

# SPEEDY TRIAL ACT

HEARING  
BEFORE THE  
SUBCOMMITTEE ON CRIME  
OF THE  
COMMITTEE ON THE JUDICIARY  
HOUSE OF REPRESENTATIVES  
NINETY-FIFTH CONGRESS  
SECOND SESSION  
ON  
TITLE II OF THE SPEEDY TRIAL ACT

APRIL 13, 1978

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## SPEEDY TRIAL ACT

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THURSDAY, APRIL 13, 1978

U.S. HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON CRIME,  
OF THE COMMITTEE ON THE JUDICIARY,  
*Washington, D.C.*

The subcommittee met at 1:45 p.m., in room 2226 of the Rayburn House Office Building, Hon. John Conyers, Jr. (chairman of the subcommittee), presiding.

Present: Representative Conyers.

Staff present: Hayden Gregory, counsel, and Roscoe Stovall, associate counsel.

Mr. CONYERS. The subcommittee will come to order.

This afternoon the subcommittee hears testimony relative to title II of the Speedy Trial Act.

### OPENING STATEMENT BY HON. JOHN CONYERS, JR., ON THE SUPPLEMENTAL AUTHORIZATION FOR TITLE II OF THE SPEEDY TRIAL ACT

Mr. CONYERS. Title II of the Speedy Trial Act of 1974 authorized the Director of the Administrative Office of the U.S. Courts to establish, on a demonstration basis, 10 pretrial services agencies in representative judicial districts. These districts, central California, northern Georgia, northern Illinois, Maryland, eastern Michigan, western Missouri, eastern New York, southern New York, eastern Pennsylvania, and northern Texas, were selected in accordance with the criteria set forth in the statute.

Funds in the amount of \$10 million, as authorized by the act, became available on July 1, 1975, and the task of organizing the agencies began immediately. In October 1975, the first pretrial services agency commenced operations, and by April 1976 pretrial services agencies had been established in all 10 districts.

Pretrial services agencies perform two basic functions: (1) the compilation and verification of background information on persons charged with the violation of Federal criminal law for the use of the district judge or a U.S. magistrate in setting bail, and (2) the supervision of persons released from pretrial custody including the provision of counseling and other pretrial services. The stated objectives of the act are to reduce unnecessary pretrial detention and the commission of new crimes by those released on bail. Included among the services

to be rendered by pretrial services agencies is assistance in securing necessary employment, medical, legal, or social services. The agencies are also authorized to operate, or contract for the operation of, appropriate facilities for the custody or care of persons released from custody. Apparent violations of the conditions of pretrial release are reported to the court with recommended modifications in the terms of release.

The funds provided by the Congress in the amount of \$10 million for the operation of pretrial services agencies were made available until expended. During the year ending June 30, 1976, approximately \$1 million of these funds were obligated. The pretrial services agencies were in operation for an average of only 6 months during that year.

By June 30, 1977, the 10 demonstration agencies had stabilized their operations with the Federal court system and were providing verified client-based information. As of December 31, 1977, the 10 demonstration districts had expended \$5,830,542 of the initial \$10 million, and it was projected that the initial \$10 million would be exhausted by December 1978.

The bill we are considering today, H.R. 10934, introduced by Mr. Rodino, would authorize such funds as may be necessary for each succeeding fiscal year until the period of demonstration ends. The present law allows for a 48-month—4-year—demonstration period with an additional 3-month period added by the adjustment in the fiscal year. In section 3155 of the present law, the Director of the Administrative Office of the U.S. Courts is required to report annually to Congress on the accomplishments of the pretrial services agencies. The 10 agencies are to be compared with State-operated programs and traditional money bail practices. On September 30, 1979, the Director is to make any recommendations he may have concerning modification or expansion of the agencies in the final report.

The General Accounting Office is currently investigating these agencies at our request and will have their report ready for us later this year. Passage of this bill does not preclude the subcommittee from abolishing the program when the demonstration period is up.

The bill before us, H.R. 10934, would provide an open ended authorization of "such sums as may be necessary" on an annual basis to continue the program. I understand some members of the subcommittee have questioned the wisdom of an open ended authorization. The Administrative Office of the U.S. Courts, which we will be hearing from today, has projected the amount of funds needed to complete the demonstration period. I agree that authorization of such a fixed amount is preferable to an open ended authorization, and I understand that the amount that the Administrative Office has projected is \$5 million.

The authorized personnel for the 10 demonstration districts as of August 1, 1976, consisted of 156 positions. The present staffing pattern for the demonstration districts is expected to remain the same for the balance of the demonstration phase of the program.

In the first annual report to Congress, it was noted that if the funds authorized were not sufficient to carry out the program until 1979, a request would be made to the Congress for additional funds. Funds for the entire period of the demonstration project are necessary to render a full report on the operation of pretrial services agencies

and to make recommendations concerning the future of the program.

Since the program began, more than 20,000 accused persons have been interviewed; 14,000 of these interviews were conducted before the initial bail hearing. Over 11,000 of the cases have reached final disposition in the court, and the data collected on these closed cases is available for analysis. By the conclusion of the demonstration phase of the program, 30,000 Federal offenders will have gone through the pretrial services program. This volume of cases will provide, along with other information, a substantial data base for the evaluation of the program and its impact on the criminal justice process.

We're pleased to have as our witness today, representing the Administrative Office of the U.S. Courts, Mr. Guy Willetts, who became Chief of the Pretrial Services Branch in 1975 and was Regional Probation Administrator before that. He brings a good background that will prepare us for the discussion that is the subject matter of these hearings today.

We will incorporate your prepared statement at this point in the record, and we welcome you before the subcommittee.

[The prepared statement of Mr. Willetts follows:]

PREPARED STATEMENT OF GUY WILLETTTS, REPRESENTING THE ADMINISTRATIVE  
OFFICE OF THE UNITED STATES

Mr. Chairman and members of the subcommittee, I am pleased to have this opportunity to appear before you in the interest of the Pretrial Services program. Title III of the Speedy Trial Act of 1974 (18 U.S.C. 3152 *et seq.*) provided for the establishment of 10 Pretrial Services Agencies on a demonstration basis in representative districts throughout the United States. The Act further provided that the agencies would be empowered to (1) provide judicial officers with information pertaining to pretrial release, (2) supervise defendants awaiting trial with the aim of enhancing the likelihood of appearance at trial, and (3) reduce the frequency of unnecessary pretrial detention.

The 10 Pretrial Services Agencies have been operational for 27 months. In fulfillment of their responsibilities these agencies have interviewed more than 20,000 accused persons and provided information to judicial officers to assist them in their release decisions, have supervised more than 11,000 persons released to their supervision, and have provided services to persons released pretrial including counseling and assistance in securing employment, medical, legal, or social services. Where appropriate, services have been provided directly by pretrial services personnel or by specialized agencies, e.g., drug treatment programs, through a cooperative arrangement or contract.

As required by the act the program has a built in evaluative component that dictates extensive data collection designed to satisfy the requirements for annual reports and a final report with recommendations at the end of the 4-year demonstration period. These statistics are revealing often suspected but heretofore unconfirmed information regarding the processing of criminal cases through the Federal criminal justice system. Over 12,000 of the 20,000 persons interviewed have reached final disposition and the data from these cases is available for analysis.

It is projected that more than 30,000 persons will have been processed by Pretrial Services Agencies by the end of the demonstration period and the data from those cases along with other information will be available for the evaluation of the program and its impact on the criminal justice process.

The method adopted for program evaluation is a time series design which utilizes data from each district for the 24 month period immediately preceding the implementation of the demonstration project. The preproject or baseline data elements are identical to the data elements currently being collected and stored in the Pretrial Services data base. This evaluation model permits us to measure the impact of the Pretrial Services Agencies in critical areas such as: (1) their effectiveness in reducing crime committed by persons released pretrial; (2) their effectiveness in reducing the volume and cost of unnecessary pretrial detention; and (3) their effectiveness in improving the operation of the release provisions.

The baseline data will be utilized for the first time in the 3rd Annual Report to provide preliminary information about the overall impact of the demonstration project. Data from five non-Pretrial Services districts will be collected to determine if Title I of the Speedy Trial Act has impacted on the rate and length of pretrial detention in those districts. This data will be collected for a period immediately prior to implementation of the interim time limits of Title I and for a period during which the interim time limits were in operation.

Data from the 10 demonstration districts will allow assessment of the impact of the Pretrial Services project. Data from the five non-Pretrial Services districts will allow us to determine if the operation of Title I is responsible for a reduction in pretrial detention if such a reduction is observed. The recently acquired access to the Courtran II Data System of the Federal Judicial Center will permit a manipulation of the data allowing control for factors such as age, sex, race, prior record, and others as they relate to the bail practices in each district.

The legislative history of Title I reflects that as much as \$1 million each year could be spent for each of the 10 agencies and that Congress intended to monitor the operation of these agencies to determine whether additional authorizations for appropriations would be required. Through careful management the initial appropriation of \$10 million will provide for the operation of the program through December of 1978. The projected rate of expenditure beyond that point is \$350,000 per month. The final report is due in September 1979 and sufficient funding is needed to insure the continuation of the program until the Congress has had ample time to consider the final report and determine the future of the program.

This concludes my remarks, Mr. Chairman. I appreciate your courtesy and I shall be pleased to answer any questions you may have.

#### TESTIMONY OF GUY WILLETTS, REPRESENTING THE ADMINISTRATIVE OFFICE OF THE U.S. COURTS

Mr. WILLETTS. Thank you, Mr. Chairman. I appreciate the opportunity to appear here this afternoon and talk about a program to which I and many others have committed the last 3 years of our work experience.

I initially had intended, if the other members were present, to read a prepared statement, but will omit that and elaborate, if I may, on additional information that is not included in the prepared statement.

As you may recall, the Speedy Trial Act was not accepted with open arms either by the judiciary or the Justice Department at its initial passage, and when we set out to implement the title II part of the Speedy Trial Act we, too, were not welcomed with open arms.

It is my conviction, however, that since July 1975 most prosecutors, defense attorneys, judicial officers, and other supporting agencies in the criminal justice process have come to appreciate the role that the pretrial services program is playing in their respective districts.

We have interviewed in excess of 20,000 persons in relation to the bail process; 14,000 of these interviews have been conducted prior to the initial hearing. The remainder were interviewed for various reasons: Some for review hearing purposes; others to collect data for the evaluation of the impact of this program on the processing of the case in the pretrial period.

We have discovered some interesting statistics. When I took the responsibility for assisting the Administrative Office in establishing a program, I contended, to many persons who raised the question, that not more than 1 out of 10 persons was being detained in the Federal system prior to trial. Our statistics indicate, however, that roughly 40 percent are detained at the initial bail hearing.

Fortunately, that statistic drops significantly after the first 3 days, in some districts after the first day. I think, by looking at some of the tables that have been provided, you can detect a variance in rates of detention. Some of these variances are due to practices, procedures, and attitudes of judicial officers and others in the various districts.

It is and has been from the outset our desire to build in a very comprehensive evaluation phase to the program. That evaluation is designed to run for a 4-year period, the period that we initially believed the demonstration program would run.

We have sufficient funds, we believe, to carry us through December of this year, and in order to complete the comprehensive report we propose, and to carry out the evaluation as designed prior to the implementation of the program, we will need to operate at least through late 1979 and to give the Congress an opportunity to consider the report and recommendations would require several months beyond that.

For that reason, we request the funds sought here today.

Mr. CONYERS. Can you give us some information about what you found out about the experimentation where you had these 10 pretrial services agencies divided into 2 categories. What distinctions have arisen?

Mr. WILLETTTS. There is not a lot of distinction between the board-operated units and the probation-operated units, with some exceptions. You will note on the statistics that the rate of detention in the board units is significantly lower, by approximately 17 percent. On the face of it, it would appear that the difference in administrative structure has a significant bearing on that statistic.

There are other reasons, however, that have a bearing. I do think that administrative structure has a slight bearing, and we will discuss that reason at length in our third annual report and today if you have time.

The philosophy of release, the compliance with the intent and letter of the Bail Reform Act, varies from district to district. As it worked out, by accident and not design, I assure you, the board districts, by and large, initially had a more liberal or more compliant attitude toward the Bail Reform Act and were attempting to release more people than some of the districts in the probation units; and that trend has carried through the project to date.

There have been some significant changes. For example, in Texas, the Northern District of Texas, although not reflected in these statistics, when we started keeping data there in the fall of 1975, the initial detention rate was 52 out of 100. We know, from hand-tabulated statistics that have not gotten to the computer, that the detention rate there is 30 percent for the last 2 months—only 30 out of 100 are detained initially. That is a substantial decrease. It is the most substantial decrease of the 10.

Mr. CONYERS. There hasn't been much decrease in pretrial detention from what we can determine so far.

Mr. WILLETTTS. Overall.

Mr. CONYERS. Overall?

Mr. WILLETTTS. That is true. It is my best estimate at this point that there will not be a dramatic decrease in the numbers of persons detained. The dramatic decrease is in the length of the detention.

If you compare the average 33-35 days now with that baseline detention pre-pretrial, or pre-Speedy Trial Act, the average was 107 days. It has been reduced to about 40 percent of that, so there has been a dramatic decrease in the detention, in the number of days and in the cost, but not necessarily in raw numbers detained at initial hearing.

Mr. CONYERS. Do you have any views of your own yet about which method in the demonstration program might be the one that we might opt for?

Mr. WILLETTS. I'm not convinced at this point, Mr. Chairman. If I had to make a recommendation at this point, I probably would recommend a third alternative, neither of the two that were established by title II.

Mr. CONYERS. None of the above?

Mr. WILLETTS. None of the above the way they are structured now.

Mr. CONYERS. What kind of recommendation would you make? We're very interested in hearing that.

Mr. WILLETTS. My recommendation at this point would be that it not be in an independent board of trustees as such, nor that it be a subunit in probation as such, which is what you have now.

I would recommend an independent administrative unit in the Administrative Office of the Courts, disassociated from probation. I would recommend an advisory group at the local court level, but not an independent board of trustees. I think the advisory group should contain the same people but with the addition of the magistrate. I think that since the magistrates are making most of the bail decisions they should be included on the advisory group to the pretrial unit.

Mr. CONYERS. What happens in those districts where we are not using the pretrial services agencies on a demonstration basis? The information that we seek here is really rather fundamental: Whether the defendant or prospective defendant needs employment, medical, legal, social services. Pretrial services agencies are also authorized to operate or to contract for appropriate kinds of care for persons released in their custody. So the question occurs to me: What are most people doing who are the object of this demonstration activity?

Mr. WILLETTS. You're talking about the clients—the defendants or the accused persons?

Mr. CONYERS. Yes. What is the procedure in those districts that are not operating on the demonstration basis?

Mr. WILLETTS. You're talking about the 80-83, other than the 10, right?

Well, that's a difficult question for me. I certainly know more about the 10 than I do the others; however—

Mr. CONYERS. They may be doing 83 different things.

Mr. WILLETTS. Absolutely. We are collecting data on 6 districts other than the 10 demonstration districts. Our evaluation calls for us to collect baseline data from an additional five districts to answer the question you have raised.

My guess is that in the area of services provided, that there are none or almost none. There are a few instances, and we're trying to get some figures, some statistics from probation offices that are involved in pretrial activity to a limited degree, on the type of activity and the extent of the activity including any services.

Of course, where funds aren't available, sometimes services are very limited.

There probably are as many different approaches, not gross differences but minor differences in approaches to the bail process as there are districts. There are some very different approaches in the 10 that I think we need to call to the attention of the appropriate people and try to have some impact on making changes.

But we're just getting to the place based on the availability of the data we're collecting where we can define those problem areas and come up with some suggestion for solution, suggestions to resolve the problem.

Mr. CONYERS. We notice California has a high rate of detention, and I believe it operates one of the probation districts.

Mr. WILLETTS. That is true. They are a probation unit.

Mr. CONYERS. Are there special factors that might account for California being so obvious in its differences?

Mr. WILLETTS. There are four factors, I think, that I could speak to this afternoon. One would be the tradition in that district regarding bail, the attitude and philosophy of the judicial officers in that particular district. The attitude of the judges seems to filter down very strongly to the magistrates who are setting bail, and they are reticent to go outside of what has been the practice there in some cases.

We discovered also that arresting agents have been rather lax in some instances in bringing defendants into court for the bail hearing. We have found that the U.S. attorney there had an ongoing practice of requiring where secure bails are indicated a verification of value of property and certification as to value of property. In that particular jurisdiction this process takes 3 or 4 days, which causes a person to be detained 3 or 4 days for that procedure to be carried out.

Mr. CONYERS. Probably the illegal alien problem might also count in that area.

Mr. WILLETTS. The illegal alien problem is one where not nearly all but there are a number of illegal aliens that are held after second or third entry for trial and, of course, they meet none of the criteria as far as community ties and employment that we normally consider in making the bail decision; therefore, they are detained.

I might add in reference to California. Recent information indicates that we are having some impact on getting cases released on review hearings that normally would not have been released pre-pretrial—bank robbery cases, for example. Where extenuating circumstances existed, a pretrial officer was able to work out a release plan and ask for a review hearing.

I believe I'm correct in saying that to date we have not had any failure to appear in that group or any subsequent rearrests for new crime from that group.

Mr. CONYERS. Very good.

Of the 10 demonstration projects, which areas would you rank the highest in terms of just general cooperation and effectiveness? Are there any that come to mind?

Mr. WILLETTS. Yes. That's a difficult question. There are some, I think, though where we have gotten full cooperation, from the lowest employee in the court to the chief judge.

Kansas City, Mo., would be one place, a relatively small court. We've had the full cooperation of the court there.

In other districts, I might add, we have been heard at least superficially, but we feel like we haven't been given as much attention, or at least the degree of attention required to bring about changes in the way procedures are carried out in the respective district.

Mr. CONYERS. Now, 6,000 of your arrestees have not been interviewed prior to the bail hearing. Why was that done that way?

Mr. WILLETTS. There were a number of reasons.

Mr. CONYERS. You couldn't get to them all?

Mr. WILLETTS. Well, I can honestly say this: Probably in the first few months of our program we staffed conservatively because quite honestly no one knew what was out there to be done. We tried to work up some standards for staffing patterns.

But there are a number of reasons. They relate to some degree back to my initial statement that we were not welcomed with open arms—in some instances by prosecutors, in some instances by magistrates, and in some instances by chief probation officers or arresting agents. It took some time before we gained credibility and respectability and were actually built into the processing of the case.

I regret to say that in some districts, and in very limited instances, we still experience a similar type problem. The practice in the past, based on my experience and that of a lot of pretrial people, was that an agent calls the U.S. attorney when he has picked up an alleged offender who in turn calls the magistrate and sets up a hearing. As they go down the hall toward the courtroom, they discuss the amount of bail. The agent thinks he wants to have \$25,000 at least because he has been chasing the defendant for 3 nights and has lost a lot of sleep. The U.S. attorney may or may not agree, but he's going to recommend a high bail, too. They go in with the recommendation to the magistrate—not always; I'm overgeneralizing. Any objection comes from the defense counsel, if there is defense counsel present who has a strong objection and has an alternative proposal. Otherwise the bail may be whatever the U.S. attorney recommends.

Not so with the advent of pretrial. We attempt to take a position based on our interpretation of the Bail Reform Act and the criteria that applies in a specific case and make the recommendation accordingly.

Many times that does disagree with the prosecutor. Many times it doesn't agree with the arresting agent's wishes. We were avoided because we interfered with the status quo to a degree by judicial officers, prosecutors, defense lawyers in some instances, and particularly by arresting agents.

That is not true today except in rare instances.

Mr. CONYERS. That's usually a member of the FBI the arresting agent you're referring to?

Mr. WILLETTS. Well, there are a number of agencies. You have the Secret Service, Postal—

Mr. CONYERS. Well, who is mostly involved?

Mr. WILLETTS. I would say the worst abuser, if that's a good term, is DEA. Drug cases are—you know they're more difficult for everyone.

Mr. CONYERS. Would that be dealt with in your evaluation by the arresting agency, by the office of the arresting agency?

Mr. WILLETTS. Absolutely. It will be dealt with.

Our intention at this point is—you see we're at the point now where we have feedback on what's happening. We can, in turn, contact the heads of agencies and tell them:

Here is what's happening based on the data we're collecting. Is there some way we can improve the efficiency of the processing of the case in the long run to bring more equity in the bail decision?

Mr. CONYERS. Let's take a 10-minute recess. We have a recorded vote taking place on the floor of the House. We'll come back after that.

[Recess.]

Mr. CONYERS. We'll continue our discussion. Let me get an idea from you of the kinds of services and supervision that has generally gone on.

Mr. WILLETTS. The services range, Mr. Chairman, from employment referral, say for a defendant who is a bank teller charged with embezzlement who has no priors and is released on OR—personal recognizance; a referral for employment because that's the most urgent matter at hand, all the way to intensive in-patient drug treatment.

To illustrate some intermediate type services, we have a contract with Salvation Army in Atlanta, for example, that provides housing and employment referral, transportation to and from work, medical referral for \$12.50 a day. We have to pick up the tab, if there is an extensive bill, if a family or other means can't be found. This is in lieu of keeping the person in the county jail, where the atmosphere is much more adverse or negative, in our judgment.

In Kansas City, for example, we have outpatient drug treatment. Drug treatment is relatively expensive. We have a number of facilities that take patients on a one-shot deal as opposed to having them on an ongoing contract.

Our arrangement is this: When we set up the service program, we contacted the Bureau of Prisons and where community treatment centers were suitable and available defendants can be referred there by judicial officers or released on the condition that they stay there. Where the bureau has contract facilities already in existence, we can make referrals piggyback style. We pay the daily rate, but we don't enter into a new contract.

Where there is no facility available, we enter into a contract between the Administrative Office and the vendor to provide the services.

And the fourth method is sending an individual and just paying that singular bill.

Mr. CONYERS. To what extent were these provisions or services successful in proportion to the services that were needed?

Mr. WILLETTS. Are you asking me to what degree did the availability of the service reduce, let's say, the failure to appear or rearrest on new crimes?

Mr. CONYERS. Well, that's a good question, but that's not the one at hand.

Mr. WILLETTS. I did not understand your question.

Mr. CONYERS. All right. We're talking about a prospective defendant who needs some legal, medical help, housing, employment, transportation, social services of some form or other.

Mr. WILLETTTS. Right.

Mr. CONYERS. In relationship to the amount of services needed, what was the amount of services provided?

Mr. WILLETTTS. I see, from a program standpoint.

The philosophy since the first group of pretrial people were brought here for training and orientation sessions from our standpoint has been you ask for whatever you need; whatever needs you detect, please ask and the money is available to provide services.

Now, I'll have to say that the cost of services has probably been about 20 percent or less of what anyone had projected for this program. That's one reason the money has lasted 3 years instead of 1 or 2 or 1½. Initially when I was involved in the early planning of the budgeting, it was considered that half would be used for personnel and half for services. Experience has shown that many services are available and already funded by Federal funds or State funds of one type or another.

For example, in southern New York we have said repeatedly to the chief pretrial officer, "You have not requested authorization to enter into a contract." He says, "I do not need to because I'm making referrals on an ongoing basis and the services are being provided."

In contrast, across the river in Brooklyn, we're not getting all the services contributed. We do have a drug counseling contract there. There is consideration being given to entering into a different type contract for services.

Mr. CONYERS. Of course, on employment, if you found a way to improve or augment employment among people who are even awaiting trial, we need to get this answer over to the Department of Labor right away. [Laughter.]

It might be applicable to people who are not awaiting trial.

Mr. WILLETTTS. It could be. I do not mean to imply that we have found the answer to the unemployment situation, most certainly. We are collecting data, however, on persons' employment status preinvolvement with the court: How long he's been working, what his weekly wages are. We intend to eventually relate that to the cost of detention.

Mr. CONYERS. Please make that—give that your careful consideration, because it seems to me there is a lot of rationalization going on about the employment of people who are caught, as it were, in the clutches of the law.

I mean we can't get jobs for people that are not involved in the criminal justice process, and so I would rather get the hard, cold truth than to get some glossy report about how all of these fellows had jobs found and provided for them.

Mr. WILLETTTS. I can assure you that what you get from us will be factual to the very best of our ability. Nothing will be glossed over for any purpose.

I might add that we do have a reporting procedure that categorizes services including employment referrals and whether or not it was successful. There are 43 different categories to be checked. There are 43 different types of services that can be rendered, either under contract or otherwise, and we are collecting this data. It is being computerized to answer the kind of question you're asking.

Mr. CONYERS. Describe your operation, Mr. Willetts. What kind of staffing did you have and do you have in terms of conducting this oversight?

Mr. WILLETTS. Are you speaking in terms of the administrative staff in Washington or the total staff?

Mr. CONYERS. Just totally.

Mr. WILLETTS. Total staff. We have 105 professional positions at the district level and 49 clerical positions.

Mr. CONYERS. And that comes out of the—

Mr. WILLETTS. \$10 million. The staff in the Administrative Office does not come out of the \$10 million, nor does the travel expense. All of the \$10 million is being used at the local level.

Mr. CONYERS. To what extent is this kind of pretrial service being used in State courts?

Mr. WILLETTS. To my knowledge, we have done, as you are aware, some exploration into what is being done across the country. There is no program in existence that has the broad range of functions that the Federal program has.

Mr. CONYERS. Do you know of any State courts that may be considering this or looking it over? Has it stimulated inquiry or discussion in criminal justice or legal circles?

Mr. WILLETTS. There have been some inquiries. As you know, Kentucky a year ago, passed new legislation creating a pretrial services program in the State court system. They are aware of the type and nature of the program we have. The service aspect of the Federal program is the part that is in addition to most anything else that's being done.

I don't know of any programs at this time, State or local, that actually provide funds to contract for by purchase services.

Second, our program attempts to evaluate every case, regardless of the charge, for potential release on bail, regardless of whether the guy is charged with 2113, bank robbery, or a simple postal theft.

Most of your State and local programs restrict themselves to lesser offenses. We're attempting to evaluate every type of offender and every type of offense.

Mr. CONYERS. What about this complaint that I've heard in the Eastern District of Michigan that many of the criminal cases are of such unusually small matters that it almost confounds the imagination to realize that the majesty of the Federal court is being used to deal with some widow or spouse who signed the name of their long-since-left spouse who may have left and why they need to sign their name to a check, or somebody filched a social security check, or somebody did something with public assistance funds that may have a Federal nexus; and here in the great halls of justice stands this little old lady for her first offense, and the U.S. attorney reads off enough counts to make it sound like this is the sequel to the great train robbery. And what was it? Well, it was a \$101 check, and boy, we nailed her. The FBI, the U.S. attorney, the Federal court, and the Department of Justice are right on top of this sort of thing.

We seem to have our courts littered with these kinds of relatively petty matters. I'm also further advised of statistical treatment in terms of double billing that makes you think that crime is leaping off the walls when we really just have some very refined ways of adding all of the counts that can be found throughout title 18.

Mr. WILLETTS. I don't know the source of your information. I can respond to both of your points. I am somewhat familiar with double billing in the district, and we have taken some steps—I don't know if you want to go into that—to correct that.

Mr. CONYERS. I'm very interested in that.

Mr. WILLETTS. As the result of data we have been collecting, I have observed the low rate of conviction based on the way our data looks. We've called it to the attention of the Justice Department, who in turn has called it to the attention of the U.S. attorney there.

Mr. CONYERS. And what was the point that you called to their attention?

Mr. WILLETTS. The low conviction rate in the Eastern District of Michigan. We discovered that a portion—not nearly all but a respectable number—of their nonconvictions were the result of the double billing that you made reference to, in some instances triple and quadruple billing.

Now, on the other point I have to disagree with, the source of your information based on the number of months we've been in existence, which exceeds 24 now, I believe, and on a total of 1,970 convicted cases. And these are terminated cases. They've been sentenced; the data has been sent; it's been put in our computer. We have 3 homicides, 16 assaults, 104 robberies, 285 larceny and theft, 90 embezzlement, 314 fraud, 27 auto theft, 248 forgery and counterfeiting, 2 sex offenses, 579 narcotics, 165 miscellaneous and general, which covers a lot of things, 39 special offenses, and 98 other Federal statutes.

Mr. CONYERS. Are you reading Michigan or overall?

Mr. WILLETTS. Michigan, eastern.

Mr. CONYERS. Do we have a copy of that? Can you make it available?

Mr. WILLETTS. I'm not certain if I gave Mr. Gregory a copy of this or not. I'd be happy to.

Mr. CONYERS. I'd be interested in it.

What conclusions do you draw from those? Those are statistics relative to the types of convictions?

Mr. WILLETTS. The types of offenses charged. It is that same group of offenses where we discovered almost a 50-percent nonconviction rate.

Now, I'd like to digress a moment and talk about—

Mr. CONYERS. It says here 55.3-percent nonconviction.

Mr. WILLETTS. That is what it may say. I think that's a little high.

Mr. CONYERS. You can refine this perhaps more?

Mr. WILLETTS. I think it needs refining is what I'm saying. We're in the early phases of programing the retrieval of this data. That is basically correct, but there is room for percentage changes, slight percentage changes, I think.

Mr. CONYERS. Well, I'm interested in that double billing that seems to account. Apparently, then, if a count is dismissed, that counts as a nonconviction.

Mr. WILLETTS. That's correct.

Mr. CONYERS. So that you'll have a batting average, if you're bringing 15 counts, then there will be 7 that you make and 8, for example, that are dismissed; so you get 7 and 8.

Mr. WILLETTS. If you assign a separate case or docket number to each count and offense. Another way is to dismiss.

I think, since you raised the question, the way it works is this: The U.S. attorney under the restraints of title I, the time restraints, couldn't get prepared for the case for whatever reason. He dismissed in order to meet the time requirements. In order not to lose the case completely, he would come back and reindict on the same set of circumstances and a new docket number, and this could occur as many as two or three times.

I do believe that problem has been alleviated to a great degree in the last few months, but it will take 1 year, 6 months to 1 year, for that to show up in this type of report.

Mr. CONYERS. Suppose he just brings a multiplicity of counts for any number of other reasons, good or bad, depending on who's looking at it. You suggest one.

Mr. WILLETTS. The other is a possibility.

Mr. CONYERS. I can suggest several others.

Mr. WILLETTS. Certainly. I'm sure you can.

Mr. CONYERS. So we don't know if that is the only consideration in doing that. Maybe we can presume so, where there is a reindictment on the same count. Perhaps that might be the main reason.

Mr. WILLETTS. But the nature of the offense in eastern Michigan is generally—I have all 10 of them here for comparison purposes, and I can provide you with copies of all 10. They're not that significantly different, I don't believe. You do have a high number of narcotics offenses.

Mr. CONYERS. I wonder how that conviction rate stands up.

Mr. WILLETTS. I suspect the conviction rate there is relatively low based on the nature of the bookkeeping. I think that's part of the problem. I don't think it will be that bad when they clean up the bookkeeping.

Mr. CONYERS. How does the bookkeeping affect it?

Mr. WILLETTS. Well, the double billing. A lot of those are narcotics cases. There are a lot of defendants in a narcotics case, and sometimes you pick one up and you don't want to move on him because you don't have the goods on the other guys. You hold off, and maybe you hold off so long that you have to dismiss and come back again. This is out of my area, but this is information that—in following the case closely through the pretrial process, this is what we're hearing.

Mr. CONYERS. I'm glad this is going on. We need to track some of these cases, a lot of them, far more than we do to gain the experience of what is happening. There is so much discussion that is not based on what actually is transpiring in the criminal justice process.

Mr. WILLETTS. Absolutely.

Mr. CONYERS. We were trying to select judges, and it was almost like playing blind man's bluff when you started trying to find out who was handling how many of what kinds of cases. People were leaping out of windows. This was traumatic. You were not supposed to examine that too carefully in determining whether a new court should be added within a district.

Mr. WILLETTS. I think after you've had an opportunity to look at it, you will see a wealth of information.

Mr. CONYERS. Yes.

Mr. WILLETTS. We're also collecting information on sentencing, final disposition, both by district and judicial officer.

Mr. CONYERS. I commend you on this kind of information, and I hope that the report is ample and it goes into as much of it as it can within the scope of your objective and assignment.

Mr. WILLETTS. Thank you.

I wonder if I could make a couple of observations that were called to my attention at the break?

Mr. CONYERS. Please do.

Mr. WILLETTS. Under the title II there is no requirement in the act that the client, if you will, participate. It's voluntary on his part. We were told initially that a lot of people would refuse to be interviewed because they had a right to object.

Our data will also reflect that less than 3 percent refused to participate.

There is also no requirement that the judicial offices cooperate, and we think that they want to, or U.S. attorneys want to cooperate; but the whole process is based on the attitude, if you will, of the actors in the play.

Mr. CONYERS. There is another recorded vote taking place. I think staff counsel may have a question or two, so if you will bear with me one more time.

[Staff counsel conferring with Mr. Conyers.]

Mr. CONYERS. Counsel probably may discuss this with you. If they feel it important we will bring you back to the record, but at this time I'm prepared to excuse you. Thank you very much for your testimony here this afternoon.

The subcommittee stands in adjournment.

[Whereupon, at 2:50 p.m., the hearing was adjourned.]

## APPENDIX

### TABLE 2.—PSA SUMMARY DETENTION—ALL TIME PERIODS

[As of March 1978]

[Percent scale is: B equals B divided by A; C equals C divided by B; D equals D divided by B]

District	Number of cases terminated (A)	Cases detained (B)	Final disposition		Average days	Range for days	Average cost	Range for cost, low to high	Detention days	Total cost
			Not convicted (C)	Convicted (D)						
New York, eastern	1,025	406	119	287	40	1-418	\$1,113.75	\$23-\$11,704	16,397	\$452,182
Percent		(39.6)	(29.3)	(70.7)						
Pennsylvania, eastern	852	216	33	183	34	1-336	688.60	1- 5,288	7,260	148,737
Percent		(25.4)	(15.3)	(84.7)						
Maryland	1,393	386	53	333	43	1-373	618.29	1- 7,087	16,582	238,659
Percent		(27.7)	(13.7)	(86.3)						
Michigan, eastern	2,090	515	285	230	30	1-367	776.91	1- 11,432	15,358	400,110
Percent		(24.6)	(55.3)	(44.7)						
Missouri, western	602	170	59	111	23	1-189	263.86	1- 2,799	3,930	44,856
Percent		(28.2)	(34.7)	(67.6)						
Total	5,962	1,693	549	1,144	34	1-418	692.28	1- 11,704	59,527	1,284,544
Percent		(28.4)	(32.4)	(67.6)						
New York, southern	1,358	553	115	438	36	1-384	981.74	1- 10,852	19,793	542,904
Percent		(40.7)	(20.8)	(79.2)						
Georgia, northern	981	350	117	233	27	1-221	210.99	1- 2,042	9,436	73,845
Percent		(35.7)	(33.4)	(66.8)						
Texas, northern	833	397	60	337	28	1-202	231.34	1- 1,398	11,292	91,843
Percent		(47.7)	(15.1)	(84.9)						
Illinois, northern	1,354	482	123	359	43	1-420	1,120.58	1- 11,340	20,842	540,121
Percent		(35.6)	(25.5)	(74.5)						
California, central	1,893	1,142	356	786	26	1-350	443.38	1- 3,814	30,226	506,339
Percent		(60.3)	(31.2)	(68.8)						
Total	6,419	2,924	771	2,153	32	1-420	597.61	1- 11,340	91,589	1,755,052
Percent		(45.6)	(26.4)	(73.6)						
Grand total	12,381	4,617	1,320	3,297	33	1-420	644.95	1- 11,704	151,116	3,039,596
Percent		(37.3)	(28.6)	(71.4)						

TABLE NO. 3.—SUMMARY OF ACTIVITIES OF PSA

District	Number of persons interviewed			Number of persons supervised			Cases terminated		Cases detained		Final disposition				Number of bail violations	
	Total	Per cent	Cost	Total	Number	Per cent	Number	Per cent	Number	Per cent	Not convicted		Convicted		Number	Per cent
											Number	Per cent	Number	Per cent		
New York eastern.....	1,025	871	74	945	256	25.0	1,025	100.0	532	51.9	300	29.3	725	70.7	102	10.0
New York southern.....	1,358	1,103	149	1,252	1,791	131.9	1,358	100.0	667	49.1	288	21.2	1,070	78.8	174	12.8
Pennsylvania eastern.....	852	426	345	771	379	44.5	852	100.0	277	32.5	148	17.4	704	82.6	65	7.6
Maryland.....	1,393	1,115	249	1,364	470	33.7	1,393	100.0	451	32.4	193	13.9	1,200	86.1	89	6.4
Georgia northern.....	981	683	287	970	842	85.8	981	100.0	483	49.2	298	30.4	683	69.6	109	11.1
Texas northern.....	833	607	198	805	844	101.3	833	100.0	434	52.1	111	13.3	722	86.7	46	5.5
Kentucky western.....	510	252	242	494	62	12.2	510	100.0	181	35.5	42	8.2	468	91.8	9	1.8
Michigan eastern.....	2,090	1,207	763	1,970	1,876	89.8	2,090	100.0	671	32.1	984	47.1	1,106	52.9	137	6.6
Illinois northern.....	1,354	602	736	1,338	538	39.7	1,354	100.0	574	42.4	300	22.2	1,054	77.8	101	7.5
Arkansas eastern.....	116	72	44	116	87	75.0	116	100.0	47	40.5	14	12.1	102	87.9	8	6.9
Missouri eastern.....	45	7	32	39	18	40.0	45	100.0	34	75.6	7	15.6	38	84.4	4	8.9
Missouri western.....	602	387	42	429	432	71.8	602	100.0	240	39.9	165	27.4	437	72.6	46	7.6
California northern.....	5	1	4	5	2	40.0	5	100.0	4	80.0	0	0	5	100.0	0	0
California central.....	1,893	1,472	339	1,811	1,137	60.1	1,893	100.0	1,261	66.6	633	33.4	1,260	66.6	71	3.8
New Mexico.....	39	32	7	39	41	105.1	39	100.0	20	51.3	7	17.9	32	82.1	1	2.6

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TABLE NO. 4.—SUMMARY PSA DETENTION  
DISTRICT OF EASTERN NEW YORK

Type of offense	Number of cases terminated	Final disposition						Average days	Range for days		Average cost	Range for cost		Detention totals	
		Cases detained		Not convicted		Convicted			Low	High		Low	High	Days	Cost
		Number	Per cent	Number	Per cent	Number	Per cent								
Homicide.....	1	1	100.0	1	100.0	0	16	16	16	\$1,308.00	\$1,308	\$1,308	16	\$1,308	
Assault.....	16	6	37.5	4	25.0	2	22	1	118	606.17	28	3,304	130	3,637	
Robbery.....	130	78	60.0	9	6.9	69	95	1	418	2,637.10	27	11,704	7,423	205,694	
Burglary.....	10	3	30.0	0	0	3	21	1	56	578.67	28	1,568	64	1,736	
Larceny and theft.....	139	47	33.8	11	7.9	36	30	1	284	843.15	27	7,661	1,429	39,628	
Embezzlement.....	63	9	14.3	0	0	9	2	1	4	43.33	27	112	14	390	
Fraud.....	104	20	19.2	6	5.8	14	18	1	156	438.75	27	3,368	350	8,775	
Auto theft.....	2	1	50.0	0	0	1	87	87	87	2,436.00	2,436	2,436	87	2,436	
Forgery and counterfeiting.....	168	49	29.2	15	8.9	34	6	1	113	167.63	27	3,164	297	8,214	
Narcotics.....	257	153	59.5	55	21.4	98	36	1	317	986.63	27	8,876	5,524	150,955	
Miscellaneous general.....	72	25	34.7	14	19.4	11	10	1	105	286.20	23	2,840	257	7,155	
Special offenses.....	13	3	23.1	0	0	3	46	5	108	1,260.33	137	2,944	138	3,781	
Other Federal statutes.....	50	11	22.0	4	8.0	7	61	1	141	1,679.36	27	3,948	668	18,473	
<b>Total.....</b>	<b>1,025</b>	<b>406</b>	<b>39.6</b>	<b>119</b>	<b>11.6</b>	<b>287</b>	<b>40</b>	<b>1</b>	<b>418</b>	<b>1,113.75</b>	<b>23</b>	<b>11,704</b>	<b>16,397</b>	<b>452,182</b>	

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TABLE NO. 4.—SUMMARY OF PSA DETENTION—Continued  
DISTRICT OF SOUTHERN NEW YORK

Type of offense	Number of cases terminated	Cases detained		Final disposition				Range for days			Range for cost			Detention totals	
		Number	Percent	Not convicted		Convicted		Average days	Low	High	Average cost	Low	High	Days	Cost
				Number	Percent	Number	Percent								
Homicide.....	1	1	100.0	0	0	1	100.0	24	24	24	\$672.00	\$672	\$672	24	\$672
Assault.....	16	9	56.3	5	31.3	4	25.0	34	1	197	939.56	28	5,516	302	8,456
Robbery.....	118	79	66.9	7	5.9	72	61.0	76	1	291	2,077.87	22	8,148	5,990	164,152
Burglary.....	5	3	60.0	1	20.0	2	40.0	29	4	48	836.67	112	1,344	86	2,510
Larceny and theft.....	142	39	27.5	9	6.3	30	21.1	22	1	131	539.85	28	3,688	850	21,054
Embezzlement.....	112	18	16.1	1	.9	17	15.2	14	1	87	394.17	28	2,436	252	7,095
Fraud.....	196	46	23.5	10	5.1	36	18.4	41	1	384	1,147.13	28	10,852	1,881	52,768
Auto theft.....	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forgery and counterfeiting.....	233	90	38.6	12	5.2	78	33.5	17	1	153	485.42	0	4,284	1,539	43,688
Narcotics.....	319	201	63.0	46	14.4	155	48.6	39	1	377	1,097.05	23	10,556	7,777	212,467
Miscellaneous general.....	108	36	33.3	19	17.6	17	15.7	1	1	130	511.89	0	3,640	667	18,428
Special offenses.....	6	2	33.3	0	0	2	33.3	38	10	65	855.00	280	1,430	75	1,710
Other Federal statutes.....	101	29	28.7	5	5.0	24	23.8	12	1	101	341.52	28	2,828	350	9,904
<b>Total.....</b>	<b>1,358</b>	<b>553</b>	<b>40.7</b>	<b>115</b>	<b>8.5</b>	<b>438</b>	<b>32.3</b>	<b>36</b>	<b>-----</b>	<b>384</b>	<b>981.74</b>	<b>0</b>	<b>10,852</b>	<b>19,793</b>	<b>542,904</b>

DISTRICT OF EASTERN PENNSYLVANIA

Homicide.....	2	1	50.0	1	50.0	0	0	24	24	24	\$564.00	\$564	\$564	24	\$564
Assault.....	12	7	58.3	5	41.7	2	16.7	47	1	149	949.86	0	2,985	328	6,649
Robbery.....	71	50	70.4	8	11.3	42	59.2	59	1	225	1,279.78	0	5,288	2,941	63,989
Burglary.....	1	1	100.0	0	0	1	100.0	4	4	4	80.00	80	80	4	80
Larceny.....	124	28	22.6	3	2.4	25	20.2	25	1	130	530.18	0	2,875	709	14,845
Embezzlement.....	27	1	3.7	0	0	1	3.7	18	18	18	360.00	360	360	18	360
Fraud.....	64	6	9.4	1	1.6	5	7.8	12	1	52	281.00	0	1,274	72	1,686
Auto theft.....	7	1	14.3	0	0	1	14.3	12	12	12	244.00	244	244	12	244
Forgery and counterfeiting.....	219	19	8.7	1	.5	18	8.2	20	1	89	349.21	0	1,772	372	6,635
Narcotics.....	182	73	40.1	5	2.7	68	37.4	29	1	336	528.52	0	3,854	2,112	38,582
Miscellaneous general.....	68	16	23.5	6	8.8	10	14.7	21	1	91	460.13	0	2,139	334	7,362
Special offenses.....	2	2	100.0	0	0	2	100.0	49	49	49	1,221.00	1,221	1,221	98	2,442
Other Federal statutes.....	73	11	15.1	3	4.1	8	11.0	21	1	69	481.73	0	1,622	236	5,299
<b>Total.....</b>	<b>852</b>	<b>216</b>	<b>25.4</b>	<b>33</b>	<b>3.9</b>	<b>183</b>	<b>21.5</b>	<b>34</b>	<b>1</b>	<b>336</b>	<b>688.60</b>	<b>0</b>	<b>5,288</b>	<b>7,260</b>	<b>148,737</b>

DISTRICT OF MARYLAND

Assault.....	25	14	56.0	5	20.0	9	36.0	18	1	99	\$275.36	\$10	\$1,197	246	\$3,855
Robbery.....	81	60	74.1	6	7.4	54	66.7	90	1	349	1,315.32	14	4,886	5,415	78,919
Burglary.....	4	2	50.0	2	50.0	0	0	5	2	8	90.00	152	152	10	180
Larceny and theft.....	149	49	32.9	4	2.7	43	28.9	36	1	144	500.43	6	2,736	1,755	24,521
Embezzlement.....	83	5	6.0	2	2.4	3	3.6	11	3	20	154.00	42	2,280	55	770
Fraud.....	127	20	15.7	2	1.6	18	14.2	44	1	190	531.85	0	2,204	870	10,637
Auto theft.....	116	23	19.8	3	2.6	20	17.2	20	1	138	292.91	0	2,573	454	6,737
Forgery and counterfeiting.....	129	23	17.8	5	3.9	18	14.0	25	1	211	442.09	0	4,009	578	10,168
Narcotics.....	191	86	45.0	6	3.1	80	41.9	38	1	235	533.85	0	2,818	3,295	45,911
Miscellaneous general.....	369	70	19.0	9	2.4	61	16.5	39	1	373	583.77	0	7,087	2,754	40,864
Special offenses.....	3	2	66.7	1	33.3	1	33.3	39	16	61	597.00	304	7,854	77	1,158
Liquor, internal revenue.....	1	0	0	0	0	0	0	0	0	0	0.00	0	0	0	0
Other Federal statutes.....	115	32	27.8	6	5.2	26	22.6	34	1	322	466.84	6	4,508	1,073	14,939
<b>Total.....</b>	<b>1,393</b>	<b>386</b>	<b>27.7</b>	<b>53</b>	<b>3.8</b>	<b>333</b>	<b>23.9</b>	<b>43</b>	<b>-----</b>	<b>373</b>	<b>618.29</b>	<b>0</b>	<b>7,087</b>	<b>16,582</b>	<b>238,659</b>

DISTRICT OF NORTHERN GEORGIA

Assault.....	9	3	33.3	3	33.3	0	0	25	2	66	\$283.00	\$23	\$766	76	\$849
Robbery.....	29	18	62.1	9	31.0	9	31.0	79	6	144	631.28	70	1,426	1,425	11,363
Burglary.....	3	2	66.7	0	0	2	66.7	37	3	71	308.50	17	600	74	617
Larceny and theft.....	110	43	39.1	12	10.9	31	28.2	19	1	154	146.67	0	1,185	837	6,307
Embezzlement.....	30	8	26.7	3	10.0	5	16.7	15	2	52	115.13	4	390	120	921
Fraud.....	138	32	23.2	9	6.5	23	16.7	22	1	157	159.38	0	1,590	694	5,100
Auto theft.....	106	53	50.0	9	8.5	44	41.5	42	1	183	299.34	0	1,778	2,225	15,865
Forgery and counterfeiting.....	141	49	34.8	15	10.6	34	24.1	18	1	123	158.39	0	1,427	865	7,761
Narcotics.....	94	49	52.1	19	20.2	30	31.9	27	1	176	273.14	0	2,042	1,330	13,384
Miscellaneous general.....	231	65	28.1	24	10.4	41	17.7	22	1	221	137.52	0	1,658	1,428	8,939
Special offenses.....	5	5	100.0	0	0	5	100.0	27	7	75	75.00	0	142	137	375
Liquor, internal revenue.....	12	3	25.0	1	8.3	2	16.7	2	2	2	6.67	4	8	6	20
Other Federal statutes.....	73	20	27.4	13	17.8	7	9.6	11	2	114	117.20	8	1,322	219	2,344
<b>Total.....</b>	<b>981</b>	<b>350</b>	<b>35.7</b>	<b>117</b>	<b>11.9</b>	<b>233</b>	<b>23.8</b>	<b>27</b>	<b>1</b>	<b>221</b>	<b>210.99</b>	<b>0</b>	<b>2,042</b>	<b>9,436</b>	<b>73,845</b>

TABLE NO. 4.—SUMMARY PSA DETENTION—Continued  
DISTRICT OF NORTHERN TEXAS

Type of offense	Number of cases terminated	Cases detained		Final disposition				Average days	Range for days		Average cost	Range for cost		Detention totals	
		Number	Percent	Not convicted		Convicted			Low	High		Low	High	Days	Cost
				Number	Percent	Number	Percent								
Homicide.....	2	2	100.0	0	0.0	2	100.0	68	17	119	\$34.00	\$0	\$68	136	\$68
Assault.....	2	1	50.0	0	0.0	1	50.0	13	13	13	104.00	164	104	13	104
Robbery.....	21	18	85.7	2	9.5	16	76.2	47	2	97	320.50	16	784	852	5,769
Burglary.....	4	3	75.0	0	0.0	3	75.0	19	4	39	122.00	32	191	56	366
Larceny and theft.....	149	55	36.9	5	3.4	50	33.6	23	1	127	177.73	0	848	1,288	9,775
Embezzlement.....	48	13	27.1	1	2.1	12	25.0	13	1	65	124.85	8	700	165	1,623
Fraud.....	106	35	33.0	3	2.8	32	30.2	26	1	92	192.20	0	750	907	6,727
Auto theft.....	29	25	86.2	1	3.4	24	82.8	35	3	147	232.16	0	1,176	865	5,804
Forgery and counterfeiting.....	178	68	38.2	5	2.8	63	35.4	32	1	117	322.26	4	1,287	2,163	21,914
Sex offenses.....	1	1	100.0	1	100.0	0	0.0	4	4	4	32.00	32	32	4	32
Narcotics.....	128	89	69.5	28	21.9	61	47.7	30	1	202	243.39	0	1,398	2,683	21,662
Miscellaneous general.....	123	67	54.5	10	8.1	57	46.3	28	1	109	233.76	0	872	1,894	15,662
Special offenses.....	10	8	80.0	0	0.0	8	80.0	22	2	58	179.38	6	638	179	1,435
Liquor, internal revenue.....	1	1	100.0	0	0.0	1	100.0	1	1	1	8.00	8	8	1	8
Other Federal statutes.....	31	11	35.5	4	12.9	7	22.6	8	1	54	81.27	7	594	86	894
Total.....	833	397	47.0	60	7.2	337	40.5	28	1	202	231.34	0	1,398	11,292	91,843

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DISTRICT OF WESTERN KENTUCKY

Assault.....	12	6	50.0	0	0.0	6	50.0	9	1	41	\$69.33	\$8	\$328	52	\$416
Robbery.....	23	9	39.1	1	4.3	8	34.8	38	8	55	295.89	64	440	340	2,663
Burglary.....	5	1	20.0	0	0.0	1	20.0	22	22	22	165.00	165	165	22	165
Larceny and theft.....	65	13	20.0	1	1.5	12	18.5	19	1	48	156.85	8	360	249	2,039
Embezzlement.....	9	1	11.1	1	11.1	0	0.0	5	5	5	40.00	40	40	5	40
Fraud.....	57	3	5.3	0	0.0	3	5.3	32	3	62	258.67	24	496	97	776
Auto theft.....	46	11	23.9	1	2.2	10	21.7	39	12	66	305.82	96	498	432	3,364
Forgery and counterfeiting.....	95	8	8.4	0	0.0	8	8.4	34	7	80	263.38	41	640	274	2,107
Narcotics.....	13	7	53.8	2	15.4	5	38.5	29	1	66	225.57	8	528	203	1,579
Miscellaneous general.....	102	40	39.2	9	8.8	31	30.4	24	1	218	178.35	0	1,635	965	7,134
Liquor, internal revenue.....	4	1	25.0	1	25.0	0	0.0	1	1	1	8.00	8	8	1	8
Other Federal statutes.....	79	5	6.3	0	0.0	5	6.3	15	1	25	113.80	7	188	74	569
Total.....	510	105	20.6	16	3.1	89	17.5	26	1	218	198.67	0	1,635	2,714	20,860

DISTRICT OF EASTERN MICHIGAN

Homicide.....	3	1	33.3	0	0.0	1	33.3	294	294	294	\$7,854.00	\$7,854	\$7,854	294	\$7,854
Assault.....	17	9	52.9	6	35.3	3	17.6	39	1	224	993.11	28	6,402	353	8,938
Robbery.....	107	64	59.8	23	21.5	41	38.3	71	1	223	1,742.92	13	6,373	4,523	111,547
Burglary.....	2	0	0.0	0	0.0	0	0.0	0	0	0	0.00	0	0	0	0
Larceny and theft.....	306	47	15.4	22	7.2	25	8.2	31	1	233	651.13	0	4,258	1,441	30,603
Embezzlement.....	98	12	12.2	3	3.1	9	9.2	23	1	93	1,573.25	14	11,157	274	18,879
Fraud.....	339	31	9.1	7	2.1	24	7.1	30	1	184	653.13	14	3,658	916	20,247
Auto theft.....	28	8	28.6	3	10.7	5	17.9	26	2	118	725.75	22	3,372	207	5,806
Forgery and counterfeiting.....	263	47	17.9	20	7.6	27	10.3	22	1	199	552.17	0	5,687	1,025	25,952
Sex offenses.....	2	1	50.0	1	50.0	0	0.0	23	23	23	314.00	314	314	23	314
Narcotics.....	608	180	29.6	131	21.5	49	8.1	19	1	224	623.53	0	11,432	3,429	112,235
Miscellaneous general.....	171	67	39.2	49	28.7	18	10.5	27	1	367	477.70	0	4,344	1,823	32,006
Special offenses.....	43	30	69.8	8	18.6	22	51.2	27	1	127	630.37	0	2,715	808	18,911
Liquor, internal revenue.....	3	0	0.0	0	0.0	0	0.0	0	0	0	0.00	0	0	0	0
Other Federal statutes.....	100	18	18.0	12	12.0	6	6.0	13	1	92	378.78	0	2,629	242	6,818
Total.....	2,090	515	24.6	285	13.6	230	11.0	30	367	776.91	0	11,432	15,358	400,110	

DISTRICT OF NORTHERN ILLINOIS

Homicide.....	1	1	100.0	1	100.0	0	0.0	228	228	228	\$6,156.00	\$6,156	\$6,156	228	\$6,156
Assault.....	15	7	46.7	7	46.7	0	0.0	70	1	128	1,587.00	27	3,456	489	11,109
Robbery.....	58	42	72.4	8	13.8	34	58.6	117	1	420	3,061.26	14	11,340	4,915	128,573
Burglary.....	6	5	83.3	2	33.3	3	50.0	116	31	275	2,063.40	315	7,425	580	10,317
Larceny and theft.....	173	61	35.3	15	8.7	46	26.6	22	1	172	595.48	0	4,644	1,335	36,324
Embezzlement.....	153	39	25.5	14	9.2	25	16.3	3	1	40	81.49	0	1,100	121	3,178
Fraud.....	275	35	12.7	7	2.5	28	10.2	23	1	269	582.20	27	7,263	800	20,377
Auto theft.....	23	7	30.4	3	13.0	4	17.4	21	1	77	573.57	8	2,117	148	4,015
Forgery and counterfeiting.....	77	27	35.1	2	2.6	25	32.5	21	1	144	515.78	27	3,888	567	13,926
Sex offenses.....	2	2	100.0	1	50.0	1	50.0	120	100	140	1,350.50	1	2,700	2	2,701
Narcotics.....	355	194	54.6	43	12.1	151	42.5	45	1	189	1,193.25	0	5,211	8,742	231,490
Miscellaneous general.....	108	43	39.8	15	13.9	28	25.9	42	1	253	1,118.53	27	6,480	1,799	48,097
Special offenses.....	15	7	46.7	2	13.3	5	33.3	62	3	134	1,681.57	82	3,618	434	11,771
Liquor, internal revenue.....	3	0	0.0	0	0.0	0	0.0	0	0	0	0.00	0	0	0	0
Other Federal statutes.....	93	12	12.9	3	3.2	9	9.7	37	1	178	1,007.25	27	4,895	444	12,087
Total.....	1,354	482	35.6	123	9.1	359	26.5	43	1	420	1,120.58	0	11,340	20,842	540,121

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TABLE NO. 4.—SUMMARY PSA DETENTION—Continued  
DISTRICT OF EASTERN ARKANSAS

Type of offense	Number of cases terminated	Cases detained		Final disposition				Average days	Range for days		Average cost	Range for cost		Detention totals	
		Number	Percent	Not convicted		Convicted			Low	High		Low	High	Days	Cost
				Number	Percent	Number	Percent								
Assault.....	2	2	100.0	0	0	2	100.0	20	18	22	\$231.00	\$202	\$260	40	\$462
Robbery.....	5	5	100.0	0	0	5	100.0	33	1	81	377.20	0	972	164	1,885
Larceny and theft.....	15	7	45.7	3	20.0	4	26.7	40	2	106	476.86	24	1,272	282	3,338
Embezzlement.....	7	1	14.3	0	0	1	14.3	0	0	0	0	0	0	0	0
Fraud.....	14	1	7.1	0	0	1	7.1	67	67	67	804.00	804	804	67	804
Auto theft.....	5	5	100.0	1	20.0	4	80.0	33	1	100	401.60	12	1,230	166	2,008
Forgery and counterfeiting.....	39	14	35.9	0	0	14	35.9	17	2	57	188.93	24	684	234	2,645
Narcotics.....	9	6	66.7	0	0	6	66.7	41	3	121	490.00	36	1,452	245	2,940
Miscellaneous general.....	12	5	41.7	1	8.3	4	33.3	26	8	44	300.60	96	528	128	1,503
Liquor, internal revenue.....	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Federal statutes.....	7	2	28.6	1	14.3	1	14.3	27	2	52	174.00	24	324	54	348
Total.....	116	47	40.5	6	5.2	41	35.3	29		121	339.02	0	1,452	1,380	15,934

DISTRICT OF EASTERN MISSOURI

Robbery.....	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny and theft.....	10	5	50.0	2	20.0	3	30.0	35	2	60	\$455.00	\$26	\$780	175	\$2,275
Embezzlement.....	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fraud.....	4	1	25.0	0	0	1	25.0	21	21	21	273.00	273	273	21	273
Auto theft.....	5	2	40.0	1	20.0	1	20.0	36	33	38	430.00	366	494	71	860
Forgery and counterfeiting.....	8	3	37.5	0	0	3	37.5	30	1	48	394.33	13	624	91	1,183
Narcotics.....	8	4	50.0	0	0	4	50.0	12	1	29	156.00	13	377	48	624
Miscellaneous general.....	7	5	71.4	1	14.3	4	57.1	22	3	52	286.00	39	676	110	1,430
Other Federal statutes.....	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total.....	45	20	44.4	4	8.9	16	35.6	26		60	332.25	0	780	516	6,645

DISTRICT OF WESTERN MISSOURI

Homicide.....	3	1	33.3	0	0	1	33.3	95	95	95	\$2,799.00	\$2,799	\$2,799	95	\$2,799
Assault.....	5	2	40.0	1	20.0	1	20.0	7	3	10	65.00	28	102	13	130
Robbery.....	18	9	50.0	3	16.7	6	33.3	28	2	88	283.67	20	828	251	2,553
Burglary.....	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny and theft.....	67	17	25.4	5	7.5	12	17.9	21	1	78	171.88	0	626	358	2,922
Embezzlement.....	34	1	2.9	1	2.9	0	0	1	1	1	12.00	12	12	1	12
Fraud.....	88	7	8.0	1	1.1	6	6.8	26	1	82	175.14	0	1,005	181	1,226
Auto theft.....	55	20	36.4	4	7.3	16	29.1	37	1	106	435.55	0	1,081	748	8,711
Forgery and counterfeiting.....	51	13	25.5	3	5.9	10	19.6	15	1	47	344.77	10	2,400	198	4,482
Sex offenses.....	1	1	100.0	0	0	1	100.0	1	1	1	12.00	12	12	1	12
Narcotics.....	125	40	32.0	12	9.6	28	22.4	26	1	189	301.50	0	2,315	1,059	12,060
Miscellaneous general.....	112	51	45.5	24	21.4	27	24.1	16	1	70	164.00	7	760	828	8,364
Special offenses.....	2	2	100.0	0	0	2	100.0	58	50	65	332.50	0	665	115	665
Liquor, internal revenue.....	3	1	33.3	1	33.3	0	0	3	3	3	31.00	31	31	3	31
Other Federal statutes.....	37	5	13.5	4	10.8	1	2.7	16	1	52	177.80	10	637	79	889
Total.....	602	170	28.2	59	9.8	111	18.4	23		189	263.86	0	2,799	3,930	44,856

DISTRICT OF NORTHERN CALIFORNIA

Robbery.....	2	2	100	0	0	2	100	58	46	69	\$950.00	\$760	\$1,140	115	\$1,900
Larceny and theft.....	1	1	100	0	0	1	100	51	51	51	842.00	842	842	51	842
Embezzlement.....	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Miscellaneous general.....	1	1	100	0	0	1	100	67	67	67	1,105.00	1,105	1,105	67	1,105
Total.....	5	4	80	0	0	4	80	58		69	961.75	0	1,140	233	3,847

TABLE NO. 4.—SUMMARY PSA DETENTION—Continued  
DISTRICT OF CENTRAL CALIFORNIA

Type of offense	Number of cases terminated	Cases detained		Final disposition				Average days	Range for days		Average cost	Range for cost		Detention totals	
		Number	Percent	Not convicted		Convicted			Low	High		Low	High	Days	Cost
				Number	Percent	Number	Percent								
Assault.....	30	18	60.0	12	40.0	6	20.0	9	1	36	\$221.50	\$15	\$1,057	164	\$3,987
Robbery.....	212	180	84.9	23	10.8	157	74.1	64	2	296	970.40	0	3,226	1,498	174,672
Burglary.....	1	1	100.0	0	0	1	100.0	2	2	2	69.00	69	69	2	69
Larceny and theft.....	238	113	47.5	34	14.3	79	33.2	19	1	263	317.32	0	3,814	2,099	35,857
Embezzlement.....	89	31	34.8	8	9.0	23	25.8	13	1	113	240.90	0	1,712	401	7,468
Fraud.....	234	108	46.2	49	20.9	59	25.2	18	1	350	286.68	0	1,979	1,957	30,961
Auto theft.....	61	49	80.3	10	16.4	39	63.9	46	1	127	759.41	30	2,913	2,261	37,211
Forgery and counterfeiting.....	314	168	53.5	55	17.5	113	36.0	11	1	159	226.46	0	3,161	1,766	38,045
Sex offenses.....	2	2	100.0	1	50.0	1	50.0	6	4	8	130.50	61	200	12	261
Narcotics.....	292	219	75.0	55	18.8	164	56.2	26	1	190	444.50	0	2,942	5,692	97,346
Miscellaneous general.....	223	128	57.4	84	37.7	44	19.7	13	1	137	255.50	0	2,614	1,695	32,704
Special offenses.....	100	86	86.0	10	10.0	76	76.0	29	1	103	515.69	0	2,045	2,502	44,349
Other Federal statutes.....	97	39	40.2	15	15.5	24	24.7	5	1	49	87.41	0	742	177	3,409
Total.....	1,893	1,142	60.3	356	18.8	786	41.5	26	1	350	443.38	0	3,814	30,226	506,339

DISTRICT OF NEW MEXICO

Robbery.....	1	1	100.0	0	0	1	100.0	29	29	29	\$290.00	\$290	\$290	29	\$290
Larceny and theft.....	2	1	50.0	0	0	1	50.0	13	13	13	130.00	130	130	13	130
Embezzlement.....	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Auto theft.....	6	6	100.0	1	16.7	5	83.3	47	17	86	471.67	170	860	283	2,830
Forgery and counterfeiting.....	1	1	100.0	0	0	1	100.0	38	38	38	380.00	380	380	38	380
Narcotics.....	10	3	30.0	2	20.0	1	10.0	3	1	4	26.67	10	40	8	80
Miscellaneous general.....	11	6	54.5	1	9.1	5	45.5	9	1	22	88.33	10	220	54	530
Special offenses.....	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Federal statutes.....	5	1	20.0	0	0	1	20.0	43	43	43	430.00	430	430	43	430
Total.....	39	19	48.7	4	10.3	15	38.5	25	0	86	245.79	0	660	468	4,670

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END