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Compilation and Use of Criminal Court Data in Relation to Pre-Trial Release of Defendants: Pilot Study

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Compilation and Use of Criminal Court Data in Relation to Pre-Trial Release of Defendants*

Pilot Study

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*Sponsor - National Institute of Law Enforcement and Criminal Justice, Law Enforcement Assistance Administration, U.S. Department of Justice. The fact that the National Institute of Law Enforcement and Criminal Justice furnished financial support to the activity described in this publication does not necessarily indicate the concurrence of the Institute in the statements or conclusions contained therein.

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Compilation and Use of Criminal Court Data in Relation to Pre-Trial Release of Defendants

Pilot Study

J. W. Locke, R. Penn, J. Rick,
E. Bunten and G. Hare

Abstract

A number of Pre-Trial Release studies which have been conducted during the past several years show that various measures of criminal activity while on release vary from 7.9 percent (reindictment for those indicted on felony charges) to 70 percent (re-arrest of those originally arrested on a robbery charge). Little actual sentence data were available for or presented in these studies, and no personal data on the defendants or facts about the crimes themselves were shown. This document describes a pilot study of a very thorough analysis of criminal cases, including both felonies and misdemeanors, in a four week sample of cases in the District of Columbia during the first half of 1968. The method of data collection is described, together with attendant problems. Possible techniques of data presentation are shown along with criteria and relevant factors pertinent in quantifying "dangerousness." The potential for developing "dangerousness" prediction methods as a basis for decisions on pre-trial release is analyzed, with the conclusion that much work needs to be done before an effective prediction device based on a "dangerousness" criterion can be formulated.

Summary data for 712 defendants in a sample of 4 weeks taken from the first half of 1968 are presented. Comparisons are made to show the re-arrest rates for defendants initially charged with particular classes of crime. Personal characteristics are examined to determine if any are significant predictors of recidivism. A recidivism index is formulated to give the rate of re-arrest per man-day of exposure. Robbery cases are examined in more detail.

Key Words: Bail, Criminal Court Data, Dangerousness, Data Collection Problems and Procedures, District of Columbia, Prediction Research, Recidivism, Pre-trial Release, Statistical Relationships, Criminal Justice System, Judicial System, Preventive Detention.

CHAPTER I

Summary

Several prior studies of criminal activity during pre-trial release have arrived at figures ranging from 7.0 percent reindictments for persons indicted on felony charges, to 70 percent re-arrest of persons charged with robbery. Subjective assertions have been offered contending that the high end of the range is more nearly correct and typical; other assertions have claimed the same for the low end. The study reported here was charged with discovering what light could be thrown on the subject by a thorough analysis of all written court records.

Raw data relating to all 712 defendants who entered the District of Columbia Criminal Justice System during four sample weeks in 1968 were collected, evaluated, and analyzed. From this sample, 11 percent of those released charged with misdemeanors or felonies were subsequently re-arrested on a second charge during the release period.[1/] Of those charged with "crimes of violence" essentially as defined in the recent legislative proposal (Reference 112)[2/] and released, 17 percent were re-arrested. Of those charged with "dangerous crimes," 25 percent were re-arrested while released on pre-trial release. However, only 7 percent of those initially charged with a felony were re-arrested for a second felony, only 5 percent of those initially charged with a violent offense were re-arrested for another violent offense, and only 5 percent of those initially arrested for a dangerous offense were re-arrested for a dangerous offense. (It must be recognized that these latter percentages are based on a very small number of cases).

1/ Unless otherwise stated, all arrest and re-arrest charges refer to criminal charges including both misdemeanors and felonies. Although the adjective "pre-trial" will often be included, "pre-sentence" would be more accurate, since the release periods in question can include time after trial but before final sentencing (including appeal if one is made), and the bail originally established often carries over to this period.

2/ United States Congress, "A Bill to Amend the Bail Reform Act of 1966 to Authorize Consideration of Danger to the Community in Setting Conditions of Release, to Provide for Pre-trial Detention of Dangerous Persons, and for Other Purposes." S-2600, HR 12806, 91st Congress, First Session.

In one respect these figures of rearrest while on pre-trail release presumably underestimate (to a degree not determinable from our data) the extent of crime committed while on bail, since not all crimes are reported and since the majority of reported crimes (during our study period) did not lead to arrests. On the other hand, not all re-arrests correspond to guilt. Therefore, this study's definition of recidivism - namely re-arrest while on pre-trial release - is a quite imperfect proxy for the commission of crime during such release.

Dangerousness prediction devices developed in the past (and described in Chapter III) give insight into the problems of prediction, but these devices offer little hope in the near future for a precise statistical tool to be applied to aid preventive detention decisions. A primary reason for this, of course, is that suspects are not apprehended in the majority of criminal cases, so that data about these cases never enter the system.

The ultimate decision to allow preventive detention or not is primarily a policy decision, which must depend on the informed judgment of people knowledgeable in the judicial process and responsive to both the short-term and longer-range wants and needs of society. The data in this document may be considered essentially as a summary of the facts available, to be used as an objective basis upon which to superimpose these policy considerations. Once the fundamental policy decisions are made, predictive devices using these data may be helpful in "tuning" specific applications to particular situations.

The Criminal Justice System, as sketched in its D. C. setting in Chapter IV, is highly structured and complex; a system in which judgment plays a significant role. The procedure for and problems in collecting data on such a system's operations are correspondingly difficult; Chapter V's discussion of this aspect of the study may be of particular

interest to those about to begin analysis in the System. For those who wish to consider the ways in which data might be analyzed in relation to predicting the dangerousness of potential pre-trial releasees , Chapter VII presents what should be a useful introduction. Chapter VIII contains the meat of the study , namely summaries of our data from a variety of viewpoints plus the limited analysis performed during the short time available for such work. It is expected that these data will provide a basis for later analyses designed in a more deliberate and sophisticated way.

These data from the District of Columbia were for weeks 1, 7, 22, and 24 in calendar year 1968. The first half of 1968 was chosen as the latest period available for which all or nearly all of the court cases would be completed. The District of Columbia was chosen because it is an integrated court system under Federal jurisdiction, it had been applying the Bail Reform Act of 1966 extensively (compared with other jurisdictions), and it was convenient to the analytical staff.

Use of the raw data in this report as a basis for determining the extent of crime committed while on bail must be tempered by the limitations inherent in a study of this nature. Four limitations are:

(1) Data show that during the six months considered in this study, the police made arrests in only 29 percent of the offenses reported to them. In addition, some experts (Ref. 125) have suggested that only about half of all serious crimes committed are reported to the police. If these considerations apply to the locale and period studied, one could infer that the police made arrests in fewer than 15 percent of the crimes committed. (There is a bias here because a much greater percent of crime goes unreported in some categories than in others. For example, the fraction of prostitution which

goes unreported is much greater than that for murder.) The corresponding rate for those crimes committed by pre-trial releasees might be higher or lower than this estimate for criminal activity in general, but in any case, there is no factual basis for directly equating re-arrest (during pre-trial release) with crime committed (while on pre-trial release).

(2) This study involves 712 defendants, of whom 654 were charged by the prosecutor and 426 were released prior to trial. Complete records indicated that 176 defendants were never released, and that 10 others were probably not released. Thus a total of 186 or 29 percent of the 654 were not released, and this study cannot provide information on the probability that they would have been re-arrested if released prior to trial. Their failure to win release may reflect, to some unknown extent, judges' estimates of their greater potential dangerousness (independent of their likelihood of remaining available for trial). To the degree that these estimates are accurate and do affect release decisions, the recidivism rates observed underestimate those which would result if "dangerousness" considerations in actual practice had played no de facto role in current pre-trial release decisions.

(3) The scope of the study permitted only a limited examination of whether or not the released defendants were subsequently re-arrested in other jurisdictions. A brief review of information from the FBI Crime Career records examined during the course of this study appears to indicate that approximately 30 percent of the offenses in the record occur in geographic jurisdictions other than the primary location. If this average figure can be applied to the re-arrest rate of all the groups studied, this would increase the re-arrest rate of the entire group released from

11.0 to 14.3 percent, of those charged with crimes of violence from 17.0 to 22 percent and of those charged with dangerous crimes from 25 percent to 33 percent. The reader is reminded again of the further increases which are possible because of the two previously stated limitations.

(4) The data base of the study is small, making it difficult to draw reliable conclusions. We have applied standard statistical procedures throughout to estimate these uncertainties, and to distinguish those figures or observations which are merely indicative from those with a firmer basis. For example, disregarding the possibilities for systematic bias noted above, the observed recidivism rate of 11 percent cited above can be regarded with considerable confidence as indicating a recidivism probability between 8 and 14 percent for a person chosen at random from our sample or from the statistical "universe" it represents. Similarly, we can state rather confidently that the recidivism probability for the felony category (17% observed) is between 11 and 23 percent, for the violent category (17% observed) between 10 and 24 percent and for the dangerous category (25% observed) between 15 and 35 percent.

Our data are based upon records maintained by a variety of sources in the Criminal Justice System, namely, the D. C. Police Department, the Office of the U. S. Attorney (prosecutor), the courts, the bail agency, and the jail. The data collection form developed was designed to follow the flow of a case through the court system, from first action by the prosecutor to sentencing.

In the selected four weeks, 910 defendants were originally listed on the rolls of cases; our analysis showed that only 712 of those defendants actually entered the court system by being charged with felony or misdemeanor offenses during those four weeks. Of these 712 defendants, 426 were released prior to trial, and 47 of those persons (11.0 percent) were subsequently re-arrested on a second charge or charges, while still on release.

Extensive data were collected on each of these defendants and cases; some 50,000 items of information were established and made accessible for quantitative study by being entered in the memory of a time-shared computer system. These data provide the basis for our analyses of factors related to different facets of the pre-trial release question.

Illustrative analyses were conducted to explore the correlations between various types of offenses and each of a number of socio-economic characteristics of defendants. Analyses of re-arrested defendants were made for three complementary pairs of classes of criminal activity: felony versus misdemeanor; violent versus non-violent; and dangerous versus non-dangerous. Robberies in the sample were analyzed in even greater detail. We also developed an index of recidivism based on number of re-arrests per unit of time on pre-trial release.

Some of the more interesting observations from our sample follow. The reader is urgently reminded that the results quoted in the following paragraphs are for a limited data base collected from the first half of 1968.

(1) In this sample of 712 defendants, we were able to trace thoroughly 426 who received some form of pre-trial release and for whom we conducted analysis of re-arrests. A total of 176 were never released, 58 were disposed of before presentment, 22 were "nolled" at presentment, and data were insufficient for findings on 30 other defendants. (See p. 121.)

(2) Of these 426 persons on pre-trial release (extended to include pre-sentence and pre-appeal releases), 47 were re-arrested, giving a recidivist rate of 11.0 percent. (See p. 121.)

(3) About two percent (13) of the 712 defendants entered the system twice in separate incidents during the sample weeks. Of these 13, 11 were not on pre-trial release at the time of their second involvement. This gives some indication of the number of people who are re-introduced into the system after their initial cases have been cleared. (See p. 121.)

(4) At presentment or initial hearing (initial pre-trial release determination), the sample contained 217 felony defendants (31 percent), 437 misdemeanor defendants (61 percent), and 58 defendants who were "no papered" (8 percent) or otherwise disposed of before presentment. A total of 654 (92 percent) were eligible for pre-trial release consideration and formed the basis of our analysis. (See p. 122.)

(5) For the 217 felony defendants eligible, our records indicate that the following kinds of releases were initially set: 52 percent on money bond, 10 percent on personal bond, 23 percent on personal recognizance, and 15 percent unknown or denied (there were 13 homicide felony defendants who could be detained as capital offenses). (See p. 122.)

(6) For the 126 felony defendants actually released and for whom we examined release conditions, 26 percent were on money bond, 18 percent on personal bond, 54 percent on personal recognizance, and 2 percent unknown. (See p. 130.)

(7) Comparisons were made to show differences between felony defendants in general and two sub-categories of felony defendants defined in proposed legislation: (a) Those accused of crimes classified as dangerous -- including robbery, burglary, arson, rape, and narcotics, and (b) those charged with offenses termed violent -- including all the "dangerous" categories plus homicide, kidnapping, and assault with dangerous weapons. Of the felony defendants (147) released prior to trial, 72 percent were in the violent category, 46 percent in the dangerous category. (See p. 131.)

(8) Seventeen percent of the 147 felony defendants, 17 percent of the 106 "violent" defendants, and 25 percent of the 68 "dangerous" defendants were re-arrested while on pre-trial release. (See pp. 134 and 136.)

(9) Felony defendants were re-arrested for misdemeanors (7%) about as often as for felonies (7%); whereas misdemeanants were re-arrested for misdemeanors (6%) about four times as

often as for felonies (1.5%). Violent offenders were re-arrested twice as often for non-violent offenses (10%) as for violent offenses (5%). Dangerous offenders were re-arrested for non-dangerous offenses (16%) almost 2-1/2 times more frequently than for dangerous offenses (6%). (The data base in the latter two categories, however, is very small.) (See pp. 134 and 136.)

Personal Characteristics

(10) For the people in the sample, representative averages of personal factors analyzed were: median age - 26.5 years; mean education level - 10.2 years; median years resident in community - 18; percent employed - 56; living with parents or relatives - 60 percent; and defendants indicating they had previous record - 38 percent. (See p. 151.)

(11) No single personal characteristic, except possibly employment, appeared as an outstanding indicator of recidivism, although felony defendants (excluding those charged with robbery) who were recidivists were generally older than felony defendants who were not recidivists. (Combinations of characteristics await further testing.) (See p. 138.)

Recidivist Index

(12) A recidivist index was defined; its numerical value for the sample was approximately one re-arrest per 1,000 defendant-days on pre-trial release. For the complete sample, this index appears to be relatively constant throughout the time-period when defendants are on pre-trial release. However, a very rudimentary calculation based on an adult population of 522,000 (est. for 1968) in the District of Columbia, and using the average number of persons formally charged per day (654 ÷ 28), shows that there would be one arrest for every 22,000 adult days of exposure. (See p. 160.)

(13) Based on our limited data, the recidivist index showed

(a) An increased propensity to be re-arrested when released more than 280 days (See p. 165.);

(b) an increased propensity of persons classified as dangerous under the proposed legislation to be re-arrested in the period from 24 to 8 weeks prior to trial; and

(c) a somewhat greater propensity to be re-arrested while awaiting sentence or appeal after trial than when on pre-trial release.

Recidivist Cases

(14) In order to increase the size of the recidivist sample for examining characteristics of initial and re-arrest offenses, records were reviewed to determine which defendants were on pre-trial release at the time they committed the offense which placed them in the sample. The total recidivist sample thus arrived at included 99 names and 128 cases. (See p. 166.)

(15) There are known to be convictions in both the initial case and the re-arrest case for 33 percent of the total (128) cases. An additional 20 percent had cases pending or had missing records. (See p. 170.)

(16) For all initial felony cases (53), the re-arrest was for a felony 43 percent of the time and a misdemeanor 57 percent of the time. For all initial misdemeanor cases (68), the re-arrest was for a felony 24 percent of the time and a misdemeanor 76 percent of the time. (See p. 167.)

Robberies

(17) There were 40 robbery defendants in the sample. Of these, 16 showed no prior adult criminal record and 5 showed no prior felony arrests; records were not available for 7. Twelve showed at least one prior felony arrest, but only four showed any felony convictions. (See pp. 176 and 177.)

(18) Compared to other categories analyzed, robbery defendants appeared to be: (a) younger; (b) less educated; (c) less frequently employed and more likely to have a prior criminal record. (See p. 180.)

(19) The average time to trial in 36 of the 40 cases was 200 days; records on 4 other cases were incomplete. Eight of the 12 who never received any pre-trial release were convicted. Thirteen of the 23 who were released were convicted. One fled the jurisdiction. (See p. 183.)

The reader is particularly cautioned against casual use of the averages reported in this Summary. Apart from the sample limitations, the richness of the narrative supporting material in the court records and the judgmental decisions of persons in the administration of justice are not adequately conveyed without an interpretive summary to accompany each result. The reader is urged to probe deeply in the body of the report to assure proper interpretation and use of the numerical results presented here.

For illustration: One might deduce from statements 7 and 8 above that if the "dangerous" criterion (as defined in this report) had been applied to the sample defendants, then 52 fewer releases and 17 fewer recidivists could have resulted. Thus, the total number of recidivists might have been reduced by about one-third (47 decreased to 30), a significant reduction. Yet because recidivism in this study denotes only re-arrest for criminal offenses -- a released defendant as a suspect for a later crime -- the above analysis does not provide direct information on how many fewer crimes would actually have been committed, how many fewer subsequent convictions would have been obtained, or how many fewer releases relatively riskless for the community would have been permitted. The proposed legislation (S-2600, HR 12806) also provides for a detention hearing, at which some of the 52 defendants might have won release.

It should be noted, in addition, that application of the proposed legislation may release some defendants currently being detained because they cannot meet the money bond imposed. This may be particularly true in those cases in which the defendant is charged with a misdemeanor and cannot meet the bond set. (This occurred in 67 percent of the 187 jail cases which we have in the record.)

The data collected cannot alone settle all of the difficult policy questions which must be resolved. We hope the data and methods presented in this document are useful aids in clarifying and resolving such issues. Additional questions can be asked of the data, and other hypotheses tested -- within the time frame and resources available it was possible to explore only a few of the plausible combinations.

The observations and recommendations presented in Chapter IX are our immediate reactions to some of the additional needs we see. However, these are but small steps in a long difficult process of establishing effective prediction procedures.

CHAPTER II

Introduction

Crime ranks high among the important social problems of today. It has been recognized for some time that the development of improved approaches to this problem poses a requirement not previously met, for identifying and responding to the Nation's needs for adequate data from the Criminal Justice System. Such information is necessary, in particular, to provide a factual framework within which to appraise the likely effectiveness and desirability of proposed innovations in the system.

Of particular concern in recent months has been crime committed by persons while on pre-trial rlease for alleged criminal behavior. It is not at all clear whether data exist in the Criminal Justice System which, with appropriate methods, would permit on a statistical basis the prediction of an individual's likelihood to commit crime while released. This pilot study was commissioned to assemble and analyze a sample of the available data to determine if a full scale data collection and analysis effort would be worthwhile, and to ascertain the extent of recidivism of those defendants in the sample.

Historical Background

From the founding of this country, the right to pre-trial release for all persons charged with other than a capital offense has been presumed. The definition of capital offense, however, has changed over the years from a rather inclusive list of crimes in the eighteenth century to "crimes resulting in a death" at the current time. Likewise, the practical reality of the right to pre-trial release was often questioned, since the imposition of high money bail often has the effect of preventive detention (Reference 89 in Appendix A).

Until 1966, money bail was the standard form of pre-trial release. The Bail Reform Act of 1966 encouraged the employment of various terms of release other than money bail in Federal jurisdictions (primarily release on recognizance). Legally, the amount of money assessed should relate only to the judge's estimate of the defendant's likelihood of returning for trial. The courts in the District of Columbia, as the only major metropolitan courts under Federal jurisdiction responsible for dealing with criminal activity, were most directly affected, although many other courts have begun limited release-on-recognizance (R.O.R.) programs.

The current anti-crime crusade has turned to the concept of preventive detention based upon the prediction of a defendant's danger to society, as one means of reducing the level of crime. Two fundamental questions arise: (1) Is it possible to obtain data to support a rigorous prediction method, and if so, what should the method be? (2) Will preventive detention significantly reduce crime even if a good prediction device is developed?

The need for data has been recognized for some time. Perhaps the most comprehensive review of this need was conducted by the Bureau of the Census in late 1967 and early 1968 (Reference 90). This review, conducted by three panels dealing with the respective areas of law enforcement, the courts, and corrections, concluded:

> "A thread that runs through the reports, the debates, the public statements is simply that there are not enough data, or there are no data, or the data which exist are either incomplete, the wrong type of data, out of date, or inadequate for one reason or another."

A number of studies have since been conducted concerning crime committed while on pre-trial release. These studies, described in Reference 1, have shown variations in the percent of offenders alleged to have committed crime while on pre-trial release which range from 7 percent (for indictments of persons indicted for felonies) to 70 percent (for arrests of persons indicted for robbery). In reviewing these data, the Judicial Council Committee to Study the Operation of the Bail Reform Act in the District of Columbia noted in its report of May 1969 (Reference 89):

> "Data which shows the precise extent of crime on bail is not available. Neither private research organizations nor government have undertaken the necessary work. No one has assembled the financial resources, the computerized analysis and the professional direction which are necessary for a comprehensive or fully adequate study."

It is not clear, however, that the desired data are available or can be collected from the Criminal Justice System or that even if they are currently available, they will prove meaningful in view of the low apprehension rate.

With this as background, the National Institute of Law Enforcement and Criminal Justice, the research arm of the Law Enforcement Assistance Administration in the Department of Justice, felt the need to institute a pilot project to explore the problems in acquiring a much broader data base as well as the potential of such an information bank. The Technical Analysis Division of the National Bureau of Standards was selected to undertake the initial data gathering and computer analyses necessary to provide a basis for discussion involving the number and types of crimes that were being committed by persons released pending trial. It was emphasized from the outset that the study should not try either to support or to counter the advisability of the notion of preventive detention, but rather should assemble any data existing within the Criminal Justice System which would have a bearing on the subject. The study was authorized under grants NI 019 (FY 1969) and NI 70-012 (FY 1970) of the National Institute of Law Enforcement and Criminal Justice.

Purpose of the Study

The study is an exploratory or pilot study of Criminal Justice System records to determine what can be learned about crime allegedly committed by persons granted pre-trial release. One purpose of the study was to assemble the pertinent court data to ascertain what problems would be encountered in collecting such data, to determine the extent and value of the data for formulating pre-trial release programs, to recommend whether a full scale data collection program should be undertaken, and to offer suggestions for the implementation of a court information system in the future.

A second purpose of the study was to render clearer and more objective the concept of "dangerousness" as applied to persons on pre-trial release. "Dangerousness" can be viewed as involving two elements: the "probability" that a person on pre-trial release might commit a crime of some type, and the seriousness of that type. The probability as estimated might well depend on the category of the crime under which the person is released; the seriousness attributed to a class of crimes might be based on the lengths of sentences imposed on those convicted of such crimes.

A third purpose of the study effort was to define an approach to developing a method of "dangerousness" prediction for use in reaching a decision for or against pre-trial release in individual cases.

A fourth purpose was to assemble in one location a basic set of criminal records relevant to a wide variety of possible analyses. The object was to gather as much information as possible from the Criminal Justice System so as to avoid pre-limiting the set of factors which might be tested for use in a predictive mechanism. Contact was established with many people who were intimately associated with the problem in the Department of Justice and the Courts, and in study groups which had previously analyzed portions of the problem. Appendix B lists many of the people contacted during the course of our work.

Approach to Data Collection

The work program included collection of all information available in the Criminal Justice System on all those persons who entered the System during four selected weeks in the first half of 1968. The first half of 1968 was selected so that proceedings connected with the particular charges would, in most instances, have been completed by the time of the study. The four weeks were not selected randomly, because of the additional complexity which this would have added to the data collection problem, but were selected to obtain a spread across the months and with differing time periods within a month. One week was selected at the beginning of a month, two were in the middle, and one at the end of a month. There was deliberate avoidance of the abnormal period (see Figure 2, p. 119) of civil disorder which followed the assassination of Dr. Martin Luther King (April 1968), and that which coincided with the closing of "Resurrection City" (late June of 1968).

All established data sources which might yield information about individual cases progressing through the Criminal Justice System were identified and were subsequently used to obtain information on those persons entering the system (first appearing before a judicial officer with respect to a given charge) during the selected weeks. The data were assembled on forms which were especially designed for this purpose. The data collection was carried out by advanced law students from Georgetown University, in the District of Columbia. After the entry of the information on the data collection forms, these forms received a screening to establish the completeness and internal consistency of the recorded material. The forms were then transcribed to another format more suitable for keypunching, and punch-card computer input was prepared from them. It was the intent of the data collection effort that only data already recorded should be collected. No effort was made to secure data not already existing in recorded form in the Criminal Justice System.

When it was discovered that an individual was already on pre-trial release for some crime allegedly committed prior to the charge being studied, or had allegedly committed a subsequent crime while on pre-trial

release for the charge being studied, these prior and subsequent cases were also documented. It was recognized that crimes charged both before (retrospective) and after (prospective) the incident (master case) which caused a person to enter into the sample had to be tabulated separately, because the data bases of those free on pre-trial release who could commit crime before and after the master case would be different. From the data gathered, a table was to be constructed indicating the probability that a person facing a charge in a given category (corresponding to a row of the table) would while on pre-trial release be arrested for another crime in the same or perhaps in some other category (corresponding to a column).

Two additional analyses were to be performed. One was to indicate the apparent seriousness with which various categories of crime were treated, by examining sentences handed down. The other was to deal with the number of man-days available for the commission of crime during pre-trial release; without this normalizing factor, the number of man-days actually exhibiting re-arrests could not be viewed in proper perspective.

Completeness and accuracy in the resultant data base were key considerations of the study. The condition of records in many files made it impossible to achieve these goals adequately by mere transcribing, and it was found essential to maintain a process of intense review and re-check. This difficulty led to strains on the limits of time and funding planned for the study; the original time frame had to be extended; the sample size originally contemplated (five or six weeks) had to be reduced to four weeks; and the analysis of apparent seriousness as defined by sentences was reluctantly dropped from the study.

The balance of this document explains in detail the data collection and analyses which were undertaken.

CHAPTER III

Prediction of Criminal Behavior

Collection and analysis of data concerning criminal behavior began as early as 1831 with Quetelet's publication of his study relating criminal activity to education, age, and sex of the criminal, and to climate (as discussed in Reference 66). Within the last forty years, research has concentrated on relating criminal activity to behavioral patterns in the individual. These analyses, and their associated data tabulations, have been of great analytic value and some prescriptive value.

The Nature of Prediction

One goal of this present study has been to identify correlations among factors in the data collected, so that patterns of association could be found. The procedures are precisely those used in any statistical study in which projections are made into the future; patterns of combinations that have been found to exist repeatedly in the past are assumed to remain applicable under certain future conditions.

The objective of this portion of the study is to attempt to identify indicators of potential dangerousness in arrested defendants, and to discover whether a mechanism to improve predictions of dangerousness can be developed. Some requirements in this process are therefore:

(a) a definition of a dangerous event, and the specific ways in which that definition is to be interpreted in terms of the data at hand;

(b) selection of the independent variables relating to the individual and to the nature and the circumstances of the alleged offenses, all of which bear upon dangerousness; and

(c) the guidelines for drawing inferences from the analysis of the correlations among the factors involved.

A more extensive discussion of the nature of prediction in crime can be found in D. M. Gottfredson, Assessment and Prediction Methods in Crime and Delinquency, (pp. 171-187, in Reference 86).

Current Pre-Trial Release Operations[1/]

So that this analysis might benefit from an understanding of how judgments on pre-trial release are currently made, the study team examined the operations in three cities: New York City, Baltimore, and the District of Columbia.

In each of the cities, information was sought on the factors described above. They were operationally defined as follows:

(a) What categories of offenders are eligible for consideration in the pre-trial release judgment, and what is known about them?

(b) What is the intent of the pre-trial release program?

(c) What is the nature of the pre-trial release system in use?

(d) What information does the pre-trial release agency obtain on persons before a determination is made, and which information is judged to be most relevant to the determination?

Populations with which Pre-Trial Release Agencies are Concerned. In New York City, all persons accused of felonies or misdemeanors are interviewed prior to arraignment, except for those (1) charged with homicide; (2) charged with inflicting a possibly fatal injury; (3) for whom a bench warrant is outstanding or who are being held for extradition; and (4) who are financially able to post bail and engage a private attorney.

In Baltimore, by contrast, the persons interviewed by the Pre-Trial Release Division must have appeared in municipal court and had bail set according to the bail schedule. At this point, the Pre-Trial Release Division must be contacted by a defense attorney, the defendant, the

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1/ Information in this section is based on interviews with directors of three current pre-trial release programs: Mr. Bruce Beaudin of the D. C. Bail Agency; Mr. Jack Highsmith of the New York City Release on Recognizance Program; and Mr. Richard Motsay of the Baltimore City Pre-Trial Release Division. Their cooperation is greatly appreciated.

defendant's family, or some other interested party. Defendants charged with the following offenses are not interviewed, unless a writ of habeas corpus is filed: (1) certain cases of murder; (2) certain cases of rape; (3) extradition, kidnapping, abduction; (4) certain cases of arson; (5) selling narcotics; and (6) assault on police officers. The Pre-Trial Release Division in Baltimore deals only with defendants charged with felonies.

The District of Columbia agency, like that in New York, deals with defendants accused of committing either felonies or misdemeanors. Another similarity in the two programs is that the defendants are interviewed prior to their first court appearance. In Washington, however, defendants financially able to post their own bail and to hire an attorney are not excluded from consideration. As in both New York and Baltimore, persons charged with capital offenses are not interviewed. The D. C. agency differs from the other two agencies in that it does consider persons under fugitive warrant.

The General Intent of the Three Programs. In New York City and the District of Columbia, the major concern of the pre-trial release agencies is whether or not the defendant will appear for trial. In both agencies, a defendant is recommended for either a non-money bail release or no release. Neither program recommends what amount of bond should be set, and neither program considers the nature of the current offense once eligibility for bail has been determined. Rather, both attempt to assess the defendant's stability in the community as indicated by his length of residence, contact with family, employment record, and criminal record.

The expressed intent of the Baltimore City agency is different. A defendant is considered an apparent good risk for release if he can be expected to show for trial and if he will not present a risk to the community. This program takes into consideration the current offense report and the seriousness of the offense. In certain cases, the program also makes recommendations concerning the amount of bond which should be set.

Differences in Manner of Operation

(a) Personnel -- In New York and Washington, students and part-time personnel make up at least part of the interviewing staff, and these employees receive professional staff supervision. The Baltimore program has a full-time staff; the agency places a great deal of emphasis on hiring persons who have criminological experience.

(b) Follow-up -- All three programs notify released defendants of their trial dates. The New York program has no further contact with its clients, unless there is some subsequent violation or a bail review. The Washington program has varying levels of contact, ranging from personal telephone calls to weekly check-ins. This program, however, is unable to follow-up on all violations of bail conditions. The Baltimore program prescribes a rigid follow-up program, based on weekly telephone calls. Any defendant who fails to call on time is then called by agency personnel, and any violation of conditions results in an immediate arrest warrant and revocation of the release.

(c) Size of the Operations -- Because it deals with felony offenses, and then only on request, Baltimore has the smallest program. The agency interviews approximately 3,000 persons annually. The New York City agency interviews approximately 70,000 persons and the D. C. agency approximately 20,000 persons each year.

(d) Information Gathered -- The information obtained and the interview formats are similar in Baltimore and Washington, and these interview formats are almost identical to earlier formats used in the New York City project. Presently, however, New York employs a highly condensed format. The information gathered by all three agencies has many similarities.

Predictive Factors Currently Used. Recommendations and decisions to release a defendant prior to his trial are usually based on information concerning the defendant's stability in the community or his family relationships. The three agencies interviewed in the course of this study

have each selected certain parts (factors) of this information to be entered on rating sheets, used to summarize the information with a numerical score. These are the factors which agency personnel assume to have the greatest relevance to behavior on pre-trial release. The rating sheets currently used in the three cities are shown in the following pages. These rating sheets show differential weightings of factors. The rationale behind these rating sheets appears to be that the factors considered are, in some way, related to the defendant's stability, and that stability is positively related to the defendant's likelihood of appearing for trial. So far there has been no attempt to achieve a statistical validation of this hypothesis.

An in-depth review of the information collected by the D. C. Bail Agency for persons in the sample population used in this study revealed that many of the entries in these forms were unverified reports by the defendants. To obtain an indication of the amount of bias that might be introduced by such self-reports, that information was cross-checked with the information developed in the Pre-Sentence Reports of the D. C. U. S. Probation Office and the Bail Agency.

The comparison is not a clear-cut one for the following reasons:

(a) there is some self-offered information in all the files;

(b) Pre-Sentence Reports contain much verified information, gathered from interviews with spouses or other family members, contacts with present and former employers, reports of physical health, contacts with Selective Service Boards, F. B. I. and police reports of prior criminal activity, and records of juvenile offenses; and

(c) the checking of Pre-Sentence Reports was limited by time and resources available, to those for a number of the people in the sample who were later convicted of felonies.

A third possible check was with the files of the Office of Offender Rehabilitation. This was abandoned when search of the 229 cases in a one-week sample yielded only three entries in the Offender Rehabilitation files.

NEW YORK CITY
OFFICE OF PROBATION

RATING SHEET

To be recommended, defendant needs:

1. A New York area address where he can be reached
AND
2. A total of five points from the following categories:

Int	Ver	
		PRIOR RECORD
2	2	No convictions.
0	0	One misdemeanor conviction.
-1	-1	Two misdemeanor or one felony conviction.
-2	-2	Three or more misdemeanor or two or more felony convictions.
		FAMILY TIES (In New York area)
3	3	Lives in established family home AND visits other family members. (Immediate family only)
2	2	Lives in established family home. (Immediate Family)
1	1	Visits others of immediate family.
		EMPLOYMENT OR SCHOOL
3	3	Present job one year or more, steadily
2	2	Present job 4 months OR present and prior 6 months.
1	1	Has present job which is still available. OR Unemployed 3 months or less and 9 months or more steady prior job. OR Unemployment Compensation. OR Welfare.
3	3	Presently in school, attending regularly.
2	2	Out of school less than 6 months but employed, or in training.
1	1	Out of school 3 months or less, unemployed and not in training.
		RESIDENCE (In New York Area Steadily)
3	3	One year at present residence.
2	2	One year at present or last prior residence OR 6 months at present residence.
1	1	Six months at present and last prior residence OR in New York City 5 years or more.
		DISCRETION
+1	+1	Positive, over 65, attending hospital, appeared on some previous case.
-1	0	Negative - intoxicated - intention to leave jurisdiction.

TOTAL INTERVIEW POINTS

R NR

TOTAL INTERVIEW POINTS

40-43-167 Rev.

R. NR

BALTIMORE PRE-TRIAL RELEASE RATING SHEET:

To be recommended, a defendant needs:

1. A Baltimore area address where he can be reached AND
2. A total of five points from the following:

Int.	Ver.	
		RESIDENCE (In Baltimore area; NOT on and off)
3	3	Present residence 2 years OR present and prior 3 years.
2	2	Present residence 6 months OR present and prior 1 year.
1	1	Present residence 4 months OR present and prior 6 months.
		TIME IN BALTIMORE AREA
1	1	5 years or more.
		FAMILY TIES (In Baltimore Area)
3	3	Lives with family.
2	2	Lives with non-family friend AND has contact with other members of his family.
1	1	Lives with non-family friend OR has contact with other members of his family.
		EMPLOYMENT OR SUBSTITUTES
5	5	Present job over 5 years where employer will take back.
4	4	Present job over 1 year where employer will take back.
3	3	Present job over 5 months where employer will take back.
2	2	Student in GOOD standing with the school.
2	2	Worked less than 6 months at his job but employer can give satisfactory recommendation.
2	2	Laid off his job for reasons other than personal or ability to carry out job.
1	1	(a) Present job 4 months or less OR present and prior job 6 months. OR (b) Current job less than a month where employer will take back OR (c) Unemployed 3 months or less with 9 months or more single prior job from which not fired for disciplinary reasons. (d) Receiving unemployment compensation, welfare, etc. (e) Full time student. (f) In poor health.
		CHARACTER
-1	-1	Prior negligent no show.
-2	-2	Definite knowledge of drug addiction or alcoholism.
		PRIOR RECORD

Note: Use chart below for single offenses and for combination of offenses. For reasoning and offensive weights, see Explanatory Memo.

CODE: One adult felony=7 units if five years ago and no previous record within the 5 year period.
One adult felony=10 units if within a five year period from present charge.
One adult misdemeanor=2 units if within a five year period from the date of present charge.
One adult misdemeanor=1 unit if five years ago and no previous record with the 5 year period.

-1	-1
-2	-2
-3	-3
-4	-4
-5	-5
etc.	

0 1 2 3 4 5 6	7 8 9 10 11 12 13	14 15 16 17 18 19 20	21 etc.
-1	-2	-3	-4

WASHINGTON, D.C. BAIL AGENCY RATING SHEET

To be recommended a defendant needs:

1. A verified Washington area address where he can be reached. AND
2. A total of 4 verified points from the the following: (circle number of points verified and total at bottom of page):

Points	
	TIME IN WASHINGTON AREA
1	5 years or more.
	RESIDENCE (In Washington area; NOT on and off)
3	Present address 1 year OR Present and prior addresses 1 1/2 years.
2	Present address 6 months OR present and prior addresses 1 year.
1	Present address 4 months OR present and prior addresses 6 months.
	FAMILY TIES
4	Lives with family AND has contact with other family member(s).
3	Lives with family.
2	Lives with non-family friend whom he gives as a reference AND has contact with family member(s).
1	Lives with non-family friend whom he gives as a reference OR lives alone and has contact with family member(s).
	EMPLOYMENT OR SUBSTITUTES
4	Present job 1 year or more where employer will take back.
3	Present job 1 year or more.
2	Present job 4 months where employer will take back OR present and prior jobs 6 months where present employer will take back.
1	(a) Present job 4 months OR present and prior job 6 months.
	OR (b) Current job where employer will take back.
	OR (c) Unemployed 3 months or less with 9 months or more single prior job from which not fired for disciplinary reasons.
	OR (d) Receiving unemployment compensation, welfare, etc.
	OR (e) Full time student.
	OR (f) In Poor Health, (under a doctor's care, physically impaired, etc.)
	TOTAL NUMBER OF POSITIVE POINTS VERIFIED
____	CHARACTER
-1	Prior negligent no show while on bond.
-3	Definite knowledge of present drug addiction.
-2	Definite knowledge of past drug use OR present alcoholism.
-5	On bond on another pending charge.
	PRIOR CONVICTIONS
-1	Code: One adult felony = 7 units
-2	One adult misdemeanor = 2 units
-3	One juvenile substantial "felony" charge = 4 units
-1	Circle total record units.
-4	Units 0 1 2 | 3 4 5 6 | 7 8 9 10 11 12 13 | 14 15 16 17 18 19 20 | 21
	0 | -1 | -2 | -3 | -4
____	TOTAL NUMBER OF NEGATIVE POINTS
____	TOTAL NUMBER OF POINTS (Positive less negative).

Table 1 contains a summary of the comparison of the respective responses to personal questions in Bail Agency files and in Pre-Sentence Reports. The statements compared were those in the Pre-Trial Release Study Data Form (Appendix C, pp. 220,
felons (44) were isolated from those of all other offenders in two weeks (total data available when this comparison was made) of the sample population. Of those 44, 14 had no Bail Agency records available, and one had no Pre-Sentence Report on file. The information on seven forms was not checked, although the files were available. Therefore, of the 29 cases for which information was available in both sources, 22 were tabulated, as shown in Table 1.

In the more general categories of information, the Bail Agency files coincide fairly well with the Pre-Sentence Reports. However, both the depth and the probable validity of Bail Agency information in all categories indicates that it should be used only for preliminary correlational analysis. This information should be used only for very broad classification.

Bail Agency information was usually more superficial than that in Pre-Sentence Reports, and complex marital and familial relationships were not well represented therein. It appears that the Bail Agency records present defendants in a somewhat more favorable light than the pre-sentence reports that were available for comparison. However, it is not clear from the small amount of data available to us, whether this bias resulted from overstatements made by the defendant or the hurried nature of the interview.

Predictive Factors Considered in Probation and Parole Studies

Efforts to evaluate and improve probation and parole programs have led to the identification of certain factors as relevant in predicting the success or failure of offenders on probation or parole. As data concerning the success or failure of persons granted these types of release became available, attempts were made to determine which individual characteristics were related to success or failure after release. Thus, researchers have tried to identify groups of offenders who exhibited a certain behavior after release, e.g., those who were re-arrested or those who maintained a stable job and home life. They tried to determine which characteristics were most often typical of one group--

Table 1.

Comparison of Responses to Personal Information Questions in Bail Agency Files and Pre-sentence Reports.

Statement:	No. with same info. on B. A. form & pre-sent. report	No. with different info. on B. A. form & pre-sent. report	No. with no info. on B. A. form	No. with no info. on pre-sent. report	No. to which statement did not apply
Race	22	0	0	0	0
Sex	22	0	0	0	0
Birth Date	20	2	0	0	0
Place of Birth	21	1	0	0	0
Wash. Met. Area Resident	22	0	0	0	0
How Long	20	2	0	0	0
Family Ties in Wash. Met. Area	20	1	1	0	0
Lives with Spouse	17	2	3	0	0
Lives with Relatives	13	4	5	1	0
Married	21	1	0	0	0
Status	12	2	0	0	13
How Long Married	3	0	4	2	13
Support	1	0	14	3	13
Number of Children	15	6	2	0	0
Number of Children/Age Group	4	5	6	0	6
Children by	10	3	3	0	6
Support Children	8	3	5	0	6
Children Live with	8	4	4	0	5
Employed	21	1	0	0	0
How Long	18	2	2	0	0
Wages/Week	4	0	1	5	12
Type of Work	8	2	0	0	12
Type of Prior Employment	10	4	6	0	1
How Long Employed	8	2	10	1	1
Student Now	19	0	4	0	0
Highest Grade Completed	9	9	3	0	0
On Drugs Now	18	1	0	3	0
Ever on Drugs	18	1	0	3	0
How Long Ago	0	2	11	0	12
Alcoholic	13	1	4	2	0
Ever Hospitalized for Mental Illness	9	2	4	7	0
When	0	1	0	0	20
How Long	0	1	0	0	20
Where Hospitalized	0	1	0	0	20
Ever on Probation, Parole, Conditional Release	18	4	0	0	0
Revoked	2	4	17	0	6
Why	0	0	7	2	13
Now on PB., PA., C. R.	4	0	16	2	0
Prior Bond Release	7	0	0	15	0
What Year	1	0	0	6	14
Where	1	0	0	6	14
Charge	1	0	0	6	14
Appeared in Court	0	0	1	6	6
On Bond Release Now	5	0	0	14	0
Charge	2	0	0	14	13
Record or No Record	14	7	0	0	1
Year	7	0	7	0	8
Charge	8	0	6	0	8

N = 22

and atypical of members of a complementary group. They searched for characteristics that would have evident potential for determining who should (or should not) be granted certain types of release. An examination of these studies can identify certain techniques and problem areas which are encountered in attempting to define dangerousness of individuals when involved in probation, parole, or pre-trial release situations.

There are some very significant differences among parole, probation, and pre-trial release situations:

(1) Studies concerned with the behavior of persons on probation or parole deal with individuals who have been found legally guilty of criminal acts, while the pre-trial release study is concerned with defendants who are only alleged to have committed a crime. This difference has two major effects:

(a) Probation and parole studies contain more complete information about the nature of the offense, and this information can be accepted as fact. Pre-trial release studies, on the other hand, contain only the official police report of the offense and, in some cases, the defendant's account of the offense. Also, there are legal complications surrounding the kinds of information a defendant may be asked to contribute prior to his trial.

(b) When probation or parole is being considered, there is a relatively long interval of time between an initial consideration of release and the actual decision to grant the release. Therefore, the decision-makers have much time in which to gather information about the individual under consideration. Especially in the case of parole, there is information available about the individual's general adjustment--to institutional life at least--and there are reports from staff personnel who have had the opportunity to deal with--

and to know -- the individual. In the case of pre-trial release, there is a relatively short time interval between the initial consideration of the individual and the decision for release. In many instances the amount of actual contact with the individual amounts to no more than 10-20 minutes.

(2) The criteria which probation and parole programs use to evaluate the success or failure of individuals released to the community differ greatly from the criteria which most pre-trial release programs consider. In their assessments, probation and parole programs are concerned with determining the degree of rehabilitation exhibited by persons who have been released. These studies often involve long-term assessments which may continue for years. Pre-trial release programs, on the other hand, are concerned only with short-term assessment, and cannot concern themselves with a need for rehabilitation.

Bearing in mind that probation, parole, and pre-trial release are quite different processes, we can still consider those aspects in which they are alike, and ask how studies in the first two areas may be able to shed some light on the techniques and problems which they have in common with predicting behavior in the context of pre-trial release programs. The main reference point to consider when examining probation, parole, and pre-trial release programs is that all three are interested in the likelihood of the offenders' (defendants') subsequent criminal involvement (arrest or conviction). In the case of pre-trial release, the main concern has usually (up to this time) been with the probability of the occurrence of a particular criminal act -- flight to avoid prosecution. Probation and parole studies have been concerned with all offense categories. Recent interest in the definition--and ascription--of dangerousness as a pre-condition to the granting (or denial) of pre-trial release makes probation and parole studies even more relevant to the pre-trial release situation.

Procedure. Many evaluation studies of probation and parole programs have

been conducted. A variety of data have been collected, analyzed, and classified. Analyses have been made to detect correlations between various data categories and the types of behaviors to which they have appeared directly relevant. Factors for which high correlation coefficients have been ascribed have been included in experience tables--tabular presentations of data designed to reflect the relationships (co-relationships) found between the most relevant factors and the behavior in question. Experience tables are applied to sample cases (other than those used in the construction of the tables), and the factors in the tables are weighted and grouped into alternative configurations which are used for prediction. Tables used for prediction (prediction tables) are the result.

These studies have most often used one of two methods for the refinement of experience tables into prediction tables: (1) selection of all factors which have a high correlation with the behavioral-prediction-criterion, and assignment of equal weight to each factor; or (2) selection of those factors having the highest correlations, and assignments of relative weights to each one, depending on its independence from other factors and its relative correlation with the behavior to be predicted.

In recent years, another general method has frequently been employed: development of predictive equations into which current and constantly updated probabilities may be inserted.

Many past studies intended to develop predictive instruments might be better described as attempts to develop experience tables. Once a tentative prediction device has been developed, it must be tested on samples from some population other than the one on which it was developed. If this is not done, its validity is questionable. Yet, experience tables are not without value; they present observed frequencies of factors or characteristics in their relationship to some specified behavior. They are an aid in improving the collection of base data about probation and parole programs, as well as changes in the offender population.

Abstracts of Studies Reviewed. To understand the methods used in current predictive studies and the types of information obtained in these efforts, we examined several studies which clearly demonstrated the factors chosen

and which present varying approaches to the problem. To exhibit what types of factors have been most frequently used in experience tables, the factors from these studies are listed in Table 2 on page 36. The studies examined during the course of this project are summarized below.

(1) H. Gough, E. A. Wenk, and Z. D. Rozynko. "Parole Outcome as Predicted from the CPI, the MMPI, and a Base Expectancy Table," 1965 (Reference 55). This study was based on the rationale that use of a base expectancy table (experience table) to predict parole outcome ignores the current status of the individual. Therefore, an attempt was made to combine the base expectancy table (which was known to differentiate parole violators from non-violators) with scales from two personality inventories (which also differentiated the two groups). Multiple regression equations were derived in order to provide more accurate predictions. The authors used: (a) The California Youth Authority Base Expectancy Table (an index constructed in 1959 by Beverly and then refined in California); (b) The Socialization (So) and Self-Control (Sc) Scales of the California Psychological Inventory (CPI); (c) The K-Corrected Hypomania (Ma) Scale of the Minnesota Multiphastic Personality Inventory (MMPI). Personality inventories such as the MMPI and the CPI are questionnaires which have been standardized on a number of samples of "normal" and "abnormal" individuals. Such questionnaires ask the individual to record his customary conduct or attitudes when faced with a variety of situations. Typical question forms are: "I often feel that . . . ;" or "I would generally rather . . . than . . ." Items on these inventories are standardized according to the average of the responses from the population at large. Certain configurations of responses have been found to differentiate certain groups from the total population.

The six regression equations developed in the study were found to differentiate violators from non-violators with more validity than the Base Expectancy Table used alone. The "best"

equation--the Base Expectancy Table plus the CPI Scale--was significantly better than chance--although it was concluded that the Base Expectancy Table was the best predictor of the three.

The study showed that when the best prediction method was used, the prediction was correct 63% of the time; yet, if one merely assumed that all parolees would be successful, this prediction would be correct 56% of the time.

(2) F. J. Carney. "Predicting Recidivism in a Medium Security Institution," 1967 (Reference 25). The author of this study found seven factors which significantly discriminated (isolated from the population at large) persons who had returned to a Federal or State prison, a jail, or a house of correction for thirty days or more within four years of their release from a particular security correctional institution. The institution in which this study was conducted screens its inmates carefully, so that only those with highest expectation of rehabilitation and those having good institutional adjustment are released. In this sample, 76% of those released were on parole. The best joint predictors of recidivism were: (a) age at present commitment; and (b) prior penal commitment. Of those who were thirty or older at present commitment, having had no prior penal commitment, only 17% were recidivists. Of those who were twenty-nine or younger, having had prior commitments, 71% were recidivists.

Analysis was made of recidivism rates by type of original offense. The average recidivism rate for all offenses was 54.4%. The lowest rate, 26.8%, was for sex offenses against minors; property offenses, excluding forgery, had the highest rate of recidivism, 66.3%. Approximately 60% of those defined as recidivists were back in custody within one year of their release.

(3) H. Manheim and L. Watkins. Prediction Methods in Relation to Borstal Training, 1955 (Reference 72). This study was concerned

with the success or failure of boys released from a juvenile correctional institution (Borstal) in Great Britain. Numerous factors were examined for significant relation to further criminal involvement after release. A weighting system was devised for the significant factors, so that each boy could be assigned a numeric score. Using this scoring system, it was found that the success or failure of the boys with extremely high or extremely low scores could be predicted 90% of the time. The success or failure of boys with high-average or low-average scores could be predicted 67% of the time. Those factors found to have a significant association with recidivism in Borstal boys were: age of commitment to Borstal; intelligence test scores; family crime record; number of siblings in the family; population of home town; type of crime; broken or unbroken home; crowdedness of home; religion; length of stay at address; truancy or non-truancy from school; school reports; physical condition; and occupation before and after Borstal training.

(4) "Simulation as a Basis of Social Agents' Decisions (SIMBAD)," January-February 1968 issue of The American Behavioral Scientist (Reference 2). This study was concerned with the juvenile probation system. The goal of the project, which is currently in process, is to devise a way to provide probation decision-makers with real-time access to computer-calculated probability estimates of success for juvenile offenders who are at certain decision points in the disposition or treatment process. This decision-aids system was based on mathematical models of the probation process. The models and the data used to generate SIMBAD have been developed from a great number of studies dealing with actual success and failure rates of juvenile offenders. Once it is operational, the system will constantly be improved and updated; decision-makers will input current data which will increase the data bank for probability estimates. Twenty potential predictor variables were selected to demonstrate SIMBAD.

(5) C. Blackler. "Primary Recidivism in Adult Men: Difference Between Men on First and Second Prison Sentence," 1968 (Reference 12). This was a pilot study which endeavored to explain the finding that only about one-third of all men who were on their first sentence in a correctional institution became involved in further criminal activity, whereas the recidivism rate for those on second or third sentence was much higher. The study was an attempt to identify those who would become primary recidivists from among all those on first sentence. The guiding hypothesis was: "one of the characteristics of confirmed recidivists is the extent to which they are isolated from social contact." The factors selected for analysis were categorized as follows: family background and relationships; education, employment, and service record; intelligence and personality; medical and psychiatric history; criminal record; and prison record. These factors were analyzed for a group of men with only one sentence, and a group with at least two sentences. There was a follow-up examination which showed that the factors which differentiated the two groups also identified people in the first group who later became members of the second.

(6) S. and E. Glueck. Predicting Delinquency and Crime, 1967 (Reference 51). This study presents a series of tables which differentiate (describe) offenders, both male and female, with respect to background and personal characteristics. Because the tables were not checked thoroughly by follow-up studies, the authors refer to them as "Experience Tables." These tables deal with behavior on straight probation; suspended sentence, and probation with suspended sentence. They also deal with adjustment to the reformatory, adjustment to prison, to jail and houses of correction, during parole, after completion of first reformatory sentence; and delinquency in the Armed Forces.

Comparison of Studies. In Table 2, the relevant factors drawn from these six studies are compiled under eleven subheadings. As far as possible, the

Table 2.
Factors Used to Distinguish Recidivist from Non-Recidivist Populations.

	Studies							
	a	b	c	d	e	f	g	h
DEMOGRAPHIC DATA								
Sex				■				+
Race				■				+
County of Commitment	■							-
Nativity of Offender's Parents						■		-
Nativity of Offender						■		+
Age	■	■		■				+
NATURE OF OFFENSE								
Crimes Against Property vs. Crimes Against Persons	■							+P
Offense Category		■			■			+
Seriousness of Offense				■				-
Number of Companions Present at Offense				■				+P
Nature of Offenses Comprising Previous Convictions					■			+P
OFFENDER'S AGE AT FIRST CRIMINAL INVOLVEMENT								
Age at First Incarceration	■							-
Age at First Arrest		■						-
Age at First Conviction			■		■			-
Age at Onset of Anti-social Behavior					■	■		-
PRIOR CRIMINAL INVOLVEMENT								
Court of Most Recent Commitment: Juvenile or Adult	■							-
Admission Status (First Commitment, Return, Etc.)	■							-
Interval at Risk After Last Sentence					■			+P
Prior Record	■			■				+P
Prior Penal Commitments		■						+P
Number of Previous Arrests		■		■				-
Prior Convictions			■		■			+P
Previous "Treatments" (Penalties Other Than Probation, ISS,[1/] Etc.)			■					-
Commitment to Approved School					■			-
Convictions During School Career					■			-
Crime While in Military					■			-
Previously Bound Over or Conditionally Discharged					■			+P
Time Spent in Prison on Remand and/or as Civil Prisoner					■			-
NATURE OF JUDICIAL PROCEEDINGS								
Referral Source				■				-
Intake Disposition				■				-
Whether Contested or Not				■				+
Whether Detained or Not				■	■			+
Number of Days Detained				■				+
Time Between Referral and Court Trial				■				+
Whether Attorney Present or Not				■				+
Court Disposition				■				+
Placement				■				+
Final Disposition				■				+
Length of Commitment			■			■		+

+ = Factors normally available in this study.
- = Factors normally unavailable in this study
+P = Factors partially available in this study.
1/ Suspended Sentence.

(Continued next page)

Table 2. (Continued)

	Studies							
	a	b	c	d	e	f	g	h
ASSESSMENT OF MENTAL HEALTH AND ADJUSTMENT								
Institutional Conduct		■	■					–
Personality Inventory Evaluation (CPI, MMPI, Maudsley Personality Inventory)	■				■			–
Behavioral Disorders (Drugs, Alcohol, Etc.)		■						+P
Recorded Psychiatric/Psychological History					■			+P
Indication of Mental Disease or Distortion						■	■	–
Intelligence						■		–
EMPLOYMENT AND ECONOMIC DATA								
Stability of Job Record			■		■		■	–
Occupational Status					■			+P
Summary of Service on Discharge From Military					■			–
Industrial Skill of Offender						■		+P
Economic Responsibility of Offender						■	■	+P
Work Habits of Offender						■		–
Age Begun to Work						■	■	–
LIVING ACCOMMODATIONS OF OFFENDER								
Who Live With at Time of Arrest			■	■	■			+
Where Goes After Discharge: Home or Other			■					–
Rating of Home Conditions to Which Returns			■					–
SCHOOL CAREER OF OFFENDER								
Incidence of School Truancy					■			–
Grade Attained in School						■		+P
School Retardation							■	–
CHILDHOOD OF OFFENDER								
Number of Children in Offender's Parental Family						■		–
Adequacy of Childhood Home						■		–
Economic Status of Childhood Home						■		–
Bad Heredity			■					–
Education of Offender's Parents						■		+
Happiness of Childhood as Recalled					■			–
Parental Composition of Home at School-Leaving Age					■			+
Marital Status of Parents or Guardians				■		■		–
SIGNIFICANT RELATIONSHIPS: FAMILY, SPOUSE, FRIENDS								
Stability of Marriage					■			+P
Effectiveness of Contact with Close Relatives					■			+
Effectiveness of Contact with Other Relatives and Friends					■			+
Neighborhood Influences					■			–
Prison Experience in Family					■			–

a. GOUGH, WENK, AND ROZYNKO (1965) (55)
b. CARNEY (1967) (25)
c. MANNHEIM AND WILKINS (1955) (72)
d. "SIMBAD", AM. BEHAV. SCI. (1968) (2)
e. BLACKLER (1968) (12)
f. GLUECK, ADULT MALE (1959) (51)
g. GLUECK, ADULT FEMALE (1959) (51)
h. NBS-BRS FACTORS (1968) DATA IN THIS STUDY.

factors are listed just as they appeared in the original source. Factors used in each of the six studies are shown in columns "a" through "g" (corresponding respectively to those studies described). Column "h" compares the factors with the type of data that is typically available in the District of Columbia at the time that pre-trial release is considered. The plus sign (+) indicates that the factor is usually available; the minus sign (-) indicates that the factor is not available; and the sign (+P) indicates that although the exact factor is probably not available, there is some information closely related to it, or that the factor is included on the Bail Agency interview form, but the data have been found missing or invalid most of the time.

An examination of the table illustrates the lack of comparability among the six studies. Many factors were defined differently in each study; each study emphasized certain factors, while completely ignoring others. Thus, although there seems to be some agreement on what in general are the significant predictors of criminal involvement, different studies accord different weights to specific factors.

Examination of the table shows, also, that there are two general areas covered by all the previous research in which no factors are available to the current study. These are: offender's age at first criminal involvement, and childhood of offender. The only areas in which data available to the current study compare favorably to those used in the past are demographic data and the nature of the judicial proceedings concerning the current offense.

Approaches to the Development of Pre-Trial Release Prediction Methods

There are several routes which could be taken in attempting to develop an instrument for predicting "success or failure" while on pre-trial release. Obviously, any research effort must be predicated on a clear understanding of what constitutes success or failure. There must be a thorough understanding of the actual workings of the judicial system, in order to permit operational and valid definitions

of the behavior to be predicted. Pre-trial release is only one part of the criminal justice system, and its position in that system will determine what measures are available and relevant for the development of valid probability estimates. Thus, any development of a predictive measurement instrument will require the cooperation of those in charge of data collection, as well as of judges, police officials, and juvenile authorities. These are people who can help develop hypotheses about the behavior in question; and these are the people best able to fill in missing data.

Another point which must be considered in attempting to predict criminal performance while on pre-trial release, is that the population in question is relatively small. If we consider the commission of violent or dangerous crimes while on pre-trial release, the population to be analyzed is even smaller. It becomes increasingly more difficult to identify relatively rare events. Expanding the data available on these relatively rare events would require considerable expenditures in time and dollars.

We see two alternatives: (1) exhaustive data collection and analysis of the factors currently available; and (2) collection and analysis of other data, which have been found to be significantly related to criminal activity by other studies.[1/]

The comparison of Bail Agency data available in this sample with the information available in Pre-Sentence Reports shows that the Bail Agency data would be reliable enough for very general categorizations. For more discriminating analyses, that information form should be changed, and the interviewing procedures would have to be more extensive. Analysis of data currently available in the present data base might point out certain broad groups with a high probability of committing crime during pre-trial release. These groups could then be singled out for more extensive analyses.

Another (and probably essential) phase in developing the prediction instrument is to collect data on factors not now included. For example, a defendant's juvenile record is not shown. This gap should be filled, since past studies show that many crimes are committed by

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[1/] For further recommendations related to what follows, see Chapter IX.

persons between the ages of 15 and 18, and that these early criminal histories are useful predictors of adult criminal activity.

As regards new types of information potentially relevant to predicting criminal behavior, one might hypothesize that criminal activity is related to situational adjustment as well as to past behaviors or characteristics. Use of a psychological questionnaire (such as the CPI or MMPI) could test adjustment to current environmental situations and could give indications of the typical way the person might react to stress. This approach could be applied to a sample of the population which is processed through D. C. Bail Agency, with appropriate follow-up and statistical analysis of the results. This would present no substantial disruption of the existing interviewing process.

A final, and more inclusive approach to the definition of a predictive instrument, is that which is best exemplified by the SIMBAD project. This approach, however, would require the collection of much more extensive data than are currently available. If the development of such a system is carried through to implementation, the potential for "successful" prediction of success or failure seems great.

Limitations. Data collected in current pre-trial release programs appear to be inadequate for the type of in-depth studies needed to develop and validate a high quality prediction device. Even if an adequate past-data base could be secured, the present procedures for collecting information do not appear to be adequate. The information now being collected is intended to give some measure of the defendant's likelihood of appearing for trial. Assuming that the same factors are relevant to the defendant's likelihood of committing crime while on pre-trial release does not seem to be valid; such prediction may require quite different hypotheses on the identities and relative "weights" of the important factors. The one pre-trial release program visited in this study which attempted to predict a defendant's "dangerousness" used subjective judgment, rather than statistical data, to reach a conclusion.

Thus, we conclude that developing an accurate predictive instrument requires acquiring a sufficient data base and also more adequate testing of the predictability of criminal behavior from specified factors. The information-related activities of the Criminal Justice System would require expansion, and the continuing cooperation of that system in further analyses would be prerequisite to progress in developing a reliable prediction mechanism.

CHAPTER IV

The District of Columbia Criminal Justice System

A detailed description of the processing of serious criminal cases in the District of Columbia is presented by Subin in Reference 107. Although this reference is dated 1966, it remains substantially applicable to this day. A very brief summary is presented in the following paragraphs to acquaint the reader with the system.

Cases enter the D. C. Criminal Justice System in three ways: through the District of Columbia Court of General Sessions; through the U. S. Magistrate (formerly known as the U. S. Commissioner); and through original actions of the Grand Jury.

The present District of Columbia Court of General Sessions (referred to hereafter as the Court of General Sessions) is an Article I Court of Record consisting of a Civil Division and a Criminal Division. The Criminal Division is composed of three branches: the United States Branch, the District of Columbia Branch, and the Traffic Branch. The criminal jurisdiction of the Court of General Sessions, with which we are exclusively concerned, is set out in 11 D. C. Code Section 963, which reads as follows (Reference 31): Sec. 11-963. Criminal jurisdiction; commitment.

> (a) Except as otherwise expressly provided by this section or other law, the District of Columbia Court of General Sessions has original jurisdiction, concurrently with the United States District Court for the District of Columbia, of:
>
> > (1) Offenses committed in the District for which the punishment is by fine or by imprisonment for one year or less; and
> >
> > (2) Offenses against municipal ordinances or regulations in force in the District.
>
> (b) The Court of General Sessions does not have jurisdiction of the offenses of libel, conspiracy or violation of the postal or pension laws of the United States.

(c) In all cases, whether cognizable in the Court of General Sessions or in the District Court, the Court of General Sessions has jurisdiction to make preliminary examination and commit offenders or grant bail in bailable cases, either for trial or for further examination.

By each of the three branches, new filings in 1968 break down as follows:

United States Branch	17,440
District of Columbia Branch	15,350
Traffic Branch	30,767

This study is concerned with filings that enter the United States Branch, i.e., all serious criminal cases, including misdemeanors, and all felonies. Misdemeanor cases are processed by the Court of General Sessions, while felony cases are bound over to the Grand Jury.

The U. S. Magistrate acts as a committing magistrate for felony cases under the U. S. Code. He issues warrants of search and arrest, sets pre-trial release conditions, appoints counsel and holds preliminary hearings. In felony cases where probable cause is found, the Magistrate binds the defendant over to the Grand Jury. The Magistrate may drop cases prior to preliminary hearing, or he may refer them to the Court of General Sessions if he finds probable cause that a misdemeanor has been committed. The Magistrate handled approximately 1100 new filings in 1968.

The Grand Jury receives all felony cases bound over by the U. S. Magistrate and the U. S. Branch of the Court of General Sessions. It may also act on a motion to indict in any felony case after its own investigation. This happens frequently when one of a number of defendants charged with a felony in a given case reaches the Grand Jury through the normal process and the Grand Jury immediately indicts the other defendants associated with the same case. As will be noted in more detail later in this report, this option means that some of the "Grand Jury originals" are not truly originals, since the cases in a multi-defendant situation will normally all be progressing through the Court of General Sessions when the indictments are made. For this reason, a count of really new filings is not apt to be accurate without careful review of all the data.

The United States District Court for the District of Columbia has original jurisdiction, civil and criminal, both over purely federal cases, which would be cognizable in other federal district courts, and over local matters, which elsewhere would be within the jurisdiction of the state courts. For criminal cases, it has exclusive jurisdiction of all felonies committed within the District, except where the accused is under 18 and jurisdiction is retained by the Juvenile Court (Reference 31). The majority of cases presently before the Court fall within the local jurisdiction category, i.e., common law type offenses of homicide, robbery, assault, burglary, sex offenses, larceny, embezzlement, fraud and auto theft, which would normally be handled by the State Court System in any other city.

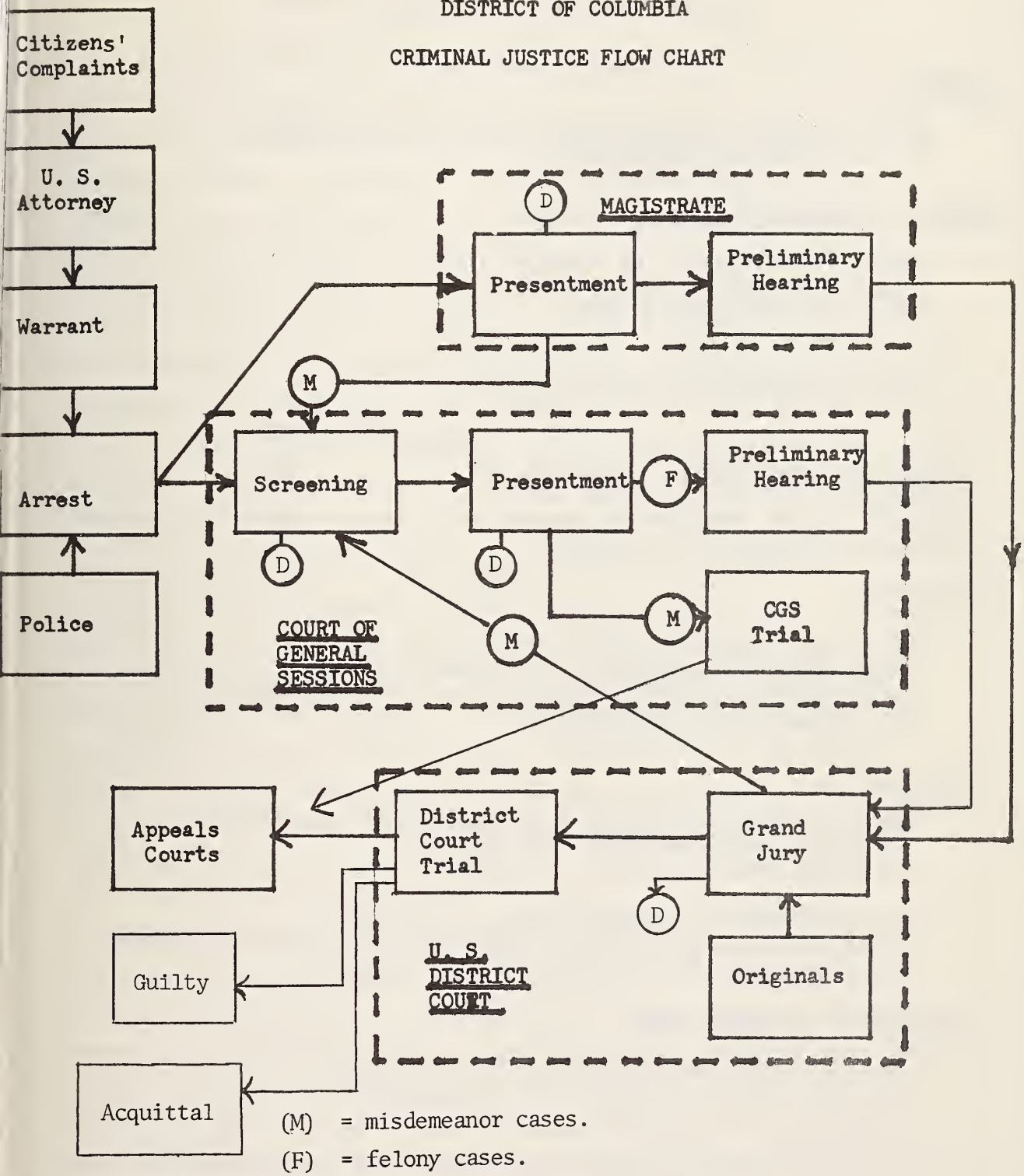
Appeals from the Court of General Sessions are normally heard by the District of Columbia Court of Appeals. The United States Court of Appeals for the District of Columbia Circuit hears all appeals from the United States District Court for the District of Columbia and from the District of Columbia Court of Appeals.

A simplified flow chart of the Criminal Court process is shown in Figure 1. The United States Attorney (hereafter called prosecutor) is responsible for prosecution of all cases, no matter which channel they take. Typical figures on the cases and their dispositions are shown in Table 3. These percentages are based on a variety of sources for 1965, and are presented here only to give the uninitiated an appreciation of the order of magnitude of the actions along the different paths in Figure 1.

Figure 1

DISTRICT OF COLUMBIA

CRIMINAL JUSTICE FLOW CHART



(M) = misdemeanor cases.

(F) = felony cases.

(D) = dropped cases

Table 3.

Typical Figures on Court Actions (1965)

GENERAL

4% of Citizens' Complaints Result in Warrants for Arrest
5% of All Arrests are Warrants

COURT OF GENERAL SESSIONS

11% of Screenings are "No Papered"
75% of Screenings are Misdemeanors
14% of Screenings are Felonies

57% of Misdemeanants Demand Jury Trial

	Non Jury	Jury
Percent of Cases Nolled, Dismissed, etc.	36	48
Percent of Cases Tried and Not Guilty	8	3
Percent of Cases Plead Guilty	38	41 1/
Percent of Cases Tried and Guilty	18	8
Total	100	100

MAGISTRATE

10% of All Arrests go to Magistrate
23% of These are Dismissed on no Probable Cause
23% of These go to Court of General Sessions as Misdemeanors
54% of These go to the Grand Jury

GRAND JURY

60% of All Grand Jury Cases from Court of General Sessions
28% of All Grand Jury Cases from Magistrate
12% of All Grand Jury Cases are Originals

70% of All Grand Jury Cases Result in Indictment
16% of All Grand Jury Cases Referred to Court of General Sessions
14% of All Grand Jury Cases Ignored or Dismissed

UNITED STATES DISTRICT COURT

64% of All Indictments Result in Guilty Verdicts
24% Appealed These Verdicts to Court of Appeals

1/ Jury trial often demanded; then waived on day of trial and plea entered.

CHAPTER V

Data Collection

This chapter describes the data obtained from the Criminal Justice System and the sequence in which they were collected. The procedures at each step in the sequence are briefly reviewed and problems encountered are noted. Throughout the study, emphasis was placed on thoroughness in data collection procedures. Whenever necessary, resources were diverted from other segments of the study to help overcome particularly difficult problems that arose during the collection of data. Even with all this attention, many pieces of information that were supposed to be contained in the original records were missing and could be neither located nor reconstructed. These gaps could degrade or inhibit some very special analyses that may prove desirable, but are not believed to affect the overall thrust of the present study. Further investigation of this point seems indicated.

We decided to select our sample from among all defendants entering the D. C. Criminal Justice System over a six-month time span. It was necessary that court actions initiated during such a period be completed, so that the results would be available for incorporation in the data base. The latest time period meeting this condition, and hence the one a priori most likely to resemble the present and short term future, was the first half of 1968. Accordingly, a master list was drawn up to show every defendant initially brought into the system during this time span, i. e., January through June of 1968. This list was drawn from the three sources which record the entry of persons into the system following arrest: These are the Criminal docket books in the Criminal Clerk's Office of the Court of General Sessions; the Magistrate's (Commissioner's) Docket books in the United States District Court for the District of Columbia; and the Grand Jury Original Indictments indicatedon the Indictment List for 1968. The compilation of this "master list" took approximately five man-weeks of our limited resources, but without it we would not have been able to define our smaller four-week subsample effectively.

This list was assembled as a guide in selecting an appropriate sample and as a basis for relating the sample to the six-month period. On the basis of results from a short trial period of data collection, it was decided that four weeks would be selected from among the six months and that the information gathering effort would be confined to the resulting sample of approximately 900 defendants. From this point on, the data collection team worked on one week's records at a time, following the master list for that week, and filling out data collection forms for each defendant on the list.

The Data Collection Form

The construction of a data collection form was guided by a single principle: to gather as much pertinent information as possible about each defendant in the sample. A first look at the court records suggested that the rich complexity there could only be captured in a narrative form, and initial efforts in this direction produced three successively improved versions of an essentially narrative data collection form. After five weeks, however, it became evident that the enormity and complexity of the records required a balancing between completeness and our limitations on time and resources; Form NBS 4 (hereafter called "the Form") was generated. Its twelve pages, shown in Appendix C, represent a compromise between the desire to gather an enormous amount of material and the need to bring as much as possible of this material into a form permitting computer-aided analysis. In particular, the extrinsic comments of the prosecutor offering trial guidance and the narrative description of the facts in the case were not recorded, although these descriptions were used to interpret actual entries on the Form when applicable.

The Form served both as a check list to ensure that the appropriate sources were consulted and as a data collection instrument. The headings on the left hand sides of the pages on the Form indicate the primary source of the data (e.g. POLICE ACTION, PRESENTMENT, GRAND JURY, etc.). The numbers above each category of the Form indicate the column entries on an 80 column IBM key punch card (e.g. 3-7, 53-56, etc.). The numbers to the left of the categories (e.g. 01, 02, 03, etc.) indicate the card number for the data file. Approximately 25 cards were available for use in each case. A separate card (card 31) has since been set up to include information

from cards 01 and 02 which was felt desirable for analysis. These cards, called control cards, ensure proper identification. Cards 01 and 02 are omitted from all data tabulations because they contain case numbers, etc., which could directly link data to specific individuals. We obtained some data on the condition that such direct associations would not be made. Thus, all data are listed by TAD Case Number, so that a case by case analysis can be conducted without reference to specific cases or individuals. The associations between names and case numbers are confidential; they are not "deliverables" of this study (or any subsequent one based on our data).

Armed with the Forms and the master list for a given week, the data collection team proceeded to various locations within the court system to obtain the information necessary to complete the Forms. Note that there are duplicate sets of information in some areas, notably supplementary bail data (Page 8 of the Form) and bail data obtained at each location (Card 07, page 3; Card 11, page 5; Card 14, page 6; and Card 15, page 8). Such duplications provided valuable cross-checks, as will be seen.

Criminal Clerk's Office - Court of General Sessions

The Criminal Clerk's Office is the central administrative office of the Court of General Sessions. This court handles all misdemeanor charges from start to finish, and initiates a great many of the felony charges that eventually pass over to the United States District Court for final disposition. It was the first information station visited by the data collection team.

Collection Procedure. The first record pulled in this office was the Information (or Complaint, if the charge was a felony). This "Paper," as it is called, contains the formal charge of an offense, numbered in chronological sequence by the Clerk's Office. It is a legal-sized document, folded twice upon itself to create several blank pages for record keeping[1/]. There are very few blanks to be filled in on this

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1/ This procedure was changed in September, 1969, so that now all papers are contained in a pre-numbered case folder.

document and a great deal of the information appears in narrative form. If more space is needed for an especially lengthy case, extra sheets are added. Several other documents from other sources containing additional information are usually folded within this document. These include copies of both the Bail Agency recommendation form and the Court's release order form, occasional warrant affidavits, defense motions and memoranda, mental observation reports, and letters from institutions such as Bonabond[1/] and the D. C. Jail regarding conditional release.

From the paper itself comes the following information:

-Sex, offender's name and aliases, whether the offense is a misdemeanor or felony, the General Sessions docket number, the defendant's address, the date of offense and warrant charges. If the case is eventually sent to Grand Jury, the Grand Jury case number is written across the front of the paper. (See page 1 of the Form.)

-Presentment information for page 3 of the Form, including the name of the prosecutor who prepared the case, and whether the charges differ from the warrant/arrest charges.

-Presentment and misdemeanor trial/preliminary hearing data, entered on page 4 of the Form.

-All of the sentence and presentence bail information, entered on the top half of page 5 of the Form.

-All bail information (entered on page 8 of the Form) when applicable, including the Prosecutor and Bail Agency bail recommendation information, which is entered on the top four lines on page 8.

-All bail information (entered on page 9 of the Form) when applicable.

From the Bail Agency form comes the recommendation information (page 8 of the Form) as well as verification of other personal information, including addresses and aliases. The Court Release Order Form indicates terms of presentence release, penalties set for violation of these terms,

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1/ Bonabond is a private, non-profit organization designed to assist and supervise defendants on release. It is operated primarily by ex-convicts.

the date of the order and the judge who signed the release order. The warrant affidavits supply additional personal information for the front page of the NBS Form, and for the entire second page. They also indicate whether the formal charge (entered on page 3 of the Form) is changed, by specifying what the original arrest charge was.

From defense motions comes a detailed statement of facts as the defense sees them. Occasionally, this means additional information for page 2, and often it clarifies the defendant's criminal history vis-a-vis the charge in question.

Mental observation letters sometimes provide some insight into the defendant's frame of mind (entered on page 2 of the Form); custodial letters will do the same and will frequently point out condition violations (for entry on page 8) or corroborate those already noted in the court paper narrative. Other attachments may serve the same purpose.

Once this information had been transferred to the Form, the data collector went to the U. S. Marshal's list and to the bond clerk's private list, to determine which of the defendants had posted stationhouse bail prior to court appearance; this information is entered on page 1 of the Form.

The misdemeanor papers at this stage trace a clear line from arraignment to conviction and sentence, and the felony papers adequately dispose of the presentment, bond setting and preliminary hearing prior to Grand Jury referral. At this stage, the collector could generally pull the correctly numbered court paper from the file drawer, and transfer the information he needed to the Form. Very few of these papers were missing or misfiled, and most of those that were could be located (through the checkout card) either in the continued file in another part of the Clerk's Office (these are papers being held in limbo because the defendant has presumably "skipped town"), or in the offices of various other court personnel, such as judges. Out of the entire sample, there were only 35 files actually and inexplicably missing, and only one of those located failed to note a final disposition of the charge.

Problems. Problems worthy of specific mention at this point were:

a. Reading the Papers - The Court Papers are, as mentioned, partly printed question blanks and partly blank paper to be filled with narrative. However, all of the information on the paper is in longhand; this cost the data collectors several days of familiarization with the 25 or so different handwriting styles of judges and other court personnel that needed recording, and it plagued the interpretation of Attorneys' names and certain dispositions up to the very end of the collection effort. This impedance could not be avoided, since most of the pre-trial release information and all of the continuance, motion, trial and sentencing information occur on these papers in the form of longhand narrative.

b. Completion of the Papers - The quality of some elements of the Papers as completed was very uneven; certain pieces of information hardly ever appeared on the Paper and many others could be expected to be absent from one case or another. For example, defense attorney names were often missing from the Paper, and on those Papers which provided blanks to indicate how the lawyer was being paid, there was very often no such entry.

Problems were encountered with those occasional situations in which a misdemeanant was not sentenced on the day of his conviction. Pre-sentence bail was frequently not specified yea or nay, and the collector was forced either to conclude that the status quo had prevailed, or to leave the top of page 5 of the Form blank. In the same vein, it was frequently difficult to ascertain whether the defendant was being released after a money bond had been set at presentment. The Paper provides no blank in which to indicate detention or release; rather, the reader is forced to rely upon the presence of one of two stamps on the paper. One reads "Committed", and is initialed to indicate that commitment has taken place; the other is placed diagonally across the upper front left corner of the paper, and consists of a bondsman's name and a date. All possible arrangements of these two stamps appeared in the papers. "Committed" stamps appeared without any initials, or in conjunction with a "Bondsman" stamp dated the same day as the commitment stamp; bondsman stamps appeared which were

dated several days to weeks later than the initial court appearance, and without any commitment stamp on the paper to indicate where the defendant had been in the meanwhile; sometimes neither stamp appeared on the paper. Fortunately, since most of these problems were decipherable with careful review of the record, few[1/] case histories were incomplete because of this problem.

Information occasionally missing from the Papers included defendant's address, penalties set for violating conditions of pre-trial release, misdemeanor pleas and jury demands (which on many of the Papers require only a simple check-off), and (very rarely) the name of the judge responsible for some particular decision in the process.

c. Missing Enclosures - Frequently, a particular Court Paper would fail to contain all of the enclosures outlined above, and the missing information could not always be reconstructed from other sources. Often, for example, the Bail Agency Recommendation Form will be missing. Of itself, this is not particularly serious, but if the form does not appear in the Bail Agency files either, which happens on occasion, then the information is simply absent. If the charge is a felony, however, the form may be present among the District Court Records.

Similarly, the release order forms were often missing. This gap, like that for the Bail Agency Recommendation, is not of itself serious, as the release information is always noted on the Court Paper itself. But on occasion, the dates on these release orders varied by a few days from the date on the Court Paper, and a few times the name of the judge signing the order was not the name on the Court Paper. Since our presumption has been that the order is more likely to be accurate, the absence of such a document from the file prevents verifying the data on the Court papers.

d. Quality of Entries - Because long-hand insertion of information in the narrative section of the Court Paper is laborious, and because there are great time pressures, many of the entries merely recorded an event without explaining its surrounding circumstances. One judge, for example, told us that when one of his defendants failed to show for a scheduled Court appearance, he would not even issue a bench warrant

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1/ "Few" in this chapter means somewhere between 1 and 5 cases.

on the man, since he knew the U. S. Marshals were too busy to serve it. What would show on the Paper, therefore, would be a continuance. Yet these continuances would look on the Paper like any others -- and only rarely would any of them show a reason. Similarly, two judges' names would occasionally appear under the same date, presumably for the same decision -- or the same date would appear two or three times with the same or different judges' names, with only an indication that the case had been continued under each heading. From our discoveries of judge name discrepancies on the release order form, from comments made by court personnel, such as those of the judge just noted, and from our own independent observations of courtroom procedures, it became very clear that the Court Paper entries were not entirely accurate or complete. In general, these Papers often fail to communicate the exercises of judge's and attorney's discretion which can well be the operative factor in particular actions.

Prosecutor's Office-Court of General Sessions

All police arrests [with the exception of arrests taken to the U.S. Commissioner (now Magistrate)] are first processed through the Office of the United States Attorney on the ground floor of the Court of General Sessions. After interviewing the police officer and other witnesses, the prosecutor decides whether to "paper" the charge or not. If he does, formal Court Papers are filled out and sent to the Criminal Clerk's Office for a docket number and referral to Assignment Court. If the prosecutor does not think the case will stand up, he "no papers" it, i.e., drops the charge on the spot. This initial screening process generates several recorded items of information about the defendant.

Collection Procedure. Once the data collector had filled out as much of the Form as possible in the Criminal Clerk's Office, he then carried his master list and batch of Forms to the U. S. Attorney's Office, where he transferred to the Forms the information found in the prosecutor's files. Theoretically, each defendant whose case record began in the Criminal Clerk's Office should also have a file in the prosecutor's office. This file will always contain the prosecutor's backup sheet (or worksheet).

This sheet is a letter size piece of paper folded once upon itself, and substantially covered by blanks to be filled in. It is initiated when the prosecutor decides to paper the charges.

In addition, there are two other documents: the police report Form No. 163 filled in by the arresting police officer, and the Police Department Criminal Record on the defendant in question. Form No. 163 appears with fair regularity, the Criminal Record irregularly.

From the prosecutor's backup sheet comes the following information for the Form: name and aliases, and occasional detailed reference to current bail status for page 1; occasional information on details of alleged crime for page 2; formal charges, and actual bail set for page 3; continuance, plea, and disposition information for page 4; and the prosecutor's bail recommendation and reason therefore, for page 8 (these reasons often refer to the defendant's prior or current involvement with the criminal courts).

From the Police Department report From No. 163 come: color, sex, date of birth, name and aliases, age, address, date, time and place of offense and arrest, arrest charges for page 1; a police description of the facts of the case for page 2; the name of the Assistant U. S. Attorney who screened the case, and his decisions as to formal charges and changes from the original police arrest charges, for page 3.

From the Police Department Criminal Record come; date of birth, place of birth, Federal Bureau of Investigation Number where available in police or jail records, Police Department Identification Number and District of Columbia Department of Corrections Number, for page 1. In addition, this criminal record provides a valuable overview of the defendant's criminal history, with specific reference to crimes overlapping the one on the master list.

Problems. Problems worthy of mention at this source include:

a. Availability of Records -- Since the documents in this office provide most of the history of the criminal act itself, they are extremely important. In misdemeanor cases they are the only source for these data;

in felony cases there are usually more data available in the files of the prosecutor in District Court. Unfortunately, the data collection team simply could not locate these records for a few of the misdemeanor defendants in the sample.

The files are kept alphabetically, under two different headings: jury and non-jury cases. This corresponds to the defense's opportunity to request either a jury or non-jury trial. It proved rarely possible, however, to predict which alternative of the option would be exercised in a given case, so the collection team regularly searched both files. There were a number of misfilings, and the difficulty of the search was compounded in the middle of the collection effort by the transfer of all these records from the 1st to the 3rd floor of the Court Building. It was also discovered at the very end of the collection effort that a few of the 1968 files were in the active 1969 files.

The major cause of our inability to locate files at this source, however, appears to be the lack of cross-indexing relative to co-defendants' names. When more than one defendant is arrested in connection with a single criminal act, as is often the case, the prosecutor puts all of the names on a single backup sheet, and files the sheet under the first name in the list. But he fills out separate Court Papers on each defendant, and these are in no way cross-referenced to the backup sheets in the Criminal Clerk's Office, where each appears as a separate number. If the data collector did not have a number for the name under which the prosecutor's sheet was filed, he was not likely to find that sheet. Or, another collector may have found it in connection with the first name on it, and not realized that his teammate needed the data for another of the names. Careful rechecking of the Criminal Clerk's Docket Book for possible companion names eliminated some instances of this problem, but only for those group defendants who were numbered consecutively in the Docket Book.

In addition to this problem, it was discovered by accident that in a few cases the prosecutor's sheet was filed under an alias rather than the name on the Court Papers. A second search for the missing records under the alias names was not very fruitful, however, and it is not clear at this point how many files are really lost under an alias.

b. Incomplete Information -- As is clear from the indication given above, when the Police Report Form No. 163 was not in the files, as happened more than a few times, most of page 1 and all of page 2 of the NBS Form could not be completed (except where a warrant affidavit in the Criminal Clerk's Office had already permitted filling in page 2 and some of page 1). Police Criminal Records were usually not in the files.

Even when all three documents were in the file, however, their degree of completion was very uneven. The prosecutor's backup sheet was usually completed, but the prosecutor's bail recommendation section often failed to specify reasons for his recommendation, even though standardized reasons were there to check off. While many of the sheets indicated across their faces that they were referrals from the Grand Jury, several were found in which this was not specified.

Generally speaking, the police report seemed to reflect initial rather than in-depth investigation; it was aimed at establishing the occurrence of and parties involved in a criminal act, as a basis for initial court decisions. It is the principal statement given to the judge just before he sets bail for the first time. Except for FBI number and Department of Corrections number, the police records regularly contained their designated information items.

Criminal Clerk's Office - United States District Court for the District of Columbia

This office has essentially the same function as its counterpart in the Court of General Sessions; it serves as records correlator and controller for all cases coming to the District Court from the Grand Jury, and via the Grand Jury from the U. S. Magistrate and the Court of General Sessions. Docket numbers on each new case are assigned here, and as the cases generate additional information, it is recorded and stored here in a number of different forms. The data collection team came to this point when the case on their master list had been referred

to the District Court, or had started there through the U. S. Magistrate's Office or the Grand Jury.

Throughout the District Court System, with one exception, the records are kept in dual form. There is no single document upon which all activity can be noted, as in General Sessions, and there are many more documents. All of the documents are kept in a pink colored folder, known as the "pink jacket", and all of the actual decisions and dispositions in a case are chronologically recorded in the Criminal Docket Book. Further, a summary of activity is noted on the cover of the pink jacket. The exception to this dual record system is the Magistrate's Office, where very detailed information is entered on printed docket sheets and kept in the Magistrate's Docket Books.

Since all of these Docket Books and files are kept in numerical order, the Clerk's Office maintains an additional alphabetical file of defendants' names cross-referenced to their respective numbers.

Collection Procedure. It was decided at the beginning of the collection effort to rely as heavily as possible on the pink jackets for information. The large amount of paper contained in these jackets meant more time and effort on data collection, but the increase in accuracy was thought to be worth the increase in time. Several spot comparisons had indicated discrepancies between docket books and pink jackets, and a somewhat fuller picture of the case is contained in the pink jackets. It was presumed that the pink jacket documents, being signed as they were by the court personnel directly involved with them, would be more accurate and complete than the docket book transcriptions done at second hand by personnel in the Clerk's Office.

On the other hand, very little discrepancy between Grand Jury files and Grand Jury Docket Book was observed; nonetheless, a trip to the files themselves was considered necessary in each case for which it became necessary to see Grand Jury information.

The information in the Magistrate's docket book was extraordinarily detailed and complete, from initial presentment through Grand Jury referral.

Pink jackets normally include the following documents: General Sessions papers or Magistrate's docket sheet, indictment, arraignment, trial synopses, bail agency recommendation forms, release orders, attorney appointments, defense motions and disposition sheets, the judgment and committment papers, mental health determinations, appeal notices, bench warrants, and assorted other papers providing little additional data significant to this study.

Grand Jury files normally contain the Court of General Sessions or Magistrate's papers; a sheet which indicates that the Grand Jury has ignored a given case, with or without referral back to the Court of General Sessions; and finally, a paper indicating when a prosecutor dismissed the charges.

Some cases are dropped at the Grand Jury stage; they have no pink jacket. From the Grand Jury record file, the data collector recorded the following: the charges against defendant before the Grand Jury, their disposition, whether by ignoramus or dismissal, with or without referral, and the date of disposition.

In cases where the Grand Jury indicts, or where the defendant waives indictment and pleads guilty to an Information, there is a pink jacket. Essentially, it provides the following information: Grand Jury and arraignment data for the bottom half of page 5 of the Form; felony trial data for page 6; and appeal data for the top of page 7, including any bail conditions.

Because the documents within a pink jacket vary according to the way the case initially enters the District Court, the amount of data available will vary. The information just enumerated is available for those cases which have been referred over to District Court from General Sessions, and also for those originating in the Grand Jury.

For cases originating in the Magistrate's Office, these data as well as other information such as name, address, Magistrate's docket number,

date of offense and arrest, warrant-arrest charges for page 1 of the Form; the facts in the case for page 2, formal charges, their relation to arrest charges, and the presentment data for page 3, and presentment and preliminary hearing data for page 4 had to be obtained.

Problems. The following problems were the most troublesome:

a. Finding the Pink Jacket -- This problem was extremely time-consuming. The files were still being subjected to a great deal of handling, and without a borrow slip in place in the files, a given jacket is practically impossible to find. Even when they found some indication of who was holding the file, the data collection team could never be sure they would find the file where the card said it was. Approximately 10 of the cases were still awaiting some final disposition, such as sentencing or appeal, as of December 31, 1969.

b. Enclosures Missing -- Occasionally, one or more documents was missing from the pink jackets. In a few cases, no formal copy of the indictment was in the file, or no Magistrate's sheet appeared where it should have. This latter problem was remedied by consulting the Magistrate's Docket Books in his office at the other end of the Courthouse. Missing data could be obtained from the draft indictment that would always appear in the jacket, from the docket book, and from the indictment master list.

c. Information not Specified -- None of the bail information is clearly summarized; most of it has to be taken from typed comments on one document or another—a few of them mutually inconsistent, or inconsistent with other information already on the data form. An arraignment sheet would show the defendant "remanded" to jail when everything else in the file pointed to his release on personal recognizance. Presentence bail information might appear at the end of a trial synopsis, or in a plea transcript. Sometimes, bail information appeared on the tail end of the arraignment page, and sometimes it did not. Since the collection team knew that the bail could change at any of these junctures, they were forced to read the pink jackets more slowly, so as not to miss any clues.

d. Physical Nature of Records -- A great deal of time was needed due to the dispersed nature of the data at this stage. Reading the jackets was a slow process of culling important factors from unimportant, while having only vague notions of where the information would appear in the file. If the Magistrate's sheet was missing, another stop had to be made; if the jacket was not in the files, a search in several other places, on several other floors of the Courthouse, had to be made.

U. S. Attorney's Office - U. S. District Court for the District of Columbia

As with its counterpart in General Sessions, the U. S. Attorney's Office in District Court keeps records that are primarily a source of data on the facts of the crime itself, and only secondarily valuable as information on the criminal process which begins with arrest. The files usually offer a little more information on the defendant than is available in General Sessions.

The D. A. files are located on the 3rd floor of the Courthouse. They are filed by year and District Court Criminal Clerk's Docket number. There appears to be no set content to the file -- it is a collection of assorted documents and evidence that forms the prosecutor's workpapers for plea bargaining and presumably trial. Frequently, it will contain a police report Form No. 163, or its equivalent. Other than these forms, however, the only papers which appear regularly are the various notes and memoranda on facts or processing of the case inserted by the prosecutor in charge. These notes are often the clearest explanation of how the case in question relates to a prior or subsequent case.

Collection Procedure. The prosecutor's files account for the information from police report Form No. 163 if it is in the files. If the police report is written on plain paper instead of the Form No. 163, it usually provides information only on the facts for page 2 of the Form; any personal and police charge (page 1) information it provides is haphazard at best. Statements from witnesses usually add facts for page 2 only, though an occasional age or birthplace may appear. Police Department Criminal Records appear very rarely.

If the Form already had General Sessions' or Magistrate's docket information on it, this stop did not prove particularly productive. But if the Form was being filled out for a case originating in the Grand Jury, this file was likely to be fully transferred to pages 1 and 2 of the Form, since it was the only source of such information.

This file had an additional value which does not often show up specifically on the Form; it was the best place to find explanations for strange-looking time gaps in a defendant's case history, and to connect the chronology of two or more related cases involving the same defendant. Hospitalizations, prosecutions in other jurisdictions, jail sentences and jail escapes all appear more frequently in these files than in any others in the system. Such data were not entered on our Forms, but their inspection lent more confidence to the accuracy of those data which were.

Problems. No specific problems arose at this point. If files were missing or incomplete, the loss would be significant only for cases for which the same information was not provided elsewhere, as for instance a Grand Jury original or a General Sessions case on which the prosecutor's files had not been located, or a case in which the facts needed some further explanation.

Clerk's Office - United States Court of Appeals

All cases appealed from the District Court go to the United States Court of Appeals for the District of Columbia. Since the disposition of this court may change the final judgment of the trial court, the case is considered pending for our purposes until that disposition is reached. (Fifteen of the 23 appeal cases were still pending.) Then, depending on the disposition reached, the case may extend even further. While the appeal is being taken, the defendant may be released on bail.

Cases in the Court of Appeals are indexed numerically, and the numbers are cross-referenced to an alphabetical list of names in the Clerk's Office. For each number is kept a Docket sheet, similar to the one kept on trial cases in the Criminal Clerk's Office of the District Court. Under this same number are filed two sets of papers -- the record and

the Clerk's file. The former consists of the essential documents from the pink jacket on the previous trial plus a typed transcript of the trial proceedings. The Clerk's file is a collection of the papers generated during administration of the appeal. It includes such information as attorney appointments and notifications of hearing dates. The record is augmented, as the appeal progresses, by bail information and final Court of Appeals decisions. Appellate briefs are kept separately from both files.

Collection Procedure. As in the District Court, the decision was made to take information from the files themselves rather than the docket sheet. From this record came all of the appeal data on page 7 of the Form, and all pre-appeal bail data on page 9.

Problems. The following problems are noteworthy:

a. Pre-appeal Bail -- There was not a great deal of information to be gathered at this point, and the principal problem was finding specific mention of any pre-appeal bail being set. In some cases it appeared; in others it did not. If the defendant's lawyer is ready to note his appeal as soon as the sentence is in at trial, the notice and request for appeal bail appear in the pink jacket, followed by any review of the setting of appeal bail motions that may be required, and sometimes even a full court review of the appeal bail setting. If the lawyer is not ready, the information will be harder to find; in the extreme, we occasionally read in the press of a notice of appeal coming in the form of a complaining letter from the defendant's jail residence, in which case the question of bail would not arise for weeks, or months, until a new lawyer was appointed to handle the appeal. If the appeal bail papers were not visible in the files, it was often difficult to establish all of the bail information, and guesses had to be hazarded on the basis of cryptic notations, or the fact that all of the defendant's letters showed a Jail postmark.

b. Determining if a case is on appeal -- There is no single method of determining whether a given case in the District Court is on appeal. If the appeal has already been taken, processed, and decided, the pink jacket in the District Court will so reflect; it will appear no different

on its face, but the documents inside will include additional appellate materials. A copy of the Criminal Clerk's Docket sheet will be in the file, with appellate discrepancy information noted on it.

In cases where the appeal has not yet been decided, however, the District Court files may show several different signs of the pending appeal -- and none of them clear. There may be no jacket in the file, and no indicator card showing where it could be; in such cases a check at the Court of Appeals is indicated, since this is one of the few places which requires the actual pink jacket. In some cases there will be material filed in place of the pink jacket, indicating some appellate activity in the case; in these cases it is clearer that the case is on appeal. In no case is there a specifically clear indication that the case is on appeal.

In the Clerk's Office of the Court of Appeals, the data collector had to find the new appellate number corresponding to his pink jacket number. If lucky, he would have already found appellate activity clues in the District Court pink jacket files, with some reference to the appellate number. But in many instances there was no number even though there were appellate documents; in the cases where pink jackets were simply missing there was no number. The Criminal Clerk's Docket book does not carry these numbers either. The data collector had then to take the defendant's name to the Court of Appeals alphabetical file to cross reference to the correct appellant number. Even this search has to be double checked in the actual records, however, since the name in the appellate alphabetical file might not refer to the same person who stood trial under the collector's pink jacket number. The worst instance of this name problem occurred in one case in which the defendant's name matched another name in the Court of Appeals files right down to the middle initial, and the trial charges and trial lawyer were the same in both cases. Only careful reading caught the discrepancy.

Bail Agency

The interviews of the District of Columbia Bail Agency are aimed at determing which defendants are eligible for pre-trial release under

any of the conditions set forth in the Bail Reform Act of 1966. The interview questions and answers are recorded on a manila folder; when the defendant's data are analyzed and compiled and a recommendation for or against some kind of pre-trial release is made, the recommendation form also goes into the folder.

Operating Procedures. Since these records are almost the sole source of personal information about the defendant available to the court system, they are extremely important to our study. From the manila folder comes the following information: employment, education, marital status, length of time living in community, family relationship, and past record.

Problems. The following problems were typically encountered:

a. Finding the files -- This was the most time-consuming part of the collection at the Bail Agency, since there are three files to search for the record on a given defendant. The inactive master file is alphabetical, consisting of carbon copies of all recommendation forms prepared by the Agency. Two active files are maintained in the same manner, one for the District Court and one for the Court of General Sessions. All of these alphabetical files relate to a Bail Agency number which appears nowhere else in the System, and it is under these numbers that the actual files are kept. Since the alphabetical files are the only key to the numerical records, the name problem once again asserted itself. Not much difficulty arose because of aliases, but spellings became a problem. It was usually safe to assume that if the defendant's name did not appear in its proper alphabetical place in the files, the file was missing or the defendant had not been interviewed for some reason. But occasionally the name would be found misfiled alphabetically, or filed under a different spelling. These discoveries lengthened the search process by forcing the data collection team to make extra searches for such aberrations when a file

did not appear under the normal spelling. Even after the extra search, most of the missing files failed to appear.

b. File Contents -- As with all other records in the system, the manila interview folders were not consistently complete. Blank spaces might appear anywhere on the form. It is known that the interviews are conducted very quickly in rather noisy circumstances, and no fixed meaning can apparently be attributed to a blank; there was no positive indication in the record of whether the associated question had actually been asked. Lack of explanation for the blank means loss of information which is rarely recoverable elsewhere in the system.

c. Verification -- Certain items on these forms were of great value as indicators of other overlapping criminal charges. Due to the source of data (personal interviews), however, the entries often appear to reflect misunderstandings by interviewed defendants rather than the facts. For instance, defendants occasionally stated they were on bond release of some sort, when they were actually on parole or probation. For the purposes of this study, the distinction is important, so any such statements could be taken only as indicators of fact, not as verified fact. (Verification is normally limited to address and possible employment data, and other entries are almost never checked.)

D. C. Jail

Defendants awaiting trial reside at the D. C. Jail if they are not out on pre-trial release. Their confinement to and release from the Jail generate a central record bank of interest, since a defendant cannot be on pre-trial release if in Jail.

Operating Procedure. Collection at the Jail produces the data on the bottom half of page 7 of the Form, entitled "Detention History," and serves collaterally to verify detention dates in other parts of the questionnaire. The information about each defendant is kept on letter-sized cards, filed under a separate set of Jail numbers, which appear as the DCDC (District of Columbia Department of Corrections) number on page 1 of the data Form. These central files contain brief, docket type synopses of each criminal charge which resulted in confinement in the Jail. (Thus, charges which are dropped before initial hearings, and cases in which the defendant gets out on personal recognizance will not be

recorded here.) The thrust of the synopsis is to record the in and out history of the defendant at the Jail, and it is particularly informative about sentence and parole times and dates. The card's information about the time the defendant is on pre-trial release is, in general, less complete and accurate.

In order to enter the central file, the collector had to locate the DCDC Number in a separate alphabetic file. This file also provides a listing of pertinent dates, the FBI Number for each person, and the date of birth. If a name did not appear in the alphabetical file, the collector checked a third source - the active, or chronological file. Once the number was obtained, the collector could go to the central files, to obtain the FBI Numbers.

Problems. Typical problems encountered are:

a. Finding the Jail Number -- In searching the alphabetical files for a defendant's name card, the collector was faced with the problem, in perhaps five percent of the cases, that different people bear the same name, sometimes even down to the middle initial. The only additional verification possible (other than the name) that a given card belonged to the defendant in question was the date of birth stamped on the card. If the collector knew the age, or date of birth, he had additional help here. Otherwise, he had to assume he had the correct card. If there was an entry date stamped on the card corresponding approximately to the defendant's date of arrest (if known to the collector), the assumption seemed safer. Once the card which was believed to be correct was found, however, the problems still did not cease, for occasionally a card would fail to show the FBI number, and frequently one or more aliases turned up at this point (which meant a repetition of the entire search process under new names).

b. Names in the File -- The name problem was considerably in evidence here, for in addition to the aliases there was a large problem with spellings. When a defendant's name did not turn up, the collector

frequently could find it under a different spelling. "Reed" spelled as "Reid" produced the desired result in one case. Many names appeared under such variations, or with different first names or middle initials. These problems became so time-consuming that they eventually cut into the amount of effort that could be put into reading the central files; a conservative estimate for finding all possible Jail numbers on a week of defendants is 10 man-days. After reviewing the full records for a week's sample, it was decided that the information obtained from the central file was only substantiating what was already known from other sources about the dates of a defendant's entries to and exits from the prison. The dates tended to differ consistently by one or two days from dates recorded elsewhere in the System, and this was attributed to transfer and recording delays. Therefore, it was decided to bypass possible information in the central file. In any event, later examination of the police records showed overlapping cases more clearly and quickly.

FBI Crime Career Files

In order to obtain a record of criminal activity outside of the District of Columbia police jurisdiction, the collection team requested and was given access to the FBI Crime Career records for as many of the master list defendants as the Uniform Report had records and the collectors had FBI numbers. This figure came out to less than half of the master list defendants, but for those on which records were obtained the results were useful.

Collection Procedure. The following problems relate to the FBI Crime Career Data:

a. Dates -- Dates were consistently off by a few days to several weeks, due to variations in the reporting practices of local jurisdictions, but the FBI sheets did contain new information about overlapping alleged criminal activity in the neighboring jurisdictions such as Arlington, Va., and Prince Georges County, Md., and occasionally showed a master sample defendant being arrested in New York, Baltimore,

or Boston. In one case it also turned up a District of Columbia murder charge that the collectors had not found. Generally, however, the sheets served to verify already known data.

b. Completeness -- The crime career records did not contain files for about 30 percent of FBI numbers submitted. This is undoubtedly a result of the lag time in up-dating the crime career record. The latest date of entry in each file varies, so that there is no uniform last entry. These data, then, cannot be considered complete, but are useful in obtaining general indications of the geographic mobility of the criminal.

Metropolitan Police Department Criminal Records

Police records on individuals go back as far as 1900. They contain offense charges, witnesses, and dispositions by date, but only in serial fashion. No attempt is made to relate one entry to the next, though, in fact, they often are related (as, for instance, a burglary charge in one entry reduced in the next entry to unlawful entry and petty larceny (for plea purposes)). The only way for the collector to relate cases was to match up identical witnesses and make sure the dates for the different offenses corresponded in some meaningful fashion. In this respect, the police records are not very different from the Index in General Sessions and the card file in the U. S. Attorney's Office in District Court; at best they summarize the two files. But because they are prepared by a third party who is paying more careful attention to names and trying to relate them to a unified identification number for each person, the police record occasionally reveals an offense that the collector missed in his earlier search, either from his own error or the inadequacies of the file.

Collection Procedure. The names and birth dates of all defendants contained in the sample were listed by the collectors and forwarded to the Metropolitan Police Department. Special permission had to be obtained from Mayor-Commissioner Walter Washington to obtain these records, but the additional accuracy in determining arrests while on bail and continuances

seemed to merit the effort. Once received, the records were filed by case, and the (privileged) data were obtained.

Problems. The principal problems with these data were:

a. Completeness -- The Police reporting system was considerably improved by a change made in 1968. It is now much more complete than it was in early 1968, when most of our cases occurred. At that time, since its disposition blanks were not regularly filled in, its chief value lay in its description of the record of all charges lodged against an individual. When the dispositions were filled in, they were frequently inaccurate in some particular and occasionally completely wrong. (Unfortunately, few of our cases carried forward into the improved period.)

b. Readability -- The Police records were very difficult to read in many instances. Reading was further lengthened by the presence of entries concerning violations of the D. C. Code, including drunkeness, etc., which were not proper consideration in analyses of the criminal record.

Overlapping Cases and Recidivism

Once a search had been completed for data on each defendant on the master list, a second major search had to be made of the data sources to find any and all cases which overlapped the one collected. This was necessary because no list exists of offenses while on pre-trial release. Every case found in this second search was documented on a separate additional form attached to that for the related master list case. These cases were collected even if they seemed associated with the civil disorder in April or the closing of Resurrection City in June. In this fashion, the data collectors accumulated records of those crimes allegedly committed while on release, and crimes for which the defendant was already on bail when the master list crime was allegedly committed. Any cases which in turn overlapped these prospective and retrospective cases were also identified and a form was completed so long as the time of involvement in any of these cases overlapped the time of involvement in the master list case.

Overlap was defined to mean that the defendant was either on some form of release (excluding post-sentence probation or work-release) when he allegedly committed the master list crime, or on similar release for the alleged crime on the master list when he allegedly committed the subsequent crime. Thus, neither probation nor work release (as a sentence)

were included. If the defendant completed sentencing and commitment without further violation, he was not picked up on our overlap check. This means that many kinds of release-violations were not tabulated -- among them probation and parole violations. It also means that a defendant who served his time and committed a new offense the day after his release would not be considered a recidivist in this study.

The starting points for finding overlaps are in the Criminal Clerk's Office of the Court of General Sessions, in a set of books called Monthly Indexes; and in the U. S. Attorney's Office at the District Court, in an alphabetical card file. A check in both places was required for each defendant in the sample.

Index -- Court of General Sessions. The Monthly Index is kept in the Criminal Clerk's Office. It is "monthly" only as to current cases, and it becomes an alphabetized list of all defendants to receive docket numbers from the office in a given year. Besides names, it records docket numbers, dates of arraignment or presentment, dispositions, and sentences. Since it is alphabetical, the data collector can find a defendant's name and see at a glance (sometimes a rather long glance) any other docket numbers for the defendant in the same year, and the dates of involvement. By comparing these starting times against the time span from start to finish of his master list case, the collector could determine which of the other cases in the Index might involve bail violations, and follow-up those docket numbers in the information file.

The Index is kept on a yearly basis, and, in the Court of General Sessions, the collectors checked both the 1967 and 1968 books for overlap. The 1967 book was checked because many of the master list cases started in the first weeks of January and February, and cases starting late in 1967 could be expected to carry over into some 1968 activity by the same defendants. The 1969 books were not checked unless specifically indicated in the 1968 Index, because very few cases (misdemeanors) on the master list ran into 1969.

The problem of names, aliases and middle initials did not abate here, and the importance of this particular search heightened the resultant frustrations. Alternate spellings of names were particularly troublesome; they meant double and triple checking for possible variations. Occasionally, the Index information would conflict with other information in the System. In one instance, the Index turned up a case not recorded in the Criminal Docket Book; in another it showed a sentence, judge, and sentencing date which fell one month later than the date recorded in the Docket Book as a nolle prosequi on the same case docket number.

Alphabetical Card File -- U. S. Attorney's Office. The same check was made in the U. S. Attorney's Office at the District Court, in an alphabetical card file kept on all defendants who receive a complaint number, or come in via the Grand Jury. These cards extend back into the 1950's; for purposes of the study, we took dates back as far as 1966 and forward into 1970. These broader date ranges were deemed necessary to catch all possible overlaps on the much longer felony trial and appeal process. The name, alias and middle initial problem was present, but was less serious than for the Court of General Sessions.

A new 3 x 5 card is associated with the defendant for each new case number received in the District Court System. Some of these cards turn out to be records of complaints dropped after further investigation, and these cases were not identified as subsequent or prior criminal activity. Most of the cards, however, contain Grand Jury and Criminal Docket numbers, along with dates and charges, and the collector could determine the numbers with which to enter the files.

Relating the Cases. Once the data collector had a list of possible numbers beside each case in the master file, he began checking them to see which cases represented overlap and which did not. If the suspect case was earlier than the master case, it would overlap if the offense date of the master list case occurred during some period of release during the earlier case, but prior to sentence and/or final commitment. If the suspect case was later than the master list case, it would

overlap if its offense date fell within one of the periods of release in the master case, but prior to final sentence and/or commitment. The same process was repeated on the prior and subsequent cases, to see if they in turn were overlapped, and the process continued until no further overlaps were found.

This determination was straightforward most of the time, but inconsistencies often came to light. On occasion, for example, a master list form would indicate that a man was detained at the time which a later case showed him allegedly committing a new crime. Or, the form for the earlier crime should show the defendant to have been in Jail when he was allegedly committing the master list crime. Inconsistency between the two or more forms on an individual was not uncommon even after these major questions had been resolved, especially in situations in which two cases overlapped extensively. The major reason for this lingering problem was the frequent failure of the records on one case even to recognize the existence of the other case or cases; the result was that one case would show a man out on pre-trial release even though a later case showed him confined on an entirely different set of release terms. By looking at both cases, the true picture can almost always be obtained. In a few (1 - 5) cases, however, the conflict could be resolved only by choosing the interpretation of the records which seemed most likely on the basis of other cross-checking experience. There is no single, comprehensive list of all those who violate their pre-trial release terms, though the data collection team never lost hope that such a miracle would appear buried in a dusty file cabinet.

Dropouts and Other Discoveries. As the search for overlapping cases continued, several new types of cases came into view:

a. Earlier Starters -- Certain cases showed huge time gaps from date of offense to date of misdemeanor arraignment or felony original indictment. Close examination revealed that most of these were actually cases that had started at some time prior to the initial date shown on the master list form, and were not really part of the four week sample.

The search for overlaps would reveal a previous case, not in the sample, which was really the start of the case shown on the master list; in such instances the earlier case and the master list case were dropped from the sample, since the master list case did not reflect an original prosecution in the sample period.

These kinds of cases developed in several predictable ways:

1. The original charging of the crime would be carried along for some time, and then nol-prossed[1/] by the prosecutor or dismissed by a judge. Then the same day, the next day, or perhaps several days later, a new charge would be brought against the defendant under a new number. Since the Index shows neither date of offense nor complaining witness, this continuity could be recognized only by an examination of the actual court papers. On the Index and Criminal Docket Book there remain two distinct charges, which are in fact both from the same event. The reasons for this nolle prosequi-recharge syndrome, which occurred in approximately 25 cases, are many: in some cases the witnesses do not show up one day, but do the next; in some, new evidence appears; and in some cases the prosecutor is nol-prossing one charge while accepting a guilty plea to another.

2. The original case is referred to the Grand Jury, where either the prosecutor dismisses or the Grand Jury ignores the case. In both instances, the case can be referred to the Court of General Sessions for a decision to prosecute for a misdemeanor or not. If the decision is made to prosecute, the case (and its subsequent record) receives a new number which will in no way indicate its derivative nature in the Index; only a check of the papers will verify it. This verification is made by comparing offense dates, victims, and witnesses on the new and old charges; if they match, it is a referral -- if they do not match, it is not.

The referral can also come from a case originally brought before the U. S. Magistrate for the District Court and then sent to the Court of General Sessions. In such a case, the only clue to identifying the situation is the date gap that should appear on the master list form.

1/ Sometimes referred to as Nolled.

b. Grand Jury Originals and Reindictments -- Another kind of referral problem occurs with the Grand Jury "originals", which are cases supposedly arising for the first time in the Grand Jury. Any such original which occurred in one of our sample weeks was ostensibly a new case in the system, but the research at this stage of data collection revealed that most of the so-called originals were not original at all for our purposes.

The first kind to appear clearly nonoriginal were the reindictments. Several of our District Court felony cases were first assumed to be originals, and the data collectors began filling in forms on them. Vague references to other criminal numbers began to appear; Grand Jury numbers began showing up, for instance, in a type of case (the "original") which is never numbered. The Criminal Docket Book was no help, since we had taken our list of Grand Jury originals from it in the first place. Careful checking of all the records finally revealed a note scribbled on a paper somewhere that the master list case was actually the reindictment of a case that had been dismissed earlier. As such, it was dropped from the sample because it did not originate in a sample week. All originals were then reexamined in light of this discovery, and several of them were dropped from the sample because of it.

A second kind of spurious original occurred many times, especially in relation to certain cases, arising during the period of the April Riots of 1968, which reached the Grand Jury during the latter weeks of the sample. These were situations in which a group of persons had been simultaneously involved in a single incident, and had been arrested separately. Often the processing of one person would move faster than that of the others, and he would get to the Grand Jury before the rest of the group. In such cases, the others would then be added to the first man's indictment as originals, even though they each had numbered court papers in the Court of General Sessions, and often even a Grand Jury number. These cases were not treated as originals in our study, and, if the initial court date was not in a sample week, as was usually the case, then the case was dropped from the sample.

A third class of "originals" was also dropped from the sample. These were the cases, very infrequent, in which charges had been dropped by the prosecutor at the Court of General Sessions, or the Magistrate in District Court, before they were even papered, and then carried over to the Grand Jury for another try by the police officer on the case. The few cases taken in this way to the Grand Jury are called originals, but were cast out of the sample because the initial date of entry into the system was not within one of the four sample weeks.

c. Continuation Cases -- Several situations occurred in which what appeared at first to be a later case turned out to be only a continuation of the master list case in one of the ways described above. Such continuations were collected, but not counted as separate cases, despite their different numbers. Grand Jury referrals and misdemeanor pleas which were reductions of previous felonies accounted for a large proportion of these cases.

d. Miscellaneous -- A few other cases, aside from those already listed, were dropped because they did not represent true entries into the sample. The most frequent of these were cases in which a master list charge was initially drawn against the defendant for an offense committed six months to a year earlier. While the overlap check disclosed what appeared to be a prior case, examination of the offense dates revealed that the prior case offense date actually followed the master list offense date by a few days or months, but the defendant was not yet on bail for the master list offense when he committed the second offense. Thus, even though the second offense looked like recidivism, it was not, because it was not committed <u>while on bail</u> for another offense, nor was the defendant on pre-trial release for it at the time of the master list crime. Such problems were not frequent, but there were enough of them to require a great deal of time for rechecking when all of the questionnaires were turned in. None of these determinations were simple, and they were all the more confusing in the field. As a result, many forms were filled in on cases that need not have been recorded, while several meriting inclusion were initially omitted. Most of the rechecking was concentrated upon the proper interpretation of these forms, with omissions and additions where necessary.

Observations from the Data Collection Experience

This protracted effort to assemble maximally complete and reliable data on a single form, led to the following observations:

Records vs. Dockets. Accuracy demands that information be taken from the records themselves whenever possible. Given the volume of paper generated in a felony trial and the number of entries typical of a misdemeanor trial, data collection from this source was bound to require more time. Again and again, however, discrepancies between the records and the dockets indicated the wisdom of the more time consuming choice.

Record Filing Systems. Each element of the Criminal Justice System uses its own individual numbers for record keeping. In many instances, an alphabetical file is all they have in common. This means that a data collector must make at least one alphabetical search at each station, and normally two since there are usually both active and passive files. Names being the only key to the number systems, any variations in name will require spending still more time in determining which of the various possible names truly represents the desired file. The data search for any one defendant can be multiplied many times over if complicated by aliases and shifting middle initials; each time a possible name turns up a number, the file under that number has to be checked to see if it belongs to the case in question. Different spellings of the same name cause similar problems. Perhaps the most exasperating case is that of the defendant with an extremely common name and no middle initial, since such names have been found with middle initials in one alphabetical file and without them in another. It then becomes necessary to search all of the names, with or without a middle initial, which might belong to the defendant in question. Sometimes the number of possible names may be cut down by correlating their appearances with an adjacent column of dates, but this is not always possible. (Fortunately it was, in the case in which one defendant's name appeared in 124 different forms in one of the alphabetical files.) Totalled over a sample of 900 names, these alphabetical searches represented an enormous expenditure of time and manpower. Some common

identification system, such as is represented by Social Security numbers, drivers' license numbers, etc., is desperately needed to reduce the high cost of analysis which the current system now imposes.

Interdependence and Inconsistency of Records. There is no single dossier to tell the whole story of a defendant's passage through the Criminal Justice System; different kinds of data reside in different buildings, generated and controlled by different administrators. The whole story then is an amalgam of these various parts, and since each treats the defendant from its own point of view alone, the various parts must be examined carefully to eliminate the inconsistencies that develop from one set of records to the next. The record for one defendant, for instance, indicated that he was released on personal recognizance a day or so after his arrest; then suddenly for no apparent reason the arraignment papers show him "remanded" to D. C. Jail. Bond conditions can and do change at arraignment, but there was no mention of such a change on the papers, only an informal comment. The questions raised had to be resolved, requiring extra time. Similar inconsistencies in dates, sections of the city, middle names, addresses, lawyers' names, and other details had to be reconciled. Vital information such as the date of the arrest or presentment is occasionally missing, and as a result, overlapping criminal activity cannot be identified easily, if at all. Cases occurred in which two entirely different criminal cases were seen to arise from a single incident, but this could only be determined after the second set of files added the necessary history. Frequently, different sources of information suggested inconsistencies until the records from yet another source filled in the gap, like a missing piece of a puzzle. In all of these cases, only careful perusal of all the records yielded the fully accurate story for a given defendant in a specific case.

Accuracy of Data. Accuracy was our goal and guiding principle, for two reasons. First, the data to be counted from the Form needed to be as

exact as possible, simply for counting purposes. But a second reason lies behind the first, and is more important. The court records in their entirety are only the tangible traces of a largely discretionary system for dealing with serious misconduct; the only part of the discretion to surface is what shows in the records. Time and again throughout the data collection process, the collectors came into contact with prosecutors and defense lawyers, policemen, probation officers, and judges. Occasionally, they sat in on court proceedings in order to get a better understanding of how the court records were generated. From each of these contacts they came away feeling that the discretionary operations of the system were not really shown by the data Form. They felt, however, that the rigorously accurate collection of data was the only mechanism that could begin to represent what was really happening.

The data collection process itself was a constant balancing of mass production, time, and accuracy. Inter-related records and constant need for check-backs ruled out any serious consideration of adopting an "optimal" purely serial order of collection; the primacy of accuracy again and again added more time to the process. Less time spent would have meant intolerable errors in the data base.

Bail Histories. Many of the decision points in the Criminal Justice System are recorded upon specific documents; if one wants to see what happened at indictment or arraignment he need only flip the pages of the file until that page comes up; the answer will appear. Determining bail histories was not so simple, since bail is a decision subject to much revision during the time a defendant is in the Court System. Some of its turning points appear on specific documents, e.g. the Bail Agency Recommendation and Court Release Orders, but most of them do not. Changes in bail status are not consistently noted in the court records. They have been found on arraignment sheets, trial synopses, random bench warrants, review motions, and even on the outer cover of the District Court pink jacket. In the Court of General Sessions, it was frequently difficult to ascertain from the Court Paper exactly when a defendant was freed

on bail. In no one place, in no one document, is there an accurate history of a defendant's custody and/or release on bail. Even more elusive is the bail history which spreads over two or more overlapping cases.

Reconstruction of bail history from the records in the Court System was extremely laborious, with bits of data often missing. Court-ordered reductions appeared on the records without any evidence of a prompting motion, other than a statement that the order was being granted pursuant to defendant's motion. Orders for bond forfeiture by the bondsman appeared without any evidence of flight by the defendant, and were cancelled within a day. Bench warrants and attachments appeared in the files without any corresponding notation on the court papers, and occasionally without final disposition. Virtually never did the papers in one case make reference to the defendant's bond status in another case, and only rarely did they revise their own bail information to conform to that in the concurrent case. Instances occurred in which the Bail Agency interview form stated that the defendant was on bail in another case, but painstaking rechecks turned up no bail, and sometimes not even any other case. Occasionally, the defendant would be found to be detained in another jurisdiction. This discovery was normally based on information in the prosecutor's file or in FBI or Metropolitan Police Department records. Court papers, however, often registered only an outstanding bench warrant. Sometimes reasons were given for "no shows;" other times they were not. Enforcement sanctions were seldom imposed, or, if they were, seldom recorded.

As much of this information as is available in the records has been recorded on the Data Collection Form, and has been verified using as many other sources as possible. The results are believed to be the best bail history that has yet been assembled from the existing records. Since our emphasis has been on verified data, there may be a tendency to underestimate the actual recidivist rate.

Chapter VI

Data Processing Procedure

Appendix C contains a copy of the data collection form which was completed for each sample case analyzed and for those special cases concerning crimes allegedly committed by persons on pre-trial release. After the information had been assembled by the individual data collector, it was screened for continuity and completeness by the senior data collector. Entries were checked to determine whether blank spaces were the result of omissions on the part of the data collector or were gaps among the data files of the various offices consulted. After the forms had passed this re-screening, they were individually reviewed by the project leader. Based on a careful appraisal of the files, the project leader returned to the data collector for additional information or explanation those which did not appear to provide a continuous and logical picture.

Following this second screening by the project leader, the contents of the data forms were transcribed to key-punch coding sheets. This transcription was necessary because the form was too complex to permit keypunch operators to work directly from it. During this process, the analyst transcribing the data further cross-checked them yet again. This third screening provided an improvement in the quality of the data that more than off-set the possibilities for error in the transcribing operation.

The coding sheets were then keypunched, and the resulting deck of punched cards was verified. ("Verification" of key-punched information is essentially a simulated re-punching of the data coupled with an operation to determine that each punch stroke agrees with that in the original punching.) After keypunching, the data deck was then sorted to arrange all of the cases in numerical order. Because of the necessity to protect the identities of the individuals who make up the sample, cards 01 and 02 were combined to generate a card number 31 which did not contain either case identification numbers or individual names.

Each individual within the sample is referred to in the data base by a number known only to those who prepared the coded forms.

A three-stage edit routine was subsequently used to ensure that the information on the cards conformed to the types of information which could properly appear in the individual fields. The initial edit routine checked to see that the alphabetic or numeric information appearing in each portion ("field") of each card was of the appropriate type. The second edit routine checked to see that the requisite number of cards was present in each file and that no duplicate cards were present. These two initial checks were conducted on the computer at the National Bureau of Standards.

After completion of these checks, a duplicate deck of cards was prepared and delivered to a commercial time-share computer system for running on their computers. (Because very little time remained in which to carry out our exploratory analyses, this time-sharing mode was selected for the remaining calculations to secure more rapid service than could be expected from the batch mode operations of the computer installation at the Bureau.) In tabulating the individual items which appeared in the data base, a third edit routine was used in the time-share computer system which checked to be certain that only absolutely legitimate characters appeared in each field.

Tabulation routines have been prepared which will summarize the data on each individual characteristic as it appears on the form. In addition, cross tabulations can be prepared for selected items contained in the data base. For examining crimes committed by persons on bail, a special computer program was developed to aggregate the status of individuals for each day (first, second, etc.) following their date of presentment or initial entry in the Criminal Justice System. The results of this program describe a dynamic picture of the exposure of the community to individuals free on pre-trial release, as a function of the time after their entry into the System. The data initially extracted from the

data base refer to all individuals who have been involved in the system and their status. Additional analyses can be made of the situation with respect to those in any particular category, by use of certain control cards in the program arrangement, and the development of special computer programs to execute still other types of inquiries is both feasible and practical. Thus, further uses of the data base are limited only by the degree of imagination and innovation applied to this problem area.

Chapter VII

Potential Ways of Using the Data

Complete interpretation and analysis of the great volume and variety of data obtained clearly was not possible within the time frame for this pilot study, particularly in light of the data's imperfect representation (noted earlier) of the discretionary elements in the System's operations. Some approaches to the meaningful summarization and presentation of this material are described in the first section of this Chapter. (Some of these ideas, which appear particularly relevant to the question of pre-trial release or which demonstrate the scope of the data base, have been implemented to a degree, as shown in Chapter VIII.) All the data, re-indexed as required to preserve confidentiality, now reside in the memory of a time-shared computer so that additional analyses can conveniently be performed as needed. Interpretation of these data must be guided by sound statistical principles, especially if the interpretation may influence attempts to estimate or predict future events. The second section of this Chapter addresses that topic briefly in layman's language. But data presentation and interpretation alone do not provide a sufficient basis for addressing the problem of pre-trial release. The third section of this Chapter considers another of the tasks required—to define the ways in which dangerousness may be defined. Unfortunately, the data sample is not large enough to permit adequate exploration of this question.

Data Presentation

Criminal activity was recorded in terms as specific as possible -- consistent with courtroom records. The finely classified categories which resulted were consolidated to increase the number of cases in each resultant category. The proper level of aggregation for a particular analysis depends upon the potential use of that analysis and on the amount of data available in each category. Some natural choices for the consolidated categories are described in the following paragraphs, along with some ideas on how such data can be intelligibly and meaningfully presented.

Crime Categories. The primary mechanism for classifying criminal activity was the coding scheme used by the Criminal Clerk's Office of the District of Columbia Court of General Sessions. These three-digit numbers and their referents are shown in the left hand column of Table 4. The categories relate to various sections of the Criminal Code for the District of Columbia. Charges in jurisdictions other than the Court of General Sessions are usually defined as violations to the Criminal Code, which we have converted to the three-digit code numbers for ease of manipulation.

The first level of consolidation, shown in the middle column of Table 4, is taken from the Uniform Offense Classification (Draft 4) (Ref. 58) of the FBI. This level of aggregation would be ideal if the data in each class were sufficient to permit drawing inferences.

The second level of consolidation combines the various FBI categories into four general classifications:

1. Crimes against Person: 09, 10, 11, 12, 13, and 14
2. Crimes against Property: 20, 21, 22, 23, 24, 25, 26, 27, and 28
3. Morals, Decency Crimes: 35, 36, 37, 39, and 40
4. Public Order Crimes: 49, 50, 51, 52, and 53.

Recently proposed legislation to amend the Bail Reform Act of 1966 (Reference 112) presents another possible aggregation of these data. This particular aggregation was developed to assist in describing the dangerousness of certain defendants. These classifications, showing the Court of General Sessions code numbers, are:

1. Dangerous Crime: Robbery (975, 905 only with attendant use of force); Burglary (952, 987, 988); Rape (972, 954, 919); Arson (903, 904 only on premises used as dwelling or for business), and Sale of Narcotics or Depressant Drugs.
2. Crime of Violence: All above categories (without the listed limitations) plus: Homicide (965, 966); Kidnapping (956); Assault with a dangerous weapon (911, 912, 913, 914, and 964).
3. Obstruction of Justice (967 only with threats or intimidation of witnesses).

Table 4.

Aggregation of Criminal Activities

3 Digit Level of Detail As Used by the Criminal Clerk's Office of the District of Columbia Court of General Sessions	2 Digit Level of Detail Taken from the Uniform Offens Classification (Draft 4) of the F.B.I. (See Ref. 84)
038[1/] = Negligent Homicide 963 = Manslaughter 965 = First Degree Murder 966 = Second Degree Murder	09 Homicide
956 = Kidnapping	10 Kidnapping
067 = Attempt Rape 906 = Assault with Intent (WI) to Rape 972 = Rape	11 Sexual Assault
915 = Attempted Robbery 975 = Robbery 905 = Assault with Intent to Rob	12 Robbery
003 = Simple Assault 907 = Assault with Intent to Poison 908 = Assault with any Offense 909 = Assault with Mayhem 910 = Assault of Police Officer (APO) 911 = APO Dangerous Weapon 912 = Assault with a Deadly Weapon (ADW) 913 = ADW Gun 914 = ADW Knife 964 = Mayhem	13 Assault
901 = Abortion 902 = Abortion Death	14 Abortion

Note: All above categories are included as Crimes Against Person -1 in the 1 Digit Level of Detail represented by the Technical Analysis Division (TAI Consolidation in Four Categories.

1/ Identifiers beginning with ZERO represent misdemeanors, identifiers beginning with 9 represent felonies.

Table 4. (Cont'd)

3 Digit Level of Detail	2 Digit Level of Detail
903 = Arson 904 = Arson Own Property	20 Arson
055 = Threats Bodily Harm 056 = Threats Menacing Man 917 = Blackmail 942 = Extortion 961 = Libel	21 Extortion
006 = Attempt Housebreaking 054 = Taking Property, No Right 057 = Unlawful Entry 069 = Attempted Burglary 072 = Attempt Burglary I 952 = Housebreaking (HBK) 987 = Burglary I 988 = Burglary II	22 Burglary
004 = Attempted Larceny 033 = Larceny 034 = Larceny Shoplifting 035 = Larceny After Trust 036 = Larceny U. S. Government 037 = Larceny Interstate Shipment 058 = Unpaid Board Bill 957 = Grand Larceny (GL) 958 = Larceny After Trust 959 = Larceny U. S. Government 960 = Larceny Interstate Shipment 983 = Theft from Mails	23 Larceny
005 = Attempt Unauthorized Use of Vehicle (UUV) 982 = Unauthorized Use of an Automobile (UUA) 984 = Stolen Car Transport	24 Stolen Vehicles
949 = Forgery	25 Forgery
008 = Bad Check 026 = False Advertising 027 = False Impersonation Inspector 028 = False Pretense 943 = False Impersonation Before Court 944 = False Impersonation Public Officer 945 = False Impersonation Police 946 = False Pretense (100 dollars)	26 Fraud
939 = Embezzlement Felony 940 = Embezzlement D. C. Property 941 = Embezzlement by Mortgager	27 Embezzlement
051 = Receiving Embezzled Property 052 = Receiving Stolen Goods 064 = Bringing Stolen Property into D. C. 973 = Received Embezzled Property 974 = Received Stolen Property	28 Stolen Property

Note: All above categories are included as Crimes Against Property -2 in the 1 Digit Level of Detail represented by the TAD Consolidation in Four Categories.

Table 4. (Cont'd)

3 Digit Level of Detail	2 Digit Level of Detail
013 = Sales Possession Narcotics 014 = Exempt Narcotic Forms 015 = Exempt Narcotics 016 = Exempt Narcotics 2nd Offense 017 = Uniform Narcotics Act (UNA) Records 018 = Obtain Narcotics by Fraud 019 = Narcotic Vagrancy 020 = Dangerous Drugs 021 = Dangerous Drug Act Inventories 022 = Dangerous Drug and Inspection Records 063 = Possession Implements of Crime 2/ 921 = Possession Narcotics 2nd Offense 922 = Exempt Narcotic Form 2nd Offense 923 = UNA Records 2nd Offense 924 = Narcotic Records 2nd Offense 925 = UNA Inspection 2nd Offense 926 = Obtaining Narcotics by Fraud 2nd Offense 930 = Harrison Narcotic Act 931 = Harrison Narcotic Act 2nd Offense 932 = Marihuana Act 933 = Possession Marihuana 934 = Forge Narcotic Prescription	35 Dangerous Drugs
950 = Fornication 953 = Incest 954 = Indecent Act (Miller Act) 977 = Seduction 978 = Seduction by Teacher 979 = Sodomy 919 = Carnal Knowledge 065 = Indecent Exposure	36 Sex Offense
032 = Indecent Publication 042 = Possession Obscene Picture	37 Obscene
030 = Gambling Pools 039 = Permanent Gambling Table Setup 040 = Permanent Sale Lottery Tickets 041 = Possession Numbers Slips 951 = Gaming Tables 962 = Lottery Promotion 976 = Sale Lottery Tickets 981 = Three Card Monte	39 Gambling
024 = Disorderly House 049 = Presence in Illegal Establishment 053 = Soliciting for Lewd Purposes 062 = Attempted Procuring 968 = Pandering 971 = Procuring 050 = Soliciting Prostitution	40 Commercial Sex

Note: All above categories are included as Morals, Decency Crimes -3 in the 1 Digit Level of Detail represented by the TAD Consolidation in Four Categories.

2/ Most of the time, narcotics paraphernalia. Occasionally, burglary tools.

Table 4. (Cont'd)

3 Digit Level of Detail	2 Digit Level of Detail
029 = Fugitive from Justice	49 Flight-Escape
300 = Contempt 967 = Obstructing Justice 969 = Perjury	50 Obstruct Justice
066 = Attempt Bribery 918 = Bribery	51 Bribery
009 = Carrying Deadly Weapon (CDW) 010 = CDW Gun 011 = CDW Knife 044 = Possession of Prohibited Weapon (PPW) 045 = PPW Others 046 = PPW Gun 047 = PPW Knife 048 = PPW Others 071 = Unlawful Possession of a Pistol 920 = CDW After Felony Conviction 947 = Federal Firearms Act 948 = National Firearms Act 970 = PPW After Convicted Felony	52 Weapon Offense
002 = Affray 023 = Destruction of Property 070 = Riot Act 073 = Disorderly and Disruption 074 = Unlawful Assembly 075 = Unlawful Public Gathering 007 = Attempted Crime Unlisted	53 Public Peace

Note: All above categories are included as Public Order Crimes -4 in the 1 Digit Level of Detail represented by the TAD Consolidation in Four Categories.

Should these categories come into general use in the Criminal Justice System, it may be necessary to alter the numbering system in the Court of General Sessions to depict the refinements described.

Data Categories. Data were collected on the Form shown in Appendix C. Table 5 shows the categories in which data are accumulated. The listing generally follows the order on the data collection form.

Output Categories. The data can be assembled and analyzed in a wide variety of ways. The type of presentation will depend upon the intended purpose.

Table 5

Data Categories Available

SUMMARY DATA

- Number of persons
- Number of cases
- Race
  - Negro
  - Caucasian
- Sex
  - Male
  - Female
- Date of birth
- Place of birth
- Crime on bail cases total
  - Type of bail set
    - Money bond
    - Personal recognizance
    - Work release
    - Personal bond
    - Unknown

INITIAL DATA

- Age
- Date of offense
- Date of arrest
- Arrest charges (e.g.)
  - Simple assault
  - CDW
  - Narcotics Misdemeanor
  - Destruction of property
  - Prostitution
  - ADW
  - Robbery
  - Burglary

NATURE OF THE CRIME

- Location of crime
  - Private residence
  - Other enclosed space
  - Open space
  - Auto, etc.
- Time of crime
- Nature of victim
  - Stranger
  - Acquaintance
  - Relative
  - Organization
  - Society
- Age of victim
- Sex of victim
  - Male
  - Female
- Race of victim
  - Negro
  - Caucasian
- Loss to victim
  - Death
  - Hospitalization
  - Minor injury
  - Psychological trauma
  - Property loss
  - Injury and loss
  - Other
- Value of loss
- Property recovered
  - Yes
  - No
- Nature of offender
  - With others
  - Alone
- Purpose of crime
  - Harm
  - Gratification
  - Economic gain
  - Use of property
  - Other
- Nature of force
  - Physical against person
  - Forced entry
  - Threat
  - None
- Weapons
  - Gun
  - Knife
  - Blunt instrument
  - Gun and knife
  - None
  - Other

INITIAL SCREENING

- Name of Prosecutor
- Charges
  - Change
  - Same as police
  - No paper
  - Paper
- Presentment
  - Court of General Sessions
  - Magistrate
  - Date
  - Judge
  - Defense Attorney
  - Attorney type
    - Retained
    - Criminal Justice Act
    - Legal Aid
    - None
  - Type bail set
    - Money bond
    - Personal recognizance
    - Work Release
    - Personal bond
  - Security
    - Unsecured
    - 10%
    - Surety
  - Amount of Bond ($)
    - Under 500
    - 500 to 1000
    - 1001 to 3000
    - 5000
    - 7500
    - 10000
    - above 10000
  - Penalty Set
  - Other conditions
    - Supervised
    - Third party
    - Other
  - Detained
  - Bail met

Table 5 (continued)

COURT ACTION

Presentment Charges - Felonies
- Abortion
- Arson
- Assault with Intent Crime
- Assault with Deadly Weapon
- Attempted Robbery
- Narcotics
- Embezzlement
- Murder, 2nd degree
- Forgery
- Gambling
- Rape
- Receiving Stolen Property
- Robbery
- Unauthorized Use of Vehicle
- Burglary
- Other

Presentment Charges - Misdemeanor
- Simple Assault
- Attempted Larceny
- Attempted UUA
- Attempted housebreaking
- Attempted Crime (other)
- Carrying Deadly Weapon
- Narcotics
- Destruction of property
- Disreputable house
- False pretenses
- Fugitive
- Gambling
- Petit larceny
- Larceny Other
- Possession of Prohibited Weapon
- Prostitution and Sex
- Receiving Stolen Property
- Taking Property
- Threat
- Unauthorized Entry
- Possession of Implements of Crime
- Attempted Bribe
- Attempted Burglary
- Riot

Court Action

Jury Action

Charge Actions
- Guilty
- Not Guilty Insanity
- Not guilty
- Nolle Prosequi
- Dismissed for want of Prosecution
- To Grand Jury
- Held for exam
- Other

Jail Term

Fine

Misdemeanor Trial Judge

Presentence Bail (Misd) Date

Presentence Bail (Misd) Judge

Bail
- Same as previously
- Withdrawn
- Change

Grand Jury Actions
- Date
- Charges

Individuals with 4 Charges
" " 3 "
" " 2 "

Pleas
- Not Guilty
- Guilty
- Nolo Contendere

Jury Trial Demanded

Disposition
- Guilty
- Nolle
- Held for trial
- Held for exam
- Held for Public Hearing
- Other

Sentenced

Fine

Misdemeanor Trial or Public Hearing
- Judge listed
- Defense Lawyer Name
  - Same as Presentment
  - Legal Aid
  - Criminal Justice Act

Indictment
- Ignored with referral
- Dismissed with referral
- Ignored
- Dismissed

Arraignment Data

Plea
- Not Guilty
- Guilty

Bail Change
- Yes
- No

Felony Trial
- Dates
- Judges
- Defense Attorney
  - Same as Presentment
  - Criminal Justice Act
  - Retained

Table 5 (continued)

Plea
- Not Guilty
- Guilty
- Guilty Lesser Charge

Court Trial
Jury Trial
Disposition
- Not Guilty
- Guilty
- Dismissed With Prejudice
- Not Guilty Insanity

Sentence Time
- Imposition of Sentence Suspended
- Fine

Felony Sentence
- Date
- Judge

Presentence Bail
- Withdrawn
- Same as Previous

Appeals
- Judge
- Defense Attorney
- Disposition

Preappeal bail
- Withdrawn

BAIL ACTIONS

Prosecutor Bail Recommendation
- Bail Agency Yes
  - No
- Money Bond Yes
  - No

Amount Recommended
- Less than 1000
- 1000 to 3000
- 5000
- 10,000
- over 10,000

Personal Bond Yes
- No

Amount

Bail Agency Recommendation
- None
- Personal Recognizance
- Conditions
- 3rd Party Custody
- Other
- Supervised release
- None
- Number of Actions
- Individual

Number of Actions
- Individuals with 5 bail actions
- Individuals with 4 bail actions
- Individuals with 3 bail actions
- Individuals with 2 bail actions
- Individuals with 1 bail actions

Revisions
Violations
No Show
New Offense
Other
Judge
Bench Warrant Issued
Bench Warrant Served
Bench Warrant Other
Detained
Released
Bail Status
- Reinstated
- Same
- Charge
- Withdrawn

Met Bail Yes
- No

New Bail
- Money Bail
- Personal Recognizance
- Personal Bond

Conditions
- Work Release
- Other
- Third Party Custody
- Supervised Release

Dollar Amount
Penalty Enforced
- Yes
- No

Table 5 (continued)

DETENTION SUMMARY

3 detention periods
2 detention periods
1 detention period
Reason for Release
Bail met
Case Disposed
Reason for 2nd and subsequent detentions
Offense
Violation
Withdrawal

BAIL AGENCY DATA

File available
No record
File missing
Interviewed
Refused interview
Washington Area Resident
Yes
No
Length of Residence
Family Ties in Washington
Yes
No
Lives with Spouse
Yes
No
Lives alone
Lives with
Parents
Relatives
Friend Opposite Sex
Friend Same Sex
Married
Civil
Common Law
No
Status with Spouse
Together
Living Separately
Separated
Divorced

Length of Marriage Data
Support Wife
Yes
No
Number of Children
0 - 5 years
6 - 10 years
11 - 15 years
16 - 21 years
Support Children
Yes
No
Children by Spouse
Children by Friend
Children live with
Mother
Father
Parents
Grandparents
Other
Presently Employed
Presently Unemployed
Length of Employment Data
Salary ($ per week)
0 - 30
31 - 60
61 - 90
91 - 125
over 125
Type of Work
White Collar
Blue Collar
Skilled
Unskilled
Previous Employment
White Collar
Blue Collar
Laborer
No Prior
Skilled
Unskilled
Student Now
Yes
No

Table 5 (continued)

Highest Grade Completed
- 1 -
- 2 -
- 3 -
- 4 -
- 5 -
- 6 -
- 7 -
- 8 -
- 9 -
- 10 -
- 11 -
- 12 -
- 13 -
- 14 -
- 15 -
- 16 -

On Drugs Now
- Yes
- No

Ever on Drugs
- Yes
- No

Alcoholic
- Yes
- No

Ever Hospitalized Mental
- Yes
- No

Ever on Probation - Yes
Ever on Parole - Yes
Ever on Conditional Release - Yes
Never on any of above items

Probation, Parole or Conditional Release Revoked
- Yes
- No

Why
- New Offense
- Other

Now on Probation
- Yes
- No

Prior Bond Release
- Yes
- No

Show
- Yes
- No

Now on Bond Release
- Yes
- No
  - Felony
  - Misdemeanor

Criminal Record
- Yes
- No

Verification
- Address - Yes
  - No
- Employment - Yes
  - No
- Previous Address - Yes
  - No
- Previous Employment - Yes
  - No
- Time in Washington Area - Yes
  - No
- No Verification

Here are some ideas on the different ways in which such data may be used, most of which were not relevant for the present study.

The first set of detailed outputs are factual in nature; based on the sample cases containing sufficient information, they are designed to indicate the extent of crimes allegedly committed while on pre-trial release. This set is based on the initial charge for which an individual is brought before the court system. The initial charge is converted into a basic FBI category, noting at the same time whether this is a felony (F) or a misdemeanor (M). Then the alleged commission of crimes by persons on bail from each class of crime is noted, and these new alleged crimes are again converted into basic FBI categories and noted as whether the charge is a felony or a misdemeanor. This approximates work done by others in this field (e.g., Reference 89). A summary of this tabular format is given in Table 6. In this table, the four categories in the second level of consolidation are the primary outputs. Each block in the matrix can be subdivided to yield more detail, e. g., by FBI category consolidation plus a separation into felonies and misdemeanors. This is illustrated in Table 7 for the first block [(1)x(1)] in the matrix.

The next basic information might be a cross-classification (as before) against those alleged offenses committed while on bail for which convictions have been obtained. This gives more information than has been presented to date in other sources, and refers to those crimes identified by the Criminal Justice System for which actual judgments of guilty were obtained. Tables similar to 6 and 7 could be prepared for convictions only. From the data on rearrests for criminal activity while on pre-trial release, an estimate can be made of the probabilities that a person, released on bail on a charge of a given type, will be convicted for a crime of each particular type. Each such estimate can be accompanied by a statement about the confidence with which the true probability can be assumed to agree, within a given tolerance, with the estimate. The reader is reminded that such a "true" probability must be interpreted appropriately, since commission of crime does not invariably lead to conviction, while conversely, conviction is not absolutely certain to correspond to guilt.

Table 6.

Matrix of Number of Persons Allegedly Committing Crimes While on Pre-Trial Release vs. Primary Charge for Which on Pre-Trial Release

Primary Original Charge	Number of Indiv.	Persons allegedly committing crimes while on bail, by FBI class					
		(1)	(2)	(3)	(4)	(5)	Totals
(1)		(1)x(1)	(1)x(2)	(1)x(3)	(1)x(4)		
(2)		(2)x(1)	(2)x(2)				
(3)							
(4)				(4)x(3)			
Totals							

Here the second level of consolidation is used:

(1) Crimes against Person: 09, 10, 11, 12, 13, and 14.

(2) Crimes against Property: 20, 21, 22, 23, 24, 25, and 26.

(3) Morals Decency Crimes: 35, 36, 37, 39, and 40.

(4) Public Order Crimes: 49, 50, 51, 52, and 53.

(5) Other crimes.

Table 7.

Detailed Data Breakdown for Block (1) x (1) of the Matrix in Table 6

(1) Persons charged with committing crime while on pre-trial release.

	Primary Original Charge		Number of Indiv. N_r	(1) Crimes against person												Sub-Totals	
				09		10		11		12		13		14			
				F	M	F	M	F	M	F	M	F	M	F	M	F	M
FBI Category	09	F															
		M															
(1) Crimes Against Person	10	F															
		M															
	11	F															
		M															
	12	F															
		M															
	13	F															
		M															
	14	F															
		M															
	Sub Totals	F															
		M															
	Total F+M																

The above tabulations furnish information on crimes allegedly committed while on bail, according to the categories (classes) of the primary charge for which a person is before the court system. These are 40 in number (22 FBI subcategories for felonies and 18 for misdemeanors). One could consider further refinement based on some other criteria (e.g., the nature and number of multiple charges), or could adopt an entirely different classification scheme. The first choice would lead to a large number of classes; for the present it seems prudent instead to restrict the refinement of classification to a point at which reliable inference from our present data base remains a reasonable goal. With an enlarged data base, one might consider other types of categories based on criminal, economic, educational or other background characteristics of the defendant. Information on detention and the length of time on pre-trial release in the justice system could be presented.

Somewhat different compilations are required for two mutually exclusive groups of people: (1) those who do not make bail at any time prior to trial and (2) those who are released on bail at some time. Those in the first group do not have a chance to become recidivists (except within the institution). For this group, we suggest maintaining information according to primary charge and bail condition on:

a. Total number with a given charge and bail condition.

b. Number detained (by charge and bail condition).

c. Average days detained (by charge and bail condition).

d. Minimum days detained (by charge and bail condition).

e. Maximum days detained (by charge and bail condition).

f. Median days detained (by charge and bail condition).

g. Number detained who are convicted (by charge and bail condition).

h. Percent detained who are convicted (by charge and bail condition).

Similar information for the group on pre-trial release can be presented for each of several time intervals:

a. Between arrest and presentment.

b. Between presentment and meeting of bail.

c. Between meeting of bail and trial.

d. Between trial and release (those found not guilty).

e. Between trial and sentence (for those found guilty).

Tables 8 and 9 present representative data formats.

Table 8.

Detention Period for Those Assessed Money Bail or Personal Bond at any Time Prior to Trial

Primary Original Charge	Bail Cond.	Total number with charge	No. detained	% detained	Man-days Detained (after presentment)	Average Days Detained	Min. Days Detained	Max. Days Detained	Median days	No. detained who are convicted	% detained who are convicted
(1) 09F	MB										
	PB										
	C										
09M	MB										
	PB										
	C										
	.										
	.										
	.										
Sub totals	F										
	M										
	FM										
(2) 20F											
M											
21F											
M											
.											
.											
.											
Subtotals											
(3) 35F											
M											
.											
.											
.											
.											
etc.											

Note:

Can present this for each judge involved if desired; for specific prosecutors, type of defense attorney, etc., if desired.

Table 9.
Times to Commit Crimes on Bail vs. Primary Original Charge and Bail Condition

Primary Original Charge	Bail Cond.	No. Convicted of Crime on Bail	Number in Time Period (BC) (days)					Cumulative Percent by Time Period BC (days)					Total Days	Average Days	Min. Days	No. with Min.	Max. Days	No. with Max.	Median	Time in days to Cumulate Percentage of Total Crimes on Bail			
			0-30	31-60	81-90	99-180	>180	30	60	90	180	1 yr								25%	50%	75%	100%
09 F	MB PR PB C																						
09 M	MB PR PB C																						

Note 1. Time Period BC = T_{BC} = time interval between pre-trial release and date of crime commission while on release (for those crimes for which conviction of 2nd crime is obtained).

2. This table does not take into consideration the total time available to commit a crime = the time on bail to trial.

Table 9 also provides the fundamental data needed to establish a recidivist rate. This rate can be defined as the number of persons rearrested for a crime while on bail (or convicted of a second crime as shown in the Table) per unit time on pre-trial release. This rate may be expressed as the probability of rearrest (conviction) per day of pre-trial release or, as we have used it later in the report, the probability of rearrest per 1,000 days of pre-trial release. Such a rate simplifies comparisons of recidivism for different time periods, different criminal charges, different personal characteristics, etc.

The Interpretation and Use of Data

Tabular data presented in studies such as this are often given significance far beyond that warranted simply because they give the impression of certainty and exactitude ("hard figures"). This mantle of credibility can then be transferred to conclusions which appear to follow convincingly from the data, though in fact the chain of inference proves weak when subjected to scrutiny.

The data in this report (and all other reports in this subject area) relate to topics which are both highly important and highly emotion-laden---crime, justice, human rights, possible changes in long-standing traditions. Both deep personal conviction and/or commitment to some previously assumed stance on the issues under debate can easily bias the compass of logic so that the data seem to point toward support of one's preconceived notions. Yet statistical data---unless handled with care, skill, and above all, objectivity---may appear to "prove" things which are not at all true, or at least not really establishable from the evidence at hand. Statistics can be used as a drunk uses a lamp post: for support, rather than for light.

We therefore feel obliged to caution the reader about certain common pitfalls in the interpretation and use of data such as those presented here. The data (and subsequent additions to them) are of course of practical interest mainly for the sake of the conclusions which can be inferred and the decisions which can be made with their aid. Any such use of the data, however, probably will receive and properly should receive critical examination by those of different opinion, so that an awareness of frequent fallacies in data analysis can serve to avoid embarrassment as well as one's own possible initial biases.

Uncertainty can enter into the deliberations in two ways. First, we may have collected but a limited portion of data, a sample, which we wish to use to represent all the data in a given future population. Uncertainty in this sense relates to the suitability of the sample for this purpose. In practice, statistical theory has developed specific rules for the

development of random samples; samples wherein each element in the population has an equal and independent likelihood of being selected. The sample used in this report is not truly random in this sense. However, the sample may be considered to be almost equivalent to a random one as regards statistical uncertainty, for reasons which will be indicated in Chapter VIII, where the composition of the sample is described in detail.

The second and somewhat similar aspect of uncertainty concerns the relevance of past or present data to the prediction of future events. For instance, we may have a body of data that includes all of a given population, e.g., the data in Reference 89 on all indicted felonies in 1968. Or, we may have only a sample of these data, and have established rules for relating this sample to the total population (for the same time period.) In either event, when we use these data to arrive at a prediction about future events, our statements must be guided by statistical methodology plus an assumption of stability of correlations into the future.

The following paragraphs briefly describe some of the common misuses statistics, in order that the reader may have a better idea of the questions which should be considered before drawing conclusions from the data. (See Reference 115 for more detail.)

Shifting Definitions. Data collected over a given time period reflect interpretations of circumstances and of the law by prosecutors and judges during the period. In using these data for predicting future events, we must objectively address the question of whether or not the definitions will change, and if so, how this change might affect the data. For example, the definition of capital offense has changed over the years, with many crimes being removed from that category.

Inaccurate Measurement or Classification of Cases. Although accuracy in recording data as they appear in the records was of great concern in

assembling the data in this report, one must still be concerned about the effect that potential inaccuracies may have on the conclusions drawn and decisions made. For example, the original sample still contains a classification "Possession of the Implements of Crime" (063), which in most cases refers to the syringes, etc., involved in a narcotics offense. On occasion, however, this classification is applied to the possession of burglary tools. These ambiguities could usually be resolved by referring to the narrative data in the files, but perfect correctness cannot be assured.

Method of Selecting Cases. One should consider how the four weeks selected for the sample (not truly randomly) might affect general statements about the total population. The way in which this selection was made (see p. 120) may affect predictions of future events. Also, since the sample was selected from the first half of the year, generalizations to the entire year may be open to question. For example, there may be a preponderance of high temperatures or rain in a given week which may unduly affect the generalizations.

Inappropriate Comparisons. Typical of this misuse is the base reference used in expressing percentages. The denominators of ratios used for quoting percentages are often unclear or inappropriate for expressing the relationship desired, or may be too small to allow for comparisons. For instance, the percent of recidivists must be based upon the number of people free to commit crime, not upon the total population arrested, many of whom may be incarcerated and thereby restricted from committing crime. In addition, pretrial release status may change over time from presentment to disposition of the case. This consideration gave rise to the concept of man-days of exposure discussed in Chapter VIII.

Shifting Composition of Groups. Groups of people were categorized based upon the interpretation of the laws by the judges and the interpretation of the judges' actions by prosecutors in 1968. If we are to use these data for prediction, we must consider whether such interpretations have changed or will change, thereby changing the set of people falling into each category. For example, the composition of the group of narcotics offenders may change if the laws related to marihuana change in the near future.

Misuse Due to Misinterpretation of Association or Correlation. This kind of misuse is really a special case of inappropriate comparisons. It exemplifies the familiar but often ignored fact that correlation or association does not necessarily indicate causation. For example, although the number of clergymen per unit population may increase in our large cities at the same proportion as the increase in crime per unit population, it does not follow that the former is the cause of the latter.

Disregard of Dispersion. Comparisons based upon one sample must be considered in light of that sample's imperfections as representative of the total population. Likewise, deviations from average or "most likely" values must be taken into account when predicting future events even if a total population sample is available. Such deviations are properly expressed as a range within which we are confident that the true value we are seeking lies. These confidence limits, based upon a range of values and associated probabilities, directly relate to the sample size and the size of the data base.

Technical Errors. Occasionally, the methods used in calculations are simply incorrect. The flaws may range from the employment of improper equations at one extreme to inaccurate addition at the other. We have been particularly attentive to avoid such errors.

The Nature of the System. This study is drawn from actual court records, not a controlled experimental situation. This fact places certain constraints on the use of the data. Ideally, to estimate the true probability of bail recidivism, for example, would require a sample in which every person eligible for bail would actually be released. However, in the real world, bail is set with some consideration of the likelihood of recidivism. Therefore, people who should ideally be in the sample are not able to meet the conditions for release. Although one might surmise that defendants who do not make bail would (if freed) have a higher recidivism rate than those released (and in our sample), there is no way, given the current data base, to test this hypothesis.

Misleading Statements. Results can often be phrased so as to mislead the user. It is not sufficient to draw conclusions from the truth and nothing but the truth; we must consider the whole truth. Statements relating to only portions of the data may be very misleading.

In presenting this list of caveats, we do not mean to leave an impression that timorousness in reaching conclusions is the only "sound" position. Practical decisions and conclusions must typically be arrived at without the sort of "proof" of correctness which would render them substantially immune from objection by a fair-minded opponent. What we have sought to convey is a better appreciation of what kinds and degrees of backing such data as ours would or would not supply to such decisions, and of what additional steps might enhance their ability to provide support. We do suggest that the drawing of specific inferences (even "obvious-looking" ones) from these data be reviewed by a professional statistician before any formal position-taking ensues.

Measures of Dangerousness

For a person to be considered as "dangerous" to society while on pre-trial release, there should be at least some non-zero probability that the person will commit a crime while free. This probability, by itself, could be taken as a measure of the dangerousness of an individual, i.e., the higher the probability of committing a crime while free, the greater is the individual's "dangerousness" to the community at large. However, this probability does not take into consideration the seriousness of the potential new crime. Society, over a long period of time, may be thought to reflect in its system of legal penalties the degrees of seriousness it ascribes to different crimes. The examination of penalties clearly reveals that some categories of crime are to be regarded as much more serious than others. Thus, a measure of dangerousness should involve a weighted combination of the probabilities of committing

each of various categories of crime, the weights reflecting the relative seriousness of the crimes in each category.

If our classification scheme [1/] involved M types of crime, and S_i is a measure of the seriousness of a crime of the i-th type, then a possible measure of the potential dangerousness D of an individual could be represented in a general way by:

$$D = S_1P_1 + S_2P_2 + \ldots + S_MP_M = \sum_{i=1}^{M} S_iP_i$$

where P_i is the probability that the individual will commit a crime of type i during some typical or average time on release.

The probability that an individual will commit a "type i" crime when on release can in principle be estimated from data such as those in this report. Unfortunately, the data collected are not a sufficiently large sample for significant meaning to be attributed to the results, and we do not have data on commissions of crimes, but only on arrests and convictions. All that can be done at this time is to illustrate the application of this formulation. Appendix D describes the formulation of the probability representation in somewhat more detail.

The early literature is replete with consideration of the seriousness or severity of crime (well documented in Reference 100). One method used in a delinquency index was developed in the 1920's by W. W. Clark.

1/ A further development of this concept would, of course, have to treat the possible commission of more than one crime by a released defendant.

It was an attempt to utilize public opinion in assessing the seriousness of delinquent acts. One hundred forty-eight cards, each containing a description of an offense, were submitted to 100 judges, university professors, students, and persons engaged in social and educational activities. Each person separated the cards into ten stacks ranging from most to least serious based on his opinion of the harmfulness of the act's consequences to society and to individual victims. Each offense received as a "score" the average of the different ratings it received. The offenses were then combined into 14 legal categories, and the average score for each category was found. (An individual's "delinquency index" could also be found by adding the score values for each of his known offenses.) Typical scores, based on this procedure, were as follows:

	Offense	Score Value
(1)	Murder	68
(2)	Highway robbery	45
(3)	Arson	44
(4)	Burglary	39
(5)	Forgery	36
(6)	Immorality	33
(7)	Assault	32
(8)	Larceny	30
(9)	Stealing	27
(10)	Drunkenness	21
(11)	Incorrigibility	20
(12)	Malicious mischief	18
(13)	Vagrancy	16
(14)	Truancy	10

Clark's method was criticized by M. A. Durea in the 1930's. Durea felt that Clark's method did not adequately reflect the relative differences in seriousness of the 14 crime categories. Therefore, Durea arranged the 14 classes into all possible pairs (91) and asked raters to select the more serious of each pair. He found, as he had suspected, that the "seriousness distance" (quantified difference) between any two crimes adjacent in the ordered ranking varied throughout the list of crime categories surveyed.

Another method for determining the seriousness of classes of crime was developed by De Castro in the 1930's. Seriousness, in this case, was related to the maximum penalty which could be imposed for each crime

according to the Italian penal code. The individual crimes were placed in one of five classes, and the maximum penalties for crimes in each class were averaged. The author regarded this method as a theoretical model only, feeling that a working index should be based on sentences actually imposed.

Still another method for measuring the seriousness of an individual crime (as opposed to seriousness of a type of criminal act), has been proposed by Wolfgang and Sellin. This method is based on assessing a number of elements of the crime. Score values are assigned for each element: whether there is an actual victim, whether force was used and how much, the amount of property loss, the kind or amount of injury to a victim, etc. This method of assessing seriousness of crime presupposes that the legal classification system is too insensitive to important considerations -- that one burglary is not "as serious" as any other burglary.

In arriving at numerical values for the "seriousness" weights, S_i, in our formulation, there appears to be no better choice than to use a measure of sentences imposed for various legal crime classes. However, the additional considerations noted above (re the Wolfgang-Sellin method) immediately reappear: one would ideally like the classification of crimes into "types" to have the property that all "type i" crimes really are nearly equal in "seriousness" and so can have a single numerical S_i ascribed to them. To accomplish this, each crime category could be broken into even finer detail (e.g., robbery could be subdivided into robbery of a business armed with a gun, other weapon or strongarmed, robbery in the street, robbery in a residence, and purse-snatching). The Uniform Offense Classification, Draft Four (Reference 58) proposed by the FBI, or some modification of it, could be used as the basis for classification. From the data, then, the average value of S for each subcategory could be determined by averaging the sentences received for offenses in that category. An additional multiplier factor to account for acquittals, suspended sentences, etc., would also have to be developed.

The "measurement of dangerousness" is obviously a very difficult matter, both conceptually and practically. The type of approach just described appears reasonable and feasible, though many problems would have to be resolved before it could be made operational. But it is not the only alternative.

Another approach to establishing a dangerousness index would depend upon use of expert opinion in a structured interview program built around the Delphi technique (Reference 124), in which each expert's opinion is made known anonymously to the other experts and a new vote is taken until the individual opinions, adopted knowing the ideas and reasoning of fellow experts, stabilize. This approach could yield values for the S_i, but its application would still require values for the probabilities (P_i) of crime commission.

Still other approaches are inherently contained in legislative proposals currently being considered. For instance, the administration's proposal to amend the Bail Reform Act of 1966 (Reference 112) defines dangerous persons as those accused of:

1. Taking or attempting to take property from another by force or threat of force.

2. Unlawful breaking and entering or attempting to break and enter any premises adapted for overnight accommodation of persons or for carrying on business, with intent to commit an offense therein.

3. Arson or attempted arson of any premises adapted for overnight accommodation of persons or for carrying on business.

4. Rape, carnal knowledge of a female under age of sixteen, assault with intent to commit either of the foregoing offenses, or taking or attempting to take immoral, improper, or indecent liberties with a child under the age of sixteen years.

5. Unlawful sale or distribution of a narcotic or depressant or stimulant drug, as defined by any Act of Congress and if the offense is punishable by imprisonment for more than one year.

Such definitions, based upon experience and knowledge of officials in the Criminal Justice System, may well be necessary in lieu of more precise statistical formulations, because of the limited data currently available upon which to base these formulations.

Analytical Concepts

The preceding sections have reviewed some of the more obvious ways of using the data. This section will deal with somewhat more speculative ways of combining data and developing models for even broader application.

An Economic Model. It may be desirable in the future to build an economic model to examine the consequences of different assumptions about the uncertainties, and of alternate criminal justice system procedures.

As an example of such a model, suppose we have a dangerousness measure or "score" (x) normalized to a value ranging from 0 to 1 such that we know or can estimate a function

$p(x)$ = the probability of recidivism by a person with some score x, if given pre-trial release.

If we let

$f(x)$ = a probability density function for the distribution of scores over defendants,

C_k = unit "cost" associated with commission of a crime by a releasee,

C_{nr} = unit "cost" associated with not releasing a person who would not have committed a crime while released, and

t = the decision variable: the cut-off point, or threshold score for pre-trial release decision.

It is reasonable that t should be chosen to minimize the expected cost function

$$C(t) = C_k \int_0^t p(x) \; f(x) \, dx + C_{nr} \int_t^1 [1-p(x)] \, f(x) \, dx.$$

It follows (apart from some technical qualifications) that the optimal value of t, t*, can be determined numerically from the solution of

$$p(t) \; f(t) = \frac{C_{nr}}{C_k + C_{nr}}$$

Of course, C_k and C_{nr} are not really "known," but since only their ratio really matters, one can begin to obtain a quantitative feeling for the trade-offs involved.

Instead of $C_k p(x)$, one might prefer to use a function

$C_k(x)$ = expected unit cost (weighted by seriousness) of crime (if any) committed while on release by a person with score x.

Then the function to be minimized by proper choice of t becomes,

$$C(t) = \int_0^t C_k(x) \; f(x) \, dx + C_{nr} \int_t^1 [1-p(x)] \, f(x) \, dx.$$

Models for Time to Re-arrest. The time that an individual spends on pre-trial release, without committing a crime, might be regarded as analogous to the time that an equipment functions without "failing," during the period from its installation to its scheduled inspection or replacement. Thus it may be possible to utilize the methods of failure analysis in investigating the probability of re-arrest of a releasee during his release period.

The idea of failure analysis (or statistical theory of reliability) might be employed somewhat as follows: If f(t) is the probability density function of time-to-failure, and F(t) is the corresponding cumulative distribution function, then R(t) = 1-F(t) is the so-called reliability function and is the probability of surviving (not committing crime) up to time t. Given that an individual of given type has not "failed" to time t, the conditional probability of failure before time $t + \Delta t$ (normalized by dividing by Δt) is a function of t called the hazard function. In many applications to equipment, the hazard function is essentially constant (say, λ), and this implies an exponential failure distribution and hence a reliability function

$$R(t) = 1 - e^{-\lambda t}.$$

From a study of the times to failure for members of different classes, one could develop estimates of the "reliability" as a function of time.

Another version of this approach involves investigating whether the often-employed and mathematically simple "Poisson process" is useful in exploring some of the variables in the time relationship. Suppose,

for example, that there is a probability M of apprehension for a crime (perhaps M = 1600 ÷ 5600 or some other first guess)[1/] and that people commit crimes as a Poisson process with parameter λ. One can then explore the distribution of times to re-arrest in terms of λ (the mean and variance in the Poisson distribution) and M to test whether different subpopulations have different λ's.

Similarly, one could aim at a model dealing not with preventive detention, but rather with how best to schedule cases to reduce danger from releasees.

The mathematical formulations presented above are among the simpler ones which have proven valuable in apparently analogous fields; they may well require specialized refinement for full applicability in the present setting, but provide natural "first steps" in such analytical efforts.

Other Models. A variety of other models could be conceived to broaden our understanding of problems in pre-trial release, and to point to possible improvements or solutions.

a. Multiple correlations. In the Summary Data Chapter (VIII), we have analyzed personal characteristics to see if any one characteristic would be particularly appropriate for use in dangerousness prediction. This could be extended to combinations of characteristics, using the technique of multivariate linear regression. A preliminary step involves statistical analysis to determine, among the many defendant-characteristics which might be considered, a set which can be considered independent of one another. (For example, income and extent-of-education might prove far from independent, and so should not separately enter such a set.)

1/ Average monthly charges in first half of 1968 divided by average offenses reported.

The main step is to find a subset of these independent characteristics, preferably fairly small in number, such that available data indicate the probability of recidivism to be closely approximated as a simple mathematical function of the characteristics in that subset. There can be a great many possible subsets to be tested, but regression analysis includes methods for considering these in an orderly sequence, and for stopping at an appropriate point.

b. Discriminant analysis. This is a statistical technique aimed explicitly at classifying individual entities into one of a number of jointly exhaustive and mutually exclusive categories (here, recidivist and non-recidivist). The classification scheme is chosen to minimize an average over-all "cost" of misclassification, based on the "costs" for each possible type of misclassification (the C_k and C_{nr} of p. 112 are examples of such costs). This scheme is based on certain attributes (e. g., perhaps age, previous criminal record, etc.) used to characterize the individuals; as for multivariate linear regression, determining a "good" set of attributes for the purpose of such classification constitutes a major part of the analysis effort.

In addition to these two specific analytical concepts, one can conceive of: (1) queuing models to analyze court case loads as an aid in evaluating steps to reduce court processing time, (2) decision analysis to approximate implicit average judges' decision criteria for bail setting and findings of guilt or innocence in criminal cases, and (3) PERT and CPM techniques for scheduling trials and the appearances of witnesses.

CHAPTER VIII

Summary Data and Illustrative Analyses

Data were collected on all of the 712 people who entered the Criminal Justice System of the District of Columbia during four weeks in the first half of 1968. Provisions were made for assembling the data collected into approximately 500 categories. About 50,000 pieces of information (on 8000 keypunch cards) are recorded and available for analysis. In this Chapter, we present tabulations and plots of some of the more significant characteristics.

Each incident in which each individual is involved presents almost a unique combination of data in the various categories. Some cases are very complex and difficult to represent, even with the many descriptors available. Other cases are straightforward and simple to tabulate. A typical or average case cannot be assembled for analysis, but we can and do tabulate typical and average characteristics in many of the data categories. Only criminal cases, both felony and misdemeanor, were examined (U.S. cases in D. C.).

Definitions. Throughout this chapter, we shall use the following definitions:

Incident: an occurrence of an action or a situation that is a separate unit of experience; an alleged crime including actions leading up to and following that crime.

Defendant: an individual, against whom criminal charges are brought.

Recidivist: used here in its very broadest sense to include anyone in our sample re-arrested while on pre-trial release in another criminal case.

Case: an incident which resulted in a given criminal charge or set of charges against a defendant; including all actions in the Criminal Justice System directly related to the initial charge(s). A data form is completed for each case. Referrals, reindictments, etc., associated with the same incident, but which specify new charges, are each different cases and a data form is completed for each.

Master File: the computerized data file which contains all cases resulting from an initial charge or set of charges for a given incident. There are 714 master cases.

Basic File: that computerized data file which contains all master cases plus all referrals and reindictment cases. There are 781 of these.

Post File: that computerized data file which contains all cases which resulted from incidents which occurred when defendants were on pre-trial release. There are 62 post cases.

Pre-File: that computerized data file which contains all cases which originated before the master cases and for which the defendant was on bail at the time of the incident which resulted in the master case. There are 66 pre-cases.

The Sample: We began the study by inspecting the crime profile in the District of Columbia for the first half of 1968. The District of Columbia was chosen because: (1) the processing of criminal cases was all under a single Federally operated court system;

(2) the Bail Reform Act of 1966 had been fully implemented in this jurisdiction; and (3) its records were more convenient and accessible to the study team. The first half of 1968 was used because (1) it was the latest time period for which the vast majority of cases had been concluded; and (2) we wanted to obtain a seasonal time spread.

The profile for the first half of 1968 is shown in Figure 2. The graph at the top of the figure presents the monthly distribution of various pertinent characteristics. Approximate monthly averages are:

Total criminal offenses reported	= 5600[1]
Arrests for criminal offenses	= 1700[1]
Criminal charges - D.C. Court of General Sessions (CGS)	= 1600[2]
Defendants - CGS	= 975[2]
Felony Charges - CGS	= 475[2]
Felony indictments	= 150[2]

[1] Based on records of the D.C. Police Department (Reference 5)

[2] Based on counts by our data collectors.

Approximate weekly averages in the D.C. Court of General Sessions ar

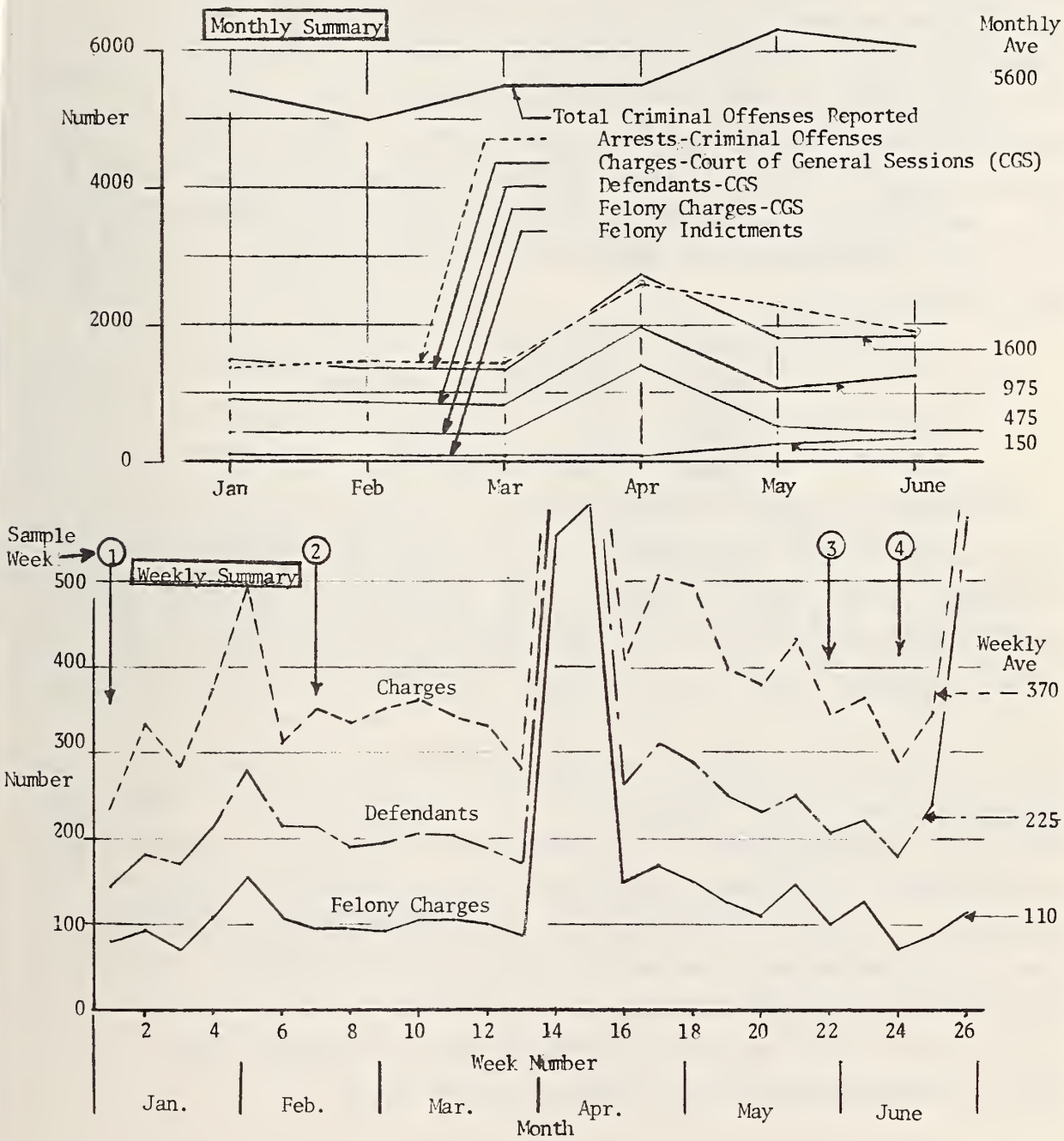
Criminal charges	=	370
Defendants	=	225
Felony Charges	=	110

The first problem that we faced was that of developing a data form. We chose the first week in 1968 to work with for that purpose, and prepared a narrative description of each of this week's cases, listing the items thought to be of interest. After several sequences of revisions, the form was consolidated to aid construction of a computerized file, and all data for the first week were converted to this form.

Figure 2

CRIME PROFILE IN THE DISTRICT OF COLUMBIA

FIRST HALF OF 1968



The three additional weeks shown on the figure were chosen to complete the sample. These weeks were chosen so as to avoid the severe April and late June peaks apparent in the graph. The peaks were judged to be atypical for our purposes, rather than random fluctuations of unusual size in "normal" activity rates, because (a) they involved the "April Riots" and the closing of Resurrection City, respectively, and (b) no other peak of comparable size occurred. The weeks were selected to give a variation over different time periods of the month. Thus, week 1 was at the beginning of a month, week 3 was at the end of a month, and weeks 2 and 4 were mid-month. Specifically, the sample weeks were as follows:

Week 1 - December 31 - January 6
Week 2 - February 11 - February 17
Week 3 - May 26 - June 1
Week 4 - June 9 - June 15

Four average weeks of defendants in the Court of General Sessions would provide a list of 900 names. The four weeks in the sample provided 735 names, or only about 82 percent of the average. To these names must be added names of defendants who first appeared before the Magistrate or were originals before the Grand Jury. We began the investigation of these four weeks with a total of 910 names. Careful analysis of each individual case revealed that many of these cases had actually entered the court system during a time period earlier than the sample week. They appeared again in the sample weeks because of referrals, reindictments, or as Grand Jury originals which had already begun in the system. (A detailed discussion of the problems leading to double counting is presented in Chapter V.) A thorough investigation of all cases provided a master file with 714 cases and a basic file of 781 cases, which we feel was only about 82 percent of what would have been the corresponding average number for four weeks.

Basic Characteristics of the Data

Summary data are compiled in Table 10. Although there were 714 cases, there were only 712 individuals, since 2 defendants were involved in second incidents in a different time period while still in pre-trial release for a prior case. In all, there were 13 people who figured in the sample twice, but since 11 of them had their initial cases disposed of before they entered the sample a second time (i.e., they were not recidivists) they were counted as separate defendants. Data in the lower portion of Table 10 explain the shrinkage to 426 defendants as the basis for calculating recidivism.

In obtaining a numerical measure of recidivism, two possible methods were considered. With 712 defendants in the sample and 426 free on pre-trial release, we observed that 47 of the latter were arrested for subsequent offenses at least once, and 10 of these were arrested twice. If recidivism is mainly an inherent characteristic of a defendant, then counts involving defendants only are appropriate in measuring recidivism. But, if recidivism is more a characteristic of the situation in which a defendant finds himself (no job, etc.) then perhaps recidivism should be determined by counting cases. For our sample, the comparison follows:

Number of Arrests in Master Sample	Number of Releases	Subsequent Arrests		95 Percent Confidence Interval
		Number	Percent	
712 Defendants	426 Defendants	47 Defendants	11.0	8 - 14
714 Cases	428 Cases	57 Cases	13.3	10 - 16.6

Table 10

Summary Data

Basic Data		
1.	Total Master Cases in the Sample[1]	714
2.	Total People in the Sample	712
3.	Number of Defendants on Pre-trial Release With Data Sufficient for Analysis[2]	426
4.	Number of People Arrested While on Pre-trial Release for the Sample Case	47
5.	Percent Rearrested and Formally Charged	11.0
Other Data Features		
6.	Number of Cases No Papered and Not Reaching Presentment	58
7.	Number of Defendants Formally Charged[3]	654
8.	Cases "Nolled" or Otherwise Dismissed at Presentment	22
9.	Number of Defendants in Jail Who Were Never Released	176
10.	Number of Defendants in Jail Presumed Never Released, but Without Full Record	11
11.	Cases Where Data Were Not Sufficient to Permit Analysis	19

[1] A master case contains a completed form for each incident involving an individual.

[2] Obtained by subtracting the sum of lines 6, 8, 9, 10, and 11 from line 2.

[3] Obtained by substracting line 6 from line 2.

The sample may be treated as approximately a random sample for calculation of confidence limits (p. 121). In actuality, it differs from a completely random one in two respects which have opposite effects on calculation of precision or confidence limits: (1) on the one hand, the selection of cases was deliberately made within 4 specified months, and with an eye to achieving variation in time-of-month. This, for example, excludes wild possibilities such as all the 712 people falling within the same month, which could occur under a completely random selection; (2) on the other hand, within each month, the cases were selected in a cluster, rather than being randomly scattered throughout the month; cases within the same week are not necessarily "independent observations," but may tend to be more like each other than cases selected at random would be. Since the extent to which these two effects offset each other is unknown, the best that can be done is to assume that the net effect is relatively small, and therefore that no great error is incurred by calculating precision confidence limits as if the sample were completely random.

Confidence limits on the probability of recidivism, based on a sample of $\underline{n}$, are given approximately by $p \pm 2\sqrt{p(1-p)/n}$. For example, the limits on the rearrest rate p=11 percent (=0.11) can be approximated by $0.11 \pm 2\sqrt{0.11(1-0.11)/426} = .11 \pm .034 =$ 8% to 14%. This means that we can make the statement "the (unknown) recidivism probability is between 8 and 14 percent" with a high degree of confidence. That is, if the true probability being estimated does <u>not</u> lie between the limits, then a quite unlikely event (probability at most 5%) would have occurred; it is conventional to reject this possibility as too implausible.

Unless otherwise stated, the discussion which follows will relate to the number of defendants.

The detailed characteristics of the data bank allowed us to explore various ways of classifying defendants to see if any seemed especially useful in predicting recidivism. The three classifications of offenses used were as follows:

Felony	-	Misdemeanor
Violent	-	Non-violent
Dangerous	-	Non-dangerous

The felony-misdemeanor separation is very typical of analyses of this type; a felony is defined as an offense punishable by confinement for more than one year. The other categories, violent and dangerous, are subsets of the felony category, and are defined explicitly in the proposed preventive detention legislation (Reference 112). A finer breakdown than this did not appear appropriate because of the limited sample size.

The proposed legislation allows the prosecutor to ask the court for a preliminary hearing to detain either a person charged with a dangerous crime, or any person charged with a crime of violence, if that person is already on pre-trial release, pre-sentence or pre-appeal release, or on probation or parole for another crime of violence, or if that person has been convicted of a crime of violence within the past ten years.

The "dangerous" category, described briefly on page 85, includes the following Court of General Sessions charges:

Robbery	-	905, 915, 975
Burglary	-	952, 987, 988
Arson	-	903, 904
Rape	-	906, 919, 954, 972
Narcotics	-	923, 930, 921, 932

This method of counting is the only one convenient to the data, but it results in a count higher (by no more than 10 percent, we estimate) than that by the criteria indicated in the bill, because the latter (1) are not intended to include pick-pocket defendants under robbery; (2) would cover only robberies with attendant use of force; and (3) would consider burglary and arson only if occurring on premises used as a dwelling or a business.

Crimes of violence include all the dangerous offenses plus the following:

Homicide	-	965, 966
Kidnapping	-	956
Assault with Dangerous Weapon	-	911, 912, 913 914, 964

We did not apply the further tests (in the bill) of whether the defendants were on release or whether they had been convicted of a crime of violence in the preceding ten years, and so there is some overcounting in this category also.

Criminal Charges in the Sample. The number and types of charges in the sample vary according to the place in the Criminal Justice System at which they are counted. The police define the initial charges, the prosecutor can initiate changes in the charges, the court may deliberate on only a few of the charges, etc. Some defendants, of course, have more than one charge against them for a given incident. A comparison of the numbers of charges in the various locations for the 714 master cases follow:

	Charges at:		
	Police Action1/	Prosecution Screening1/	Presentment or Prelim. Hearing
No. of Cases Where Data are Available	573	579	623
Percent Cases With Only One Charge	80	54	75
Percent Cases With Two Charges	16	27	18
Percent Cases With Three Charges	3	10	5
Percent Cases With Four Charges or more	1	9	2
Total Number of Charges Recorded	712	1019	885

1/ This includes charges which were "no papered."

The existence of multiple charges makes it very difficult to compare cases. For example, one person was charged with a robbery felony, an assault felony and a weapon offense misdemeanor. One could create a category of these three charnges in which to classify this defendant, but the likelihood of any more defendants with just these three charges is very small. In order to simplify and clarify the analysis, we chose to categorize each set of multiple charges by its most serious offense. In the example above, the charge would simply be listed as a robbery felony.

With the guidance of References 87 and 100, we ranked the charges and counted only the most serious one for each incident at presentment or preliminary hearing. Reference 87, The President's Commission on Law Enforcement and the Administration of Justice Task Force Report, Science and Technology (p. 56), presents a "disutility" index for eight classes of charges. Reference 100, Sellin and Wolfgang, The Measurement of Delinquincy, ranks crime charges on the basis of interviews with a variety of people. These latter data, assembled during the 1930's, may not necessarily represent today's feelings, but did provide guidance for some classes not included in the tabulation of disutility. Table 11 presents the ranking arrived at and the frequency with which each appeared in the data as "most serious charge." The description of each charge identified is as shown in Table 4 on pages 86-89. All felonies were ranked more serious than misdemeanors, except that "unspecified felonies" were not ranked. The number of charges in each charge class is presented in Table 11.

Release Conditions. The relative frequencies of various release conditions for each of the three different breakdowns of defendants are assembled below, with each defendant categorized by the most serious charge against him. For conditions at presentment or initial hearing (first bail setting) the sample data showed the following distribution.

Type of Charge	Total	Money Bail		Personal Bond		Personal Recog.		Other or Unknown	
		No.	% of Total	No.	%	No.	%	No.	%
Felony	217	113	52	22	10	49	23	33	15
Misdemeanor	437	239	55	5	1	149	34	44	10
Total	654	352	54	27	4	198	31	77	11

Table 11.

Distribution of Most Serious Charges in Master File

Felonies			Misdemeanors		
Rank	Charge	Number in Sample	Rank	Charge	Number in Sample
1	Homicide[1]	13	17	Homicide	5
2	Sexual Assault (Rape)	4	18	Dangerous Drugs	28
3	Robbery	40	19	Burglary	47
4	Dangerous Drugs	18	20	Assault	94
5	Arson	4	21	Larceny	124
6	Burglary	34	22	Extortion	2
7	Assault	38	23	Weapons Offense	39
8	Larceny	6	24	Fraud	9
9	Sex Offense	7	25	Stolen Vehicle	15
10	Forgery	15	26	Stolen Property	11
11	Weapons Offense	3	27	Commercial Sex	21
12	Stolen Vehicle	19	28	Flight-Escape	11
13	Embezzlement	3	29	Gambling	18
14	Stolen Property (Receiving)	1	30	Disturb Public Peace	12
15	Abortion	1	31	Miscellaneous	1
16	Gambling	5		Total Misdemeanors	437
	Unspecified Felonies	6			
	Total Felonies	217			

Grand Total 654[2]

[1] For specific Criminal Code charges for each category, see Table 4 on pages 86-8

[2] Of the total of 712 defendants, 58 were "no papered" or otherwise not defined at presentment, leaving 654 charges actually processed.

Bail was set for a total of 654 defendants, 58 of the 712 being no-papered or otherwise disposed of before presentment. Of the 654, clear records were available for only 577. [1/] Money bail was used the majority of the time. In this sample, there was more of a tendency to use personal bond for felonies than for misdemeanors, and just the opposite in the use of personal recognizance. The percentage obtaining money bond was about the same for felonies and misdemeanors.

The variations shown in Part a of Table 12 indicate that money bond was used more often for the more select felonies - violent and dangerous charges. The proportion of money bond conditions went from 52% for the felony category to 56% for the violent crime category to 60% for the dangerous crime category. The comparison of total number of charges by category shows that violent charges account in our sample for about 74% of all felonies, and dangerous charges account for 48%.

A comparison of release conditions at initial bail setting with release conditions actually occurring is also shown in Table 12. Of the 654 defendants for whom bail was set, 426 of these defendants are known to have been released, and out of these we have the breakdown for 391 actual release conditions shown under Part b of Table 12. The percentage of felonies in the initial bail settings and the percentage in the group actually released are both about the same - 33%. However, a significant difference in type of release conditions for the felony cases was noted (top of p. 131);

[1/] I.e., the sum of lines 9, 11, and 12 in Table 10.

Table 12.

Pre-Trial Release Conditions Summary

a. At Presentment or Preliminary Hearing						
Type of Pre-Trial Release	Type of Charge					
	Felony	Misdem.	Violent	Non V.	Dangerous	Non D
Total	217	437	156	498	105	549
Money Bond	113(52%)	239(55%)	86(56%)	266(53%)	63(60%)	289(53%)
Personal Bond	22(10%)	5(1%)	16(10%)	11(2%)	9(9%)	18(3%)
Personal Recognizance	49(23%)	149(35%)	31(19%)	167(34%)	16(15%)	182(33%)
Unknown	33(15%)	44(10%)	23(15%)	54(11%)	17(16%)	60(11%)
b. Under which Actually Released 1/						
Total 2/	126	265	86	305	52	339
Money Bond	33(26%)	108(41%)	23(27%)	118(39%)	13(25%)	128(38%)
Personal Bond	23(18%)	5(2%)	17(20%)	11(3%)	11(21%)	17(5%)
Personal Recognizance	68(54%)	151(51%)	45(52%)	174(57%)	27(52%)	192(56%)
Unknown	2(2%)	1(0%)	1(2%)	2(1%)	1(1%)	2(1%)

1/ Bail assumed to be same as at presentment if release occurred less than 5 days after presentment. If more than 5 days had elapsed, the actual entry was used.

2/ Total adds to 391. Seventeen defendants on bail twice for same incident. A total of 418 bail periods analyzed; data records were not sufficient for 27.

Conditions	Money Bond	Personal Bond	Personal Recognizance	Unknown
Initial 1/	113(52%)	22(10%)	49(23%)	33(15%)
Actual 2/	33(26%)	23(18%)	68(54%)	2(2%)

1/ Percent of felony conditions at presentment (217).

2/ Percent of felons released (126).

Although actual changes from one type of bail to another have not been extracted from the data at this time, we are convinced that most of the indicated changes from money bail to personal recognizance are real, occurring during bail review, and are not due to the 33 unknown conditions suddenly showing up as known personal recongizance conditions.

The violent and dangerous charge categories for those defendants actually released showed a lower percentage of felonies than in the initial release conditions.

	Violent	Dangerous
Percent of Initial Felony Charges	74%	48%
95% Confidence Interval	68-80%	41-55%
Percent of Released Felony Charges	72%	46%
95% Confidence Interval	64-80%	37-55%

Rearrest Charges. Of the 426 defendants known to have been released, we found that 47 (11.0%) were subsequently re-arrested at least once while on pre-trial release and 10 were rearrested twice. This percentage, 11.0, is an underestimate of the crime on bail rate for a number of reasons.

a) Court Data Limitations. As described in Chapter V, the problems of finding names in alphabetic indices throughout the

court system make it difficult to detect all of the re-arrest cases. Because of the extent of the record we collected, including police and Bail Agency data, we are confident that what we recorded were truly re-arrests of the same defendant. We may not have obtained all possible re-arrests because of the above problems, even with extensive help from the police records; however, we do not feel that our estimate of the re-arrest rate could be in error by more than one percent due to this problem.

b) Charges in other Jurisdictions. FBI Crime Career Data have been obtained for about 40 percent of the defendants included in the sample, but these data are too limited to determine the time sequence of events connected with each case. Specifically, there are no pre-trial release data available. Then, too, the records include only felonies and serious misdemeanors (where the definition of serious misdemeanors tends to vary from one jurisdiction to another). Finally, there is a lag in updating the Crime Career Records, and the latest updating varies for each defendant. Over and above these problems, it would be necessary to visit each jurisdiction noted in the Crime Career Record to complete a data Form in order to take full advantage of these data.

A brief review of the Crime Career Records we do have, however, seems to indicate that a third or less of the offenses in the Record occur in geographic jurisdictions other than the primary location.

If we assume, for example, that 30 percent more re-arrests would be identified were we able to follow our data collection procedures throughout the country, this would bring the estimated recidivist rate up from 11.0 to 14.3 percent.

c) Number of Arrests versus Offenses Committed. We note from Figure 2 that an average of 5600 criminal offenses were reported each month, but only 1700 arrests were made. If we assume that there is one charge for each offense reported (involving a low bias, because we know that police often identify more than one charge per defendant, but also an offsetting high bias, because there is often more than one defendant per offense and a defendant can commit several offenses in a given time period), we would have a crime clearance rate[1/] of 30 percent. This would mean that no arrests were made in 70 percent of the cases. If such offenders are assumed present among the recidivist and non-recidivist releasees in proportion to the sizes of these classes in our sample, then the actual recidivist rate for pre-trial releasees would be much greater - near 37 percent. One might argue, however, that since a recidivist has been identified to police at some time in the past, he is more likely to be arrested for a further offense than is someone from the general population. Of course, these assumptions are subject to question, and this paragraph is designed to illustrate the kinds of considerations involved, not positively to identify actual values.

The foregoing discussion makes it evident that large numbers of crimes <u>might</u> be committed by persons on release, yet not be attributed to these persons because arrests are never made.

[1/] A clearance relates an arrest to a given crime(s), so the clearance rate indicates how many arrests have been made in proportion to crimes reported.

The data showing most serious charge at re-arrest versus charge at presentment or initial hearing are shown in Table 13. Felonies have been broken into 13 categories and misdemeanors into an additional 8. It is apparent that no clear pattern exists in the sample data, except that a large number of larceny re-arrests after an initial larceny charge was noted.

A summary comparison of recidivists who were re-arrested after the sample cases, by the categories established above, reads as follows:

Initial Charge	Persons in Sample	No.[3] Persons Released	Charge[4]			
			Felony	Misdemeanor	No Paper, Unknown	Total
Felony	217	147(68%)	11(7%)	10(7%)	4(3%)	25(17%
Conf. Interval[1]		61-75%	3-11%	3-11%		11-23
Misdemeanor	437	279(64%)	4(1%)	18(6%)	0(0%)	22(8%)
Conf. Interval[1]		59-69%		3-9%		5-11%
Total	654	426[2]	15(3%)	28(7%)	4(1%)	47(11%

1/ Confidence Interval of 95% was used. Interval is associated with percentage in parentheses above.
2/ Total for which we have data.
3/ % of total persons in sample is shown in parentheses.
4/ % of persons released is shown in parentheses.

Data in the above tabulation are sufficient to conclude that:

a. The re-arrest rate for defendants on felony charges is much higher than that for misdemeanants -- quite likely twice as high.

b. Re-arrest for the more serious charges is strongly associated with defendants initially charged with a felony. Thus, a recidivist on an initial felony charge is just about as likely to be charged again for a felony as for a misdemeanor, while recidivism by initial misdemeanants involved a felony in only about 1/4 of such instances. (This conclusion must be tempered by considering the associated confidence intervals.)

Table 13.

Comparison of Original Presentment Charges with Re-arrest Charges

Original Presentment Charges	Number of Defendants in Sample	Felony Re-arrests													Misdemeanors									
		1. Homicide	2. Sex Assault	3. Robbery	4. Drugs	5. Arson	6. Burglary	7. Assault	8. Larceny	9. Sex Offense	10. Forgery	11. Weapons	12. Stolen Veh.	13. Other Felony	14. Homicide	15. Dang. Drug	16. Assault	17. Burglary	18. Larceny	19. Extortion	20. Weapons	21. Other	Unknown	Total
Felonies																								
1. Homicide	13																							
2. Sexual Assault (Rape)	4													1									1	2
3. Robbery	40						1						1										1	6
4. Dangerous Drugs	18			1												2			1					5
5. Arson	4																							0
6. Burglary	34												1				1					1		3
7. Assault	38							2																
8. Larceny	6																							0
9. Sex Offenses	7																						1	1
10. Forgery	15										1					1			1					3
11. Weapon Offenses	3																							0
12. Stolen Vehicles (UUV)	19													1										1
13. Other Felonies	16																	1						1
Sub Total	217	0	0	3	0	0	1	2	0	0	1	0	2	2	0	5	1	1	2	0	0	1		25
Misdemeanors																								
14. Homicide	5																							0
15. Dangerous Drugs	28	1		1																	1			3
16. Assault	94			1																		2		3
17. Burglary	47																1					1		2
18. Larceny	124			1												2		1	7					11
19. Extortion	2																							0
20. Weapon Offenses	39																							0
21. Other Misdemeanors	98															1						2		3
Total	654	1	0	6	0	0	1	2	0	0	1	0	2	2	0	8	3	2	9	0	1	6	3	47

These data also tend to indicate that defendants (in the sample) who were charged with felonies and released were re-arrested more often on both felony and misdemeanor charges than were defendants charged with misdemeanors.

A similar tabulation for persons charged initially with violent and with dangerous offenses follows:

Initial Charge	Persons in Sample	Persons Released 2/	Re-arrest Charges 3/			
			Violent	Non-V	No. Un-known	Total
Violent	156	106(68%)	5(5%)	11(10%)	2(2%)	18(17
Confidence Interval 1/			1-9%	5-15%		10-24
Non-violent	498	320(64%)	4(1%)	23(7%)	2(1%)	29(9%
Confidence Interval 1/			----	4-10%		6-12%
			Dangerous	N-D		
Dangerous	105	68(65%)	4(6%)	11(16%)	2(3%)	17(25
Confidence Interval 1/			0-12%	7-25%		15-35
Non-dangerous	549	358(65%)	4(1%)	24(7%)	2(1%)	30(8%
Confidence Interval 1/			----	4-10%		4-12%

1/ Confidence Interval of 95% was used. Interval is associated with percentage in parentheses above.

2/ % of persons in sample shown in parentheses.

3/ % of persons released shown in parentheses.

The data above strongly suggest that the "dangerous" criterion is the best predictor 4/ of re-arrest among the three criteria (felony, violent, dangerous); the evidence seems sufficient to conclude that those in the dangerous category can be expected to produce a much higher recidivism rate -

4/ But not necessarily a good predictor.

about 3 to 4 times as high as for those in the non-dangerous category.

Personal Characteristics. In the tabulations and discussions which follow, we consider various personal characteristics (e.g., age, schooling) for the various categories of defandants. For each personal characteristic, two tabulations are presented. The first tabulation relates the characteristics to all the people in the sample and compares the results for persons released and those not released. It may reflect in some way factors associated with current release decisions. The second tabulation relates the characteristics to all the people released and compares persons re-arrested with those not re-arrested. No attempt has been made at multiple correlation of the characteristics. Complete data from the Bail Agency records were not available for some of the personal characteristics. However, a summary of data available follows:

a. Age of Defendants.

Category	Persons in Sample	Persons Released	Persons Not Released 1/	Available Data in Sample	Median Age	First and Third Quartiles 2/	
Felonies	217 217	126	 91	80 55	26 23	20 20	37 32
Misdemeanors	437 437	265	 172	208 137	26 30	20 22	35 37
Violent	156 156	86	 70	57 43	25 24	20 20	32 32
Non-violent	498 498	305	 193	231 149	26 29	20 21	36 36
Dangerous	105 105	52	 53	28 32	21 22	19 19	25 31
Non-dangerous	549 549	339	 210	260 160	26 30	20 22	37 37

1/ Includes persons in jail and persons whose cases were "nolled" or where data were insufficient to permit analysis.

2/ Age of person such that 1/4 and 3/4 of persons in sample are younger, respectively. Use of quartiles as measure of variation in data is appropriate when median is used.

The median age of defendants charged with dangerous crimes seems to be slightly lower than for felony defendants and for those charged with violent crimes. In addition, releasees in non-serious categories (misdemeanors, non-violent, and non-dangerous) appear to be younger than non-releasees.

For defendants released, the median ages of defendants charged with serious crimes and misdemeanors are as follows:

Category	Persons Released in Sample	Persons Re-arrested 1/	Persons not Re-arrested 1/	Available Data in Sample	Median Age	First and Third Quartiles	
Felonies	126 126	17	 109	7 73	38 25	25 20	4 3
Misdemeanors	265 265	18	 247	13 195	22 26	20 20	2 3
Violent	86 86	14	 72	7 50	38 24	25 20	4 3
Dangerous	52 52	12	 40	5 23	38 21	25 19	4 2

1/ Socio-Economic data were available for only the number of persons indicated in this column. Total of 35 is less than all re-arrested persons (47) because of "unknowns" in the data files.

From the above two tabulations on defendant's ages, it is evident that those initially charged with felonies or dangerous or violent crimes, were younger than those charged with misdemeanors, non-dangerous or non-violent crimes, respectively. However, for those who had initially been charged with the more serious crimes, the recidivists were older than the non-recidivists. A possible explanation for this is the fact that those defendants in the misdeme

non-dangerous and non-violent categories, who were not released prior to trial, were considerably older (by about 4 years) than those who were released. (Possibly a siphoning out process took place.)

The above relationship between age and recidivism is intensified if the crimes of robbery are removed from the above analysis. (See section concerning robberies.) That is because defendants on robbery charges are younger, but the recidivists among them are also younger than for the totality of recidivists from the more serious crime categories.

b. Education. In the same manner, a comparison of educational attainment can be structured. The summary table follows:

Category	Persons in Sample	Persons Released	Persons not Released 1/	Available Data in Sample	Mean Years Schooling	Standard Deviation 2/
Felonies	217 217	126	 91	87 57	10.2 10.1	2.47 1.88
Misdemeanors	437 437	265	 172	173 124	10.3 11.3	2.75 4.82
Violent	156 156	86	 70	62 49	10.0 10.2	2.45 1.93
Non-violent	498 498	305	 193	231 132	10.4 9.9	2.58 2.38
Dangerous	105 105	52	 53	35 36	10.4 10.1	1.84 1.78
Non-dangerous	549 549	339	 210	225 145	10.3 10.0	2.55 2.16

1/ Includes persons in jail and persons whose cases were "nolled" or where data were insufficient to permit analysis.
2/ Standard deviation is applicable as measure of variations when mean is used.

The mean (average) grade level is around 10 years of schooling. It might be desirable to consider specific schools attended, in view of their differences in quality. However, data to analyze this particular factor are not available in the Court System at this time.

The variation for defendants who were re-arrested follows:

Category	Persons Released in Sample	Persons Re-arrested 1/	Persons Not Re-arrested	Available Data in Sample	Mean Years Schooling	Standard Deviatio
Felonies	126 126	17	 109	13 74	9.5 10.4	1.90 2.20
Misdemeanors	265 265	18	 247	17 156	10.1 10.4	1.64 2.54
Violent	86 86	14	 72	11 51	9.3 10.1	1.56 2.51
Dangerous	52 52	12	 40	9 26	9.9 10.6	1.10 1.86

1/ Total (34) is less than all re-arrested persons (47) because of "unknows" in data file.

There does not appear to be any significant relationship between average length of schooling and seriousness of crimes (initial cases), yet the data show a tendency for release of the more educated -- except for the violent crime and misdemeanor categories. Also, there is a slight indication that less schooling is associated with the higher recidivism rate. However, the differences in schooling levels exhibited by aggregated data appear to be too small for this factor to serve as a useful predictor of recidivism. The size of the standard deviations indicates large individual variation within the groups. This, coupled with the closeness of the means to each other, indicates that the two groups of each pair are not distinguishable by level of schooling. Therefore, attempting to predict the behavior of any one individual would be exceedingly difficult. Either further analysis of individual defendants or a larger sample would be needed if more definitive conclusions are sought.

Community Ties. A tabulation indicating the length of time that the typical defendant lived in the District of Columbia follows:

Category	Persons In Sample	Persons Released	Persons Not Released[1/]	Available Data in Sample	Median Years in Community	First and Third Quartiles	
Felonies	217 217	126	 91	75 61	19 18	7 7	22 27
Misdemeanors	437 437	265	 172	150 113	17 15	6 5	22 23
Violent	156 156	86	 70	53 54	19 18	8 7	22 27
Non-Violent	498 498	305	 193	172 120	18 15	6 5	22 23
Dangerous	105 105	52	 53	30 41	18 15	9 5	21 23
Non-dangerous	549 549	339	 210	195 133	18 15	6 6	23 24

1/ Includes persons in jail and persons whose cases were "nolled" or where data were insufficient to permit analysis.

Most of the defendants have long-established community ties. Only about 10 percent have lived in the community a year or less.

A comparison of rearrested defendants with non-re-arrested releasees follows:

Category	Persons Released In Sample	Persons[1/] Re-arrested	Persons Not Re-arrested	Available Data In Sample	Median Years in Community	First and Third Quartiles	
Felonies	126 126	17	 109	10 65	19 19	9 6	25 22
Misdemeanors	265 265	18	 247	13 137	20 15	14 5	21 22
Violent	86 86	14	 72	8 45	21 18	8 6	25 21
Dangerous	52 52	12	 40	6 24	14 18	8 10	24 21

[1/] Total (35) is less than all re-arrested persons (47) because of "unknowns" in the data file.

The above data do not show a consistent trend. When interpreting these data, one must also be aware of the associated fact that the recidivists (except for defendants on robbery charges) were older than the non-recidivists. Because of the small sample sizes, these data must be interpreted with great care.

Employment. Following the pattern set by previous comparisons, we show the responses of those defendants interviewed by the bail agency to the question of whether they were employed. The tabulation follows:

Category	Persons in Sample	Persons Released	Persons not Released 1/	Available Data in Sample	Percent 2/ Employed
Felonies	217	126		90	59
	217		91	67	58
Misdemeanors	437	265		184	59
	437		172	132	50
Violent	156	86		63	60
	156.		70	58	59
Non-Violent	498	305		211	63
	498		193	141	50
Dangerous	105	52		46	33
	105		53	45	58
Non-Dangerous	549	339		238	61
	549		210	154	51

1/ Includes persons in jail and persons whose cases were nollied or where data were insufficient to permit analysis.

2/ Percent of all Data in Sample.

The low rate of employment among the releasees charged with a dangerous crime is striking. It is equally important to note that these figures indicate only whether the interviewed defendant claimed to be employed; not how long or how regularly.

The breakdown for re-arrested and non-re-arrested defendants follows:

Category	Persons Released in Sample	Persons 1/ Re-arrested	Persons Not Re-arrested	Available Data in Sample	Percent 2/ Employed
Felonies	126	17		14	21
	126		109	76	66
Misdemeanors	265	18		17	41
	265		297	167	61
Violent	86	14		12	25
	86		72	51	69
Dangerous	52	12		10	20
	52		40	26	50

1/ Total (35) is less than all re-arrested persons (47) because of "unknowns" in data file.
2/ Percent of Data in Sample.

This tabulation very vividly relates employment to recidivism. Although the sample of re-arrested persons is very small, these data indicate that employment may indeed be a useful predictor of recidivism.

Skill or Trade. On the Bail Agency forms, each defendant is asked to identify his skill or trade as white collar, blue collar or laborer. These data were often not supplied. However, our data file shows the following comparison:

Category	Persons in Sample	Persons Released	Persons not 1/ Released	Available Data in Sample	Skill		
					WC	BC	L
Felonies	217	126		48	11	20	17
	217		91	37	10	8	19
Misdemeanor	437	265		94	20	28	46
	437		172	57	17	16	24
Violent	156	86		34	8	16	10
	156		70	32	8	6	18
Non-Violent	498	305		108	23	32	53
	498		193	62	19	18	25
Dangerous	105	52		15	3	5	7
	105		53	24	6	3	15
Non-Dangerous	549	339		127	28	43	56
	549		210	70	21	21	28

1/ Includes persons in jail and persons whose cases were "nolled" or where data were insufficient to permit analysis.

Because of sparse data, no definite conclusions are possible.

These data, shown for re-arrested defendants, follow:

Category	Persons Released in Sample	Persons Re-arrested 1/	Persons not Re-arrested	Available Data in Sample	Skill		
					WC	BC	L
Felony	126	17		3	1	2	0
	126		109	45	10	18	17
Misdemeanors	265	18		7	1	3	3
	265		247	87	19	25	43
Violent	86	14		3	1	2	0
	86		72	31	7	14	10
Dangerous	52	12		2	1	1	0
	52		40	13	2	4	7

1/ Total (35) is less than all re-arrested persons (47) because of "unknowns" in the data file.

Again, the available data are so sparse that it is difficult to draw any conclusions from these figures.

Family Ties. In this category, we have tried to identify how close each defendant's family ties are. We have done this by specifying whether he lives with his family (parents or relatives) or not. The data tabulations follow:

Category	Persons in Sample	Persons Released	Persons Not Released 1/	Available Data in Sample	Percent Living with Family 2/
Felonies	217	126		64	61
	217		91	52	56
Misdemeanors	437	265		142	66
	437	172		117	54
Violent	156	86		43	58
	156		70	46	55
Non-Violent	498	305		163	66
	498		193	123	54
Dangerous	105	52		30	63
	105		53	38	55
Non-Dangerous	549	339		176	65
	549		210	131	54

1/ Includes persons in jail and persons whose cases were "nolled" or where data were insufficient to permit analysis.

2/ Percent of data in sample.

A breakdown by re-arrested and non-re-arrested defendants follows.

Category	Persons Released in Sample	Persons Re-arrested 1/	Persons not Re-arrested	Available Data in Sample	Percent Living with Family 2/
Felony	126	17		11	72
	126		109	53	59
Misdemeanor	265	18		15	67
	265		247	127	66
Violent	86	14		9	67
	86		72	34	56
Dangerous	52	12		9	67
	52		40	21	62

1/ Total (35) is less than all re-arrested persons (47) because of "unknowns" in data file.

2/ Percent of Data in Sample.

The above two tabulations do not reveal any real relation between family ties and the recidivism rate. However, there is an indication that if a defendant is living with his family, he is more likely (but not much more) to receive pre-trial release.

Previous Record. Defendants are asked by Bail Agency interviewers whether they have a prior criminal record or not. The accuracy of defendants' responses to this question was alluded to in the previous chapter when they were compared, for a few selected cases, with pre-sentence reports. A more detailed comparison is contained in the last section (on robberies) of this Chapter. It appears to give a reasonable indication of the actual situation. Data for the various categories are as follows:

Category	Persons in Sample	Persons Released	Persons not Released 1/	Available Data in Sample	Percent Prior Record 2/
Felony	217	126		76	34
	217		91	58	52
Misdemeanor	437	265		66	30
	437		172	41	41
Violent	156	86		52	33
	156		70	48	48
Non-Violent	498	305		78	30
	498		193	44	43
Dangerous	105	52		31	36
	105		53	37	46
Non Dangerous	549	339		94	33
	549		210	49	43

1/ Includes persons in jail and persons whose cases were "nolled" or where data were insufficient to permit analysis.

2/ Percent of the data in the sample.

As might be anticipated, a lower percentage of the defendants who were released had prior records. A breakdown of released defendants, relating this factor with re-arrest, follows:

Category	Persons Released in Sample	Persons Re-arrested	Persons not Re-arrested 1/	Available Data in Sample	Percent Prior Record 2/
Felony	126	17		11	45
	126		109	65	32
Misdemeanor	265	18		4	25
	265		247	62	31
Violent	86	14		9	55
	86		72	43	28
Dangerous	52	12		8	50
	52		40	23	31

1/ Total (35) is less than all re-arrested persons (47) because of "unknowns" in data file.
2/ Percent of data in sample.

The available sample data are too few to establish any relationship between prior record and recidivism rate - - if one does exist.

Summary. Differences in personal characteristics vary in their usefulness and significance. With the exception of employment, there do not appear to be any outstanding predictors, but further analysis and correlation may reveal better predictive performance by suitable combinations of them.

These characteristics are of interest in themselves, because they give a picture of the arrested community. The profile of our sample population follows:

Median age (of 480 arrestees: first quartile = 20; third quartile = 36) (p. 137)	26.5
Mean educational level (grade completed: N=441; standard deviation = 3.34) (p. 139)	10.22
Median years residence in the community (N=401; first quartile = 6; third quartile = 23) (p. 141)	18
Percent employed (p. 143)	56%
Skill (from 236 defendants of possible 654, percent of 236 for which we have data.) (p. 145)	
White collar defendants	25%
Blue collar defendants	30%
Laborer defendants	45%
Family ties (percent living with parents or relatives, p. 147).	60%
Percent with previous record (p. 149).	38%

These summary values may be useful when comparing the sample with other populations, and in defining a comparable "non-arrested" population for a more complete analysis of predictors.

Recidivist Index

Previous sections have discussed the relationship between the number of persons released and the number of those re-arrested. The ratio of these two was defined as Recidivism Rate. Rates were developed for the entire sample population and for sub-populations classed as misdemeanants, felons, allegedly violent or dangerous. Our sample data showed that a higher rate occurred for those classified as dangerous than for those in other categories.

These rate determinations do not account for the possibility that different groups differ in the average length of their periods of release, thereby providing unequal opportunities for further offenses, re-arrests, and charges.

The analysis of this section is directed toward examining the data base to determine whether the persons in the sample exhibit different propensities to be re-arrested when classified by type of originally charged crime; and further, whether this propensity varies over time with the length of the release period.

As a measure of propensity, we define a Recidivist Index as the number of persons arrested per 1,000 man-days of release for the category and time period under consideration.

First, to indicate the differences encountered in release periods, the table below lists the durations of the first release periods for various percentages of persons in the indicated categories.

Days on Release - Initial Release Period[1/]					
	Sample	Mis.	Fel.	Violent	Dangerous
90% on release at least	20 days	21 days	14 days	14 days	13 days
75% on release at least	32 days	30 days	41 days	35 days	35 days
50% on release at least	54 days	42 days	105 days	105 days	111 days
25% on release at least	144 days	95 days	246 days	199 days	256 days
10% on release at least	256 days	176 days	371 days	321 days	347 days
Number in category [2/]	401	268	135	96	60
Number having 2 release periods	17	7	10	7	3

[1/] These days on release are counted from day of release, which in some cases occurs later than day of presentment.

[2/] These are the total in each category, including hand counting of cases involving release periods of more than 391 days.

The last line of the table shows the small percentage of persons having split release periods. Disregarding the second period, the table shows the longer periods of release that are encountered in the more serious cases. Thus, seeking individual indices for the several categories is a reasonable step toward providing a clearer insight into the mechanism of recidivism.

There are two events that were suggested as potential keys to understanding the rearrest and charging of those on release. These events were original entry into the system (presentment, etc.), and disposition (trial).

The release periods were therefore defined relative to these two events. The variation in the number of persons on release with the number of days after the first event is depicted graphically in Figures 3 and 4.

The rise that occurs over the first few days after presentment (Figure 3), when considering the total sample and misdemeanants, is explained by delays in initial release due to the time necessary for raising money bond. Observe the relatively quicker decay of the curve for misdemeanants and the relative persistence of the number of felons on release over long periods of time.

These general patterns were similar for each of the weeks of the sample. Normalized comparisons of the four weeks and the entire sample are shown in Figure 5. It is observed that some difference is encountered; for instance, note week number 1 during the period of 40 to 100 days. But

Figure 3

DISTRIBUTION OF DEFENDANTS' TIME PERIODS OF PRE-TRIAL RELEASE

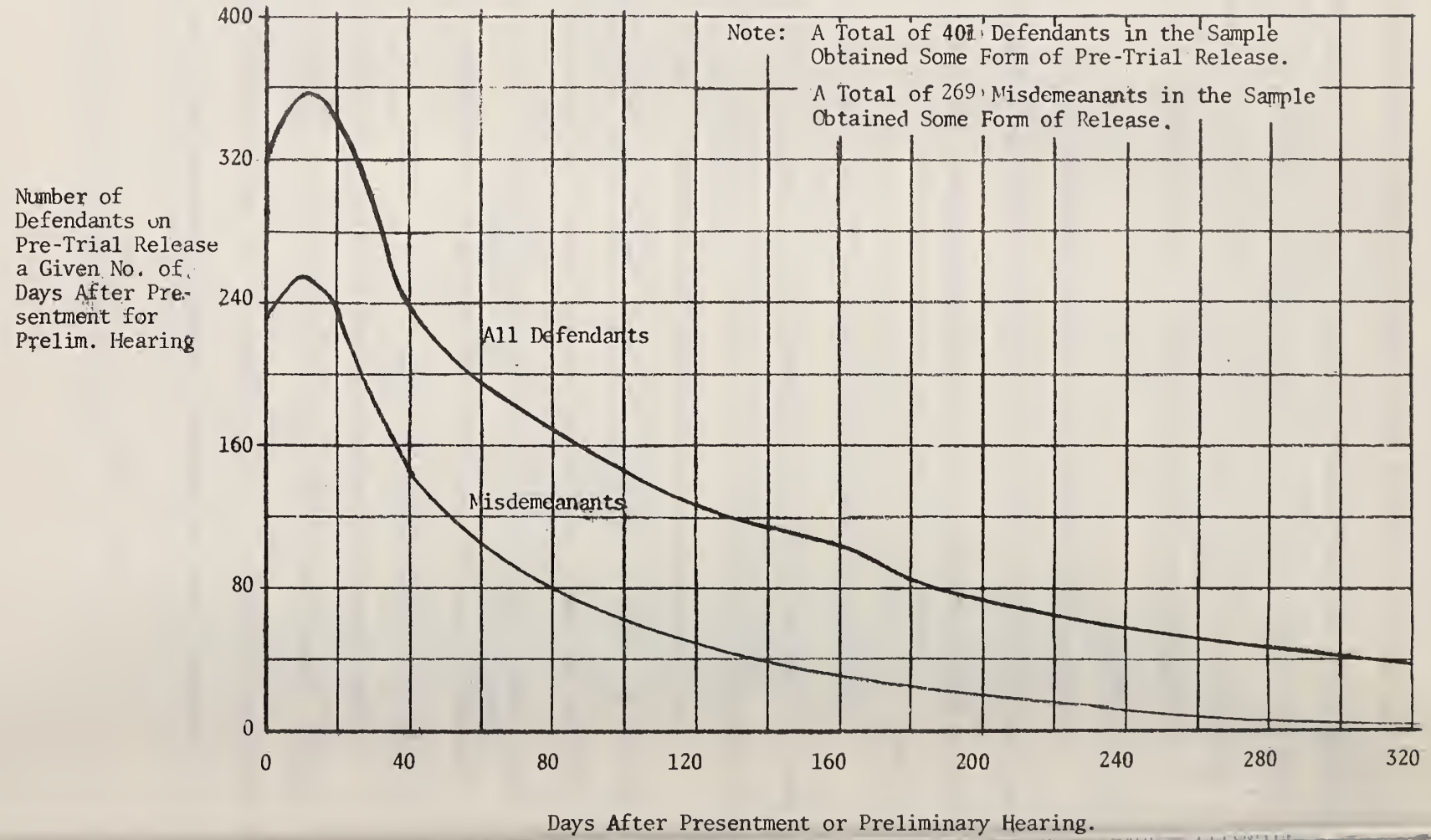


Figure 3A DISTRIBUTION OF DEFENDANTS' TIME PERIODS OF RELEASE - FELONIES

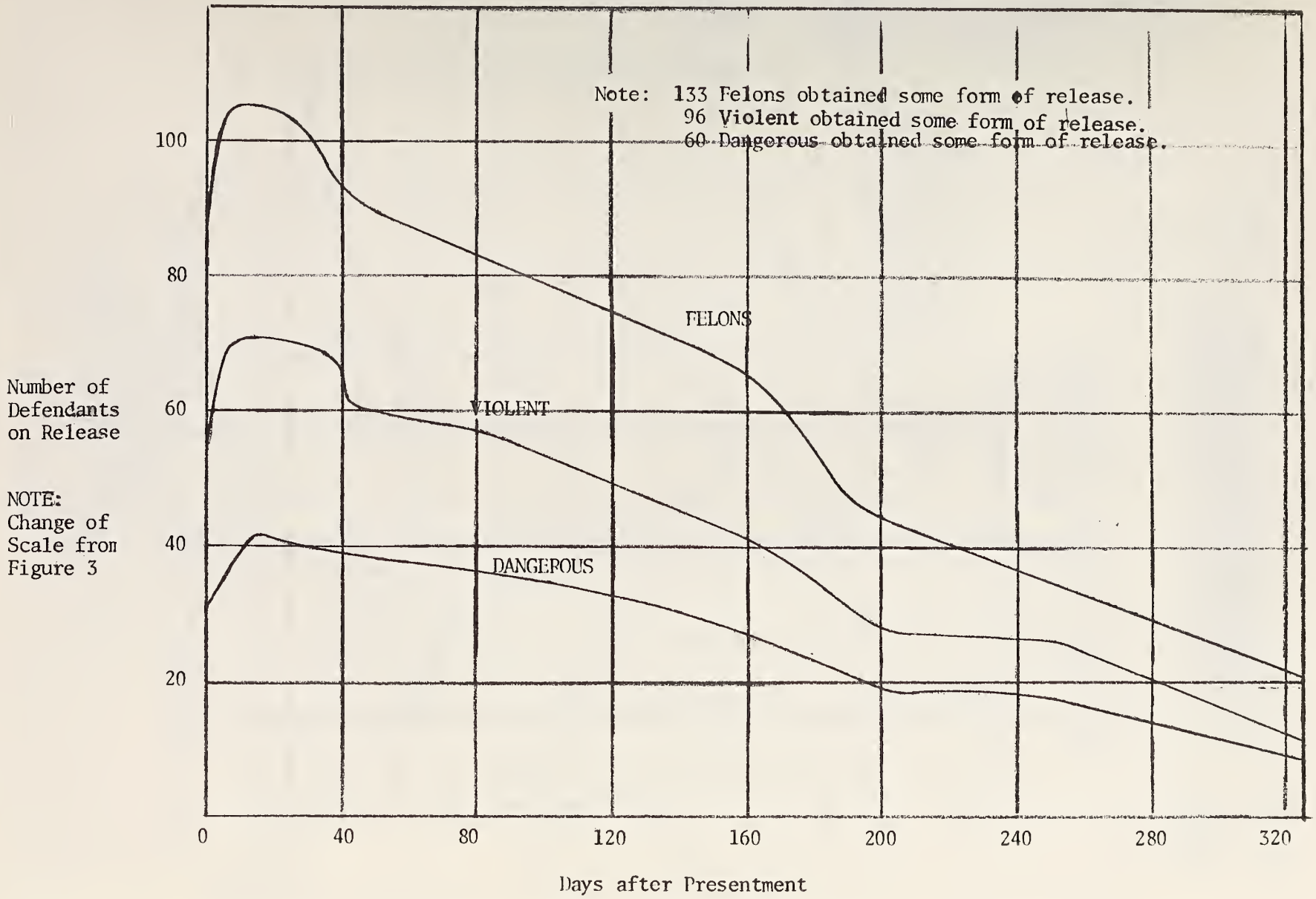


Figure 4

VARIATION IN NUMBER ON PRE-TRIAL RELEASE AND PRE-APPEAL RELEASE WITH TIME BEFORE AND AFTER TRIAL

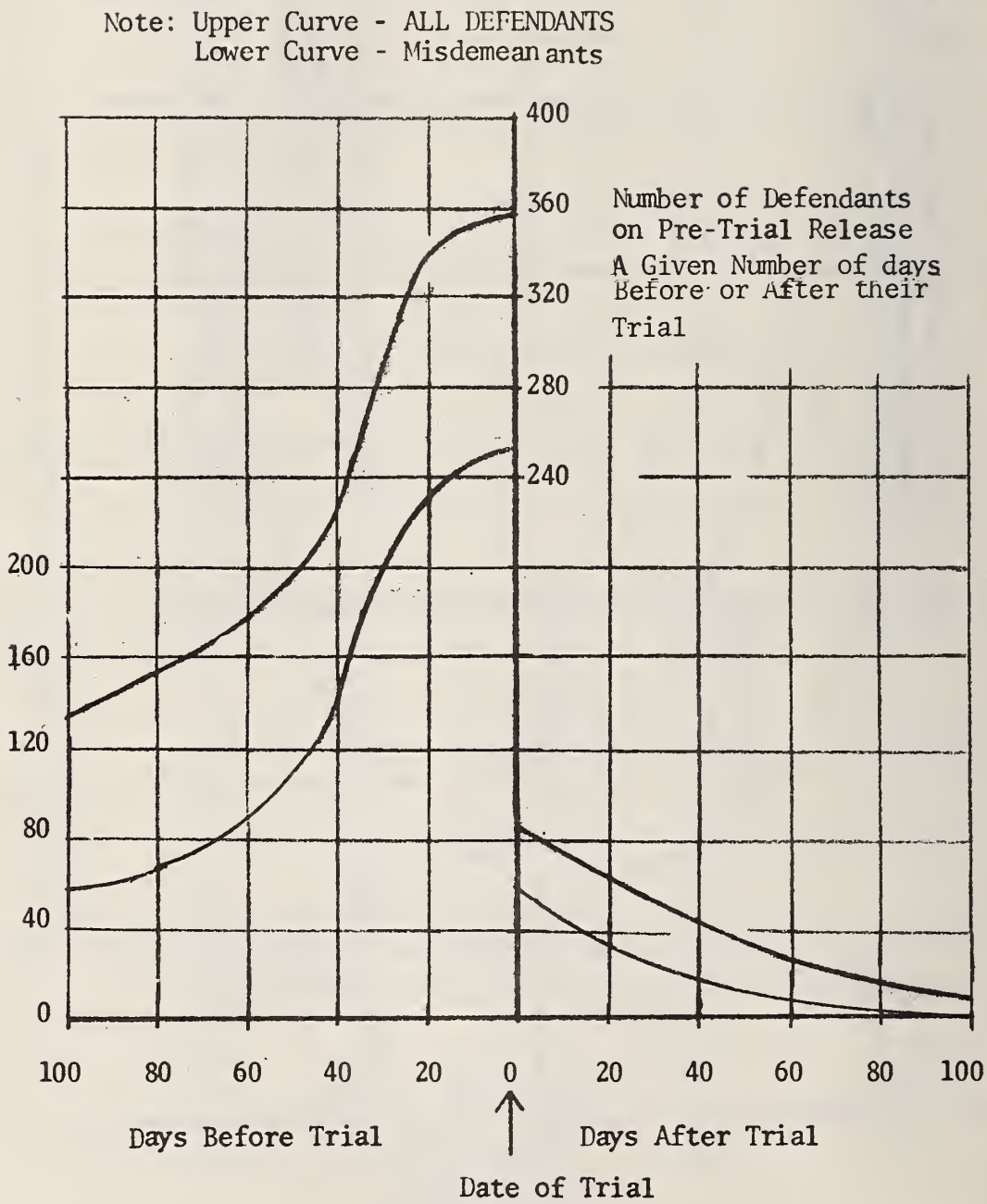
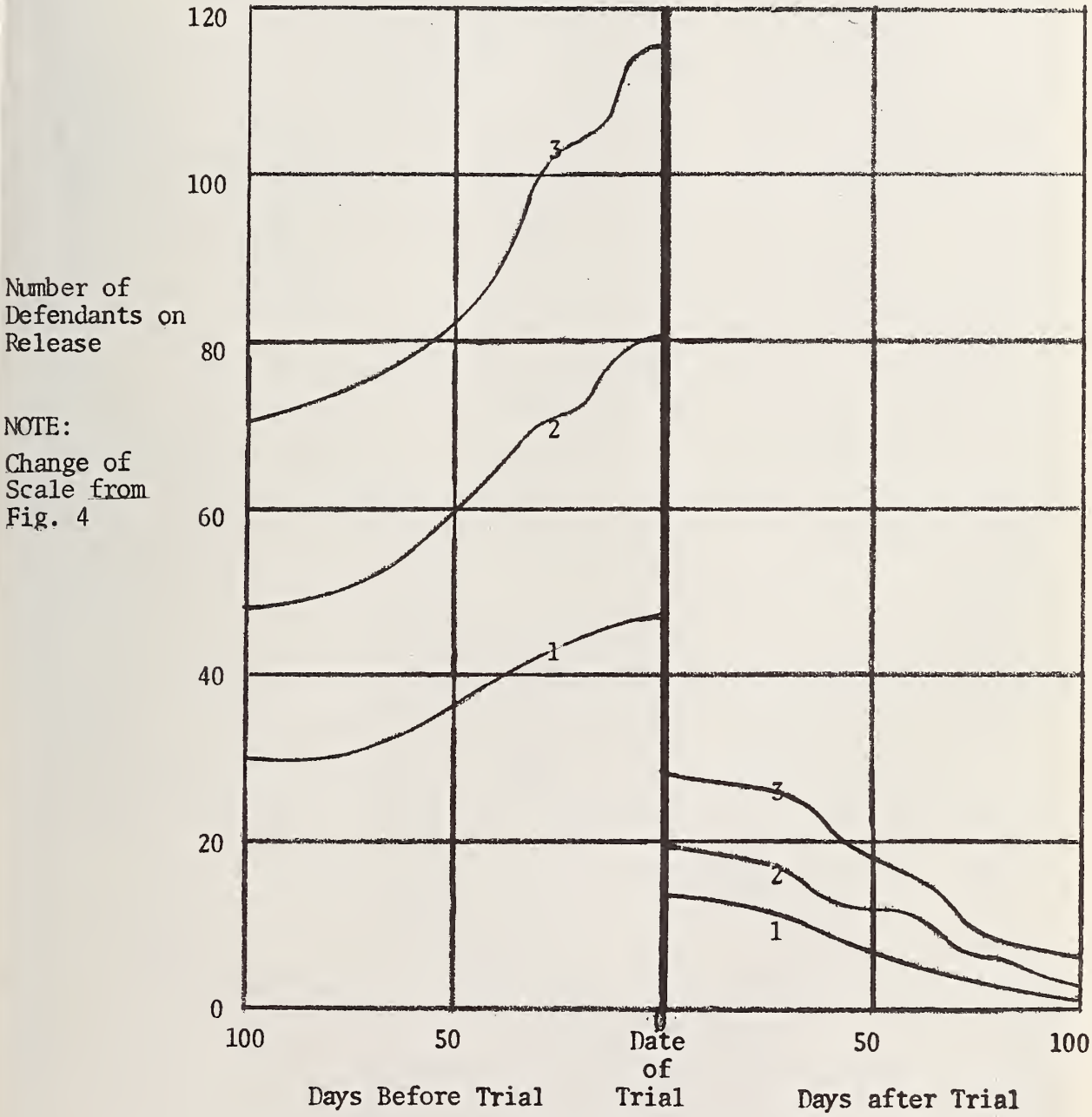


Figure 4A

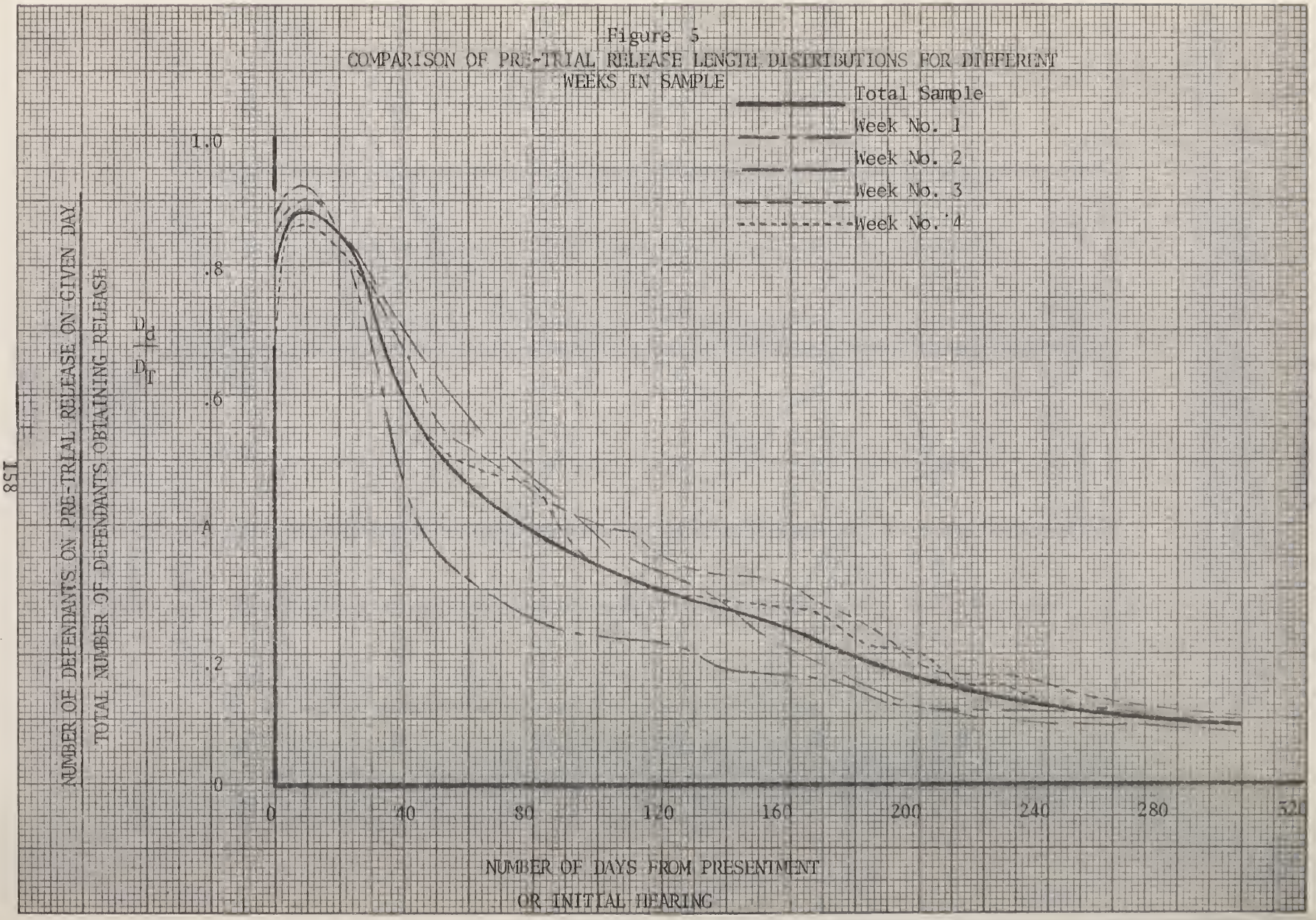
VARIATION IN NUMBER ON PRE-TRIAL RELEASE AND PRE-APPEAL RELEASE WITH TIME BEFORE AND AFTER TRIAL - FELONIES



Note - 1 Curves are for Felons
2 Curves are for Violent
3 Curves are for Dangerous

Figure 5

COMPARISON OF PRE-TRIAL RELEASE LENGTH DISTRIBUTIONS FOR DIFFERENT WEEKS IN SAMPLE



the overall patterns are similar. Analysis of the divergence of week No. 1, cited above, has not been undertaken as of this writing. One possible explanation is a heavier proportion of misdemeanants in that week.

Figures 3 and 3A further confirm the extended time periods for which felons are on release as compared with misdemeanants. The sharp discontinuity of the curves is, of course, occasioned by changes in release status at trial. Release may terminate because the defendant is absolved of the charges, or his release may be revoked when he is found guilty.

The date of the alleged commission of the most serious crime by persons on release was referred to the same two events in the criminal justice cycle of the base case of the defendant.

If the sample were sufficiently large, calculation of an index for each day (first, second, etc.) would be possible. The sample here does not permit such determinations, and grouping is necessary. Twenty-eight-day periods and 140-day periods were selected as "pigeon holes" for grouping to achieve greater reliability for the indices. A period divisible by 7 was chosen to avoid a biasing of the data based on differentiation of days in a week.

The indices for incidents "timed" relative to presentment are displayed in Table 14, and those relative to trial in Table 15.

The tables are arranged to: first, give indices for each category by 28-day periods as well as 140-day periods (derived from aggregating the small periods); and second, to give an overall average index for each category.

Table 14.

GROUPED INDICES

Re-arrests per 1,000 days of Exposure
28-Day Release Periods Referenced To Presentment [1/]

Period	Sample	Misde-meanants	Felons	Violent	Dangerous
Presentment					
1	1.139	1.326	0.696	1.025	1.813
2	1.025	1.412	0.388	0.570	0.962
3	0.786	0.729	0.853	0.626	0.962
4	1.688	1.040	2.250	3.320	5.107
5	1.139	1.371	0.974	0.754	0
6	0.648	0	1.060	0.841	1.218
7	0.436	0	0.677	0	0
8	1.816	4.175	0.853	1.264	1.842
9	0.684	0	0.927	1.317	1.901
10	0	0	0	0	0
1-5	1.129	1.224	0.994	1.229	1.781
6-10	0.728	0.648	0.765	0.697	1.005
Over 10	1.300	1.064	1.350	2.431	2.694
Overall	1.062	1.133	0.997	1.274	1.718

[1/] Although there might appear to be significant differences between some of these indices, the reader must be cautioned that they are based on only a very small number of arrests. (See Table 16.)

Table 15.

GROUPED INDEX

Re-arrests per 1,000 days of Exposure
28-Day Release Periods Referenced To Trial Date

Period	Sample	Misde-meanants	Felons	Violent	Dangerous
1	*	*	0	0	0
2	*	*	0	0	0
3	*	*	1.721	2.506	3.663
4	*	*	0	0	0
5	*	*	1.918	1.866	2.782
6	1.260	1.474	1.101	1.651	2.436
7	1.061	0	2.053	2.302	3.597
8	0.872	0.812	0.941	1.366	2.145
9	0.625	0.518	0.790	0.564	0.918
10	1.11	1.471	0.327	0.469	0
Trial					
11	1.571	0.878	2.594	3.854	2.849
12	0	0	0	0	0
13	2.000	5.587	0	0	0
14	3.509	0	5.076	8.849	17.544
15	11.90	0	12.821	32.787	62.500
1-5	*	*	0.845	0.989	1.459
6-10	0.972	0.982	0.958	1.142	1.614
11-15	1.756	1.018	2.475	3.870	4.878
Overall	1.062	1.133	0.997	1.274	1.718

* Not calculated

Caution must be observed in interpreting the tables because of the small numbers encountered in some cells of the matrix.[1/] The time on release (exposure) and the numbers of persons re-arrested and charged are tabulated in Tables 16 and 18.

Certain patterns are visible in tables of the indices with respect to presentment.

1. The overall average index for those classified as dangerous is substantially higher than for any other category.

2. The overall average index for felons compared to misdemeanants is slightly lower but not significantly different.

3. A consistent time-index pattern of a decrease from the first 140-day period to the second, and an increase for those remaining on release for longer than 280 days, is noted.

Certain patterns are observed in tables of the indices with respect to trial date:

1. The consistent increase in index for successive 140-day periods is noted. In particular, the rather substantial increase, except for misdemeanants, between the 140-day periods preceding and following the trial, is noted.

2. In the pre-trial period for dangerous defendants, the consistently high index for periods 5-8, is noted.

3. The decrease in index for all felony classifications in periods 9-10 (just before trial) is noted.

[1/] Where the number of defendants is only one or two, the corresponding indices should be regarded as merely very crude measures.

Table 16.

RE-ARRESTS PER MAN-DAYS EXPOSURE
FOR PERIODS REFERENCED TO PRESENTMENT

Read each cell as A/B
Where: A = number of persons re-arrested and charged in period
B = exposure in man-days on release in period

(each period is 28 days)

Period	Sample	Misde-meanants	Felons	Violent	Dangerous
Presentment					
1	11/9660	9/6787	2/2873	2/1952	2/1103
2	7/6829	6/4250	1/2579	1/1755	1/1040
3	4/5086	2/2743	2/2343	1/1597	1/1040
4	7/4146	2/1924	5/2222	5/1506	5/979
5	4/3512	2/1459	2/2053	1/1327	0/891
6	2/2964	0/1078	2/1886	1/1189	1/821
7	1/2291	0/814	1/1477	0/923	0/651
8	3/1652	2/479	1/1173	1/791	1/543
9	1/1462	0/383	1/1079	1/759	1/526
10	0/1251	0/334	0/917	0/641	0/443
1-5	33/29233	21/17163	12/12070	10/8137	9/5053
6-10	7/9620	2/3088	5/6532	3/4303	3/2984
Over 10	7/5386	1/940	6/4446	6/4446	5/1856
Overall	47/44239	24/21191	23/23048	19/14908	17/9893

Table 17.

RE-ARRESTS PER MAN-DAYS EXPOSURE
FOR PERIODS REFERENCED TO TRIAL

Read each cell as A/B
Where: A = number of persons re-arrested and charged in period
B = exposure in man-days on release per period
(each period is 28 days)

Period	Sample	Misde-meanants	Felons	Violent	Dangerous
1	*	*	0/794	0/535	0/341
2	*	*	0/1025	0/703	0/485
3	*	*	2/1162	2/798	2/546
4	*	*	0/1371	0/936	0/650
5	*	*	3/1564	2/1072	2/719
6	4/3174	2/1357	2/1817	2/1211	2/821
7	4/3769	0/1821	4/1948	3/1303	3/834
8	4/4588	2/2463	2/2125	2/1464	2/932
9	4/6395	2/3864	2/2531	1/1772	1/1089
10	11/9856	10/6796	1/3060	1/2132	0/1279
Trial					
11	3/1910	1/1139	2/771	2/519	1/351
12	0/1123	0/549	0/574	0/377	0/235
13	1/500	1/178	0/322	0/222	0/145
14	1/285	0/88	1/197	1/113	1/57
15	2/168	0/12	2/156	2/61	2/32
1-5	*	*	5/5916	4/4045	4/2741
6-10	27/27782	16/16301	11/11481	9/7882	8/4955
11-15	7/3986	2/1966	5/2020	5/1292	4/820
Overall**	47/44239	24/21191	23/23048	19/14908	17/9893

* Not Calculated

** Includes time before period 1 and after period 15

4. An increase in misdemeanor index for period 10 is noted.[1/]

5. The periods 11-15 are all characterized by low exposure and very small numbers of persons re-arrested and charged.

The following general observations about the data are believed pertinent (small cell sizes must be considered):

1. Persons classified as dangerous appear to exhibit a greater propensity to be re-arrested the longer they are on release.

2. An increased propensity to be re-arrested per day of release is found as the release period extends more than 280 days after presentment.

3. Persons classified as dangerous exhibit an increased propensity to be re-arrested in the period from 8 to 24 weeks prior to trial.

4. Based on the very limited sample, defendants exhibit a higher index when released after trial (while awaiting sentence or appeal) than before trial.

[1/] This is not considered likely to be a random perturbation, because one-third of the exposure occurred during this period, with many misdemeanants having only short release periods that begin within 28 days of trial.

Recidivist Cases

Since this section focuses attention upon the nature of recidivism, rather than the number of recidivists, its data will not be strictly limited to re-arrests which occurred after the master cases (post cases). The data collection procedures were designed also to collect offenses prior to the sample case (pre-cases), which in effect makes the sample case itself a case of subsequent recidivism, for the purpose of increasing the number of recidivist incidents available for analysis in this section. Therefore, we will now refer to initial and re-arrest cases, and will mean either the already discussed sample case and its subsequent offense, or a prior case and the sample case which followed it. The relationship of these prior and subsequent cases, broken down by defendant and case (which means an initial arrest followed by re-arrest for a separate, subsequent incident) is illustrated as follows:

	Pre-Sample Initial Arrest	In-Sample Initial Arrest	Total Initial Arrests
Defendants	52	47	99
Cases	66	62	128

The increase in number of cases over defendants in this chart is explained by the fact that, for this part of the analysis, we also count each subsequent or prior offense as a separate case of recidivism. Thus, in several cases, one defendant accounted for more than one prior or subsequent offense.

Frequency of Re-arrest by Type of Crime. Table 18 illustrates the frequency with which subsequent felonies and misdemeanors were allegedly committed by persons already arrested for a specific crime. The table shows, for instance, that the 7 persons initially arrested for a dangerous drug misdemeanor were subsequently re-arrested for a robbery felony, a homicide misdemeanor (i.e., negligent homicide), two dangerous drug misdemeanors, two larceny misdemeanors, and a weapons misdemeanor. For this frequency table, any case of multiple charges in an initial or subsequent arrest was reduced to the most serious single charge, using the ranking shown in Table 11 on page 128.

Correlation of Initial Arrest to Re-arrest by Degree of Crime. The frequency with which an initial arrest charge of felony or misdemeanor was followed by a re-arrest felony or misdemeanor charge follows:

Arrest Type		Re-arrests			
		All Recidivist Cases		Recidivist Defendants In Basic Sample 1/	
Initial	Re-arrest	Number	Percent	Number	Percent
Felony	Felony	23	18	11	23
Felony	Misdemeanor	30	23	10	21
Misdemeanor	Felony	16	13	4	9
Misdemeanor	Misdemeanor	52	41	18	38
Unknown	Unknown	7	5	4	9
TOTAL		128	100	47	100

1/ This is for only those defendants who were re-arrested after they were released in the master case. Data are presented here for comparison purposes. See page 134 for full data.

Table 18. Frequency of Re-arrest by Type of Crime

Original Presentment Charges	Felony Re-arrests													Misdemeanors									
	1. Homicide	2. Sex Assault	3. Robbery	4. Drugs	5. Arson	6. Burglary	7. Assault	8. Larceny	9. Sex Offense	10. Forgery	11. Weapons	12. Stolen Veh.	13. Other Felony	14. Homicide	15. Dang. Drug	16. Assault	17. Burglary	18. Larceny	19. Extortion	20. Weapons	21. Other	Unknown	Total
Felonies																							
1. Homicide																							0
2. Sexual Assault (Rape)						1							1									1	3
3. Robbery			2			2			1			1			2	1		2				1	12
4. Dangerous Drugs			1	3											3			1			1	1	10
5. Arson																							0
6. Burglary						2						1				2	3	1			2		11
7. Assault							2								1	1							4
8. Larceny																		1					1
9. Sex Offenses																						1	1
10. Forgery										2					1								3
11. Weapon Offenses			1																				1
12. Stolen Vehicles (UUV)												2								1	1		4
13. Other Felonies																	1						1
Misdemeanors																							
14. Homicide																							0
15. Dangerous Drugs	1		1	1											1			2		1			7
16. Assault			1				1									1					1	1	5
17. Burglary																1		1			1		3
18. Larceny			1			1							1		3		1	11			2		20
19. Extortion																							0
20. Weapon Offenses																	1	1		1	1		4
21. Other Misdemeanors	1		1												1	1	1				2	2	9
Total	2	0	8	4	0	6	3	0	1	2	0	4	2	0	12	7	7	20	0	3	11	7	99

There were a total of 128 initial arrests which were followed by either a felony or misdemeanor re-arrest. These data include every recidivism case, whether pre-sample or in the sample; and in any arrest in which the defendant is charged with more than one crime, the highest ranking charge (e.g., felony over misdemeanor) is counted. Of the 53 original felony arrests which had re-arrests 23 were re-arrested for felonies. The table offers striking evidence that a defendant initially charged with a felony is about as likely to be re-arrested for a felony as for a misdemeanor, while the defendant initially charged with a misdemeanor is far more likely to be re-arrested for a misdemeanor than a felony.

Disposition of Initial and Re-arrest Cases. Table 19 illustrates the frequency of various dispositions for initial and re-arrest cases. which are either misdemeanor or felony charges. For instance, the table indicates that 56 of the initial cases were felony charges, and 15 of these defendants were not convicted; whereas only 38 of the re-arrest cases were charged as felonies, and 17 of them resulted in no conviction. It also shows that 12 of the 56 defendants initially charged with felonies were actually convicted on misdemeanors, and 23 were convicted on the same or some other felony. This table does not correlate initial to re-arrest cases; it merely totals the frequencies within each type. Note that the absence of a conviction does not necessarily mean the defendant was acquitted in a given case, since there may have been plea bargaining involved or the prosecutor may have elected not to prosecute a second case after conviction in one of the cases.

Table 19
Comparison of Convictions for Initial and Re-arrest Cases

Misdemeanor (most serious charge)	Initial Case	Re-arrest Case
1. Convicted same charge	45	42
2. Convicted other misdemeanor	0	0
3. No conviction	22	36
4. Convicted felony	1	0
5. Still pending	3	2
6. Unknown	1	2
Total	72	82

Felony (most serious charge)	Initial Case	Re-arrest Case
7. Convicted same charge	20	11
8. Convicted other felony	3	2
9. No conviction	15	17
10. Convicted misdemeanor	12	3
11. Still pending	3	1
12. Unknown	3	4
	56	38
13. Other uncountable	0	8
Total	128	128

Recidivist Cases Where
There is Conviction on Both Initial
and Re-arrest Cases

felony - felony	4
felony - misdemeanor	9
misdemeanor - felony	2
misdemeanor - misdemeanor	27
	42
Unknown or pending	26
Total	68

Frequency of Conviction in Both Cases. Table 19 also illustrates how many instances occurred in which both the initial and re-arrest case resulted in conviction. The type of conviction is tabulated as to whether it is a misdemeanor or felony, but it is not correlated to the starting charges in each case. Thus, the table tells us that 9 of the 42 known double convictions were felony-misdemeanor convictions; it does not tell us whether the 9 misdemeanor convictions originated as misdemeanor charges.

Change of Pre-trial Release Conditions from Initial Case to Re-arrest Case. Table 20 illustrates the change in pre-trial release conditions from the initial case to the re-arrest case broken down by felony and misdemeanor. It tells us, for instance, that of the 22 cases on which pre-trial release information is available, and in which both initial and re-arrest charges were felonies 11 of the re-arrest cases were changed from an initial case personal recognizance bond to some form of money bond. The Table also indicates that 12 of the 32 cases that went from felony to misdemeanor on the re-arrest charge were given a lighter form of release (either PR or a lower money bond), even though the defendants were standing before the judge as initial release violators.

Disposition of Recidivist Cases Classified as "Dangerous" in the Proposed Preventive Detention Legislation. Of the 56 recidivist cases beginning with a felony, 41 began with a felony defined as "dangerous" in the proposed Preventive Detention Legislation. Table 21 indicates the disposition these charges received in the criminal courts, and also the

Table 20.

Bail Changes from Initial to Re-arrest Cases

	Initial to Re-arrest Cases				
Initial to	Felony to Felony	Felony to Misdemeanor	Misdemeanor to Felony	Misdemeanor to Misdemeanor	Total
Pretrial Release Conditions					
PR → MB	11 (48%) 1/	11 (37%)	3 (19%)	15 (29%)	40 (33%)
PR → PR	0	3 (10%)	0	2 (4%)	5 (4%)
MB → PR	0	1 (3%)	0	3 (6%)	4 (3%)
Low MB → High MB	4 (17%)	3 (10%)	7 (44%)	13 (25%)	27 (23%)
High MB → Low MB	3 (14%)	8 (27%)	1 (6%)	3 (6%)	15 (12%)
Same MB	0	0	0	6 (11%)	6 (5%)
Unknown	5 (21%)	4 (13%)	5 (31%)	10 (19%)	24 (20%)
Total	23	30	16	52	121 2/

Where PR = Personal Recognizance
MB = Money Bond
Low MB - High MB means the bail in the initial case was a money bond which was increased in the re-arrest case e.g., a $300 money bond in the initial case which changes to a $1000 money bond in the re-arrest case.
High MB - Low MB denotes a change from one money bond in the initial case to a lower one in the re-arrest case, e.g., from $1000 to $300.

1/ Percentages are of total for each column (e.g. the 11 whose initial PR condition was followed by MB condition is 48% of the 23 who faced felony charges in both re-arrest cases).

2/ Charges were not known for 7 additional cases.

disposition of their re-arrest cases. The Table demonstrates for example, that 27 of the initial 41 charges were brought to conviction, but only 17 on the originally charged or another "dangerous" crime; whereas 21 of the re-arrest charges were brought to conviction, but only 5 of these on an alleged "dangerous" charge. Ten of the initial alleged felons were not convicted; 17 of those re-arrested went free.

Table 21 also shows the relationship of the disposition of the 19 "dangerous" re-arrest cases to their initial cases.

Table 22 shows the same relationship for all of these re-arrest cases which would be classified as "violent" under the proposed Preventive Detention Legislation.

Table 21.

Analysis of Initial Cases in Recidivist Sample by Proposed Preventive Detention Standards

41 (73%) of 56 initial felony cases were dangerous crimes.

17 (42%) of 41 initially charged with a dangerous crime were convicted of that or another dangerous crime.

10 (24%) of 41 initially charged with a dangerous crime were convicted of a "non-dangerous" crime.

10 (24%) of 41 initially charged with a dangerous crime were not convicted.

4 (10%) of 41 initially charged with a dangerous crime: not enough data.

5 (12%) of 41 were convicted of a dangerous crime in re-arrest case.

16 (39%) of 41 were convicted of non-dangerous crime in re-arrest case.

17 (42%) of 41 were not convicted in re-arrest case.

3 (7%) of 41 - unknown disposition of 2nd case.

Recidivist Cases in Which a Dangerous Crime was Charged

"Dangerous" Crimes

19 cases arrested for "dangerous" crime on re-arrest case (15% of total of 128 recidivist cases).

6 (31%) convicted of charge in initial case and re-arrest case.
3 (16%) convicted of charge in re-arrest case but not in initial case.
7 (37%) convicted of charge in initial case but not in re-arrest case.
3 (16%) unknown.

Table 22.

Analysis of Recidivist Cases with Initial "Violent" Charge

Dangerous	Added Violent	Total Violent
19 (73%)1/	7 (27%)	26 re-arrests for "violent" crime
6 (86%)	1 (14%)	7 convictions in both initial and re-arrest cases.
3 (75%)	1 (25%)	4 convictions in re-arrest but not initial case
7 (70%)	3 (30%)	10 convictions in initial but not re-arrest case
3 (60%)	2 (40%)	5 unknown

1/ Percent of total violent cases which were dangerous cases.

NOTE: We have not checked the police records of the defendants in the "Added Violent" Column. This must be done to comply with the full intent of the definitions of violent and dangerous.

Robbery Cases

One very interesting use of the data is to focus analysis upon a single type of crime. The effort generates characteristics about the defendants charged with this crime that greatly enhance our understanding of these criminal incidents. Such understanding is a necessary condition for designing effective responses specific to such activity.

For this study, data involving the felonies of robbery, attempted robbery, and assault with intent to commit robbery were isolated from the data bank and subjected to more specific analysis. The results of this analysis are discussed below.

Initial Count. Examination of the entire four-week sample base disclosed 40 different persons charged at either presentment or indictment with at least one of the crimes of robbery, attempted robbery, or assault with intent to commit robbery. Presence of one count of any of these three crimes [1/] was sufficient to draw a defendant into the "robbery" sub-sample, and each instance of multiple counts was counted as only one case. The 40 persons, therefore, are all of the people who were ever presented in court for any of these three crimes during the sample period. In addition to these 40, there were 14 cases in which the prosecutor decided not to draw formal papers on defendants arrested on robbery charges. In one case, the entire case was dropped; in 13 cases, the police arrest charge of robbery was dropped and the defendant was formally charged with one or two misdemeanors. Since these defendants were not initially charged in court with one of the robbery crimes, they were not counted as part of the robbery sample.

Police Records of Prior Criminal Activity. The police records, popularly known as "rap sheets," are heavily relied upon by prosecutors and judges at the initial bail setting. They are also implicitly written into the "violent crimes" section of the pending preventive detention legislation as indicators of certain types of prior criminal activity by a defendant.

Of the 40 robbery defendants, 16 showed no District of Columbia police record prior to the charge that brought them into the sample, and seven more records were unavailable at the Police Department, indicating

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[1/] Even if not the most serious charge.

that the defendant had probably never been involved with the police department prior to this arrest. Thus, there were actual police records available for analysis on only 17 defendants.

Of these 17 defendants, 12 showed at least one prior felony arrest, but only 4 showed any felony conviction. Eleven showed at least one prior misdemeanor arrest. None of them showed any prior narcotics charges.

Table 23 summarizes the prior criminal activities of these 17 defendants, as shown in police records.

Several qualifications are pertinent here. First, 13 of the 16 defendants showing no prior record were 21 years old or younger, and had not had much time to generate an adult record. However, examination of the presentence reports (see Table 11) for 11 of these robbery defendants, indicates that 6 of the defendants do show prior juvenile records; 5 of the 6 show very serious criminal histories. One appears on the police "rap sheet" showing 2 charges of rape, and one each of robbery, housebreaking, and assault with a deadly weapon. The other 4 are not recorded on "rap sheets," and account evenly between them for 3 charges of robbery, 4 of housebreak, 6 of unauthorized use of a vehicle, 1 of burglary and 1 of assault on a teacher. Thus, it is very possible that the 23 missing police records could be supplemented by Juvenile Court records to present a profile of criminal history more serious than that which appears on the police department records alone.

Second, the police records are difficult to tabulate. On one occasion, what appeared at first glance as three felony arrests, merged into one arrest upon examination of the names of complaining witnesses, arresting officers and Crime Career Record numbers. Our count of prior arrests is made on the basis of such screening. Further, the number of convictions may be understated, since the police records in most cases during the time period of our sample did not include the disposition of many cases on the "rap sheets."

Table 23
Prior Criminal Records

Name No.	Case No.	Age	Prior Felony Arrests	Prior Felony Conv.	Prior Narc. Arrests	Prior Misd. Arrests	Bail Agency Record
026	-026	28	No prior record				1 M 1/
047	-047	18	No prior record				2 M
084	-087		Not available				
144	-149	19	3 Robbery	None	None	1	NR
146	-151	--	No prior record				NR
154	-159	19	No prior record				1 M
155	-160	20	None	None	None	1	NR
160	-167	38	None	None	None	None	3 M
161	-168	22	None	None	None	1	---
204	-214	19	No prior record				NR
211	-228	22	None	None	None	None	---
212	-229	32	No prior record				2 M
214	-231	20	1 Robbery	None	None	1	1 F
			1 Carnal Knowledge				1 M
215	-232	18	No prior record				NR
035	-234	30	1 Housebreak	None	None	3	2M
262	-263	21	1 Rape-housebreak		None	None	1M
			1 Robbery				1F
283	-286	20	1 Robbery	None	None	None	NR
331	-337	20	No prior record				NR
343	-349	25	1 Assault to kill	None	None	1	1F
347	-353	21	No prior record				NR
362	-368	18	No prior record				NR
379	-388	19	1 HBK-GL; 1 UUV 2/		None	None	NR
439	-456	21	No prior record				---
445	-462	19	No prior record				
453	-472	27	1 UUV	1	None	1	1F; 1M

1/ Responses by defendants recorded here as prior felony or misdemeanor record, no record, or data not available (---).

2/ HBK-GL = Housebreak - Grand Larceny.
UUV = Unauthorized Use of a Vehicle.

Table 23.

Prior Criminal Records (Cont'd.)

Name No.	Case No.	Age	Prior Felony Arrests	Prior Felony Conv.	Prior Narc. Arrests	Prior Misd. Arrests	Bail Agency Record 1/
477	498	19	No prior record				---
479	505	19	1 F&U 2/	None	None	1	2M
480	506	19	No prior record				NR
610	610	18	Not available				NR
770	770	18	No prior record				NR
865	865	--	3 Robbery	1	None	4	---
868	868	--	Not available				---
874	874	19	None	None	None	1	2M
884	884	--	Not available				---
894	894	22	Not available				---
908	1006	24	5 Robbery	3	None	None	---
928	928	21	No prior record				NR
931	931	24	Not available				---
939	939	24	3 UUV	None	None	2	2M
985	985	--	Not available				---

1/ Responses by defendants recorded here as prior felony or misdemeanor record, no record, or data not available (---).

2/ Forging and uttering - passing or negotiating a forged document (e.g., cashing a forged check.)

Bail Agency Indications of Prior Record. When the Bail Agency was interviewing these defendants to determine their eligibility for personal recognizance or some other form of non-money bond pre-trial release, 13 defendants admitted to past records, 14 said they had none, and 13 interview forms either could not be located or contained no information on that particular question. Five of the 13 admitting to a past record actually had no prior police record, and 6 of them misstated or understated their records. Four stated they had no records when police or other records indicated they did; 3 of these 4 had serious juvenile records.

The last column of Table 23 shows the prior records of these 40 defendants as reflected in the Bail Agency files.

Personal Data. Analysis was done on several kinds of information taken from the Bail Agency interview forms. It disclosed that of the 40 defendants, 30 were 25 years of age or less, 19 were 20 years old or under, and none were over 38 years old. Thus, 75% of the robbery defendants were 25 or younger.

Twenty-two of the defendants had at least one or more years of high school, 4 completed only 8th grade or less, and the records of 4 showed no information on this question. No records were available for ten.

Nineteen of the defendants were life residents of the District of Columbia, and 7 more had lived here at least one year prior to their alleged crime. Two had lived here less than one year, and 12 records were either not answered as to this particular question, or unavailable at the Bail Agency. Twenty-four of them acknowledged living in some form of supposedly stable relationship, be it with parents, relatives, spouse, friend of same sex, or friend of opposite sex.

Only 13 acknowledged any employment at all, and of these 6 had been working less than a month, 4 less than a year, and only 3 more than a year. Of the 13, 7 worked in a blue collar capacity, 6 as laborers.

These data are summarized in Table 24.

Table 24.

Personal Data on Recidivists

Name No.	Case No.	Age	Grade Completed	Years in D. C.	Family Relation	How long Employed	Type of Work WC - BC - L
026	-026	28	11	14	Y 3/	N 4/	--
027	-047	18	12	4W 2/	N	N	--
084	-087	No record available					
144	-149	19	9	8	Y	N	--
146	-151	28	-- 1/	--	N	N	--
154	-159	19	12	19	Y	N	--
155	-160	20	10	20	Y	1M	BC
160	-167	38	8	3	-	2W	L
161	-168	22	No record				
204	-214	19	12	4M	Y	3M	L
211	-228	22	10	12	Y	10Y	BC
212	-229	32	11	5	Y	1W	BC
214	-231	20	11	18	Y	N	--
215	-232	18	9	18	Y	N	--
035	-234	30	No records				
262	-263	21	10	21	Y	N	--
283	-286	20	11	20	Y	2Y	L
331	-337	20	11	20	Y	1Y	BC
343	-349	25	11	25	Y	N	--
347	-353	21	8	21	Y	N	--
362	-368	18	9	18	Y	N	--
379	-388	19	10	19	Y	N	--
439	-456	21	No records				
445	-462	19	12	19	N	1W	WC
453	-472	27	--	27	Y	3W	BC

1/ Blanks in this column indicate missing data on the interview forms, or missing forms.

2/ All figures in this column are years, unless otherwise indicated as weeks (W) or months (M).

3/ A yes (Y) in this column indicates the defendant is living with his spouse, parents, relatives, or friend of an opposite sex.

4/ Time of employment is recorded here as years (Y), months (M), and weeks (W). Unemployment is indicated by the letter N.

Table 24.
Personal Data on Recidivists (Cont'd.)

Name Case No No.	Age	Grade Completed	Years in D. C.	Family Relation	How long Employed	Type of Work WC - BC - L
477-498	19	7	19	Y	3Y	BC
479-505	19	11	19	Y	N	--
480-506	19	9	19	Y	2W	L
610-610	18	--	10	Y	1M	L
770-779	18	10	8	Y	N	--
865-865	20	--	--	--	N	--
868-868		No records				
874-874	19	8	19	Y	--	BC
884-884		No records				
894-894		No records				
908-1006		No records				
928-928	21	10	21	Y	1W	L
931-931		No records				
939-939	24	10	24	N	N	--
985-985		No records				

Process Through the Courts. The average time from initial presentment to trial for 36 of these defendants was 200 days, or almost 7 months. The records on the other 4 cases are incomplete. Twenty-one were convicted of the initial charge or a lesser one, 11 were not convicted of any charge, the result for 7 cannot be determined, and one fled. Five of the convictions were appealed and were still pending as of December 31, 1969.

Twelve of the defendants were never out of jail on any form of pre-trial release, and 8 of these were convicted. Twenty-three were released some time before trial on either money bond, personal recognizance, or personal bond, and 13 of these were convicted. One fled the jurisdiction. Four of the 15 defendants held without bail until their trials, only to be found not guilty or have their charges dropped, were held in jail for times ranging from 45 to 250 days.

A summary of this information is given in Table 25.

Recidivist Comparisons. Of the 23 defendants actually out on release at one time or another, 7 were re-arrested for a subsequent crime. Four of the re-arrests were for felonies, 2 for misdemeanors and the cause of 1 is unknown to us. Two of the felonies resulted in conviction on the same charge, one in a misdemeanor conviction, and one in no conviction. One misdemeanor charge resulted in conviction, and one in no conviction. It is known that of the 7 recidivists, two were free on money bond when re-arrested, one free on unsecured personal bond, and one free on personal recognizance. Pre-trial release records on the other three are unknown except for the initial money bond settings.

Table 25

Process Through the Courts

Name Case No. No.	Days to Trial	Ever Released Y/N	Bail	Conviction Y/N	Appeal
026-026	34	Y 2/	PR	N	--
047-047	57	N	1000	N	--
084-087	46 1/	N	5000	N	--
144-149	64(Indict)	N	MB	?	--
146-151	36	Y	PUB 1000	N	--
154-159	88(Indict)	Y	PR	skipped	
155-160	243	Y	PR	Y	--
160-167	250	Y	?	N	--
161-168	107	Y	PR	Y	--
204-214	84	N	3000	N	--
211-228	315	Y	1000	Y	--
212-229	292	N	15,000	Y	--
214-231	182	Y	PR	Y	--
215-232	241	N	5000	Y	Pending
035-234	492	Y	5000	Y	--
262-263	245	N	3500	Y	--
283-286	245	Y	?	Y	--
331-337	35 (GJ)	Y	PBU 2500	?	Pending
343-349	198	Y	300	N	--
247-353	144	Y	?	Y	Pending
362-363	273	N	2000	Y	--
379-388	124	N	25,000	Y	--
439-456	72	Y	PBU	N	--
445-462	135	Y	PR	Y	--
453-472	198	N	500	Y	--

1/ 3 cases could not be traced beyond the point of indictment, and 1 could not be traced beyond referral to the Grand Jury.

2/ A yes (Y) in this Column indicates that the defendant was free on pre-trial release at some time before his trial. A no (N) means he was not released before trial.

Table 25

Process Through the Courts (Cont'd.)

Name Case No. No.	Days to Trial	Ever Released Y/N	Bail	Conviction Y/N	Appeal
477-498	301	Y	5000	Y	--
479-505	227	Y	PBU 2500	Y	Pending
480-506	272	Y	1000	Y	--
610-610	377	Y	15000	Y	--
770-770	105	N	10000	Y	--
865-865	151	N	15000	Y	--
868-868	229	No records			
874-874	241	Y	PR	Y	--
884-884	302	No records			
894-894	154	No records			Pending
908-1006	411	No records			
928-928	129	Y	PR	N	--
931-931	139	Y	PR	N	--
939-939	139	Y	1000	N	--
985-985	95(Indict)	No records			

Compared to the total sample of 40 robbery defendants, the recidivists as a group are younger, less educated, and less frequently employed. They show a high proportion of prior police or juvenile records.

A summary of the prior criminal records and the personal data on these 7 recidivists is contained in Table 26.

Table 26. Robbery Recidivist

Prior Criminal Records

Name No.	Case No.	1st Off.	Conv.	2nd Off.	Conv.	Prior felony arrest	Prior felony conv.	Prior narc. arrests	Prior misd. arrests	Bail Agency Record	Juvenile Record	Time to 1st Off. trial
160	-167	Robb	N	?	Y	None	None	None	None	3M	--	250
283	-286	Robb	Y	Robb	Y	1 Robb	None	None	None	NR	serious	245
343	-349	Asslt/ robb	Y	2 misd	N	1 asslt /kill	None	None	1	1F	--	198
347	-353	Robb	Y	4 misd	Y	No prior record				NR	--	144
477	-498	Robb	pend	UUV	Y	No prior record				--	serious	301
479	-505	Robb	Y	Robb	N	1 forg	None	None	1	2M	--	227
874	-874	Robb	Y	Burg	Y	None	None	None	1	2M	--	241

Personal Data

Name No.	Case No.	Age	Grade Completed	Years in DC	Family Relation	Time Employed	Kind of Employment
160	-167	38	8	3	--	2W	L
283	-286	20	11	20	Y	2Y	L
343	-349	25	11	25	Y	N	-
347	-353	21	8	21	Y	N	-
477	-498	19	7	19	Y	3Y	BC
479	-505	19	11	19	Y	N	-
874	-874	19	8	19	Y	-	BC

CHAPTER IX

Observations and Recommendations

This pilot study has assembled the case histories of 714 District of Columbia Criminal Court actions which occurred in four separate weeks in the first half of 1968. The problems of data collection and analysis have been fully described. Various devices for predicting recidivism have been explored to discover how they might be used with the information available to the Court at the time of pre-trial release (presentment or initial hearings). They are compared with predictive instruments used for parole and probation purposes. The summary data section (Chapter VIII) describes the results of the study. Additional and more sophisticated analyses are possible with the data collected, although the limited sample size will affect the reliability of the comparative findings. Observations and recommendations based on the analysis conducted so far are included in the paragraphs which follow.

Crime While on Pre-trial Release. The number of re-arrests of persons while on pre-trial release is an imperfect indicator of the volume of crime committed while onpre-trial release.

The re-arrest rate of 11.0 percent in D. C. was obtained from firm, positive data in the Court System for a 4-week sample. The sub-group initially charged with felonies showed a much higher rate of 17 percent. If felonies are further stratified into violent and dangerous categories, as defined in the proposed legislation, the recidivist rates become 17 and 25 percent respectively. Although the sample size is not large, the differences are sufficiently large to support the hypothesis of a higher recidivism rate for these groupings of released defendants. (The above comments refer to the number of exposures -- periods on pre-trial release -- not to length of exposure.)

Additional indicators of potential recidivism were also noted. For example, the recidivists among the releasees initially charged

with felonies (except for robbery) tended to be older and to be arrested for the more serious crimes. Employment seems to be a significant factor in recidivism, although our sample size is very small. Other factors relating to family ties, educational level, and length of time residing in the community did not individually correlate well with recidivism. Thus, though some predictive criteria have been isolated, our understanding of what are the "essential" crieteria and the proper weights for each is still so incomplete as to preclude a workable and reasonable method to estimate the probability of recidivism for a specific type or class of defendants.

If the "dangerousness" criterion in the proposed legislation (or, more precisely, our rough approximation of it [see page 75]) had been applied to impose preventive detention, 17 re-arrests would not have occurred, but 39 defendants, who were not in fact re-arrested would not have been released.

An important innovation of this pilot study is the definition of an exposure index and the strong indication that crime on pre-trial release in D. C. appears to be directly related to the number of man-days released. Thus, a man released 120 days was twice as likely to be re-arrested for an alleged offense as one released for 60 days. In calculating this index, we have counted from the date of the alleged second offense, rather than the date of the second arrest, so there is no time lag in calculating the index to bias the index against those defendants who were released for a longer period of time. The full meaning of the re-arrest rate of one re-arrest per 1,000 man-days of pre-trial release (36 percent probability of re-arrest in one man-year) is not yet clear. It needs to be compared with the arrest rate of a broad population for the same class of individuals who are not on pre-trial release.

Finally, we note that there are still other data, admittedly difficult to obtain, which might improve the predictive instrument, or, at least, yield additional cases of re-arrest while on pre-trial release (e.g., arrests in other jurisdictions).

In light of these observations, we recommend that:

1. Efforts be made to complete the FBI record correlation, that all related FBI records be consulted, and that data forms be completed based upon data in these other jurisdictions.

2. An attempt be made to identify characteristics of the re-arrested population and to estimate the arrest rate for a similar sized population with like characteristics which has no recidivist history.

Detailed Analyses. The summary data have included only broad analyses of the defendants in the sample as a whole, the relationship between recidivism and various categories of initial charges, and the robbery cases. We have only just begun to tap the wealth of data in the file. One might be interested in a deeper analysis of the facts in the cases, the personal histories, the variability with judges, prosecutors, and defense attorneys, etc. Again, it is not clear what valid conclusions could be drawn in view of the small sample size, but analyses such as these would be helpful in framing explicit hypotheses which might then appear worthy of more detailed analyses and possibly additional data collection.

This matter of hypothesis definition has always been a difficult problem. Many suggestions which are so generally worded that they defy specific formulation within the boundaries of the data sample have been presented (e.g., what correlations are found between persons who appear to be flight risks and persons who appear to be dangerous?). Other suggested hypotheses are clearly outside the scope of the data

collected (e.g., what kind of violations occur in cases of release on recognizance, and how often do they occur?). It is not that these questions are unimportant; it is just that they simply cannot be addressed within the boundaries of the data collected.

Those detailed analyses to which the data do lend themselves are not simple in the sense that one merely pushes the right series of buttons on the computer and the answers fall out. The data must be properly interrogated, culled, collated, and analyzed; and the results must be evaluated for statistical reliability and validity.

3. Data analysts, supported by legal experts, should continue to test out various hypotheses. In some cases, the results will be statistically significant. In other cases, the test may only identify areas which appear to be of particular interest. In all cases, however, this effort would specifically express these hypotheses in explicit analytical language amenable to quantification. It would also identify the specific assumptions which must underlie many of these analyses. We feel that such an effort, resulting in very explicitly defined hypotheses, is advisable before any large-scale data collection project is undertaken.

Data Collection. In spite of our concern for clarifying hypotheses before a large-scale data collection process is undertaken, we note that many criminal jurisdictions around the country are already beginning to collect data to answer their own pressing operational and administrative questions. It would seem that these collection efforts, put in a broader context with a consistent data collection format,

would provide much useful data for broader analyses. These data could be added to data already collected to provide a much larger data base -- if they are carefully defined at the outset. It is clear, however, that assembling data from different jurisdictions will be fraught with problems related to the differing legal definitions of charges in these jurisdictions. Close cooperation between local jurisdictions and the National Institute of Law Enforcement and Criminal Justice would permit these data to be much more meaningful.

To accomplish this end, we recommend that:

4. A Court System Study Guide be developed to aid other jurisdictions in obtaining criminal case data. This study guide would acquaint local jurisdictions with procedures for defining their sample, would describe problems they are likely to encounter and possible solutions, and would provide a standard data collection form aimed at greater accuracy in data collection and efficient conversion of output for computerization.

5. An effort be made to contact all jurisdictions where data collection efforts are currently under way to coordinate possible results. Personal contacts would be desirable. In addition, the National Institute should offer to supply guidance in the form of meetings and seminars to all jurisdictions currently contemplating a data collection effort.

Prediction Devices. Currently available prediction devices used in parole and probation determinations appear to offer but minimum improvement over intuitive judgment. The rating sheets used in

Release-On-Recognizance programs are primarily subjective. In addition, the short time generally available between interview of a defendant and the presentment at which pre-trial release conditions are set precludes adequate verification of information which the defendant supplies.

The assembly of a much larger body of data of the scope included in this pilot study would be necessary in developing a prediction device or formulation. In the meantime, however, we note from parole and probation studies that age of offender at first arrest and the offender's family life at that time seem to be important factors in later recidivism.

We recommend that:

6. The Bail Agency consider revising its interview form to obtain information on early defender involvement and family characteristics, in order to provide inputs toward the development of prediction devices.

7. Work for a general mathematical model of the type developed in SIMBAD (Reference 2) for pre-trial release cases be begun. We feel that such a model will be essential in the future development of a prediction device.

Summary. The limitations of this pilot study resulting from the small sample size and paucity of data have been frequently referred to. Directly related to these limitations is the extreme difficulty described vividly in Chapter V, of following court records through the Court System. We cannot overemphasize this problem, for it is, in essence, the key to the analysis of many problems in the Criminal Justice System. The creation and implementation of a model record-keeping system is

urgently needed. Moreover, this system should be computerized where possible, and should provide flow-through information for each stage [illegible] nal Justice System. Such a system should be designed to aid also in solving operational and administrative problems, as well as to provide fundamental data for research. We urge that this concept be in the background of any specific studies undertaken in this area, and that plans be formulated to address this need directly.

For the immediate future, we recommend that:

8. A numbering system be established for consistent use by all elements of the Criminal Justice System. This numbering system should identify each incident and each individual, and, when taken together, would facilitate the accumulation and ready exchange of clear, accurate information throughout the jurisdictions of the Criminal Justice System. To be really effective, this numbering system should be augmented by formal data recording and summarization procedures.

APPENDIX A

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APPENDIX A

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APPENDIX B

People Contacted During the Study

The following people were consulted either by letter or in person, during the course of this study. We wish to acknowledge their assistance; note, however, that their mention here does not imply agreement with statements or conclusions made in this report.

Honorable Donald E. Santarelli (discussions) Miss Sylvia Bacon (discussions)[1] Mr. Frederick Hess (discussions) Mr. Thomas Lumbard (discussions) Mr. Earl Silbert (discussions) Miss Karen Skrivseth	Associate Deputy Attorney General Criminal Division U.S. Department of Justice
Mr. Joel Blackwell Mr. Harry Greene Mr. John Junghans Mr. Lawrence Margolis Mr. Frederick Stein Mr. Frederick G. Watts	United States Attorney's Office at the Court of General Sessions
Mr. Joseph Burton (letter) Mr. Frederick Beane Mr. John March	Chief Deputy Clerk's Office - Criminal Division Court of General Sessions
Honorable Harold Greene (letter) Honorable Tim Murphy (interview) Honorable James Belson (interview) Mr. Joseph Lowthes (letter)	Chief Judge Judges of the Court of General Sessions
Honorable Thomas Flannery (letter) Mr. Alfred Hantman	U.S. Attorney's Office District Court
Mr. Robert Stearns (letter)	Clerk's Office - District Court
Mr. Luke Moore (letter)	U. S. Marshal
Honorable Arthur L. Burnett (letter) Honorable John F. Doyle (letter) Mr. Samuel Wertleb (discussions)	U.S. Magistrates for the District of Columbia Formerly, U. S. Commissioner
Mr. George W. Howard Mr. Fred Peterson	U.S. Probation Office

[1] Presently Executive Assistant to the United States Attorney for the District of Columbia.

Honorable J. Edgar Hoover (letter) Mr. Jerome Daunt (discussions)	Federal Bureau of Investigation
Mr. Bruce Beaudin (discussions) Mr. William Cecil (discussions)	District of Columbia Bail Agency
Chief John Layton (letter) Chief Jerry Wilson (letter) Inspector Waters Mr. Fred Landers Mr. Frank Polarhie	District of Columbia Police Department
Mrs. Joan Jacoby	District of Columbia Office of Public Safety
Mr. Kenneth Hardy (letter) Dr. Stuart Adams (discussions) Mr. Dewey Meadows (discussions) Dr. Barry Brown (discussions)	District of Columbia Department of Corrections
Senator Sam J. Ervin, Jr. (discussions) Mr. Paul Woodard[2/] (discussions) Mr. Lawrence Baskir (discussions) Mr. John Vale (discussions) Mr. Glen Ketner (discussions)	U.S. Senate Subcommittee on Constitutional Rights
Dr. Alfred Blumstein[3/] (discussions) Miss Jean Taylor (discussions)	Institute for Defense Analyses
Professor Samuel Dash (discussions)	Georgetown University Law School
Mr. Daniel Freed[4/] (discussions)	Urban Coalition
Mr. William Eldridge (discussions)	Federal Judicial Center
Mr. Carl Imlay (presentation) Mr. Wayne Jackson (discussion)	Administrative Office of the U.S. Courts

[2/] Now with the Law Enforcement Assistance Administration.

[3/] Now Professor in the School of Urban and Public Affairs, Carnegie - Mellon University.

[4/] Now Professor of Law, Yale Law School.

Miss Barbara Bowman (discussions) Mr. Norman Lefstein (discussions) Mr. Charles Rousselle (discussions)	Legal Aid Agency
Professor Dallin Oaks (discussions)	University of Chicago Law School
Mr. S. Andrew Schaefer (discussions)	Vera Institute of Justice
Mrs. Patricia Wald (discussions)	Neighborhood Legal Services
Mr. Peter Wolf (discussions)	Georgetown University Law Center
Dr. Robert G. Miller (discussion)	Travelers Insurance
Mr. Jack Highsmith (discussion)	Chief, R.O.R. Division, NYC Probation Office
Mr. Robert Webber (discussion)	Information Center of the National Council on Crime and Delinquency
Mr. Richard O. Motsay (discussion)	Director, Baltimore City Pre-Trial Release Division

Appendix C

Data Collection Form

DATA FORM 4 BRS 8-4-69

TAD BAIL REFORM STUDY

GS DATA	()	US COMM	()
AUSA	()	GJ ORIG	()
NJ-J	()	GS REF	()
NP	()	REINDICT	()
PJ	()	BA	()
GJ	()	JAIL	()

PERSONAL 01 3-7 Name#_____ 8-9 Col/Sex W N O / M F 10-15 Date of Birth_____
16-19 Place of Birth___ 20-26 FBI#_____ 28-33 PD#_____
35-40 DC DC #_____ 41-58 Last Offender_____ 59-69 First 70-80 Middle

02 3-7 Name# 8 Most Serious Offense 9-13 M F TAD Case#_____ 14 On Bail Y/N
15-16 Bail Type MB PR PB: U/T/S C 17 18-24 GS#_____ 18-24 US COMM#_____ 25 GS G/ US COMM-C____
26-32 GJ#_____ 33 CC # C GS # G 34-40 _____ 41-42 Age_____
44-80 Address_____

POLICE ACTION 03 15-20 Date of Offense_____ 22-27 Date of Arrest_____ 28 Stationhouse Bail Y/N 29-34 Amount____

Warrant/ Arrest Charges

Charge 1_____ Code 53-56 _____ 61-64
Charge 2_____ 57-60 _____ 65-68
Charge 3_____ 69-72 _____
Charge 4_____ 73-76 _____
Charge 5_____ 77-80 _____
Charge 6_____ _____
Charge 7_____ _____

DATA FORM 4 BRS 8/4/69
See Task Force Report, S & T, p. 66.

04 8:A

15-40 Police Report of Offense (Use NA when data not available)
Location of crime (e.g., home of victim, private building, public place) _____

41-44 Time of crime _____ (24 hour clock)

45-80 Nature of the victim (e.g., stranger, acquaintance, relative, organization, society generally, consenting party, provoker, accomplice; in addition, age, sex, and race)

_____

04 8:B

15-49 Loss suffered by victim (death, hospitalization, minor injury, psychological trauma, permanence of injury, value of property loss or damage, whether or not property recovered)

_____

50-64 Nature of the offender (e.g., conspiracy, individual) _____

65-80 Apparent purpose of the crime (e.g., harm, gratification, economic gain, temporary use of property).

_____

04 8:C

15-49 Nature of force involved (e.g., weapons) - specify: physical force against person, forced entry into premises, threat

_____

50-80 Digest of important facts not covered above.

_____

_____

_____

DATA FORM 4 BRS 8-4-69

US ATTORNEY SCREENING

05 8
Court of GS G / US Comm C
15-16

_____Asst US Atty_____

Charge(s)	GS Charge Code	Disposition Change	Same	No Paper	Paper
18-21	22-24	25			
_____	_____	C	S	O	P
28-31	32-34	35			
_____	_____	C	S	O	P
38-41	42-44	45			
_____	_____	C	S	O	P
48-51	52-54	55			
_____	_____	C	S	O	P
58-61	62-64	65			
_____	_____	C	S	O	P
61-71	72-74	75			
		C	S	O	P

06 Charge Analysis

_____

PRESENT-MENT

07 8
Court of GS G / US Comm C
15-20 22-23 US Comm/
Date_____ _____ Judge Who Set Bail_____
25-26 27 Ret CJA Legal Aid Intern None

_____Def Atty_____ R C L I O
28-29

Bail Set MB PR PB: U/T/S 31-35 Amount_____ 36 Penalty Set 37 38 39-43
44 Work Release 3rd Party Supervised None Other YN
Conditions W C S O X Years___A/O_____
Other

_____

45-50 52-57 58
Date Detained_____ Date Bail Met_____ Bail Change Y/N

DATA FORM 4 BRS 8- 4-69

PRESENTMENT 07

G Guilty
NG N Guilty 08
NC Nolo Con
CM Comp Mot
O Nolle P
D DWP
CT Held for Court Trial
PH Held for Pre Hear
EX Held for Exams
X Other

Charge(s)	Code(s)	Plea(s)	J DEM	Disposition	Sentence			
59-62	63-65	66-67	68	69-70	71-73	74	75	76-80
		G NG NC CM	Y/N	G O D CT PH EX	X____	D/Y	A/O	$____
8 15-18	19-21	22-23	24	25-26	27-29	30	31	32-36
A		G NG NC CM	Y/N	G O D CT PH EX	X____	D/Y	A/O	$____
37-40	41-43	44-45	46	47-48	49-51	52	53	54-58
		G NG NC CM	Y/N	G O D CT PH EX	X____	D/Y	A/O	$____
59-62	63-65	66-67	68	69-70	71-73	74	75	76-80
		G NG NC CM	Y/N	G O D CT PH EX	X____	D/Y	A/O	$____
8 15-18	19-21	22-23	24	25-26	27-29	30	31	32-36
B		G NG NC CM	Y/N	G O D CT PH EX	X____	D/Y	A/O	$____
37-40	41-43	44-45	46	47-48	49-51	52	53	54-58
		G NG NC CM	Y/N	G O D CT PH EX	X____	D/Y	A/O	$____
59-62	63-65	66-67	68	69-70	71-73	74	75	76-80
		G NG NC CM	Y/N	G O D CT PH EX	X____	D/Y	A/O	$____

Other:

09 MISDEMEANOR TRIAL/ PRELIMINARY HEARING

8 15-20 22-23 25-26
A Date Judge Defense Attorney
27 Atty: Same S Ret R CJA C Legal Aid L Intern I None O

NP No Plea
LC Guilty Plea to Lesser Charge
NI Not Guilty Insanity
GJ Held for Grand Jury

Charge	Code	Plea	Trial	Disposition	Sentence			
37-40	41-43	44-45	46	47-48	49-51	52	53	54-58
		NG NC G NP LC	C/J	G NI NG O D GJ EX X		D/Y	A/O	
59-62	63-65	66-67	68	69-70	71-73	74	75	76-80
		NG NC G NP LC	C/J	G NI NG O D GJ EX X		D/Y	A/O	
8 15-18	19-21	22-23	24	25-26	27-29	30	31	32-36
B		NG NC G NP LC	C/J	G NI NG O D GJ EX X		D/Y	A/O	
37-40	41-43	44-45	46	47-48	49-51	52	53	54-58
		NG NC G NP LC	C/J	G NI NG O D GJ EX X		D/Y	A/O	
59-62	63-65	66-67	68	69-70	71-73	74	75	76-80
		NG NC G NP LC	C/J	G NI NG O D GJ EX X		D/Y	A/O	

Other

DATA FORM 4 BRS 8/4/69

Misdemeanor Trial/ Preliminary Hearing

10 15-20
Sentence Date_____ 22-23 _____Judge_____
Reasons

28-33 Presentence Bail 34-35 36 Withdrawn Same Changed
Date_____ _____Judge_____Bail Status W S C
38-39 New Bail Type 40 Conditions 41-46 47-48 Conditions
MB PR PB: U / T / S Y/N Amount_____WR 3PC: C Sup Rel: S Other: X
Other_____
50-55 Detention 57-62 Bail Met 63 Bail Change
Date_____Date_____Y/N

GRAND JURY 11 15-20
Action Date_____

Charge(s)	Code	Disposition
25-28	29-31	32
		I DW DO IW IO
33-36	37-39	40
		I DW DO IW IO
41-44	45-47	48
		I DW DO IW IO
49-52	53-55	56
		I DW DO IW IO
57-60	61-63	64
		I DW DO IW IO

I Indictment
DW Dismissed With Referral
DO Dismissed Without Referral
IW Ignored With Referral
IO Ignored Without Referral

ARRAIGNMENT 65-70
Date_____
75
Bail Charge Y/N

Plea: 72-73 Guilty G Not Guilty NG

DATA FORM 4 BRS 4-8-69

TRIAL 12 8 15-20 22-23 25-26
A Date _____ _____ JUDGE _____ _____ DEFENSE ATTORNEY _____
27 Atty: SAME RET CJA LEGAL AID INTERN NONE
S R C L I O

G Guilty
NG N Guilty
NC Nolo Con
NP No Plea
LC G Plea to Lesser Charge
NI N Guilty Insanity
O Nolle P
D DWP
EX Held for Exams
X Other

CHARGE(S)	CODE	PLEA	TRIAL	DISPOSITION	SENTENCE
37-40	41-43	44-45	46	47-48	49-51 52 53 54-58
_____	_____	NG NC G NP LC	C/J	G NI NG O D EX X_____	D/Y A/O _____
59-62	63-65	66-67	68	69-70	71-73 74 75 76-80
_____	_____	NG NC G NP LC	C/J	G NI NG O D EX X_____	D/Y A/O _____
13 8 15-18	19-21	22-23	24	25-26	27-29 30 31 32-36
B_____	_____	NG NC G NP LC	C/J	G NI NG O D EX X_____	D/Y A/O _____
37-40	41-43	44-45	46	47-48	49-51 52 53 54-58
_____	_____	NG NC G NP LC	C/J	G NI NG O D EX X_____	D/Y A/O _____
59-62	63-65	66-67	68	69-70	71-73 74 75 76-80
_____	_____	NG NC G NP LC	C/J	G NI NG O D EX X_____	D/Y A/O _____

OTHER _____

14 15-20 22-23
Sentence Date _____ _____ Judge _____

Reasons _____

28-33 Presentence Bail 34-35 36 Withdrawn Same Changed
Date _____ _____ Judge _____ Bail Status W S C
38-39 New Bail Type 40 Conditions 41-46 47-48 Conditions
MB PR PB: U / T / S Y/N Amount _____ WR 3PC: C Sup Rel: S Other: X

Other _____

50-55 Detention 57-62 Bail Met 36 Bail Change
Date _____ Date _____ Y/N

APPEAL 15 14

Appeal Court( )

15-20 Notice File 22-23 25-26

Date_____ _____Judge_____ _____Def Atty_____

Att: 27 Same Ret CJA Legal Aid Intern None

S R C L I O

28-33 Disposition

Date_____

Disposition: 34

Dismissed by Mootness M

Dismissed Not Perfected P

Withdrawn W

Affirmed A

Remanded Further Proc R

Reversed and:

Remanded New Trial T

Remanded Dir To Dismiss D

Part Affirmed I

35-40 Preappeal Bail 42-43 44 Withdrawn Same Changed

Date_____ _____Judge_____Bail Status: W S C

Reason_____

45-46 New Bail Type 47 Conditions 48-53 54-55 Conditions

MB PR PB: U/T/S Y/N Amount_____ WR 3 C: C Sup Rel : S Other: X

Other_____

56-61 Detention 63-68 Bail Met 69

Date_____Date_____Bail Change Y/N

DETENTION 20
HISTORY

	Detention Date	Release Date	Reason For Detention	Reason for Release	
	8 15-20	22-27	28	29	
	A_____	_____	O W V	B D	O Offense
	30-35	37-42	43	44	W Bail Withdrawn
	_____	_____	O W V	B D	V Bail Violation
	45-50	52-57	58	59	
	_____	_____	O W V	B D	B Bail Met
	60-65	67-72	73	74	D Case Disposed
	_____	_____	O W V	B D	
20	8 15-20	22-27	28	29	
	B_____	_____	O W V	B D	
	30-35	37-42	43	44	
	_____	_____	O W V	B D	
	45-50	52-57	58	59	
	_____	_____	O W V	B D	
	60-65	67-72	73	74	
	_____	_____	O W V	B D	

PRETRIAL SUPPLEMENTARY BAIL DATA

16 AUSA Bail Recommendation 15 B.A. Y / N 16 MB Y / N 17-21 Amount _____ 22 PB Y / N 23-27 Amount _____

Reason _____

BA Recommendation 28-29 None O 31-32 PR WR 3PC: C Sup Rel: S Other: X Condition- None O

Reason _____

	Bail Action Date	Rev/ Viol	Violation Date	New Case Origin Docket Number	Violation Cond -- C No show S New Off N Other X	Judge Code Name	BW: Issue I Serve S No O	Det/ Rel	Detention/ Release Date	Bail-status Reinst R Same S Change C Withdraw	Met Bail	New Bail MB PR PB: / U/S	Cond: No O WR 3C C SR S X	Amount	Penalty Enf Y/N	New BA T CI C FR F No O
17	8 15-20 A _____	22 R/V	24-29 _____	31-32 34-40 GS GJ C_____	42 C S N X Other	44-45 _____ _____	47 I S O	49 D/R	51-56 _____	58 R S C W	60 Y/N	62-63 MB PR U S T	65-66 O WR C S X	68-72	74 Y/N	76 T C F O
17	8 15-20 B_____	22 R/V	24-29 _____	31-32 34-40 GS GJ C_____	42 C S N X Other	44-45 _____ _____	47 I S O	49 D/R	51-56 _____	58 R S C W	60 Y/N	62-63 MB PR U S T	65-66 O WR C S X	68-72	74 Y/N	76 T C F O
17	8 15-20 C _____	22 R/V	24-29 _____	31-32 34-40 GS GJ C_____	42 C S N X Other	44-45 _____ _____	47 I S O	49 D/R	51-56 _____	58 R S C W	60 Y/N	62-63 MB PR U S T	65-66 O WR C S X	68-72	74 Y/N	76 T C F O
17	8 15-20 D _____	22 R/V	24-29 _____	31-32 34-40 GS GJ C_____	42 C S N X Other	44-45 _____ _____	47 I S O	49 D/R	51-56 _____	58 R S C W	60 Y/N	62-63 MB PR U S T	65-66 O WR C S X	68-72	74 Y/N	76 T C F O
17	8 15-20 E _____	22 R/V	24-29 _____	31-32 34-40 GS GJ C_____	42 C S N X Other	44-45 _____ _____	47 I S O	49 D/R	51-56 _____	58 R S C W	60 Y/N	62-63 MB PR U S T	65-66 O WR C S X	68-72	74 Y/N	76 T C F O

9. PRESENTENCE BAIL DATA

DATA FORM 4 BRS 8/4/69

	Bail Action Date	Rev/ Viol	Violation Date	New Case Origin Docket Number	Violation Cond -- C No Show S New Off N Other X	Judge Code Name	BW: Issue I Serve S No 0	Det/ Rel	Detention/ Release Date	Bail-status Reinstate R Same S Change C Withdraw W	Met Bail	New Bail MB PR PB: / U/S/T	Cond: No O WR 3C C SR S X	Amount	Penalty Enf Y/N	Penalty New BA T CI C FR F No O
18	8 15-20 A _____	22 R/V	24-29 _____	31-32 34-40 GS GJ C_____	42 C S N X Other	44-45 _____ _____	47 I S O	49 D/R	51-56 _____	58 R S C W	60 Y/N	62-63 MB PR U S T	65-66 O WR C S X	68-72 _____	74 Y/N	76 T C F O
18	8 15-20 B _____	22 R/V	24-29 _____	31-32 34-40 GS GJ C _____	42 C S N X Other	44-45 _____ _____	47 I S O	49 D/R	51-56 _____	58 R S C W	60 Y/N	62-63 MB PR U S T	65-66 O WR C S X	68-72 _____	74 Y/N	76 T C F O
18	8 15-20 C _____	22 R/V	24-29 _____	31-32 34-40 GS GJ C_____	42 C S N X Other	44-45 _____ _____	47 I S O	49 D/R	51-56 _____	58 R S C W	60 Y/N	62-63 MB PR U S T	65-66 O WR C S X	68-72 _____	74 Y/N	76 T C F O

PREAPPEAL BAIL DATA

19	8 15-20 A _____	22 R/V	24-29 _____	31-32 34-40 GS GJ C_____	42 C S N X Other	44-45 _____ _____	47 I S O	49 D/R	51-56 _____	58 R S C W	60 Y/N	62-63 MB PR U S T	65-66 O WR C S X	68-72 _____	74 Y/N	76 T C F O
19	8 15-20 B _____	22 R/V	24-29 _____	31-32 34-40 GS GJ C_____	42 C S N X Other	44-45 _____ _____	47 I S O	49 D/R	51-56 _____	58 R S C W	60 Y/N	62-63 MB PR U S T	65-66 O WR C S X	68-72 _____	74 Y/N	76 T C F O
19	8 15-20 C _____	22 R/V	24-29 _____	31-32 34-40 GS GJ C_____	42 C S N X Other	44-45 _____ _____	47 I S O	49 D/R	51-56 _____	58 R S C W	60 Y/N	62-63 MB PR U S T	65-66 O WR C S X	68-72 _____	74 Y/N	76 T C F O

DATA FORM 4 BRS 8/24/69

TAD BAIL REFORM STUDY

PERSONAL 01 Name #_____ (3-7) Race/Sex: WNO/MF (8 9) Birth Date_____ (10-15)

Place of Birth (State)_____ (16-19). FBI #_____ (20-26). PD #_____ (28-33). DC DC #_____ (34-39)

Offender_____ (40-80)

BAIL AGENCY FILE 22 Bail Agency File Available: FA, NR, FM, X (File Available, No Record, File Missing, Other) (14-15)

Bail Agency # _____ (16-21) (Year-Number). Interviewed: YR (Yes, Refused). (22)

RESIDENCY Washington Met. Area Resident: YN. (23) How Long_____ (24-25) Y,M,W, (26) (Years, Months, Weeks).

Family Ties in Wash. Met. Area: YN. (27) Lives with Spouse: YN. (28)

Lives: A,P,R,O,S (Alone, Parents, Relatives, Friend-Opposite Sex, Friend-Same Sex). (29)

MARITAL 23 Married: C, CL, N (Civil, Common Law, No). (14-15) Status: T,LS,S,D (Together, Living Separately, Separated, Divorced). (17-18) How Long Married_____ (19-20). Support: YN. (21) Number of Children_____ (22-23).

Number of Children Per Age Group: (0-5)_____ (25),(6-10)._____ (27),(11-15)_____ (29), (16-21)_____ (31).

Support Children: YN. (32) Children By: S,F (Spouse, Friend). (34)

Children Live With: M,F,P,G,X (Mother, Father, Parents, Grandparents, Other). (36)

EMPLOYMENT Employed: E, U (Employed, Unemployed). (38) How Long_____ (39-40). Y,M,W (41) (Years, Months, Weeks)

Wages Per Week: 30, 60, 90, 25, 26 (42-43) ($0-30, $31-60, $61-90, $91-125, Over $125.)

DATA FORM 4 BRS 8/4/69

EMPLOYMENT 23 Type of Work: 45-47 WC,BC,L,S,US (White Collar, Blue Collar, Laborer, Skilled, Unskilled).

_____

Type of prior employment: 49-52 WC,BC,L,S,US,NP (No Prior).

_____

How Long Employed 53-54_____ 55 Y,M,W.

EDUCATION Student Now: 56 YN. Highest Grade Completed 57-58_____. Read/Write 59 YN

HEALTH On Drugs Now: 60 YN. Ever on Drugs: 62 YN. How Long Ago 63-64_____ 65 Y,M,W.

Alcoholic: 69 YN. Ever Hospitalized for Mental Illness: YN When 71-76_____. How Long 78-79_____ 80 Y,M,W.

24 Where Hospitalized_____

PRIOR RELEASE Ever on Probation, Parole, Conditional Release: 34-35 PB,PA,CR,N. What Year(s) 36-37_____, 39-40_____.

HISTORY Revoked: 41 YN. Why: 43-44 C,WR,SR,NS,OF,X (Conditions work release, Supervised Release, No Show, Subsequent Offense, Other.) Now on: 46-47 PB,PA,CR,N.

Prior Bond Release: 48 YN. What Year 49-50_____. Where 51-54_____. Charge 55-58_____.

Show: 60 YN. On Bond Release Now: 62 YN. Charge 64-67_____.

CRIMINAL 25 Defendant Says: 15-16 R,NR (Record, No Record). Year 17-18_____. Charge 19-22_____.

RECORD Year 23-24_____, Charge 25-28_____. Year 29-30_____, Charge 31-34_____.

Year 35-36_____, Charge 37-40_____. Year 41-42_____, Charge 43-46_____.

VERIFICATION Address: 50-52 Y N, Employment: 53-54 Y N, Previous Address: 56-57 Y N, Previous Employment: 59-60 Y N,

Time in Washington Area: 62-63 Y N, None: 65 Y N.

Appendix D

Procedure for Determining Measures of Potential Dangerousness

The procedure to be described here assumes that two basic classification schemes have been settled on. (Experimentation with different choices for these schemes will be required.) One is a classification of crimes; the i-th type will be denoted T_i, where $i = 1, 2, \ldots, M$. For concreteness, one may assume that the M crime categories are those represented by the FBI classification scheme. The second is a classification of factors such as socio-economic-personality characteristics or other characteristics; the categories here are assumed indexed by the symbol "k", where $k = 1, 2, \ldots, K$.

These two basic classifications can be combined into a two-way classification of the population or sample in question. Let $0(i,k)$ designate the class of those individuals who both exhibit the k-th combination of socio-economic-personality-characteristics, and also are on pre-trial release in connection with an "original" crime of type T_i. To avoid triple subscripts later, relabel the classes

$$\underset{A_1}{\underset{\downarrow}{0(1,1)}},\ \underset{A_2}{\underset{\downarrow}{0(1,2)}},\ldots,\underset{A_K}{\underset{\downarrow}{0(1,K)}},\ \underset{A_{K+1}}{\underset{\downarrow}{0(2,1)}},\ldots,\underset{A_{2K}}{\underset{\downarrow}{0(2,K)}},\ldots,\underset{A_{MK}}{\underset{\downarrow}{0(M,K)}}$$

In general $0(i,k) \rightarrow A_r$, where $r = (i-1)K + k$; $r = 1,2, \ldots, MK$ since $i = 1, 2, \ldots, M$ and $k = 1, 2, \ldots, K$.

Let B_i denote the class of individuals convicted[1/] of a type T_i crime committed while on bail from the "original" offense.

This formalism is applied in two distinct settings. The first is prior to use of the procedure; based on data from a sample of appropriate size[2/], to obtain estimates of the probabilities (P_{ri}) that an individual, identified as in class A_r, will if granted pre-trial release, then fall in class B_i. The second setting is that of actual use; given an individual

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1/ Could also be used to denote the class of individuals re-arrested and ideally used to denote the class of individuals who actually committed a second crime.

2/ There are standard statistical methods for determining the sample size required to achieve a prescribed degree of precision in the results.

known to be in class A_r to "look up" the numerical values estimated for the various P_{ri}'s ($i = 1,2, \ldots M$) to aid in the decision on pre-trial release.

The estimate of P_{ri} is a very natural one, namely the fraction f_{ri} of members of class A_r (in the sample) who did in fact fall into class B_i. The procedure for calculating f_{ri} from the sample data is as follows:

Let N_r = number of persons in class A_r

n_{ri} = number of persons in class A_r who fall into class B_i,

where the row sum is $n_{r\cdot} = n_{r1} + n_{r2} + \ldots + n_{r,M}$

and the column sum is $n_{\cdot i} = n_{1i} + n_{2i} + \ldots + n_{MK,i}$

Construct the matrix

	B_1	B_2	$\ldots$	B_i	$\ldots$	B_M	Total	No Second Offense
A_1	n_{11}	n_{12}	$\ldots$	n_{1i}	$\ldots$	n_{1M}	$n_{1\cdot}$	$N_1-n_{1\cdot}$
A_2	n_{21}	n_{22}	$\ldots$	n_{2i}	$\ldots$	n_{2M}	$n_{2\cdot}$	$N_2-n_{2\cdot}$
$\vdots$	$\vdots$	$\vdots$	$\ldots$	$\vdots$	$\ldots$	$\vdots$	$\vdots$	$\vdots$
A_r	n_{r1}	n_{r2}	$\ldots$	n_{ri}	$\ldots$	n_{rM}	$n_{r\cdot}$	$N_r-n_{r\cdot}$
$\vdots$	$\vdots$	$\vdots$	$\ldots$	$\vdots$		$\vdots$	$\vdots$	$\vdots$
A_{MK}	$n_{MK,1}$	$n_{MK,2}$	$\ldots$	$n_{MK,i}$		$n_{MK,M}$	$n_{MK,\cdot}$	$N_{MK}-n_{MK\cdot}$
Total	$n_{\cdot 1}$	$n_{\cdot 2}$	$\ldots$	$n_{\cdot i}$	$\ldots$	$n_{\cdot M}$	$\sum_{r=1}^{MK} n_{r\cdot}$	$N-\sum_{r=1}^{MK} n_{r\cdot}$

Not counting the row and column for totals, the table consists of MK rows and M+1 columns. From its entries, form the relative frequencies

$$f_{ri} = n_{ri}/n_r,$$

which are the estimates of the corresponding P_{ri}'s.

We define the measure of potential dangerousness, of members of class A_r while on pre-trial release, as

$$D_r = S_1P_{r1} + S_2P_{r2} + \ldots + S_MP_{rM}$$

($r = 1, 2, \ldots, MK$), where S_i is a measure of the seriousness of type T_i crimes, determined by some criterion such as the average sentence associated with convictions for this type of crime.

The measure of potential seriousness defined above is the expected value of the seriousness of crimes (if any) committed while on release by a member of class A_r. This definition automatically also provides a ranking for the "dangerousness" of the various classes A_r, i.e., if $D_m < D_n$ then the potential danger associated with the class A_m is less than that associated with A_n. We can use this index to order the classes A_r according to their potential dangerousness, e.g., we may have something like

$$D_{15} < D_{22} < D_6 = D_{32} < D^* < D_7 < D_9 < \ldots$$

We anticipate the use of this measure or index of dangerousness to be somewhat as follows. If one has determined that an individual before the court is a member of class A_r by reason of knowledge of the current charge and socio-economic characteristics, then if D_r is less than some critical value D^*, preventive detention normally would not be invoked. On the other hand, if D_r is greater than or equal to the critical value ($D_r \geq D^*$) then the individual is considered to be in a "critical zone" where preventive detention would normally be considered (with due regard to the special circumstances of the case).

Appendix E

Documented Cases on Pre-Trial Release

Documented Cases on Pre-Trial Release

Wk. #1

Name No.	Case No.	Status	Pres. Indict. Date	Offense Date	Pres./Ind. Charge(s)	Conviction Yes or No	Conviction Charge(s)	Disposition Date	Sentence Date
851	851	Pre	122767	121367	952	-	-----	-----	-----
851	50851	(M)	010368	010368	987	Y	987-957	042468	-----
851	1018	Post	050168	022068	982	N	-----	052768	052768
851	91018	Post	052468	022268	033-005	N	-----	061368	061368
861	861	M	010168	123167	034	N	-----	062868	062868
861	996	Post	041868	041668	034	N	-----	052468	052468
865	1016	Pre	121067	121067	053	Y	053	010468	010468
865	865	M	010468	122767	975	Y	952	060568	060568
872	872	M	010168	010168	033	Y	033	013168	013168
872	1015	Post	011768	011668	975	N	-----	091868	091868
874	874	M	010568	121467	975	Y	915	090468	100468
874	1014	Post	040568	040568	987	Y	069-070	090468	013168
877	1013	Pre	121367	121367	034	Y	034	012568	020268
877	877	M	(P-010668)	010568	034	N	-----	013168	013168
883	883	M	010468	121667	954	N	-----	022968	IW-Flight
883	90883	RN	(P-110168)	121667	003	Y	003	020769	030469
883	1012	Post	------	112268	NO PAPER	-	-----	112268	112268
889	889	M	010468	120567	914	Y	914	050768	062868
889	1043	Post	------	050968	913-NO PAPER	-	-----	051068	051068
891	891	M	(010668)	010568	034	N	-----	081268	081268
891	1011	Pre	121967	121967	034	Y	034	040168	040168
892	892	M	010368	011667	949	N	-----	072268	072268
892	1029	Post	030268	030168	033-063-013	N	-----	082368	082368

RN = renumbered

Wk. #1

Documented Cases on Pre-Trial Release

Name No.	Case No.	Status	Pres. Indict. Date	Offense Date	Pres./Ind. Charge(s)	Conviction Yes or No	Conviction Charge(s)	Disposition Date	Sentence Date
897	1010	Pre	122267	122167	011	Y	011	020268	020268
897	897	M	010368	010368	011	N	-----	020268	020268
900	900	M	010468	010368	034	Y	034	020668	020668
900	1000	Post	010968	010868	034	Y	034	021368	021368
900	1001	Post	012568	012468	034	N	-----	021368	021368
903	903	M	010368	120967	003	Y	003	022368	022368
903	1002	Post	012068	012068	023	Y	023	022368	022368
906	1003	M	010368	010268	930	Y	930-009	062168	080968
906	906	Post	012068	020968	975	Y	975	070268	072668
911	911	M	010368	010268	930	N	-----	061168	-----
911	1007	Post	011568	011368	019	Y	019	021668	021668
940	1009	Pre	082967	061567	932	Y	013-932	020168	050868
940	940	M	010368	010268	930	N	-----	061968	061968
942	1027	Pre	081667	072666	975	Y	975	010568	010568
942	1026	Pre	121367	121267	034	Y	034	011768	020668
942	942	M	010268	010168	033	Y	033	020668	020668
956	997	Pre	110167	110167	063-006	Y	006	020868	020868
956	956	M	010568	010468	037	Y	037	020868	020868
978	998	Pre	121467	121462	004	Y	004	011668	032768
978	978	M	10268	123067	033-033	Y	033-033	011668	032768
978	999	Post	011168	011068	033	N	-----	030468	030468
983	983	Pre	111567	111567	982	Y	982	091668	102568
983	1022	M	10568	010468	982	N	-----	060868	060868
983	1031	Post	010769	042668	500	N	-----	010769	------

Documented Cases on Pre-Trial Release

Wk. #1 and #2

Name No.	Case No.	Status	Pres. Indict. Date	Offense Date	Pres./Ind. Charge(s)	Conviction Yes or No	Conviction Charge(s)	Disposition Date	Sentence Date
985	1030	Pre	121867	121867	041	N	-----	062868	062868
985	985	M	010368	122967	965	-	-----	-----	-----
989	1025	Pre	112167	112067	033-023-063	Y	023	021368	021368
989	989	M	010368	010268	013	N	-----	021268	021268
556	806	Pre	081867	071367	933-049-019	Y	013	-----	083068
556	556	M	021268	121867	930	N	-----	041968	083068
556	807	Post	082867	082868	019	N	-----	110768	110768
562	1046	Pre	080967	080967	010	Y	010	031568	031568
562	562	M	021268	020468	023	N	-----	031568	031568
566	779	Pre	032167	022767	982	Y	982	022068	032768
566	566	M	022068	020668	982	N	-----	022168	-----
566	70566	RN	(I)022068	020668	005	Y	005	022068	032968
567	1099	Pre	061067	060967	982	Y	005	031168	050668
567	567	M	021368	012368	064	N	064	030868	NA
571	571	Pre	012367	----	975	N	-----	021769	031868
571	808	M	021568	021468	033-003-010	N	-----	010769	011769
571	809	Post	(102268)	090968	029	N	-----	112068	112068
573	816	Pre	122167	043067	033-033-023-052	Y	033-052	030168	091768
573	573	M	021668	021568	987	Y	987-033	081268	091368
574	574	M-Pre	021268	021268	050	N	-----	062768	062768
574	780	M-Post	021768	021668	050	N	-----	040268	040268
595	595	M	021568	921568	033-023-033	Y	033-023	031269	031269
595	800	Post	020369	020169	033-033	Y	033	031269	031269

Wk. # 2

Name No.	Case No.	Status	Pres. Indict. Date	Offense Date	Pres./Ind. Charge(s)	Conviction Yes or No	Conviction Charge(s)	Disposition Date	Sentence Date
601	781	Pre	010868	010568	033	N	-----	052168	052168
601	601	M	021368	021268	034	N	-----	022968	-----
603	603	Pre	091467	082967	957	N	-----	110667	-----
603	90603	RN	(110367)	082967	033	Y	033	(A)042569	042569
603	782	M	(021268)	021068	033	Y	033	110768	112968
603	783	Post	(031168)	030868	004	Y	004	061868	061868
605	605	M	021468	110362	930	Y	930	052869	090969
605	784	Post	(I)052869	091268	029	Y	029	090569	090569
605	1073	Post	022269	022169	010-033	Y	010	032869	042369
624	805	Pre	052967	052967	952	Y	957	031168	052468
624	624	M	031168	021768	069-023-033	N	-----	053168	-----
624	40624	RN	(I)031168	021768	033	Y	033	031168	052468
647	811	Pre	010968	010868	930	N	-----	032268	-----
647	90811	RN	(P)032168	010868	013	Y	013	032968	032968
647	647	M	021568	020768	019	N	-----	032068	032068
668	812	Pre	030267	030167	952	Y	957	112767	042668
668	668	M	030468	021268	987	N	-----	030468	-----
668	70668	RN	(030468)	021268	069-023-052	Y	069-023-033	040168	051368
672	672	M	021668	021568	057	Y	057	111368	021369
672	821	Post	030968	030968	033-003	N	-----	042368	042368
672	819	Post	(100268)	042368	023 023	Y	023	111368	021369
672	820	Post	(121168)	082968	033	Y	003	021369	021369

Documented Cases on Pre-Trial Release

Wk. #2

Name No.	Case No.	Status	Pres. Indict. Date	Offense Date	Pres./Ind. Charge(s)	Conviction Yes or No	Conviction Charge(s)	Disposition Date	Sentence Date
675	675	M	021668	021268	987-063	N	-----	032068	032068
675	790	Post	(032168)	030468	029	Y	029	032268	032268
677	818	Pre	011068	011068	069-063	Y	069	021368	040968
677	677	M	021668	021568	033	Y	033	032768	032768
689	813	Pre	112867	112767	932	N	-----	040368	-----
689	70813	RN	(040268)	112767 103167	013-013	Y	013-013	040268	051368
689	689	M	(021468)	021368	019	N	-----	032668	032668
690	791	Pre	112967	112967	062-057-033	Y	033	051568	052168
690	690	M	021568	021468	033	Pending	-----	-----	-----
690	1071	Post	(061769)	061669	033	Y	033	092969	121769
690	1070	Post	081969	081869	033	Y	033	121769	121769
702	1087	Pre	112866	112866	982	Y	005	102367	040568
702	702	M	021768	021668	010	Y	010	032168	032168
704	793	Pre	121067	120767	003-003-055-055	Y	003	011268	031568
704	704	M	(021468)	020168	003	Y	003	031168	031568
728	1051	Pre	010868	010668	033	Pending	-----	-----	-----
728	728	M	021268	021168	050	Pending	-----	-----	-----
732	732	Pre	072767	-----	952	Y	952-033	(A)060669	060669
732	794	M	(021268)	122167	033-033-052-052	Y	033	040368	040368
735	735	Pre	110167	103167	930	N	-----	080268	080268
735	795	M	(021768)	122867	052	Y	052	032768	032768
757	757	Pre	012468	012368	004	Y	004	041868	041868
757	796	M	021668	021568	019	Y	019	032268	032268

Documented Cases on Pre-Trial Release

Wk. #2 and #3

Name No.	Case No.	Status	Pres. Indict. Date	Offense Date	Pres./Ind. Charge(s)	Conviction Yes or No.	Conviction Charge(s)	Disposition Date	Sentence Date
758	815	Pre	062367	062367	005	N	-----	030168	030168
758	814	Pre	(112067)	------	037	Y	037	030168	030168
758	758	M	(021468)	121167	500	N	-----	030168	030168
764	825	Pre	112167	111267	975	Y	975	031768	031768
764	764	M	021568	021568	034	N	-----	031568	031568
774	817	Pre	101867	101867	975	-	-----	-----	-----
774	774	M	021468	021368	987	N	987-957	090968	092668
252	1061	Pre	092367	092367	975	Y	054	111868	111868
252	252	M	-----	052668	013	N	-----	060269	060269
254	254	M	052868	050568	003	Y	003	091368	091368
254	255	Post	071968	062968	-----	-	-----	072668	072668
254	508	Post	080268	080268	975	N	-----	091068	091068
271	273	Pre	030968	030868	011-003	N	-----	090968	090968
271	272	M	-----	053068	-----	N	-----	053068	053068
281	284	Pre	032968	032868	033	N	-----	071168	071168
281	283	M	060168	052968	033	N	-----	082268	082268
283	1083	Pre	NA	011668	975-975-912-009	N	975	012869	030769
283	286	M	052968	050468	975	Y	975	100968	-----
283	70286	RN	073168	050468	975-966-963-975-912	Y	975-963-912	012869	030769
283	1084	Post	110568	102368	975-975-970-915-910	Y	975-915	012869	030769
291	294	Pre	092767	092667	057	Y	057	071168	071168
291	1080	Pre	032468	032468	033	Y	033	071168	071168
291	1081	Pre	031968	031868	033	N	033	071168	071168

Wk. #3

Name No.	Case No.	Status	Pres. Indict. Date	Offense Date	Pres./Ind. Charge(s)	Conviction Yes or No	Conviction Charge(s)	Disposition Date	Sentence Date
291	295	M	052768	052668	033	Y	033	071168	071168
298	1045	Pre	051468	051368	023	N	-----	061068	061068
298	302	M	053068	053068	003	N	-----	071568	071568
302	306	M	052868	041368	987	N	-----	041769	041769
302	1052	Post	091968	091268	003	N	-----	040169	040169
327	333	Pre	030968	030868	003-009	N	-----	072468	072468
327	332	M	053068	051668	913-046	Y	912	050869	062069
332	1091	Pre	040668	040568	987	N	987	102268	102268
332	1092	Pre	042368	041268	033	N	033	052868	052868
332	338	M	052968	052768	029	N	029	060568	060568
338	1085	Pre	032868	032768	033	Y	033	061468	071968
338	344	M	052868	052768	033	Y	033	041569	050869
343	349	M	053068	053068	905	Y	915	121368	121368
343	1089	Post	111169	111069	063-052	N	063-052	122969	122969
347	353	M	060168	052468	975	Y	975-975-912-010	102368	011769
347	1082	Post	082268	082168	057-013-019-063	Y	075-013-019-063	012269	012269
356	1066	Pre	022368	022268	975	N		080868	-----
356	91066	RN	092468	022268	033-003	N	-----	110868	110868
356	362	M	053168	032068	919	N	-----	062068	062068
363	1100	Pre	112467	112467	032	N		091068	091068
363	369	M	NA	NA	NA	NA	NA	NA	NA
370	376	M	060168	053168	033	N	------	121168	121168
370	377	Post	071668	071668	057-004		057-004	081468	110868

Wk. #3

Name No.	Case No.	Status	Pres. Indict. Date	Offense Date	Pres./Ind. Charge(s)	Conviction Yes or No	Conviction Charge(s)	Disposition Date	Sentence Date
372	380	Pre	042268	042068	005	Y	005	101468	101468
372	379	M	052768	052768	069-033	Y	069	070168	101568
376	1074	Pre	042668	042368	003	N	----	061168	061168
376	384	M	053168	053068	913-913	N	----	110768	110768
376	1075	Post	102868	102768	913	N		120368	120368
386	1053	Pre	012968	012768	987	N	-----	112268	-----
386	91053	RN	042568	012868	069-033	Y	069-033	121868	010669
386	396	M	052868	052768	069-033-023	Y	069	070168	082068
402	415	Pre	030568	030468	033	Y	033	080268	082068
402	416	M	052968	052868	033	Y	033	052968	052968
413	428	Pre	051368	051368	987	Y	033	041469	052369
413	427	M	052868	052868	982	Y	982	012269	021469
421	1101	Pre	112467	112467	032	N	-----	091068	091068
421	437	M	NA	NA	NA	NA	NA	NA	NA
434	1076	Pre	041968	041968	009	N	-----	062068	062068
434	451	M	052768	052568	003-033-057	N	-----	092369	092369
434	1077	Post	050269	050169	005	NA	NA	NA	-----
434	1079	Post	050769	050769	064	N	-----	061769	061769
434	1078	Post	061769	050569	029	NA	NA	NA	NA
452	470	M	052968	052868	033	Y	033	071668	071968
452	471	Post	071568	071568	013	N	-----	102168	102169
459	479	Pre	051568	051268	913	N	-----	060568	060568
459	478	M	052868	052768	009-003	N	-----	062068	062068
463	484	Pre	040568	040568	987	NA	-----	090369	121769
463	483	M	052768	052868	003-057-023	Y	003-057	061168	061768

Wk. #3 and #4

Name No.	Case No.	Status	Pres. Indict. Date	Offense Date	Pres./Ind. Charge(s)	Conviction Yes or No	Conviction Charge(s)	Disposition Date	Sentence Date
477	498	M	052768	050368	975	Pending	-----	-----	-----
477	499	Post	-----	090468	982	Y	982	010669	010669
478	502	Pre	112667	112567	033	Y	033	062768	062768
478	503	Pre	051168	020868	033-013-052	Y	013	072768	072768
478	501	M	052768	030268	934	N	-----	081369	081369
478	504	M	052768	052568	063	Y	063	062868	062868
479	505	M	052968	052868	975	Y	975	010969	030769
479	1086	Post	083068	082968	975	N	975	091668	091668
034	658	M	021468	110167	949	Pending	-----	-----	-----
034	90034	M	061368	061368	050	Y	050	071268	071268
034	789	Post	071569	-----	949	-	-----	-----	-----
035	035	Pre	020368	020268	010-010	N	-----	061368	061368
035	1059	RN	061368	020268	920	Y	920	102168	103068
035	234	M	061068	060868	975-913	Y	975	101469	121969
078	079	Pre	042768	042768	023-069	Y	023	052168	070168
078	080	M	061268	061168	005	N	-----	072468	072468
085	1044	Pre	040768	040668	009-052	Y	052	050668	072368
085	088	M	061068	060868	033	Y	033	061168	061168
142	147	M	061468	061068	932	Y	932	042169	082269
142	1034	Post	-----	080769	500-003	-	-----	-----	-----
148	153	M	061468	061268	972	Y	972	030469	042569
148	1037	Post	093068	092968	-----	Y	-----	110868	120668
149	1038	Pre	051768	051668	930	Y	930-009	010869	032869
149	154	M	061368	061268	930	Y	930	010869	032869

Wk. #4

Name No.	Case No.	Status	Pres. Indict. Date	Offense Date	Pres./Ind. Charge(s)	Conviction Yes or No	Conviction Charge(s)	Disposition Date	Sentence Date
151	156	M	061368	022068	500	Pending	-----	-----	-----
151	1040	Post	080669	080169	069-033	N	-----	102469	102469
157	162	M	061468	061168	972	Y	972-003	031969	-----
157	163	Post	082868	082368	967	Y	967	051269	-----
160	167	M	061468	-----	975	N	-----	021869	021869
160	1041	Post	122768	122768	-----	Y	-----	021169	021169
185	192	M	061568	061468	050	-	-----	072568	-----
185	1036	Post	100868	100868	063	N	-----	101068	101068
192	199	M	061068	061068	033	Y	033	072968	090668
192	200	Post	062568	062568	033	Y	033	072968	072968
193	201	M	061068	052668	033	Y	033	121768	121768
193	202	Post	071768	071368	063	Y	063	082168	082168
194	203	M	061568	061468	018	N	-----	083068	-----
194	204	Post	080868	080768	975	Y	975-913	073069	-----
195	205	M	061568	061468	013-063	Y	013-063	100768	121068
195	206	Post	061568	091868	966	Pending	-----	-----	-----
196	207	M	061468	061468	023-033-063-033-023	N	-----	072568	072568
196	208	Post	071068	071068	009	Y	009	0729 3	072968
198	217	Pre	061967	021767	972	N	-----	072969	072969
198	218	M	061468	060468	987	-	-----	-----	-----
197	219	M	061468	061468	050	Y	050	082068	082068
197	220	Post	071968	071868	050	N	-----	082068	082068

Wk. #4

Name No.	Case No.	Status	Pres. Indict. Date	Offense Date	Pres./Ind. Charge(s)	Conviction		Disposition Date	Sentence Date
						Yes or No	Charge(s)		
207	221	Pre	021768	021768	949	Y	949	103168	011769
207	222	Post	061468	022068	028-028	Y	028	082268	091268
207	223	Post	080768	080668	033	Y	033	082268	091268
208	224	Pre	041568	041568	987	N	-----	072668	-----
208	90224	RN	072668	041568	069-004	Y	069-004	103168	103168
208	225	M	061368	061368	003	N	-----	092668	092668

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