tbody>
</table>

Please note that during period of March 15th to May 15th, referrals were temporarily suspended due to the fact that all counselors had a maximum case load assignment of thirty (30) participants each. Sixty-five (65) defendants were eligible for the program, but instead were referred to a prosecution section for processing. Therefore, these otherwise eligible youthful first offenders did not have an opportunity to participate in the program. However, we have since revised our procedure on referrals by placing eligible defendants in an abeyance enrollment category until a vacancy exists.

By reciprocal arrangement two participants, residing in Orleans Parish, arrested and charged in East Baton Rouge Parish were enrolled into our program and transferred to the Pre-Trial Intervention Program of the District Attorney's Office of Orleans Parish.

III. PROGRAM RESULTS

Of the 297 enrolled in the program, 101 or 34.01% were terminated satisfactorily. Forty-six (46) or 15.94% were terminated unsatisfactorily for such reasons as: subsequent arrest while active in the program or failing to comply with the rules and regulations. Twenty (20) or 6.73% were terminated for other reasons: complainant requested withdrawal of charges or participant chose to go to court. The remaining 130 or 43.77% were still active participants at the end of this report period.

Twenty-four (24) participants were employed through the efforts of the program. Fifty-three (53) were referred to Vocational Technical School or Adult Education. Fourteen (14) were referred to Pre-Trial Employment and Training Program. Fifteen (15) were referred to Vocational Rehabilitation.

A participant who violates any rule or regulation of the program, as defined in the project guidelines, is given written notice of our intent to terminate his participation. Should he disagree with this disposition, he may call the office within three days after receipt of the letter and request a hearing before an Appeal Board. The Appeal Board will be selected and a date set for the hearing. The Board consists of five members, namely: Program Director; two active participants in the program; a counselor (other than the participant's assigned counselor); and a member at large. The participant will be required to be represented by an attorney. If he is unable to afford one, the court will appoint one for him. The hearing is conducted on an informal basis and not as a trial.

One participant appealed the intent of unsatisfactory termination and a hearing was conducted. After completion of the hearing, the Appeal Board voted to permit him to continue his active participation in the program, and he has since been terminated as a successful participant.
IV. CHARGES ACCEPTED

1. Possession of Marijuana 33 or 25.20%
2. Shoplifting 67 or 16.16%
3. Malicious Mischief 59 or 15.18%
4. Contributing to Delinquency 11 or 11.28%
5. Felony Theft 33 or 8.94%
6. Burglary 31 or 8.40%
7. Attempted Felony Theft 10 or 2.71%
8. Damage to Property 7 or 1.90%
9. Receiving Stolen Things 8 or 1.93%
10. Issuing Workman Checks 5 or 1.36%
11. Criminal Mischief 5 or 1.36%
12. Possession of Stolen Property 3 or 0.81%
13. Forging 3 or 0.81%
14. Trespassing 2 or 0.54%
15. Auto Theft 1 or 0.27%
16. Theft of a Bicycle 1 or 0.27%
17. Simple Escape 1 or 0.27%
18. Accessory After the Fact 1 or 0.27%
19. Unauthorized Use of a Movable 1 or 0.27%
20. Attempted Burglary 1 or 0.27%

A breakdown on Possession of Marijuana
by race and sex indicated the following:

- White Males: 53 or 14.39%
- Black Males: 25 or 7.04%
- White Females: 11 or 2.98%
- Black Females: 4 or 0.81%

The percentages are based on the 365 offenses involved.

V. ENROLLMENT BY RACE, SEX AND AGE

A. Race and Sex:

1. White Males: 136 or 45.79%
2. Black Males: 81 or 27.27%
3. White Females: 35 or 11.61%
4. Black Females: 40 or 13.83%

B. Total Enrollment by Race:

1. Whites: 161 or 54.21%
2. Blacks: 131 or 44.11%
3. Others: 5 or 1.68%

C. Age:

1. 17 years: 58 or 19.53%
2. 18 years: 70 or 23.57%
3. 19 years: 44 or 14.81%
4. 20 years: 46 or 15.15%
5. 21 years: 27 or 9.09%
6. 22 years: 18 or 6.04%
7. 23 years: 8 or 2.69%
8. 24 years: 2 or 0.67%
9. 25 years: 11 or 3.70%
10. Over 25 years: 4 or 1.35%

VI. STATUS OF PARTICIPANT AT TIME OF ENROLLMENT

- Number employed: 111 or 37.33%
- Number in school: 131 or 44.11%
- Number unemployed: 55 or 18.52%

As of December 31, 1975, eleven (11) participants were unemployed and efforts were in progress to secure employment for them.

VII. RECIDIVISMO

Although we believe recidivism rate is important, it should not be the sole yardstick to measure program success. Instead, we believe of more importance is to what degree did the program services meet the needs of the individual participant. However, we did take into consideration the recidivism rate for the first year of operation, which is summarized below:

<table>
<thead>
<tr>
<th>Category</th>
<th>No. Recidivism Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Terminated Satisfactory</td>
<td>101 6 5.94</td>
</tr>
<tr>
<td>Terminated Unsatisfactory</td>
<td>46 16 34.78</td>
</tr>
<tr>
<td>Controls</td>
<td>55 17 39.15</td>
</tr>
</tbody>
</table>

* Sixteen (16) of this group were terminated for reasons other than an active participant. ** The program can be extended by the services offered by the program to the successful completer.

The control group compares with the group terminated satisfactory inasmuch as they would have been eligible for the program. As mentioned the recidivism rate for the control group was 21.54% as compared to the recidivism rate for the group successfully terminated which was 5.94%.

This significant difference of recidivism rate can be extended by the services offered by the program to the successful completer. The recidivism rate for the successful terminated group falls far below the national acceptable standard of 10%.

VIII. COST BENEFIT ANALYSIS

During the year of 1975, a total of 297 participants were enrolled in the Pre-Trial Intervention Program. Of this number sixty-six (66) did not complete the year as satisfactory terminations. This left a total of 231 of the original 297 who finished the year with a satisfactory status.

The budget for the year was $119,000 which include non-recurring expenses amounting to $29,890.77. By subtracting the non-recurring expenses from the total budget we arrive at a figure of $89,109.23, which represents a more realistic cost factor. Using this cost figure as the base, we compute a per participant cost of $385.75, ($89,109.23) / 231.

The control group offers a reduced financial cost, the participant also receives a wide range of social services which are not provided by the courts. These services have as their primary purpose the reduction of future criminal activity on the part of the individual.
As the program progressed during the year 1975, we were elated by the numerous inquiries concerning the criteria and methods employed for participant enrollment in the program. Inquiries came from attorneys, police officers, parents and defendants. This is indicative of the recognition of the need for supervision and rehabilitative services for the youthful first offender.

A major premise of Pre-Trial Intervention is that not all law violators are criminals. The program provides for youthful first offenders an opportunity to establish a way of life that will avoid future conflict with the Criminal Justice System and the possibility of a criminal conviction record.

With the results which we have experienced in the first year of operation, we definitely see the need for the continuation of this program.

**IX. CONCLUSION**

**X. APPENDIX**

Letter from Honorable John S. Covington, Judge Division A, Nineteenth Judicial District.
Letter from Billy O. Wilson, President of the Baton Rouge Bar Association, Inc.
Letter from Dr. James W. Reddoch, Vice Chancellor for Student Affairs, Louisiana State University.
Letter from Dr. Jesse N. Stone, Jr., President, Southern University.
Letter from Frank J. Gremillion, Attorney-at-Law.
Article, Sunday Advocate, June 8, 1975.
Comments from participants successfully terminated.

District Attorney Ossie Brown with a group successfully completing requirements of program.
April 15, 1976

Honorable Ossie Brown
District Attorney
Nineteenth Judicial District
East Baton Rouge Parish
Baton Rouge, Louisiana 70801

Dear Mr. Brown:

I would like to take this opportunity to personally offer my congratulations on the first year of operation of the Pre-Trial Intervention Program, instituted in your office January 1, 1975, for youthful first offenders.

From point of observation and according to reports received, it is my opinion that the results produced by this program are highly beneficial to the court system by reducing the court calendar of less serious violations, thereby providing the opportunity for greater attention to more serious criminal cases and also less expensive. Needless to mention the wide range of social services afforded a participant which are not provided by the court.

I share your thoughts that all law violators are not necessarily criminals. Certainly the program offers the youthful first offenders an opportunity to make amends for a mistake in life.

You may be assured of my continued support in the needed program as a component of the Criminal Justice System.

Very truly yours,

John S. Covington
Judge

JSC:mk1
April 6, 1976

Honorable Ossie Brown
District Attorney, 19th Judicial District
East Baton Rouge Parish
233 St. Ferdinand Street
Baton Rouge, Louisiana 70801

Dear Mr. Brown:

I should like to thank you and your staff for the services provided to the students of Louisiana State University through the Pre-Trial Intervention Program. From its inception in February 1975, 43 students have been enrolled in the program, and during this time, I have been well pleased with the Pre-Trial Intervention staff.

I should also like to express, on behalf of the University, our satisfaction in our relationship to this program, and I shall look forward to its continuation in the future.

Thank you.

Sincerely,

James W. Reddoch
Vice Chancellor for Student Affairs

cc: Col. Berthelot
October 27, 1975

Honorable Ossie B. Brown
District Attorney
District Attorney's Office
233 St. Ferdinand Street
Baton Rouge, Louisiana

Re: Pre-Trial Diversionary Program

Dear Ossie:

I am writing to express my compliments on the administration of your Pre-Trial Diversionary Program.

Several weeks ago I was appointed by the Court to represent a participant in that program at a hearing to determine whether or not he should be terminated from the program for not abiding by the rules. That hearing was my first direct experience with the program and its staff, and I was very much impressed with Colonel Berthelot and his staff. I found them to be most cooperative, and I was very much impressed with the fairness with which Colonel Berthelot conducted the hearing in connection with my client.

While I think that more kids should be eligible for the program, I want to commend you on the operation and administration of your Pre-Trial Diversionary Program.

With kindest personal regards, I am

Very truly yours,

GRECO, THOMPSON & GREMILLION

Frank T. Gremillion
Young First Offenders Get Chance to Go Straight

By FRANCES SEGERS

Advocate Staff Writer

The criminal justice system in America is admittedly wreaking
under an overload of cases, and for the youthful first
offender, the effort to weed him from crime is all too often a faceless march through an impersonal system.

In the last four years, however, there has been a grass-root effort to go through the criminal justice system and harden into a criminal.

Locally a program known as Pre-Trial Intervention (PTI) has been started by the East Baton Rouge Parish District Attorney's office.

Funded federally through the Law Enforcement Assistance Association, the project was designed to divert the youthful first offender from the court system and a possible jail term and providing him with counseling.

In addition to the District Attorney's office, serves as coordinator between his office and that of PTI.

He reviews all the files which come in through the D.A.'s office for possible participants in the program.

Participants must meet certain general criteria — they must be between the ages of 17 and 21, it must be their first offense and it must be a non-violent offense.

The age criteria is not rigid, Mergen adds, noting that in some cases, such as a 24-year-old who is the sole support of a family, the age limit is waived.

No traffic offenses are handled by the PTI program, including driving while intoxicated charges.

First offense marijuana possession (not distribution) cases, shoplifting, criminal trespassing, auto theft, security phone call, criminal mischief, theft, contributing to the delinquency of a juvenile — these are some of the offenses allowed in the program.

Once Mergen has decided a defendant might be eligible, his file is sent to the PTI office on 300 Louisiana Ave., Suite 210.

There Col. H. Berthelot, program director for PTI and former head of the state police, sends to the State Police Bureau of Identification to check the defendant's "rap sheet," that is, check for a criminal record.

At the same time a letter is sent to the defendant notifying him that he is being considered for the PTI program.

If the defendant gets in touch, he is given a chance to avoid a criminal record, a chance to start again, and also avoid a criminal record.
I want to say that the program you have going is a very, very nice one. It could not be better. It helped my son so very much. I am both thankful and grateful for having such a good thing exist out of the District Attorney's office. Mr. Brown is a wonderful program. I am also thankful for the Program Director, Mr. Berthelot. Also Mrs. Lois Waters Lowell's most helpful and understanding counselor.

I give thanks to all who were involved in helping my son. Thanks a lot!

The program is extremely helpful to those in need and under-educated of this area, who need this kind of help most. I do hope it will not become an outlet for others who simply hope to avoid court and by their numbers will force the exclusion of those who need it most.

I personally believe that simple possession of marijuana should not require three months of counseling.

A very sensible solution to a very ridiculous problem.

I think the program helped me in many ways. It helped me realize more about the laws and it made me realize my mistakes so they won't be made again. I want to thank everyone involved in the program for giving me a second chance.

I think that was a good place for me to be. That makes my Mother happy knowing all my life I don't have a record because she believe she raise me up right and that program really change my life. It make me sit back and think why did I really do that and now I wouldn't dream of doing some like that again in my life. I really like your program keep it up.

I feel that this Program can help a lot of people, simply because everybody make mistake. The counselor was very nice and understanding. They was more concern about you. Then you was concern about yourself. I hope this Program keep going so people could be giving a chance to learn their mistake. Thank I am glad I got 'My chance.'