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HEARSAY / Criminal Justice News

Published by The San Diego Regional Criminal Justice Planning Board

Room 268–County Administration Center–San Diego–California 92101– Phone No. 236-2844

Volume I Issue I November 15, 1972

WHAT IT'S ALL ABOUT

In case you're wondering what "Hearsay" is all about - it's more than a rule of evidence. It won't deal with the hearsay exceptions lawyers frequently argue about in court either. Then what is "Hearsay" all about? Actually, it is the successor to SEARCH, a criminal justice newsletter which regrettably came to an end when the grant funds under which it was published dried up. "Hearsay" will be a monthly Criminal Justice System publication. Primarily but not exclusively, it is intended to help keep system components and their personnel informed of activities which may be of interest to them or effect their respective areas of activity.

"Hearsay" will be published through the joint efforts of the staff of the San Diego Regional Criminal Justice Planning Board. Staff will rely upon and solicit news items from anyone within the broad categories of enforcement, corrections and the judiciary (including prosecution and defense). Publication will be on or about the 15th of each month. Articles submitted for publication should be addressed to "Hearsay", County Administration Center, 1600 Pacific Highway, San Diego, Ca.92101, Room 268. For those contributors within the San Diego County mailing system, Mail Station A220 will do the job. San Diego City contributors can submit news items via City Mail to County Mail Station A220.

The success and quality of "Hearsay" will rely principally upon you, the system-wide contributors, so don't be bashful. Items regarding new criminal justice concepts, innovative solutions to system problems and judicial decisions of system-wide impact are especially encouraged.

A constant exchange of ideas and information that helps everyone contribute to the task of reducing crime is "Hearsay's" objective.

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Now that you know what "Hearsay" is all about, you might be wondering what the San Diego Regional Criminal Justice Planning Board is all about. Briefly, the purpose of the Planning Board is to coordinate an intergovernmental planning effort aimed at the reduction of crime and delinquency and the improvement of criminal justice administration. Over the past six months, the Planning Board has analyzed San Diego's unique problems in the area of crime and delinquency and has earmarked some $3.2 million in grant funds for specific, high-impact projects aimed at solving key criminal justice problems.

PLANNING NOTES

SDRCJPB IDENTIFIES PROBLEMS, ADOPTS GOALS & PLAN FOR 1973

Utilizing a procedure involving sub-committees representing the three basic components of the criminal justice system; i.e., law enforcement, corrections and judiciary, the SDRCJPB has identified thirteen "priority" criminal justice problem areas in the San Diego Region. Top priority was given the crime of robbery because of its statistical increase and its potential for engendering fear in the citizenry. Running a close second as an identified problem was the lack of citizen understanding of the criminal justice system and the need for their cooperation in crime prevention efforts. These areas were respectively allocated $450,000 and $200,000 of the $1.85 million in federal funds to be allocated to the San Diego region for high impact crime reduction projects.

The robbery allocation has been earmarked for a joint San Diego Police Department and Sheriff's Office project. The public cooperation funds are still up for grabs although details of two proposals are being carefully studied. Both projects are subject to final approval by CCCJ. In all, a total of seventeen projects, ranging from diversion of juveniles from the juvenile justice system to increased recruitment of criminal justice personnel from the minority community, were designated for funding.

The process of identifying and selecting problems for action in 1973 involved detailed analysis of regional crime data, review of a broad spectrum of problem statements generated by regional staff and State task forces and evaluation of the feasibility of eliminating or reducing significant problems with the limited amount of grant funds available.

OBITER DICTUM

CHIEF JUSTICE DEFENDS DEATH PENALTY DECISION

In response to "commentators and political figures" critical of the California Supreme Court's recent decision to ban the death penalty, Chief Justice Donald R. Wright said in a recent law review article that " . . . the very core of our judicial responsibility . . . (and) our duty was to resolve the constitutional question, regardless of its difficulty or magnitude." Referring to critics who argue that the high court has usurped the legislative prerogative, the Chief Justice stated: "This approach embraces a simple unsophisticated concept of democracy wherein the government's only function is to effectuate the majority will. Personally, I view democracy as being much more complicated." The Chief Justice further stated that the Constitution protects minority rights, sometimes against the "tyranny" of the majority" . . . a court cannot wait until the public pressure which instigated passage of a particular law has subsided, or until enough energy has been generated for repeal of a particular piece of legislation."

MISCELLANY

METHADONE CONTROVERSY CONTINUES

In three American cities, Washington, D. C.; Buffalo, New York; and Minneapolis, Minnesota, deaths due to overdoses of methadone exceed deaths due to heroin. A recent Los Angeles Times survey of ten cities revealed deaths due to methadone equalled or exceeded deaths due to heroin.

However, such is not the case in California where methadone cannot be administered by private physicians. Only licensed clinics are permitted to administer the drug in California,

TO: Readers of HEARSAY

FROM: Regional Criminal Justice Planning Staff

SUBJECT: Opinion of Intra-system Newsletter

HEARSAY is staff's initial attempt to develop and publish an intra-system means of communication which will be informative and further develop the system concept of criminal justice. We anticipate increased reader contribution in future editions.

Staff would like some reader response to this first edition and hope you will take a few minutes to answer and mail the following questionnaire.

1. Did you read it? Yes_____ No_____

2. Has it been

   A. Interesting Yes_____ No_____

   B. Useful to you Yes_____ No_____

   C. Do you think it furthers the system concept of criminal justice?

   Yes_____ No_____

3. How can HEARSAY be improved?

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4. Do you think HEARSAY should be continued?

   Yes_____ No_____

5. Do you have any other comments?

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and then only after it is mixed with orange juice and consumed on the clinic premises. In those jurisdictions where overdose deaths are equalling or exceeding heroin deaths, the drug is being diverted to the street through clinics operated by private physicians. The cost of methadone to licensed clinics is about eight cents a dose; it sells for an estimated $25 per dose on the street.

PROBATION

The San Diego County Department of Probation just recently received a $15,000 grant from the National Institute of Mental Health (NIMH) for a two year project that will determine the effects of trained volunteers on the parents of battered children. Essentially, this grant will cover the training and research of the existing Volunteers In Probation (VIP) program, with the hope of determining that a large public agency, through the use of volunteers, can reduce the rate of recidivism of parents who have histories of battering their children.

A small pilot program of this type was conducted in Denver, Colorado, and proved to be effective in many cases. The San Diego County Department of Welfare will continue to have supervision over the battered children, and will supervise the volunteers and assignment of cases. It is hoped that this program will provide NIMH a "model" that can be replicated in other large public agencies throughout the nation.

SPOTLIGHT

LOW-KEY LAW ENFORCEMENT

In an era when most of us think "bigger, more, larger anything" is the solution to an existing problem, an innovative thinker in North County has given thought to and has implemented a qualitative solution to a law enforcement problem.

In the summer of 1971, Carlsbad Chief of Police, Ralph W. Laughlin, convinced the City of Carlsbad of the merits of funding an experimental program. The program was intended to cope with seasonal influx of thousands of tourists and recreation seekers who visited Carlsbad's many recreation and beach areas and the consequent increase of minor infractions of the law which inundated the regular police agency. So voluminous were these minor infractions that regular police resources were being drained and diverted from the regulation of the more serious infractions of the law. Emphasis in the experimental program was on observation, education, and persuasion rather than intimidation. Officers selected to staff the program ranged from 21 through 27 years of age and were required to be full or part-time students. They were screened for their probable ability to relate empathetically to the more youthful segment of the population. Their only equipment consisted of khaki clothing, beach vehicles and portable two-way radios. The radios were utilized to contact headquarters if education and persuasion failed to halt the minor infractions or in the event citizens required information or emergency assistance.

Interestingly enough, the experiment worked. Low-keyed persuasion frequently was sufficient to bring about an end to minor infractions. The "beach patrol" was seen everywhere and was frequently called upon for information and assistance. The plan substantially relieved regular uniformed officers to cope with more serious violations, crime statistics decreased and police-community relations were greatly improved.

The Carlsbad technique has impressed the SDRCJPB. The Planning Board has allocated grant funds to insure its continuation in 1973.

ACTION - REACTION

The legal and Monetary Affairs Sub-Committee, a subcommittee of the U. S. Congressional Committee on Government Operations, in a report dated May 18, 1972, had this to say, in part, about grant programs of the Law Enforcement Assistance Administration:

"LEAA programs have too often been characterized by inefficiency, waste, maladministration and in some cases corruption. Over a three year period, 25% of congressionally authorized funds have been disbursed while 75% remain undisbursed to local governments. Too large a portion of those funds disbursed to local government were for . . . exorbitant consultant fees, on equipment and vehicles which are misused or not needed, excessive payments to equipment suppliers resulting from widespread absence of competitive bidding, and unethical relationships between state and local officials and suppliers' representatives."

REACTION:

"The twelfth report by the Committee on Government Operations of the House of representatives on the LEAA is an indictment of LEAA and State Planning Agencies, with particular emphasis on the misexpenditure and non-expenditure of block grant dollars. . . . The report appears to be critical of programs which do not affirmatively and directly attack the problems of crime and defects in the criminal justice system. While there may be defects in the LEAA programming, defects not unusual in a new federal program which attempts to pour a great deal of money into the states in a short time, I feel that we in San Diego have made a conscientious effort to do our planning and implementation of those plans with due regard for the purposes of LEAA and the general public good. I am responsible for two current programs; MET (Metropolitan Enforcement Team) a strike-force effort to apprehend and convict large scale narcotics dealers, and the Organized Crime Unit established to develop prosecutions of individuals involved in organized crime activities. These programs have made concrete contributions to the fight on crime, have resulted in arrests and convictions, and have more than paid their way within LEAA and CCCJ program guides."

EDWIN L. MILLER, JR.
District Attorney

TO SUBMIT NEWS OR COMMENTS TO HEARSAY, CALL CRIMINAL JUSTICE PLANNING – 236-2844

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