
 U. S. DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION		DISCRETIONARY GRANT PROGRESS REPORT	
GRANTEE Office of Criminal Justice Programs (Michigan)	LEAA GRANT NO: 76 DF 05 03	DATE OF REPORT 10-18-76	REPORT NO. 5 of 5
IMPLEMENTING SUBGRANTEE Kalamazoo County Office of Prosecuting Attorney	TYPE OF REPORT <input type="checkbox"/> REGULAR QUARTERLY <input type="checkbox"/> SPECIAL REQUEST <input checked="" type="checkbox"/> FINAL REPORT		
SHORT TITLE OF PROJECT Career Criminal	GRANT AMOUNT		
REPORT IS SUBMITTED FOR THE PERIOD 7-1-76		THROUGH 8-31-76	
SIGNATURE OF PROJECT DIRECTOR 	TYPED NAME & TITLE OF PROJECT DIRECTOR Donald A. Burge Prosecuting Attorney		
COMMENCE REPORT HERE (Add continuation pages as required.)			
<p>Because of the unusual start time of this project (August 20, 1975) this report is actually the fifth progress report. There was a report numbering error on our previous reports which may have caused some confusion.</p> <p>This report covers project activities from the period of July 1, 1976 through August 31, 1976. All relevant quarterly activities for that period are incorporated in the attached Subgrant Final Evaluation Report which covers the first year of project funding.</p>			
<p><b>NCJRS</b></p> <p><b>LOAN DOCUMENT</b></p> <p>RETURN TO: NCJRS P. O. BOX 24036 S. W. POST OFFICE WASHINGTON, D.C. 20024</p> <p>NOV 1 1976</p> <p>OCT 28 1976</p> <p>REGION III</p> <p>INSPECTION COMPLETED</p> <p><input type="checkbox"/> COMMENT    <input checked="" type="checkbox"/> NO COMMENT</p> <p><i>DA</i></p>			
RECEIVED BY GRANTEE STATE PLANNING AGENCY (Official)			DATE

37603-3

SUBGRANT  
 FINAL EVALUATION REPORT

SUBGRANTEE (name & address)  Kalamazoo County Office of Prosecuting Attorney 227 West Michigan Avenue Kalamazoo, Michigan 49006	SUBGRANT AMOUNT \$ 78,548.00	CONTROL NUMBER 76 DF 05 03
	PROJECT NAME Career Criminal	
	PERIOD OF FUNDING 8/20/75 - 8/19/76	FEDERAL FUNDS EXPE

INSTRUCTIONS

The final evaluation report is due 60 days after the termination of the subgrant. Please submit two copies of the report (using this form as a cover sheet) and structure it according to the following format:

**Abstract:** Restate the goals originally set forth in the project. A goal is a desired result based on current knowledge and values. It is timeless in the sense that as its achievement approaches, it tends to be restated at a higher level of aspiration or a new goal is projected. If the goals of your project have changed since implementation describe them in this abstract.

**Achievement:** This section should reflect project achievement in relation to the goals as stated in the abstract. If goals were not achieved, state the reasons. It is important that failures as well as successes be objectively reported. If the project has achieved or exceeded its goals, specifically state the method used. Quantitative documentation (e.g. reduction in crime statistics, number of clients enrolled, man hours expended, cost analyses, recidivism rate comparisons, etc.) should be utilized whenever possible. Be specific, but do not submit irrelevant material or voluminous statistics that you have not analyzed.

**Evaluation:** You are required to evaluate the impact of your project on the criminal justice system. This can be done by the use of impact indicators. An impact indicator is a measure of the effect your project has on the environment or individual. For example, an impact indicator might be the effect your activity has on recidivism; the effect it has on improving the efficiency of any segment of the criminal justice system; the effect your project has on crime statistics; or its effect on community attitudes toward the criminal justice system. You can develop your own impact indicators which expand on the foregoing and give validity to your evaluation. If possible, this evaluation should be supported by statistical data.

**Technology Transfer Potential:** If your project and its results have potential to be used by other similar agencies, state the way you feel it could be used, by whom, and the benefits other agencies could derive by implementing it.

**Note:** If your project was funded with Discretionary funds, you are also required to submit two copies to LEAA Regional Office V, Chicago.

CERTIFICATION


Submitted herewith is the sub-grantee's Final Evaluation Report for the project shown above.

REGION III

INSPECTION COMPLETED

COMMENT  NO COMMENT

*W.H.*



Signature of Project Director

Date 10/26/75

Type name and title DONALD A. BURGE,  
 Prosecuting Attorney

KALAMAZOO COUNTY CAREER CRIMINAL GRANT  
FINAL EVALUATION REPORT  
October 18, 1976

ABSTRACT

With few exceptions, the project objectives as designed in the first year grant remained unchanged (see next page) however, there was a change in the emphasis in two of the programs, the Case Status Program and the Evaluation Program. In the Case Status area it was anticipated that an automated system would be available in time to accomplish the goals of maximizing attorney productivity and producing exception reports. Though full automation was not available, these goals were met by implementing the Manual Promis System as revised by the National Legal Data Center. The evaluation goals per se were not altered, however, there was a change in the overall LEAA evaluation plan. Because the National Contract Evaluator was not selected until late in the year, the ability to meet objective E-1 was somewhat hampered. However, we did work in conjunction with the National Legal Data Center to determine what data elements would be collected in order to keep the Kalamazoo Project in compliance with National Standards. We have since learned, that the Mitre Corporation has been awarded the Contract for National Evaluation and we have received a letter from them indicating that they have recommended Kalamazoo as one of four National Evaluation Sites. Our understanding with them is that this evaluation will require the collection of data in addition to that that we are now keeping but that such collection is included in their contract award. Beyond these slight modifications, the project objectives remain firm.

ACHIEVEMENT

Following the same outline as the listed project objectives, we will note project achievements. In the "People" area of the project goals, the objective for selection for hiring of project staff (within 30 days) was met, as noted by the Notice of Subgrant Implementation. The objective for selection of a Project Contractor for Data Systems was not met. As noted above, the goal for an automated system was changed and, consequently, there was no need in this project year for a Data Systems Contractor. As noted in earlier progress reports, a Steering Committee, the Career Criminal Advisory Board was established, in conformance with this particular objective.

The "Identification Program" objectives were all fully met. Earlier progress reports and our second year grant application fully document the process that was used to develop the Identification and Intake Scoring System. As has been noted previously, we are most proud of this system in that it is as objective and uniform as any of the identification and priority systems that we have seen.

I. PROJECT OBJECTIVE:

As noted in the Charles R. Work memo, "Preliminary program development of the violent and career criminal initiative:"

THIS PROGRAM HAS ONE SINGLEMINDED AIM:

To show the way we can bring the career criminal swiftly to justice [and thus reduce the violent crime rate].

To accomplish this major project objective, in Kalamazoo, we determined that the project should be broken down in to five sub-programs. The combined success of these programs should determine the overall success of the project.

A. PEOPLE:

Develop a comprehensive program for procurement, training and operation of project personnel.

1. Select and hire the legal and administrative personnel (within 30 days).
2. Select project contractor for data systems (within 30 days).
3. Establish a steering committee with a broad representation of Criminal Justice and Community members.

B. IDENTIFICATION PROGRAM:

Develop an objective, evenhanded, selection process that will identify the career criminal, prior to the preliminary examination proceedings, from the balance of cases that are accepted into the system.

1. Select and test the Identification model to be used for case priority rankings (within 30 days).
2. Develop procedures to provide criminal history data, prior to the Preliminary Examination phase.
3. Insure that all cases are screened on an objective uniform basis.
4. Provide police feedback on the results of their warrant requests.

C. CASE STATUS PROGRAM:

Develop and implement a case status and tracking system that will provide identification and follow-up to insure that the priority cases move through the system, in accordance with the goals for processing times.

1. Maximize attorney productivity through assumption of paperwork and related non-legal tasks.
2. Provide project personnel with support data and exception reports that will indicate cases in need of prompt action.

D. CASE PROCESSING PROGRAM:

Develop and implement personnel and procedures to insure that priority cases are adequately prepared and matched to prosecutorial resources (personnel) that are qualified to deal with the complexities and seriousness of the priority cases and defendants.

1. Reduce processing time on target cases to 90 days or less.
2. Increase conviction rates on target crimes.
  - a. Document the reasons for the use of Nolle Prosequi on target cases.
3. Increase the prison sentences given to career criminals.
4. Reduce the number of appeal reversals on target cases.

E. EVALUATION PROGRAM:

Develop and implement (enhance) the present records and statistical systems to insure that appropriate data is collected and presented in a fashion to objectively measure the performance of the other three operating programs (above), and the overall project goal.

1. Determine, with project evaluator, data elements to be recorded and determine specific objective and subjective measures for program and personnel performance.
2. Develop and implement collection procedures before Phase I operation (60 days).

The "Case Status Program" was mentioned above. The goals for maximizing attorney productivity and for providing necessary statistical data were met, although in a manual form. Copies of the various reports and procedures have been included in previous progress reports and the second year grant application.

The "Case Processing Program" is the heart of the Career Criminal Project. These objectives dealt with the main purpose of Career Criminal and are as follows:

1. Reduce processing time on target cases to 90 days or less.
2. Increase conviction rates on target crimes.
3. Increase prison sentences given to career criminals.
4. Reduce the number of appeal reversals on target cases.

In addition to these Case Processing Goals, our Subgrant Contract specify a target of 140 Career Criminal cases to be processed during the grant year. This figure represented an estimated 14% of our felony case load and was consistent with our own internal objectives to identify the uppermost, in seriousness, 15% of our felony case load.

Because the Case Processing Program is the focal point of Career Criminal, the results of this program will be the main topic of this final evaluation report. Prior to reviewing them, however, the objectives for the Evaluation Program, and their achievement level, should be noted.

Working with the National Legal Data Center we were able to determine those data elements that Kalamazoo, as well as the other Career Criminal jurisdictions, were to gather. We have been collecting this data as of the first case that was designated for Career Criminal Prosecution. It is supplied monthly to the National Legal Data Center. It is our understanding that they have been compiling this data and entering it into a computer system that will, in the near future, produce Statistical and Evaluation Reports for us. To date, we have not seen these reports but we have seen prototypes of them and they should prove most helpful in making a timely analysis of the program during the second year.

Before turning to our analysis of the statistical data presented here, some cautions should be made with regard to the conclusions drawn from this data. The Mitre Corporation has contracted to do the National Evaluation work. It is our understanding that their evaluation plan will be to go to the closed case file and pull cases which were disposed of prior to the start of the Career Criminal Program. These cases will then be scored using the same Intake and Scoring System we use on active cases. In this way, a Career Criminal "Control Group" will be selected out of a prior years case load in order to compare the results of similar type cases before and after

Career Criminal. The data presented here does not utilize such a comparison and, consequently, caution is urged in interpreting these results.

## EVALUATION

The tables on the following page give a break down of the Program Intake Data, Court Disposition Data, Sentence Data and Pending Cases and Time Analysis. This data is broken down by quarters, indicating the growth and trends of the Career Criminal Program in Kalamazoo for it's first year of operation. Due to the off quarter start-up date, there is some overlap in these quarters between the first and second project year. Fourth quarter data is tabulated through the end of September, 1976. The reason for this project year overlap is that a significant portion of the start-up of the project was involved in systems development and our first case was not accepted for prosecution until late October, 1975. As the table reflects, we were successful in our objective to identify the uppermost 15% of our felon case load with 126 cases (14.5%) being accepted into the Career Criminal Program. This acceptance rate was also roughly equivalent to the targeted case load of 140 cases per year. Following these tables there is another listing showing the profile of Career Criminal Defendants accepted into the Program. There are no major surprises in this profile, however, there is one item that should be mentioned and that involves the racial mix of defendants. As the profile sheet shows 52% of Career Criminal Defendants were black. This compares to a 1975 Part I Arrest Rate for blacks of 32%. While this initially gave us some concern, it is important to recognize that these statistics were compiled for a relatively few number of defendants. Early in the program (April, 1976) there was a major drug raid in the county which resulted in the arrest of over 40 persons. A significant number of these individuals were accepted for Career Criminal Prosecution and a disproportionate number were black. If this one major raid is excluded, the proportion of black defendants in the program is more in line with the norm.

Since a substantial amount of information has previously been submitted regarding the Intake and Scoring System for identification of Career Criminals, little more needs to be said here. As it relates to final evaluation it is important to stress the impact that this dimension of Career Criminal has had on the Prosecutor's Office. Though the system that was developed for Kalamazoo was simple, we are very proud of the fact that it is objective in nature, perhaps more so than any of the other programs. The emphasis on setting such case priorities at the screening level has had a major impact on the entire prosecution operation. We are now systematically aware of our most important cases at the beginning of the process. In the past, our failure to do this accounted for many of our "Career Criminals" being able to "beat the system". It is also important to note that this particular dimension of Career Criminal, once developed and implemented, can benefit the Prosecutors office without incurring major pick-up costs once grant funds have expired.

INTAKE DATA

	<u>FELONY WARRANTS ISSUED</u>	<u>CASES REFERRED TO CAREER CRIMINAL</u>	<u>CASES ACCEPTED IN CAREER CRIMINAL</u>
1st Qtr.	190	38	26
2nd Qtr.	204	62	31
3rd Qtr.	227	85	48
4th Qtr.	247	41	21
TOTAL	868	226	126

COURT DISPOSITION DATA

	<u>NOLLIED</u>	<u>DISMISSED</u>	<u>AQUITTED</u>	<u>CONVIC BY TRIAL</u>	<u>PLEA</u>	<u>TOTAL</u>
1st Qtr.	1				5	6
2nd Qtr.	6	1			8	15
3rd Qtr.	3	1	2	0	4	10
4th Qtr.	7	0	1	5	14	27
TOTAL	17	2	3	5	31	58

SENTENCE DATA

	<u>NUMBER SENTENCED</u>	<u>AVERAGE (SENTENCE (Mos))</u>	<u>AVERAGE LEGAL MAX</u>
1st Qtr.	1	40 mos /3.3 yrs	40
2nd Qtr.	11	39.3 mos /3.3 yrs	--
3rd Qtr.	4	91.5 mos /7.63 yrs	--
4th Qtr.	10	39.1 mos /3.26 yrs	--

	<u>PENDING CASES</u>	<u>AVERAGE DISPOSITION TIME</u>
1st Qtr.	9.3	20.4 days
2nd Qtr.	36.6	87.33 days
3rd Qtr.	63.0	75.8 days
4th Qtr.	77.33	149.27 days



CAREER CRIMINAL ADVISORY BOARD  
DEFENDANT PROFILE  
October 13, 1976

The Average Career Criminal Defendant:

94% were Male  
52% Black  
48% White  
70% were under 30 years of age  
77% had present status in system  
34% met 2 criteria  
14% met 3 or more criteria  
1.46 Felony Convictions  
3.50 Felony Arrests  
2.33 Misdemeanor Convictions  
  
Total Scored 138.40

Threshold Criteria Analysis

Bail (7)	23%
Two Felony Convictions (1)	19%
On Parole (3)	14%
On Probation (4)	13%
Five Felony Arrests (2)	12%
Total Percentage	81%

Moving on to the Case Processing Program, I would direct the readers attention back to the tables which begin with the Intake Data. At the bottom of this page is an analysis of Pending Cases and Disposition Time. As can be seen by a review of this data, we were able to consistently achieve our objective of processing cases in 90 days or less up through the third quarter. This was principally due to the fact that most cases disposed of during that time frame involved pleas to the charge. During the fourth quarter, a substantial number of cases began reaching trial and the disposition time increased as a result of this. It was evident that we had been unable to thread these cases through the Circuit Court process and meet our speedy processing goals. This was one of the factors that lead to the development of the proposal to implement an experimental Criminal Court in conjunction with our second year project. In the first 18 court days of the second year project, 43 Career Criminal cases were disposed of (see attachment entitled Career Criminal Dispositions). This disposition rate consumed more than half of the Career Criminal Case Backlog and it is anticipated that the speedy processing objectives will be able to be maintained during the second funding year.

The same problem that hampered speedy case processing in the first year also hampered the number of total case dispositions that were achieved during that year. As the tables indicate, court disposition data for the first year of the grant totaled 58 cases. This was only 40% of the LEAA target of 140 cases. Again, we were confronted with the problem of being unable to move the Career Criminal cases through the maze of the Circuit Court backlog. Without a major adjustment in the capacity of the courts, the only alternative we had for increasing case dispositions was to strike better (in favor of the defendant) plea negotiation agreements. To do so would have contradicted one of the main stays of the program and that is to secure high quality felony convictions ( and longer sentences) on Career Criminal Defendants.

We held the line on program plea negotiation policies and made the determination that the answer to the problem was through increasing court productivity. We have already made mention of the experimental Circuit Court that is operating in conjunction with the second year project. This will affect total case dispositions in the same manner that it does processing times and we do not anticipate a problem with the number of dispositions during the second year project. In 18 court days, we disposed of almost as many cases as we were able to secure disposition on during the entire first year of the project.

Before proceeding on to an analysis of the Career Criminal Conviction and Sentencing Performance we need to make a statistical note. The comparisons that we have available to make in these areas involve comparing the Career Criminal case performance to the General Office Felony Case Performance. As has been noted with other Career Criminal Programs, this is statistically incorrect in that the level of seriousness of these two case loads differs substantially. To really determine the difference that a Career Criminal Program makes it is imperative that a Control Group be selected, as noted earlier in the report.

The comparison of Career Criminal Performance to that of the General Office does reflect to some degree on the value of the program. These performance comparisons are most favorable. In comparing disposition data between the normal felony case load and Career Criminal it can be seen that the Career Criminal Case Conviction Rate is 14% higher than that for General Office Felonys. The General Office Conviction Rate (excluding Nollies) has been 74% through the third quarter of 1976. The Case Conviction Rate for the Career Criminal Program (also excluding nollies) was 88%. There are important differences within these statistics in that a substantial percentage of the regular felony case convictions are to reduced Felonys or Misdemeanors. Convictions in Career Criminal are nearly all to the original felony charge. Another important difference is that while the Career Criminal case conviction rate is 88%, the Defendant Conviction Rate was 96%. Unfortunately, we do not have a Defendant Conviction Rate for the General Office Case Load to compare at the present time. However, even without comparative data the 96% Defendant Conviction Rate for the Career Criminal Unit stands well on it's own.

As we look at Sentencing the same comparison problems and need for a Control Group, applies. However, to get some feel for the variance in sentence practices we did do a comparison to show the difference between Career Criminal Sentences and those for the normal Office Felony Processing on four selected crimes, Armed Robbery, Breaking and Entering, Larceny and Delivery of a Controlled Substance. The results of this comparison (see attached sheet entitled Career Criminal Sentence Comparison) showed that Career Criminal cases averaged 89% higher. This is almost triple the average rate, which can reasonably be expected given the segregation of the most serious defendants into the Career Criminal Program. It is only logical that sentences on these individuals would be longer than those imposed on defendants who did not qualify for Career Criminal designation.

When assessing the overall impact of this first year project, we are a little bit reticent to generalize because of the limited volumes involved and the lack of a Control Group. Career Criminal was a major development effort and took substantial start-up time to properly implement all of the sub-programs. Because of this fact and the time required from the start-up date to the time cases begin being disposed, it is our position that the end of the first year project cannot provide an indepth evaluation, but only an indicator of the quality of program development and mangement.

While Kalamazoo has experienced a decrease in the crime growth rate, it would be overly generous for us to take credit for such a decrease as a result of our limited Career Criminal outcomes. We did, however, experience a situation during the year which gives credence to the original Career Criminal hypothesis regarding the program's crime reduction potential. In April, a large drug raid resulted in over 41 arrests. Many of these individuals fit the Career Criminal profile. It was most interesting to note that in the following month, while most of these persons were still in pre-trial custody, the Armed Robbery rate fell significantly. This

was not a seasonal decline nor a part of other trends in the Armed Robbery rate for the year. The attached chart entitled Reported Robbery's, City of Kalamazoo, shows a comparison of the 1975 and 1976 Armed Robbery rates and the occurrence of the drug arrests and the resulting decline in these rates. We feel that it is most significant that this rate could be impacted upon so heavily with only 41 arrests. It is hope to the Career Criminal hypothesis that if the "disproportionately few" Career Criminals were systematically dealt with over an extended period of time, the crime rate would in fact decrease. Only time and consistent program delivery will answer that.

Many of the most significant Career Criminal impacts are just beginning to surface in the Kalamazoo Program (second year of operation). As has been noted in this report, we have already seen significant changes in court productivity and the swiftness with which cases are now beginning to move. This is producing sweeping changes in the attitudes and strategies that both prosecution and defense are employing with regard to case dispositions. This has been a most positive factor and, if it can be maintained, will significantly improve criminal justice in Kalamazoo. These changes are being monitored and in conjunction with National and Local Evaluation Contracts, we will have the capability for much more specific analysis of program achievements and values during the second project year.

CAREER CRIMINAL DISPOSITIONS  
Sept. 15, 1976 - Oct. 11, 1976  
(18 Court Days)

Jury Trials

Found Guilty	8
Found Not Guilty	1
Hung Jury (Mis-Trial)	1
	<hr/>
Cases Disposed by Jury Trial	10
Pleas to Charge	13
	<hr/>
Cases Disposed by Trial & Plea	23
Nolles as Result of Pleas & Con- victions	20
	<hr/>
Total Cases Disposed	43

NOTE: Average days per Jury Trial= 1.80 days

CAREER CRIMINAL PROGRAM  
SENTENCE COMPARISON

	Regular Sentence	Career Crim. Sentence	% of Increase
Armed Robbery	5.3 yrs.	9.9 yrs.	84.4%
Breaking & Entering	2.6 yrs.	3.6 yrs.	37.8%
Larceny	1.8 yrs.	3.3 yrs.	87.9%
Del. of a Controlled Sub.	1.7 yrs.	5.0 yrs.	191.3%
<b>OVERALL AVERAGE</b>	<b>2.9 yrs.</b>	<b>5.5 yrs.</b>	<b>89.9%</b>

This analysis covers 12 dispositions in the Career Criminal program between October 22, 1975 and August 31, 1976. The Trial Division sample consists of a 28 case sample from the same time period. All cases were hard time only.

REPORTED ROBBERIES

CITY OF KALAMAZGO

YEAR	FIRST QUARTER	APRIL 1-14	APRIL 15-30	MAY	JUNE
1975	51	20		19	19
1976	45	9	5	2	14

APRIL 13 & 14 - 41 DRUG ARRESTS