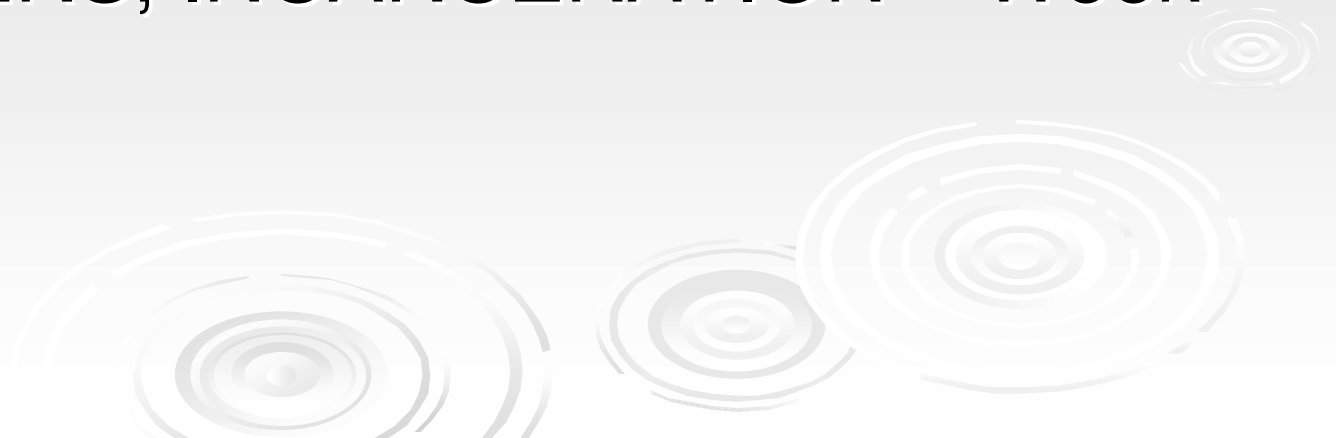


COURSE ORGANIZATION

- CRIME, CRIME VICTIMS - Week One
- **ARRESTS, CLEARANCES,
CONVICTIONS - Week Two**
- Col. David Rohrer, Chief, FCPD - Week three
- OFFENDERS, INCARCERATION – Week Four



Course Organization continued

- DRUGS, SO's, SPECIAL ISSUES – week five
- Lt. Col. James Whitley, FCSheriff's Office – week six
- Derwin Overton, Executive Director, OAR of Fairfax County – week seven
- REFORMS, MEDIA, POLITICS. YOU BE THE JUDGE – week eight

Percent of crimes reported to Police 2008 Source NCVS

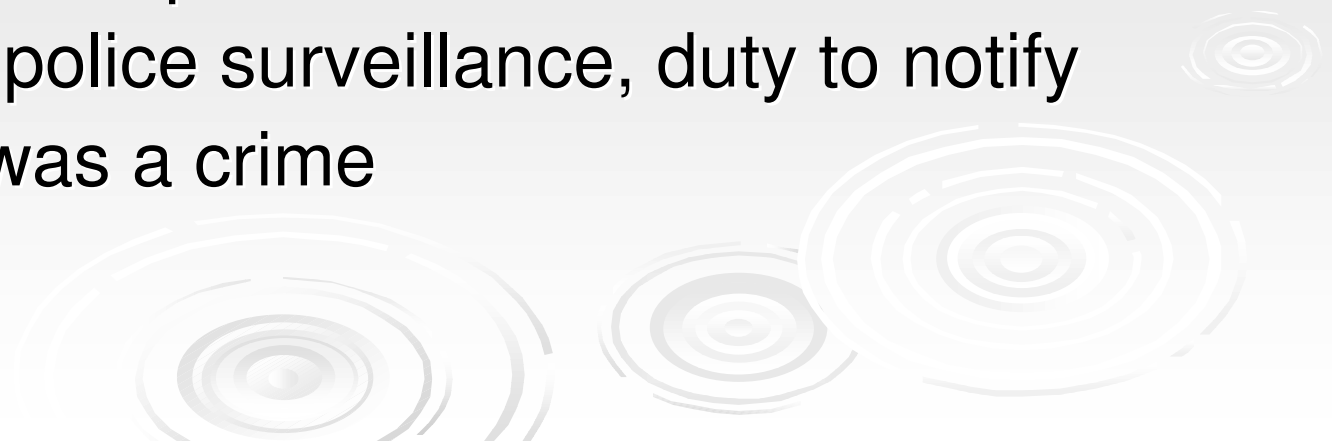
- Violent Crime 47%
 - Rape/Sexual Assault 41%
 - Robbery 60%
 - Aggravated Assault 62%
 - Simple Assault 41%

- Property Crime 40%
 - Burglary 56%
 - Motor Vehicle Theft 80%
 - Theft 34%



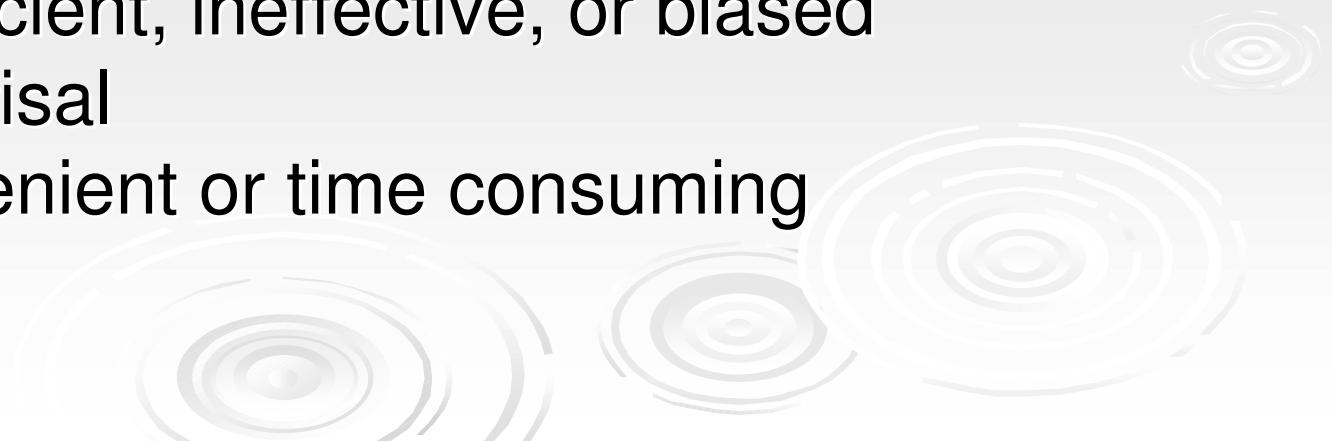
Crimes Reported and Reasons

- Stop or prevent this incident
- Needed help due to injury
- To recover property
- To collect insurance
- To prevent further crimes by offender against victim or anyone
- To catch, find or punish offender
- To improve police surveillance, duty to notify
- Because it was a crime



Reasons for not Reporting Crime

- Private or personal matter
- Object recovered, offender unsuccessful
- Not important enough
- Insurance would not cover
- Not aware of crime until later
- Lack of proof
- Police would not want to be bothered
- Police inefficient, ineffective, or biased
- Fear of reprisal
- Too inconvenient or time consuming



Crime Clearances

- To count as a clearance
 - At least one person arrested
 - Charged with commission of a crime
 - Case turned over to courts for prosecution
- Note:
 - One person may commit several crimes
 - Several persons may commit one crime
 - clearances may relate to crimes committed in previous years

Crime Clearances

Clearances

Violent crimes 45 percent

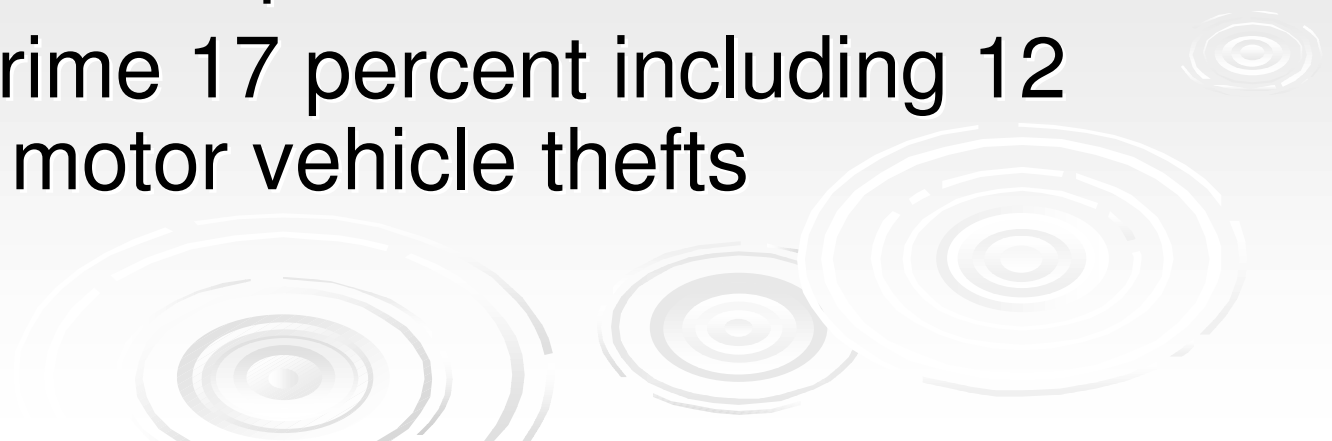
Murders 64 percent

Aggravated assaults 55 percent

Forcible rapes 40 percent

Robberies 27 percent

Property crime 17 percent including 12 percent of motor vehicle thefts



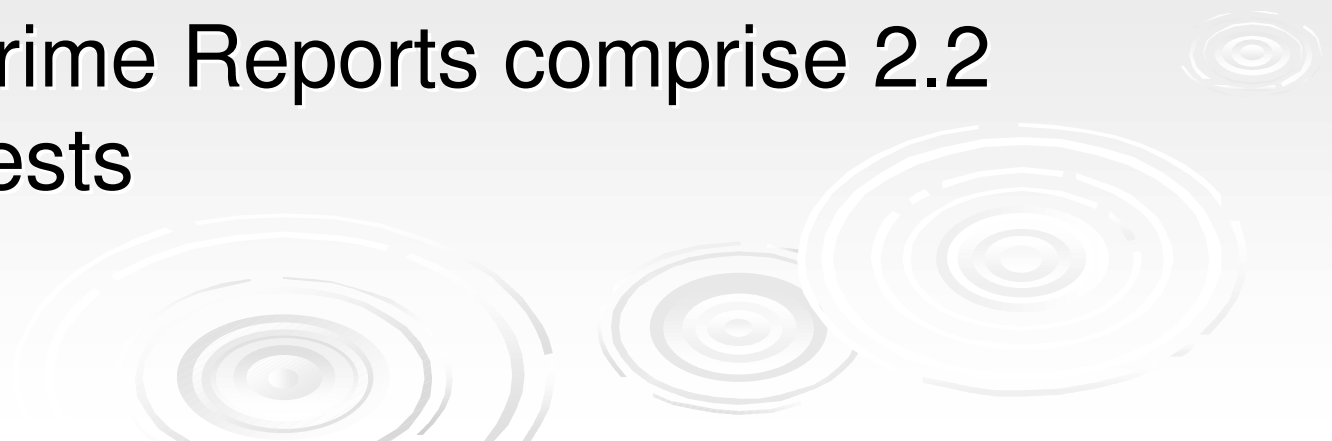
Crime Clearances and Arrests

- Not all reported crimes result in arrests:
There may be a lack of evidence or often the charge is of a lesser crime for those arrested to make it more likely there will be a conviction through a plea agreement.



Estimated Persons Arrested 2008

- Total 14.0 million
- Largest categories Drug abuse violations 1.7 million, DUI 1.5 million, Liquor laws, drunkenness and disorderly conduct 1.9 million, aggravated and other assaults 1.7 million and larceny theft 1.2 million.
- Uniform Crime Reports comprise 2.2 million arrests

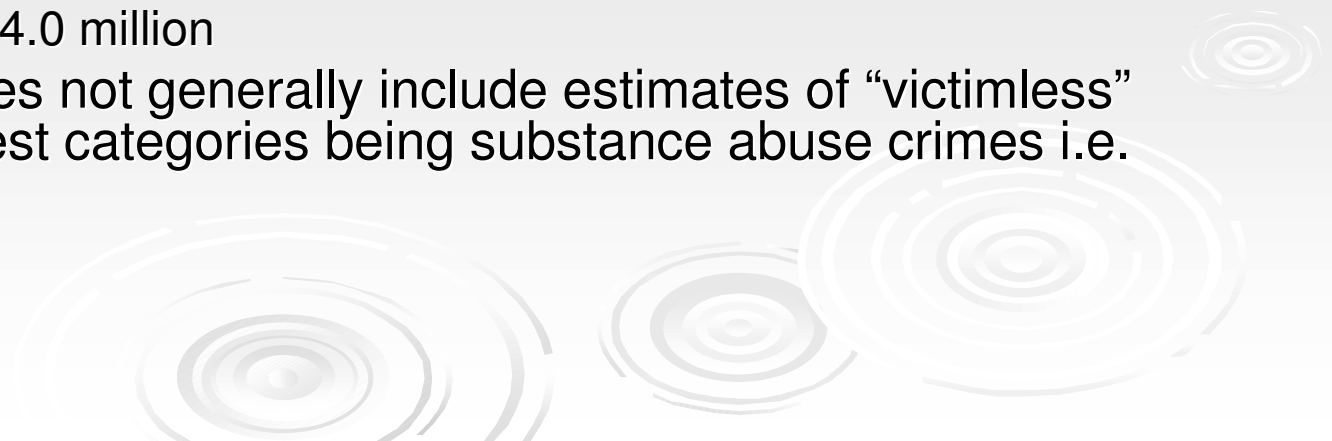


Arrest

- The term arrest is related to the French word *arret.*, meaning “stop”.
- So an arrest is the act of depriving a person of their liberty in relation to the investigation and prevention of crime.
- For serious crimes, you may be incarcerated pending judicial bail determination or an arraignment. In other cases, the police may issue a notice to appear for arraignment.
- An arrest is not a conviction but it is serious.

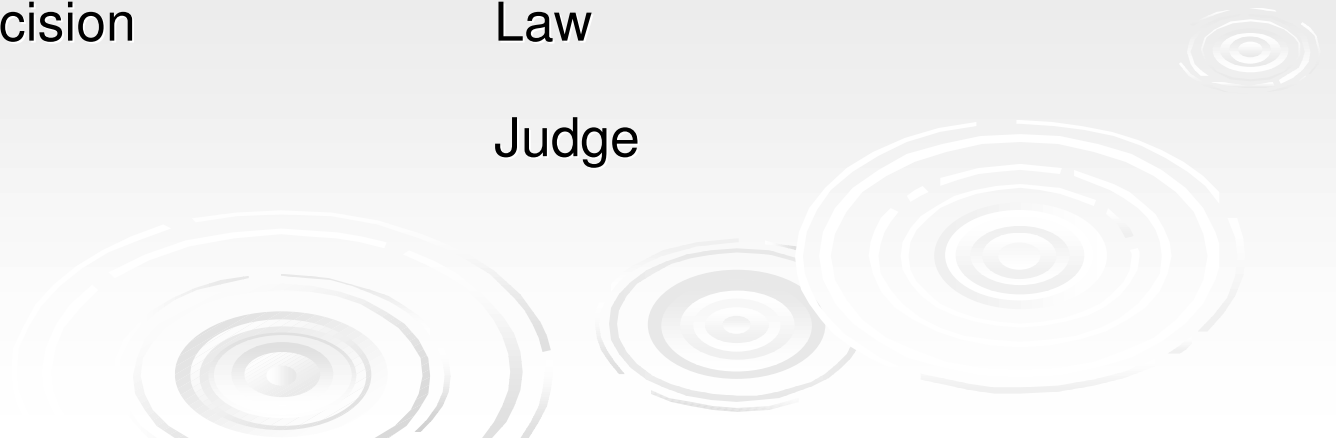
Bureau of Justice Statistics Data

- Overall excellent data and well done. But series do not correspond for good reasons.
- Uniform Crime Reports 2008
 - Violent Crimes 1.4 million. Murder, rape, etc.
 - Property crimes 9.8 million. Burglary, etc.
 - Total UCR crimes 11.2 million
- Nation Crime Victimization Survey 2008– sample est. 21.3 million
- Crime Clearances BJS
- Arrests BJS 2008
 - Violent and Property UCR crimes 2.2 million
 - All other arrests 11.8 million
 - Total arrests 14.0 million
- Note: NCVS does not generally include estimates of “victimless” crime. The largest categories being substance abuse crimes i.e. alcohol or drugs.



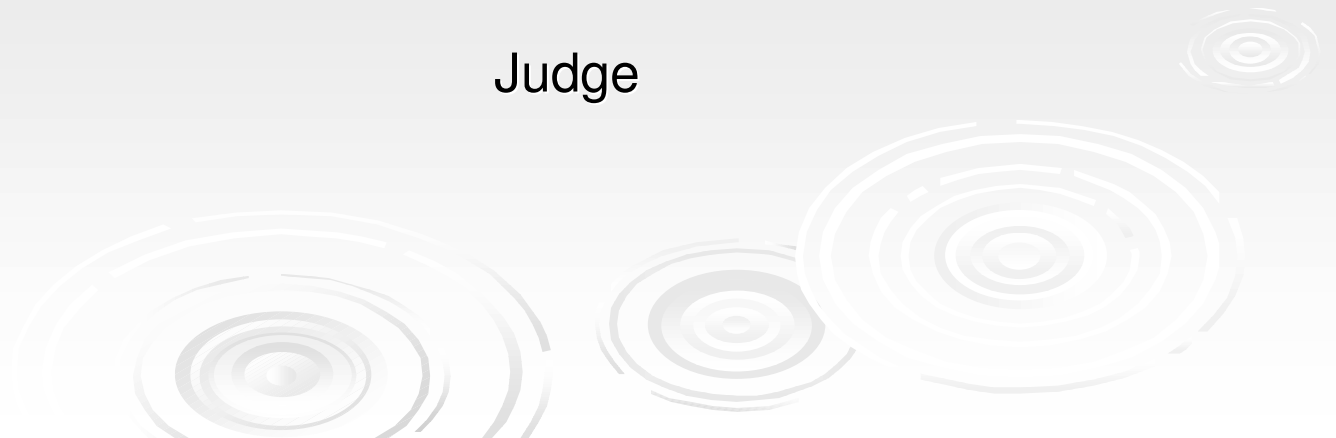
Convictions: Criminal Justice Due Process Model

Goal	Preserve Individual Liberties
Value	Reliability
Process	Adversarial (Lawyer vs Lawyer)
Major Decision Point	Court Room (Jury)
Basis of Decision	Law
Referee	Judge



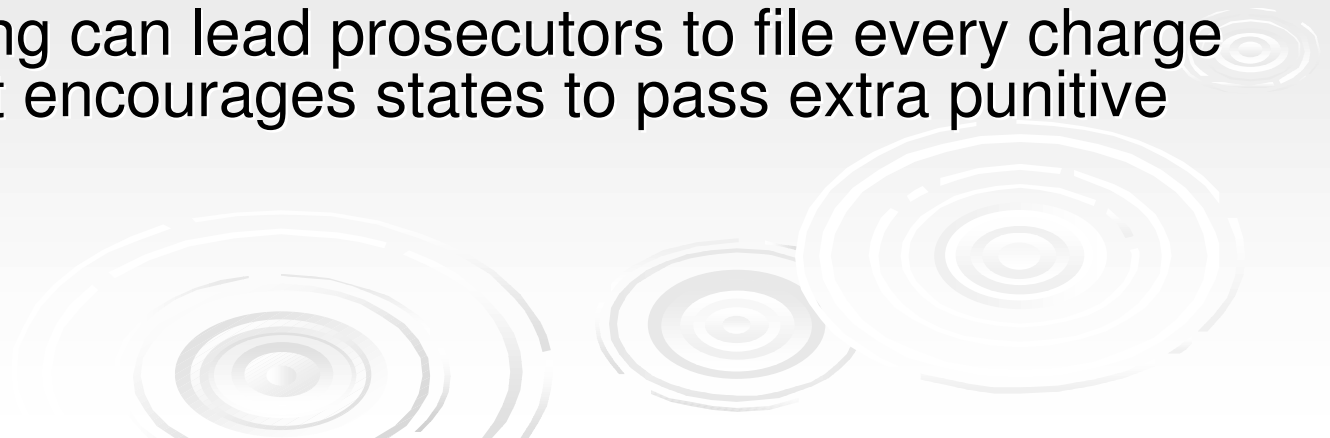
Convictions: Criminal Justice Crime Control Model

Goal	Repress Crime
Value	Efficiency
Process	Administrative
Major Decision Point	Police, Pretrial Process Prosecutor, Plea Bargains
Basis of Decision	Discretion
Referee	Judge



Plea Bargaining

- The prosecutor offers the defendant the opportunity to plead guilty, usually to a lesser charge or to the original charge with a recommendation of a lighter than maximum sentence. Judge has to approve agreement, etc.
- Benefit of a lighter charge, avoid risk of a trial, relief of court congestion
- Critics are concerned with the close relationship of rewards, threats and coercion that can endanger a correct legal outcome.
- Plea bargaining can lead prosecutors to file every charge imaginable. It encourages states to pass extra punitive laws.



Bench Trial

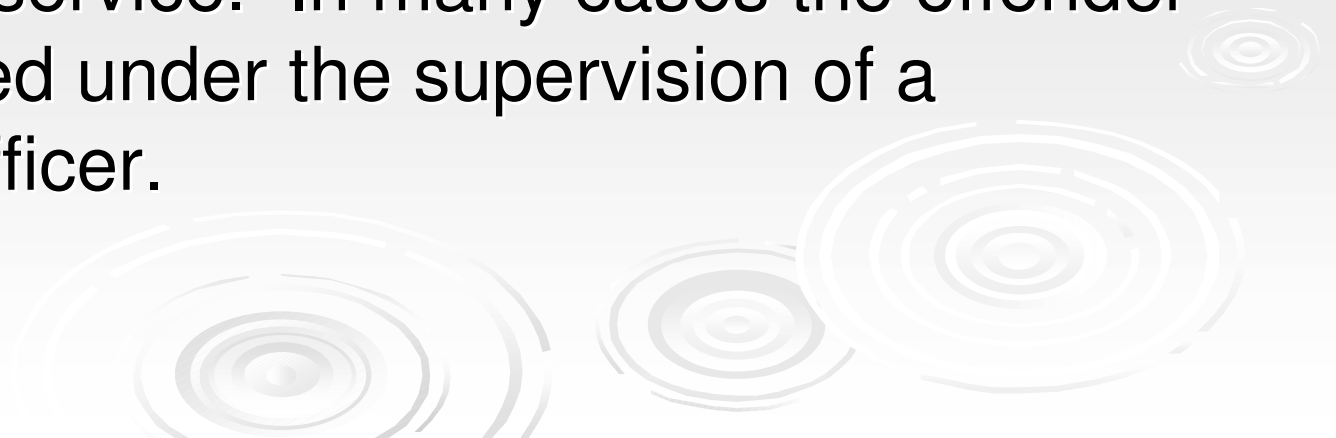
- A bench trial is held before a judge sitting without a jury. In the US most civil trials are bench trials but a criminal bench trial will only occur if the right to a jury trial is waived by the defendant and agreed to by the prosecutor.
- In a bench trial the judge serves as the finder of fact, in addition to making conclusions about the law. Trials are faster and with fewer formalities. The parties are often able to concentrate on the real questions at issue.

Bench Trial pro and con:

- Juries can be tempted to convict based on personal feelings in highly emotional situations rather than convict based on “beyond a reasonable doubt”.
- Juries can also be swayed by prejudice including racial and ethnic considerations.
- Cooperation between prosecutors, defense attorney’s and the judge in bench trials can result in more lenient sentences than in a jury trials in many cases.
- The counter argument is that juries may acquit defendants or agree to lighter sentences in some cases while a veteran judge might be more inclined to convict.
- Perhaps 10 percent of criminal trials are now bench trials

CONVICTIONS

- A crime is committed.
- Through due process it is determined that an offender is guilty of breaking a public law.
- The courts determine the appropriate punishment for the offender.
- Punishments may include fines, restitution and community service. In many cases the offender will be placed under the supervision of a probation officer.

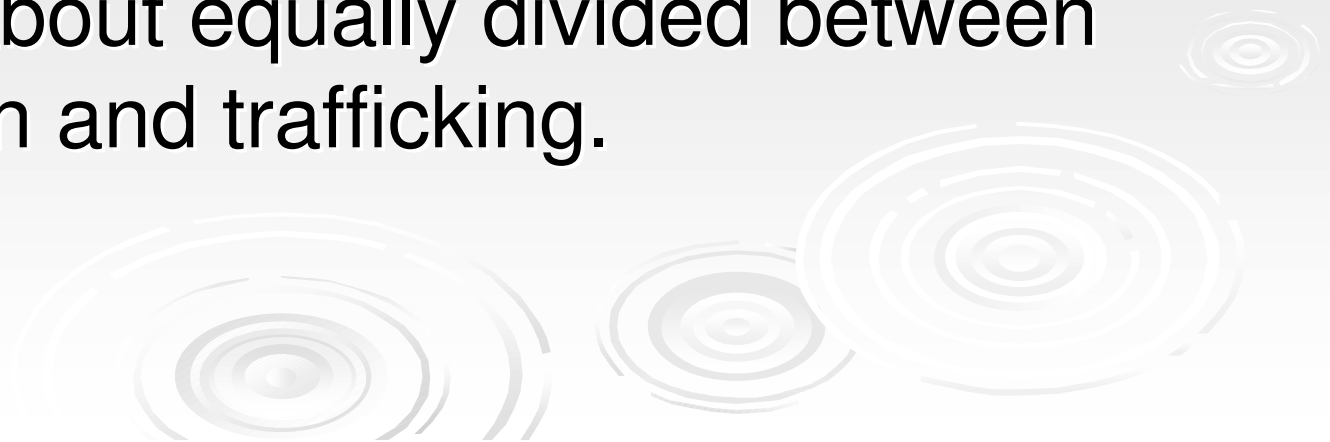


CONVICTIONS

- For about **one-quarter** of the criminal convictions the offender will be sentenced to **incarceration**. An accused can also be denied bond and serve time in local jails awaiting trial.
- Misdemeanor sentences of less than one year are served in jail.
- In 2006 an estimated 69% of all persons convicted of a felony in state courts were sentenced to a period of confinement—41% to state prison and 28 percent to local jails. Felony sentences of one year or more normally result in incarceration in state or federal prisons.

CONVICTIONS continued

- Of the 1.1 million felony convictions in 2006, 18 percent were for violent crimes (two-thirds for robbery and aggravated assault and 16% for sexual assault); 28% were for property crime (primarily burglary and larceny) and one-third for drug offenses about equally divided between possession and trafficking.



CORRECTIONS

- IN 2008, OVER 7.3 MILLION PEOPLE WERE ON PROBATION, IN JAIL OR PRISON, OR ON PAROLE AT YEAREND.
- **THIS IS 3.2 % OF ALL U.S. ADULT RESIDENTS OR 1 IN EVERY 31 ADULTS**



CORRECTIONS

- Total number under correctional supervision 2008

7,308,200

- Probation and Parole

5,099,086

Probation

4,270,917

Parole

828,169

Incarceration

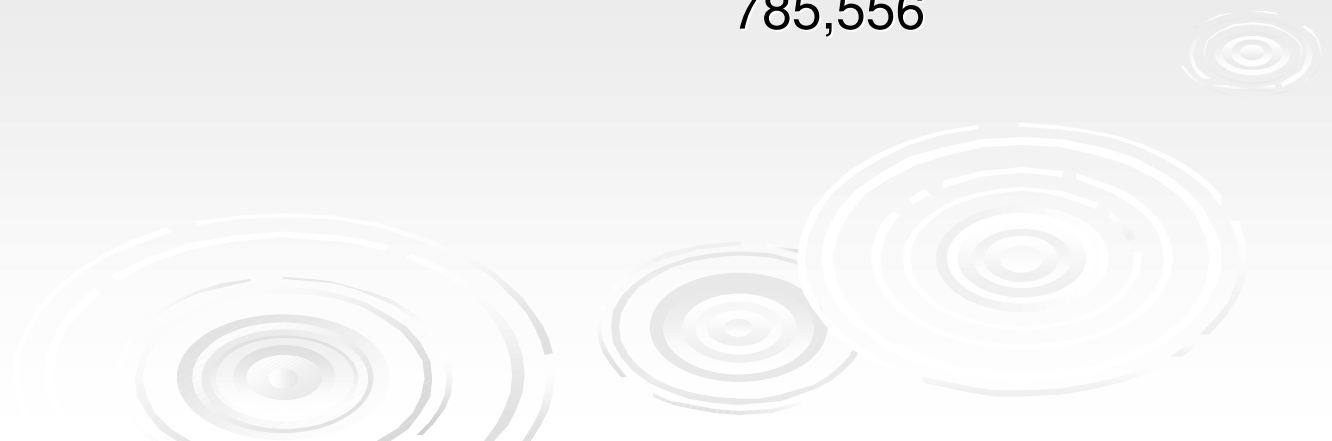
2,304,115

Prison

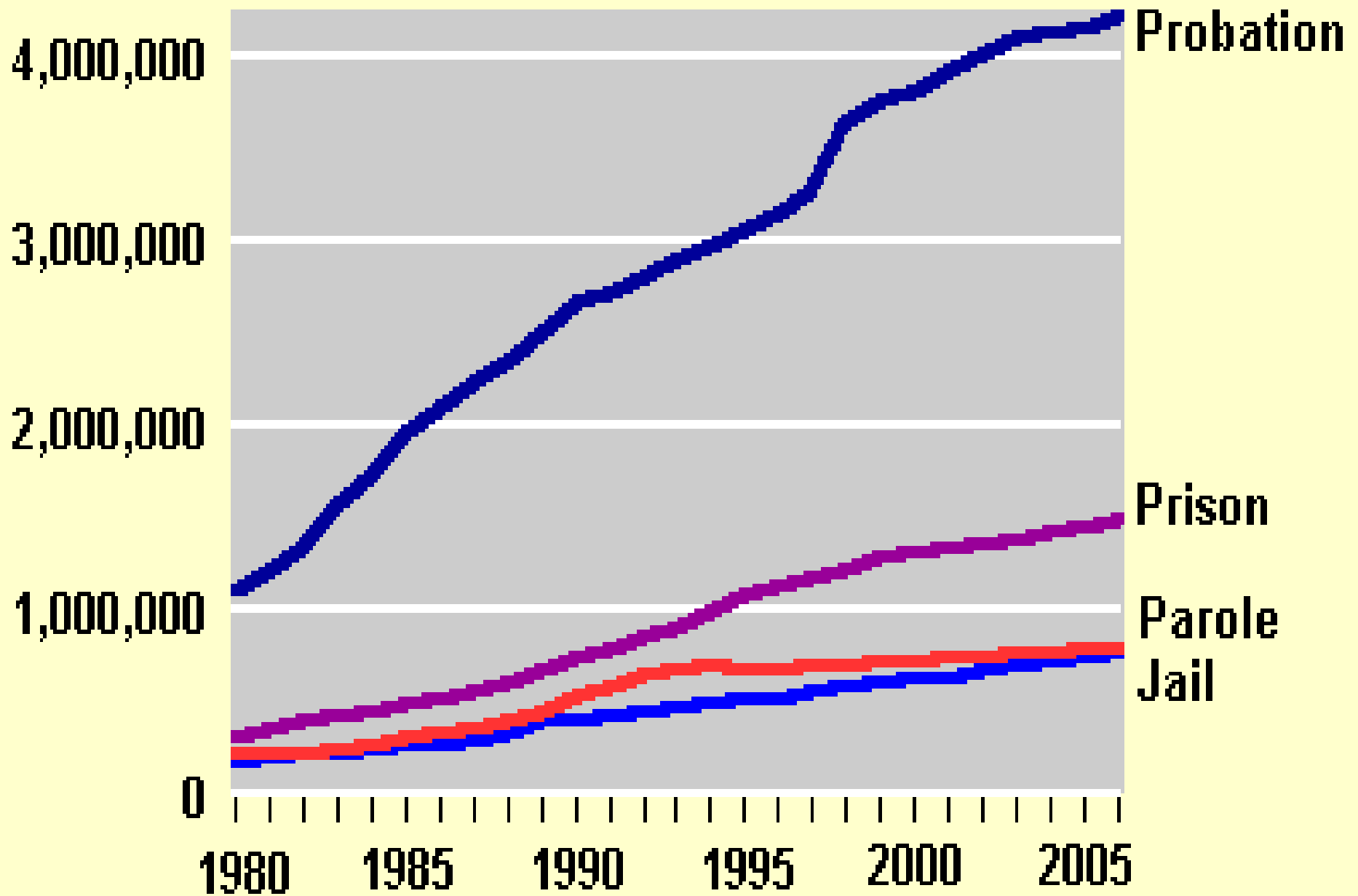
1,518,559

Jail

785,556



Adult correctional populations, 1980-2006



CORRECTIONS

- TO GET A PERSPECTIVE: 7.3 MILLION PERSONS IS THE ENTIRE WASHINGTON, DC, ARLINGTON, ALEXANDRIA STANDARD METROPOLITAN AREA
- WE CAN TOSS IN CLEVELAND AS A BONUS.
- AS A CITY THE CORRECTIONS POPULATION WOULD LAG CHICAGO AS THE FOURTH LARGEST IN THE U.S

Corrections: Current situation

- There is a lack of agreement on the purposes of corrections and incarceration. This has contributed to a concern about disparity in sentences. Disparity occurs when offenders with similar backgrounds who commit similar crimes receive different sentences. The result has been a trend toward uniform mandatory and fixed sentences.

Corrections: Past Years 1

- Major increases in the number of persons under supervision by the corrections system over the past 50 years.
 - Increase in punitive policies. Rhetoric that more liberal policies are permissive.
 - Reaction to the civil rights movement of the 60's.
 - Fear of whites in part based on racial stereotypes and racial prejudice
 - Fear of minorities of crime

Corrections: Past Years 2

- Women's rights.
- Fear of disorder: Immigration, broken homes, societal secularization, pornography, gay and lesbian rights
- Fear of drug use and permissiveness, Nixon's "war on drugs"
- Explosion in corrections programs including prison and jail sentences. Political dividends in 1984 (Reagan), 1988 George H.W. Bush and 1996 (Clinton)

Corrections: Past Years 3

- Replacement of social welfare programs with social control.
- Reduction in discretion that can be exercised by judges.



US incarceration trends



INCARCERATION

➤ NUMBING NUMBERS 2008

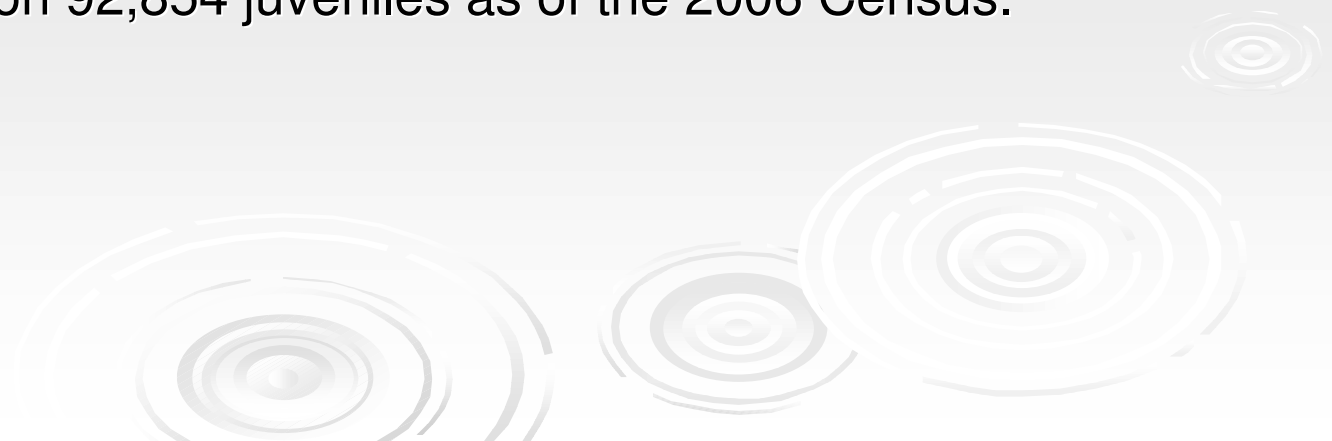
Informal Estimates

2,304,115 inmates in Federal and State prisons or local jails as of December 30, 2008, just a shade less than 1 percent of the adult population

U.S. Population 304,059,724

Rate of incarceration per 100,000 persons 758

We can add on 92,854 juveniles as of the 2006 Census.

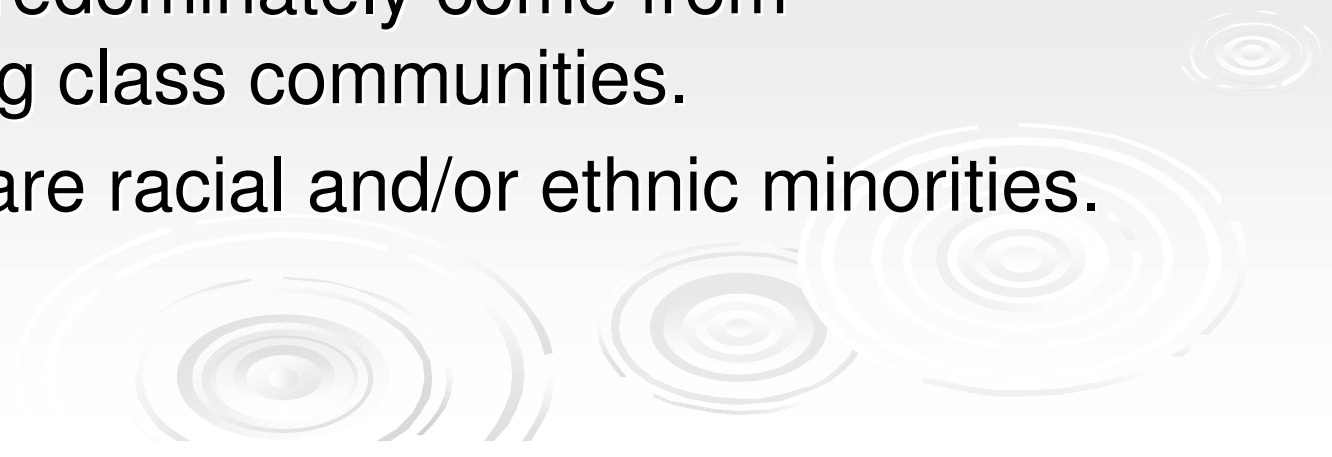


Incarceration of Men

- On June 30, 2008 1 of every 9 black men ages 30-34 were in prison or jail, compared to 1 of every 23 Hispanic men aged 20-24 and 1 of every 56 white men ages 30-34.

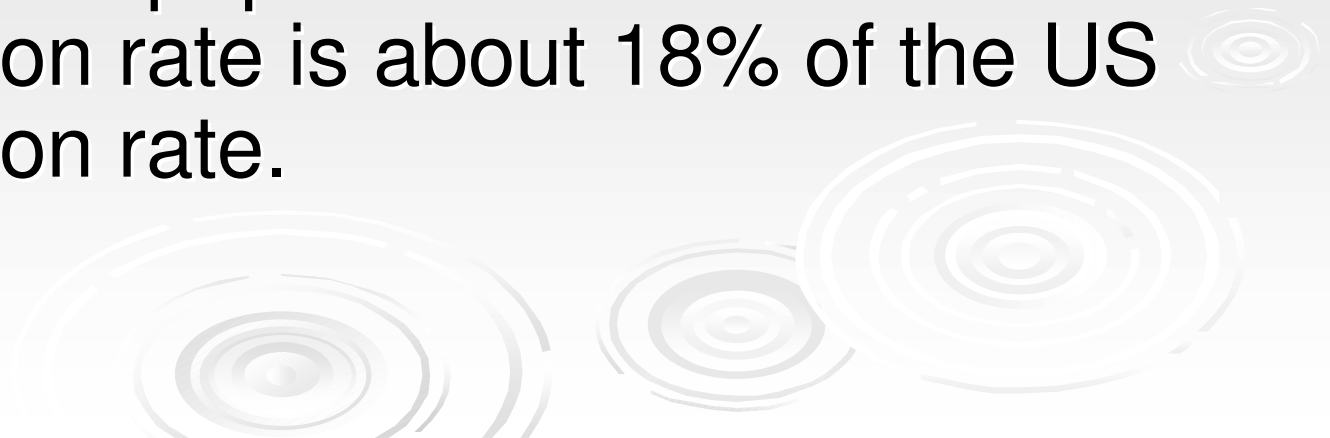


Inmate Population

- It is estimated that three-fourths of the persons that are incarcerated have a history of drug/alcohol abuse.
 - One out of six have mental illness.
 - One-half the women have suffered sexual or physical abuse.
 - Prisoners predominately come from poor/working class communities.
 - Two-thirds are racial and/or ethnic minorities.
- 

Proud to be an American?

- US has the highest documented incarceration rate in the world per 100,000 residents and the highest documented prison and jail population in the world.
- The People's Republic of China ranks second with 1.5 million incarcerated with four times the population. Thus their incarceration rate is about 18% of the US incarceration rate.



Other International Contrasts

- The United States has less than 5% of the world's population and 23% of the world's prison population.
- Incarceration rates per 100,000 of the national population: US 758, Nepal 20, India 32, Ghana 56, Norway 70, Haiti 83, Germany 88, France 96, Canada 116, China 119, Australia 134, UK 152, Saudi Arabia 178, Mexico 204, Iran 223, Chile 301, Ukraine 314, Kazakhstan 382, Rwanda 593, Russia 610

➤ Kings College London

INCARCERATION

- For 2008 an estimated 4.8 percent of black males were in prison or jail, compared to 1.8 percent of Hispanic men and 0.7 percent of white men.
- Women are incarcerated at a rate of 135 per 100,000 population but the rate has increased 23 percent since 2000. Black women are 2.6 times as likely to be incarcerated as white women.

