

National Institute of Corrections

Technical Assistance Report

NIC T.A # 04J1081

LOCAL SYSTEM ASSESSMENT (LSA)

for

Camden County NJ Correctional Facility

Technical assistance provided to the
Camden County Warden, Eric Taylor

by

Dr. Neil Vance & Mr. Robert Aguirre, Consultants

March 2004

National Institute of Corrections

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DISCLAIMER

Re: NIC T.A. #04J1081

This technical assistance activity was funded by The Jails Division of the National Institute of Corrections. The Institute is a federal agency established to provide assistance to strengthen state and local correctional agencies by creating more effective, humane, safe and just correctional services.

The resource persons who provided the technical assistance did so on a contractual basis at the request of the Camden County Correctional Facility and through the coordination of the National Institute of Corrections. The direct on-site assistance and the subsequent report are intended to assist the Camden County Correctional Facility in addressing issues outlined in the original request and in efforts to enhance the effectiveness of the agency.

The contents of this document reflect the views of Dr. Neil Vance and Mr. Robert S. Aguirre. The contents do not necessarily reflect the official views or policies of the National Institute of Corrections.

BACKGROUND AND PRESENT SITUATION

Request for Technical Assistance

The Camden County Correctional Facility submitted a request for a Local System Assessment (LSA) with the National Institute of Corrections Jail Center. Ms. Fran Zandi, Correctional Program Specialist, responded to the request arranging for the LSA to be delivered on March 10, 11 and 12, 2004. Former Warden and current Deputy County Administrator David Owens and current Warden Eric Taylor coordinated all activities surrounding the program on behalf of Camden County.

Dr. Neil Vance and Mr. Robert Aguirre were selected to conduct the LSA. On March 10 and 11, consultants Vance and Aguirre met with Camden County officials to assess the jail and its operations, to conduct a review of local criminal justice system practices, and to gather additional information on the current situation in Camden County. This technical assistance report reflects:

- o The findings of the consultants regarding the existing jail facilities and operations;
- o The consultant' assessment of local criminal justice system practices;
- o The recommendations of the consultants.

The following persons were interviewed in conjunction with the technical assistance event. They are listed in order of the interview.

Deputy County Administrator and former Warden David Owens

Warden Eric Taylor

Deputy Warden Frank Loberto

Deputy Warden Marilyn Berry

Lt. Mike Burgess

Sheriff Mike McLaughlin

Police Chiefs Association President Ferrari

Representative Police Chiefs from Camden, Pennsauken and Gloucester Township

Freeholder Joseph Ripa

Confidential Aide to Freeholder Ripa, Gina Forte

Public Defender Michael Friedman

Ted Novk, Public Defender

Marcia Soast, Public Defender

James Klein Public Defender

Harold Katz Public Defender

County Counsel Lou Garty, Esq.

County Administrator and Treasurer Mark J. Lonetto

County Chief Financial Officer McPeak

County Prosecutor Vincent Sarubbi

Assignment Judge Francis Orlando

Superior Court Administrator Michael O'Brien

Description of the County

Camden County lies across the Delaware River from Philadelphia. Camden was historically significant in the development of our country. Camden County institutions, municipalities, and streets still bear the names of the early Dutch and Quaker settlers who made this area their new home.

According to the U.S. Census Bureau, the estimated county population was 509,000. The county appears to be a juxtaposition of the very urban Camden City and the rest of the county, an affluent suburban county. Accordingly, 71% of the population is White and 18% Afro-American.

The Census Bureau estimates 10% of the Camden County individuals live below the official poverty level and 8% of the families are below the poverty level. Campbell Soup Company began in Camden and still makes it its corporate headquarters.

The county is home to several centers for higher education and three major hospitals.

The Camden County Jail

This segment of the LSA (Local Systems Assessment) addresses the Camden County Correctional facility. It includes an assessment by the consultants of physical, security, operational and programmatic aspects. As part of the LSA, the consultants toured the Camden County Correctional Facility and examined its jail operations.

The Camden County Jail facility was completed in late 1987 and occupied in February 1988. The facility is located in the city of Camden, the county seat for Camden County. The building is situated on the west portion of a large city block that also includes the County Courthouse and the County Library. To the west of the facility is a large parking lot for the staff. The city block is bordered to the south by Mickle Blvd. (also known as Martin Luther King Jr. Boulevard) where there is a gated entrance for the Courthouse and the driveway to the vehicle sally port entrance for delivering and picking up arrestees and inmates. To the west is Third Street where there is access to the employee parking lot. The jail's front entrance faces Fourth Street. Extending almost three quarters around the jail building is a twenty (20) foot beautification/security wall. Just inside the wall is a tall fenced area with concertina wire around the top. The wall and fencing were installed to maintain security when prefabricated units were put in place in the mid 1990's to provide additional cell space to alleviate crowding.

The county jail was historically the responsibility of the County Sheriff's Office until 1993, when the Freeholders (County Commissioners) removed the responsibility for the jail from the office and hired the first Warden. Prior to this the county jail was housed on the sixth floor of an historic city county building which was built in 1919. The booking area was in the basement down a narrow flight of stairs very close to the main entrance stairs for the building, and all of the inmates were then moved to the cells on the sixth floor. The jail capacity of this jail was 240, and there were 450 inmates housed.

The present jail was built to house 499 single bed cells. According to staff interviewed, there was

very little staff involvement or extensive planning as to the design, operation, or transition process from the old jail to the new.

By 1993 the jail was double bunking cells. This was permitted by New Jersey jail Standards based on the square footage (70 sq. ft.). The population was reaching 900 inmates. In an attempt to provide additional beds and programs prefabricated bricked housing units were put in place on the west side of the jail, which then brought about the fencing and walls. This and some other alterations in the facility gave it a new rated design capacity of **1267 beds**. The population of the jail continued to grow, bringing the population to its highest point to date of **1,823 on March 3, 2004**. On the day of the consultants' visit (March 11, 2004) the population was **1,791** and was **1,777** on the subsequent day. This crowding has brought about triple and quadruple bunking in some portions of the facility. Crowding has become extreme.

The following review, analysis, and observations of the jail reflect the consultant team's assessment of the facility design and operation as a part of the NIC Local System Assessment process.

There are three levels of costs associated with jails. First, planning costs account for approximately 1% of the total project. Secondly, the building itself accounts for 10% of the total cost. Third, the operational cost makes up the remainder of the cost, or 89%, if one projects the life cycle of the building to be the norm of thirty (30) years or so. County jails are second only to hospitals in complexity. The ongoing costs are primarily operational expenses, of which personnel costs are approximately 85% to 90% of the total budget for every year the facility is open. **The design, therefore, is the single most influential factor in the success of the facility and staffing costs, and it is directly affected by the attention to detail and level of planning expended to establish the operational protocols.**

General Observations/Description (photos in Appendices)

- ✓ **Occupancy:** Occupied in February 1988 with a capacity of 499, subsequent alterations and pre-fabricated modular units have increased the rated capacity to 1,297.
- ✓ **Population Capacity:** Current population levels exceed the rated capacity by 140% (March 11, 2004 population was 1792).
- ✓ **Design/Inmate Management Style:** Design concept is podular remote surveillance management style although local cultural definitions refer to the pods as the control rooms with moats (hallways /catwalks) separating the housing units and the control stations. This is a distinct change from definitions currently in practice;
- ✓ **Building Footprint Outline:** The north and south ends of the buildings are almost exact replicas,
- ✓ **First Level:** The admissions unit is at the south end of the first floor, along with holding cells and the vehicle sally port. Also on this floor are holding cells for those inmates in transit to court, the kitchen, and the staging area for visitation, main control, administration offices, laundry, storage areas, mechanical and repair services area.
- ✓ **Prisoner Vehicle Sally Port:** A design failure in this area is the exceptionally small admissions area, coupled with the single prisoner vehicle sally port garage. The vehicle sally port is actually no bigger than a residential garage. It is also at the end of a single-vehicle-wide ramp with a significant grade change. On a fairly routine basis there appeared to be a significant number of police vehicles waiting in line to either pick up or deliver a new inmate. Jail staff indicated this is the norm, and on a busy evening the line can be significant. This situation has the unintended impact of removing law enforcement officers from their normal patrol duties.
- ✓ **Special Care Units:** Level 2 handles some of the medical segregation units: the mental/medical units and social/psychiatric/psychological treatment unit. This area also includes an infirmary and medical examination room (which includes a dental chair). The housing units are single story on this level. On

the south end, "A" block is a specialty unit which is double-bunked and handles the mentally ill/special care inmates. (It is in this area the homicide occurred.) At the opposite end of Level 2 is the female housing unit in two (2) North. There were no second tiers in these two areas.

- ✓ **Floors Versus Levels:** The third floor and the fourth floor are actually a single level with mezzanines, although they are referred to as separate floors. The south unit is the intake unit where classification takes place. In this area there were four inmates per cell. There are five cell blocks per zone labeled A to E. Floors five and six are also the same, both north and south.
- ✓ **Visitation:** Visiting takes place in between the north and south housing units and is all non-contact. Inmates and visitors are escorted to the area. This is a very staff-intensive operation.
- ✓ **Admissions Unit:** Because the admissions area is so small, they send individuals up to the classification unit (which is three (3A) south). There were four inmates per cell on the day of our visit. Because classification interviews are conducted in the day room space, the inmates are locked down a majority of the time. These cells are 70 sq. ft. unencumbered space, and while sufficiently sized for two inmates, the addition of two additional inmates both relegated to the floor on mattresses is simply too much.
- ✓ **Classification/Crowding:** **Management and staff are attempting to provide a reasonable classification and separation of inmates; however, the enormity of the crowding problem has rendered the classification system completely dysfunctional.** Classification systems are meant to provide appropriate separations of individuals to prevent predatory and other negative activities/incidents. Crowding affects any and all classification systems. Therefore, it is necessary to set an 80% capacity number to help effectuate an appropriate classification system. This will reduce potential liability for the county. The extensive crowding has forced the doubling, tripling and in some

cases quadrupling of a number of cells. The long term impact of crowding is to shorten the life of any facility.

- ✓ **Kitchen Services:** The kitchen and other ancillary services have simply been overwhelmed by the sheer number of inmates. For instance, the kitchen was designed to produce meals for 499 inmates. In a standard year that equates to **546,405** meals; in a leap year there is an additional 1500 meals. This year at current levels 1900 meals will be produced each meal for a yearly total of **2,086,200 meals**. The kitchen was never designed to produce this number of meals. The equipment is breaking down, and some of it should be replaced. It may be necessary to redesign the space to create a work area able to produce the required number of meals.
- ✓ **Control Room Positions:** One of the design issues in this jail is the number of control rooms and the staffing needed to cover the positions. Three examples stand out in particular: the first one is the position that is in a booth external to the jail at the entrance of the gated drive leading to the prisoner sally port. The sole purpose of this position is to open the gate. The second position is the intake booth at the prisoner sally port. This person opens four doors--the garage door and prisoner entrance vestibule (2 doors) and the door to the main hall that circumvents the intake housing unit. The third position is in central control and primarily operates the elevators (there is a second position in this area that operates other doors). In total there are 10 control positions. A more effective design would have everything in one control room operated by one person. As it stands, these positions are 7 day, 24-hour positions. This means that it takes 60 people to fill these 10 posts (according to the jail command staff, 6.01 people are needed to cover one 7 day, 24-hour position).
- ✓ **Staffing levels:** Overall staffing appears short for the amount of work that is needed. We recommend because of the extensive crowding that the county move to direct supervision, which means putting officers in each of the housing units. In order to do this it will be necessary to perform a staffing

analysis on all of the positions, discussing how effective all of the positions are operating, and will require specific training of the staff to transition to the new style of inmate management.

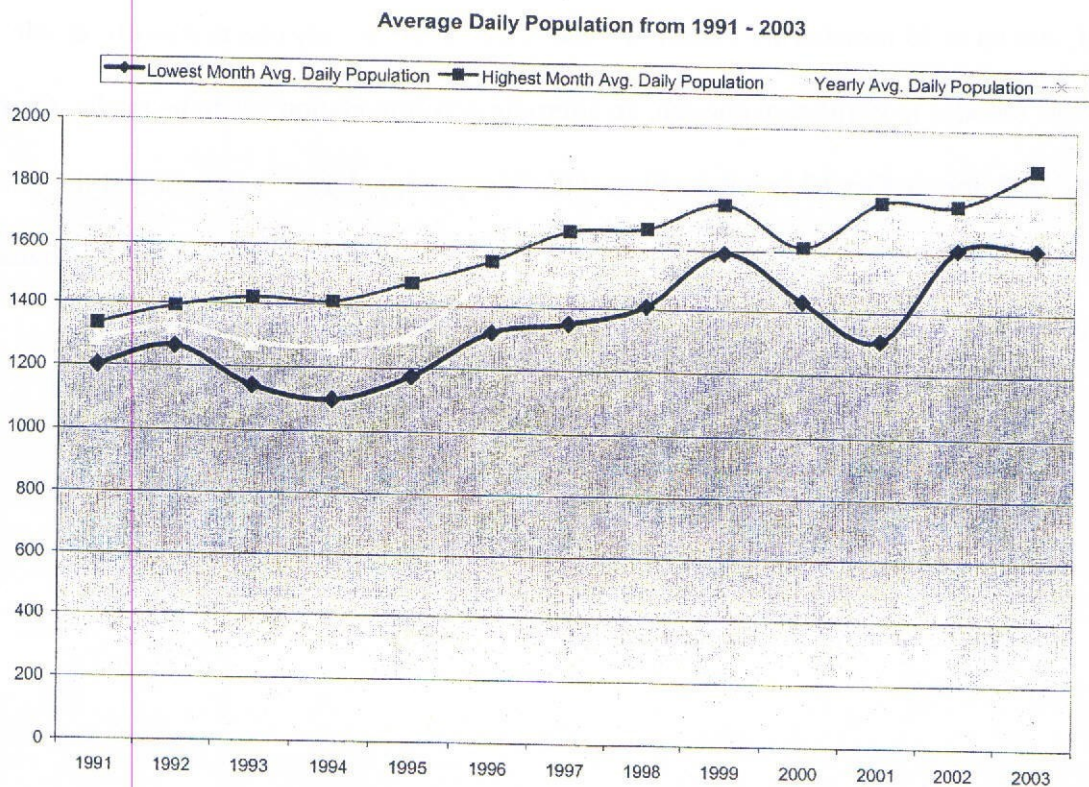
- ✓ **Internal Transports:** Another design flaw of this facility is that it requires extensive movement of inmates for different functions, i.e., visiting and recreation. This again demands extensive staffing, and there appears to be a shortage of staff.
- ✓ **Cell Size:** The cell size throughout the housing units is 70 sq. ft. or very slightly under, and therefore meets the standards of New Jersey. There is also an adequate amount of floor space in the day rooms except for "E" block, which acts as a segregation unit. This block has a very small day room space. Another design difficulty is that there are three cells up and three cells down, and the connecting stair is external to the housing unit.
- ✓ **Prefabricated units:** These units are identified as minimum security and are dormitory style cells that are operating on many levels like a direct supervision facility. The problem with this area is that because the sleeping areas are divided up and segmented from one another and the large day room where meals are served, staffing is not very efficient.
- ✓ **Line of Sight:** Line of sight is very interesting in this jail. In many podular remote jails the glass-enclosed housing units have better visibility. The control room (pod) which covers five cell blocks is octagonal in shape, fully-enclosed and is two stories high. In this jail these control room are not directly adjacent to the housing units. Rather, they are separated by a wide walkway referred to by the staff as a moat. This design creates difficulties with sight lines and causes the officer to be truly remote from the housing units. The question becomes, who is watching who?
- ✓ Cell doors are solid steel with only a small screened opening as viewing port.

- ✓ Direct observation occurs only if the all of the inmates are out in the day room or if during lock-down periods an officer walks into each housing unit and then looks into each door. To achieve full observation the door is opened, and the officer enters the cell.
- ✓ **Court Holding:** Court holding occurs in what is referred to as the tunnel, which is really an enclosed aboveground walkway from the jail to the Courthouse. The space is on the back side of admissions area and consists of a very long hall that intersects with the main hall that connects the north and south ends of the building. There are two holding cells that are accessed via the tunnel hallway. The size is very limited, and up to 25 inmates are placed in these cells. There is only one makeshift female cell. If the number of females is significant enough, an alternate accommodation has to be made. On the court side there are cells for another 15 inmates. Even with this space, judges can request that the jail have up to 100 inmates ready for court in addition to the other holding spaces. This means the inmates are handcuffed and shackled for long periods of time, standing in the tunnel hallway.

FACILITY RECOMMENDATIONS

Classification and the Rated Design Capacity:

As mentioned in the above findings, the best classification system cannot overcome the level of extensive crowding that exists in this jail. Based on the following chart of the ten year average daily population, the projection for the county jail is that it will continue to rise at the same rate presently being experienced. A classification system in this environment cannot function in anything remotely resembling an efficient manner.



In order to begin to manage the jail population, the county must establish population control/management mechanisms accomplished through extensive analysis and meetings with the judges, prosecutor, and other political leaders. The target population should be 80% of the current rated design capacity (1297), which would be 1038.

Possible Strategies:

- An off-site receiving and holding center that would begin the intake process, followed by prosecution and public defenders, judges, and probation officers. The object would be to accelerate case processing to rid the system of those cases that are currently bogged down for any number of “traditions” rather than legal merits. This will require at the very minimum a 7 day operation, but will relieve the extreme bottleneck and poor use of manpower at the current vehicle sally port and admissions portion of the jail.
- Pretrial release system with release monitoring.
- An accelerated Municipal Court process for the purpose of moving jail cases to conclusion.
- Moving probation/parole violation hearings at a faster pace, with technical violations removed at the end of three days.
- Other innovative strategies to move minor cases through the system developed by the committees.
- Rent bed space in other county jails to move long term inmates until they need to be returned.
- Enact sentence reduction incentives for program participation, if allowed by statute.

Staffing/Direct Supervision:

The control room posts are the clearest example of how a poor design affects the staffing and therefore the operational costs of any facility. As an example, the post position at the control booth for the gated entrance to the facility requires a total of six people, on a 7 day, 24-hour basis to operate this gate. By consolidating all of the control room posts to the primary central control position and reassigning duties such the elevator control position, with the new electronic panels one person could accomplish everything that is presently being handled by ten people. The one-time cost of this improvement would be quickly recovered. In order to achieve this potential savings, an examination of the current electrical systems would

have to be undertaken.

Moving to direct supervision will be important for Camden County because of the crowded conditions in the jail. From a management and liability perspective, it is far better to be inside the units of a crowded jail than be isolated outside; unaware of what is going on.

Kitchen

As stated previously, the quadrupling of meals required at every serving has completely overwhelmed the production capability of this kitchen. A thorough review and analysis by an expert in this particular discipline should be undertaken.

Court Holding

In light of so many other critical issues facing the Camden County Jail, the expensive creation of additional holding cells for the tunnel without an exhaustive review of criminal justice system policies and practices is counterproductive.

FACILITY CONCLUSIONS

The consultant team found the jail staff and administration to be open, energetic and responsive in providing whatever information was needed to enable a successful visit. The crowding of this jail facility may be the single most important issue facing Camden County. Managing the population of any jail is solely based on the policies and practices of the wider criminal justice system. The jail as a whole is suffering from the effects of the crowding. While the staff has taken pride in attempting to maintain as clean as possible a facility so dramatically crowded, it is apparent the physical plant and systems are being taxed and that the level of function being achieved is due to the aggressive efforts of the maintenance staff.

Due to recent, highly publicized events surrounding the jail, a Colloquium was held instead of the customary community meeting. At that time, the consultants' preliminary recommendations were reviewed.

NIC and the LSA

The National Institute of Corrections is attached to the Bureau of Prisons in the United States Department of Justice. It was established in the early 1970s as a result of concern generated by unrest in a variety of correctional settings. It was initially funded through the Law Enforcement Assistance Administration (LEAA), but in 1977, the NATIONAL INSTITUTE OF CORRECTIONS received its first appropriation in its own right. The purpose of the Institute is to provide training, technical assistance and information to state and local correctional agencies and to sponsor research, evaluation, and policy and program development.

The NIC is a very small agency by federal standards. There are less than 70 staff members. Ten of the staff members operate the Jail Center in Longmont Colorado, which deals exclusively with the problems and concerns of local corrections. Since its' in-house staff is so small, the NATIONAL INSTITUTE OF CORRECTIONS contracts with a variety of service and technical assistance providers

The PLANNING FOR NEW INSTITUTIONS (PONI) program was developed in response to problems identified in an earlier program, HOW TO OPEN NEW INSTITUTIONS (HONI). Participants in the HONI program indicated that the information they received was very helpful, but that it would have been even more useful earlier in the planning process.

The staff of the NATIONAL INSTITUTE OF CORRECTIONS also reviewed their requests for technical assistance in 1976 and 1977 and discovered that many new facilities had significant problems - which could have been avoided with careful planning. The following cases are examples of actual problems to which NIC was asked to respond.

In one California facility, constructed with a considerable amount of LEAA money, windows could be melted when inmates had long amounts of time without staff supervision. The same windows were placed in light aluminum frames, which were so weak that they could be pushed out of the wall. Furthermore, the level of staffing was inadequate for the operations of the facility, and staff working there was not trained in the operations of the new facility. In a building, which was based on a high degree of staff/inmate interaction, the staff segregated themselves in what they believed were the safe areas of the building.

Staff had not been trained in the purpose of the vacant areas of the building. Therefore, the inmate programs and service, which had been visualized by the designers of the facility never, materialized.

In a jail in South Dakota, NIC staff found a relatively well-designed facility, but inadequate staffing levels and poor deployment of existing staff. In addition, when inmates jumped on the edges of their new beds, which were mounted on the wall, the beds came loose. Inmates could then throw them through the windows and walk out of the facility.

A Colorado County had decided to build a new jail in order to provide outdoor recreation space, space for attorney visitation and program activities. A new building was designed to cost approximately \$9,000,000, but only \$7,500,000 was available for the project so the facility was simply made a little smaller. Three items omitted from the new facility were outdoor recreation, space for attorney visitation and program activities.

One Minnesota facility had significant problems with materials. Window frames were not secured to the building itself and were simply cemented in place. Needless to say, the inmates quickly discovered this structural problem. Their escape plans were not hindered by the fact that workers had left many tools within the ventilation system of the facility.

One facility in California had interior walls, which could be pushed out since the builder had failed to reinforce any of the exterior walls.

Another new Colorado facility was designed around electronic gadgetry. When staff members were asked, "What doors and equipment can be opened from your Master Control?", they did not know. The architect had, in this case, made many major decisions about the facility - without advising the Warden's Department.

In response to these problems and feedback from participants in the HONI program, the NATIONAL INSTITUTE OF CORRECTIONS developed the LOCAL SYSTEM ASSESSMENT (LSA) PROGRAM. LSA began as a six-day skill development workshop in which interested parties from local jurisdictions were brought to Boulder, Colorado for training in planning and the facility development process.

Once again, participants thought that the information and training were very helpful, but that others in their home communities needed to be exposed to the same information. In response to this need, Phase One of the PONI program, a Community Meeting was developed. The Phase One PONI has since been renamed a LOCAL SYSTEM ASSESSMENT. With the name change came a change in focus toward a more in-depth examination of the local jurisdiction's criminal justice system policies and practices by the

consultant coming on-site.

A number of jurisdictions have developed new correctional facilities much more successfully than the examples cited above. One reason for their success is that they used a systematic planning process, which involved all the elements of the criminal justice system and the community.

Secondly, they took the time to plan. Finally, The operators of the building and policy-makers for the jurisdiction did not relegate decisions to the architect at the drafting table, but rather worked together with the architect to develop a facility that would meet their needs.

LEGAL ISSUES IN CORRECTIONS

The reader is strongly encouraged to read the Appendix --Jail Design and Operation and the Constitution by William C. Collins--attached to this report. It is a comprehensive overview of the legal issues confronting any local government operating or building a jail.

JUSTICE SYSTEM PRACTICES OVERVIEW

Prior to describing Camden County's justice system practices as they relate to jail crowding, the following is an overview of the factors that lead to jail crowding and described policy changes and programs which could assist communities in better managing their jail populations. This information is derived primarily from NIJ's Alleviating Jail Crowding: A System Perspective and related jail population management training materials.

State Factors

Legislature. The legislature enacts laws which can result in either an increase or decrease in the jail population. Some of the areas in which the Legislature affects jail population include:

- Determinant sentences for specific crimes (ie. DWI)
- Authority of pre-trial release
- Bail bond laws
- Authority for alternative sanction
- Speedy trial legislation
- Mandatory arrests (ie. domestic violence)
- Good time authority
- Penalties for various crime classifications
- Targeting of appropriation (ie. subsidies for local construction)
- Leadership (or lack of) in addressing crowding issues

Executive Branch. The Executive Branch agencies are having an increasing impact on jail populations. Crowding in state facilities has an unquestionable impact on the inmate profile at both the state and local levels. Targeting of federal grant initiatives such as the anti-drug abuse funds has definitely had an impact as well. Specific factors may include:

- Backup of sentenced felons in local jails as a result of court imposed caps
- Early release mechanisms
- Handling of parole violators
- Sentence modifications - parole board discretion
- Community custody decisions
- Targeting of funding
- Leadership (or lack thereof) in addressing crowding issues.

Supreme Court. The State Supreme Court also affects populations in such areas as:

- Case progression standards
- Case law
- Trial rules and procedures.

While the local jurisdiction may have less control over state factors, Camden County criminal justice system actors are encouraged to assess state factors impact on the Camden County Jail. One track in a plan of action could include recommendations to state level policy members on changes, which would be helpful to counties in managing their jail populations. At the very least, information on the adverse impact of state level policy decisions could help improve the decision making on that level.

Local Factors

Police. Police Law Enforcement is a primary contributor to the jail population. The number of agencies, size of agencies, and their collective policies and practices all play a major role. Specifically the following factors serve to affect who goes to jail:

- Use of discretion by officers in arrest decision
- Efforts to divert certain populations from jail (ie. mentally ill, public inebriates)
- Discretion on charging (ie. multiple charges, overcharging)
- Deployment decisions
- Level of training
- Use of citation in lieu of arrest
- Sweeps, warrant execution

Prosecution. The State's Attorney influences both admissions and length of stay. The charging decision and time of charging influences both intake/diversion and length of stay. Case processing time is also driven, to an extent, by the prosecution. Plea and sentencing bargaining have a significant effect on who goes to jail. Other factors may include:

- Tendency to overcharge to present a tough image to the community
- Unwillingness to plea down on certain offenses
- Case processing track (vertical or horizontal)

- Competency
- Policies on bond recommendations, continuances, sentencing recommendations, etc
- Availability of technology (computers, fax, etc.)
- Timeliness of review and charging
- Use of diversion (deferred prosecution)

Defense Counsel. The public defender's office affects the jail population through its operations, policies, and philosophy. Specifically, factors affecting the jail population include:

- Timeliness of appointment
- How soon P.D. sees in-custody client
- Case load
- Slow pleas
- Policy on continuances
- Aggressiveness in bond reviews
- Participation in sentencing plan preparation
- Case processing track
- Availability of technology

Probation. Use of jail space by other agencies is a factor on jail population. Probation and parole can affect the population in the following manner:

- Timeliness of PSI's
- Procedures for handling violators/revocations
- Rearrest procedures
- Philosophy/use of discretion

Judiciary. Judicial decisions affect all aspect of the system including the jail. Some of the factors include:

- Calendar control (priority for in custody cases)
- Continuance policy (how many, how long)
- Bond schedules
- Use of OR release
- Bond review policy
- Sentencing practices
- Receptiveness to PSI and pretrial release recommendations
- Use and knowledge of creative non-jail sanction
- Role and leadership in developing alternatives
- Use of summons in lieu of arrest warrants

Warden/Jail. Jail officials have the least to say about who goes to jail and how long they stay. Still, jail officials can influence the population in the following ways:

- In-house monitoring of case movement
- Providing information to the system about who's in custody
- Facilitating counsel's access to offenders
- Classification decisions
- Availability of release programs
- Record keeping
- Inmate access to telephone upon admission
- Willingness to administer alternative programming (house arrest, community wrkdetails, etc.)

CAMDEN COUNTY JUSTICE SYSTEM PRACTICES OVERVIEW

A crowded jail is not the fault of any one part of the justice system. Indeed, the justice system is actually a system only at the highest level of abstraction; i.e. to provide justice and security. In reality, the “actors” of the system are independent of each other and can have non-complimentary goals. For instance, the number of arrests—a police objective—can conflict with a jail objective-- operating at 80% capacity. Consequently, the alleviation of a crowded jail will happen only with a number of actions, not by one or two new programs. Of all the consultants’ recommendations, the most important is the initiation of a Criminal Justice Coordinating Committee. Composed of the principals of the criminal justice system--the judiciary, prosecution, police, Warden, public defense, probation—and the county administration, the Coordinating Committee should regularly and systematically meet and form policy based on data.

Data Gathering should include the following population and system data elements:

POPULATION MEASURES:

- . average daily population;
- . jail days;
- . total bookings;

- . net bookings;
- . felony and misdemeanor inmates;
- . male and female inmates;
- . pretrial and sentenced inmates; and
- . adult and juvenile inmates;

INMATES PROFILE MEASURES;

- . legal status;
- . charge status;
- . charges (categorized);
- . age;
- . ethnicity;
- . education;
- . employment;
- . substance abuse;
- . retardation;
- . emotional/mental health problems;
- . family ties;
- . residence;
- . length of stay;
- . means of release; and
- . any elements of special interest to your jurisdiction.

SYSTEM MEASURES;

- . Arrest practices;

- . use of summons and citations for misdemeanor offenses other than traffic
- . traffic related arrests for which inmates were detained;
- . alcohol related arrest for which inmates were detained;
- . bonding practices;
- . failure-to-appear rate;
- . charges for which jail sentences have been given in the past two years;
- . percent of inmates released after first appearance; and
- . percent of inmates held for pretrial detention and then released to the community.

DATA ANALYSIS –CAMDEN COUNTY JAIL

The following two pages represent the data used by the consultants to craft their recommendations. It is important to remember that the first page is a “snapshot” of one day and may not be representative of the actual situation. More detailed study is required in order for Camden County to make responsible policy decisions. The second data sheet is taken from the Camden County Correctional Facility’s 2003 Population Analysis. Additional pages from that report are included in the Appendices.

**CAMDEN COUNTY CORRECTIONAL FACILITY
SNAP SHOT 2/23/04**

PRETRIAL

	NUMBER	\$1000 (To bond)	AV. LOS (Average Length of Stay)
MUNICIPAL PENDING	65	62	7.5 DAYS
FTA, CONTEMPTS, M.V. VIOLATIONS GRAND JURY PENDING	404	41	
R.S.P., AGG. ASSLT, MURDER PRETRIAL PENDING	168	37	
NON INDICTED AND WAITING PLEA TRIAL PENDING	270	17	
INDICTED PRETRIAL FAMILY COURT	50	26	
CHILD SUPPORT AND VIOL. REST. ORDER			
	957	183	

SENTENCED

STATE AWAITING TRANSFER	141		
COUNTY SENTENCED	205		
	346		

OTHER

PROBATION VIOL. PENDING	138		72.5 DAYS
I.S.P. VIOLATORS/STATE	27		36 DAYS
PAROLE VIOLATOR/STATE	124		64.6 DAYS
AWAITING SENTENCE	137		
OTHER HOLDS I.N.S. ETC	55		
	481		

GRAND TOTAL: 1784

2003 Length of Stay

Length of Stay Before Discharge	# of Residents
1 Day	3,363
2 Days to 7 Days	8,943
8 Days to 30 Days	3,734
31 Days to 60 Days	1,718
61 Days to 120 Days	1,397
121 Days to 180 Days	713
181 Days to 365 Days	813
366 Days and Over	248
Total	20,929

Taken from 2003 Camden County Population Analysis

IMPRESSIONS OF DATA

Given more study is required; the following are some impressions of the consultants of these two sets of data. These represent areas to be studied further.

1. Of the total of 20, 929 admissions into jail, 12,306 were detained for only 7 days or less. Accelerating these to a 1 day or less stay, as is done in many jurisdictions, would greatly reduce the population. Key to this would be the construction of a new off-site reception center and a Pretrial Services Program (described after these impressions).
2. There seems to be an appreciable number of detainees from Municipal Court. The Court has endeavored to fast-track Municipal Court detainees (given there are 37 Municipalities in Camden County) so this number is surprising. (See the Appendices for graph of the Criminal Justice Process in Camden County).
3. There seems to be a sizeable number of pretrial detainees with relatively low money bonds. Again, a Pretrial Services Program could address how this population could be safely released on a non-financial basis. This number is surprising given the Court and the Prosecutor has created a Central Judicial Process (CJP) and a Pre-Indictment Conference (PIC). (See Appendices for graph of the Criminal Justice Process in Camden County.)
4. There seems to be number of sentenced prisoners who might safely serve their sentence in a community correctional program such as Electronic Monitoring, Work Release and Day Reporting.
5. There seems to be a large number of state prisoners awaiting transfer to state prison. While the state reimburses the county, they nevertheless occupy a jail bed contributing to overcrowding.
6. There seem to be a large number of New Jersey State responsible inmates awaiting hearings for probation and parole violations.

PRETRIAL SERVICES

The following is the Executive Summary of the 2001 National Institute of Justice Document "Pretrial Services Programs: Responsibilities and Potential." The reader is encouraged to download the complete document - NCJ 181939- available at NCJRS.ORG

Executive Summary

Pretrial services programs perform two critically important functions in the effective administration of criminal justice:

- o They gather and present information about newly arrested defendants and about available release options for use by judicial officers in deciding what (if any) conditions are to be set for defendants' release prior to trial.
- o They supervise the defendants released from custody during the pretrial period by monitoring their compliance with release conditions and by helping to ensure they appear for scheduled court events.

When both functions are performed well, jurisdictions can minimize unnecessary pretrial detention, reduce jail crowding, increase public safety, ensure that released defendants appear for scheduled court events, and lessen invidious discrimination between rich and poor in the pretrial process. This report describes how pretrial services programs operate and discusses related policy issues. It focuses particularly on how these programs obtain and convey information relevant to the pretrial release/detention decision and how, by working with the courts and other justice system agencies, programs can help manage and minimize the risks of nonappearance and pretrial crime.

Techniques Used to Inform the Release/Detention Decision

The core of pretrial services program operations is the collection, verification, and analysis of information about newly arrested defendants and available supervisory options. Pretrial programs should collect and provide to the court at least the following defendant information:

- o Identity, including date of birth and gender.
- o Community ties, including residence, employment, and family status.
- o Physical and mental condition, including alcohol or drug abuse.
- o Criminal record, including history of adjudication of delinquency.

- o Prior record of compliance with conditions of release, including record of appearing for scheduled court dates.

Defendants are primary sources of information about themselves and should be interviewed as soon as possible after arrest. Other sources--including the pretrial services program's own records, other criminal justice agencies, motor vehicle departments, the defendant's family members, and the defendant's employer--can provide information about the defendant and can verify information provided in interviews with the defendant. If information cannot be verified, it should be labeled as unverified in the program's report to the court.

Most pretrial services use the information they collect to develop recommendations or identify options for the judicial officer who makes the release/detention decision. The analysis process--risk assessment--is a key step in the court's decisionmaking process and, if the defendant is released, in managing the risks of nonappearance and pretrial crime.

Risk Management for Released Defendants

Defendants who miss a court appearance generally return to court when contacted, but a missed appearance nevertheless disrupts the court schedule, inconveniences victims and other witnesses, delays case disposition, and wastes valuable time. Pretrial services programs use a variety of monitoring and reminder techniques to anticipate and avoid possible nonappearance problems. When a defendant does miss a court appearance, programs seek to contact the defendant immediately to resolve the problem.

Pretrial services programs are not police agencies, and their capacity to supervise defendants directly is often limited by lack of both law enforcement powers and resources. The following program activities can play an important role, however, in managing the risks that released defendants pose to public safety:

- o Monitoring released defendants' compliance with conditions of release designed to minimize pretrial crime, including curfews, orders restricting contact with alleged victims and possible witnesses, home confinement, and drug and alcohol testing.

- o Providing direct "intensive" supervision for some categories of defendants by using program staff and collaborating with the police, other agencies, and community organizations.

Sharing Information for Use Beyond the Release/Detention Decision

Pretrial services programs collect information that can be valuable in the work of other justice system agencies, but much of this information is of a very sensitive, personal nature. Often it is collected from defendants who are emotionally distraught and have had no contact with a lawyer before the interview. Given the sensitive nature of the information and the need to obtain information from defendants who likely would be uncooperative if they knew what they said could be made available to others, it is important for pretrial services programs--and for the justice systems within which they operate--to develop realistic policies that ensure appropriate confidentiality and prevent misuse of the information. New technology will make it feasible both to share information broadly and to establish safeguards for information that should remain confidential.

Looking Toward the Future: Key Issues

A great many courts still must make critically important release/detention decisions without access to the information typically collected by pretrial services programs or to the monitoring and supervision these programs can provide. Even in jurisdictions with well-established pretrial services, a number of operational issues and new challenges must be addressed in coming years. Much remains to be learned if pretrial services programs are to reach their full potential. Key issues for the future include how to--

- o Bring effective pretrial services to jurisdictions that do not yet have them.
- o Handle pretrial release issues in cases involving juveniles charged as adults.
- o Use new technologies to enhance the quality of pretrial release/detention decisionmaking and the supervision of released defendants.
- o Use delegated release authority (including field citations, station house release, and jail release) most effectively.
- o Determine the extent to which, if at all, courts should continue to rely on commercial surety bail as a mechanism for releasing arrested persons prior to trial.
- o More effectively structure judicial decisionmaking in the pretrial process, without making the process a mechanical one.
- o Develop a current base of useful knowledge about key issues using research at the national and local levels.
- o Develop a full range of education and training programs for pretrial

practitioners and policymakers.

OFF-SITE NEW RECEPTION AND INTAKE

NIC can provide the names of jurisdictions that have recently built or are building new reception areas. Camden County is encouraged to consider construction of such a facility. After booking, inmates are held in their civilian clothes, while court processes occur that facilitate their release that day. (The reader is reminded that over half leave in a week anyway.) Typically, this involves Pretrial Services, an Initial Appearance in the courtroom in the intake facility, INS transfers and initial classification for those that will actually be detained in jail.

CONCLUSIONS

The consultants were impressed with the potential of Camden County to address its issues. The county is a relatively affluent county that can afford to invest money to save money and alleviate jail crowding. There are informed jail administrators capable of resolving problems. There is a sophisticated justice system comprised of the court, the prosecutor and the public defense. There is a knowledgeable county government and finally, Camden County is a caring community. The consultants wish Camden County well.

Camden County Recommendations

March 26, 2004

On March 10-12, 2004, Dr. Neil Vance and Mr. Robert Aguirre were in Camden, NJ, on a National Institute of Corrections (NIC) Local System Assessment. While the NIC is a division of the US Bureau of Prisons, Vance and Aguirre are private consultants hired by the NIC. Consequently, these recommendations do not necessarily reflect the official views or policies of the National Institute of Corrections. Further, these recommendations are a reflection of a short visit and impressionistic data. Camden County is encouraged to do further study and investigation before acting on these recommendations. In addition to the specific recommendations mentioned in the report, the following recommendations reflect the system-wide changes the county should investigate. It is strongly believed that the following recommendations contain expenses that will facilitate effective justice and alleviate jail crowding.

1. It is recommended that a Criminal Justice Coordinating Committee, composed of the principals of the criminal justice system--the judiciary, prosecution, police, Warden, public defense, probation—and the county administration should regularly and systematically meet and form policy based on data.
2. It is recommended that one of the first considerations of the Criminal Justice Coordinating Committee be discussions on a self-imposed "cap" on the jail population, even if it means renting jail beds in other jurisdictions.
3. It is recommended that an in-depth study of the jail population be conducted. The county is cautioned not to make policy inferences from the "snapshot" data in this report; a more detailed study is required.
4. It is recommend that Camden County investigate the initiation of a Pretrial Services Program to reduce the number of inmates being held on relatively low money bonds and supervise some non-financial releases in the community. NIC can provide the names of exemplary pretrial services programs Camden County could visit.
5. It is recommended that Camden County investigate the initiation of an off-site receiving and holding center to facilitate the accelerated processing of the large number of inmates that are currently detained less than a week. NIC can provide the names of newly constructed intake facilities that Camden County could visit.
6. It is recommended that Camden County conduct a Staffing Analysis. Using NIC resources, a staffing analysis should be done comparing the current mode of supervision and direct supervision as described in this report.
7. It is recommended that the criminal justice system should begin more careful tracking of data to facilitate the alleviation of the crowded jail. Data sets would include jail population analyses, inmate profiles and criminal justice system practices.
8. It is recommended that Camden County should investigate expansion of community correctional programs such as electronic monitoring, Work Release and Day Reporting.
9. It is recommended that Camden County investigate methods of accelerating movement of New Jersey State responsible inmates such as those awaiting transfer to state prison, and inmates awaiting hearings for Parole and Probation Violations.

APPENDICES

- 1. Comparative Data of New Jersey Jails pages 33-37**
- 2. Selected Pages from the 2003 Camden County Correctional Facility Analysis pages38-40**
- 3. Graph of Superior Court, Law Division, Criminal Justice Process, Camden County page 39**
- 4. Pictures of Camden County Correctional Facility pages 40-43**
- 5. Jail Design and Operation and the Constitution: An Overview pages 44-127**
- 6. "Fourteen Point to Consider in Reducing the Population of a Crowded Jail" pages 128-132**

APPENDICES

COMPARATIVE DATA – NEW JERSEY COUNTY JAILS

The following tables represent a comparison of New Jersey county jails—their rated design capacity and current population. The first chart demonstrates and is sorted by the incarceration percentage (the last column in the table). The other sequential tables compare county populations, crime rates, and incarceration rates. The information is presented in a number of formats to demonstrate that it is the unique characteristics of the individual counties that determines the size of their jail and the incarceration rate. There is no single factor, such as crime rate, that dictates jail size.

COMPARISON OF NEW JERSEY COUNTIES WITH SIMILAR SIZE POPULATIONS

Capacity Comparisons 2004				
County	Population	Rated Design Capacity	Jail Population	Incarceration Rate
Salem, NJ	64,285	416	256	0.40%
Cumberland, NJ	146,438	550	554	0.38%
Atlantic, NJ	252,552	805	928	0.37%
Passaic, NJ	489,049	894	1,704	0.35%
Camden, NJ	508,932	1267	1,762	0.35%
Hudson, NJ	608,975	1,495	1,840	0.30%
Essex, NJ	793,633	2,410	2,085	0.26%
Mercer, NJ	350,761	886	777	0.22%
Monmouth, NJ	615,301	1,238	1,328	0.22%
Union, NJ	522,541	997	1,113	0.21%
Cape May, NJ	102,326	181	175	0.17%
Middlesex, NJ	750,162	1,300	1,150	0.15%
Warren, NJ	102,437	176	146	0.14%
Hunterdon, NJ	121,989	66	130	0.11%
Burlington, NJ	423,394	511	449	0.11%
Glocester, NJ	254,673	272	246	0.10%

Bergen, NJ	884,118	1,129	834	0.09%
Sussex, NJ	144,166	142	127	0.09%
Somerset, NJ	297,490	345	256	0.09%
Ocean, NJ	510,916	456	428	0.08%
Morris, NJ	470,212	600	273	0.06%

Comparative Reported Crime Rates (2002) and Incarceration Rates (2004) of Selected New Jersey Counties Sorted Alphabetically

Counties	Population	Crime Rate per 1,000	Violent Crime Rate per 1,000	Nonviolent Crime rate per 1,000	Jail Population	Incarceration Rate
Atlantic, NJ	252,552	52.1	5.7	46.3	928	0.37%
Bergen, NJ	884,118	18.4	1.2	17.2	834	0.09%
Burlington, NJ	423,394	23.2	2.2	21.1	449	0.11%
Camden, NJ	508,932	37.3	5.5	31.8	1,762	0.35%
Cape May, NJ	102,326	46.0	3.4	42.7	175	0.17%
Cumberland, NJ	146,438	51.5	7.1	44.5	554	0.38%
Essex, NJ	793,633	55.0	9.9	45.1	2,085	0.26%
Glocester, NJ	254,673	33.7	2.6	31.1	246	0.10%
Hudson, NJ	608,975	38.4	6.9	31.5	1,840	0.30%
Hunterdon, NJ	121,989	9.7	0.3	9.4	130	0.11%
Mercer, NJ	350,761	37.9	5.4	32.5	777	0.22%
Middlesex, NJ	750,162	26.5	2.3	24.2	1,150	0.15%
Monmouth, NJ	615,301	24.0	2.2	21.8	1,328	0.22%
Morris, NJ	470,212	15.2	1.2	14.1	273	0.06%
Ocean, NJ	510,916	22.8	1.9	20.9	428	0.08%
Passaic, NJ	489,049	35.1	4.9	30.2	1,704	0.35%
Salem, NJ	64,285	26.6	3.4	23.2	256	0.40%
Somerset, NJ	297,490	17.9	1.0	16.9	256	0.09%
Sussex, NJ	144,166	11.5	0.8	10.7	127	0.09%
Union, NJ	522,541	37.4	4.2	33.3	1,113	0.21%
Warren, NJ	102,437	0.0	0.0	0.0	146	0.14%

Comparative Reported Crime Rates (2002) and Incarceration Rates (2004) of Selected New Jersey Counties Sorted By County Population						
Counties	Population	Crime Rate per 1,000	Violent Crime Rate per 1,000	Nonviolent Crime rate per 1,000	Jail Population	Incarceration Rate
Bergen, NJ	884,118	18.4	1.2	17.2	834	0.09%
Essex, NJ	793,633	55.0	9.9	45.1	2,085	0.26%
Middlesex, NJ	750,162	26.5	2.3	24.2	1,150	0.15%
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Hunterdon, NJ	121,989	9.7	0.3	9.4	130	0.11%
Warren, NJ	102,437	0.0	0.0	0.0	146	0.14%
Cape May, NJ	102,326	46.0	3.4	42.7	175	0.17%
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Counties	Population	Crime Rate per 1,000	Violent Crime Rate per 1,000	Nonviolent Crime rate per 1,000	Jail Population	Incarceration Rate

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Cape May, NJ	102,326	46.0	3.4	42.7	175
Hudson, NJ	608,975	38.4	6.9	31.5	1,840
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Sussex, NJ	144,166	11.5	0.8	10.7	127
Hunterdon, NJ	121,989	9.7	0.3	9.4	130
Warren, NJ	102,437	0.0	0.0	0.0	146

Comparative Reported Crime Rates (2002) and Incarceration Rates (2004) of Selected New Jersey Counties
Violent Crime Rate

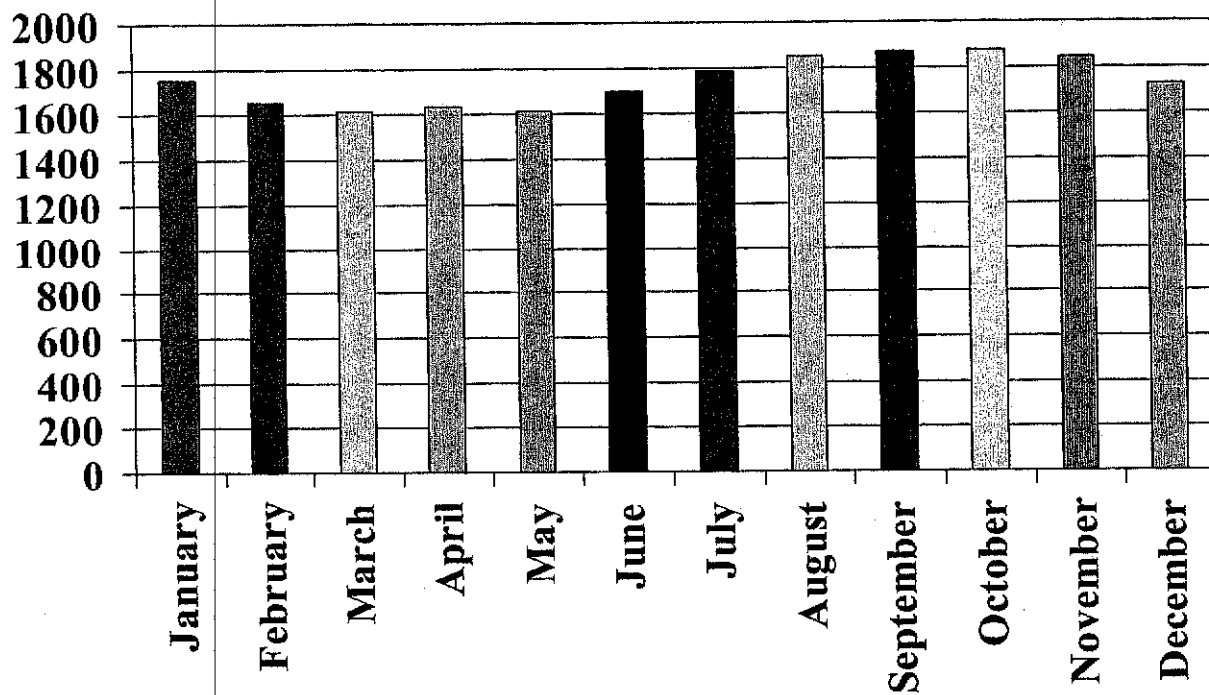
Counties	Population	Crime Rate per 1,000	Violent Crime Rate per 1,000	Nonviolent Crime rate per 1,000	Jail Population
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Warren, NJ	102,437	0.0	0.0	0.0	146



2003 POPULATION ANALYSIS

MONTHLY FACILITY POPULATION - 2003



**POPULATION BREAKDOWN
BY AGE UPON COMMITMENT - 2003**

AGE	# of Residents
Under 18	26
18-23	5,175
24-30	4,985
31-40	6,297
41-50	3,567
51-60	765
Over 60	120
Total Commitments	20,935



Superior Court, Law Division Criminal Justice Process, Camden County, NJ



37 Municipalities in County of Camden

CRIME

Summons or Warrant Issued by Law Enforcement Agency, or a Complaint by Private Citizen

CRIME

Defendants charged by Accusation

CRIME

Defendants with original charges presented to Grand Jury on direct presentment

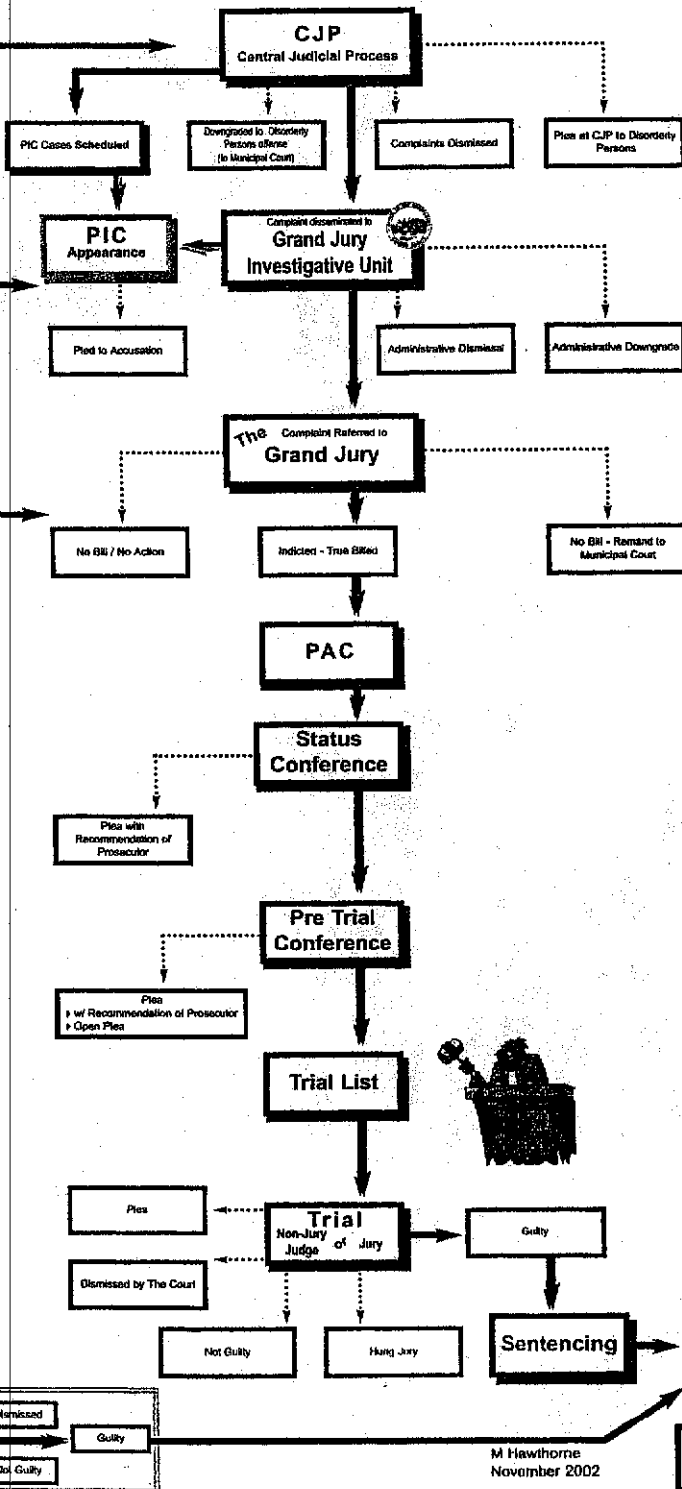
Municipal Court
37 Municipalities in County of Camden

Dismissed / Guilty / Not Guilty

Appeal presented to **Motions Unit (Municipal Appeals)**

Trial deNovo Superior Court

Dismissed / Guilty / Not Guilty



CJP
Central Judicial Process
City/CJP Court or Suburban/CJP Court
First Court Appearance Meets to Arraign Suspects, Allow For Victim Input, Determine Representation, Allow Legal Staff to Evaluate

Grand Jury Investigative Unit
Reviews and Investigates Complaints

PIC
Pre-Indictment Conference Appearance
Every Wednesday, Cases Likely to Be Disposed of Early in The Process. Objective is to Negotiate With Defense Lawyers on Pleas
Guilty Plea
Plea to Disorderly Offense
Plea to An Accusation
If No Plea is Arranged, Return to Grand Jury Indictment

The Grand Jury
Group of 23 Citizens Who Determine If There is Sufficient Evidence For An Indictment

PTI
Pre-Trial Intervention
First Offenders of Non-Violent Crime
Application No Later Than 28 Days After Indictment

PAC
Pre Arraignment Conference
On Friday, Cases Are Assigned to Prosecutors on Trial Team - Scheduled For Status Conference Date

Status Conference
Courtroom Procedure Between Judge and Attorneys - The Opportunity to Discuss Any Concerns About The Trial
Plea Offer Exchange
Discovery Explored
New Discovery
Motions Scheduled

Pre Trial Conference
The Defendant is Scheduled For Trial, This is The Plea Cut Off
Discovery Must Be Complete

Trial List
Reviewed By Judge, Weekly, A Case May Be on The Trial List, But Not Reach The Court Room, That Week

M Hawthorne
November 2002