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Assessment of Recent
Criminal Justice Trends
in the District of Columbia

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SUMMARY

After an introduction which explains the origins and future of this paper, there are two substantive sections. The first covers trends in the criminal justice process in the District of Columbia from January 1975 through June 1976. The second assesses the possible impact of Operation Doorstop and revision of the D.C. Bail Reform Act on the D.C. Department of Corrections. Over the last 18 months crime rates have been dropping but are expected to stabilize. Adult arrests are up (+5%) mostly for less serious offenses. Less use is being made of pre-trial release alternatives, and much greater use is being made of preventive detention. The number of cases referred to the U.S. Attorney's Office has been rising but may have begun to level off in the last six-months. The number of dispositions is stable or rising slowly, but the number of convictions is definitely up - absolutely and as a proportion of all dispositions. The courts are imposing more adult and youth sentences. The average length of sentence for adults is slightly down, and for youths is up (i.e., greater use is being made of the 5010C alternative).

Finally, the Parole Board is releasing inmates at a slightly lower rate.

Based on information supplied by MPD, D.C. Bail Agency and the D.C. Parole Board, Detention Services daily population will increase by 40-60 as a result of Operation Doorstop and 60-65 as a result of the proposed revision of the D.C. Bail Reform Act. The combined potential impact on daily population is estimated to be 70-80. The projected cost to the Department of each project is reported to be \$430,000 for Operation Doorstop, and \$540,000 for the proposed revisions to the Bail Reform Act.

I. Introduction

This is the first attempt by the Office of Planning and Program Analysis, D.C. Department of Corrections, to produce a summary of trends in the criminal justice process in the District of Columbia. Most of the figures cover the 18 months from January 1975 through June 1976. Some of the figures were only available on a fiscal year basis, others only on a calendar year basis. This causes some confusion in the text, and points out the need to standardize criminal justice agency reporting on a monthly or quarterly basis. This would allow adjustment to the specific data requests that each agency receives, and to the apparent flexibility of the so-called "fiscal year."

The effort of this office to collect the figures upon which this report is based has been ongoing for at least two years. Availability of data varies greatly among agencies: the police have a long history of manual statistical reporting; the U.S. Attorney's Office is the recent and enviable beneficiary of a computerized information system; the courts are particularly sensitive to issues of privacy and the independence of the judicial branch of government. The Director's concern with the

possible impact of Operation Doorstop and proposed changes in the Bail Reform Act supplied the immediate impetus for this paper's production.

This leads to an explanation of the purpose of this report. It was prepared to answer specific questions on Doorstop and D.C. Bail Reform Act. However, it also presents information which should be of use to administrators and executive staff for short-term (one year) planning. It may confirm or call into question the gut-level feelings that have been the practical basis of criminal justice planning in this jurisdiction.

This report can be viewed in the context of the now defunct Quarterly Statistical Report, formerly prepared by the Office of Criminal Justice Plans and Analysis, and the planned implementation of an Offender Based Transaction System in the District of Columbia. Improvements and refinements in the data that are shared may lead to separate reporting of all figures by quarter, by sex and by specific offense (the police already have this capacity) and the addition of more information on the average time periods between steps in the process. Several comprehensive criminal justice planning models are available to the District of Columbia - most, but not all, are computerized. What is needed to put them to work is a stable data base and reporting system.

II. Criminal Justice Trends

Metropolitan Police Department: MPD records the first data of concern to the criminal justice process - offense figures - reported crimes. The total of Part I (serious) offenses and Part II criminal (less serious, but excluding traffic) offenses increased 2.9% in FY 74 over FY 73 and 4.3% in FY 75 over FY 74.

In CY 75, the reporting rate for Part I and Part II (criminal) offenses was 4599 per month and 1623 per month, respectively. This represents a slight decline from the monthly rates in CY 74. In the first six months of CY 76, the monthly rates were 3986 and 1610, respectively - down -13.3% for serious and 1% for less serious offenses. Based on data from previous years, it seems probable that most of this difference, if not all of it, is due to seasonal fluctuations. In fact, projected (by MPD) crime rates for the rest of CY 76 show Part I offenses returning nearly to last year's monthly rate, and Part II offenses exceeding last year's figure. Overall, there may be a constant or slightly lower serious offense rate and an increase in less serious crimes over CY 75.

Adult arrests in these same categories are up in CY 76 as compared to CY 75 (+5% overall). Most of the

increase is in arrests for less serious offenses.

Historical data show lower arrest rates in the two winter quarters and higher rates in summer quarters. Therefore, these figures probably do not have to be seasonally adjusted since they overlap - including one winter and one summer quarter. The monthly adult arrest rates were 759 and 1566 in CY 75 and rose to 761 and 1683 in CY 76 for Part I and Part II criminal offenses respectively. MPD projections of adult arrests call for a reduction of 5% in the second half of 76 compared to the first half.

In summary, the District can expect a relatively stable crime and arrest rate during the next year. However, arrests for less serious offenses may increase slightly.

Bail Agency: In CY 75, the D.C. Bail Agency was handling criminal cases at a rate of 1754 per month on the average. In CY 76, (first six months), the rate was 1655 per month. This apparent drop of 99 cases per month (-5.6%) may be due to seasonal trends, but without further Bail Agency data this possibility cannot be confirmed. Historically, crime rates have been lower in the first six months of each year. This may indicate that these lower Bail agency figures are due to seasonal fluctuations.

Last year, 60% of all cases handled by the Bail agency led to release on personal recognizance. This year, so far, only 55% are being released on personal recognizance.

For the entire year of 1975 only 18 preventive detention cases were reported. For January - June 1976, 88 cases have been recorded. The percent of cases for which surety or percentage bonds were set rose slightly - from 19% to 22%. Projected case referrals for the second half of the year are the same as for the first half (1655 per month).

In summary, slightly less use is being made of pre-trial release alternatives and greater use is being made of preventive detention.

U.S. Attorney's Office: Data on case flow information in the U.S. Attorney's Office are available for CY 73, 74 and 75 from the Institute for Law and Social Research. The number of cases brought to the Prosecutor's Office is rising (CY 73-74 misdemeanors +13.4%, felonies +13.7; CY 74-75 misdemeanors +1.4%, felonies +13.2%) the number of cases reaching final disposition was up in CY 74 (misdemeanors +14.5%, felonies +19.2%) and slightly down in CY 75 (misdemeanors -1.5%, felonies -9.5%). Perhaps the reduction in disposition in CY 75 is due to more attention being

devoted to each case, because the number of convictions is up considerably (CY 73-74 misdemeanors +13.0%, felonies +27.1%, CY 74-75 misdemeanors +41.4%, felonies +34.85). In terms of numbers, the convictions were up a total of 1995 cases in CY 75 over CY 74. These cases include 1199 misdemeanor and 796 felony convictions.

Another important statistic to the Department of Corrections is the ratio of convictions to "cases brought"; that is, of all cases that came to the attention of the U.S. Attorney's Office the percent resulting in conviction. From a total criminal justice process viewpoint, these figures are the input and output of that office. (Note that from a "justice" viewpoint or an administrative viewpoint, the no-papered, dismissed, and acquitted cases may be equally as important. However, from a flow or process approach, only those convicted can possibly be handed on to the court for sentencing and/or to corrections for incarceration). This ratio increased in CY 75 over CY 74 for both misdemeanors and felonies (misdemeanors 29% to 40%, felonies 30% to 35%). The ratio of convictions to dispositions has increased even more dramatically (misdemeanors 31% to 45%, felonies 32% to 48%).

The most recent data available from the U.S. Attorney's Office report information on a fiscal year basis through June 30, 1976. Comparing Superior Court cases in FY 75 with FY 76 we find that, while the total number of indictments and informations remained stable, dispositions were up (+492, or +19.5%) and convictions were up (+474, or +23%). The ratio of convictions to dispositions rose from 85% to 87%.

In summary, the number of cases received by the U.S. Attorney's Office is slowing in its rate of increase and may have stabilized recently, the number of dispositions has stabilized or may (have increased) in recent months, and the number of convictions was definitely up.

Courts: According to data from the Department's Office of Data Processing, in the first six months of CY 75 the courts imposed 1913 adult sentences (excluding 28 life sentences) on 1471 persons. In the first six months of CY 76 the court imposed 2268 adult sentences (excluding 35 life sentences) on 1881 persons. Thus the number of adult sentences was up 19% and the number of persons sentenced was up 28%. Figures on the average sentence imposed in the respective six month periods are not firm,

but the average minimum sentence appears to have dropped from 21 to 18 months. This does seem reasonable. If there has been no identifiable increase in crime, then the imposition of more sentences requires that sentences to incarceration are being used when, previously, probation or fines would have been imposed. These involve lesser crimes which, if any sentence is to be imposed at all, will draw shorter sentences, thus bringing down the average sentence.

In the first six months of CY 75, 295 Youth Corrections Act sentences were imposed. 22% of these were 5010C cases - the longer of the two youth incarceration sentences available. In the first six months of CY 76, 401 YCA sentences were imposed; and in this period 30% were under 5010C. So YCA cases are up 36% and the length of the average sentences has increased with the greater use of 5010C.

In summary, the number of sentences imposed in the first six months of 76 (as compared to the first six months of 75) has increased (+20.9%). The average sentences of adults has decreased while youth sentences have increased.

Parole: Corrections is concerned with parole as one of its release alternatives. Changes in the number being released have an obvious impact on incarcerated population as well as the population on parole.

In CY 75, the Parole Board was averaging 230 hearings per month, with 122 grants, 53% of hearings. So far, in the first six months of CY 76, the Board has been averaging 204 hearings per month, and 116 grants, 57%. Hearings are down 11% and grants are down 5%. The Board anticipates a slight increase in the number of hearings, to an average of 209 per month, over the next six months.

Another approach to these figures - one which accounts for changes in the size of the incarcerated population - is to divide the monthly release rate by the average daily population for that month. Using only the average daily population of inmates at Lorton as the base, the rate was 6.2% in CY 75 and it had declined to 5.4% in the first six months of CY 76.

In summary, slightly fewer hearings and grants are being granted and residents are leaving the institutions, to go to parole, at a lower rate (even after adjusting for changes in the total population).

III. Special Concerns

Two events are likely to have an impact on the Department's correctional population, particularly the detention portion. These are "Operation Doorstop" (in operation since August) and the proposed revisions in the D.C. Bail Reform Act (consideration of which was recently postponed until next year). In an attempt to assess the possible impact of these policy changes, questionnaires were sent out to the heads of each of five District of Columbia criminal justice agencies: Metropolitan Police Department, D.C. Bail Agency, U.S. Attorney's Office, D.C. Superior Court, and the D.C. Parole Board. Chief Cullinane, Mr. Beaudin and Rev. Ferrell responded. The following assessment of potential impact is based on their responses.

Operation Doorstop:

The Metropolitan Police Department anticipates that, at the outside, 30-40 additional persons will be detained per month as a direct result of Operation Doorstop. With an average stay of 30 days in detention this will increase the daily count by 30-40.

Based on recent data, the D.C. Bail Agency suggested that there will be 250-300 fewer personal recognizance releases per year and 179 additional surety bond cases. To be able to convert these figures to increases in the detention population we need to know the percent of people who meet cash and surety bonds. Such figures are not available to this office at this time. However, if we assume that 50% fail to meet money bonds and 80% fail to make surety bonds, then the increase in our Detention daily count would be 62-67. This computation is based on a Bail Agency figure of an average of 84 days delay from arrest to final court disposition.

A final, combined estimate of the impact of Operation Doorstop on Detention Services is an increase of 40-60 in the daily count. An estimate of the increased direct costs as a result of this increased population is \$430,000 (based on a per capita daily cost of \$23.50 for Detention Services).

Revision of D.C. Bail Reform Act:

Mr. Beaudin, Director of the D.C. Bail, suggests that, in general, the proposed changes in the D.C. Bail Reform Act would have the effect of increasing our detention

population and changing the composition of the population in the direction of hardened or "dangerous" detainees. He projects at least a "ten-fold increase in the number of holds and preventive detention orders" for so-called dangerous offenders. If we include only those accused of homicide or rape in the dangerous category, the increase in the daily count would be 50-55 persons (using the Bail Agency figure of 84 days to final disposition).

Based on Parole Board figures the potential increase in population due solely to the proposed increase in parole revocation hearing hold time (from 5 calendar days to 10 court days) is 11 persons.

This figure should be added to the Bail Agency figures to reach a combined estimated increase of 60-65 in the Detention count. The annual cost of this increase would be approximately \$540,000.

The combined estimated impact of Doorstop (+40-60) and revision of the Bail Reform Act (+60-65) cannot be arrived at by adding these figures since the target population of these two projects will overlap to some extent. Thus, an estimated combined impact might be an increase of 70-80 in the Detention Services daily count. The claim here is that, if our population was 1416 on

July 1, 1976 (before Doorstop and without any revisions in the District's bail laws) it would have been 1486-1496 if these two projects had been in full operation at that time.

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