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SUPREME BENCH OF BALTIMORE CITY HIGH IMPACT COURTS EVALUATION

Processing of Impact Defendants and Priority to Trying Jailed Defendants



MAYOR'S COORDINATING COUNCIL ON CRIMINAL JUSTICE

January, 1976

William Donald Schaefer, Mayor

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Mayor's Coordinating Council on Criminal Justice

William Donald Schaefer, Mayor

Richard W. Friedman, Director

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Baltimore (Md.). Mayor's
Coordinating Council on
Processing of impact
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F O R E W O R D

The High Impact Court Evaluation - Phase II has been prepared as part of our continuing interest in reducing the time required to process defendants through Baltimore's criminal courts. The content of this report contains information relating to the period April 1 - December 31, 1974 and July - August, 1975. It involves two objectives of the major Court project in the High Impact Program. Future reports will examine other areas of court and related agency functions. We will continue to present an update of this information in order to determine the effect that system modifications have caused.

This report was circulated to the Supreme Bench, District Court, Offices of the States Attorney and Public Defender, and City Jail for review and comment prior to publication. Some modifications were subsequently made and other suggestions have been left for future dialogue among appropriate agencies.

The Mayor continues to be interested in improving communication and coordination among all criminal justice agencies. We would appreciate your reactions to this report in order to assist with the continued improvement of our criminal court system.

The High Impact Court Evaluation was supported by funds provided by the Law Enforcement Assistance Administration, U.S. Department of Justice, and awarded by the Maryland Governor's Commission on Law Enforcement and the Administration of Justice. The findings and conclusions in this report reflect the work of the Coordinating Council and do not represent the official position of the Governor's Commission or LEAA. Their assistance in this effort, however, is greatly appreciated.

RICHARD W. FRIEDMAN

February, 1976

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MAYOR'S COORDINATING COUNCIL ON CRIMINAL JUSTICE

High Impact Courts Evaluation

Phase II

Processing of Impact Defendants and Priority to Trying Jailed Defendants

I. INTRODUCTION

The Baltimore City High Impact Courts Program was initiated in July, 1973 as part of the Baltimore High Impact Anti-Crime Program. The Court component of the overall program involved the establishment of two additional parts, or courtrooms, in the Criminal Court of Baltimore City.

Included in the Court program are four individual grant applications. The basic grant, operated by the City of Baltimore, consisted of funds for additional judges, prosecutors, Criminal Assignment Office personnel court reporters, other support personnel, and renovations to provide space for two new courtrooms. The three remaining grants under the jurisdiction of the State of Maryland, include additional public defenders, probation officers, and court clerks. The basic Baltimore City High Impact Court grant was funded in the first year for \$663,907 and \$1,250,000 for the second and third years.

The evaluation component for the High Impact Courts specified the following eight objectives upon which the Courts' effectiveness would be measured:

1. Priority shall be given to scheduling and conducting trials of defendants in the Baltimore City Jail.
2. Average time from arrest to disposition shall be ninety (90) days for all Impact Offenders.
3. Defense counsel shall file appearance within seven (7) days of the filing of the Grand Jury indictment or criminal information.

4. Within seven (7) days of the filing of appearance by defense counsel, the Criminal Assignment Office shall designate the trial date.

5. The postponement rate (number of postponements/number of trials) shall not exceed 10% and shall not exceed one postponement per trial. Postponement is defined as any change in trial date, irrespective of how long it is or when it occurs, once it has been set by the Criminal Assignment Office.

6. Court sessions will begin at 10 a.m. Cases will follow immediately one after another.

7. Pre-sentence report will be completed by the Division of Parole and Probation within fourteen (14) days after request is received.

8. Number of Impact cases brought to trial since institution of the new Impact Courts will be greater than the number of Impact cases brought to trial prior to commencement of this project.

In July, 1974, the Mayor's Coordinating Council on Criminal Justice released its first evaluation report of the High Impact Court Program. This study examined all defendants indicted or informed against between September 1, 1973, and April 1, 1974 and whose cases were closed as of June 1, 1974. The current Phase II report will include defendants indicted or informed against between April 1, 1974 and December 31, 1974 and whose cases were closed as of March 31, 1975. No open cases were included in either study, except for Tables 15 and 16 which depict the State's Attorney's initial processing of cases in July and August, 1975.

The classification as an Impact defendant is determined by the State's Attorney who first reviews the case. When a case is determined to involve an Impact crime, the case number, an eight digit figure, is given a prefix of "5" for Impact indictment or "6" for Impact criminal information. In the time period investigated in this report, there were approximately

four hundred (400) Impact indictments and criminal informations.

This report will focus on the processing of these Impact defendants through the criminal justice system and the achievement of certain of the eight (8) project objectives previously enumerated. The objectives will be examined in a series of reports which together will comprise the entire Phase II report because the same group of defendants will be studied but different objectives will be analyzed in each report. This first report will emphasize the objectives dealing with priority to jailed defendants (Objective 1) and disposing of cases in 90 days (Objectives 2, 3, 4, and 7). The second report will examine the problem of postponements at the District Court and Supreme Bench levels. (Objective 5). The third report will discuss Objectives 6 and 8 as well as the number of stets and nolle prosequis in Criminal Court.

In order to give an overall perspective to the system of processing criminal cases in Baltimore City, it will be helpful to describe the current procedures employed as well as noting the changes which have occurred since the Impact Court project commenced. This system is summarized in Chart #1.

II. CURRENT PROCESSING OF IMPACT CASES

After a person is arrested and the Police Department completes the booking procedures (Step #1), an initial appearance before the District Court commissioner is conducted. This proceeding is held in the Police District where the person is arrested. At this time, the defendant is advised of the charges, a bail hearing is held, and a preliminary hearing (the probable cause determination) is scheduled whether or not it is requested by the defendant (Step #2). On the average, the District Court commissioner schedules the preliminary hearing sixteen days after the

date of arrest.

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hearing in
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case?*

When the preliminary hearing is conducted, (Step #3), the judge determines whether there is sufficient probable cause to hold the defendant for the action of the Grand Jury or for filing of a criminal information. If sufficient probable cause is found by the court, the case folder created by the District Court is transferred by messenger to the District Court headquarters on the morning following the preliminary hearing. The District Court status documents, binding over defendants to the Criminal Court of Baltimore City, are then transmitted to the Clerk of the Criminal Court. However, even before the materials are received by the Clerk's Office, the State's Attorney's Office has received xeroxed copies of the status documents from their District Court prosecutors. Formerly, these papers were all delivered to the Clerk of the Criminal Court, and the State's Attorney at the Supreme Bench level did not begin to process the cases until the documents were received from the Clerk. This procedure often caused delays due to backlogs in the Clerk's Office, but the delay has been alleviated by the State's Attorney's Office receiving the District Court papers the day after the preliminary hearing.

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The State's Attorney's Office has revised its procedures, effective June 2, 1975, by merging the Felony Complaint Unit in the District Court Division and creating a Grand Jury Unit. In certain felony cases (i.e., arson, burglary, and robbery), the police officer has been instructed to charge the defendant with the appropriate felony, such as robbery, and the lesser-included misdemeanors, such as assault and larceny. In this way, the District Court prosecutor can dismiss felony charges if desired and prosecute on the misdemeanors without having to file additional charging documents. This streamlines the charging process and ends needless postponements in District Court in order to place additional charges.

The day after the preliminary hearing in the District Court, the Grand Jury Unit in the Court House receives the xeroxed District Court papers as well as its own Preliminary Hearing Form, Police Offense Report, and other pertinent reports. The Grand Jury prosecutor scheduled for the day the file is received reviews the forms, determines if a preliminary hearing has been held or waived, and then decides whether to present the case to the Grand Jury or to proceed by the criminal information.

If the defendant has had a preliminary hearing or has waived it, then the State's Attorney may formally charge by criminal information instead of proceeding by indictment. (Step #4) If this option for charging is chosen, then the Grand Jury prosecutor forwards the material to a secretary for typing in the proper format, verifies the completed forms, and numbers the information. The numbering for the criminal information includes a "6" prefix for Impact criminal information, a two digit number for the year, a three digit number representing the day of the year, and then a sequential number showing what document it was on that particular day. Therefore, 67518324 means a criminal information on the 183rd day of 1975 and the 24th document on that day.

If the State's Attorney prefers to charge by indictment (Step #4), then the case is scheduled for the Grand Jury on the fourteenth day after the scheduling of the preliminary hearing. The indictment is prepared ahead of time and if the Grand Jury votes a true bill, thus approving the indictment, it can then be signed immediately without delay in waiting for papers to be typed as in the past. The indictment is numbered in the same way as the information except the prefix is "5" for an Impact indictment.

Finished indictments and informations are forwarded to the Clerk of the Criminal Court and entered on the computer system called the Criminal

Court Case Scheduling and Status Information System.

The revised State's Attorney's procedures as described above are designed to guarantee that each defendant will either proceed to the Grand Jury or have a criminal information drawn within 14 days after the originally scheduled preliminary hearing. The significant changes instituted by the State's Attorney include prompt transfer of necessary papers from the District Court level to the Grand Jury Unit at the Criminal Court level, automatic scheduling before the Grand Jury in 14 days, and advance preparation of indictment papers.

As mentioned above, in the new system, the State's Attorney receives a copy of the District Court charging documents within one day of the preliminary hearing, notifies the Clerk of Criminal Court of what charging documents to expect from the District Court, and after the indictment or criminal information is drawn submits them to the Clerk for formal entry on the computer and in the official court records. When the Clerk receives the formal charges (indictment or information), a capias, or warrant, is prepared and forwarded to the Sheriff's Office, who will make a return to the Clerk's Office, certifying whether the defendant is in jail, or bail, or on his own recognizance (Step#5).

Grand Jury unit?

In Baltimore City, the responsibility for assigning cases for trial belongs to the Criminal Assignment Office, an arm of the Supreme Bench. The CAO receives a computer print-out called the "New Case Listing," which is produced from information input by the Clerk's Office. A case, however, can only be scheduled when the CAO has the following information:

1. Indictment or Criminal Information Number
2. Capias return indicating the defendant's location
3. Filing of defense attorney's appearance (Step #6)

Where the computerized case listings indicate no defense attorney has filed an appearance, the CAO sets the defendant for arraignment (Step #7). By the time this proceeding is completed, the accused should have a Public Defender appointed if indigent, or agree to retain private counsel so that trial date can be selected promptly.

When the CAO has determined from the computer listing that the three items required prior to scheduling have been provided, then the case is docketed on a Future Courtroom Docket sheet, and notices are sent the next day to the State's Attorney and defense counsel (Step #8). It should be noted that in setting the trial date the CAO must consider whether the defense attorney is scheduled in any other court, the attorney's vacation schedule, existence of co-defendants, and the possibility of other outstanding charges for the defendant. Trials are scheduled in the different parts of the Criminal Court and for differing time periods based on the type of crime alleged, number of witnesses, and desire for court trial or jury trial.

Once the case has been scheduled, twenty-eight days prior to trial and then again eight days prior to trial, all necessary parties, (defendants, witnesses, counsel, etc.) are notified by computer-generated letters of the proper time and location for the trial. Any requests for postponements must be granted by the Chief Judge of the Supreme Bench.

When the trial is actually held (Step #9), and if the defendant is convicted, the Judge may place the person sub-curia pending completion of a pre-sentence investigation by the Division of Parole and Probation. Parole and Probation is notified of the request by an order of the Judge which is transmitted by the Bailiff (Step #10). The Criminal Assignment Office is notified of the defendant's sub-curia status by the computerized daily case

reports and automatically schedules the disposition for twenty-one days after the verdict. This allows for fourteen days to complete the investigation and seven days for the Judge to review it (Step #11). At the disposition, the Judge pronounces the sentence (Step #12) and for the purpose of this report the processing of the defendant has been completed.

III. SCOPE OF REPORT

The primary responsibility for evaluation of the High Impact Courts rests with the Mayor's Coordinating Council on Criminal Justice. In July 1974, the first evaluation report covering the operations of the High Impact Courts was issued. This Phase I report analyzed the processing of all Impact defendants indicted or informed against between September 1, 1973 and April 1, 1974 and whose cases were closed as of June 1, 1974.

We've already said this
This report includes the processing of all Impact defendants indicted or informed against between April 1, 1974 and December 31, 1974 and whose cases were closed as of March 31, 1975. This study is known as the Phase II Report. No open cases were included in Phase I or Phase II, other than in Tables 15 and 16.

The information in this report will be presented objective-by-objective with emphasis on statistical findings, recommendations for improvements, and methods for implementation of recommendations.

IV. Objective I - Priority should be given to scheduling and conducting trials of defendants detained in the Baltimore City Jail.

Comparisons involving the trying of jailed defendants versus non-jailed (bail or ROR) defendants are based on time intervals required to process these persons from arrest through disposition. Table 2 indicates that jail cases have a total time to completion that is approximately two weeks faster than bail cases, about one-half day quicker than recognizance cases and forty-five days more rapid than all other cases (Also See Table 11).

A step-by-step comparison of jail and bail cases does not indicate a consistent pattern of preferred treatment for jail cases. In fact, the time intervals are shorter for bail cases than jail cases in the steps of filing of charging papers, defense counsel filing appearance, and completion of pre-sentence reports. *appears*
Only in the period from filing of counsel to the trial date were jail cases significantly shorter in time than bail cases.

From discussions with the agencies primarily responsible for the adjudication of criminal cases, only the Criminal Assignment Office indicated any real effort to give priority to completing jail cases. Table 9 demonstrates that the Criminal Assignment Office set trial dates two and one-half weeks faster for jail cases than non-jail cases. These efforts to schedule jailed defendants more promptly appear to be primarily responsible for the slight difference in total processing.

Efforts to place priority on jail cases must be continued and strengthened by means of an agency-by-agency review of their accomplishments in this area. The District Court indicates that priority is not initially given to jail cases because at the time the preliminary hearing is scheduled the commissioner does not know whether the person will be incarcerated or released on bail or on own recognizance. It is indicated, however, that when a preliminary hearing has been postponed, priority is given to rescheduling cases where the defendant is in jail. At present, the statistics necessary to examine whether this priority rescheduling is occurring do not exist. It is expected that efforts will begin shortly to collect data concerning District Court postponements. This information will be used to determine whether postponed preliminary hearings for jailed defendants are being conducted prior to any other postponed preliminary hearings.

If there are no postponements at the preliminary hearing stage and the time span from arrest to preliminary hearing continues to be about sixteen days, then the matter of priority to jail cases is not critical

because all cases are being processed promptly. It appears that this sixteen day interval cannot be reduced further without causing great problems in postponements and lack of preparation for the preliminary hearing.

The State's Attorney's Office indicates that it generally does not differentiate between jail and non-jail cases when processing them. The State's Attorney's Office feels that if the maximum time of fourteen days from preliminary hearing to filing of charging papers can be maintained, there is no need to place special emphasis on jail cases. The results noted in Table 16 indicate that for a recent one-month period the State's Attorney's Office was diligent in keeping to a fourteen day maximum.

It appears that if the State's Attorney's processing guidelines are followed, there is no practical need to give priority to jail cases at this stage. If all persons could move from arrest to preliminary hearing to filing of charging papers in thirty days or less, then the system is operating at close to peak efficiency and can probably not operate any more quickly. The Mayor's Coordinating Council on Criminal Justice will continue to monitor on a monthly basis the time period in which charging papers are filed so that adequate processing time for this step is maintained.

The Public Defender's Office does not prioritize jail cases, but they are handled in order of arrival. Our recommendation is that the Public Defenders who represent Impact defendants actively begin to prioritize their case loads so that jail cases can be scheduled promptly.

A serious problem affecting Public Defender activities is that this office handles approximately 80% of the defense assignments at the Criminal Court level. A caseload of this size causes some Public Defenders to schedule cases a minimum of 90 days in the future. If cases are assigned to staff attorneys as they come into the office, combined with the large workload, then Jail case processing is delayed equally with all other cases in waiting to be tried. (See Table 21.) The issue of the workload being too great for existing personnel will be discussed in a later section, (see page 16) but it is felt that even with manpower constraints greater efforts could be made to try jail cases quickly.

It is suggested that certain staff attorneys could be made available specifically to represent only jailed defendants. This would mean that certain attorneys would specialize in giving attention to jail cases, and this would result in a preference for incarcerated defendants. An alternative might be for each Impact staff attorney to set aside a certain block of time to defend only Impact clients. In this way, jailed defendants would be given priority, but non-jail cases would not be allowed to back-up endlessly.

The existing Public Defender's Office system of assigning cases chronologically is the simplest system to administer, but it does not allow jail cases to be given preference. It is critical that inmates detained in pre-trial status be brought to trial quickly in order to assist in reducing the jail population and minimize the time spent awaiting trial.

While the Criminal Assignment Office has given priority to scheduling jail cases, efforts must be intensified to docket these cases at a faster rate. No non-jail cases should be scheduled until all possible jail cases have been scheduled. This will require unilateral scheduling of cases by the CAO if defense attorneys cannot be contacted. If the CAO is having

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difficulty reaching the attorney in a jail case, scheduling should proceed without delay. For this system to be effective, however, the court must support this proposal and refuse to grant postponements.

The entire issue of postponements, including reasons for occurrence and suggestions for reduction will be considered in the next report of Phase II. Included will be an examination of the postponement problem at both the District Court and Supreme Bench levels.

RECOMMENDATIONS

1. It is recommended that the District Court continue to schedule preliminary hearings for jail and non-jail cases within 16 days after arrest (See Tables 15 and 16). Monitoring should be accomplished by the Mayor's Coordinating Council on Criminal Justice on a monthly basis and reported to the Chief Judge of the Supreme Bench. Charts #2 and #3 will be utilized to collect the data on each Impact defendant and to summarize the progress in maintaining the 16 day maximum to reach the preliminary hearing.

2. When preliminary hearings are postponed in the District Court, priority should be given to rescheduling hearings for jail cases before all other cases. This recommendation will be examined in greater detail in the postponement portion of the Phase II report.

3. The State's Attorney's Office should continue to present all cases including jail and non jail to the Grand Jury within 14 days after the originally scheduled preliminary hearing. All criminal informations should be filed within this 14 day period. This will be monitored by the Mayor's Coordinating Council on a monthly basis. As in Recommendation #1, Charts #2 and #3 will be utilized to collect the data on each Impact

defendant and to summarize the progress in maintaining the 14 day period from originally scheduled preliminary hearing to filing of the indictment or criminal information.

4. The Public Defender shall place greater priority on jail cases by assigning a certain percentage of its staff to handle only jailed defendants. An alternative would be to request each Impact staff attorney to allocate a certain period each month to handle only jail cases. Information currently collected from the Public Defender will be continued, and an effort will be made to separate the statistics by jail and non-jail cases.

5. It is recommended that when there is difficulty in contacting private defense attorneys to arrange trial dates, then the Criminal Assignment Office should unilaterally schedule the cases of jailed defendants within seven days after the filing of counsel. Public Defender cases should also be scheduled within seven days after filing of counsel. The Supreme Bench should support this effort by continuing to enforce its strict postponement policy. Charts #2 and #9 will be used to monitor and summarize this information.

V. Objective 2 - Average time from arrest to disposition shall be ninety days for all Impact offenders.

While the Phase I report stated that the average time from arrest to disposition was 172 days or 82 more than the objective, the Phase II study shows that processing of Impact defendants required 212 days, 122 more days than the objective (See Tables 1-4, 10). Increases occurred in every category except filing of counsel and completion of pre-sentence reports by the Division of Parole and Probation. The largest increase, in terms of time, occurred between filing of appearance by

37 defense counsel and filing of charging papers by the State's Attorney's Office. Postponements, reduced number of courts during the summer, difficulty in scheduling individual defense counsel and lack of sufficient manpower in the Public Defender's Office, led to the long delays in conducting trials.

Since the period studied in the Phase II report, (April - December, 1974) the State's Attorney has instituted several changes described earlier (pp. 3-5) which have greatly reduced the time necessary to file the charging papers. The movement of Felony Complaint screening to the District Court level and the creation of the Grand Jury Unit have facilitated the movement of the District Court paperwork to the Criminal Court and speeded preparation of indictments and criminal informations.

Table 16 indicates that the time from arrest to indictment or criminal information has dropped from 67 days in April-December '74 (Phase II), to 27 days during July-August, 1975, a reduction of 40 days. This average of 27 days is satisfactory for this phase of processing defendants and further reduction is not critical.

Unusual or lengthy proceedings such as insanity pleas, bench warrants, and extensive pre-trial motions may significantly increase the average elapsed time from arrest to disposition. While these proceedings do in fact consume more time than the ordinary cases, they do not comprise a significant number of cases examined (See Table 5). If the cases involving insanity pleas, bench warrants, and complicated pre-trial motions were eliminated the average time from arrest to disposition would only be reduced a few days.

There has been an increase in the number of proceedings brought before the Supreme Bench (Tables 17-20). This rising workload contrasted

with static resources assigned to handle Impact cases, has contributed to the backlog and longer period from arrest to disposition.

Increased cases

Current techniques utilized to reduce processing of Impact defendants to ninety days from arrest to disposition have not been totally successful. In order to alleviate the processing problem, suggested revised guidelines for expediting cases are presented below. (See Chart #4) The original 90 day outline will be listed below as well as a new outline which is more realistic in view of the increased number of arrests.

Analysis of the current situation indicates that the 90 day objective is unrealistic without large increases in personnel and facilities. It is felt, however, that with greater efficiency and more limited increases in resources, a realistic objective of 128 days could be reached.

The achievement of a 128 day objective will require improvement in techniques and greater diligence in observing whether the composite steps from arrest to disposition are being followed. Cases will have to be monitored on a weekly and monthly basis to determine if malfunctions in the system are occurring and how they can be prevented. Until the computerized Critical Path System is finalized by the Criminal Assignment Office, these statistics should be collected by hand for the Impact cases. When completed, the Critical Path will generate data on the processing of all defendants (Impact and non-Impact) in the Criminal Court and will produce reports noting whether cases are proceeding from step to step within the prescribed period of time.

In order to reach the revised guidelines for expediting cases, each agency must adhere to the standards established. The District Court should schedule preliminary hearings for no longer than 16 days after arrest and must grant postponements only under extremely compelling circumstances. The State's Attorney must continue to file charging

papers within fourteen days after the originally scheduled preliminary hearing. When the office proceeds by criminal information, the filing can take place in less than the fourteen days allotted. Defense counsel must file an appearance within seven days of the filing of charging papers or an arraignment should be conducted to insure that the defendant is definitely represented within fourteen days. The Criminal Assignment Office has the responsibility to schedule the case within seven days. If counsel cannot be contacted, then the case should be scheduled unilaterally. Fifty-six days has been allotted to reach trial, and this should be more than necessary to prepare and try the case. The court must be diligent by not freely granting postponements unless there is a good cause. Reasons for postponements which will not be accepted by the Supreme Bench are listed in Chart #5. If a pre-sentence investigation is requested, then the Division of Parole and Probation must return the report to the Judge within fourteen days, and the disposition shall be conducted within seven days after the report is received.

RECOMMENDATIONS

1. The following agencies should insure that these time periods are not exceeded: The methods for achieving these intervals are included in the analysis of the appropriate objective:
 - a. District Court - Arrest to Preliminary Hearing - 16 days
 - b. State's Attorney's Office - Preliminary Hearing to Filing of Charging Papers - 14 days
 - c. Criminal Assignment Office and Supreme Bench - Filing of Charging Papers to Filing of Counsel - 14 days
 - d. Criminal Assignment Office - Filing of Counsel to Setting of Trial Date - 7 days

- e. Criminal Assignment Office and Supreme Bench - Setting of Trial Date to Actual Trial Date - 56 days
- f. Division of Parole and Probation - Trial Date to Filing of Pre-Sentence Report - 14 days
- g. Criminal Assignment Office and Supreme Bench - Filing of Pre-Sentence Report to Disposition - 7 days

The Director of the Mayor's Coordinating Council on Criminal Justice will recommend the appropriate distribution of interim reports to concerned agencies.

2. It is the responsibility of each of the agencies mentioned above to implement the recommendations. The Mayor's Coordinating Council, in conjunction with the Criminal Assignment Office, will be responsible for collecting the data necessary to examine progress in achieving these results. These results will be reported periodically to the Chief Judge of the Supreme Bench. The basic tool for monitoring will be Chart #2. Once the information is collected, various analyses can be performed. Highlighted will be the comparison of processing time for jail and non-jail cases. Summary data concerning total processing time will be presented in Chart #6.

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VI. Objective 3 - Defense Counsel shall file appearance within seven (7) days of the filing of the Grand Jury Indictment or criminal information.

appearance (7)

The time between filing of charging papers and filing of counsel has been reduced from 35 days to approximately 26 days, still much greater than the 7 day objective (See Table 10). The Public Defender has lowered the time necessary to file appearances from 38 days in Phase I to 25 days in Phase II. Private counsel have reduced their time from 31 days to 27 days (See Table 6).

Improvement in this category can be attributed to the scheduling of arraignments, where defendants without counsel must appear and explain who will represent them or have a Public Defender appointed. More frequent arraignments have been helpful in encouraging quicker filing of appearance by counsel. However, if attorneys wait until the day of arraignment to file their appearance, then the result is the needless transportation of prisoners to court and a waste of courtroom time.

The Public Defender has instituted a system in which the indictments and criminal informations from the State's Attorney's Office are reviewed promptly to determine whether the defendant was represented by the Public Defender at the District Court. If so, it is assumed that the defendant will also be represented by the Public Defender at the Criminal Court level, and the appearance can be filed within three days of the receipt of the indictment or information. Problems occur when the defendant states a desire to secure private counsel but does not follow through in retaining that counsel by having the appearance filed.

If the defense attorney has not filed an appearance within seven days after the filing of the charging documents, then the Criminal Assignment Office should schedule the defendant for arraignment within seven days. This should guarantee that the accused will be represented within fourteen days after the indictment or criminal information. This system will also facilitate the entering of the Public Defender into the case where there has been no appearance by private counsel.

In addition, the Clerk of the Criminal Court should be provided with the list of persons to be arraigned. It can then be determined in cases of last minute filing by counsel whether or not the defendant must be transported to the Court House.

When the appearance has been filed, the Clerk's Office should contact the Jail Transportation Unit in order to avoid an unnecessary trip for the prisoner. The Courtroom Clerk should be contacted so that the Judge is notified that the arraignment is no longer necessary.

RECOMMENDATIONS

1. If there is no attorney's appearance for the defendant within seven days after the charging papers are filed, then an arraignment shall be conducted within seven more days (See Charts #7 and #8).

2. The Clerk of the Criminal Court shall verbally notify the Baltimore City Jail Transportation Unit and the appropriate courtroom clerk if an attorney has filed an appearance and the arraignment is no longer necessary. Courtroom dockets will be checked randomly to determine the level of unnecessary arraignments.

VII. Objective 4 - Within seven (7) days of the filing of appearance by defense counsel, the Criminal Assignment Office shall designate the trial date.

According to records examined in the Criminal Assignment Office, it takes approximately 32 days to actually set the trial date for the Impact defendant (See Table 9). As has been stated above, (See Page 8) jail cases are set considerably faster than non-jail cases. Cases involving co-defendants are set more promptly than cases involving only one defendant (See Table 9).

Delays in setting trials are caused by factors including difficulty in reaching attorneys, attorneys who are unable to schedule cases because of large workloads, and cases involving insanity pleas, or other complicated motions.

It is suggested that when the Criminal Assignment Office has difficulty reaching attorneys, cases should be scheduled unilaterally.

As mentioned earlier, efforts to schedule unilaterally must be supported by the Supreme Bench with a policy against wholesale postponements.

A serious problem is the large number of defendants being represented by a relatively small number of defense counsel. The Public Defender in the Impact Courts as well as the few private attorneys who handle a large number of Impact cases are very difficult to schedule in court. With few attorneys handling a large volume of cases, it appears that many of these lawyers are now scheduling cases three to four months from the time of filing the appearance. This means that even if all other parties are prepared for trial, some attorneys may not be available for over ninety days.

Impact
It is estimated by the Public Defender that each attorney assigned to the Criminal Court handles approximately 200 cases a year. This is in excess of the standard of 150 felony cases per attorney per year established by the National Advisory Commission on Criminal Justice Standards and Goals. This problem is magnified in the Impact Courts where the Public Defender is handling only serious violent crimes and burglaries which are presumably more difficult to try than most felonies.

Figures from the Public Defender's Office indicate that during the first six months of 1975, 611 Impact cases were handled by that office. If National Advisory Commission Standards were followed, this would justify eight full-time Impact attorneys; however, only six Public Defenders are assigned to Impact cases.

If additional manpower were available, then the Criminal Assignment Office could begin a more efficient method of scheduling Public Defender cases. Under this system, the cases could be scheduled for a specific date instead of a certain attorney. Then the Public Defender could


provide an available staff or panel attorney for the date assigned, and the Criminal Assignment Office would not have to contact various staff attorneys to determine case assignment. This system, however, is only viable if sufficient resources are provided to the Office of the Public Defender.

Obviously, these improvements will not alleviate the difficulties with heavy caseloads for private attorneys but since approximately 80% of the Criminal Court cases are handled by the Public Defender, the private defense bar does not present so great a problem.

RECOMMENDATIONS

1. Increase unilateral setting of trials by Criminal Assignment Office where necessary (See Chart #9)

2. Cases involving the Public Defender should be unilaterally scheduled by the Criminal Assignment Office for a certain date, and the Office of the Public Defender will have the responsibility for appointing an available attorney (See Chart #9).

3. Increase funds available to Office of the Public Defender for at least two additional Impact staff attorneys. 

VIII. Objective 7 - Pre-Sentence report will be completed by the Division of Parole and Probation within fourteen (14) days after request is received.

One of the Impact Court grants allowed the State Division of Parole and Probation to add several Parole and Probation agents to complete pre-sentence investigations for persons found guilty in Parts I and II in Criminal Court. In examining the interval from pre-sentence report request to filing of report, it should be noted that the date of the guilty verdict, or plea, is used as the date of the pre-sentence report request. In some cases, however, the pre-sentence request was not delivered by the Supreme Bench

to the Division of Parole and Probation until one or two days following the verdict. Therefore, the data presented depicts an average time which is one to two days longer than the actual time needed to complete the reports.

Table 8 indicates the pre-sentence report was completed within sixteen days of the report request. In the non-Impact courts, these reports were completed within approximately twenty-one days of request. This interval of 16 days during Phase II reflects a decrease of one and one-half days from the Phase I level of 17.5 days. For all Impact offenders in all courts, the pre-sentence reports were completed about 19 days from the time of request.

After the time period covered by the Phase II report, the judges in Criminal Court reported difficulties in receiving pre-sentence reports within the fourteen day period. This situation was caused by increased pre-sentence requests and a reduction in the number of Parole and Probation agents funded by the Impact Courts Probation grant. During the spring and summer of 1975, meetings involving the Mayor's Coordinating Council, Division of Parole and Probation, and judges of the Criminal Court resulted in resolution of the problem. Reports are now being completed and delivered promptly.

In order to ensure completion of reports within the time allotted, sufficient manpower must be assigned to the grant. At present, reports are delivered within the fourteen day maximum; however, this must be carefully monitored by the Mayor's Coordinating Council so that the specified standards are obeyed. Charts #2 and #10 will be used to collect and summarize this data.

It would also be helpful to establish a central dissemination and collection point for pre-sentence requests and completed reports. All

requests by judges can be delivered by the bailiffs to the Clerk of the Criminal Court where they can be collected by a representative of the Division of Parole and Probation. This should alleviate problems where requests are not promptly received by the investigator.

RECOMMENDATIONS

1. The Mayor's Coordinating Council will monitor the progress of this project and determine if the objective is being followed (See Chart #10).

2. Establish central deposit point in the office of the Clerk of the Criminal Court for all pre-sentence report requests.

CONCLUSION

The thrust of this report has been to analyze the objectives relating to processing Impact defendants in ninety days from arrest to disposition and prioritizing the trying of jailed defendants. Observations have been presented, as well as recommendations, concerning the persons processed during the Phase II period. The Mayor's Coordinating Council on Criminal Justice will have primary responsibility for determining whether suggestions are being implemented according to plans described above. This monitoring function will involve timely data collection in order to ascertain whether time limits are being observed.

The next report for the Phase II will examine the problem of postponements at both the District Court and Supreme Bench levels. Data will be presented analyzing the number and causes of postponements. Also investigated will be a suggestion of the Public Defender that arraignments not be cancelled when the defense counsel files an appearance at the last minute (See page 18-19), and a guilty plea can be negotiated at the arraignment stage. As in this report, recommendations and plans for implementation of recommendations will be included. The next report will also include progress on implementing the recommendations presented in this report.

XII. APPENDIX

CHART #1

STEP NUMBER	DESCRIPTION OF STEP	PRIMARY AGENCIES INVOLVED	AGENCY FUNCTION
1	Arrest	Police Department	Effectuate arrest and complete booking procedures.
2	Initial Appearance	District Court	Conducting Bail hearing and scheduling preliminary hearing
3	Preliminary Hearing	District Court State's Attorney's Office Public Def/Private Coun.	Make probable cause determination Can request postponements Can request postponements
4	Filing of Charging Papers	State's Attorney's Office	Charge by indictment or criminal information
5	Serving of the Capias	Sheriff's Office	Determine defendant's location <i>more than 48 hrs (?)</i>
6	Filing of Defense Attorney's appearance	Public Defender/ Private Counsel	File the appearance
7	Arraignment (Where necessary)	Criminal Assignment Office	Schedule arraignment where no counsel has filed
8	Scheduling of Trial	Criminal Assignment Office	Set Trial date
9	Conducting Trial	Supreme Bench Judge	Conduct trial and minimize postponements
10	Pre-sentence Report Requested	Supreme Bench Parole and Probation	Request pre-sentence report Initiate pre-sentence investigation
11	Pre-sentence Report Received	Parole and Probation	Complete report and deliver to judge
12	Disposition	Supreme Bench Judge Criminal Assignment Office	Determine the sentence Schedule disposition

Mayor's Coordinating Council on Criminal Justice

HIGH IMPACT COURT EVALUATION

CHART # 2

Name _____

Indictment/Information Number _____

Charges: _____

Location: Jail ☐ Bail ☐ ROR ☐ DOC ☐ Other ☐

Attorney Public Defender ☐ Private Attorney ☐

Court Part: ☐ ☐ Name _____ Number _____

Co-defendants: YES ☐ NO ☐

CASE HISTORY	DATE	NUMBER OF DAYS		
Date of Arrest	_____	_____	_____	_____
Preliminary Hearing	_____	_____	_____	_____
Filing Date with Supreme Bench	_____	_____	_____	_____
Filing of Indictment/Criminal Information	_____	_____	_____	_____
Cepi Returned - Location _____	_____	_____	_____	_____
Arraignment	_____	_____	_____	_____
Filing of Counsel: 1)	_____	_____	_____	_____
2)	_____	_____	_____	_____
Setting by CAO of Trial Date	_____	_____	_____	_____
Motions: 1)	_____	_____	_____	_____
2)	_____	_____	_____	_____
Postponements: 1)	_____	_____	_____	_____
2)	_____	_____	_____	_____
Trial Date: CT <input type="checkbox"/> JT <input type="checkbox"/>	_____	_____	_____	_____
Pre-Sentence Report Request Date	_____	_____	_____	_____
Disposition:	_____	_____	_____	_____
TOTAL				
Verdict and Plea Bargaining Comments:				

MAYOR'S COORDINATING COUNCIL ON CRIMINAL JUSTICE

High Impact Court Evaluation

BENCHMARKS	JAIL	NON-JAIL	TOTAL
Arrest to Preliminary Hearing			
Preliminary Hearing to Filing of Indictment/ Criminal Information			
Arrest to Filing of Indictment/crim. Infor.			

CHART # 7

MAYOR'S COORDINATING COUNCIL ON CRIMINAL JUSTICE

High Impact Court Evaluation

BENCHMARKS	1-3 days		4-7 days		8-14 days		15-28 days		more - 28		Average	
	J	NJ	J	NJ	J	NJ	J	NJ	J	NJ	J	NJ
Filing of Indictment/ C.I. to Filing of Counsel												
Filing if Indictment/ C.I. to Arraignment												
Arraignment to Filing of Counsel												

CHART #4

Sample Guide Lines for Expediting Cases

<u>STEPS</u>	<u>ORIGINAL PERIOD ALLOWED</u>	<u>UPDATED PROJECTION</u>
Arrest to Preliminary Hearing	14 days	16 days
Preliminary Hearing to Filing of Charging Papers	14 days	14 days
Filing of Charging Papers to Filing of Counsel	7 days	14 days
Filing of Counsel to Setting of Trial Date	7 days	7 days
Setting of Trial Date To Actual Trial Date	28 days	56 days
Trial Date to Filing of Pre-sentence Report	14 days	14 days
Filing of Pre-sentence Report to Disposition	7 days	7 days
TOTAL	91 days	128 days

NOTICE
TO ALL MEMBERS OF THE BAR

Postponements have caused serious disruptions to the orderly assignment and disposition of cases in the Criminal Courts.

Effective immediately, because all parties, witnesses, and counsel are given a minimum of 28 days notice before trial, NO criminal case will be postponed for any of the following reasons:

1. Employment of new counsel
2. Failure to receive counsel fees
3. Attorney on vacation
4. Requests for polygraph or psychiatric examinations of defendants or witnesses.
5. Plea bargaining in progress
6. Unavailability of witnesses
7. Conflict in trial date with any civil case, criminal case in the District Court, or criminal case in any other judicial circuit.

The Criminal Assignment Commissioner has been ordered to cease processing all petitions for postponements based on these grounds.

ANSELM SODARO,
Chief Judge

CHART #6

Mayor's Coordinating Council on Criminal Justice

HIGH IMPACT COURT EVALUATION

BENCHMARKS	JAIL	BAIL	ROR	OTHER	PRIVATE COUNSEL	PUBLIC DEFENDER	COURT TRIAL	JURY TRIAL	TOTAL
Arrest to Preliminary Hearing									
Preliminary Hearing to Filing of Indictment/ Criminal Information									
Filing of Indictment/ Criminal Information to Filing of Counsel									
Filing of Counsel to Setting by CAO of Trial Date									
Setting by CAO of Trial Date to Conducting of Trial									
Conducting of Trial to Filing of Pre-Sentence Report									
Filing of Pre-Sentence Report to Disposition									
TOTAL-ARREST TO DISPOSITION									

MAYOR'S COORDINATING COUNCIL ON CRIMINAL JUSTICE

High Impact Court Evaluation

INDICTMENT/ C.I. No.	LOCATION	NAME	FILING DATE OF Ind/C.I.	FILING DATE OF COUNSEL	DIFFERENCE IN DAYS	ARRAIGNMENT DATE

CHART # 9

MAYOR'S COORDINATING COUNCIL ON CRIMINAL JUSTICE

HIGH IMPACT COURT EVALUATION

BENCHMARK	TIME ELAPSED												PUBLIC DEFENDER AVERAGE	PRIVATE COUNSEL AVERAGE	CO-DEFEN. AVERAGE NUMBER	NO. CO- DEFENDANT AVERAGE
	1-3 Days		4-7 Days		8-14 day		15-18		More - 28		Average					
	J	NJ	J	NJ	J	NJ	J	NJ	J	NJ	J	NJ				
Filing of Counsel to Setting of Trial Date by Criminal Assign- ment Office																

CHART # 10

Mayor's Coordinating Council on Criminal Justice

High Impact Court Evaluation

TIME ELAPSED

Benchmark	1-3 Days		4-7 Days		8-14 Days		More than 14		Average		Average Time Elapsed	
	J	NJ	J	NJ	J	NJ	J	NJ	J	NJ	Impact Court	Non-Imp. Court
Pre-Sentence Report Request Date to Filing of Report												

NOTE: In reviewing the tables it should be remembered that the figures may not equal the totals in tables because information was missing in various categories.

TABLE 1

Title: Arrest to Disposition - Impact Cases (April - December, 1974)

Variable: All Defendants (N=400)

BENCHMARKS	AVERAGE TIME (in calendar days)
Arrest to Filing with Supreme Bench	38.05
Filing with Supreme Bench to Filing of Charging Papers	28.87
Filing of Charging Papers to Filing of Counsel	26.22
Filing of Counsel to Trial Date	107.03
Trial Date (Filing of Pre-Sentence Report Request) to Filing of Pre-Sentence Report	19.11
Filing of Pre-Sentence Report to Disposition	18.40
Sub-Total Filing with Supreme Bench to Disposition	174.56
TOTAL Arrest to Disposition	211.70

TABLE 2

Title: Arrest to Disposition - Impact Cases (April - December, 1974)

Variable: Location

Benchmarks	Jail N=217	Bail N=120	ROR N=39	Other N=21
Arrest to Filing with Supreme Bench	33.78	36.90	54.84	42.65
Filing with Supreme Bench to Filing of Charging Papers	27.02	26.46	31.36	56.14
Filing of Charging Papers to Filing of Counsel	26.42	24.68	18.73	28.33
Filing of Counsel to Trial Date	104.10	118.69	96.10	127.85
Trial Date (date of Pre-Sentence Report Request) to Filing of Pre-Sentence Report	21.20	16.50	17.83	15.33
Filing of Pre-Sentence Report to Disposition	18.22	21.75	4.66	17.00
Sub-Total Filing with Supreme Bench to Disposition	174.91	182.35	153.51	207.91
TOTAL Arrest to Disposition	206.91	219.95	207.46	252.00

TABLE 3

Title: Arrest to Disposition - Impact Cases (April - December, 1974)

Variable: Criminal Informations and Indictments

Benchmarks	Criminal Informations N=359	Indictments N=41
Arrest to Filing with Supreme Bench	37.42	43.76
Filing with Supreme Bench to Filing of Charging Papers	26.84	47.05
Filing of Charging Papers to Filing of Counsel	24.72	31.53
Filing of Counsel to Trial Date	109.57	83.00
Trial Date (Date of Pre-Sentence Report Request) to Filing of Pre-Sentence Report	19.37	16.54
Filing of Pre-Sentence Report to Disposition	18.40	18.36
Sub-Total Filing with Supreme Bench to Disposition	175.19	179.00
TOTAL Arrest to Disposition	212.29	217.93

TABLE 4

Title: Arrest to Disposition - Impact Cases (April - December, 1974)

Variable: Co-Defendant and No Co-Defendant

Benchmarks	Co-Defendant N=111	No Co-Defendant N=286
Arrest to Filing with Supreme Bench	33.08	39.74
Filing with Supreme Bench to Filing of Charging Papers	33.45	27.00
Filing of Charging Papers to Filing of Counsel	27.74	24.12
Filing of Counsel to Trial Date	114.05	104.31
Trial Date (Date of Pre- Sentence Report Request) to Filing of Pre-Sentence Report	20.13	21.17
Filing of Pre-Sentence Report to Disposition	24.68	15.87
Sub-Total Filing with Supreme Bench to Disposition	188.36	170.39
TOTAL Arrest to Disposition	221.44	210.13

TABLE 5

Title: Arrest to Disposition - Impact Cases (April - December, 1974)

Variable: Insanity Pleas, Bench Warrants, Motions

Proceeding	Average time in days Arrest to Disposition
Insanity Plea N=6	284.00
Bench Warrant N=7	252.43
Motions (other than discovery and inspection) N=107	226.50
Minor Motions (only discovery and inspection) or No Motions N=277	205.92

TABLE 6

Title: Filing of Charging Papers to Disposition - Impact Cases (April-December, 1974)

Variable: Public Defender and Private Attorney

BENCHMARKS	PUBLIC DEFENDER N=235	PRIVATE ATTORNEY N=155
Filing of Charging Papers to Filing of Counsel	25.42	27.44
Filing of Counsel to Trial Date	112.48	106.07
Trial Date to Disposition	15.37	16.55
Sub-Total Filing with Supreme Bench to Disposition	180.61	174.87
TOTAL Arrest to Disposition	215.32	214.56

TABLE 7

Title: Filing of Counsel to Disposition - Impact Cases (April - December, 1974)

Variable: Court Trial and Jury Trial

Benchmarks	Court Trial N=176	Jury Trial N=214
Filing of Counsel to Trial Date	100.18	124.03
Sub-Total Filing with Supreme Bench to Disposition	164.30	185.75
TOTAL Arrest to Disposition	199.77	222.57

TABLE 8

Title: Filing of Counsel to Disposition - Impact Cases (April - December, 1974)

Variable: Impact Courts and Non-Impact Courts

BENCHMARKS	IMPACT COURTS N=134	NON-IMPACT COURTS N=250
Filing of Counsel to Trial Date	114.05	103.29
Trial Date (Date of Pre-Sentence Report Request) to Filing of Pre-Sentence Report	16.19	21.38
Filing of Pre-Sentence Report to Disposition	16.03	20.36
Sub-Total Filing with Supreme Bench to Disposition	181.97	174.00
TOTAL Arrest to Disposition	215.83	212.04

TABLE 9

Title: Filing of Counsel to Setting of Trial Date by Criminal Assignment Office - Impact Cases (April-December, 1974)

Variable: Indictments and Criminal Informations

Variables	Indictments	Criminal Informations	TOTAL AVERAGE
Jail N=217	28.05	23.00	23.46
Non-Jail N=180	24.20	43.58	41.91
Co-Defendant N=111	27.63	22.86	23.24
No-Co-Defendant N=286	25.88	36.20	35.26
TOTAL	26.30	32.63	32.07

TABLE 10

Title: Phase I and Phase II Comparison - Arrest to Disposition-Impact Cases

Variable: All Defendants

BENCHMARKS	Phase I N=437	Phase II N=400
Arrest to Preliminary Hearing	17.40	19.76
Preliminary Hearing to Filing with Supreme Bench	14.00	18.29
Arrest to Filing with Supreme Bench	31.50	38.05
Filing with Supreme Bench to Filing of Charging Papers	22.70	28.87
Filing of Charging Papers to Filing of Counsel	35.00	26.22
Filing of Counsel to Trial Date	71.70	107.03
Pre-Sentence Report Request to Filing of Pre-Sentence Report	19.90	19.11
Filing of Pre-Sentence Report to Disposition	18.00	18.40
Sub-Total Filing with Supreme Bench to Disposition	139.80	174.56
TOTAL		
Arrest to Disposition	172.00	211.70

TABLE 11

Title: Phase I and Phase II Comparison - Arrest to Disposition - Impact Cases

Variable: Location

BENCHMARKS	Jail I N=257	Jail II N=217	Bail I N=212	Bail II N=120
Arrest to Filing with Supreme Bench	30.60	33.78	32.90	36.90
Filing with Supreme Bench to Filing of Charging Papers	N/A	27.02	N/A	26.46
Filing of Charging Papers to Filing of Counsel	38.00	26.42	30.70	24.68
Filing of Counsel to Trial Date	N/A	27.02	N/A	26.46
Trial Date (Date of Pre-Sentence Report Request) to Filing of Pre-Sentence Report	N/A	21.20	N/A	16.50
Filing of Pre-Sentence Report to Disposition	N/A	18.22	N/A	21.75
Sub-Total Filing with Supreme Bench to Disposition	140.00	174.91	138.90	182.35
TOTAL Arrest to Disposition	172.20	206.91	171.00	219.95

TABLE 12

TITLE: Phase I and Phase II Comparison - Arrest to Disposition - Impact Cases

VARIABLE: Co-Defendant and No Co-Defendant

Benchmarks	Co-Defendant I N=171	Co-Defendant II N=111	No Co-Defendant I N=307	No Co-Defendant II N=286
Arrest to Filing with Supreme Bench	30.50	33.08	32.20	39.74
Filing with Supreme Bench to Filing of Charging Papers	N/A	33.45	N/A	27.00
Filing of Charging Papers to Filing of Counsel	35.50	27.74	34.80	24.12
Filing of Counsel to Trial Date	79.30	114.05	67.70	104.31
Trial Date to Filing of Pre-Sentence Report	19.10	20.13	20.40	21.17
Filing of Pre-Sentence Report to Disposition	15.90	24.68	19.20	15.87
Sub-Total Filing with Supreme Bench to Disposition	148.10	188.36	135.30	170.39
TOTAL Arrest to Disposition	179.30	221.44	167.90	210.13

TABLE 13

Title: Phase I and Phase II Comparison - Filing of Counsel to Disposition-Impact Cases
 Variable: Impact Court and Non-Impact Court

BENCHMARKS	Impact Court I N=66	Impact Court II N=134	Non-Impact Court I N=379	Non-Impact Court II N=250
Filing of Counsel to Trial Date	N/A	144.05	N/A	103.29
Trial Date to Filing of Pre-Sentence Report	17.50	16.19	20.90	21.38
Filing of Pre-Sentence Report to Disposition	16.80	16.03	18.30	20.36
Sub-Total Filing with Supreme Bench To Disposition	163.30	181.97	136.80	174.00
TOTAL Arrest to Disposition	199.06	215.83	168.85	212.04

TABLE 14

Title: Phase I and Phase II Comparison-Filing of Counsel to Disposition-Impact Cases

Variable: Court Trial and Jury Trial

BENCHMARKS	Court Trial I N=283	Court Trial II N=176	Jury Trial I N=49	Jury Trial II N=214
Filing of Counsel to Trial Date	70.10	100.18	72.00	124.03
Supreme Bench Filing to Disposition	N/A	164.30	N/A	185.75
TOTAL Arrest to Disposition	N/A	199.77	N/A	222.57

TABLE 15

TITLE: Arrest to Filing of Charging Papers - Impact Cases

Variable: Indictments and Criminal Information (July 8 - August 5, 1975)

Benchmarks	Indictments N=21	Criminal Information N=71
Arrest to Preliminary Hearing	20	16
Preliminary Hearing to Filing of Charging Papers	11	11
Arrest to Filing of Charging Papers	30	26

TABLE 16

Title: Arrest to Filing of Charging Papers - Impact Cases

Variable: Phase I, Phase II, and July-August, 1975

Benchmarks	Phase I N=472	Phase II N=400	July-August 1975 N=92
Arrest to Preliminary Hearing	17.40	19.76	17
Preliminary Hearing to Filing of Charging Papers	36.70	47.16	11
Arrest to Filing of Charging Papers	54.10	66.92	27

TABLE 17
BACKLOG REPORT
Open Documents (Cases)

Month	Balance of Outstanding Cases	New Cases	Cases Closed	New Balance of Outstanding Cases
August, 1974	3511	+ 1,004	- 708	3807
September, 1974	3807	+ 944	- 1,237	3514
October, 1974	3514	+ 1,313	- 1,328	3499
November, 1974	3499	+ 1,013	- 1,066	3446
December, 1974	3446	+ 1,043	- 815	3674
January, 1975	3674	+ 1,104	- 857	3921
February, 1975	3921	+ 827	- 861	3887
March, 1975	3887	+ 1,396	- 1,298	3985
April, 1975	3985	+ 1,828	- 1,350	4463
May, 1975	4463	+ 1,417	- 1,296	4584
June, 1975	4584	+ 1,580	- 1,193	4971
July, 1975	4971	+ 1,776	- 1,215	5532
TOTAL		+15,245	-13,224	

TABLE 18
BACKLOG REPORT
Open Defendants

Month	Balance of Outstanding Defendants	New Defendants	Defendants Closed	New Balance of Outstanding Defendants
August, 1974	2034	+ 549	- 527	2056
September, 1974	2056	+ 493	- 645	1904
October, 1974	1904	+ 727	- 724	1907
November, 1974	1907	+ 572	- 597	1882
December, 1974	1882	+ 565	- 410	2037
January, 1975	2037	+ 608	- 502	2143
February, 1975	2143	+ 470	- 492	2121
March, 1975	2121	+ 752	- 700	2173
April, 1975	2173	+1027	- 710	2490
May, 1975	2490	+ 765	- 810	2445
June, 1975	2445	+ 893	- 692	2646
July, 1975	2646	+ 993	- 721	2918
TOTAL		+8414	=7530	

TABLE 19
BACKLOG REPORT
Open Impact Documents (Cases)

Month	Balance of Outstanding Cases	New Cases	Cases Closed	New Balance of Outstanding Cases
December, 1974	599	+ 136	- 72	663
January, 1975	663	+ 221	- 109	775
February, 1975	775	+ 192	- 62	905
March, 1975	905	+ 345	- 158	1092
April, 1975	1092	+ 410	- 210	1292
May, 1975	1292	+ 329	- 251	1370
June, 1975	1370	+ 406	- 149	1627
July, 1975	1627	+ 284	- 204	1707
TOTAL		+2323	-1215	

TABLE 20
BACKLOG REPORT
Open Impact Defendants

Month	Balance of Outstanding Defendants	New Defendants	Defendants Closed	New Balance of Outstanding Defendants
December, 1974	347	+ 84	- 32	399
January, 1975	399	+ 129	- 60	468
February, 1975	468	+ 107	- 41	534
March, 1975	534	+ 174	-106	602
April, 1975	602	+ 227	- 74	755
May, 1975	755	+ 165	-187	733
June, 1975	733	+ 204	-102	835
July, 1975	835	+ 169	-134	870
TOTAL		+1259	-736	

TABLE 21

TITLE: Arrest to Disposition for Public Defender Cases- Impact Cases
(April-December, 1974)

VARIABLE: Location

Benchmarks	Jail N=111	Non-Jail N=53
Arrest to Preliminary Hearing	18.3	21.2
Preliminary Hearing to Filing of Charging Papers	40.5	47.1
Filing of Charging Papers to Filing of Counsel	27.7	21.6
Filing of Counsel to Setting of Trial Date	20.5	55.0
Setting of Trial Date to Trial Date	84.4	68.0
Trial Date to Disposition	15.5	15.0
TOTAL		
Arrest to Disposition	206.9	227.9

PROCESSING OF IMPACT
DEFENDANTS AND PRIORITY
TO TRYING JAILED
DEFENDANTS

-6974 -