

National District Attorneys Association Newsclips

December 19, 2011

Today's Clip Headlines

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Clip Synopses and Links

Louisville Courier Journal

996 Kentucky inmates get out early in new prison plan

Kentucky is poised to release nearly 1,000 inmates about six months early as part of a mandatory new program aimed at easing their transition back into the community, reducing recidivism and helping trim its corrections budget by about \$40 million next year.

By providing support in such areas as finding jobs and homes in their first few months outside prison, the new program — part of a major corrections overhaul passed earlier this year — attempts to lessen the chances that offenders will commit new crimes, Justice Cabinet Secretary J. Michael Brown said.

<http://www.courier-journal.com/article/2011312150063>

USA Today

Few penalties for keeping child abuse secret

Laws that could punish doctors, teachers and other adults for keeping silent when they suspect a child has been abused have gone largely unenforced over the past decade. Those state laws require people who work closely with children to alert police or child-welfare investigators anytime they so much as suspect a child has been abused.

Yet a USA TODAY examination of police and court records from across the USA found that a combination of infrequent enforcement and small penalties means adults often have little to fear from concealing abuse.

In most of the states that could provide records, local police and prosecutors typically charged no more than one or two people each year. Michigan police made just five arrests over the past decade. In Hawaii and Minnesota, court officials said they couldn't find a single case.

Fewer than half of the cases USA TODAY reviewed in detail ended in convictions, and the penalty was usually a fine of less than \$1,000.

<http://www.usatoday.com/news/nation/story/2012-01-02/unreported-child-abuse/51981108/1>

Contra Costa Times

Judge rules on California lethal injection protocol Jurist says prison officials neglected drug alternative

Prison officials failed to properly adopt the state's new lethal injection execution procedures, a judge said in a ruling Thursday that, if upheld, will throw California's stalled capital punishment system into further doubt.

The tentative ruling from Marin County Superior Court Judge Faye D'Opal found prison officials failed to properly consider a one-drug alternative to the three-drug lethal injection cocktail used to execute inmates.

Attorneys representing the California Department of Corrections and Rehabilitation will get a chance to change the judge's mind during a hearing Friday morning.

http://www.contracostatimes.com/politics-government/ci_19559153

The New Journal (New Castle-Wilmington)

AG Biden calls for unified plan to fight, report online bullying

Citing growing concerns about bullying that takes place in the digital realm, Delaware Attorney General Beau Biden is calling on the state's school districts to work toward a unified plan to address the problem.

At a public forum in Dover Thursday evening, Biden said current state law requires schools to report verified incidents of bullying, including cyber-bullying, to the state Department of Education, but that data is currently lacking.

<http://www.delawareonline.com/article/20111216/NEWS03/112160345/AG-Biden-calls-unified-plan-fight-report-online-bullying>

mlive.com

Michigan lawmakers OK bill trimming court sizes

Michigan lawmakers have approved legislation that will allow for reducing the number of judgeships in the state through attrition.

An estimated 45 judgeships on district and circuit courts would be eliminated through the legislation approved Thursday. The bill comes after staffing recommendations made earlier this year by the State Court Administrative Office.

The reduced judge count would come in many areas of the state.

http://www.mlive.com/politics/index.ssf/2011/12/michigan_lawmakers_ok_bill_tri.html

St. Louis Post-Dispatch

Lawmakers consider changes for Missouri's probation, parole system

Missouri House committee Wednesday examined possible changes to the state's probation and parole system that could save the state millions — and reduce the prison population by hundreds of inmates.

A special state task force recommended the changes, and the House committee has been meeting to study the criminal justice system before lawmakers return to the Capital next month.

The recommendations could save \$7.7 million to \$16.6 million over five years while reducing the prison population by 245 to 677 inmates. Missouri was incarcerating 30,777 people at the end of November, and the Legislature this year included more than \$600 million in the total budget for the Department of Corrections. Some of the money that is saved could be plugged back into the criminal justice system.

The possible changes came from the Missouri Working Group on Sentencing and Corrections, which included officials from the legislative, executive and judicial branches. The working group said that the recommendations are intended to improve public safety, hold offenders accountable and control costs.

http://www.stltoday.com/news/local/govt-and-politics/lawmakers-consider-changes-for-missouri-s-probation-parole-system/article_9e92ccac-271e-11e1-9c1c-

[0019bb30f31a.html](http://www.thestate.com/2011/12/16/2081910/fbi-sanctions-sled-state-access.html)

The State (Columbia)

FBI sanctions SLED, state access to crime databases at risk

Agency chief: Bigger budget for computers, computer technicians would solve issue

The FBI has sanctioned the State Law Enforcement Division for not properly monitoring criminal records that are shared among states.

The sanction is the first step toward revoking South Carolina's access to the FBI's criminal databases. That action would have serious consequences for law enforcement officers on the street as well as businesses and nonprofits who depend on the system for pre-employment background checks.

If South Carolina loses access to the system, a police officer could pull over a person who is wanted on a murder charge in Kansas, for instance, and have no way of knowing it. Or a state company could run a background check for a prospective employee and not know of felony convictions in other states.

<http://www.thestate.com/2011/12/16/2081910/fbi-sanctions-sled-state-access.html>

The Christian Science Monitor

Why the death penalty is at historic low in the US

By and large, Americans still support the death penalty. But concerns about the fairness of its application, and even its costs, are playing a role in the steep drop in executions and convictions

Concerns about the racial fairness, costs, and growing numbers of life-without-parole sentences have all played a role in a steep decline in the number of executions and death penalty sentences in the US this year, legal analysts say.

A report released Thursday by the Death Penalty Information Center, an organization dedicated to pointing out problems with capital punishment in America, shows that the number of death penalty sentences dropped below 100 – to 78 – for the first time since the Supreme Court reinstated the death penalty in 1976.

The number of actual executions also dropped from 46 last year to 43 this year, with states in the South accounting for 87 percent of those sanctions. The total was down steeply from a high of 98 in 1999.

A declining murder rate and growing numbers of life-without-parole sentences for the most violent criminals may be playing more of a role in the death penalty decreases than changes in public sentiment, prosecutors and victims' advocates say.

<http://www.csmonitor.com/USA/Justice/2011/1215/Why-the-death-penalty-is-at-historic-low-in-the-US>

USA Today

Study: Nearly 1 in 3 will be arrested by age 23

Nearly one in three people will be arrested by the time they are 23, a study to be published today in *Pediatrics* found.

The new data show a sharp increase from a previous study that stunned the American public when it was published 44 years ago by criminologist Ron Christensen. That study found 22% of youth would be arrested by age 23. The latest study finds 30.2% of young people will be arrested by age 23.

Criminologist Alfred Blumstein says the increase in arrests for young people in the latest study is unsurprising given several decades of tough crime policies.

Now, Blumstein says, youth may be arrested for drugs and domestic violence, which were unlikely offenses to attract police attention in the 1960s. "There's a lot more arresting going on now," he says.

<http://www.usatoday.com/news/nation/story/2011-12-19/youth-arrests-increase/52055700/1?loc=interstitialskip>

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