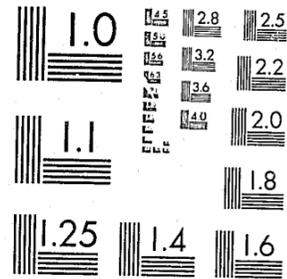


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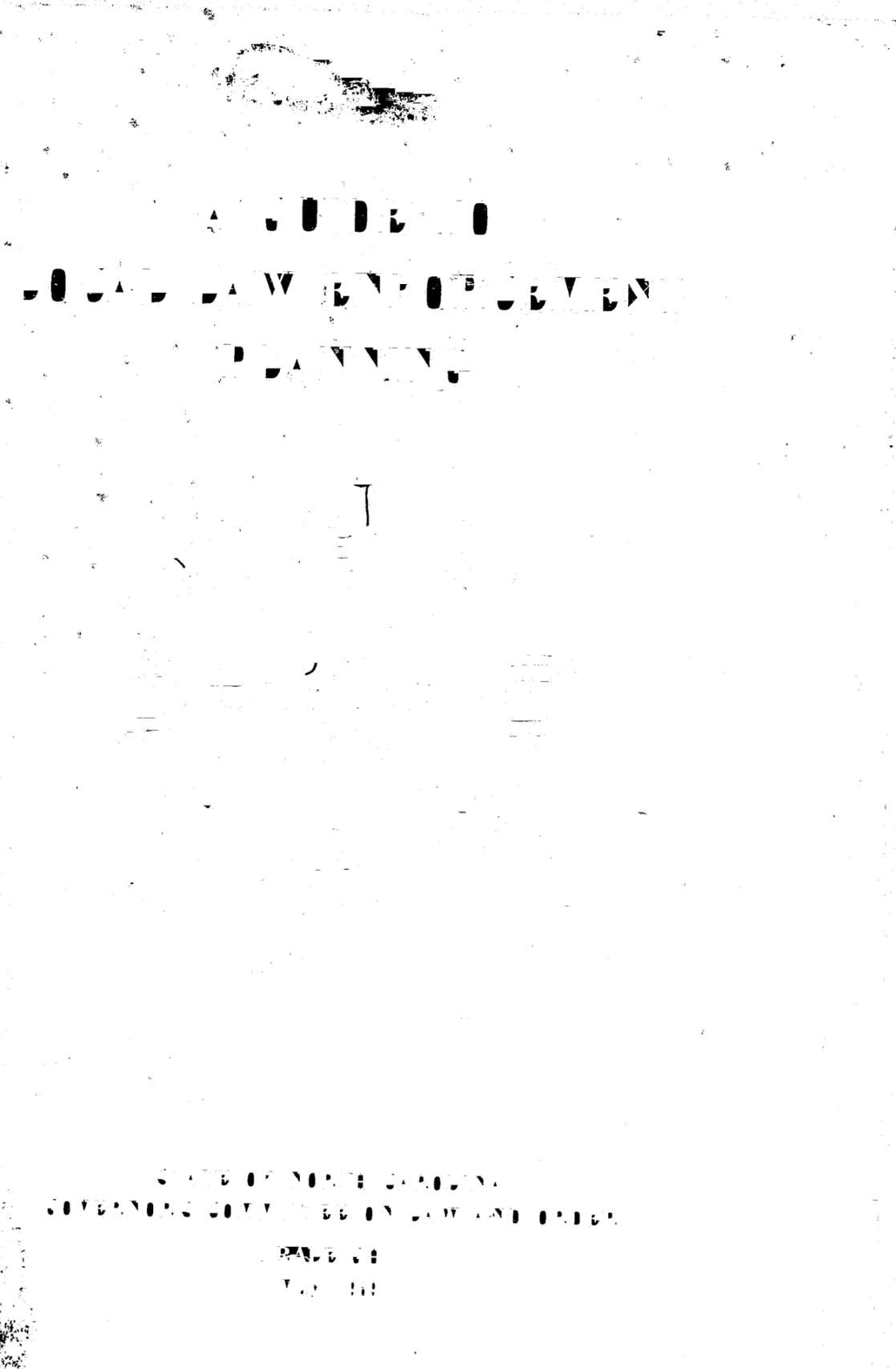
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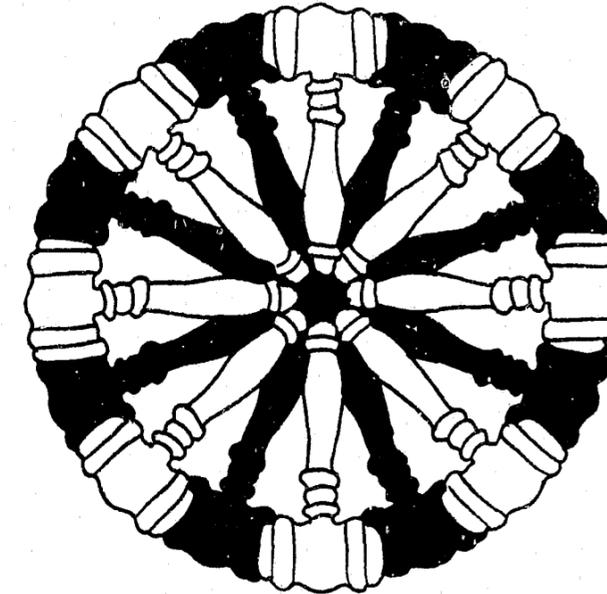
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Law enforcement - Planning

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A GUIDE TO LOCAL LAW ENFORCEMENT PLANNING



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ACKNOWLEDGMENT

The Governor's Committee on Law and Order would like to express its appreciation to Douglas R. Gill, Assistant Director, Institute of Government, Chapel Hill, North Carolina, for his untiring efforts in preparing this manuscript. Mr. Gill has evidenced a keen insight into the problems involved in organizing and planning for law enforcement and the administration of criminal justice at the local level. The Committee would also like to express its appreciation to Mrs. Sue S. Johnson, special consultant to the Committee, for her efforts.

INTRODUCTION

The Omnibus Crime Control and Safe Streets Act of 1968, passed by Congress in the summer of 1968, lays the foundation for federal financial assistance in the improvement of the entire criminal justice system, including police and sheriffs' departments, courts and prosecution, and prisons, probation, and parole.

This assistance is aimed both at helping in the preparation of plans for these improvements as well as at putting the improvements themselves into effect. All of the financial assistance is to be channeled through agencies at the State-level; to a considerable extent, the decisions about how the funds are to be used will not be federally controlled. In North Carolina, the Governor's Committee on Law and Order has been designated as the State-level body which will administer these funds, both for planning and for implementation of the plans.

These two assistance programs--for planning and for implementation of action programs--are separate yet closely related. The planning is to be encouraged and can be useful regardless of the presence of federal funds to assist in implementation of the plans. However, the money for action programs is available only to be used in accordance with the comprehensive criminal justice plan being developed at the State-level, with components developed by the various local planning units.

Although the funds will be initially administered from the State-level, most of them will be channeled to local uses, and the statewide comprehensive plan for improvements will be guided largely by the results of planning carried out at the local level. Consequently, most of the State has now organized itself into multi-government units which will be responsible for this planning.

This manual is intended to help those local planning units get some ideas of how to define their problems, of how to develop projects that will respond to those problems, and of what kinds of questions to ask and information to gather in order to see whether the projects are worthwhile. This manual also lays the groundwork for a uniform approach by the local planning units so their results can be more smoothly meshed into a statewide comprehensive plan and so the Governor's Committee on Law and Order can make sound decisions about how the funds for improvement should be allocated.

SECTION II

THE PLANNING APPROACH IN GENERAL

What is Planning?Planning as a Process for Making Decisions

In simplest terms, planning is a process of figuring out where you ought to go and the best way of getting there. Neither aspect of that determination, however, is necessarily easy to accomplish.

Determining where you want to go is complicated by the frequent need to choose and then aim for several different things at once. That is, there may be more than one "objective." Once you make a decision about where you want to go (what your objectives are), you must decide how to get there. What possible ways are there of getting where you want to go, and which ones of them are "best"? Thus, planning involves both defining objectives (determining where you want to go) and finding and choosing among alternatives (deciding how you should get there).

Planning a vacation provides a simple example of this process, although in an example as common as this the steps may not actually be considered consciously. In thinking about a vacation, you might have more than one objective. For example, you might consider aiming for both relaxation and healthy exercise. Having decided that you then might have to decide how much of each you wanted to get. Then having decided on objectives, you would have to develop alternatives for meeting those objectives and then choose among them. For example, on your vacation you could get

exercise by swimming, skiing, or mountain climbing and could get relaxation by sunbathing, reading, or in some respects, by swimming. And then, of course, there are all sorts of places to go swimming or skiing, and so on, and a variety of means of transportation to areas where there is swimming or skiing.

After becoming aware of these "alternatives," a choice of the best ones would have to be made. A choice would sometimes have to be made because two alternatives compete with each other (you can't both fly and take the train to a vacation spot) and sometimes because the alternatives compete for the same limited amount of money (you might not be able to afford to stay in a lodge for a week as well as to rent a boat for a week).

When these choices have been made, a vacation "plan" exists.

Planning As a Continuing Process

Planning, however, is more than the preparation of a single plan. It is a continuing process by which a single plan is prepared and then continually revised and modified. Recognizing this raises two important points.

First of all, planning, to be effective, must be a continuing effort that looks forward for a reasonable time into the future. Often, a determination of long-range developments and needs will influence the steps that are taken immediately. For example, if you had decided that in the long-run you wanted to own a motorboat for use on vacations, you might decide that this year you would not rent both a boat and motor, but would buy the motor, which could eventually be used with the boat you intend to buy later.

Second, planning can be more effective by learning from the projects which are undertaken in the early stages of the plan. The success or failure of early projects will bear directly and importantly on the determination of what projects to extend and enlarge in the future and will give some basis for helping to determine what kind of new projects might be undertaken with some fair chance of success. For example, if, on your first planned vacation trip, you had driven 500 miles to a resort, you might find that the drive had made you much more irritable and unable to enjoy your vacation than you had anticipated. This knowledge might then influence continued vacation planning by leading you in the future to fly to a distant vacation spot or to choose a destination not calling for so long a trip.

Thus, effective planning should be based on the notion of continuing the effort. This will permit both tailoring immediate steps to take into account future developments and using the results of the immediate steps to influence the direction of future developments.

Why Plan?

The basic reason for planning is to get done what needs to be done, both immediately and in the long-range, in the best way possible in light of the money and other resources that are available. There are several effects which either result from or contribute to the effort to obtain that benefit.

For one thing, in the rush of doing things it's possible to forget why they are being done; planning presents the opportunity to step back and look at what it is you are trying to accomplish. Planning also provides the opportunity to determine if there are any different, better ways to accomplish what

you are doing or whether the way it is being accomplished now can be improved. Planning also furnishes the opportunity for thinking ahead over a longer period of time than is usual.

How Do You Plan?

Planning can be regarded as consisting of only a few steps:

- (1) determining what your objectives are;
- (2) developing various alternatives for meeting those objectives;
- (3) determining what effect each of those alternatives would have;
- (4) choosing among those alternatives (usually with the idea of accomplishing as much as possible with a given amount of resources); and,
- (5) using the results of implemented alternatives to improve future planning.

Since time, money, and other resources are usually limited, you cannot pursue at length all possible alternatives that might contribute to all possible objectives. It is necessary to make some sort of initial determination of where planning efforts, at least at first, should be concentrated.

In thinking about your vacation you might try to recognize some particular problems that would focus your vacation planning. For example, you might review your past year and discover that you had been irritable toward your wife on about 200 different occasions and had about thirty sleepless nights. On the basis of this information you might decide that your plans should concentrate on relaxation and, if possible, the kind of relaxation that would reduce irritability and insomnia.

Thus, an initial step in most planning is the recognition of problem areas. Then, there would be one additional stage added to this planning process:

- (1) recognizing problem areas;
- (2) determining what your objectives are;
- (3) developing various alternatives for meeting those objectives;
- (4) determining what effect each of those alternatives would have;
- (5) choosing among those alternatives (usually with the idea of accomplishing as much as possible with a given amount of resources); and,
- (6) using the results of implemented alternatives to improve future planning.

SECTION III

PLANNING IN THE CRIMINAL JUSTICE SYSTEM

The six planning steps outlined in the preceding section--recognition of problem areas, determination of objectives, development of alternatives, evaluation of alternatives, choice of alternatives, and use of the results of implemented projects for future planning--are all required for planning in the criminal justice system. They will be involved both at the State-level and at the local level where regional planning units will be working. The following paragraphs attempt to translate these broadly stated planning steps into more specific information about how those steps can be accomplished at the local level.

How Do You Determine Problem Areas ?

One important way of recognizing problems is to compare what you have with some standards. A deviation from that standard might (but might not) indicate a problem. The standards come from essentially two sources:

- (1) recommendations that are set forth by some expert body, for example, the President's Crime Commission, the American Correctional Association, the International Association of Chiefs of Police, the National Sheriffs Association, or the National Council on Crime and Delinquency; and,
- (2) the ways of doing things elsewhere, for example, the national average of policemen per 100,000 population or the statewide ratio of yearly expenditures on equipment per policeman.

Of course, there isn't a standard that will reveal every possible problem. To some extent, it will be necessary to make judgments about problem areas by simply viewing general information about crime at the local level and the operation of the criminal justice system at the local level in light of experience and sensing that certain particular problems exist. For example, a recent sharp increase in armed robberies might lead to a determination that armed robberies are a problem that deserves particular attention, or dissatisfaction by the public with response to telephone calls might indicate that response to calls was a particular problem, even though no "standard" existed in those areas. And, of course, the knowledge of those who have day-to-day involvement with the operation of the criminal justice system is a leading source for definition of problems.

It is important to recognize, however, that an initial impression about what a "problem" is might not always be accurate. This is particularly true where "standards" are concerned. It is entirely possible that even though you do not meet a standard, your way of doing things is just as effective as the "standard" way. The real question is not whether your way of doing things is the "standard" way, but whether your way of doing things is as effective as the "standard" way, judged in terms of the objectives of the criminal justice system. For example, a police department might not establish its patrol beats in the commonly accepted way. That does not necessarily mean, however, that its way should be changed if it accomplished the objectives of patrol just as well (those objectives might be, for example,

detering the occurrence of crime, apprehending criminals, and establishing communication with the neighborhood).

In any event, an initial determination of problem areas is a helpful way of focusing efforts even though those efforts might eventually reveal that the problem is not as great as was originally thought or that there is not really much that can be done about the "problem."

A list of questions whose answers might pinpoint problem areas appears in Appendix A. A list of references for standards appears in Appendix B.

How Do You Determine Objectives?

Broad Objectives

Since all of the local plans and the State level plans will have to be integrated into one overall plan, the Governor's Committee on Law and Order is establishing a framework of broad objectives for the local units to use in planning. This will give a uniform organization to all the plans and a uniform approach that will permit the plans to be meshed.

This framework is intended to be comprehensive in that it is aimed at establishing in an organized, logical fashion a complete statement of all possible objectives of the system, breaking each objective into sub-objectives, and so on. It is important to notice, however, that the appearance in this statement of any particular objective or sub-objective does not indicate that it should weigh heavily in determining projects or even that it should weigh

at all. The idea of this statement is to include all possible objectives without regard to their relative importance.

This framework is to be used in several ways at the local level. First of all, it can be used as a checklist for spurring development of different projects. For example, if thoughts had been running largely along the lines of improving police performance, seeing the objective of "reducing criminal opportunities," which includes projects to make the targets of crime less vulnerable, might lead a local planning unit to develop a project such as increasing the lighting around business establishments while they are unoccupied or passing municipal ordinances to require certain safeguards of private property. The framework can also serve as a reminder that a limited objective must be judged in terms of more long-range objectives that might be involved. For example, a project aimed at improving the quality of in-court testimony of police officers could be thought of in the longer range terms of reducing crime as the result of increased convictions. Finally, the framework of objectives should be used to analyze the effect that any proposed project would have--Would it reduce the incidence of crime? Would it ease the undesirable consequences of victimization? Would it have injurious effects on the noncriminal public?--and so on.

The following outline is the framework of broad objectives being used by the Governor's Committee on Law and Order. Appendix C of the manual attempts to explain the parts of this framework.

Overall Objective: Reduce the Harm Caused by
Crime and the Costs of Reducing the Harm

I. Reduce Harm Caused by Crime

A. Reduce harm caused directly by crime

1. Reduce amount of crime

a. Prevent offenders from returning to crime

(1) incapacitate offenders so that they are unable to
return to crime

(2) deter offenders from returning to crime

(3) rehabilitate offenders

b. Reduce commission of crime by those on the verge of
committing crime

(1) reduce opportunities to commit crime

(2) deter those who are on the verge of committing
crime

(3) incapacitate those on the verge of committing
crime so they are unable to commit crime

(4) rehabilitate those on the verge of committing
crime

c. Reduce the potential for criminality in public at large

(1) support personal values that are inconsistent with
criminality

(2) reduce the "social causes" of criminality

2. Ease undesirable consequences of being a victim of crime
 - a. Recover and return criminally-obtained property
 - b. Provide assistance to meet physical and psychological needs of victims of crime
 - c. Provide financial assistance to victims of crime
 - d. Satisfy desires of victims for retribution against criminal
 - B. Reduce indirect effects of crime on public
 1. Reduce fear of crime
 2. Satisfy desires of public for retribution against criminals
 3. Reduce costs for privately provided protection against crime
- II. Reduce Costs of Crime Control Provided by the Criminal Justice System
- A. Effectively and efficiently manage the criminal justice system
 1. Improve quality of police, court, and correctional resources
 2. Improve the use of police, court, and correctional resources (by time, place, function)
 3. Reduce dollar costs of criminal justice system operations
 - B. Provide public service (non-criminal law enforcement functions) presently performed by personnel of the criminal justice system
 1. Provide services to individual members of community
 2. Maintain order in the community

3. Enforce regulatory measures
 4. Handle noncriminal legal actions
 5. Provide labor and services for government agencies
- C. Protect public from harm resulting from efforts of criminal justice agencies
1. Avoid erroneous actions that harm people
 2. Minimize invasions of privacy
 3. Reduce resentment by society caused by enforcement of unaccepted laws
 4. Reduce resentment by society caused by enforcement of accepted laws by unaccepted techniques
- D. Protect criminal justice personnel from harm directed to them because of their jobs
1. Raise morale of personnel
 2. Increase physical and psychological protection for personnel

Narrow Objectives

The preceding outline of objectives describes a long-range view of the criminal justice system. It will, of course, be necessary to determine much more limited objectives when developing specific projects. These short-range objectives must be chosen in light of particular steps that are necessary to be performed in order to reach the long-range objectives. Often it cannot be known for sure that the step will actually contribute to the long-range objective, since very little is known about what effect changes in the

criminal justice system have. It, nevertheless, is necessary to work from an assumption that the project will make a contribution because nothing other than an assumption is available. For example, if there seems to be a problem with professional breaking and entering, a long-range objective may be to reduce the occurrence of that kind of crime, and a short-range objective might be based upon the assumption that the occurrence of that kind of crime will be reduced if more of the criminals are apprehended. From that assumption, then, it would be possible to seek ways to try to increase the possibility of apprehending one of these professional criminals. Once this shorter range objective was chosen it might be possible then to choose even shorter range objectives aimed towards that objective. For example, you might make the assumption that it would be possible to apprehend more of these criminals if an officer were able to determine sooner that a breaking and entering had occurred. Then projects could be focused upon the specific objective of gaining earlier notice that a breaking and entering had occurred. A similar process of thought could be followed in approaching any other of the long-range objectives. It might be decided that reducing the amount of time that an officer spends waiting to testify in court would increase the efficiency of the criminal justice system. The shorter range objective, aimed at the longer range objective of increasing efficiency, could be to reduce the amount of time police officers spend in court awaiting their turn to testify.

It is always important, however, to examine closely the relationship between short-range objectives that are chosen and the longer range

objectives which lie behind the desirability of achieving that short-range objective. There may be occasions when the achievement of a short-range objective that seems at first to be very desirable would contribute very little or nothing to the longer range objective which is the purpose for trying to make some change. For example, there may be a desire to improve the likelihood of identifying suspects through improving capabilities for searching existing fingerprint files. However, it might turn out that a usable set of fingerprints is left at a crime scene so rarely that the improvement could raise the possibility of identifying and apprehending suspects so slightly that it would be unlikely to have any effect on reducing crime.

How Are Alternatives for Meeting Objectives Developed?

First of all, it is important to remember that an "alternative" for meeting an objective, as used here, need not conflict with other alternatives for meeting the same objective. It would be possible, for example, both to install radios in police cars and to supply patrolmen with walkie talkies even though each project is an alternative for improving communications. An alternative is any one of several projects aimed at meeting a common objective. A set of projects that effectively takes into consideration all problems and objectives becomes a comprehensive plan. It also is important to remember that a local planning unit can develop any alternatives it wants, so long as there is willingness to implement them should they be funded. (However, the intent of the Omnibus Crime Control and Safe Streets Act is to encourage the introduction of innovative techniques and equipment into law enforcement and criminal justice activities.)

Sources of Ideas for Projects

The sources for alternatives, or projects, are basically two:

- (1) knowledge of ideas and ways of doing things others have developed; and
- (2) application of imagination to the problems and objectives upon which the local planning unit is concentrating.

Projects funded by the Office of Law Enforcement Assistance, recommendations of the President's Crime Commission, and professional journals are among the sources which might stimulate ideas for projects. (Appendix D includes a list of projects recommended by the President's Crime Commission, the President's Commission on Civil Disorders, the National Council on Crime and Delinquency, and of projects funded by the federal Office of Law Enforcement Assistance, arranged under appropriate headings.) It will be necessary to adapt projects whose basic idea has been developed by others to the peculiar requirements of the local area for which the planning is being done.

There can, of course, be no established method for drawing upon the imaginations of individuals to seek solutions to particular problems.

One way which is often used (and which will be used at the State level by the Governor's Committee on Law and Order) is to form committees to deal with various problem areas or other areas in which projects could be grouped. Information can be presented to each such committee to stimulate their imaginations, and the committee as a whole or its individual members

can develop ideas for projects. Some of these projects might, upon reflection by the entire committee, appear so unfeasible as not to deserve further consideration. However, most projects that are even suggested might at least warrant further analysis.

The Kinds of Projects to be Developed at the Local Level

In Appendix D of this manual appears a list and description of "action areas", which should serve as a framework for suggesting and organizing projects. In general, each action area is designed to address one or more of the functions performed by the criminal justice system. Some of those action areas are more appropriate than others as areas for developing local action projects, since many of the functions closely tied to courts, prosecution, and corrections are handled primarily from the State level.

Furthermore, it might be necessary to modify some of the local plans for projects if studies at the State level indicate the desirability of starting statewide programs that require related local level projects to be meshed with it in order to increase efficiency and economy.

Local units are, nevertheless, encouraged to develop ideas for projects in all of the action areas, including those that cannot be implemented locally. Those which cannot be put into effect at the local level can be passed on to the Governor's Committee on Law and Order to be considered for implementation at the State level.

There is no end to the types of projects that can be proposed. They can range from greatest complexity to utmost simplicity, from high cost to

negligible cost, from, for example, a computer-based command and control system for police vehicles to the revision of a municipal ordinance. In fact, it is likely that a good plan from the local level would include projects along the entire spectrum of complexity. It should be recognized that the local plan should have value even apart from its use as a funnel for nonlocal funds. The projects should be ones that are desirable (perhaps in varying degrees) regardless of who funds them. In other words, the plan should be something that would be of value even if no outside funding were involved.

It should also be noted that study projects can be planned for as can projects more directly aimed at action. For example, if the initial planning efforts revealed a need to revise a police record-keeping system, a resulting project could be a study of the feasibility of installing a microfilm record system.

The possibility of pilot projects also should be carefully considered. This approach permits trying out apparently good new ideas without becoming so committed to them that there is no turning back. If, for example, a local planning unit were interested in establishing a program of citizen counselling for potentially delinquent school dropouts, the program could be tried out at first in only one community and in a limited way to see how effective it might be.

A form is now being designed which will include most of the relevant questions which need to be answered in order to intelligently evaluate a project in each of those areas. This form will call for a wide variety of information and careful analysis of each project. A firm answer to the

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questions posed will not, of course, always be possible, but nevertheless, the answers should be provided in at least the form of a reasonable judgment. The following paragraphs indicate in a broad way the areas of evaluation called for in this form, which soon will be disseminated.

Possible Alternatives Aimed at the Same Problem

Each project will, of course, be aimed at the solution of some particular problem or group of problems. One of the major advantages of careful planning is that it demands consideration and evaluation of different possible means of attacking the same problem. Thus, one of the major portions of a project evaluation should be a consideration of alternatives which are aimed at the same objective as the project under consideration.

Alternatives of a different type. In some instances alternatives may be possible which are drastically different in their approach to the problem. These types of alternatives can often be overlooked, but should be carefully searched for since they often can present a much more effective means of attacking the problem. If, for example, a project for enlargement of a jail is proposed, then alternatives might be examined which present an entirely different approach to the problem of overcrowded jails--increased use of bail procedures or increased use of summonses or decisions not to arrest.

Other resources which could be used for the project. Even if there seem to be no alternatives to the general approach of a project, often the resources which are used for carrying out that project can be different than had been initially proposed. For example, a project might call for the

development of cells within a jail which would be suitable for use for people who were to be civilly committed. An examination of the resources might reveal that an alternative worthy of consideration would be the development of similar cells placed within a local hospital rather than within a jail. The major difference would not be the approach to the problem, but rather the resources which were used in implementing the project.

Possibilities of establishing the project at a regional or State level.

The evaluation should also consider the possibility of implementing a project using the same approach, only on a larger scale, using as a base for the project the planning unit, some other region, or the entire State. For example, a computerized command and control system which had been initially considered for implementation at a regional level. This kind of expanded effort can often bring substantial savings in money as well as making possible the achievement of a quality that would be impossible were the project to be carried out on a smaller scale.

Possibility of treating project as a pilot. In some cases, the desirability of a project might not be clear, so it would be helpful to treat the project essentially as an experiment, choosing a scale of effort and type of operation appropriate for that approach. Use of a pilot project makes possible the careful consideration of whether the project should be used more broadly and prevents the wasteful implementation of a project on a large scale which might turn out to be unworkable.

Types of possible phasing-in of project. The evaluation should also consider various alternatives for how a project could be brought into being

over a period of months or years. A project might not, because of the lack of sufficient money or resources, be susceptible to immediate full-scale implementation. Thus, the various possibilities for phasing-in the project should be considered--the times at which different parts of the project should be begun in order to get the most possible good from the money that is being put into it.

How Are the Effects of a Project Determined?

Anticipated Effects of Project

Direct effect on the objectives of the criminal justice system. In order to assess the benefits of a particular project, it will be necessary to analyze closely the effects that each project will have, not only on the direct problem to which it is addressed, but also on the various other objectives of the criminal justice system which might be influenced somewhat by the operation of the project (even one which is not concerned especially with that particular objective). For example, a project intended primarily to increase the possibility of apprehending a criminal may also influence the ability of a police department to maintain some general services, or it might affect the privacy of citizens of the community. All of the possible effects of a project must be evaluated. At this stage of knowledge, it will often (even usually) be impossible to provide estimates of these impacts with an assurance of accuracy. Rather, it will be necessary to rely upon informed judgments to provide the rough kind of estimate of the impact of a project necessary in order to pursue intelligent planning.

Indirect Effects on Other Parts of the Criminal Justice System

A project may have a substantial indirect effect on parts of the criminal justice system other than the one in which the project is to be primarily implemented. These other effects must be taken into account and carefully analyzed in order to make possible an intelligent comprehensive planning effort. For example, a project aimed at increasing the apprehension rate of criminals would be confined in its immediate effect largely to police agencies. Nevertheless, were the project to be successful, it might also have a very real impact on other agencies: jails might be subject to the added demands made by an increased rate of apprehensions, more legal defenders might be required for the increased number of defendants, and there would be a greater demand for the use of prosecutors, courts and court officials.

Non-Budgeted Costs and Savings

Often the budget for the implementation of a project will not reflect a true picture the cost of a project. This can be true both because there are added monetary costs which are incurred outside the budget figures and because implementation of the project may result in saving not reflected in the budget. For example, a project aimed at reducing the amount of time that police officers spend waiting in court could result in savings through a reduced need to pay for time spent testifying in court. On the other hand, a project intended to increase apprehension rates might carry with it the possibility of increased time in court by testifying police officers with a resulting need for added pay.

Cost of Project Estimated Over Five-Year Period

The cost of a project is, of course, a major consideration in determining which projects will be funded and when those projects will be funded. An estimate of costs should include several items of information.

Basic cost. The evaluation of a project should include an estimate of the total cost of a project estimated over a five-year period, indicating when the expense will occur and how much will occur in each year, regardless of the source from each part of the expense is to be met.

Possible sources of funding. The evaluation should include some consideration of possible source of money for supporting a project. These sources include not only the direct financial assistance of the federal, State, and local governments, but also the possibility of in-kind contributions from governmental and private sources as well as the possibility of direct financial assistance from private and governmental sources (not necessarily with a sole interest in the criminal justice system). For example, a private foundation might be willing to fund a bail project.

Assumption of costs by local governments. The evaluation should raise and examine the question of when and how the local government will assume the cost of the project. The federal support which lies at the heart of much of the planning effort for the criminal justice system will not be continued indefinitely. In fact, the federal procedures specifically require that plans be made for the assumption of the financial burden by local governments. How and when this is to be done should be examined carefully.

Likelihood of Successful Implementation

No matter how well a project is designed and planned, it is useless unless it can be successfully implemented. The evaluation of any project should include consideration of the likelihood that the project can be implemented substantially as it was envisioned at the planning stage. Consideration should be given to the practical difficulties that might stand in the way of this successful implementation. Will the money and other necessary resources be available? Will an existing agency undertake the ongoing administration of the project? Will the project be so unpopular that it will meet with the kind of resistance that will prevent it from being implemented?

How Are the Most Effective Projects Chosen?

The comprehensive planning effort should result in a great number of proposed projects, initiated by the local planning units and by the State level planning group. The Governor's Committee on Law and Order then must choose the projects to be funded and determine when and for how much to fund them. Although this final choice will be made by the Governor's Committee on Law and Order, the judgments of the policy boards of the various local planning units will substantially influence how these choices are made.

The basis for the choices will be the following process. Each project will be ranked according to the anticipated impact it will have on each of the various benefits that might be associated with the operation of the criminal justice system. These rankings will be finally done by the Governor's Committee on Law and Order, but the local policy boards will be asked to make

similar rankings which will enter into the judgment of the Governor's Committee on Law and Order. Furthermore, the benefits themselves will have to be ranked in relation to one another. For example, it will be necessary to make some judgment about the relative importance of protecting innocent people from harm by the operation of the criminal justice system and of reducing crime. Both the Law and Order Committee and the local policy boards will have to make judgments about the relative importance of these kinds of benefits. The basic source of information upon which these judgments will be made will be the evaluation of the projects described in the previous section of this manual.

The overall effect of this system of choosing among projects is that it will result, as much as human judgment and the limited amount of knowledge permits, in a choice of those projects which will bring the greatest amount of benefit for each dollar spent. In short, the project that stands the greatest chance of being funded is one that brings great benefit to a large number of people at a low cost.

How Can the Results of a Chosen Alternative be Used in Further Planning?

Since planning for improvements in the criminal justice system should be a continuing process, the results of projects tried early in the process can be important in the development and choice of additional projects. A project in operation may work differently than had been foreseen and may raise unanticipated problems that must be met. In order to see the results, some effort must be made to find out what the results are and to measure these results.

Measuring the Results

Two kinds of results of an action project call for measurement: the effect of the project upon the need to which it was addressed, and the effectiveness of the implementation of the project.

Results evaluation. Measurement of the effect of a project is a technically difficult task, calling for a careful definition of the need before the project begins and a well-designed gathering of information both before the project is begun and after it is completed. For instance, if a need for speeding a patrolman to answer a call is defined, and a project to improve radio communications equipment is conceived as an answer, the evaluation of the project requires a determination of whether the time between the request call and the arrival of the patrolman is shortened as a result of the use of the equipment. Not only must the need have been defined, but the time-of-arrival before and after the project must have also been known in order to make this determination. The way of measuring effectiveness may, of course, vary a great deal from project to project. The effectiveness of a police-community relations program might have to be measured, for example, by means of public opinion surveys taken before and after the implementation of the program. Because the development of methods for continuing evaluation of the effectiveness of projects usually requires a good deal of technical know-how, the Governor's Committee on Law and Order will make a substantial effort to help local units build these methods into the initial project plans.

Even when a project appears to be effective in terms of the immediate need to which it is addressed, the more long-range objective behind that

need should be kept in mind. Thus, for example, the project to reduce the response time of patrolmen is based on the longer range objectives of apprehending the suspect and thus reducing crime. Therefore, the question should be asked whether the reduced response time did result in increased apprehension and in reduced crime.

Since designing a meaningful measure for the success of a project and then of finding a method for carrying out the measurement is technically difficult, local planning units should make every effort to expert assistance in this task. In addition, the Governor's Committee on Law and Order intends to develop special technical assistance in this area, in the form both of written material and of personal assistance.

Management evaluation. Measurement of the effectiveness of the implementation of the project is aimed towards assurance of effective management of each project. Requirements for this kind of evaluation are placed on the Governor's Committee on Law and Order by the federal Law Enforcement Assistance Administration and, therefore, must be placed on the local planning units as well. The evaluation will be done largely through the use of forms for management reporting and fiscal administration which have not yet been finally designed.

Using the results. Once the results of a project have been measured, those results can be used to furnish more precise and accurate information upon which future planning can proceed. Thus, if a pilot project for reducing the response time of patrolmen answering calls indicated that the response time was lowered as was originally anticipated and that more apprehensions

resulted, then that information could be used in planning for an expanded effort for reducing response time. If the improvement in public attitude as a result of a police-community relations program was not as great as anticipated, then those results could influence the type of additional community relations efforts that were to be made.

In particular, the results can be used to provide a more reliable basis for the answers to the questions which must be answered in the evaluation of any proposed project, as outlined earlier in this section of this manual.

SECTION IV

ORGANIZATION OF THE REGIONAL PLANNING EFFORT

Any regional planning effort must be organized to perform the various tasks that have been outlined. This organization requires, at a minimum, both a policy board and a person or group of persons who can operate in a staff capacity for the policy board. In addition, any planning effort might also call for the use of committees (which may be independent of, but share some membership with, the policy board) and, possibly, the use of outside consultants. The functions of each of these groups in relation to the planning effort is described in greater detail in the following sections. A hypothetical example of how a regional planning effort might proceed is outlined in Appendix E.

The Policy Board

A policy board is required for two basic reasons. First, the planning effort involves important questions of public policy. These questions are not ones that could or should be answered by professional staff. People who are in positions that call for them to make determinations of public policy should be involved. Secondly, the best planning effort will have been wasted unless the projects included in the plan can be put into effect. The involvement of a policy board assures that the projects developed are acceptable to individuals in a position to implement and to win public support for them.

The composition of the policy board of each local planning unit is being left entirely to the good judgment of the local unit involved. The local units,

however, should keep in mind the functions which the policy board will serve and try to guide its composition accordingly. It seems that it would be useful for the board to include law enforcement officials (such as police executives, sheriffs, judges, agents of the SBI and FBI, probation officers, etc.), officials from general local government (such as mayors, city and county managers and county commissioners), and membership from the public at large. In addition, the board may, but does not necessarily have to, include representation from each of the units of government that are interested in involvement in the planning.

The policy board should meet fairly frequently. At their meetings they can perform functions such as pinpointing particular problems on which the planning in its initial stages should be focused, reviewing the efforts made to date by those serving in a staff capacity, and approving designs for continued effort by those serving in a staff capacity.

Staff

Each local planning unit will need someone to serve in a staff capacity. Someone is needed to prepare written materials, gather information, carry out day-to-day administration, and perform background analyses of the various ideas for projects that are suggested by the policy board and any committees involved in the planning effort.

Finding a satisfactory way of staffing a planning project is an essential ingredient of the planning effort. Financial limitations and limitations on the

availability of suitable people are probably the most important factors affecting the development of a staff.

Staffing can be obtained from various sources. Among them are hiring full-time people specifically for this job, using on a part-time basis public employees or some private citizens, using an outside consultant on a short-term basis, or using someone from a source available within the State, such as the Division of Community Planning. In addition, advice and assistance can be sought from anyone who might have some useful experience to offer--local planning commissions and research and planning units of industries, for example. And, of course, any combination of these sources for staff may be used. For example, a regional planning unit might hire one full-time director of the planning effort who would in turn use on a part-time basis members of local law enforcement agencies for purposes such as gathering data from throughout the planning unit, or use faculty members from local colleges to analyze various projects that are suggested. Or, the director might be a person who already works for one of the governments in the planning unit in some other capacity, and he might use only part of his time to direct the efforts of other part-time workers and of consultants.

In staffing, probably the most important first step is to decide what work needs to be done and then to choose people who are particularly capable of doing that work. For example, one kind of person may be able to administer the overall effort, but might not be as good at gathering data from the local units involved or analyzing projects carefully.

Study Committees

A plan such as the local planning units are being encouraged to develop takes into account all of the various facets and possible objectives of the criminal justice system. Because of this there are a vast number of possibilities to be considered. It might be difficult for any single policy board or any small staff to consider carefully all of these areas and to develop all of the possibilities that lie within each. Therefore, a local planning unit might find it helpful to set up committees whose particular job would be to focus on smaller, more manageable portions of the overall problem that must be faced in the local planning effort. If a local planning unit were to try to use such committees, arrangements for setting them up and their composition would, of course, be left entirely to the local planning unit. Some planning units might find it best to proceed with the use of only two or three such committees, while another unit might like to develop as many as fifteen or twenty different committees. How many different committees should be used probably depends upon local factors such as the number of available people interested enough to devote real effort to the work of such committees, whether or not staffing for a large number of committees can be arranged, and whether or not effective chairmen are available for the number of committees.

If such committees are to be used, one of the major problems is dividing work among committees--upon what particular topics should each committee focus? There are various possibilities for such committee breakdowns. They could be focused on the various agencies involved. For example,

there might be a committee working on problems of the police agencies and another working on problems of local agencies involved in juvenile delinquency work. It might also be possible to form committees each dealing with a particular problem that has previously been defined by the policy board. For example, there might be committees which would focus on drug abuse, on drunkenness, on bank robberies, and on jails. Still another approach (and the one which will probably be used at the State level) is to focus committees on the particular functions which are performed by the criminal justice system, ignoring any breakdown between agencies or sole attention on any single problem. This kind of committee arrangement might involve the formation of committees to consider, for example, conviction of suspects, apprehension of suspects, and community involvement in rehabilitation of offenders.

Consultants

Many regional planning units have expressed an interest in hiring consultants. This is certainly acceptable if the local planning unit budget permits. There are, however, certain factors that any local planning unit should consider if it is interested in hiring a consultant or a consulting firm. First of all, it should determine what it is that it wants the consultant to do. Does it want the consultant to take charge of the entire staff effort involved in local planning? Does it want the consultant to give advice on a particular problem that the policy board has isolated? Does it want the consultant to discover the answer to a particular question which the policy board or the staff had found to be important to the overall planning effort? No local planning unit should

assume that hiring a consultant will automatically result in the development of an adequate comprehensive plan. No consultant can tell a local unit what it wants.

Secondly, a local planning unit should be aware that the use of outside consultants can cost considerably more than it would cost to hire the same performance from someone from the local area. Thus, the local unit should not necessarily go to a consultant unless it is fairly sure that the consultant can provide some assistance which is not available in the local area.

Finally, a local planning group should recognize that farming out too much of its work to consultants will deprive the local group of the opportunity to develop its own abilities to carry out continuing planning efforts.

APPENDICES

Appendix A

Questions Whose Answers Might Help Define Problems

Questions Whose Answers Might Help Define Problems

I. Crime

1. What kind of crime occurs? How much of each kind?
2. Are any particular varieties of a given offense especially pronounced?
3. What are the effects of the crime?
4. What crimes are especially disturbing to citizens?
5. When does each kind of crime occur and what is its frequency?
6. Who commits crimes (age, race, educational and employment background, etc.)?
7. Where does crime occur?

II. Effect on community of criminal justice system operation

1. Do people feel that they are treated fairly by the criminal justice system?
2. Do people feel well protected?
3. Are people's requests handled effectively?
4. Do people respect the agencies within the criminal justice system?
5. Are people erroneously arrested or do they otherwise suffer erroneously from the activities of the criminal justice system?

III. Costs of operation of criminal justice system

1. What equipment is now being used? What is its cost?
2. What salaries and benefits are paid to the employees of the agencies?
3. In what way and how much are men and equipment used?
4. How often is equipment repaired and replaced and at what expense?
5. What is the rate of manpower turnover?
6. Do witnesses and jurors lose time waiting for cases to be called?

Appendix B

Sources of Possible Standards for the Criminal Justice System

Sources of Possible Standards for the Criminal Justice System

(These standards are not "recommended" by the Governor's Committee on Law and Order, but reference to them might help stimulate ideas and help to define problems.)

- (a) President's Commission on Law Enforcement and Administration of Justice, The Challenge of Crime in a Free Society, U. S. Government Printing Office, Washington, D. C., February, 1967.
- Task Force Report. The Police
 - Task Force Report. The Courts
 - Task Force Report. Corrections
 - Task Force Report. Crime and Its Impact--An Assessment.
 - Task Force Report. Science and Technology
 - Task Force Report. Juvenile Delinquency
 - Task Force Report. Organized Crime
 - Task Force Report. Narcotics and Drug Abuse
 - Task Force Report. Drunkenness
- (b) Police: International Association of Chiefs of Police Education and Training Standards.
- (c) Administration of Criminal Justice: American Bar Association Minimum Standards of Criminal Justice.
- (d) Corrections: American Correctional Association Manual of Correctional Standards; Model Penal Code Sections on Treatment and Correction; National Council on Crime and Delinquency Standards on Probation Services.
- (e) Administration of Juvenile Justice: National Council on Crime and Delinquency Model Juvenile Court Rules.
- (f) Substantive and Procedural Criminal Law: Model Penal Code; ALI Model Prearrest Code (draft); Federal Rules of Criminal Procedure; ABA Minimum Standards of Criminal Justice.

Appendix C

Explanation of the Broad Objectives of the Criminal Justice System

Explanation of the Broad Objectives of the Criminal Justice System

Overall Objective: Reduce the Harm Caused by Crime
and the Costs of Reducing the Harm

The desirability of reducing the harm caused by crime is clear. It is also clear, but not quite so obvious, that almost no one is willing to reduce that harm without regard to the cost of reducing it. Would we each be willing, for example, to pay \$600 a year extra in taxes in order to have one less car theft each year, or would we be willing to give up having windows in our houses in order to avoid the fear of being burglarized? The problem is to strike a balance between reducing the harm caused by crime and the price that must be paid to reduce it. Two overall concerns, then, characterize the objectives of the criminal justice system: (1) reducing the harm done by crime, and (2) reducing the costs that result from attempting to control the harm caused by crime.

I. Reduce Harm Caused by Crime

Examples of the harm caused by the occurrence of criminal acts include loss of life, destruction of property, public fear, and the desire for vengeance it arouses in the public. Probably the clearest objective of the criminal justice system is reducing this harm.

A. Reduce Harm Caused Directly by Crime

The direct effects of crime involve tangible, easily recognizable losses to the victims of crime--physical injury from an assault, the destruction of a building from arson.

1. Reduce Amount of Crime that Occurs

One of the most obvious ways of reducing the harm caused by crime is to reduce the amount of crime; if no crime occurs, it can do no harm. All crimes, however, are not equally worthy of reduction. For example, most people would be more interested in achieving the occurrence of one less robbery than in achieving the occurrence of one less case of shoplifting. This is, it would not be as valuable to avoid one shoplifting as it would be to avoid one robbery.

a. Prevent Offenders from Returning to Crime

One approach to reducing the amount of crime is to take steps to prevent another crime by those who already are known to have committed at least one offense previously. This is called reducing "recidivism." Reducing recidivism is accomplished through at least one of three basic methods; (1) keeping control over known offenders so they are physically unable to commit crime; (2) "detering" known offenders; and, (3) "rehabilitating" known offenders.

(1) Handle Offenders So They are Unable to Return to Crime

Maintaining control over an offender or doing something else that makes it physically impossible for him to commit another crime is often known as "incapacitation." Execution is probably the most

extreme example of incapacitation, but keeping a person in prison or keeping him under close observation might also incapacitate him. One of the problems in using incapacitation is the difficulty of determining when that approach is called for. Most people would want to hold to a minimum those cases of incapacitating a person when it really is not necessary (or not worth it).

(2) Deter Offenders from Returning to Crime

Detering known offenders is based on the idea that if a person is punished for his wrong acts, he will decide not to repeat them out of fear of being punished again. He is supposed to learn by experience that the possible consequences of his act make it too risky to try a criminal act again.

(3) Rehabilitate Offenders

Rehabilitation calls for changing a criminal's attitudes or abilities so that the possibility of crime will not beckon to him again or at least will not beckon to him as strongly. Giving a man psychological treatment or teaching him a useful trade are examples of efforts aimed at rehabilitation.

b. Reduce Commission of Crime by Those on the Verge of Committing Crime

Another general approach to reducing the direct effects of crime is to prevent commission of crime by people whose attitudes and tendencies point them towards crime and who can be stopped only by some form of intervention.

(1) Reduce Opportunities to Commit Crime

Reducing opportunities to commit crime would include, generally, removing the temptation to commit crime or keeping the temptation out of reach. Examples include steering column locks on cars which prevent a criminal from taking it merely by jumping the ignition wires, using more effective door locks, such as "dead man" locks which are invulnerable to all but a very expert burglar, and otherwise making it more difficult for a person to carry out a criminal act he might have in mind.

(2) Deter Those Who Are on the Verge of Committing Crime

Deterring those on the verge of committing crime is, of course, closely related to deterring known offenders, mentioned earlier. The basis of the approach is raising a threat that will outweigh in the person's judgment the possible advantages to him that would result from his committing a crime. The effectiveness of deterrence depends upon the apparent risk to

the person who is considering committing a crime.

Thus, probably the most important factor in this approach is what the person thinks will happen to him, rather than what will actually happen to him, if he commits the crime.

(3) Handle Those on the Verge of Committing Crime so They are Unable to Commit Crime

Determining what people are on the verge of committing crimes and then taking steps (for example, through imprisonment or close monitoring of their actions) to control them enough so that they would be unable to commit a crime would be another approach to reducing the occurrence of crime. Although this approach is not commonly recognized, some juvenile commitments and commitments of the criminally insane are probably examples of this approach.

(4) Rehabilitate Those on the Verge of Committing Crime

Rehabilitating those who are on the verge of committing crime, like incapacitating them, requires that such people first be identified. Then measures have to be taken that will affect them in such a way that they are no longer as susceptible as they were to the lure of crime. Rehabilitative efforts aimed at juveniles who have been committed without having

been guilty of a specific crime are an example of this approach.

c. Reduce the Potential for Criminality in Public at Large

A third general approach to reducing the amount of crime is to cut short or reverse the development of the tendency within individuals for criminal activities.

(1) Bring about or Support Personal Values that are Inconsistent with Criminality

One approach to avoiding the development of criminal potential is to develop or make stronger with individuals those values that are inconsistent with criminality. If effective, this approach would result in the kinds of beliefs and moral structure that foreclose the possibility of any substantial criminality. Although this effect has historically been achieved largely through the efforts of the family, the public image of the criminal justice system, for example, may be one way through which the moral structure built by the family gains strength. And, to the extent that the family is responsible for those values, strengthening family structures would be an approach to strengthening those values.

(2) Reduce the "Social Causes" of Criminality

Some criminals may commit crimes in order to meet financial or other needs that they are unable

or unwilling to meet through socially approved channels. If this is true, then discovering what those needs are and seeing that some noncriminal way of meeting them is available might reduce crime. Providing job opportunities probably is the clearest example of this approach. Another possibility is to attempt to remove conditions that might be goading persons to commit crime. For example, if some crime occurs because of psychological difficulties arising from the absence of a father, then efforts to keep families together might remove some of the incentives for crime.

2. Ease Undesirable Consequences of Being A Victim of Crime

Another general approach to reducing the direct effects of crime is to lessen the consequences of crime to its victims. This approach recognizes that some crime will occur and focuses upon efforts to try to make the best of a bad situation.

a. Recover and Return Criminally Obtained Property

One means of lessening undesirable consequences of crime is to recover and return to the proper owner property that has been obtained through criminal means.

b. Provide Assistance to Meet Physical and Psychological Needs of Victims of Crime

Another approach is to provide physical assistance to the victims of crime. This might include, for example,

rushing first-aid to the scene of an assault, or it might involve providing housing to a victim of arson.

c. Provide Financial Assistance to Victims of Crime

Another approach is to see that victims are financially compensated for the losses they suffer from crime. Private insurance is an important example of this compensation. A less common approach, explored in some states, is tax-supported compensation to victims of crime, especially violent crimes.

d. Satisfy Desires of Victims for Retribution Against Criminal

Many victims of crime feel the need to "get even" with the person who committed the crime. The operation of the criminal justice system provides a socially acceptable and carefully harnessed method for the victim to ease these feelings.

B. Reduce Indirect Effects of Crime on Public

Crimes have effects far beyond the direct impact on the victims of crimes. These other, indirect effects may in some cases be nearly as serious as the direct effects. Some results of crime affect many people other than the victims--hesitancy to go out upon the streets after dark, resentment that a crime has been committed and that no one has been punished for it, investment in protection against crime. Although the indirect effects are not as easily recognized as the direct effects, they may be nearly as important.

1. Reduce Fear of Crime

Apparently one of the major effects of crime in our day is its creation of fear among the population. This fear may be attacked in several ways.

Efforts to reduce fear could be based on communicating to the population more exact information on their probability of being victimized by crime, in the hope that more precise knowledge would dispel some of the fear. The knowledge could have this effect if it indicated that less crime was now occurring. It also could create this effect if it revealed that the chances of being victimized at all (or of being victimized in a particular way) were less than had been supposed, or less than other common forms of hazard such as injury in automobile or household accident.

Another way to reduce the public fear of crime is to increase the visibility of protection. Putting police officers, squad cars, and call boxes, for example, in positions where they are readily visible might have this effect.

2. Satisfy Desires of Public for Retribution Against Criminals

Another indirect effect of crime is the desire for retribution, or revenge, it arouses in the public. One way to satisfy this desire is to have the criminal justice system serve as a formal outlet to satisfy the retributive needs of the public.

3. Reduce Costs for Privately Provided Protection Against Crime

Another indirect effect of crime is the cost of protection against crime. This cost includes, for example, the purchase and installation of burglar alarms, safes, and weapons. Reduction of this cost could be approached by reducing the amount it costs to achieve the same amount of protection, as well as by lessening the need for as much protection.

II. Reduce Costs of Crime Control Provided by the Criminal Justice System

Some of the costs of crime control are the familiar kinds of costs--money paid for the expenses of running the system. "Costs" also include other undesirable effects of running the system even if they do not represent money--wasted time, invasions of privacy, and so on.

Just because something is a "cost," however, does not mean it should be eliminated. The real problem is to eliminate the "unnecessary" costs--that is, those costs which could be eliminated without affecting the overall performance of the system or the costs which are greater than the value of the contribution they make to the system's objectives.

A. Effectively and Efficiently Manage the Criminal Justice System

One approach to minimizing the costs of crime control is through effective and efficient management of the criminal justice system. Several factors might be involved in this approach.

1. Improve Quality of Police, Court, and Correctional Resources

One of these factors is improvement of the quality of the resources that are used in the operations of police, courts,

and corrections. An important example of improvement of quality is training personnel so they can better handle their jobs.

2. Improve Use of Police, Court, and Correctional Resources (by time, place, function)

One of the clearest ways of efficiently managing the criminal justice system is to make sure that it gets the most out of the resources it has available to it. This would involve, for example, determinations of what divisions and patrol beats in a police department policemen should be assigned to and what shifts should have how many men.

3. Reduce Dollar Costs of Criminal Justice System Operations

The operation of the criminal justice system has many indirect costs which are not easily recognized as flowing from the criminal justice system. Examples of these costs include the welfare payments necessary to maintain families of suspects and offenders who are behind bars, the loss of employment to individuals who have criminal records, the loss of wages and salaries by people serving as witnesses in criminal actions and by people waiting to be impaneled on juries or serving on juries.

B. Provide Public Service (non-criminal law enforcement functions)

Presently Performed by Personnel of the Criminal Justice System

The various agencies who form the criminal justice system perform many tasks which are not directly related to law enforcement.

To the extent that these services are necessary, they must be maintained regardless of whether they continue to be performed by the agencies that presently do them.

1. Provide Services to Individual Members of the Community

One common function of criminal justice system agencies, particularly police and sheriffs departments, is to come to the aid of members of the community who are in need of help.

These services would include such activities as helping citizens who are locked out of their homes, assisting citizens who have trouble with their motor vehicles while traveling, performing emergency services such as rendering first aid or retrieving lost pets, and providing emergency ambulance type service.

2. Maintain Order in the Community

To a certain extent, law enforcement agencies perform the function of maintaining order even apart from their function in enforcing particular laws. For example, quieting down noisy parties is a function that is performed even though arrests may occur rarely in such circumstances. Other examples of this function include controlling crowds at massive gatherings such as football games and in regulating traffic during congested periods. The extreme example of this function is, of course, trying to suppress violent civil disturbances and riots which have broken out. This function, like the others, is separable from merely trying to apprehend those who have broken the law.

3. Enforce Regulatory Measures

Many of these regulatory measures upon which our society relies take the form of criminal law, but in fact they are generally recognized as not being truly criminal in nature. The most extensive example of these measures are every day traffic laws, but, they also include building and fire regulations, health regulations, and various other regulations of business. To a considerable extent the agencies of the criminal justice system are involved in using their apparatus to provide enforcement for these essentially non-criminal regulatory measures.

4. Handle Non-criminal Legal Actions

The same agencies involved in handling criminal matters recently have had extensive involvement in non-criminal legal matter as well. Certainly, the most obvious example of this are the courts which have jurisdiction over trying civil actions as well as criminal actions. Sheriffs are involved in serving civil papers as well as in performing law enforcement functions. There is also involvement in such matters as handling civil commitments.

5. Provide Labor and Services for Government Agencies

One of the frequently unrecognized functions of some of the criminal justice system agencies is providing various services to the government itself. For example, members of some law enforcement agencies might serve as drivers for

other members of government or to convey messages which relate to functions of government other than law enforcement.

C. Protect Public From Harm Resulting From Efforts of Criminal Justice Agencies

To a certain extent, the operation of any agency is bound to have some effects which would be better if they did not occur. However, those effects are often unavoidable results of the agency's performing its assigned duties. The problem is to try to reduce this kind of harm to the minimum that is consistent with the performance of those duties.

1. Avoid Erroneous Actions that Harm People

Among the clearest examples of this kind of erroneous action are injuries to bystanders as the result of attempts to apprehend criminals. Other examples include arrests erroneously made of people who do not deserve arrest and the conviction of innocent people.

2. Minimize Invasions of Privacy

The operation of the criminal justice system must involve a certain amount of invasion of privacy of citizens. This is another one of those effects which is to a certain extent a necessary evil. The problem is to try to avoid those invasions of privacy which are not essential to the operations of the criminal justice system.

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3. Reduce Resentment by Society Caused by Enforcement of Unaccepted Laws

When a law is enforced against people who have no basic agreement with the policy behind the law, then those people tend to resent society itself and to reject it. An example of this kind of reaction might occur with the enforcement of gambling laws against social gamblers who feel that there is nothing wrong with their activities.

4. Reduce Resentment by Society Caused by Enforcement of Accepted Laws by Unaccepted Techniques

The same kind of feeling that can arise from the enforcement of unaccepted laws can arise when the method of enforcement is unaccepted. This kind of feeling could arise, for example, if a suspect feels that his trial is only a formality or if he feels that he has been treated in a different way from everyone else.

D. Protect Criminal Justice Personnel from Harm Directed to Them Because of Their Jobs

Individuals who work in the criminal justice system are open to the same harm resulting from the system's operations as anyone else, and in addition they may suffer some harm specifically because of their employment. This is a cost of crime control which, like the others, it may be possible to reduce.

1. Protect Criminal Justice Personnel from Psychological Harm

Those who work in the criminal justice system may be especially susceptible to suffering lowered morale if their efforts are not appreciated, if they are resented, or if they are inadequately rewarded. Attempts might be made either to raise morale directly or to remove the causes of lowered morale, for example, by encouraging greater public understanding of the criminal justice system.

2. Protect Criminal Justice Personnel from Physical Harm

Many who work in the criminal justice system, police officers and prison guards, for example, are open to danger which does not threaten the public in general. Special efforts to protect them from these dangers might be considered.

Appendix D

Descriptions of Action Areas and Possible
Projects Grouped in Those Areas

Descriptions of Action Areas and Possible
Projects Grouped in Those Areas

This appendix contains a list of "action areas." Each of these areas is intended to focus on a type of activity within the criminal justice system. All of the areas, taken together, should include all possible activities of the criminal justice system. With the heading for each action area appears a brief description of the area and of the kinds of problems to which it is addressed as well as a list of projects (of varying degrees of specificity) compiled from several sources. These projects were listed indiscriminately from the source from which they were obtained; the Governor's Committee on Law and Order does not in any sense "recommend" these projects. They are intended only to indicate the range of projects which could be undertaken and to stir the imaginations of the local planning units.

Reporting of Crime by Public

This action area requires exploration of one of the prerequisites to the operation of the criminal process--bringing to the attention of the authorities the commission of a crime. Nationwide statistics indicate that the majority of victims of crime fail to report their victimization to the authorities. This study could examine possibilities for increasing the effectiveness of reports of crime to the authorities by the public.

Projects

Projects suggested by President's Crime Commission

- a. Adopt centralized procedures in each city for handling crime

- reports from citizens, with controls to make those procedures effective.
- b. Permit public access to police callboxes.
- c. Establish single, uniform police telephone number.

Detection, Investigation, and Apprehension

This area would include projects and ideas for detecting the existence of crime and identifying its perpetrators, investigating crimes which are known to have occurred, and apprehending the suspected perpetrators of the crime. The exploration in this area could include both organizational and technical approaches to performing these functions as well as issues of policy and procedure raised by the performance of these functions.

Projects

Projects suggested by President's Crime Commission

- a. Pool and coordinate crime laboratories.
- b. Obtain assistance for smaller departments in major investigations.
- c. Clarify law regarding wiretapping and eavesdropping.
- d. Establish citizens crime commissions.
- e. Encourage private business groups to prevent and uncover criminal business tactics.
- f. Increase news coverage on organized crime.
- g. Brief local government officials regularly on organized crime.
- h. Employ more effective command-and-control systems.

- i. Initiate research on new fingerprint recognition system.
- j. Experiment with team policing combining patrol and investigative duties.
- k. Impanel annual investigative grand juries.
- l. Provide right of appeal for grand juries.
- m. Obtain special investigators and prosecutors for grand juries.
- n. Form organized crime intelligence units in offices of State attorneys general.
- o. Undertake studies in police departments of crimes, arrests, and operations.
- p. Undertake experiments to improve procedures for manpower allocation.
- q. Eliminate special standards of proof in perjury cases.
- r. Pool and coordinate crime laboratories.

Projects suggested by National Council on Crime and Delinquency

- a. Have business and trade associations conduct information and training seminars for memberships to protect against organized crime tactics.

Projects suggested by the Kerner Commission

- a. Distribute patrol officers in accordance with actual need for their presence.

Projects suggested by the Office of Law Enforcement Assistance

- a. Use motor scooters in patrol and tactical operations.
- b. Provide routine police patrol by helicopter.

- c. Develop and experiment with new technique for allocating police patrol manpower.
- d. Improve police identification capabilities through use of video tape recording system.
- e. Develop legal and policy guidance manuals for prosecutors and other law enforcement personnel.
- f. Improve forensic technology capabilities.
- g. Use automated personal appearance data and identification system.
- h. Use multiple unit with closed circuit TV for surveillance.
- i. Use random police car patrol to reduce response time and increase probability of police presence in prevention and apprehension.
- j. Use large-scale police operated burglar alarm system covering commercial premises and monitored by police headquarters control center.
- k. Employ voice identification techniques.

Prearrest Contacts with Suspects and Decisions Not to Arrest

A substantial quantity of suspects are processed and disposed of between the time of the discovery of the occurrence of a crime and the time of being brought to the formal attention of the criminal justice system. Suspects are approached, spoken to, and frisked on the street; juveniles are stopped, questioned, and returned to their parents; some suspects are booked and then released without being subjected to a formal disposition. This is an important,

but largely unknown, functional area in the criminal justice process. Studies in this area could explore possibilities for improving the effectiveness of the decisions, policies, and procedures involved in this phase of the process.

Projects

Projects suggested by President's Crime Commission

- a. Employ legal advisors.
- b. Formulate police department guidelines for handling of juveniles.
- c. Train police officers in handling of adolescents.
- d. Limit police custody of juveniles to instances where there is objective specific suspicion.
- e. Maintain confidential records of all frisks and extended interrogations of juveniles.
- f. Establish policies to guide stationhouse adjustment of cases by police.
- g. Provide alternatives to adjudication for juveniles through Youth Services Bureau.
- h. Increase referrals of juveniles to community agencies.
- i. Employ voluntary preliminary conference at intake of juveniles.
- j. Adopt consent decree as alternative to adjudication of juveniles.
- k. Experiment with team policing combining patrol and investigative duties.

- l. Adopt policy on use of firearms by officers.
- m. Improve decisions on which defendants should and which should not be charged.

Projects suggested by the National Council on Crime and Delinquency

- a. Provide family services to children in their own homes to avoid referral to court or placement in institutions.
- b. Develop a pilot youth services bureau.

Projects suggested by the Kerner Commission

- a. Establish policy guidelines covering the issuance of orders to citizens regarding their movements, the handling of minor disputes, decisions whether to arrest and specific situations involving victimless crimes, and the selection and youth of investigating methods, particularly field interrogation and stop and frisk, and the protection of lawful demonstrators and handling of spontaneous demonstrations, circumstances under which various forms of physical force should be applied, and proper manner of address for citizen contacts.

Projects suggested by the Office of Law Enforcement Assistance

- a. Develop legal and policy guidance manuals for prosecutors and other law enforcement personnel.
- b. Improve and revise police juvenile procedures.

Pre-trial Control of Apprehended Suspects

Following the apprehension of a suspect he must be kept under control until the time when he is either released or disposed of by the courts. This

area calls for explorations of the various possibilities of pre-trial control of suspects--the use of jail, bail, release on the suspect's own recognizance, or other means for maintaining his control of him.

Projects

Projects suggested by President's Crime Commission

- a. Employ legal advisors.
- b. Restrict prehearing detention of juveniles.
- c. Provide separate detention facilities for juveniles.
- d. Establish bail projects.
- e. Enact comprehensive State bail reform legislation.
- f. Establish station house release and summons procedures.
- g. House and handle persons awaiting trial separately from convicts.
- h. Integrate local jails and misdemeanor institutions with State corrections.

Projects suggested by the National Council on Crime and Delinquency

- a. Develop citizen groups to provide staff support for release on recognizance programs.

Projects suggested by the Kerner Commission

- a. Prepare comprehensive plans for emergency operation of the judicial system.

Defense of Accused

Our criminal justice system is based upon the idea that the competing claims of adversaries will assure justice. The defense which a defendant can claim is not only an important part of achieving the benefits thought to result from the adversary process, but also in assisting him before formal proceedings begin. Study in this area could seek ways of making the defense of accused most effective.

Projects

Projects suggested by President's Crime Commission

- a. Establish commissions on judicial conduct with power to discipline or require retirement.
- b. Provide counsel for juveniles wherever coercive action is possible.
- c. Extend early provisions of counsel for indigents.
- d. Provide particularized notice in advance of hearings.
- e. Increase judicial manpower and modernize physical facilities.
- f. Provide prosecutor's, defense counsel, and probation officers in courts now lacking them.
- g. Develop and share between defense and prosecution dispositional information early in case.
- h. Establish standards for publicity in criminal cases.
- i. Expand pre-trial discovery by defense and prosecution.

- j. Provide single, simple State postconviction procedure.
- k. Permit defense counsel broader access to presentence reports.
- l. Improve selection of judges through better screening.
- m. Provide judicial tenure of at least 10 years.
- n. Extend early provisions of counsel for indigents.
- o. Institute State-financed, coordinated assigned counsel or defender systems.
- p. Narrow juvenile court jurisdiction over noncriminal matters.
- q. Unify felony and misdemeanor courts.
- r. Insure fair and visible negotiated guilty pleas.

Projects suggested by the National Council on Crime and Delinquency

- a. Provide interpreters for law enforcement in-court service.

Projects suggested by the Kerner Commission

- a. Prepare comprehensive plans for emergency operation of the judicial system.
- b. Insure fair and individual justice for all in lower criminal court systems.

Prosecution of Accused

Even with knowledge that crime has been committed and with the apprehension of the suspect of that crime, little can be done to prevent an offender from repeating a crime unless he is convicted. This process can occur not only through the use of a trial before a judge or jury, but also through guilty

pleas, which are often brought about through a process of plea negotiation. Little is known about the effect of conviction processes that are presently employed. Study in this area could be aimed at making the conviction process as effective as possible.

Projects

Projects suggested by President's Crime Commission

- a. Establish commissions on judicial conduct with power to discipline or require retirement.
- b. Enact general witness immunity statutes and coordinate immunity grants.
- c. Clarify law regarding wiretapping and eavesdropping.
- d. Establish citizens crime commissions.
- e. Employ voluntary preliminary conference at intake of juveniles.
- f. Adopt consent decree as alternative to adjudication of juveniles.
- g. Increase judicial manpower and modernize physical facilities.
- h. Provide prosecutor's, defense counsel, and probation officers in courts now lacking them.
- i. Develop and share between defense and prosecution dispositional information early in case.
- j. Establish standards for publicity in criminal cases.

- k. Expand pre-trial discovery by defense and prosecution.
- l. Improve selection of judges through better screening.
- m. Provide judicial tenure of at least 10 years.
- n. Narrow juvenile court jurisdiction over noncriminal matters.
- o. Unify felony and misdemeanor courts.
- p. Insure fair and visible negotiated guilty pleas.
- q. Extend prosecution's right to appeal from pre-trial rulings suppressing evidence or confessions.
- r. Institute salary and selection reforms for prosecutors.
- s. Coordinate local prosecutors through State attorneys general and prosecutor's councils.
- t. Assign special prosecutorial manpower to important cases.
- u. Use existing regulatory authority against business controlled by organized crime.
- v. Pool and coordinate crime laboratories.

Projects suggested by the National Council on Crime and Delinquency

- a. Set up business prosecution seminars to explore kinds of information needed by prosecution to initiate or tighten cases against organized crime in business.
- b. Provide interpreters for law enforcement in-court service.

Projects suggested by the Kerner Commission

- a. Prepare comprehensive plans for emergency operation of the judicial system.

- b. Insure fair and individual justice for all in lower criminal court systems.

Projects suggested by the Office of Law Enforcement Assistance

- a. Develop legal and policy guidance manuals for prosecutors and other law enforcement personnel.
- b. Improve and revise police juvenile procedures.
- c. Improve forensic technology capabilities.
- d. Use automated personal appearance data and identification system.
- e. Use senior law students as prosecutors in minor criminal cases.
- f. Produce films on criminal law advocacy in trial work for prosecutors and defense attorneys.
- g. Use multiple unit with closed circuit TV for surveillance.
- h. Employ voice identification techniques.
- i. Study and improve operation and administration of prosecutors and solicitors offices.

Decisions about Post Conviction Treatment of Offenders

Once an offender is convicted a question remains of determining what the best disposition of him is. Should he be put in prison? If so, for how long? Should he be placed on probation or parole? And, once he has been placed in one of those processes, how should decisions be made about when to advance him from prison to probation, when to release him from the control imposed

by parole, or when to change the kind of control imposed on him? Study in this area could be directed towards finding methods for answering these questions and applying them in practice.

Projects

Projects suggested by President's Crime Commission

- a. Establish commissions on judicial conduct with power to discipline or require retirement.
- b. Provide prosecutor's, defense counsel, and probation officers in courts now lacking them.
- c. Develop and share between defense and prosecution dispositional information early in case.
- d. Permit defense counsel broader access to presentence reports.
- e. Improve selection of judges through better screening.
- f. Divide court hearings into adjudicatory and dispositional proceedings.
- g. Revise sentencing provisions of penal codes.
- h. Consider whether to retain capital punishment.
- i. Establish probation services in all courts for presentence investigations of every offender.
- j. Expand sentencing institutes and conferences.
- k. Abolish jury sentencing in noncapital cases.
- l. Institute procedures for promoting just and uniform sentencing.

- m. Strengthen diagnostic and screening resources.
- n. Appoint parole boards solely on basis of merit, providing training and requiring full-time service.
- o. Develop standards and procedures to insure fairness to offenders in decisions affecting them.
- p. Provide power to impose extended sentences on organized crime leaders.
- q. Revise sentencing laws to give adequate flexibility.
- r. Develop statistical aids for sentencing and treatment.
- s. Increase number of probation and parole officers.

Projects suggested by the National Council on Crime and Delinquency

- a. Promote diversified treatment programs, such as group homes, day care centers, guided group interaction and intensive probation as well as diagnostic centers.

Projects suggested by the Kerner Commission

- a. Prepare comprehensive plans for emergency operation of the judicial system.
- b. Insure fair and individual justice for all in lower criminal court systems.

Rehabilitation of Offenders, Delinquents, and Pre-delinquents

One of the frequently stated goals of the criminal justice system is to rehabilitate offenders and delinquents who have been convicted and others who, although they have not been formally convicted of any crime, give strong indication of criminality. Possibly, some in the latter category who have brushes

with the law could be diverted from crime if they were treated effectively at the first brush. In this study area various ideas that might promote this goal of rehabilitation should be explored.

Projects

Projects suggested by President's Crime Commission

- a. Provide separate detention facilities for juveniles.
- b. House and handle persons awaiting trial separately from convicts.
- c. Develop standards and procedures to insure fairness to offenders in decisions affecting them.
- d. Make parole and probation supervision available for all offenders.
- e. Provide for mandatory supervision of released offenders not paroled.
- f. Increase number of probation and parole officers.
- g. Develop new methods to reintegrate offenders by mobilizing community institutions.
- h. Make funds available to purchase services otherwise unobtainable for offenders.
- i. Vary caseload size and treatment according to offender needs.
- j. Develop more intensive community treatment programs as alternative to institutionalization.

- k. Establish with State and federal funds small-unit institutions in cities for community-oriented treatment.
- l. Operate institutions with joint responsibilities of staff and inmates for rehabilitation.
- m. Upgrade education and vocational training for inmates.
- n. Establish State programs to recruit and train instructors for inmates of correctional facilities.
- o. Improve prison industries through joint State programs and federal assistance.
- p. Expand graduated release and furlough programs.
- q. Integrate local jails and misdemeanor institutions with State corrections.
- r. Provide separate treatment to special offender groups, through pooling or sharing among jurisdictions.
- s. Establish civil detoxification centers.

Projects suggested by the National Council on Crime and Delinquency

- a. Provide group homes or foster homes for children who need emergency care.
- ~~b.~~ Provide family services to children in their own homes to avoid referral to court or placement in institutions.
- ~~c.~~ Support development by school administrations of school workers and counsellors.
- ~~d.~~ Involve teenagers in helping local health and social agencies identify potential school dropouts and provide work study programs to encourage them to continue in school.

- e. Establish programs to train and guide dropouts into jobs.
- f. Create peer leadership groups for delinquency prevention.
- g. Organize boys club.
- h. Involve youth in informing people of available public services.
- i. Provide teacher aides.
- j. Organize volunteer street workers.
- k. Create police youth councils.
- l. Promote development of family courts.
- m. Provide clergy counseling program to juvenile courts.
- n. Promote medically oriented treatment for drug addicts.
- o. Develop a pilot youth services bureau.
- p. Promote diversified treatment programs, such as group homes, day care centers, guided group interaction and intensive probation as well as diagnostic centers.
- q. Develop programs to help people with criminal records obtain bonds when jobs require them.
- r. Educate public to accept half-way houses in their community.
- s. Provide volunteer teachers in correctional institutions.
- t. Provide volunteer aides to work with probation workers, particularly as big brothers and big sisters to juveniles.
- u. Provide man-to-man sponsorship programs--community members sponsoring an offender.
- v. Encourage and assist correctional institutions in developing inmate publications.

- w. Give assistance from business and trade associations to suggesting relevant industrial programs for correctional institutions.
- x. Seek job openings available for work release prisoners.

Projects suggested by the Office of Law Enforcement Assistance

- a. Place juvenile officers in junior high schools.
- b. Establish residential treatment facilities for juvenile offenders.
- c. Establish professionally directed community oriented probation services for misdemeanor offenders.
- d. Establish and operate detoxification facilities for persons appearing in public as drunks.
- e. Establish and operate crime and delinquency prevention unit for pre-delinquent youth and their families.
- f. Formulate changes to increase parole agency effectiveness based on analysis of critical factors effecting the success of adult parolees.
- g. Produce and distribute film on jail and misdemeanor to stimulate public concern about constructive treatment programs.
- h. Rehabilitate misdemeanor offenders using intensive testing and counseling.
- i. Develop mathematical models of the probation process including computerized prediction of probation success.

- j. Give training in treatment of narcotics offenders.
- k. Use volunteer and salaried sub-professionals in adult probation services to involve persons from poverty neighborhoods, senior citizens and rehabilitated ex-offenders.
- l. Provide units to include counseling, guidance, basic education, vocational technical training, etc., for inmates.

Custody and Maintenance of Offenders

As a prerequisite to rehabilitation and in order to accomplish any incapacitation of an offender, the criminal justice system must maintain control over him, and in some circumstances, maintain his existence. Examples of this control of offenders include, of course, his imprisonment, but also include watching over him through the use of probation and parole techniques. This area would call for the exploration of means of improving the effectiveness of this control of offenders.

Projects

Projects suggested by the President's Crime Commission

- a. Analyze the long-range needs for adult detention facilities.
- b. Improve medical services for correctional institutions.

Deterrence and Suppression of Crime

In this area, possibilities should be explored that would make more effective the suppressive effect of police operations and the deterrent threat that is believed to be presented by the spectacle of the criminal process in

operation. The examination could include consideration of questions such as these: How can the deterrent threat be most effectively presented to potential offenders? Towards what types of criminals and crimes can a deterrent threat be most effectively presented?

Projects

Projects suggested by President's Crime Commission

- a. Increase news coverage on organized crime.
- b. Brief local government officials regularly on organized crime.
- c. Experiment with team policing combining patrol and investigative duties.

Projects suggested by the National Council on Crime and Delinquency

- a. Have business and trade associations conduct information and training seminars for memberships to protect against organized crime tactics.
- b. Provide specialized training for crime reporters.
- c. Develop neighborhood councils to plan in a broad range of local problems, but focusing on police-community relations.
- d. Have police encourage and help train citizen action groups to study neighborhood problems and mobilize support and resources.

Projects suggested by the Kerner Commission

- a. Distribute patrol officers in accordance with actual need for their presence.

Projects suggested by the Office of Law Enforcement Assistance

- a. Use motor scooters in patrol and tactical operations.
- b. Provide routine police patrol by helicopter.
- c. Develop and experiment with new technique for allocating police patrol manpower.
- d. Determine community tension and violence potential through measurement techniques.
- e. Use random police car patrol to reduce response time and increase probability of police presence in prevention and apprehension.

Control of Mass Civil Disorders

A duty that has been thrust upon some agencies in the criminal justice system is the control and suppression of riots and mass civil disturbances. Although this function can be seen to some extent as a particular application of the functions of apprehension, adjudication, and so on, there is a need to control such disorders regardless of whether any apprehension and adjudication takes place as part of the same operation. This area calls for the study of various projects to improve the capacities to control these disorders.

Reducing Opportunities for Crime

This area invites projects for hardening the targets of crime--removing keys from cars, installing protective devices at commercial establishments, and providing lighting in areas where crimes might otherwise occur.

ProjectsProjects suggested by President's Crime Commission

- a. Include police formally in community planning.

Projects suggested by the National Council on Crime and Delinquency

- a. Promote neighborhood citizen action programs including teenagers.
- b. Have business and trade associations conduct information and training seminars for memberships to protect against organized crime tactics.
- c. Attempt to determine and implement the most effective methods of preventing shoplifting and employee crime through action by the commercial victims.
- d. Conduct public education campaign to permit homeowners to minimize the risk of their homes being burglarized.
- e. Have police encourage and help train citizen action groups to study neighborhood problems and mobilize support and resources.

Projects suggested by the Office of Law Enforcement Assistance

- a. Employ municipal crime control and property security codes.
- b. Give crime prevention programs for owners, managers and employees of local businesses.
- c. Conduct campaign to reduce auto theft and burglaries through citizen education.

Easing Consequences of Victimization

Inevitably some people become the victims of crime. Although this is undesirable, in some cases the most that can be done is to attempt to alleviate in some way the hardships that result. Among the possibilities that could be explored are improvements in the recovery and return of criminally obtained property, the provision of assistance to meet the physical and physiological needs of victims of crime, and the provision of financial assistance to the victims of crime.

ProjectsProjects suggested by the President's Crime Commission

- a. Provide effective victim compensation programs.

Public Concern About Crime

One of the striking features about the effect of crime today is the fear it seems to have aroused in people's minds. In this area could be explored possibilities for restoring to the citizens some of the ease of mind destroyed by fear.

ProjectsProjects suggested by President's Crime Commission

- a. Establish citizens crime commissions.
- b. Increase news coverage on organized crime.

Projects suggested by the National Council on Crime and Delinquency

- a. Promote neighborhood citizen action programs including teenagers.

Public Attitudes Towards the Criminal Justice System

Many are concerned about what they feel is a growing "disrespect for law and order." Efforts in this area could be aimed towards discovering public attitudes towards law and the criminal justice system and towards determining what effective and acceptable means could be applied to improve these attitudes.

ProjectsProjects suggested by President's Crime Commission

- a. Increase news coverage on organized crime.
- b. Employ more effective command-and-control systems.
- c. Provide adequate procedures for processing citizen grievances against all public officials.
- d. Improve facilities and compensation for witnesses and jurors.

Projects suggested by the National Council on Crime and Delinquency

- a. Institute educational programs for children in the schools relating to crime and law.
- b. Develop neighborhood councils to plan in a broad range of local problems, but focusing on police-community relations.
- c. Have police encourage and help train citizen action groups to study neighborhood problems and mobilize support and resources.
- d. Encourage teenage groups to formulate position papers on juvenile rights in non-criminal issues.

Projects suggested by the Kerner Commission

- a. Establish effective grievance response mechanisms.
- b. Reassign officers with bad reputations among the residence of his presently assigned territory.
- c. Enforce policy that is standard of all enforcement is the same in ghetto areas as in other communities and that complaints and appeals from ghetto be treated with the same urgency as others.
- d. Create a specialized agency apart from other municipal agencies to handle, investigate and make recommendations on citizens complaints.

Projects suggested by the Office of Law Enforcement Assistance

- a. Place juvenile officers in junior high schools.
- b. Provide junior high curriculum to assist students in understanding law enforcement.
- c. Assign policemen to work with junior high and elementary schools.
- d. Produce and distribute film on jail and misdemeanor to stimulate public concern about constructive treatment programs.

Efficiency and Economy in the Criminal Justice System

Like any other operation, the various agencies operating within the criminal justice system can be served by good management. This can result

not only in a changed method of performance of functions, but also in continuing the same performance more efficiently, with less cost and effort. This area calls for exploration of some of the applications of management skills which might benefit the criminal justice system.

ProjectsProjects suggested by President's Crime Commission

- a. Pool and coordinate crime laboratories.
- b. Undertake studies in police departments of crimes, arrests, and operations.
- c. Undertake experiments to improve procedures for manpower allocation.
- d. Increase judicial manpower and modernize physical facilities.
- e. Provide judicial tenure of at least 10 years.
- f. Unify felony and misdemeanor courts.
- g. Divide functions and personnel entry and promotion lines among three kinds of officers.
- h. Strengthen central staff control.
- i. Create administrative boards of key ranking personnel in larger departments.
- j. Pool and coordinate crime laboratories.
- k. Explore pooling or consolidation of law enforcement in all counties or metropolitan areas.

- l. Create single, unified State court systems.
- m. Centralize administrative responsibility for courts.
- n. Institute timetable for completion of criminal cases.
- o. Utilize experts in business management and business machine systems.
- p. Improve facilities and compensation for witnesses and jurors.
- q. Use volunteers and subprofessional aides.
- r. Support operations research staffs in large criminal justice agencies.
- s. Organize research units in criminal justice agencies.

Projects suggested by the National Council on Crime and Delinquency

- a. Consider the need for consolidation of police departments.
- b. More effectively use present police personnel.
- c. Provide volunteer auxiliary police.

Projects suggested by the Office of Law Enforcement Assistance

- a. Develop police planning and development bureau.
- b. Make studies to describe policing and crime patterns in selected areas.
- c. Identify management problems in police departments and reorganize to meet those problems.
- d. Augment law enforcement effectiveness through contacts, communications and coordination with other agencies.
- e. Develop and experiment with new technique for allocating police patrol manpower.

- f. Consolidate police services of some kind.
- g. Study court operations to determine points of delay and possible improvements.
- h. Consolidate law enforcement services.
- i. Develop mathematical models of the probation process including computerized prediction of probation success.
- j. Use volunteer and salaried sub-professionals in adult probation services to involve persons from poverty neighborhoods, senior citizens and rehabilitated ex-offenders.
- k. Study and improve operation and administration of prosecutors and solicitors offices.

Movement and Control of Motor Vehicles

Many of the duties performed by agencies in the criminal justice system are not performed in response to violations, or threats of violations, of the criminal law. The problems of controlling motor vehicles probably are foremost among these functions. Criminal justice agencies become involved not only in enforcing laws which are directed to the regulation of the operation of motor vehicles, but also in performing various other functions such as directing traffic and regulating parking. Law enforcement agencies may also be involved in providing emergency road services, undertaking weather emergency procedures, identifying and reporting congestion points, investigating accidents, participating in driver training, giving educational programs, and

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inspecting vehicles. Investigations in this area could be directed to discovering means for effectively providing these services.

Projects

Projects suggested by the National Council on Crime and Delinquency

- a. Provide volunteer auxiliary police.

Provision of General Services for the Public and Government

Another area of activity by criminal justice agencies is the provision of various public services not directly related to the criminal law. Some of the services are provided during emergencies, both public emergencies such as power failures, floods and fires, and the individual emergencies of people who are injured, locked out of their homes, or in some other kind of difficulty. Other services include searching for missing persons and recovery of lost property. Some criminal agencies also provide services to the government. Law enforcement agencies, for example, might serve as drivers or escorts for other governmental officials, and correctional institutions often, for example, maintain roads or manufacture license plates. Means for effective provision of these general services could be explored in this area.

Projects

Projects suggested by President's Crime Commission

- a. Narrow juvenile court jurisdiction over noncriminal matters.

Projects suggested by the National Council on Crime and Delinquency

- a. Provide volunteer auxiliary police.

- b. Develop neighborhood councils to plan in a broad range of local problems, but focusing on police community relations.

Projects suggested by the Office of Law Enforcement Assistance

- a. Establish services to provide help to people with domestic, social, legal and financial problems referred to law enforcement officers.
- b. Provide special units to respond to family disturbance complaints.

Maintenance of Public Order

The criminal justice system in general, and law enforcement agencies in particular, have many duties based on the need for maintaining public order even when the disturbances of public order are not substantial violations of criminal law. This maintenance of order may take the form both of controlling crowds at public events and of dealing with minor disturbances and nuisances such as private quarrels, loud parties, and public drunkenness. Explorations in this area could be directed to the development of projects which would make more effective the maintenance of public order performed by criminal justice agencies.

Projects

Projects suggested by President's Crime Commission

- a. Establish civil detoxification centers.

Projects suggested by the National Council on Crime and Delinquency

- a. Provide volunteer auxiliary police.

- b. Develop projects such as the use of detoxification centers to divert drunks from misdemeanor courts.

Projects suggested by the Office of Law Enforcement Assistance

- a. Establish and operate detoxification facilities for persons appearing in public as drunks.
- b. Provide special units to respond to family disturbance complaints.
- c. Handle destitute alcoholics on a voluntary non-arrest basis including street assistance, detoxification treatment and referral services.

Dealing with Regulatory and Civil Matters

Many activities of criminal justice agencies are directed to performing functions called for by regulatory or civil law rather than by criminal law. Law enforcement agencies, for example, often participate in health inspections, safety inspections, and regulation of some kinds of businesses, while courts themselves, of course, devote a major part of their effort to the adjudication of civil cases. In addition, some duties on the fringes of civil law are performed by criminal justice agencies, such as the transportation of those who have been civilly committed. Explorations in this area could be aimed toward the discovery of more effective ways for these matters to be dealt with.

Recruitment

The recruitment of the personnel who work within the criminal justice system is an area which cuts across the various functions which are performed in the criminal justice system. Recruitment might be based on recognition of the functions of the criminal justice agencies and be aimed at obtaining for those agencies the people who are most capable of performing those functions effectively. In this area, consideration could be given to ways to achieve effective recruitment.

Projects

Projects suggested by President's Crime Commission

- a. Divide functions and personnel entry and promotion lines among three kinds of officers.
- b. Increase police salaries, especially maximums, to competitive levels.
- c. Consider police salaries apart from those of other municipal departments.
- d. Recruit more actively, especially on college campuses and in inner cities.
- e. Encourage lateral entry to specialist and supervisory positions.

Projects suggested by the Kerner Commission

- a. Use incentives if necessary to attract outstanding officers for ghetto positions.

Projects suggested by the Office of Law Enforcement Assistance

- a. Have special programs to qualify disadvantaged persons for police service.
- b. Improve recruiting methods and practices.

Selection

Closely related to recruiting is the need to choose those to be hired from among those who are available. This need calls for the discovery of the types of individuals who are best suited to work in the criminal justice system and for the development of means to select those individuals.

ProjectsProjects suggested by President's Crime Commission

- a. Require immediately baccalaureate degrees for supervisory positions.
- b. Set as goal requirement of baccalaureate degree for general enforcement officers.
- c. Improve screening of candidates to determine character and fitness.
- d. Modify inflexible physical, age, and residence recruitment requirements.
- e. Stress ability in promotion.
- f. Require 12-18 months' probation and evaluation of recruits.
- g. Establish police standards commissions.

Projects suggested by the Kerner Commission

- a. Develop screening procedures to assure the assignment of officers with superior ability and sensitivity to minority group areas.

Projects suggested by the Office of Law Enforcement Assistance

- a. Establish standards for selection of patrolmen.

Training

This area is another that cuts across functional lines, and, like recruitment and selection, can be directed towards the proper performance of all of the functions performed by people who work in the criminal justice system. Methods for improving the scope, availability, and effectiveness of training could be explored in this area.

ProjectsProjects suggested by President's Crime Commission

- a. Expand programs for training judges.
- b. Expand training programs for defense counsel.
- c. Establish programs for training prosecutors.
- d. Require minimum of 400 hours of training.
- e. Improve training methods and broaden coverage of non-technical background subjects.
- f. Require 1-week yearly minimum of intensive in-service training and encourage continued education.
- g. Establish police standards commissions.

Projects suggested by the Office of Law Enforcement Assistance

- a. Hold workshops to exchange successful ideas for programs directed against burglary, robbery and other theft.
- b. Hold supervisory and command training courses.
- c. Present closed circuit TV lecture-discussions series.
- d. Have management seminar for large city police chiefs.
- e. Have professionally staffed mobile training units for basic and supervisory courses for police.
- f. Have police training programs on statewide open-circuit educational TV.
- g. Have small group training on community relations for both police and citizens.
- h. Develop manuals on policy and legal questions for use in training.
- i. Hold training institutes for correctional administrators.
- j. Provide training programs for middle management correctional personnel.
- k. Give police recruits specialized training regarding the adolescent.
- l. Produce films on criminal law advocacy in trial work for prosecutors and defense attorneys.

Education

There seems to be a growing interest in the possibility of providing men with educational degrees as employees within the criminal justice system.

This area would call for investigations of the types of education which might meet the needs of criminal justice system personnel and of ways in which this education could be made practically available.

Information and Communication

This area calls for an examination of communication and information needs for both the operation of the agencies within the criminal justice system and for evaluation, planning, and research in the operations of the criminal justice system.

ProjectsProjects suggested by President's Crime Commission

- a. Employ more effective command-and-control systems.
- b. Develop police radio networks.
- c. Establish criminal information systems.
- d. Provide areawide communications and records coordination.
- e. Establish criminal information systems.
- f. Require metropolitan areas to coordinate requests to FCC for additional frequencies.
- g. Make greater use of multichannel radio trunks.
- h. Consider allocating portions of TV spectrum to police use.

Projects suggested by the National Council on Crime and Delinquency

- a. Modernize police communications systems.

Projects suggested by the Office of Law Enforcement Assistance

- a. Modernize and integrate existing local records and data systems.

- b. Design effective police communication systems.
- c. Improve report and record keeping operations including access to operational information.
- d. Develop non-computerized data processing system for small police departments.
- e. Increase police radio communication transmission capacity.
- f. Employ mobile radio teleprinter equipment.

Technical Support

This area suggests consideration of the assistance that should be available to agencies within the criminal justice system to help them in performing specialized tasks necessary for the performance of their ongoing functions, but required so infrequently as to not justify maintaining the capacity to perform those by any one of those agencies.

Projects

Projects suggested by President's Crime Commission

- a. Obtain assistance for smaller departments in major investigations.
- b. Provide State assistance for management surveys.
- c. Expand research.
- d. Sponsor science and technology research and development program.
- e. Coordinate establishment of equipment standards.

- f. Provide technical assistance to criminal justice agencies.
- g. Support scientific and technological research in research institute.
- h. Give public and private support to criminal research institutions in various parts of the country.
- i. Expand research efforts of universities, foundations, and other private groups.

Projects suggested by the National Council on Crime and Delinquency

- a. Create programs to loan executives and experts to police to improve operations.

Appendix E
 Organization of a Hypothetical Local Planning Unit

APPENDIX E

Organization of a Hypothetical Local Planning Unit

Participants in the Planning Unit

Greenhall County		pop. 86,000
City of Greenhall*	pop. 70,000	
Olson County		46,000
Drexel*	18,000	
Legion	8,500	
Bloom	10,500	
Hatry County		28,000
Trubow*	6,500	
Rose City	6,000	
Racville	3,000	
Brusar	2,500	

*County seat

Resources of the Area

The area is one of mixed agriculture and industry, with two colleges, a large state-supported one in Greenhall and a smaller private college in Drexel. Greenhall is the commercial center of the area. Each of the listed municipalities has a police department and each county has a sheriffs' department. There is a county jail at each county seat.

Organization of the Planning Effort

The Policy Board. The policy board is composed of the three sheriffs, representatives from four of the police departments, one city manager, one county manager, the district solicitor, a probation officer, a district court judge, and three citizens not employed by the government.

The policy board has an executive committee composed of one of the sheriffs, one of the police representatives, the city manager, and one of the citizens. The executive board consults with the project director on an ad hoc basis.

Project Director. The largest town in the region made available its assistant city manager to devote one-third of his working time to act as project director of the planning effort (which amounted to serving in a staff capacity to the policy board and performing the administrative duties associated with the planning effort).

Assistants to Project Director. The project director immediately made arrangements for three police officers from the three largest towns in the planning area to serve as assistants to him in his planning duties, primarily to assist in gathering information.

Study Committees. The policy board and project director organized four study committees initially. One was a committee on "Apprehension and Suppression." This committee was charged with making recommendations and developing projects to improve the detection and apprehension of suspects, the pre-arrest contacts with suspects and decisions not to arrest them, the deterrence and suppression of crime, and the control of mass civil disorders. Its membership was three police and sheriffs officers, a defense lawyer, and the president of a local bank. The latter served as chairman of the committee.

Another committee was formed on the subject "The Criminal Justice System and the Public." It was intended to study reporting of crime by the public, public attitudes about crime and the criminal justice system, and

possibilities for reducing opportunities for crime and easing the consequences to victims of crime. Its members were two police and sheriffs officers, a city planner, a local doctor, and a minister. The latter served as chairman.

A committee was formed to study "Management and Services Performed by Police." The subject of its efforts were efficiency and economy in the criminal justice system, the movement and control of motor vehicles, provision of general services by law enforcement agencies, maintenance of public order, dealing with regulatory matters, and recruitment and selection. Its members were a police chief, a sheriff, a city manager, a public administration specialist from one of the colleges, and a vice-president from a locally-based industry. The latter served as chairman.

A committee on "Community Based Rehabilitation" was formed to consider possibilities for local efforts to improve the rehabilitation of offenders, delinquents, and potential delinquents. Its members were a police officer, a president of a local company, a probation officer, a retired executive and two leading civic-minded women. One of the latter was chairman.

Staff Assistance for Committees. The project director arranged part-time staff assistance for each of the committees. A student from a graduate school at Greenhall University was hired to help the volunteer assistance of a local housewife who had worked in a staff research position in industry. The employers of the public administration teacher and the industry vice president on the committee on management agreed that each could spend part of his working day on committee work, so they staffed their own committee. Staffing for the committee on community based rehabilitation consisted of some local

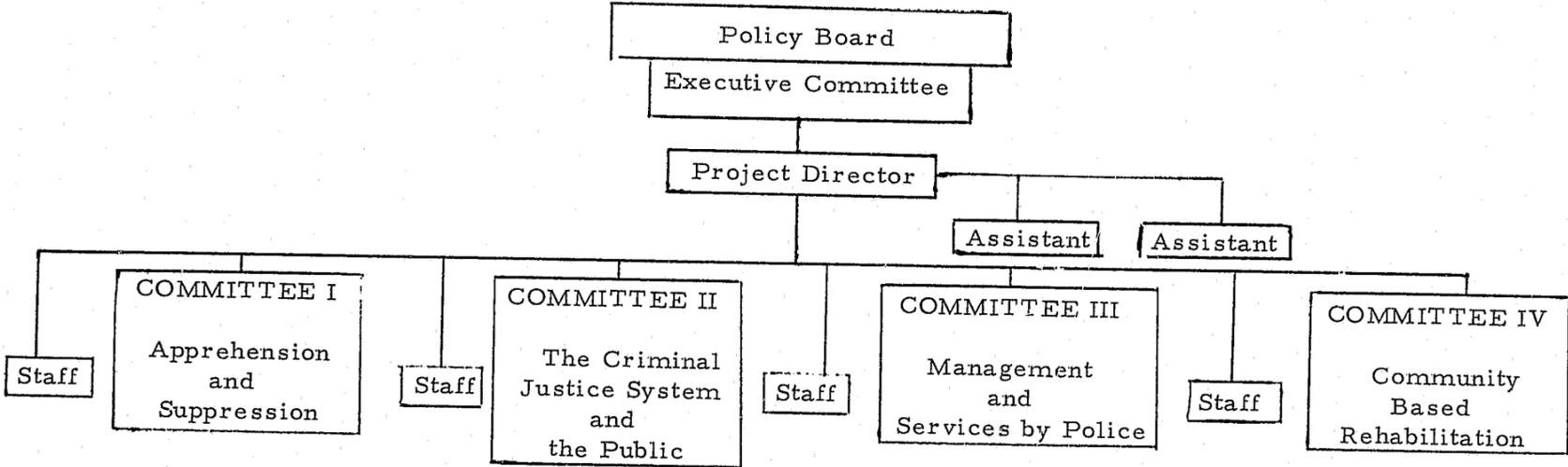
women performing assignments on special request and of a sociology student working part-time on a volunteer basis.

A chart depicting this organization appears on the following page.

Use of Planning Funds

For the first fifteen months, this planning unit was entitled to about \$8,500 for planning from the Governor's Committee on Law and Order. Some of that was used for out-of-pocket administrative costs and for the relatively slight expense of staff assistance for the committee on apprehension and suppression. The bulk of those funds, however, were held in reserve for the use of consultants and the conduct of special studies. Tentatively it appeared that the uses might include, for example, an opinion survey within the planning area to determine public attitudes about various crimes and about the criminal justice system study, for studies for the improvement of the command and control facilities for police departments operating within the planning area, and for the hiring of consulting assistance in defining the development of projects which the local planning unit decides to pursue and in devising measures of the effectiveness of those projects.

Organization of the Planning Effort



END