

**CALIFORNIA
CRIMINAL JUSTICE SYSTEM
ANALYSIS**

1965 - 1974 - 1975

46998



OFFICE OF THE CHIEF OF POLICE
LOS ANGELES POLICE DEPARTMENT

JANUARY 1978

MAY 5 1978

ACQUISITIONS

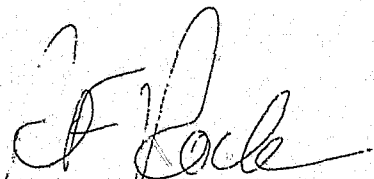
There is a preoccupation with crime today that has generated a climate of fear for many citizens of this State. This fear has a debilitating effect on the quality of life experienced in communities throughout the State but particularly large urban centers. One function of the criminal justice system—the police, the prosecutors, the judiciary, corrections—is to alleviate that fear and thus contribute to a sense of security and well-being among the populace this system exists to serve.

This role, however, is not being fulfilled because of an imbalance in the priorities focused upon by the respective segments of the criminal justice system. The imbalance is characterized by an excessive concern for the rights of criminal defendants at the expense of their victims. The criminal justice system needs a balanced advocacy in order to maintain the deterrent potential of the law.

When Senate Bill 42 was signed into law on July 1, 1977, the imbalance became intensified. Senate Bill 42 requires a judge to choose one of three light sentences for convicted felons. For example, instead of the previous five-years-to-life for robbery, a judge must now pick between two, three, or four years. He must select three years unless he finds that there are circumstances which justify leniency (two years) or severity (four years). An extra year may be added if the offender used a gun and/or an extra year may be added if he had been previously convicted. But then the felon is entitled, in advance, to a one-third reduction of prison time, subject to certain conditions attached to the sentence. Senate Bill 42 cuts prison terms for serious crime; it thereby reduces both prison population and state correctional expenditures. This economy, however, is realized at the expense of all Californians because they experience increased crime as a direct result of the felons' earlier release and the inability of the system to achieve anywhere near 100% rehabilitation of these criminals.

The following report is an overview of some criminal justice system activities in California during 1975. The analysis focuses on the crimes of homicide, robbery and burglary, and Superior Court sentencing practices associated with persons convicted of those crimes. Unfortunately, a sentencing pattern established in prior years continued in 1975: the judiciary persists in committing only a small percentage of dangerous offenders to state prison. The data in this report point out the urgent need for additional reform in sentencing practices. Such reform should include stricter limitations upon judicial discretion in granting probation and stiffer prison terms for convicted felons.

Another area of increasing concern is the rapidly expanding use of Penal Code Section 17(b)(4) in Los Angeles County by the District Attorney. This section gives the District Attorney broad discretionary power to refer cases judged unlikely to receive felony convictions to either his own staff or to the City Attorney for prosecution as misdemeanors. The alternate felony/misdemeanor filing option allows the conviction rate for felonies to be increased through the retention of the "strongest" cases rather than through vigorous prosecution of all cases. 17(b)(4) P.C. permits the District Attorney to preach a hard line against felons and offer as proof a high felony conviction rate while actually practicing a selective policy of felony filings.



ROBERT F. ROCK
Chief of Police

TABLE OF CONTENTS

<u>ITEM</u>	<u>PAGE</u>
Foreword	
Table of Contents	i
Criminal Justice System Costs	1
Disposition of Felony Defendants Convicted in Los Angeles Superior Court for Homicide, Robbery, and Burglary 1965- 1974 - 1975	3
Number of Crimes Reported and Percent of Convicted Felons Sent to Prison in Los Angeles County.....	7
Superior Court Convictions by Type of Disposition: Homicide, Robbery, and Burglary	11
Sentences of Felony Defendants Convicted in Superior Court: Homicide, Robbery, and Burglary 1965 - 1974 - 1975.....	17
Percentage of Convictions Involving Probationers: Homicide, Robbery, and Burglary 1975	21
Percentage of Convictions Involving Parolees: Homicide, Robbery, and Burglary 1975	25
Percentage of Convictions Involving Probationers and Parolees: Homicide, Robbery, and Burglary 1975	29
Time Served Prior to First Release on Parole: Homicide, Robbery, and Burglary 1965 - 1974 - 1975.....	33
Conclusion.....	37

CRIMINAL JUSTICE SYSTEM IN LOS ANGELES COUNTY

FISCAL 1964-1965

COSTS

DETENTIONS &
CORRECTIONS

\$17,089,533

8.5%

PROBATION

\$17,395,945

8.7%

JUDICIAL

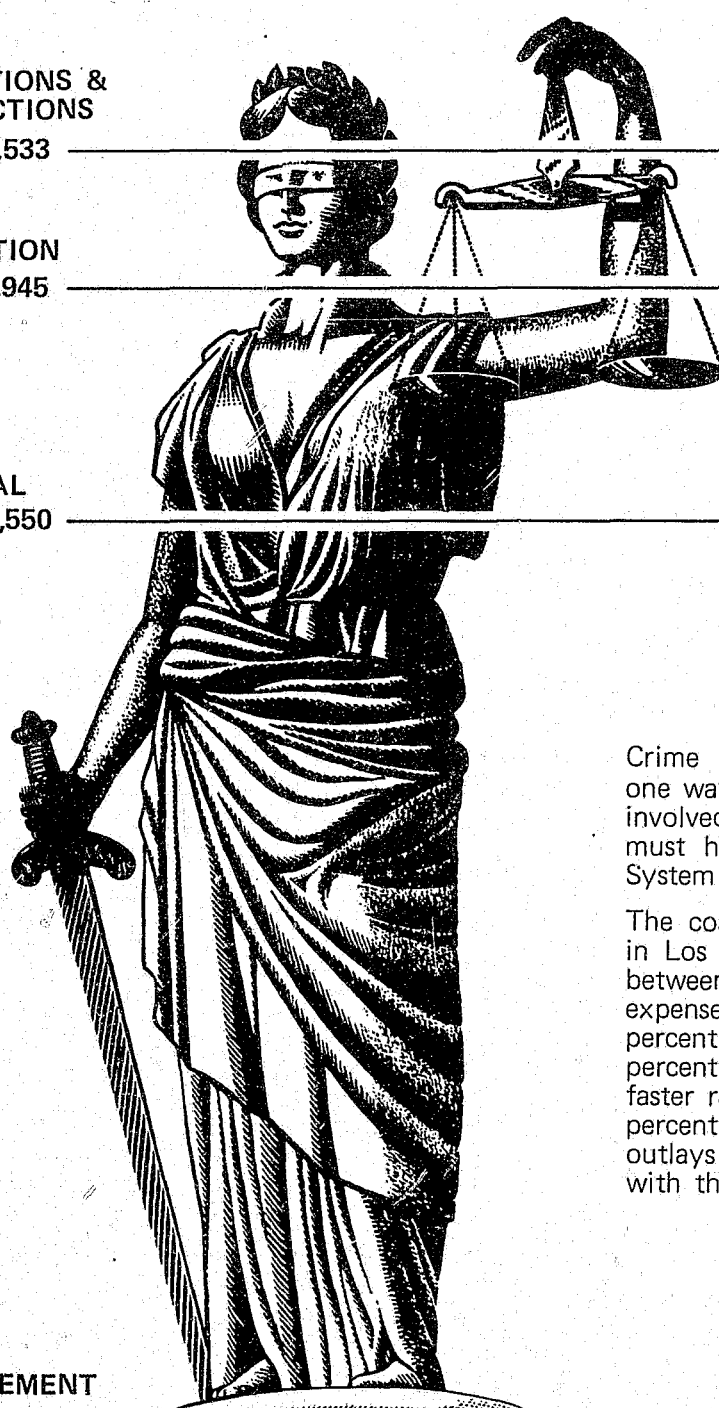
\$33,049,550

16.5%

LAW
ENFORCEMENT

\$132,654,902

66.3%



Crime may affect citizens in more than one way. Even if they are not personally involved in the tragedies of crime, they must help shoulder the Criminal Justice System costs.

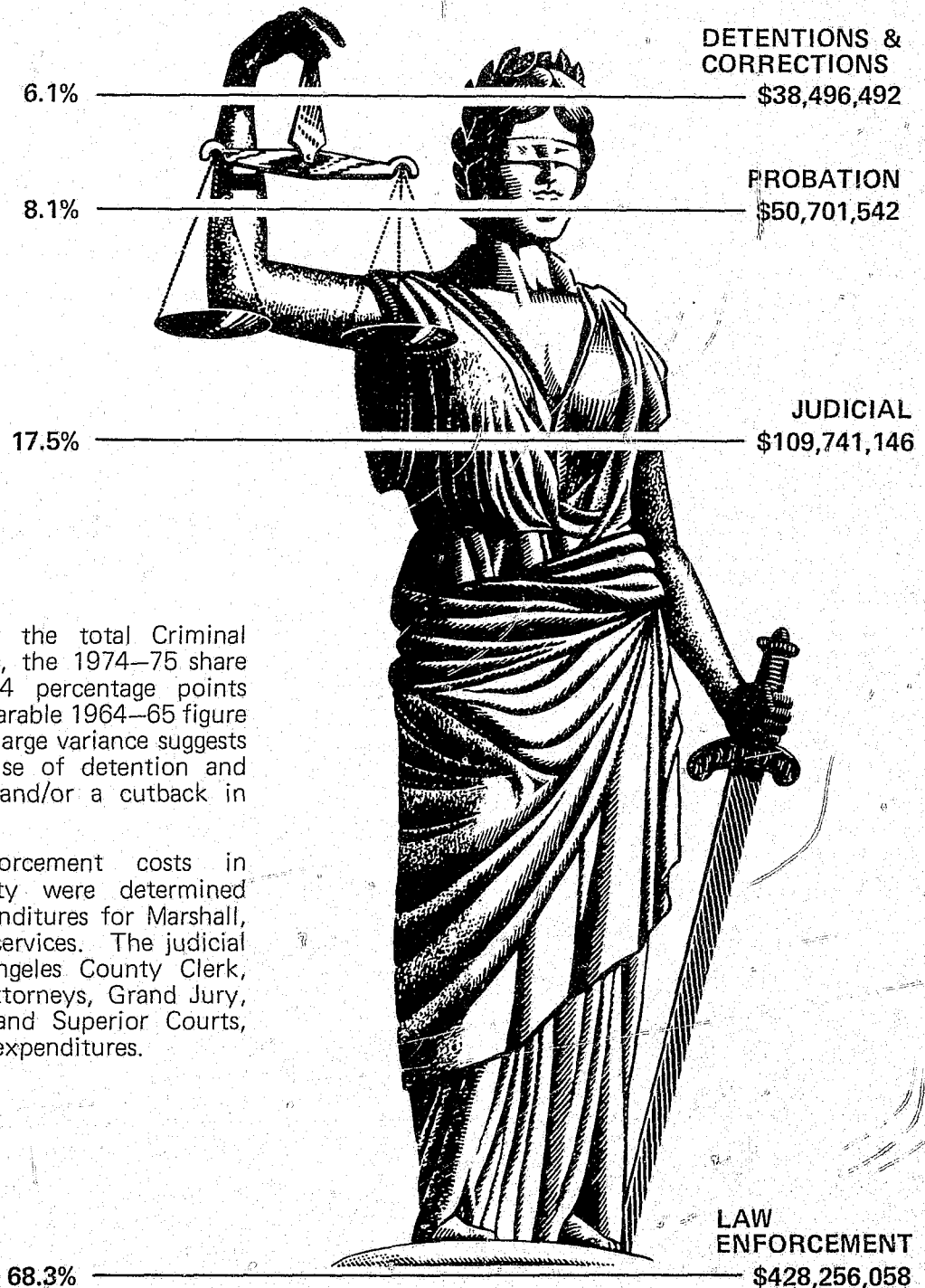
The costs of the Criminal Justice System in Los Angeles County rose 213.3 percent between 1964-65 and 1974-75. The expense of law enforcement rose 222.8 percent, while probation costs rose 191.5 percent. Judicial disbursements grew at a faster rate than other expenditures, 232.1 percent. Only detention and correction outlays (125.3 percent) did not keep pace with the growth rate for other costs, and

SOURCES: Financial Transactions Concerning Cities of California 64-65/74-75
Financial Transactions Concerning Counties of California 64-65/74-75
L.A. County Budget '64-'65 and '74-'75

CRIMINAL JUSTICE SYSTEM IN LOS ANGELES COUNTY

FISCAL 1974-1975

COSTS



as a percentage of the total Criminal Justice System costs, the 1974-75 share (6.1 percent) is 2.4 percentage points lower than the comparable 1964-65 figure (8.5 percent). This large variance suggests a decrease in the use of detention and correction facilities and/or a cutback in the funds available.

NOTE: Law enforcement costs in Los Angeles County were determined by totaling the expenditures for Marshall, Sheriff, and Police services. The judicial costs reflect Los Angeles County Clerk, District and City Attorneys, Grand Jury, Justice, Municipal, and Superior Courts, and Public Defender expenditures.

SOURCES: Financial Transactions Concerning Cities of California 64-65/74-75
Financial Transactions Concerning Counties of California 64-65/74-75
L.A. County Budget '64-'65 and '74-'75

**DISPOSITION OF FELONY DEFENDANTS CONVICTED
IN LOS ANGELES SUPERIOR COURT
HOMICIDE -- ROBBERY -- BURGLARY**

Chart I shows the final disposition of felony defendants convicted in Los Angeles Superior Court in comparison with the number of arrests made and crimes reported (homicide, robbery and burglary). From 1974 to 1975 the number of times the three felonies were reported increased 5.29 percent, while arrests rose 5.42 percent.

During 1975 the conviction rate rose 1.3 percentage points above the 1974 figure. This was expected because the District Attorney prosecuted only the "best" cases. Cases not likely to result in felony convictions were sent to the City Attorney under Penal Code Section 17(b)(4), or rejected outright. This section, added to the Penal Code in 1969, permits the District Attorney the option of filing an alternate felony/misdemeanor offense. This option allows the District Attorney to select desirable cases to prosecute but conversely increases both the City Attorney and Municipal Court trial workloads.

In Los Angeles County during 1974, 10 robberies and 1,538 burglaries were filed as misdemeanors under 17(b)(4) P.C., and of those filings 7 (70.0 percent) of the robberies and 1,301 (84.6 percent) of the burglaries received lower court convictions. During 1975, 7 robberies and 1,832 burglaries were filed under 17(b)(4) P.C., with none of the robberies and 1,582 (86.4 percent) of the burglaries receiving convictions. No homicides were filed under this section in either year.

The combined conviction rate for robbery and burglary 17(b)(4) P.C. referrals was 84.5 percent for 1974 and 86.0 percent for 1975. The high conviction rates in lower courts of these 17(b)(4) P.C. cases, which were referred as "weak" cases, suggest that the District Attorney's criteria for downgrading felony cases should be subjected to very close scrutiny.

Probation continues to be the most frequent disposition, and in 1975 rose 1.7 percentage points above the 1974 level. Sentences to prison increased during 1975, .4 percentage point over 1974; however, prison sentences are still considerably below the 1965 rate of 33.6 percent.

NOTE: In compiling the percentages, the number of *crimes reported* in Los Angeles County was used as a starting block. The number of *arrests* is also shown as a percentage of the crimes reported. The *convicted* category is the percentage of arrestees who were successfully prosecuted in Superior Court.

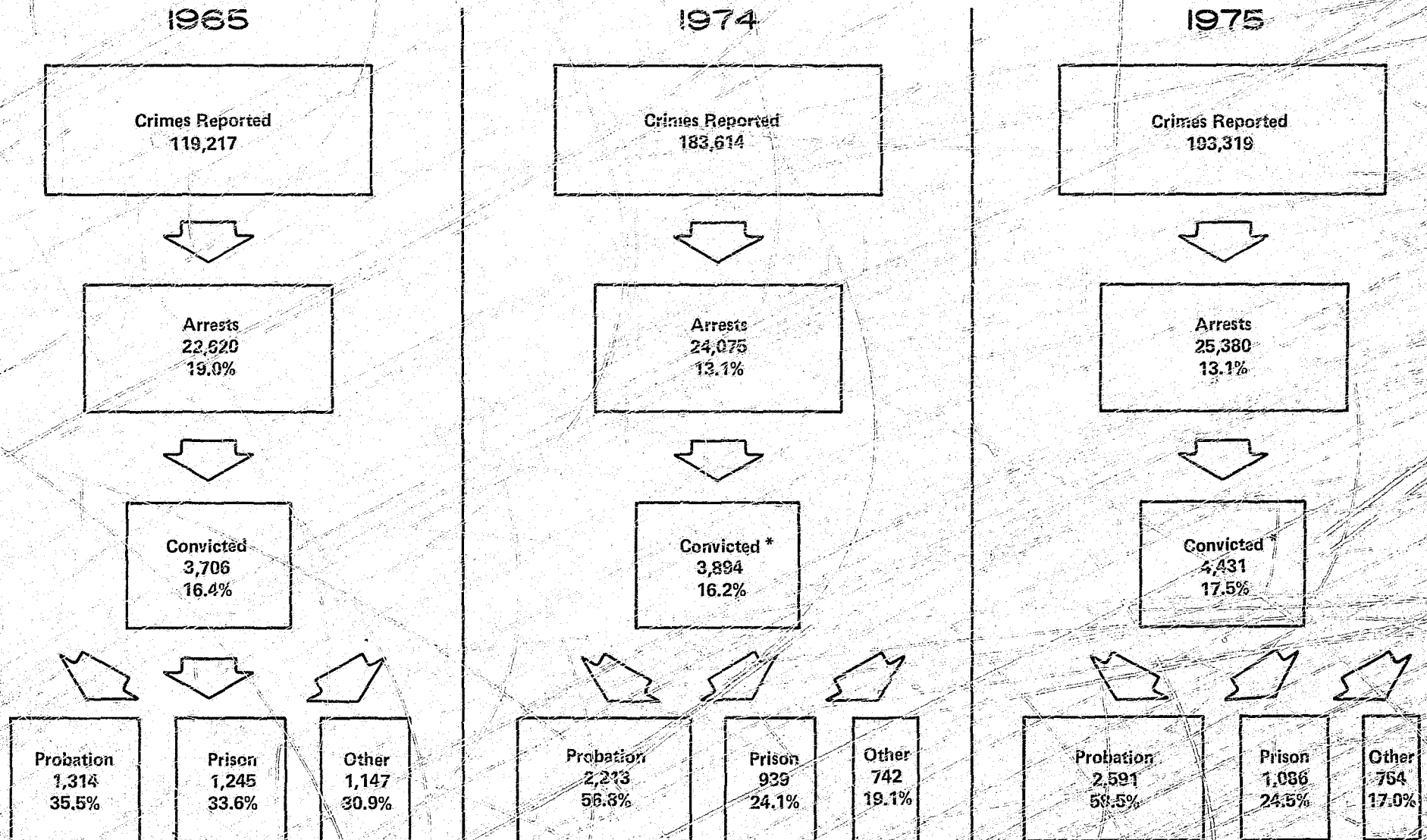
In past years a "persons charged" category was included, between *arrests* and *convicted*. This information, however, was not available for 1975 or 1965, making the comparison impossible.



DISPOSITION OF FELONY DEFENDANTS CONVICTED IN LOS ANGELES SUPERIOR COURT

HOMICIDE-ROBBERY-BURGLARY

CHART 1



SOURCE: Bureau of Criminal Statistics

* Does not include 17(b)(4) P.C. referrals.

**DISPOSITION OF FELONY DEFENDANTS
CONVICTED IN LOS ANGELES SUPERIOR COURT**

HOMICIDE – ROBBERY – BURGLARY

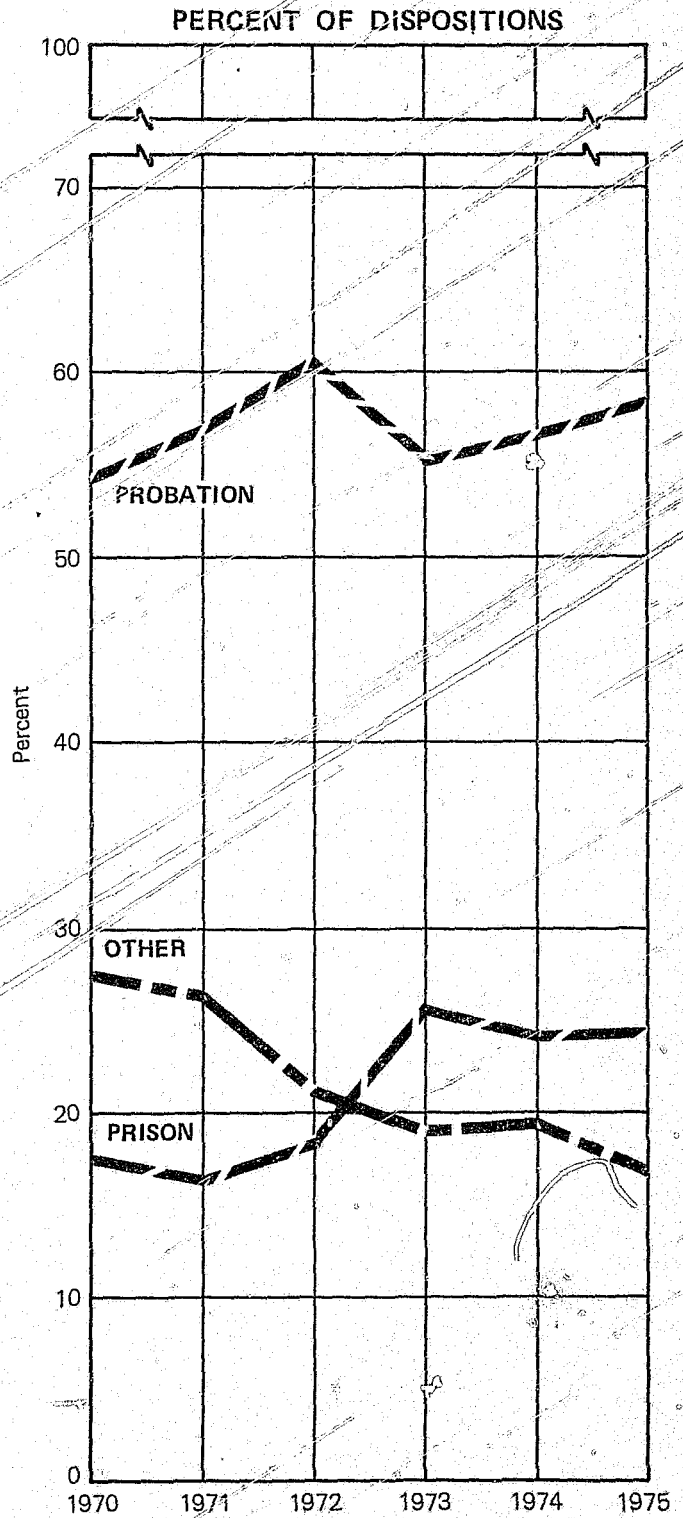
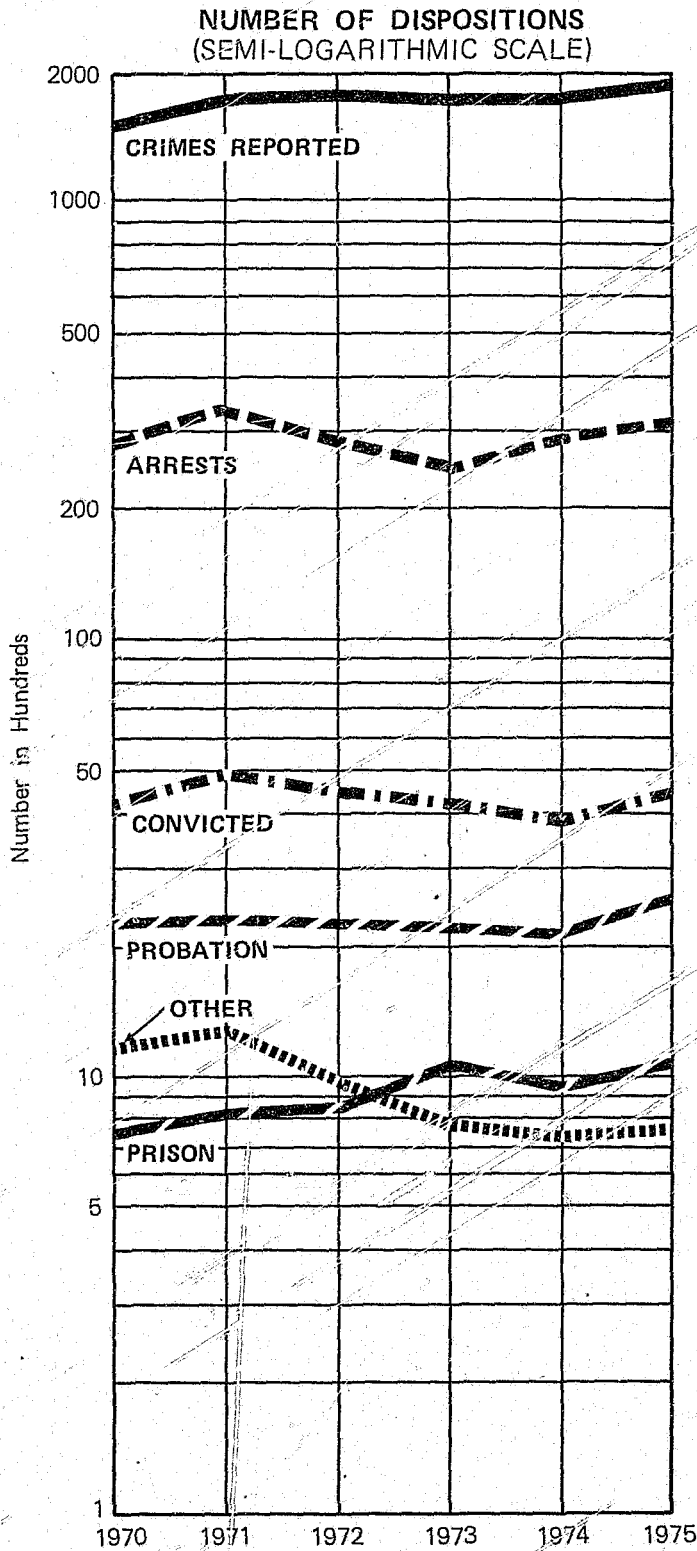
Charts 2 and 3 show the disposition of defendants convicted of homicide, robbery and burglary in Los Angeles Superior Court from 1970 through 1975. In each of those years probation was the most frequent sentence for the three crimes as a group (in excess of 50 percent of the dispositions annually). During 1975 there were slight increases over 1974 in the percent of probation and prison dispositions (1.7 and .4 percentage points, respectively). Probation accounted for 58.5 percent of the combined homicide, robbery and burglary dispositions in 1975.

The inadequacy of probation as the primary disposition for convicted felons will be shown elsewhere in this report.

DISPOSITION OF FELONY DEFENDANTS CONVICTED IN LOS ANGELES SUPERIOR COURT

CHART 2

CHART 3



SOURCE: Bureau of Criminal Statistics

NUMBER OF CRIMES REPORTED AND PERCENTAGE
OF CONVICTED FELONS SENT TO PRISON

HOMICIDE - ROBBERY - BURGLARY

LOS ANGELES COUNTY

Charts 4 and 5 show the inverse correlation which exists between the number of homicides, robberies and burglaries reported in Los Angeles County and the number of felons convicted and sent to prison for those crimes. Reported crimes in the three categories increased from 119,217 in 1965 to 193,319 in 1975, a jump of 62.2 percent. The number of convicted killers, robbers and burglars sentenced to state prison, however, decreased from 1,245 in 1965 to 1,086 in 1975, *a drop of 12.8 percent*. In short, more crimes are being committed, more arrests made, more felons convicted, but fewer convicted felons are being sent to state prison!

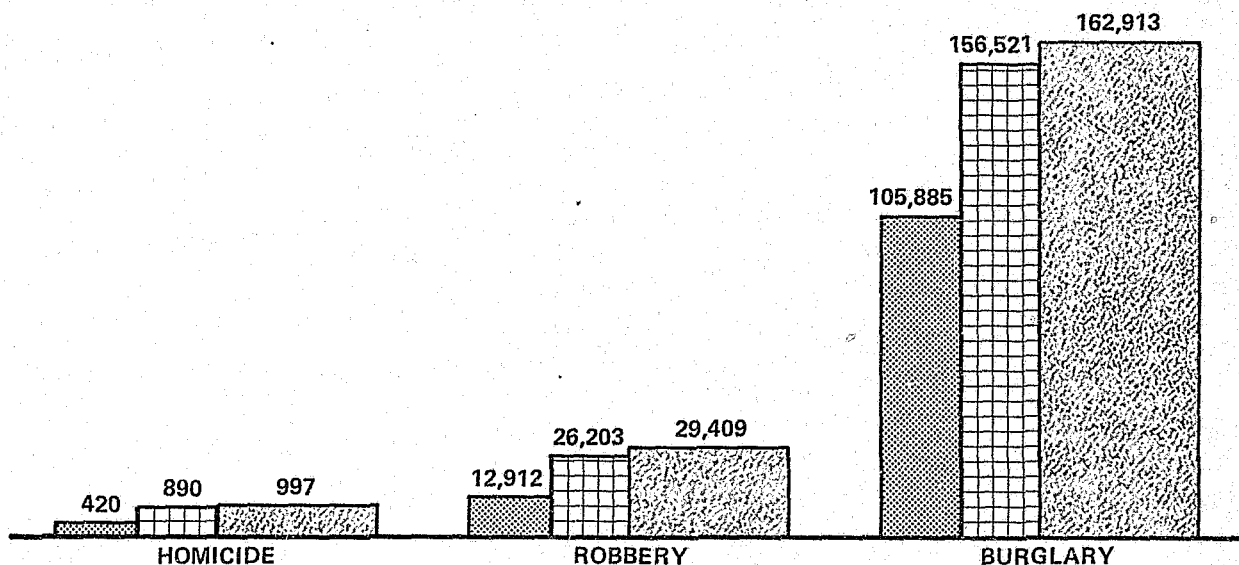
These well-established trends, evidence of lenient sentencing practices in the face of increasing crime, communicate a clear message to criminals: the odds on going to state prison are shifting in your favor.

As a group, the percentage of convicted killers, robbers and burglars who were sentenced to state prison increased slightly from 1974 to 1975 (from 24.1 percent to 24.5 percent). These percentages, however, contrast unfavorably with the one for 1965 when 33.6 percent of those convicted for the same crimes were sent to state prison.

NUMBER OF CRIMES REPORTED AND PERCENT OF CONVICTED FELONS SENT TO PRISON LOS ANGELES COUNTY

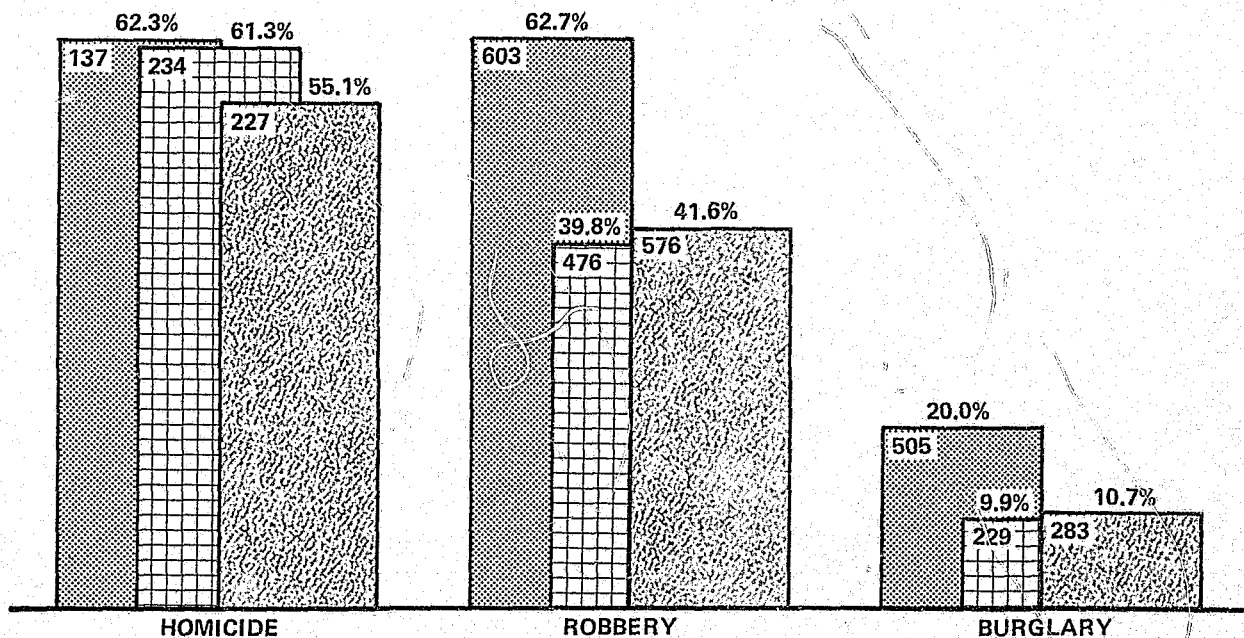
NUMBER OF CRIMES REPORTED

CHART 4



% CONVICTED FELONS SENT TO PRISON

CHART 5



1965
 1974
 1975

**NUMBER OF CRIMES REPORTED AND PERCENT
OF CONVICTED FELONS SENT TO PRISON**

HOMICIDE – ROBBERY – BURGLARY

LOS ANGELES COUNTY

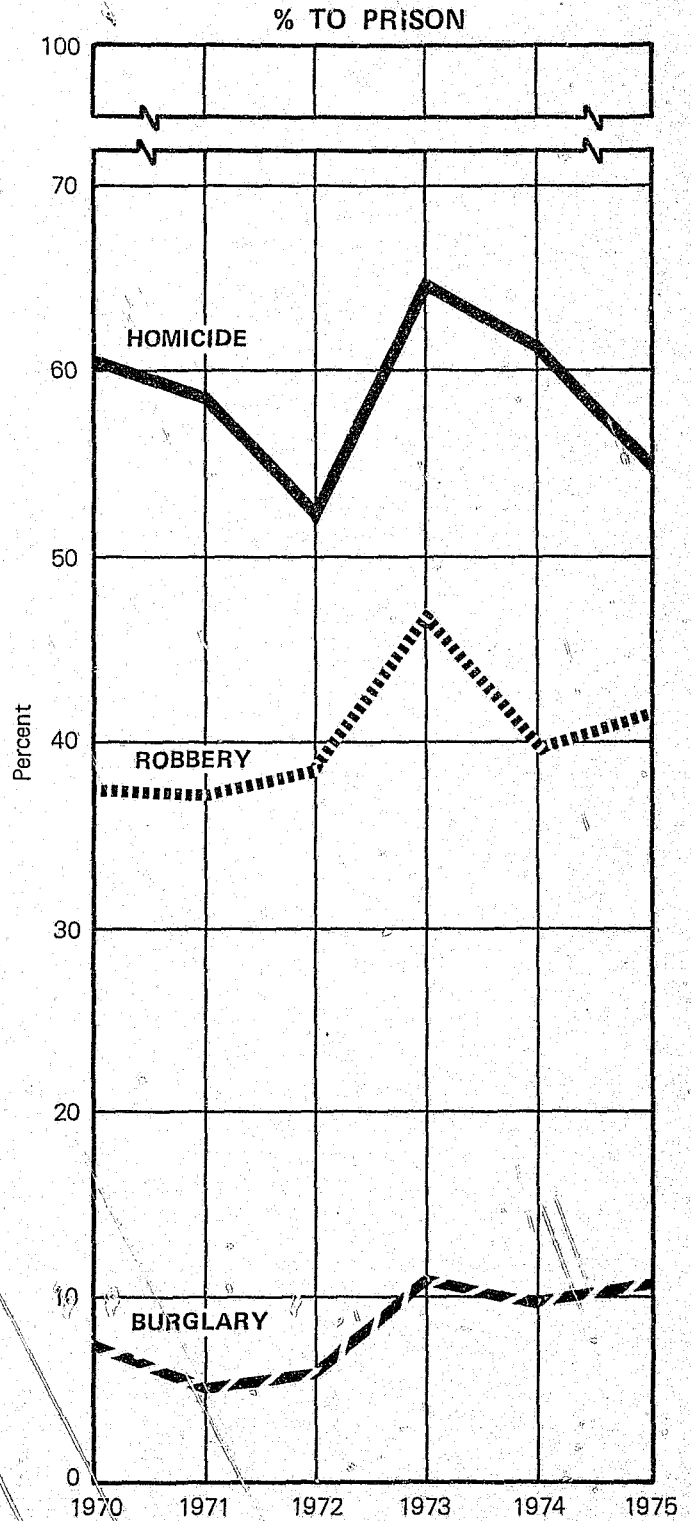
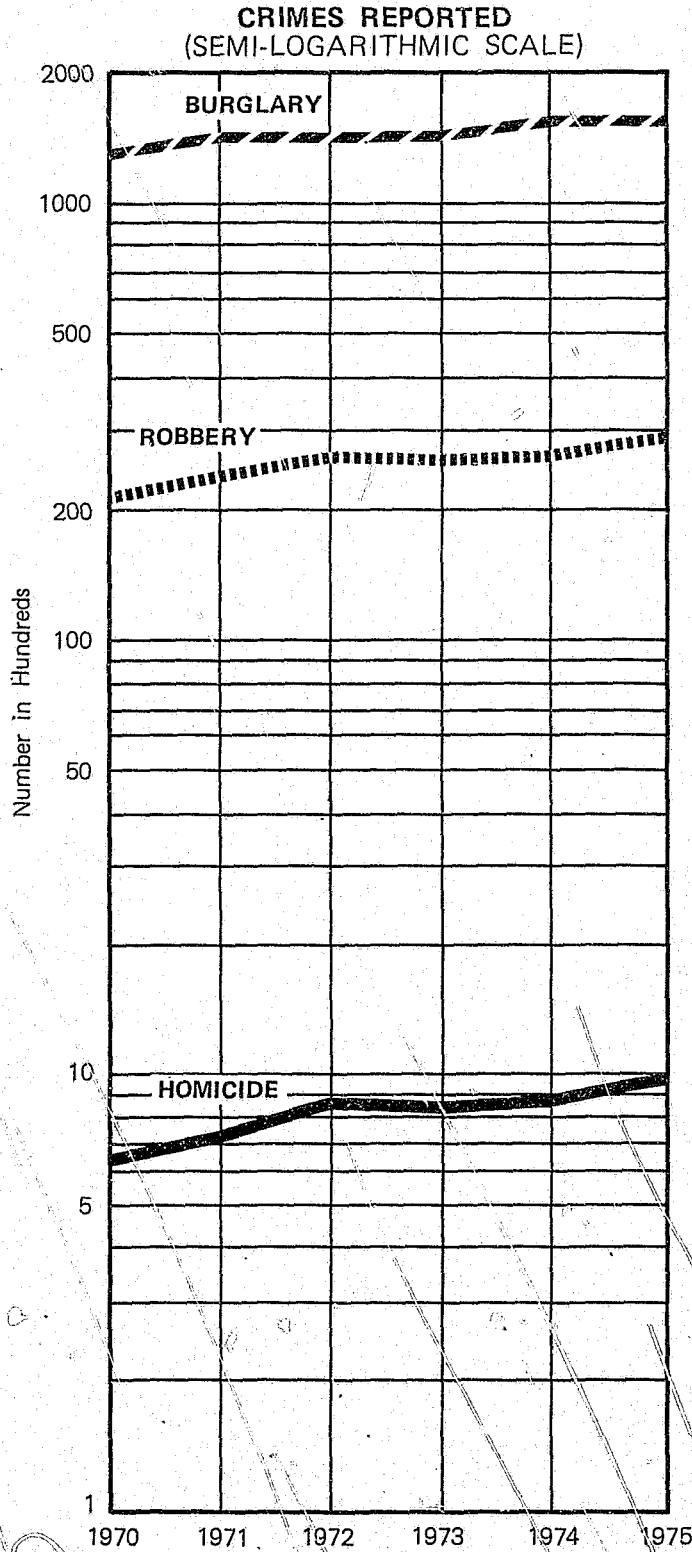
Charts 6 and 7 show the number of crimes reported and the percentage of convicted felons sent to prison. In 1975 the number of homicides, robberies and burglaries increased over 1974 levels, and appreciably above 1970 levels.

During 1975 the percentage of convicted robbers and burglars sentenced to prison increased over both the 1974 and 1970 figures. The percentage of convicted murderers sentenced to prison decreased to a point lower than both 1974 and 1970 levels.

NUMBER OF CRIMES REPORTED AND PERCENT OF CONVICTED FELONS SENT TO PRISON HOMICIDE - ROBBERY - BURGLARY LOS ANGELES COUNTY

CHART 6

CHART 7



SOURCE: Bureau of Criminal Statistics

SUPERIOR COURT CONVICTIONS BY TYPE OF DISPOSITION

LOS ANGELES COUNTY — STATE LESS LOS ANGELES COUNTY

Charts 8 through 16 show Superior Court homicide, robbery and burglary convictions by type of disposition and the percentage for each. For the three crimes during 1975, Los Angeles County, as compared with the remainder of the State, sent a smaller percentage of convicted felons to state prison, and a greater percentage were given probation with jail.

The most disturbing information is in Chart 10, which deals with homicide in Los Angeles County during 1975. *Only 55.1 percent of the convicted killers received state prison sentences, as compared with 74.4 percent for the remainder of the State.* In 1965, Los Angeles County was tougher on murderers (62.3 percent sentenced to state prison) than was the remainder of the State (50.2 percent). From 1965 forward, Los Angeles County's handling of killers softened while the remainder of the State toughened their position. The percentage receiving commitments to probation with jail has greatly increased. The 1975 figure (31.8 percent) is 12.7 percentage points above the 1965 figure (19.1 percent). During that same period, however, the number of homicides reported in Los Angeles County went from 420 in 1965 to 997 in 1975, *an increase of 137.4 percent!*

In 1975, 41.6 percent of the convicted robbers in Los Angeles County received state-prison sentences. This is up slightly from the year before (1.8 percentage points); however, it is still 2.5 percentage points below the remainder of the State, and a significant drop from the 1965 level of 62.7 percent. As was the case with homicide, the slack made by the decrease in commitments to state prison was more than made up for by the commitments to probation with jail. In 1965, 12.1 percent received sentences of probation with jail and by 1975 the percentage rose to 37.0 percent, an increase of 24.9 percentage points.

In Los Angeles County, during 1975, the percentage of convicted burglars sentenced to state prison increased slightly over 1974 (.8 percentage point); however, that figure is still 9.3 percentage points lower than the 1965 figure. Probation with jail is the sentence being used most often for burglars throughout the State; 57.0 percent received this sentence in Los Angeles County, up from 20.0 percent in 1965.

SUPERIOR COURT CONVICTIONS BY TYPE OF DISPOSITION

HOMICIDE

CHART 8

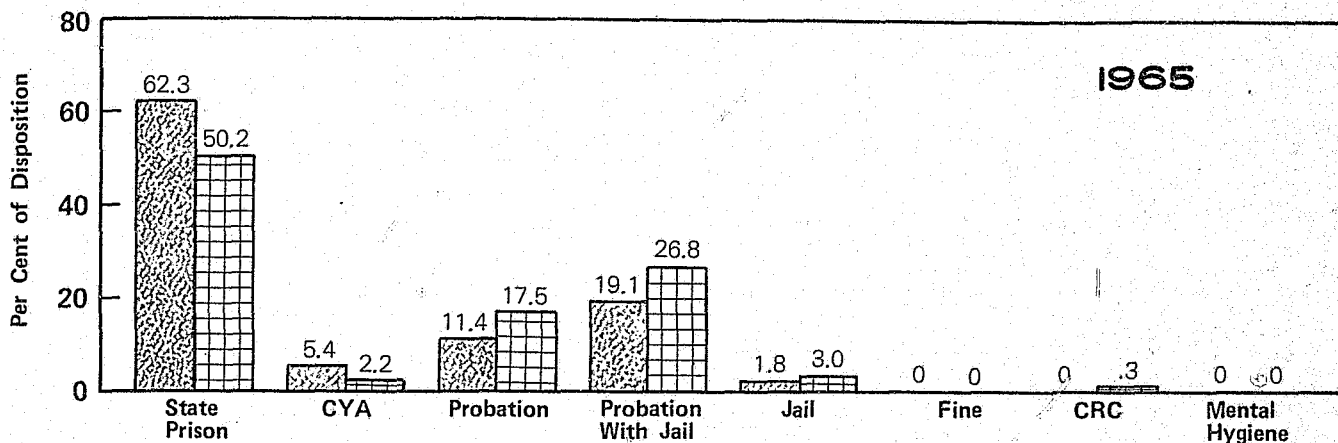


CHART 9

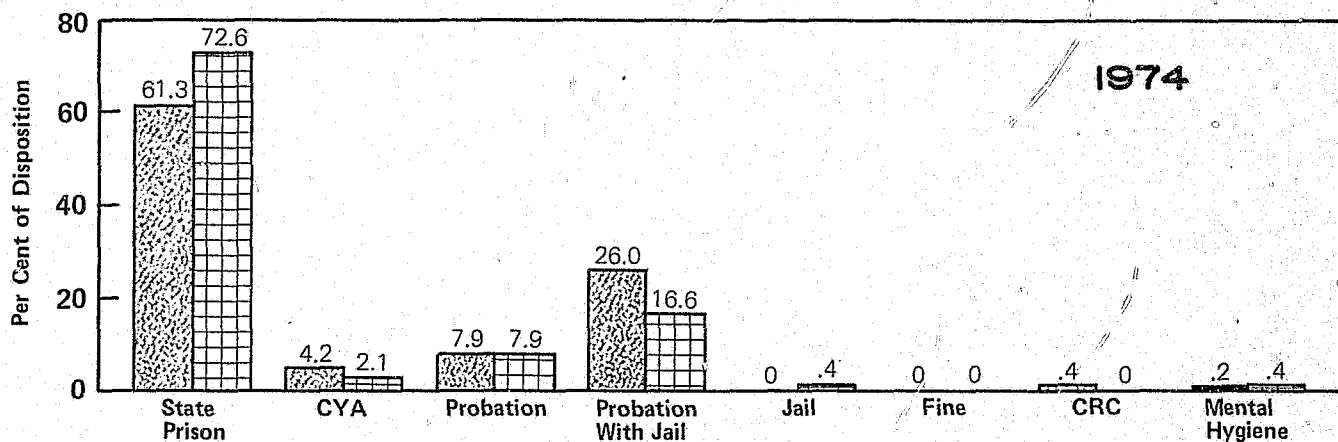
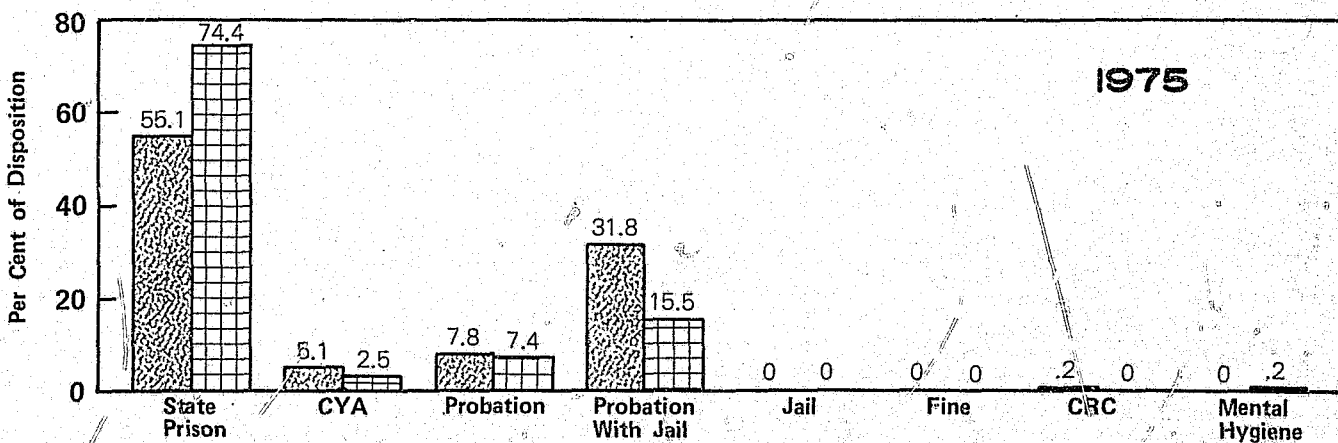


CHART 10



L.A. COUNTY

STATE-LESS L.A. COUNTY

SOURCE: Bureau of Criminal Statistics

SUPERIOR COURT CONVICTIONS BY TYPE OF DISPOSITION

ROBBERY

CHART 11

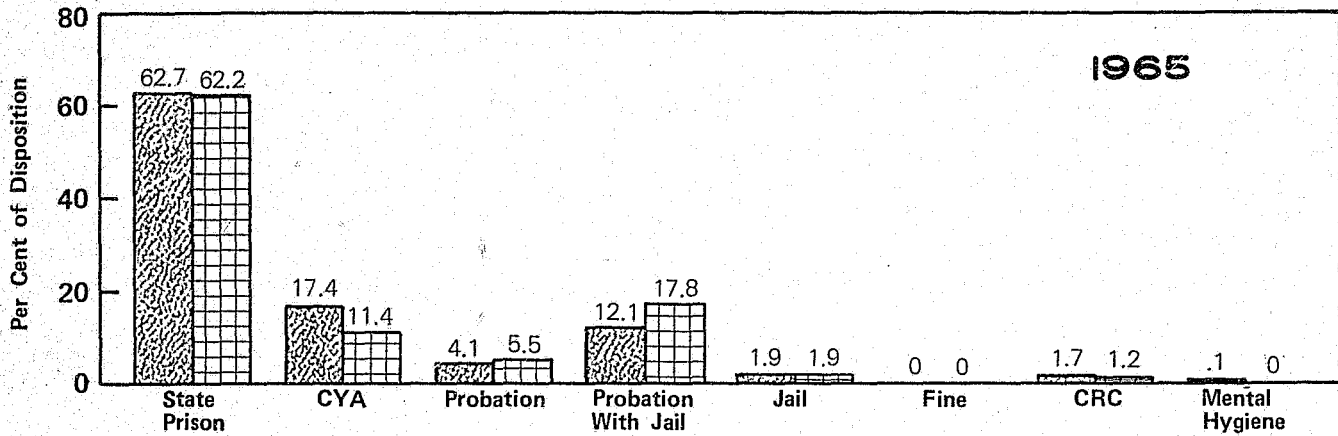


CHART 12

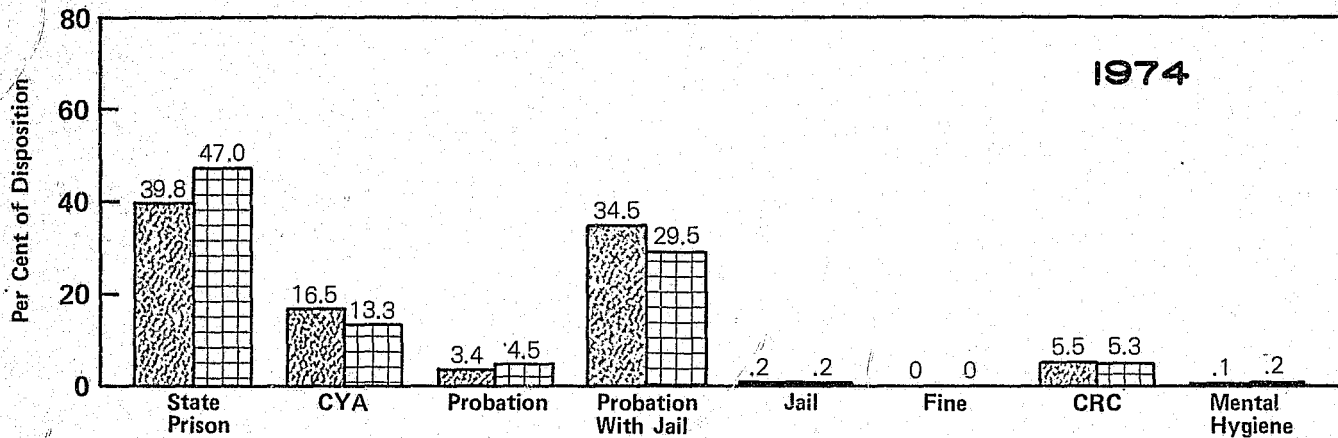
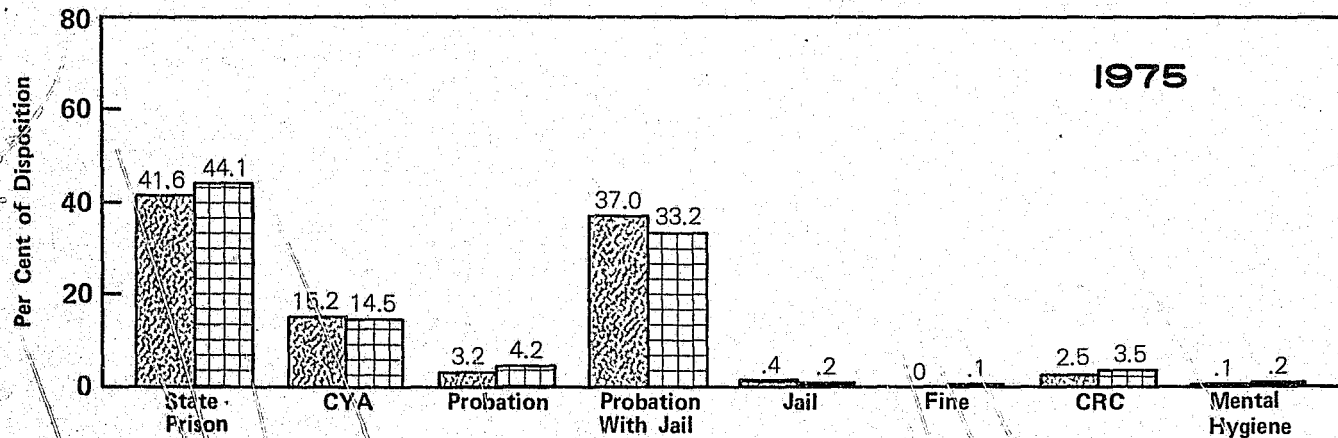


CHART 13



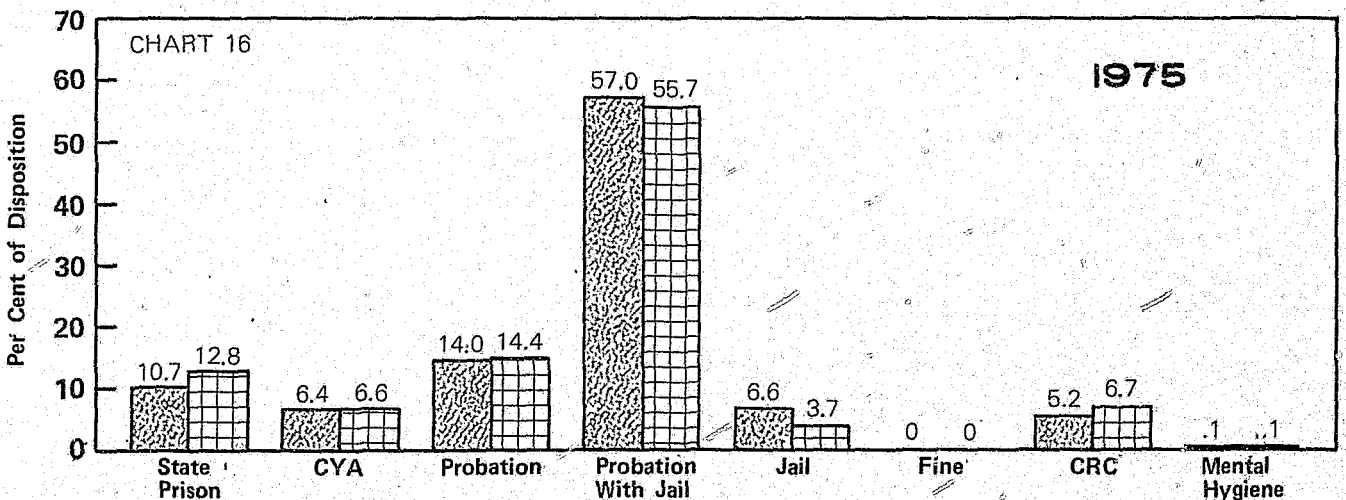
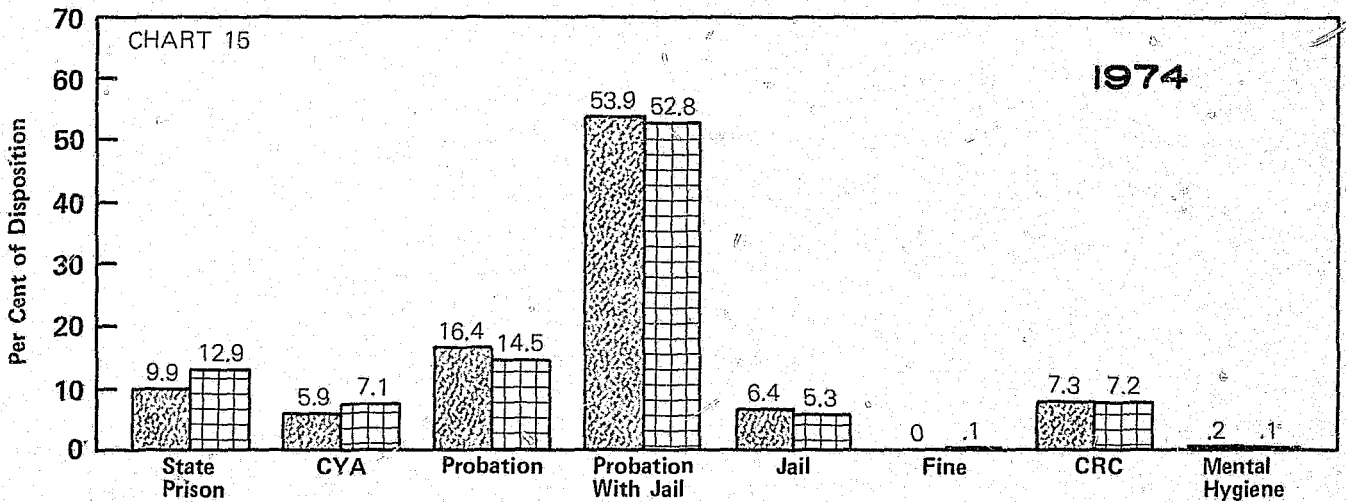
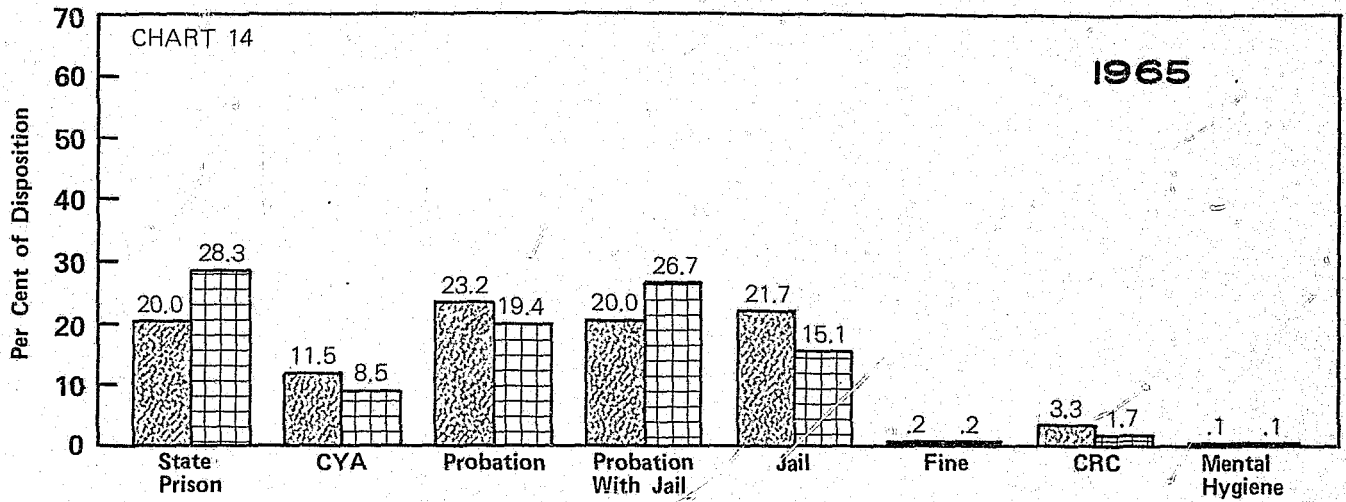
■ L.A. COUNTY

▣ STATE-LESS L.A. COUNTY

SOURCE: Bureau of Criminal Statistics

SUPERIOR COURT CONVICTIONS BY TYPE OF DISPOSITIONS

BURGLARY



L.A. COUNTY

STATE-LESS L.A. COUNTY

SOURCE: Bureau of Criminal Statistics

SUPERIOR COURT CONVICTIONS BY TYPE OF DISPOSITION

HOMICIDE – ROBBERY – BURGLARY

**LOS ANGELES COUNTY – STATE LESS
LOS ANGELES COUNTY**

Charts 17 and 18 show Superior Court convictions by type of disposition for both Los Angeles County and the State less Los Angeles County. In Los Angeles County, the fluctuations occurring over the past years are leveling off as sentencing practices generally become aligned with those in the remainder of the State. The percentage of individuals sentenced to prison in Los Angeles County has generally increased over the years, yet it remains below the remainder of the State in 1975 (by 2.2 percentage points).

The increase in probation-with-jail dispositions shown in both charts may be interpreted by some as evidence of hardened judicial attitudes toward felons. Probation with jail, however, is insufficient punishment to result in either rehabilitation or deterrence, and such dispositions are not fitting substitutes for state prison sentences.

SUPERIOR COURT CONVICTIONS BY TYPE OF DISPOSITION

TOTAL DISPOSITION BY PERCENTAGE

HOMICIDE · ROBBERY · BURGLARY

CHART 17

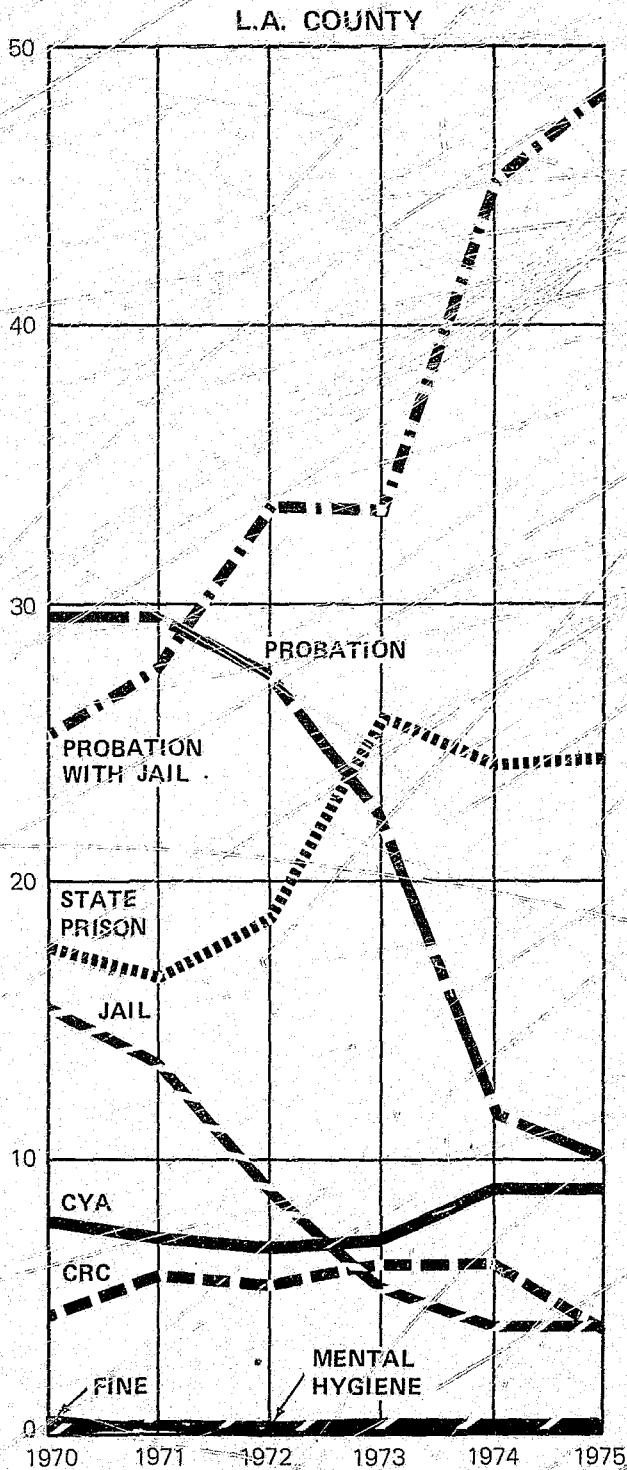
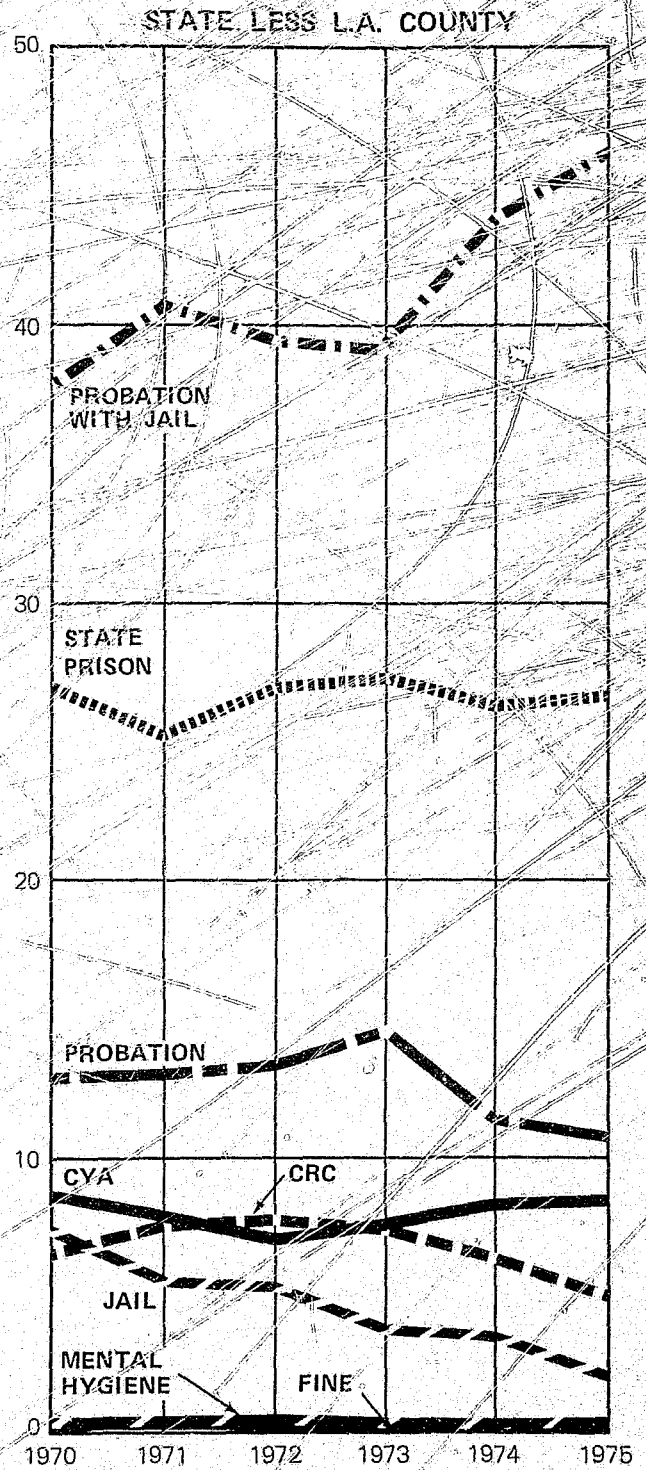


CHART 18



SOURCE: Bureau of Criminal Statistics

**SENTENCES OF FELONY DEFENDANTS CONVICTED OF
HOMICIDE, ROBBERY, AND BURGLARY**

STATE - LOS ANGELES COUNTY

1965 - 1974 - 1975

Tables 1 through 3 reflect dispositions of persons convicted of homicide, robbery and burglary during 1965, 1974 and 1975.

Sentencing practices in Los Angeles County, and throughout the State, changed drastically from 1965 to 1975, and only two of the eight categories registered increases. In Los Angeles County, California Rehabilitation Center (CRC) commitments rose from 2.7 percent in 1965 to 3.9 percent in 1975, while probation with jail rose from 17.9 percent to 48.4 percent over the same period. Throughout the State, leniency is evidently utmost in the minds of the judiciary because a felon convicted of one of these crimes in 1975 had a 47 percent chance of being given probation with jail. Convicted burglars in Los Angeles County during 1975 had only a 10.7 percent chance of doing hard time. Not bad odds at all - for the burglars!!



**SENTENCES OF FELONY DEFENDANTS CONVICTED IN SUPERIOR COURT
HOMICIDE-ROBBERY-BURGLARY
1965**

TABLE 1

	Deft Totals	State Prison	CYA	Straight Probation	Probation With Jail	Jail	Fine	CRC	Mental Hygiene
L.A. COUNTY									
Homicide	220	137*	12	25	42	4	0	0	0
Percent of Total	100%	62.3%	5.4%	11.4%	19.1%	1.8%	0%	0%	0%
Robbery	961	603	168	39	116	18	0	16	1
Percent of Total	100%	62.7%	17.4%	4.1%	12.1%	1.9%	0%	1.7%	.1%
Burglary	2525	505	290	586	506	548	4	84	2
Percent of Total	100%	20.0%	11.5%	23.2%	20.0%	21.7%	.2%	3.3%	.1%
TOTALS	3706	1245	470	650	664	570	4	100	3
Percent of Total	100%	33.6%	12.7%	17.5%	17.9%	15.4%	.1%	2.7%	.1%
STATE-LESS L.A. COUNTY									
Homicide	370	186**	8	65	99	11	0	1	0
Percent of Total	100%	50.2%	2.2%	17.5%	26.8%	3.0%	0%	.3%	0%
Robbery	987	614	112	54	176	19	0	12	0
Percent of Total	100%	62.2%	11.4%	5.5%	17.8%	1.9%	0%	1.2%	0%
Burglary	3348	948	286	649	896	505	6	56	2
Percent of Total	100%	28.3%	8.5%	19.4%	26.7%	15.1%	.2%	1.7%	.1%
TOTALS	4705	1748	406	768	1171	535	6	69	2
Percent of Total	100%	37.2%	8.6%	16.3%	24.9%	11.4%	.1%	1.5%	0%
STATE TOTALS									
Homicide	590	323	20	90	141	15	0	1	0
Percent of Total	100%	54.7%	3.4%	15.3%	23.9%	2.5%	0%	.2%	0%
Robbery	1948	1217	280	93	292	37	0	28	1
Percent of Total	100%	62.5%	14.4%	4.8%	14.9%	1.9%	0%	1.4%	.1%
Burglary	5873	1453	576	1235	1402	1053	10	140	4
Percent of Total	100%	24.7%	9.8%	21.0%	23.9%	17.9%	.2%	2.4%	.1%
TOTALS	8411	2993	876	1418	1835	1105	10	169	5
Percent of Total	100%	35.6%	10.4%	16.9%	21.8%	13.1%	.1%	2.0%	.1%

* Includes 8 death sentences

** Includes 8 death sentences

SOURCE: Bureau of Criminal Statistics

**SENTENCES OF FELONY DEFENDANTS CONVICTED IN SUPERIOR COURT
HOMICIDE—ROBBERY—BURGLARY
1974**

TABLE 2

	Deft Totals	State Prison	CYA	Straight Probation	Probation With Jail	Jail	Fine	CRC	Mental Hygiene
L.A. COUNTY									
Homicide	382	234*	16	30	99	0	0	2	1
Percent of Total	100%	61.3%	4.2%	7.9%	26.0%	0%	0%	.4%	.2%
Robbery	1196	476	197	41	413	2	0	66	1
Percent of Total	100%	39.8%	16.5%	3.4%	34.5%	.2%	0%	5.5%	.1%
Burglary	2316	229	136	381	1249	149	0	168	4
Percent of Total	100%	9.9%	5.9%	16.4%	53.9%	6.4%	0%	7.3%	.2%
TOTALS	3894	939	349	452	1761	151	0	236	6
Percent of Total	100%	24.1%	8.9%	11.6%	45.2%	3.9%	0%	6.1%	.2%
STATE—LESS L.A. COUNTY									
Homicide	519	377**	11	41	86	2	0	0	2
Percent of Total	100%	72.6%	2.1%	7.9%	16.6%	.4%	0%	0%	.4%
Robbery	1760	827	234	80	519	3	0	94	3
Percent of Total	100%	47.0%	13.3%	4.5%	29.5%	.2%	0%	5.3%	.2%
Burglary	4485	578	318	652	2367	236	4	324	6
Percent of Total	100%	12.9%	7.1%	14.5%	52.8%	5.3%	.1%	7.2%	.1%
TOTALS	6764	1782	563	773	2972	241	4	418	11
Percent of Total	100%	26.3%	8.3%	11.4%	43.9%	3.6%	.1%	6.2%	.2%
STATE TOTALS									
Homicide	901	611	27	71	185	2	0	2	3
Percent of Total	100%	67.8%	3.0%	8.0%	20.5%	.2%	0%	.2%	.3%
Robbery	2956	1303	431	121	932	5	0	160	4
Percent of Total	100%	44.1%	14.6%	4.1%	31.5%	.2%	0%	5.4%	.1%
Burglary	6801	807	454	1033	3616	385	4	492	10
Percent of Total	100%	11.9%	6.7%	15.2%	53.2%	5.7%	0%	7.2%	.1%
TOTALS	10,658	2721	912	1225	4733	392	4	654	17
Percent of Total	100%	25.5%	8.6%	11.5%	44.4%	3.7%	0%	6.1%	.2%

* Includes 2 death sentences

** Includes 7 death sentences

SOURCE: Bureau of Criminal Statistics

**SENTENCES OF FELONY DEFENDANTS CONVICTED IN SUPERIOR COURT
HOMICIDE—ROBBERY—BURGLARY
1975**

TABLE 3

	Deft Totals	State Prison	CYA	Straight Probation	Probation With Jail	Jail	Fine	CRC	Mental Hygiene
L.A. COUNTY									
Homicide	412	227*	21	32	131	0	0	1	0
Percent of Total	100%	55.1%	5.1%	7.8%	31.8%	0%	0%	.2%	0%
Robbery	1385	576	210	45	512	5	0	35	2
Percent of Total	100%	41.6%	15.2%	3.2%	37.0%	.4%	0%	2.5%	.1%
Burglary	2634	283	168	369	1502	174	0	136	2
Percent of Total	100%	10.7%	6.4%	14.0%	57.0%	6.6%	0%	5.2%	.1%
TOTALS	4431	1086	399	446	2145	179	0	172	4
Percent of Total	100%	24.5%	9.0%	10.1%	48.4%	4.0%	0%	3.9%	.1%
STATE—LESS L.A. COUNTY									
Homicide	473	352**	12	35	73	0	0	0	1
Percent of Total	100%	74.4%	2.5%	7.4%	15.5%	0%	0%	0%	.2%
Robbery	1885	831	273	79	627	4	2	66	3
Percent of Total	100%	44.1%	14.5%	4.2%	33.2%	.2%	.1%	3.5%	.2%
Burglary	4002	511	264	575	2230	149	1	266	6
Percent of Total	100%	12.8%	6.6%	14.4%	55.7%	3.7%	0%	6.7%	.1%
TOTALS	6360	1694	549	689	2930	153	3	332	10
Percent of Total	100%	26.7%	8.6%	10.8%	46.1%	2.4%	0%	5.2%	.2%
STATE TOTALS									
Homicide	885	579	33	67	204	0	0	1	1
Percent of Total	100%	65.4%	3.7%	7.6%	23.1%	0%	0%	.1%	.1%
Robbery	3270	1407	483	124	1189	9	2	101	5
Percent of Total	100%	43.0%	14.7%	3.8%	34.8%	.3%	.1%	3.1%	.2%
Burglary	6636	794	432	944	3732	323	1	402	8
Percent of Total	100%	12.0%	6.5%	14.2%	56.2%	4.9%	0%	6.1%	.1%
TOTALS	10791	2780	948	1135	5075	332	3	504	14
Percent of Total	100%	25.8%	8.8%	10.5%	47.0%	3.1%	0%	4.7%	.1%

* Includes 3 given death penalty

** Includes 16 given death penalty

SOURCE: Bureau of Criminal Statistics

PERCENTAGE OF CONVICTIONS INVOLVING PROBATIONERS

LOS ANGELES COUNTY — STATE LESS LOS ANGELES COUNTY

HOMICIDE — ROBBERY — BURGLARY

Chart 19 shows that during 1975 the State less Los Angeles County had a greater percentage of homicides committed by probationers (20.3 percent) than did Los Angeles County (16.8 percent).

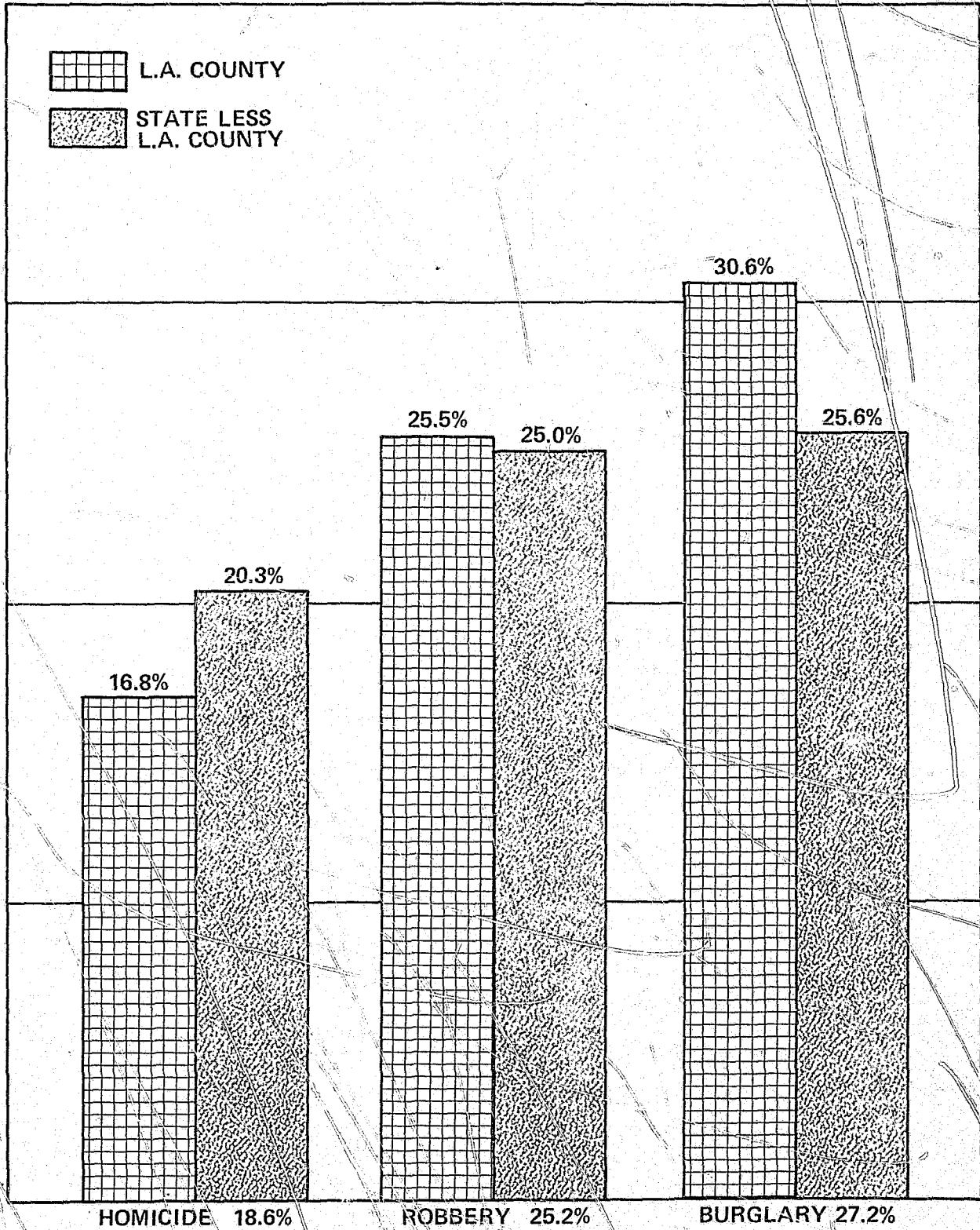
Los Angeles County led the rest of the State in the percentage of robbers and burglars convicted while on probation, by .5 and 5 percentage points respectively. From 1974 to 1975, Los Angeles County reduced the robbery and burglary figures nearly 5 percentage points each. This brought the percentage of robbery convictions involving probationers to a point just above the level for the remainder of the State, but the percentage of burglary convictions involving probationers is still considerably above the State less Los Angeles County figure. This chart leads to the inescapable conclusions that many probationers are criminally active and that a greater reliance on state prison sentences rather than probation would result in reduced crime.

PERCENTAGE OF CONVICTIONS INVOLVING PROBATIONERS

L A COUNTY - STATE LESS L A COUNTY

1975

CHART 19



SOURCE: Bureau of Criminal Statistics

PERCENTAGE OF CONVICTIONS INVOLVING PROBATIONERS

**LOS ANGELES COUNTY – STATE LESS
LOS ANGELES COUNTY**

HOMICIDE – ROBBERY – BURGLARY

Charts 20 and 21 illustrate a six-year trend in the percentage of homicide, robbery and burglary convictions involving probationers. In Los Angeles County the upward trend of the early seventies has started to reverse itself. The graph for the State less Los Angeles County shows a convergence of the percentages involving burglary and robbery, both of which have remained relatively stable since 1970. The slight upswing in 1974 of homicide convictions involving probationers appears to be leveling off.

PERCENTAGE OF CONVICTIONS INVOLVING PROBATIONERS

CHART 20

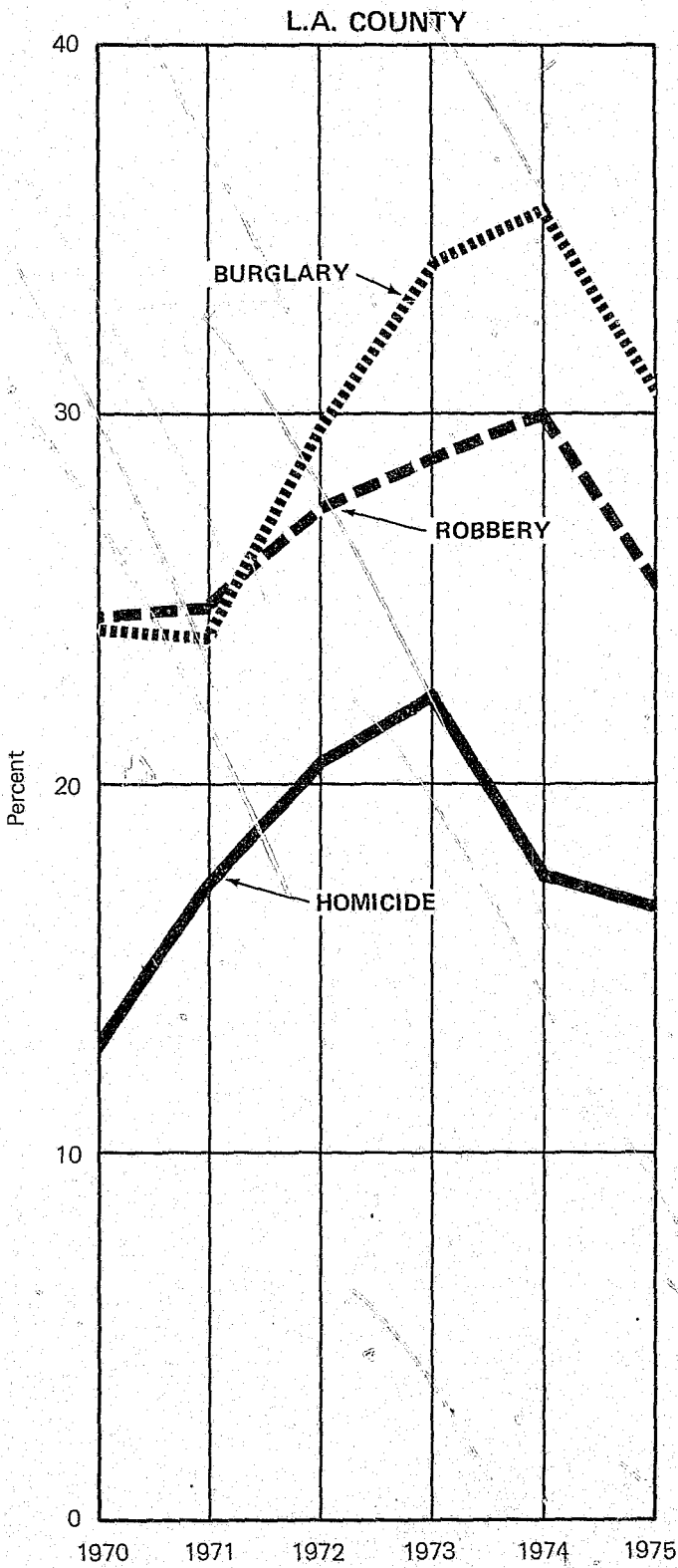
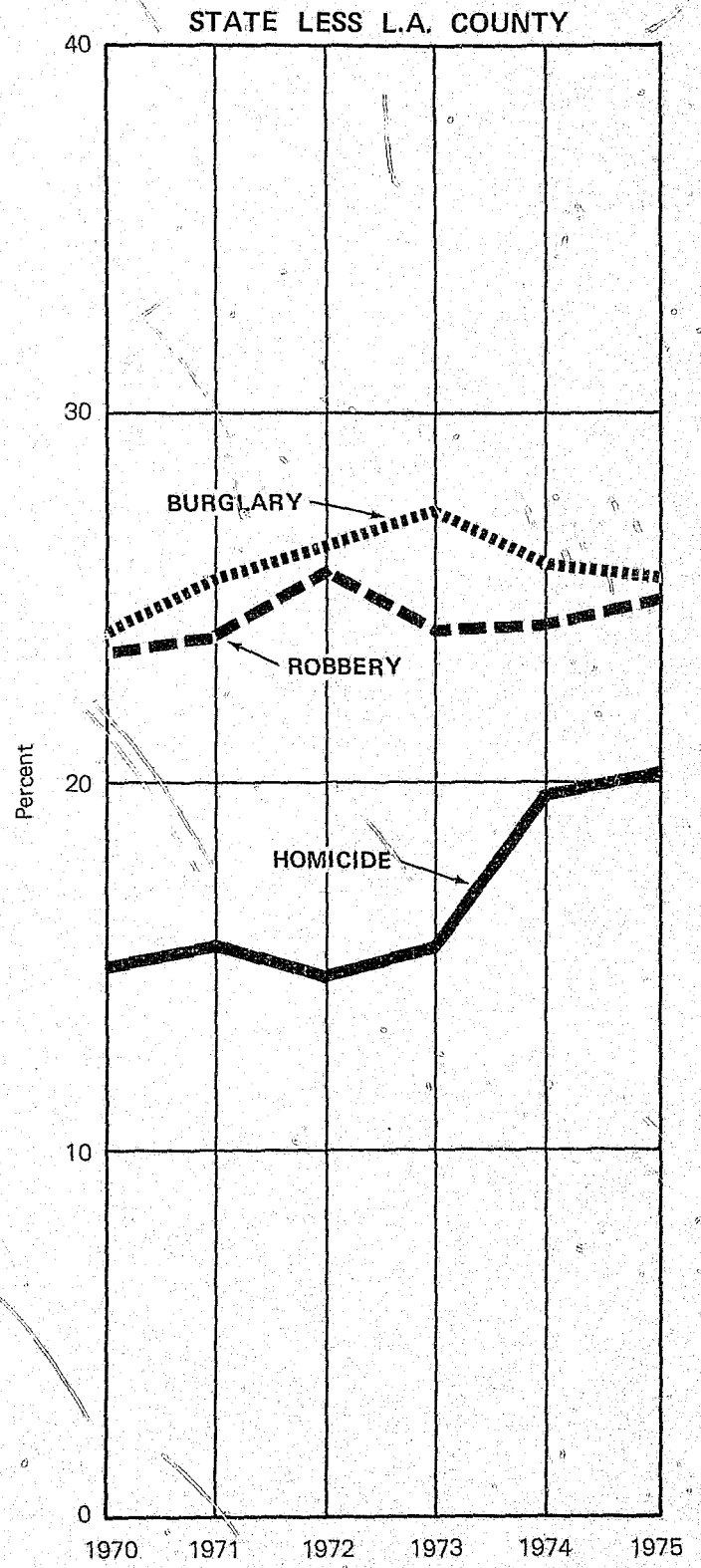


CHART 21



SOURCE: Bureau of Criminal Statistics

PERCENTAGE OF CONVICTIONS INVOLVING PAROLEES

**LOS ANGELES COUNTY – STATE LESS
LOS ANGELES COUNTY**

HOMICIDE – ROBBERY – BURGLARY

Chart 22 shows that during 1975, Los Angeles County was below the remainder of the State in the percentage of parolees convicted of homicide, robbery or burglary.

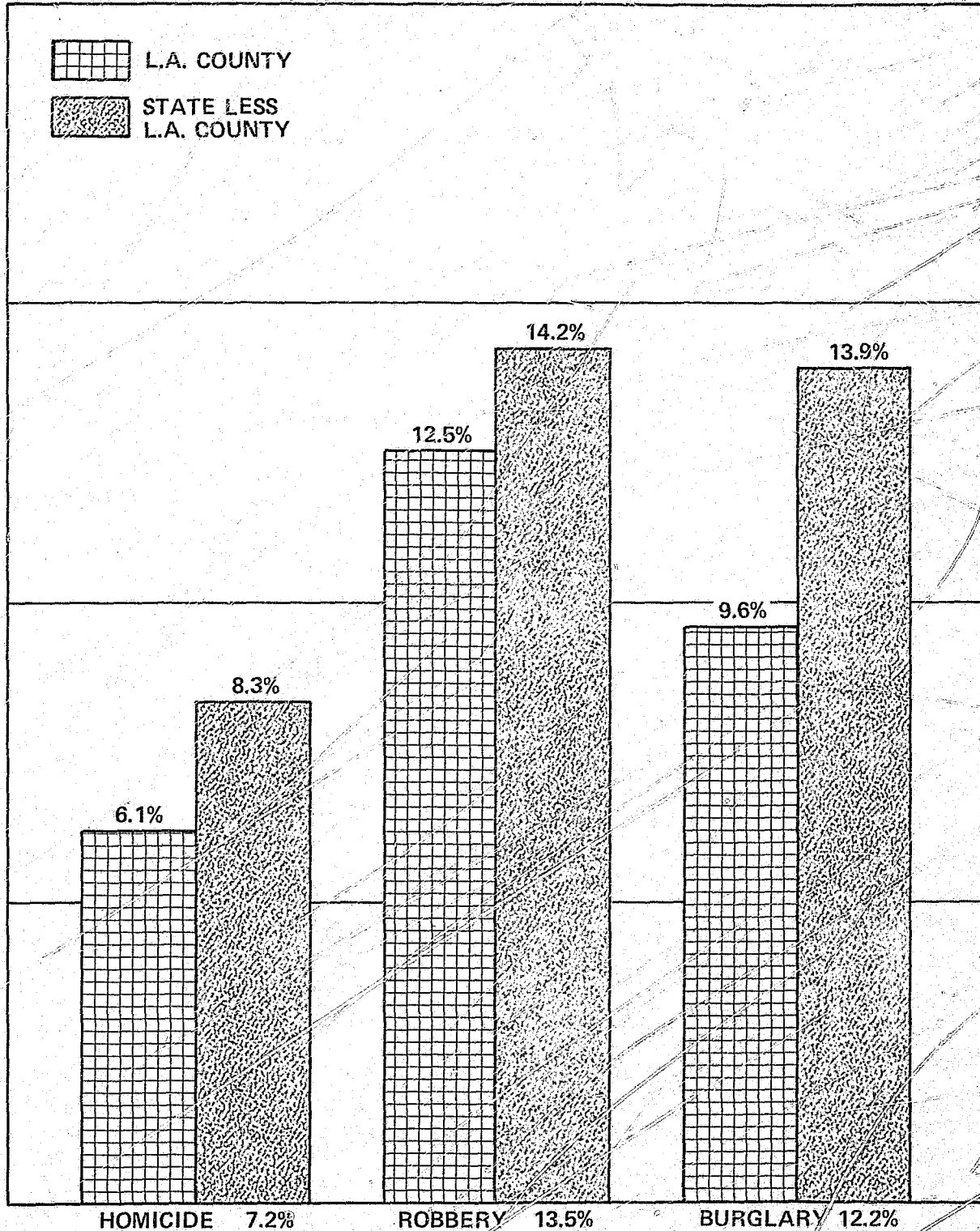
In Los Angeles County the percentage of burglary convictions involving parolees was 4.3 percentage points below the figure for the remainder of the State. That differential was larger than the differences for either homicide, 2.2 percentage points, or robbery, 1.7 percentage points.

PERCENTAGE OF CONVICTIONS INVOLVING PAROLEES

L A COUNTY-STATE LESS L A COUNTY

1975

CHART 22



SOURCE: Bureau of Criminal Statistics

PERCENTAGE OF CONVICTIONS INVOLVING PAROLEES

**LOS ANGELES COUNTY - STATE LESS
LOS ANGELES COUNTY**

HOMICIDE - ROBBERY - BURGLARY

Charts 23 and 24 illustrate a six-year trend in the percentage of homicide, robbery and burglary convictions involving parolees. In Los Angeles County since 1972, the percentage of convictions involving parolees has decreased. The graph depicts the rapid decline of robbery and burglary convictions involving parolees. The percentage of homicide convictions involving parolees throughout the State has been subject to numerous fluctuations, but in Los Angeles County in 1975 the percentage was below the 1970 level; in the State less Los Angeles County in 1975 the percentage was up slightly from 1974 but still below the 1971 level.

If the general decrease in such convictions throughout the State means fewer parolees are committing these crimes, then the Department of Corrections has finally established more effective criteria for the determination of parole risks.

PERCENTAGE OF CONVICTIONS INVOLVING PAROLEES

CHART 23

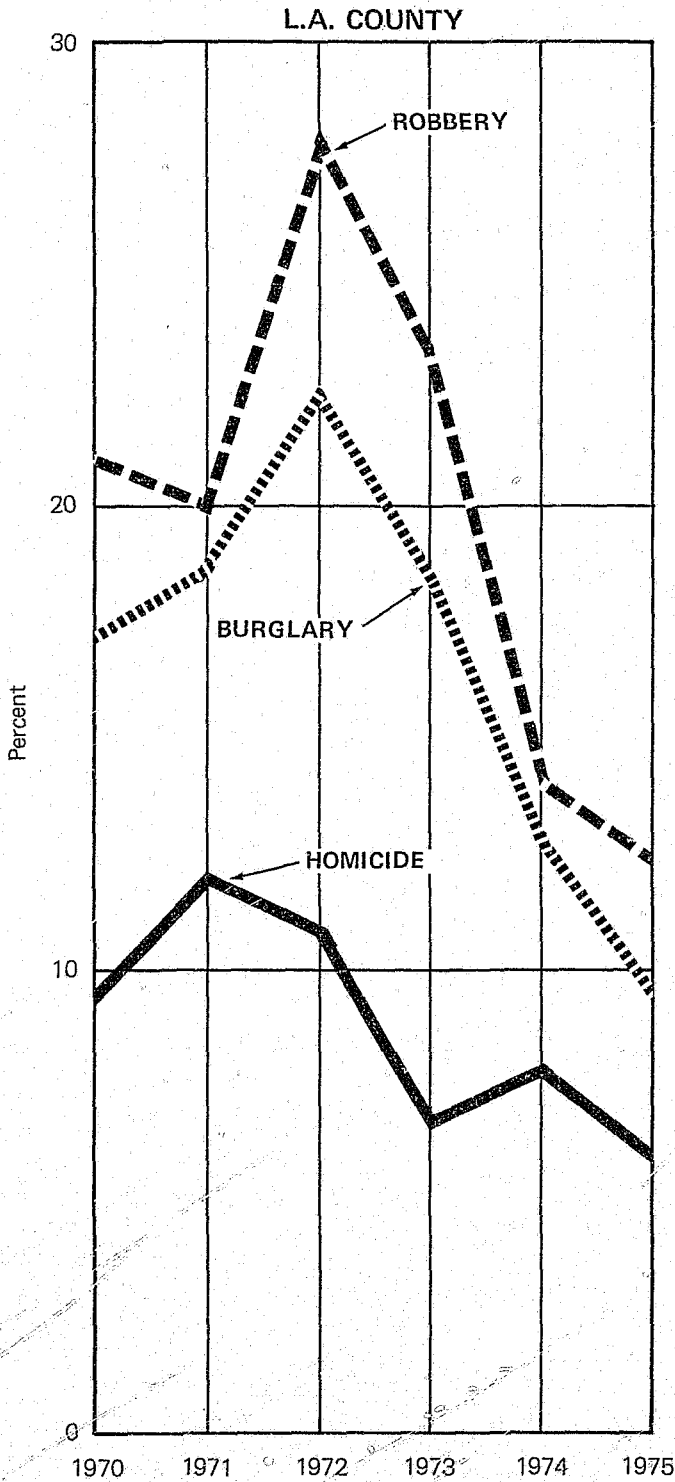
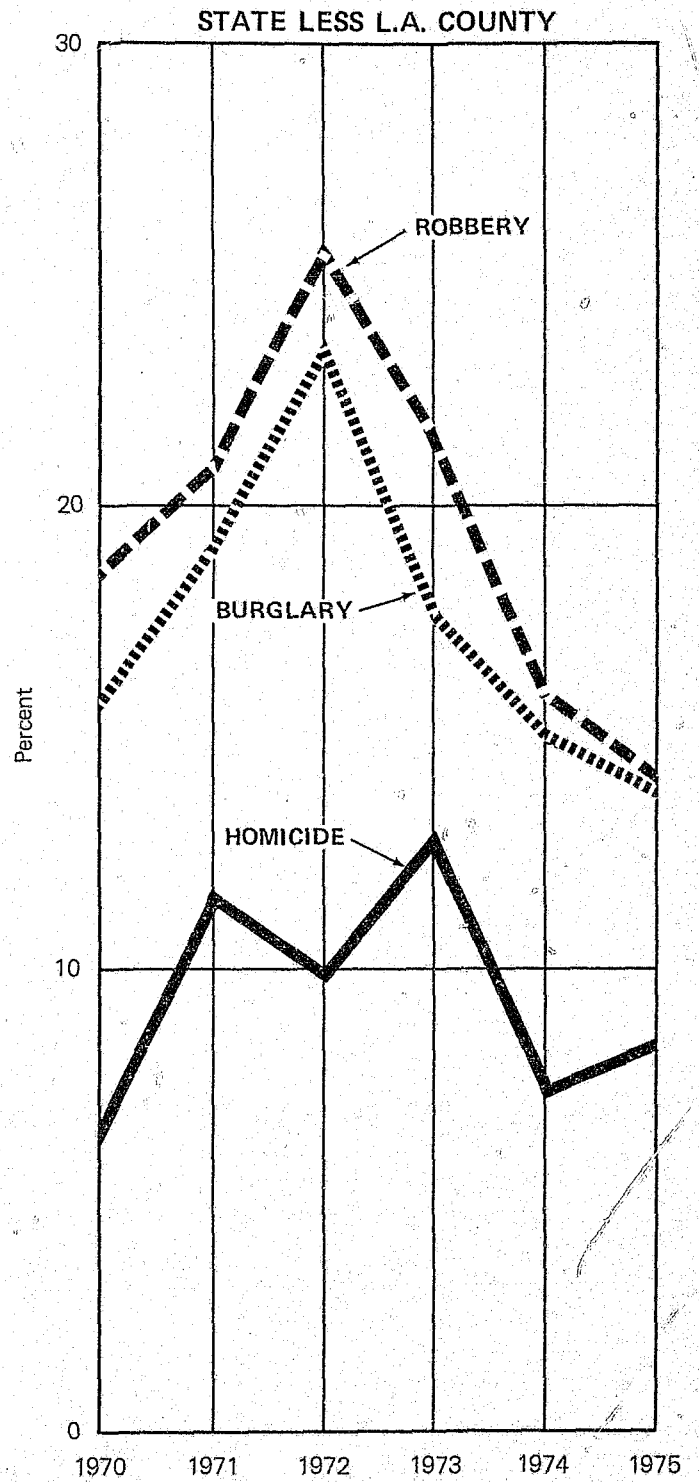


CHART 24



SOURCE: Bureau of Criminal Statistics

**PERCENTAGE OF CONVICTIONS INVOLVING
PROBATIONERS AND PAROLEES**

**LOS ANGELES COUNTY – STATE LESS
LOS ANGELES COUNTY**

HOMICIDE – ROBBERY – BURGLARY

Chart 25 reveals the percentage of homicide, robbery and burglary convictions during 1975 which involved individuals who were on probation or parole. These individuals, who were processed through the criminal justice system at least once, were returned to the street where they were free to resume criminal activity. Community-based rehabilitation evidently did not work for these criminals because, as the number of convictions demonstrates, they were involved in criminal acts again and had to be recirculated through the system.

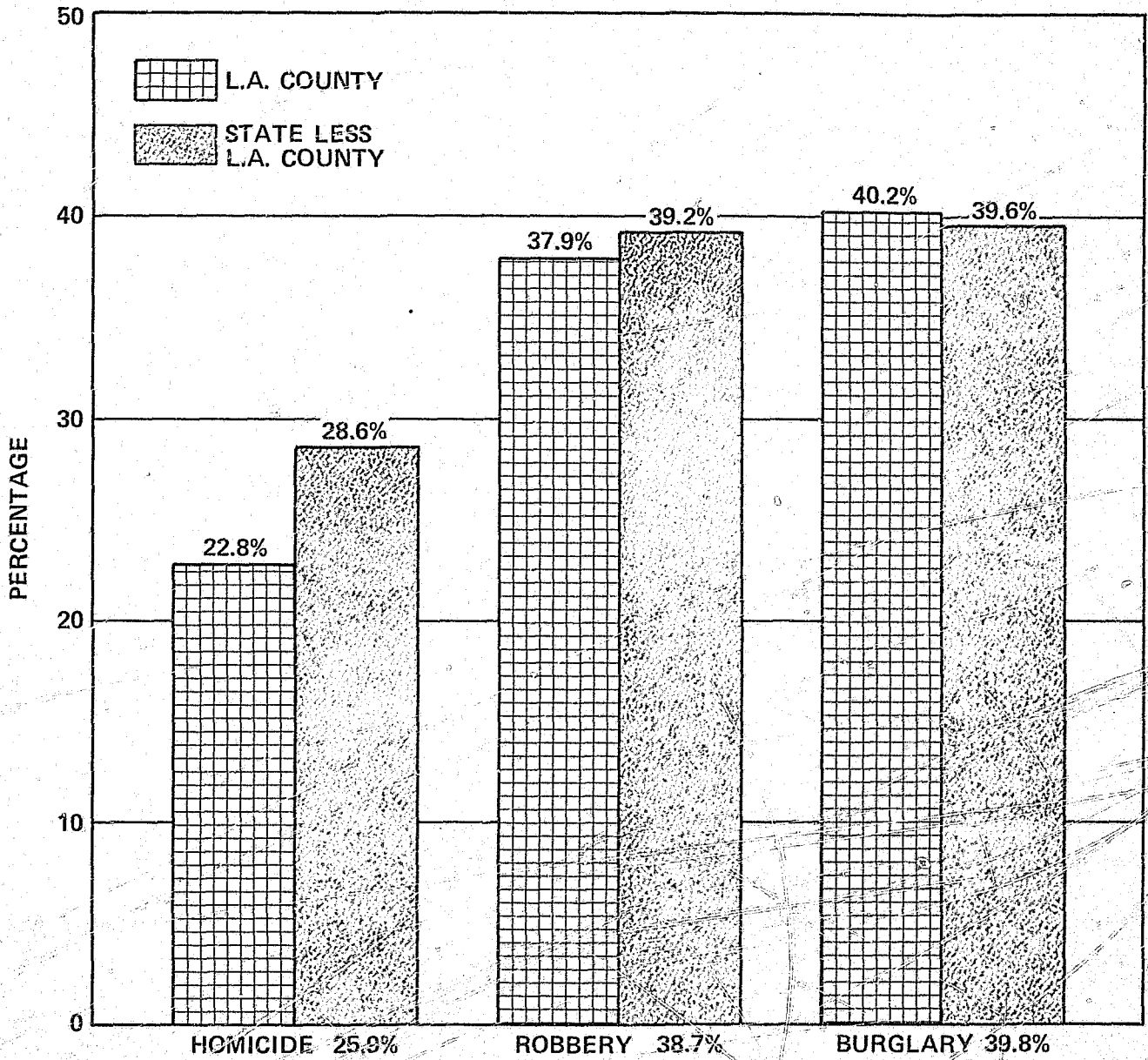
Los Angeles County was below the remainder of the State in the percentage of probationers and parolees convicted of homicide (22.8 percent compared to 28.6 percent) and robbery (37.9 percent compared to 39.2 percent), but was higher in burglary (40.2 percent compared to 39.6 percent).

PERCENTAGE OF CONVICTIONS INVOLVING PROBATIONERS AND PAROLEES

LOS ANGELES COUNTY - STATE LESS L.A. COUNTY
HOMICIDE-ROBBERY-BURGLARY

1975

CHART 25



PERCENTAGE OF CONVICTIONS INVOLVING
PROBATIONERS AND PAROLEES

LOS ANGELES COUNTY – STATE LESS
LOS ANGELES COUNTY

HOMICIDE – ROBBERY – BURGLARY

Charts 26 and 27 show the percentage of convictions for homicide, robbery and burglary involving probationers and parolees for the years 1970 through 1975. The tremendous fluctuations that have taken place over the last six years are readily apparent and suggest that there are continuing problems in determining good probation and parole risks. Charts 23 and 24 on page 28 show that the percentage of convictions involving *parolees* has generally been dropping since 1972; therefore, it appears that the problem is selecting suitable candidates for probation.

PERCENTAGE OF CONVICTIONS INVOLVING PROBATIONERS AND PAROLEES LOS ANGELES COUNTY - STATE LESS L.A. COUNTY

CHART 26

L.A. COUNTY

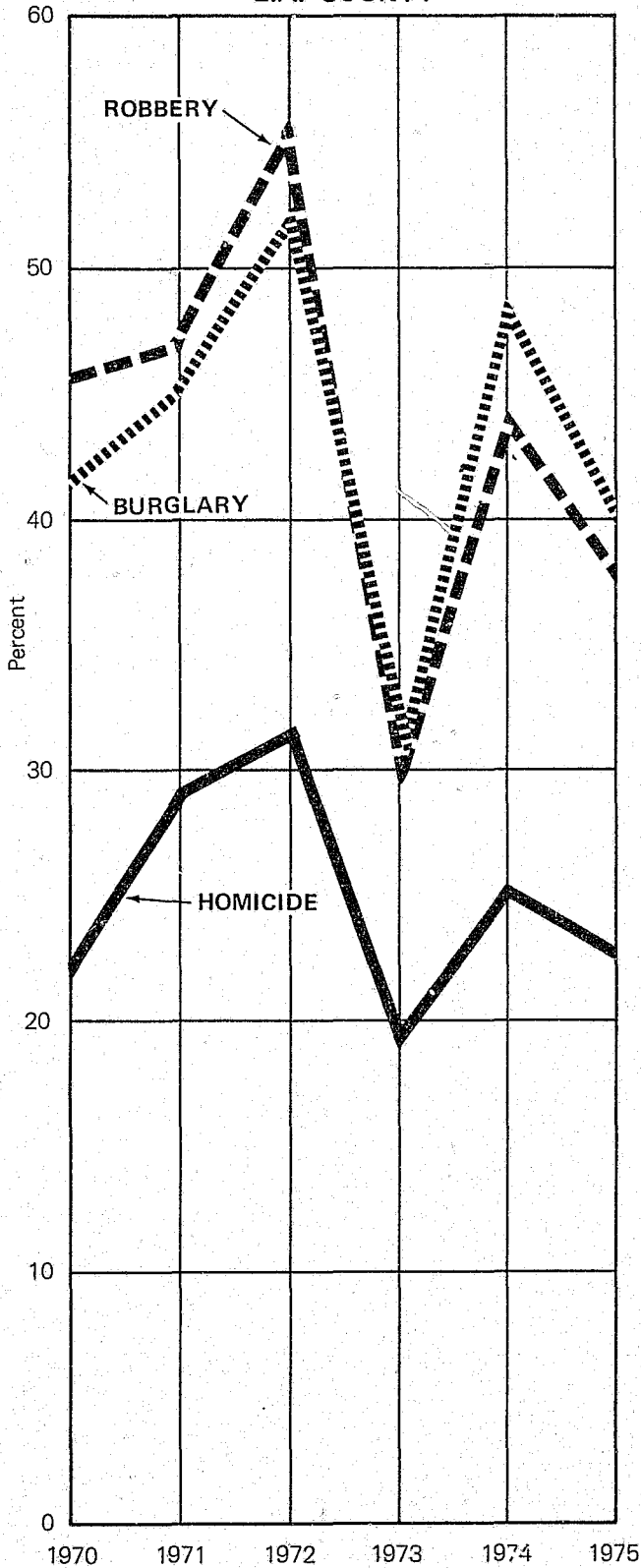
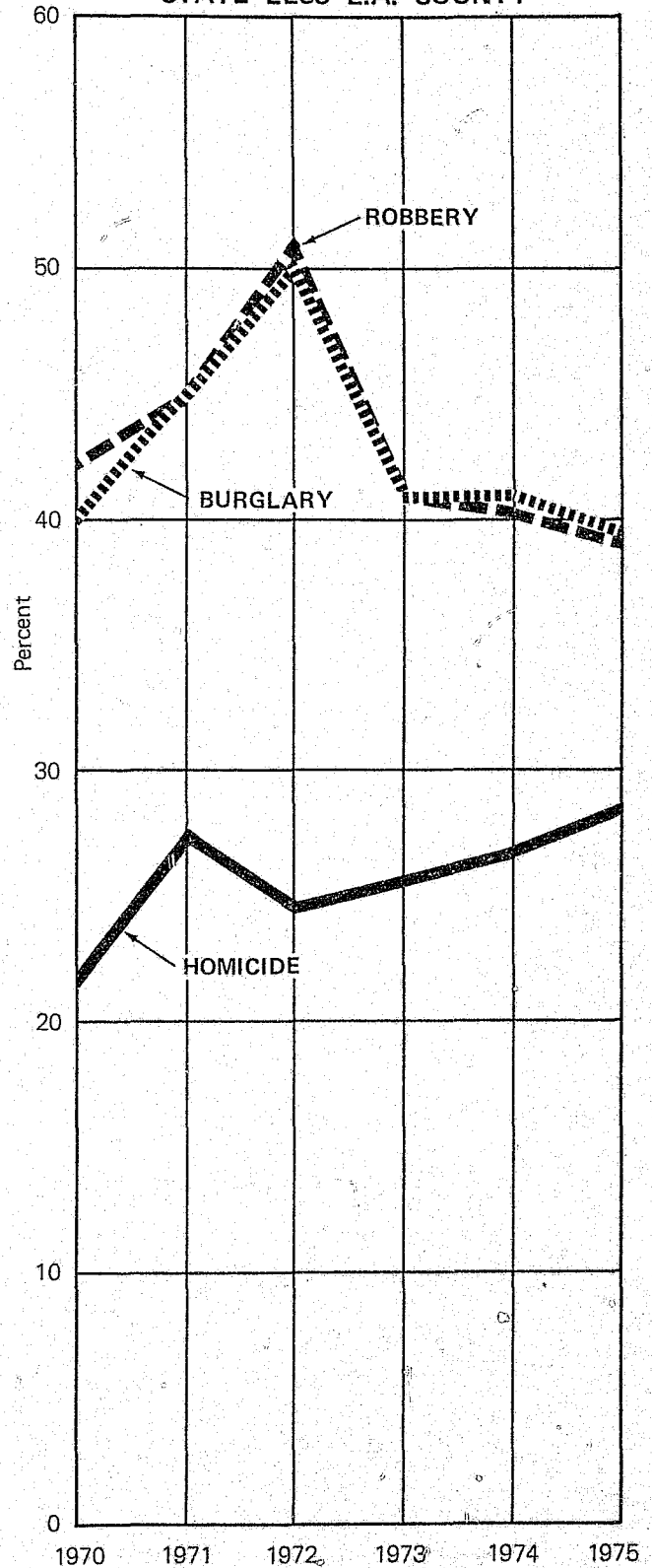


CHART 27

STATE LESS L.A. COUNTY



SOURCE: Bureau of Criminal Statistics

TIME SERVED PRIOR TO FIRST RELEASE ON PAROLE

HOMICIDE — ROBBERY — BURGLARY

1965 — 1974 — 1975

Chart 28 shows that during 1975 the median prison time served by persons prior to their first release on parole increased over 1974 levels, with the exception of those convicted of attempted robbery. The largest increase was for first-degree murderers who were required to spend 31 months longer in prison (a 25.3 percent increase). Attempted robbery was the only crime for which the median time served dropped (down 1.5 months, a decrease of 3.5 percent).

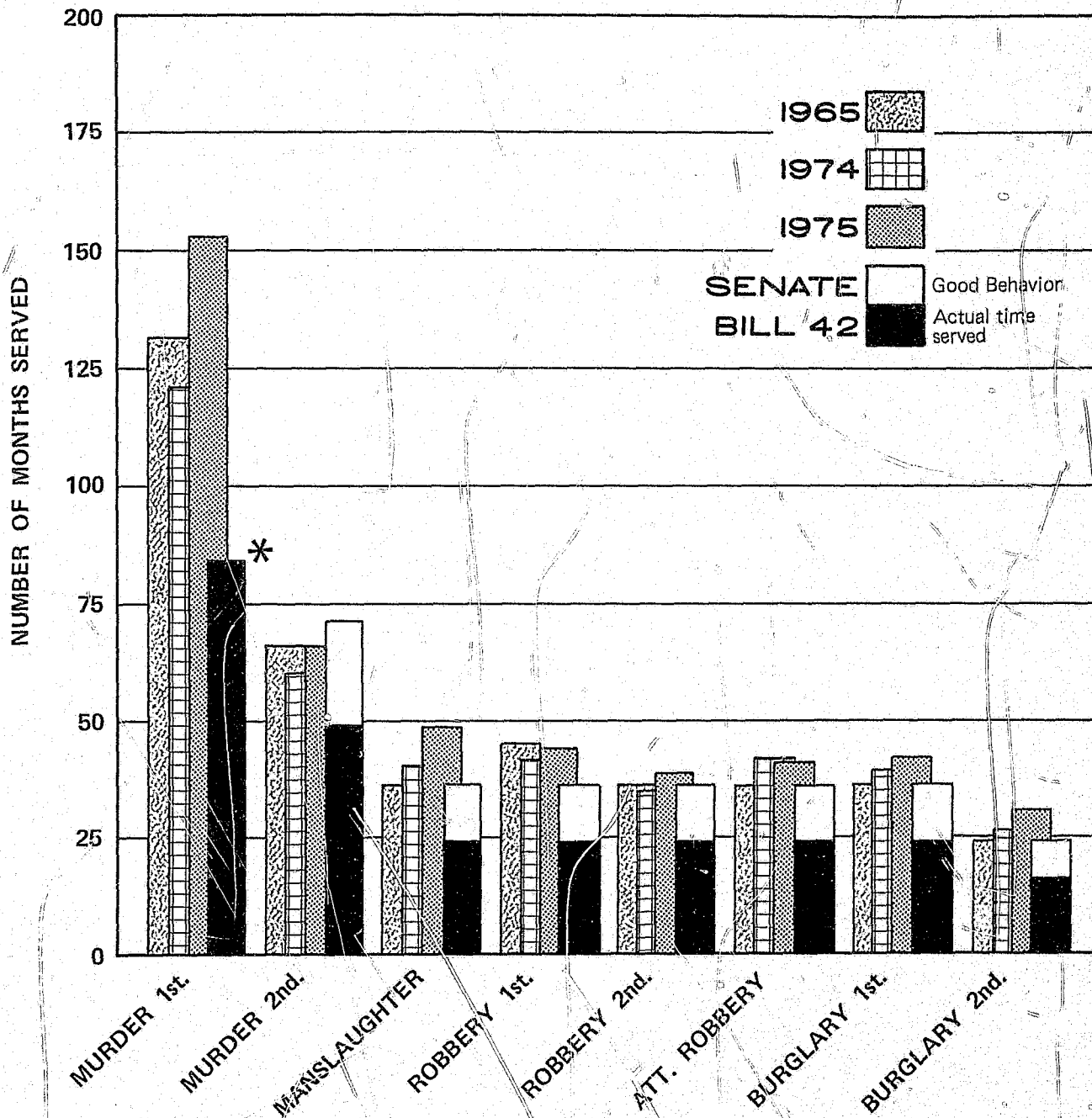
Such gains in time served, however, will be all but eliminated because of the enactment of Senate Bill 42 which became effective on July 1, 1977. The California State legislature rewrote and replaced criminal sanctions described in the Penal Code with sentences less severe than most Adult Authority standards which had been imposed on sentenced criminals. Now each crime has three possible punishments (e.g., for robbery the sentence can be two, three or four years). A judge will be required to sentence a convicted criminal to the middle term unless a motion is made and evidence presented that would justify either raising or lowering the penalty. The new legislation also requires that the Department of Corrections reduce sentences by one-third as good behavior credit, subject to certain conditions attached to the sentence.

Chart 28 shows the effects of Senate Bill 42 and compares the new sentences with past Adult Authority practices. It should be noted, however, that the Senate Bill 42 prison terms shown on this chart represent the middle term and do not include possible enhancements to prison sentences allowed by the Penal Code. Such enhancements are subject to considerable discretion by both the District Attorney in initiating a motion for sentence enhancement and by the judiciary in finding that the enhancement should be imposed.

TIME SERVED PRIOR TO FIRST RELEASE ON PAROLE

HOMICIDE · ROBBERY · BURGLARY

CHART 28



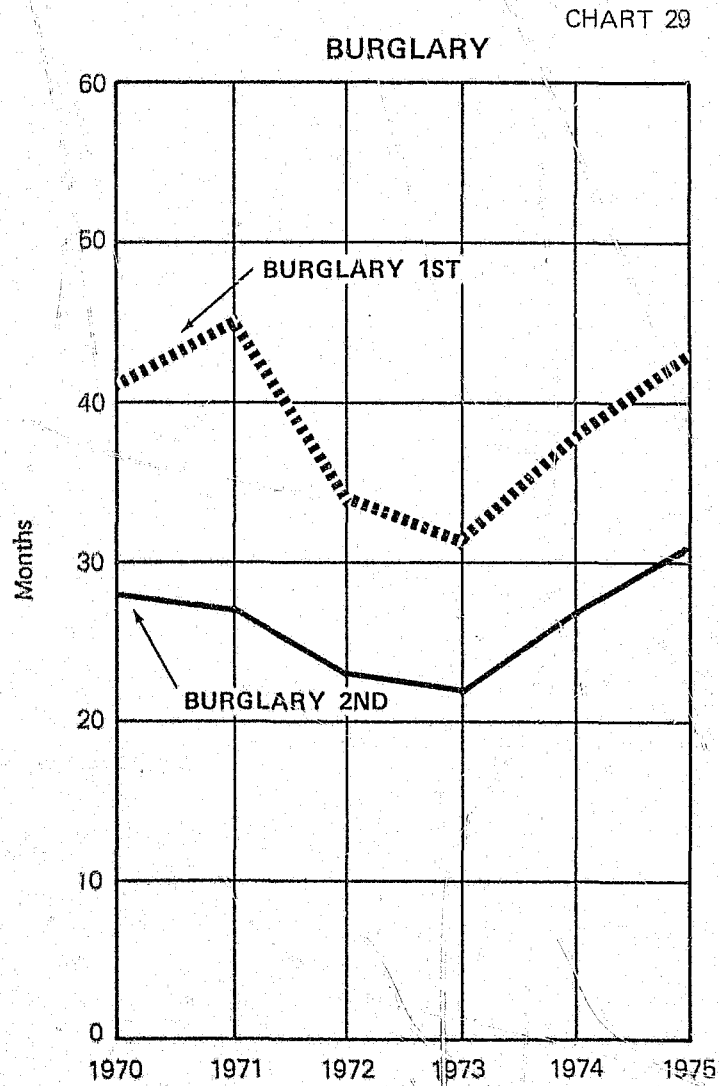
* 3046 P.C. — No prisoner imprisoned under a life sentence may be paroled until he has served at least seven calendar years (84 months).

SOURCE: California Department of Corrections

TIME SERVED PRIOR TO FIRST RELEASE ON PAROLE

Charts 29 through 31 allow for a six-year comparison of the time served prior to first release on parole. During 1975, the median time served increased for all crimes except attempted robbery.

The encouraging trend of convicted killers, robbers and burglars spending more time behind bars will be short lived with the enactment of Senate Bill 42.



TIME SERVED PRIOR TO FIRST RELEASE ON PAROLE

CHART 30

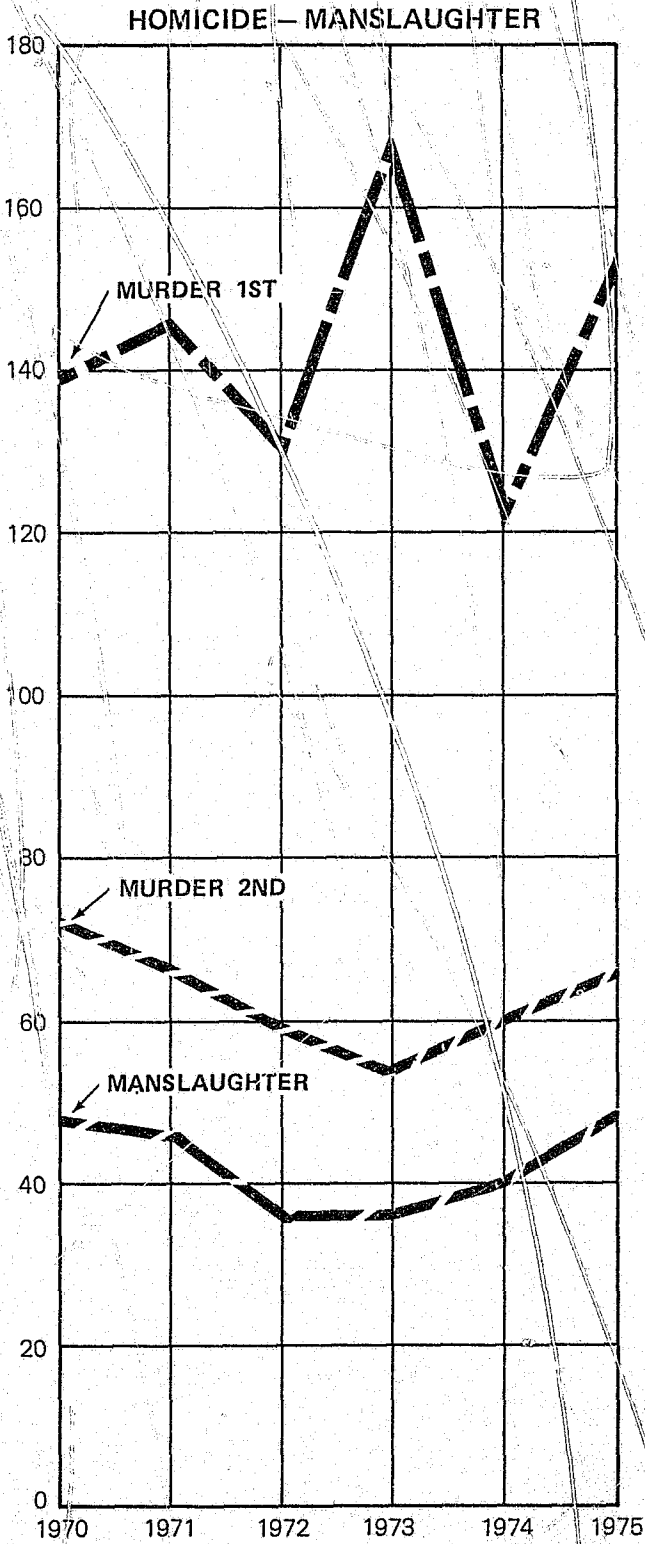
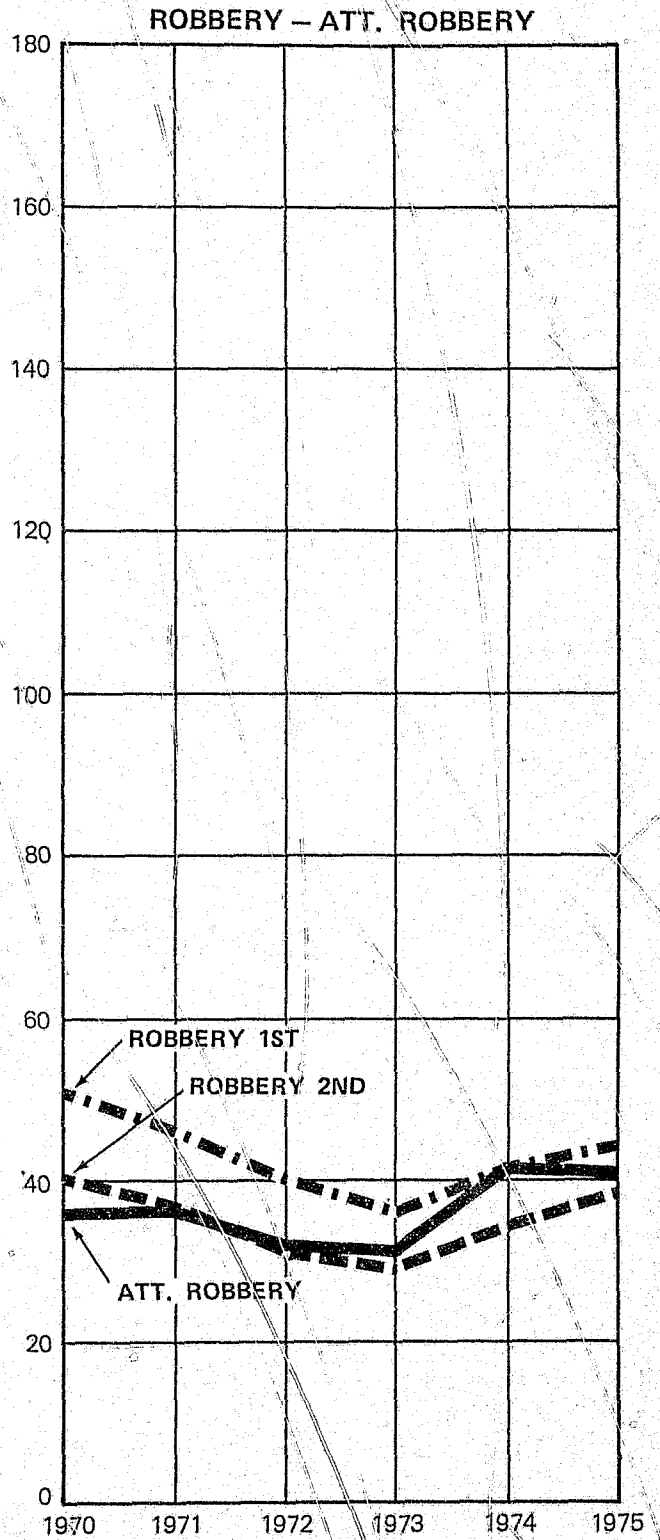


CHART 31



CONCLUSION

During 1975 the number of reported crimes and arrests rose above those for 1974, with the percentage increase for arrests greater than that for reported crimes. A larger number of felons were convicted during 1975; however, liberal use of Penal Code Section 17(b)(4), which permits the District Attorney to refer felony complaints either to his own staff or to the City Attorney for prosecution as misdemeanors, has no doubt contributed significantly to this higher conviction rate.

The percentage of dispositions resulting in prison sentences was up less than one-half a percentage point (1975 over 1974) while the percentage of convicted felons committed to probation rose over two percentage points.

The percentage of convicted felons placed on probation has risen markedly since 1965, to the point where probation, i.e., straight probation and probation with (county) jail, is by far the most frequently imposed disposition. The probation subsidy program, initiated in 1965, grants state funds to the counties for the administration of community-based rehabilitation programs. Judges, perhaps enticed by the prospect of rehabilitation within the community while effecting some, albeit illusory, cost savings, relied more and more on the probation subsidy program.

There is mounting evidence, however, that the probation subsidy program has not justified its continual use and that it is ineffective as a method of rehabilitation. The high recidivism rate of probationers over the years has apparently been accepted by the judiciary, at the expense of public safety. Any discussion of alternative forms of probation or rehabilitation, and their societal costs, must include the following: a convicted felon cannot commit a second crime if still behind bars for the first offense.

The criminal justice system managers and leaders must stop passively accepting whatever results the criminal justice system produces, and instead require accountability through a greater disclosure of system practices. Police departments are judged by crime rates which are widely published. Little is done, however, to inform the public of the filing rates of the prosecutors, or the sentencing practices of individual judges. If these items were published, prosecutors and judges would find that they must deal more severely with felons or face public censure.



END