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SEARCH

Criminal Justice News and Analysis

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"SEARCH" SWITCHES TO BI-WEEKLY FORMAT

Terry Flynn, Chairman of the San Diego Regional Criminal Justice Planning Advisory Committee, has appointed a subcommittee of five members representing all factions of the membership to oversee the production of the SEARCH Newsletter. The committee met in mid-April to establish guidelines within the framework of the Federal grant under which SEARCH is financed.

SEARCH will now be published twice monthly and will have two main sections. One will cover brief, concise "news" articles which can be quickly scanned for information purposes. The other will contain "special reports" on timely, relevant topics which require a more in-depth discussion. This issue is the first to utilize the new format.

The subcommittee is comprised as follows: Frank Panarisi, Administrator, County Human Resources Agency; Cliff Blevins, Legal Aid Attorney and Citizen Representative; R. B. James, Coordinator, County Law and Justice Agency; Frank Woodson, Director, County Honor Camps; and Glenn Adams, Chief, La Mesa Police Department.

The committee invites your comments and suggestions on any aspect of the newsletter. Communication can be sent through Editor Jeff Ghelardi, Room 268, County Administration Center, 239-7711, Ext. 1200, or if you prefer, call any of the committee members listed above.

REGIONAL CCCJ CHIEF BILL SAUNDERS RESIGNS

William B. Saunders, Coordinator on CCCJ's San Diego Regional Planning Office, has resigned. The action came on April 28th just as the 1972-73 Regional Criminal Justice Plan was in the process of approval by the Planning Advisory Committee for submission to Sacramento for review. The plan is the culmination of a three-year effort involving countless meetings, the building of a cooperative framework among criminal justice agencies and local governments, and finally the development of a regional planning capability. Mr. Saunders has played a key role in this process since his appointment in November of 1970.

In closing remarks to the Planning Committee on April 30, Saunders said he leaves with a genuine sense of accomplishment and a feeling that the program is on the threshold of significant achievement in the coming years. He plans an extensive vacation before beginning a law practice in the San Diego area.

Preparations are under way to recruit and hire a new regional coordinator. In the interim period Chief Administrative Officer Fred Morey has announced the appointment of Kenneth Fare, Chief Probation Officer, as acting coordinator. Mr. Fare has in turn designated Mrs. Elizabeth Clark to work on a day-to-day basis with regional staff to assure the continuity of the program.

CBS FESTIVAL SET FOR SATURDAY, MAY 13TH

The San Diego Model Neighborhood Community Relations Board (C.R.B.) is holding its first annual festival from 10 A.M. to 7 P.M. Saturday, May 13th. The event will be held at Memorial Jr. High School Recreation Center. The purpose is to familiarize the community, its leaders, and local government officials about the CRB, its purposes and accomplishments. There will be free food, music, entertainment by Southeast cultural groups and a list of prominent speakers led by entertainer Desi Arnaz.

GOVERNOR APPOINTS PROBATION DIRECTOR TO CCCJ

Kenneth Fare, San Diego's Chief Probation Officer, has received a governor's appointment to the California Council on Criminal Justice. Fare, former chairman of the San Diego Regional Criminal Justice Planning Advisory Committee, says the appointment signifies two kinds of representation the Council has never had in its three years of experience. No probation officer has ever served, and San Diego County has heretofore been without a voting member on the CCCJ.

The Council, based in Sacramento, sets statewide policy and controls the distribution of federal monies coming from Washington's Law Enforcement Assistance Administration. This year's allocation is approximately $40 million, of which San Diego is expected to receive some $1.4 million.

SAN DIEGO URBAN OBSERVATORY LOOKS AT CRIMINAL JUSTICE

San Diego is one of ten cities nationwide participating under the egis of Housing and Urban Development in a project called Urban Observatory. The program's thrust is twofold: to bring to bear the vast resources of our universities on the whole complex of critical problems facing our cities; and, to implement specific programs designed to solve selected local urban problems.

In San Diego, five projects are under way or have been completed in the area of criminal justice.

1. A research project identifying some of the difficulties involved in integrating the ranks of the San Diego Police Department with minorities.
2. Case studies of a number of citizen action movements such as the Chicano Park "take-over."
3. A one-year study of the factors which influence manpower recruitment in the San Diego Police Department.
4. An effort to pinpoint measures of social conditions to be used to evaluate the impact of the Model Cities Program.
5. A study to identify "social indicators" by which to measure urban social changes and to distinguish changes resulting from governmental activities from those caused by efforts in the private sector.

Further information can be obtained from Program Director Les Ernest at 239-8770.

LEGAL AID MOVES ITS SOUTHEAST OFFICE

Legal Aid Society's Southeast Office has moved from 2754 Imperial Ave. across the street to 2751 Imperial. The new offices are larger and, according to staff, offer quite a contrast to the dungeon-like atmosphere facing clients at the former location.

TEACHING POSITION OPEN FOR POLICE OFFICER

The San Diego State Department of Criminal Justice Administration has received a federal grant to hire a faculty member for one nine-month academic year. The position is open to an active police officer, sergeant or above, with at least a bachelor's degree who can arrange a nine-month leave of absence beginning September 1972. The job pays a maximum of about $18,000 and will involve a teaching load of twelve semester units. Send resumes to Dr. Thomas Gitchoff, Criminal Justice Administration, San Diego State College, San Diego, CA 92115, by May 15, 1972.

A SINGLE OFFICE FOR IMMIGRATION SERVICES

Carlos Gonzales, long-time advocate of improved services for Mexican immigrants, has announced the establishment of **Inmigraciónes, Inc.** This organization will shortly be opening a storefront office in Southeast San Diego and will provide counseling, emergency service, and referrals on the whole range of immigrant needs from food, shelter and employment to U.S. citizenship and legal assistance.

SEARCH

Special Report

May 15, 1972

LOG JAM IN THE COURTS — SOME POSSIBLE ANSWERS

The Sixth Amendment to the United States Constitution begins "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial..." The meaning of *speedy* is not, of course, spelled out, but there are those who claim that in a practical sense the term no longer has meaning.

Court log jams and trial delays have reached monumental dimensions. In San Diego Superior Courts, for example, the median time period from filing to sentencing of felony cases is 2.4 months. The fact that 50% of all felony defendants must wait up to two months, often in jail, before a court rules on their guilt or innocence throws our whole justice system into serious question. The recent CBS television news documentary, "Justice Delayed, Justice Denied" presented this problem in exorbitant detail.

Who's at fault? Defense lawyers accuse prosecutors and judges of subjecting their clients to long, unnecessary stays in jail while trial procedures drag on. Prosecutors reply that defense attorneys ask for and cause the overwhelming majority of delays as a tactic to gain advantage in their cases. Whoever is right on this issue, it is clear that no single factor can explain why delays persist and continue to grow.

R. B. (Bud) James, head of the County's Law and Justice Agency, explains the problem this way: "A number of factors over the past eight to ten years have contributed to the current crisis in California's courts. Increasing population, the steady rise of crime rates, and other statistical pressures obviously play a part. In addition, the social climate in this country has become more and more abrasive in recent years. But perhaps most significant is the growing tendency of society to look to the courts for the solution of problems which other institutions traditionally have handled but now seem unable or unwilling to cope with."

While authorities disagree on the specific nature of the causes of the courts crisis, all agree on the seriousness of the problem and the need for corrective action. If this is true, why isn't anything done about it?

Bud James: "A number of alternatives have been under consideration for some time dealing with the structural reorganization of the courts. Proposals fall into three main groups:

a. unification of all justice, municipal and superior courts (all trial courts) into a single state administered system;

b. consolidation of the lower courts only, retaining the superior courts essentially as they now operate; and,

c. some combination of the first two, usually including plans to remove from the courts matters which have little impact on significant points of law—small claims, traffic, etc.—and placing them in a non-judicial setting."

Whichever course restructuring takes, there will be inherent problems to work out. The roles of sheriffs, marshalls, city and county clerks, and others who perform varying functions in the judicial process will be thrown into question. In addition the impact on probation departments and city and county prosecutors must be taken into account, not to mention the effect on lower court judges. Finally, the systems of financing the courts and of distributing revenues will need to be overhauled, which will have major implications for local government budgets and probably on state finances as well.

The nature of restructuring may be determined in this session of the Legislature, since several bills are under consideration. The California Judicial Council has recommended a plan which at least initially limits consolidation to the lower courts, keeping the superior court system intact. Bud James also sees this as the most logical and troublefree course of action, with eventual inclusion of the Superior Courts at a later date into a "court of one jurisdiction."

The Law Enforcement Assistance Administration is financing a pilot "industrial engineering analysis" of court procedures in the San Diego Superior Court. This is another effort to streamline some of the mechanical aspects of the judicial process. But given

the multitude of pressures creating court problems, it seems unlikely that mechanical solutions alone are a sufficient answer. Law reform, particularly in the area of "victimless crimes", is seen by many authorities as a way to get at the skyrocketing number of cases. Increased use of personal recognizance has also reduced caseloads, as Vera Foundation studies have shown.

Finally, a growing number of programs to "divert people from the justice system" will predictably have the same affect but to what degree is unknown.

Despite the urgent need for court reform, with nothing less than the quality of individual justice at stake, any modification schemes will be approached with a profound sense of caution and deliberation.

TO SUBMIT NEWS OR COMMENTS TO SEARCH, CALL JEFF GHELARDI, CRIMINAL JUSTICE PLANNING – 239-7711, EXT. 1200.

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