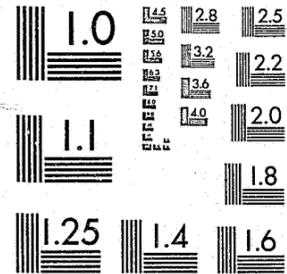


National Criminal Justice Reference Service



This microfiche was produced from documents received for inclusion in the NCJRS data base. Since NCJRS cannot exercise control over the physical condition of the documents submitted, the individual frame quality will vary. The resolution chart on this frame may be used to evaluate the document quality.



MICROCOPY RESOLUTION TEST CHART  
NATIONAL BUREAU OF STANDARDS-1963-A

Microfilming procedures used to create this fiche comply with the standards set forth in 41CFR 101-11.504.

Points of view or opinions stated in this document are those of the author(s) and do not represent the official position or policies of the U. S. Department of Justice.

National Institute of Justice  
United States Department of Justice  
Washington, D. C. 20531

8/14/85

U.S. Department of Justice  
National Institute of Justice

97112

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by

Maryland Criminal Justice Coordinating Council

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

97112



## STATISTICAL ANALYSIS CENTER BULLETIN

### MARYLAND'S REPEAT OFFENDER PROGRAM EXPERIMENT (ROPE): RESEARCH AND OPERATIONS

CR-Sent 9/7/12  
6-10-85

#### Introduction

In June 1980, the Maryland Criminal Justice Coordinating Council<sup>1</sup> adopted four justice issues for priority attention. One priority was the repeat offender, and a Task Force on Repeat Offenders, chaired by Baltimore County Police Chief Cornelius J. Behan, was formed to examine the issue and recommend a plan of action.

Following an extensive literature search<sup>2</sup> and an examination of the repeat offender problem in Maryland and nationally, the Task Force concluded that: (1) a small number of offenders accounts for a substantial percentage of offenses committed nationally, (2) Maryland's repeat offender problem appears to be similar to that of other states across the nation, and (3) there were no conclusive findings as to the overall effectiveness of so-called "career criminal" programs. In response to these and other findings, the Task Force developed a program called the Repeat Offender Program Experiment (ROPE), which was subsequently endorsed by the Criminal Justice Coordinating Council in January 1982. ROPE's goal is to incapacitate repeat offenders through the improvement of all aspects of criminal and juvenile justice processing. Its rationale and principal features were outlined in *Repeat Offender Program Experiment (ROPE): Guidelines and Programmatic Alternatives*,<sup>3</sup> which formed the centerpiece for the First National Conference on Repeat Offenders, held at College Park, Maryland in October 1982. Local ROPEs are now in place in five Maryland subdivisions: Baltimore City and Anne Arundel, Baltimore, Howard, and Montgomery Counties.

The purpose of this monograph is

#### ACQUISITIONS

to describe ROPE, repeat offender research in the subdivisions, and the five individual programs that have been developed.

#### Principal Features of ROPE

*Systemwide Coordination.* Early in its study, the Repeat Offender Task Force found that traditional "career criminal" programs were generally housed only in one agency, usually the prosecutor's office. As a result, repeat offenders, although targeted by one justice agency, were not necessarily a priority for other justice agencies. The Task Force determined that systemwide and systematic coordination and cooperation among all criminal and juvenile justice agencies are essential to target and incapacitate repeat offenders. On the other hand, the Task Force did not believe this could result from a single, Statewide directive mandating one particular program for all subdivisions.

Instead, ROPE as devised by the Task Force provides only a framework for a program whose actual substance is determined by each subdivision. This allows each subdivision to focus on its particular repeat offender problem and develop a program responsive to its needs and resources. ROPE's framework is a series of six objectives, which the subdivisions addressed in designing the local ROPEs. These objectives include the following:

- to improve repeat offender identification, apprehension, and adjudication;
- to improve repeat offender conviction and/or finding of delinquency;
- to improve repeat offender sentencing and disposition;
- to improve correctional and treatment programs for repeat of-

fenders;

- to improve the timeliness and availability of information about repeat offenders; and
- to assure that the developed ROPE program can meet legal challenges.

A Repeat Offender Steering Council was created in each of the five subdivisions to plan strategies to meet these objectives. The Steering Councils, which are continuing to meet, are composed of representatives of all State and local agencies in each subdivision that have responsibility for repeat offender processing: law enforcement, prosecutors, public defenders, courts, corrections, parole and probation, and juvenile authorities. This planning methodology, and assistance by local criminal justice coordinators, fulfilled the Task Force's recommended systemwide, coordinated approach at the local level. Additional cooperation from State-level agencies enhanced the planning effort.

*Executive Support.* Systemwide coordination is new to a system traditionally fragmented and not change-oriented. Therefore, top executive support is a prerequisite to achieving the changes necessary to strengthen and improve the formal and informal links among State and local agencies targeting repeat offenders. Maryland's Governor and the Chief Executives of the five participating subdivisions pledged their firm commitment to ROPE, as did the State Secretary of the Department of Public Safety and Correctional Services (DPSCS) and the Director of the Juvenile Services Administration (JSA).

*Information-Sharing.* To incapacitate repeat offenders successfully, the requisite coordination among involved agencies must be supple-

mented by timely and accurate information-sharing. This is one aspect of ROPE that is shared by all five ROPE operations.

**Reallocation of Resources.** Apart from uniformly enhanced information-sharing, however, the five local ROPEs are characterized by different definitions of repeat offenders (discussed below) and differing processes of interaction and coordination among agencies because of the flexibility allowed in meeting general ROPE objectives. This latitude in program design is necessary because no new funds accompanied the implementation of the local ROPEs. Each subdivision has therefore adjusted its internal resources to accommodate the changes and innovations required by the ROPE concept. Because the Task Force recommended that the repeat offender population targeted by each subdivision be kept small (by means of the criteria used in each repeat offender definition), an undue burden on existing resources could be avoided.

**Planning Time.** An integral part of ROPE's design was the provision of sufficient planning time. The Task Force wished to avoid any rush to implement ROPE without adequate investigation of the repeat offender problem and the potential responses to it. For this reason, participating subdivisions were given six months to a year to plan thoroughly for the implementation of their ROPEs: to research the current local repeat offender population; to determine the definition by which repeat offenders would be identified; to determine the size of the target population so identified; and to specify new policies and procedures or to amend those existing in order to facilitate repeat offender processing.

#### Planning Local ROPEs: Research

Small, one-time planning grants were awarded by the Maryland Criminal Justice Coordinating Council in June 1982 to the five sub-

divisions that agreed to develop local ROPEs. All subdivisions used the planning grants to study the local repeat offender problem and to assist the Repeat Offender Steering Council in formulating appropriate and comprehensive ROPEs.<sup>4</sup>

**Anne Arundel County.** Results of the ROPE planning research in Anne Arundel County substantiated national findings that a small group of juvenile offenders commits a large proportion of the total crime. The consultant to the Anne Arundel County Repeat Offender Steering Council found that 9% of all juvenile delinquents in the County were responsible for 40% of all police-juvenile contacts.<sup>5</sup>

Focusing on the identification and description of chronic<sup>6</sup> and non-chronic juvenile offenders, the consultant studied a birth cohort of 6,157 males, born in the County between 1961 and 1964, who had at least one police contact prior to their eighteenth birthdays. A sample of 562 individuals, divided evenly between chronics and non-chronics, was then selected and analyzed to determine factors that predict repeated police contact.

Findings by the consultant included the following:

- Chronic juvenile offenders commence delinquent activity at an earlier age than non-chronic offenders. A majority of chronic offenders (58.1%) were 14 years of age or younger at the time of their first police contact; only 29.3% of the non-chronic delinquents were age 14 or younger.
- Chronic juvenile offenders are more likely to commit Index offenses<sup>7</sup> than non-chronic offenders: 68.1% of the chronic delinquents committed Index offenses as their first offense, compared with 48.4% of the non-chronics.
- Despite the differences cited above, chronics and non-chronics did not receive significantly different JSA and juvenile court dispositions after their first police contacts. Roughly the same proportion of each group received formal probation, informal pro-

bation (or dismissal), or waivers (or commitment).<sup>8</sup>

- After the third contact, significantly more chronic offenders than non-chronic offenders received dispositions of informal probation or dismissal for Index and non-Index offenses combined (68% of the chronics versus 54% of the non-chronics). Moreover, proportionally more non-chronic offenders whose third police contacts were for an Index offense were waived to adult court than chronic offenders in the same situation (21.9% and 10%, respectively).
- Almost twice as many chronic juvenile offenders (44%) as non-chronic juvenile offenders (23%) were arrested as adults at ages 18-22, which suggests that juvenile records may be useful in identifying young adult repeat offenders.
- Indicators found to predict repeat offending in the study sample include severity of offense, number of prior police contacts, age at first contact, drug or alcohol history, and prior waiver or institutionalization.

The research emphasized the importance of accurate and complete juvenile data for the early identification of chronic delinquents. The County has used these findings to develop a program, complementing ROPE, which will provide treatment for "pre-chronic" juveniles.

**Baltimore City.** The Baltimore City ROPE initiative concentrated on information system development. As a result of an assessment of the quality of criminal history data in 200 State's Attorney's files, the consultant identified specific problems with each justice agency's criminal history record systems, and with procedures for tracking defendants through the system.<sup>9</sup> The consultant found the following:

- Sixty percent of the sample files were missing one or more kinds of rap sheets (i.e., Baltimore Police Department [BPD] rap sheets and/or FBI rap sheets).
- The rap sheets, where available, (please turn to page 3)

were themselves often lacking dispositions: of the charges listed on 154 BPD rap sheets reviewed, 49% showed no disposition; dispositions were also missing from 58% of the charges in 155 FBI rap sheets surveyed.

- Even when dispositions were included, many were of questionable validity (i.e., conflicting dispositions from various information sources for the same charge).
- As a result of these findings, a justice information systems users group was formed which will act as the City's planning mechanism for the future development of justice information systems.

**Baltimore County.** Baltimore County's ROPE planning study involved two phases: a research study of the repeat offender problem based on information from case files, and a series of interviews and surveys of criminal and juvenile justice officials in the County and State.<sup>10</sup>

The research phase involved an analysis of a sample of 255 adults and 281 juveniles arrested for "serious offenses"<sup>11</sup> in 1980. Findings included the following:

- According to Maryland's Subsequent Offender Statute (Article 27, section 643B),<sup>12</sup> eleven individuals in the adult arrestee sample met the prior record criteria established by section 643B, but only six of the eleven were found guilty in the instant case. Extrapolating these findings to the entire population of offenders in the County, the consultant estimated that approximately 45 repeat offenders would qualify annually for 643B processing under the County's ROPE.
- Of the adult arrestee sample, 56% of the cases were nolle prossed, dismissed, stetted, found not guilty, or given probation before judgment.
- Of the 18 to 20 year olds in the adult arrestee sample, 68% had had prior delinquency referrals and 44% had had three or more such referrals. Young adult arrestees with one or more violent crime convictions were more likely

than young adults without prior convictions to have had their first juvenile referral before age 14.

- Juvenile records were far less complete than the adult records; charge information was not always clear and disposition data were frequently missing.

Combining information from the research and interview phases of the project, the consultant and the County's Repeat Offender Steering Council developed the following systemwide goals for targeting and incapacitating repeat offenders: earlier identification of repeat offenders; more convictions for charges of crimes of violence; more 643B mandatory sentences imposed; more section 441(e)<sup>13</sup> juvenile cases handled formally; and closer supervision of 643B and 441(e) parolees and probationers.

**Howard County.** The Howard County consultant did not research the County's repeat offender population historically, but concentrated instead on improving the information flow among involved agencies by creating a "live" data base with which to track current repeat offenders. The consultant then assisted the County's Repeat Offender Steering Council in devising its local ROPE.

**Montgomery County.** Reviewing the rap sheets of a sample of 63 adult defendants prosecuted either by the State's Attorney's Major Offender Bureau (MOB) or its Burglary Unit, the Montgomery County consultant estimated the rates at which repeat offenders in the County committed offenses.<sup>14</sup> The consultant then compared those rates to national estimated rates and, by adjusting arrest rates to reflect other factors, reported the following:

- Sample offenders averaged 1.3 arrests per year on the street.
- Offenders prosecuted by the MOB committed an average of 17 "serious offenses"<sup>15</sup> annually; persons prosecuted by the Burglary Unit averaged 19 serious offenses annually. The average annual number of serious offenses

committed by the total sample was 17.8.

- The offense estimates for Montgomery County were higher than estimates based on interviews with California inmates<sup>16</sup> or on District of Columbia arrestees.<sup>17</sup>
- Young adult offenders in the sample committed crimes with greater frequency than older offenders. Defendants who were arrested at least once a year committed an average of 42 crimes and were, on average, 24 years old. Those arrested less than once a year averaged 14 crimes per year and had an average age of 29.
- Adult repeat offenders in the sample had characteristics matching those of repeat offenders described in other studies. Sample repeat offenders were likely to have histories of drug use and unemployment and tended to commit a variety of offenses, rather than specialize in one type.

As with other ROPE subdivisions, the Montgomery County consultant discovered that disposition information was often missing from rap sheets; there was a need to improve information-sharing methods among the subdivisions; and prosecutors could benefit from the routine use of juvenile records.

The consultant concluded by recommending that the State's Attorney modify the repeat offender targeting strategy to focus more attention on prior record and less on instant offense, and to make decisions based on the number and frequency of prior arrests rather than simply focusing on the number of prior convictions.

#### Local ROPE Definitions and Target Populations

Although the Repeat Offender Task Force had devised its own adult and juvenile repeat offender definitions, the Repeat Offender Steering Councils were encouraged to develop independent definitions that reflected the scope of their repeat offender problems as revealed by their research. The wide variety of

**TABLE I: ROPE DEFINITIONS**

Subdivision	Adult Repeat Offender	Juvenile Repeat Offender	Estimated Target Population
Anne Arundel County	Adult with at least 2 prior convictions and "significant" time spent incarcerated. Consideration is also given to age (maturity) and emphasis is on 643B* crimes of violence and major felonies.	Juvenile having 5 or more prior "police contacts."	Adult and Juvenile: 50/year
Baltimore City	Adult with one prior conviction for a 643B* crime of violence and the instant offense is a 643B* crime of violence.	Juvenile who: (1) has been found to have committed 3 prior unrelated delinquent acts and has been referred for a felony; or (2) has been found to have committed 4 prior unrelated delinquent acts, at least one of which was a felony, and who has been referred for either a felony or a misdemeanor; or (3) has 8 or more unrelated arrests for criminal offenses, or 4 or more unrelated felony arrests; or (4) is referred for a felony within one year of being placed on probation or being committed for a felony.**	Adult: 756/year Juvenile: 888/year
Baltimore County	Adult who: (1) has 2 prior unrelated convictions or adjudications for 643B* crimes of violence and has been in the justice system within the last 10 years; or (2) has one prior conviction or adjudication for a 643B* crime of violence and is presently on bail, probation, parole, recognizance, or escape for an unrelated 643B* crime of violence; or (3) has one prior conviction or adjudication for any felony and 2 pending charges for 643B* crimes of violence.	Juvenile 16 or 17 years old who meets the criteria set forth for the adult repeat offender.	Adult and Juvenile: 80/year
Howard County	Adult who: (1) is charged with a 643B* crime of violence and who (2a) has been previously convicted of a 643B* crime of violence on 2 or more separate occasions; or (2b) has been previously convicted of a 643B* crime of violence and/or was on bail, probation, or parole at the time of arrest; or (2c) is 18-20 years of age and would otherwise meet the criteria for a juvenile repeat offender as defined.	Juvenile who: (1) is arrested for one of the following serious offenses: (a) homicide; (b) rape; (c) robbery or attempts thereof; (d) serious assault; (e) burglary; (f) drug distribution or possession of controlled dangerous substance with intent to distribute; (g) possession of a handgun; (h) sexual assault (first and second degree); (i) abduction/kidnap; (j) arson and attempts thereof; and who (2a) has had 3 or more judicial determinations of delinquency; or (2b) was arrested while on court-ordered probation for any prior offense.	Adult: 50-75/year Juvenile: 20-25/year
Montgomery County	Adult who: (1) is over age 24 with at least one prior felony conviction as an adult, and the instant offense is murder, rape, robbery, aggravated assault, or burglary; or (2) is 18-24 with at least one prior finding of involvement in a felony as a juvenile when 16 or 17 years old, and the instant offense is murder, rape, robbery, aggravated assault, or burglary.	Juvenile 16 or 17 years old "involved in" murder, rape, robbery, aggravated assault, or burglary, and has been previously designated by the Juvenile Intervention Team as a serious juvenile offender.	Adult: 200-250/year Juvenile: no est. population

\*Maryland Annotated Code, Article 27, Section 643B (Subsequent Offender Statute) defines as "crimes of violence" the following offenses: abduction, arson, burglary, daytime housebreaking, kidnapping, manslaughter (except involuntary manslaughter), mayhem and maiming, murder, rape, robbery, robbery with a deadly weapon, sexual offense in the first or second degree, use of a handgun in the commission of a felony or crime of violence, an attempt to commit any of the aforesaid crimes of violence, assault with intent to murder, and assault with intent to rape.

\*\*This definition was developed for the State's Attorney's Juvenile Habitual Offender Unit in 1978 with funds awarded by the Council.

repeat offender definitions finally developed (see Table I) supports the Task Force's belief that a single statewide definition could have been too broad for one subdivision and too narrow for another. Increasing experience with the processing of

ROPE defendants through the system, however, has suggested that some degree of commonality of repeat offender definitions may be required for the equitable processing of ROPE defendants by State agencies: corrections, parole and probation, and

juvenile services.

Most of the repeat offender definitions have two or more criteria, usually type of instant offense and nature of prior record. The exception is the juvenile repeat offender definition used by Anne Arundel

County which concentrates on prior history only.

It is illustrative to note the relationship between the definition and the corresponding estimated target population size. The less restrictive the definition, the broader the "net" thrown over repeat offenders (e.g., Baltimore City's adult repeat offender definition). Conversely, the more restrictive the definition (especially regarding prior history), the narrower the "net" and the smaller the estimated target population (e.g., Baltimore and Howard Counties' definitions). Two exceptions to this are apparent: Baltimore City's juvenile repeat offender definition and Anne Arundel County's adult repeat offender definition. Baltimore City's juvenile delinquent population far exceeds that of other areas of the State; therefore, while its juvenile repeat offender definition is highly restrictive, the sheer number of offenders precludes a smaller target population. On the other hand, Anne Arundel County's adult repeat offender definition accords much discretion to the State's Attorney and thus allows a deliberate restriction on adult repeat offender population size, rather than a restriction that proceeds naturally from the definition's criteria alone.

Howard and Montgomery Counties' adult repeat offender definitions should also be cited for specifically creating a "young adult" repeat offender category. This is responsive to findings of current national research that point to young adults as particularly high-rate offenders who often have extensive juvenile records.

It is expected that, as experience with ROPE increases, these definitions will be further refined.

#### Local ROPE Operations

Although all five subdivisions are now beginning to implement their ROPEs, not all have their full ROPEs in operation. Some subdivisions are awaiting budget approvals, others are awaiting administrative decisions, while still others are modifying procedures as ROPE defendants

are processed through the system.

The State agencies' contributions are not described in detail here, except where a local Steering Council has specifically identified an activity involving a State agency.

*Anne Arundel County.* Anne Arundel County's State's Attorneys' Office has had a formal career criminal program since 1978. This program includes a felony screening process and assignment of experienced Assistant State's Attorneys to handle these cases through all judicial proceedings. The County's ROPE effort emphasizes the enhancement of the State's Attorney's career criminal program with future involvement of other justice agencies.

The Anne Arundel County Police Department is planning the formation of a new unit directed at repeat offenders, to be funded by the County Executive in fiscal year 1985. As planned, this unit will be responsible for such functions as monitoring repeat offenders, assisting other officers to enhance ROPE cases, and working with victims and witnesses to ensure their cooperation and active participation in the prosecution of ROPE defendants.

The enhancements to the State's Attorney's career criminal program include: revising felony screening procedures to include examination of juvenile records for adults aged 18 to 21 who are charged with felony offenses; instituting vertical prosecution by a ROPE trial team; flagging and separating ROPE cases to remove them from plea bargaining; and providing special attention to offenders qualifying for prosecution under section 643B. The State's Attorney is also establishing procedures to notify the Division of Correction (DOC) immediately of ROPE defendants who are remanded to its custody from Anne Arundel County.

The regional office of JSA will expedite submission of juvenile repeat offender cases to the State's Attorney, and will provide complete documentation including prior juvenile records. Juvenile repeat offenders meeting the ROPE definition will be assigned to the State's Attorney's

career criminal program.

*Baltimore City.* The Baltimore Police Department and State's Attorneys' Office have operated a career criminal program since 1976 and the State's Attorneys' Office has also supervised a Juvenile Habitual Offenders Unit since 1978. The City's ROPE effort is primarily directed at strengthening and broadening the handling of repeat offenders and improving the supporting information and tracking systems.

The three investigators in the Police Department's Career Criminal Unit (CCU) continue to receive potential ROPE candidates from the Central Records section, which checks the instant offense and prior criminal records to verify which candidates meet the City's ROPE definition. The CCU also investigates and clarifies the ROPE defendant's criminal background and forwards the most serious cases to the State's Attorney's Violent Crime Unit.

The City's Pre-Trial Release (PTR) Services enhances the early identification of repeat offenders by gathering criminal history data from various sources (e.g., defendant, family, official records). Once PTR identifies a potential ROPE candidate, the defendant's records are forwarded to the City Jail, where ROPE defendants are restricted from placement in any outside or work-release programs. PTR also forwards the same records to the State's Attorney's District Court Unit, where the case jackets are flagged.

The State's Attorney's Violent Crime Unit screens referred cases and decides which are to be targeted for special prosecution. The State's Attorney has established a restrictive plea bargaining policy and seeks convictions for ROPE defendants on the highest counts of the indictments. The State's Attorney is also establishing procedures to expedite the "State's version" of the case to the DOC's Reception, Diagnostic and Classification Center (RDCC) once the ROPE defendant has been sentenced.

The Division of Parole and Probation (DPP) screens for repeat offender status when conducting Pre-Sentence Investigations (PSIs); investigators are encouraged to recommend incarceration in cases meeting the City's ROPE definition. ROPE defendants placed on community supervision will be classified into the maximum supervision category, with review after six months.

The JSA regional office for the City has had ready access to the State's Attorney's Juvenile Habitual Offender list since 1978. The Police Department is now introducing procedures mandating a police check of this list when apprehending a juvenile. Whenever possible, JSA intake officers are now formally handling (petitioning to court) all juvenile ROPE cases.

*Baltimore County.* The County did not have any formal repeat offender program prior to its participation in ROPE. Baltimore County's ROPE is presently focusing on repeat offenders arrested for robbery.

The County Police Department has implemented a formal policy and procedures directive governing the ROPE Unit, from which two full-time investigators coordinate all ROPE cases. These investigators assist the principal investigating officers in building cases, work with other justice agencies, and spend a substantial portion of their time searching criminal histories and obtaining certified copies of records required to file section 643B addendums.

The State's Attorney has assigned one Assistant State's Attorney in the Felony Complaint Division to screen all ROPE cases forwarded by the police ROPE Unit. Another Assistant State's Attorney has been assigned to handle ROPE cases in Circuit Court; this person ensures that verified ROPE cases are properly filed and "specialized," i.e., receive expedited placement on the court calendar. A sharply restricted plea bargaining policy has also been instituted for ROPE cases.

Baltimore County courts have been

apprised of the development and nature of the County's ROPE program. Judges will have available more complete and accurate prior criminal history information for use in bail review, sentencing, and probation violation decisions.

Upon notification from the police ROPE Unit, the County Detention Center highlights the ROPE inmate's records and notifies the police if there is a status change (e.g., bail, release, etc.). Inmates who have section 643B addendums filed against them are counseled by the Detention Center's Classification Center.

The State RDCC receives criminal history information on a ROPE inmate from the County. The DPP is immediately notified whenever one of its clients is targeted as a ROPE candidate, makes prior PSI criminal history information on the person available to the State's Attorney, and is prepared to complete PSIs on ROPE defendants convicted for robbery.

The JSA regional office in the County is focusing on 16 to 17 year old offenders who commit crimes of violence (according to section 441(e)). JSA intake officers document these cases and forward them to the State's Attorneys' Office for formal hearings.

The County's Criminal Justice Coordinator is responsible for incorporating information and procedures necessary for ROPE in the County's criminal justice information system.

*Howard County.* Howard County, like Baltimore County, did not have any repeat offender program prior to its participation in ROPE. The County's ROPE planning effort was initially directed at a repeat offender tracking system for the State's Attorneys' Office. Later, this effort was expanded into a more comprehensive program directed at formulating and implementing new policies and procedures utilizing existing resources.

The Howard County Police Department's liaison officer assigned to the State's Attorneys' Office will assist in the early identification of ROPE candidates. The officer col-

lects all readily available criminal history and other records on potential ROPE candidates and forwards them to the State's Attorney and the District Court. The Police Department is preparing procedures to enhance the State's Attorney's efforts in several ways: increasing pre-trial investigation (i.e., case enhancement); assisting in securing the cooperation of victims and witnesses (i.e., working with the State's Attorney's Victim/Witness Unit); and assisting in obtaining the necessary certified copies of records.

The Maryland State Police is establishing similar policies and procedures regarding ROPE defendants in Howard County. The Criminal Section supervisor at the Waterloo Barracks will review all potential ROPE cases to ensure that records are checked and cases are thoroughly prepared, and will also act as the ROPE coordinator.

The State's Attorneys' Office is a pivotal component of the County's ROPE. A senior Assistant State's Attorney will be assigned to ROPE cases and will be responsible for each case until its closure. Policy regarding ROPE defendants requires the assigned Assistant State's Attorney to: seek a high bail or no-bail decision; not plea bargain or reduce charges (unless authorized by the State's Attorney, who will personally monitor ROPE cases); request timely scheduling of ROPE cases; and actively pursue section 643B addendums when appropriate. The State's Attorneys' Office is also responsible for identifying ROPE defendants to other agencies, including the Victim/Witness Unit, the County Detention Center, and the DOC.

Judges are cooperating with the State's Attorney by requesting PSIs on each convicted ROPE defendant.

The County Detention Center is establishing procedures to flag ROPE inmates' records and to inform appropriate persons of these inmates' ROPE status. The Center will classify ROPE inmates into maximum security and will monitor them closely.

The DPP has agreed to make its records (i.e., PSIs containing criminal history information) available to the State's Attorney, and will place ROPE defendants given probation or parole at the maximum level of supervision, with review after six months.

The regional JSA office and the County Police Department will exchange information about juvenile repeat offenders and will develop a master list of them. When previously targeted juveniles are apprehended, or when juveniles are apprehended for the targeted crimes, the two agencies will handle them formally. These cases will be flagged and maintained separately from other juvenile cases.

The regional JSA office will also accelerate its intake processing of all juvenile repeat offenders and refer these cases to the State's Attorneys' Office. JSA personnel will work with local resource agencies to implement a "high impact" supervision program for juvenile repeat offenders who are placed on community supervision. Any violation of probation conditions will be reported immediately to the court.

*Montgomery County.* Montgomery County's State's Attorneys' Office has had an active career criminal program known as the Major Offender Bureau (MOB) since 1978, as well as a Burglary Unit, dating from 1981, which is responsible for handling all arrestees for residential burglary regardless of prior criminal history. Like other career criminal programs, the MOB features vertical prosecution, limited plea bargaining, speedy trials, and enhanced sentencing. The MOB is organized to correspond to the criminal investigative functions assigned to the decentralized police districts of the Montgomery County Police Department. The County's ROPE program will use the MOB as its nucleus.

The Rockville Police Department and the Montgomery County Police Department (Rockville District) will cooperate in an experiment in the Rockville area directed at earlier identification of repeat offenders

(i.e., concentration on young adults aged 18-24), and more effective use of police operational records (e.g., arrest and field contact reports, traffic citations) through the use of an automated information operation in the Rockville Police Department. The two police agencies will also cooperate with the State's Attorney's MOB to: prepare the best possible and most timely cases on ROPE defendants; collect complete prior criminal and juvenile history for use at bail reviews and at sentencing; and share information with the other components of the criminal justice system.

The State's Attorney has assigned his MOB assistant in the Rockville district to handle ROPE defendants. This assistant will follow existing career criminal policies and procedures. Special emphasis will be directed at record building. In particular, juvenile adjudications will be searched and used for decision-making in cases of young adults charged for the first time for a criterion offense.

The County's Detention Center will continue to be informed of an inmate's ROPE status and will restrict access to release programs. Specific attention will be given to ROPE inmates who are identified as section 643B candidates.

Given adequate staff, the DPP has been asked to work closely with the police and the State's Attorneys' Office through information-sharing. The DPP has also agreed to complete PSIs on all ROPE defendants, to provide maximum supervision of ROPE clients (with review after six months), and to obtain and serve expeditiously revocation warrants where called for.

The JSA regional office will continue existing policy directed at juvenile repeat offenders. This policy includes supporting the State's Attorney's decision to seek waiver to adult court, whenever possible, of juveniles 16 and 17 years old who commit criteria crimes and requires formal and expeditious processing of these cases. For those juveniles who have been adjudicated twice or more for felonies, JSA will

recommend placement in an institution upon the next adjudication for a criterion offense.

The JSA regional office has designated a ROPE contact person in the Rockville area and other County police districts. JSA will inform juveniles who have a pattern of serious criminal activity of the consequences of their continued activity when they become young adults.

### Conclusion

Given the prerequisites of inter-agency coordination, executive commitment, information-sharing, reallocation of resources, and adequate planning, ROPE is an innovative approach to the repeat offender problem. As the ROPE concept has evolved, and as the local ROPEs have become operational, it is evident that the coordination strategy employed in the planning process must be continued in the operational phase. The Repeat Offender Task Force continues to assist the five ROPEs operating in the subdivisions. Executive support for ROPE has been reiterated by the Chief Executives of the subdivisions, and the Governor has personally encouraged them to maintain their commitment. The Repeat Offender Steering Councils in the subdivisions are remaining active to monitor and refine the programs, as well as to respond to problems and issues arising during the implementation of ROPE. Many of the most difficult, yet creative, tasks still remain, as experimental innovations continue to take shape in local and State justice agencies.

ROPE is an experiment whose validity will be tested over time. At this point, however, it is evident that systemwide planning is a demonstrated necessity in successfully identifying, prosecuting, convicting, incarcerating, and treating repeat offenders.

### Footnotes

<sup>1</sup>The Maryland Criminal Justice Coordinating Council was then known as the Governor's Commission on Law Enforcement and the Administration of Justice.

<sup>2</sup>A short bibliography will be found at the end of this monograph.

<sup>3</sup>Repeat Offender Program Experiment (ROPE);

*Guidelines and Programmatic Alternatives* is available from the Maryland Criminal Justice Coordinating Council.

<sup>4</sup>The local ROPE research efforts outlined here and the program descriptions provided below were obtained from the final planning reports of the subdivisions, presentations before the Repeat Offender Task Force, and minutes of the Repeat Offender Steering Councils' meetings.

<sup>5</sup>Dr. Charles F. Wellford of the University of Maryland's Institute of Criminal Justice and Criminology conducted the Anne Arundel study.

<sup>6</sup>"Chronic" delinquents were defined as having five or more police contacts prior to their eighteenth birthdays, a criterion established by Marvin E. Wolfgang *et al.*, *Delinquency in a Birth Cohort* (Chicago, 1979).

<sup>7</sup>Index offenses are murder, non-negligent manslaughter, forcible rape, aggravated assault, robbery, motor vehicle theft, burglary, and larceny.

<sup>8</sup>This situation is arguably different today, since Uniform Delinquency Treatment Standards were instituted in the County in 1977.

<sup>9</sup>Steve Davis, now of the Mayor's Coordinating Council on Criminal Justice, conducted the City's study.

<sup>10</sup>Dr. Gary Cordner of the University of Baltimore's Department of Criminal Justice conducted Baltimore County's study.

<sup>11</sup>The serious crime category included murder, manslaughter, rape, robbery, aggravated assault, arson, kidnapping, abduction, and burglary/breaking-and-entering.

<sup>12</sup>See the asterisk in Table I for the "crimes of violence" defined by section 643B. The statute prescribes a mandatory 25 years incarceration without parole for a defendant convicted of a crime of violence who has two prior convictions for crimes of violence and one prior incarceration for a crime of violence. A mandatory life imprisonment without parole is prescribed for a defendant convicted of a crime of violence who has been incarcerated

<sup>13</sup>Article 27, section 441(e), lists crimes of violence similar to (but not identical with) section 643B and is used by JSA to target juvenile repeat offenders because the section's provisions do not carry mandatory sentences, as does section 643B.

<sup>14</sup>Barbara Boland of INSLAW conducted Montgomery County's study.

<sup>15</sup>Serious offenses included robbery, aggravated assault, burglary, larceny, and auto theft.

<sup>16</sup>Mark A. Peterson *et al.*, *Doing Crime: A Survey of California Prison Inmates* (Rand Corporation, 1980).

<sup>17</sup>Alfred Blumstein and Jacqueline Cohen, "The Estimates of Individual Crime Rates from Arrest Records," *The Journal of Criminal Law and Criminology* (1979), vol. 70, no. 4.

#### Abbreviated Bibliography

Chaiken, Jan and Chaiken, Marcia, *Varieties of Criminal Behavior: Summary and Policy Implications*, Rand Corporation, 1982.

Greenwood, Peter, *Selective Incapacitation*, Rand Corporation, 1982.

Greenwood, Peter, Petersilia, Joan, and Zimring, Franklin, *Age, Crime, and Sanctions: The Transition from Juvenile to Adult Court*, Rand Corporation, 1980.

Petersilia, Joan and Lavin, Marvin, *Targeting Career Criminals: A Developing Criminal Justice Strategy*, Rand Corporation, 1978.

Williams, Kristen, "Selection Criteria for Career Criminal Programs," *The Journal of Criminal Law and Criminology* (1980), vol. 71, no. 2, pp. 89-93.

Williams, Kristen, *The Scope and Prediction of Recidivism*, INSLAW, 1979.

(For a more comprehensive bibliography, see Sally F. Familton and Kai R. Martensen, *Repeat Offender Program Experiment (ROPE): Guidelines and Programmatic Alternatives* [Maryland Criminal Justice Coordinating Council, 1982], pp. 115-125.)

#### Maryland Repeat Offender Task Force

Chief Cornelius J. Behan, Baltimore County Police Department, Chairman

Honorable Warren B. Duckett, Jr., Anne Arundel County State's Attorney

Mr. Eddie Harrison, Justice Resources, Inc., Baltimore City

Mr. William J. Kunkle, Chairman, Maryland Parole Commission

Honorable George B. Rasin, Jr., Chief Judge, Maryland Second Judicial Circuit

Mr. Henry P. Turner, Citizen of Talbot County

Ms. Mary Ann Willin, Director, Mayor's Coordinating Council on Criminal Justice, Baltimore City

#### Maryland Criminal Justice Coordinating Council

Honorable Harry Hughes, Governor  
Nathaniel E. Kossack, Chair  
Richard W. Friedman, Executive Director  
Sally F. Familton, Director of Planning

The Statistical Analysis Center Bulletin is prepared by the Staff of the Statistical Analysis Center of the Maryland Criminal Justice Coordinating Council:

Catherine H. Conly,  
Chief of Research and Statistics  
Steven C. Martin, Research Analyst  
Janet B. Rosenbaum, Research Analyst  
Darla M. Cook, Secretary

Assistance in the preparation of this Bulletin was provided by members of the Repeat Offender Task Force staff, including Rebecca P. Gowen and Kai R. Martensen.

MARYLAND  
CRIMINAL  
JUSTICE  
COORDINATING  
COUNCIL



MARYLAND CRIMINAL JUSTICE  
COORDINATING COUNCIL  
SUITE 700, 1 INVESTMENT PLACE  
TOWSON, MARYLAND 21204-4182

Bulk Rate  
U.S. Postage  
PAID  
Permit #7181  
Baltimore, Md.

**END**