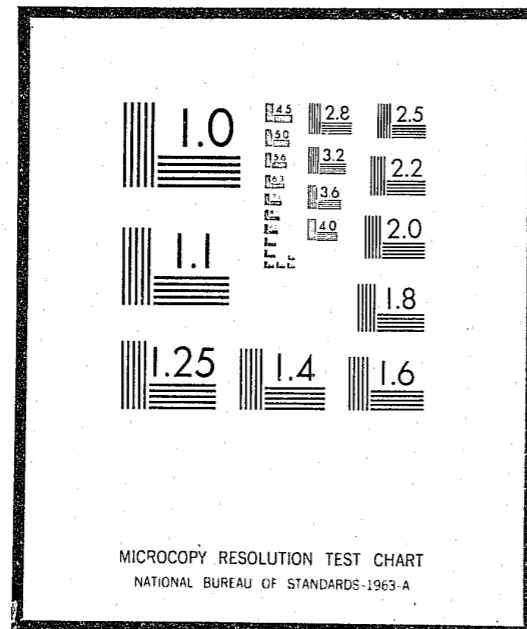


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ALLEGHENY REGIONAL PLANNING COUNCIL
FOR
THE GOVERNOR'S JUSTICE COMMISSION

TOWARD A SAFER COMMUNITY, VOL. II
AN ANALYSIS OF CRIME AND JUSTICE
IN ALLEGHENY COUNTY,
PENNSYLVANIA

Prepared by
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April, 1973

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF JUSTICE
GOVERNOR'S JUSTICE COMMISSION

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PREFACE

The federal government's Law Enforcement Assistance Administration (LEAA) in the Department of Justice disburses anticrime funds to each state on a block grant basis. A portion of that block grant is distributed in turn by the State to local planning regions.

In Pennsylvania, the State agency for this purpose is the Governor's Justice Commission. In accordance with LEAA regulations, the State uses about twenty-five percent of the block grant funds for State agencies and other purposes at its discretion. The remaining seventy-five percent of the funds are distributed to local planning regions -- the Regional Planning Councils. Allegheny County has been designated as such a region and receives approximately twenty percent of monies made available to local government.

In the Allegheny Region, the Governor appoints the Regional Planning Council to make the decisions regarding the allocation of the funds to various projects. The Council is composed of thirty-one members drawn from government, business, and the community.

Most regional projects are seventy-five percent federal money and twenty-five percent local matching that is mostly in-kind services.

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Introduction

Toward a Safer Community, Vol. I, published in February, 1972, provided an overview of the Criminal Justice System in Allegheny County and recommendations toward its improvement. This volume has been prepared to analyze the various agencies of the system, recent changes in these agencies, and the effects or system-wide implications of the changes. It is divided into two main sections.

Section I presents a summary of the funding activities of the Regional Planning Council in 1972. It outlines what was funded, and what Regional Planning Council recommended projects were accepted and implemented by the System.

Section II is composed of three separate papers on Allegheny County. These papers analyze the system and are based upon data collected over the last quarter of 1972.

The first paper describes the crime problem in the County. It examines comparative statistics on the County and City of Pittsburgh, builds a profile of the arrest population, and develops crime projections for the upcoming decade. Paper two studies the minor judiciary, their arraignment decisions, and preliminary hearing dispositions. It reviews the effects of Bail Reform and Public Defenders' service to indigents. The third paper analyzes the operation of the Criminal Division of Allegheny County Common Pleas Court. It develops and analyzes performance indicators on the Court's operation.

We would like to express our gratitude to all the agencies who provided information for this report, especially the Allegheny County Court of Common Pleas and the City of Pittsburgh, Bureau of Police.

PART I, THE ALLEGHENY REGIONAL
PLANNING COUNCIL, 1972

I. Allegheny Regional Planning Council, 1972

A. Regional Planning Council's Funding Activities

In 1972, the RPC established priority areas to which federal crime control funds would be channeled. These areas received federal monies totaling \$4,059,654. They were the following:

Priority	Goal	Dollar Allocation	Percent of Total
	Description		
1	Treating and prevention of Juvenile Delinquency	1,127,032	27.8
2	Improvement of the adjudication process	680,927	16.8
3	Treating and preventing crimes by young adults	787,691	19.4
4	Diverting victimless crimes from the system including treatment for alcoholism and drug abuse	1,141,651	28.1
5	Increasing police effectiveness	322,353	7.9

The specific projects by goal area are detailed below:

1. Juveniles - Identifying and reducing the likelihood of committing crime - including prevention, treatment, social change.

<u>Grantee</u>	<u>Project</u>	<u>Federal Contribution</u>
Allegheny County	Continuation of Detention Home educational project for child care workers	\$ 1,580
Allegheny County	Intensive Probation Community-based Project	144,694
Allegheny County	Juvenile Delinquency and Control Whale's Tale-Halfway House for Runaways	77,761

<u>Grantee</u>	<u>Project</u>	<u>Federal Contribution</u>
Allegheny County	Allegheny County Juvenile Detention Home Construction	\$ 750,674
North Braddock Borough	Tri-Borough Youth Squad	105,168
Upper St. Clair	Grant-in-aid for Juvenile Officer	3,000
City of McKeesport	To establish and carry out a curriculum in drug education in schools in McKeesport areas	44,155
TOTAL		<u>\$1,127,032</u>

2. Adults - Swift and just adjudication, including improving defense, prosecution, court facilities.

<u>Grantee</u>	<u>Project</u>	<u>Federal Contribution</u>
Allegheny County	Court of Common Pleas Information System Project	\$ 204,447
Allegheny County	Court of Common Pleas Court Bail Agency	111,278
Allegheny County	Allegheny County Clerk of Courts, Research Unit	31,960
Allegheny County	Eight Assistant District Attorneys	190,196
Allegheny County	Staffing of Night and Weekend Minor Courts in Allegheny County	83,046
Allegheny County	Public Defender Law Student Program	60,000
TOTAL		<u>\$ 680,927</u>

3. Adults - Identifying and reducing the likelihood of committing crime, including prevention, treatment, social change

<u>Grantee</u>	<u>Project</u>	<u>Federal Contribution</u>
Allegheny County	Allegheny County Jail Continuation of educational program	\$ 14,812

<u>Grantee</u>	<u>Project</u>	<u>Federal Contribution</u>
Allegheny County	Capital Improvements in the Allegheny County Jail	\$ 570,342
Allegheny County	Allegheny County Jail Diagnostic and Classification System	190,867
Allegheny County	Allegheny County Jail Training Officer	11,670
TOTAL		<u>\$ 787,691</u>

4. Diverting victimless crimes from the criminal justice system, including alternative treatment for such crimes as alcoholism and drug abuse.

<u>Grantee</u>	<u>Project</u>	<u>Federal Contribution</u>
Allegheny County	Allegheny County Mental Health/Mental Retardation Program - Drug Program Continuation	\$1,141,651
TOTAL		<u>\$1,141,651</u>

5. Increasing risk of apprehension, including hardening targets, increasing police effectiveness

<u>Grantee</u>	<u>Project</u>	<u>Federal Contribution</u>
Allegheny County	Improvement of Detention and Apprehension of Criminals 2nd year Continuation of funding NCIC	\$ 10,035
Allegheny County	Rapid Identification of Dangerous Drugs	109,590
City of Pittsburgh	Bureau of Police - Police Legal Advisor	18,032
City of Pittsburgh	Organized Crime Investigation and Prosecution Unit	118,899
Fawn Township	Combined Radio Communications for 12 Upper Allegheny Valley Municipalities	2,040
Franklin Park	Upgrading Efficiency of Police Departments	3,114

<u>Grantee</u>	<u>Project</u>	<u>Federal Contribution</u>
Hampton Township	Communications Equipment	\$ 4,128
Ohio Township	Improvement of Detection and Apprehension of Criminals purchase of basic communications	2,906
Pine Township	Upgrading Efficiency of Police Communications	1,971
City of McKeesport	Community Housing Patrol Unit	51,638
TOTAL		<u>\$ 322,353</u>

Since the RPC was established in 1969, there has been a definite shift in its funding efforts. In the 1969-70 funding year, forty-two percent of the money was channeled into the police area (\$1,036,120). This is compared to \$322,353 allocated in 1972 to the improvement of police agencies, a reduction of approximately thirty percent. A major portion of 1972 money went to agencies seeking to improve the juvenile justice and corrections system in the county. In addition, the Magistrate's Court and District Attorney's Office received money to strengthen their roles in the system.

Of the total funds approved during 1972, 91 percent (\$3,694,603) went to Allegheny County, 3 percent (\$136,931) to the City of Pittsburgh, and 6 percent (228,120) to other local units of government.

B. Study of Recommended Projects and Council Actions on These Projects

The 1972 Report in its summary of goals, needs, and recommendations designated twenty-eight projects which should be considered during the year. These projects were consolidated under the six main categories of concern to the Criminal Justice System:

<u>Areas of Concern</u>	<u>Recommended Project</u>	<u>Action</u>
Police	Consolidation of small departments	No Activity
	Mandatory and subsidized training	No Activity
	Centralized police services on county level	No Activity
	Juvenile officers definition of job and joint activity	No Activity

<u>Areas of Concern</u>	<u>Recommended Project</u>	<u>Action</u>
Police	Police Legal advisors	Application submitted by City of Pittsburgh. Application approved by Council and funded
	Assistant District Attorney's for Preliminary Hearings	No Activity
Minor Judiciary	Assistant District Attorneys to represent state	No Activity
	Public Defender to represent indigent	Application submitted by County. Application approved by Council and funded
	Training Magistrates	No Activity
	Bail Agency	Application submitted by County. Application approved by Council and funded
Court of Common Pleas Criminal Division	Pre-trial release (Accelerated Rehabilitative Disposition)	Application submitted by County. Application approved by Council and funded
	Reduction of case-loads by eliminating less serious offenses	To be accomplished by ARD
	Improved data collections	Court information system currently being implemented
	Research and Planning Staff	No Activity
	Full-time District Attorneys	Application submitted by County. Application approved by Council and funded
	Evaluation of Public Defenders Office	Completed
	Augmentation of Public Defender's Staff	Application submitted by County. Application Approved by Council and funded -

<u>Areas of Concern</u>	<u>Recommended Project</u>	<u>Action</u>
Corrections	Expansion of Community treatment for offenders	Grubstake, Inc.
	Program to make the County Jail the model short-term detention facility by:	
	1. Remodeling physical plant	Application submitted by County. Application approved by Council and funded
	2. Designing diagnostic and evaluation activity	Application submitted by County. Application approved by Council and funded.
	A diagnostic and classification system in State institutions	No Activity, (Unit approved for Allegheny County Jail
Juvenile System	Overhaul and evaluation of adult probation office	In process
	Community intake officers available 24 hours a day	No Activity
	Hearing for detained within 48 hours	No Activity
	More and better trained workers in Detention Home	Application submitted by County for continuation
	Citizens task force on Juvenile Institutions	No Activity
	Community-Based intensive treatment centers	Application submitted by County for continuation
	Community based activity for Runaways	Application submitted, approved and funded

Summarizing the preceding information indicates:

Area of Concern	Recommended Projects	No Activity	Application in Process	Application Approved
Police	6	5		1
Minor Judiciary	5	2		3
Court of Common Pleas	6	1		5
Corrections	5	1	1	3
Juvenile System	6	3		3
	28	12	1	15

The least activity to the recommendations has been in the area of police and juveniles. The problems and needs cited last year are still present. It is felt that the concerned agencies would improve their services if the projects noted were implemented.

PART II, THE CRIMINAL JUSTICE SYSTEM

OF ALLEGHENY COUNTY

1972

Paper 1 - An Analysis of
Crime in Allegheny County

AN ANALYSIS OF CRIME IN ALLEGHENY COUNTY

The collection of data on the extent and nature of criminal activity in Allegheny provides the basis for understanding not only the effort required by local police agencies but the workload and problems that are likely to confront the "downstream" components of the Allegheny County Criminal Justice System.

The traditional crime statistics of reported crimes and arrests provide only partial indicators of the actual extent of criminal activity. Perhaps the most significant statistical defect is that crime reports represent only the known crimes and that arrests represent only apprehended suspects. A second data inadequacy is that macro crime statistics fail to show how all residents of a political jurisdiction (e.g. Allegheny County or the City of Pittsburgh) are not equally exposed to committed crime and are not equally pre-disposed to arrest for suspected criminal activity.

The first data inadequacy can be partially alleviated by the thorough study of victimization rates. However the type of surveying required to obtain this data has not occurred in Allegheny County. Given this data limitation it is necessary to rely on the reports of crime and arrest of suspects which the local law enforcement agencies know about and report to state or national crime statistics agencies. Even with the passage of the Uniform Criminal Statistics Act of 1970 enabling the Pennsylvania State Bureau of Criminal Justice Statistics (BCJS) to require all full-time police departments to report, three departments in Allegheny County neglected to report to the Bureau in 1971 and 26 did not report for the full 12 month period of 1971.¹

The second data inadequacy, the limited assessment of the incidence and extent of reported crime and arrests for suspected crime, can be improved by the use of demographic variables such as the income, sex and race composition, and age structure of the population. An initial start in the use of these variables

¹Not reporting: Dravosburg, East Pittsburgh, and Jefferson. Not reporting full 12 months: Allegheny County Police (3), Elizabeth Twp. (11), Neville (2), N. Versailles (8), Robinson (11), S. Fayette (5), Hampton (11), Harmar (5), Indiana (3), N. Fayette (3), Clairton (11), Aspinwall (9), Blawnox (10), Braddock (11), Coraopolis (4), Elizabeth Boro (2), Etna (6), McKees Rocks (11), Monroeville (10), Mt. Oliver (11), Osborne (5), Rankin (5), Turtle Creek (4), Versailles (4), White Oak (10), Franklin Park (7).

is made in the City and County profiles on crime incidence and the profile on the City of Pittsburgh arrest population.

This analysis of crime in Allegheny County is divided into three sections: (1) status of crime incidence in the City and County; (2) profile on characteristics of the City of Pittsburgh arrest population; and (3) an examination of arrest projections based on time trends of arrest ratios and demographic factors.

I. Status of Crime Incidence in the City and County

Index Crimes:

Before the passage of a Commonwealth mandatory reporting law in 1969, the only agency attempting to compile crime reports was the Federal Bureau of Investigation (FBI). The FBI Uniform Crime Reporting Program (UCR) has operated continuously since 1930. The FBI UCR program concentrates on seven index crime types as an indicator of extent of criminal activity. Four of these crime types - murder and non-negligent manslaughter, forcible rape, robbery, and aggravated assault - are violent crimes against persons; the remaining three crimes - burglary, larceny (\$50.00 and over in value), and auto thefts - are the principle property crimes.²

TABLE I

Comparison of Number of Reported Part I Crimes for the City of Pittsburgh from 1967-1971

	1967	1968	1969	1970	1971	% Change 1967-1971	% Change 1970-1971
Murder and Non-Negligent Manslaughter	37	41	46	63	65	+75.6	+3.2
Rape	176	201	219	246	279	+58.5	+13.4
Robbery	1,850	2,972	2,841	2,690	2,556	+38.2	-14.0
AA&B	952	1,276	1,739	1,646	1,910	+100.1	+9.8
Burglary	6,671	9,582	10,125	8,432	9,489	+42.2	+12.5
Larceny (>\$50)	5,384	7,953	7,867	6,571	5,636	+4.7	-14.3
Auto Theft	7,520	10,203	9,246	8,748	6,532	-13.1	-25.3
Violent Crimes	3,015	4,490	4,375	4,645	4,810	+59.5	+3.5
Property Crimes	19,575	27,740	27,238	23,751	21,657	+10.6	-8.8
Total	22,590	32,230	32,113	28,396	26,467	+17.2	-6.8

☐ - Peak reporting for this crime type over the period 1967-1971

²Part I crimes consist of the seven index crimes plus negligent manslaughter and larceny less than \$50.00.

Table I shows a comparison of reported index crimes in Pittsburgh³ for the years 1967-1971. The overall increase for the five year period is 17.2% with the sharpest increases occurring in the violent crime types. While reports for the violent offenses of murder, rape, and aggravated assault and battery have continued to rise over the five year period, the property offenses and the violent offenses most closely related to property (robbery) have generally declined since 1968.

Crimes Reported and Crime Rates

To develop comparable crime rates the FBI compiles crime rates per 100,000 population. These comparable rates provide a crude measure of victimization in a community. Table II compares the index crimes reported per 100,000 population for the City of Pittsburgh for the period 1969-1971. The table clearly shows the increase in "victimization" as it relates to the violent crimes and the general decrease in "victimization" for the major property offenses.

TABLE II

City of Pittsburgh - Comparison of 1969-1971 Reported Index Crimes per 100,000 Population

	1969**	1970**	1971***	% Change 1969-1971
Murder Non-Negligent Manslaughter	8.4	12.1	12.7	+69.3
Rape	45.6	47.3	51.2	+47.8
Robbery	520.4	517.2	498.2	-8.6
Aggravated Assault and Battery	318.7	316.5	372.3	+59.2
Burglary	1856.1	1621.2	1849.7	+5.3
Larceny (>\$50)	1442.2	1263.4	1098.6	-24.6
Auto Theft	1665.0	1481.9	1273.7	-31.9
Violent Offenses	893.6	893.1	937.6	+13.9
Property Offenses	4993.2	4566.5	4221.6	-16.9
Total	5886.9	5459.5	5159.2	-12.7

* FBI estimated Pittsburgh Population - 545,500
 ** FBI estimated Pittsburgh Population 1970 Census - 520,117
 *** FBI estimated Pittsburgh Population - 513,000

☐ - Peak rate/100,000 population for this crime type over the period 1969-1971

³Comparable data for Allegheny County less the City of Pittsburgh is not available; therefore, this portion of the analysis is only for the City of Pittsburgh.

Oakland's population includes a great number of college and university students not added into the District's population. An accurate count of persons present in the area during the school year would, in all likelihood, at least double the Census Bureau's figure and cut the crime index in half.

A more significant measure of victimization and of the safety of a community is the violent crime index. Table IV also shows that the violent crime rate for the nine districts varies significantly from the City mean of 938. While Pittsburgh's Hill District experiences one reported violent crime for every 34 residents, District #6 (Shadyside, Squirrel Hill, and Hazelwood) experiences only one violent crime for every 167 residents.

Comparing the index and violent crime rates for the nine districts for the period 1970-1971 one can see rather significant crime rate increases for the Downtown, Lawrenceville, and Oakland districts, all of which have indices above the city mean. The Hill District with the highest index and violent crime rate experienced a 10% decrease in reports. District #7 (South Side, Carrick, 31st Ward) is the only district with a violent crime rate below the city mean in 1970 that experienced a significant enough increase in reported violent crimes to place it above the city's mean 1971 violent crime rate.

County Regions

In order to analyze differences in crime rates within Allegheny County yet outside of the City of Pittsburgh, the County's municipalities were aggregated into fourteen geographical regions. Table V identifies the municipalities included in each region. Table VI identifies the crime rates for the fourteen suburban communities. Within each region there are some police forces that either did not submit crime statistics to the BCJS or did not report for the full 12 months of 1971. Nevertheless only 17.4% of the total population of the County is not covered in police crime reports for 1971.

TABLE V
Composition of the Fourteen Suburban Regions
of Allegheny County

Region	INCLUDED MUNICIPALITIES
1	Sewickley, Bell Acres, Edgeworth, Leetsdale, Sewickley Heights, Franklin Park, Osborne, Levitt, Sewickley Hills, Glenfield, Aleppo, Haysville, Ohio
2	Kilbuck, Ross, Avalon, Ben Avon, Edgeworth, West View, Bellevue, Ben Avon Heights, Neville
3	O'Hara, Reserve, Shaler, Fox Chapel, Sharpsburg, Blawnox, Aspinwall, Millvale, Etna, Indiana
4	West Deer, Fawn, East Deer, Harrison, Brackenridge, Tarentum, Barmar, Springdale, Frazier, Springdale Boro., Cheswick
5	Plum, Penn Hills, Oakmont, Verona
6	Hickins, Churchill, Edgewood, Forest Hills, Wilkinsburg, Chalfant
7	Swissvale, Braddock Hills, East McKeesport, North Braddock, Pitcairn, Wilmerding, Monroeville, Rankin, Turtle Creek, Braddock, Wall, E. Pittsburgh, N. Versailles
8	McKeesport, Glassport, Fort Vue, Elizabeth, White Dale, Versailles, Liberty, Elizabeth Boro, W. Elizabeth, S. Versailles, Forward, Lincoln
9	Stone, Kennedy, McKees Rocks, Robinson, Coraopolis, N. Fayette, Moon, Findlay, Crescent
10	Oakdale, Collier, Scott, Bridgeville, Carnegie, Crafton, Greentree, Heidelberg, Ingram, Rosslyn Farms, South Fayette, Thornburg
11	Upper St. Clair, Dormont, Baldwin, Mt. Lebanon, White Hall, Castle Shannon, Bethel Park
12	Baldwin, Brentwood, Pleasant Hills, South Park, Mt. Oliver, Jefferson
13	Duquesne City, Homestead, Munhall, West Homestead, West Mifflin, Clairton, Dravosburg, Whitaker
14	McDonald, Richland, Pine, Hampton, Marshall, Bradford Woods

Columns (1) and (2) of Table VI identify the index and violent crime rate for each of the suburban regions. Wide variance exists among the fourteen suburban regions in the index and violent crime rates. The regions with the highest index and violent crime rate - regions 6, 7, and 8 - are far safer than the safest city district. In fact City residents in the Hill District are about 6 times as likely to be exposed to an index offense and 10 times as likely to be exposed to a violent offense as are county residents of the regions with the highest index and violent crime rates.

While the vast majority of suburban regions clearly represent safe areas, a look at the index and violent crime rate for specific municipalities within the regions indicates that a few areas with high exposure to the incidence of crime do exist

TABLE VI: Crime Rates for Fourteen Suburban Regions in Allegheny County

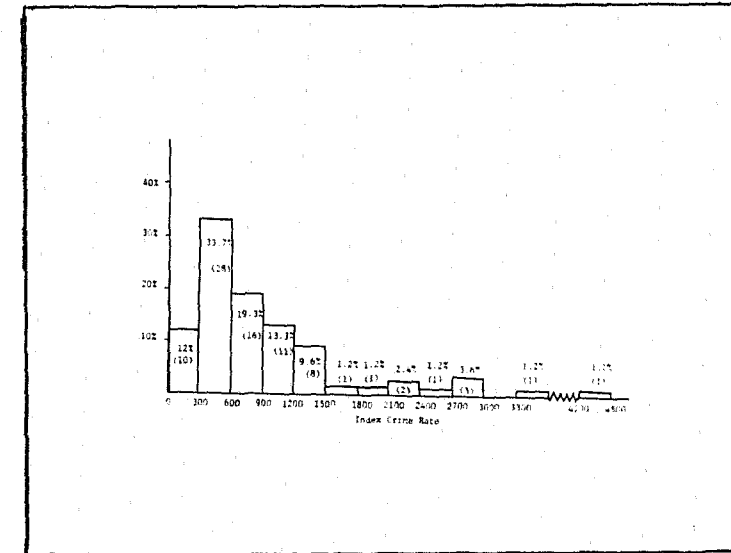
(1) Region	(2) Index Crime Rate*	(3) Violent Crime Rate*	(4) 1970 Not Available Population	(5) Percentage of Reporting Population for which Reports Not Available	(6) 1970 Index Crimes Reported	(7) 1971 Index Crimes Reported**
1	1349	79	23,099	23.2%	204	311
2	1406	31	70,041	3.5%	955	985
3	652	70	79,615	21.7%	399	520
4	426	36	57,731	27.3%	179	246
5	1136	89	96,105	0.0%	1092	1092
6	2514	220	56,251	2.4%	1380	1414
7	1799	147	105,850	16.7%	1346	1904
8	1485	280	92,526	2.4%	1082	1374
9	1098	40	79,340	7.7%	633	872
10	536	30	80,072	.8%	397	430
11	964	57	133,702	0.0%	964	964
12	816	106	73,056	11.7%	523	596
13	962	115	85,916	3.4%	770	826
14	617	5	56,184	1.9%	340	346
TOTAL	1,152	101			10,264	11,880

*Based on offenses reported by reporting jurisdictions and adjusted for jurisdictions reporting only a portion of the year.

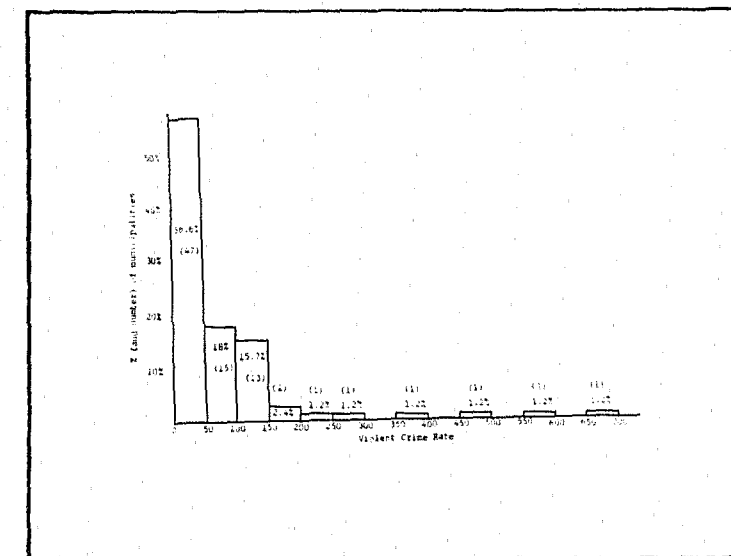
**1971 index crime reports adjusted for portion of population for which reports not available or not made and for reporting jurisdictions which reported for only a portion of the year.

in the County. Graphs 1 and 2 show the percentage (and number) of municipalities with index and violent crime rates falling in a specific value range. Graph 1 indicates that 10 of the 83 municipalities which reported index offenses have a crime rate in excess of 1,500 with one municipality exceeding 4,200. Graph 2 reveals that while over half of the municipalities have a violent index rate under 50, 8 municipalities experienced a violent crime rate in excess of 150 with one municipality having a violent crime rate in excess of 650.

Graph 1 Index Crime Rate for 1971 Reporting Municipalities in Allegheny County with Population Greater than 2,000



Graph 2 Violent Crime Rate for 1971 Reporting Municipalities in Allegheny County with Population Greater than 2,000



Tables VII and VIII are a listing of those municipalities with high index and violent crime rates respectively for the years 1970 and 1971. Wilksburg, Monroeville, Sewickley Boro, Homestead, and Versailles emerged as the municipalities with an index crime rate most closely comparable to the city district index crime rates.

Braddock, Homestead, McKeesport, and Wilkinsburg emerge as the municipalities with violent crime rates most closely comparable to the city district violent crime rates. These municipalities along with most portions of the City of Pittsburgh represent the loci of crime in Allegheny County.

TABLE VII: Municipalities with Index Crime Rate Greater than 1,500 in 1970 and 1971

Suburban Region	Municipality	1970 Population	1970 Index Crime Rate	1971 Index Crime Rate	Change
6	Wilkinsburg	26,780	1,726	4,343	+15.7
7	Monroeville	29,011	(NOPT)	3,179	-
1	Newcastle Boro	5,600	(NOPT)	2,862	-
13	Homestead	6,399	(NOPT)	2,837	-
4	Versailles	2,734	(NOPT)	4,723	-
7	Braddock	8,698	2,940	2,450	-16.7
8	McKeesport	37,977	2,256	2,252	- 1.5
11	Upper Merion	15,411	(NOPT)	2,180	-
2	Rose-Depa	12,890	1,812	1,997	+10.2

TABLE VIII: Municipalities with Violent Crime Rate Greater than 150 in 1970 and 1971

Suburban Region	Municipality	1970 Population	1970 Violent Crime Index	1971 Violent Crime Index	Change
7	Braddock	8,698	880 (10.7)	598	-32.5
13	Homestead	6,399	(NOPT)	555	-
8	McKeesport	37,977	492	471	+17.2
6	Wilkinsburg	26,780	620	385	-37.9
7	Rankin	3,617	(NOPT)	252	-
8	East Deer Twp.	2,081	(NOPT)	240	-
7	Braddock Hills	2,499	(NOPT)	200	-
12	Brentwood	11,732	196	175	-20.7
1	Newcastle Boro	5,600	(NOPT)	150	-

Crimes Cleared by Arrest

A basic measure of police effectiveness is the portion of crimes reported that are cleared by arrest. Clearance rates are the highest for the violent crimes against persons where there is a greater likelihood of real identification of the offender. With the property offenses the likelihood of naming the offender decreases and so the clearance rate decreases markedly. For many of the Part II offenses (i.e. street arrests and vice offenses) the clearance rate is high simply because crimes reported are synonymous with arrest.

A comparison of the 1971 City and County portion of offenses cleared by arrest and the portion of cleared arrests that are juveniles is shown in Table IX.

TABLE IX

Comparison of Portion of 1971 Reports Cleared by Arrest and Cleared Arrests that are Juveniles for the City of Pittsburgh and Allegheny County

Crime Type	Percentage of Reports Cleared by Arrest			Percentage of Cleared Arrests Juveniles			
	City	County	Ratio	City	County	Ratio	
Part I	Murder	91.8%	84.4%	9	0.0%	0.0%	
	Man-slaughters	88.9%	80.0%	10	8.3%	11.2%	
	Rape	44.1%	38.3%	14	11.4%	30.4%	
	Robbery	21.1%	19.4%	9	15.3%	32.4%	
	Assault	33.4%	28.7%	15	10.1%	20.3%	
	Burglary	13.1%	9.8%	14	26.5%	44.6%	
	Carjacking	8.0%	2.4%	8	1.9%	47.1%	
	Auto Larceny	7.0%	10.5%	14	27.0%	48.1%	
	Investigative Offenses	Other Assaults	26.9%	51.1%	19	10.4%	25.9%
		Vandalism	4.5%	7.1%	10	13.8%	88.2%
Family Offense		13.9%	10.3%	23	18.7%	38.7%	
All Others		15.2%	24.7%	49	18.9%	44.3%	
Street Arrests	Peapack	53.9%	74.8%	10	1.0%	10.9%	
	Drunken Driving	100.0%	93.9%	14	4.1%	1.6%	
	Drunkenness	100.0%	91.7%	14	1.0%	1.8%	
	Disorderly Conduct	94.4%	81.1%	16	4.1%	14.1%	
	Vagrancy	98.5%	97.6%	10	1.0%	17.1%	
	Atton	15.5%	26.1%	10	28.1%	41.7%	
Investigative Offense	Forgery	36.2%	57.9%	13	1.3%	9.1%	
	Fraud	30.2%	48.7%	14	1.7%	0.0%	
	Embezzlement	47.8%	-	-	0.0%	0.0%	
	Stolen Property	71.2%	72.2%	10	6.8%	12.9%	
Vice Offense	Commercial Vice	91.5%	100.0%	13	1.7%	0.0%	
	Sex Offenses	41.7%	34.3%	8	7.8%	23.0%	
	Narcotics	88.0%	89.4%	10	5.0%	26.2%	
	Gambling	97.7%	100.0%	10	0.0%	20.0%	
Liquor Law	91.9%	91.8%	10	3.3%	50.2%		

The clearance rates for the City and County are most nearly equal for the Part I offenses. The clearance rates are also nearly equal for street arrests and vice offenses. The County clearance rate for many of the other offenses is significantly higher than the City clearance rate. This may be the consequence of more rapid municipal police response time, differences between the City and County in the nature and severity of the same type of offense (e.g. auto theft in City is more often a professional theft while in the County the offenders are more frequently juveniles), the greater portion of County reports that are cleared by the arrest of juveniles, and the possible differences in how arrests in the City and County are counted towards the clearance of reports.

The table also indicates that a high portion of County reports are cleared by the arrest of juveniles. This piece of information along with the knowledge that crime rates are generally lower in the County suggests that while the County crime problem overall is not severe, the problems that do exist rest heavily with juveniles. In the City the portion of arrests cleared by juveniles appears to be far lower. Table X shows that there has been a general decline in the portion of reports cleared by the arrest of juveniles over the period 1969-1971.

TABLE X: Percentage of Cleared Reports Juveniles and Percentage of Arrest Juveniles for the City of Pittsburgh - 1969-1971

Crime Type	% Cleared Reports Juveniles			% of Arrest Juveniles		
	1969	1970	1971	1968	1970	1971
Murder	4.9%	3.3%	0.0%	5%	2.8	1.6
Forcible Rape	35.5%	18.0%	11.4%	27.9%	24.4	18.7
Robbery	49.2%	28.0%	15.5%	40.5%	39.6	35.0
Aggravated Assault	22.7%	19.2%	14.1%	22.1%	23.4	21.1
Burglary	54.2%	35.5%	26.6%	47.5%	41.6	42.8
Auto Larceny	86.8%	47.7%	23.0%	86.8%	67.8	58.8

However, during the same period the portion of juveniles to total arrests for these offense types has not declined as appreciably. This suggests that juvenile arrests are counting less towards the clearance of reports in 1971 than they did in 1969. If this is true, the 1971 City figures on the percentage of cleared reports that are juveniles tend to understate the role juveniles play in the City's crime problems.

A more detailed analysis of reports and reports cleared by arrest for the three suburban regions with the highest crime rate and the three suburban regions with the lowest crime rate is shown in Table XI.

TABLE XI
Offenses Reported and Cleared for the Three Most Victimized and Three Least Victimized Suburban Regions

Regions	Part I	Violent	Property	Part II	Investigative	Vice and Narcotics	Disturbance Calls	Street Offenses
High Victimization Regions								
Region 8								
# of Reports	1,400*	205	1,255	1,374*	16	253	680	425
% Cleared by Arrest	19.9	30.2	18.2	47.6	100.0	96.8	78.8	95.5
% of Cleared Juvenile	139.6	35.3	29.3	13.4	12.5	39.7	11.9	2.5
Region 6								
# of Reports	1,743	124	1,621	38	27	94	535	178
% Cleared by Arrest	7.2	23.0	3.9	48.7	43.4	82.7	27.3	94.9
% of Cleared Juvenile	31.0	37.8	60.0	43.6	25.0	53.3	67.2	24.3
Region 7								
# of Reports	1,615	119	1,305	1,026	13	134	525	324
% Cleared by Arrest	8.7	25.3	7.4	44.4	58.1	80.6	10.3	83.0
% of Cleared Juvenile	31.4	32.1	31.3	19.3	28.0	42.6	5.3	2.6
Low Victimization Regions								
Region 14								
# of Reports	4,328*	3	429	5,388	2	61	419	61
% Cleared by Arrest	9.4	0.0	9.6	26.2	-	95.1	8.6	95.1
% of Cleared Juvenile	51.7	0.0	51.7	42.2	-	48.3	63.9	19.0
Region 3								
# of Reports	388	12	376	323	2	104	124	93
% Cleared by Arrest	8.3	50.0	8.7	71.2	100.0	100.0	25.0	100.0
% of Cleared Juvenile	68.0	50.0	62.0	32.2	-	52.9	45.2	54.4
Region 10								
# of Reports	520	22	498	405	9	161	225	110
% Cleared by Arrest	14.4	50.0	12.9	55.1	88.9	83.6	29.3	89.0
% of Cleared Juvenile	48.0	-	56.3	28.7	12.5	39.2	51.5	9.2

*Does not include Liberty Boro which did not report Part I offenses cleared on Part II offenses reported or cleared.
**Does not include Hampton Twp. which did not report Part I offenses cleared.

The offenses are grouped by Part I violent and property offenses and the Part II groupings of disturbance calls, street offenses, investigative offenses, and vice and narcotics offenses.* For all 6 regions

*For the crime types in each of the Part II groupings see Table IX.

the clearance rates are higher for the violent than for the property offenses since crimes against persons have a higher likelihood of a named offender. Looking at the Part II offenses the clearance rates are also high for the street offenses and the vice and narcotics offenses. Considerable disparity, however, does exist between the clearance rate for the six regions with region 8 (dominated by the City of McKeesport) having the highest clearance rates.

Looking at the portion of reports cleared by the arrest of juveniles we see that a larger portion of reports are cleared by the arrest of juveniles in those communities with the lower rates of crime. This suggests that where the crime problem does exist in the low crime regions, it exists disproportionately more with the juvenile population. In regions with higher crime rates the crime problem is likely to exist both with juveniles and adults.

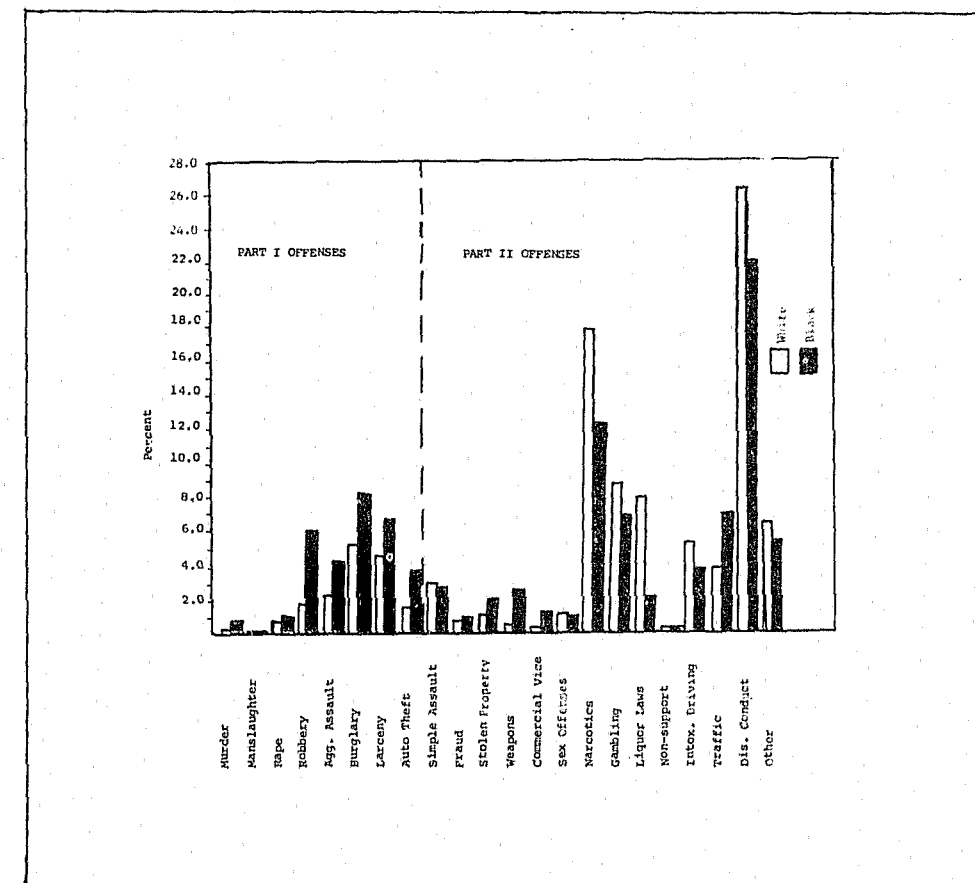
II. Profile on City of Pittsburgh Arrest Population

In order to develop a more complete understanding of the population of criminal offenders it is necessary to analyze the characteristics of the offender population. Since the actual population of offenders is unknown (i.e. all committed crimes do not result in apprehension) it must be assumed that the population of arrested individuals is reasonably representative of the population of criminal offenders. Given this assumption it is possible to analyze the age, sex, race, income, and geographical distribution of the arrest population as an aid in determining the kinds and extent of resources that are needed to bring a reduction in the rate of crime and delinquency. This profile on the Pittsburgh Arrest population is an effort to describe the characteristics of the offender population.

Distribution of Arrests by Race

In 1971, the City of Pittsburgh Police made 24,389 arrests. Of these arrests 14,077 or 57.7% were white and 10,311 or 42.3% were non-white (i.e. black). In order to determine if the number of arrests for a particular crime type is disproportionate for a particular race, Figure 1 was designed.

Figure 1: Distribution of Cases Over the Crime Types for Blacks and Whites



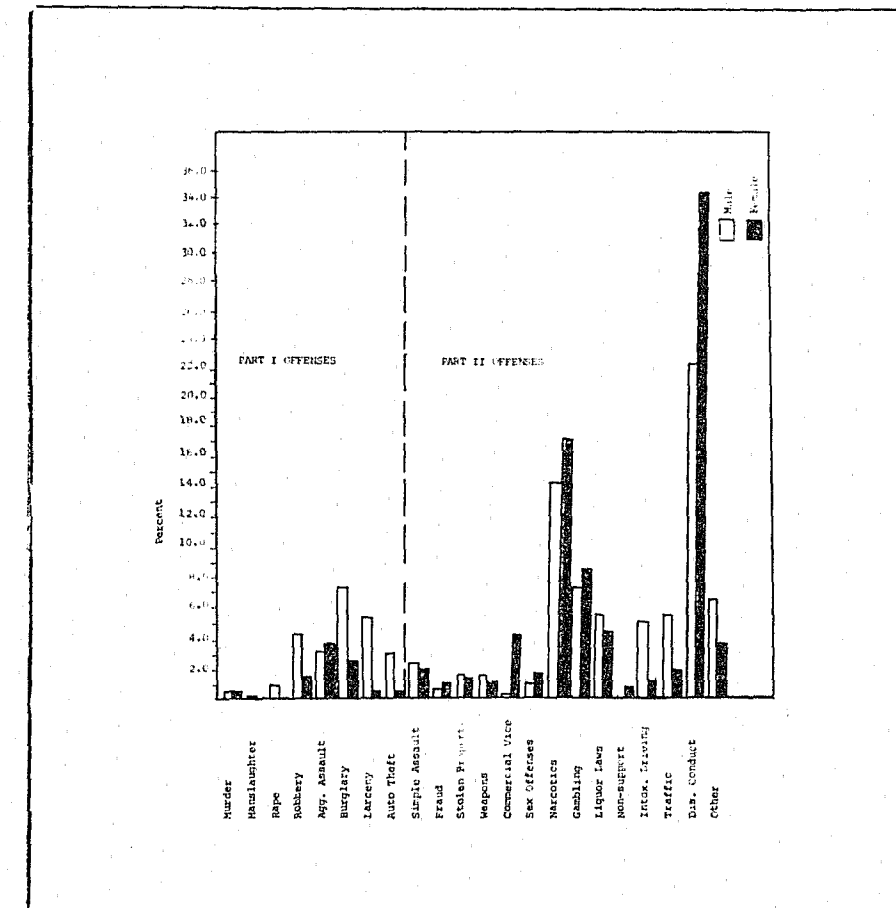
It illustrates the difference in the distribution of cases over the various crime types for whites and blacks.* The table shows that a higher portion of the blacks are arrested for the more serious Part I property and violent offenses (i.e. 30.3% of blacks compared to 16.2% of whites). A higher portion of blacks are also arrested for the Part II offenses of fraud, stolen property, weapons, commercial vice and other traffic violations. The only offenses for which whites are proportionately arrested with greater frequency are narcotics, the vice offenses -- gambling and liquor laws, and the street arrests -- intoxicated driving and disorderly conduct.

Distribution of Arrests by Sex

The Pittsburgh Police arrested 21,160 males and 3,228 females. Females (only 13.2% of the total arrest population) clearly represent a disproportionate number of the total arrests. Additional insight into differences in the female and male arrest population can be gained by looking at Figure 2 which illustrates the differences in the proportionate distribution of male and female offenders for the various crime types. A much greater proportion of the male arrest population is for the Part I offenses for which men are arrested 24.2% of the time and women only 16.2% of the time. The only Part I offense for which women are arrested with a greater proportion is aggravated assault and battery. Among the Part II offenses, females are proportionately arrested with greater frequency for the vice offenses -- narcotics, sex offenses, commercial vice, and gambling and the street arrest -- disorderly conduct.

*Arrests for drunkenness which represent 5,110 or 36.3% of white arrests and 2,346 or 22.8% of black arrests have been excluded because of the disproportionately high number of arrests for this crime type compared to all other offenses.

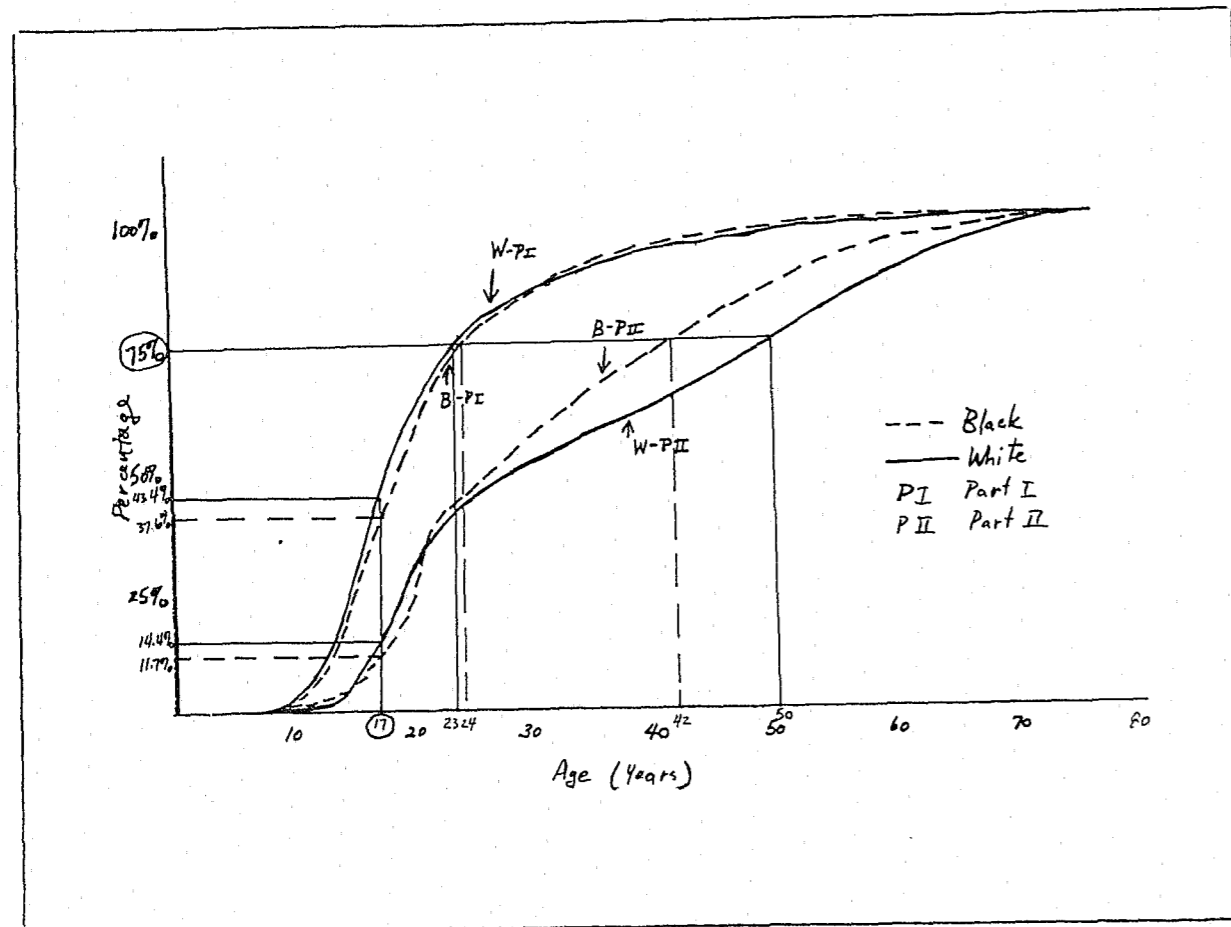
Figure 2: Distribution of Cases Over the Crime Types for Males and Females



Distribution of Defendants Arrested by Age and Race

Graph 1 shows a cumulative distribution of the percentage of Part I and Part II defendants arrested by a given race and age. 43.4% of white Part I offenders and 14.4% of white Part II offenders are 17 years of age or younger as compared to only 37.6% of black Part I offenders and 11.7% of black Part II offenders. The fact that juveniles represent a higher proportion of the total white arrest population than do black juveniles of the total black arrest population may indicate that the crime problem among whites rests more heavily with juveniles. The black crime problem then appears to rest not only with juveniles but also with adults.

Graph 1: City of Pittsburgh - 1971
 Percentage of Total Part I and Part II Defendants Arrested
 By Race By a Given Age



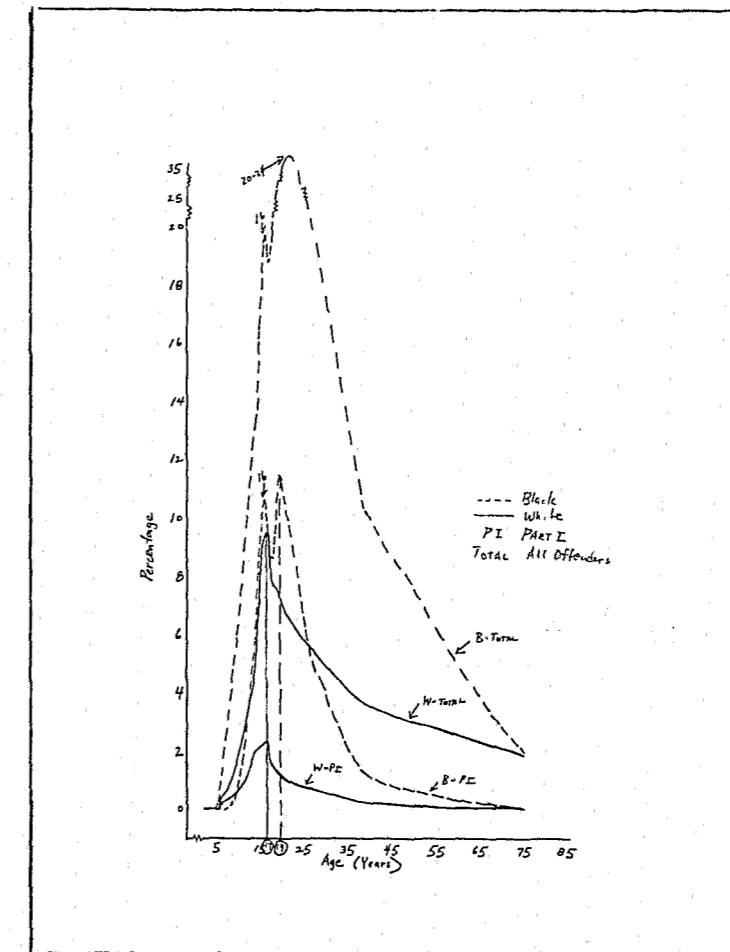
The difference in the age distribution for black and white offenders is not as significant for Part I offenders as it is for Part II offenders. 75% of black Part II offenders are 42 years of age or younger while whites representing 75% of the white arrest population are 50 years of age or younger. For Part I offenders the 75% level of arrests is reached by age 23 for white and 24 for black offenders.

The differences in the cumulative age level at which 75% of Part I offenders are arrested is partially explained by the high juvenile and young adult arrest percentages for Part I offenses. The differences in the Part II age distribution for black and white offenders is largely the result of differences in the Part II crime mix (see Figure 1 for the two offender groups). The Part I age distribution for black and white offenders does not diverge as drastically since the Part I crime mix for the two offender groups (see Figure 1) is similar.

Percentage of Defendants Arrested by Race and Age

Graph 2 represents the ratio of the number of defendant arrests by race and age to the total City population of that respective race and age for Part I and Total offenders.* The graph shows the rather dramatic difference in arrest percentages for black and white offenders relative to the total black and white population of each respective age. While Part I white offenders reach a peak arrest percentage of 2.3% at age 17 Part I black offenders reach two peaks, one of 10.7% at age 16 and one of 11.5% at age 19. Throughout the 15-19 year range blacks have an average arrest percentage of 9.8. This is more than six times the white average percentage of 1.5.

Graph 2:
 Percentage: Ratio of Defendants Arrested By Race and Age
 to Total City of Pittsburgh Residents of
 that Respective Race and Age
 (Total and Part I Offenders)



*No effort is made to account for the fact that some individuals are arrested multiple times in the same year.

At the age at which black Part I offenders have reached their peak (age 19), the white percentage has dropped from a high of 2.3 to 1.4. It is not until nearly age 35 that the black arrest percentage dips below the peak white arrest percentage of 2.3 at age 17. Clearly blacks continue to have a high arrest percentage for many years after the white arrest percentage has diminished to significantly less than 1%.

The fact that the white Part I percentage deteriorates rapidly after age 17 suggests that the crime problem among whites is more dominant among juveniles. The two peak black percentages (at age 16 and 19) and the slower rate of deterioration after age 19 suggests that the crime problem among blacks is dominant among both the young and the 18-35 year age group*. The prolonged arrest problem among blacks after the juvenile years may well be a reflection of the lack of meaningful alternatives for many blacks. The result is repeated criminal activity for these offenders.

Juvenile and Adult Resident Arrest Rates by Ward and Police District

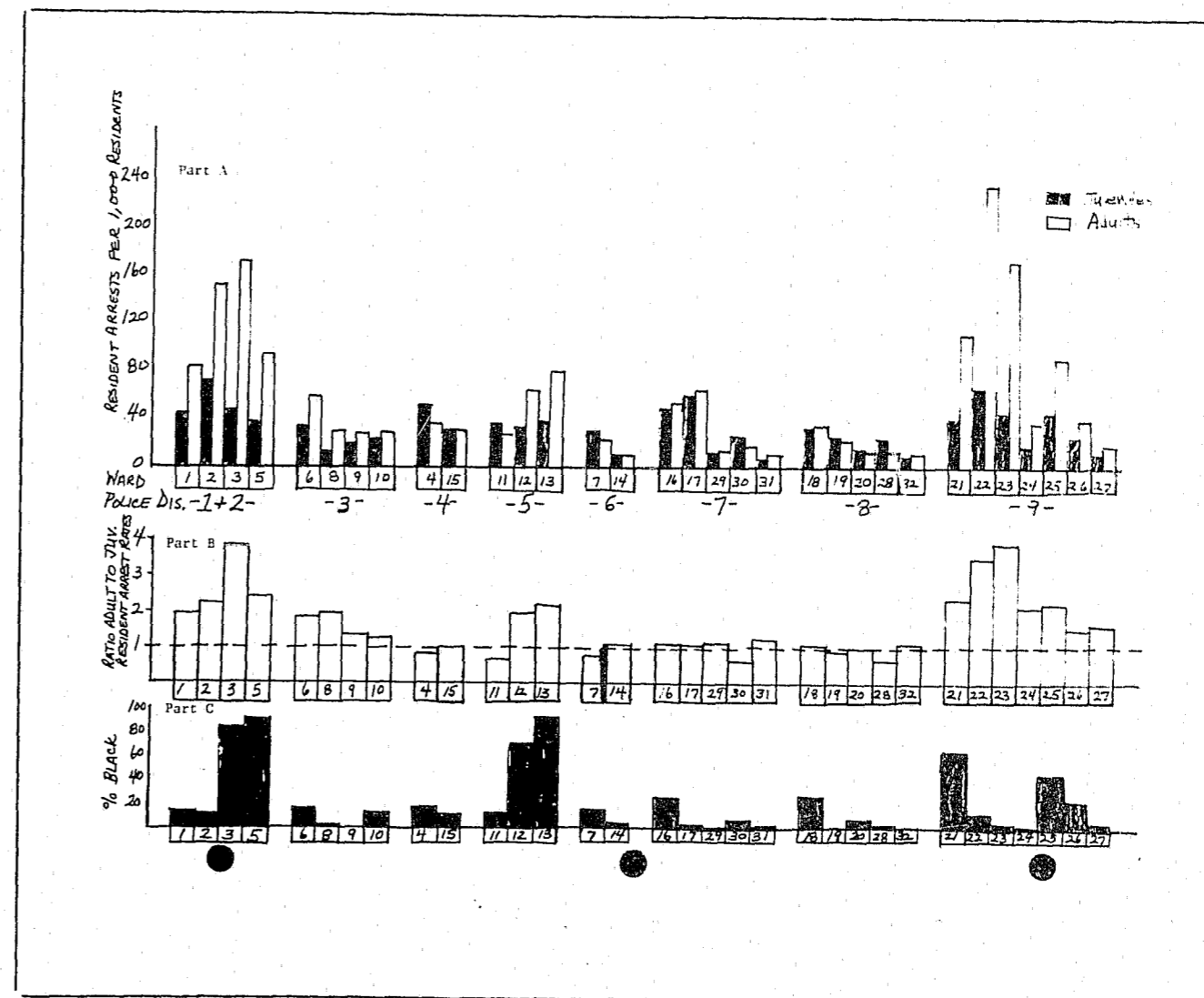
Graph 3 Part A shows by resident Ward and Police District the number of juvenile and adult residents arrested per thousand residents of that ward. Part B shows the ratio of the adult to juvenile resident arrest rates and Part C shows the percentage of the resident population in each ward that is black. A comparison of Parts A and C reveals the following observations:

- (1) All resident wards with low juvenile resident arrest rates (less than 30) are less than 20% black with the exception of ward 26 which is 40% black.
- (2) All resident wards with high juvenile resident arrest rates (greater than 50) are less than 30% black.
- (3) All high percentage black resident wards (40% or more black) have a moderate juvenile arrest rate (30 to 50).
- (4) All resident wards with low adult resident arrest rates (less than 40) are less than 20% black.

*The same conclusions can be reached by looking at Graph 4 for total offenders.

- (5) All resident wards with high adult resident arrest rates (greater than 80) are substantially black wards 1, 2, & 22 (commercial areas), which are less than 20% black.
- (6) All resident wards with moderate adult resident arrest rates (40 to 80) are less than 40% black.

Graph 3: Juvenile Adult Resident Arrests per 100,000 Population by City Ward - 1971



A comparison of Graph 3 Part B and C reveal the following observations:

- (1) The arrest rates for juveniles and adults are nearly equal (i.e. ratio of approximately 1) in resident wards that are over 80% white and have moderate adult and juvenile defendant arrest rates.
- (2) The resident arrest rate for juveniles is greater than for adults (i.e. ratio less than 1) in areas that are over 80% white and have low adult resident arrest rates.

This phenomenon suggests that in predominantly white resident wards with low adult resident arrest rates, if a resident arrest problem exists it exists disproportionately among the juvenile population (e.g. wards 11, 28, 30).

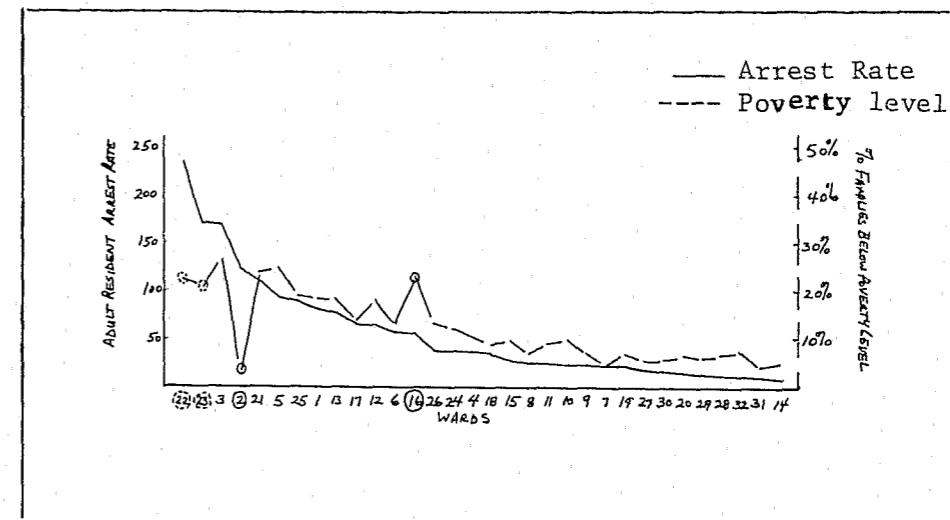
- (3) The juvenile resident arrest rate is less than the adult resident arrest rate (i.e. ratio greater than 1) in all the resident wards that are over 40% black and have a moderate or high adult resident arrest rate. This phenomenon also occurs in some white dominated resident wards (e.g. wards 1, 2, 6, 8), and in particular Police District 9 (where this phenomenon is characteristic of the arrest rate throughout the district).

This suggests that in the black community (i.e. greater than 40% black) the resident arrest rate is universally more severe among adults than juveniles. In fact the juvenile resident arrest rate never exceeds the moderate rate (30 to 50) in the black community. The highest juvenile resident arrest rates occur in wards that are less than 10% black and are highly commercial (i.e. wards 2, 17, and 22).

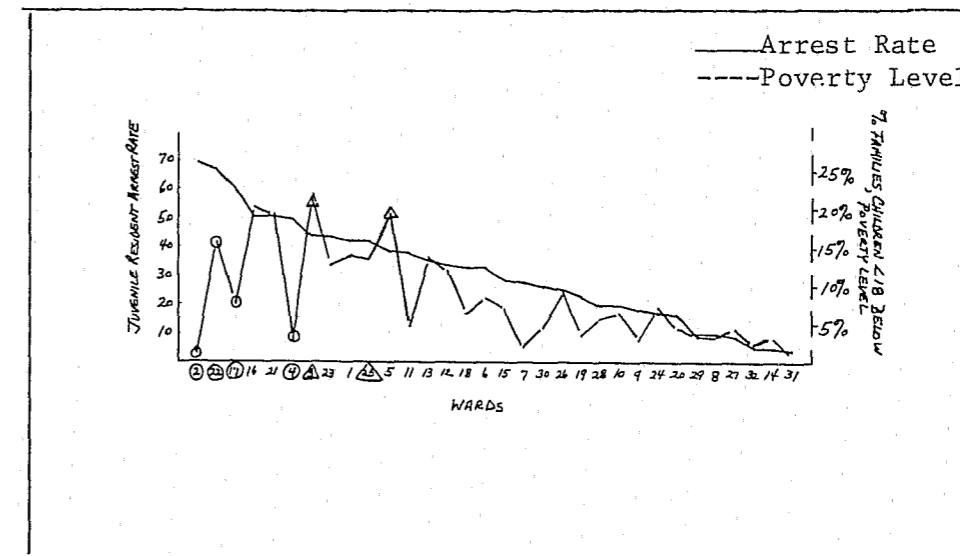
Juvenile and Adult Resident Arrest Rates and Family Income

The high arrest rates by age for blacks relative to whites and the differences in resident arrest rates by ward suggest that family income may be an important variable in explaining the rate of arrest as well as an indicator of the extent of the crime and delinquency problem within the community. In order to test this hypothesis the adult and juvenile resident arrest rates were plotted on separate graphs for each of the resident wards. Graph 4 and 5 show the adult and juvenile resident arrest rates in descending order by ward. On graph 4 the adult resident arrest rate is plotted against the percentage of families in each ward that are below the poverty level. On graph 5 the juvenile resident arrest rate is plotted against the percentage of families in each ward with children under 18 that are below the poverty level.

Graph 4: Comparison of Adult Resident Arrest Rate with % of Families Below Poverty Level By City Ward



Graph 5: Comparison of Juvenile Resident Arrest Rate with % of Families (Children Under 18) Below Poverty Level By City Ward



With respect to Graph 4 we see that the adult resident arrest rate is proportional to the percent of families below the poverty level. In other words, where the adult resident arrest rate is high, poverty is great, and where the arrest rate is low poverty is less. The only exceptions to this rule are wards 2 and 16 and to a lesser extent wards 22 and 23. These wards are all highly commercial areas. The irregularities may, therefore, be the result of the high number of transients in these areas that are not counted in the census data on family income and/or the transient arrests that are arbitrarily assigned by the

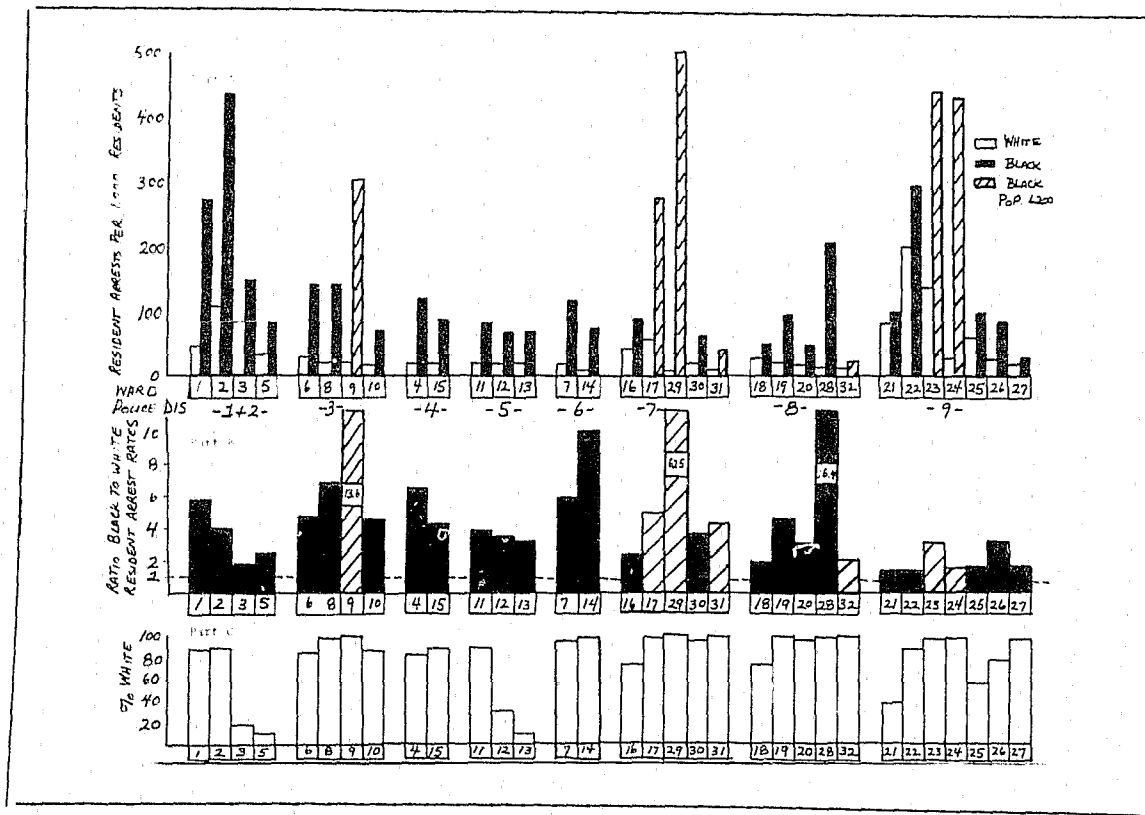
Pittsburgh Police to a residence ward that is the same as the arrest ward.

The relationship between family income and juvenile resident arrest rate, Graph 5, is not as clear-cut as the relationship shown in Graph 4. For those wards where the juvenile resident arrest rate is less than 35, the percentage of poverty families with children under 18 ranges from low to very low. Where the arrest rate is moderate or high (i.e. greater than 35) the portion of poverty families fluctuates from low to high. Wards 2, 22, 17, and 4 are all commercial and business areas that have arrest rates that are high relative to the portion of poverty families. Wards 3 and 5 which are located in the Hill District and are over 80% black have arrest rates that are low relative to the portion of poverty families. The fact that a precise relationship does not exist in Graph 5 suggests that juvenile problems unlike adult arrest problems are not as closely related to income. This confirms the earlier observation that crime problems, if they are to exist in areas of relatively low arrest, will rest more heavily among the juvenile portion of the population.

White and Black Resident Arrest Rates by Ward and Police District

Graph 6 Part A shows by resident ward the resident's arrest rate per thousand black and white residents of that ward. Part B shows the ratio of black to white resident arrest rates and Part C shows the percentage of the resident population in each ward that is white.

Graph 6: Black and White Resident Arrests Per 100,000 Population By City Ward - 1971



A comparison of Parts A and C reveal the following observations:

- (1) The higher white resident arrest rates (i.e. greater than 40) and the higher black resident arrest rates (i.e. greater than 100) occur in the commercial areas (wards 1, 2, 3, 17, 21, 22, 23, 25).
- (2) All other areas of high black resident arrest rate are in wards that are 80% or more white (wards 4, 6, 9, 28, and 29).
- (3) The wards that are substantially black (wards 5, 12, 13, 21, 25) have a moderate (60 to 100) black resident arrest rate.

Part C shows by resident ward the ratio of the black resident arrest rate to the white resident arrest rate. A comparison of Part C and B reveals the following observations:

- (1) The black resident arrest rate for each ward is higher than the white resident arrest rate for that ward.
- (2) The highest ratio of black resident arrest rate to white resident arrest rate occurs where whites represent more than 90% of the population (e.g. wards 9, 14, 28, 29)
- (3) The lower ratio (1.0 - 3.0) of black resident arrest rate to white resident arrest rate occurs in all wards 60% or more black. In all wards that are 60% or more black, the ratio of the black resident arrest rate to the white resident arrest rate does not exceed three. The only wards in which the ratio is less than 3 and blacks are less than 10% of the population are wards 20, 24, 27, and 32.
- (4) In Police Districts 1, 2, 4, 5, 6, and 7 the ratio of the black resident arrest rate to the white resident arrest rate increases with decreasing black population

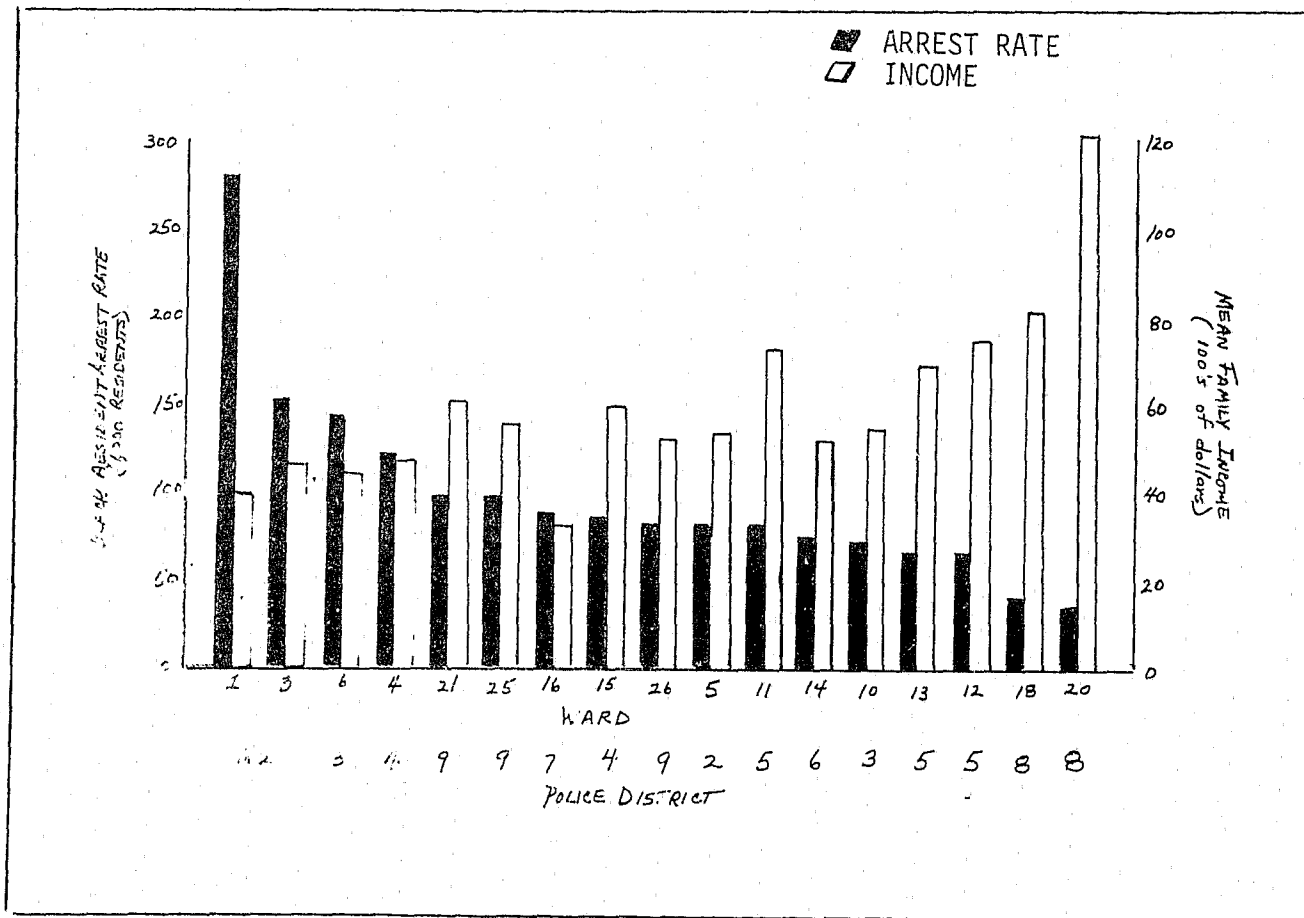
From this Graph we see the divergence between the black resident arrest rate and the white resident arrest rate as being at a minimum in areas in which blacks represent a substantial portion of the ward's population and a maximum where blacks are a real minority. Blacks are in fact most likely to be arrested (i.e. have the highest resident arrest rate) in (1) areas that have a high overall adult and juvenile arrest rate and (2) areas

that are less than 10% black and have low overall adult and juvenile arrest rates. Whites on the other hand have a high arrest likelihood in only those areas that have a high overall adult and juvenile arrest rate.

Black Resident Arrest Rate and Family Income

From Graph 6 it is clear that while blacks typically experience a higher arrest rate than whites (within the same ward) the arrest rate is not constant throughout the wards. In order to explain a portion of this variance among wards we plotted (for those wards with census tracts with more than 400 blacks) the black arrest rate against the mean black family income. Graph 7 shows this relationship and illustrates that to a great extent the black arrest rate can be explained by the average black family income.

Graph 7: Comparison of Black Resident Arrest Rate to Mean Black Family Income By City Ward



In those areas where the arrest rate is high the black family income is low and where the arrest rate is low the black family income is high. If the ward arrest rate is a good indicator of the likelihood of ward residents committing crime, then this graph suggests that it is only that portion of the community with the smallest economic share or investment in society that is inclined to criminal activity. These are the people that have the fewest alternatives in life.

Summary of Results

While the arrest population is not entirely representative of the population of defendants that commit crime (since clearance rates and arresting policy differ by crime type, police station, and patrolman), it remains the only basis for analyzing the characteristics of the offender population and for making recommendations for actions to control crime and delinquency.

The major results of the analysis of the arrest population are:

- (1) The crime problem among whites appears less critical than among the black population.
- (2) Within the black population the crime problem rests heavily with the juvenile and young adult offender while within the white population the crime problem rests heavily with the young and diminishes rapidly with adulthood.
- (3) The high adult criminal activity appears to be closely correlated with low income and vice versa. This relationship is not as significant among juveniles where high and moderate juvenile criminal activity exists in areas with very few poverty level families.
- (4) High black criminal activity exists where mean income is low. The level of black criminal activity diminishes significantly as the mean family income rises.

This suggests that the difference in the level of criminal activity between whites and blacks is highly correlated to the income differences between blacks and whites. Since income level is an indicator of the choices or alternatives available to individuals in society and since a higher portion of blacks compared to whites have low incomes, it is fair to say that a larger portion of blacks have fewer alternatives. Criminal

activity is likely to appear more attractive when the alternatives are few.

One method of attacking the problem of crime and delinquency is through improved measures of deterrence that increase the difficulty of performing criminal activity (e.g. improved alarm system), increase the likelihood of apprehension (e.g. foot patrolman, improved communications) and increase the likelihood of successful prosecution (e.g. more rapid disposition of charges). These kinds of activities will raise the cost of committing crime and make criminal activity look less attractive relative to other alternatives. However, given that people who commit crime already have little in the way of alternatives it becomes increasingly difficult to make crime look less attractive.

The other method of affecting crime and delinquency is to raise the alternatives available to people with little choice and thereby make criminal activity a less attractive alternative. Such methods of crime control require the Criminal Justice System to interact with the other services like education and job training and placement. This approach assumes that if the individual's alternatives increase, income is likely to increase and the attractiveness of criminal activity is likely to diminish. The data in this profile suggests that successful implementation of this latter strategy is likely to favorably affect at least a portion of the present Allegheny County arrest population.

III. Arrest Projections for Pittsburgh and Allegheny County*

Projections of the number of defendants who will be entering the criminal justice system is essential to the assessment of the future capabilities and resources needed by the criminal justice agencies.

This section on projections makes use of several techniques for producing forecasts of the arrest population based on past arrest data.** The first forecasting technique gives the forecasted arrests in the current period (i.e. 1973) based on both past arrest data (i.e. 1963-1972) and on arrest data for the most recent period (i.e. 1972). The second forecasting technique is based on a linear projection of arrests for the year 1975 based on past arrest data. The third forecasting technique utilizes population data - both age and racial composition - and the in and out migration of population over time to project arrests for the year 1980.

Arrests in the City of Pittsburgh

The arrest projections for the City of Pittsburgh are based primarily on past arrest data. Table XII shows by the major Part I, Part II, and Juvenile crime groupings the number of arrests for the years 1963 through 1972. We can see that there has been an 11.5% overall increase in arrests over the ten year period. The largest increase in arrest has occurred with narcotics offenders where arrests have gone from only 137 in 1963 to 2,299 in 1972. The largest percentage increase in arrests for the Part I offenses has been for violent crimes. The largest decrease in arrests has occurred for the juvenile offenses of truancy, runaway, and ungovernable.

*The results for this analysis were obtained with the assistance of the faculty and staff of the Urban Systems Institute, School of Urban and Public Affairs, Carnegie-Mellon University.

**One serious difficulty in using arrest data to make projections is that the arrest population from year to year (and this is particularly true for specific offense types) reflects not only changing criminal activity in the community but also the changing arrest policies and activities of the police department. For this reason the changes in the number of arrests for a particular offense from year to year may not simply represent changes in criminal activity for that offense. This problem can be partially alleviated by aggregating over crime types and thereby dampening some of the effect that changes in arresting policies and activities have on the size of the arrest population.

TABLE XII: 1963-1972 Arrests-City of Pittsburgh

Year	Total	Part I	Part I		Part II	Part II					
			Violent	Property		Investi- gative	Vice	Narcotics	Street Arrests	Pisturbance Calls	Juvenile
1963	22,695	3,945	1,000	2,945	17,376	102	1,121	137	14,161	1,855	1,374
1964	24,522	4,118	1,043	3,075	19,276	129	2,120	224	14,710	2,093	1,128
1965	24,057	3,838	1,081	2,757	19,369	118	2,483	239	14,774	1,755	850
1966	25,002	4,304	1,301	3,003	19,941	133	2,063	281	15,655	1,851	757
1967	26,005	4,610	1,441	3,169	20,816	216	2,022	428	16,060	2,090	629
1968	23,757	5,210	1,282	3,928	17,980	219	1,725	728	13,316	1,992	567
1969	26,446	4,897	1,410	3,487	21,004	246	1,904	1,386	14,943	2,525	545
1970	22,677	4,861	1,525	3,336	17,161	248	1,734	1,578	11,794	1,807	655
1971	24,389	4,741	1,379	3,362	19,086	337	2,251	2,132	12,320	2,046	562
1972	25,315	4,657	1,404	3,253	20,109	315	2,125	2,299	13,233	2,137	549
% Change 1963- 1972	+ 11.5%	+ 18.0%	+ 40.4%	+ 10.5%	+ 15.8%	+208.8%	+89.5%	+1578.1%	-6.6%	+15.2%	-60.0%

Projected 1973 Arrests for the City of Pittsburgh

The first forecasting method assumes that the 1973 arrest population is a weighted sum of arrests in the past year (1972) and the forecasted or smoothed arrests based on arrests in all previous years (1963-1972). The weight that is chosen may take on values between 0 and 1 depending on whether it is desired that the projected arrests be more heavily a function of arrests in this period or of arrests in the past years. The formula to derive the projected arrests is:

$$FA [t + 1] = A [t] + (1 - \lambda) FA [t]$$

FA [t + 1] = forecasted average arrests in year t + 1 (i.e. 1973)

FA [t] = smoothed arrests in year t (i.e. 1972 based on past arrests in years 1963-1972)

A [t] = actual arrests in year t (i.e. 1972)

λ = weighting factor between 0 and 1 and for this analysis is assumed to be .5

Table XIII shows the actual and smoothed arrests for 1972 and the projected arrests for 1973 based on the above forecasting formula. The fact that the total Part I projected arrests are fore-

TABLE XIII: Actual and Smoothed Arrests for 1972 and Projected Arrests for 1973-City of Pittsburgh

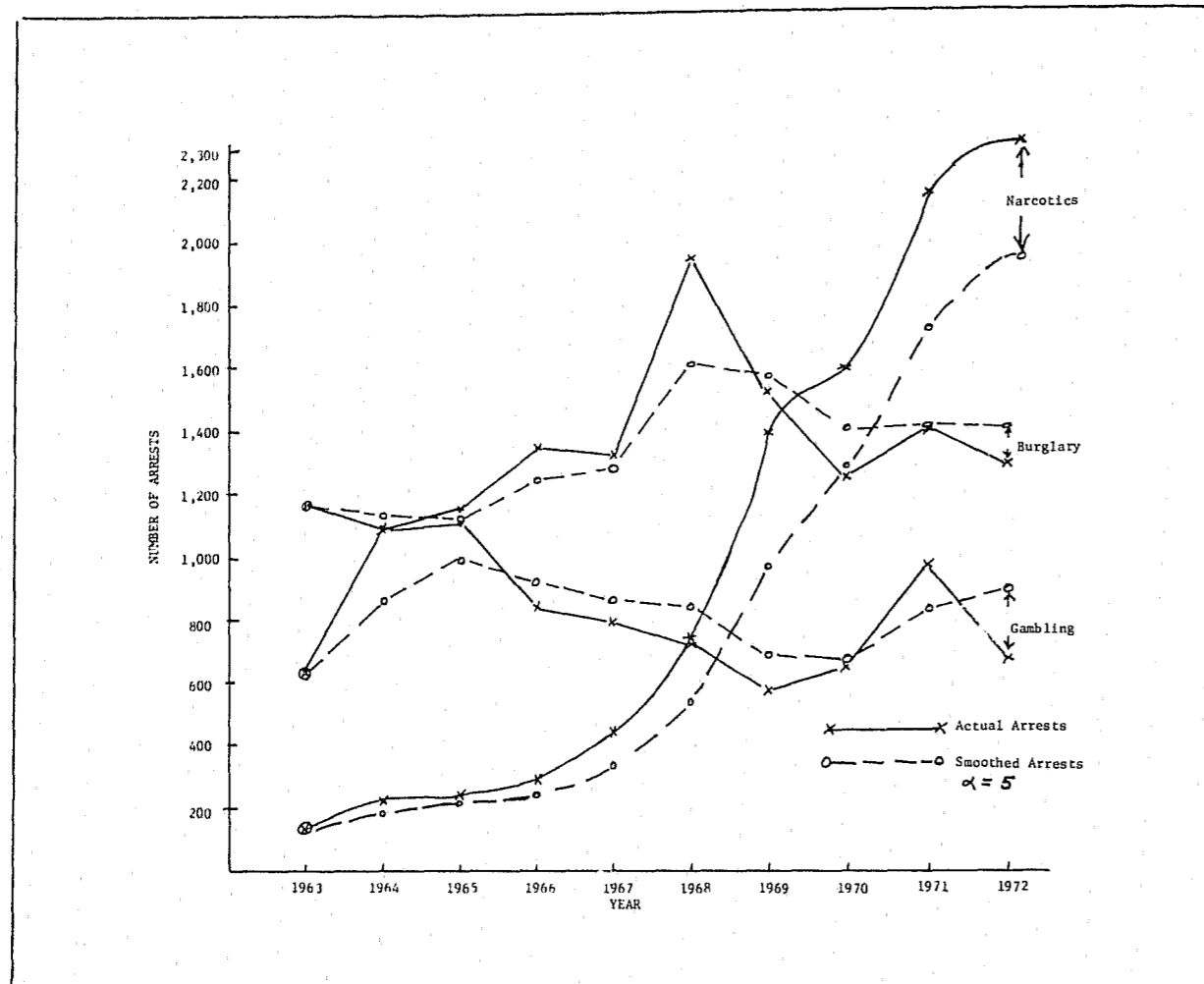
Crime Type	1972 Actual Arrests	1972 Smoothed Arrests	1973 Projected Arrests
TOTAL	25,315	24,172	24,737
Murder	42	62	52
Neg. Manslaughter	11	10	11
Rape	144	124	134
Robbery	679	665	672
Agg. Assault	528	534	531
Burglary	1,269	1,393	1,331
Larceny	1,295	1,216	1,256
Auto Larceny	589	766	728
Part I	4,657	4,770	4,715
Other Assault	556	531	544
Forgery, Fraud, Emb.	114	99	107
Stolen Property	201	213	207
Vandalism	364	338	351
Weapons	267	186	227
Commercial Vice	83	111	97
Sex Offenses	191	202	197
Narcotics	2,299	1,916	2,108
Gambling	663	887	775
Fallm Offense	17	22	20
Durnk Driving	633	625	313
Liquor	1,188	943	1,066
Drunkness	9,071	7,364	8,218
Disorderly Conduct	2,915	3,615	3,568
Traffic	711	954	833
All Others	836	817	827
Part II	20,109	18,823	19,458
Juvenile Offense	549	579	564

cast to be higher in 1973 than in 1972 is based on the weight Part I arrests in the past have on the smoothed 1972 arrests. The principle reason for a projected drop in Part II arrests is the fact that arrests for drunkenness in the past years are lower than the 1972 arrests. This affects the smoothed 1972 arrests and causes projected 1973 arrests to be somewhat lower. The same is also true for narcotics arrests, and liquor arrests. The reverse is true for gambling, disorderly conduct, and traffic arrests where a high number of arrests in past years results in projected 1973 arrests exceeding the number of actual 1972 arrests.

The limitation with this type of forecasting technique is that it is simply based on past data and can not anticipate, and therefore, project continued increases in the level of certain criminal arrest activity (e.g. narcotics which has had a continual increase since 1963). Instead this forecasting technique simply provides smoothed values for arrests over time, thereby removing wild fluctuations from year to year and providing an indication of the general arresting trend for each offense over time. Table XIV shows the actual and

smoothed arrests for several crime types and thus illustrates how this technique tracks general arrest trends over time.

TABLE XIV: Actual and Smoothed Arrests for Select Crime Types
City of Pittsburgh 1963-1972



Projected 1975 Arrests for the City of Pittsburgh

The second technique for producing forecasts of the arrest population provides a projection of 1975 arrests. This technique fits a straight line to the historical arrest data (i.e. the years 1963-1971). The predicted number of arrests for future years is just extrapolated by extending the straight line out to the year 1975 and determining the expected number of arrests for each crime type for that year.

Due to the variations in arrests from year to year for specific crime types, the projected arrests for certain offenses using the straight line approximation provide unuseable results. In order to partially resolve these problems, the crime types are reduced to the major Part I, Part II and juvenile crime groups.

Table XV shows the actual 1971 arrests, the predicted 1971 arrests using the straight line approximation, and the 1975 predicted arrests determined by extending the straight line projections to the year 1975. The projected results show an increase in Part I and Part II total arrests of 8.7% and .9% respectively over the period 1971-1975. The largest projected increases are for violent crimes, 27.1%, narcotics, 23.8%, and the investigative offenses, 22.6%.

TABLE XV: "Straight Line" Projection of 1975 Arrests -
City of Pittsburgh

Crime Type	1971 Actual	1971 Predicted	1975 Predicted Arrests
Violent	1,379	1,536	1,753
Property	3,362	3,315	3,402
Part I	4,741	4,851	5,155
Disturbance Calls	2,046	1,737	1,798
Street Arrests	12,320	12,832	11,863
Investigative	337	304	413
Vice	2,251	2,104	2,429
Narcotics	2,232	1,778	2,764
Part II	19,086	16,651	19,267
Juvenile	562	421	421*
TOTAL	24,389	22,344	24,843

*Due to the decline in juvenile arrests over the period 1963-1971, the "straight line" projection would result in only 56 juvenile offenses in 1975. Since this is unlikely, it is simply assumed that the 1971 predicted number of arrests will remain constant through 1975.

The limitation with the "straight line" approximation for yielding projections of future arrests is that the results become less reliable the further out the year for which arrests are being predicted. Additionally, the variations in the number of arrests from year to year for certain crime types are not conducive to a straight line or any curve fitting type of forecasting technique.

Projected 1980 Arrests for the City of Pittsburgh

In order to project arrests for the year 1980, a forecasting technique is used based on the assumption that:

- 1) The age and race distribution of individuals arrested is a function of the age and race distribution of the population (i.e. arrest rates per capita are age and race specific and constant over time).
- 2) That a ward by ward analysis of the relationship of criminal arrests to the age and race distribution of the resident population will not yield any better forecast of arrests than will an analysis based on the entire population of Pittsburgh.
- 3) Changes in the age and race distribution of the City's population are specifically related to past trends in the age and race distribution.

The projected arrests for 1980 are defined (1) by projecting the race and age composition of the population to the year 1980, and (2) by assuming that the 1970 ratio of arrests for a particular age and race to total City residents of that particular age and race will remain constant. In order to estimate the 1980 population by race and age the following formula is used:

$$\text{Pop. 1980 [t]} = \text{Pop. 1970 [t - 10]} \times \frac{\text{Pop. 1970 [t]}}{\text{Pop. 1960 [t - 10]}}$$

This formula states that the estimated 1980 population at age t is equivalent to the 1970 population at age t-10 times a ratio that corrects for in and out migration of residents. The ratio used is the ratio of the 1970 population of age t to the 1960 population of age t-10. This correction ratio assumes that the in and out migration trends of the 1960's will hold true for the 1970's.

Given these assumptions, Table XVI shows the actual 1960 and 1970 population and the estimated 1980 population by age groups for blacks and whites. No estimate is made of the size of the under 10 population for 1980. This is not critical in making arrest projections, however, since less than one half of one percent of all arrestees are under 10 years of age. The actual percentage change in 1970 and projected 1980 resident population by age groupings and race is shown in Table XVII. The table shows a projected decrease of 8.3% and 20.1% in the 10 year and older population for blacks and whites respectively. The table also shows an expected increase in the size of the black population for the high black arrest years (i.e. age 15-30) and an expected decrease in the size of the white population for the high white arrest years (i.e. age 15-24).

TABLE XVI: Number of Residents by Race and Age Groupings for 1960 and 1970 and Projected for 1980

Age Groupings	Black Residents (Hundreds)			Age Groupings	White Residents (Hundreds)		
	1960	1970	Projected 1980		1960	1970	Projected 1980
0	25	20		0	95	49	
1	25	19		1	95	49	
2	25	18		2	93	47	
3	24	19		3	87	50	
4	24	22		4	86	51	
5	23	22		5	86	56	
6	23	23		6	85	55	
7	22	25		7	85	55	
8	20	22		8	84	59	
9	22	24		9	79	62	
10	21	20	16	10	79	66	34
11	21	23	17.5	11	79	66	34
12	20	24	17.2	12	83	68	34
13	18	23	18	13	84	67	39
14	14	23	21	14	61	68	40
15	15	23	22	15	62	69	45
16	16	22	22	16	67	69	45
17	16	20	23	17	75	70	45
18	13	19	21	18	72	87	61
19	12	18	20	19	68	89	63
20-24	59	72	91	20-24	314	377	318
25-29	63	56	80	25-29	277	239	343
30-34	73	50	61	30-34	316	176	211
35-44	138	117	93	35-44	682	413	389
45-54	116	119	101	45-54	674	551	334
> 55	168	200	141	> 55	1,156	1,115	1,016

TABLE XVII: % Change in 1970 to Projected 1980 Resident Population by Age Groupings and Race

Age Groupings	Blacks	Whites
10-14	-24.0	-44.6
15-19	+ 5.9	-47.5
20-24	+26.4	-15.6
25-29	+42.8	+43.5
30-34	+22.0	+19.9
10-34	+ 8.0	-18.6
10 and older	- 8.3	-20.1

The result of these projected trends is that blacks will represent a much larger percentage of the resident population in the high (15-24) arrest age groupings. This is indicated in Table XVIII where the changing percentage of black to total residents for specific age groupings is shown:

TABLE XVIII: Percentage of Black Residents to Total Residents By Age Groupings

Age Grouping	1960	1970	Projected 1980	% Change 1970-1980
10-14	19.4%	26.5%	33.1%	+24.9%
15-19	17.1%	17.1%	29.4%	+71.9%
20-24	15.8%	16.0%	22.2%	+38.7%
25-29	18.5%	19.0%	18.9%	- .5%
30-34	18.8%	22.1%	22.4%	+ 1.4%
10-34	18.0%	19.8%	24.6%	+24.2%
10 and older	18.4%	18.4%	20.5%	+11.8%

The results of a general decrease in the size of the overall population and an increase in the size and portion of the young black population are likely to have opposite effects on the projected 1980 arrests. The former trend is likely to cause arrests to decline while the latter is likely to cause arrests to increase.

Table XIX shows the actual 1970 arrests by crime type along with the projected 1980 arrests. The 1980 arrests are determined by multiplying the projected number of black and white residents for each respective age grouping times the 1970 arrests per 100,000 residents for each crime type, race, and age grouping.* From this table

*1970 arrests were not used since this arrest data was not available by race and age breakdowns.

TABLE XIX: 1970 Arrests and Projected 1980 Arrests

Crime Type	1970 Arrests	Projected 1980 Arrests
Murder	64	69
Neg. Manslaughter	8	7
Rape	124	128
Robbery	696	718
Agg. Assault	487	487
Burglary	1,394	1,282
Larceny	1,229	1,127
Auto Theft	740	700
Assault	532	497
Fraud, Forgery, Emb.	107	116
Stolen Property	230	235
Weapons	191	208
Commercial Vice	104	113
Sex Offenses	186	183
Narcotics	2,132	2,037
Gambling	962	836
Family Offenses	16	18
Drunk Driving	573	530
Liquor	999	794
Drunkenness	7,456	6,703
Disorderly Conduct	3,747	3,557
Traffic	691	718
Other Non-Traffic	1,158	1,029
Juvenile Offenses	563	399
Part I	4,742	4,524
Part II	19,647	17,981
TOTAL	24,389	22,505

we see that the two trends likely to affect the number of arrests appear to cancel each other out. The result is that the 1980 projected number of arrests is not significantly different from the 1970 actual number of arrests.

While the total number of arrests projected does not change significantly, the number of black arrests is expected to increase. Much of this increase is forecast to occur in the 15-30 age range where black arrests are presently high and where the 1980 projected population indicates the number of blacks in the City will increase (see Table XVII).

The major limitation with this projection technique is its dependency on the accuracy with which the 1980 population is forecasted. With respect to Pittsburgh, the critical question is whether the net out migration from the City that characterized the 1960's will continue in the same manner through the 1970's. It has been assumed that this trend will continue and as a result population will decline. If the population does not decline as rapidly as forecast, then the projected increase in the size of the black resident population in the high arrest age groups will become more dominant and the number of arrests will likely exceed the projections.

Arrests and Population Trends

All three projections for the years 1973, 1975, and 1980 suggest that truly significant increases in the size of the City of Pittsburgh arrest population are not likely. The number of arrests for most offense categories are projected to undergo changes that

are certainly not much different than those that occurred in the City between the years 1963 and 1972. Perhaps the most significant reason for the City's arrest pattern is reflected in the change in the size of the City's resident population:

TABLE XX

Year	Population	% Change
1950	676,806	+ .8%
1960	604,332	-10.7%
1970	520,117	-13.9%
1980 Projected	442,124	-15.0%

This decrease in population allows the size of the arrest population to remain relatively constant over time even though the rate of criminal activity may be increasing. Therefore, if the number of arrests and/or incidents of reported crime remain constant or even decline, the city may not necessarily experience a reduction in the rate of criminal activity. Only if the rate of criminal activity (i.e. number of criminal incidents per 100,000 residents) is declining is the city measurably safer. The forecasted arrest activity is based on the assumption that the rate of criminal activity is allowed to continue its present trend. If the city continues to respond to criminal activity in the same manner it presently is responding, there is little need for additional resources to process the projected number of arrests. The city will require additional resources, however, if it chooses policies intended to reduce the rate of crime and delinquency in the community. Much of these resources will have to be extended to prevention with the remainder directed to the apprehension, prosecution, and treatment and rehabilitation of offenders.

Trends in Criminal Activity in the Remainder of Allegheny County

Adequate information for making projections of arrests for the remainder of Allegheny County is not available at the present time. The one piece of information that is available for more than a year is the index crimes reported. Table XXI shows the index crime rate for the fourteen suburban regions for the years 1969, 1970, and 1971. For the years 1969 and 1970 two index crime rates are shown, one for all reporting and partially reporting jurisdictions and a second that also includes the projected index crime rate for those jurisdictions not reporting at all. Below each index crime rate is the portion of the total population of the region that is reporting

TABLE XXI: Comparison of Index Crime Rate for Fourteen Suburban Regions for the Years 1969, 1970, 1971

Suburban Regions	1969		1970		1971
	Reporting and Estimated % Reporting	Not Reporting and Estimated % Reporting	Reporting and Estimated % Reporting	Not Reporting and Estimated % Reporting	Reporting and Estimated % Reporting
1	802 ^a (17.31)	1,163	725 ^c (9.51)	1,236 ^{de}	1,348 (76.82)
2	1,586 (90.23)	1,567	1,456 (90.23)	1,454	1,426 (96.51)
3	935 (69.63)	972	979 (74.52)	1,004	852 (78.31)
4	793 ^{ab} (17.33)	1,236	813 ^{bc} (8.32)	1,112 ^{cd}	426 (72.73)
5	1,372 (77.21)	1,284	1,177 (77.21)	1,182	1,136 (100.00)
6	1,862 (97.83)	1,862	1,554 (87.63)	1,544	2,514 (169.63)
7	1,119 ^{***} (27.81)	1,237	1,271 (51.42)	1,597	1,798 (83.31)
8	1,219 (76.23)	124	1,705 (51.42)	1,891	1,445 (197.62)
9	1,082 (47.03)	1,104	1,029 (47.03)	1,143	1,098 (92.17)
10	1,011 (74.12)	1,114	1,114 (55.37)	1,238	584 (100.72)
11	786 (10.02)	891	817 (70.02)	895	944 (100.02)
12	1,187 (77.31)	1,415	1,167 (88.85)	1,167	876 (100.12)
13	918 (87.32)	912	1,181 (80.71)	1,196	962 (100.21)
14	1,011 ^{****} (39.91)		1,011 ^{****} (39.91)		617 (100.11)

^aEdgeworth and Leeedale only
^bBrackenridge and Springdale only
^cMonaca, North Braddock, and Westview only
^dCanfield Township only
^eEdgeworth only
^fEdgeworth and Sewickley only
^gBrackenridge only
^hBrackenridge and Springdale only
ⁱCanfield only

or partially reporting. This table indicates relatively stable (and even declining) crime rates for the regions over the three year period.

In addition to this crime rate information, Table XXII provides an analysis of the change in the County's population over the period 1950-1970.

TABLE XXII

Year	Population	% Change
1950	838,431	6.7%
1960	1,024,255	22.2%
1970	1,084,899	5.9%

This table indicates that the rate of population growth in the County is decreasing. The result is that any rate of increase in criminal activity in the County is likely to be decreasing. This would result in a decline in the number of additional arrests from year to year. This suggests that the County may need some additional resources to process additional arrests but that the majority of any additional resources should be directed towards reducing the rate of crime and delinquency. These resources should be directed to the areas of the County with high crime incidence and to the County services available for the processing, treatment, and rehabilitation of offenders.

Paper 2 - The Minor Judiciary
And Its Operations

THE MINOR JUDICIARY IN ALLEGHENY COUNTY

The Allegheny Regional Planning Council's (RPC) 1971 Report, Toward a Safer Community, did not discuss in detail the impact of the Minor Judiciary on the Criminal Justice System (CJS) of Allegheny County. A full discussion was impossible because there was no data collection system in operation which could define fully the operation of the sixty-three District Magistrates' Courts. To alleviate this problem, the Planning Council's Planning Unit, in cooperation with the Allegheny County Common Pleas Court, developed an information gathering media to answer the concerns regarding bail decisions, preliminary hearing dismissals, the use of Public Defenders, and the decision making process of the Magistrates. The data itself was collected by the District Magistrates and submitted to the RPC through the Coordinator of the Minor Judiciary.

This paper will discuss the information gathered for the period November 6, 1972 through January 31, 1973. The size of the sample is significant and therefore acceptable for making some generalizations on the operation of the System.

Throughout this paper the various crime types will be referred to as index crimes. They will be further divided into categories or groupings. The crime groupings (i.e. Part I and Part II) follow the Federal Bureau of Investigation's Uniform Crime Index reporting system. Table I provides the listings and classifications of the groupings discussed.

TABLE I: CRIME GROUPINGS

Part	Grouping	Types
I	Violent	Robbery; Aggravated Assault and Battery; and Rape
	Property	Burglary; Larceny; Auto Larceny
II	Disturbance	Other Assaults; Family Offenses; Other Offenses
	Street	Violation of Uniform Firearms Act; Drunk Driving; Intoxication; Disorderly Conduct; Other Traffic
	Investigative	Forgery, Counterfeiting; Receiving Stolen Goods; Fraud,
	Vice	Commercial Vice; Sex Offenses; Gambling; Violation Liquor Laws
	Narcotics	Narcotics

This paper is divided into three main sections for study. The first discusses the operation of the Minor Judiciary at the Preliminary Hearing stage by analyzing dispositions. The second section looks at the District Magistrates in their role in establishing the bond status of defendants. Section three will combine the information in the two previous sections in an attempt to assess the effectiveness of the judicial reforms instituted in 1972 as they regard the District Magistrates.

1. Preliminary Hearings

A. Dispositions

The data collected for this report reveals that 2,047 cases were heard by the District Magistrates over the sampling period. The dispositions of these cases are outlined in Table II.

TABLE II: Preliminary Hearing Dispositions by City and County District Magistrates

Dispositions	District Magistrates		Total
	City	County	
Total	577	1,470	2,047
Waived	4	75	79
% of Total	0.7	5.1	3.9
Held	87	317	404
% of Total	15	21.6	19.7
Dismissed	240	408	648
% of Total	41.6	27.7	31.7
Fined	240	659	899
% of Total	41.6	44.8	43.9
Average Fine	\$16.00	\$31.00	\$27.00
Committed	1	7	8
% of Total	0.2	0.5	0.4
Average Days	90	25	33
No Information	5	4	9
% of Total	0.9	0.3	0.4

The largest percentage of cases processed were Fined and Dismissed. These two disposition types account for 75.6 percent of the cases processed. Appendix A, Charts 1 through 5, lists the various dispositions by crime grouping. Table III summarizes the appended information.

TABLE III

Highest Percentage of Crime Groups Processed by Disposition

	Jurisdiction	
	City	County
Waived	Investigative	Property
Held	Disturbance	Street
Dismissed	Disturbance	Disturbance
Fined	Disturbance	Street

Lowest Percentage of Crime Groups Processed by Disposition

	Jurisdiction	
	City	County
Waived	Violent/ Disturbance	Vice/ Narcotics
Held	Vice	Vice
Dismissed	Vice	Vice
Fined	Vice	Vice

As noted, disturbance cases accounted for the highest proportion of disposition types by the City Magistrates and the general Part II Summary offenses by the County Magistrates. The lowest percentage of cases processed by both the City and County Magistrates were Vice Crimes. Vice cases accounted for only 7.5 percent (154 cases) of the sample.

B. Disposition by Race/Sex

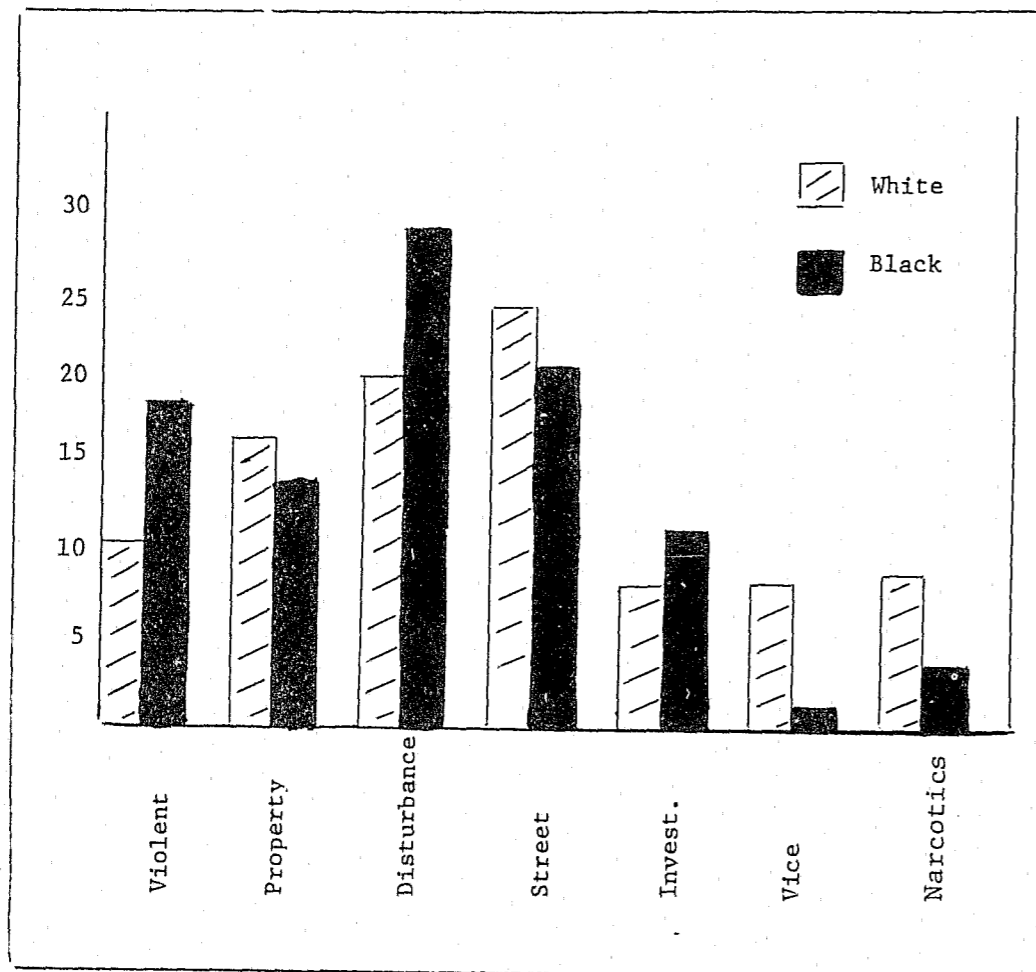
Utilizing again the five disposition categories, Table IV presents the cases processed by Race and Sex of the defendant.

TABLE IV: DISPOSITION BY RACE AND SEX

Disposition	Race						Total
	White			Black			
	Male	Female	Total	Male	Female	Total	
Waived	54	5	61	13	2	15	76
%	4.7	1.6	4.1	3.9	2.3	3.6	
Held	277	24	301	75	10	85	386
%	23	8	20	27.8	11.4	20.3	
Dismissed	358	80	439	124	45	169	608
%	29.8	26.8	27.2	37.8	51.1	40.4	
Fined	503	187	690	113	30	143	833
%	41.8	62.8	46	34.3	34.1	34.4	
Committed	5	1	6	2	0	2	8
%	0.4	0.4	0.4	0.6	0	0.5	
Total	1,203	298	1,501	329	88	417	1,918
%	80.1	19.9	78.3	78.9	21.1	21.7	

Of the total cases presented to the Minor Judiciary in the sample, three out of every four cases were white defendants. This group accounted for 78.3 percent of the caseload in this sample. Figure 1 illustrates the caseload distribution by crime grouping.

Figure I



The sample population as a whole presents similar charge groupings for which the defendants were arrested. However, as indicated in Table IV, the dispositions varied somewhat with race. This is especially evident in the fined and dismissed categories. Table V summarizes these categories for comparison.

TABLE V: Comparison of Fined and Dismissed Dispositions by Race

Disposition	Race	
	White	Black
% Fined	46	34.4
% Dismissed	27.2	40.4

Thus, the data shows that whites are more likely to be fined than are blacks. Conversely, blacks are more likely to be dismissed than are whites.

It is dangerous to conjecture as to why this situation exists because a conclusion as to the reason could only be reached by a careful and detailed study of each case. The obvious theory, of course, is that in minor cases not calling for jail sentences, the magistrates level fines on whites whereas blacks, less likely to be able to pay a fine, are dismissed.

C. Age

Table VI presents the various dispositions by age group.

TABLE VI: Preliminary Hearing Disposition by Age Grouping

Disposition	Age							
	0-17	18	19	20-24	25-34	35-44	44-54	54-99
Waived	0	5	12	12	16	4	7	4
%	0	4	11	3	6	2	4	4
Held	24	30	32	84	48	26	31	19
%	32	29	29	27	18	15	18	21
Dismissed	13	26	10	86	83	46	47	21
%	17	25	9	28	32	27	27	23
Fined	38	41	53	123	105	89	85	43
%	50	39	49	40	41	53	49	48
Avg. Fine	26	25	33	26	34	30	20	24
Committed	0	1	1	0	0	2	1	1
%	0	0.9	0.9	0	0	1		1
Avg. Days	0	30	3	0	0	30		30
Total	75	103	108	307	253	167	172	89

Analyzing the crime groups which represent a high percentage of the sample for a given age group indicates the highest percentages for each disposition follow the accepted simplification that:

1. Part I crimes are held for Court.
2. Disturbance and Street arrests account for those dispositions categorized as Fined.

D. Attorney Class

A summary of the dispositions given as attorney class is detailed in Table VII.

TABLE VII: Preliminary Hearing Dispositions by Attorney Type

Disposition	Attorney Type		
	None	Private	Public Defender
Waived	22	18	8
% of Total	2.2	7.3	6.5
Held	131	118	70
% of Total	13.3	48.0	56.9
Dismissed	324	79	34
% of Total	33.0	32.1	27.6
Fined	493*	31	10
% of Total	50.2	12.6	8.1
Committed	7	0	1
% of Total	0.7	0.0	0.9
No Info.	6	0	0
% of Total	0.6	0.0	0.0
Total	983	246	123

* This is probably higher because defendants have elected to plead guilty without an attorney and pay a fine

The disposition of Dismissed and Fines cases for those not represented by counsel accounts for 83 percent of the total sample. Study of the remaining two classes shows the dispositions to be essentially the same.

E. Summary

Analysis of the disposition information points out that approximately 75 percent of the cases presented to the district magistrates are white defendants. One in five defendants is a woman. Approximately 24 percent of the cases go to court, 32 percent are street and disturbance arrests and the remainder are cases of

larceny under \$50.00 arising from crimes such as shoplifting. The held and dismissed cases are equally divided between Part I and Part II offenses. There is no significant difference in the disposition based upon sex, age, or type of defense attorney. The only differences in the disposition by race is in the fined/dismissed dispositions noted in Table V.

2. The Bail Decision and the Minor Judiciary

The bail reform program in Allegheny County was initiated to provide increased alternatives to defendants faced with the possibility of detention prior to trial. The alternatives posed for this study are classified as Nominal, 8% Cash, and Surety. Nominal Bond is usually \$1.00 and takes the form of a Release on Own Recognizance (ROR). The 8 percent cash bond requires an 8 percent deposit on the amount of bond established during an arraignment. Surety is the type of bail bond posted for a defendant by a commercial surety company, which charges the defendant a non-recoverable fee. The initial bonding decision is made at arraignment.

A. Bail Decisions in all Cases

As indicated previously, 2,047 defendants were processed during this sampling period. Table VIII details the initial bonding decisions at arraignment. Bond data was received on 1,040 cases.

TABLE VIII: Bonding Decisions by District Magistrates

Bonding Decision	City*	County	Total
Nominal	58.8%	66.5%	60.4%
8% Cash	19.5%	9.1%	17.3%
Surety	5.2%	1.6%	4.4%
Jail	16.5%	22.8%	17.9%

*City includes only the District Magistrates in the city. It does not include the cases processed through Police Court.

Comparing this information with data for 1970 shows a significant change in the bonding decision.

TABLE IX: Bonding Decisions 1970 and 1972 (June-December)*

Bonding Decision	1970	1972	Variance
Nominal	13.3%	52.0%	+38.7%
8 Percent Cash	**	17.3%	
Surety	57.0%	4.4%	-52.6%
Jail	29.7%	18.1%	-11.6%

*Data based upon samples taken of Court supplied information for the period.

**This bond type was not in effect until the new Court Bail Agency initiated its operations in April, 1972.

The portion of the defendants being released on Nominal Bond has increased 38 percent since 1970. In addition, the portion of defendants being detained in Jail has decreased 11.6%.

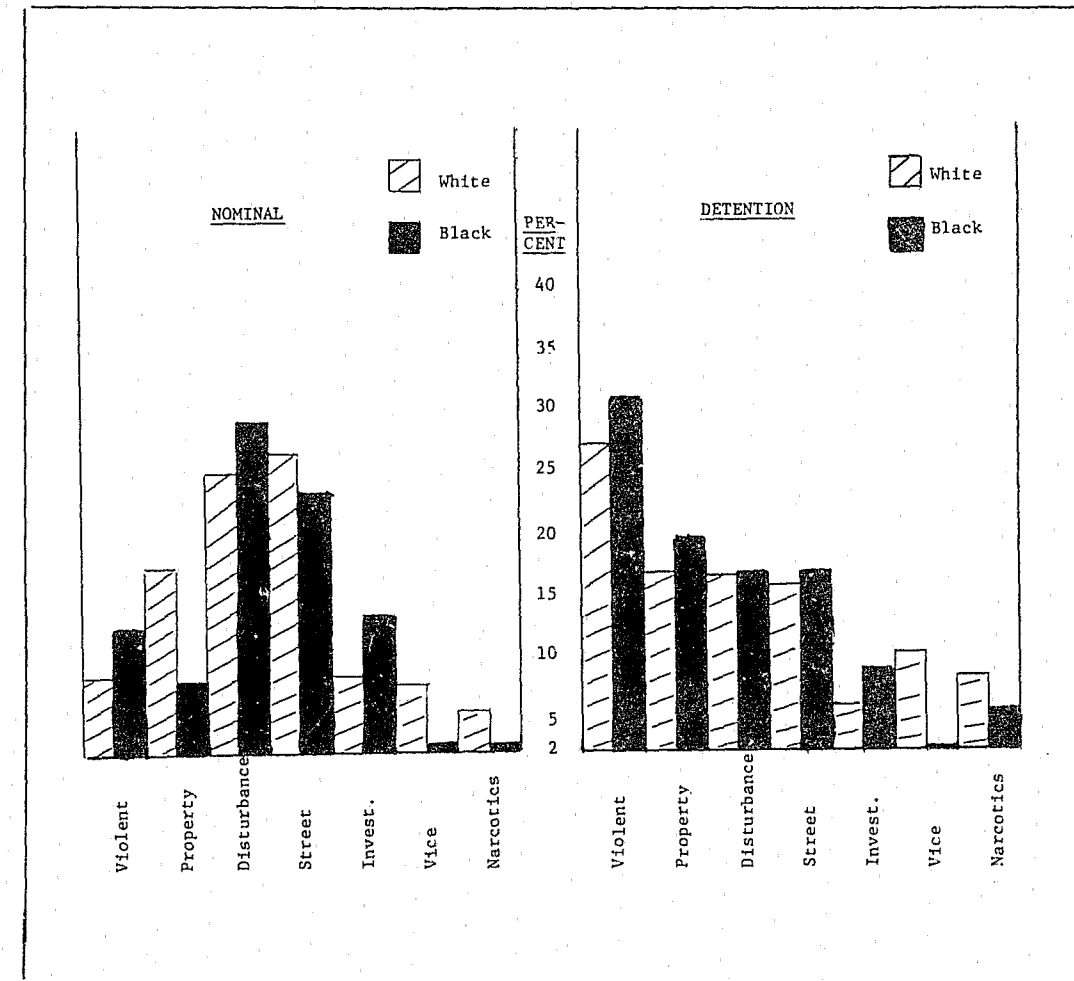
B. Bonding Decision by Race and Sex

TABLE X: Bonding Decisions by Race and Sex

Bond Decision	White			Black			Sex	
	Male	Female	Total	Male	Female	Total	Male	Female
% Nominal	59.2	71.4	60.6	52.8	90.0	57.6	57.9	77.4
% 8% Cash	21.3	11.6	20.1	12.3	0.0	10.7	18.7	8.7
% Surety	5.6	0.9	6.1	1.0	0.0	0.4	4.2	6.1
% Jail	13.9	0.8	13.2	34.4	10.0	31.4	19.2	7.8

The percentage of defendants released on nominal bond is approximately the same. However, note that the percent of blacks detained in jail is twice that of whites. Figure II looks at the Nominal and Jail decisions by Crime grouping.

FIGURE II: Percent of Defendants on Nominal Bond and Detained by Race



The percentage of blacks being released on nominal bond is essentially the same as whites across the offenses detailed. This fact is also true for those defendants detained.

C. Bail Decisions by Attorney Type

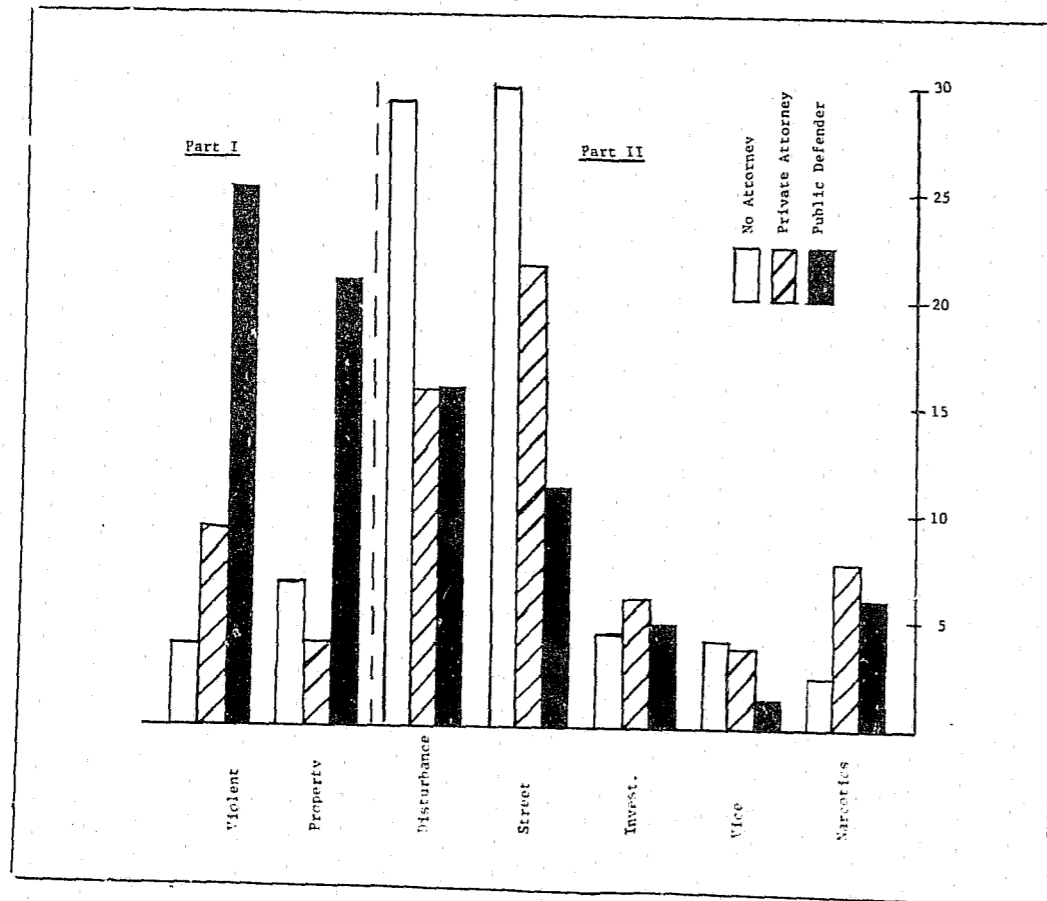
Table XI details the bonding decision by type of representing attorney.

TABLE XI: BOND TYPE BY ATTORNEY CLASS

Type Bond	Attorney Class		
	No Attorney	Private Attorney	Public Defender
% Nominal	54.6	50.8	38.3
% 8% Cash	15.2	25.1	14.8
% Surety	3.7	8.4	2.6
% Jail	14.8	15.6	44.3

As can be noted, the percentages above have a degree of variance, but the differences are not significant except for the Jail decision. In this instance, 30 percent more of the public defender's clients receive detention than private attorney's clients.

Figure III below depicts the caseload distribution by crime group.



The greatest proportion of Public Defender cases are for the Part I offenses. The figure shows a decreasing proportion of cases relative to the severity of the offense. This crime distribution could account for the high percentage of Public Defender clients in detention as shown in Table XI.

3. Bond Status and Preliminary Hearing Disposition

A. Held/Dismissed

Table XII examines the bond status and the outcome of the Preliminary Hearing currently compared with 1970 data.

TABLE XII: Bond Status Versus Preliminary Hearing Disposition 1970/1972 (June-December)

Bond Status	Percent of Total	Percent Held	Percent Dismissed	
<u>Nominal</u>	1970	13.3	38.2	61.8
	1972	52.0	40.6	59.4
<u>Jail</u>	1970	29.7	69.0	31.0
	1972	18.1	72.9	27.1

The Held/Dismissed rate has not changed appreciably over the two years noted. However, Table XII provides indications that some inappropriate bail decisions are being made.

1. Detention Population

Of the 18.1 percent of the defendants who were detained at the time of their preliminary arraignment, 27.1 percent were dismissed at their preliminary hearings. These defendants spend three to ten days in detention before their cases were dismissed.

Additionally, of those remaining defendants held for Court, 50.4 percent were released on some type of bail prior to their court trial. As reported by the Common Pleas Court in its 1972 statistical summary, of the 50.4 percent, 30.5 percent are later released on nominal bond, 32.2 percent on 8% cash, and 37.3 percent on surety.

This suggests that the real group of "risky" defendants which needs to be detained until trial is only about one-half of the current rate. It is not unreasonable to assume that given more detailed information about defendants at the time of arrest and arraignment the minor judiciary detention population

could be further reduced from its present level without incurring grave risk or danger for the community. This would be a worthwhile objective for Court Bail Agency operation in 1973.

2. Bail Alternatives for Indigents

An indication of the lack of appropriate bail alternatives for indigents, noted previously, is illustrated in Table XIII.

TABLE XIII: Bail Status and City Magistrate Court Dispositions for Public Defender Clients (July-October 1972)

Bond Status and Disposition	Offenses		Totals
	Part I	Part II	
Total No. of Defendants	192	402	595
% Held	58.0%	58.0%	58.0%
% Dismissed	42.0%	42.0%	42.0%
% of Total Nominal	23.9%	33.8%	30.6%
% Held	45.7%	52.9%	50.8%
% Dismissed	56.5%	47.1%	50.2%
% of Total 8% Cash	11.9%	11.4%	11.6%
% Held	60.9%	56.5%	58.0%
% Dismissed	39.1%	43.5%	42.0%
% of Total Surety	4.1%	5.2%	4.9%
% Held	37.5%	3.3%	55.2%
% Dismissed	62.5%	3.8%	44.8%
% of Total Detention	59.5%	49.5%	52.8%
% Held	64.3%	61.3%	62.4%
% Dismissed	35.7%	38.7%	37.6%

The Table above shows the bail status and disposition for cases represented by the Public Defender's Office. From this Table we see that 52.8 percent of indigent defendants were detained compared to 18.1 percent for all defendants. Additionally,

only 30.6 percent of indigent defendants are released on nominal bond as compared to 52.0 percent for all defendants. It is also clear from this Table that the 8 percent cash and surety bond options appear not to be very realistic alternatives for indigent defendants.

The analysis also indicates that indigents have a higher likelihood of being held for court. While this likelihood may be attributable to real differences in indigent defendant guilt or innocence (when compared to all offenders) it may also be that perceived differences based on the defendant's bond status and type of legal representation are also affecting the higher portion of indigent clients held for court.

The higher detention rate and the higher held for court rate for indigents indicates the need for increasing the kinds of bonding options available to these bail agency clients. Since money options do not really exist for the indigent some alternatives in addition to nominal bond and detention must be sought. This might include use of church property as surety for indigent clients, community based detention, etc.

B. Summary

In February, 1972, Carnegie-Mellon University published an Analysis of the Allegheny County Criminal Justice System. The analysis was completed under a planning grant from the RPC.

Regarding bail release, the report states:

1. The magistrates are overly cautious in their bail decisions at preliminary arraignment.
2. The information about a defendant, which is necessary for making judgements about the risks of releasing him, is often not obtained until the defendant has passed through several stages in the judicial process.
3. Many indigent defendants spend many days in jail simply because they cannot raise the money for the bail requirement set by the magistrate.

This review indicates that these criticisms are still valid today, although to a lesser degree. The bail situation has improved immeasurably since the first study was undertaken by CMU. Nominal releases have tripled and detention decisions have decreased by 50 percent.

Much has been accomplished, but much is left to be accomplished. The Bail Reform has had a significant impact on the bail setting procedures of the district magistrates. With

the funding of four night and weekend courts, the above statistics regarding the nominal and detention decisions may well increase and decrease appreciably.

In addition, formal seminars and training sessions should be extended to all district magistrates to inform them of the latest bail bonding procedures. This action coupled with an enlarged staff in the bail agency could insure that bail reform would be completely effective in Allegheny County.

Appendix A, Chart 1

Preliminary Hearing Disposition by City and County Magistrates by Crime Group
in Percentages
DISPOSITION - WAIVED

		City	County	Total
Part I				
	Violent	25	12	12.7
	Property	0	30.6	29.1
Part II				
	Disturbance	25	9.3	10.1
	Street	0	24	22.8
	Investigative	50	16	17.7
	Vice	0	4	3.8
	Narcotics	0	4	3.8
Total Part I		25	42.7	42.7
Total Part II		75	57.3	58.2
Total Number in Sample		4	75	79

Appendix A, Chart 2

Preliminary Hearing Disposition by City and County Magistrates by Crime Group
in Percentages
DISPOSITION - HELD

		City	County	Total
Part I				
	Violent	18.4	17.7	17.9
	Property	10.3	18.3	16.6
Part II				
	Disturbance	27.6	8.2	12.4
	Street	9.2	27.1	23.3
	Investigative	21.8	7.3	10.4
	Vice	1.1	4.7	4.0
	Narcotics	11.5	16.4	15.4
Total Part I		28.7	36.9	34.5
Total Part II		71.3	63.7	65.5
Total Number in Sample		87	316	403

Appendix A, Chart 3

Preliminary Hearing Disposition by City and County Magistrates by Crime Group
in Percentages
DISPOSITION - DISMISSED

	City	County	Total
Part I			
Violent	5.8	7.1	6.6
Property	4.2	15.0	11.0
Part II			
Disturbance	65.4	38.3	48.4
Street	10.8	19.4	16.2
Investigative	9.6	12.8	11.6
Vice	1.3	4.9	3.6
Narcotics	2.9	2.5	2.6
Total Part I	10.0	22.1	17.6
Total Part II	90.0	77.9	82.4
Total Number in Sample	240	408	647

Appendix A, Chart 4

Preliminary Hearing Disposition by City and County Magistrates by Crime Group
in Percentages
DISPOSITION - FINED

	City	County	Total
Part I			
Violent	2.1	0	
Property	6.7	21.9	17.8
Part II			
Disturbance	77.5	15.6	32.1
Street	7.1	41.0	31.9
Investigative	5.0	4.7	4.8
Vice	1.7	16.4	12.5
Narcotics	0	0	0
Total Part I	8.8	21.9	18.4
Total Part II	91.3	77.7	81.3
Total Number in Sample	240	659	899

Appendix A, Chart 5

Preliminary Hearing Disposition by City and County Magistrates by Crime Group
in Percentages
DISPOSITION - COMMITTED

	City	County	Total
Part I			
Violent	0	0	0
Property	0	0	0
Part II			
Disturbance	0	14.3	12.5
Street	0	85.7	75.0
Investigative	100	0	12.5
Vice	0	0	0
Narcotics	0	0	0
Total Part I	0	0	0
Total Part II	100	100	100
Total Number in Sample	1	7	8

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Paper 3 - An Analysis Of The
Criminal Division Of The
Common Pleas Court

AN ANALYSIS OF THE CRIMINAL DIVISION OF THE
COURT OF COMMON PLEAS

The 1971 Plan called for better collection and use of information to make possible the efficient functioning of the Court. While efforts to introduce a comprehensive statistical profile of operation in the Criminal Court must await the implementation of the Court Information System, some meaningful indicators to measure the dimensions of difficulty involved in the improvement of the administration and quality of justice can be obtained from the interim Court statistical reporting system. Among the available indicators are:

(1) Court Management Specific Indicators

- the elapsed time from indictment to disposition
- the rate of disposition of defendants compared to the rate of new defendant cases filed for presentation to the Grand Jury
- the portion of the time cases are listed for trial but are postponed without final disposition
- the average number of charges disposed of per judge, public defender, and district attorney
- the portion of charges that are disposed of by visiting judges
- the portion of charges disposed of by private law firms

(2) Disposition and Sentencing Specific Indicators

- the portion of cases held for court by the Minor Judiciary but screened out of the trial process
- the portion of convicted defendants found guilty of lesser charges
- the conviction rate of defendants by type of legal representation
- the extent to which fines are imposed on convicted defendants
- the extent to which probation is used as an alternative to imprisonment
- the portion of convicted defendants entering institutions

While these measures of the particular court processes may be only partial indicators of the overall quality of the particular process, they provide the basis for (1) further investigation of a process to assess the reasons for a particular measure (e.g. the high detention rate prior to trial as a result of inadequate information concerning a defendant's true riskiness) and (2) a means for monitoring the impact of changes in the system (e.g. introduction of computer based data processing and trial scheduling procedures) on the administrative efficiency of the Court (i.e. reduction in time from indictment to trial). Given the present available indicators of activities in the Criminal Court some preliminary hypotheses can be suggested.

Case Screening Prior to Trial

Table I shows the percentage of cases presented to the Grand Jury in 1971 that were ignored as well as the percentage of defendants disposed of in 1971 that were nolle prossed and demur sustained.

TABLE I: Defendants Disposed of Prior to Trial in The Court of Common Pleas 1971

CRIME TYPE	(1) Defendants before the GRAND JURY	(2) Ignored by GRAND JURY	(3) Defendants before the GRAND JURY disposed of in the COURT OF COMMON PLEAS*	(4) NOLLE PROSS THERE SUSTAINED	(5) THERE SUSTAINED	(6) PERCENTAGE DISPOSED PRIOR TO TRIAL (2) & (4) & (5)
Murder, Non-Bar.	26	2.3	81	13.6	1.2	17.3
Manslaughter	12	14.7	115	10.4	4.3	24.9
Rape	68	1.5	456	14.2	5.8	20.5
Robbery	66	16.2	299	14.1	5.7	16.0
Agg. A. & B.	78	8.4	593	4.4	2.6	10.4
Burglary	298	19.0	55	8.7	10.2	28.6
Larceny	343	25.4	194	12.5	4.6	47.5
Simple Assault	207	17.8	133	9.0	16.3	43.3
Stolen Property	31	12.1	37	6.1	3.0	31.0
False & Forgery	180	11.9	115	6.2	7.8	27.8
Sworn	147	18.4	114	19.3	2.6	40.3
Sex Offenses	133	2.5	97	2.2	12.0	16.7
Narcotics	43	7.5	236	2.0	6.1	14.8
Domestic	1011	6.7	808	1.7	3.9	12.3
Intoxicated Driving						
PART I	2249	8.6	1817	10.1	5.7	24.3
PART II	5408	8.7	4194	7.4	7.1	23.2
ALL CRIME TYPES	7657	8.7	6011	8.2	6.2	23.6

*The indicated defendants represent cases disposed of in the Court of Common Pleas in 1971 and therefore does not correspond exactly to the 1971 grand jury indicted defendants (some of who will not receive a disposition until 1972 or later).

CONTINUED

1 OF 2

While these measures of the particular court processes may be only partial indicators of the overall quality of the particular process, they provide the basis for (1) further investigation of a process to assess the reasons for a particular measure (e.g. the high detention rate prior to trial as a result of inadequate information concerning a defendant's true riskiness) and (2) a means for monitoring the impact of changes in the system (e.g. introduction of computer based data processing and trial scheduling procedures) on the administrative efficiency of the Court (i.e. reduction in time from indictment to trial). Given the present available indicators of activities in the Criminal Court some preliminary hypotheses can be suggested.

Case Screening Prior to Trial

Table I shows the percentage of cases presented to the Grand Jury in 1971 that were ignored as well as the percentage of defendants disposed of in 1971 that were nolle prossed and demur sustained.

TABLE I: Defendants Disposed of Prior to Trial in The Court of Common Pleas 1971.

CRIME TYPE	(1) Defendants Dismissed by GRAND JURY	(2) Ignored by GRAND JURY	(3) Defendants Retaining Counsel at the Common Pleas*	(4) NOLLE PROSSED	(5) DEMUR SUSTAINED	(6) TOTAL DEFENDANTS DISPOSED PRIOR TO TRIAL (2, 4 & 5)
Murder, Non-Exec.	89	2,157	91	13,427	1,427	17,181
Manslaughter	124	1,127	125	10,227	447	12,150
Rape	358	3,177	146	14,427	1,427	18,535
Agg. Assault	364	18,127	298	14,127	5,227	28,986
Burglary	784	6,127	794	4,427	1,427	12,752
Larceny	448	10,127	449	8,127	1,427	19,731
Simple Assault	144	15,127	144	17,127	4,427	36,869
Stolen Property	107	17,127	143	9,127	16,127	42,524
Embezzlement	118	12,127	117	6,127	1,427	19,889
Weapons	180	14,127	179	6,127	1,427	26,861
Sex Offenses	147	18,127	147	19,127	2,427	40,878
Narcotics	133	2,127	133	1,127	1,427	4,817
Gambling	433	5,127	433	1,127	6,427	13,140
Intoxicated Driving	1011	6,127	908	1,127	4,427	12,673
PART I	2249	8,427	1817	10,127	5,227	24,880
PART II	5408	8,127	4194	7,127	7,127	23,576
ALL CRIME TYPES	7657	8,127	6011	8,127	6,127	23,672

*The indicted defendants represent cases disposed of in the Court of Common Pleas in 1971 and therefore does not correspond exactly to the 1971 Grand Jury indicted defendants (some of who will not receive a disposition until 1972 or later).

While the percentage of defendants ignored (column (2)) over all crime types is only 8.7%, the defendants disposed of for the crimes of rape, aggravated assault and battery, simple assault, stolen property, weapons, and sex offenses are ignored over 13% of the time. It can reasonably be expected that with the additional investigatory and case preparation information gathered by the District Attorney's Office prior to presentment of a bill of indictment, a portion of defendants determined by magistrates to be prima-facie cases will be ignored by the Grand Jury. However, the high rate of dismissal of the above crime types suggests inappropriate decisions at the Minor Judiciary processing stage. This may be the result of (1) local and police pressure to hold for court offenses that involve victims, even though evidence of a prima facie case is not overwhelming; (2) inability of magistrates to secure adequate information for making a decision within the 10-day constraint on time between preliminary arraignment and preliminary hearing; (3) insufficient professional training of magistrates in making the proper determination for these violent or victim dependent crimes; or (4) insufficient prosecution and defense assistance at the Minor Judiciary level.

In addition to the Grand Jury screening process, a number of defendants dropped out of the court process prior to trial through a disposition of nolle prossed or demur sustained (columns (4) & (5) of Table I respectively). The nolle prossed disposition represents a decision by the prosecutor or the plaintiff to proceed no further with the action against the defendant. The nolle prossed decision affected 10% of all Part I offenders and over 17% of offenders indicted on simple assault, sex offenses, and forgery, fraud and embezzlement. The demur sustained disposition represents an objection by the defense attorney that is upheld by the presiding Judge. This disposition was responsible for 6.7% of the dropout of all indicted defendants.

A further understanding of the nolle prossed and demur sustained dispositions can be obtained from Table II. This Table shows the average time from indictment to disposition for nolle prossed, demur sustained, and all other dispositions. As can be seen, the nolle prossed is predominantly a prosecutorial screening decision since in 75.5% of these dispositions, no defense attorney was present. In addition to no defense attorney, the age of these dispositions (averaging over 3 years as compared to 6 months for all other dispositions) suggests that the nolle prossed disposition is a method of removing backlogged cases where witnesses cannot be reached, the defendant is not available, or the case against the defendant is inadequate. The fact that this disposition represents a way of clearing the backlog is confirmed by the knowledge that in 1970 the average time from indictment to disposition for nolle prossed defendants where no attorney was present was 5 years; in 1971, 3 years; and in the first half year of 1972, 10.5 months. During this two and one-half year period, nolle prossed

TABLE II: The Number of Cases and Time from Indictment to Disposition by Court Dispositions, Attorney Distinction, & Select Crime Types

Court Disposition and Attorney Distinction	All Crime Types		Robbery		Agr. A & B		Narcotics		
	*Number	**Days	Number	Days	Number	Days	Number	Days	
All Dispositions Represented by Attorney	4889	188	283	282	226	197	811	259	
(less Nolle Prose and Demur Sustained) No Attorney Present	226	264	1	903	13	238	19	355	
Demur Sustained	Represented by Attorney	390	182	13	149	17	263	111	249
	No Attorney Present	11	597	-	-	-	-	5	306
Nolle Prose	Represented by Attorney	121	226	6	255	8	228	9	142
	No Attorney Present	374	1153	43	773	36	462	12	640

*Number of defendants disposed of for this crime and disposition type

**Average number of days from indictment to disposition for this crime and disposition type.

defendants went from representing 6.6% of the total defendants disposed of to only 2.7% of the total defendants disposed of by the Court of Common Pleas.

Where a defendant's case was nolle prossed and an attorney was present (24.5% of the time) the time to disposition was not appreciably longer than the average for all defendants. This is likely to occur where the plaintiff stops the prosecution (e.g. plaintiff receives restitution in a worthless check or other fraud), the witness is unavailable or no longer willing to testify, or evidence for prosecution is lost (e.g. narcotics).

The demur sustained disposition is a screening process performed almost exclusively with defense counsel present and typically takes place at the time of trial as is indicated by the time from indictment to trial, 182 compared with 188 days for all dispositions. In those few cases where a demur was sustained without counsel the case was appreciably older.

The three pre-trial screening alternatives resulted in the disposition of 23.6% of all defendants and over 28.4% of rape, 36.0% of aggravated assault and battery, 28.6% of larceny, 47.5%

of simple assault, 43.3% of stolen property, 50.6% of forgery, fraud, and embezzlement, and 40.3% of sex offense defendants. These high dropout rates may provide some indicators of police arrest performance, (e.g. improper arrests, insufficient evidence, illegal search warrants), minor judiciary performance (e.g. improper determination of prima-facie case, inadequate information on complaint for preparation of indictment), and prosecutorial information on complaint for preparation of indictment), and prosecutorial performance (e.g. case preparation and scheduling that prevents adequate prosecution).

Administration and Management of the Courts

In 1970 the Court presented 8,400 defendants to the Grand Jury of which 864 were ignored and 7,576 defendants were indicted and disposed of through the adjudication process. The result was that defendants were disposed of at a volume equal to 96.5% of new defendants indicted. In 1971 the Court disposed of 6,011 defendants, a volume equal to only 85.6% of new defendants indicted. In 1972 the Court disposed of defendants at the rate of only 76.6% of new defendants indicted. Table III summarizes the defendant indictment and dispositional activity in the Court of Common Pleas for 1970, 1971, and 1972.

TABLE III: Indictment and Dispositional Activity in the Criminal Division of the Court of Common Pleas 1970, 1971, and 1972

	Defendants Indicted	Defendants Disposed of	Rate of Disposition Compared to New Defendants Indicted	% Change in Defendants Indicted		% Change in Defendants Disposed of	
				YEAR TO YEAR	1970-72	YEAR TO YEAR	1970-72
1970*	7,536	7,275	96.5%	-	-	-	-
1971	6,990	6,011	85.6%	-9.3%	-	-17.4%	-
First Half of 1972	5,626	3,953	70.3%				
**1972 Projected	8,460	6,480	76.6%	+21.0%	12.3%	+7.8%	-10.9%

* When 1970 analysis performed data was available starting on March 1, 1970, therefore, the year 1970 is assumed to be the period March 1, 1970-February 28, 1972.

** Data for 1972 is presently available for only the first six months and in order to make the 1972 projection, 1971 data showing that 66.5% of indictments for the year occurred in the first six months was assumed to hold true for 1972.

The Table indicates an overall rate of increase in dispositional productivity during the 2 1/2 years of 7.8% during a time when the indictment activity was increasing by an overall rate of 12.3%. In 1971, the Court even experienced a period of decrease in dispositional productivity of 17.4% during a time when the number of defendants indicted also decreased, but by only 9.3%. The result was an ever expanding backlog of cases and an increase in the average length of time from indictment to disposition of cases.

Table IV presents information on the time lapsed from indictment to disposition for criminal defendants disposed of in the Court of Common Pleas in 1970, 1971 and the first half of 1972.

TABLE IV: Time Elapsed from Indictment to Disposition for Criminal Defendants Heard in the Court of Common Pleas

Disposition Type	Year	No. of Defendants	Average Time from Indictment to Disposition*
All Dispositions Less Nolle Prossed	1970	6,249	190
	1971	5,736	191
	Jan-June 1972	5,948	198
Demur Sustained & Re-arrested or Quashed	1970	428	211
	1971	471	211
	Jan-June 1972	423	211
Nolle Prossed	1970	1,113	140
	1971	1,145	141
	Jan-June 1972	1,212	141
Guilty Plea	1970	14,270	178
	1971	14,250	178
	Jan-June 1972	14,841	179
Bench Trial	1970	3,944	287
	1971	3,088	287
	Jan-June 1972	3,828	287
Jury Trial	1970	281	241
	1971	153	241
	Jan-June 1972	112	241
Adjudication Deferred	1970	561	241
	1971	544	241
	Jan-June 1972	578	241

*Due to the fact that the Interim Court Statistical base currently contained data on magnetic tape starting on March 1, 1970, the year 1970 is assumed to be the period March 1, 1970-February 28, 1971.

For all dispositions less the nolle prossed, the average time between indictment and disposition for defendants increased 28.2% (5.2 months to 6.7 months) during the period from 1970 to 1972. During the period 1971 to 1972, there has also been a total increase in the time from indictment to disposition. While use of the guilty plea disposition decreased in time lapsed in 1971, the time lapse still exceeded the 1970 level. Use of the nolle prossed disposition also decreased in time to disposition from 1970 to 1972. As mentioned earlier, this decrease simply reflects the overall decrease in the age of back-

logged nolle prossed defendant cases resulting from dispositions in earlier years.

Another factor likely to affect the length of time from indictment to court disposition is the change over time in the type of offenders that make up the court's dispositional caseload. A look at the distribution of the disposition caseload by crime type for 1970 and the first half of 1972 shows that significant case changes have occurred for two offender types. While narcotics offenders represented only 9.3% of the 1970 caseload, they represented 16.6% of the 1972 caseload. Drunken driving offenders represented 16.8% of the 1970 caseload but only 11.4% of the 1972 caseload. No other crime offenders that represent a significant portion of the caseload experienced similar change. The portion of the caseload representing Part I offenders only increased 3% from 30.1% in 1970 to 33.1% in 1972.

The significant change in the distribution of the caseload with respect to narcotics offenders contributes to the time lag from indictment to disposition for all offenders. Narcotics offenders typically receive pretrial hearings on motions to dismiss the charges. This is indicated by the high 12% demur sustained disposition rate for narcotics as compared to only 6.7% for all offenders. The pretrial motions must be scheduled for a hearing and require courtroom space as well as judicial, prosecutorial, and defense resources. This contributes to the delay in final disposition of narcotics offenders as indicated by the fact that narcotics offenders in 1972 experienced the second longest time lapse from indictment to disposition, 287 days as compared to 200 for all offenders.* The high portion of narcotic offenders along with the long time from indictment to disposition increases the time lag in the disposition of all other offenders.

The time lapse prior to disposition is also influenced by change over time in the portion of dispositions that result from a particular court action. Table V shows the breakdown by court action of 1970 and 1972 dispositions. From this we see that the portion of offenders nolle prossed has decreased and that most of this decrease results in an increase in the number of dispositions by bench trial. Since bench trials require a far greater workload than a nolle prossed disposition, the time to disposition (if all other resources remain constant) is likely to increase for all offenders.

*This includes defendants nolle prossed.

TABLE V

	1970	First Half 1972
Ind. Squashed	7.1%	7.8%
Nolle Prossed	9.3%	2.8%
Bench Trial	58.9%	64.2%
Jury Trial	2.7%	2.6%
Guilty Plea	21.9%	22.7%
Total Offenders	6,708	3,657

A final factor reflecting the continued rate of increase in time from indictment to disposition is the 31%* rate of postponement of cases listed for trial in the criminal division in 1971. A sample of 1970 postponements reveals that 29.7% of postponements were made at the request of the Commonwealth on the trial date, 24.8% were made by the defendant or his counsel on the trial date, and 45.6% were made prior to the trial date.

Other indicators of the change in the criminal court's dispositional productivity rate are reflected by the private attorney, public defender, district attorney, and judge caseloads. 1971 data from the interim court computer system indicates that out of 188 private attorneys defending clients in criminal court, 21 attorneys or only 11.2% handled 48.0% of the total disposition. These 21 attorneys had charge caseloads of from 50 to 206 dispositions. Of these 21 attorneys, 9 had caseloads in excess of 100 and processed 32.0% of all dispositions. Without proper calendar control, these 9 attorneys had a high likelihood of trial scheduling conflicts due simply to the magnitude of their caseload (regardless of any other incentives that exist for the postponement of a case).

The public defender's 9 trial lawyers processed on the average 273 charges in 1970 and only 186 charges in 1971. This represents a 32.0% drop in productivity from the previous year. The District Attorney's Office's twenty-three trial assistants processed on the average 409 dispositions in 1970 but only 318 in 1971. This represents a 28.2% decrease in productivity.

*Data compiled by the Clerk of Courts Office.

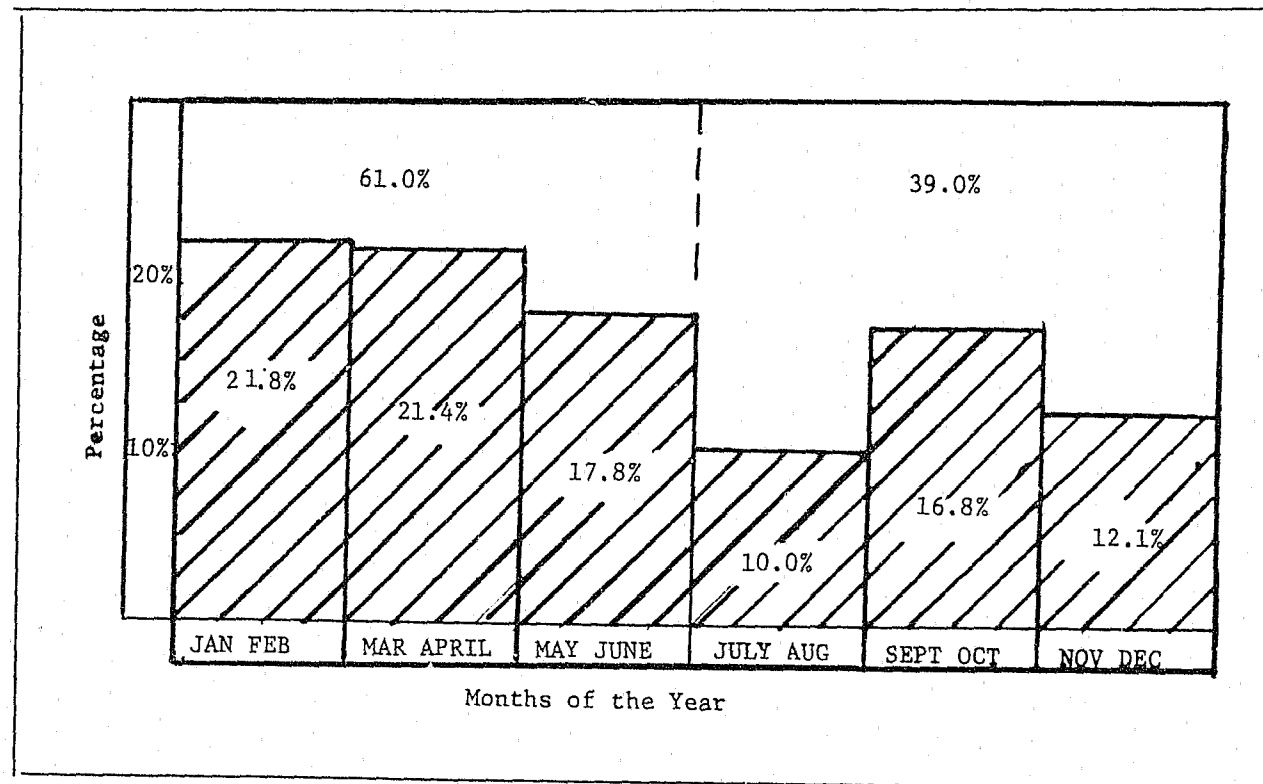
The District Attorney's Office disposed of nearly 50% more charges per attorney than did the Public Defender's Office in 1970 and 70% more charges per attorney in 1971. This significant difference in attorney caseload between the two offices may be an indicator of the difficulty in scheduling public defenders for the trial of indigent defendants. While the Public Defender's Office represented about 27% of all defendants, the District Attorney's Office represented the Commonwealth in all prosecutions and could, therefore, schedule its cases more efficiently. Additionally, there is the issue of workload differences in preparation for defense as opposed to preparation for prosecution. Such workload differences affect the portion of time public defenders and prosecutors are available in the courtrooms for the disposition of charges.

The Court of Common Pleas judges, composed of 6 regular criminal court judges (throughout most of 1971), 21 part-time judges from other Allegheny County Common Pleas Courts, and 21 visiting judges from surrounding counties in Pennsylvania, disposed of 7,396 charges in 1971. The six regular criminal court judges disposed of 47.9% of the charges or an average of 590 charges per judge. This represents a charge disposition workload that was 85.5% greater than the average assistant district attorney workload. This difference can be explained by the fact that judges are full-time, while the assistant district attorneys are part-time personnel. Even if workload differences explained 35% of the difference between judge and district attorney workloads, it is not unreasonable to believe that the district attorney's charge disposition rate would be increased by 50% if they, too, were all full-time. This can be achieved with an increase in salary significantly less than 50.0%. A similar increase in the public defender charge disposition workload can be expected if these personnel are also made full-time. However, the additional constraints imposed on the scheduling of public defender cases for disposition is likely to make the workload appear lighter than that of the assistant district attorneys.

In addition to the 47.9% of the dispositions processed by the six regular Criminal Court judges, other Common Pleas judges disposed of 19.6% of the caseload and the visiting judges disposed of 32.5% of the caseload. Six of the 21 "other" Common Pleas judges disposed of 79.0% of the "other" Common Pleas judge workload, with an average workload of 190 charges, and 6 of the 21 visiting judges disposed of 84.8% of the visiting judge workload with an average workload of 431 charges. Thus a total of 18 judges handled 90.9% of the 1971 Criminal Court workload with an average workload of 374 charges.

Data from the first half of 1971 shows an average caseload for the full-time Criminal Court judge of 414 cases. This represents 70.0% of their total 1970 workload. From this data it might be expected that in the course of a year these judges could handle a workload of over 800 charges. However, data on the distribution of trial dates for 1971 indicates why this is not likely to be so. Figure I shows that 61% of all charges are disposed of in the first six months of the year.

Figure I: Distribution of Disposition of Criminal Charges in Court of Common Pleas in 1971

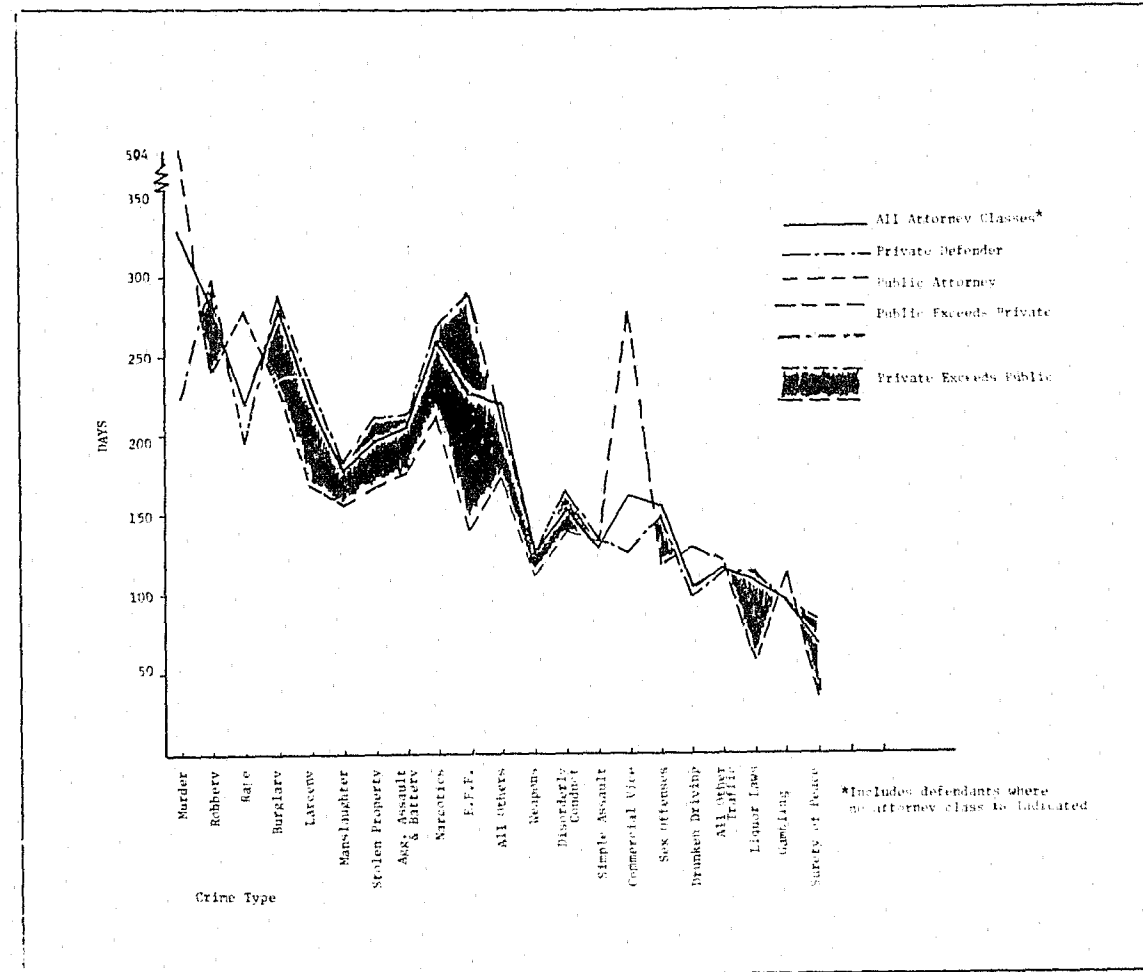


As a result, the average judge charge workload for 1972 is likely to be closer to 680 than 800. If the Court could maintain the same disposition production rate for the second half of the year that is achieved during the first six months, it would be possible to reduce the 1972 projected ratio of defendant dispositions to new defendants indicted (Table III) from 76.6% to 94.0%*. In addition, the Court might improve its disposition production by smoothing out the portion of trials scheduled for a particular period (Figure I) and thus lower the likelihood of postponements due to scheduling conflicts.

Additional insight into the scheduling process can be gained by looking at the average time lapsed from indictment to disposition for the various crime offenders. Figure II shows the average time lapsed for all offenders and for publicly and privately represented offenders for the various crime types.

*It is assumed that the increased prosecution and defense workloads could be achieved simply through the initiation of full-time personnel without any direct effect on the present quality of the defense and prosecution services provided.

Figure II: Average Time from Indictment to Disposition (Excluding Nolle Prossed Defendants)-1971



The crime types are ranked from the most serious (murder) to the least severe (surety of the peace).** From the Figure it is quite clear that the most serious offenders were typically the ones experiencing the longest wait between indictment and disposition. On the other hand those offenses that received the lesser sentences (i.e. fine or at most probation) are disposed of most rapidly. Since it is generally accepted that the risk of crime is diminished with court postponements and delay (i.e. the likelihood of successful prosecution will decrease when witnesses fail to appear, evidence is misplaced, etc.), the most serious offenders are likely to be less successfully prosecuted than if the delay was shortened to a period of time that accurately reflected case preparation time.

**This ranking was determined by analyzing the portion of convicted offenders for each crime type receiving sentences of fine, probation or parole, and institutionalization. The crime types were then ordered from the most to the least severe based on the severity of sentences received within the crime type.

Additionally, the fact that publicly defended clients were disposed of more quickly (for the majority of crime types) suggests that these offenders potentially received less of a benefit (in terms of reduced probability of conviction) from court delay than did privately defended clients. This was true regardless of what other benefits a privately defended client received.

Improvement in the areas of court delay are likely to be achieved through a number of actions. Successful implementation of computer based administrative techniques in the Court of Common Pleas along with (1) continued improvement in facilities and equipment, (2) increased and improved training of court personnel, and (3) the initiation of a court planning unit, is likely to create efficiencies that will minimize court processing time. Delays are also likely to be decreased by revisions of the criminal law that enable lesser offenders to be removed from the criminal justice system or to be disposed of at the Minor Judiciary level and by the initiation of pretrial release programs. This would make available additional court time for the more rapid disposition of serious offenders.

While these improvements are being made, the court delay for the more serious offenders could be decreased by increasing the court delay for the lesser offenders (whose sentences are typically minimal anyway). This would mean that offenders in each crime type would have more equal delays instead of the present system where there exists wide variance in the delay among the various crime types.

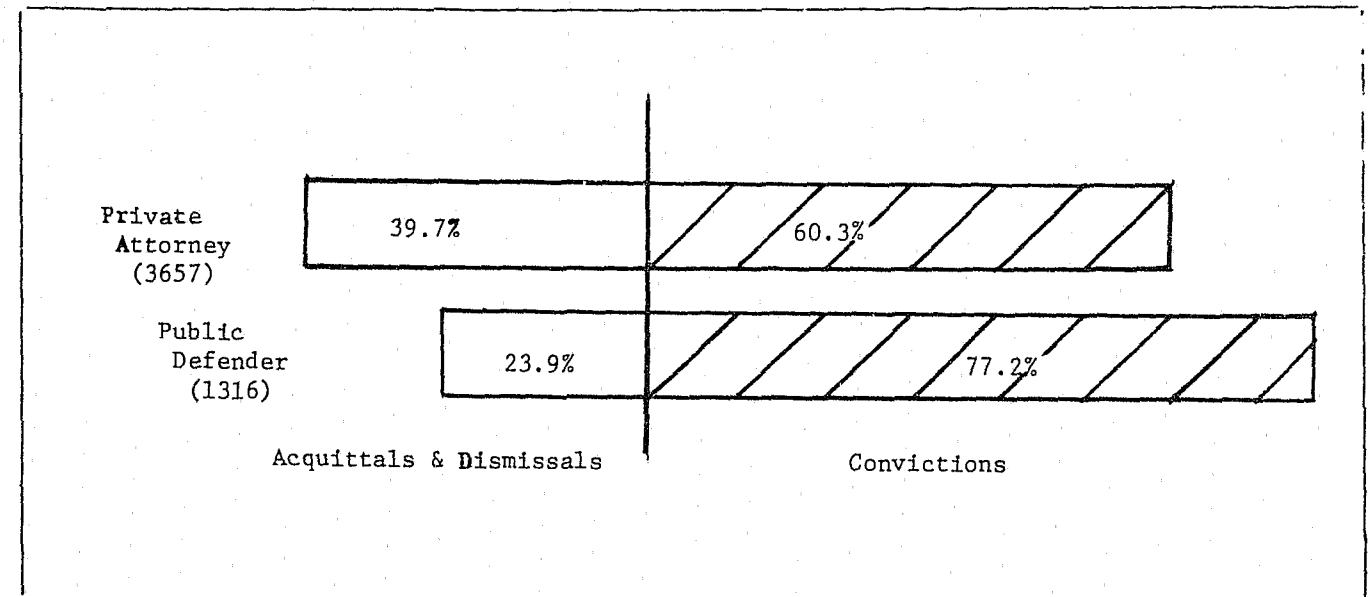
The Dispositional Process

Of the 6,011 court defendants disposed of in 1971, 896 received nolle prossed, indictment quashed, or demur sustained dispositions. The remaining 5,115 defendants were disposed of by a guilty plea, bench trial or jury trial. Of these defendants, 8,657 were represented by private counsel and 1,316 represented by a public defender.* Figure II indicates the relative proportion of convictions to acquittals for private attorney and public defenders.**

*There was no record of type of defense for the remaining 142 defendants.

**The adjudication deferred disposition which represents a form of diversion is not included in this figure.

Figure III: Portion of Convictions and Acquittals for Private Attorneys and Public Defenders



This clearly indicates that defendants represented by public defenders had a significantly greater likelihood of being convicted. This higher conviction rate for public defenders might be explained by the public defender's representation of a disproportionate number of defendants for certain crime types. Table VI indicates that the likelihood of conviction given arrest varies for different crime types. If public defenders handle a large portion of the crimes with a high probability of conviction, then some or all of the differences in conviction rate between public and private attorneys can be explained by the differences in the type of defendants each represents.

An analysis of the differences in distribution of cases over the various crime types for private and public defenders reveals distinct caseload differences for the two attorney types for Part I property crimes (robbery, burglary, and larceny) and for Part II offenses of gambling, forgery, fraud, and embezzlement, and intoxicated driving. The Part I property crimes represented 35.6% of the public defender's caseload but only 16.7% of the private defender's caseload. The private to public defender portion of the caseload for gambling was 6.1% to .1%, forgery, fraud, and embezzlement 3.4% to 5.8%, and intoxicated driving 18.0% to 11.1%. For all other crime types the caseload of private and public defenders was proportionately similar.

TABLE VI: Probability of Defendant Conviction Given a Particular Crime Type - 1971

Crime Type	Total Defendants*	Probability of Conviction
Murder	76	.69
Rape	109	.63
Robbery	329	.72
Agg. A. & B.	171	.65
Burglary	280	.76
Larceny	159	.65
Simple Assault	110	.46
Commercial Vice	106	.74
Sex Offenses	61	.59
Narcotics	678	.60
Gambling	242	.76
Drunk or Driving	705	.46
PART I	1,080	.68
PART II	1,787	.59
TOTAL	2,867	.62

It is possible to determine the effect that the difference in distribution of cases has on the conviction rate by applying the public defender probabilities of being convicted to the private attorney caseload. Table VII shows that 20.2% of the Part I and 10.1% of the total conviction rate difference between public and private defenders can be explained by differences in the caseload. The remainder of the difference between public and private defender caseload (i.e. 90% overall crime types) must be attributed to the higher conviction rates of public defenders as compared to private defenders.

TABLE VII: Portion of Public Defender Conviction Rate Explained by Differences in Public and Private Defender Caseload

Offense Classification	(1) % Convicted Private Attorney	(2) % Convicted with Private Attorney Caseload & Public Defender Conviction Rate	(3) % Convicted Public Defender	(4) % of Public Defender Conviction Rate Explained by Caseload Distribution Differences [(3)-(2)/(3)-(1)]
Part I	69.2%	78.3%	80.6%	20.2%
Part II	57.3%	73.6%	74.4%	4.7%
Total	60.3%	75.5%	77.2%	10.1%

Table VIII verifies this since the conviction rate is significantly higher for public defenders in all but three of the crime types compared.

TABLE VIII: 1971 Defendant Conviction Rates of Private and Public Attorneys for Selected Crime Types

Crime Type	Private Attorney			Public Defender		
	Total Cases Handled Less Adj. Def.	Number Of Convictions	Probability Of Convictions	Total Cases Handled Less Adj. Def.	Number Of Convictions	Probability Of Convictions
Murder	51	36	.71	25	18	.72
Rape	76	52	.68	24	17	.71
Robbery	172	134	.78	113	103	** .91
Agg. A. & B.	156	93	.60	63	47	** .75
Burglary	280	214	.76	231	192	** .83
Larceny	159	104	.65	127	96	* .76
Simple Assault	110	51	.46	28	19	** .68
Commercial Vice	106	78	.74	35	29	** .83
Sex Offenses	61	36	.59	10	7	+ .70
Narcotics	678	406	.60	172	117	* .68
Gambling	242	183	.76	1	1	+1.00
Intoxicated Driving	705	321	.46	153	117	** .76

*Difference is significant at the .05 level

**Difference is significant at the .01 level

+The sample size of at least one of the populations is too small to use the normal approximation for testing the significance of differences between two sample proportions.

One additional factor that affects the high conviction rate of public defenders is the greater proportion of guilty pleas by defendants represented by a public defender. Table IX presents the distribution of cases over the various Court dispositions for the two attorney types.

TABLE IX: Distribution of 1971 Defendants Among The Various Court Dispositions For Private Attorneys And Public Defenders

Court Disposition	Private Attorney	Public Defender
Demur Sustained or Indictment Quashed	7.8	8.0
Nolle Prose	2.7	1.7
Guilty Plea	22.7	35.7
Bench Trial	64.0	50.5
Jury Trial	2.7	4.2

If we remove the guilty pleas, the conviction rate of public defenders is 41.5% and of private defenders 37.6%. The excess of public defender guilty pleas, therefore, accounts for all but 4% of the difference between public defender convictions and private attorney convictions.*

There are several alternative hypotheses that could account for the excessive guilty pleas and the resulting higher conviction rate for public defenders:

- (1) Defendants represented by public defenders are more likely to be guilty than those represented by private attorneys.
- (2) Public defenders have an excessive caseload and are spending less time working on each client's case and are, therefore, more willing to accept a guilty plea to expedite the case processing.
- (3) Public defenders are less experienced than private attorneys and are willing to let a defendant plead

*The results obtained in this section confirm the results of a similar analysis performed on 1970 Court data.

guilty in hopes of a reduced sentence before all other alternatives are exhausted.

- (4) Public defenders are less likely than private attorneys to postpone cases listed for trial in order to "judge shop" and therefore make a strategic decision to have their client plead guilty in anticipation of a reduced sentence.

Each alternative could explain the higher incidence or a portion of the higher incidence of guilty pleas for public defenders. To test hypothesis one, additional data concerning the characterization of defendants and the nature and evidence of the case would have to be collected. Hypothesis two can be partially evaluated since data on the number of cases handled and the associated workload for public and private defenders is available. Hypothesis three would require an analysis of differences in defense strategies between public and private counsel and determination of whether such strategies produce significant differences in the counsel. An examination of the postponement process and the decisions of various judges after controlling for such factors as crime type and defense counsel would be required for the evaluation of the last hypothesis.

Plea Bargaining Process

One indicator of potential bargaining in the dispositional process is the portion of those convicted defendants who are found guilty of a lesser charge. Table X presents the percentage of convicted defendants who are convicted on their most serious indicted charge and the percentage convicted on a lesser charge.

TABLE X: Portion of Convicted Defendants Convicted on their Most Serious Indicted Charge and Convicted on a Lesser Charge

Charge Type	(1) Most Serious Indicted Charge	(2) Convicted Most Serious Indicted Charge	(3) % of (1)	(4) Convicted Lesser Charge	(5) % of (1)
Murder	54	32	59.3%	22	40.7%
Rape	69	46	66.7%	23	33.3%
Robbery	238	182	76.5%	56	23.5%
Agg. A. & B.	144	86	59.7%	58	40.3%
Burglary	417	311	74.6%	104	33.4%
Larceny	204	141	69.1%	63	30.9%
Simple Assault	72	53	73.6%	19	26.4%
Commercial Vice	109	95	87.2%	9	8.3%
Sex Offenses	44	44	100.0%	-	-
Narcotics	530	511	96.4%	15	2.8%
Gambling	189	186	98.4%	2	1.1%
Intoxicated Driv.	443	429	96.8%	13	3.0%
PART I	1,144	813	71.1%	329	28.8%
PART II	2,140	2,041	95.4%	72	3.5%
TOTAL	3,284	2,854	86.9%	401	14.1%

As might be expected, most of those convicted on lesser charges were Part I offenders. The resulting percentage change in the number of convicted defendants who were convicted of a particular offense and the number of convicted defendants who were initially indicted for a particular offense is presented in Table XI.

TABLE XI: Comparison of Convicted Defendants Initially Indicted on Convicted Charge and Total Convicted on the Charge

Charge Type	Number of Convicted Defendants Initially Indicted on this Charge	Number of Convicted Defendants Convicted of this Charge	% Change
Murder	54	32	-40.7%
Manslaughter	11	25	+127.3%
Agg. A. & B.	144	95	-34.0%
Burglary	417	315	-24.5%
Larceny	204	184	-9.6%
Simple Assault	72	99	+37.5%
Stolen Property	64	172	+168.8%
Sex Offenses	44	58	+31.8%
D. C. & Vagrancy	32	61	+90.6%
PART I	1,144	906	-20.8%
PART II	2,140	2,378	+10.0%
TOTAL	3,284	3,284	0.0%

The result of this conviction charge transformation was a general decrease in Part I convictions as compared to initial indictments (with the exception of manslaughter) and an increase in Part II convictions (illustrated by the 169% increase in convictions for stolen property).

To determine whether or not a significant portion of the conviction charge transformation occurred for defendants pleading guilty, a comparison can be made between the portion of convicted defendants pleading guilty and the portion of defendants pleading guilty who were convicted on lesser charges. Table XII presents this comparison and clearly illustrates that guilty pleas generated only a proportionate percentage of conviction charge transformations. As a result it appears that a defendant convicted at a trial has as high a likelihood of being convicted for a lesser charge as did a defendant pleading guilty.

TABLE XII: Comparison of Portion of Convicted Defendants Pleading Guilty and the Portion of Convictions for Lesser Charges that are Guilty Pleas

Charge Type	Guilty Pleas	% of Convictions Guilty Pleas	% of Charge Transformation Guilty Pleas
Murder	30	55.6%	68.2%
Rape	25	36.2%	34.8%
Robbery	119	50.0%	46.4%
Agg. A & B	37	25.7%	29.3%
Burglary	211	50.6%	46.2%
Larceny	87	42.6%	36.5%
Simple Assault	12	16.7%	15.8%
Commercial Vice	32	29.4%	22.2%
Sex Offenses	13	29.5%	-
Narcotics	225	42.6%	26.7%
Gambling	52	27.5%	-
Intoxicated Driving	128	28.9%	23.1%
PART I	518	45.3%	42.2%
PART II	829	38.7%	27.8%
TOTAL	1347	41.0%	39.6%

If this is so, there may be real strategic defense implications for public defenders with their high guilty plea disposition rate. Public defenders might not be gaining any increased advantage in terms of a reduced conviction charge or sentence for their clients by entering a guilty plea.*

Court Sentencing Process

Prior to sentencing in the Criminal Division of the Court of Common Pleas, a portion of defendants received a pre-sentence investigation or Behavior Clinic examination** to aid the judge in determining the convicted defendant's sentence. Table XIII presents the portion of convicted defendants who received a pre-sentence investigation for a sample of crime types. Additionally, the Table presents the percentage of convicted private and public defender clients who received a pre-sentence investigation.

*Before this hypothesis can be fully accepted, additional data must be collected on the likelihood of conviction crime transformation after controlling for various judge and defense counsel. Additionally, it would be desirable to compare the defendants pleading guilty (controlling for the type of defense counsel).

**To be referred to from now on as pre-sentence investigation.

TABLE XIII: Portion of Convicted Defendants by Defense Counsel Type having Pre-Sentence or Post-Trial Behavior Clinic Examination

Crime Type	# of Defendants Receiving an Investigation	% of Total Defendants Sentenced Receiving an Investigation	% of Total Private Attorney Defendants Sentenced Receiving an Investigation	% of Total Public Attorney Defendants Sentenced Receiving an Investigation
Murder	11	20.4%	19.4%	22.2%
Rape	12	17.4%	19.2%	11.8%
Robbery	73	30.7%	34.3%	26.2%
Agg. A&B	19	13.2%	10.8%	19.1%
Burglary	82	19.7%	18.7%	21.9%
Larceny	30	14.7%	11.5%	17.3%
S. Assault	22	14.7%	8.2%	21.3%
Stolen Property	10	15.4%	15.4%	16.7%
Narcotics	83	15.7%	14.7%	19.7%
PART I	228	19.9%	19.4%	21.5%
PART II	152	7.1%	6.6%	9.1%
TOTAL	380	11.6%	10.3%	15.0%

It can be seen that the use of a formal pre-sentence investigation was rather minimal with only 11.6% of all convicted defendants receiving such an investigation. Part I offenders received a significantly larger percentage of investigations as might be expected. Looking at defense counsel types, we see that although public defender clients for all Part I crime types had a higher likelihood of receiving a conviction, the private and public client groups had nearly the same proportion of Part I offenders receiving pre-sentence investigations.

Prior to drawing any conclusions concerning pre-sentence investigation, it is desirable to first look at the types of sentences these convicted defendants received. Table XIV shows the breakdown and percentage of defendants sentenced in 1971. Nearly 80% of all convicted defendants received a sentence of fine or probation while the remaining 20% of defendants were sentenced to institutions. The likelihood of being incarcerated was significantly higher for Part I offenders (nearly 40%) compared to 14% for Part II offenders. The sentencing institution varied significantly over crime type: commercial vice, gambling, intoxicated driving, and other traffic offenders received fines over 50% of the time; burglary, larceny, simple assault, forgery, fraud, and embezzlement, stolen property, narcotics, and all other offenders were sentenced to probation over 50% of the time. Because of the nature of their sentences, many of the offenders in these crime groups were likely

TABLE XIV: Sentence of Convicted Defendants by Most Serious Convicted Charge - 1971

Crime Type	Total	Fine		Probation		Parole		West Penn.		Co. Jail		Muncie, Camphill, Greensburg & Others	
		No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Murder	24	-	-	3	12.5	-	-	19	79.2	-	-	2	8.3
Rape	45	1	2.2	20	44.4	5	11.1	10	22.2	1	2.2	8	17.8
Robbery	152	-	-	57	37.5	12	7.9	45	29.6	3	2.0	35	23.0
Agg. A&B	73	7	9.6	44	60.3	6	8.2	6	8.2	2	2.7	8	11.0
Burglary	244	8	3.3	137	56.1	19	7.8	43	17.6	6	2.5	31	12.7
Larceny	127	7	5.5	69	54.3	10	7.9	13	10.2	10	7.9	18	14.2
Simple Assault	75	18	24.0	40	53.3	1	1.3	4	5.3	4	5.3	8	10.7
Fraud, Forg. & Embezzlement	102	4	3.9	75	73.5	7	6.9	2	2.0	2	2.0	12	11.8
Stolen Property	127	10	7.9	74	58.3	6	4.7	18	14.2	4	3.1	15	11.8
Commercial Vice	79	42	53.2	24	30.4	-	-	6	7.6	4	5.1	3	3.8
Narcotics	413	45	10.9	281	68.0	10	2.4	38	9.2	9	2.2	30	7.3
Gambling	170	156	91.7	12	7.7	-	-	-	-	2	1.2	-	-
Intoxicated Driving	356	244	68.5	82	23.0	2	1.4	2	1.4	13	3.7	13	3.7
Traffic, Others	215	149	69.3	45	20.9	4	1.9	1	.5	10	4.7	6	2.8
All Others	112	9	8.0	77	68.7	7	6.3	7	6.3	6	5.4	6	5.4
Part I	687	23	3.3	346	50.4	53	7.7	139	20.2	21	3.1	105	15.3
Part II	1,842	748	40.6	795	43.2	45	2.4	90	4.9	64	3.5	100	5.4
TOTAL	2,529	771	30.5	1141	45.0	98	3.9	229	9.1	85	3.4	205	8.1

candidates for diversion through either reform of the criminal code or through pre-trial dispositional alternatives like ARD. Murder, rape, and robbery offenders were sentenced to institutions over 50% of the time; and aggravated assault and battery, burglary, larceny, stolen property, and simple assault were sentenced to institutions over 25% of the time.

Additional insight into the sentencing process can be gained by comparing the proportion of private and public defender clients receiving sentences of fine, probation and parole, or institutionalization. Table XV shows such a comparison. A significantly greater portion of privately defended clients for all crime types received fines compared to public defender clients. Likewise, a significantly greater portion of publicly defended clients for nearly all crime types received institution sentences compared to private attorney clients. Additionally, a large percentage of Part I privately defended offenders received a disposition of probation or parole as compared to publicly defended clients. For Part II offenses where publicly defended clients represent a larger portion of the probation or parole population than do the privately defended clients a significantly smaller portion of the public defender clients received sentences of only a fine. The more severe sentences for all crime types received by publicly defended clients suggests that the high guilty plea rate of public defender clients did not improve

TABLE XV: Sentencing Dispositions by Attorney Class and Most Serious Convicted Crime Type

Crime Type	% Fine		% Probation & Parole		% Institution	
	Private	Public	Private	Public	Private	Public
Murder	-	-	15.4	9.1	84.6	90.1
Rape	3.3	-	63.3	40.0	33.3	60.0
Robbery	-	-	51.7	36.1	48.4	63.9
Agg. A & B	12.2	4.2	71.4	62.5	16.3	33.3
Burglary	4.2	2.4	75.0	53.2	20.9	44.3
Larceny	9.5	1.6	66.6	57.8	23.9	40.6
S. Assault	36.2	3.6	53.2	57.1	10.7	47.1
E.F.F.	6.3	1.9	81.2	79.6	12.5	18.6
Stolen Property	11.6	3.4	63.7	62.1	24.6	34.5
Commercial Vice	58.3	35.8	26.7	42.1	15.0	16.1
Narcotics	13.3	3.1	73.3	61.3	13.3	35.7
Intoxicated Driving	74.7	52.5	21.0	30.3	4.3	17.2
Traffic	76.2	54.5	18.4	32.3	5.4	13.2
All Others	10.6	-	77.7	66.7	11.8	33.3
PART I	4.7	1.7	65.1	49.1	30.2	49.2
PART II	47.4	22.7	43.5	50.8	9.0	26.5
TOTAL	37.9	14.8	48.4	50.2	13.7	34.9

the likelihood of a reduced sentence. Additionally, although a significantly higher portion of public defender convicted defendants were institutionalized, these defendants did not receive a significantly higher portion of the pre-sentence investigation.

Several hypotheses for the more severe sentences of public defender clients can be suggested:

- (1) The judge does not receive as many sentencing alternatives for public defender clients since the fine is less of an option and increased use of probation or parole for these defendants may be dependent on additional community or family support which the judge perceives as non-existent.
- (2) Public defender clients are more likely to be recidivists and therefore are given the more severe sentencing alternatives.
- (3) Public defender clients appear with greater frequency before judges that choose the more severe sentencing alternatives without more extensive use of pre-sentence investigation.

While hypotheses (2) & (3) may offer partial explanations for the severity of sentences for publicly defended clients, more immediate and direct action to alleviate the problem can be taken through the expansion of the sentencing options. This would include the creation of substitutes for the fine option (e.g. work sub-

stitution programs). Other alternatives would include the expansion of probation options through additional treatment programs (e.g. alcohol and narcotics) and the use of pre-trial disposition and probation options. Alternatives to formal institutionalization would include the creation and expansion of adult community based services and facilities. In expanding the sentencing alternatives, it is important that these options be made increasingly available to publicly defended clients. One method of assuring this would be to increase pre-sentence investigations to cover a greater portion of the offenders. Only by expanding the correctional alternatives will indigents have options that are presently more available to the privately defended client.

Toward a Safer Community, Vol. II

Summary

The Allegheny County Regional Planning Council of the Governor's Justice Commission has the responsibility of analyzing the criminal justice system in Allegheny County to determine what the problems and needs are, and then to develop and implement the programs which will solve those problems and meet those needs. The following is a summary of the Report on the present situation, entitled "Toward a Safer Community, Vol. II," released by the Council on May 19, 1973.

A. Crime in Allegheny County

1. The number of reported violent crimes in Pittsburgh increased between 1967 and 1971, especially crimes of rape, aggravated assault and battery, and burglary.
2. The reported index crimes per 100,000 population in Pittsburgh rose between 1969-71 in crimes of murder and non-negligent manslaughter, rape, and aggravated assault and battery.
3. The highest violent crime rates in Pittsburgh were in the Hill, Lawrenceville, Oakland, and Downtown.
4. The highest violent crime rate in the County, excluding Pittsburgh, occurred in Region 6, covering Wilkins, Churchill, Edgewood, Forest Hills, Wilkinsburg, and Chalfant. The municipalities with violent crime rates closest to that of Pittsburgh were Braddock, Homestead, Monroeville, Sewickley Boro, Versailles, McKeesport, and Wilkinsburg.
5. In Pittsburgh in the 15-19 age group blacks had an average arrest percentage of 9.8; whites, 1.5.
6. The likelihood of victimization for a City resident was 3.5 times

greater than for a County resident. For violent crime victimization, the likelihood was 8 times greater in the City.

7. The adult resident arrest rate correlated closely with income level, i.e. poverty. The juvenile resident arrest rate did not correlate as closely.
 8. In Pittsburgh blacks had a higher resident arrest rate than whites. 57.7% of all persons arrested were white; 42.3%, black.
 9. Blacks were arrested mainly for crimes of robbery, larceny, and burglary, and for narcotics, disorderly conduct, and gambling. Whites were arrested mainly for crimes of narcotics, gambling, liquor and disorderly conduct.
 10. Women were arrested in a greater proportion than men for aggravated assault and battery. (Women made up 13.2% of the arrest population.)
 11. 36.3% of all white arrests were for drunkenness; 22.8% of black arrests.
 12. The highest ratio of black resident arrest rate to white resident arrest rate occurred where whites made up more than 90% of the population. The lowest black resident arrest rate occurred where more than 60% of the population was black.
 13. The projected trends for 1980 are that blacks will represent a larger percentage of the population in the high (15-24) arrest age grouping.
- B. Minor Judiciary
1. The disposition of cases of white and black defendants follow the same pattern, although a higher percentage of blacks' cases were dismissed and a higher percentage of black defendants were held. A higher percentage of white defendants were fined.

2. Only 26% of the defendants were represented by an attorney at their preliminary hearings.
 3. A significant change occurred in bail disposition between 1970 and 1972, with fewer persons being detained, although 31.4% of the black defendants and 13.2% of the white defendants were detained. Nominal releases tripled and detention decisions decreased by 50%.
 4. Nearly 50% of the defendants detained at their preliminary arraignment either had their cases dismissed or were released on some type of bail prior to their court trial.
 5. 44.3% of public defender clients and 15.6% of private attorney clients were detained.
- C. Criminal Division of the Common Pleas Court
1. 23.6% of all cases were disposed of before trial. This represents a decrease from 1971.
 2. Narcotics offenders made up an increasing percentage of the caseload (9.3% in 1970; 16.6% in 1972).
Drunken driving offenders made up a decreasing percentage of the caseload (16.8% in 1970; 11.4% in 1972).
 3. 11.2% of the 188 private attorneys defending clients in criminal court handled 48.0% of the total dispositions, resulting in caseloads of from 50 to 206 dispositions. 9 attorneys processed 32.0% of all dispositions.
 4. The average time lapse from indictment to trial was 200 days.
 5. Both the Public Defender's trial lawyers (defense attorneys) and the District Attorney's trial associates (prosecution attorneys) showed a drop in productivity from 1970 to 1971. The latter dis-

- posed of nearly 50% more charges per attorney in 1970 than did the former; 70% more in 1971.
6. 18 judges handled 90.9% of the 1971 Criminal Court workload, averaging 374 charges per judge.
 7. Property crimes represented 35.6% of the public defender's caseload, but only 16.7% of the private defender's caseload.
 8. The client of the public defender had a much higher probability of conviction than the client of the private attorney, even when adjustment has been made for conviction probability for particular crime types. The excess of public defender guilty pleas accounted for all but 4% of the difference between public defender convictions and private attorney convictions.
 9. A significantly greater portion of publicly defended clients for nearly all crime types received institution sentences compared to private attorney clients, who tended to receive fines.

Key problems revealed by the information presented in this Report are:

1. Lack of attorneys representing defendants at preliminary hearings.
2. Extensive use of the guilty pleas by public defender attorneys.
3. More frequent detention of the clients of public defender attorneys, as compared with those of private attorneys.
4. Limited use of the pre-sentence investigation for the clients of public defender attorneys, which limits clients' correctional alternatives and options.
5. Low productivity of public defender attorneys (perhaps because they work only part-time).

6. Delay in the trials for more serious offenses which causes a higher rate of dismissal and drop-out, and longer pre-trial detention in cases where the defendant has been jailed.
7. Tendency for cases of the clients of public defender attorneys to be heard by judges who tend to use the severe sentence rather than investigation, probation and parole. Private attorneys practice "judge shopping" more frequently than public defender attorneys.
8. A few attorneys handle the bulk of criminal cases, thus creating a heavy caseload, and court scheduling problems which cause delays in setting trial dates.
9. Several of the public defender and District Attorney's office attorneys work part-time, causing court scheduling problems.
10. Lack of information for bail decisions at the preliminary arraignment stage, which when available later has made granting of bail possible.
11. Higher arrest and detention rates for blacks than for whites while dismissal rates of black defendants are also higher than for whites.
12. Increase in the Pittsburgh crime rate for crimes of murder, rape, and aggravated assault and battery.

END