

MINUTES OF THE HOUSE COMMITTEE ON JUDICIARY

Held in Room 522, at the Statehouse at 3:30 ~~am~~ p. m., on February 1, 1978.

All members were present except: Representatives Heinemann, Hoagland, Matlack and Stites, who were excused.

The next meeting of the Committee will be held at 3:30 ~~am~~ p. m., on February 2, 1978

These minutes of the meeting held on _____, 19____ were considered, corrected and approved.



Chairman

The conferees appearing before the Committee were:

Rep. Glee Jones
Mr. John Beck, Burlingame
Mr. Larry Mainey, Hankhamer Ready Mix
Mr. Greg Bangs, Home Builders Association
Mr. Ron Fairchild
Rep. Loren Hohman
Mr. Gene Olander
Mr. Robert Tilton
Topeka Police Chief, Fred Howard
Mr. Dale Colley, TPD
Mr. Ben Coates, Kansas Adult Authority
Mr. Duane Knoll, Kansas Adult Authority

The meeting was called to order by the Chairman, who announced that a number of bills would be considered the week of February 6, dealing with product liability. He explained that the interim committee had looked at the matter in depth, as well as the standing committees during the last session.

The Chairman also noted that the Health Care Commission had suggested the passage of two bills which arose from their study, as well as recommending the passage of SB 367. He distributed material which had been sent by Mr. Ratner, representing the Kansas Medical Society in support of SB 367.

The Chairman announced that some individuals had previously been heard on HB 2717, and introduced Rep. Jones to discuss her feelings on the matter. Rep. Jones stated that she had previously appeared on similar matters; that she was only reiterating a situation which had occurred in her area where an individual had contracted for the construction of a building and upon final payment was served with a lien notice from a subcontractor. He had been required to pay twice for the same service. She further explained that the same contractor had been guilty of accepting full payment in at least one other situation in her area, but now was out of business. Nevertheless, the individuals had suffered a great deal of extra expense. She urged that the committee consider this totally unfair and told the committee that contractors and subcontractors are more knowledgeable than individuals in such matters, and the burden should be placed on them.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

Mr. John Beck, a lumber dealer from Burlingame, testified that he has concern for the consumer but that he also feels the requirements are very stringent upon the supplier under this proposal; that it is very cumbersome if there are 15 or 20 subcontractors on a job and the supplier may not even know the name of the owner, but only supplies material to one or more of the subcontractors, and perhaps even the major contractor.

Mr. Beck stated he felt it would be an undue burden on such suppliers to give notice to owners when they provide materials for various construction projects. Rep. Ferguson inquired if they don't manage to locate the owner when it appears they won't get their money from the contractor, and Mr. Beck agreed there are ways to determine who the owner may be, but it involves retaining counsel and often it costs more money to recover than the cost of the supplies. Therefore, he explained, it is rather infrequent that they use this avenue and instead are very careful about offering credit to contractors. He expressed the opinion that the owner has some responsibility in selecting a responsible contractor.

Rep. Whitaker inquired about his feelings in regard to making the provisions apply to only single dwelling situations. Mr. Beck stated that as a local dealer, he has little problem with such things because most of the jobs are small and also, he knows most of the local owners. He suggested that in the case mentioned by Rep. Jones, that nevertheless, the property had been enhanced. Rep. Whitaker suggested that the issue is that the property owner is paying twice for one service. Mr. Beck stated that perhaps the primary contractor should have the responsibility of notification, with some kind of penalty if he fails to supply notice to the owner. He suggested that basically this proposal does not change the law, but changes the method of notice. He stated he feels everyone, including the owner, should have a share of the responsibility.

Mr. Larry Mainey, a cement contractor, stated he is a supplier, and that under this bill they would have difficulty because on one trip they might deliver to six or eight locations. He felt it would take at least two additional people and perhaps another vehicle, to handle the additional requirements, all of which would eventually be passed on to the consumer.

Mr. Greg Bangs of the Home Builders' Association testified he feels the problems are truly very small; that there are indeed people who have been duped but they too have a responsibility to check things out. He stated he is not totally opposed to the concept and knows there are occasions when people are experiencing difficulty, but urged that they are a small percentage in the industry.

Mr. Ron Fairchild, an attorney representing Petroleum Equipment Suppliers pointed out a problem insofar as his industry is concerned. After some discussion, the Chairman intervened to explain it is not the intention of the proposal to include that industry, and assured Mr. Fairchild if the proposal is considered favorably, the committee will take care of his concerns. The Chairman appointed Representatives Ferguson, Martin, Whitaker, Hayes and Gastl to serve as a subcommittee on the lein matters.

Rep. Frey asked if the subcommittee could look into alternatives other than those contained in this bill. The Chairman stated that the subcommittee has authority to take all recommendations.

Rep. Hohman appeared on HB2506, dealing with mandatory sentencing. He explained the bill contains a list of crimes and mandatory sentences for them; that the bill prescribes there will be no chance for parole or probation until the mandatory sentence has been served. He pointed out however, that the court can take into consideration certain mitigating circumstances so far as the crimes are concerned. He suggested the bill provides a deterrent insofar as repeaters are concerned; providing for escalation of the penalties. He stated such provisions remove uncertainties and provide certain and positive penalties.

Mr. Gene Olander, District Attorney for Shawnee County and Legislative Chairman for the District Attorneys' Association, testified that they have had a chance to discuss such legislation and it is the concensus that they support this concept.

Mr. Robert Tilton of the Kansas Sheriffs' Association, testified they support the concept of determinate sentencing; that it is their feeling anything which would keep serious violators incarcerated a longer period of time is proper and right; that in fact they support either of the bills (HB2506 or 2712). With regard to HB2712, he stated he and his association oppose the proposed change with regard to narcotics. Rep. Foster inquired which bill they prefer, and Mr. Tilton stated he has not had a chance to really compare them, but on the face, it would appear that HB2506 is harsher and if that is so, it is the one they prefer.

Chief Fred Howard of the Topeka Police Department, and also representing the Police Chiefs' Association, told members they are anxious to control the repeat offenders. He also testified they are opposed to modifying the penalties insofar as narcotics offenders are concerned; that there are so many ramifications regarding measurements that the proposed change is bad and dangerous to everyone.

Mr. Dale Colley of the Topeka Police Department, representing the F.O.P., testified they favor the passage of HB2506; that there is a need for a law dealing with repeat offenders and offenders that commit crimes against people. He stated they are not opposed to probation and parole, but all too many offenders are released to the community and commit still more dangerous crimes. Rep. Martin asked if the Association has compared the two bills and the existing statutes, and if they take a position. Mr. Colley stated they support the concept of HB2506, but that they have not compared the bills.

Mr. Gene Olander stated that he had not been aware that the two bills were under consideration, and indeed had not been aware of HB2712. He indicated there were a number of things he would like to consider with regard to a comparison of the proposals.

Mr. Ben Coates, a member of the Kansas Adult Authority, testified he was appearing on his own behalf, although the Authority had some dialogue in this regard, but that he was not speaking for the Authority. He stated even though it might be possible for a felon to be paroled within the 120 days as sometimes mentioned, to his knowledge, nobody has been so treated within the past three years. He pointed out that when SB72 was passed, they were the only people opposing such provisions. He stated he personally supports House Bill 2712 because he feels that it speaks to the problem. He further stated it has always been his concern that inmates have a knowledge of guarantee and certainty.

Mr. Duane Knoll of the Kansas Adult Authority testified that while they have some reservations concerning HB2712, they are opposed to HB2506. He explained there are many problems with determinate sentencing, and HB2712 takes into consideration some mitigating circumstances which should truly be looked at. He reiterated that the Authority had testified in the interim and they feel HB2506 does not provide the protection to everyone that HB 2712 provides. He stated while there are some things in HB 2712 which are still questionable, they like most of the provisions.

Rep. Hurley inquired if Mr. Olander is on record as supporting HB 2506, and Mr. Olander explained he is only supporting the concept. Mr. Colley stated his organization supports the concept of mitigating circumstances.

The Chairman noted that HB 2506 has been characterized as determinate sentencing bill and 2712 as something less than that. He stated he does not know where those ideas originated; that HB2712 speaks to determinate sentencing and yet to mitigating circumstances. He pointed out one of the differences is that 2712 does not mandate, but allows the court some discretion. The Chairman asked any conferees to offer input into a subcommittee comprised of Rep. Hurley, Rep. Hayes and himself in regard to these matters.

The Chairman announced that criminal justice matters would be discussed and considered the week of February 13th, and urged members and others to talk with the subcommittee.

The meeting was adjourned.

JUDICIARY

2-1-78

NAME	ADDRESS	ORGANIZATION
Ronald W. Fandrich	1300 Merchant Bank - Topeka	Religious Employment
Dave Cobble	2325 E. 1st	FRATERNAL ORDER OF BROTHERS
Richard W. Staveland	257 ^{Wichita} N. Broadway	Missouri United English
James H. ...	2415
Mrs. Carroll ...	1012
Rep. Glec. Jones	Legislative, Kan.	...
John W. Beck	Burlington, Kan.	Boys' Timber Co.
B.F. "Mike" Mrochales	4901 Main	KANSAS CITIZENS
Larry Manning	2150 Kansas	Handsome in Reading
Bernie ...	3106 NW ...	KAA
Lee ...	6103 W. 28th St	...
Paul Lewis	Topoka	KAT
...	Topoka	...
...	Lawrence	Lawrence ...
Greg ...	Over ...	Ks ...
Mike Hrynewich	Topoka	Ks. Savings & Loan League
Bib ...	Topoka	Ks. ...
...	Topoka	Dist Atty

Amend House Bill #2717 on page 3 following line 97 by inserting the following:

"(e) The provisions of Subsections (c) and (d) shall not be applicable to persons claiming liens under the provisions of K.S.A. 55-207 through 55-210, inclusive, and all acts amendatory thereof and supplementary thereto."

"IMPORTANT NOTICE TO PROPERTY OWNERS"

A Mid-America Association Membership Service

To protect home owners, many lumber dealers notify them of stipulations in the Mechanics Lien Law. When this is done, however, dealers run the risk of offending their contractor and carpenter customers because they know the notification was sent by the dealer.

To eliminate such unfavorable public relations, your Mid-America Association arrived at a method whereby the property owner can be notified of this important information ... but notified apparently by some outside organization. Your Association Office will mail the notification from Kansas City, using a government-stamped postcard which carries the following copy:

"IMPORTANT NOTICE TO PROPERTY OWNERS"

For your protection, your attention is called to the Mechanics Lien Law of your state, as it is important to you. Briefly stated, the Law provides:

"That any person who supplies materials or performs work on homes, building, and improvements, shall be entitled to a lien on such structures, in an amount equal to the value of the materials furnished or work performed."

To avoid the possibility of having a lien filed on any of your real property, we recommend that you require the contractor to furnish you with a written release from the concerns who furnished the materials and/or labor before making settlement. If additional information is required, consult your local attorney.

SOUTHWESTERN CUSTOMER RESEARCH SERVICE

HERE'S HOW THE SERVICE WORKS . . .

- (1) You order on the attached Order Form the number of printed postcards you think you will need. Price: 15¢ each.
- (2) The supply of postcards will be mailed to you from the Association Office.
- (3) When you have a property owner who should be notified, type his name and address on one of the postcards. Mail it to your Association Office in an envelope. We will mail the postcard to your customer from Kansas City.

Leo Miller

SECOND REGULAR SESSION

[TRULY AGREED TO AND FINALLY PASSED]

SENATE COMMITTEE SUBSTITUTE FOR

HOUSE SUBSTITUTE FOR

HOUSE BILL NO. 1251

77TH GENERAL ASSEMBLY

AN ACT

To repeal section 429.010, RSMo 1969, relating to mechanics' liens and to enact in lieu thereof one new section relating to the same subject with a penalty provision.

*after fly by night
aged change*

*copy into deal with
insert*

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section 1. Section 429.010, RSMo 1969, is repealed and

2 one new section enacted in lieu thereof, to be known as sec-
3 tion 429.010, to read as follows:

429.010. 1. Every original contractor, who shall do or
2 perform any work or labor upon, or furnish any material,
3 fixtures, engine, boiler or machinery for any building, erection
4 or improvements upon land, or for repairing the same, under
5 or by virtue of any contract shall provide to the person with
6 whom the contract is made prior to receiving payment in any
7 form of any kind from said person, (a) either at the time of
8 the execution of the contract, (b) when the materials are de-
9 livered, (c), when the work is commenced, or, (d) delivered
10 with first invoice, a written notice which shall include the
11 following disclosure language in ten point bold type:

*or, except the
supplier of
materials*

11 NOTICE TO OWNER

12 FAILURE OF THIS CONTRACTOR TO PAY THOSE
13 PERSONS SUPPLYING MATERIAL OR SERVICES TO



*Insert Lien Notice
Do not insert Lien notices or stamps
red*

LIEN

*It appears all be
how to do it "ask for
in name is. Should have
copy of -*

14 COMPLETE THIS CONTRACT CAN RESULT IN THE FIL-
15 ING OF A MECHANIC'S LIEN ON THE PROPERTY WHICH
16 IS THE SUBJECT OF THIS CONTRACT PURSUANT TO
17 CHAPTER 429, RSMo. TO AVOID THIS RESULT YOU MAY
18 ASK THIS CONTRACTOR FOR "LIEN WAIVERS" FROM
19 ALL PERSONS SUPPLYING MATERIAL OR SERVICES
20 FOR THE WORK DESCRIBED IN THIS CONTRACT. FAIL-
21 URE TO SECURE LIEN WAIVERS MAY RESULT IN YOUR
22 PAYING FOR LABOR AND MATERIAL TWICE.

23 (a) Compliance with subsection 1 hereof shall be a con-
23a dition precedent to the creation, existence or validity of any
24 mechanic's lien in favor of such original contractor.

24a (b) Any original contractor who fails to provide the writ-
25 ten notice set out in subsection 1. hereof shall be guilty of a
25a misdemeanor and upon conviction shall be fined not less than
25b \$500 nor more than \$1000.

26 2. Every mechanic or other person who shall do or per-
27 form any work or labor upon, or furnish any material, fix-
28 tures, engine, boiler or machinery for any building, erection
29 or improvements upon land, or for repairing the same, under
30 or by virtue of any contract with the owner or proprietor
31 thereof, or his agent, trustee, contractor or subcontractor,
32 upon complying with the provisions of sections 429.010 to
33 429.340, shall have for his work or labor done, or materials,
34 fixtures, engine, boiler or machinery furnished, a lien upon
35 such building, erection, or improvements, and upon the land
36 belonging to such owner or proprietor on which the same are
37 situated, to the extent of three acres; or if such building,
38 erection or improvements be upon any lot of land in any
39 town, city or village, or if such building, erection or im-
40 provements be for manufacturing, industrial or commercial
41 purposes and not within any city, town or village, then such
42 lien shall be upon such building, erection or improvements,

2

43 and the lot, tract or parcel of land upon which the same are
44 situated, and not limited to the extent of three acres, to
45 secure the payment of such work or labor done, or ma-
46 terials, fixtures, engine, boiler or machinery furnished as
47 aforesaid; provided, however, that if such building, erection
48 or improvements be not within the limits of any city, town
49 or village, then such lien shall be also upon the land to the
50 extent necessary to provide a roadway for ingress to and
51 egress from the lot, tract or parcel of land upon which such
52 building, erection or improvements are situated, not to ex-
53 ceed forty feet in width, to the nearest public road or highway.

✓

SECOND REGULAR SESSION
HOUSE BILL NO. 1255

79TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES ROLLINS AND LYNN.

Pre-filed December 1, 1977, and 800 copies ordered printed.

DWIGHT L. FINE, Chief Clerk

1545

AN ACT

To require certain persons doing home improvement work to post a performance bond with the county clerk for the county in which the work is being done.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section 1. 1. As used in this section, the term "home im-
2 provements" shall mean and include the installation of siding,
3 insulation or other materials in private homes, and any and all
4 repair, replacement or construction of any part of a private home.
5 2. All contracts for making home improvements entered into
6 between a homeowner and a contractor who does not reside or have
7 an established place of business within the county in which the
8 home improvements are to be performed shall be in writing. No
9 such contract shall be effective until the contractor has posted a
10 performance bond, with good and sufficient sureties, in an amount
11 sufficient to cover all costs for the proper performance of the work

11.B. 1255
12 contracted for with the county clerk of _____ county in which the
13 work is to be performed. The bond shall be conditioned for the
14 payment of any and all materials, fuels, tools and equipment used,
15 purchased or consumed in connection with such work, for the
16 payment of all insurance premiums on such work and for the
17 payment of all labor performed in such work whether by
18 subcontractor or otherwise. No contractor governed by this
19 section shall be entitled to receive or recover any sum under his
20 contract until such bond is given and approved by the appropriate
21 county clerk. The same bond may be made to cover damages to
22 persons and property from accident while such work is being done.
23

24 3. Any contractor required to post a performance bond under
25 the provisions of this section may, at his option, comply with these
26 bonding requirements in either of the following ways:

27 (1) By posting an individual performance bond for each
28 contract entered into within a county. The amount of each such
29 bond shall be sufficient to cover all costs for the proper perfor-
30 mance of the work contracted for in the contract for which the bond
31 has been posted; or

32 (2) By posting a single performance bond in the amount of two
33 hundred and fifty thousand dollars to cover all costs for the proper
34 performance of all work contracted for within a county, regardless
35 of the number of contracts entered into.

RATNER, MATTOX, RATNER, RATNER & BARNES, P. A.

ATTORNEYS AT LAW

444 NORTH MARKET · POST OFFICE BOX 306

WICHITA, KANSAS 67201

PHONE 316-262-6423

January 27, 1978

*distributed
2-1-78*

PAYNE H. RATNER (1896-1974)
LOUISE MATTOX
PAYNE H. RATNER, JR.
CLIFF W. RATNER
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OF THE KANSAS BAR

The Hon. E. Richard Brewster, Chairman
House Judiciary Committee
House of Representatives
Capitol Building
Topeka, Kansas 66612

Dear Representative Brewster:

I appreciate your allowing SB 367 to be discussed at your meeting on February 2.

In the interest of time, I thought perhaps you and the other members of the committee would be interested in the letter we wrote to the Senate Public Health and Welfare Committee when the bill was discussed there.

I am enclosing a copy of that letter and the enclosures sent therewith.

I thought you would be interested in knowing that this matter was sufficiently important that the American Bar Association has approved it.

Best personal regards.

Respectfully,

Payne H. Ratner, Jr.
Payne H. Ratner, Jr.

PHR:mh
Encl.

RATNER, MATTOX, RATNER, RATNER & BARNES , P.A.

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OF THE KANSAS BAR

March 2, 1977

The Hon. James L. Francisco
Vice Chairman
Senate Public Health and Welfare Committee
State House
Topeka, Kansas 66612

Re: SB 367, Confidentiality of Records of a Medical Staff
Committee

Dear Senator Francisco:

Jerry Slaughter, Executive Director of the Kansas Medical Society, and I attended the hearing March 2 on behalf of the Kansas Medical Society on the above bill. Because of your time problem we did not ask to speak on the bill.

However, we do want you and the other members of the committee to know that the Kansas Medical Society supports this bill.

Probably the testimony of the representative of the Kansas Trial Lawyers Association was the strongest reason which could be presented for the passage of this bill.

Medical members of the various medical staff committees at hospitals have assumed that the minutes of such meetings and the very frank discussions at such meetings were confidential. This has proven extremely beneficial towards improving the care of patients.

If these proceedings are going to be discoverable in malpractice cases, then we have strong reservation and fears. Doctors who compose these committees will be too careful of potential use in malpractice cases to actually engage in full and frank discussions. The inability of physicians to have a free interchange in these educational discussions might hamper the medical care review which is vital to the maintenance of quality medical care delivery to the patients in Kansas hospitals.

Therefore, the Kansas Medical Society strongly endorses your committee's recommendation of SB 367 and the active work of committee members in assuring its passage.

Best personal regards.

cc The Hon. Wesley Sowers
Members of Committee
Mr. Jerry Slaughter

Respectfully,


Payne H. Ratner, Jr.

RATNER, MATTOX, RATNER, RATNER & BARNES

ATTORNEYS AT LAW

444 NORTH MARKET • POST OFFICE BOX 306

WICHITA, KANSAS 67201

AREA CODE 316 • AMHERST 2-6423

Please note from
the enclosed that the
American Bar Association
has also taken a strong
position in favor of
this type of legislation
(S.B. 67)

Darb

II

**RESOLUTIONS OF THE
HOUSE OF DELEGATES
ADOPTED ON AUGUST 10, 1976**

**A. Resolution Adopting the Commission's
Recommendations with Respect to
Immunity and Confidentiality for
Medical Disciplinary Proceedings**

RESOLVED, That the American Bar Association, recognizing the importance of a strong medical discipline system in each state, and recognizing further that the effectiveness of medical disciplinary proceedings has been hampered by physicians' fears of civil liability and the disclosure of confidential material, supports the following recommendations regarding immunity and confidentiality for medical disciplinary proceedings:

1. *Immunity for Medical Disciplinary Boards*—Absolute immunity from civil liability should be conferred on members of a medical disciplinary board* and on indi-

*A "medical disciplinary board," as used in these recommendations and the Report which follows, is any officially-constituted state body, medical society or hospital review committee which is responsible for investigating the professional conduct of physicians in order to determine whether disciplinary sanctions should be imposed. Medical disciplinary boards include a state board of licensure and discipline; a grievance committee or disciplinary board of a state, county or other local association of health-care professionals; and a grievance committee or disciplinary board of a licensed health care facility or health maintenance organization.

viduals or organizations which file complaints with or provide information to it.

2. *Confidentiality*—Except as specifically authorized by law, the proceedings, records and findings of a medical disciplinary board should be confidential and not subject to discovery or introduction into evidence in a civil proceeding. No person attending a medical disciplinary board meeting should be permitted to testify as to the proceedings, actions or findings of the board.

(For supporting reasons for the recommendations embodied in this resolution see Report, *infra*, Appendix D, pages 46-47.)

B. Resolution Adopting the Commission's Recommendations with Respect to Arbitration of Medical Malpractice Disputes

RESOLVED, That the American Bar Association, recognizing the need to make available to the public alternative claims resolution mechanisms, supports the following recommendations regarding the arbitration of medical malpractice disputes:

1. Arbitration should be entered into, if at all, on a voluntary basis with full knowledge that the arbitration panel's decision is final and binding; once entered into, arbitration should be final and binding. The question of the time at which an arbitration agreement should be entered into is not concluded hereby and shall be considered at a later date.

2. All states which have not already done so should enact laws making arbitration agreements and awards enforceable in the courts under the Uniform Arbitration Act.

3. Arbitration panels in "small" claims cases should consist of one impartial arbitrator only. For claims above the small claims cut-off* there should be three arbitrators

* The Commission is not prepared at this time to recommend a specific monetary figure which would serve as a small claims cut-off.

Appendix D

Reasons for the Commission's Recommendations

A. RECOMMENDATIONS WITH RESPECT TO IMMUNITY AND CONFIDENTIALITY FOR MEDICAL DISCIPLINARY PROCEEDINGS

The Commission believes that an effective system of medical discipline can only exist if the members of a medical disciplinary board are entirely protected from civil liability arising out of the performance of legitimate board functions. If absolute immunity is not conferred on board members and those complaining to or testifying before the board, members will be timid in fulfilling their duties. Immunity conditioned on a lack of malice or fraud is little better as a practical matter than no immunity at all, since conditional immunity leaves open the real possibility of extensive wrangling and litigation over the motivation of board members' actions.

The case for absolute immunity is strongest where a medical disciplinary board is required by statute to report its findings to a central body, such as a state licensure and discipline agency. In such a structure, even the most local medical disciplinary board may be viewed as serving a state administrative or quasi-judicial function as part of the state's medical disciplinary network.

Although the argument has been made that absolute immunity allows an aggrieved physician no recourse at all against someone who tries to harm him through misuse of the medical disciplinary process, the Commission feels that carefully drafted statutes providing for the confidentiality of disciplinary proceedings, enumerating the actions a board may take and specifying the procedural requirements for disciplinary board proceedings can provide sufficient safeguards to prevent disciplinary board members and witnesses from abusing their absolute immunity.

Except where disclosure of the findings of a medical disciplinary board is demonstrably necessary and specifically authorized, such as in an administrative or court appeal from the board's findings or pursuant to requirements to report to a state disciplinary body, disciplinary board proceedings and findings should be totally confidential. No necessary relationship has been shown between conduct which is a basis for discipline and

conduct which is evidence of negligence. Therefore, if such materials were reachable by discovery in collateral civil litigation, or board members and witnesses were allowed or could be compelled to testify, this could work a considerable unfairness on a physician who has been disciplined. Similarly, a defendant physician should not be able to adduce evidence of exoneration before a disciplinary board in a malpractice suit as tending to show non-negligent conduct. Moreover, unless there is a complete insulation between disciplinary board actions and malpractice litigation, there is a danger that disputes as to admissibility of evidence or precedence of proceedings will result in lengthy delays, particularly in disciplinary proceedings.

Since the proposed position would also prohibit voluntary disclosure of proceedings or findings, except as specifically authorized, and since immunity from civil liability only attaches to the acts of a disciplinary board member within his authority, a member making an unauthorized disclosure would lose his civil immunity and be vulnerable to a civil suit.

B. RECOMMENDATIONS WITH RESPECT TO ARBITRATION OF MEDICAL MALPRACTICE DISPUTES

Arbitration is a private mechanism for the final resolution of disputes. In this sense, it is a true alternative to court adjudication of disputes. Arbitration, unlike the jury, utilizes persons with expert credentials and experience in the disputed issues as the decision makers. The Commission has tentatively concluded that binding arbitration, being private and allowing for expertise in decision makers, has much to commend it as a way of resolving medical malpractice claims, many of which involve complicated judgments. However, trial by jury is a right which is deeply embedded in virtually every state constitution, and the Commission feels that no person or organization should be held to binding arbitration unless arbitration has been freely chosen with full knowledge that jury trial rights have been waived and that the arbitration award cannot be appealed except on the narrow grounds specified in the applicable arbitration statute.

In the interest of providing an affordable procedure for small claims, one impartial arbitrator should deal with them. For larger claims, the three-person panels should reflect differ-

2-1-78

THE MATERIAL CONTAINED IN
THIS REPORT IS RELATIVE TO
THE PRESENTATION GIVEN BY
FRED H. HOWARD, II, CHIEF OF
POLICE, TOPEKA, KANSAS.



KANSAS BUREAU OF INVESTIGATION

ABSTRACT OF RECORD

IDENTIFICATION/INFORMATION SERVICES DIVISION
3420 VAN BUREN TOPEKA, KS. 66611

KBI #

FBI #

The following abstract is furnished FOR OFFICIAL USE ONLY. Information shown on this abstract has been furnished by contributing agencies (K.S.A. 21-2501). To obtain missing disposition information, contact the contributing agency directly. Please supply any obtained dispositions to the KBI for completion of the abstract.

F12-21

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
PD Long Beach Calif		6-1-61	inv robbery	
SO Los Angeles Calif		6-7-61	robbery	
PD Wichita Kans		8-21-62	Robbery-Hld fr St Warrant Hld fr Ks State Par Off Wagoner.	Rel to MO 8-22-62 see supplement
SO Wichita Kans		8-22-62	Armed Robbery (2 counts)	Plea 11-14-62 sent to 10-21 & 10-21 at KSIR (CONC)
St Ind Ref Hutchinson Kans		11-21-62	robb 1st deg (2 counts)	10-21; 10-21 concurrently 12-18-62 transferred Diagnostic Center paroled to placement advanced to 2-28-63
PD Wichita Kans		1-14-57	armed robbery hld for st wt	1st degree rob & Gun Law Vio Gilty on rob not Gilty on Gun Law KSP 20 yrs conc WPD J-53348)
SO Wichita Kans		1-16-67	rob	
Pen Lansing Kans		10-6-67	robbery 1st (2 cts) uttering (Hab) robbery 1st (Hab)	20 yrs Controlling neither fingerprints nor an identifying number which is indexed in our files recommended your request FBI do not advise in any manner that this material concerns the individual whose name only appears listed

Information shown on this Identification Record represents data furnished FBI by fingerprint contributors. Where necessary, a further explanation of charge is desired, communicate with agency contributing those fingerprints. Names indicated by * are NOT based on fingerprints in FBI files but are listed only as investigative leads as being possibly identical with subject of this record.



KANSAS BUREAU OF INVESTIGATION

ABSTRACT OF RECORD

IDENTIFICATION/INFORMATION SERVICES DIVISION
3420 VAN BUREN TOPEKA, KS. 66611

KBI #

FBI #

The following abstract is furnished FOR OFFICIAL USE ONLY. Information shown on this abstract has been furnished by contributing agencies (K.S.A. 21-2501). To obtain missing disposition information, contact the contributing agency directly. Please supply any obtained dispositions to the KBI for completion of the abstract.

1-11-73 912-11

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
PD Wichita KS STATE BUREAU		12-31-73	armed rob hold for St WT Gun Law viol hold for St WT	

Since neither fingerprints nor an identifying number which is indexed in our files accompanied your request, we cannot guarantee in any manner that the material concerns the individual in whom you are interested.



KANSAS BUREAU OF INVESTIGATION
 ABSTRACT OF RECORD
 IDENTIFICATION/INFORMATION SERVICES DIVISION
 3420 VAN BUREN TOPEKA, KS. 66611

KBI #

FBI #

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CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
	<p>#42753 Dist Crt Disp-2 cts 10-21 yrs & 10-21 yrs to run concurrent rel to MO 8-22-62</p>	<p>11-14-62</p>	<p>1st deg rbbry-KSIR</p>	<p>11-14-62</p> <p>Since neither fingerprints nor an identifying number which is indexed in the FBI files, in response of your request, will be furnished in any manner that would reveal or disclose the individual in whom you are interested.</p> <p>SUPPLEMENT</p>

Information shown on this Identification Record represents data furnished FBI by fingerprint contributors. Where final disposition is not shown or further explanation of charge is desired, communicate with agency contributing those fingerprints.

KANSAS BOARD OF PROBATION AND PAROLE

State Office Building
TOPEKA, KANSAS 66612



RECEIVED FEB 17 1966

Certificate of Parole

KNOW ALL MEN BY THESE PRESENTS:

It having been made to appear to the Kansas Board of Probation and Parole that _____

a prisoner in the KANSAS STATE INDUSTRIAL REFORMATORY, HUTCHINSON, KANSAS
is eligible to be PAROLED, and that there is a reasonable probability that said prisoner is able and willing to fulfill the obligations of a law-abiding citizen,

IT IS ORDERED that the prisoner be paroled on or after February 25, 1966
when plans are approved, pursuant to G. S. 1959 Supp., 62-2245, and that said parolee remain within the limits fixed by said Board or its authorized agent until November 15, 1983, the date of expiration of the maximum term or terms of sentence, unless Certificate of Discharge is issued prior thereto.

Release under this Certificate is dependent upon agreement by the parolee to the conditions set forth on the reverse side of this Certificate.

Given this 25th day of January 1966

KANSAS BOARD OF PROBATION AND PAROLE

By _____
Director

WCH:jaf
cc:Subject
BPP
PO Lind
KSR
ARI
File

DIRECTOR OF PROBATION AND PAROLE:

The above-named prisoner was released on 2-28-66 at 10:00 a. m.
(Date) (p.m.)

Transportation by Bus to destination at Wichita, ks
(Train, bus, auto, Sheriff, etc.) (Location)

Should reach destination on or about 2-28-66 Pm
(Date and hour)

Lewis Hurleston
(Institution Official)

Record Clerk
(Title)

STATEMENT OF THE CONDITIONS UNDER WHICH THE PAROLE IS GRANTED

1. I will proceed directly to the destination approved, report to my sponsor and Parole Officer, and complete the Arrival Notice as instructed. If I am released to a detainer, I will notify the Board what disposition was made of the case as soon as I know.
2. I will not violate the law. I know that drunkenness, passing insufficient-fund checks, and driving a motor vehicle without an operator's license, among other things, are violations of the law.
3. I will carry on my usual living activities within an area of 50 miles of my destination. If required to travel a greater distance, I will first obtain approval of my Parole Officer. I will not leave the state without first receiving a Travel Permit from my Parole Officer.
4. I will, not later than the 10th of each month, submit to my Parole Officer a statement of my employment, earnings, residence, the name and address of my employer, the location of my employer's business, and other information called for on the report form. In addition, I will report in person or by letter as my Parole Officer may direct.
5. I will work regularly at a lawful occupation and support my dependents, if any, to the best of my ability. When out of work, I will notify my Parole Officer at once. If I find it necessary to change employment or residence, I will first discuss the matter with my Parole Officer. In the event of emergency changes, I will get in touch with my Parole Officer at once either in person or by telephone or letter.
6. I will direct a communication to the Director of Probation and Parole, Topeka, Kansas, if at any time it becomes necessary to communicate with my Parole Officer for any purpose and he is not accessible.
7. I will not knowingly associate with persons having a criminal record, bad reputation, nor with those engaged in questionable occupations. Members of my immediate family are excluded from this provision upon approval of my Parole Officer.
8. I will not have in my possession any firearm or other dangerous weapon without the written permission of my Parole Officer.
9. I will discuss with my Parole Officer and seek his counsel and advice before entering in marriage, buying or operating an automobile, or making contracts which require installment payments.
10. I will not visit any of the Kansas penal institutions or any part of the properties there or correspond with inmates of those institutions without first informing the Warden or Superintendent of my prior incarceration and obtaining permission for the visit or correspondence.
11. I will comply with any other special conditions or restrictions imposed by my Parole Officer or by the Board of Probation and Parole.

I understand that my release rests in the discretion of the Board of Probation and Parole, and that if I do not demonstrate capacity and willingness to fulfill the obligations of a law-abiding citizen or if my continuance on parole becomes detrimental to the integrity of the parole system, or incompatible with the welfare of society, I may be retaken on a warrant issued by the Board of Probation and Parole and reimprisoned pending a hearing to determine if my parole should be revoked.

I have read, or had read to me, the foregoing conditions governing my release. I fully understand them, and I will abide by and strictly follow them. I also understand that if I violate them in any manner I may be recommitted.

WITNESS:

Lewis Hurleston
(Institution Official)

2-28-66

(Date)

KANSAS BOARD OF PROBATION AND PAROLE

136,496

State Office Building
TOPEKA, KANSAS 66612



Certificate of Parole

851544 D

KNOW ALL MEN BY THESE PRESENTS:

It having been made to appear to the Kansas Board of Probation and Parole that _____
a prisoner in the KANSAS STATE PENITENTIARY, LANSING, KANSAS
is eligible to be PAROLED, and that there is a reasonable probability that said prisoner is able and willing to fulfill the obligations of a law-abiding citizen,

IT IS ORDERED that the prisoner be paroled on or after June 5, 1973
when plans are approved, pursuant to KSA.22-3717, and that said parolee remain within the limits fixed by said Board or its authorized agent until June 22, 1987, the date of expiration of the maximum term or terms of sentence, unless Certificate of Discharge is issued prior thereto.

Release under this Certificate is dependent upon agreement by the parolee to the conditions set forth on the reverse side of this Certificate.

Given this 7th day of May, 1973

KANSAS BOARD OF PROBATION AND PAROLE

By [Signature]
H. C. [Signature] Director

WCH:ws
cc: Subject
BPP
PO Forkner
KSP
~~KSP~~
File

DIRECTOR OF PROBATION AND PAROLE:

The above-named prisoner was released on June 6, 1973 (Wed.) at 11:00 a.m. m.
(Date) auto to destination at Lawrence, Kansas
(Train, bus, auto, Sheriff, etc.) (Location)
Should reach destination on or about June 6, 1973
(Date and hour)

[Signature]
(Institution Official)

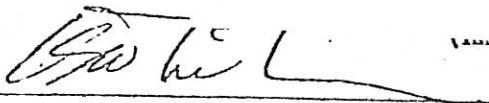
Institutional Parole Officer
(Title)

1. I will proceed directly to the destination approved, report to my sponsor and Parole Officer, and complete the Arrival Notice as instructed. If I am released to a detainer, I will notify the Board what disposition was made of the case as soon as I know.
2. I will not violate the law. I know that drunkenness, passing insufficient-fund checks, and driving a motor vehicle without an operator's license, among other things, are violations of the law.
3. I will carry on my usual living activities within an area of 50 miles of my destination. If required to travel a greater distance, I will first obtain approval of my Parole Officer. I will not leave the state without first receiving a Travel Permit from my Parole Officer.
4. I will, not later than the 10th of each month, submit to my Parole Officer a statement of my employment, earnings, residence, the name and address of my employer, the location of my employer's business, and other information called for on the report form. In addition, I will report in person or by letter as my Parole Officer may direct.
5. I will work regularly at a lawful occupation and support my dependents, if any, to the best of my ability. When out of work, I will notify my Parole Officer at once. If I find it necessary to change employment or residence, I will first discuss the matter with my Parole Officer. In the event of emergency changes, I will get in touch with my Parole Officer at once either in person or by telephone or letter.
6. I will direct a communication to the Director of Probation and Parole, Topeka, Kansas, if at any time it becomes necessary to communicate with my Parole Officer for any purpose and he is not accessible.
7. I will not knowingly associate with persons having a criminal record, bad reputation, nor with those engaged in questionable occupations. Members of my immediate family are excluded from this provision upon approval of my Parole Officer.
8. I will not have in my possession any firearm or other dangerous weapon.
9. I will discuss with my Parole Officer and seek his counsel and advice before entering in marriage, buying or operating an automobile, or making contracts which require installment payments.
10. I will not visit any penal institution or correspond with inmates thereof without first informing the Warden or Superintendent of my prior incarceration and obtaining his permission, and the permission of my Parole Officer.
11. In consideration of being granted parole, I do hereby waive extradition to the State of Kansas from any jurisdiction in or outside the United States where I may be found and also agree that I will not contest any effort by any jurisdiction to return me to the State of Kansas.
12. I will comply with any other special conditions or restrictions imposed by my Parole Officer or by the Board of Probation and Parole.

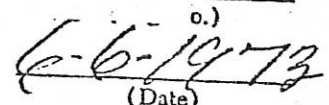
I understand that my release rests in the discretion of the Board of Probation and Parole, and that if I do not demonstrate capacity and willingness to fulfill the obligations of a law-abiding citizen or if my continuance on parole becomes detrimental to the integrity of the parole system, or incompatible with the welfare of society, I may be retaken on a warrant issued by the Board of Probation and Parole and reimprisoned pending a hearing to determine if my parole should be revoked.

I have read, or had read to me, the foregoing conditions governing my release. I fully understand them, and I will abide by them. I have read and understand the foregoing conditions governing my release. I fully understand them, and I will abide by them.

WITNESS:



(Institution Official)


o.)
6-6-1973
(Date)

FINAL DISPOSITION REPORT

Leave Blank

Note: This vital report must be prepared on each individual whose arrest fingerprints have been forwarded to the FBI Identification Division without final disposition noted thereon. If no final disposition is available to arresting agency, also obtain subject's right four finger impressions on this form, complete left side and forward the form when case referred to prosecutor and/or courts. Agency on notice as to final disposition should complete this form and submit to: Director, FBI, Washington, D. C. 20537, Attention: Identification Division.

136,496

(See instructions on reverse side)

FBI No.
851 544 62

Final Disposition & Date
(If convicted or subject pleaded guilty to lesser charge, include this modification with disposition.)

June 6, 1973 (Wed.)

Board Parole

Date of Birth _____ Sex _____

Fingerprint Classification _____

State Bureau No.

This Form Submitted By:
(Name, Title, Agency, City & State)

KANSAS STATE PENITENTIARY

P.O. BOX 2

LANSING, KANSAS 66043

Contributor of Fingerprints
KS052025 C

W R B...
Signature _____ Date _____
Title _____

Arrest No.
KSP 18411

Date Arrested or Received
10-6-67 P.V. new chg
11-21-62 KSIR

COURT ORDERED EXPUNGEMENT:
Return Arrest Fingerprint Card to Contributing Agency;
Certified or Authenticated Copy of Court Order Attached.

Offenses Charged at Arrest
Rob. 1st (2 cts); Utt. (Hab.); Mob 1st (Hab)
Sent. Comm to 10-20 yrs. by Gov.
Sedgwick

Right Four Fingers Taken Simultaneously

June 6, 1973 (Wed.)
Board Parole

FINAL DISPOSITION REPORT

Leave Blank

Note: This vital report must be prepared on each individual whose arrest fingerprints have been forwarded to the FBI Identification Division without final disposition noted thereon. If no final disposition is available to arresting agency, also obtain subject's right four finger impressions on this form, complete left side and forward the form when case referred to prosecutor and/or courts. Agency on notice as to final disposition should complete this form and submit to: Director, FBI, Washington, D. C. 20537, Attention: Identification Division.

136496

(See instructions on reverse side)

FBI No. 851 544 D		Final Disposition & Date (If convicted or subject pleaded guilty to lesser charge, include this modification with disposition.) Board Parole December 7, 1977 Topoka Parole Office, 4125 Gage Center Drive, Topoka, Kansas
Date of Birth <u>3-2-42</u> Sex _____		
Fingerprint Classification _____		This Form Submitted By: (Name, Title, Agency, City & State) <i>Ralph J. Brown</i> 12-7-77 Signature Date <i>Record Clerk</i> Title
State Bureau No. _____		
Contributor of Fingerprints _____		<input type="checkbox"/> COURT ORDERED EXPUNGEMENT: Return Arrest Fingerprint Card to Contributing Agency; Certified or Authenticated Copy of Court Order Attached.
Arrest No. KSP #18411	Date Arrested or Received 11-21-62 KSIR	
Offenses Charged at Arrest Rob 1st (2 cts); Utt (Hab); Rob; Agg Rob & Poss F/Arm AFC, CC 5 Yrs to Life Sedgwick County		Right Four Fingers Taken Simultaneously

KANSAS ADULT AUTHORITY
TOPEKA, KANSAS



136 496

Certificate of Parole

KNOW ALL PERSONS BY THESE PRESENTS:

It having been made to appear to the Kansas Adult Authority that _____

an inmate in the KANSAS STATE PENITENTIARY, LANSING, KANSAS
is eligible to be PAROLED, and that there is a reasonable probability that said inmate is able and willing to fulfill the obligations of a law-abiding citizen,

IT IS ORDERED that the inmate be paroled on or after December 7, 1977
when plans are approved, pursuant to K. S. A. 22-3717, 75-5215, 75-5216, and that said parolee remain within the limits fixed by said Paroling Authority and the Secretary of Corrections or its authorized agent until LIFE, the date of expiration of the maximum term or terms of sentence, unless Certificate of Discharge is issued by the Paroling Authority prior thereto.

Release under this Certificate is dependent upon agreement by the parolee to the conditions set forth on the reverse side of this Certificate.

Given this 8th day of November 1977

DFK:pjm
cc: Subject
KAA/DAC
KSP
PO Topeka
KBI
File

KANSAS ADULT AUTHORITY
By Devon F. Knoll
Devon F. Knoll, Director

DEPARTMENT OF CORRECTIONS
Division of Probation and Parole:

The above-named inmate was released on December 7, 1977 at 14:00 2233 a. m., p. m.

Transportation by Auto to destination at Topeka, Kansas
(Train, bus, auto, Sheriff, etc.) (Location)

Should reach destination on or about December 7, 1977
(Date and hour)

RECEIVED
DEC 9 1977
DEPARTMENT OF CORRECTIONS

W. F. Connett
RECEIVING & DISCHARGE OFFICER (Title)

CONDITIONS UNDER WHICH THIS PAROLE IS GRANTED

1. Reporting and Travel: Upon parole release from the institution, I agree to report as directed to the assigned parole officer and follow his/her instructions in reporting on a regular basis and keep the officer continuously informed of my residence and employment. If it becomes necessary that I travel outside of my assigned parole district (as determined by the parole officer) or the State of Kansas, I will obtain advance permission from my parole officer.
2. Laws: I shall obey all federal and state laws, municipal or county ordinances. If I am arrested for any reason, I will notify my parole officer at the earliest allowable opportunity.
3. Weapons: I will not own, possess, purchase, receive, sell or transport any firearms, ammunition or explosive devices or any dangerous weapon as defined by the federal, state or municipal laws or ordinances.
4. Personal Conduct: I will not engage in assaultive activities, violence or threats of violence of any sort.
5. Narcotics/Alcohol: I will not illegally possess, use, or traffic in any controlled substance, narcotics, or other drugs as defined by law except as prescribed by a licensed medical practitioner. I agree and consent to submit to a blood or urine test at the direction of the parole officer. At no time will I consume intoxicating liquor to excess.
6. Association: I will not associate with persons engaged in illegal activity and will obtain written permission from the parole officer and institutional director to visit or correspond with inmates of any correctional institution.

Special Conditions: I agree to abide by the following special conditions of parole as stipulated below as well as to comply with instructions which may be given or conditions imposed by my parole officer from time to time as may be governed by the special requirements of my individual situation.

7. I will maintain reasonable steady employment to the best of my ability.

I understand that if I successfully complete these obligations, my case will be considered by the Adult Authority for a full and complete discharge from sentence and parole, and whenever granted, will automatically restore all civil rights as stipulated by law. Upon receipt of said discharge, I may be eligible to petition the court for an annulment of my conviction under K. S. A. 21-4616 if I was under 21 years of age at the time of the commission of the crime, or an expungement of my record pursuant to K. S. A. 21-4617 five years after said discharge if I was over 21 years of age at the time of the initial offense for which I was convicted.

I have read, or had read to me, the foregoing conditions governing my release. I fully understand them and will abide by them to the best of my ability. I realize that if I violate them, I may be retaken on a warrant issued by the Secretary of Corrections and reimprisoned pending a hearing before the Kansas Adult Authority to determine if my parole should be revoked. I understand that I will be afforded a preliminary hearing whenever necessary, to determine if I have violated any conditions of my parole agreement, unless I choose to waive this hearing, or the court determines said violation by due process of law. I also agree that if I leave the state without permission, I will not contest any effort to be returned. If I am placed in a treatment program, while under parole supervision, I agree to authorize the release of any information pertinent to my case from staff of the treatment facility to the parole officer, Secretary or Authority.

WITNESS:

W. F. Connett
Institution Official

12-7-77
Date



KANSAS BUREAU OF INVESTIGATION

ABSTRACT OF RECORD

IDENTIFICATION/INFORMATION SERVICES DIVISION
3420 VAN BUREN TOPEKA, KS. 66611

KBI #

FBI #

A

The following abstract is furnished FOR OFFICIAL USE ONLY. Information shown on this abstract has been furnished by contributing agencies (K.S.A. 21-2501). To obtain missing disposition information, contact the contributing agency directly. Please supply any obtained dispositions to the KBI for completion of the abstract.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
United States Naval Retraining Command Naval Base Portsmouth New Hampshire		February 8, 1956	Article 121, larceny Article 108, destroy government property Article 109 destroy personal property "(2 specs)"	general court-martial, 18 months confined hard labor, dishonorable discharge
Police Department Harvey Illinois		April 30, 1957	strong armed robbery automobile larceny	
Police Department Miami Beach Florida		February 26, 1958	disorderly conduct unsatisfactory account	\$20 and costs or 5 days, sentence suspended ordered out of town
Sheriff's Office Jacksonville Florida		March 3, 1958	no driver's license	
Cook County Jail Chicago Illinois		September 30, 1958	larceny	November 8, 1958 jail sentence expired
Police Department Saint Petersburg Florida		December 20, 1958	vagrancy	dismissed
Police Department Harvey Illinois		April 13, 1959	contributing to delinquency of minor	
Cook County Jail Chicago Illinois		April 15, 1959	drunk rape. (2)	

Information ab-

Since neither fingerprints nor an identifying number which is indexed in our files accompanied your request, KBI cannot guarantee in any manner that this material concerns the individual in whom you are interested. FORM KBI-R112



KANSAS BUREAU OF INVESTIGATION

ABSTRACT OF RECORD

IDENTIFICATION/INFORMATION SERVICES DIVISION
3420 VAN BUREN TOPEKA, KS. 66611

KBI #

FBI #

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CONTRIBUTOR OF FINGERPRINTS	DATE AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
Police Department Chicago Illinois		May 23, 1959	burglary	
Cook County Jail Chicago Illinois		May 27, 1959	(2) burglary	July 14, 1959 sentenced to House of Correction
House of Correction Chicago Illinois		July 14, 1959	burglary et cetera 2 counts	30 days concurrently
Police Department Harvey Illinois		August 15, 1959	burglary	
Cook County Jail Chicago Illinois		August 18, 1959	burglary	November 18, 1959 sentenced to penitentiary
State Penitentiary Joliet Illinois		November 18, 1959	burglary (2)	1-5 years (2 concurrent) discharged expiration of sentence January 30, 1964
State Penitentiary Pontiac Illinois		December 11, 1959	burglary (2)	1-5 years (2 concurrent)
State Penitentiary Menard Illinois		January 13, 1961 transferred from Pontiac State Penitentiary	burglary	1-5 years (2 concurrent)
State Penitentiary Joliet Illinois		April 3, 1963 transferred from Menard	burglary (2)	1-5 years (2 concurrent)

Information shown

Since neither fingerprints nor an identifying number which is indexed in our files accompanied your request, KBI cannot guarantee in any manner that this material concerns the individual in whom you are interested.



KANSAS BUREAU OF INVESTIGATION

ABSTRACT OF RECORD

IDENTIFICATION/INFORMATION SERVICES DIVISION
3420 VAN BUREN TOPEKA, KS. 66611

KBI #

FBI #

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CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
Police Department Harvey Illinois		May 18, 1964	theft	4 months Cook County Jail
Phoenix Police Department Harvey Illinois		June 30, 1964	aggravated assault	
Cook County Jail Chicago Illinois		September 25, 1964	petty theft	Cook County Jail 4 months, jail sentence expired January 2, 1965
Police Department Topeka Kansas		April 28, 1965	vagrancy (investigation burglary)	
Sheriff's Office Topeka Kansas		April 30, 1965	breaking and entering and arson #65-CR-345	
Police Department Kansas City Missouri		August 8, 1965	drunk in public	\$5
Police Department Topeka Kansas		October 7, 1965	vagrancy, investigation	rel to Co on-ch of vag, inv breakin, CCW
SPen Lansing Kans		12-17-65	burg 2nd & L (hab) burg 2nd & L (hab) fore 2nd Ct#1 & uttering Ct #2 (hab) felonious poss of pistol	'15 & 15 yrs flat 15 & 15 yrs flat 15 & 15 yrs flat 15 yrs Flat CC See Supplement

Information sho

Since neither fingerprints nor an identifying number which is indexed accompanied your request, we cannot provide in any manner the information you are interested.

FORM KBI-R112



KANSAS BUREAU OF INVESTIGATION

ABSTRACT OF RECORD

IDENTIFICATION/INFORMATION SERVICES DIVISION
3420 VAN BUREN TOPEKA, KS. 66611

KBI #

FBI #

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CONTRIBUTOR OF FINGERPRINTS	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
SHosp Larned Kans	1-30-67	patient	
Navy	2-24-55		
PD Harvey Ill	9-2-70	Escapee Kansas SPen	
PD Harvey Ill	9-2-70	escapee Kansas State Penn	
Cook Co Jail Chg Ill	9-3-70	escape	
PD Topeka KS	4-11-73	Burg & GT	
St Pen Lansing Kans	8-23-73	1. burg (Hab) & theft (Hab) 2. criminal damage to prop (Hab)	1. 9 yrs - li twice CS 2. 3 yrs - li CS Shawnee Co

STATE BUREAU

Since neither fingerprints nor an identifying number which is indexed in our files accompanied your request KBI cannot guarantee in any manner that this material concerns the individual in whom you are interested.

Information etc

Note: This vital report must be prepared on each individual whose arrest fingerprints have been forwarded to the FBI Identification Division without final disposition noted thereon. If no final disposition is available to arresting agency, also obtain subject's right four finger impressions on this form, complete left side and forward the form when case referred to prosecutor and/or courts. Agency on notice as to final disposition should complete this form and submit to: Director, FBI, Washington, D. C. 20537, Attention: Identification Division.

(See instructions on reverse side)

FBI No. _____

Name on Fingerprint Card Submitted to FBI
 Last _____ First _____ Middle _____

If FBI No. Unknown, Furnish:
 Date of Birth _____ Sex _____
 Fingerprint Classification _____

Final Disposition & Date
 (If convicted or subject pleaded guilty to lesser charge, include this modification with disposition.)

Board Parole
3-15-76

State Bureau No. _____

Contributor of Fingerprints

This Form Submitted By:
 (Name, Title, Agency, City & State)
Kansas State Penitentiary
Box #2
Lansing, Kansas 66043

Ralph J. Perrin 3-15-76
 Signature Date
Record Clerk
 Title

Arrest No. _____ Date Arrested or Received
 _____ **8-23-73**

COURT ORDERED EXPUNGEMENT:
 Return Arrest Fingerprint Card to Contributing Agency;
 Certified or Authenticated Copy of Court Order Attached.

Offenses Charged at Arrest
Burg. Theft Criminal Damage to Property
3-10, 3-10 1-5
Shawnee

Right Four Fingers Taken Simultaneously

Since neither fingerprints nor an identifying number which is indexed in our files accompanied your request, FBI cannot guarantee in any manner that this material concerns the individual in whom you are interested.



KANSAS BUREAU OF INVESTIGATION

ABSTRACT OF RECORD

IDENTIFICATION/INFORMATION SERVICES DIVISION
3420 VAN BUREN TOPEKA, KS. 66611

KBI #

FBI #

B

The following abstract is furnished FOR OFFICIAL USE ONLY. Information shown on this abstract has been furnished by contributing agencies (K.S.A. 21-2501). To obtain missing disposition information, contact the contributing agency directly. Please supply any obtained dispositions to the KBI for completion of the abstract.

CONTRIBUTOR OF FINGERPRINTS	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
PD Topeka KS	3-14-51	vag inv larc	TOT Co
PD Kans City MO	7-30-53	inv check recent act & roll jobs	8-8-53 disch
PD Kans City MO	8-15-53	inv vice bur	8-19-53 disch -sol Imm purp Occ room for provst
PD Kans City MO	5-1-54	inv robb	5-4-54 disch 1 on chg of invest vag
PD Kans City MO	7-15-55	inv vice	7-20-55 60 das 1 on chg of inv sol on st
PD Kans City MO	8-3-55	Inv Activities	rel by rob bur 8-4-55 on chg inv
PD Kans City MO	8-16-55	inv Acts hold For Vice V	disch prost- vag 8-31-55 on chg of inv prost

Since neither fingerprints nor an identifying number which is indexed in our files accompanied your request, KBI cannot guarantee in any manner that this material concerns the individual to whom you are interested.



KANSAS BUREAU OF INVESTIGATION

ABSTRACT OF RECORD

IDENTIFICATION/INFORMATION SERVICES DIVISION
3420 VAN BUREN TOPEKA, KS. 66611

KBI #

FBI #

The following abstract is furnished FOR OFFICIAL USE ONLY. Information shown on this abstract has been furnished by contributing agencies (K.S.A. 21-2501). To obtain missing disposition information, contact the contributing agency directly. Please supply any obtained dispositions to the KBI for completion of the abstract.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
PD Los Angeles CA.		6-1-56	resorting	
PD Hobbs NM		8-14-56	prost	
PD Hobbs NM		8-24-56	prostitution resisting arrest obscene language threatening an officer aslt	
PD Albuquerque NM		12-18-56	inv of GL	TOT Co 12-18-56
SO Albuquerquen NM		12-20-56	GL	TOT DA
SO Houston TX		8-2-57	fel T	
Rio Grande Co Sheriff Del Norte CO		10-29-57	robb	
PD Denver CO		4-9-58	inv Till Tap	
PD Denver CO		6-12-58	inv CCW	8-4-58 90 das \$150 disc



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CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
PD Denver CO		7-12-58	inv att agg aslt	7-14-58 rel complainant refused to prosecute
PD Denver CO		8-26-58	inv stln money orders	8-28-58 rel
PD Denver CO		4-30-59	inv L & old executions	5-1-59 rel Pd old executions
SO Marengo IA		6-27-59	larc	held in lieu of \$2500 bond acquitted by jury trial 9-3-59 Dist Crt Iowa Co
PD Denver CO		9-24-59	prost; procuring soliciting drinks	10-28-59 30 das & \$25 NG NG
PD Denver CO		9-24-59	procur soliciting inv prost	10-28-59 prost 30 das & \$25 proc NG solic NG
PD Denver CO		10-9-59	prost & T	11-4-59 DWOP



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CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
PD Denver CO		10-21-59	T	12-1-59 .dism
PD Denver CO		10-29-59	inv L	11-1-59 rel insuff evidence
PD Denver CO		10-4-58	disturbance resistance dk filthy language & vag	8-12-59 90 das to Co J1
PD Denver CO		11-27-59	theft	1-15-60 DWOP
PD Denver CO		1-6-60	inv CCW & aslt & robb changed to hld on old exec	1-9-60 \$82 & 30 das on old exec to co J1
PD Denver CO		1-21-60	superior Ct Mitt S-10266	1-21-60 to Co J1 Superior Ct Mitt 90 das
PD Casper WY		2-19-60	GL changed to PL robbed a man of \$40 gave the \$40 back prost	F \$100 paid F \$100 paid



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CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
PD Denver CO		3-12-60	Inv Roll Job	3-15-60 Rel to appear if & when wanted
PD Denver CO		5-22-60	Inv Agg Rob	5-24-60 Rel to appear if & when wanted
PD Denver CO		10-1-60	Inv Agg Aslt (shooting)	10-3-60 Rel Compl refuses to prosecute
PD Denver CO		10-14-60	Inv rob	10-17-60 Rel to appear if & when wanted
PD Denver CO		10-21-60	Inv L from Person	10-21-60 Rel
PD Denver CO		11-5-60	Inv Roll Job	11-5-60 Complainant refuses to prosecute rel
PD Denver CO		11-8-60	Filthy Lang CCW	12-9-60 both dism
PD Denver CO		11-11-60	Inv Aslt & Threats	11-12-60 Rel to appear if & when wanted



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CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
PD Denver CO		3-8-61	Aslt and rob	
PD Denver CO		3-21-61	drk; vag; dist; resist; filthy lang	4-5-61 drk; \$20 F Filthy lang; \$50 F all other chgs disp
PD Denver CO		12-11-61	inv larc	
PD Denver CO		1-14-62	inv aslt dist	DWOP
PD Denver CO		1-27-62	inv larc	
PD Denver CO		2-25-62	resist filthy lang dist	resist: \$250 & 10 das filth lang: \$250 susp dist: disp
PD Denver CO		3-6-62	inv larc/fr/ person	rel compl refuses to prosecute
PD Denver CO		5-22-62	resist filthy lang dist traffic crt execution	\$250 & 10 das \$250 sus; dis



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PD Denver CO		9-4-63	inv L	rel compl refused to prosecute
PD Boston MA		11-8-63	SP open & Gross Lewdness	
PD Boston MA		11-22-63	SP open & gross lewdness	
SPen Canon City CO		5-25-64	larceny from the person Denver CO	3 to 8 yrs paroled 2-8-66 Topeka KS
SO Topeka KS		3-31-67	aslt	
PD Kansas City MO		4-12-68	agg aslt	
SO Kans City MO		4-13-68	att A on Pol Off	Dism
PD Denver CO		2-12-70	inv L from a person	Change to CC Wrt T NG
PD Denver CO		5-10-70	Inv Threats CCW firing a weap	5-11-70 dropped



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CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
PD Denver CO		6-22-62	larc/fr/person	cause disp
PD Denver CO		9-7-62	aslt to murder	disp
PD Denver CO		10-8-62	inv aslt	rel compl refused to prosecute
PD Denver CO		11-24-62	L/fr person	disp
PD Denver CO		12-30-62	inv CCW	
PD Denver CO		2-8-63	agg robb & consp	case disp
PD Calgary Alberta Canada		FP 5-1-63	theft section 280CC	
RCMP Ottawa Ontario Canada		5-1-63	Theft over ASO Section 280 CC	Disp
PD Denver CO		6-20-63	larc fr person & consp	case disp
PD Denver CO		7-17-63	filthy language CCW	merged \$25 F to Co Jail
PD Denver CO		7-23-63	larc fr person & consp	cause disp



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CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
PD Denver CO		9-13-70	Drk fil lang Dist Resist	Summons Issued on chgs of Limited turning No Regis Card in Vehicle Dism on chgs of Drk Filthy Language Dist \$75 F on chg of Resist
PD Denver CO		9-8-71	Inv CCW	90 das on chg of conc weap Dism on chg of Dk Dist Fillang
PD Kansas City MO		3-29-72	1. CCW-Gun 2. Poss of Stln prop	CCW dism by court
PD Topeka KS		6-27-76	Shoplifting	
PD Denver CO		9-19-71	Inv. Assault w/ Deadly weapon	
KS Corr Inst for Women Lansing KS STATE BUREAU		9-24-76	Theft Shawnee Co.	1 yr

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(See instructions on reverse side)

FBI No. [REDACTED]		Final Disposition & Date (If convicted or subject pleaded guilty to lesser charge, include this modification with disposition.)
Name on Fingerprint Card Submitted to FBI Last First Middle [REDACTED]		Released by court order for probation hearing--account closed 10-25-76 to Shawnee County, Topeka, Kansas.
If FBI No. Unknown, Furnish: Date of Birth _____ Sex _____ Fingerprint Classification _____		
State Bureau No. [REDACTED]	This Form Submitted By: (Name, Title, Agency, City & State)	
Contributor of Fingerprints Kansas Correctional Institution For Women Box 160, Lansing, Kansas 66043	For [REDACTED] Box 160, Lansing, Kansas 66043 Janet M. Mitchell 10-25-76 Signature Date Record Clerk Title	
Arrest No. [REDACTED]	Date Arrested or Received 9-24-76	<input type="checkbox"/> COURT ORDERED EXPUNGEMENT: Return Arrest Fingerprint Card to Contributing Agency; Certified or Authenticated Copy of Court Order Attached.
Offenses Charged at Arrest Case Number - [REDACTED] Crime - Theft Term - 1 yr. County - Shawnee		Right Four Fingers Taken Simultaneously



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CONTRIBUTOR OF FINGERPRINTS	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
St Ind Ref Hutchinson Kans	5-18-62	forg 2nd deg & uttering	1-10; 1-10 concurrent trans to Diagnostic Center; Topeka Kansas; 7-3-63 paroled
St Ind Ref Hutchinson Kans	ret'd 10-22-64	PV(forg 2nd degree & uttering)	1-10, 1-10 concurrent transferred to KRDC Topeka Kansas 7-8-65 conditional release 1-23-68
SO Topeka Kans	3-25-68	armed robbery	KS State Penn Lansing KS 20-42 Yrs
PD Macon Ga	10-22-68	loitering (investigation worthless checks)	Released 10-24-68
St Recept & Diag Center Topeka Kans	11-12-68	robbery 1st deg (hab)	20-42 yrs
'SPen Lansing Kans	1-10-69	robb 1st deg habitual	20 to 42 yrs Paroled X 2-14-75
PD Wichita KS	4-15-75	Poss Of Marij Poss of Firearm After A Felony Conv Hold For St W Hold For Sedg Offic	1) ... 2) Rel to Auth 4-15-75

STATE BUREAU

Information show

Based on information furnished by contributing agency. If fingerprint information concerns the individual to whom you are interested



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CONTRIBUTOR OF FINGERPRINTS	XXXXXXXXXX	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
St Ind Ref Hutchinson KS.		Ret 7-9-76	PV(Robbery 1/D- Habitual)	Sent to Sec'y of Corr St of Kansas for 12-42 yrs



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DESIRED, COMMUNICATE WITH AGENCY CONTRIBUTING THOSE FINGERPRINTS.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
	<p>WANTED: ██████████ for parole violation Case ██████████ Date Warr/Esc 6-24-76 Notify Dept of Corr Topeka KS Inf rec 6-28-76 IN CUSTODY PER PRINT NO ██████████ St Ind Ref Hutchinson KS.</p>			

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(instructions on reverse side)

No.
 [Redacted]

Final Disposition & Date
(If convicted or subject pleaded guilty to lesser charge, include this modification with disposition.)
To show release from K3IR this date 11-22-76 by reason of a Board Parole to Norton, Kans.

Name on Fingerprint Card Submitted to FBI
Last First Middle
[Redacted]

If FBI No. Unknown, Furnish:
Date of Birth _____ Sex _____
Fingerprint Classification _____

State Bureau No.
[Redacted]

This Form Submitted By:
(Name, Title, Agency, City & State)
**R. H. Chadbourne, Records Clerk
Kansas State Industrial Reformatory
P. O. Box 1568
Hutchinson, Kansas 67501**
Signature _____ Date **11-22-76**
RECORDS CLERK Title

Contributor of Fingerprints
**Kansas State Industrial Reformatory
Hutchinson, Kansas**

Arrest No. _____ Date Arrest Received **7-9-76**

COURT ORDERED EXPUNGEMENT:
Return Arrest Fingerprint Card to Contributing Agency;
Certified or Authenticated Copy of Court Order Attached.

Offenses Charged at Arrest
**Robbery 1st (Lab) 12-1/2 Years
Shawnee County, Kansas**

Right Four Fingers Taken Simultaneously



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D

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912-H

CONTRIBUTOR OF FINGERPRINTS	IDENTIFYING NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
St. Ind. Ref., Hutchinson, Kans.		6-17-37	G.L.	1-5 yrs., 5-6-38 rel. by parole
SP, Lansing, Kans.		1-7-39 pr	mntng. house of prostitution	1-5 yrs.; 4-1-42 exp. of sent.
Co. Jail, Muskogee, Okla. Commanding General Services of Supply U.S. Army, Wash., D.C.		8-10-42 applicant for truck driver, 9-26-42	imper. officer	11 100 44717
Commanding General Services of Supply US Army, Wash. D.C.		applicant for laborer 11/28/42		
Commandant, 8th ND		cell driller 4-9-46		
PD Muskogee Okla		5-30-54	inv (ident)	rel to SO of Eureka Kansas
SP Lansing Kans		11-16-54	4 cs forg 2nd Hab consec	5-31-54 (forg) 15 yrs 15 yrs 15 yrs 15 yrs con
PD Topeka Kans		10-31-61	vag (armed rob)	paroled 10-16-54 turned to Co.
SPen Lansing Kans		1-22-62	rob 1st degree	10 to 21 yrs

Since neither fingerprints nor an identifying number which is indexed in our files accompanied your request, KBI cannot guarantee in any manner that this material concerns the individual in whom you are interested.



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CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
PD Topeka Kans		7-7-69	armed robbery	
SO Topeka Kans		7-8-69	Armed Robbery 2 cts	
SPen Lansing Kans		8-27-69	robbery 1st degree; robbery 1st degree (habitual) (2-cts) and poss of a pistol (habitual) concurrent	10 to 21 yrs; 20 yrs; 20 yrs & 20 yrs-concurrent
SPen Lansing Kans		8-27-69	Robbery 1st Degree; Robbery 1st degree (habitual) 2cts and poss of a pistol (habitual) concurrent	10 to 21 yrs 20 yrs 20 yrs & 20 yrs concurrent

STATE BUREAU

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FBI No. [Redacted]

Name on Fingerprint Card Submitted to FBI
Last First Middle

[Redacted]

If FBI No. Unknown, Furnish:

Date of Birth _____ Sex _____

Fingerprint Classification _____

State Bureau No. _____

Contributor of Fingerprints

[Redacted]

Arrest No. _____ Date Arrested or Received _____

[Redacted] 8-27-69 PV NEW CHG

Offenses Charged at Arrest

Rob. 1st; Rob. 1st(Hab); Rob.1st(Hab);
& Fel Poss of Pistol (Hab)

10-21, & 20 CC; 20 & 20, CC

Shawnee County

Final Disposition & Date
(If convicted or subject pleaded guilty to lesser charge, include this modification with disposition.)

Board Parole February 12, 1976

This Form Submitted By:
(Name, Title, Agency, City & State)

KANSAS STATE PENITENTIARY

BOX 2

LANSING, KANSAS 66043

Ralph [Signature] Date 2-12-76
Record Clerk Title

COURT ORDERED EXPUNGEMENT:
Return Arrest Fingerprint Card to Contributing Agency;
Certified or Authenticated Copy of Court Order Attached.

Right Four Fingers Taken Simultaneously

Since neither fingerprints nor an identifying number which is indexed in our files accompanied your request, FBI cannot guarantee in any manner that this material concerns the individual in whom you are interested.



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012-H

CONTRIBUTOR OF FINGERPRINTS	ARREST AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
Army PD Chester Pa		9-6-50 Phila Pa 4-26-53	Burg	held w/o bail for court.
Delaware Co B. of CI Media Pa PD Jacksonville Beach Fla		4-28-53 appl FP 7-15-55	burg & L	
PD Phila Pa		6-1-57	Crime reg Fro Burg L at Broadmeadows Del City Pa	
PD Phila Pa		10-8-57	L RSG & viol of parole	
PD Phila Pa		11-20-59	forg consp worthless chks	
PD Phila Pa		1-20-60	contempt of court	
SPol Hammonton NJ		11-29-60	attempting B&E & B&E	4-11-61 sent 9 mos Atlantic
SO Mays Landing NJ		11-29-60	B & E & L	co Jail on B E & L chg att B&E rolle pros 4-11-61 9 mos co jail
PD Atlantic City NJ		3-13-61	L of auto	7-20-61 18 mos SP
SPr Trenton NJ		7-21-61	L of motor veh	1-1 1/2 3-30-62 paroled

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012-21

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
PD Phila Pa		6-11-62	Fug from Justice (Atlantic City, NJ)	
Phila Pr Phila Pa		6-27-62	forg	cost \$25 10 cas
Springfield Twp Pol Phila Pa		1-7-63	L RSG	23 mos prob & costs
Montgomery Co Pr Norristown Pa		1-8-63	L & RSG	
PD Lexington Ky		10-22-63	forg	filed away 3-3-64
PD Phila Pa		9-23-64	burg	
PD Phila Pa		5-28-65	fugitive of justice	
SPol Hazleton Pa		4-10-65	oper during susp	
Abington Twp Pol Abington Pa		5-29-65	burg larc of auto viol Pa MV Code Secs 624.6 (oper under susp) & 1027-a (fail to stop after being involved in an accident)	
Montgomery Co Pr Norristown Pa		5-29-65	failure to stop at scene of accident	



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018-M

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
PD Tampa Fla		4-7-68	B&E GL	rel
PD Los Angeles Calif		4-21-68	487.3 PC(GTA)	NG on chg of 487.3 PC NG on chg of 10851 PC
SO Lawrence Kans		12-13-69	car T	
USM Topeka Kans		12-16-69	viol 18 USC 2312 Dyer Act	
USM Topeka Kans		12-30-69	Dyer Act Viol 18 USC 2312 (2nd Case)	3-26-70 5yrs. prob.
PD Topeka Kans		inquiry 1-15-70		
USM Kansas City Mo		3-16-72	Probation Violator	3-26-70 5 yrs. prob., 3-23-72 prob. revoked, prob. reinstated until original exp. on 3-25-75 prob reinstated 3-23-72
Med Center for Fed Pr Springfield Mo		3-8-73	NMVTA	18 mos to serve 6 mos Conf & 12 mos probation 741



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918-4

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
PD Chgo IL		4-4-75	poss stolen motor vehicle	
PD Chicago IL		5-6-75	theft of auto	
PD Kansas City MO		10-1-76	Larceny MOBILE 7089	Larc rel by GAD Trans to
SO Topeka KS		10-2-76	Felony Theft Agg Failure to appear	St of KS 10-2-76
SPen Lansing KS		12-27-76	Agg Failure to Appear	1-5 yrs Shawnee Co
STATE BUREAU				

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(See instructions on reverse side)

FBI No. [REDACTED]

Final Disposition & Date
(If convicted or subject pleaded guilty to lesser charge, include this modification with disposition.)

Name on Fingerprint Card Submitted to FBI
Last First Middle

March 28, 1977 Discharged By Court
ORDER (Prob)

If FBI No. Unknown, Furnish:

Shawnee County

Date of Birth [REDACTED] Sex

Fingerprint Classification

State Bureau No.

This Form Submitted By:
(Name, Title, Agency, City & State)

Contributor of Fingerprints

KANSAS STATE PENITENTIARY
P. O. BOX 2
LANSING, KANSAS 66043

Arrest No. [REDACTED]

Date Arrested or Received

12-27-76

Signature _____ Date _____
Title _____

COURT ORDERED EXPUNGEMENT:
Return Arrest Fingerprint Card to Contributing Agency;
Certified or Authenticated Copy of Court Order Attached.

Offenses Charged at Arrest

Right Four Fingers Taken Simultaneously

Agg. Failure to Appear

1-5 years

Shawnee County



KANSAS BUREAU OF INVESTIGATION

ABSTRACT OF RECORD

IDENTIFICATION/INFORMATION SERVICES DIVISION
3420 VAN BUREN TOPEKA, KS. 66611

KBI #

FBI #

E

The following abstract is furnished FOR OFFICIAL USE ONLY. Information shown on this abstract has been furnished by contributing agencies (K.S.A. 21-2501). To obtain missing disposition information, contact the contributing agency directly. Please supply any obtained dispositions to the KBI for completion of the abstract.

912-H

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
SO, Ft. Scott, Kans.		7-5-59	auto theft	rel. to SO, KCK
PD, Kansas City, Mo.		11-19-61	inv contributing to delinquency of minor hold for Youth Bur.	c yr. on chg of C to L
PD, Kansas City, Mo.		1-6-62	inv. burglary unit	rel. to KCK PD 1-7-62
PD, Kansas City, Kans.		1-7-62	vagrancy & inv burglary	1-11-62 TOT St.
PD, Kansas City, Mo.		8-9-62	inv larceny	stlg o/50 dism. by st. 8-29-62 burg 27 stlg dism by st 8-29-62
SO, Kansas City, Mo.		8-13-62	burglary 2nd & stealing over \$50	dism by state on both
PD, Kansas City, Mo.		2-15-63	inv state warrant parole violation	
St. Ind. Ref. Hutchinson, Kans.		6-20-63	burglary 2nd	5-10 yrs.
SPen Lansing, Kans.		6-20-63	burglary 2nd & burglary 3rd	5-10 & 1-5 CC
PD, Kansas City, Mo.		4-8-66	larceny	\$50 or 60 das chg of
PD, Kansas City, Mo.		6-2-66	robbery	rel to Indep Mo. PD
PD, Independence, Mo.		6-2-66	inv armed robbery	
SO, Kansas City, Mo.		6-3-66	robbery 1st	dism by state

Persons unsupported by fingerprints.

For completion of our records

Bureau in any of the foregoing cases where they do not appear.



KANSAS BUREAU OF INVESTIGATION

ABSTRACT OF RECORD

IDENTIFICATION/INFORMATION SERVICES DIVISION
3420 VAN BUREN TOPEKA, KS. 66611

KBI #

FBI #

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912-H

CONTRIBUTOR OF FINGERPRINTS	NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
SO, Olathe, Kans.		1-24-67	armed robbery	
PD, Kansas City, Mo. 64100		7-16-70	state warrant-non-support	
PD, Kansas City, Mo. 64100		7-20-70	aggravated assault	
SO, Kansas City, Mo. 64100		7-20-70	robbery 1st	
PD, Kansas City, Mo. 64100		8-13-70	carrying concealed weapon	dism by crt
D, Kansas City, Mo. 64100		8-14-70	carrying concealed weapon	sent susp 5yrs. prob
D, Kansas City, Mo. 64100		8-15-70	carrying concealed weapon	
PD, Kansas City, Kans.		12-23-70	inv armed robbery	TOT State 12-30-70
SO, Kansas City, Kans.		12-30-70	agg rob	3-1-71 on 2-18-71 tri commenced & 2-18-71 jury found def.G agg rob B fel & was sent term not less than 15 nor more than life
SP, Lansing, Kans.		3-1-71	agg rob	15-life
PD, Kansas City, Mo. 64100		12-29-73	robbery	9 yrs 7-16-74
USM Topeka, Kans.		2-8-73	false statement to grand jury	sent 2-6-0 (a) (2) cc to sent. now serv.

Names unsupported by fingerprints.

For completion of our records

Bureau in any of the foregoing cases where they do not appear.



KANSAS BUREAU OF INVESTIGATION
 ABSTRACT OF RECORD
 IDENTIFICATION/INFORMATION SERVICES DIVISION
 3420 VAN BUREN TOPEKA, KS. 66611

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012-11

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
Jackson Co. Shf. Lees Summit, Mo. 64063		1-4-74	carrying concealed weapon	Pel to Ja Co JI.
State Penitentiary Jefferson City, Mo.		7-26-74	PG: attempted robbery	0 yrs

For completion of our records, I

ons unsupported by fingerprints.
 areau in any of the foregoing cases where they do not appear.

FINAL DISPOSITION REPORT

Leave Blank

Note: This vital report must be prepared on each individual whose arrest fingerprints have been forwarded to the FBI Identification Division without final disposition noted thereon. If no final disposition is available, to arresting agency, also obtain subject's right four finger impressions on this form, complete left side and forward the form when case referred to prosecutor and/or courts. Agency on notice as to final disposition should complete this form and submit to: Director, FBI, Washington, D. C. 20537, Attention: Identification Division.

(See instructions on reverse side)

FBI No. 36 05 E

Name on Fingerprint Card Submitted to FBI
Last First Middle
[Redacted]

If FBI No. Unknown, Furnish:
Date of Birth [Redacted] Sex _____

Fingerprint Classification _____

State Bureau No. _____

Contributor of Fingerprints
[Redacted]

Arrest No. [Redacted]

Date Arrested or Received
3-1-71
9-10-75 Ret fr Esc

Offenses Charged at Arrest
Agg Robbery
15-Life
Wyandotte County

Final Disposition & Date
(If convicted or subject pleaded guilty to lesser charge, include this modification with disposition.)

Board Parole to Detainer March 7, 1977
to Topeka, Kansas

This Form Submitted By:
(Name, Title, Agency, City & State)

KANSAS STATE PENITENTIARY
BOX 2
LANSING, KANSAS

[Signature] 3-7-77
Signature Date
Record Clerk
Title

COURT ORDERED EXPUNGEMENT:
Return Arrest Fingerprint Card to Contributing Agency;
Certified or Authenticated Copy of Court Order Attached.

Right Four Fingers Taken Simultaneously



KANSAS BUREAU OF INVESTIGATION

ABSTRACT OF RECORD

IDENTIFICATION/INFORMATION SERVICES DIVISION
3420 VAN BUREN TOPEKA, KS. 66611

KBI #

FBI #

6

The following abstract is furnished FOR OFFICIAL USE ONLY. Information shown on this abstract has been furnished by contributing agencies (K.S.A. 21-2501). To obtain missing disposition information, contact the contributing agency directly. Please supply any obtained dispositions to the KBI for completion of the abstract.

012-11

CONTRIBUTOR, ORI, OCA	SUBJECT NAME	DATE	CHARGE	DISPOSITION
SO Kansas City Kansas #63251	REDACTED	8-6-75	* Burglary	
PD Kansas City Kan. #30146		8-7-76	*Armed Robbery 1200	DWP

Since neither fingerprints nor an identifying number which is indexed in our files accompanied your request, KBI cannot guarantee in any manner that this material concerns the individual in whom you are interested.

Note: This vital report must be prepared on each individual whose arrest fingerprints have been forwarded to the FBI Identification Division without final disposition noted thereon. If no final disposition is available to arresting agency, also obtain subject's right four finger impressions on this form, complete left side and forward the form when case referred to prosecutor and/or courts. Agency on notice as to final disposition should complete this form and submit to: Director, FBI, Washington, D. C. 20537, Attention: Identification Division.

(See instructions on reverse side)

FBI No.		Final Disposition & Date (If convicted or subject pleaded guilty to lesser charge, include this modification with disposition.) To show release from KSIR this date, 2-10-77, by reason of probation granted in a Court Order Release to Topeka State Hospital, c/o Dr. Johnson, Topeka, Kansas
Name on Fingerprint Card Submitted to FBI Last First Middle		
If FBI No. Unknown, Furnish: Date of Birth Sex Fingerprint Classification		
State Bureau No. KSIR #9475		This Form Submitted By: (Name, Title, Agency, City & State) R. H. CHADBOURNE, Records Clerk Kansas State Industrial Reformatory P. O. Box 1583 Hutchinson, Kansas 67501 <i>R. H. Chadbourne</i> 3-7-77 Signature Date RECORDS CLERK Title
Contributor of Fingerprints Kansas State Industrial Reformatory Hutchinson, Kansas		
Arrest No.	Date Arrested or Received 11-17-76	<input type="checkbox"/> COURT ORDERED EXPUNGEMENT: Return Arrest Fingerprint Card to Contributing Agency; Certified or Authenticated Copy of Court Order Attached. Right Four Fingers Taken Simultaneously
Offenses Charged at Arrest Robbery 1-20 yrs Wyandotte County, Kansas		

1970 THROUGH 1977

CRIME TRENDS *

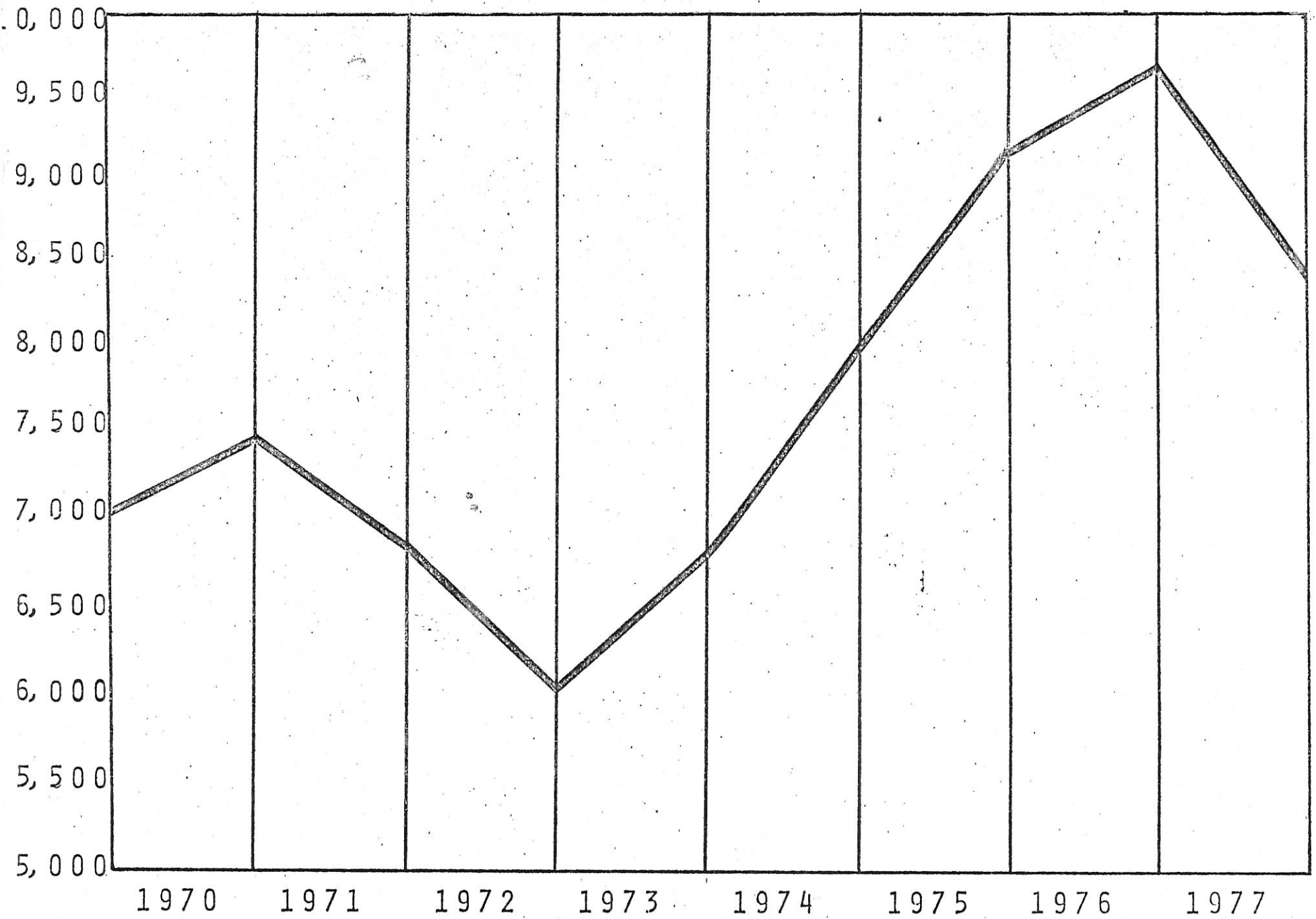
TOTAL SERIOUS CRIMES 62,370

VIOLENT CRIMES

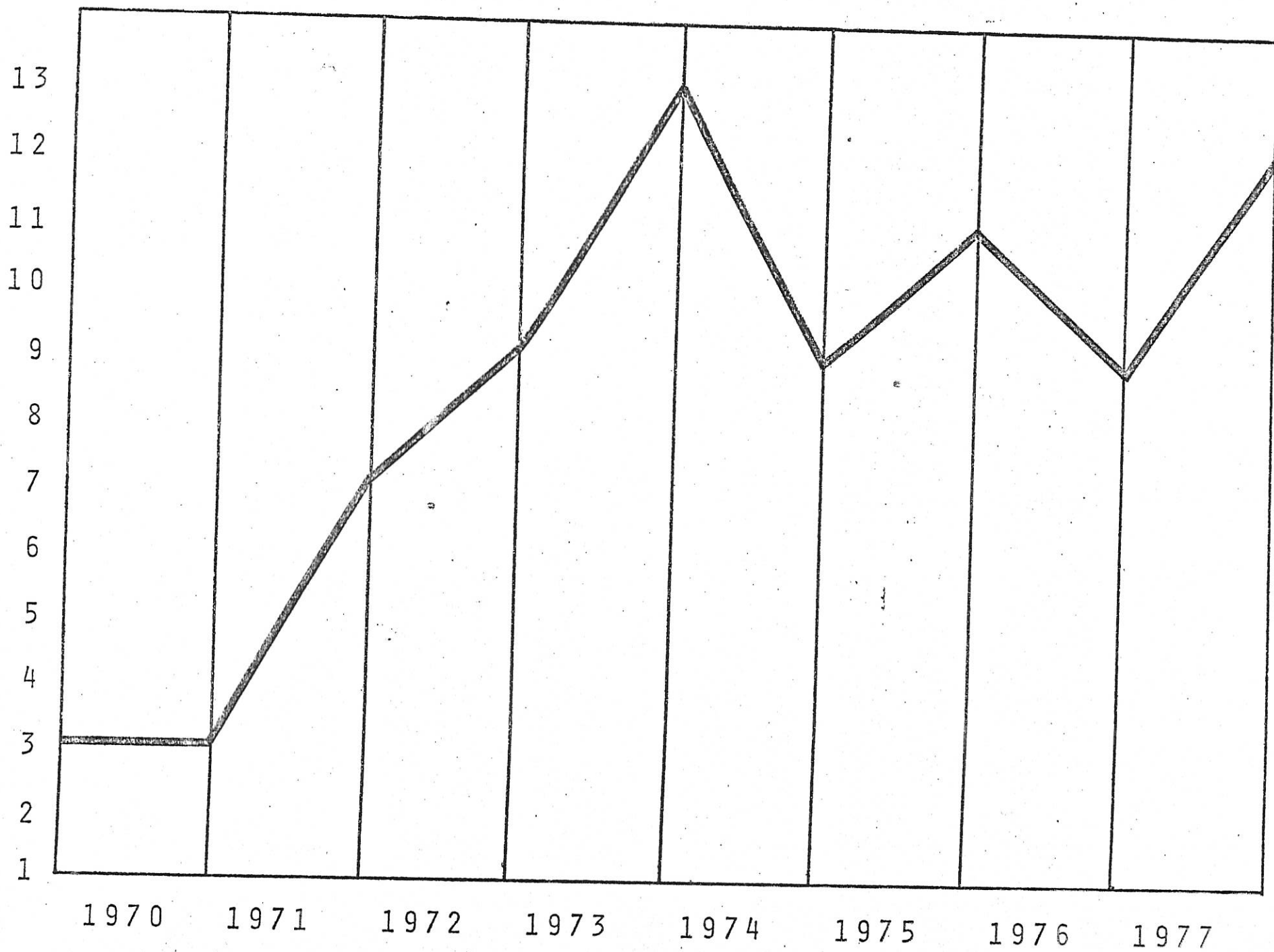
MURDER	73
RAPE	364
ROBBERIES	1,436
AGGRAVATED ASSAULT	2,918

* The following crime data illustrates the violent crimes that occurred in the City of Topeka, from 1970 through 1977.

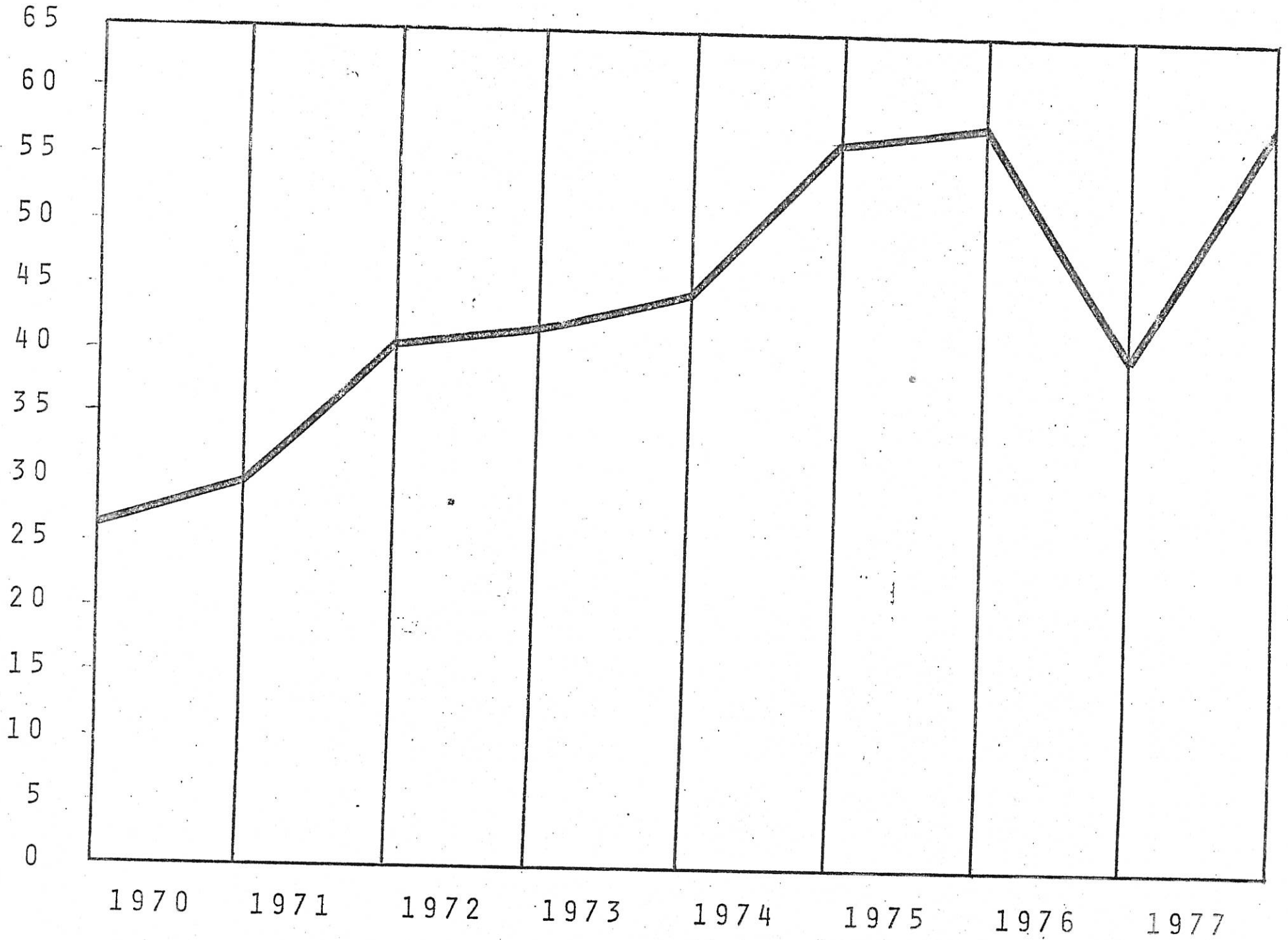
PART I CRIMES



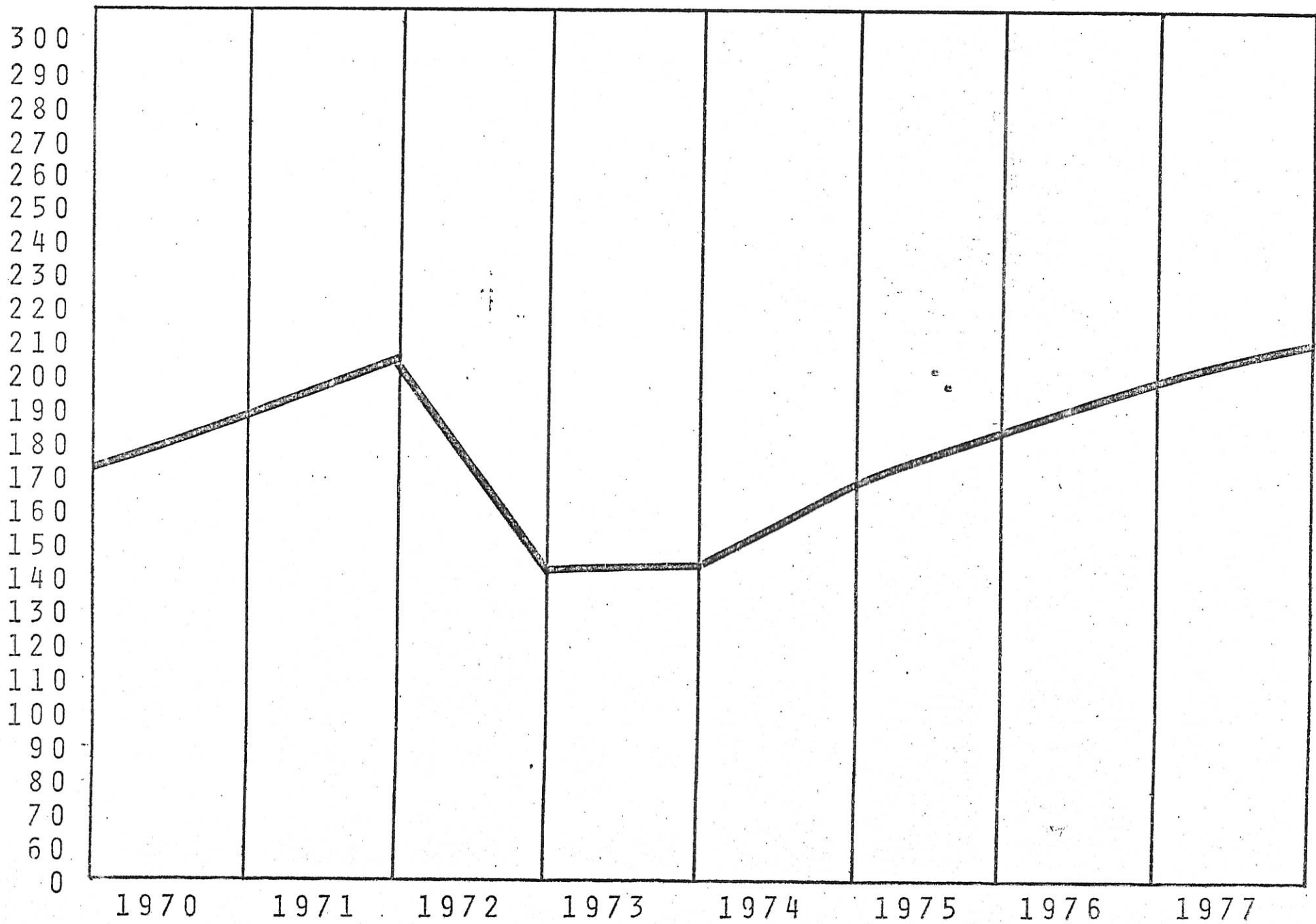
MURDER



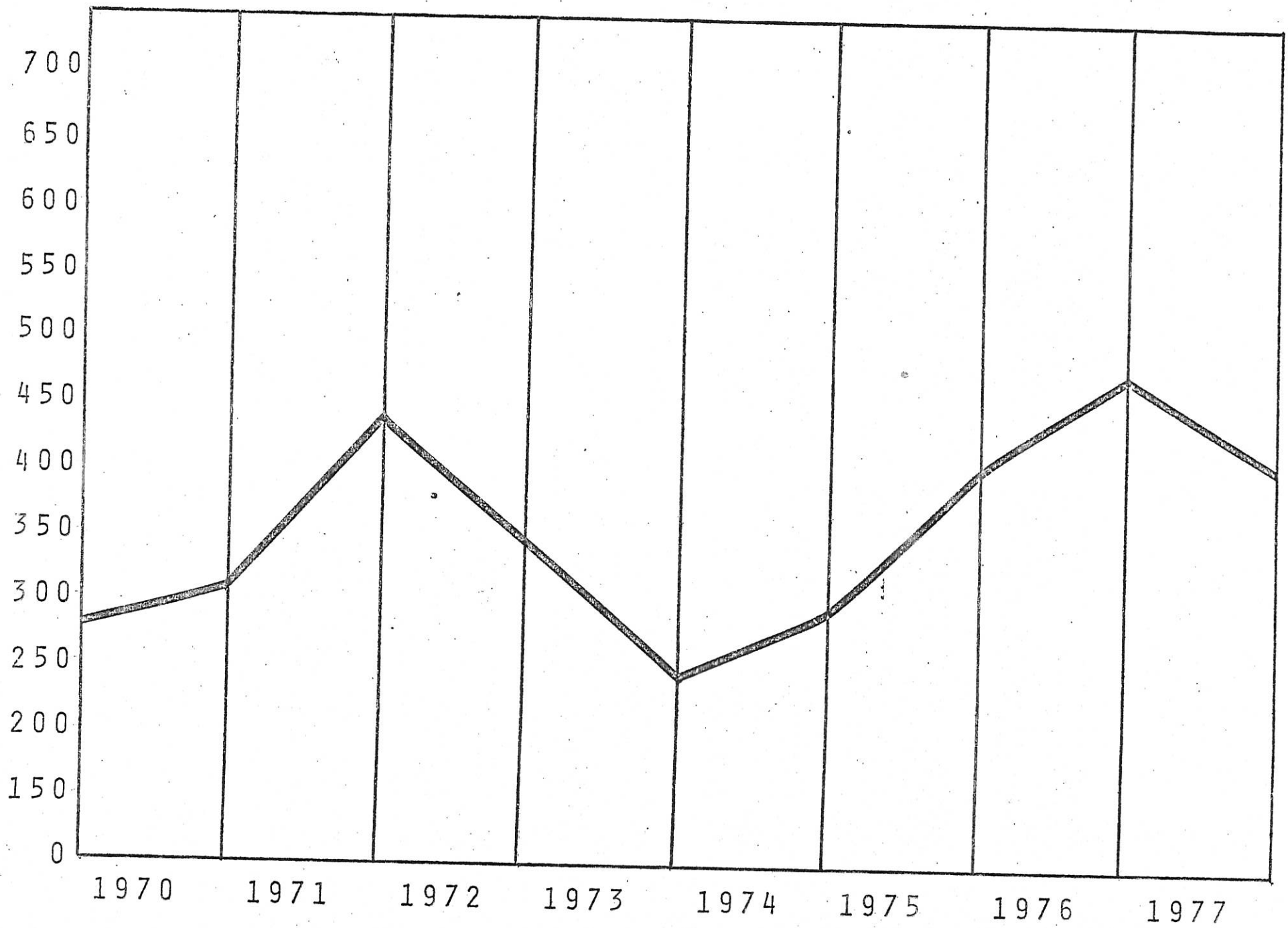
RAPE



ROBBERY



AGGRAVATED ASSAULT



PUBLIC ATTITUDES TOWARD CRIME AND CRIMINAL JUSTICE-RELATED TOPICS

Table 2.64 *Correctional administrators' views on what should be the primary goal of their institutions, May 1975*

NOTE: See NOTE, Table 2.62.

Question: "What should be the primary goal of your institutions?"

	Adult administrators		Juvenile administrators	
	Number	Percent	Number	Percent
Rehabilitation.....	12	24	24	51
Punishment.....	3	6	1	2
Public protection.....	24	48	9	19
Rehabilitation and public protection equally.....	8	16	11	23
Other goals.....	3	6	2	4

Source: Serrill, Michael S. "Is Rehabilitation Dead?" "Corrections Magazine." Volume 1, Number 5, May/June 1975, p. 5. Reprinted by permission.

Table 2.65 *Correctional administrators' views on whether the indeterminate sentence should be eliminated and replaced with shorter, flat sentences without the mechanism of parole, May 1975*

NOTE: See NOTE, Table 2.62.

Question: "Some people say that the indeterminate sentence should be eliminated and replaced with shorter, flat sentences without the mechanism of parole. Do you agree?"

	Yes		No		Don't know	
	Number	Percent	Number	Percent	Number	Percent
Adult administrators.....	6	12	36	72	8	16

Source: Serrill, Michael S. "Is Rehabilitation Dead?" "Corrections Magazine." Volume 1, Number 5, May/June 1975, p. 5. Reprinted by permission.

Table 2.66 *Rating of the Supreme Court, United States, selected years, 1963-73*

NOTE: For a discussion of public opinion survey sampling procedure, see Appendix 7.

Question: "In general, what kind of rating would you give the Supreme Court—excellent, good, fair or poor?"

[Percent]

	Excellent	Good	Fair	Poor	No opinion
1963: August	10	33	26	15	16
1967: June	15	30	29	17	9
1968: June	8	28	32	21	11
1969: May	8	25	31	23	13
1973: July	6	31	36	15	12

Source: American Institute of Public Opinion, cited in "Current Opinion." The Roper Public Opinion Research Center. Williamstown, Massachusetts. 1973. Volume 1, pp. 91-93. Reprinted by permission.

PUBLIC ATTITUDES TOWARD CRIME AND CRIMINAL JUSTICE-RELATED TOPICS

Table 2.21 Perceived seriousness of disruptive student gangs in local public schools, by demographic characteristics, United States, 1974

NOTE: See NOTE, Table 2.20.

Question: "Are student gangs that disrupt the school or bother other students a big problem, somewhat of a problem, or not a problem in the local public schools?"

	[Percent]			
	Big problem	Somewhat of a problem	Not a problem	Don't know/No answer
National.....	17	31	32	20
Sex				
Men.....	18	29	35	18
Women.....	16	33	31	20
Race				
White.....	15	31	34	20
Nonwhite.....	26	28	28	18
Education				
Elementary grades.....	21	27	29	23
High school.....	19	31	31	19
College.....	12	32	38	18
Community Size				
500,000 and over.....	23	32	26	19
50,000 to 499,999.....	21	39	21	19
2,500 to 49,999.....	14	29	34	23
Under 2,500.....	7	23	51	19
Central city.....	30	38	12	20
Central city suburbs.....	15	32	35	18
Non-central cities.....	10	25	45	20
Region				
East.....	18	30	35	17
Midwest.....	14	34	33	19
South.....	14	31	34	21
West.....	23	29	27	21

Source: Gallup, George H. "Sixth Annual Gallup Poll of Public Attitudes Toward Education." "Phi Delta Kappan." September 1974, p. 22. Reprinted by permission.

Table 2.22 Perceived causes of high crime rate, United States, 1972

NOTE: The results are based on a sample survey conducted by the Gallup organization's American Institute of Public Opinion. The study was designed to be representative of American adults (21 and older) and includes results from approximately 3,278 interviewees. For a discussion of public opinion survey sampling procedure, see Appendix 7.

Question: "What's behind the high crime rate in the United States?"

	Percent
Laws are too lenient/penalties not stiff enough.....	25
Drugs/drug addiction.....	21
Lack of supervision by parents.....	13
Not enough jobs/poverty.....	13
Too much permissiveness in society.....	10
Lack of proper law enforcement.....	8
Ill feelings between groups/races.....	7
Lack of responsibility among younger people/disrespect for law.....	6
People have too much money/luxury.....	4
All other responses.....	23*
No opinion.....	10
Total^b	140

* Includes: lack of religion; television and movies glamorize crime; overpopulation.

^b Total adds to more than 100 percent since some persons gave more than 1 reason.

Source: American Institute of Public Opinion, April 1972. Reprinted by permission.

Table 2.23 Belief about major contributors to violence in the country today, United States, 1975

NOTE: The data below refer to the percent of respondents who view each entry as a major contributor to violence. For a discussion of public opinion survey sampling procedure, see Appendix 7.

Question: "What are the major contributors to violence in the country today?"

	[Percent]
Organized crime.....	75
Radical revolutionary groups.....	65
Urban guerrilla groups.....	61
Black militant groups.....	61
Left-wing radical groups.....	54
Communists.....	54
Extreme right-wing militant groups.....	52
The easy availability of guns.....	49
Television crime shows.....	41
Press coverage of violent acts.....	36
Congress not passing strict gun control laws.....	35
Citizen vigilante groups who train people to handle guns.....	35
President not pushing hard for strict gun control laws.....	29
Television news.....	27
National Rifle Association.....	14
Hunters who hunt animals.....	9

Source: Louis Harris and Associates, October 1975. Reprinted by permission.

PUBLIC ATTITUDES TOWARD CRIME AND CRIMINAL JUSTICE-RELATED TOPICS

Table 2.51 *Belief that courts deal too harshly with criminals, United States, selected years, 1965-72*

NOTE: For a discussion of public opinion survey sampling procedure, see Appendix 7.

Question: "In general do you think the courts in this area deal too harshly or not harshly enough with criminals?"

	[Percent]			
	Too harshly	Not harshly enough	About right	No opinion
1965: April	2	48	34	16
1968: February	2	63	19	16
1969: January	1	75	13	10
1972: December	5	74	13	8

Source: American Institute of Public Opinion, 1965, 1968, 1969, and 1972. Reprinted by permission.

Table 2.52 *Respondents likely to vote for a political candidate who advocates tougher sentences for lawbreakers, by demographic characteristics, 1972*

NOTE: For a discussion of public opinion survey sampling procedure, see Appendix 7.

Question: "... will you tell me whether you would be more likely or less likely to vote for a candidate who took that position."

	[Percent]		
	Tougher sentences for lawbreakers		
	More	Less	No opinion
National	79	10	11
Sex:			
Men	82	12	6
Women	77	9	14
Race:			
White	80	10	10
Nonwhite	73	14	13
Education:			
College	71	17	12
High school	80	10	10
Grade school	88	2	10
Occupation:			
Professional and business	74	14	12
White collar	73	14	13
Farmers	86	9	5
Manual	82	10	8
Income:			
\$15,000 and over	75	16	9
\$10,000 to \$14,999	80	11	9
\$7,000 to \$9,999	85	8	7
\$5,000 to \$6,999	79	7	14
\$3,000 to \$4,999	85	7	8
Under \$3,000	68	10	22
Age:			
18 to 24 years	60	27	13
25 to 29 years	73	14	13
30 to 49 years	81	9	10
50 and over	88	3	9
Region:			
East	80	11	9
Midwest	76	13	11
South	83	7	10
West	75	11	14
Religion:			
Protestant	82	8	10
Catholic	80	10	10
Jewish	B	B	B
Politics:			
Republican	86	6	8
Democrat	77	12	11
Independent	75	13	12

Source: American Institute of Public Opinion, August 1972. Reprinted by permission.

Table 2.53 *Respondents favoring the death penalty, United States, selected years, 1969-73*

NOTE: For a discussion of public opinion survey sampling procedure, see Appendix 7.

Question: "Do you believe in capital punishment (the death penalty) or are you opposed to it?"

	[Percent]		
	Believe in	Oppose	Not sure
1969	48	38	14
1970	47	42	11
1973: June	59	31	10

Source: Louis Harris and Associates, cited in "Current Opinion." The Roper Public Opinion Research Center, Williamstown, Massachusetts. Volume I, p. 80. Reprinted by permission.

Table 2.54 *Respondents who would vote "guilty" as jurors even if that verdict would demand the death penalty for the defendant, United States, 1973*

NOTE: For a discussion of public opinion survey sampling procedure, see Appendix 7.

Question: "Suppose you were being considered as a possible juror for a trial where if the person were convicted of the crime he would automatically get the death penalty. If the job of the jury were just to decide whether or not the person was guilty, which statement on this card best describes how you would feel in advance of trial?"

	[Percent]
If guilt were proven, I could always vote guilty even though the defendant would automatically receive the death penalty.....	89
I could not say in all cases, even if guilt were proven, that I would vote guilty knowing the defendant would automatically receive the death penalty.....	33
I could never vote guilty, even if guilt were proven, knowing the defendant would automatically receive the death penalty.....	16
Not sure.....	12

Source: Louis Harris and Associates, June 1973. Reprinted by permission.

Table 2.55 *Respondents agreeing with various statements about capital punishment, United States, 1973*

NOTE: For a discussion of public opinion survey sampling procedure, see Appendix 7.

Question: "Now I'd like to read you some statements other people have made about why they support capital punishment. For each one would you tell me if it represents your own view completely, fairly well, only slightly, or not at all?"

	[Percent]		
	Reflects own view	Does not	Not sure
Capital punishment is more effective than other penalties in keeping people from committing crimes.....	61	33	6
A government which cannot execute criminals is going to become weak and lose the respect of the people.....	49	42	9
The Bible is right when it preaches "an eye for an eye and a tooth for a tooth.".....	40	49	11
Someone who has committed a terrible crime such as murder is an animal and deserves to be executed.....	41	51	8

Source: Louis Harris and Associates, June 1973. Reprinted by permission.

Profile of Offenders Arrested, 1970-1974

[By last charge in 1970-1974]

	Total	Murder	Aggra- vated assault	Rape	Robbery	Burglary	Larceny	Motor vehicle theft
Total number of subjects.....	207,748	1,180	7,060	784	8,914	3,533	17,016	9,247
Average age at last charge.....	31	31	33	27	27	28	29	29
Average age at first charge.....	26	25	26	23	22	23	25	23
Average criminal career (years).....	5	6	7	4	5	5	4	6
Average number of charges during criminal career.....	4	4	3	3	5	4	3	5
Frequency of charges (percent of total subjects):								
One.....	34.8	31.5	35.4	35.1	21.3	36.1	44.5	20.7
Two.....	18.1	19.2	20.8	21.0	16.1	15.1	18.1	16.5
Three.....	10.9	13.8	11.6	11.5	13.3	10.7	9.5	12.0
Four or more.....	36.2	35.4	32.2	32.4	49.3	38.1	27.9	50.8
Frequency of convictions (percent of total subjects):								
One.....	34.3	31.4	23.8	25.1	32.8	26.6	40.2	30.8
Two.....	12.7	13.1	9.3	9.2	16.3	10.2	10.8	16.6
Three.....	6.3	5.5	4.3	5.0	8.8	5.3	4.6	9.5
Four or more.....	9.5	5.4	6.3	3.6	12.8	8.0	7.5	18.9
Mobility (percent of persons rearrested):								
One State.....	49.5	54.5	56.8	56.4	53.4	53.1	60.0	24.1
Two States.....	32.3	32.4	32.3	31.0	30.1	31.4	28.3	38.2
Three States.....	10.5	9.5	7.4	6.7	9.7	9.5	7.3	18.4
Four or more States.....	7.8	3.6	3.6	5.9	6.8	6.1	4.5	19.2
	Forgery	Embezzle- ment	Fraud	Weapons	Narcotics	Gambling	Stolen property	All other offenses
Total number of subjects.....	11,055	5,779	9,043	16,543	42,215	4,822	11,775	58,782
Average age at last charge.....	30	32	36	33	27	47	30	33
Average age at first charge.....	24	30	30	26	23	37	24	27
Average criminal career (years).....	6	2	6	7	4	10	6	6
Average number of charges during criminal career.....	5	2	4	4	3	4	5	4
Frequency of charges (percent of total subjects):								
One.....	26.6	71.6	41.7	28.0	41.3	34.6	26.6	31.9
Two.....	17.5	16.1	17.9	19.7	20.1	21.0	18.0	16.7
Three.....	11.5	5.1	10.2	12.2	10.7	12.8	11.8	10.8
Four or more.....	44.5	7.2	30.1	40.1	28.0	31.6	43.6	40.6
Frequency of convictions (percent of total subjects):								
One.....	38.3	60.8	38.5	30.3	37.1	30.6	35.7	30.3
Two.....	16.0	5.5	11.8	14.1	10.4	11.3	14.9	13.7
Three.....	8.3	1.4	5.7	7.0	4.6	4.8	7.6	7.4
Four or more.....	15.1	1.6	8.1	9.5	5.2	5.9	12.7	11.5
Mobility (percent of persons rearrested):								
One State.....	55.8	64.2	46.9	51.4	52.0	72.5	53.0	43.5
Two States.....	27.0	26.6	31.8	32.2	35.8	21.4	29.1	33.3
Three States.....	9.2	5.7	11.7	10.1	8.7	4.2	10.1	12.5
Four or more States.....	8.0	3.5	9.6	6.3	3.5	1.8	7.8	10.7

Due to rounding percentages may not add to 100.0.

**Percent Repeaters by Race and Sex
Persons Arrested 1970-1974**

Sex	Total	Race		
		White	Negro	Other
Total:				
Number of persons arrested.....	207,748	119,000	84,917	3,831
Percent repeaters.....	65.2	61.6	71.0	48.5
Male:				
Number of persons arrested.....	179,500	105,380	70,840	3,280
Percent repeaters.....	67.9	64.0	74.5	51.6
Female:				
Number of persons arrested.....	28,248	13,620	14,077	551
Percent repeaters.....	47.8	43.0	53.3	29.6

Section 2:

PUBLIC ATTITUDES TOWARD CRIME AND CRIMINAL JUSTICE-RELATED TOPICS

During the past decade, a large number of surveys of public opinion, on a variety of criminal justice topics, have been conducted in the United States. Many of these surveys have been conducted by public opinion researchers in connection with political campaigns and for other more general purposes; some others—such as the National Opinion Research Center's (NORC) survey on attitudes toward gambling and Louis Harris and Associates' "Confidence and Concern: Citizens View American Government"—were conducted for governmental committees or commissions concerned with specific problem areas.

The majority of the opinion surveys contained in this section drew samples of households in such a manner that they were meant to be representative of households in the continental United States. Respondents were then selected from these households and interviewed. Other opinion tables were derived from the Law Enforcement Assistance Administration/Bureau of the Census victimization surveys in major urban centers. For a more detailed description of the general survey sampling procedures of the

American Institute of Public Opinion (Gallup Poll) and of Louis Harris and Associates, see Appendix 7; for similar information on the Law Enforcement Assistance Administration's victimization surveys, see Appendix 6.

The wide range of topics examined in these opinion surveys includes fear of crime and victimization; public attitudes about the causes of crime, the government's response to crime, personal treatment by agents of the criminal justice system, the dangers and effects of drugs and alcohol, gun ownership and gun control, law enforcement officers' performance, the legalization of various offenses, the objectives of punishment and suggested penalties for selected offenses, the death penalty, and the performance of the Supreme Court of the United States.

The survey results are generally broken down by background characteristics of respondents—such as race, sex, age, and income—enabling comparisons across important social dimensions. Finally, because some of the same questions have been asked repeatedly over the years, some trend tables have been constructed by the SOURCEBOOK staff and are presented in this section.

PERSONS CHARGED

Disposition data reveals the results of cases in which law enforcement agencies have made an arrest and subsequently formally charged the offender in a court of jurisdiction. This information is important to the law enforcement administrator in evaluating the quality of investigations and court presentation functions.

In 1974, 81 percent of the adults arrested for Crime Index offenses were prosecuted in the courts. Of the adults prosecuted for Crime Index offenses, 61 percent were found guilty as charged and 9 percent of a lesser charge.

It must be recognized that not all arrested persons are turned over to the courts for prosecution. There are various reasons for this: failure of the victim to cooperate or appear for the prosecution, persons arrested are released with a warning, evidence is obtained which discloses the arrested person did not commit the offense, or there is not sufficient evidence available to support either a formal charge or a subsequent prosecution.

For example, about one-half of the juveniles arrested are handled by the individual law enforcement agencies without preferring a formal charge or referring them directly to juvenile authorities. All contributors to this Program are urged to obtain and report final disposition in cases involving persons they arrest. Tables containing this data commence on page 174. Keep in mind that police methods of handling juvenile offenders differ widely from place to place. Also, the tables concerning juveniles (local age limit) refer to those who were arrested and turned over to juvenile authorities in connection with specific criminal acts.

Forty-one percent of the persons processed for Crime Index offenses were young persons referred to juvenile court jurisdiction. Similar to prior years, juvenile referrals for motor vehicle theft were significant. Sixty-four percent of those processed for motor vehicle theft were juveniles. Juvenile referrals for burglary were 57 percent, larceny 38 percent, robbery 34 percent, forcible rape 23 percent, aggravated assault 17 percent, and murder 9 percent.

During 1974, as in past years, motor vehicle theft, arson, burglary, and vandalism recorded high percentages of juvenile referrals. When all

crime categories are reviewed, it is noted that convictions on original charges remained high in the offenses against public order and decency—driving under the influence, drunkenness, disorderly conduct, and vagrancy. As in prior years, offenses against trust, such as fraud and embezzlement, also recorded a high percentage of conviction on original charges.

Of the adults who were prosecuted for Crime Index offenses, 29 percent were acquitted or their cases were dismissed. In 1974, 34 percent of the murder defendants were either acquitted or their cases dismissed at some prosecutive stage. Forty-nine percent of those charged with forcible rape were acquitted or had their cases dismissed, and 43 percent of the persons charged with aggravated assault were released either through acquittal or dismissal.

Seventy percent of those persons prosecuted for the offense of larceny were found guilty of that offense in 1974. This was followed by burglary with 53 percent found guilty of the original charge, 48 percent for motor vehicle theft, 45 percent for robbery, 45 percent for murder, 43 percent for aggravated assault, and 35 percent for forcible rape.

The offense which had the highest percentage guilty of a lesser charge was murder where 21 percent of the defendants were convicted on some charge other than murder.

CAREERS IN CRIME

From January, 1963, through December, 1969, the Uniform Crime Reporting Program processed criminal history data on some 240,000 offenders for statistical use. This study was used to document the extent to which criminal recidivism based on arrest information over a period of time contributes to annual crime counts. The study has also been used to show the need for the centralization of law enforcement information at the state and national level in view of criminal repeating and mobility. This offender based study was made possible by the cooperative exchange of criminal fingerprint data among local, state, and Federal law enforcement agencies. While the basis of selection in this study was a Federal offense, it should be kept in mind that most Federal criminal violations are also violations of local and state laws. The offender transaction records examined

in this study are, therefore, believed to be similar to the local and state experience for the more serious violators.

The Careers in Crime study brought to the Uniform Crime Reporting Program valuable statistical experience in the field of criminal histories, and has demonstrated the use of offender based transaction information to indicate the success or failure of the entire criminal justice system. The key to the effectiveness of the system is in knowing what happened to the people who were handled or treated by the criminal justice process, specifically, whether they were deterred from further criminal acts and/or rehabilitated.

In January, 1970, the FBI began converting offender records to computer form for the operational Computerized Criminal History File of the National Crime Information Center. Although this is an operational program, it was designed and established with full recognition of the statistical and research potential of offender based data.

A summary of 207,748 offenders in the Computerized Criminal History file who were arrested during the period 1970-1974 is set out in the following tables. Of these 207,748 individuals, 135,470 (65 percent) had been arrested two or more times. These individuals had an average criminal career of five years and five months (number of years between first and last arrest) during which time they were arrested an average of four times each. The 207,748 offenders had a total of 835,000 documented charges during their criminal careers, with 277,014 reported convictions and 109,657 imprisonments of six months or more.

Of the 135,470 repeat offenders, 68,430 or 51 percent were rearrested in states other than that where first arrested. Of the 68,430 "mobile" offenders, 14,212 were arrested in a total of three different states and 10,503 were arrested in four or more different states.

It should be kept in mind that this presentation is conservative and understates the amount of crime committed by these offenders since it is based on police detection, arrest, and submission of a fingerprint card. As indicated in earlier pages of this publication, law enforcement agencies do not clear or solve most crimes. Only one-fifth of the serious crimes committed during 1974 were solved by arrest. It is also true that the prior conviction and imprisonment rates are slightly lower than actual because criminal justice agencies do not

always submit such data after arrest, conviction, and release. In fact, disposition data has not been received on over 372,000 of the 835,000 charges.

A profile of criminal repeating for selected offenders is shown in the following table. Average age for the first arrest is high because of the general practice not to submit criminal fingerprint cards on juveniles. Criminal career is the average years between the first and last arrest.

The offender profile is classified by type of crime for which last arrested during the 1970's.

When criminal repeating is viewed by type of crime for which arrested in the 1970's, repeaters ranged from 28 percent for the embezzler to 79 percent for the robbers and auto thieves.

Follow-up

A follow-up study was made of the 62,236 offenders in the CCH File who were released during calendar year 1972. These offenders were followed through 1974 for any subsequent arrest in which a fingerprint card was submitted. Charts and tables are shown in this section on the rearrest experienced by offense; type of release; and age, sex, and race of the offender.

When criminal repeating is checked by type of crime from which released in 1972, rearrest ranged from 22 percent for the embezzler to 76 percent for the burglars. Largest repeater rates in the same crime were for the narcotic offenders with 28 percent being rearrested for the same crime and gambling law violators with 20 percent being rearrested on a gambling violation within three years. Of the 3,203 offenders being released in 1972, from a weapons violations, 11 percent were rearrested for a violent crime within three years. Forty-eight of these offenders were rearrested for murder. Two hundred eighty-one were rearrested for a weapons violation and 267 were rearrested for a narcotics violation. Of all persons rearrested during the follow-up study, 24 percent were rearrested on a charge more serious than one from which released in 1972.

Sixty-seven percent of the offenders released after serving their prison time were rearrested within three years. Of those persons released on parole, 64 percent repeated and 48 percent of those placed on probation repeated. Of those persons acquitted or who had their cases dismissed in 1972, 59 percent were rearrested for new offenses within three years.

Arrest Trends

In 1974, police arrests for all offenses except traffic increased 3 percent over 1973. During this time, arrests of persons under 18 years of age increased 9 percent and arrests of persons 18 years of age and over increased 1 percent. When only Crime Index offenses are used to compute this trend, there is an 18 percent increase for all ages.

During the five-year period, 1969-1974, police arrests for all offenses except traffic increased 9 percent, with the arrests of persons under 18 years of age up 16 percent and the arrests of persons 18 years of age and over up 7 percent. When only the Crime Index offenses are used in computing this five-year trend, the increase is 40 percent. Arrests of persons under 18 years of age increased 32 percent while the adult arrests increased 49 percent. Violent crime arrests for persons under 18 years of age increased 49 percent while the property crime arrests increased 30 percent.

Arrests for Narcotic Drug Law violations, 1974 over 1973, were up 2 percent nationally. From 1969 to 1974, arrests for this violation increased 80 percent. There is set forth a tabulation by geographic region showing the type of narcotic drug involved in the arrest of the offender during 1974.

Narcotic Drug Laws
[Percent distribution]

Region	Total	Heroin or cocaine	Marijuana	Synthetic narcotics	Other
Northeastern States...	100.0	18.5	71.1	4.5	5.9
North Central States...	100.0	17.2	69.8	3.8	9.2
Southern States.....	100.0	10.8	74.0	3.7	11.5
Western States.....	100.0	10.3	65.2	6.0	18.5
Total.....	100.0	15.8	69.4	4.3	10.5

Age

Nationally, persons under 15 years of age made up 10 percent of the total police arrests; under 18, 27 percent; under 21, 43 percent; and under 25, 58 percent. In the suburban areas, the involvement of the young age groups in police arrests is markedly higher than the national figures, with the under 15 age group represented in 12 percent; under 18, 33 percent; under 21, 50 percent; and under 25, 64 percent. In the rural areas the distributions were lower for the younger

age groups, with the under 15 group being involved in 5 percent; under 18 in 19 percent; under 21 in 37 percent; and those under 25 in 53 percent of total police arrests. When only the Index crimes are considered, 19 percent of all persons arrested in 1974 were under the age of 15 and 45 percent were under 18 years of age.

Sex

Male arrests outnumbered female arrests by 5 to 1 in 1974. Male arrests in 1974 rose by 2 percent while female arrests were up 9 percent. Nineteen percent of the arrests for Crime Index offenses were of female persons. Ten percent of the arrests for violent crimes in 1974 involved females and arrests of females for these types of crimes increased 13 percent over 1973. Again, as in prior years, their involvement was primarily for larceny which accounted for 23 percent of all female arrests. Females accounted for 26 percent of the embezzlement and 14 percent of the narcotics arrests. Over one-half of the runaway—police custody cases—were females under 18 years of age.

The five-year arrest trends, 1969-1974, revealed that arrests for young females under 18 years of age increased 21 percent while arrests for young males under 18 rose 15 percent. When the serious crimes as a group are considered, arrests of males, 1969-1974, were up 35 percent and female arrests increased 68 percent.

Arrest Rates

The following table sets forth arrest rates by geographic regions for Crime Index offenses. Arrest rates indicate law enforcement activity in response to crime.

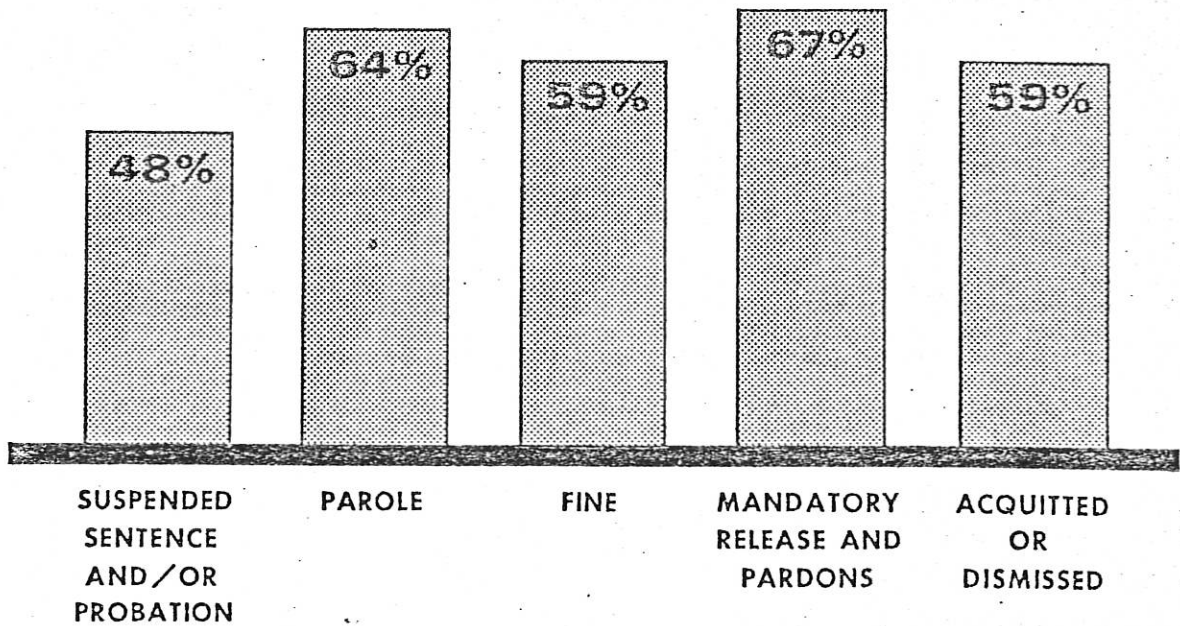
Arrests by Region, 1974

[Rate per 100,000 inhabitants]

Offense	U.S. Total	North-eastern States	North Central States	South-ern States	Western States
Murder.....	10.3	6.5	10.2	14.3	11.1
Forcible rape.....	13.3	12.3	11.1	15.2	15.8
Robbery.....	80.9	87.2	69.0	75.5	96.9
Aggravated assault....	115.2	108.6	74.7	134.1	164.7
Burglary.....	254.1	207.9	213.5	269.5	361.5
Larceny-theft.....	544.2	398.0	586.0	542.5	680.9
Motor vehicle theft....	80.0	67.3	62.3	66.7	139.9
Crime Index total.....	1,098.0	887.8	1,026.7	1,117.9	1,470.7

PERCENT OF PERSONS REARRESTED WITHIN 3 YEARS

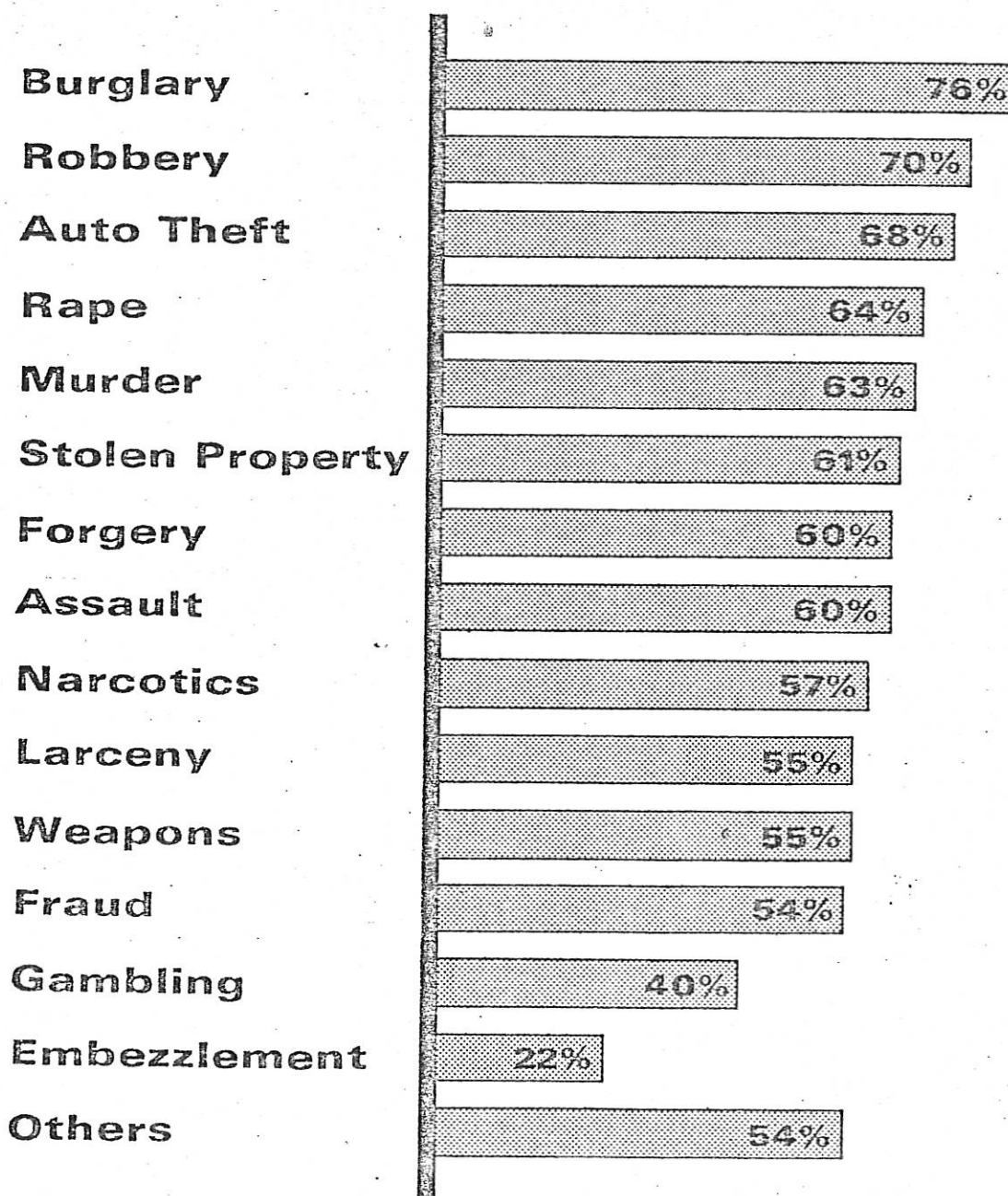
BY TYPE OF RELEASE IN 1972



PERCENT REPEATERS

BY TYPE OF CRIME IN 1972

PERSONS RELEASED IN 1972 AND
REARRESTED WITHIN 3 YEARS



PERCENT OF PERSONS REARRESTED WITHIN 4 YEARS

BY TYPE OF RELEASE IN 1972

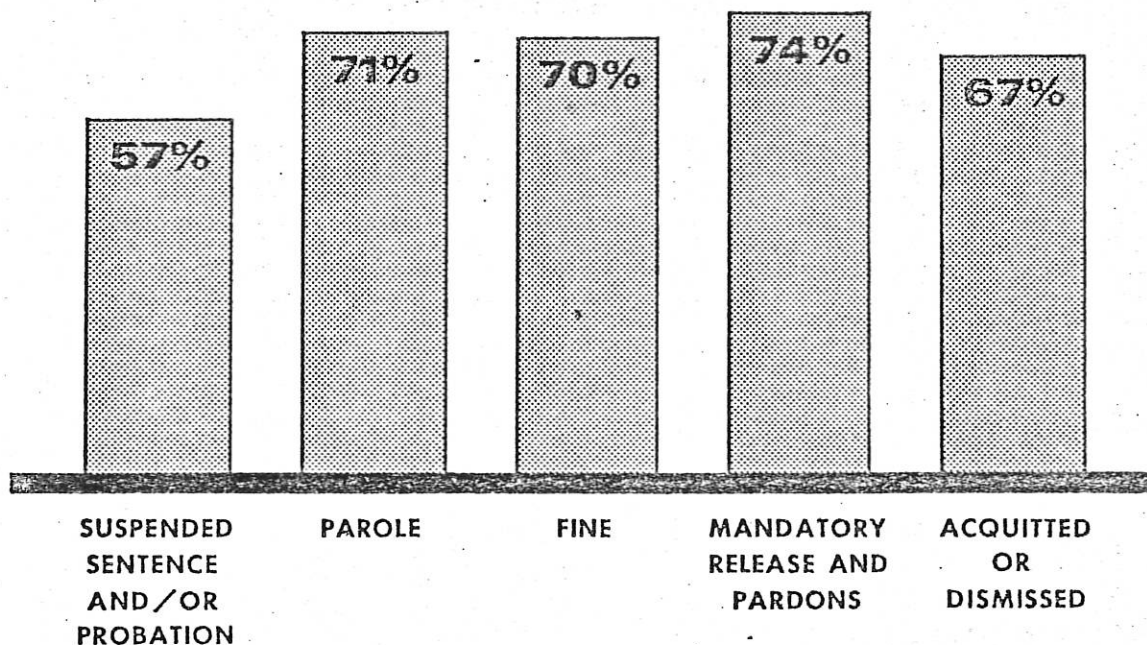


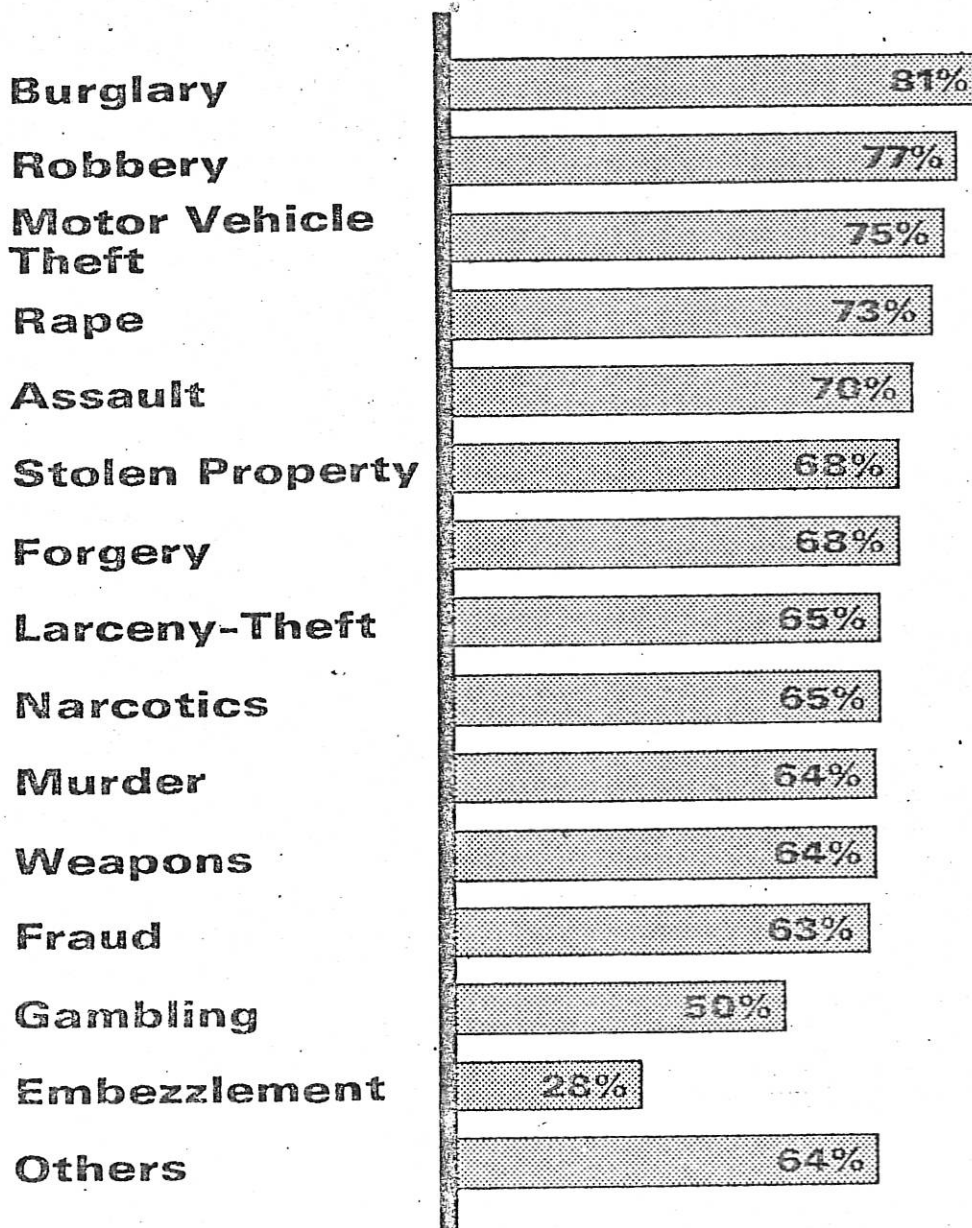
CHART 19

Four-Year Follow-Up by Age Group and Type of Release in 1972

Type of release	Total	Under 20	20-24	25-29	30-34	35-39	40-49	50 and over
Total.....	78,143	9,992	27,704	15,815	8,340	5,261	7,075	3,936
Number rearrested.....	51,817	7,474	19,352	10,761	5,572	3,127	3,922	1,609
Percent rearrested.....	66.3	74.8	69.9	68.0	66.8	59.4	55.4	40.7
Probation and suspended sentence.....	15,207	1,738	5,454	3,055	1,593	1,108	1,376	835
Number rearrested.....	8,684	1,328	3,481	1,730	856	494	567	228
Percent rearrested.....	57.1	76.4	63.8	56.6	53.7	44.7	41.2	25.8
Fine.....	19,407	2,956	6,192	3,415	2,070	1,330	2,124	1,290
Number rearrested.....	13,587	2,280	4,500	2,494	1,460	873	1,276	614
Percent rearrested.....	70.0	76.4	74.1	73.0	70.5	65.6	60.1	47.6
Acquitted or dismissed.....	34,159	5,007	13,034	6,823	3,349	2,023	2,583	1,340
Number rearrested.....	22,767	3,656	8,966	4,671	2,269	1,205	1,453	547
Percent rearrested.....	66.7	73.0	68.8	68.5	67.8	59.6	56.3	40.8
Parole.....	5,101	154	1,833	1,428	656	399	450	181
Number rearrested.....	3,629	131	1,387	1,017	486	262	267	79
Percent rearrested.....	71.1	85.1	75.7	71.2	74.1	65.7	59.3	43.6
Mandatory release and pardons.....	4,269	107	1,191	1,094	672	403	542	260
Number rearrested.....	3,150	79	928	849	501	293	359	141
Percent rearrested.....	73.8	73.8	77.9	77.6	74.6	72.7	66.2	54.2

PERCENT REPEATERS BY TYPE OF CRIME IN 1972

PERSONS RELEASED IN 1972 AND
REARRESTED WITHIN 4 YEARS



PERCENT REPEATERS BY TYPE OF CRIME

PERSONS ARRESTED, 1970-1974

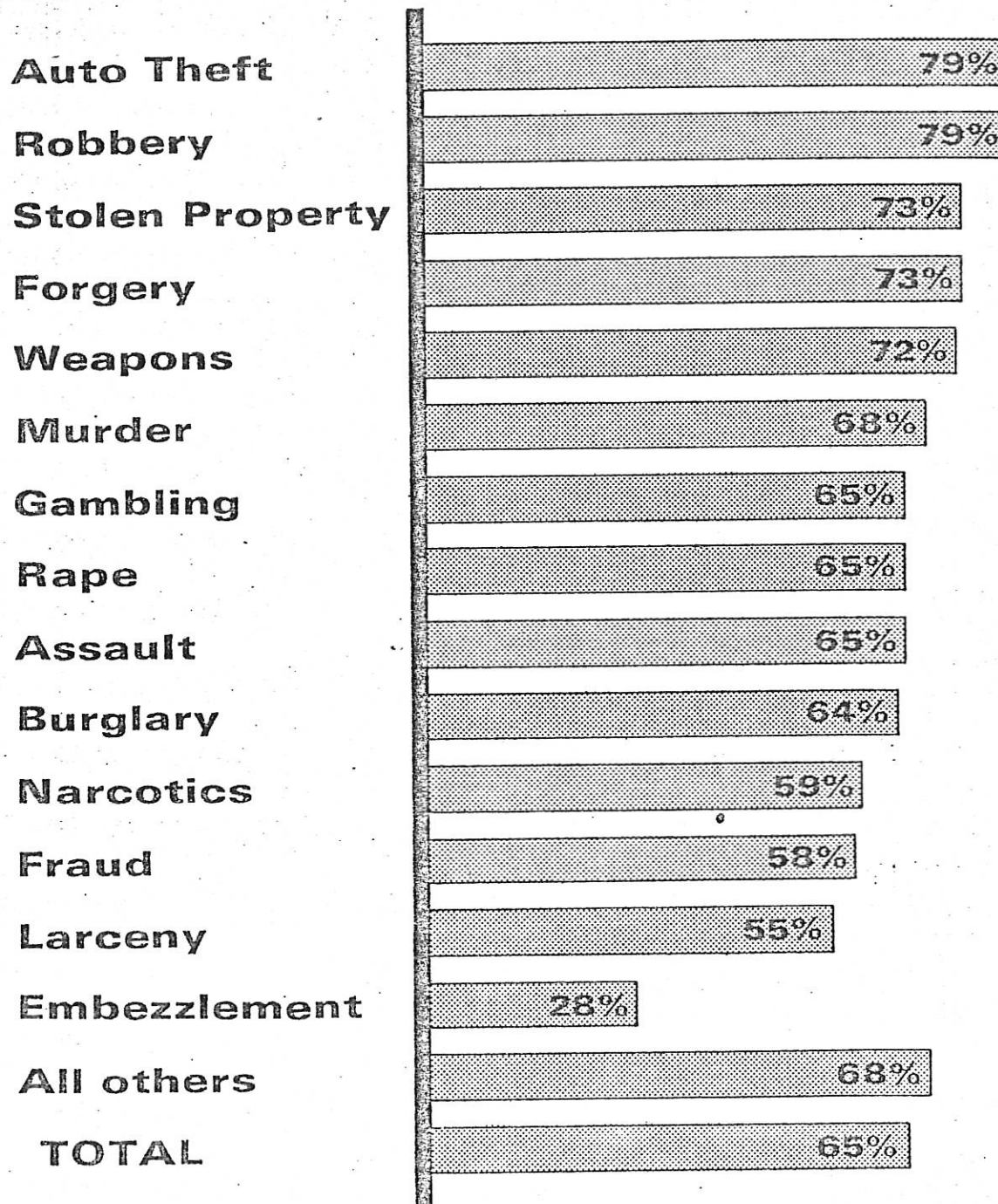


Table 3.16 Estimated number of personal incidents, by place of occurrence, United States, 1974 ^a

NOTE: See NOTE, Table 3.15.

Type of victimization	Total		Place of occurrence															
			Inside home, or other building		Vacation home, hotel, motel		Near home		Inside non-residential building, public conveyance		Street, park, field, etc.		Inside school		Elsewhere		Not ascertained	
			Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Rape and attempted rape	155,420	100	46,860	30	3,420	2	3,990	3	5,300	3	66,410	43	2,420	2	27,030	17	0	0
Robbery	975,630	100	101,570	10	4,770	0	71,270	7	94,370	10	585,250	60	49,450	5	65,460	7	3,480	0
Robbery and attempted robbery with injury	333,930	100	35,820	11	1,160	0	22,650	7	26,410	8	205,040	61	12,680	4	28,990	9	1,180	0
Serious assault	186,330	100	18,970	10	0	0	8,690	5	16,730	9	116,660	63	5,350	3	18,750	10	1,180	1
Minor assault	147,600	100	16,850	11	1,160	1	13,960	9	9,680	7	88,380	60	7,330	5	10,240	7	0	0
Robbery without injury	372,650	100	43,560	12	0	0	36,260	10	41,650	11	216,630	58	17,950	5	16,610	4	0	0
Attempted robbery without injury	269,050	100	22,190	8	3,610	1	12,360	5	26,320	10	163,590	61	18,820	7	19,860	7	2,300	1
Assault	3,329,330	100	403,730	12	8,610	0	359,120	11	516,490	16	1,460,120	44	217,300	7	357,940	11	6,020	0
Aggravated assault	1,302,100	100	149,360	11	1,280	0	174,470	13	164,130	13	610,460	47	41,940	3	157,380	12	3,070	0
With injury	449,150	100	51,800	12	1,280	0	62,990	14	59,440	13	212,950	47	16,780	4	43,910	10	0	0
Attempted assault with weapon	852,950	100	97,570	11	0	0	111,480	13	104,690	12	397,510	47	25,150	3	113,470	13	3,070	0
Simple assault	2,027,230	100	254,360	13	7,330	0	184,640	9	352,360	17	849,660	42	175,360	9	200,560	10	2,940	0
With injury	502,540	100	94,940	19	2,270	0	32,300	6	64,970	13	210,140	42	39,000	8	57,800	12	1,120	0
Attempted assault without weapon	1,524,690	100	159,420	10	5,070	0	152,340	10	287,390	19	639,520	42	136,360	8	142,760	9	1,820	0
Personal larceny with contact	486,240	100	13,750	3	1,250	0	18,890	4	184,350	38	186,580	38	37,800	8	43,620	9	0	0
Purse snatching	88,350	100	0	0	0	0	8,240	9	18,600	21	56,990	64	3,370	4	1,150	1	0	0
Attempted purse snatching	59,250	100	1,310	2	0	0	3,600	6	9,600	16	43,600	74	1,150	2	0	0	0	0
Pocket picking	338,640	100	12,450	4	1,250	0	7,050	2	156,150	46	85,990	25	33,280	10	42,480	13	0	0

^a Subcategories may not sum to total due to rounding.

Source: U.S. Department of Justice, Law Enforcement Assistance Administration. "Criminal Victimization in the United States: 1974." Table constructed by SOURCEBOOK staff.

Table 3.17 Estimated number of personal incidents, by place of occurrence and prior relationship between victim and offender, United States, 1974 ^a

NOTE: See NOTE, Table 3.15.

Type of victimization and relationship of offender to victim	Total		Place of occurrence															
			Inside home or other building		Vacation home, hotel, motel		Near home		Inside non-residential building, public conveyance		Street, park, field, etc.		Inside school		Elsewhere		Not ascertained	
			Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Rape and attempted rape:																		
Stranger	115,470	100	25,740	22	1,150	1	3,990	3	5,300	4	59,010	51	2,420	2	17,860	15	0	0
Non-stranger	39,950	100	21,120	53	2,270	6	0	0	0	0	7,390	18	0	0	9,170	23	0	0

SOURCEBOOK OF CRIMINAL JUSTICE STATISTICS 1976

Table 2.33 Public opinion of trustworthiness of various groups in dealing with crime in own area, by demographic characteristics, United States, 1973

NOTE: See NOTE, Table 2.24.

Question: "Who would you trust most to do something about . . . crime in the area where you live?"

[Percent]

	Federal government	State government	Local government	Active citizens group	Civic organization	Other	None (vol.) ^a	Not sure
Total	2	6	77	7	3	3	1	1
Sex:								
Men	2	6	78	7	2	2	1	2
Women	2	6	77	7	4	3	(^b)	1
Type of work:								
Professional	1	2	84	6	4	2	1	(^b)
Executive	1	4	81	5	6	2	1	0
Skilled labor	2	8	77	6	3	3	(^b)	1
White collar	3	3	74	12	4	3	1	0
Age:								
18 to 29 years	2	6	74	9	5	2	1	1
30 to 49 years	2	5	78	7	3	3	1	1
50 years and over	2	6	78	6	2	3	1	2
Area:								
Cities	3	3	73	11	5	3	1	1
Suburbs	1	5	85	3	2	2	1	1
Towns	2	5	78	6	4	2	(^b)	3
Rural	2	9	76	6	2	2	1	2
Region:								
East	2	8	68	11	5	3	1	2
Midwest	2	4	84	5	3	2	(^b)	(^b)
South	2	6	78	5	3	2	1	3
West	1	4	81	7	1	3	2	1
Religion:								
Protestant	2	6	83	5	2	1	(^b)	1
Catholic	2	6	77	8	3	2	1	1
Jewish	0	4	74	7	12	3	0	0

^a Column heading "None (vol.)" indicates that these responses were volunteered and not one of the alternatives offered.
^b Response less than one percent.

Source: U.S. Senate, Subcommittee on Intergovernmental Relations. "Confidence and Concern: Citizens View American Government—A Survey of Public Attitudes." December 1973. Part 2, p. 181.

PUBLIC ATTITUDES TOWARD CRIME AND CRIMINAL JUSTICE-RELATED TOPICS

Table 2.17 Belief that people in general have changed their activities because of fear of crime, by demographic characteristics, 13 selected American cities, 1975

NOTE: See NOTE, Table 2.1.

Question: "Do you think people in general have limited or changed their activities in the past few years because they are afraid of crime?"

	(In percent)			Number of respondents ^a
	Yes	No	No answer	
Thirteen city total.....	87	12	1	15,387,018
Sex:				
Male.....	86	13	1	6,882,142
Female.....	87	11	1	3,504,193
Race:				
White.....	86	13	1	10,872,109
Black and other.....	88	10	1	4,514,226
Education:				
Less than 9 years.....	84	13	3	2,959,807
Some high school.....	88	11	1	3,039,822
High school graduate.....	88	11	1	5,093,778
Some college.....	86	13	1	2,250,349
Four years of college and more.....	86	13	1	2,026,193
Not ascertained.....	82	12	6	8,230
Income:				
Under \$3,000.....	86	13	2	1,304,968
\$3,000 to \$4,999.....	86	13	2	1,593,365
\$5,000 to \$7,499.....	87	12	2	2,016,131
\$7,500 to \$9,999.....	86	13	1	1,587,500
\$10,000 to \$11,999.....	87	12	1	1,570,004
\$12,000 to \$14,999.....	87	12	1	1,839,205
\$15,000 to \$19,999.....	87	12	1	1,799,727
\$20,000 to \$24,999.....	86	13	1	940,702
\$25,000 or more.....	87	12	1	1,074,675
Not ascertained.....	83	10	3	1,660,739
Age:				
16 to 19 years.....	83	16	1	1,477,445
20 to 24 years.....	84	15	1	1,857,174
25 to 34 years.....	84	15	1	2,975,189
35 to 49 years.....	88	11	1	3,288,509
50 to 64 years.....	90	9	1	3,397,629
65 years or older.....	88	10	2	2,390,388

^a Base on which percents were computed.

Source: Table constructed by Sourcebook staff from National Crime Panel data made available by the National Criminal Justice Information and Statistics Service of the Law Enforcement Assistance Administration.

Table 2.18 Belief that people in respondent's neighborhood have changed their activities because of fear of crime, by demographic characteristics, 13 selected American cities, 1975

NOTE: See NOTE, Table 2.1.

Question: "Do you think that most people in this neighborhood have limited or changed their activities in the past few years because they are afraid of crime?"

	(In percent)			Number of respondents ^a
	Yes	No	No answer	
Thirteen city total.....	67	29	4	15,387,018
Sex:				
Male.....	65	32	3	6,882,142
Female.....	69	27	4	3,504,193
Race:				
White.....	64	32	4	10,872,109
Black and other.....	74	22	4	4,514,226
Education:				
Less than 9 years.....	69	26	4	2,959,807
Some high school.....	70	27	3	3,039,822
High school graduate.....	67	29	4	5,093,778
Some college.....	63	33	4	2,250,349
Four years of college and more.....	61	35	4	2,026,193
Not ascertained.....	65	31	4	8,230
Income:				
Under \$3,000.....	71	25	4	1,304,968
\$3,000 to \$4,999.....	70	26	4	1,593,365
\$5,000 to \$7,499.....	70	27	4	2,016,131
\$7,500 to \$9,999.....	68	29	4	1,587,500
\$10,000 to \$11,999.....	67	29	4	1,570,004
\$12,000 to \$14,999.....	65	32	3	1,839,205
\$15,000 to \$19,999.....	65	32	4	1,799,727
\$20,000 to \$24,999.....	60	37	3	940,702
\$25,000 or more.....	60	37	3	1,074,675
Not ascertained.....	69	24	6	1,660,739
Age:				
16 to 19 years.....	62	36	3	1,477,445
20 to 24 years.....	60	35	5	1,857,174
25 to 34 years.....	63	33	4	2,975,189
35 to 49 years.....	68	29	3	3,288,509
50 to 64 years.....	72	24	4	3,397,629
65 years or older.....	72	24	4	2,390,388

^a Base on which percents were computed.

Source: Table constructed by Sourcebook staff from National Crime Panel data made available by the National Criminal Justice Information and Statistics Service of the Law Enforcement Assistance Administration.

Definite terms urged, opposed

By ROGER MYERS
Statehouse Writer

Two Topeka policemen urged an interim committee Monday to recommend approval of legislation which would require convicted criminals to serve a definite term in prison.

Capt. Dale Collie, head of the Topeka Police Department criminal intelligence division, said "I just can't help but think in my 23 years experience as a police officer that when you incarcerate people for a good deal of time, it helps prevent crime.

"We've got to have some help from someplace. I don't know where it is, but we've got to have some help," Collie said, showing a sheaf of reports on burglaries and thefts in Topeka during the weekend to members of the special committee on judiciary.

Patrolman Will Dickey told the panel about a "roof burglar" who plies his trade continuously in northeast Kansas. The thief was caught and imprisoned for about a year and there were no roof burglaries during the time he was in jail.

"When he got out, we started having them again," Dickey said. "I'll have to draw my own conclusions."

Gene Obley, representing the Shawnee County court services agency which helps supervise convicts on parole, asserted that a determinate sentencing measure will triple the prison population, triple the load on court dockets and triple the number of staff lawyers needed by prosecutors.

"How many suspects will plead guilty if they face a determinate sentence," Obley asked.

The committee is considering a bill introduced last session by Rep. Loren Hohman, D-Topeka, which would set specific minimum sentences for a list of 23 crimes, ranging from 20 years for first degree murder to two years for crimes such as offenses as burglary, theft, robbery, unlawful use of weapons and attempted poisoning.

Hohman said "Society wants protection. There is a great hue and cry in American society for this."

Sen. Jim Parrish, D-Topeka, asserted Hohman's bill "flies in the face of rehabilitation efforts and deprives professionals in the field of any flexibility. And, it will cost more.

"We should go beyond the hue and cry and finance a system that will work," said Parrish, a member of the judiciary panel.

Parrish said "there is a lot of punishment in the first month a man is in the state penitentiary." The Topeka Demo-

crat said he believes there should be a mandatory sentence, but that it should be only a short, set period of time.

Sen. Elwaine Pomeroy, R-Topeka, also a member of the committee, said he is torn between the concept of trying to rehabilitate convicted felons and punishing them for their misdeeds. He said it's impossible to accomplish both facets of corrections in the same institution.

Mandatory minimum sentences draw support

Topeka Daily Capital
Wednesday, July 27, 1977 37

An interim committee voted Tuesday to draft legislation which would require mandatory minimum sentences for persons convicted of serious crimes and repeat offenses.

The measure also would specifically authorize judges to mete out sentences which would be arranged so the criminal could make restitution to the victim of his crime.

The restitution provisions would supplement and strengthen existing laws which give judges power to impose a sentence that requires some form of payback to the victim in certain cases.

The special committee on judiciary concluded a two-day meeting Tuesday during which it heard conflicting testimony about the merit of prescribing definite terms in prison for all classes of crimes.

Supporters of the concept claim the public is demanding some type of law which will impose a required period of punishment for the crime committed. Opponents charge such legislation strips judges of any discretion and makes no allowance for mitigating or aggravating circumstances.

The panel agreed to expand its study of proposed determinate sentence legislation to include the state's sentencing system in general.

As the keystone to probable recommended changes in the existing system of mostly indeterminate sentences, the panel directed the revisor of statutes office to translate proposals from the Kansas Adult Authority, the state's parole board, into a legislative bill.

Basically the KAA proposal would provide for mandatory minimum sentences for those convicted of class A, Class B and Class C felonies — the most serious crimes in the Kansas criminal code and the types usually committed against persons.

The mandatory minimum sentence for persons convicted of those crimes would be one-half the minimum sentence prescribed by present statutes, plus six months.

The revisor's office also was instruct-

ed to include provisions which would prescribe more severe sentences for repeat offenders.

Rep. Mike Glover, D-Lawrence, a member of the panel, said he believes the mandatory minimum sentence for serious offenses offers a compromise between those who demand a flat sentence and those who favor wide open discretion for sentencing judges.

In ordering the adult authority proposals put in bill draft form, the committee effectively abandoned a bill sponsored by Rep. Loren Hohman, D-

Topeka, which prescribes a definite sentence in years for a list of 23 specific offenses.

Sen. Elwaine Pomeroy, R-Topeka, also a member of the committee, said "Hohman is the only one who likes Hohman's bill."

The panel will consider the draft legislation during its meeting next month, and is expected to recommend it to the 1978 Legislature.

The panel Tuesday also recommended approval of a bill that will standardize the criminal information which lo-

cal police and sheriffs' officers are required to maintain.

The legislation, passed last session in the Senate but held over until the 1978 Legislature by the House, will give statutory foundation to a criminal justice system already in existence under requirements of the federal govern-

The State Journal

a page of opinion

Thursday Evening, July 28, 1977

A secret ceases to be a secret if it is once confided — it is like a dollar bill, once broken, it is never a dollar again. — Henry Wheeler Shaw, American humorist.

Definite prison terms needed

An interim committee of the Kansas Legislature is considering a bill which would set specific minimum sentences for 23 crimes. The proposed legislation should be approved.

The American system of dealing with criminals is not effective. Further, it is designed to dupe the public into believing criminals are being imprisoned for a period of time when they actually aren't.

Lawbreakers seldom enter the courtroom facing the same charge for which they were arrested. As a case in point, voluntary manslaughter draws a sentence of five to 20 years in prison.

Five to 20 years may sound like a reasonable sentence for voluntary manslaughter, but under Kansas law a guilty person is eligible for parole in 120 days. Normally, however, prisoners are not considered for parole until they have served one-half the minimum sentence, plus six months. Under that system, the convict would have had to serve three years.

The proposed bill, introduced by Rep. Loren Hohman, D-

Topeka, would prevent such illusory terms. For the 23 crimes at least, prisoners would have to serve the minimum sentence before being considered for parole.

Two Topeka police officers argued in favor of the bill, while a representative of the Shawnee County Court Services Agency said the measure would triple prison population and court dockets. He asked, "How many suspects will plead guilty if they face a determinate sentence?"

Perhaps if potential criminals realize they will face a predetermined jail sentence, they will think twice before committing the crime in the first place.

Sen. Jim Parrish, D-Topeka, said Hohman's bill "flies in the face of rehabilitation efforts" and will cost more. Few are being rehabilitated through the current revolving-door policy anyway. And the cost won't be higher than having the criminals back burglarizing homes and robbing law-abiding citizens.

Something has to be done. The current system doesn't work. This should be tried.



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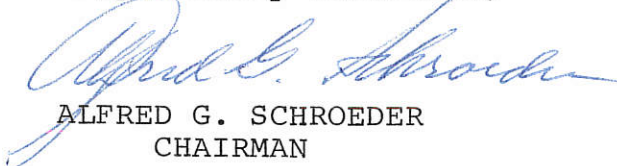
January 27, 1978

Hon. Ross O. Doyen, Chairman
Legislative Coordinating Council
Statehouse
Topeka, Kansas 66612

Dear Senator Doyen:

Enclosed herewith is the interim report directed
by 1977 H.C.R. No. 5044. If there are any questions, or
comments, please contact me.

Respectfully submitted,


ALFRED G. SCHROEDER
CHAIRMAN

AGS:ng

Encl.

cc: Hon. Robert F. Bennett
Senator Elwaine F. Pomeroy
Senator John F. Steineger
Representative E. Richard Brewster ✓
Representative John Carlin
Representative Wendell Lady

INTERIM REPORT OF JUDICIAL COUNCIL COMMITTEE
APPOINTED PURSUANT TO 1977 H.C.R. 5044

1977 H.C.R. 5044 requested the Judicial Council to make a survey and study of the appointment of counsel in criminal and all other proceedings constitutionally requiring appointed counsel. The resolution also requested that the Council report to the 1978 legislature on such part of the study that is completed during 1977. This is the interim report.

The Council policy, upon undertaking any assigned task, is to select a committee consisting of persons deemed to have, by way of training or experience, expertness in the area to be studied. Once selected such a committee is chaired by a member of the Council who reports, from time to time, to the Council on the committee's work. At the May 5, 1977 meeting of the Judicial Council a committee was established to make the study requested by H.C.R. No. 5044. The following persons were appointed to the committee:

Jack E. Dalton, Chairman, Dodge City,
Jack Focht, Wichita,
Gerald Goodell, Topeka,
Hon. Morris V. Hoobler, Salina,
Ira Kirkendoll, Kansas City,
Michael Lerner, Kansas City,
Dolores Macke, Overland Park,
Walter Stueckemann, Jetmore, and
Hon. Fred L. Weaver, Baxter Springs.

The committee has met at least monthly since its appointment. In proceeding to carry out the requests contained in the resolution the following are examples of items the committee has considered:

1. Kansas statutes relating to court appointed counsel in all areas including criminal, juvenile, mental illness and similar sections.
2. Public Defender statutes and the statutes which relate to indigency.
3. The operation of the A.I.D. program.
4. Studies of other jurisdictions similar to the one assigned by H.C.R. 5044.
5. Leading court cases in this area.

The committee prepared a questionnaire for the administrative judge of each judicial district on the cost and practices involved in appointing counsel and has received and analyzed the results of those questionnaires.

On October 3, 1977 the committee entered into an agreement with the National Center for Defense Management to conduct a study of the defense services in Kansas, to compare them with other states and to provide a report on their findings, including suggested legislation. The cost of the study will be split between N.C.D.M. and the Judicial Council. N.C.D.M. will provide 87% of the cost of the study through a grant from L.E.A.A. The Judicial Council will pay for 13% of the cost of the study, not to exceed \$2,000, from budgeted funds.

The committee met with Chief Justice Schroeder, the Judicial Administrator and the statistician of the Unified Judicial Department to obtain their opinion in certain areas involved in the study.

The individual committee members have also been assigned relevant topics on which to report to the committee in future meetings. Such reports will require individual study and research on the part of each committee member.

As one can well anticipate, a study such as this requires that the committee members familiarize themselves with the present system, systems offered in comparable jurisdictions and the strengths and weaknesses of each. We see considerable more work ahead before meaningful recommendations can be submitted.

Respectfully submitted,

Jack E. Dalton, Chairman, Judicial
Council Counsel for Indigent Persons
Advisory Committee