

National Institutes of Health Director Dr. Francis Collins is participating in National Lab Day by volunteering in a local District of Columbia school and he has encouraged NIH employees to get involved as well. American Society for Engineering Education President J.P. Mohsen is participating in National Lab Day and is encouraging other ASEE members nationwide to do the same in their local communities. First Lady Michelle Obama highlighted National Lab Day when she spoke to the team finalists at the National Science Bowl.

I have said many times that I believe the long-term vitality of our economy rests with our ability to use STEM to solve the major problems we face. Whether it is energy independence, climate change, life-saving cures for diseases, security challenges, or new solutions for transportation, STEM professionals are the world's problem solvers. Fortunately, young people today want to "make a difference" with their lives, but unfortunately, not enough of them see STEM as the way to do that.

National Lab Day will allow STEM professionals not only to share their unique skills and knowledge with educators and students, but it will also allow them to share the rewards of a career in STEM and the numerous ways that STEM professionals "make a difference." National Lab Day, and the relationships it is fostering, will help inspire the next generation of scientists and engineers. I applaud the volunteers, teachers, associations, and agencies that are participating in National Lab Day—today and in the future.

CRISIS IN THE PHILADELPHIA CRIMINAL JUSTICE SYSTEM

Mr. SPECTER. Mr. President, in a four-part series titled "Justice: Delayed, Dismissed, Denied," published in December 2009, the Philadelphia Inquirer reported on the failure of the Philadelphia criminal justice system to provide fair and speedy justice. "It is a system that too often fails to punish violent criminals, fails to protect witnesses, fails to catch thousands of fugitives, fails to decide cases on their merits—fails to provide justice."ⁱ Given that Philadelphia has the highest violent crime rate among the 10 largest cities in the United States, this is an urgent problem which Senator SPECTER has worked hard to address.

In the past 5 months, Senator SPECTER has taken a leadership role by holding three Senate field hearings, bringing together the experts and key players in the criminal justice system to work collaboratively to find solutions to these problems. He has sought and obtained funding for the U.S. Marshals Service's Fugitive Task Force to provide assistance in locating and arresting Philadelphia's fugitives. Fi-

nally, he has introduced and supported significant legislation to better protect State witnesses, to fund State witness protection programs, and to fund State fugitive recovery efforts and the entry of State warrants into the national warrant database.

Using statistics from the Administrative Office of the Pennsylvania Courts and the Department of Justice, Bureau of Justice Statistics, the Philadelphia Inquirer reported that Philadelphia, among large urban counties, has the Nation's lowest felony conviction rate. For most big cities the conviction rate is 50 percent but for Philadelphia the conviction rate is only 20 percent, and that rate has been steadily declining over time. While the city's rate of conviction for murder is excellent—82 percent compared to the U.S. average of 71 percent—for other violent felonies it is abysmal: Nearly 2/3 of those charged with violent crime offenses walk free of all charges; Only 1 in 10 people charged with gun assaults is found guilty of that charge; Only 1 in 5 accused armed robbers is convicted of that charge; Only 1 in 4 accused rapists is convicted of rape; One-half arrested for possession of illegal handguns beat the gun charges; and of the 4,500 who reported being robbed at gun point, only 200, or 4 percent of individuals were convicted.

The Philadelphia Inquirer identified a number of systemic failings as contributing factors to this crisis, including increasing incidents of witness intimidation; exploding criminal case-loads incentivizing judges to dismiss cases rather than to try them (of the violent crime cases in 2006 and 2007 disposed without a conviction, 92 percent were dropped or dismissed and only 8 percent of defendants were found not guilty); the number of judges not keeping pace with the substantial increase in criminal case filings (since 1989 the criminal docket has increased by 51 percent but the number of judges has not changed; not surprisingly the number of dismissals has doubled). Additional contributing factors include trial delays caused by defense attorneys' delay tactics, which cause witnesses to stop coming to court and cases to be dismissed; dismissals because inmates and/or police officers routinely fail to timely appear in court; and a broken bail system causing Philadelphia to have 47,000 fugitives and to be tied with Newark, New Jersey as having the highest fugitive rate in the Nation.ⁱⁱ

Senator SPECTER's significant actions to address this crisis and to restore confidence in the Philadelphia criminal justice system are detailed below.

Witness intimidation and violent crime are problems that Senator SPECTER has worked on for decades, since he was an assistant district attorney and later district attorney in Philadelphia, and on the Judiciary Committee, where

he has served since 1981 when he was first sworn in as a U.S. Senator.

As chairman of the Senate Judiciary Crime and Drugs Subcommittee, Senator SPECTER chaired a field hearing in Philadelphia on witness intimidation at the State and local level on January 8, 2010.ⁱⁱⁱ This hearing brought together experts and leaders in the field to help find solutions for this pervasive and serious problem. At the hearing, Philadelphia Police Commissioner Charles Ramsey, as well as Michael Coard, a respected Philadelphia defense attorney, and Associate Professor Richard Frei, an academic, testified. Two parents, each of whom lost a child to gun violence, also testified. Barbara Clowden testified that her son Eric Hayes, then 17 years old, was killed just 2 days before he was to testify in an arson trial in Philadelphia. Because Eric's life had been threatened, in January 2006 his family entered into the city's witness relocation program. Eventually the money from the program ran out and they had to relocate to northeast Philadelphia, where Eric was murdered. No one, to date, has been convicted of Eric's murder.

Ted Canada, a Philadelphia resident and SEPTA bus driver, also testified. In 2005, his son Lamar Canada was shot 12 times and killed over an alleged gambling debt.^{iv} One witness to the shooting, Johnta Gravitt, then 17 years old, was murdered 10 days after he testified at the preliminary hearing and identified one of the shooters. Another witness initially cooperated but after his statement to the police was publicly posted in his neighborhood identifying him as a "snitch," he recanted.

The most notorious example of witness intimidation in Philadelphia involves Kaboni Savage, a drug kingpin who was federally indicted last April on racketeering and murder charges for retaliating against his former drug associate, Eugene Coleman. Coleman had agreed to testify against Savage in a Federal trial. The Federal charges allege that to retaliate for this, Savage orchestrated the firebombing of Coleman's family home on the 3200 block of North 6th Street in Philadelphia during the early morning hours of October 9, 2004. Killed in the fire were Coleman's mother, Marcella Coleman, age 54; Coleman's infant son, Damir Jenkins, 15 months old; Marcella Coleman's niece, Tameka Nash, age 34, and her daughter, Khadjah Nash, age 10; Marcella Coleman's grandson, Tahj Porchea, age 12; and a family friend, Sean Rodriguez, age 15. In a conversation secretly recorded by court-authorized wiretaps, Savage explained how witness intimidation works, "Without the witnesses, you don't have no case? . . . No witness, no crime."^v

The witness intimidation problem is exacerbated by internet sites, such as whosarat.com, which expose the identities of witnesses and government informants. Gang members and criminals

are becoming more computer savvy. They use the internet to find out who may be a cooperating witness by accessing public court dockets. They also access other sites to locate these individuals. With this information obtained anonymously through the Internet, gang members and other criminals can easily threaten or harm witnesses, as well as their family members.^{vi}

The “stop snitching” culture in Philadelphia has taken hold even among law abiding people. Years ago, popularized in movies and television, the code of silence started with organized crime and applied only to its members who used intimidation and highly visible acts of retaliation against those who broke it to maintain adherence to the code. Today that code of silence has involved into a popular and pervasive stop snitching culture.^{vii}

It has expanded to include threats against people who have no stake in a specific case and it is now directed toward anyone providing information to authorities. It has been strengthened by the strong distrust and alienation many urban youth have toward the police. It was shown at the hearing that the more people perceive the justice system to be biased, ineffective or corrupt, the more likely it is that they will resort to community self-protection and enforcement.

As reported by the Philadelphia Inquirer on December 14, 2009, “[p]rosecutors, detectives, and even some defense attorneys say witness fear has become an unspoken factor in virtually every court case involving violent crime in Philadelphia. Reluctant or terrified witnesses routinely fail to appear in court, and when they do, they often recant their earlier testimony or statement to police.”^{viii} One Philadelphia assistant district attorney is quoted in the article as saying that at least one witness in every murder trial recants. At times, the local prosecutors are forced to lock up witnesses on material witness warrants to assure their appearance at trial.^{ix}

In Philadelphia between 2006 and 2008, the District Attorney’s Office filed witness intimidation charges against approximately 1,000 individuals. Their conviction rate on these charges, however, is only 28 percent.^x

Criminal trials cannot proceed unless there are witnesses, and if witnesses are subject to intimidation or even worse, murdered, criminal cases cannot go forward. And unless witnesses can be assured they will be protected, the problem of witness intimidation cannot be expected to go away. Philadelphia’s witness relocation program was cut from a high of \$988,000 in 2006–07 to \$747,000 in 2008–09. On average last year the program spent \$11,000 per witness. Compare that with the Federal witness protection program that spends on average \$150,000 for each witness in the Federal program. More money is need-

ed to fund Philadelphia’s witness relocation program.

It is imperative that people be protected if they step forward and provide information to law enforcement. As Philadelphia Police Commissioner Charles H. Ramsey testified at the subcommittee hearing, “the only way we’re going to deal with crime in communities is when the community steps forward, but they have to feel comfortable in doing so and know they have support.”^{xi}

To better protect State witnesses from intimidation, threats, and violence, and to send loud and clear the message that serious penalties will be imposed on those who dare to obstruct justice in our country Senator SPECTER on February 23, 2010, introduced The State Witness Protection Act of 2010,^{xii} S. 3017. The bill ensures that State witnesses will receive the same protections from actions of intimidation and retaliation that Federal witnesses have under Federal law. Making this a Federal offense and bringing in the FBI to investigate, as Commissioner Ramsey testified, “would make a tremendous difference and make people think twice before they” engaged in witness intimidation. Commission Ramsey explained it this way:

I just think the whole environment or atmosphere when you go into a Federal court versus a local court is just somewhat different, and [defendants] haven’t been exposed to it that often. I just think it has an impact in the feedback I’ve gotten from people on both sides, whether it’s another law enforcement agency or from a person who’s been in the criminal justice system. They do not want to go into Federal court. (Tr. at 16).^{xiii}

The bill tracks the language of the Federal witness tampering and intimidation statutes, 18 U.S.C. §§1512 and 1513, and provides the same penalties for crimes against State witnesses as now are provided for crimes against Federal witnesses. For State court proceedings, the bill makes it a Federal offense to kill, physically harm, threaten to physically harm, harass, or intimidate, or offer anything of value to, a State court witness or victim if done with the intent to influence another person’s testimony; to induce another to withhold testimony or records, alter or destroy evidence, evade legal process, or be absent from a State proceeding if that person has been summoned by legal process; to hinder or prevent a person from providing information to law enforcement; or to retaliate against anyone for being a witness or for providing testimony or information to law enforcement.

Federal jurisdiction is established by prosecuting only cases where there are communications in furtherance of the offense by mail, interstate or foreign commerce by any means, including computer, interstate or foreign travel in furtherance of the commission of the offense, or the use of weapons which have been shipped or transported

across State lines. Any attempt or conspiracy to commit these same offenses is also illegal and subject to the same penalties. The bill also provides for specific sentencing guideline enhancements for all obstruction offenses.

To further address the growing problem of witness intimidation, Senator SPECTER cosponsored, and voted out of Senate Judiciary Committee on March 22, 2010, the Witness Security and Protection Grant Program Act of 2010, H.R. 1741, a bill which authorizes \$150 million in competitive grants over 5 years to State and local governments to establish witness assistance programs. Specifically, the bill requires the Attorney General to make competitive grants to State and local governments to establish and maintain short-term witness protection programs for court proceedings involving homicide, violent felonies, serious drug offenses, gangs, and/or organized crime. It also requires the Attorney General to collect data and develop best practices—witness safety, short-term and permanent witness relocation, and financial and housing assistance—from the grantees and report this information back to Congress, States and other relevant entities. This legislation passed the House with an overwhelming bipartisan vote of 412–11 in June 2009. The bill is also supported by the National Governors Association, the National Conference of Mayors, the National District Attorney Association, and the National Center for Victims of Crime. It is currently pending action on the Senate floor.

According to the Philadelphia Inquirer, the Philadelphia bail system is broken.^{xiiii} For both the Court of Common Pleas and the Municipal Courts in Philadelphia, there are 48,511 cases in fugitive status and 39,110 individual fugitives. These numbers do not include probation absconders which, if added, would make the total individual fugitive number 46,839.^{xv}

According to Bureau of Justice Statistics report from 2004, Philadelphia is tied with Newark, NJ, as having the Nation’s highest fugitive felony rate of 11 percent. The problem is compounded because there are only 51 officers in the Warrant Unit,^{xvi} which is assigned the task of rounding up fugitives. That means each officer has a 900 fugitive case load.^{xvii} The problem is further compounded by the fact that fugitives, after they are caught, are routinely released again on bail and no bail money, once again, is collected. According to the Philadelphia Inquirer, the city is owed \$1 billion in bail monies which cannot be collected because the Clerk of Quarter Sessions kept no computerized records.^{xviii}

To address the failure of law enforcement to track down and capture criminal fugitives, Senator SPECTER convened another Senate Judiciary Subcommittee field hearing on January 19,

2010, titled, "Exploring Federal Solutions to the State and Local Fugitive Crisis."^{xviii} Seth Williams, the recently elected district attorney for the city of Philadelphia, testified at the hearing. Also testifying at the hearing were John Patrignani, the Acting U.S. Marshal for the Eastern District of Pennsylvania; David Preski, the Chief of the Pre-Trial Service Division and the person in charge of the Warrant Unit; and Roy G. Weise, the Senior Adviser for the FBI's Criminal Justice Information Systems and a senior administrator in charge of the National Criminal Justice Information System, more commonly known as NCIC, the national warrant database. A representative from the Clerk of Quarter Sessions also testified. That hearing revealed that Philadelphia's fugitive problem, though very serious in scope, is not just a local problem but is in fact a significant national problem. Nationwide, there are an estimated 2.8 to 3.2 million active Federal, State, and local outstanding felony warrants. Every day large numbers of fugitives evade capture because State and local law enforcement authorities have insufficient resources to find and arrest them. And even if found, State and local law enforcement authorities often do not have the funds to pay for the extradition of the fugitive to face trial. Shockingly, many fugitives are released without prosecution. Many fugitives go on to commit additional crimes.

The nationwide database operated by the FBI's National Crime Information Center, NCIC, is missing over half of the country's 2.8 to 3.2 million felony warrants, including warrants for hundreds of thousands of violent crimes. Fugitives who have fled to another State will not be caught—even if they are stopped and questioned by the police on a routine traffic stop—because their warrants have not been entered into the NCIC database.

In early 2008, the St. Louis Post Dispatch published a series of articles—affirmed by the Department of Justice—documenting law enforcement's widespread failure to find and arrest fugitives.^{xix} For purposes of the series, "fugitive" included un-arrested suspects with pending warrants that law enforcement cannot find, and those who cannot be found after violating the rules of their pre-trial detention, probation, or parole. The articles revealed that the reach of this national problem is extensive and cited federal estimates from 2 years ago that as many as an estimated 800,000 to 1.6 million outstanding State or local warrants are inaccessible to law enforcement outside the State or locality in which they were issued because the information about the warrants had not been entered into the NCIC database.

In Philadelphia, while all warrants, including bench warrants, are entered

into a State database, only a few warrants are entered into the NCIC database. The hearing established a little known fact: that the Philadelphia Police Department only entered into the NCIC database a few hundred bench warrants deemed by the District Attorney's Office to concern extraditable offenses and, surprisingly, the Police Departments made these entries manually and not by automatic computer transfers.^{xx} Thus, those who abscond from criminal proceedings in Philadelphia and flee to other States likely will not be captured because information from their warrants was not automatically entered into the NCIC database.

To make our communities safer by increasing the number of State and local fugitives arrested and prosecuted, Senator SPECTER, along with Senator DURBIN, on March 16, 2010, introduced the Fugitive Information Networked Database Act of 2010, known as the FIND Act, S. 3120. Based on legislation that then-Senator JOE BIDEN and Senator DURBIN introduced in 2008, the FIND Act bolsters the effectiveness of the NCIC database by providing grants for local governments to develop and implement warrant systems that are interoperable with the NCIC database. The bill also provides funding for authorities to extradite fugitives for prosecution.

Specifically, the FIND Act improves the entry and validation of State, local and tribal warrants in the NCIC database by authorizing \$10 million for grants each fiscal year 2011 through 2015. It increases for States, local and Indian tribes the resources available for extraditing fugitives between States and tribal regions by authorizing \$30 million for grants each fiscal year 2011 through 2015. The bill also encourage States, local and tribes to reduce the cost of extradition by using the U.S. Marshals Service's Justice Prisoner and Alien Transportation Service, JPATS, to transport fugitives back to the jurisdiction which issued the warrant and requires grant participants which seek renewal grants to provide detailed reports to ascertain whether State, local and tribal pretrial release programs are operating effectively. To make certain that funds are properly spent, the bill directs GAO to submit a statistical report to the House and Senate Judiciary Committees on felony warrants issued by State, local, and tribal governments and entered into the NCIC database, and on the apprehension and extradition of persons with active felony warrants.

This important legislation is designed to facilitate State and local data entry into the NCIC database through grants, increase the extradition of fugitives travelling in interstate commerce and to ascertain whether pretrial release programs are operating effectively. The fugitive

problem is national in scope, involves individuals travelling in interstate commerce, and requires Federal solutions.

After the January 19, 2010, field hearing, on February 24, 2010, Senator SPECTER wrote to the Director of the U.S. Marshals Service, USMS, to advise him "that Philadelphia has the highest violent crime rate in the United States among the ten largest cities and the highest felony fugitive rate in the nation," and therefore critically needed additional funding for the Eastern District of Pennsylvania's fugitive task force. On April 2, 2010, John F. Clark, the Director of the U.S. Marshals Service, responded to Senator SPECTER's letter and said that the agency would expand the Philadelphia regional office by at least 10 marshals and staff to "work aggressively to address the fugitive problem in Philadelphia."

As part of Senator SPECTER's continued efforts to address the Philadelphia fugitive crisis, he has made several program funding requests for fiscal year 2011 to support the USMS and its partners, including: \$1.207 billion for the U.S. Marshals Service, increased funding for the Edward Byrne memorial justice grants, and \$792 million for the COPS program. Additionally, Senator SPECTER has requested report language that would direct \$20 million to be used to support the establishment of a Regional Fugitive Task Force in Philadelphia.

On May 3, 2010, Senator SPECTER chaired the third and final Judiciary Crime Subcommittee hearing to bring leaders in the criminal justice system together to find innovative and cost effective solutions to improve the quality and efficiency of the criminal justice system in Philadelphia, as well as for similarly overburdened state criminal courts.^{xxi} Lynne M. Abraham, former district attorney for Philadelphia, Justice Seamus McCaffery, Pennsylvania Supreme Court, Everett Gillison, deputy mayor for public safety for the city of Philadelphia, Ellen Greenlee, chief defender, Philadelphia, and Professor John Goldkamp, chair of the Criminal Justice Department at Temple University, testified. The hearing emphasized the need for all the key players—the courts, the prosecutors, the defenders and the city—to work in a collaborative fashion to find solutions to these complex and systemic problems. The subcommittee and witnesses explored the following ideas:

Community based prosecutions and zone courts. Sending police officers to many different courtrooms is wasteful and inefficient. A simple solution is reorganizing the criminal courts along geographic lines so that judges are assigned to handle all cases from a particular police division. Zone courts are more efficient and lead to fewer dismissal of cases, fewer trial delays and provide more judicial economy and accountability.

Improving computer systems for both the District Attorney's Office and the Defenders Office. This would expedite discovery and permit faster and more efficient administration of justice. Offices should be able to have networked case files and operate as a paperless office. This would require extensive capital investment.

Institute new diversion programs for nonviolent and low risk offenders.

Establish more specialty treatment courts, such as mental health courts, veterans courts^{xviii} and re-entry courts, to reduce recidivism.

Reform the bail system. Professor Goldkamp, an expert on Philadelphia's bail system, recommended improving the pre-trial release system to one which makes decisions about release and confinement based on the characteristics of the defendants, not by how much cash they can post. Risky defendants should be detained, with due-process protections, but those who do not need confinement to meet their obligations or those who do not pose that much risk, like most addicted defendants, should not be jailed. Drug addicted defendants should go to treatment; mentally ill defendants should be directed to appropriate support services.

Find effective ways to address the anti-snitich culture, including public service announcements and community outreach.

The Philadelphia Inquirer's "Justice: Delayed, Dismissed, Denied" series rightly identified and proved a number of the systemic failings in the Philadelphia criminal justice system which have contributed to Philadelphia having an unacceptably low conviction rate for violent crimes and an unacceptably high rate of fugitives. Many of these problems have been around for decades and over the years have only gotten worse. By using statistics from the Administrative Office of the Pennsylvania Courts and the U.S. Bureau of Justice Statistics, the Philadelphia Inquirer convincingly turned a harsh light on what many in the criminal justice system have known, and what many have chosen to ignore.

Professor Goldkamp stated at the May 3, 2010, Senate field hearing, "I think that opportunity comes in at a time of crisis and concern." But if the needed changes are not made, Professor Goldkamp said "the Philadelphia court system risks being held up nationally as an example of a dysfunctional court system."^{xxiii}

Senator SPECTER noted at the final field hearing that the Philadelphia Inquirer's series was a "motivating factor" in his working to obtain Federal assistance to local and overburdened courts. Now is the time for change and Senator SPECTER—by holding three Senate field hearings, by seeking and obtaining funding for the U.S. Marshal's fugitive task force, and finally,

by introducing and supporting key legislation to better protect State witnesses, to fund State witness protection programs, and to fund State fugitive recovery efforts and the entry of State warrants into the national warrant database—is working hard to make those changes.

ENDNOTES

ⁱ "Justice: Delayed, Dismissed, Denied," by Craig R. McCoy, Nancy Phillips and Dylan Purcell, Philadelphia Inquirer, December 13, 2009. Available at: <<http://www.philly.com/philly/news/79150347.html>>.

ⁱⁱ Id.

ⁱⁱⁱ "Federal Efforts to Address Witness Intimidation at the State and Local Level," Senate Committee on the Judiciary Subcommittee on Crime & Drugs, Philadelphia, Pennsylvania, 8 January 2010. Hearing notice available at: <<http://judiciary.senate.gov/hearings/hearing.cfm?id=4278>>.

^{iv} "Testimony by Theodore L. Canada," Senate Committee on the Judiciary Subcommittee on Crime & Drugs, Philadelphia, Pennsylvania, 8 January 2010. Available at: <<http://judiciary.senate.gov/pdf/1-08-09%20Canada%20Testimony.pdf>>.

^v Nancy Phillips, Craig R. McCoy, and Dylan Purcell, "Witnesses fear reprisals, and cases crumble." The Philadelphia Inquirer, 14 December 2009. Available at: <<http://www.philly.com/philly/news/homepage/79196597.html>>.

^{vi} Frei, Richard, "Witness Intimidation and the Snitching Project." Senate Committee on the Judiciary Subcommittee on Crime & Drugs, Philadelphia, Pennsylvania, 8 January 2010. Available at: <<http://judiciary.senate.gov/pdf/1-08-09%20Frei%20Testimony.pdf>>.

^{vii} Id.

^{viii} Nancy Phillips, Craig R. McCoy, and Dylan Purcell, "Witnesses fear reprisals, and cases crumble." The Philadelphia Inquirer, 14 December 2009. Available at: <<http://www.philly.com/philly/news/homepage/79196597.html>>.

^{ix} Id.

^x "Justice: Delayed, Dismissed, Denied," by Craig R. McCoy, Nancy Phillips and Dylan Purcell, Philadelphia Inquirer, December 13, 2009. Available at: <<http://www.philly.com/philly/news/79150347.html>>.

^{xi} "Testimony from Police Commissioner Charles H. Ramsey, Philadelphia Police Department." Senate Committee on the Judiciary Subcommittee on Crime & Drugs, Philadelphia, Pennsylvania, 19 January 2010. Available at: <http://judiciary.senate.gov/pdf/1-08-09%20Ramsey%20Testimony.pdf>.

^{xii} Id.

^{xiii} "Violent Criminals Flout Broken Bail System," by Dylan Purcell, Craig R. McCoy and Nancy Phillips, Philadelphia Inquirer, December 15, 2009. Available at: <http://www.philly.com/inquirer/special/20091215_Violent_Criminals_Flout_Broken_Bail_System.html>.

^{xiv} There are many more outstanding fugitive warrants from Municipal Court than from the Court of Common Pleas. For example, there are 6,044 individual fugitives on bench warrants issued by the Philadelphia Municipal Courts. Statistics are from Terry Bigley, Director of Office of Network Systems and Office Automation, Department of Information and Technology Services, for the First Judicial District of Pennsylvania.

^{xv} The Warrant Unit is part of the court system's Pre-trial Services.

^{xvi} The Philadelphia Police Department does not have a fugitive squad.

^{xvii} Indeed, an audit of the Clerk of Quarter Sessions office released in March 2009 for fiscal years 2008 and 2007 found serious problems—that the office did not conduct monthly reconciliations for the Cash Bail Account and the Cash Bail Refund Account, did not forward bank reconciliations causing \$26.8 million to be omitted from the City's preliminary financial statement, and did not report to the City a \$352.8 million receivable for Fines, Costs and Restitution, as well as the \$1 billion receivable for forfeited bail. The head of the office, Vivian Miller, resigned, effective March 31, 2010, and the Philadelphia Inquirer reported on April 28, 2010 that Philadelphia Mayor Michael Nutter was moving to abolish the office.

^{xviii} Hearing notice available at: <<http://judiciary.senate.gov/hearings/hearing.cfm?id=4334>>.

^{xix} Mahr, Joe, "Free to Flee." St. Louis Dispatch, 2008. Available at: <<http://interact.stltoday.com/mds/news/html/1252>>.

^{xx} When a bench warrant is issued by the Philadelphia Court of Common Pleas and/or Municipal Court in Philadelphia, it is entered into a state-wide criminal case management system called CP/CMS by court staff. CP/CMS electronically transfers that information to the Philadelphia Police Department (PPD) which, in turn, electronically transfers the data to CLEAN, the Commonwealth Law Enforcement Assistance Network database. CLEAN is a computer system used by the Commonwealth's criminal justice agencies for a variety of purposes, including searching for outstanding warrants whenever an individual is detained or taken into custody. From CLEAN the bench warrant data should be electronically transferred to NCIC, the FBI's National Crime Information Center, and to Nlets, the International Justice and Public Safety Information Sharing Network. However, this is not yet occurring in Philadelphia. Instead, in Philadelphia all entries into NCIC are done manually by the Philadelphia Police Department and only those bench warrants designated by the Philadelphia District Attorney's Office as extraditable warrants are entered into NCIC. For a bench warrant to be extraditable, the ADA must get approval from his/her deputy. Usually approval is reserved for those offenders who have significant criminal histories, a number of failures to appear, and/or serious pending criminal charges.

^{xxi} "Helping Find Innovative and Cost Effective Solutions to Overburdened State Criminal Courts." Senate Committee on the Judiciary Subcommittee on Crime & Drugs, Philadelphia, Pennsylvania, 3 March 2010. Hearing notice available at: (<http://judiciary.senate.gov/hearings/hearing.cfm?id=4558>).

^{xxii} On March 1, 2010 Senator Specter held a Judiciary Crime Subcommittee field hearing in Pittsburgh on the need for greater federal resources for specialty treatment courts for veterans. Following the hearing, Senator Specter cosponsored the Services, Education, and Rehabilitation for Veterans Act, known as the SERV Act (S. 902), a bill which authorizes the Attorney General to award grants up to \$25 million over five years to states to develop Veterans Courts or expand operational drug courts to serve veterans charged with non-violent offenses.

^{xxiii} Nancy Phillips and Craig R. McCoy, "Abraham defends work, criticizes city justice system." The Philadelphia Inquirer 4 May 2010. Available at: <http://www.philly.com/inquirer/front_page/20100504_

Abraham defends work_ justice_system.html>_criticizes_city_

REMEMBERING CHARLES WILSON CAPPS, JR.

Mr. COCHRAN. Mr. President, the State of Mississippi lost one of its most respected citizens and devoted public servants on December 25, 2009. Those of us who knew and worked with Charlie Capps were privileged to witness his commitment to the advancement of our State. I extend my sincerest sympathies to the family of Charlie Capps—Alinda, Margaret, and Charlie III.

Charlie Capps was born in Merigold, MS, and graduated from Cleveland High School. He attended Davidson College until the outbreak of World War II, when he volunteered and enlisted in the U.S. Army.

After the war, Charlie founded Capps Insurance and Real Estate Company. However, he was best known as “Mr. Chairman” because of his service as chairman of the House Appropriations Committee in the Mississippi legislature for more than a decade. During his tenure of service in the Mississippi House of Representatives, he served with four speakers of the House—John Junkin, Buddie Newman, Tim Ford, and Billy McCoy.

Charlie Capps’ greatest enjoyment was his association with public service. During his career he was an effective advocate for law enforcement, higher education, the arts and cultural heritage, workforce training, agriculture, and wildlife and fisheries conservation. Charlie Capps is clearly among our State’s finest citizens and certainly one of the most capable public servants of this generation.

The State of Mississippi is a better place to live because of the life of Charlie Capps, and I am privileged that I was able to call him my friend.

TRIBUTE TO TRAVIS SATTERFIELD

Mr. COCHRAN. Mr. President I am pleased to commend Travis Satterfield of Benoit, MS, for his service and contributions to the State of Mississippi while serving as the 75th president of Delta Council.

Delta Council is an economic development organization representing the business, professional, and agricultural leadership of this alluvial floodplain commonly known as the Mississippi Delta. The organization was formed in 1935 and is widely respected for its role in meeting the challenges which have historically faced the economy and quality of life of this region of our State.

Travis Satterfield has served as president of Delta Council during a time when our Nation, as well as the State of Mississippi and the Mississippi

Delta, have experienced economic challenges of immense proportions.

Travis Satterfield took over his family farming operation from his parents 40 years ago and has built one of the most successful farming enterprises in this intensely agricultural region of our Nation. Travis has brought practical insight and trusted leadership to the cornerstone issues confronting the Delta region. His practical approach to problem-solving has had a positive impact on Delta Council’s role in many important areas of work, such as groundwater management, soil and water resource conservation, flood control, farm policy and transportation improvements for the region.

Travis is a proven leader with strong values. I am confident that Travis will continue to be an effective voice for the economic benefit of all of the people of the region for many years into the future.

In Mississippi, we appreciate Travis Satterfield, his wife Nancy, and their four sons, Dwayne, Dennis, Darrell, and Kirk, for the sacrifices they have made to help improve the life of all who live and do business in the Mississippi Delta.

TRIBUTE TO BILL ANGRICK

Mr. GRASSLEY. Mr. President, in 1972, the Iowa Legislature created the Office of Citizens’ Aide to address instances of dissatisfaction with government agencies. In 1978, Bill Angrick became the State ombudsman at age 32, according to the Des Moines Register. Just a few weeks ago Bill Angrick announced he would take the State’s early retirement incentives at age 64.

As a member of the State house in 1972, I was enthusiastic about the creation of the ombudsman’s office. I had gone from political science student to state legislator and was beginning to appreciate the value of government oversight in the practical world. It is one thing to study political theory and have a concept of how things should work. It is another thing to represent citizens as their elected representative and see how things really work. The Federal constitution Framers knew what they were doing when they built in checks and balances among the three branches of government.

The decision to create a State ombudsman wasn’t unanimous. The house vote was 70 to 28, the Senate vote 30 to 20. Then, as now, those who perform government oversight might have been seen as skunks at a picnic, fueling fears of those who might abuse their investigative powers or among agencies, rein in their power. Inspectors general and whistleblowers at Federal agencies are regularly eyed with suspicion or targeted for retaliation. I run into this at the Federal level all the time. Sometimes the executive branch tries to stifle inspectors general or

Federal employees who have reports of wrongdoing. Yet those people are very often heroes who expose waste, fraud, and abuse, and by putting themselves on the line, get problems fixed and strengthen government. They deserve honor and protection, which I work to provide. And I conduct oversight of Federal agencies, just as the voters oversee my performance as their elected representative.

By all accounts I have heard, Bill Angrick served his oversight role with the honor, diligence, and integrity envisioned by those of us who created the State ombudsman’s office.

His retirement provides a good opportunity to reflect on his work and on the role of an entity that exists to listen to citizens, investigate concerns, and render findings in the spirit of fixing shortcomings for public benefit. The office exists to perform oversight of State and local government agencies. Sometimes it initiates investigations upon a citizen phone call of concern or complaint. It receives thousands of inquiries every year. Occasionally, my staff in Iowa adds to the workload, referring cases to the ombudsman that deal exclusively with State and local government. I appreciate the careful consideration given in those instances. Other times, the ombudsman’s staff sees the need for an investigation of an agency’s interaction with a citizen over a particular case or multiple agencies’ handling of a State matter that is either complex or has fallen through the cracks. As a third party, the ombudsman’s office is charged with the responsibility of examining the facts as impartially and thoroughly as possible and rendering findings and recommendations in a thoughtful, constructive way. The office is removed from the emotions and biases of the people involved and proceeds without a predisposition toward a certain outcome.

The workload can involve an issue with broad implications, such as State and local governments’ treatment of prison inmates, and response to child abuse cases. Mr. Angrick’s office reviewed whether inmates were held too long in restraining chairs and whether government procedures were adequate to protect children in violent circumstances. The office has given special attention over the years to State and local governments’ treatment of mentally ill and disabled citizens. Mr. Angrick recognizes that some challenges are interwoven among segments of society and government and merit a comprehensive response. For example, he has given needed understanding of and exposure to the fact that State prisons have become de facto housing for mentally ill citizens in many cases. He is right that government has to address this situation and give appropriate treatment to those who can’t advocate for themselves.