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Sandra O'Connor Speaks

by Robert Lankin

A large crowd was on hand to hear Sandra O'Connor, State's Attorney of Baltimore County at the Nu Beta Epsilon Law Fraternity Smorgasbord Brunch at the Samuel Owings Inn - Painters Mill Plantation on Sunday morning October 19, 1975. Ms. O'Connor's presentation dealt generally with the problems of the criminal justice system.

Ms. O'Connor, who is now completing her first year in office, attacked the instant, simple solutions which are often brought forward to solve the rapidly increasing crime rate. She admitted, however, that these simple solutions, which include tougher sentences by judges, more effective prosecution, more effective police work and larger police forces, do have some merit. The major problem, she stated, is that these items have commanded a great deal of attention and funds over the past twenty years, while the entire area of corrections has been at the bottom of the priority list. Presently in Baltimore City, there are sixty-four hundred persons incarcerated in a correctional system which has fifty-seven hundred beds. She described the city jails as "little Atticas" which are not designed to house the inmates presently there. It is Ms. O'Connor's opinion that because of these problems, judges have a tendency to avoid placing less serious offenders in prison. This tendency has been carried into the parole process where persons are being released because of the crowded system.

Ms. O'Connor next proposed new facilities for the non-violent criminals with alcohol, drug or emotional problems. A major obstacle in the establishing of such facilities is that neighborhood

pressure often prevents them from being built. Most persons want these institutions constructed in rural areas.

In respect to the problems of juvenile crime, Ms. O'Connor suggested that the jurisdiction of the juvenile process should be lowered from persons under eighteen to persons under sixteen. Under this plan, the courts would retain the right to try persons sixteen to eighteen years old in juvenile court. Another problem specific to this area is that the Juvenile Service Division diverts too many persons from the Juvenile Court. Presently, seventy-five percent of all such offenders are being diverted from the system, an amount that Ms. O'Connor believes is too high, because juvenile offenders may be less inclined to become repeat offenders after they are brought before a tribunal.

Ms. O'Connor next suggested that the current system of juvenile probation should be supplemented or replaced by a comprehensive program in the community. Currently, the system of juvenile probation is sometimes a monthly telephone call to find out whether the person is still attending school.

She also expressed an interest in the alternative sentencing method introduced in Oregon and elsewhere. Under this system, a shoplifter might be given the option (with the merchant's approval) of working for the storeowner without compensation, in order to let the offender observe at first-hand the prob-

lems of the merchant. In this same system, a convicted vandal might be sentenced to repair the damaged property. Persons involved in alcoholic offenses could be required or given the option to work in alcohol treatment centers. The question of the constitutionality of these proposals under the thirteenth amendment was not discussed.

However serious the above problems may be, it is Ms. O'Connor's opinion that the most neglected area of the criminal justice system is in the victim witness area. During the past thirty years, the courts have concentrated on guaranteeing the defendant's constitutional rights. Little effort has been focused on the rights of the victim witness. She stated that most victims do not know that there is a Criminal Injuries Compensation Board and that restitution, slow as it may be, can be obtained in cases where the defendant has been convicted. Witnesses should be notified in advance when cases have been postponed and the prosecuting attorney should explain to them why there are so many hearings and pretrial motions, each necessitating further testimony by the witness. While the defendant has the right of elocution at the trial, Ms. O'Connor believes that the victim should also have the right to elocution. The victim should be given the opportunity to explain to the court what the crime has cost him, not only in monetary terms but also in human terms.

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